

Datasheet for business formalities.

Technical Assistance for Business Regulation Review and Rationalization in Lao PDR

REGISTRATION DATA		
Name of formality	Registration of New Plant Variety	
Type of formality	Registration	
Formality Code	Date of last modification	Responsible Authority
MoST-IPD-24	27.09.2017	Intellectual Property Department

BACKGROUND DATA	
Means of presentation	At the Authority Offices
Specific sector linked to the formality	A - Agriculture, forestry and fishing
Purpose for enforcing the business formality	Registration to get the legal protection of their new plant variety under the Lao PDR law and in Lao PDR
Who should complete this business formality?	The breeder of new plant variety that intends to get the legal protection for their rights under Lao PDR laws within Lao PDR.
The formality has online information?	YES
Link to online information	www.most.gov.la
The formality has an application form?	YES
Any additional comment concerning the formality	1. One application can only apply for one plant variety 2. Any individual, legal entity or organisation residing in a foreign country, who intends to apply for this Formality shall appoint an authorised representative in Lao PDR to carry out transactions relating to this Formality in Lao PDR 3. Application and any supporting documents may be filed in either Lao or English language; provided, however, that for any application filed in English, the applicant must within 90 days of such filing supply a Lao translation as certified to the authority again.

REQUIREMENTS AND SUPPORTING EVIDENCE	
Time it takes to the authorities to process the formality	90
Qualifications needed by the business to get the formality	A new plant variety shall be: 1. novel - not been sold or otherwise disposed of to others more than 1 year before the date of filing of the national application; 2. distinctive from any other variety whose existence is a matter of common

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REQUIREMENTS AND SUPPORTING EVIDENCE	
	knowledge at the time of the filing of the applications; 3. uniform in its relevant characteristics; and 4. stable - remain unchanged after repeated propagation.
Is there any reason for the authority to deny the issuing of the formality?	Deny in case the new plant variety or the applicant do not meet the required qualifications or conditions under the Lao PDR laws.

RENEWAL INFORMATION	
Does the formality have a validity or an expiration date?	How long will the formality be valid for? (in months)
YES	300
What is the process and conditions to renew the formality?	For trees and vines, a fixed period of 25 years and for other varieties of plants, 20 years. In order to maintain the term of protection, the owner shall pay annual fees in advance.

ISSUING FEES				
Has application fees?	Service fees businesses need to disburse	Certificate fees businesses need to disburse	Application fees businesses need to disburse	Total fees businesses need to disburse
YES	0.00	700000.00	0.00	700000.00
Comments	Reference: Presidential Edict No. 03/PR			

RENEWAL FEES				
Has renewal fees?	Service fees businesses need to disburse	Certificate fees businesses need to disburse	Renewal fees businesses need to disburse	Total renewal fees businesses need to disburse
YES	0.00	9500000.00	0.00	9500000.00
Comments	Reference: Presidential Edict No. 03/PR			

LEGAL FRAMEWORK			
Name	Number	Date	Comment

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LEGAL FRAMEWORK			
Law on Intellectual Property (Revised)	01/ສພຊ	20.12.2011	Part IV New Plant Variety (Article 67 to 77)

REQUIRED DOCUMENTS	
Document Name	Comment
Receipt for Fee Payment	ໃບຮັບເງິນຄ່າທຳນຽມ ແລະ ຄ່າບໍລິການ. Receipt for payment of the applicable fee.
Statement of distinctiveness, uniformity and stability	ໃບຢັ້ງຢືນປ່ອນທີ່ສາມາດຊອກຫາຂໍ້ມູນທີ່ຈຳເປັນ ໃນການກຳນົດເງື່ອນໄຂຂອງຄວາມແຕກຕ່າງ, ຄວາມສະໝໍ່າສະເໝີ ແລະ ຄວາມຄົງຕົວ. Where available, such data ads required to determine whether the requirements of distinctiveness, uniformity, and stability have been met.
Sampling of product	ຕົວຢ່າງສ່ວນຂະຫຍາຍພັນພືດ ຫຼື ໜັງສືຢັ້ງຢືນ ກ່ຽວກັບສ່ວນຂະຫຍາຍພັນພືດ. A viable sample of the propagating material of the new variety or statement related to propagating material.
Abstract	ບົດອະທິບາຍ ຄຸນລັກສະນະຂອງພັນພືດ ກ່ຽວກັບ ຄວາມແຕກຕ່າງ, ຄວາມສະໝໍ່າສະເໝີ ແລະ ຄວາມຄົງຕົວ ແລະ ອະທິບາຍກ່ຽວກັບ ການຈັດລຳດັບແນວພັນ ແລະ ຂັ້ນຕອນການເພາະປູກ. Description of the variety setting forth its distinctiveness, uniformity, and stability and a description of the genealogy and breeding procedure.
Request Letter	ໃບສະເໜີການກຳນົດຊື່ໃໝ່. Proposed new denomination.
Power of Attorney	ໃບມອບສິດ ແລະ ຊື່ ແບະ ທີ່ຢູ່ ຂອງຕົວແທນ ຖ້າຫາກເປັນຕົວແທນ. If represented, a power of attorney and the name and address of the representative.
A statement	ຊື່ນັກປະສົມພັນພືດ, ຖ້າຜູ້ຮ້ອງຂໍບໍ່ແມ່ນນັກປະສົມພັນພືດ ຕ້ອງມີໜັງສືຢັ້ງຢືນຄວາມເປັນເຈົ້າຂອງ. Name of the breeder, and if applicant is not the breeder, a statement of the basis of applicant's ownership.
Application Form	ຄຳຮ້ອງຂໍສິດຕໍ່ພັນພືດໃໝ່ທີ່ໄດ້ມາຈາກການປະສົມພັນ Request for plant

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REQUIRED DOCUMENTS	
	breeder's right.

STATISTICS (Issue or/and renewed number)		
Year	Issued	Renewed
2016		

LIST OF ATTACHED DOCUMENTS		
Name of document	Type of document	File of document