



**Circular No 209/2014  
Dated 15 Sept 2014**

To Members of the Malaysian Bar

**Amendment to Ruling 12.03 of the Rules and Rulings of the Bar Council**

Pursuant to section 57(a) of the Legal Profession Act 1976, the Bar Council has amended Ruling 12.03 as proposed by the Bar Council Legal Profession Committee.

The revised Ruling 12.03 reads as follows (amendments as marked below):

**Bar Council Ruling 12.03: Advocate and Solicitor acting as registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent**

- (1) An Advocate and Solicitor shall notify the Bar Council within 1 month of his/her first becoming a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent, or if he/she is already a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent, within 1 month of the coming into effect of this Ruling.
- (2) He/she shall perform his/her role as a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent within his/her full-time practice in a law firm.
- (3) He/she shall comply with the Etiquette Rules and all other applicable laws and Rulings while acting as a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent.
- (4) In his/her conduct as a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent, he/she shall be subject to all disciplinary rules governing an Advocate and Solicitor.
- (5) Any law firm providing services of a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent may describe itself as providing such services on its letterhead.
- (6) No Advocate and Solicitor is permitted to merely supervise a registered patent, trade mark, ~~and/or~~ industrial design and/or geographical indication agent unless his/her law firm handles the work and fees for such work are paid directly to the law firm.

The amendments to the Ruling are made in concordance with section 11A of the Geographical Indications Act 2000, which permits firms constituted under the laws of Malaysia and carries on business or practice principally in Malaysia, to be geographical indications agents.

We wish to draw Members' attention to sub-ruling (6) above, which requires Members to bill such services under their respective law firms, and not under a different legal entity, so as to ensure coverage under the professional indemnity insurance scheme.

Please be informed that the amended Ruling **takes effect immediately**.

The updated Rules and Rulings of the Bar Council are accessible [here](#) on the Malaysian Bar's website.

Should you have any queries, please contact Marianna Lauren Tan, Executive Officer, by telephone at 03-2050 2086, or by email at [ml.tan@malaysianbar.org.my](mailto:ml.tan@malaysianbar.org.my).

Thank you.

**Richard Wee Thiam Seng**  
**Secretary**  
**Malaysian Bar**