

PHIN Sovath, LL.D., FSIArb

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Background of Education

- / 2006 – 2009 : LL.D. (Comparative Law), Nagoya University Graduate School of Law, Japan.

Professional Membership and Qualifications

- / 2009 – Present : Member, Cambodian Society of Comparative Law.
- / 2012 – Present : Member, National Commercial Arbitration Centre (NCAC).
- / 2013 – Present : Trademark Agent, Qualified and Registered with Ministry of Commerce.
- / 2016 – Present : Attorney-at-law, Bar Association of the Kingdom of Cambodia.
- / 2015 – Present : Fellow, Singapore Institute of Arbitrators (SIArb).
- / 2015 – Present : Member of Intellectual Property Association of Cambodia (IPAC).
- / 2015 – Present : Member of ASEAN Intellectual Property Association (ASEAN IPA).
- / 2016 – Present : Member and Counselor of Asian Patent Attorneys Association (APAA).
- / 2018 – Present : Member, International Bar Association.

Current Position

- / 2011 – Present : Partner, Bun & Associates
- / 2009 – Present : Adjunct Professor/Associate Dean, Faculty of Law and Public Affairs, Pannasastra University of Cambodia (PUC).

Employment Record

- / June 2019-February 2020 : World Health Organization (WHO): Act as a national legal consultant in a Project of Review of Pharmaceutical Legislation funded by WHO to the Ministry of Health of Cambodia.
- / January 2016-June 2018 : Japan International Corporation Agency (JICA): Act as a team leader and as a Legal Consultant in a Project of Drafting Water Supply Law for the Project for Capacity Building for Water Supply System Phase 3 for the Ministry of Industry and Handicraft (MIH).
- / February-June 2017 : Nossal Institute Limited at the Nossal Institute for Global Health: Act as a consultant to lead the Intellectual Property (IP) component of the study on “Intellectual Property Rights and Access to Affordable Medicines in Cambodia” by collating, mapping, analyzing relevant legislation and policies, and the capacity of the major stakeholder and governance mechanisms related to IP, specifically engaging with; collating IP-related barriers, threats and opportunities for sustained and expanded access to generic medicines in Cambodia in relevant legislation, policies and international agreements; undertaking a mapping and analysis of the capacity of the major stakeholders on the issue of IP and access to medicines; and describing and analyzing the governance mechanisms related to IP, trade and access to medicines, providing relevant inputs to the development of the inception report, assessment report, policy brief and PowerPoint presentation.
- / June 2016 – March 2019 : FAO Cambodia: Act as National Legal Consultant for project in support of the development of a national strategy to reduce the threat of antimicrobial resistance (AMR) in agriculture, livestock

production, food and fisheries in Cambodia (OSRO/GLO/510/UK).

- / January – March 2016 : World Bank: Act as a National Consultant to the Ministry of Commerce to develop training curriculum and materials for stakeholders training for strengthening operational capacity of the National Commercial Arbitration Centre (NCAC).
- / Nov 2015-Oct 2016 : World Bank: Act as a Short-Term Consultant to provide Technical Assistance to the Ministry of Commerce, Department of Intellectual Property, in a Trademark Data Validation Project, which is involved in the screening, verification, reporting and validation of 55,000 registered marks and 45,000 post activities.
- / July 2014-March 2015 : FAO Cambodia: Act as National Legal Consultant to provide Technical Assistance to the Ministry of Commerce (CAMCONTROL) in the formulation of a food law.
- / May-October 2014 : UNAIDS (TSF Asia Pacific): Act as National Consultant to provide Technical Assistance to Ministry of Health in defending the Draft Law on Compulsory Licensing for the Public Health, revising the draft implementing regulations, reviewing the Patent Law, reviewing the National IP Strategy, and enhancing coordination TRIPS Agreement and Public Health.
- / August 2013-April 2014 : UNDP: Act as National Consultant to provide Technical Assistance in facilitating the process of promulgation of Compulsory Licensing Law and Capacity Building to Government and CSOs on Related IP/TRIPS and in assisting the drafting of implementation regulations for the draft Compulsory Licensing Law.
- / August-December 2012 : UNAIDS: Act as National Consultant to provide Technical Assistance in Finalizing the Draft Law on Compulsory Licensing and Public Health and National Consultant to develop

- “Explanatory Notes” for the draft Law on Compulsory Licensing and Public Health.
- / August 2011-August 2014 : UniQuest Pty Limited (UniQuest): Act as National Legal Advisor for the Capacity Development to Support the Promoting Economic Diversification Program (SPS 2 Subproject).
- / February-December 2012 : Asian Development Bank (ADB): Act as National Legal Adviser on Competition Law, Project: Promoting Economic Diversification Subprogram 3 (TA - 7836 (CAM)).
- / June 2009-March 2010 : Advisor, DFDL Mekong/Mekong Law Group:
- / April 2000-February 2003 : DFDL Mekong/Mekong Law Group: Legal Information assistant/Translator.

Selected Publications

- / Phin Sovath, Domestic Exhaustion of Patent Rights: A Theoretical and Practical Analysis, 2010 Cambodian Society of Comparative Law Yearbook 99.
- / Phin Sovath, Economic Law: Intellectual Property Rights, in INTRODUCTION TO CAMBODIAN LAWS (Jörg Menzel et al., ed. 2011).
- / Bun Youdy & Phin Sovath, Introductory Guide to Commercial Arbitration in Cambodia (Bun & Associates, 2014).
- / Phin Sovath, Sim Sokheng and Giulio C. Zanetti, Trademark System in Cambodia, in INTERNATIONAL INTELLECTUAL PROPERTY AND THE ASEAN WAY: PATHWAY TO INTEROPERABILITY (Elizabeth Siew-Kuan Ng and Graeme W. Austin, eds., Cambridge University Press, 2017).
- / Phin Sovath, A Contextual Framework for Designing and Implementing Laws and Policies to Promote Access to Medicines in Cambodia, in WIPO-WTO Colloquium Papers 2015 (Karla Brepsant, ed., WIPO and WTO, 2017).
- / Kong Phallack and Phin Sovath, International Exchange Program(S) For Legal Education At The Faculty Of Law And Public Affairs Of Paññāsāstra University Of Cambodia, in CHALLENGES IN STUDYING LAW ABROAD IN THE ASIAN REGION (KEIGLAD 2018).

- / Phin Sovath, ASEAN Intellectual Property Harmonization: Recent Developments and Future Direction, 47 Patents & Licensing 20 (IP-L Communications 2018).
- / Phin Sovath, the Protection of Private Ownership Under Cambodian Constitution: Intersection of Trademark and Constitutional Law, in CAMBODIAN CONTEMPORARY CONSTITUTIONAL LAW: THEORY AND PRACTICE (Hor Peng et al., ed., National University of Management 2020).

Select Presentations and Other Academic Activities

- / November 21, 2020 : Speaker of “Privacy and Data Protection in the Digital Age in Cambodia” and Chair of Panel 3: “Implementation and Enforcement of Consumer Protection Law,” at the 19th Law Talk “Law in the digital age: Protection of Consumer Rights,” organized by KAS and GIZ, Siem Reap, Cambodia.
- / June 20, 2020 : Training on “Privacy and Data Protection in the Digital Age in Cambodia,” at Legal Training on Consumer’s Rights Protection in the Digital Era, Organized by KAS and FLPA, Phnom Penh, Cambodia.
- / March 09, 2020 : Speaker of “Benefits of International Trademark Registration,” at Madrid Roving Seminar, co-organized by the World Intellectual Property Organization (WIPO) and Department of Intellectual Property, Ministry of Commerce of Cambodia (DIP), and Funded by the Japan Government, Phnom Penh, Cambodia.
- / April 11, 2019 : Speaker of “Intellectual Property Protection and Commercialization” organized by EuroCham in association with the Southeast Asia IPR SME Helpdesk, Phnom Penh, Cambodia.
- / December 05, 2018 : Speaker of “Strategic Acquisition of IP in Cambodia: Current Situation and Issues of Trademark Acquisition,” at a Seminar on the Roles of Intellectual Property Systems for Investment

- Promotion, organized by Ministry of Commerce Department of Intellectual Property Rights and Japan Patent Office, Phnom Penh, Cambodia.
- / November 2-5, 2018 : Speaker of “Cambodian Intellectual Property in the Regional and International Context,” at the 31st LAWASIA Conference: New Era for South East Asia at Siem Reap, Cambodia.
 - / May 24, 2018 : Lecture on “Protection and Commercialization of IP in Cambodia,” at SMU Law School, Singapore.
 - / March 1-2, 2018 : Presenter on “IP Protection under the Cambodian Constitution: A Case Study of Trademark Dispute between Government and Banking and Financial Institutions,” at the 3rd Work-In-Progress Conference of IPScholar Asia, at SMU Law School, Singapore.
 - / February 25, 2018 : Chair of “IP Law in the National, Regional and International Contexts” Session of an International Symposium on “Community of Co-Existence through Constitutionalization of International Norms and Legal Harmonization in ASEAN” organized by Cambodian Society of Comparative Law at National University of Cambodia, Phnom Penh, Cambodia.
 - / August 3, 2017 : Invited Speaker, “Patent Development in Cambodia,” in the Interim Meeting of “Importance of a Strong IP Protection System,” organized by Asia Patent Attorneys Association (APAA), Phnom Penh, Cambodia.
 - / June 7-8, 2017 : Special Lectures on “IP Laws in ASEAN: Local Laws and the Trend toward Regional Integration,” at Nagoya University Graduate School of Law, Nagoya, Japan.
 - / February 20-21, 2016 : Chair of “An Intersection between Civil Procedure Code and Commercial Arbitration Laws in Cambodia” Session of a two-day International Symposium on “Basic Laws in Practice: From General Codification to Detail Regulations” organized by

- Cambodian Society of Comparative Law at Paññāsāstra University of Cambodia, Phnom Penh, Cambodia.
- / February 28 and March 01, 2015: Chair of “Intellectual Property Laws in ASEAN” Session of a two day International Symposium on “The Normative ASEAN Community from the Comparative Law Perspective” organized by Cambodian Society of Comparative Law at Paññāsāstra University of Cambodia, Phnom Penh, Cambodia.
 - / November 18-23, 2013 : Invited Speaker, “Cambodia’s Experience on TRIPS and Intellectual Property Rights from the Policy and Legal Perspective,” presented during the 11st International Congress on Aids and the Asia Pacific (ICAAP 2013), Bangkok, Thailand.
 - / June 12, 2013 : Invited Speaker, “Challenges and Opportunities in Drafting Competition Law: Cambodian Case,” presented during the one-day Symposium on “AEC and Competition Law: Challenges and Opportunities” organized by Faculty of Law of Chulalongkorn University, Bangkok, Thailand.
 - / March 01-02, 2013 : Invited Presenter, “Current Challenges of Secured Transactions in Cambodia” presented during the two-day International Symposium organized by Cambodian Society of Comparative Law at National University of Cambodia.
 - / March 3-4, 2012 : Chair of “Competition Law Panel - Competition Law and Policy in East and Southeast Asia” Session of a two-day International Symposium on “Developing Laws for Economic Order and Social Justice” organized by Cambodian Society of Comparative Law at Paññāsāstra University of Cambodia.
 - / January 30-February 01, 2012: Special Lectures on “Intellectual Property and Developing Countries: Recent Development,” at Nagoya University Graduate School of Law, Nagoya, Japan.
 - / March 6-7, 2010 : Chair of “Intellectual Property Law” Session of a two-day

International Symposium on “Public Power, Private Autonomy and Market Force: A Tri-dimensional Agenda for the 21st Century Legal Transition” organized by Cambodian Society of Comparative Law at Paññāsāstra University of Cambodia.

/ March 15, 2009

: Invited Presenter, “Domestic Exhaustion of Patent Rights: A Theoretical and Practical Analysis” presented during the two-day International Symposium on “Comparing Laws Across Borders-My Laws, Your Laws, Our Laws” organized by Cambodian Society of Comparative Law at Royal University of Law and Economics and Paññāsāstra University of Cambodia.

Languages

/ Khmer, English and Japanese (basic).