

Second Survey on Business Attitudes to Intellectual Property

According to the second “Survey on Business Attitudes to Intellectual Property” undertaken by the Intellectual Property Department, the awareness level of intellectual property rights among the business sector in Hong Kong is remarkably high; however, some misconceptions still persist.

Around 90% of respondents understood the areas that were protected by intellectual property. More respondents (88.3%) knew that downloading photos/pictures/articles from the Internet without authorization and reproducing them for business purposes was an infringement of IP rights, an increase of 10.1% as compared to 2004.

A new question about uploading photos/pictures/articles without authorisation to their companies’ web sites was included in this year’s survey. It was found that 90.4% of respondents understood that it was an infringement of IP rights.

“We are pleased that Hong Kong businessmen are gaining deeper knowledge about intellectual property,” said Mr. Stephen Selby, Director of Intellectual Property Department. “In the past two year, we have spent around \$2 millions on projects to promote better understanding of IP among the business community.”

95.6% of businessmen thought that it was necessary to protect intellectual property rights in the business environment of Hong Kong. 96.1% agreed that intellectual property was a valuable asset. More than two-thirds (69.8%) believed that intellectual property infringement was quite serious at present.

Compared with 2004 (12.5%), more companies (22.9%) have registered their trademarks, patents of designs in Hong Kong in 2005. Although only relatively few establishments (18.9%) had assigned staff to manage intellectual property in their companies, there has been a noticeable improvement compared with last year’s survey (10%).

79.5% of respondents considered that Hong Kong was an important place to register trademarks, patents or designs. However, 44.8% mistakenly believed that they could automatically obtain protection in Hong Kong if they registered their trademarks, patents or designs in the Mainland.

Also, 53.1% of businessmen misunderstood the effect of business name or company registration: they thought wrongly that business name or company registration was enough to stop other people from copying their company name as a trademark.

“It is important for the business community to understand that under ‘one-country-two-systems’, they must register trademarks, patents and designs separately in Hong Kong before they can enjoy trademark protection here.

“It is also important to understand that registering a business name or company is

not the same as registering a trademark.

"This year's survey reveals the fact that we need to step up our efforts in clearing up such misunderstandings. With the support from trade associations, we shall organise seminars with the aim of correcting their misconceptions," said Mr. Selby.

The Intellectual Property Department commissioned Mercado Solutions Associates Ltd to conduct the survey. The survey findings are available on the website of the Intellectual Property Department at: www.ipd.gov.hk.

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