

Latest Changes Related to Trademark Registration in Myanmar

Following the enactment of the Myanmar Trademark Law 2019 (“MTL”), Myanmar is replacing its old trademark registration system where declarations of trademark ownerships (“DTO”) are registered with the Office for Registration of Deeds with a new trademark registration system where trademarks will be registered with the Myanmar Intellectual Property Office (“MIPO”).

1. Re-filing of Registered Trademarks

To recognize the existing registered trademarks under the new system, MIPO will soon commence the “soft opening” of its operation to accept applications for re-registration of approximately 200,000 existing trademark registrations starting January 2020. Applications for re-registration of the registered trademarks must be filed with the MIPO within 6 months of the soft opening date. Otherwise the priority right of the registered marks cannot be claimed.

2. POA and Representative (Attorney)

A Power of Attorney (“POA”) or Appointment Letter is required to appoint a representative or attorney to file trademark applications for an applicant residing outside Myanmar. MIPO shall prescribe a standard form of the POA. MIPO will soon announce whether or not notarization and legalization of POA are required.

3. Multi-Class Application

Multi-class applications will be allowed.

Non-use of a registered trademark with the goods or services mentioned in its registration for three years can be a ground for cancellation of its registration in relation to such goods and services.

4. Applications for New Trademarks

Trademarks which have never been registered in Myanmar can be filed from the grand opening date of MIPO, expected in Q3 of 2020. The 6 major steps for registration of new trademarks are:

- (1) Filing of Application
- (2) Formality Check
- (3) Absolute Ground Examination
- (4) Publication of Application
- (5) Substantive Examination (post opposition period)
- (6) Registration or Rejection



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