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ROUSE

IP Toolkit No. 1

Practical Guide for SMEs on Trademark & Digital Branding in Myanmar



ROUSE

Contents

1 BRAND DEVELOPMENT

2 TRADEMARK PROTECTION AND ENFORCEMENT

3 BRAND COMMERCIALISATION

OFFICIAL

BRAND DEVELOPMENT

FUN FACT

The Power of Brand Recognition



Why did Nike drop its name / lettering "Nike" from its swoosh logo, leaving only the iconic *swoosh*?

Common Trademark Mistakes Made by SMEs

Many small businesses unintentionally put their brand at risk. Here's how:

❌ Not Registering the Trademark

"I already have a logo, so I'm safe."

Not quite!

- Cannot sue for infringement - without official registration
- Limiting to common-law passing-off* (first-to-use).
- Passing-off is harder to prove—especially online—and slower, costlier to enforce.

➡️ Enforcing your rights can be more **costly, slower, and uncertain**.

⚠️ Copying or Clashing with Existing Brands

"That name sounds cool—let's use it!"

Many SMEs choose names **too similar** to big brands — knowingly or not.

Eg. i-AppleFix for a phone repair store.

➡️ Leads to **legal trouble**, rebranding costs, and damage to reputation.

🔁 Inconsistent Branding Across Platforms

"Different name here, different logo there—it's all the same lah!"

Different brand names, logos, or styles across website(s), Instagram confuses customers and weakens brand recall.

➡️ Complicates ability to protect and prove trade mark use.

🌐 Expanding Online Without Trademark Protection

"I'm going global... but forgot to protect my name overseas."

Trademarks are territorial –

Register before entering new markets/countries; or others (on marketplaces/social media) will file first.

In civil-law countries (e.g., China, Thailand, Indonesia), rights only arise on a **first-to-file** basis (not first to use) — registration is essential.

➡️ Leads to loss of rights in target markets, forced rebranding, blocked sales, and increased legal costs to recover the brand name.

🗂️ Poor Record-Keeping of Brand Assets

" I know where all our logos are —no need to document/track them."

No clear list of what brand elements exist, when they were created, or who owns them.

Trademark is owned by company, but domain names or social media handles are registered under an individual (e.g., staff, founder, freelancer).

➡️ Leads to confusion when enforcing rights, applying for registration, or negotiating deals.

Risk of losing control if individual leaves or disputes arise.

Secure Your Digital Trademark Footprint

🌎Claim Your Domain Name Early

e.g. www.brandname.mm

✅ Buy your brand domain **before someone else does**, even if your site isn't ready.

✅ Consider variations like .com, .mm, .net, and .store.

🔒 Lock Down Your Social Media Handles

e.g. @brandname on Instagram, TikTok, Facebook, X.

✅ Consistent handles = easier for customers to find you.

✅ Prevents others from **pretending to be your brand**

✅ **Reserve the name now - e**ven if you're not active yet.

🎯 Match Branding Across Platforms

✅ Maintain **consistent names, logos & taglines** across your website, social media & marketplaces (FB, TikTok Shop etc.).

✅ **Builds recognition & goodwill** to strengthen your trademark protection.

👀 Monitor for Impersonators or Misuse

Fake websites, parody accounts, typo URLs (e.g. brandnme.com).

⚠These can damage trust and scam your customers.

✅ Report and take action quickly — easier when your name is registered.

🗂️Tie It Back to Your Trademark Strategy

Did you know?

Use your website domain and social media handle as proof of trademark use.

💼 Capture timestamped screenshots of website URL and social media profiles showing your trademark in use—proof of use for disputes or enforcement.

Takeaways

- Create strong digital ID + proof of use underpins all trademark rights.
- Do trademark search early – check similar names before filing or launching brand to avoid conflicts.
- Search in key markets – cover Myanmar and any countries where you plan to sell or expand in the next 3–5 years.

Secure domains and social handles early; if your exact brand name is taken, add a descriptive word to stand out. If "Kopi" is taken, use a variant like KopiMM/KopiMyanmar or KopiCafe.

Create & Maintain a Digital Brand Asset Log

Think of it as your brand's "insurance policy" — a centralised record that helps you manage, monitor, and protect your digital presence.

What to Include in Your Brand Asset Log

Asset Type : Details to Record

Logos: File versions, formats, usage rights, last update.

Domain Names: Registration info, expiry dates, registrar access.

Social Handles: Username, platform, date created, login credentials.

Storefronts: TikTok Shop URLs, admin contacts.

Hashtags: Branded campaigns, date launched, purpose

Track Expiry & Renewal Dates

Every registered trade mark has a **validity period** (e.g. 10 years in the Philippines).

➡️ Missing a renewal can mean losing your registered rights.

✅ Keep a calendar of:

- Trademark application number and registration number
- Filing, Registration and expiry date
- DAU deadlines
- Grace period for late renewal
- Who is responsible to renew
- Jurisdiction (country/region)

Monitor Licensing & Usage Terms

- Licensee/licensor name and contact details.
- Track the **duration** of the licence
- Record **geographic limits** and **scope of rights**
- Set **review/renewal dates and DAU dates**
- **Agreement start and end dates**

➡️ **Avoid**

- Overuse, misuse, or expired agreements that appear valid.
- Situations where TM is still being used **under expired or outdated licensing terms**, leading to **unauthorised use** that appears legitimate.

Know Where Your Trademarks Are Used

Keep a log of:

- Countries where marks are registered.
- Platforms where your brand appears (e.g., IG, FB)
- Logos/versions use (colour, black & white, simplified).
- Evidence of use (screenshots, links)
- Proof of Use (dated screenshots, URLs, product photos, promotional materials).

✅ Supports renewals, enforcement, and international filings

Pro Tips

✓ Store it in a shared but secure folder (e.g. Google Drive, Notion, or Airtable).
✓ Assign one person to update it regularly.
✓ Add screenshots or links as evidence of online use.
✓ Sync with your trade mark registrations for legal alignment.
✓ Good documentation = easier enforcement + licensing opportunities.
✓ ***Suggestion: Use Excel, Airtable, or Notion to build a live, sharable IP register.***
📝 ***Bonus: If you're ever audited, pitching to investors, or handling IP disputes — this log becomes gold!***

Brand Asset Tracker

	TM: BRAND	TM: BRAND	Domain/Handle
Proprietor	BrandCo Inc.	BrandCo Inc.	BrandCo Inc.
Jurisdiction	Myanmar	WIPO (ID, SG)	Domain (.com/.mm), IG handle
Reg No.	MM-TM-2026xxx	M01000xxx	www.brandname.mm/@brandname
Expiry Date	12/03/2036	01/09/2036	Renewal yearly
Renewal Due	12/03/2033	01/09/2033	Annually (domain), per platform policy (IG/FB)
Licensing	No	Yes	NA
Notes	Used on Shop.com.mm + TikTok	Madrid registration designating Thailand	Ensure registered under company, not staff/agency

🧭 Building A Strong, Unified Digital Brand

Tracking your brand assets across all online platforms is critical for building a strong, unified digital brand.

Map your Brand Everywhere

- 📌 Websites
- 📌 Instagram / Facebook / TikTok
- 📌 E-commerce (Shop.com.mm)
- 📌 Email, WhatsApp Business, Google Business

If name, logo, or tone **isn't aligned -** brand becomes fragmented.

Consistency Matters

✅ Builds instant recognition ('Starbucks' analogy).

✅ Reinforces trade mark identity

✅ Helps with SEO and social searchability

✅ Builds trust (customers know it's you)

Consistency boosts recall, trust & legal strength.

Avoid Mismatches

🚫 Inconsistent names/logos across accounts.

🚫 Change logo without updating everywhere

🚫 Having multiple versions of your store (e.g. BrandOfficial, Brand_PH, TheRealBrand)

Mismatches confuse customers & weakens legal protection.

Central Tracker

Create a simple **Brand Tracker Sheet**

- Logo version used
- Platforms where brand appears
- IP status: registration, expiry, licensing, use history
- Classes & Territory

**User: Legal, founders, compliance team.*

- ✓ Helps with staff turnover, rebranding, audits
- ✓ Control stays in-house

Integrating Your Trademark into a Holistic Brand Strategy

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Step 1: Align Brand with Business Strategy

- Define purpose & mission – ensure brand story is unique & protectable.
- Identify target audience & markets – determine where to register.
- Highlight core values & USP – reinforce through IP (slogans, designs).
- Maintain strategic consistency – all products/services use the trademark correctly and consistently.

Step 2: Develop a Protectable Brand Identity

- Register your brand name & logo in relevant classes & territories.
- Design distinctive visuals – avoid generic/overused elements.
- Create a brand style guide with ™/® usage rules.
- Define brand personality & voice – distinctiveness aids registrability.
- Secure related IP: domain names, handles, taglines.

Step 3: Build Brand and Protect on a Budget

- Use affordable design tools for unique, ownable content.
- Claim consistent social media handles – builds proof of use.
- Enter partnerships with clear IP clauses/licences.
- Ensure official listings always display the registered name/logo.

Step 4: Enhance Trademark Value

- Deliver consistent quality – builds goodwill linked to your IP.
- Use storytelling to emotionally connect customers to your trademark. *(Share founder's story on product packaging and social media.)*
- Monitor for misuse & counterfeit listings.
- Promote certifications & awards – strengthens brand reputation.

Step 5: Manage and Grow your Trademark Assets

- Keep a brand tracker – monitor renewal dates & usage.
- File trademarks for new product lines or territories early.
- Monitor brand health – sales, mentions, infringement reports.
- Refresh branding only after IP clearance-Avoid infringing others' rights.
- Leverage trademarks for licensing, franchising, collaborations.

✓ A well-built brand justifies premium pricing and sets you apart from competitors
✓ Branding is more than a logo – it's your business reputation.
✓ A strong brand builds trust, recognition & loyalty

TRADEMARK PROTECTION AND ENFORCEMENT

Protecting Your Brand Online

Monitoring Online Misuse

Why Monitor?

- **Spot counterfeits and copycats** using trade name, brand name, logo, or packaging.
- Detect **brand misuse on social media** – including impersonation accounts, fraudulent promotions, or misuse of your IP in fake ads.
- Identify **unauthorised sellers** on e-commerce and social media.
- **Protect customer trust** and your brand reputation.

What to Watch For

- **Product listings** with your brand name or logo without permission.
- **Fake online stores** using your brand name on Instagram, FB, Shop.com.mm, seingayhar.com, citymall.com.mm, shweshopping, ict.com.mm, Tik Tok, etc.
- **Copied photos** or descriptions taken from your official pages.
- **Ads** pretending to sell your products.

How Can SMEs Monitor

- **Search your brand regularly** on popular platforms (Instagram, FB, Shop.com.mm, seingayhar.com, citymall.com.mm, shweshopping, ict.com.mm, Tik Tok, etc.).
- **Use online alerts or tools** to get notifications of suspected infringement.
- **Check customer reviews** for mentions of fake products.
- **Establish a complaint mechanism/email address** to receive reports of suspected counterfeit products/ sellers from customers.
- **Spreadsheets** – Keep a simple log of suspicious sellers.
- Monitor **sudden promotions** or suspiciously low-priced offers on social media.



Even small businesses can do basic monitoring for free. Consistent checks can stop problems early and save your brand's reputation.

Enforcing Your Brand Rights Online

How to Respond to Infringement

Platform Takedown Process

Step 1: Collect Evidence

- Before taking action, gather proper documentation:
  - Take clear screenshots of:
  - Infringing product listing or post
  - Seller profile page
- Comments, prices, and promotions
- Save the URL/link of the page or account
- Record the date and time
- Note seller name, phone number, or WhatsApp contact
- Keep copies of your IPD trademark registration certificate

📌 Good documentation strengthens your complaint and protects you if escalation is needed.

Step 2: Report to Platform

- Most online misuse in Myanmar happens on:
- Instagram / Facebook (Meta platforms)
- TikTok
- Shop.com.mm, citymall.com.mm, seingayhar.com, shweshopping, ict.com.mm, etc.
- Business accounts on Viber (report account if impersonation)

Use:

- Meta IP reporting tools
- TikTok IP complaint system
- Report fake .MM domains through the domain registrar or the Myanmar domain registry (MARNET)
- Report to registered online sales/stores/platforms (2559 in total at ecomreg.gov.mm)

Step 3: Follow Up

- Monitor email/platform response
- Track whether content is removed
- Save confirmation emails
- Continue monitoring in case seller relists under a new name

In small markets like Myanmar, sellers may reopen under a new account.

Escalating to Legal Enforcement

When do SMEs Need to Escalate?

Escalate when:

- The same seller repeatedly copies your brand
- Multiple linked accounts are operating
- Counterfeit goods appear in physical shops or markets
- Imported infringing goods are entering Myanmar

What Can SMEs Do?

✅ Send a formal warning letter *(Cease-and-desist)*

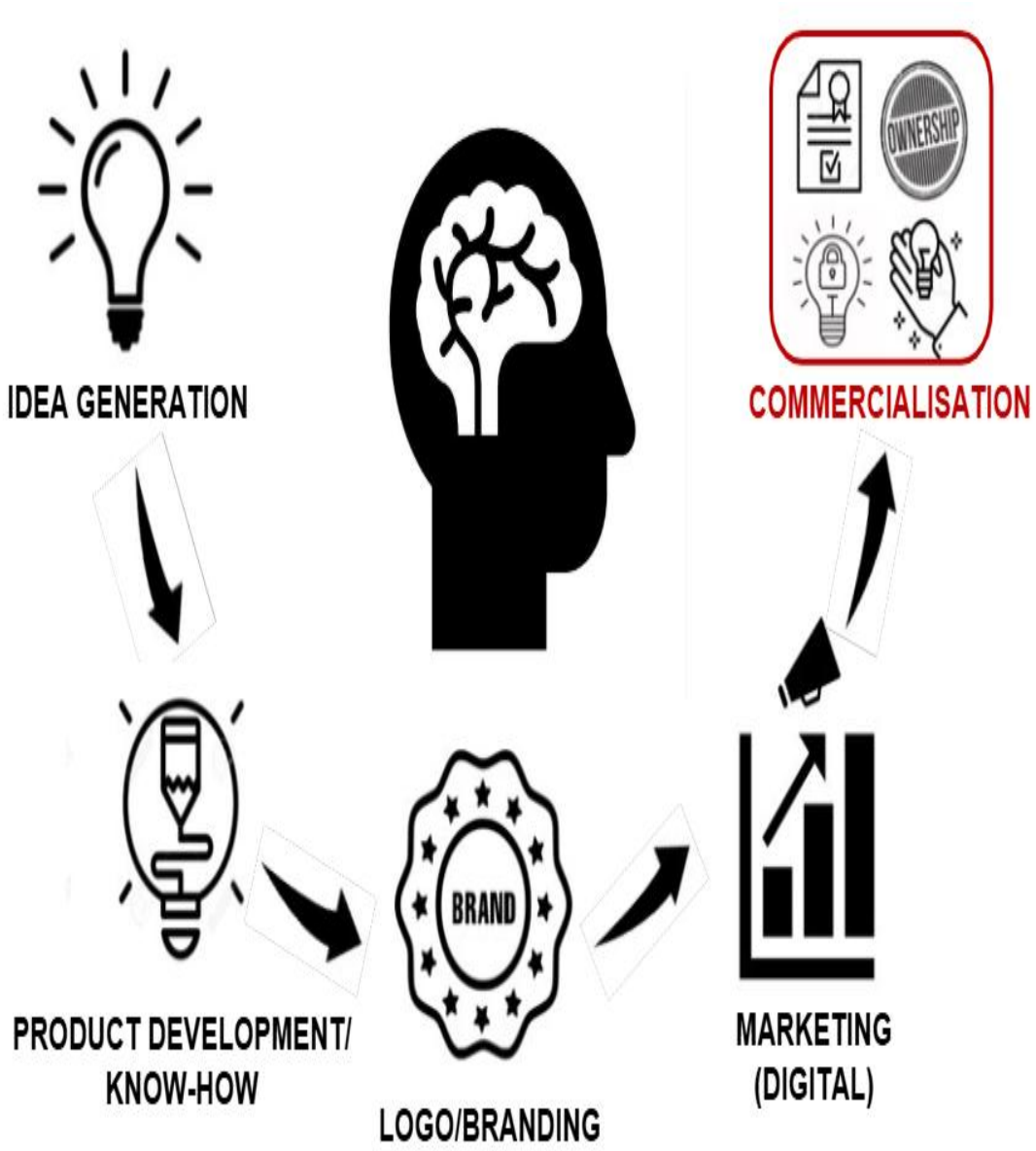
- Clarify your IP rights
- Request to stop infringing activities
- Set deadline for compliance

✅ File complaints to competent authorities for more deterrent actions

Consider consulting with local IP agents or lawyers to obtain initial advice on potential enforcement actions.

Key Takeaways

- Register your trademarks quickly
- Act quickly
- Keep proper evidence
- Consider Social media enforcement first
- Escalate only when necessary – but be prepared.



BRAND COMMERCIALISATION

Turn You Brand into a Business Tool

🔑 A trade mark isn't just legal protection — it's a gateway to business growth through strategic use.

Commercialisation

Commercialisation means using your registered (or registrable) trade mark to generate income.

Transforms your brand:

Logo → **Valuable Asset**

(can be licensed, franchised, or partnered with others)

Examples of commercialisation:

🔑 Charging fees for others to use your brand (licensing)

🔑 Expanding through brand franchises

🔑 Monetising online collaborations or affiliate branding

Ways to Monetize Your Brand Identity

Marketing & Promotion

"Always secure written contracts to protect your brand."

→ This keeps it consistent with the other boxes, and shows

LICENSING

Let others use your brand (name/logo) on their products for a fee.

Example: A local coffee shop licenses its logo to a mug maker in exchange for royalties.

FRANCHISING

Clone your brand/business model — sell your trade mark, concept, and business system (name, recipes, operations) —to partners.

Example: A bubble-tea stall sells franchise rights so others can open "YourBrand Tea" outlets

ONLINE PARTNERSHIPS

Team up with bloggers, influencers or complementary brands for co-branded content

Example: A craft bakery/clothing brand works with Instagrammers for co branded campaigns/launches. (Love Bonito)

CO-BRANDING & RESELLER ARRANGEMENTS

Work with retailers or event organisers to feature your brand.

Example: A juice brand teams up with a gym chain to sell "YourJuice at FitGym" bottles.

E-COMMERCE COLLABORATORS

Selling via curated marketplaces or through white-label brand partnerships to reach new customers.

Example: A skincare SME sells your product line under a popular health-beauty store on online.

TRADEMARK ASSIGNMENT

Sell your trademark rights outright for cash.

Example: A food stall assigns its "YumYum Bites" mark to an investor to fund a second outlet.

Marketing and Promotion is another lever SMEs can pull.

Use digital ads, social media, and influencers to increase visibility and brand value.

Tip: Always use a simple agreement outlining fees, duration and quality standards so brand stays protected as it grows.

Licensing Basics

What is a trademark license, how it works, and common terms

TM Licence

A legal agreement where the **owner (licensor)** allows another party (**licensee**) to use the trade mark, usually in exchange for payment.

How it works:

- Can be **exclusive** (only 1 licensee) or **non-exclusive** (many)
- Used for **expanding reach** without giving up ownership
- Gives the licensee legal rights to use the brand under agreed terms.

Simple Checklist for SMEs:

◆ **Clauses to include in the contract:**

Parties - Who is the licensor and licensee?

Scope of Licence - What mark is licensed, and for what use?

Territory - Where can the mark be used (e.g., Philippines only)?

Duration - Start and end dates, and renewal terms

Fees / Royalties - Flat fee, % of revenue, or combination?

Quality Control - Brand guidelines the licensee must follow

Termination Clause - Conditions to end the agreement

Ownership Statement - Confirm that trade mark ownership remains yours

Dispute Resolution - Negotiation or Arbitration – requiring disputes to be settled through negotiation or arbitration before going to court.

✅ ***Tip: Always register written agreements — avoid handshake deals.***

CASE STUDY: SME Brand-Building Journey of Shwe Pu Zun

Registered Trademarks & IP Portfolio

Shwe Pu Zun is one of Myanmar's most well-known bakery brands, established in Yangon 1978.
The company has protected its **brand name and logo as trademarks** under Myanmar's trademark system to secure exclusive rights in the food and bakery sector.
Key IP assets include:

- **Trademark registrations** for the brand name "Shwe Pu Zun" and logo
- Protection for **bakery products, snacks, and food services**
- Brand identity used consistently across **stores, packaging, and marketing**

Registering trademarks allows the company to **prevent copycat bakeries and counterfeit use of its brand.**

IP Commercialization & Expansion

Shwe Pu Zun has successfully used its trademark to expand its business.
The brand has:

- Expanded from **a single bakery into multiple outlets across Yangon and other cities**
- Used its brand reputation to attract **customers and tourism demand**
- Built a strong **brand identity through packaging and store design**

Strong trademark protection helps the company **maintain brand trust and quality recognition.**

Business Success – By Strategically Managing IP

By protecting its brand as a trademark, Shwe Pu Zun has been able to:

- Prevent misuse of its brand by competitors
- Build a **trusted national brand in Myanmar's bakery industry**
- Support business growth and long-term brand value

This example highlights how **Myanmar SMEs can use trademarks to protect their brand and support business expansion.**



SME Takeaway

Register your brand early — it becomes your most valuable business asset

SME IP Challenges

Challenge	SME IP solution
Lack of budgets for IP; Lack of capital for investment in IP	• SMEs must budget for IP spending. • Spend slowly over time to acquire more IP
Limited IP expertise – on what IP to get how to acquire and how to use it in business.	• SMEs require understanding (expertise) — through short online courses and resources (e.g., WIPO Academy, SME IP Guide, WIPO IP Diagnostics) to learn how to identify, register, and manage IP.” • Use IP advisors carefully! • Use online tools. Use free IP audit tools (e.g., WIPO IP Diagnostics). • Seek initial advice from SME helpdesks or IP offices
Limited IP management resources	• With no IP team, SMEs must assign someone with responsibility to manage IP matters • Outsource specific tasks (e.g., renewals or watch services) to verified local IP agents/advisors. • Use digital IP tracking tools or Excel logs for renewals

Q&A



THANK YOU

