

## Trademarks (Waiver and Modification of Fee) Regulations 2020

In support of the government measures for reducing the impact of Coronavirus Disease, the Minister of Domestic Trade and Consumer Affairs, Dato Sri Alexander Nanta Linggi has enacted the **Trademarks (Waiver and Modification of Fee) Regulations 2020**.

### Waiver of fee

Starting from 1 January 2021, any trademark applicants or registered proprietors who are affected by the control or prevention measures under the Prevention and Control of Infectious Diseases Act 1988 (“**PCID 1988**”), will receive waivers from the fees of:

- (i) application for amendment of name of address of applicant and correction of name or address of registered proprietor;
- (ii) request for extension of time for other than opposition proceeding; and
- (iii) filing documents manually.

### Modification of fee

Further, affected registered proprietors whose registrations of trademarks expire between 1 January 2021 until 30 June 2021 may request for a late renewal at a fee of RM1000 per class, which is RM200 lower than the usual fee.

### What needs to be done?

Applications for waivers of fees shall be made within the period of 1 January 2021 until 30 June 2021 while the application for modification of fees may be made within 6 months after the date of expiry of the registration. Both applications shall be made using the respective forms as determined by the Registrar of Trademarks.

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The Application shall also be accompanied by supporting documents to prove:

for individual

- (a) is from B40 group who is entitled to the Household Living Aid or *Prihatin* National Aid;
- or
- (b) his income is affected by the control or prevention measures.

for partnership, association, body corporate or institution

- (a) has obtained approval for the extension of moratorium or any repayment flexibility from financial institution;
- (b) has a cash flow problem affected by the control or prevention measures; or
- (c) has pecuniary indebtedness and problem on repayment of debts affected by control or prevention measures.

In the event that a registered trademark has more than one proprietor, it suffices if one of the proprietors satisfy the requirements.

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