



**The expert of building brand name**

When open the Chong's brothers profile, there are many Malaysia Records which gave deep impression to the public were being conducted by the Chong's brothers including the 'Red Coffee Twin Tower'.

Furthermore, with their great effort, Malacca being listed as the most record breaking states after Kuala Lumpur.

They are Malacca citizen and born in a family of many siblings. The elder brother, Chong Han Kwang was a computer programmer and the younger brother, Chong Han Song was an administrator. In the end of 2000, Chong Han Kwang quit his job as the office worker, and started up an advertising company. Due to the lack of experience, he had faced a lot of difficulties and had once worked back as the office worker.

Chong Han Kwang said, "In the year of 2002, I got a chance. This is because I able to get to know the person in charge of Malaysia Book of Record, and became the agent of the

activities of Malaysia Records. I started revised the company's strategy and invited my brother join the company and try to manage 'Creative Image'.

“Honestly, we as the agent of conducting the activities of Malaysia Record did not cause us to earn a lot of money, but we had earned the good reputation, causing the public and businessmen to have a deep impression to us. During the preparation process, we had also earned many experiences and knowledge.”

He continues, “During helping the businessmen in breaking the Malaysia Records, we discovered that the local businessmen lack of the professional knowledge of trade mark. This is unfavorable to the development of a business. We learn while doing, then we established 'Cimage' which specialized in helping the Small and Medium Enterprises in trademark registration and related services.

### **The founder of Cimage, the expert of building brand name**

**The brothers keep together and move to the 'Blue Ocean'. They promote the local branding culture and develop the Intellectual Property, and with this they successfully develop the professional image. Even, there are business lawyer came and asked for the advice, this clearly showed that the Chong's brothers who involved in this field, do not afraid of 'imitation brand'.**

“Why we should listen to you, these are all about the legal, are you the lawyer?” “We are the old and famous enterprise, everyone know us, why we should register? If others use our brand name, then the public will know there are the pirated products ...”

The above two sentences are the frequently faced situations during the starting period. But, the Chong's brothers will not afraid of the stung. They still keep together and challenge the less famous industry. There is no other reason besides they are able to foresee the trend of international business and the potential of trademark registration industry.

After go through the few years of hard work, they are finally build up the professional image, and sometimes there are lawyer come to seek for advice.

The Chong's brother, the elder brother is Chong Han Kwang, and the younger brother is Chong Han Song. They are having different personality. One is active and the other is quiet. Thus, they are able to complement, develop Intellectual Property together and promote the local branding culture.

In this new era, Intellectual Property (IP) increasingly becomes one of the main considerations in the business competition. Thus, in the market, we are able to observe that there are many newly introduced products and designs.

The Chong's brothers said, "Although some of the products and designs are the hard work of SMEs, but, the SMEs do not have much IP knowledge, thus, they are not able to fully enjoy the benefits gain from the newly introduced products."

"If a product do not have any protection, but receive great response from the market and having larger market potential, it then will be taken over by the large-scale competitor. A large-scale enterprise will have better ability to produce in large quantity, improve the product and promote the product, result in the product becoming the most profitable product. But, the original producer will not able to enjoy any benefit."

Recently, World Intellectual Property Organization (WIPO) has come to the knowledge of this problem; they are now trying to expand the IP management to the SMEs, in order to for the SMEs to fully utilize IP in expanding their business. Besides, they also had enhanced the formulated plan, strategy and related ability in order to fulfill the need of the SMEs to IP.

### **Four main elements to success, IP is the most important**

The new era business market stresses on 'branding culture'. In the time of intense competition, many businessmen try to think of many ways to give prominent to their product, and thus build up their image.

Many consumers are depending on the brand name in differentiating the product. Furthermore, the brand name image is highly correlated with reputation. This is because there is a saying goes 'reputation, brand name, profit = the golden pyramid of business operation'

Chong Han Son further explained, "There are four main elements of a business moving toward success. The first element is protecting IP; the second is promoting product; the third is expanding the market; the fourth is maintain the superior."

He said, "We had noticed that the new era is getting more and more concern to IP, and the brand name is the main property of an enterprise. In the western countries, regardless of the large or small scale enterprises or business, to them the brand name is very important. They will register early to get their exclusive right over the brand name. This is because they know that the success products will definitely being imitated by others. Thus, register the brand name earlier is a type of self-protection.

"We discovered a very interesting occasion, that is the western countries will first register their trademark, only then they develop their business. When the time the brand name was developed, they are able to enjoy the benefit, this is because they have the exclusive right, thus they will be able to collect the 'license fee'. If discovered there is people imitate or embezzle the brand name, they will take the case to court and request for compensation."

When ‘Enterprise Leader’ asked about the attention paid by SMEs in Malaysia toward IP, he said, “In Malaysia, many SMEs do not have this type of aspiration. During the starting period, they will not take note of the IP. After that, when the business is getting bigger, and discover there is people embezzle the brand name, then only think of the action to be taken. This is the risky way, and others may do it before you.”

### **The property of knowledge, the war of exclusive right**

As they are not having any IP related education background, thus when they first start up their business, many businessmen question their ability. The most frequently ask question is: “are you the lawyer? We have lawyer to follow up all the matter relates to IP registration.” Some of the businessmen having the oldest and famous brand name will said, “we are the having the old and famous name, everyone know us.”

Chong Han Song said, “We had contributed more in the IP field. We learn the IP knowledge from the government department, law and regulations, and we always discuss and seeking advice from the lawyer. Besides, we always travel to in order to attend the IP related courses.”

He said with full confidence, “Since we are focus on the IP courses and knowledge and always up-to-date with the new information or knowledge, thus our knowledge of registering and building up the brand name is always the latest knowledge. Sometimes, the lawyers will come and seek for advices.”

Chong Han Song said, “Trademark registration will have certain procedures, and it is not as easy as just filling a form and submit the form. During the application, the applicant should attach the objective of business start up, the product introduction, meaning and so on. He added, “We use the professional branding knowledge in assisting our customers in IP related matters.”

He also said, “in order to cope with the need of the new era, we had started up ‘Cimage’, provides the branding services. Our services include trademark registration, advertisement design and brand name design and so on. Our objective is to create the awareness of the local enterprises toward the brand name and product, avoid their hardly developed brand name and product being embezzled by others.



### **Belong to 'Blue Ocean' career, potential field**

The Chong's brothers have the positive view toward the future of Malaysia trademark registration and patent registration. Chong Han Kwang said, "There are many enterprises in Malaysia do not know about trademark registration and also patent registration. According to the statistic in the newspaper, 95% of the local SMEs' brand name is not conforming to the rules and regulations. This shows that there is a need of education and professional consultancy regarding the IP related matters. This also shows that the field of IP registration is having a large area for improvement.

"IP is a wider topic, besides the trademark registration, there is patent registration. The simplest example is the spare parts of hand phone. Every branded mobile phone will have a strong research team doing the investigation every day. Then apply for the patent registration in a shorter period. With this, if other mobile phone's brands want to use the similar invention or system, they should pay the 'license fee' to the original inventor.

"Sometimes, we may be able to notice that we are buying a product with X brand name, but the spare parts indicates P brand name. This is patent and also the benefit of registering patent."

"In this era, having the legal registration, only then protection exists. People said, 50<sup>th</sup> century is 'the war of agriculture', 70<sup>th</sup> century is 'the war of industry', when come to 21<sup>st</sup> century, 'the war of trademark'."

He gives an example, "Bill Gates success from computer software, he is rich because he knows how to protect his IP. Once the computer is being used, he will be able to request for the 'license fee'."

When talk about own business, Chong Han Kwang said, “To date, most of our main customers are from south Malaysia. We also allocate human resources in whole Malaysia, helping us to fetch in business. Once they success in the first meeting, then we will go to meet them personally. We are not afraid of the long distance, no matter east Malaysia or west Malaysia, we will travel and explain to them personally, provide the best service to them.

“To date, there are not many companies acting similar to us, thus there is a big market to go. After a few years of hard work, we had built up our reputation; this will benefit our future development.”



### **Golden Pillow vs The Eight Diagrams Box**

The Chong's brothers had successfully assist Wanwang Tarts House in applying two unique patent rights.

#### **1. Golden Pillow**

The pineapple tarts are the traditional pastry, how can it apply for patent?

The Chong's brothers just have to think of changing the shape of the pineapple tarts, then the pineapple tarts will become the 'Golden Pillow' having the good meaning.

Chong Han Song said, “The pineapple tarts are one of the Malacca local products. This is because the when the word ‘pineapple tarts’ being translated into Hokkien, it has the meaning of ‘wealth coming biscuit’. The pineapple tarts is having a golden appearance and look like pillow, thus it is being named as ‘Golden Pillow’.

### 2. The Eight Diagrams Box



Can box apply for patent?

This is correct. Chong Han Song explained, “We spend many time in designing this box. Before the box being opened up, you may think that it is only the normal box.”

After open the box, you will feel surprise since the box is octagon. Chong Han Song said, “The design of the box come from the idea of ‘The Eight Diagrams’. Inside the box is having Malacca tourism map and this is very special. We had registered it as patent, if others embezzle or imitate the design of this box, we then may sue you.”

### There are many types of IP

Many businessmen do not know about trademark registration and IP protection. Chong Han Song said, the businessmen should take note and understand which type of IP they want to register. There are many types of IP which includes trademark, patent, industrial design and copyright and so on.

In order for the reader to understand some of the basic meaning of IP, ‘Enterprise Leader’ had listed the six main IP for reference:

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**Patent:** patent right gives the new invented product an exclusive right, or provide a new technique in solving some problems. Patent right will give some protection to the inventor or registered owner within a fixed period, usually 20 years.

**Trademark:** Trademark is the use of logo in differentiating the products or services introduced by the enterprise. The trademark protection period is not fixed and allow for unlimited continuity.

**Industrial Design:** Industrial design is a type of protection given to the products' appearance and the products' aesthetic value. Commonly, the protection is up to 15 years.

**Copyright and related right:** copyright is a legal term. It is used to protect literature (or any other art works) creator. The related right is referred to the protection to the broadcast organization which includes performers, recorder, broadcast, and television programs.

**Geographical indication:** geographical indication is referred to the logo used only to a specific product. Commonly, this type of product will have its own place of origin and from there its reputation and quality are being recognized.

**Trade secret/information which had not been revealed:** Trade secret/information which had not been revealed is used to protect the specific private and confidential trade detail. The authorized person having this kind of information should have gone through some procedures in order to keep the secret.

The benefit of IP:

- Prevent others competitors from copying or mixing the false with the genuine products or services of the original producers.
- Avoid of making the wasteful investment in research and development and marketing.
- Through trademark and the strategy of creating brand name, model the company's specialty.
- Set up the agreement of allowing the use of the registered IP or any other matters with relates to IP.
- Increase the market value of the business.
- Able to get the financial capital through the registered IP.