

Hospitality Licensing Guide – Maldives Supplement

Adapting to Change: Practical Guidance on the Maldives' New IP Regime

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Introduction

The Maldives hospitality market is brand-driven, with strong and established presence of hotel brands. In recent years, F&B concessionaires have also increased in presence both in the capital city of Male', and through branded dining concepts in resorts.

In addition to Hotel Management Agreements (HMAs), Hotel Franchise Agreements (HFAs) and F&B License Agreements are becoming more commonplace in the evolving hospitality sector.

This guide aims to capture key matters relevant to hotel management companies, F&B licensors and brand owners on Maldives law matters as to:

- Protecting your IP, and local licensing; and
- Local presence and registration requirements.

If you have any questions, on the protection of your IP and licensing in the Maldives, please do not hesitate to get in touch with your [SHC Law & Tax contacts](#).

Protecting your IP



Granting the license

Upon entering into your HMA, HFA or relevant licensing or franchise agreement, as a brand owner you will be granting your licensee with a license to use your brand name and other relevant intellectual property rights under the terms therein.

Typically included in these agreements are:

- A licence from the brand to the owner to use the brand's name, marks, and operating systems during the term of the agreement;
- Restrictions on the owner's ability to sub-license or alter the brand presentation;
- Brand standard obligations requiring the owner (through the operator) to maintain the property/outlet to the brand's prescribed standards;
- Post-termination provisions governing the owner's continued use of the brand's name and systems following expiry or termination of the agreement; etc.



Registering IP in the Maldives

The Maldives Trademark Act (Law No. 14/2021) has been enacted, and the Maldives Intellectual Property Office (“MIPO”) is established under Maldives Intellectual Property Office Act (Law No. 13/2025), but the trademark registry is expected to become operational in or around November 2026. Until then, it is not possible for applicants who do not have a registered presence in the Maldives to file a domestic trademark application in the Maldives.

Historically, brand owners without a local registered presence have in some cases opted to insert an obligation on the licensee under agreements, to maintain the IP registrations in the Maldives jurisdiction (i.e. the trademark is registered under the name of the licensee for the term of the agreement).

Once the new trademark registry opens around November 2026, brand owners, whether they have a local registered presence or not, may apply to register their trademarks with MIPO.

For more information on the trademark registration regime, see our regulatory update on the Trademark Act, [here](#).

Timeline and Strategy

In the interim period, brand owners seeking to protect their brand in the Maldives market should consider the following strategies:

- Review existing registrations and IP protection measures: assess if any local licensees have registered your trademarks under their name with the local authorities. These must be de-registered to allow new filings by brand owner with MIPO. Run pre-searches to check availability of your brand marks for registration.
- Register in key mirror jurisdictions: File or maintain trademark applications in jurisdictions where the brand is used in commerce, to demonstrate active usage.
- Filing your trademark applications: brand owners should prioritise filing applications for their key marks in appropriate classes (for instance, for hospitality operators - Class 43: services for providing food and drink; services for providing temporary accommodation). Where an application was filed in a Paris Convention jurisdiction within the six months preceding the Maldives filing, a priority claim may be available under the Convention, potentially backdating the effective filing date to the earlier application.

Watch Point: The opening of MIPO's new trademark registry may be a window of vulnerability for trademark squatting. Brand owners should review existing registrations and monitor MIPO registry closely on its opening. Brand owners should be prepared to file opposition proceedings if such a conflicting application is filed with MIPO.

A Regime in Tandem – the Business Registration Act

While a brand owner's IP will primarily be registered under the provisions of the Trademark Act, other legislation also triggers local registration requirements for brand names used in connection with a Maldives business.

The Business Registration Act essentially requires that all 'business' undertaken within the Maldives jurisdiction must be conducted through a registered legal entity, and (crucially to brand owners) any *name to be used in connection with the business* must be registered with the relevant government authority as well.

In the context of a hotel/ resort run under a brand, or a franchise restaurant, this essentially means that the owner/ licensee will be required to register the *business name* of the hotel/ resort/ restaurant *under their name* at the relevant government authority (despite the trademark being registered to and owned by the brand owner).

For instance:

- a developer enters into a HMA with a hotel brand to position their property under their brand (for discussion, let us call the brand 'ABC Luxury');
- parties agree that the hotel will be branded as 'ABC Luxury Island, Maldives'; therefore
- the developer must register the hotel name *including the licensed brand name*, as its own 'business name' with the relevant government authority (despite not being the owner of the trademark contained in that business name).

Neither the Trademark Act nor the Business Registration Act include special provisions or relevant exemptions for the combined scenario above.

Watch Point: Brand owners should ensure their agreements clearly indicate the scope of the trademark license to include any business name registration triggers and include obligations requiring de-registration of any *business names* including brand marks, on expiry or termination of agreement.

Additional Regulatory Considerations



Local Registration Triggers

A local registration requirement may be triggered for brand owners based on your business model.

If your brand is merely licensing your concept, a local registration requirement may not be triggered.

However, if, as part of the brand license, you are actively managing or operating a resort, hotel or F&B outlet in the Maldives, a local registration requirement may be triggered. You may qualify as an investor that is carrying out a business in Maldives¹.

The registration process slightly differs based on the proposed business but generally would involve obtaining a foreign investment approval (typically for 5-year periods) and incorporating a local entity.



Sector-specific approvals:

For hotel management company entering into an HMA with a developer, you must obtain the Ministry of Tourism and Civil Aviation's prior consent to the execution of the HMA.

Once this consent is issued, the hotel management company may then proceed to register a local entity, execute the HMA and register the HMA at the Ministry.

Watch Point: Brand owners should carry out due diligence to ensure that their counterparts have obtained or will obtain all requisite licenses to operate that brand and the business in the Maldives.

Next Steps

As the Maldives hospitality licensing landscape continues to evolve — particularly with the imminent opening of the MIPO trademark registry — brand owners and operators should act now to audit their existing IP position, review agreement structures, and prepare filing strategies. We would be pleased to advise you and discuss your specific requirements.

¹ The relevant legal regimes are the Foreign Investment Act (Law No. 11/2024) and the Business Registration Act (Law No. 18/2014)

Questions on licensing and IP matters? Reach out to our contacts below:



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