procedure

https://actip.com.vn/myanmar/procedure-a58.html

[1] time limit

Myanmar is now neither a PCT member nor Paris Convention yet, so there is no time limit to file a Patent Declaration claiming seniority in Myanmar. However, Myanmar is a member of WTO and WIPO, so Myanmar has been obliged to abide by and implement the provisions of the relevant treaties of this Organization. It means Patent Declaration claiming the seniority should be preferably filed no later than [30] months with respect to the PCT application and [12] months in respect of convention patent application counted from the priority date or before it is published in the worldwide according to the general international regulation for filing patent application.

[2] requirements

In order to file a registration for a patent in Myanmar, it is required the following documents:

documents	remarks	time of filing
Declaration of Ownership for Patent	- signed	on filing date
Power of Attorney	- notarized and diplomatically attested at the Myanmar Embassy or Consulate	on filing date

[3] examination

There is no requirement on the substantive examination. It means that there is not any examination to the registration of patent application. Accordingly, to define the registration of patent, the Myanmar Registry will endorse the Declaration with the patent number and granting date and return it to the patentee.

[4] duration

The average time from filing up to the registration will be about four [4] months.

[5] cautionary notice

The registration is not complete solution to protect of patent in Myanmar. So, the publication of Patent Cautionary Notice in local newspaper should be done after the registration of patent to inform the public about the registration and claim to ownership and warning against the potential infringement.

[6] term & maintenance

There is no regulation regarding to the term of protection for patent in Myanmar. However, according to the general international regulation for patent, it can be protected 20 years from the priority date, namely, it depends on the term granted in the home country.

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According to the established practice, it is recommended to apply for maintenance in every 3 years by re-registering a Patent Declaration and re-publication of a Cautionary Notice.