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GUIDELINES AND MECHANISM FOR THE LISTING OF REGISTERED TRADEMARK OWNERS (BASKET OF BRANDS BOB)

PURPOSE

1. The purpose of these guidelines and mechanism is to outline the objectives and implementation mechanism for the listing of registered trademark owners (Basket of Brands - BOB to facilitate investigations into registered trademark infringements undertaken by the ministry.

OBJECTIVES

2. The objectives of the BOB listing are as follows:
 - 2.1 To create a database of particular of registered trademark owners/representatives;
 - 2.2 To take proactive action against copyright infringements of registered trademarks listed under the BOB;
 - 2.3 To shorten the disposition of registered trademark infringement cases.

ADVANTAGES OF BOB

3. Among the advantages of BOB listing are as follows:
 - 3.1 Speedier disposition of registered trademark infringement cases since verification and verification reports of the seized goods can be obtained immediately;
 - 3.2 Monitoring and enforcement can be carried out concurrently at every branch office of the ministry throughout the country;
 - 3.3 Enforcement action against registered trademark infringement may be undertaken proactively based on the BOB listing without having to resubmit documents to prove ownership/representation of the registered trademark;
 - 3.4 Establishment of an information database of registered trademark owners/representatives as reference in any registered trademark infringement case.

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IMPLEMENTATION MECHANISM

4. Documents to be submitted for BOB listing

For the listing of registered trademark owners in the BOB database, registered trademark owners are required to submit the following documents (select the relevant documents):

- (i) Registered trademark;
- (ii) Trade description order;
- (iii) Letter of authorisation and/or power of attorney from the proprietor of the registered trademark if submitted by a representative;
- (iv) Letter of consent duly signed agreeing to cooperate in the investigation on registered trademark cases,.

5. Mechanism for BOB Listing

- 5.1 The ministry will review and check the documents submitted by the registered trademark owner/representative;
- 5.2 If the ministry is satisfied with the submitted documents, the registered trademark and information regarding the registered trademark owner/representative will be entered into the BOB database;
- 5.3 If the ministry is not satisfied with the submitted documents, it reserves the right to refuse registration of the trademark in the BOB database;
- 5.4 The registered trademark owner/representative shall submit any documents and information as required by the ministry before the registered trademark can be entered into the BOB database.

6. Implementation Mechanism for Enforcement Action against Registered Trademark Infringement Based on the BOB

- 6.1 The ministry may proactively take enforcement action, involving all branch offices of the ministry throughout the country, against any copyright infringement of registered trademarks listed under the BOB.
- 6.2 For any action taken based on complaints lodged by the registered trademark owners/representatives themselves, the registered trademark owners/representatives must make verification of the seized goods within 7 days of the date the action was taken and submit the verification report within 14 days of the date of verification.
- 6.3 For action taken proactively or action taken that was not based on a complaint lodged by the registered trademark owner/representative, the registered trademark

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owner/representative must make verification of the seized goods within 14 days of the date the action was taken and submit the verification report within 14 days of the date of verification.

6.4 The ministry reserves the right to take any of the following actions if the registered trademark owners/representatives failed to either verify or submit the verification report of the seized goods with the stipulated period:

- (i) Issue a reminder notice/show cause letter for failure to verify or submit the verification report of the seized goods within the stipulated period;
- (ii) Not take any action, whether proactively or on the complaint of the registered trademark owner;
- (iii) Cease any action that has been taken; and
- (iv) Dispose of the seized goods as it deems fit.

Ministry of Domestic Trade, Co-operatives and Consumerism
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