



Trademarks in Malaysia

- Filing a trademark in Malaysia is relatively straightforward but multi-class applications are not allowed.
- The application is filed online at MYIPO and the official and our professional fees for filing a trademark in one class would be less than US\$350. We offer discounts for filing in additional classes.
- A request to expedite the application may be filed at the time of filing or within 4 months from the date of filing. Approval of expedited examination is subject to the reasonable satisfaction of one of the criteria under the regulations, i.e. public interest, possible infringement
- The average time taken to obtain registration of a trademark is 18 to 24 months, with the opposition period being 2 months.
- MYIPO may object to a trademark application for being non-distinctive, descriptive or even for being confusingly similar to another trademark (pending or registered). Sometimes, you may face objections to your goods or services applied for.
- If you face objections (i.e. office actions), then you have the option of overcoming these objections by filing a response through written arguments or possibly through based on acquired distinctiveness or by obtaining a letter of consent or cancelling the prior mark for non-use. The chances of success in overcoming any objections depends on the merits of each case.
- For responding to office actions, we charge on a flat-fee basis rather than hourly rates. We would be happy to provide you with a preliminary assessment and a quote upon request.
- Malaysia adopts a “first to use” system so if you have used your mark for a long time and obtained goodwill as a result of that use, you may be able to stop potential infringers.
- Before embarking on any trademark application, engage us conduct a trademark search on the Registry’s records to ascertain if your trademark is registrable and whether there are any confusingly similar marks that may block your trademark registration.

For assistance or to request a non-obligatory quote,
contact us at mail@ipconsultants.asia today!

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