“Dos and Don’ts for producing IP from research activities in ASEAN: Myanmar Case”
- Min Tayza Nyunt Tin
  (ASEAN IPR SME Helpdesk Expert)

www.asean-iprhelpdesk.eu
question@asean-iprhelpdesk.eu
Myanmar

Population: 55,167,330 (July 2013 est.)

Population growth rate: 1.05% (2013 est.)

Literacy rate: total population: 92.7%

Male: 95.1%  Female: 90.4% (2011 est.)

Definition of Literacy rate: Those aged 15 and over who can read and write

Source: Central Intelligence Agency
Main Bodies of R & D in Myanmar

Ministry of Education

Ministry of Health

Ministry of Science and Technology

Ministry of Defence
SCIENCE AND TECHNOLOGY DEVELOPMENT LAW
State Law and Order Restoration Council Law No. 5/94 (7 June 1994)

• To carry out development of Science and Technology for promotion of industrial production contributory towards the National Economic Development Plans;

• To carry out Research and Development for the increased extraction and utilization of domestic raw materials and the promotion of industrial production enterprises based on modern Science and Technology;

• To effect Technology Transfer for the promotion of production processes and the improvement of the quality of goods;

• To communicate and co-operate with domestic and foreign research institutes and organizations for the development of Science and Technology and Research and Development;

• To honor and grant appropriate benefits to outstanding luminaries and inventors in the field of Science and Technology.
• THE NATIONAL COUNCIL FOR SCIENCE AND TECHNOLOGY DEVELOPMENT

• THE MYANMA SCIENTIFIC AND TECHNOLOGICAL RESEARCH DEPARTMENT

➢ The Central Research Organization established under the Union of Myanmar Applied Research Institute Act, 1954 is hereby reorganized as the Myanmar Scientific and Technological Research Department.
TECHNOLOGY TRANSFER

- Allowing the right to use the Technology to any person free of charge.
- Selling or allowing the right to use the Technology, upon payment.
- Contracted period of time within the country under a contract.

- The manner and conditions relating to domestic and foreign Technology Transfer, shall be as determined by the Government.
TECHNOLOGY TRANSFER

- In transferring Technology by government department or Government:
  - Monetary benefits may be granted in the prescribed manner to the relevant inventor or to persons who are mainly instrumental in the development of the Technology;
  - If the person who has obtained the right to use the Technology so desire, he may assign the duties to the inventor or to persons who are mainly instrumental in the development of the Technology in accordance with the existing regulations and bye-laws for government servants.
TECHNOLOGY TRANSFER CONTRACT

- Contracts for Technology Transfer under section 10 sub-Section b shall contain the following facts:
  - Nature and applicability of the Technology transferred;
  - Type of Technology, the nature and amount of the financial payment;
  - Period for which the transferred Technology may be used;
  - Rights and responsibilities of the transferor and transferee of the transferred technology;
  - Other agreements.
Registration office for the registration of Technology Transfer contracts.

- A contract for Technology Transfer:
  - Shall be registered in the prescribed manner.
  - Unless registered, there shall be no right of instituting a suit based thereon.
LEGAL POINT OF VIEW

Existing Science and Technology Development Law

Intellectual Property Rights Protection Laws

Data Confidentiality Protection Law, Integrated Circuit Protection Law, Trade Secret Law
ALTERNATIVE PATH
Neighbouring countries
Neighbouring countries

NSTDA - National Science and Technology Development Agency

- Patent Act B.E. 2522
- TRADE SECRETS ACT B.E. 2545 (2002)
- Integrated Circuits Protection Act B.E. 2543
Neighbouring countries

National Authority for Science and Technology (NAST)

Department of Industrial Property, Standardisation and Metrology

- Decree No. 06/P of the President Lao People’s Democratic Republic on the promulgation of the Intellectual Property Law (2008)
Myanmar and Its S & T – R&D under Legal Point of View

LEARN from the past
LIVE in the present
BELIEVE in the future
The **ASEAN IPR SME Helpdesk** provides **free, confidential, business-focused ASEAN IPR advice** to European Small and Medium Enterprises (SMEs).

For more information about our services and how the **ASEAN IPR SME Helpdesk** can add value to SMEs, please contact:

**Telephone:** +62 21 571 1810  
**Email:** question@ASEAN-iprhelpdesk.eu  
**Online:** www.ASEAN-iprhelpdesk.eu

Thank you!

*Please visit our website or sign up to our newsletter to get the very latest information on all Helpdesk events in ASEAN.*