

Dear Readers,

Welcome to a new edition of our newsletter.

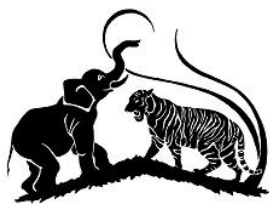
1. Implementation of the Trademark Law

As the “grand opening” date on 26 April 2023 of the new online trademark filing system is approaching, we have updated our primer on [intellectual property protection in Myanmar](#). Of note, transfers and licenses of marks now have to be registered; unregistered transfers and licenses are void. Parties to ongoing license agreements should therefore ensure registration of the mark and of the license agreement.

To summarise, the differences between the old and the new system are as follows:

COMPARISON OF THE OLD PAPER-BASED MARK PROTECTION SYSTEM WITH THE NEW SYSTEM UNDER THE TRADEMARK LAW

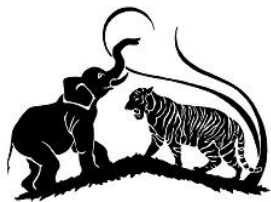
Sr.	Topic	Old paper-based system	New online system
1	Registration	Voluntary	Compulsory
2	Protection period	Not limited	10 years, renewable
3	Protection starts	With actual use	On filing date
4	Checks prior to registration	(Often) only formal checks	Material checks, in particular: <ul style="list-style-type: none">▪ Mark distinctive?▪ No effect on public order?▪ Not misleading?▪ Not using national emblems or protected symbols?
5	Opposition procedure prior to registration	No	Registration officer must publish the mark for 60 days prior to registration to enable



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

NEWSLETTER 107 - 18 April 2023

Sr.	Topic	Old paper-based system	New online system
			opposition (usually from the owner of a similar mark)
6	Invalidation procedure after registration	No; person with a “better right” must obtain court order to remove the registration	Interested person may apply for invalidation at any time (absolute grounds), w/in 5 years from the date of mark registration (relative grounds)
7	Required time for registration	Approx. 3 weeks	At least 60 days
8	Cautionary notice	Recommended	Not needed
9	Use of the mark in Myanmar required?	Yes	No use required during the first 3 years, thereafter an interested person may apply for deletion
10	Transfer and licensing	Valid without registration	Valid only with registration
11	Searchable database?	No	Yes, presumably
12	Priority right mark is registered elsewhere?	No	Priority right if application in Myanmar is filed within 6 months after an (i) application was filed in a WTO or Paris Convention country or (ii) mark was displayed at an international exhibition



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

NEWSLETTER 107 - 18 April 2023

2. Compulsory adoption of IFRS 2018 postponed

The Accountancy Council [postponed](#) the compulsory adoption of the IFRS 2018 reporting standards (which public interest entities were supposed to have adopted by the 2022-2023 financial year) to the 2027-2028 financial year. Public interest entities and everybody else may therefore continue to use the [Myanmar Accounting Standards](#), [Financial Reporting Standards](#), and [Financial Reporting Standards for Small and Medium-sized Enterprises](#), which correspond to the IFRS 2010 reporting standards.

We hope that you have found this information useful.

Sebastian Pawlita
Managing Director

Nyein Chan Zaw
Director

About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal and tax advisory and compliance work required by investors. We pride ourselves in offering result-oriented work, high dependability and a fast response time at very competitive prices. Please do not hesitate to contact us:

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