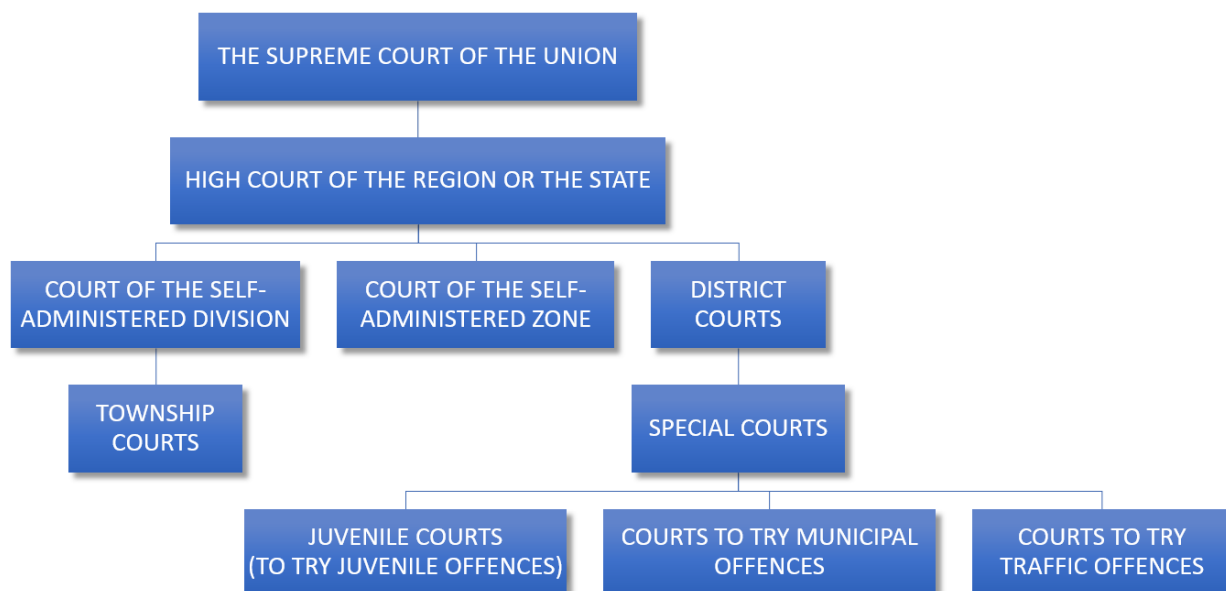


Enforcement of IPRs in Myanmar

Court system



Key enforcement authorities



Civil Court

- Trade mark infringement & cancellation
- Injunction, cancellation order, seizure order, damages



Criminal Court

- Trade mark infringement
- Fines, imprisonment, seizure of counterfeit goods



Police

- Trade mark infringement
- Seizure orders



Customs Office

- Interception and seizure of imported counterfeit goods
- Seizure orders



Consumer Protection Board

- Trade mark infringement, misleading advertisement, parallel imports
- Fine, imprisonment, seizure order



Food and Drug Administration (FDA)

- Trade mark infringement, misleading advertisement, parallel imports
- Fine, imprisonment, seizure order

Examples of enforcement cases handled by our firm

Scholl	Mitsubishi	Paul Smith
<p>Civil case number: 16/2013 Decision dated October 25, 2013 Scholl vs U Yaw The</p> <p>Trade mark infringement action & trade mark cancellation action. Decision rendered in the Plaintiff's favor.</p>	<p>Criminal case number: 380/2014 Decision dated August 11, 2015 Mitsubishi Electric Corporation vs. U Hla Myint</p> <p>Trade mark infringement. Decision rendered in the Plaintiff's favor. The Court also ruled that "Mitsubishi" is a well-known mark in Myanmar.</p>	<p>Civil case number: 160/2018 Decision dated December 3, 2018 Paul Smith vs Maw Mei Mei Wai</p> <p>Cancellation of trade mark based on bad faith. Decision rendered in the Plaintiff's favor. The Court also ruled that 'Paul Smith' is a well-known mark in Myanmar.</p>

Up-coming changes under the new IP laws

	Civil action	Criminal action	Customs actions
Patent	✓	X (*)	X
Design	✓	X (*)	X
Trade mark	✓	✓	✓
Copyright	✓	✓	✓
Geographical indication	✓	✓	✓

* only available against a false statement that a patent, utility model or design is registered in Myanmar.

New IP agencies and institutions to be established under the new IP laws

Myanmar IP Office (MIPO)	Central IP Committee (CIPC)	IP Agency	IP Court
MIPO will receive, examine, hear oppositions and grant trade mark, patent, utility model, design and geographical indication applications.	The CIPC will be established to issue IP policies.	The Intellectual Property Agency will be established to implement policies.	A specialised IP Court with exclusive jurisdictions on IP matters, civil and criminal, may be established.

For more information please visit/subscribe to our blog www.iprmyanmar.com.