

South East Asian IP Network of Japanese Commerce and Industry

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Intellectual Property Office of Singapore (IPOS)
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Singapore 189554
ipos_consultation@ipos.gov.sg

Subject: SEAIPJ's comment on the "Public consultation on review of registered designs regime in Singapore"

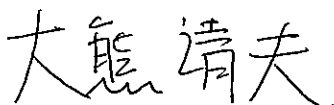
Dear Sir/ Madam

The South East Asian IP Network of Japanese Commerce and Industry (SEAIPJ) is a group consists of more than two hundred members from private and public entities who are practicing in intellectual property (IP) fields in ASEAN region.

Having learned that the "Public consultation on review of registered designs regime in Singapore" on which your office kindly invited public comments on its website, we would like to submit SEAIPJ's comment. SEAIPJ would appreciate it if your office takes it into consideration.

Your deeply consideration on this matters will be appreciated.

Yours sincerely



Yasuo OHKUMA

Secretary General

South East Asian IP Network of Japanese Commerce and Industry (SEAIPJ)

SEAIPJ's Comment on the "Item 5.9, protection of spare parts"

June 6, 2013

SEAIPJ

SEAIPJ has closely and carefully examined the "Item 5.9, protection of spare parts", publicized in the Intellectual Property Office of Singapore (IPOS) as of May 16, under the title of "Public consultation on review of registered designs regime in Singapore". SEAIPJ hereby presents its comments on this item.

For the reasons mentioned below, we would like to request your Office to consider protection of spare parts positively. Such arrangement will attract and encourage more IP oriented industries in your country.

1. We agree that designs of spare parts may have a part which is dependent upon shape of a whole design, and may have a part of shape necessary to perform their function.

However, e.g. automotive parts including hoods are designed in consideration of safety at the time of collision, and it is obvious that safety is a significant factor to be considered for products like a vehicle. In the case that these spare parts are excluded from protection, it means anyone can copy and sell "spare parts" without guarantee of safety, while lawful manufacturers and distributors can take no measure for that.

We believe it would be effective and important countermeasures that these spare parts are protected by the design rights protected under the design-related laws.

2. Some argues that since parts are designed in the process of designing the whole vehicle, those parts do not have to be separately protected, however, replaceable parts such as headlights are creations that are innovatively designed down to detail as separate parts, which are undoubtedly so for those manufacture or sell these parts.

3. Others also argue that spare parts can be protected as partial designs, as a part of a whole design, however, many other countries do not have a partial-design system itself, and if an application is to be filed in those countries based on a Singaporean partial-design application filed for a spare part, the procedure would not be as smooth as it should be.