



## Topic 5-8



# Effective Utilization of Patent Classification System in Myanmar

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# CONDITION OF DRAFTING THE NEW IP LAWs

Since 18 August 2004, Ministry of Science and Technology has drafted new IP Laws in cooperation with Union Attorney General's Office based on

- TRIPS
- IP Laws of the ASEAN countries
- WIPO Conventions and Treaties

# Current Status of Myanmar IP System (Cont'd)

- Drafting state
  - Patent Law ( Chapter : 20 Section : 97)
  - Trademark
  - Industrial design
  - Copyright

(taking the legislative advice from WIPO)

# Cont'd

- ❑ After promulgating and drawing up the regulations for the draft IP laws
  - to establish necessary infrastructure of the IP Office.
  - to utilize effectively the international patent classification system as well as other ASEAN countries closely cooperate with WIPO and JPO.

# Patents and Design in Myanmar

- ❑ The Myanmar Patents and Design Act was promulgated in 1945; and It was not brought into force and repealed it in 1993
- ❑ Indian Patents and Design Act, 1911 shall continue to have effect in Myanmar before the Myanmar Patents and Designs Acts comes into operation.

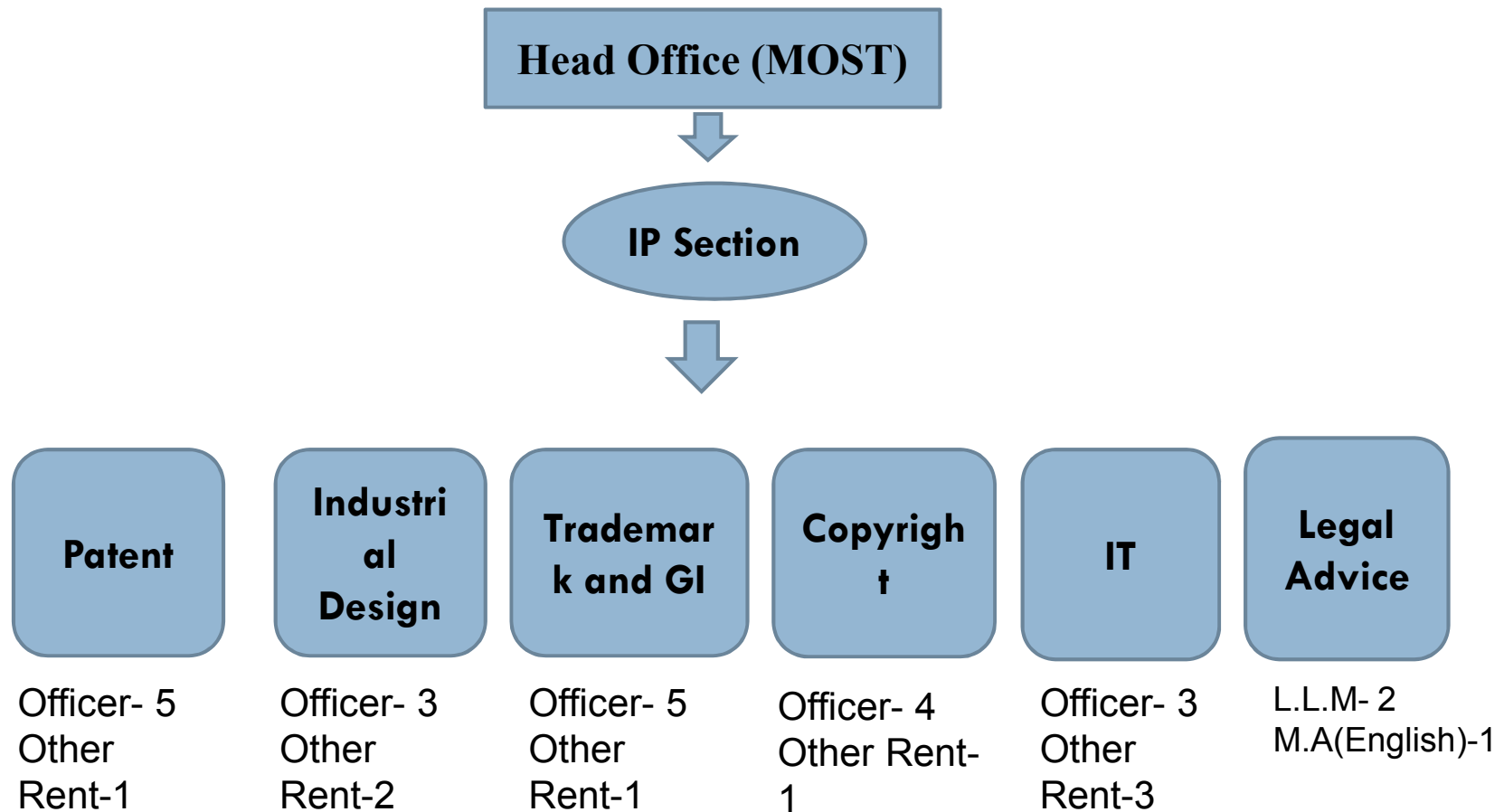
# What is International Classification?

- International classification means, as regards patents and utility models, the classification for patents for invention, inventors' certificates, utility models and utility certificates, known as the "International Patent Classification", established by the Strasbourg Agreement Concerning the International Patent Classification, of March 24, 1971, as amended on September 28, 1979;

# Patent Classification in draft law

- ❑ Invention is an idea of an inventor, which permits in practice the solution to a specific problem in the field of technology. An invention may be, or may relate to, a product or a process;
- ❑ Utility Model means a technical creation that consists of a new shape or configuration of an object or of a component of an object that increases its functionality or utility.
  - 20 years from the filing date (**Patent**).
  - 10 years from the filing date (**Utility Model**)

# Current IP section under MOST





# Current IP Information in Myanmar

- No recent trend of patent applications.
- (7) person in patent group.
- No specific patent examiners allocate patent classifications to patent applications.
- No search database system and the use of patent classification during search.

# Challenges in Establishment of proper IP System

- ❑ To establish necessary infrastructure of the IP Office (Registration and Enforcement)
- ❑ To promulgate the draft IP laws
- ❑ To draw up the regulations for the draft IP laws
- ❑ To strengthen IP-related human and institutional capabilities
- ❑ To foster greater public awareness of issues and implications, relating to IP and IPR

# Conclusion

- ❑ no specific laws for IPRs and existing laws relating to IP.
- ❑ Appropriate legal IPRs system.
- ❑ Finalization the current draft IP law.
- ❑ Comprehensive and effective IP protection to promote foreign investment and creation and innovation, technology transfer as well as for boosting industrial development.

Thank you very much

