

TRADEMARK YOUR LOGO AND TAGLINES

TRADEMARK APPLICATION IN MALAYSIA

1. Legislation:

Trade Marks Act 1976 (Act 175), Trade Marks Act (Regulation 1997), Trade Marks Act 1994(Amended) and Trade Marks Act 2000(Amended)

2. Definition:

A trademark is a sign used for the purpose of indicating a connection between a person having the right to use the sign and his goods or services. A sign includes words, logos, labels, names, letters, numbers or a combination of the above.

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3. Criteria:

A trade mark has to fulfill the one of following conditions in order to claim protection as a trademark. the name of an individual, company or firm represented in a special or particular manner; the signature of the applicant for registration; an invented word(s); a word that does not have any direct reference to the character or quality of the goods or services and is not in its ordinary meaning; geographical name or surname; or any other distinctive mark.

4. Duration and Renewal:

A trade mark application once registered is valid for 10 years from the date of application. It may be renewed every ten years thereafter with payment of a renewal fee.

5. Presentation:

Present as TM once filed and R once registered