

Report on Trademark Legislations and Practices under the Myanmar Trademark Law 2019 (MTL 2019) after the State Administration Council (SAC) Announced 1st April 2023 as the Effective Date of the MTL 2019

In this report, we provide an overview of the key legislations and practices that took place in Myanmar in relation to trademark applications and registrations from March 2023 to April 2024 to keep our readers updated on trademark protection law and practice of Myanmar.

The SAC issued its Notification No. 82/2023 dated 10th March 2023 to announce that the MTL 2019 shall come into force on and from 1st April 2023.

The Ministry of Commerce (MOC) issued its Notification No. 17/2023 dated 31st March 2023 Re the Trademark Registration Rules (TMR) that sets out the filing requirements and procedures for trademark applications, priority claims, examination process, opposition, extension of registration, recordation of assignment and license of registered trademarks, invalidation and cancellation of registered trademarks, appointment of trademark representative, etc.

The MOC issued its Notification No. 1/2023 dated 1st April 2023 to establish the Intellectual Property Agency (IPA) with the approval of the Union Government comprising 15 members, with the Deputy Minister of the MOC as the Chairman and the Director-General of the Intellectual Property Department (IPD) as the Secretary.

The IPA announced its Notification No. 1/2023 dated 1st April 2023 to set out the rates of the official fees for filing and re-filing of trademark applications, etc. at MMK150,000 (around USD75) per mark per class.

The IPD announced its Announcement dated 5th April 2023 to set 26th April 2023 as the “grand opening date” to be recognized as the filing date of all the trademark applications which were refiled from 1st October 2020, subject to the condition that their refiled applications met all the refile requirements and if the applicants paid the official refile fees within 31st October 2023.

As at the end of March 2024, around 70,000 refiled trademark applications and new trademark applications were filed with the IPD under the MTL 2019. Currently the IPD is examining them for the application formality requirements and the absolute ground refusal. The IPD may publish the first batch of the examined applications for opposition within 2024.



Khin Khin Zaw
Partner
khinkhinzaw@lawplusltd.com



Nilar Win
Senior Associate
nilarwin@lawplusltd.com

LawPlus Myanmar Ltd.
Unit No. 520, 5th Floor, Hledan Centre, Corner of Pyay Road and Hledan Road
Kamayut Township, Yangon, Myanmar
Tel. +95 92 6111 7006, +95 92 6098 9752
www.lawplusltd.com

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