

## Deferring Public Announcements in Industrial Design Application in Myanmar

*The strategic aspect of deferring public announcements plays a pivotal role in the realm of industrial design application in Myanmar. Understanding this practice is essential for design creators seeking to navigate the landscape of design protection with precision. This guide unveils the intricate facets of deferring public announcements, allowing applicants to strategically manage the dissemination of information about their industrial designs.*

### 1. Deferring Public Announcements: A Tactical Approach

An applicant embarking on the journey of industrial design registration holds the power to influence the timing of public announcements. By invoking Section 36 of the industrial design framework, an applicant can formally request the Registrar to defer the public announcement of their design. This deferral period, as stated in the application, should not surpass 18 months from either the date of the industrial design registration application or the date of the right of priority if invoked.

### 2. Dynamic Flexibility: Withdrawal of Deferral Request

Even after initiating a request for deferral under Section 36, applicants retain the flexibility to alter their approach. Section 37 empowers applicants to approach the Registrar and withdraw their deferral request at any point during the deferral period. This dynamic option allows applicants to exercise control over the timing of public announcements based on evolving strategies or circumstances.

### 3. Registrar's Role in Deferral Management

The Registrar, as a guardian of confidentiality and transparency, assumes a central role in overseeing the deferral process. Section 38 outlines the Registrar's responsibilities in this domain:

(a) **Ensuring Confidentiality:** Upon receiving a deferral request under Section 36, the Registrar is tasked with recording the deferral details in the registration records. These records are treated with the utmost confidentiality, safeguarding the strategic information related to the industrial design.

(b) **Controlled Public Disclosure:** Within the deferral period, the Registrar carries out a controlled public announcement. This announcement sheds light on essential aspects, including the deferred nature of the industrial design's public announcement, the applicant's identity, submission date of the application, specifics of the deferral period, and other pertinent details. This controlled disclosure provides a balanced approach, allowing the applicant to manage expectations and timelines effectively.

(c) **Timely Public Announcement:** At the conclusion of the deferral period, the Registrar ensures the full and timely public announcement of the industrial design application. This marks the transition from strategic deferral to wider public awareness, contributing to the transparency and integrity of the industrial design registration process.

### 4. Mastering the Art of Timing

Delving into the practice of deferring public announcements within the framework of industrial design registration empowers applicants to wield strategic influence over the dissemination of crucial design information. By understanding the provisions outlined in Sections 36 to 38, aspiring design rights holders can harness the power of timing, optimizing their approach within the dynamic landscape of Myanmar's industrial design ecosystem.

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