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Traditional Values, Modern Approach

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# MATURING WITH SOPHISTICATION AND SPEED: MALAYSIA'S INTELLECTUAL PROPERTY LANDSCAPE HOW MALAYSIA IS RE-ENGINEERING IP LAWS FOR THE MACHINE AGE

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## INTRODUCTION

As of 2025, Malaysia's intellectual property (IP) landscape is undergoing significant modernisation, fundamentally redefined by rapid technological acceleration and artificial intelligence (AI). Patent and copyright laws need to be fitted for purpose in an automated age and to address the complexities of AI-generated solutions. Malaysia is modernising its IP framework to better address digital technologies and AI, while continuing to balance innovation with traditional IP protections.

## KEY DEVELOPMENTS

Malaysia administers its IP rights through the Intellectual Property Corporation of Malaysia (MyIPO), which operates under the Ministry of Domestic Trade and Cost of Living (KPDN). The Patents (Amendment) Act 2022 and the related 2025 regulations brought

post-grant opposition into force on 31 December 2025, allowing interested persons to oppose granted patents or utility innovation certificates before the Registrar.

Malaysia's IP reforms are aligned with ASEAN's broader IP direction, including the ASEAN Intellectual Property Rights Action Plan 2016–2025 and related Hague-accession efforts. This reflects a regional focus on future-ready economies, the valuation of intangible assets, and stronger IP enforcement to support micro, small, and medium enterprises.

In another significant development, MyIPO transitioned its Copyright Voluntary Notification system to an online platform in December 2025. This allows authors and artists to record their works more efficiently without visiting physical counters, and streamlines protection for creators.

MyIPO has also announced plans to amend several key pieces of legislation starting in 2026 including the Patents Act, Copyright Act, and Trademarks Act to ensure Malaysia remains a pro-investor hub and stays aligned with international standards.



Meanwhile, the Malaysian government is currently drafting an AI Governance Bill. In February 2026, Prime Minister Datuk Seri Anwar Ibrahim said the AI Governance Bill would address copyright and IP concerns, while the bill remained at an early drafting and consultation stage.

In a move to accelerate the nation's shift toward a high-value Orange Economy, the Malaysian government has integrated IP excellence into the Thirteenth Malaysia Plan (2026–2030). The plan places strong emphasis on IP and technology-centric investment, semiconductor development, and the creation and commercialisation of Made by Malaysia products.

To prepare for the complex intersection of technology and sports, MyIPO is hosting a National IP Law Moot Competition focused on IP and sport. The competition is an inaugural 2026 initiative and is planned to cover current IP issues affecting sports, media, branding, and technology.

Finally, Malaysia has been moving toward Hague-accession through industrial design reforms. Once accession is completed, it will allow Malaysian designers to file a single international application to seek design protection in multiple jurisdictions under the Hague System, potentially reducing costs for local businesses looking to export to global markets.





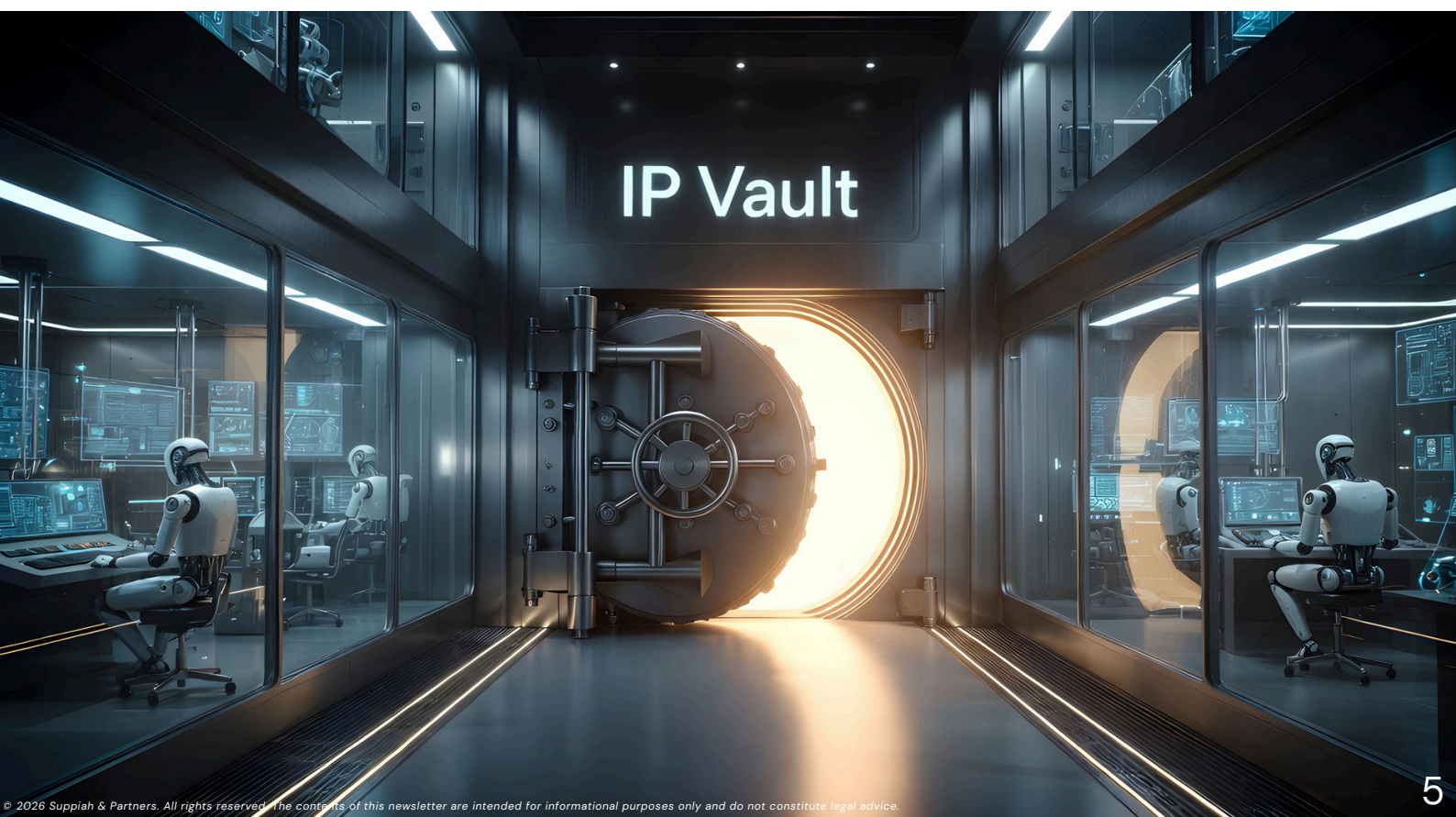
## TYPES OF IP RIGHTS IN MALAYSIA

In Malaysia's evolving economy, IP rights serve as a cornerstone of a company's intangible wealth. These legal protections act as a vital shield, ensuring that a business owner's unique creations and innovations cannot be copied or exploited without permission, thereby safeguarding their exclusive control over their most valuable assets.

**There are six primary categories that frame Malaysia's IP laws:**

Category	What it Protects	Primary Legislation	Duration of Protection
Patents & Utility Innovations	<b>Inventions:</b> Technical solutions, new processes, or improved machinery.	Patents Act 1983	20 Years
Trademarks	<b>Brand Identity:</b> Logos, names, slogans and even non-traditional marks like sounds and colors.	Trademarks Act 2019	10 Years (Renewable Indefinitely)
Industrial Designs	<b>Aesthetics:</b> The visual shape, pattern, or configuration applied to a mass-produced product.	Industrial Designs Act 1996	Max 25 Years (5-year blocks)

Category	What it Protects	Primary Legislation	Duration of Protection
Copyright	<b>Creative Works:</b> Literary works, software code, music, films and artistic expressions.	Copyright Act 1987	Life of Author + 50 Years for literary, musical or artistic works; different terms apply to other categories of protected works under the Copyright Act 1987.
Geographical Indications (GI)	<b>Origin-Based Reputation:</b> Products with a specific quality linked to a place (e.g., Sarawak Pepper).	Geographical Indications Act 2022	10 years, renewable for further 10-year periods upon renewal.
Layout Designs of Integrated Circuits	<b>Microchip Logic:</b> The three-dimensional disposition of elements in an integrated circuit.	Layout-Designs of Integrated Circuits Act 2000	The protection term runs for a prescribed period measured from the earlier of first commercial exploitation or the relevant filing/registration date, and should be stated precisely from the Act before publication.





## GOVERNANCE & PENALTIES

In Malaysia, criminal enforcement of IP rights is primarily handled by KPDM's enforcement machinery. While patents and industrial designs are largely civil matters, Trademarks and Copyright carry heavy criminal penalties to deter counterfeiting and piracy. **As of 2026, the penalties are structured as follows:**

### 1. Trademarks (Trademarks Act 2019)

The law is particularly strict regarding counterfeit goods and the false application of marks.

- **Counterfeiting a Registered Mark:**
  - Individuals: A fine of up to RM1,000,000, imprisonment for up to 5 years, or both.
  - Companies: A fine of up to RM1,000,000.
- **Possession or Sale of Counterfeit Goods:**
  - Individuals: A fine of up to RM10,000 per item (1st offence) or RM20,000 per item (subsequent offences), and/or up to 3–5 years in prison.
  - Companies: A fine of up to RM15,000 per item (1st offence) or RM30,000 per item (subsequent offences).



## 2. Copyright (Copyright Act 1987 & 2022 Amendments)

Penalties here often target digital piracy and the distribution of infringing copies.

- **General Infringement (Sale/Hire/Distribution):**

- Fines between RM2,000 and RM20,000 for each infringing copy.
- Imprisonment for up to 5 years.

- **Streaming Technology (Anti-Piracy):**

- For manufacturing, importing, or selling technology that facilitates copyright infringement (e.g., "pirate" streaming boxes), the penalty is a fine of RM10,000 to RM200,000, up to 20 years in prison, or both.

- **Possession of Infringing Copies:**

- A fine of RM1,000 to RM 10,000 per copy or up to 5 years in prison.

## 3. Other Significant Penalties

- **Circumventing Technological Protection Measures (TPMs):** Breaking digital locks on software or media can lead to fines up to RM250,000 or 5 years in prison.

- **False Representation:** Using the ® symbol for an unregistered or pending trademark is a criminal offence carrying a fine of up to RM10,000.



## GLOBAL RANKING

Malaysia is currently regarded as a regional leader in IP, often ranked just behind Singapore in Southeast Asia. As of 2026, Malaysia's IP regime is characterised by high compliance with international treaties but faces ongoing challenges in commercialising its high volume of patents.

Malaysia maintains a strong position among middle-income nations and is consistently improving its standing in global innovation and property rights indices.



In the Global Innovation Index (GII) 2025, Malaysia is ranked 34th out of 139 economies. Crucially, it ranks 2nd among the 36 upper-middle-income group economies, trailing only China.

Under the International Property Rights Index (IPRI) 2025, Malaysia ranks 41st globally and 7th in the Asia-Oceania region. While its IP score remains stable (ranked 26th globally for IP specifically), it saw a slight dip in overall property rights due to shifting perceptions of physical property and finance access.



Finally, The U.S. Chamber's International IP Index places Malaysia at 28th out of 55 economies in the 2025 edition, reflecting its relative success in aligning local laws with US and EU standards.

Malaysia typically leads in digital piracy enforcement, with some of the strictest laws in the world against illicit streaming devices (ISDs), with potential jail terms of 20 years – and puts Malaysia ahead of its neighbours in fighting digital copyright theft.

Malaysia protects geographical indications through its own GI regime, which is conceptually similar to France's *appellation d'origine contrôlée*.

However, there are areas where Malaysia still lags. Although we have a high volume of filings for patent commercialisation, there is very low commercial take-up (less than 1 per cent), compared to high commercialisation and venture capital support in Singapore. While Singapore has one of the world's fastest IP offices, Malaysia is only now rapidly improving its digital-only filing.

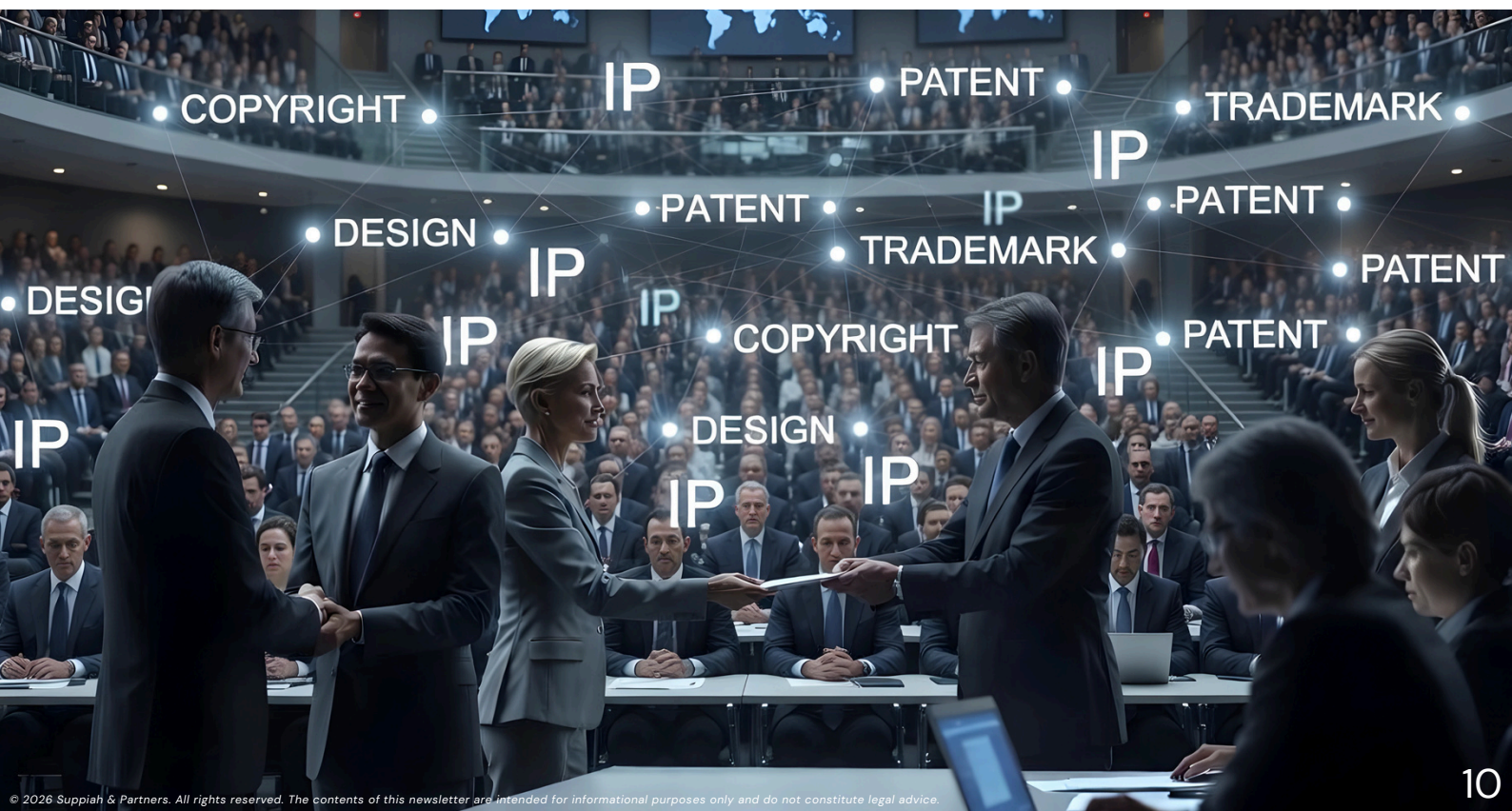
But the most significant international comparison noted by *expects* in 2025/2026 is, unlike the US or Singapore, where patents are quickly turned into startups and products, many Malaysian patents remain academic, highlighting a need for better industry-university collaboration to address this innovation gap.



## LEGAL ALIGNMENT & TREATIES

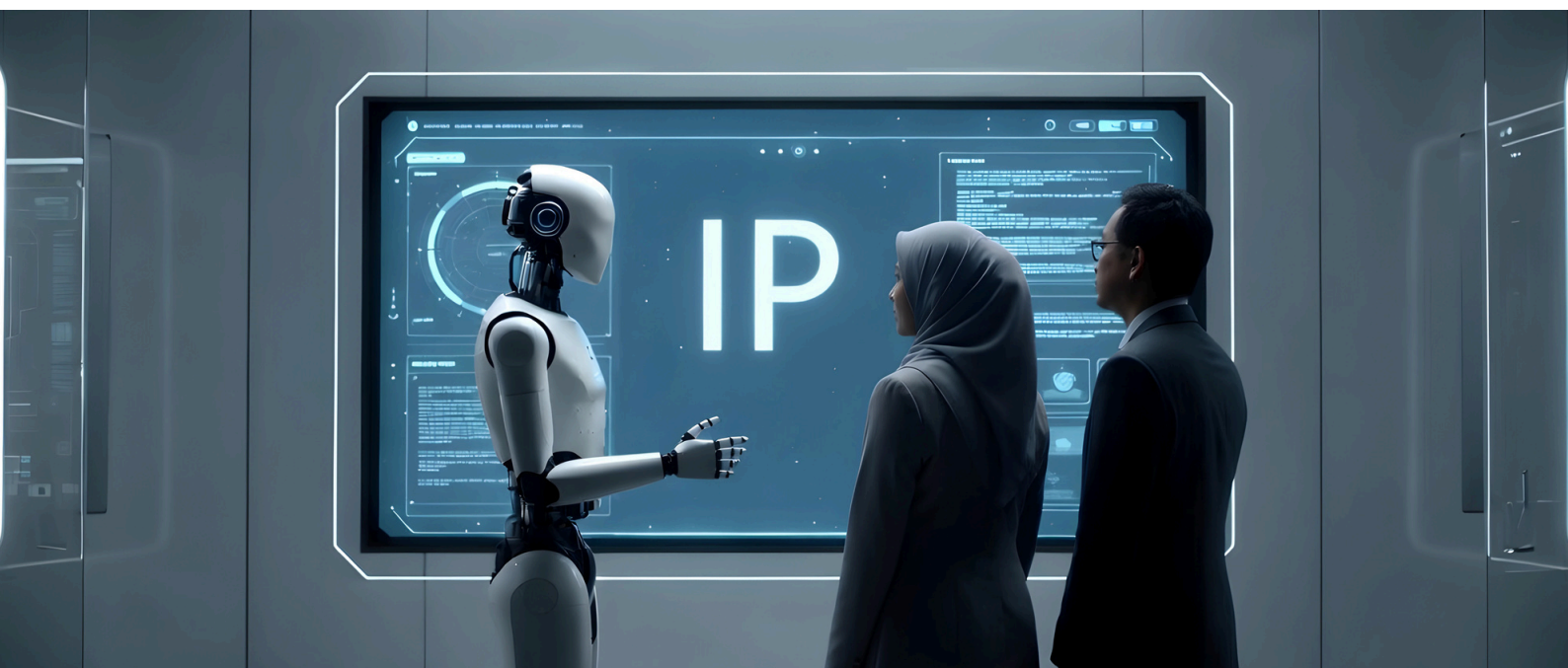
Malaysia is a contracting party to almost all major international IP treaties, making its legal framework very similar to those of the UK, Australia, and the US.

- **TRIPS (Trade-Related Aspects of Intellectual Property Rights) Agreement:** Malaysia is generally aligned with TRIPS minimum standards. The TRIPS Agreement is the most comprehensive international legal agreement on IP to date. Established in 1994 as part of the founding of the World Trade Organisation (WTO), it serves as the global rulebook that sets the minimum standards for how member nations must protect and enforce IP rights within their borders.
- **The Madrid Protocol:** Like the US and EU, Malaysia allows business owners to protect trademarks in over 130 countries through a single application. Rather than hiring lawyers in 50 different countries to file 50 separate applications, you file once through your home IP office (MyIPO in Malaysia). This application is then sent to the World Intellectual Property Organisation (WIPO) in Switzerland, which coordinates with all the other countries you selected.
- **Patent Prosecution Highway (PPH):** Malaysia has fast-track agreements with the United States (USPTO), European Patent Office (EPO), and Japan (JPO). This means if you get a patent in the US, your Malaysian application can be expedited, and vice versa.
- **The Hague Agreement:** Malaysia has been reforming its industrial designs framework in anticipation of Hague accession, including proposals to broaden the scope of protectable designs.



## BRIDGING THE GAPS

MyIPO's IP Online Portal is designed to streamline filing across Malaysia's IP registries, including industrial designs and other rights administered through MyIPO. This improves the efficiency of filing and notification processes and makes it easier for Malaysian innovators to manage cross-border protection strategies. Rather than dealing with separate foreign filings one by one, local creators will eventually be able to use the Hague System to seek design protection in over 90 countries through a single international application, in one language and with one set of fees in one currency. This administrative streamlining can support the Orange Economy by lowering barriers for small and medium enterprises seeking to export their designs and brand value.



Beyond technical and legal mechanics, Malaysia is also cultivating the human expertise required to sustain this new era of innovation. MyIPO's launch of the Malaysia National IP Law Moot Competition will focus on IP and sport, as a training ground for future practitioners dealing with contemporary IP issues in sports, media branding and technology. This holistic approach, which balances digital tools with legal education, positions Malaysia as a jurisdiction steadily strengthening its IP ecosystem.



## CONCLUSION

The continued expansion of immersive digital worlds and the metaverse is creating new frontiers for trademark and brand protection, while the global push for sustainability is fuelling a surge in green technology patents. Meanwhile, the strategic value of data as a core business asset elevates the importance of strong trade secret protection. Malaysia is pivoting to meet these changes, and its IP legal framework remains broadly aligned with international standards across multiple IP domains.

## REFERENCES

- [Industrial Designs in Malaysia](#)
- [Evolving IP trends in 2026](#)
- [National IP Law Moot Competition: IP and Sport](#)
- [Trips Agreement - WTO](#)
- [Trade-Related Aspects of Intellectual Property Rights \(TRIPS\) Agreement](#)
- Industrial Designs Act 1996 (Act 552): [Download Act 552](#)
- Trademarks Act 2019 (Act 815): [Official Trademark Act Page](#)
- Copyright Act 1987 (Act 332): [Download Act 332 \(Updated\)](#)
- Patents Act 1983 (Act 291): [Official Patent Act Page](#)
- [13th Malaysia Plan - Same Route, New Milestones and Less Surprises](#)
- [Malaysia introduces its 13th Malaysia Plan \(2026–2030\)](#)
- [Malaysia's 34th ranking in the Global Innovation Index brings up major concerns](#)
- [The International Trademark System & Madrid Protocol Explained](#)
- [Intellectual Property Protection in Malaysia - Malaysia Guide | Doing Business in Malaysia](#)
- [Doing Business In Malaysia](#)
- [Protection of Unique IP Rights in Malaysia](#)
- [GII 2025 results](#)



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