

Republic of the Union of Myanmar
Instructions for Applying for Industrial Design Registration (ID-1)
Ministry of Commerce and Industry, Intellectual Property Department
27th October 2023

TABLE OF CONTENTS

1. Applicant(s)
2. Representative (if any)
3. Provide the representative's full residential address (or full business address), telephone number, and email address:
4. Creator(s)
5. Number of Industrial Designs
6. Product Category, Subcategory, and Product(s) Name Covered by the industrial design
7. An application may contain one or more industrial designs
8. Industrial Design Description
9. Illustrative Writing
10. Claim of Priority
11. Claim of Priority for Exhibition at Trade Fairs
12. Postpone of the Publication
13. Payment
14. Signature of the Applicant (or Representative)

To apply for industrial design registration, the applicant must submit the application in person or through a duly appointed representative by completing Application Form ID-1 in Burmese or English and submitting it to the Registrar using one of the following methods:

- (a) Applying through the electronic system specified by the Department.
- (b) Applying in person at the Department.

An application for industrial design registration must include the following documents and details:

1. Applicant(s)

(a) If there is more than one applicant, check the box "If there is more than one applicant, please use an additional sheet" and submit the information for each applicant on a separate A4 sheet.

(b) If the applicant is an individual, place a checkmark (✓) in the box indicating that the applicant is an individual. If the applicant is a legally constituted organization, place a checkmark (✓) in the box indicating that the applicant is a legally constituted organization.

(1) If the applicant is an individual

(a) Name

Example: XXXX

(b) National Identity Card Number/Passport Number

Example: National Identity Card Number

or

If a foreigner, their passport number

(c) Address Details

Provide the applicant's full address details:

Example: XXXX, Myanmar.

(d) Telephone number and email address

Example: XXXX, XXXX@gmail.com

(e) Indicate the country of citizenship, the country of permanent residence, and the country of establishment of commerce or business:

Example: Country of citizenship: Myanmar

Country of permanent residence: Myanmar

Country of establishment of commerce or business: Myanmar

(2) If the applicant is a legally incorporated organization

(a) Name

Example: AAA Company Limited

(b) Organization Registration Number

Example: Company Registration Number XXXX/2023

(c) Full Address

Provide the full address of the organization:

Example: XXXX, Myanmar.

(d) Telephone number and email address

Example: XXXX, XXXX@gmail.com

(e) Indicate the type of legally constituted organization and the country in which it was established.

Example: Legally incorporated: Private Company Ltd

Type of organization Cooperation

Country in which it was established: Malaysia

NOTE

List all companies, corporations, and other legal associations/organizations/businesses, both domestic and foreign.

2. Representative (if any)

If the application is made by appointed representative, the representative must be a person residing in the country, holding a National Identity Card, at least 18 years of age, and meet the qualifications specified by the Ministry.

The following information must be fully completed for the appointed representative:

(a) Name

Example: xxxx

(b) National Identity Card Number

Example: xxxxxx

3. Provide the representative's full residential address (or full business address), telephone number, and email address:

(a) Full residential address (or full business address)

Example: XXXX, Myanmar.

(b) Telephone number and email address

Example: XXXX, XXXX@gmail.com

(c) Multiple representatives may be appointed, but only one representative should be named in the application or other related applications, and only that representative will be contacted.

(d) When appointing a representative, submit Application Form ID-2 along with the representative appointment form.

If the person appointing the representative is not a permanent

resident of Myanmar or is a resident of a foreign country, indicate the country of their permanent residence or the country where their legal business is located.

Submit a true copy of the representative appointment form (ID-2) certified by a Notary Public.

Note:

The information provided in the Representative Appointment Form (ID-2 Form) must be filled in exactly as stated.

4. Creator(s)

(a) The applicant must indicate whether or not he/she is the creator by ticking (✓) box (3) of the ID-1 Form.

(b) If the applicant is not the creator, he/she must submit a "Declaration of entitlement to apply for Industrial Design Registration" using Form ID-1a.

Note:

All information provided in Form ID-1a, indicating the applicant's entitlement to apply for industrial design registration, must be complete and accurate. The information shown is mandatory.

5. Number of Industrial Designs

Indicate the total number of industrial designs to be registered, the number of drawings, and the number of A4 sheets.

Drawings must be attached to an A4 sheet and shown on only one side of the page.

Note:

All products in the application must belong to the same category according to the International Classification of Industrial Designs, and the number of industrial designs must not exceed 100.

6. Product Category, Subcategory, and Product(s) Name Covered by the industrial design

Indicate the product category, subcategory, and product(s) covered by the industrial design for which registration is requested in Form ID-1, classified according to the latest revised International Classification of Industrial Designs (Locarno Classification).

In field number (5), provide detailed information for the product category, subcategory, and product name for which the application is

being made.

The Locarno Classification has 32 category numbers. Correctly fill in the category number of the applied design product.

7. An application may contain one or more industrial designs

If it includes more than one, pay the fees according to the number of designs. Indicate the categories, subcategories, and product details of the industrial design in English words as specified in the Locarno Classification to facilitate the search and examination of these categories of industrial designs:

Example:

Industrial design Serial number [Number of Industrial Design]	Number of images Grand total [Total number of reproductions]	Industrial design Product Type and Class and sub-Class [Class and sub-Class of Industrial Design]	Product name [Indication of the Product(s)]
1	7	03-01	Handbag
2	7	03-01	Purse

Note:

If box number (5) of Form ID-1 is insufficient to list all the applied industrial designs, you may submit additional sheets.

8. Industrial Design Description

Present the industrial design description according to the specifications above on an additional sheet, after checking (✓) box (6) of Form ID-1, "Industrial design description(s) to be presented on an additional sheet."

Indicate the number of additional sheets used:

- (a) Present it in the form of a drawing, photograph or graphic.
- (b) The drawing, photograph or graphic representation may be in black and white or in color.
- (c) Present it on white A4 paper (not cardboard) that is nontransparent and cannot be cut or engraved, using only one side of the A4 paper. The size of the drawing or photograph must not exceed 16 cm x 16 cm.

Include 3 cm margin on the left edge of the A4 paper.

(d) Electronic submissions must be in digital image (JPG) format and must not exceed two megabytes in size.

The image resolution must be 300 x 300 dots per inch (dpi).

(e) Omit words, letters or figures that are not relevant to the essence of the industrial design from the description. If they are an integral part of the industrial design, state that they are not subject to any exclusive right.

(f) Number each industrial design.

(g) Indicate the numbering on the side of each description.

(h) When numbering different views of an industrial design, use two figures numbered consecutively with a dot in between.

Example: 1.1, 1.2, 1.3, 1.4, 1.5, etc.

(i) In an application containing multiple industrial designs, designate each industrial design with a different number.

Example: 1.1, 2.1, 3.1, 4.1, etc.

(j) All parts of the industrial design must be clearly identifiable and of sufficient quality for publication.

(k) Show the industrial design for which protection is sought, without mixing it with anything else. Present the industrial design against a light-colored, not too dark background. The background must allow the shape of the product incorporating the design to be clearly seen.

(l) Show parts for which protection of the industrial design is not sought with short dashed lines or dotted lines. If only a part of a large product is to be protected, show the parts for which protection is not sought in a faint manner to distinguish the design.

(m) For two-dimensional products, submit at least one view. For three-dimensional products, submit a perspective view of the entire industrial design, in addition to front, back, left, right, top, and bottom views, showing the features of the industrial design from all angles.

(n) If the external features of the industrial design are identical from different angles, it is not necessary to describe them again. In such cases, include a clear and complete description.

Example: "The left side of the industrial design is identical to the right side," etc.

(o) For each description of an industrial design containing repeated surface patterns, provide a complete surface pattern, and sufficiently describe the repeated part.

(p) If the applicant uses the name or likeness of a living person in the industrial design, they must submit that person's consent to the Registrar. If the name or likeness of a deceased person is used, submit the consent of their legal representative or successor to the Registrar.

9. Illustrative Writing

The descriptive writing for the applied industrial design should not exceed 100 words. If there is not enough space, you may use an additional sheet, indicating the number of additional sheets submitted.

Example:

For Handbag: front, back, left, right, top, bottom, overall view, a total of (7) images are submitted as an appendix.

For Purse: front, back, left, right, top, bottom, overall view, a total of (7) images are submitted as an appendix.

Note:

The descriptive writing should not include any statements related to the novelty or technical function of the industrial design, or its utility.

10. Claim of Priority

(a) A claim for priority may be made for the same industrial design within six (6) months from the date of filing the application for registration of an industrial design in any country that is a party of the Paris Convention or a WTO member country. To make such a claim, fill in and mark the relevant information in box (8) of Form ID-1.

Example (1): If the priority claim is identical to the industrial design specified in the application, fill in the following:

Industrial design Serial number [Number of Industrial Design]	Previous application of which Country name and office [Country & Office of earlier filing]	Previous application of which Number [Priority Number of earlier filing]	Previous application of which Date [Priority Date of earlier filing]
------------------------------------------------------------------	--------------------------------------------------------------------------------------------	--------------------------------------------------------------------------	----------------------------------------------------------------------

1	Indonesia, Indonesian Patent Office	IDN/12345/23	2 - 4 - 2023
2	Cambodia, Cambodian Patent Office	KBD/12345/23	6 - 5 - 2023

Example (2): If the industrial designs described in this application are identical to only some of the industrial designs previously filed, then only some of the identical industrial designs may be claimed as priority and must be listed in the table in box (8) of this application:

Industrial design Serial number [Number of Industrial Design]	Previous application of which Country name and office [Country & Office of earlier filing]	Previous application of which Number [Priority Number of earlier filing]	Previous application of which Date [Priority Date of earlier filing]
1	Cambodia, Cambodian Patent Office	KBD/12345/23	6 - 5 - 2023

(b) Submit a true copy of the application claiming priority. If the true copy is in another language, submit a translation into English or Burmese. If you can submit it with the application, place a checkmark (✓) in box (8) "Submitted together." If you cannot submit it with the application, place a checkmark (✓) in box (8) "Submitted within (3) months from the date of application" and submit it within (3) months from the date of application.

Note:

If the applicant for priority rights is not the applicant in the previous application, the previous applicant must submit to the Registrar, along with the application, the documents proving the transfer of priority rights.

11. Claim of Priority for Exhibition at Trade Fairs

(a) A person may claim priority in trade fairs for an industrial

design that is identical to an industrial design that was exhibited at an international trade fair organized or recognized by the government of the country concerned within six (6) months prior to filing this application for registration of an industrial design. If such a claim is made, mark and completely fill in the relevant information in box (9) of Form ID-1.

Example (1):

Industrial design Serial number [Number of Industrial Design]	Exhibited Trade show name [Name of exhibition]	Trade fair held Which Place [country name, Place where exhibition was held]	Trade fair Shown Date of First Exhibited (dd/mm/yyyy)
1	Singapore Biennale 2023 exhibition	The Lion City (Singapore)	1/9/2023
2	Singapore Biennale 2023 exhibition	The Lion City (Singapore)	1/9/2023

Example (2): If the industrial designs claimed in this application are identical to some of the industrial designs previously filed or exhibited at an international trade fair, only some of the industrial designs covered by the trade fair priority right shall be included in this application as follows:

Industrial design Serial number [Number of Industrial Design]	Exhibited Trade show name [Name of exhibition]	Trade fair held Which Place [country name, Place where exhibition was held]	Trade fair Shown Date of First Exhibited (dd/mm/yyyy)
1	Singapore Biennale 2023 exhibition	The Lion City (Singapore)	1/9/2023

(b) Claiming Priority Rights at a Trade Fair

When claiming priority rights of a trade fair, the applicant must

submit a certificate issued by the trade fair authority confirming that the invented industrial designs was actually disclosed at the event. This certificate must serve as valid proof that the invention constitutes an industrial design used for the type of product and its designation in the application.

If the certificate is issued in a language other than English or Burmese, a translation into one of these languages must be provided. If the certificate can be submitted with the application, the applicant must mark (✓) the "Submitted together" box (9) on the ID-1 Form.

If it cannot be submitted with the application, the applicant must mark (✓) the "Submitted within three (3) months from the date of application" box (9) on the ID-1 Form and ensure submission within that timeframe.

12. Postpone of the Publication

If the applicant wishes to postpone the publication, the period must not exceed 18 months from either the application filing date or the date of claiming priority (including trade fair priority).

To request a postponement:

The applicant must tick (✓) the "Request for postponement of publication of industrial design" box (10) on the ID-1 Form and specify the industrial design number along with the requested period in the designated table.

If additional space is needed, the applicant must tick (✓) the "If more space is required, please tick the box and use a separate sheet" box (10) and submit a separate sheet with the application.

Example:

To be postponed Industrial design number [Deferment of Industrial Design Number]	To be postponed Period [Deferment Period]
1	From 29 - 9 - 2023 to 28 - 12 - 2023 :3 months)

13. Payment

The fee for industrial design registration must be paid under box (11) of the ID-1 Form. If a single application includes multiple

designs, the prescribed fees will vary accordingly. Proof of payment (receipt) must be enclosed.

Examples:

- Industrial design application fees:
- One (1) industrial design: 120,000 kyats
- Two (2) industrial designs: 240,000 kyats
- Fees for requesting postpone publication:
- One (1) industrial design: 35,000 kyats
- Two (2) industrial designs: 70,000 kyats

Note:

If a publication postponement is requested, an additional fee will apply based on the number of designs.

Example Calculation:

- Industrial design application:
 - Handbags and purses (2 designs) = 240,000 kyats
 - Publication postponement fee:
 - Postponement for one (1) industrial design (Handbag) = 35,000 kyats
- Total fee payable: 275,000 kyats

14. Signature of the Applicant (or Representative)

Box (12) of the ID-1 Form must be signed by either the applicant or an authorized representative.

- The signatory must provide their full name, date, month, and year of signing.
- If a legally constituted organization is applying, the signatory must also include their position and organization name, along with evidence of their authorization to sign on behalf of the entity.
- If there are multiple applicants, only one must sign on behalf of all. Additionally, a copy of the agreement between the applicants must be submitted.

Examples:

(1) If the applicant is an individual:

- Signature: XXXX
- Name: XXXX

(2) If the applicant is a legally constituted organization:

- Signature: XXXX
- Name: XXXX
- Position: Chairman
- Organization: AAA Company Limited

Information to be included in the Industrial Design Registration Application (ID-1)

No.	Information to be submitted together
1.	If there are multiple applicants, information about all applicants must be submitted together.
2.	If applying through a representative, a copy of the representative's certificate for industrial design registration must be submitted along with the representative appointment form (ID-2).
3.	If the applicant is not the creator, a "Declaration of Authorized Person for Industrial Design Registration" (ID-1a) must be submitted together with the application form.
4.	The description of the industrial design must be submitted on A4-sized paper.
5.	If claiming a priority right, a certified copy of the previous application must be submitted. If ID-1 indicates "To be submitted together," the certified copy must be submitted along with ID-1. If ID-1 indicates "To be submitted within three months from the date of application," the certified copy must be submitted within three months of the application date.
6.	In cases of priority rights, if the applicant differs from the original applicant in the previous application, the applicant must provide documentation proving the transfer of priority rights from the previous applicant.
7.	For trade fair priority right claims, the applicant must submit a certificate issued by the trade fair authorities confirming that the industrial design was displayed at the trade fair. If ID-1 indicates "To be submitted together," the certificate must be submitted with ID-1. If ID-1 indicates "To be submitted within three months from the date of application," the certificate must be submitted within three months of the application date.
8.	If applying for trade fair priority rights and the trade fair's opening date differs from the first public display date of the industrial design, evidence of both dates must be submitted together.

9.	If applying for a trade fair priority right and the applicant was not the first to publicly display the industrial design at the trade fair, the applicant must submit documents proving that the first exhibitor transferred the trade fair priority right.
10.	The payment receipt must be submitted in accordance with the requirements.
11.	If there are multiple applicants, a certified copy of the document confirming that one applicant has been authorized to sign on behalf of all applicants must be submitted.
12.	If the application is submitted by a legally established organization, a certified copy of the document confirming that the signer is authorized to act on behalf of the organization must be submitted.
13.	If the applicant is not a permanent resident of Myanmar or resides in a foreign country, a certified copy of the representative appointment letter (ID-2), validated by a notary public in the country of permanent residence or legal business operation, must be attached.
14.	If the industrial design includes the names or images of living persons, their written consent must be attached.
15.	If the industrial design includes the name or image of a deceased person, written consent from their legal representative or heir must be attached.
16.	If the applicant is a legally constituted organization, a copy of the organization's registration certificate must be attached.

All information provided in the application must be complete and accurate. Fields marked with (*) are mandatory. If (*) appears alongside a numbered item, that entire section must be completed. The application for industrial design registration must be obtained and submitted via the Department of Copyright's website. The application form can be accessed at the following link:
(<https://www.ipd.gov.mm/industrial-design/forms>)

Contact Address:

Nay Pyi Taw Head Office

Office No. (52), Patents Department, Ministry of Commerce and Industry. 0673-430594

Lower Myanmar Branch Office (Yangon)

No. 228/240, Kanna Road, Pabedan Township, Yangon. 01-8380265

Upper Myanmar Branch Office (Mandalay)

35th Street, between 63 and 64th Streets, Import and Export Office, Chan Aye Tha Zan Township, Mandalay.

09890615152