## **SITHISAK law office**

## Monthly legal update

November 2016

Content: 1. Intellectual Property, 2. Taxation

### 1. Intellectual Property

# Prakas No 368 ก.ณกัฒน. บุที dated 01 November 2016 related to International Registration of Mark

Cambodia became a member of Protocol of Madrid City on 05 June 2015. This Prakas intends to implement the protocol of Madrid City and the procedure for registration and protection of marks in international framework.

Natural persons or legal persons requesting for mark registration or a registered mark under their name at the Intellectual Property Department of the Ministry of Commerce can request for international registration of those marks if the natural persons or legal persons are conformed to the following conditions:

- 1. Cambodian nationality or
- 2. Permanent residence in the Kingdom of Cambodia or
- 3. Industries or businesses operating in Cambodia and complied Cambodian laws

All documents related to the application for international registration of marks shall be in English.

The verification of the applications:

- 1. The intellectual property department of Ministry of Commerce has to verify all related documents in those applications.
- 2. In case, the application of the registration is not complied with the stated requirements, the intellectual property Department shall inform the applicants within 07 days after the date of signature.

Any conflicts arising from this Prakas and provisions in which Cambodia is a country member shall be governed by Article 60 of the Law on Marks, Trade Names and Acts of Unfair Competition in Cambodia.



"SITHISAK" refers to strength of achieving supreme interest of justice. DEVARAJA, King of all divinities, makes journeys by a royal vehicle "NAGA", which represents Khmer territory, to render divine justice to Humanity through his divine power.

#### About our service:

- Providing legal counsel
- Providing tax counsel
- Litigation
- Business registration and licensing

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### 2. Taxation

# Letter No. 18313 អាដ dated 01 November 2016 related to Stamp Duty Tax Collection

The objective of this Letter is to effectively facilitate the process of stamp duty tax collection on non-registered immovable property (without title deed) at Sangkat and District.

There shall be at least one (01) person in charge of documenting the application for stamp duty tax for one (01) district or one (01) person for two (02) districts according to the actual officer number and geography.



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