



LINCOLN CONSULTANCY (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

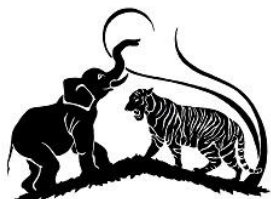
Guidelines regarding company names

The Directorate of Investment and Company Administration (DICA) is reviewing and permitting company names according to the provisions in sections 25 to 27 Myanmar Companies Law (2017). However, in practice, business owners are facing unnecessary delays in the registration process because the chosen company name is not in compliance with the law or fails to meet requirements. Although some company names are not directly prohibited by law, they are names that may only be permitted with restrictions depending on the situation, or names that require detailed scrutiny based on policy. To increase transparency in the company registration process and to reduce the time spent by business owners (efficiency), the registrars/officers who scrutinise company names among others verify the following:

1. Identical or similar names

Company names submitted for registration that are similar to existing names and are likely to mislead the public are mainly restricted as follows:

- (a) A name that is completely identical or extremely similar to the name of an existing company is not permitted. (Examples: K.M.L Co., Ltd and KML Co., Ltd. and K-M-L Co., Ltd.; or Global 1 Co., Ltd. and Global One Co., Ltd.; or GLObal Co., Ltd. and Global Co., Ltd.; or Gold Co., Ltd. and Shwe Co., Ltd.; or Su Latt Co., Ltd. and Hsu Lat Co., Ltd.)
- (b) Applying to use the name of an existing company by adding words such as "Group", "Holding", "International", "Myanmar", "Family" after it is not permitted.
- (c) Names that are not identical to those of existing companies but have a similar pronunciation or only slight differences in spelling are not permitted. (Example: Ayeyarwady Trading Co., Ltd and Irrawaddy Trading Co., Ltd.)
- (d) Applying for a name that rearranges the order of words in an existing company's name is not permitted. (Example: Mandalay City Trading Co., Ltd and City Mandalay Trading Co., Ltd)
- (e) Names that, although slightly different in spelling, seem similar are not permitted. (Example: "Khaing" and "Khine")
- (f) It is not permitted to apply for names in which two country names are joined, which might cause the public to mistakenly believe that there is a government-to-government connection, to confuse the company with business associations, or to mistakenly believe that there are bilateral agreements. (Examples: Myanmar Thai, or Myanmar China)



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- (g) If the brand name is the same as the brand name of another company, but the business nature is different, the name is not permitted as it could cause the public to mistakenly believe that both companies belong to the same group. (Example: Ocean Construction Co., Ltd and Ocean Trading Co., Ltd)
- (h) It is not permitted to create a new company name by combining the brand name of an existing company with an abbreviation for the brand name or for the business type. (Example: Zay Ya Co., Ltd. and Zay Ya (ZY) Co., Ltd.; or Zay Ya Technology Co., Ltd. and Zay Ya Tech Co., Ltd.; or Zay Ya Travels & Tours Co., Ltd. and Zay Ya T & T Co., Ltd.)

2. Prohibited or restricted words

(a) Affiliation with the government

Names may not be used without permission if they contain expressions that falsely suggest a direct affiliation with the State, such as “State Government”, “State”, “Central Bank”, “Union Government”, “President”, “Ministry”, or “Government of Myanmar”, or “Ministry of Myanmar”, “Department”, “[Government] Office”, or any other expression proposed or endorsed by any organisation.

- (b) In addition to the expressions above, certain other expressions, although not specified in the law, are restricted as follows:

(1) International organisations

Names that suggest an affiliation with international organisations such as the UN, WHO, ASEAN.

(2) Names that are culturally and religiously sensitive

Avoid using vulgar expressions or inappropriate language.

Names that may cause religious or ethnic conflict, or cause controversy.

(3) Political terms

(4) Names that the Registrar directs not use depending on circumstances and time.

- 3. Regarding the name of any existing company, the Registrar may, even if he has already permitted registration of the company according to the provisions of the Myanmar Companies Law (2017), direct to change the name according to section 26 if he deems the name not to be in compliance with the law or to be an inappropriate name for registration.



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Directorate of Investment and Company Administration

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About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal advisory (through our local lawyers), 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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