

# SOUTH-EAST ASIA IPR SME HELPDESK

# MYANMAR IP SNAPSHOT

For free, confidential, business-focused IP advice within 3 working days  
E-mail: [question@southeastasia-iprhelpdesk.eu](mailto:question@southeastasia-iprhelpdesk.eu)

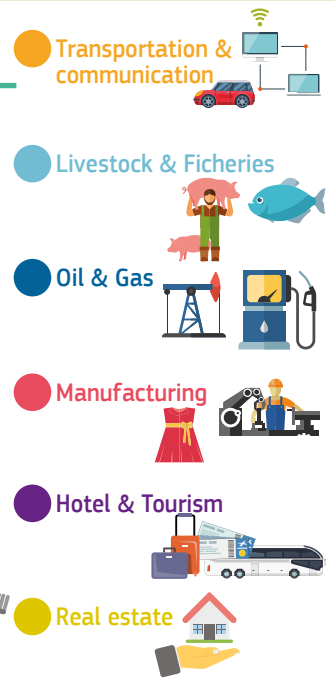
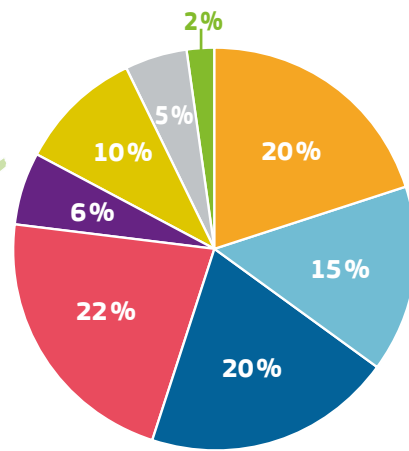
## Country Overview

### Key Facts

Area	676,578 km <sup>2</sup>
Population	53 million
GDP	USD 68.6 billion
GDP/Capita	USD 1 297.7
Growth rate	6.5%



### FDI by sector (2012-19)

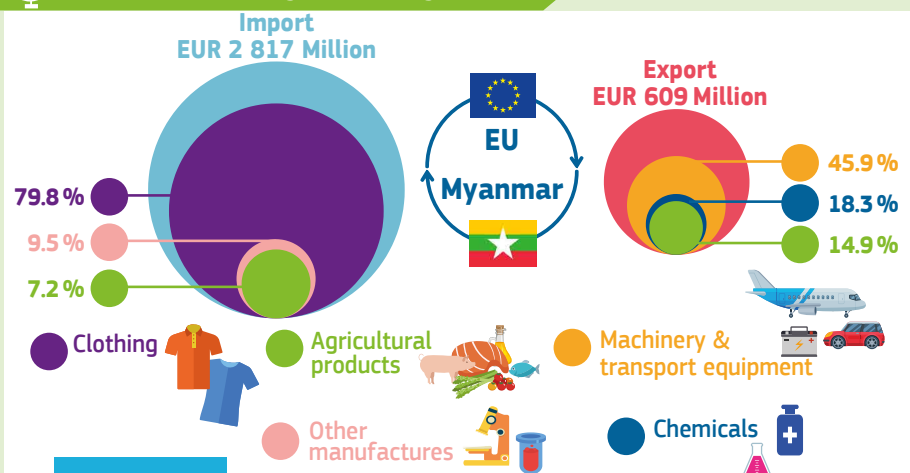


Source: <https://eurocham-myanmar.org/uploads/bbf40-website---business-guide-2019.pdf>

### EU - Myanmar relations timeline

- 2013** All sanctions lifted, except for the arms embargo.
- 2014** Dialogue begins on an EU-Myanmar Investment Protection Agreement (suspended).
- 2015** European Investment Bank (EIB) and Myanmar sign a Framework Agreement.
- 2018** A monitoring mission from the EU on human rights and labour rights issues visits Myanmar in late October.
- 2019**
  - Launch of a European strategy to strengthen partnership with civil society in Myanmar.
  - Launch of the ARISE Plus Myanmar Trade-Related Assistance Project.
  - Provision of EUR 241 million to support education in Myanmar.

### EU - Myanmar's 3<sup>rd</sup> global trading partner



Source: [https://webgate.euroopa.eu/isdb\\_results/factsheets/country/details\\_myanmar\\_en.pdf](https://webgate.euroopa.eu/isdb_results/factsheets/country/details_myanmar_en.pdf)

# What should you know about IP in Myanmar?



In 2019, Myanmar enacted the Trademark Law, the Industrial Design Law, the Patent Law, and the Copyright Law. These laws shall come into force on the day the notifications are issued by the President of Myanmar. The official announcement of the enforcement dates of the laws has not yet been issued.

The recent IP laws will provide a large-scale shift in IP protection measures in Myanmar, as previously the country had no substantive IP legislation to protect the rights of IP owners and settle disputes related to IP infringement through litigation. However as the new laws have not yet entered into force and the IP Office is unable to accept IP registration under the new IP legislation, for the moment the registration and protection of IP still have to be done according to the old practice.

Once the new laws enter into force and registration systems are available, an IP owner can seek to register and protect the following types of IP in Myanmar:



## TRADE MARK

A **trade mark** is a sign capable of being represented graphically and distinguishing the goods or services of one enterprise from those of other enterprises. A trade mark can be in the form of drawings, names, words, letters, numerals or colour arrangements or combinations.

Once registered, a trade mark is protected for **10 years** from the filing date and can be **renewed every 10 years**.



## PATENT

A **patent** is an exclusive right granted to an invention which is a product or a process that provides and creates a new way/method of doing something, or offers a new technical solution to a problem. To be patentable, an invention must be **new**, **involve an inventive step** and be **capable of industrial application**.

A patent is valid for a term of **20 years** from the filing date, or **10 years** for a **petty patent**.



## INDUSTRIAL DESIGN

An **industrial design (ID)** constitutes a **new aesthetic aspect** of an article.

An industrial design may consist of 3D features, such as the shape of an article, or 2D features, such as patterns, lines, colour arrangements or combinations. To be protected, a design must be **novel**.

A registered industrial design is protected for an initial term of **five years from the filing date** and can be **renewed twice, for five years each time**. The total maximum validity term is **15 years**.



## COPYRIGHT

Copyright is the exclusive rights of an author or copyright owner to publish, use, perform or reproduce works or authorise others to do the same. Works covered by copyright range from books, music, films, paintings or sculpture to computer programs, databases, advertisements, etc.

Copyright generally lasts for the duration of the **author's lifetime and 50 years after his death**. **Audiovisual works and films** are protected for **50 years** from the date of publication and for works of **applied art**, copyright lasts for a period of **25 years** from their creation.

## Tips and things to watch out for

- ✓ After the new laws come into force, Myanmar will have a **first-to-file system** for IP protection, you should file applications as soon as possible once the **administrative bodies are established and ready to receive them**.
- ✓ Keep close contact with your local IP agent to monitor any updates on new procedures in Myanmar.

## Where to find further information?

The [South-East Asia IPR SME Helpdesk](#) is an EU initiative that provides **free, practical, IPR advice to European SMEs in SEA**. To learn about any aspect of intellectual property rights in South-East Asia:

- 👉 Check out our **website** at [www.southeastasia-iprhelpdesk.eu](http://www.southeastasia-iprhelpdesk.eu)
- 👉 E-mail your **questions** to [question@southeastasia-iprhelpdesk.eu](mailto:question@southeastasia-iprhelpdesk.eu) for free IP expert advice on SEA. You will receive a reply **within 3 working days**.
- 👉 Contact local IP Experts in SEA at [www.southeastasia-iprhelpdesk.eu/en/our-experts](http://www.southeastasia-iprhelpdesk.eu/en/our-experts).



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