

# 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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