

Appeals in Myanmar Patent Proceedings

In the realm of patent proceedings in Myanmar, the avenue of appeal stands open for individuals dissatisfied with decisions made by the Registrar. This outlines the process for appealing such decisions and the subsequent steps to be taken.

Appeal to the Agency (*Section 93*)

If you find yourself discontented with a decision issued by the Registrar under the provisions of this Law, you hold the right to initiate an appeal with the Agency. This appeal must be filed within a timeframe of 60 days from the date of the announcement of the said decision.

In the course of this appeal, the Agency wields the authority to undertake the following actions:

- Confirm the decision made by the Registrar
- Revoke the decision rendered by the Registrar
- Amend the decision issued by the Registrar

Furthermore, the Agency retains the prerogative to instruct the procurement of additional evidence, should it be deemed necessary for the resolution of the appeal. Should supplementary evidence be submitted pursuant to such instruction, the Agency shall deliberate on the matter and can subsequently:

- Confirm the original decision of the Registrar
- Revoke the initial decision of the Registrar
- Amend the original decision of the Registrar

Appeal to the Intellectual Property Rights Court (*Section 94*)

Should the decision of the Agency not align with your contentment, the avenue of appeal continues to the Intellectual Property Rights Court. This specialized court, vested with jurisdiction for this very purpose by the esteemed Supreme Court, welcomes appeals from individuals dissatisfied with the decisions made.

This secondary appeal must be lodged within 90 days from the date of receiving notice of the decision issued by the Agency.

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