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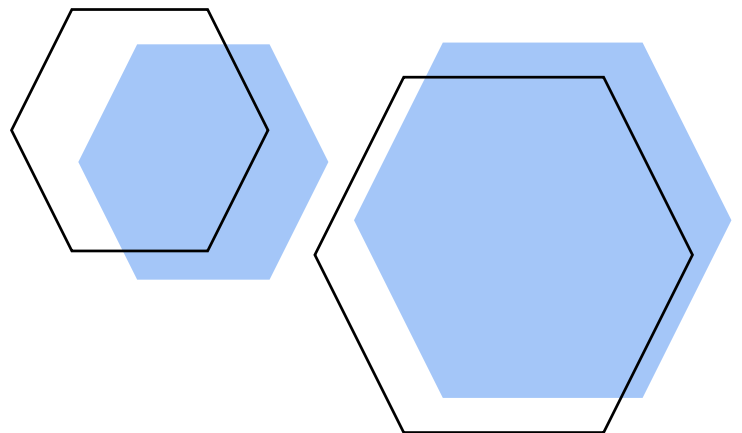
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CAMBODIA LAUNCHES NEW ONLINE SYSTEM TO STREAMLINE INTELLECTUAL PROPERTY RIGHTS RECORDATION AND ENHANCE BORDER CONTROL



OVERVIEW

Cambodian Customs Authorities have recently introduced a new online system, the Intellectual Property Rights Recordation System, on September 1, 2024. This system is designed to streamline the process of recording IP rights and to enhance border control measures. With this system, rights holders can proactively record information and documentation related to their intellectual property rights with the customs authorities. The aim is to enable more effective and efficient actions against suspected infringing goods through ex-officio measures. The system was officially presented at a workshop on September 14, 2024, at the National Customs School. Although the system is currently in the pilot stage, it is fully operational.





IN DETAILS

The Intellectual Property Rights Recordation System (IPRRS) offers two types of recordation: Intellectual Property Rights and Exclusive Distributorship.

a) Intellectual Property Rights

The Intellectual Property Rights Recordation System (IPRRS) currently allows for recording trademarks, geographical indications, and copyrights. There is ongoing consideration for including patents, utility models, and industrial designs in the future.

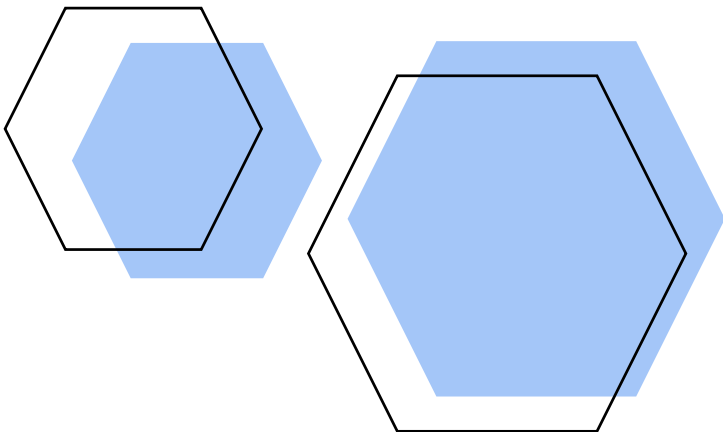
The required information for recordation includes details such as applicant identity and contact information, IP owner information (including company name, date of registration, registration number and authority, and contact details), and specific IPR information such as type, Nice classification (for trademarks), particular products, and registration number and date. Additionally, a description of the genuine product, and optionally of the counterfeit product, is needed.

Documentation necessary for recording an IPR includes the company registration certificate, applicant's ID or passport, photo or video evidence demonstrating the unique characteristics differentiating the genuine from infringing products, notarized Power of Attorney appointing the legal representative in Cambodia, copies of Trademark/GI/Copyright Registration certificate(s), and optional lists of export and import companies or factories that deal with the products.

b) Exclusive Distributorship

When applying for exclusive distributorship, it is essential to provide the following information: applicant identity and contact details, distributorship owner information, product details, date of exclusive rights validity, and a description of the genuine product. Additionally, the necessary documentation includes a company registration certificate, patent tax/VAT certificate, applicant's ID or passport, trademark registration certificate, import and distribution rights letter issued by the Ministry of Commerce, and assignment of exclusive rights from the original company. This information is crucial for the timely processing of exclusive distributorship applications and to prevent potential parallel imports.

In addition, the recordation under the IPRRS remains valid for the duration of the IP right. When renewing a trademark registration or exclusive rights distributorship, obtaining a new record under the IPRRS is essential. Please note that an official certificate or confirmation of the recordation is not provided. Instead, the request's status in the online system will be indicated as accepted. The expected processing time for this is two business days.





CONCLUSION

In conclusion, the introduction of the Intellectual Property Rights Recordation System (IPRRS) by Cambodian Customs Authorities marks a significant advancement in the protection and enforcement of intellectual property rights. By allowing rights holders to proactively record their IP information, the system enhances the efficiency and effectiveness of border control measures against infringing goods. The dual recordation options for Intellectual Property Rights and Exclusive Distributorship provide comprehensive coverage, ensuring that both trademarks and exclusive distribution rights are safeguarded. As the system continues to evolve, with potential expansions to include patents and industrial designs, it promises to be a robust tool in the fight against counterfeit and unauthorized products. The successful implementation of the IPRRS will not only benefit rights holders but also contribute to a more secure and transparent trade environment in Cambodia.

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Please contact Daitin & Associates if you require any further information or guidance in the procedures of acquiring, protecting intellectual property rights in Vietnam | Cambodia | Laos | Myanmar | Thailand | Philippines | Brunei | Indonesia.

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