

Developments Related to the Myanmar Trademark Law 2019 (MTL 2019)

1. The Union Government established the Central Committee of Intellectual Property (“CCIP”) on 6th March 2020. The CCIP is in charge of creating policies, strategies and projects related to IP rights and supervising and directing their implementations, coordinating with local and international organizations in relation to intellectual property matters, and carrying out other functions and duties to be designated for the CCIP in the future by the Union Government.
2. The Intellectual Property Department (“IPD”) was established in 2020 under the Ministry of Commerce (“MOC”).
3. The IPD is in charge of trademark registration, keeping the register of trademark registration, supervising on the operations of relevant sectors related to IPR, carrying out duties related with IPR as assigned by the IPA from time to time, and implementing the online filing system for IP registration with support from the WIPO and its online filing system.
4. The MOC is in charge of implementation and enforcement of the MTL 2019, the Industrial Design Law, the Patent law and the Copyright Law.
5. The MOC issued its Order No 63/2020 on 28 August 2020 to allow re-filing of registered trademarks (registered previously under the old law system with the Registry Office) and filing of used marks already used in Myanmar by their owners per Section 93 (a) of the MTL 2019.
6. The MOC may announce the Trademark Rules in February 2023 for implementing the trademark registration under the MTL 2019.
7. The Union Government may announce the effective date of the MTL 2019 in March 2023.
8. The CCIP may approve the formation of the Intellectual Property Agency (“IPA”) and the appointment of its members in 2023.
9. The IPA will be in charge of administering intellectual property policies, analyzing IP treaties and conventions, giving recommendations on IP issues to the CCIP, appointing working groups to work on enforcement of IPR and other related matters, reviewing and deciding on the appeal filed against the decision of the IP Registrar, and prescribing official fees related to trademarks under the TML 2019 with approval of the Union Government.



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