

Penalties for Patent Violations in Myanmar

When it comes to maintaining the integrity of patent rights and preserving the sanctity of the patent system, Myanmar enforces a set of penalties for various offenses. This guide outlines the specific actions that can lead to penalties, along with the corresponding consequences, ensuring that patent holders and those engaging with patents understand the legal boundaries.

1. Issuing False Patent Certificates and Registration Records

Should an individual engage in any of the following activities, they could face penalties of imprisonment for up to one year, a fine of not more than two million kyats, or both:

(a) False Patent Certificates: Creating, disseminating, or facilitating the creation or dissemination of a fraudulent patent certificate or minor invention patent certificate.

(b) False Registration Records: Making or facilitating the creation of inaccurate entries in the patent registration records without genuine intent.

2. Unauthorized Disclosure of Patent Application and Invention Details

Unauthorized disclosure of sensitive patent application information and invention details can result in penalties that include imprisonment for up to one year, a fine not exceeding two million kyats, or both:

(c) Unauthorized Patent Application Disclosure: Revealing the contents of a patent application or associated documents, without proper authorization, to individuals who lack relevance or to the general public, prior to the official announcement.

(d) Unauthorized Invention Details Disclosure: Unauthorized divulgence of specific invention details to uninvolved parties or the general public, without proper authorization, before the stipulated disclosure period.

3. Misrepresentation of Patent Application

Misrepresenting patent application status carries penalties of imprisonment for up to six months, a fine not exceeding two million kyats, or both:

Misrepresentation: Falsely asserting, through any means, that a patent application has been filed when such an application has not been submitted or has been rejected. This also encompasses falsely claiming patent grant when no such grant has been obtained.

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