Malaysia:

GROUP SUMMARY REPORT

<table>
<tr><td>Developments</td><td>No changes to the Malaysian Trademarks Act or Regulations over the past year.</td></tr>
<tr><td>Statistics</td><td>
<table>
<tr><th>Year</th><th>Number of New Applications</th><th>Average timeframe from filing up to registration (months)</th></tr>
<tr><td>2024</td><td>56,040</td><td>Not available</td></tr>
<tr><td>2025</td><td>59,812</td><td>Not available</td></tr>
</table>

*) Specific reason for increase/decrease, if any:
**) Other comments, if any:</td></tr>
<tr><td>Cases</td><td>Maxcare Success Sdn Bhd v Motionquest Sdn Bhd [2026] 5 MLJ 288

The Malaysian Court of Appeal reaffirmed the principle that the use of a registered trademark in an advertisement per se (separate from the application of the registered trademark on the actual products or services offered), would constitute a use “in the course of trade” in the context of trademark infringement. Therefore, any such use without the consent of the registered trademark’s proprietor would be infringing the registered trademark notwithstanding that the registered trademark is not being applied on the products/services offered by the unauthorised user.

Andreas STIHL AG & Co KG v. Wong Chee Seng [2026] 4 CLJ 421

In this case, the Malaysian High Court reaffirmed the trite principle that a plaintiff’s omission to pursue an opposition against a trademark application or an unsuccessful opposition proceeding does not give rise to any estoppel to the plaintiff from seeking to expunge or invalidate a registered trademark on the grounds available in the Trademarks Act 2019.</td></tr>
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