

3 IMPORTANCE AND BENEFITS OF TRADEMARK REGISTRATION

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A registered trademark is crucial in safeguarding your brand!

The registered trademark allows an owner to take legal action against someone who used or attempted to use his brand without permission. It also allows the owner to sell or license his brand to third parties if necessary.

However, in most cases, as a new or developing business, the business owner tends to focus most of his efforts on operating and expanding the business. He might not aware of what are the important assets that could be and shall be registered as a trademark in Malaysia to protect his intangible asset from “stealing” by others.

Refusing to trademark the brands, products, or services, one is allowing someone else to do so. This immediately puts the business and any product or service development undertaking at high risk. Securing a registered trademark protects the brand, and provides the owner with the tools to prevent someone else from using similar signs and riding off the back of the business. Vice versa, if one does not protect his trademark by registering it, and someone else did, then he may find he is legally prevented from expanding his business. With brand registered, the owner is within his rights to take actions against parties who have attempted to register conflicting trademarks or are operating with conflicting brands, which are possibly damaging his business.

Many business owners do not see the value of trademarks when their business is still growing and no one shows interest to their brands. Yet, as their products or services become successful, the trademark itself starts to develop an intrinsic value. Interested business investors tend to assess whether the brand is secured by the appropriate legal trademark protection before investing a big sum of money into the business.

3 Important Reasons for Trademark Registration

1. Avoiding Unnecessary Rebranding

Unnecessary rebranding is a difficult and costly task. Having successfully created a good reputation for your brand, significant marketing pounds are required to rebuild a brand new brand. When a logo, symbol or brand name is not being trademarked properly, there is always a risk that another business trademarks it. This would cause the owner to lose his right against the brand identity and prevent him from operating or expanding under its current identity.

2. Building value

Due to the risk of being brand-sabotaged, potential investors will always be interested in whether a business has trademarked its name, key products or services. Trademark registration not only increases security but also aids clarity in any merger or franchising of the business, positively impacting its perceived value.

3. Protection against competition

It is important to ensure that your business is appropriately protected against competition. Unauthorised parties who use your trademark without authorization can damage your brand, reputation, and business. These parties are always in a legally weak position and the unauthorised parties can be easily prevented from causing further damages by proceeding legal processes. By registering your trademark you are effectively building a barrier for your competitors to use your brand and making it harder for other businesses to imitate you.

In conclusion, the trademark of your intangible assets is extremely important to safeguard your business. There are two key considerations: First, your business is appropriately protected in the countries it operates or intends to operate in, and second, your business is protected in all of the classes of service or products it provides or registers with.

Act before it is too late!

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