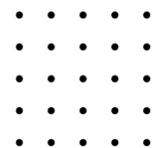




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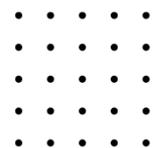
# Convergence of Halal Certification and Intellectual Property: Insights from Malaysia

Korea–ASEAN Intellectual Property Cooperation Conference

25 September 2025

Hotel Naru Seoul MGallery

Presented By:



**Norhidayu Muhamad Zain**

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INTELLECTUAL PROPERTY

# Objectives

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✓ To explain the **halal certification** and **intellectual property (trademark)** in Malaysia.

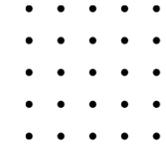
✓ To emphasize the **importance of halal certification and trademark** in driving business growth, competitiveness, and consumer trust.

✓ To highlight **conflicts and impact** arising from the **intersection of halal certification and trademark**, supported by real Malaysian case studies

✓ To propose **possible solutions** that can harmonize halal certification with trademark requirements.



# Global Halal Market



## Global Growth of Halal Industry



- The halal industry is rapidly expanding:
  - increased consumer awareness
  - growing demand in Muslim-majority countries
  - rising interest from non-Muslim consumers in ethical and safe food practices.
- Global halal economy value: US\$2.3 trillion (2020) → projected US\$4.96 trillion by 2030 (Frost & Sullivan)

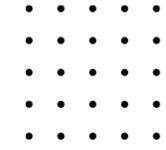
## Beyond Religion: Halal as Quality Standard

- Halal certification now symbolizes not just religious compliance but also hygiene, quality assurance, and social responsibility, attracting broader global interest.



Source: <https://www.industrialmalaysia.com.my/article/halal-hub>

# Malaysia Halal Certification System



- Regulated by JAKIM (Department of Islamic Development Malaysia).
- Covers the entire supply chain: raw materials → processing → logistics → retail.
- Guided by Halalan Thoyyiban principle = lawful, safe, hygienic, ethical.

## Malaysia Halal Certification Schemes



Product



Cosmetics



Pharmaceuticals



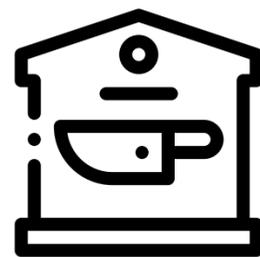
Food Premises and  
Hotels



Consumer Goods



Logistic Services



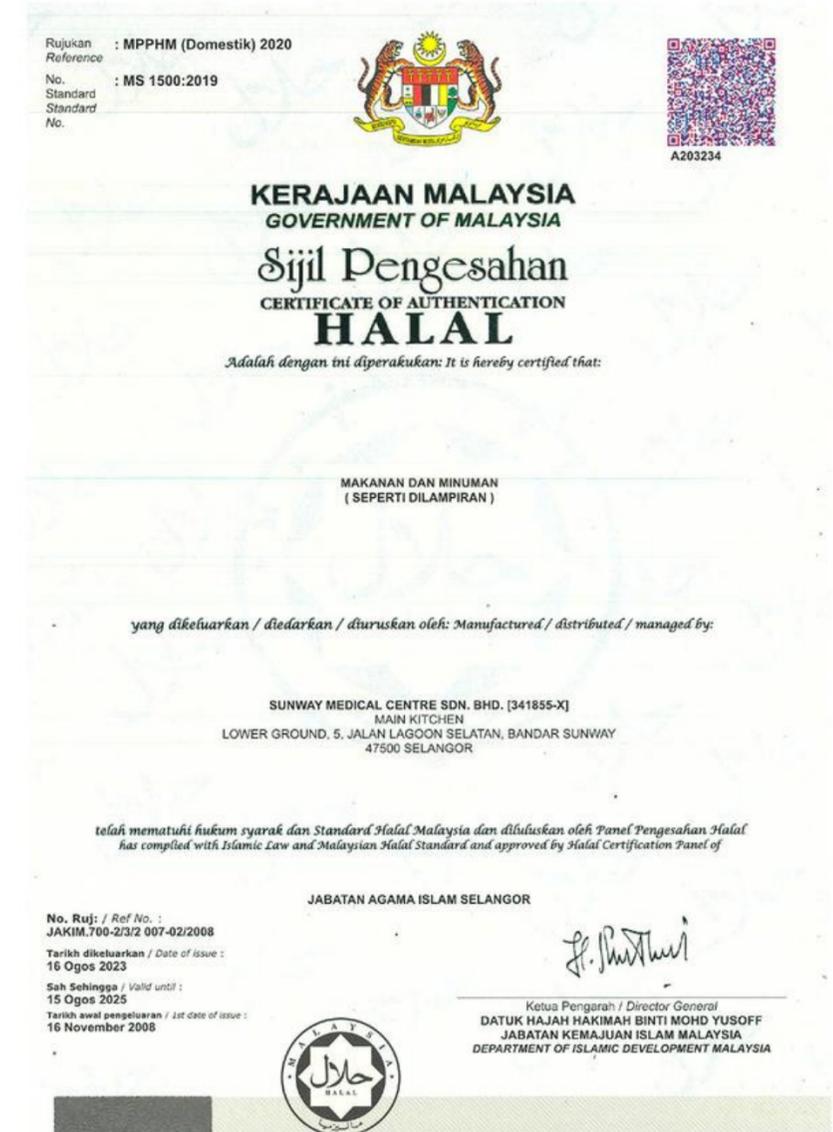
Slaughterhouses



OEM Manufacturing



Medical Devices



# Malaysia Trademarks Act 2019

## Registrable Marks under 2019 Act

- Malaysia Trademarks Act 2019 came into operation on 27 December 2019.
- The Trademarks Act 2019 recognises the registration of non traditional trademarks.
- Letter, word, name, signature, numeral, device, brand, heading, label, ticket, shape of goods or their packaging, color, sound, scent, hologram, positioning, sequence of motion





# Why halal certification and trademark importance for business growth?



## Brand Credibility & Consumer Trust

**Halal certification** assures **compliance with Shariah and safety** standards, while **trademarks safeguard brand identity**, making consumers confident in their choices.



## Market Competitiveness

Together, halal certification and trademarks **differentiate businesses from competitors**, providing a unique edge in both Muslim and non-Muslim markets.



## Business Growth & Expansion

Certified and trademarked products are more **easily accepted** in global markets, opening doors for exports, franchising, and licensing opportunities.



## Long-Term Value Creation

**Halal certification** builds **reputation for integrity**, while **trademarks create lasting brand equity**, both contributing to sustainable business success.

# Requirement:

## Trademarks vs Halal Certification

### Non-registrable trademarks under Malaysia Trademarks Act 2019

✗ Prohibited Marks: confuse or deceive the public or contrary to law

✗ Scandalous or Offensive Matter

✗ Prejudicial to the Interest or Security of the Nation

### Malaysian Standard MS 1500: 2019 - Halal food- General requirements

✗ 4.7.4: Halal food and halal artificial flavour shall not be named or synonymously named after non-halal products such as **ham, bak kut teh, bacon, beer, rum** and others that might create confusion.





# NAMA & JENAMA

## TIDAK HALAL / SINONIM PRODUK TIDAK HALAL / MENGELIRUKAN

**List of names or synonyms of non-halal products**

The use of these terms in product names, branding, ingredient lists, or menus may lead to rejection of halal certification applications, even when all ingredients are already halal-certified.

<b>A</b>	<ul style="list-style-type: none"> <li>Absinthe</li> <li>Aguardiente</li> <li>Akvavit / aquavit</li> <li>Ale</li> <li>Amontillado</li> <li>Amaretto</li> <li>Angostura</li> <li>Anisette</li> <li>Aperitif</li> <li>Aperol</li> <li>Applejack</li> <li>Appletini</li> <li>Armagnac</li> <li>Arrack</li> <li>Awamori</li> </ul>			
<b>B</b>	<ul style="list-style-type: none"> <li>Baa / B'a</li> <li>Baijiu</li> <li>Bak Kut Teh</li> <li>Bakon / Bacon</li> <li>Bahar</li> <li>Barenfang / Barenjager</li> <li>Bellini</li> <li>Benedictine</li> <li>Bilibili</li> <li>Bir / Beer (Root Beer)</li> <li>Bitters</li> <li>Bloody Mary</li> <li>Boukha</li> <li>Boulervardier</li> <li>Borovička</li> <li>Brandi / Brandy</li> <li>Branntwein</li> <li>Brennivín</li> <li>Brem</li> <li>Burbon / Bourbon</li> <li>Burgundy</li> <li>Burukutu</li> </ul>			
<b>C</b>	<ul style="list-style-type: none"> <li>Cabernet Sauvignon</li> <li>Cachaca</li> <li>Calvados</li> <li>Campari</li> <li>Cauim</li> </ul>			
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Rujukan :  
Manual Prosedur Pensijilan Halal Malaysia (Domestik) 2020

# Requirement:

## Halal Certification vs Trademarks

Malaysian Standard MS 1500: 2019 -  
Halal food- General requirements



4.7.7: **Packaging and labelling** for halal food shall not contravene with the principles of Shariah law and shall not display indecent elements which are **against Shariah law and guidelines by competent authority.**



## The use of Islamic attributes in marketing that lead to confusion (Osman et al., 2019)

- **Quran-related verses** – e.g., Ruqyah, verses recited or written on products.
- **Sunnah-related terms** – e.g., “Prophetic foods,” use of the word Sunnah.
- **Islamic icons/pictures** – e.g., mosque imagery.
- **Islamic acts of worship** – e.g., prayer postures such as sujud (prostration).
- **Islamic/Muslim names** – e.g., Tok Guru, Pak Sheikh, Ahmad.
- **Jawi** - Use of Jawi script in labels or trademarks.

⚠ Can be regarded as misuse of Islamic attributes in marketing.

**AWAS**  
HENTIKAN PENJUALAN & PENGAMBILAN

Dijual dengan RM70 - RM130

Di proses oleh pasangan bukan Islam

Hanya menggunakan Air Paip & air gula

Di dakwa menyembuhkan Sakit lutut, resdung

**JUS SUNNAH**  
Jus Al Sunnah, Jus Al Sunnah Gold dan Jus Penawar

✓ Mengandungi steroid  
✓ Telah menyebabkan **KEMATIAN**

kesean sampingan buruk antaranya tulang rapuh, glaucoma, ketidakseimbangan hormon, gangguan haid dan peningkatan paras gula sekali gus menyebabkan tekanan darah meningkat.

Public Health Malaysia

## GARAM RUQYAH FAYIDAH

**300 GR**

**fayidah**  
GARAM RUQYAH

300 GR

# Regulation on Use of Quranic Verses in Marketing

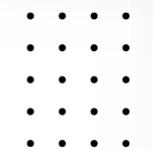
## National Fatwa Council ruling

→ Use of ayat Ruqyah & Quranic verses in products is dangerous to faith and may lead to syirik.

## JAKIM's enforcement (2016)

→ Prohibition on using terms like “Ayat Ruqyah” or “Sunnah food” in:

- Labelling
- Advertising
- Product promotion



# Conflict and Impact

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A trademark may be **legally registered under IP law**, but it can still be **rejected for halal certification** if the brand name, imagery, or wording conflicts with halal guidelines.



**Impact to the business:** Wasted capital, need to re-apply trademarks, loss of brand goodwill.

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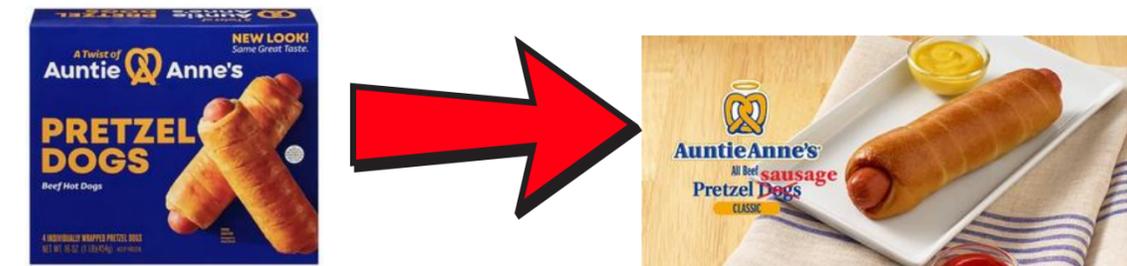
# Case study: Malaysia

## Examples of Trademark–Halal Conflict

- **“Root Beer” (A&W Malaysia)**
  - Trademark allowed under IP law.
  - Rejected for halal certification because the word beer creates association with alcohol.
  - Solution: renamed to “RB”.



- **“Pretzel Dog” (Auntie Anne’s)**
  - Trademark valid.
  - Denied halal certification as the word dog is linked to non-halal meat.
  - Solution: renamed to “Pretzel Sausage”.



- **Food Delivery Branding (Foodpanda Malaysia)**
  - Brand/service valid under IP.
  - Faced halal issues in distinguishing halal vs non-halal deliveries.
  - Solution: To address this, a new Muslim-owned platform, “Bekal”, a fully halal-compliant food delivery service was launched.



# Recommendations

- Integrated **guidelines** needed: **trademark registration should align with halal certification standards.**
- Strengthen Korea–ASEAN collaboration:
  - Exchange of best practices.
  - Joint R&D on halal-IP standards.
  - Technology-driven halal compliance (AI-based databases, digital halal traceability).
- Current IP + Halal certification research project in UTM:  
**“A framework for trademarks protection in halal certification and the halal industry.”**  
(Project leader: Dr. Nasiibah Ramli, nasiibah@utm.my)



# Conclusion

“Innovation with Integrity”



**Convergence of halal certification & IP is critical for innovation and trust in the global halal economy.**



**Malaysia offers real case studies of conflicts and solutions.**



**Future direction: closer Korea - ASEAN cooperation to build stronger halal-IP frameworks.**



**Thank you for  
your attention**

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