
TRADE MARK PROCEDURE 商标注册程序

1. To conduct an unofficial search before filing the application so as to avoid the question of similarity. The search could take at least 5-working days to receive the results. 进行商标查询确定当中是否已经有相同或近似之商标已登记。五天工作日内将完成查询结果。
2. After the search completed, an application of trade mark can be filed within the next working day provided all required documents and information are furnished sufficiently. The filing of an application does not guarantee registration even though the search has been conducted.

需注意：一旦查询工作已完成，您可在隔天提交有关申请资料和要求以便在商标注册局申请注册。一个正在进行商标申请注册并不代表它以获得注册。本公司不能保证您的申请一定 100% 获得注册。
3. After the lodgment of an application, the Registry will allocate a filing number to the application. This number is important as it establishes the priority of the application allotted application number. 确立申请日十分重要,由于我国商标注册采用申请在先原则,一旦发生申请日的先后成为确定商标权的法律依据,商标注册的申请日以商标局收到申请文件的日期为准。
4. The Registry will deliver a preliminary examination report within 12-18 months to see whether the mark is registrable in accordance with the Trade Mark Acts 收到申请表格后，商标注册局将会在 12-18 个月内审阅该申请，以确保该申请符合商标条例的相关规定。
5. Once an application is accepted, the application will then be accepted for advertisement in Malaysian government gazette if there are no conflicting marks or provided the application satisfy the requirements of the Act and the Rules.一旦商标申请经审阅后没有问题，确定没有与其他商标发生冲突及符合法律规定的注册条件，它则会在政府宪报刊登该商标注册的公告。
6. The trade mark concerned will further proceed to registration if no opposition is filed within the statutory opposition period of two months from the date of advertisement. 任何人于公告刊登后的两个月内可以提出反对有关商标的注册申请。反之如没有收到任何反对，商标注册局就会正式进行注册。
7. The Certificate of Registration will be valid for a period of ten years from the date of application and may be renewed for successive periods of ten years on payment of a renewal fee. 大马商标法规定，注册商标有效期为十年，自核准申请之日起计算。有效期满前可以申请续展注册，每次续展注册的有效期为十年。
8. The whole registration procedures will normally take approximately 18 months 根据目前商标局审查的惯例，如商标申请的程序是非常顺利的情况，整个注册过程一般约需 18 个月。

Remarks: In the event of discrepancy between the English and Chinese languages on this document, the English version will prevail
备注: 如以上英文及中文之翻译版本解释生差异者，该以英文为主