

Kingdom of Cambodia
Nation-Religion-King

Royal Government of Cambodia
No. 07 SCN

Instruction
on
the Acknowledgement of Exclusive Right in the Use of Mark

In accordance with Royal Kram NS/RKM/0904/002 dated 09 September 2004, promulgating the Law on the Adoption of Accession Protocol of World Trade Organization, Royal Kram NS/RKM/0202/006 dated 07 February 2002, promulgating the Law Concerning Marks, Trade Names and Acts of Unfair Competition as well as relevant regulations in force to enhance the effectiveness in implementation of intellectual property protection, free competition, consumers' interest protection, tax evasion prevention, price increases contrary to the principles of the free market, and importation and sale of counterfeits goods in order to encourage the development of the agricultural sector and investment in Cambodia, the Royal Government of Cambodia instructs for an acknowledgement of exclusive right in the use of mark as follows:

- 1- An exclusive right in the use of mark on goods in the Kingdom of Cambodia shall be conducted in accordance with the Law Concerning Marks, Trade Names and Acts of Unfair Competition and Sub-Decree No. 64 NSKR.BK dated July 12, 2006 on the Implementation of the Law Concerning Marks, Trade Names and Acts of Unfair Competition and other relevant regulations in force.
- 2- Imported goods to the Kingdom of Cambodia for non-commercial purposes or humanitarian interests, personal uses, diplomatic missions, associations, local or international non-governmental organizations or Government's technical cooperation agencies to installation and further processing, experiment, scientific research, product samples for display, agricultural development, agricultural production agreement, private investment project, public investment or all used goods (second hand) shall not fall under the scope of the implementation of recordal and deposit certificate of exclusive import rights.
- 3- Goods restricted by other regulations in force shall be allowed to record a certificate of exclusive import rights with the Ministry of Commerce if receiving an import permit from ministries, competent authorities or Royal Government.
- 4- Consumers or depot redistribution may purchase goods from exclusive distributors in provincial capital or other areas in the Kingdom of Cambodia without discrimination. If any implementation which is contrary to this instruction is found, the certificate of exclusive right in the use of mark will be invalidated and punished as stipulated by regulations in force.

- 5- The Ministry of Commerce shall issue a Prakas (Declaration) to detail the procedures for recordal and deposit of certificate of exclusive import rights to be consistent with international agreements, provisions of the Law Concerning Marks, Trade Names and Acts of Unfair Competition, Sub-Decree and other relevant regulations in force and this instruction to ensure the effectiveness of the management of rights to import goods bearing exclusive mark and to serve consumers and the general public in the Kingdom of Cambodia.
- 6- Ministry of Commerce, Ministry of Economy and Finance and all ministries as well as competent authorities at all levels shall explain to companies, businessmen and people about essentials of this instruction.

Having received this instruction, all ministries, institutions, and competent authorities have to broadly disseminate and effectively implement in their respective jurisdiction.

Phnom Penh dated 06 August 2015

Recipients:

Ministry of the Royal Palace

Secretariat General of the Constitutional Council

Secretariat General of the Senate

Secretariat General of the National Assembly

Secretariat General of the Royal Government

Prime Minister Cabinet

H.E Senior Minister Cabinet

Ministries-institutions

Municipalities-Provincial

Gazettes

Archives

Samdech Akka Moha Sena Padei Techo

HUN SEN