

6. Can you assign a trade mark?

Yes. You can assign the mark during pendency of the application or after registration has been issued. You need to file a copy of the assignment with the Trademark office. However, the assignment will only take effect upon the registration of the application.

您的商标是否可以转让他人？

可以，商标转让可以在商标申请期间或经注册后转让。转让人和受让人应当共同向大马知识产权局提出申请转让注册商标。但是，商标转让只在商标注册后生效。

7. What is the difference between ® and TM ?

The ® is the universally recognized symbol for a registered trade mark. If a trade mark is unregistered, the TM symbol is used.

® 和 TM 有什么分别？

®是一个国际性的符号，它代表着某种产品商标已受到注册及保障。而TM则常被商家使用以表示某个标志是其某中产品的商标。

8. Who can assist you in registering your trade mark ?

We, INTELLECT Worldwide Sdn Bhd (a Registered Trade Mark Agent), with a credible track record and pool of experienced expertise are able to assist you to register your trade mark in Malaysia as well as overseas with the utmost professional advice and service.

我应该怎样申请商标注册以及寻求咨询？

本公司(政府委任注册商标代理)将为您提供适当的咨询及协助您在国内外获得适当的保障，欢迎随时联络我们。



Trade Mark 商标注册

Patent 专利

Copyright 版权

Industrial Design 工业设计

Franchising 特许经营

Branding 品牌塑造

Professional • Experienced • Reliable
专业 资深 诚信

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Remarks :The above is intended to provide general information about trade mark. It should not be relied upon as legal advice, and is not a substitute for consultation with an agent. Please seek advice should you have any inquiries.

以上资料是关于商标的信息，这些只是一般建议而非法律依据及取代注册专员咨询。具体的方案应向专业人员咨询。
In the event of discrepancy between the English and Chinese languages on this document, the English version will prevail.
如以上英文与中文翻译版本解释生差异者，该以英文为主

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INTRODUCTION 简介

Patents, industrial designs, copyrights and trademarks all provide valuable ways to protect constituent elements of your product, service or brand. Only trademarks, however, have, potentially, an indefinite life and thus can outlive all other forms of intellectual property protection.

专利，工业设计，版权或商标都可给予您的产品，服务或信誉提高价值。其中，商标注册更是属于一种可以永久性保值和拥有的唯一之知识产权。

1. What is a trade mark & service mark?

A trade mark is a distinctive symbol (eg. a word, logo, numerals, device, label and so on) that identifies particular goods of a trader to the general public. A trade mark is also used to indicate the origin of goods and to distinguish the products or services of an individual or enterprise from those of others. Whereas a service mark, is a logo used by service industry (e.g. entertainment, transportation, travel agents, etc.)

何谓商标，何谓服务业标？

商标乃是一种商品特征(如文字、标志，数字、设计等)，用以分辨不同种类，品质的商品，亦可当是一种信誉。服务业标，顾名思义，既是服务行业，如娱乐，运输，旅游业等的标志。

2. Why is trade mark registration so important to you?

Because once a trade mark is registered, it is prima facie proof of ownership of the applicant. The proprietor of the registered trade mark will then have all the benefits, remedies and protection afforded by the Trade Marks Act., 1976.

商标注册对您有什么好处？

商标一旦获得注册，它自然而然的成为申请者有力的使用证据。申请者将因此获得在1976年商标法令下所给予的利益和保障。

3. When should you apply for registration of a trade mark?

As soon as your mark is being used or intended to be used, you are advised to file your application. It must be noted that an early application is advisable because the date of registration dates from the day on which the application is lodged. An earlier lodged applications have prima facie priority over later applications.

我应该在什么时候申请商标注册？

一旦您决定或准备使用某些商标，您就应当马上开始申请，尽早申请对您是有利无弊，因为其注册日期乃从申请日期算起，先申请者拥有优先权。

4. How long does a trade mark registration valid for?

Under the new Trade Mark Registrations 1997, the trade mark registration is valid for ten (10) years from the date of application and is renewable for successive periods of every ten (10) years on payment of a renewal fee.

商标的有效期是多久？

根据1997年商标条例，商标注册的有效期限乃从申请日期算起为期十年，而每十年可付费(更新费)更新一次。

5. Does a local trade mark registration give protection in overseas countries?

No, a trade mark registered in Malaysia only gives protection in Malaysia. If you intend to export your goods to overseas, a separate application must be made in each of the overseas countries where you want to seek protection.

在国内注册的商标是否一样在国外获得保障？

不，在马来西亚注册的商标只能在国内受到有效的保障，如果您有意出口到其他国家，您必须在有关国家另行申请注册以获得保障，就如外国商家所注册的商标有意在我国使用也必须在我国另行申请一样。

