

CLIENT ALERT

Enforcement of Myanmar's 2019 Trademark Law Announced

The Intellectual Property Department (IPD) of Myanmar has finally made an official announcement regarding the implementation of the Trademark Law, which is scheduled to take effect on April 1, 2023. The IPD has released Notification No. 82/2023 on March 11, 2023, outlining the appropriate measures that will ensure a smooth transition into the new trademark registration system.

The "soft opening period" has been launched since October 1, 2020 allowing mark owners to file trademarks that have already been registered through declarations of ownership with the Office of the Registration of Deeds, or those that have been in use within Myanmar, via the electronic trademark registration system. These trademarks will be given priority through the "common filing date." However, new trademarks that do not fall within the Registered/Used Marks category can only be filed once the trademark law is officially implemented and upon the grand opening of the electronic trademark registration system.

It is worth noting that the Office of the Registration of Deeds may take 1-2 months to endorse or register new declarations of ownership, which could potentially cause delays in the registration process. To avoid such delays, it is advisable for owners of new trademarks to register their Declaration of Ownership and file the application under the new electronic trademark system urgently, preferably before March 31, 2023 while the soft opening period is still ongoing. For trademark owners who have registered Declarations of Ownership but have not filed their marks under the new electronic trademark system during the soft opening period, it is recommended that they file as soon as possible to take advantage of the "common filing date."

Furthermore, it is important to note that the Trademark Rules, which define the official fee collection process, will come into effect on April 3, 2023. Once both the Trademark Rules and Trademark Law are in effect, official fees will be announced separately, and trademark owners can proceed with payment of the official fees for trademark applications that have been filed.

The implementation of Myanmar's Trademark Law on April 1, 2023, marks a significant milestone in Myanmar's intellectual property regime. As the soft opening and grand opening of the IPD approach, it is crucial for mark owners to prioritize taking the necessary steps to protect their trademarks and ensure compliance with the new laws and regulations.

In case you should require more information or professional advice on this enforcement of Myanmar's 2019 Trademark Law, as well as other IP matters, please, do not hesitate to contact us via email: ipgroup@ilct.co.th

If you are looking for a law firm that can keep pace with sophisticated and groundbreaking business transactions, **ILCT** is here to help. Contact us to learn more about our services.

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