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and the Metropolitan Chamber of Commerce & Industry (MCCI). It is at its initial stage of operation. It needs to be made fully functional with required technology, equipment, experts and human resources.

25. Section 22(2) of the Patent and Design Act, 1911 has the provision of granting compulsory licensing for domestic purposes, but not for export. Moreover, the provision for avoiding double remuneration is not added in the Patent and Design Act, 1911. Bangladesh has

VII. PROPOSED PROJECTS FOR DEVELOPING AN ENABLING IP ENVIRONMENT

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ANNEX 1

IPR Laws in Bangladesh and the Agency Responsible for the Formulation of Laws:

Issue

ANNEX 2

Action Matrix for Encouragement & Commercialization of Creation & Innovations and Enforcement of IP Rights

Issues	Present Situation	Objectives	Action Needed	Agency Responsible/Support Require from	Expected Outcome
1. IP Policy					

Formulation of IP Policy

No stand-alone IP Policy exists

There is lack of effective coordination among the IP institutions & enforcing agencies due to absence of an IP policy

Issues	Present Situation	Objectives	Action Needed	Agency Responsible/Support Require from	Expected Outcome
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	<p>industrial level</p> <p>Research plans are developed without needs assessment of markets & industries</p> <p>Agriculture researches are carried out to ensure food security. A few researches are carried out to meet the demand of the processing industries</p> <p>Technologies developed through individual initiatives are not properly researched, or linked with markets</p> <p>Research funds in the public institutions are extremely inadequate</p> <p>Researchers do not receive proper incentives other than regular salary for conducting researches</p> <p>Research outputs in the public sector are registered in the name of the institutions. This generally works as disincentives to the researchers. Patenting of innovations are time</p>		<p>outputs as exists in BRTC of BUET</p> <p>Acomplish Research Needs assessment on the consideration of tax structures, tariff policies and industrial demands</p> <p>Organize Regular meetings /Seminars /Workshops with the individual & institutional researchers and business community</p> <p>Establish IP faculty in the BUET or chambers for assessing research needs and linking research output with business people</p> <p>Increase fund for researches & researchers</p> <p>Provide adequate</p>		

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	<p>consuming & cumbersome</p> <p>Other than BUET, researchers in the public sector institutions do not get any share when the research outputs are used commercially</p> <p>There is huge brain drain from the public sector research institutions</p>				
<p>Technology transfers and Centre of Excellence for R&D</p>	<p>Country has poor technological base</p> <p>Technology transfer mechanism particularly under Article 66.2 is not satisfactory</p>	<p>Technology transfer and dissemination of technologies at a cheaper prices and with reasonable terms and conditions</p>	<p>Establish a centre of Excellence of R&D and Training</p> <p>Strengthen the public facilities</p> <p>Raise voice in the WTO and other international forums about the commitment on technology transfers</p> <p>There must be conditions for collaborative research under FDI flow and foreign aid</p> <p>Identify technological needs of the country and ask for supports</p> <p>Undertake measures so that the business people</p>	<p>University Grant Commission for centre of excellence</p> <p>Ministry of Science and Technologies</p> <p>Ministry of Commerce for effective implementation of Article 66.2</p> <p>Developed countries should be asked for effective transfer of technologies under Article 66.2</p> <p>Developed countries will be requested for technology transfer agreements with Bangladesh</p>	<p>Advance technologies will be available in the country and those technologies will be used for commercial purposes</p>

Issues	Present Situation	Objectives	Action Needed	Agency Responsible/Support Require from	Expected Outcome
			<p>can utilize the technologies for their commercial benefits</p> <p>Liaise with non-residents Bangladeshi for technology transfers</p> <p>Sign technology transfer agreement with the research institutions of the foreign countries</p> <p>Identify local innovators and link them with business</p>		
3. Legal Issues					

Improve Legal systems

Some of the provisions of the IP laws are not consistent with TRIPS Agreement

Import Policy Order, and Export Policy do not have clear provisions for preventing import and export of counterfeit goods

Customs Act do not have clear provisions for preventing import of copyright pirated items

No law exists in the field of utility models,

Make the IP laws consistent with the TRIPS Agreement

Identify TRIPS flexibilities, incorporate them in the domestic laws and prepare plan for utilization of these flexibilities

Formulate laws related to Utility Model,

Issues	Present Situation	
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Issues	Present Situation	Objectives	Action Needed	Agency Responsible/Support Require from	Expected Outcome
Enforcement of IP Laws	<p>IP enforcement is weak.</p> <p>There is little incentive for protection of IP rights. The country is a net importer of technologies and small business cannot afford to use patented items/original copies</p> <p>Weak linkage between IP institutions and law enforcing agencies e.g , police, judiciary and customs</p> <p>There is no separate cell in police or customs</p> <p>No IP tribunal exists</p> <p>IP enforcing agencies have limited knowledge and skills in identifying fake goods</p> <p>Judiciary/police have limited training opportunities on IP issues</p> <p>Most of the writers are deprived of getting royalties from the publishers. There is no societal mechanism to protect the interests of the right holders.</p>	<p>Ensure better enforcement of IP rights through appropriate legal, institutional and administrative supports</p>	<p>Establish linkages between IP institutions and enforcing agencies such as police, judiciary and customs through continuous dialogues, training, seminars etc</p> <p>IP policy to provide detail guidelines for establishing linkages</p> <p>Establish separate cell in the NBR & Police Department</p> <p>Establish at least one IP tribunal in the capital city and gradually expand it in other divisions</p> <p>Organize specialized IP training programmes for the police, judiciary and customs</p> <p>develop digital record registry system in the automation programmes of IP enforcing agencies</p> <p>Incorporate a mandatory provisions for payment of royalties to the writers, composers, singers musicians</p> <p>Formation of IP societies</p>	<p><u>Lead Agencies</u></p> <p>NBR</p> <p>Ministry of Home Affairs</p> <p>Ministry of Law, Justice and Parliamentary Affairs</p> <p>Ministry of Cultural Affairs</p> <p>Ministry of Industries</p> <p>DPDT</p> <p>Copyright office</p> <p><u>Supporting Agencies</u></p> <p>WCO</p> <p>WTO</p> <p>WIPO</p> <p>other donors</p> <p>(for financial & technical supports)</p>	<p>There will be better linkage between IP institutions and IP enforcing agencies that will improve the existing enforcing mechanism</p>

Issues	Present Situation	Objectives	Action Needed	Agency Responsible/Support Require from	Expected Outcome
Develop a private IP institution	There is no IP institutions for awareness raising, supporting the government with expert opinions, and				

Issues	Present Situation	Objectives	Action Needed	Agency Responsible/Support Require from	Expected Outcome
Awareness raising	Public & private sectors stakeholders have limited knowledge and information about IP issues Most of the University curricula do not have any IP course.	Awareness raising at mass scale about protection of IP rights through proper legal provisions and administrative procedures	Systematic and specialized training programmes Organize campaigning programmes two/three times a year at the divisional levels and gradually expand the programmes at the district levels Disseminate IP knowledge and information through trainings/workshops/ media /dialogues	<u>Lead Agency</u> Ministry of Cultural Affairs Ministry of Industries Ministry of Commerce DPDT, Copyright Office Trade bodies <u>Supporting Agency</u> WIPO, WCO & WHO for technical support Donors for financial and technical supports	Better knowledge about IP issues; Better understanding about legal obligation; Improve protection of IP rights;

Issues

