

## Soft Launch of New Myanmar Trade Mark Registration System from October 2020

On 30 January 2019, the Myanmar Trade Mark Law (Pyidaungsu Htuttaw Law No. 3/2019) was passed.

The Myanmar Ministry of Commerce has announced that the 'soft launch' of the new trade mark registration system will commence on **1 October 2020**. The new system will replace the existing recordal system, under which brand owners recorded Declarations of Ownership with the Office of Registration of Deeds ("ORD") and published cautionary notices in local newspapers to claim ownership of their trade marks.

From 1 October 2020 onwards and during the 'soft launch' period, trade marks previously registered with the ORD, and trade marks which have not been registered with ORD but which are proven to the satisfaction of the ORD as being in actual use in the Myanmar market, can be re-registered / registered. The filing fees payable have yet to be announced.

The updated trade mark regime operates on a first-to-file basis (where earlier filed trade marks generally enjoy prior rights that prevail over that of marks filed later). It is therefore important for owners of existing registered trade marks, and owners of unregistered trade marks which are actually being used in Myanmar, to re-register / register their trade marks during this soft launch period, to secure an earlier filing date.

The 'soft opening' period is expected to last for 6 months.

If you would like information or assistance with re-registration or registration during the 'soft launch' period or on any other area of law, you may wish to contact the Partner at WongPartnership whom you normally work with, or the following:



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