TOE SU AUNG

Tania Clark spoke with the current INTA President

With two parents involved in the shipping industry, International Trademark Association (INTA) President Toe Su Aung initially wanted to practice maritime law. However, when an early job interviewer suggested that it was not an industry suitable for a woman (something that hopefully would not happen now!) she ended up pursuing a career in IP. Many years on, it has proved a fruitful decision, and she is currently serving as General Counsel at BATMark Limited, heading up the anti-illicit trade unit. Here, Aung is using her education from the National University of Singapore and University of London, as well as experience gained in a previous role at Rothmans International, to fight some of the most aggressive counterfeiting in the global market place.

Aung has also recently become the first non-US and first Asian President of INTA, which involved what she describes as a series of stepping stones. Initially serving as an INTA committee member, then a committee chair, she subsequently sat on the Board of Directors. From there, she was asked to be an Officer and acted as Secretary and Treasurer, among other posts, before becoming President Elect. With only a one-year tenure in this premier role, she intends to squeeze in as much as possible.

Among her goals is to aid in increasing the globalisation of INTA, and she travels extensively developing relationships and reaching out to other global brand owners. INTA, she feels, can do more, and is on the cusp of greatness, particularly in Asia. Although there are many national and some regional brand-owner associations, she believes that none represents brand owners’ interests to the extent that INTA does.

International cooperation is important, she feels, and this involves collaborating with other local groups, and with international governments to push harmonisation of trade mark laws and procedures. Another primary goal is the accession of different countries to the Madrid Protocol. Where there has been resistance to the Madrid Protocol, this is being broken down by the continuing advent of new members and Aung would like to see Brazil be next to join.

Aung’s third goal is to engage with members and encourage them to become more involved in the Association. This means doing more than networking – education and policy issues also need to be considered. The INTA Board should be used to do outreach, attending industry events and becoming more visible so they can engage with members, she says.

Among the challenges she identifies for INTA and its members is public perception, particularly in Europe. This is not necessarily a backlash against trade marks, but a lack of understanding of IP. Aung points, for example, to the objections voiced by internet groups against IP Rights, and also objections made to efforts to reform the Community Trade Mark, as examples of conflicts that have generated a lot of negativity and anti-IP sentiment. On the positive side of the balance, however, Aung believes that the OHIM Observatory has been well received and is beneficial in highlighting the benefits of IP.

The new generic top-level domains also represent a significant challenge, and INTA is monitoring the development of the new web regime. Having spent most of her career in-house, Aung has always been interested in the public policy side of IP, which has also led her to understand the operational issues in protecting trade marks and advising governments regarding the necessary action required.

CURRENT ROLE: General Counsel, BATMark Limited (London), President INTA
PREVIOUS PROFESSIONAL ROLES: Drew & Napier (Singapore); Rothmans International
EDUCATION: Bachelor of Law, National University of Singapore; Master of Law, University of London.
HOBBIES: theatre, dance, opera, hiking and cooking her native dishes.

ABOUT THE AUTHOR

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