

Industrial Design Law of Myanmar Finally Passed

The Union Parliament of Myanmar finally passed the Myanmar Industrial Design Law (“IDL”) on 30th January 2019 as a Pyidaungsu Htuttaw Law No. 2/2019 and it was signed by the President of Myanmar on the same day. However, it will be effective only after a notification is issued by the President of Myanmar.

The IDL has established a new industrial design system with the following major principles:

1. The Myanmar Intellectual Property Office (“MIPO”) will be established under the Ministry of Commerce to administer industrial design registration.
2. The first-to-file system for industrial design and protection will be adopted to bring Myanmar to be in line with other ASEAN countries.
3. To be registrable, an industrial design must be new and original.
4. An industrial design is deemed to be new if it has not been disclosed to the public domestically or abroad whether before the filing date of the application for registration of industrial design in Myanmar or before the priority date if the priority right is claimed.
5. An Industrial design is not new one if it is a combination of known industrial designs features or if it is not significantly different from the known industrial design.
6. An industrial design registration is valid for 5 years from the filing date. It can be renewed twice, 5 years each time. The total maximum term is 15 years.



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