

Regulatory Update

TRADEMARK ACT (Law No: 19/2025)

Key Highlights

17 November 2025

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In Brief

The Trademark Act (Law No. 19/2025) (the “**Act**”) has been ratified by the President and published in the Government Gazette on 11th November 2025.

The Act establishes a comprehensive legal framework for the registration, protection, and enforcement of trademarks in the Maldives, replacing the existing regime that has governed trademark protection to date.

The new law establishes clear procedures for filing, examination, publication, opposition, renewal, and enforcement of trademarks, and provides enhanced remedies against infringement and counterfeiting. It also provides for enforcement mechanisms and penalty provisions, improving the ability to address infringement and counterfeiting to promote greater consumer protection.

The enactment of the Act marks a significant milestone in the Maldives’ intellectual property framework and, for the first time, enables foreign individuals and entities to obtain protection for their trademarks in the Maldives. Through the establishment of a formal registration system aligned with the **Paris Convention** and **World Trade Organisation** (the “**WTO**”) principles, the Act aligns domestic law with international standards and enhances legal certainty.

The Act will come into force twelve (12) months from publication, i.e., on **11th November 2026** (the “**Effective Date**”). The implementing entities under the Act are the Ministry of Economic Development and Trade (the “**Ministry**” or “**MEDT**”), Registrar of Intellectual Property (the “**Registrar**”) of the Maldives Intellectual Property Office (the “**MIPO**”) and Maldives Customs Service.

All regulations (“**Subordinate Regulations**”) are required to be issued within six (6) months from the Act coming into effect, i.e., **May 2027**.

Businesses should begin reviewing their brand portfolios and prepare to transition existing trademarks to the new framework within the **twelve-month transitional period**.

A copy of the Act is available on the Government Gazette link: <https://gazette.gov.mv/gazette/7378>

Quick Facts

Effectiveness and Application

The provisions of the Act apply from **11 November 2026**.

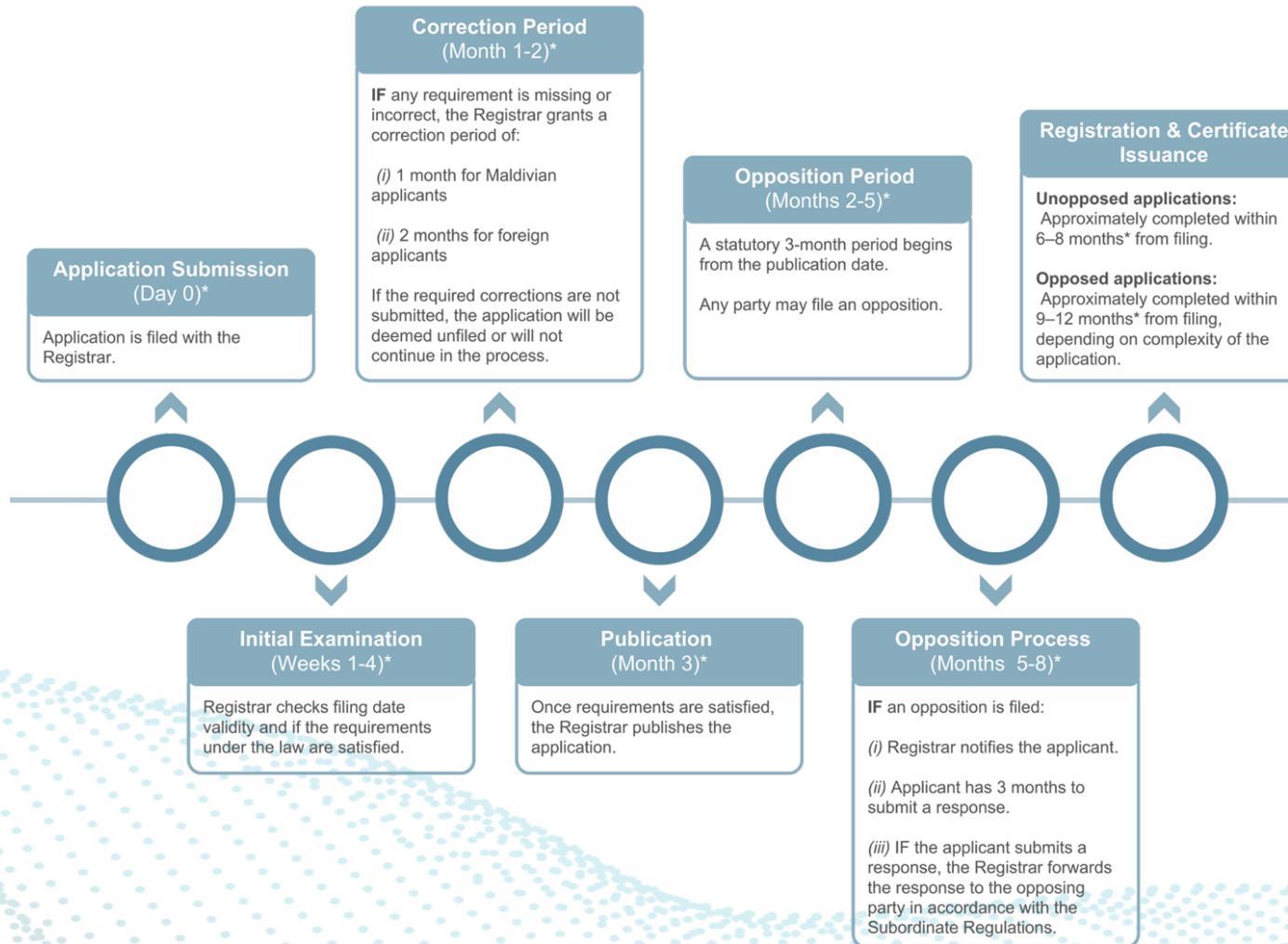
- **“Trademark Owner”** may include individuals and entities owning or claiming trademark rights.
- **“Applicants”** may be Maldivian or a foreign individual or entity, including but not limited to those without foreign investment approval.

Scope of Protection

- The Act applies to the registration, protection, and enforcement of trademarks in the Maldives.
- A “trademark” is defined as any sign capable of distinguishing the goods or services of one party from those of another, including personal names, letters, numerals, figurative elements, colours, or any combination thereof.



Application Process**



****** The timeline presented is an approximate indication of the expected duration of the application process. The actual duration may vary depending on the nature of the application and any additional procedures that may arise.

Key Provisions

Registration

- Registrations will be on a 'first to file' basis.
- The owner of a registered trademark has the full right to prevent any party from using, without the owner's permission, an identical or similar sign to that mark in trade in relation to goods or services identical or similar to those for which the mark is registered, where such use is likely to cause confusion.

Priority Rights

- Applicants who have filed an application in a member country of the Paris Convention or the World Trade Organization may claim a right of priority in the Maldives for the same mark and for identical goods or services within six months from the foreign filing date.

Examination and Opposition

- Applications are examined by MIPO to verify compliance with the Act. Once accepted, they are published for opposition, and any interested party may file a notice of opposition within three months from the date of publication.

Grounds for Refusal

- A mark will not be registered if it lacks distinctive character; consists only of indications of kind, quality, quantity, price, time or place of production or supply; has become generic or descriptive in trade; consists only of a shape inherent to the nature of the goods, required for a technical result, or giving

substantial value; is contrary to public morality; is misleading as to origin, nature or quality; contains unauthorised state or international emblems or flags; or is otherwise prohibited by law. However, a mark that has acquired distinctiveness through continuous use in the Maldives may be registrable.

- A mark will be refused if it is identical or confusingly similar to an existing registered mark or pending application for identical or similar goods or services, or to a well-known mark (whether for similar or dissimilar goods or services) where use would cause confusion or suggest an unfair association. Registration is also refused where the mark infringes copyright or design rights, was filed in bad faith, or conflicts with an unregistered mark used in good faith in the Maldives for at least six months prior to filing.

Term and Renewal

- The registration of a trademark remains valid for **ten years** from the date of registration.
- The owner may renew the registration for further ten-year periods by submitting a renewal application before expiry, in accordance with the conditions and fees prescribed by Subordinate Regulations.
- If renewal is not filed before expiry, the owner may still apply for renewal within six months after expiry by fulfilling the prescribed conditions and paying both the renewal fee and the additional late renewal fee.

- If the registration is not renewed within six months of expiry, the registration will lapse automatically.

Transfer and Licensing

- Any change in the ownership of a registered trademark or an application under process must be recorded and published by the Registrar. Such a change will take effect against third parties only once it has been duly recorded in accordance with the procedures prescribed under the Subordinate Regulations.
- Information relating to any license granted for the use of a registered mark must likewise be recorded and published by the Registrar. A license will affect the rights of third parties only when the license information has been recorded in the register in the manner provided by the Act.

Certification and Collective Marks

- **Certification Marks:** These are marks used to certify the origin, materials, method of manufacture or provision, quality, accuracy, or other special characteristics of goods or services. The same registration procedures applicable to ordinary trademarks apply to certification marks, with additional requirements to file and publish the rules governing their use. The owner of a certification mark may not use it to certify their own goods or services, and misuse or misleading use may result in cancellation of registration by the Registrar or Courts.
- **Collective Marks:** These are marks owned by associations, cooperatives, or federations that distinguish the goods or services of their members from those of others. The same procedures apply as for ordinary trademarks, with additional requirements to file and publish the rules governing their use. Licensing of collective marks to any party is expressly prohibited under the Act.

Enforcement and Remedies

Civil Enforcement and Remedies

- Courts may issue interim injunctions, order destruction or removal of infringing goods, award compensation, and require disclosure of information on third parties involved.
- Actions must be brought within five years from when the infringement became known.

Border Enforcement

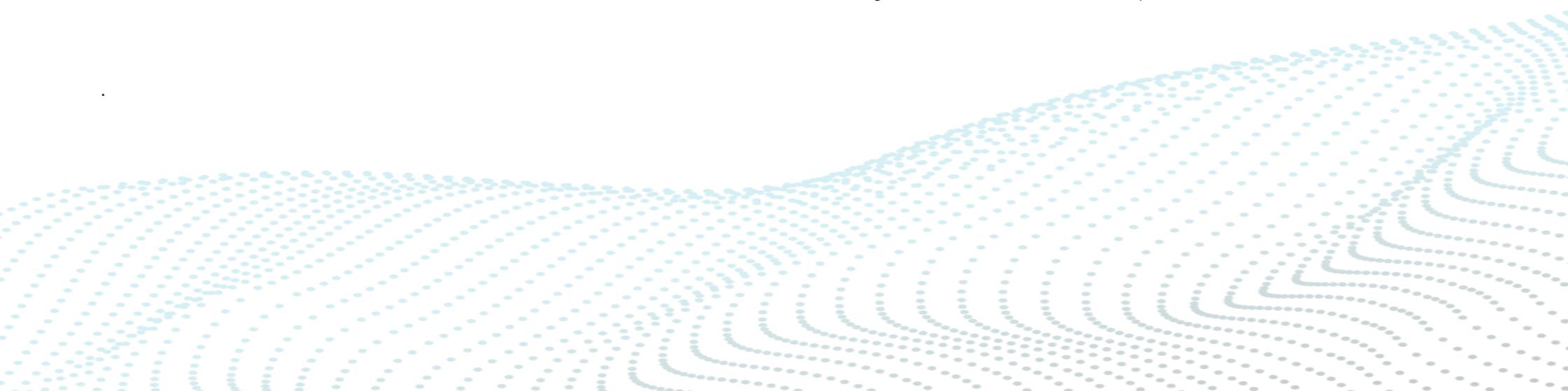
- Trademark owners may apply to Customs to detain suspected infringing goods.
- Customs decides within prescribed time limits and may require security.
- Courts may order destruction or permanent removal of infringing goods from the market.

Criminal Offences and Penalties

- Counterfeiting, use, trade, import, or export of counterfeit marks or goods is an offence.
- Fines range from MVR 100,000 to MVR 2,000,000, and courts may confiscate or destroy counterfeit goods and equipment.

Transitional Arrangements

- Registration of trademarks under the new Act will commence from 11 November 2026.
- Existing trademarks must be re-registered under the new system within twelve months of this Act coming into force i.e., before 11th November 2027.
- Registrations not refiled within that period will be cancelled.



Questions on the Trademark Act? Reach out to our contacts below:



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