

CHAPTER 5: INTELLECTUAL PROPERTY RIGHTS

Relevant Laws:

- Law on Geographical Indication (GI) 2014
- Law on Seed Management and Breeder Rights 2008
- Law on Copyright and Related Rights 2003
- Law on Patents, Utility Model Certificates and Industrial Designs 2003
- Law on Marks, Trade Names and Acts of Unfair Competition 2002
- Law on Management of Quality and Safety of Products and Services 2000
- Various sectoral laws and many regulations for implementing the above laws

At the time of Cambodia's accession to WIPO in 1995 and the Paris Convention in 1998, the regulatory framework to protect intellectual property rights ("IPR") in Cambodia was weak. However, over the years, the development of IPR in Cambodia has evolved, reflecting the changing needs of society, technological advancements, and economic development.

Cambodia is also in the process of developing and drafting other IPR-related laws such as a Trade Secret Law, a Traditional-Cultural Knowledge and Folklore Law, a Compulsory Licenses for Public Health Law, a Commercial Contracts Law, etc. Cambodia is also a member of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and the Madrid Protocol concerning international registration of marks.

The three main government authorities implementing the relevant laws are the MOC, the MIH, and the MCFA and eleven other cooperative Ministries.

Below is a summary of the key functions and services of each Ministry.

Name of Institution	Key Functions and Services
MOC	<ul style="list-style-type: none">• Trademark / GI search• Trademark / GI registration• Affidavit of use or non-use of mark• Assignment of trademark right• Change of ownership, mark owner's name and/or address• Trademark cancellation / opposition to trademark application• Franchise recordal

<p style="text-align: center;">MIH</p>	<ul style="list-style-type: none"> • Patent and utility model: <ul style="list-style-type: none"> ▪ Granting Patent ▪ Issue compulsory license and patent license recordal ▪ Dispute resolution of patent right infringement • Industrial design: <ul style="list-style-type: none"> ▪ Issue ID certificate and renewal ▪ Issue report of ID search ▪ Change of ownership ▪ License recordal ▪ Dispute resolution of ID right infringement • Integrated circuit: <ul style="list-style-type: none"> ▪ Issue certificate ▪ Change of ownership ▪ License recordal ▪ Dispute resolution of IC right infringement
<p style="text-align: center;">MCF</p>	<ul style="list-style-type: none"> • Issue certificate of copyright registration of literature works: <ul style="list-style-type: none"> ▪ Reproduction of dictionary ▪ Electronic dictionary work and reproduction thereof ▪ Film ▪ Video • Issue certificate of copyright registration of musical works: <ul style="list-style-type: none"> ▪ Reproduction of music with or without lyrics ▪ Derivative music work with or without lyrics ▪ Music performance with or without lyrics ▪ Original music with or without lyrics uploaded on website ▪ Derivative music with or without lyrics uploaded on website • Issue certificate of registration of art performance, work of collage, book, article, painting, photo, map, architecture, computer program, phonogram and audio-visual work, digital work • Issue letter of permission for: <ul style="list-style-type: none"> ▪ Import – export book, including article ▪ Import – export disc ▪ Import – export tools for photocopy ▪ Commercialization of photocopy tools ▪ Photocopy service ▪ Book and article printing ▪ Disc production • Issue letter of permission for usage of picture of patrimonial temple in business