

UNION OF MYANMAR



CURRENT STATUS AND FUTURE PROSPECTS ON PATENT

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Brief History

- ASEAN member on 23rd July, 1997
- World Trade Organization (WTO) as a member on 16 November, 1994
- Implement the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), 1994
- World Intellectual Property organization (WIPO) on 15th May, 2001 as 176th Member Country



Objectives

- to the promotion of technological innovation,
- to transfer and disseminate of technology,
- to mutual advantage of producers and users of technological knowledge and in means conducive to social and economic welfare and balance of rights and obligations.

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Leading Committee on the Development of Intellectual Property System

- × Prime Minister acting as chairman
- × Consisting of 25 members was formed on 30 July, 2004

Working Committee on the Development of Intellectual Property System

- × Minister for science and Technology acting as chairman
- × Minister for Commerce acting as vice-chairman
- × Consisting of 33 members was formed

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Status of IP Development Activities in Myanmar

Type of Intellectual Property

- ❑ Patents
- ❑ Trademarks and Service Marks
- ❑ Industrial Designs
- ❑ Copyright
- ❑ Geographical Indication
- ❑ Topography Integrated Circuits
- ❑ Undisclosed Information

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Myanmar and the Promulgated old Laws on IP

- In 1945, Patents and Designs (first law) Act was promulgated.
- In 1946, Patents and Designs (second law) Act was promulgated.
- In 1914, the Myanmar Copyright Act was promulgated.

Myanmar and IP Affairs

Myanmar has to enact the following suitable Laws:

- Patents Law
- Trademarks and Service Marks Law
- Industrial Designs Law
- Copyright Law

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NATIONALLY FOCUSED ACTION PLAN (NFAP)

- ❖ **Ministry of Science and Technology**
- ❖ **Attorney General Office**
- ❖ **Ministry of National Planning and Economic Development**
- ❖ **Ministry of Industry (1)**
- ❖ **Ministry of Industry (2)**
- ❖ **Ministry of Information**
- ❖ **The responsible persons from the Union of Myanmar Federation of Chambers of Commerce and Industry**

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EXISTING RELEVANT LAWS ENFORCEABLE ON IP RIGHTS

- ◆ **The Myanmar Copyright Act, 1914:**
- ◆ **The Myanmar Merchandise Marks Act, 1889:**
- ◆ **The Myanmar Patents and Designs (Emergency Provision) Acts, 1945:**
- ◆ **The Registration Act; 1908:**
- ◆ **The Penal Code; 1860:**
- ◆ **The Sea Customs Act, 1878:**
- ◆ **The Land Customs Act; 1924:**

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CONTINUED

- ◆ **The Television and Video Law, 1996:**
- ◆ **The Computer Science Development Law, 1996:**
- ◆ **National Drug Law, 1996:**
- ◆ **Traditional Drug Law, 1996:**
- ◆ **Motion Picture Law, 1996:**
- ◆ **The Specific Relief Act, 1877:**
- ◆ **The Code of Criminal Procedure, 1898:**
- ◆ **The Code of Civil Procedure, 1808:**
- ◆ **Electronic Transactions Laws, 2004:**



HOLDING MEETING ON DRAFT IP LAWS

- ◆ **The First Draft Laws**
(1945 to 1946)
- ◆ **The Second Draft Laws**
(12 October, 2004 to 28 November, 2004)
- ◆ **The Third Draft Laws**
(29 November, 2004 to 30 December, 2004)
- ◆ **The Fourth Draft Laws**
(2 January, 2005 to 19 January, 2005)
- ◆ **The Fifth to Seventh Draft Laws**
(30 January, 2005 to 11 March, 2005)
- ◆ **The 9th Draft Laws**
(25 November, 2005 to 1 December, 2005)



SUBMISSION OF THE 9TH DRAFT IP LAWS AND IP OFFICE ORGANIZATIONAL STRUCTURE (TEMPORARY)

- ✦ **To submit the draft IP Laws (Patents Law, Industrial Designs Law, Trademarks and Service Marks Law and Copyright Law) to the State Peace and Development Council for enforcement;**
- ✦ **To establish the Myanmar IP Office that will practically implement the above law under the supervision of the Prime Minister;**
- ✦ **To submit the matter on Myanmar IP Office Organizational Structure to the State Peace and Development Council.**

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SURVEY QUESTION RESULTS FOR STUDY ON STRATEGIC USE OF INTELLECTUAL PROPERTY TO ENHANCE IN ASEAN MEMBER STATES

Survey results from the industrials are following.

No.	Type of Industrials	Quantity
1.	Music Industrials	3
2.	Pharmaceutical Industrials	7
3.	Textile Industrials	5
4.	Wood based Industrials	5
5.	Agricultural Chemicals Industrials	-

Survey results from the above twenty industrials have been replied WIPO office represented ASEAN countries in Singapore.

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CONCLUSION AND DISCUSSION

- **The Ministry of Science and Technology, the focal point for the WIPO, has drawn up the Intellectual Property Laws, Patents Law, Industrial Designs Law, Trademarks and Service Marks Law and Copyright Law in cooperation with Attorney General Office and Attorney General Office is now processing these draft IP Laws in accordance with the comments from WIPO.**
- **Although the Myanmar IP laws have not been promulgated yet, it is required to draw up the regulations for the draft IP laws to the extent possible in cooperation with ministries concerned, Attorney General Office and the Supreme Court.**
- **We also hope that in the future there will be more contact and close cooperation between Myanmar and other organizations.**

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Thank You!