TOOLKIT 1 – TRADEMARK & DIGITAL BRANDING

MALAYSIA

PART B: RESOURCE GUIDE / INTERACTIVE TOOL

SECTION 1: TM REGISTRATION / PROTECTION

(1) Step-by-Step Registration Guide (with link)

Malaysia (MyIPO)
National-Trade-Mark-Application-by-Agent.pdf

International (WIPO Madrid Protocol)
Madrid System: Filing International Trademark Applications – The Process

(2) Template Links

Malaysia (MyIPO)
Trademark Forms and Fees – The Official Portal of Intellectual Property Corporation of Malaysia

International (WIPO Madrid Protocol)
Madrid e-Filing: Apply for International Trademark Protection Online

Common Contracts in Trademark Protection and Commercialisation

Contracts are legally binding agreements that set out the rights and obligations of parties when dealing with your brand. In the trademark context, common contracts include -

- Licence Agreements (allowing others to use your brand under specific conditions)
- Non-Disclosure Agreements (NDAs) - to protect brand or design ideas shared with agencies, freelancers, or partners
- Assignment Agreements (to transfer ownership of a trademark) and
- Co-branding or Collaboration Agreements (to define how two brands are used together).

These documents safeguard your brand's value, prevent misuse, and clarify commercial arrangements. As trademarks are valuable business assets, contracts should always be **carefully drafted by IP lawyers** to ensure enforceability and proper protection.

Quick Glance View

Contract Type	Purpose	Key Clauses to Include
Trademark Licence Agreement	Allows another party to use your trademark under agreed conditions	▪ Scope of use ▪ Territory, duration ▪ Royalties, ▪ Quality control
Non-Disclosure Agreement (NDA)	Protects confidential brand info shared with designers, agencies, or partners	▪ Definition of confidential info ▪ Obligations, ▪ Duration, ▪ Penalties for Breach
Trademark Assignment Agreement	Transfers ownership of a trademark to another party	▪ Details of transfer, ▪ Consideration/payment, Warranties, ▪ Registration update
Co-Branding / Collaboration Agreement	Sets rules for joint use of two or more brands in campaigns or products	▪ Logo placement, ▪ Approval rights, ▪ Revenue share,

		▪ Termination
Distribution / Reseller Agreement	Authorises a reseller to sell products under your brand	▪ Pricing, ▪ Territories, ▪ Use of trademark, ▪ Marketing obligations

📌 ***Reminder:*** *These contracts protect your trademark as a business asset and avoid costly disputes. They should be* ***drafted or reviewed by an IP lawyer*** *to ensure enforceability in Malaysia and internationally.*

(3) Brand Audit Checklist

Ask: What digital brand assets do I own or need to protect?

✅ Use this checklist:

- Main logo & alternate versions
- Taglines or slogans
- Product or brand names
- Website domain(s)
- Social media handles (IG, FB, TikTok, X)
- Online store names (Shopee, Lazada)
- Branded hashtags

(4) Clickable Glossary of Terms

🔗 Trademark Glossary



Trademark Glossary.pdf

🔗 Trademark Assignment and Licensing Glossary



Trademark Assignment and Licen

(5) Visual Guide: Online Brand Protection



Protect your digital presence by:

- 🛡️ Reserving domains on trusted registrars (GoDaddy, Namecheap, Exabytes)
- 📱 Claiming consistent social handles (IG, TikTok, X, etc.)
- 🗂️ Maintaining a Brand Asset Log
- 🔍 Monitoring misuse on platforms (e.g. Shopee, Facebook Marketplace)
- ⚠️ Filing takedown notices or enforcement complaints when needed
- 📸 Saving screenshots to prove active brand use (for enforcement or renewal)

SECTION 2: ENFORCEMENT

(1) Takedown templates and Direct Platform Links:

Shopee:

a. ***Shopee Brand IP Protection Portal:*** https://brandprotection.shopee.com/
   i. This is generally the primary portal for rights holders. You need to register for an account.

b. ***Shopee Seller Centre Article on Reporting IP Infringements:*** https://seller.shopee.com.my/edu/article/15083/report-IP-infringement-
   i. This page provides general guidance and often links to the Shopee Brand IP Protection Portal.

Lazada:

c. Lazada's IP protection system is integrated within its Seller Center or dedicated Brand Protection/Intellectual Property Protection (IPP) Program. Unlike Facebook's publicly accessible, single-link complaint form, Lazada does not have a direct public-facing form for IP complaints. Instead, IP owners must first register with and access Lazada's IPP Platform (part of Alibaba Group) to submit complaints.

d. **Lazada IP Protection Program (IPP Platform) – General Entry Point:** You generally need to navigate through the **Seller Center or the "Brand Protection" section** within their business/partner portals to find the relevant links.
Note: Any specific "ROP" (RedMart Online Platform) link is related to API/developer integration and is not for public IP complaints. For brand owners, enrolment in the IPP Platform is required before submitting takedown requests. The most effective route is to start from Lazada's Seller Center or corporate site, which will direct you to the IPP Platform.

Lazada's IPP Platform is a centralised system designed for rights holders to register, verify, and submit infringement notices.

Facebook (Meta Platforms):

e. ***Facebook Trademark Report Form:*** https://www.facebook.com/help/contact/230197320740525

f. ***Facebook Copyright Report Form*:** https://www.facebook.com/help/contact/634636770043106
   i. *(Note: While this document is for Trademark, Copyright is included as they are often reported via similar processes and are both IP.)*

Instagram (Meta Platforms):

g. ***Instagram Trademark Report Form:*** https://help.instagram.com/contact/230197320740525

h. ***Instagram Copyright Report Form:*** https://help.instagram.com/454951664593304
   i. *(Again, included Copyright as relevant.)*

i. ***Instagram Help Center - Intellectual Property:*** https://help.instagram.com/intellectualproperty

This page provides an overview and links to the relevant forms. We recommend always navigating to these through the official help centres of each platform to ensure you're getting the most up-to-date links and information.

(2) Sample Complaint Formats:

Shopee (via their Brand IP Portal / Online Form)

Shopee primarily uses a structured online form, especially within its Brand IP Portal (https://brandprotection.shopee.com/). If you are a registered brand owner, you will fill in fields directly.

For non-Mall sellers or initial reports, they might use a more general IPR form linked from their Seller Education Hub.

Key Information You Will Need to Provide (Common Fields):

- Your Contact Information:
    - Name, Email, Phone Number
    - Company Name, Website (if applicable)
    - Confirmation of your role (IP owner, authorized agent, law firm).
- Intellectual Property Details:
    - Type of IP: Trademark, Copyright, Industrial Design, Patent.
    - IP Registration Number: Your official registration number.
    - Registration Country/Region: Where your IP is registered.
    - Proof of Ownership: Upload a clear, high-resolution copy of your IP registration certificate (in English or with certified translation).
    - Brand Name: The exact name of your brand.
    - IP Scope: The specific goods/services covered by your IP.
- Infringement Details:
    - Platform: Shopee.
    - Infringing Listing URLs: A list of direct URLs to each infringing product.
    - Seller Information: Exact seller name/store name (if visible).
    - Nature of Complaint: A description of *how* the listing infringes your IP (e.g., unauthorized use of trademark in title/description, counterfeit product, unauthorized logo on images).
    - Supporting Documents:
        - Product Screenshots: Clear, high-resolution screenshots of the infringing listings showing the product, seller name, and URL.
        - Comparison Photos: (If reporting counterfeits) Photos comparing the genuine product with the infringing one.
        - Letter of Authorization: If you are an agent acting on behalf of the IP owner.
- Declaration: A statement confirming the accuracy of your information and your good faith belief that the infringement has occurred.

Special note: General IPR Form, might redirect based on country. You will generally be guided to the form or Brand IP Portal from their Seller Education Hub (e.g., https://seller.shopee.com.my/edu/article/15083/report-IP-infringement-). The Brand IP Portal is the most common direct access for owners: https://brandprotection.shopee.com/.



Direct Link explaining the registration process for Shopee (supported though pictures).

Lazada (via their IPP Platform)

Lazada also uses a structured Intellectual Property Protection Platform (IPP Platform), especially designed for rights holders to manage and submit infringement notices.

Key Information You'll Need to Provide (Common Fields):

- Account Registration & Verification (Initial Step):
    - Email address and phone number for IPP account registration.
    - Verification of Rights Holder Identity (e.g., government-issued ID for individuals, business license for entities).
    - Verification of your IP Rights (uploading trademark/copyright/patent registrations).

- Complaint Submission (within the IPP Platform):
    - Type of IPR: (e.g., Trademark, Copyright, Patent, Registered Design).
    - Platform Selection: Choose "Lazada" as the platform for the infringement.
    - Infringing Listings: Paste the URL(s) of the infringing products/listings. (The system often has a "Verify listings" function).
    - Description of Infringement: Explain how the listing infringes your specific IPR.
    - Supporting Evidence:
        - Relevant IPR Certificates (already uploaded during registration but might need to be linked to the specific case).
        - Screenshots of infringing listings.
        - Comparison photos (if applicable).
        - Proof of authorization (if you are an agent).
- Contact Information (Internal & Disclosed): Lazada's form often distinguishes between contact info for their communication with you and information disclosed to the merchant being complained about.

- Declaration: A declaration of the validity of your claim.



Direct Link to IPP Platform: https://ipp.alibabagroup.com/index.htm (This is part of the Alibaba Group's platform, which Lazada uses for IP protection).

Direct Link explaining the registration process for Lazada (supported though pictures).

Facebook (Meta) - Trademark Report Form

Facebook uses a direct webform for trademark infringement reports.

Access Link: https://www.facebook.com/help/contact/230197320740525

Sections and Key Information Requested:

- I Found Content Which I Believe Infringes My Trademark: (You select this option)
- Are you the rights owner or an authorized representative? (Choose "Me or my organization" or "My client")
- Contact Information:
    - Your Full Legal Name
    - Your Job Responsibility (Owner, Legal Advisor, etc.)
    - Email Address (Consider using a generic business email)
    - Postal Address
    - Phone Number
    - Name of the Rights Owner (Person or Organization)
    - Link to the Rights Owner's Official Online Presence (Website, official social media page)
- Trademark Information:

    - Name of the Trademark
    - Country/Region of Registration
    - Trademark Registration Number
    - Category of Goods and/or Services Covered by the Trademark
    - URL to the Trademark Registration (if publicly available online)
    - Attach Copies of Registration Documents (Upload files like PDF of your certificate).
- Content You Want to Report:
    - Type of Content: Photo, video or post; Page/Profile; Ad; Group; Event; Other.
    - Direct URLs to the Infringing Content: (Crucial for Meta platforms) You need the exact URL for each piece of content. For posts, click the date/timestamp to get the direct link.
    - Please explain how this content infringes your trademark: A text box for your detailed explanation.
- Declaration:
    - You'll confirm statements like: "I have a good faith belief that the use of the trademark in the content described above is not authorized by the trademark owner, its agent, or the law." and "The information in this notification is accurate, and under penalty of perjury, I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."



Instagram (Meta) - Trademark Report Form

Instagram's trademark report form is essentially the same as Facebook's, as they are both Meta platforms.

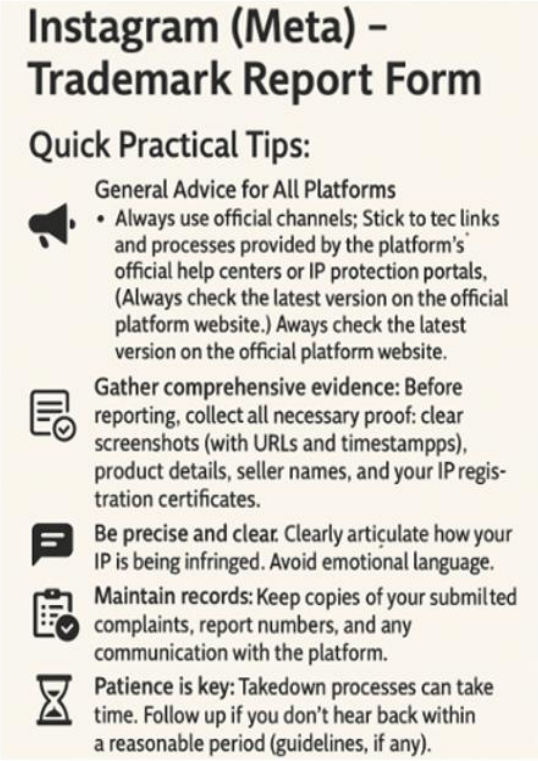
Access Link: https://help.instagram.com/contact/230197320740525

Sections and Key Information Requested: The fields are identical to the Facebook Trademark Report Form listed above.

Quick Practical Tips:

General Advice for All Platforms:

- *Always use official channels: Stick to the links and processes provided by the platform's official help centers or IP protection portals.*
  ⚠ Note: Platform links and forms (e.g., Shopee, Lazada, Facebook, Instagram) may be updated from time to time. Always check the latest version on the official platform website.
- *Gather comprehensive evidence: Before reporting, collect all necessary proof: clear screenshots (with URLs and timestamps), product details, seller names, and your IP registration certificates.*
- *Be precise and clear: Clearly articulate how your IP is being infringed. Avoid emotional language.*
- *Maintain records: Keep copies of your submitted complaints, report numbers, and any communication with the platform.*
- *Patience is key: Takedown processes can take time. Follow up if you don't hear back within a reasonable period (as per their stated guidelines, if any).*



(3) Checklist for enforcement: Search → Detect → Record → Submit complaint → Follow-up

Enforcement Checklist for SMEs

1. Search

- Platforms to check: Shopee, Lazada, Facebook, Instagram, TikTok Shop, Google.
- Frequency: ___ (e.g., weekly, bi-weekly).
- Who checks: ___ (add name/role of a dedicated resource).
- Use tools: Google Alerts, platform keyword search.

2. Detect

- Look for:

    - Product listings using your brand name/logo without permission.
    - Fake online stores using your name.
    - Copied photos/descriptions from your channels.
    - Ads pretending to sell your products.
- Flag suspicious listings immediately.

3. Record

- Take **full URL** of listing + store.
- Screenshot listing (title, description, price, images, seller name).
- Capture **date/time** on the screenshot.
- Side-by-side comparison with genuine product image.
- Save evidence in shared folder/drive with clear file naming.

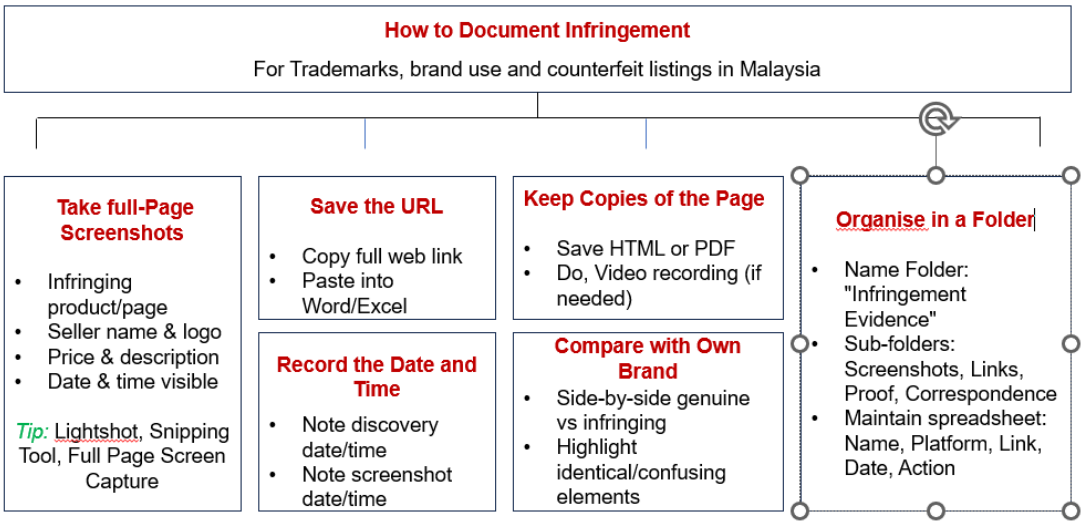
4. Submit Complaint

- Prepare:
    - Trademark certificate / filing receipt.
    - Brand details & proof of ownership.
    - Evidence pack (screenshots, URLs, comparisons).
- File via:
    - Shopee → Intellectual Property Portal (IPP)
    - Lazada → Rights Owner Protection (ROP)
    - Facebook/Instagram → Meta IP Report Form
    - TikTok Shop → IP Policy Complaint Form
- Record date submitted and reference number.

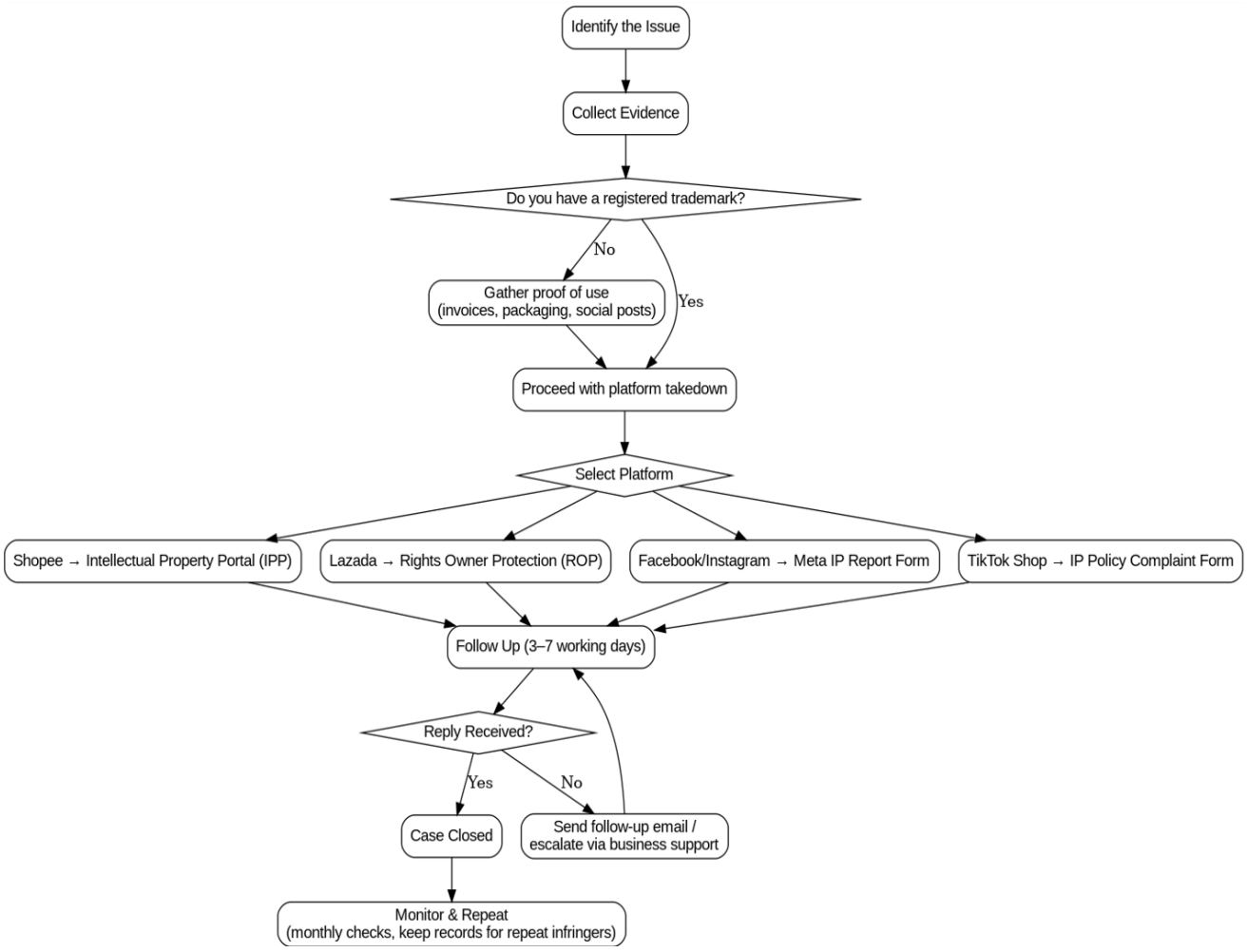
5. Follow-Up

- Check platform response in 3–7 working days.
- If no reply:
    - Send follow-up email.
    - Escalate via business support contact.
- If takedown done:
    - Save confirmation.
    - Update infringement log.

Quick reference: How to document infringement *(e.g. timestamps, URLs, copies of infringing pages)*



Flowchart: What to do when you find someone using your brand online:



SECTION 3: COMMERCIALISATION

(1) Licensing Agreement Templates for Trademarks

Key clauses

Clause	What it covers
Scope of Licence	What the licensee is allowed to use (e.g. logo, name, packaging)
Territory	Where they can use it (e.g. Malaysia only, ASEAN, global)
Duration	Start and end date of the licence
Royalty Terms	Flat fee, % of sales, minimum guarantee, or combo
Quality Control	Clauses to maintain product/service quality using your brand
Termination Clause	Exit conditions (e.g. breach, expiry, mutual agreement)
IP Ownership	Clear statement that trademark ownership remains with the licensor

(2) Brand Monetization Readiness Checklist

📌 *PDF Content: Self-Evaluation Tool for SMEs*

"Is your brand ready to make money legally, confidently, and sustainably?"

Question	Yes	No	Notes
Is your trademark registered (or filed)?	☐	☐	
Is your logo/name consistently used?	☐	☐	
Is your brand visible online?	☐	☐	
Do you have a brand asset log?	☐	☐	
Can others recognize your brand easily?	☐	☐	
Do you have licensing/franchise inquiries?	☐	☐	

🔍 **Score it:**

- 6–7 “Yes” = You’re ready to explore licensing
- 4–5 “Yes” = You’re almost there — tighten your brand strategy
- 0–3 “Yes” = Focus on brand protection and clarity firs

Tailored Next Steps in Results Page:

If 6–7 Yes:

- Begin licensing outreach; prepare a trademark license template.
- Create a licensee quality control checklist.
- Consider brand collaborations and franchising.

If 4–5 Yes:

- Register missing trademarks.
- Align online/offline branding (logos, names, colors).
- Build a portfolio of brand assets for partners.

If 0–3 Yes:

- File core trademarks.
- Create a brand style guide.
- Build social media presence before monetization.

(3) Guide: Choosing Between Licensing, Franchising, or Digital Partnerships

📌 *PDF Content: Comparison Table + Tips*

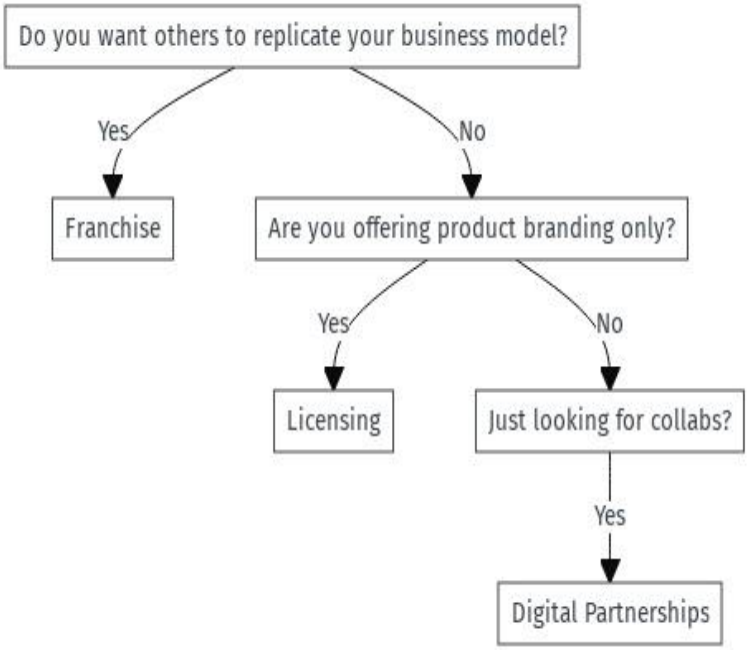
Model	Best For	Control Level	Earning Potential	Complexity
Licensing	Merchandise, events, limited collabs	Medium	Moderate	Low–Medium
Franchising	Proven business model, service-based	High	High (scalable)	High
Digital Partnerships	Influencers, co-branding, online launches	Low–Medium	Variable	Low

Key Considerations:

- Do you want full control (Franchise)?
- Are you testing new markets (License)?
- Are you trying to grow online presence fast (Digital collabs)?

Example Tip:

"If your brand has strong visuals but no retail presence, licensing to a merch brand or influencer may be your lowest-cost revenue pathway."


Do you want others to replicate your business model?
Yes
No
Franchise
Are you offering product branding only?
Yes
No
Licensing
Just looking for collabs?
Yes
Digital Partnerships