



**PERBADANAN HARTA INTELEK MALAYSIA**  
**INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA**  
(Agensi di bawah KPDN)



Aras LG, G, 2-5, 11-13 & 15-23,  
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**NOTIFICATION OF PROVISIONAL REFUSAL OF AN INTERNATIONAL REGISTRATION  
DESIGNATING MALAYSIA**

<b>1. Office making the notification:</b> Intellectual Property Corporation of Malaysia (MyIPO)
<b>2. Date of the provisional refusal:</b> 08 January 2025
<b>3. International Registration Number:</b> 1821469
<b>4. Malaysia Trademark Number:</b> TM2024035738 <b>Class Number: 06</b>
<b>5. Name of the Holder:</b> Anyi Door and Window Industry Association
<b>6. Representation of the mark:</b>  <p style="text-align: center;">安义门窗</p>
<b>7. Basis for refusal:</b> This total provisional refusal is based on an ex-officio examination.
<b>8. Scope of refusal in respect of goods and/or services:</b> This refusal applies to all goods claimed in Class 06

**9. Grounds of Refusal:**

**Filing of rules of collective marks or certification marks**

9.1 This application is refused under Section 17, Section 72 and Section 73 of the Trademarks Act 2019 and Regulation 53 of the Trademarks Regulations 2019.

Objection:

Please provide an indication whether your mark is for a collective mark or a certification mark before we can examine your mark any further. Please note that guarantee marks are not available in Malaysia.

If the mark is a certification mark or collective mark, the applicant has to file the rules governing the use of the collective mark or certification mark according to the First Schedule and the Second Schedule of the Act to the Registrar.

**10. Relevant law:**

The relevant provisions of the Trademarks Act 2019 and Trademarks Regulations 2019 are attached.

**11. Respond to the refusal:**

This provisional refusal will be reviewed if the holder files a request with MyIPO. The request for review must be submitted through a registered trademark agent and must include the international registration number, Malaysia trademark number and class number(s).

The review request must be accompanied by the prescribed forms and fees as follows:

- (a) Filing the rules of collective marks or certification marks by submitting form **Fee Code TMA3**, accompanied by payment of the prescribed fee (RM300.00). This fee is applicable for each class.
- (b) The holder must appoint a registered trademark agent by submitting form **Fee Code TMR7** (RM20.00) and the list of registered trademark agents can be accessed at <http://www.myipo.gov.my>

**12. Timeframe for responding:**

The holder has **2 months** to request a review. The request for review starts on **08 January 2025** and ends on **08 March 2025**. If the holder does not request for a review of this application by **08 March 2025**, this refusal will become final.

Request for an extension of time to respond to this provisional refusal is possible by filing form Fee Code TMK1 (RM50.00) and form Fee Code TMK3 (RM 100.00) per month.

**13. This refusal is issued by:**

**Noorhabibah binti Bahrum (Ms)**

for the Registrar of Trademarks Malaysia

*T: +603-749638711 E: noorhabibah@myipo.gov.my*

## **Trademark Acts 2019**

### **Application for registration of trademark**

17. (1) Any person who claims to be the bona fide proprietor of a trademark may apply for the registration of the trademark if—

(a) the person is using or intends to use the trademark in the course of trade; or

(b) the person has authorized or intends to authorize another person to use the trademark in the course of trade.

(2) An application for the registration of trademark shall be made in the form as determined by the Registrar within the prescribed period together with the payment of the prescribed fee.

(3) If the trademark applied for registration contains or consists of a word which is not in Roman characters, or the national language or English language, the applicant shall, within the prescribed period, furnish the Registrar with the following:

(a) the transliteration of the trademark;

(b) the translation of the trademark; or

(c) any information as determined by the Registrar.

(4) If the requirements under subsection (2) or (3) are not complied with within the prescribed period, the application shall be deemed withdrawn.

(5) A person who applies for the registration of trademark may request to the Registrar for an expedited examination by filing an application in the form as determined by the Registrar within the prescribed period together with the payment of the prescribed fee.

### **Collective marks**

72. (1) A collective mark shall be a sign distinguishing the goods or services of members of the association which is the proprietor of the collective mark from those of other undertakings.

(2) The provisions of this Act apply to collective marks subject to the provisions of the First Schedule.

### **Certification marks**

73. (1) A certification mark shall be a sign indicating that the goods or services in connection with which it shall be used are certified by the proprietor of the mark in respect of origin, material, mode of manufacture of goods or performance of services, quality, accuracy or other characteristics.

(2) The provisions of this Act apply to certification marks subject to the provisions of the Second Schedule.

## **Trademarks Regulations 2019**

### **Filing of rules of collective marks or certification marks**

53. (1) The applicant shall, within two months after the date of the application for the registration of collective marks pursuant to subparagraph 5(1) or (3) of the First Schedule to the Act, or certification marks pursuant to subparagraph 5(1) or (3) of the Second Schedule to the Act, file with the Registrar, accompanied by payment of the prescribed fee, the rules of collective marks or certification marks.

(2) If the applicant does not file the rules within the specified period under subregulation (1), the application for registration of collective marks or certification marks shall be deemed withdrawn.

(3) Notwithstanding subregulation (2), the applicant may request for an extension of time to file the rules of collective marks or certification marks, as the case may be, for a period not exceeding two months.

(4) If the applicant files the rules within the extended period, the Registrar shall issue a new date of filing to the applicant which shall be the date of filing of such rules.