

## Registering a work for a foreign author and/or owner of copyright in Myanmar: What is the process?

Registering a work under [Myanmar's Copyright Law](#) for a foreign author or copyright owner involves a systematic process that aligns with the stipulations laid out in Articles 46 to 54. KENFOX would like to provide below a detailed guide for copyright authors/owners to successfully register their works in Myanmar.

### Step 1: Preparation (Articles 13, 15 & 16):

- **Understand eligible works:** Review the types of works that can be registered under Myanmar's Copyright Law to ensure your work qualifies. This includes a wide range of literary and artistic works deemed to be original intellectual creations.
- **Confirm copyright ownership:** Ensure that your work doesn't fall into any of the excluded categories (like ideas, procedures, or governmental texts) and that it is an original creation or a derivative work where you own the copyright or have the rights to register the copyright in Myanmar.

### Step 2: Application Submission (Article 46)

- **Application form:** Obtain and fill out the copyright registration application form from the Myanmar Copyright Office. Ensure all required sections are completed accurately, providing details of the work, the copyright owner, and any relevant rights holders.
- **Supporting documentation:** Prepare necessary supporting documentation, which may include a copy of the work, proof of ownership, and any permissions or licenses if registering derivative works.
- **Registration fee:** Determine the prescribed fee for registration and make the payment as directed by the Copyright Office. The exact fee may vary based on the type of work and possibly the nationality of the applicant.

### Step 3: Review and compliance (Article 47)

- **Compliance with stipulations:** Ensure your application complies with the stipulations set by the Registrar. This includes accurately representing the work, its creation, and your ownership or control over the copyright.
- **Resubmission if needed:** If the Registrar finds the application non-compliant, be prepared to revise and resubmit it with necessary corrections.

### Step 4: Correction of errors (Article 48)

- **Clerical error correction:** If there are any clerical errors or other mistakes in your application, file with the Registrar to correct these after subscribing to the prescribed fees. This step must be done before the Registrar makes a decision on registration.

### Step 5: Withdrawal option (Article 48)

- **Withdrawal of application:** You have the option to [withdraw your application](#) before the Registrar makes a decision on registration. This might be relevant if you decide not to pursue copyright registration in Myanmar for any reason.

### Step 6: Await decision (Article 49 & 50)

- **Notification of decision:** After submitting your application, the Registrar will review it against the requirements of the copyright law. You will be notified of the decision—whether your copyright is registered, needs correction, or is refused based on the criteria in Articles 13 to 16.

- **Certificate of Copyright Registration:** If your application is successful, the Registrar will issue a Certificate of Copyright Registration, providing legal evidence of your copyright in Myanmar.

#### Step 7: Filing an appeal and/or a lawsuit (*Article 58 & 59*)

- **Filing an appeal:** Per Article 58, any person who is dissatisfied with any decision made by the Registrar under Myanmar's Copyright Law 2019 may appeal to the Agency (as per Articles 6-7) within 60 days from the date of publication of such decision.
- **Filing a lawsuit:** Any person who is dissatisfied with the decision made by the Agency may file a case in the Intellectual Property Court within 90 days from the date of receiving the notice of such decision.

#### Step 8: Post-registration actions (Articles 51-52):

- **Obtaining certified copies:** If needed, you can apply to the Registrar to issue a certified copy of the Certificate of Copyright Registration, especially if the original is lost or damaged.
- **Corrections and changes:** Should there be a need to correct any clerical errors in the registration or update personal details like nationality and address, you can apply to the Registrar with the prescribed fees.

#### Step 9: Utilization and enforcement

With the copyright registration completed, you have formal evidence of your copyright in Myanmar, facilitating the enforcement of your rights and the commercial exploitation of your work.

#### Final thoughts

Foreign authors should note that while copyright protection is inherent upon creation, registration provides a strong legal basis for protecting and enforcing copyright rights within Myanmar. It's advisable to engage with local legal expertise or the Myanmar Copyright Office directly to navigate the registration process effectively, especially to address any specific requirements for foreign nationals.

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