

IPOENTIAL

THE LATEST ASEAN
INTELLECTUAL PROPERTY UPDATE



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Happy Lunar New Year Greetings from Pintas IP Group

Pintas IP Group wishes you a joyful Lunar New Year filled with prosperity, good fortune, and success in the year ahead.

As we welcome the new year, we continue to closely monitor new directions and developments from IP Offices across ASEAN countries.

In the interim, we remain fully committed to ensuring operational continuity for your ASEAN IP needs through our dedicated customer service and e-services platforms, including the Pintas Digital Platform (eCommerce) and the IP Hall Case Management System (management and monitoring module), accessible 24 hours every day.

Once again, we thank you for your continued trust and support. As we usher in the new year, we extend our heartfelt wishes for good health, happiness, and well-being to you and your loved ones.



Is Your Trademark Truly Secure? What the TCE Sports v Bullzen Case Reveals

Trademark disputes rarely reach the highest court unless the issues strike at the very core of brand ownership. The dispute between TCE Sports and Bullzen is one such case. At its core, the conflict was not merely about similar branding, it was about whether a registered trademark can withstand a challenge from a business that claims earlier and genuine use of the same mark.

At the High Court and later at the Court of Appeal, TCE Sports stood before the courts as the registered proprietor of the disputed trademark. TCE Sports relied on its formal registration, asserting that statutory ownership granted it exclusive rights to use and enforce the mark. Bullzen, on the other hand, challenged this position by arguing that it had been using the same or a substantially similar mark earlier in the marketplace, building reputation and goodwill long before the registration was secured.

Both the High Court and the Court of Appeal ruled in favour of TCE Sports. The courts emphasised the importance of certainty in the trademark register and held that a valid registration should not be lightly disturbed. Bullzen's claim of prior use, while acknowledged, was found insufficient on its own to defeat registered rights without strong proof that TCE Sports had acted dishonestly or in bad faith at the time of filing. These decisions reinforced the long-held belief that registration is the strongest shield in trademark enforcement.

However, the Federal Court took a more probing and commercially grounded approach. Instead of focusing solely on registration, the apex court of Malaysia examined how and why the trademark was adopted, and whether allowing it to remain registered would unfairly appropriate another trader's goodwill. Ultimately, the Federal Court ruled in favour of Bullzen, reaffirming that trademark law is not meant to reward opportunistic registration at the expense of established market players. The decision clarified that earlier genuine use and reputation can prevail, even against a registered trademark.

This case carries powerful lessons for brand owners across all industries. It confirms that registration alone is not an absolute guarantee of ownership. Businesses that register marks without conducting proper searches or understanding market history expose themselves to serious legal risk. Equally, businesses that have used a mark for years without registering it may still have enforceable rights.

Key precautions businesses should take include:-

- Conducting comprehensive trademark clearance searches before adoption
- Registering trademarks early and in relevant classes
- Maintaining evidence of first use, continuous use, and market reputation
- Monitoring the trademark register for conflicting filings
- Seeking legal advice immediately when a dispute arises

All businesses are always be reminded that pursuing proactive protection is far less costly than defending a court dispute.

At PINTAS IP Group, our dedicated Intellectual Property team brings over 20 years of experience in protecting and enforcing trademarks, copyrights, and other valuable IP assets. We help businesses navigate trademark registration, opposition and cancellation proceedings, as well as complex IP litigation, ensuring that your brand and creative works are not only protected, but strategically positioned to maximise their commercial value.

Whether you are launching a new brand, expanding an existing one, or facing a trademark or IP dispute, early and informed legal intervention can be the difference between securing your rights and losing your brand equity. Consult us today and act swiftly to safeguard your position.

Act fast to schedule your complimentary consultation and let our IP professionals help you protect what you've built and maximise its value.



Trademark Protection

In ASEAN

2024 Trends, Risks, and Opportunities



NAVIGATING TRADEMARK PROTECTION ACROSS ASEAN: 2024 FILING TRENDS, CURRENT AND UPCOMING LEGAL UPDATES

1.Trademark activity in ASEAN: 2024 results and the 2025 outlook

Trademark filing activity across ASEAN in 2024 confirms the region's continued importance as a destination for brand creation, market entry, and enforcement. According to data published by the World Intellectual Property Organization ("WIPO"), Asia remains the largest contributor to global trademark filings, with Southeast Asia accounting for a steadily growing share driven by both domestic enterprises and foreign brand owners.

2.Comparative Overview – Trademark Protection Across ASEAN By State

The table below summarises core trademark maintenance and enforcement considerations across each ASEAN member states:-

JURISDICTIONS	TRADEMARKS FILINGS STATS 2024	TOP ORIGINS OF NON RESIDENT FILINGS	MADRID INTERNATIONAL APPLICATIONS (2024)	ABROAD FILING VIA MADRID SYSTEM	TOP APPLICANTS VIA MADRID PROTOCOL	RECENT LEGISLATIVE CHANGES AND JUDICIAL DEVELOPMENT 2025	UPCOMING CHANGES IN 2026
SINGAPORE	55,232 Resident: 14,405 Non-resident: 40,827	1. China 9,538 2. USA 6,130 3. Japan 3,975 4. UK 2,160 5.Rep. Korea 2,148	980	19,763	Grabtaxi Holdings Pte. Ltd. Blue Origin Management Consultant Pte. Ltd. Rakuten Symphony Singapore Pte. Ltd. Alice Foundation Ltd.	• Accelerated trademark examination tracks introduced in 2025, increasing pressure on early strategy and evidence readiness.	• Singapore will apply the Nice Classification (13th Edition, Version 2026) from 1 January 2026 and has announced a suspension of new requests under SG Trade Marks Fast while the programme is reviewed
MALAYSIA	55,457 Resident: 21,467 Non-resident: 33,990	1. China 10,304 2. USA 3,288 3. Japan 3,083 4. Singapore 2,491 5. Rep. Korea 1,808	154	1,545	Neutroviz Sdn Bhd Limkokwing Global Alliance for Excellence Inc. G-Planter Sdn Bhd Animonsta Studios Sdn Bhd	• In 2025, the High Court upheld the Registrar’s decision to allow the “WEE POWER” mark to proceed to registration despite Ferrari’s opposition. The Court applied the imperfect recollection / overall impression test, finding differences sufficient to avoid confusion, demonstrating that even globally famous marks must meet strict similarity thresholds to succeed in infringement or blocking actions.	N/A
BRUNEI	3,489 Resident: 121 Non-resident: 3,368	1. China 1,252 2. Singapore 300 3. USA 257 4. Switzerland 255 5. Japan 201	N/A	N/A	N/A	N/A	N/A
THAILAND	73,552 Resident: 36,220 Non-resident: 37,332	1. China 12,105 2. Japan 4,216 3. USA 3,925 4. Rep. Korea 2,368 5. Singapore 1,929	147	1,536	Neo Factory Co., Ltd. Happy MPM Co., Ltd. Moshi Moshi Retail Corp. PCL D.H.A. Siamwalla Ltd. Panachai	• In 2025, Thailand’s Department of Intellectual Property formally rolled out enhanced trademark monitoring and digital administrative measures by enabling earlier detection of conflicting marks and counterfeit activity • 2025 IP&IT Court decisions show continued willingness to protect marks with established reputation, particularly where infringement evidence is structured and market-specific.	• Thailand will also implement Nice Classification 13th Edition updates from 1 January 2026

JURISDICTIONS	TRADEMARKS FILINGS STATS 2024	TOP ORIGINS OF NON RESIDENT FILINGS	MADRID INTERNATIONAL APPLICATIONS (2024)	ABROAD FILING VIA MADRID SYSTEM	TOP APPLICANTS VIA MADRID PROTOCOL	RECENT LEGISLATIVE CHANGES AND JUDICIAL DEVELOPMENT 2025	UPCOMING CHANGES IN 2026
INDONESIA	166,118 Resident: 127,832 Non-resident: 38,286	1. China 11,110 2. USA 4,048 3. Japan 3,587 4. Singapore 2,838 5. Rep. Korea 2,405	111	854	PT Royal Pesona Indonesia Victor Waskito Purwana PT Mitra Mas Sentosa Andres Chandraatmadja PT Vidio Dot Com	<ul style="list-style-type: none">• 2025 is the first full year in which courts and practitioners operated under the extended five-year non-use cancellation period (arising from the Constitutional Court decision effective mid-2024).• 2025 Commercial Court decisions increasingly invalidated registrations on bad-faith grounds, particularly in cases involving local filings targeting foreign brands, reflecting judicial adaptation to the new legislative landscape.	N/A
VIETNAM	126,733 Resident: 86,376 Non-resident: 40,357	1. China 12,790 2. USA 4,118 3. Rep. Korea 3,597 4. Japan 3,553 5. Singapore 2,145	217	2,449	Vingroup JSC Hanoi Beer Alcohol & Beverage JSC Minh Phu Seafood Group JSC Rynan Technologies JSC	<ul style="list-style-type: none">• Vietnam enacted substantial amendments to its IP Law in 2025, with several trademark-related provisions scheduled to take effect in 2026. The 2025 amendments tightened opposition procedures, clarified evidentiary standards, and strengthened enforcement mechanisms, signalling a policy intent to resolve potential trademark conflicts• 2025 People's Court decisions applied a stricter interpretation of "genuine use", rejecting token or artificial use structures. Courts emphasised actual commercial exploitation and control, raising evidentiary expectations in cancellation disputes.	• Vietnam's amended IP Law will take effect on 1 April 2026, tightening timelines and strengthening enforcement
MYANMMAR	8,299 Resident: 4,321 Non-resident: 3,978	N/A	1	1	Cho Cho Industry Ltd. Pacific Medical Industries Ltd.	N/A	N/A
PHILIPPINES	67,868 Resident: 38,182 Non-resident: 29,686	1. China 7,826 2. USA 4,603 3. Japan 2,890 4. Singapore 1,911 5. Rep. Korea 1,591	41	342	Fly Ace Corporation Monde Nissin Corporation Suncrest Foods Inc. Panamed Philippines Inc	<ul style="list-style-type: none">• In 2025, the Philippines reinforced its use-based trademark policy through updated implementing rules and digital compliance systems.• 2025 appellate decisions continued to confirm that DAU non-compliance is fatal, regardless of brand reputation or market presence. Courts showed no inclination toward equitable relief.	N/A
LAOS	7,165 Resident: 1,109 Non-resident: 6,056	1. China 2,421 2. Bulgaria 543 3. Rep. Korea 350 4. USA 347 5. Singapore 346	7	56	Lao Brewery Company Ltd. Kok Kok Co., Ltd. Kok Kok Express Co., Ltd. Andel International Sole Co., Ltd.	N/A	N/A

SOUTHEAST ASIATRADEMARKTABLE

AS AT 01 JAN 2026

Country	First to Use vs First to File	Members of Madrid Protocol	Validity / Renewal (Year)	Nice Classification	First Examination Report from Filing (Month)	Multiple Class Application	Time Frame for Registration (Month)	Forum for invalidation (TM office vs court)	Key Ground for invalidation (concise)	Publication watch (link)	Opposition timeline
Singapore	First to Use	Yes	10 / 10	11 th Edition	3	Yes	3-6	IPOS (Registrar) or Court	Absolute/relative grounds; bad faith; contrary to law	IPOS TM Journal (weekly)	2 months (extendable up to +4months) - IPOS
Malaysia	First to Use	Yes	10 / 10	11 th Edition	9	Yes	12-18	Court (High Court)	Absolute/relative grounds; earlier rights; fraud/ misrepresentation	MyIPO IP Online Journal	2 months (extendable +2 months)- MYIPO
Indonesia	First to File	Yes	10 / 10	11 th Edition	9	Yes	12-18	Commercial Court	Non-use; bad faith; conflicts with earlier/ well-known marks	DJKI Berita Resmi Merek	2 months - DJKI
Philippines	First to File	Yes	10 / 10	11 th Edition	9	Yes	12-24	IPOPHL (BLA - administrative)	Genericness; abandonment/ non-use; fraud; contrary to IP Code; misrepresentation of source	IPOPHL TM e-gazette	30 days (+45 days extension) - IPOPHL BLA
Thailand	First to File	Yes	10 / 10	11 th Edition	9	Yes	12-18	Trademark Board (non-use); IP&IT Court (registrability cancellations)	Non-use; lack of distinctiveness; conflicts with earlier rights; bad faith	DIP Trademark Search (published marks)	60days - DIP
Brunei	First to File	Yes	10 / 10	11 th Edition	9	No	12-18	Registrar or Court	Absolute/relative grounds; bad faith; deceptive/ misleading use	BruIPO Trademarks Journal	3 months - BruIPO
Vietnam	First to File	Yes	10 / 10	11 th Edition	9	Yes	12-18	VNIPO (administrative)	Absolute/relative grounds; bad faith (no time limit); misleading use	Industrial Property Gazette (IP Viet Nam)	5 months - VNIPO
Cambodia	First to File	Yes	10 / 10	11 th Edition	9	Yes	12-18	Ministry of Commerce/ DIP (administrative)	Non-use; marks contrary to law; fraud; genericness; misrepresentation	Cambodia IP Official Gazette (TM)	90 days - MoC DIP
Laos	First to File	Yes	10 / 10	11 th Edition	9	Yes	12-18	Department of Intellectual Property (administrative)	Non-use; failure to meet registrability; bad faith/ incorrect registration	DIP Official Gazette (sample issue)	60 days (non-extendable) -DIP
Myanmar	First to Use	No	10 / 10	11 th Edition	9	Yes	12-18	IPD registrar (administrative; court may confirm)	Non-registrability (sections 13-14) bad faith; non-use	IPD Publications (TM Gazette)	60 days (non-extendable) -IPD

Pintas IP Group is a boutique intellectual property firm with over 20 years of experience, advising on trademark prosecution, opposition, cancellation, and IP litigation across ASEAN.

We assist IP professionals and IP rights holders with:-

- Regional trademark filing and portfolio strategy;
- Opposition, cancellation, and non-use proceedings;
- Litigation-ready prosecution planning; and
- Cross-border enforcement coordination.

If you are managing trademark portfolios, facing trademark disputes, or seeking a strategic approach to trademark protection in Southeast Asia, we invite you to schedule a complimentary consultation with our team. Engage with us early to take advantage of timely, region-focused guidance tailored to your commercial objectives.





Unlocking the Financing Value of Intellectual Property in Singapore



Unlocking the Financing Value of Intellectual Property in Singapore

As businesses become increasingly driven by innovation, brands, and technology, intellectual property (IP) has emerged as one of their most valuable assets. Yet, unlike land or machinery, IP has traditionally been difficult to use as security when seeking financing. Recognising this gap, the Singapore Business Federation, together with PwC Singapore, put forward a proposal to the Singapore Government ahead of Budget 2026, suggesting the creation of a centralised digital system to record IP used as loan collateral.

Many companies, especially startups and SMEs, own valuable patents, trademarks, and designs, but struggle to convert these assets into funding. Lenders, on the other hand, often hesitate due to concerns over ownership clarity, valuation, and enforcement. A centralised registry was therefore proposed as a way to bring greater confidence, transparency, and structure into IP-backed financing.

<u>KEY POINTS</u>	<u>WHAT IT MEANS IN PRACTICE</u>
Who proposed it?	Singapore Business Federation and PwC Singapore
Main idea	A single digital platform to record IP pledged as financing collateral
Purpose	To make IP assets clearer, more reliable, and easier for lenders to assess
Who will be benefitted	IP-driven businesses, startups, SMEs, and financial institutions
Related framework	Singapore's existing IP Financing Scheme, which already allows IP to be used as collateral with government support

If such a system is introduced in the future, it could change how businesses think about their intellectual property. Instead of being viewed only as legal protection, IP could become a practical financing tool, helping companies raise funds without giving up ownership or control. Greater transparency would also make it easier for banks and investors to understand the risks involved, potentially opening doors to more flexible funding options.

For now, it is important to note that no official announcement has been made to establish a centralised IP collateral registry. However, the proposal reflects a clear policy direction that Singapore is actively exploring ways to strengthen its IP ecosystem and encourage the commercial use of intangible assets, building on existing schemes and industry feedback.

At Pintas, we believe that intellectual property should work for your business, not just sit on a register. As a boutique IP firm with a strong focus on IP prosecution, enforcement, and litigation support across the ASEAN region, our team helps clients protect their rights while positioning their IP for real commercial value.

Whether you are looking to structure your IP portfolio for financing, manage IP risks in Singapore, or expand your business across ASEAN markets, Pintas is ready to support you with practical, region-focused advice.



Upcoming IP2Profit Case Study Webinar



2026 IP₂P IP2Profit Case Study Series
Learn How The World's Top Companies Capitalize on Patent Rights to Protect Their Sustainable Competitive Advantage

HOSTS:
Lok Choon Hong, Director of Pintas IP
Lee Jia Ee, Director of GIP Malaysia

LIVE via Zoom

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Case Studies:
Dyson (5 Mar 2026)
TetraPak (28 May 2026)
Qualcomm (24 Sept 2026)
Lego (26 Nov 2026)

The **2026 IP2Profit Case Study Series** is an upcoming webinar series designed to uncover how some of the world's most innovative companies strategically use patents to protect their market position, foster innovation, and achieve sustainable competitive advantages. Hosted by **Lok Choon Hong, Director of Pintas IP Group**, and **Lee Jia Ee, Director of GIP Malaysia**, the series is aimed at intellectual property (IP) professionals, entrepreneurs, innovators, and business leaders seeking actionable insights into patent strategies that drive success.

This series will be conducted live via Zoom and feature comprehensive analyses of patent-driven success stories from globally recognized brands. Below are the key sessions scheduled:

Dyson IP2Profit Case Study

Date: March 5, 2026

Explore Tesla's innovative approach to patents and how the company uses open patents and proprietary IP to dominate the electric vehicle and clean energy markets. This session will delve into Tesla's balance between open innovation and protecting key technologies.

TetraPak IP2Profit Case Study

Date: May 28, 2026

Learn how Nestlé, a global leader in food and beverage, leverages its extensive patent portfolio to drive innovation in product development, sustainability, and packaging technologies. Discover how IP plays a central role in maintaining market leadership in a competitive industry.

Qualcomm IP2Profit Case Study

Date: September 24, 2026

Dive into Huawei's comprehensive IP strategy, which has enabled the company to thrive in the highly competitive telecommunications and consumer electronics sectors. This session will highlight Huawei's investments in R&D and its effective use of patents in global markets.

Lego IP2Profit Case Study

Date: November 27, 2026

Understand how Spotify's innovative patent strategies in music streaming and content recommendation algorithms have helped it maintain a leading position in the digital entertainment industry. This session will focus on how Spotify protects its proprietary technologies while driving customer engagement.

What You'll Learn:

Patent Monetization: Strategies for transforming patents into revenue-generating assets.

Competitive Positioning: Insights into how companies use patents to protect and extend their market leadership.

Innovation Strategies: Best practices for aligning R&D efforts with intellectual property protection.

Global IP Management: Tips for navigating international IP systems and safeguarding technologies in global markets.

This webinar series promises to deliver actionable knowledge and real-world case studies, making it a must-attend for anyone involved in innovation, business strategy, or intellectual property management. Don't miss this opportunity to learn directly from industry experts—register now by scanning the QR code on the poster!

Register Here:



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