

Datasheet for business formalities.
Technical Assistance for Business Regulation Review and Rationalization in Lao PDR

REGISTRATION DATA		
Name of formality	Registration of Petty Patent	
Type of formality	Registration	
Formality Code	Date of last modification	Responsible Authority
MoST-IPD-15	27.09.2017	Intellectual Property Department

BACKGROUND DATA	
Means of presentation	At the Authority Offices
Specific sector linked to the formality	All sectors
Purpose for enforcing the business formality	Registration to get the legal protection of their utility innovation under the Lao PDR law and in Lao PDR
Who should complete this business formality?	The owner of the 'utility innovation' that means a new innovative work derived through technical improvements, which involve simpler steps than with inventions and that owner intends to get the full protection over such Invention 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. 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 2. 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	360	1. The Department will conduct a formality examination of the each application to ensure that the application is complete and that fees

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REQUIREMENTS AND SUPPORTING EVIDENCE	
the formality	have been paid. 2. After the formality examination, the Department will (i) publish the application in the official industrial property gazette in the 19th month after the date of filing the application; and (ii) conduct substantive examination to determine whether it meets the requirements for patentability as described in Lao PDR laws within the framework of 12 months; provided, however, that if application has previously been subject to a search or examination by another authority, the applicant may submit a copy of the report of such office and request that it be accepted by the Department in lieu of conducting a search in Lao PDR.
Qualifications needed by the business to get the formality	1. The utility innovation shall meet the following requirements: (i) shall be new in the sense that it has not been previously known or used in Lao PDR within 1 year prior to the date of application; (ii) shall involve a new technical improvement that involves an invention step which may be a lesser innovative step than required for a patent; and (iii) shall be industrially applicable in industry, handicraft, agriculture, fishery, services, etc. 2. Persons eligible to obtain protection for this Formality include: (i) a Lao citizen or resident in Lao PDR, or a legal entity or organisations established under the Lao PDR laws; (ii) an individual that is a national or resident of any country which is a member of the Paris Convention or other international agreement relating to the protection of industrial property and of which Lao PDR is also a member; (iii) an individual, legal entity or organisation with a real and effective industrial or commercial establishment in the territory of any member of the Paris Convention or of any other international agreement that relates to the protection of industrial property of which Lao PDR is also a member.
Is there any reason for the authority to deny the issuing of the formality?	1. Deny in case that the Invention does not meet the requirements; or 2. Deny (i) where it is necessary to prevent its commercial exploitation to protect culture and the fine traditions of the nation, including to protect human, animal or plant life or health or to avoid serious prejudice to the environment; or (ii) where necessary for the protection of the essential security interest of Lao PDR.

RENEWAL INFORMATION	
Does the formality have a validity or an expiration date?	How long will the formality be valid for? (in months)
NO	120
What is the process and conditions to renew the formality?	In order to maintain the term of protection, the petty patent owner shall pay annual fees in advance.

ISSUING FEES				
Has application fees?	Service fees businesses need to	Certificate fees businesses need to	Application fees	Total fees businesses need

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ISSUING FEES				
	disburse	disburse	businesses need to disburse	to disburse
YES	710000.00	0.00	100000.00	810000.00
Comments	Reference: Presidential Edict 03/PR Service Fee shall be collected for each steps of the review with the total minimum amount of 710,000 LAK;			

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	1800000.00	0.00	5750000.00	7550000.00
Comments	Reference: Presidential Edict 03/PR 1. Renewal Fee for the total period of 10 years of validity, calculated in the following rate: (i) 1st year = 200,000 LAK; (ii) 2nd year = 150,000 LAK; (iii) 3rd year = 200,000 LAK; (iv) 4th year = 300,000 LAK; (v) 5th year = 400,000 LAK; (vi) 6th year = 500,000 LAK; (vii) 7th year = 700,000 LAK; (viii) 8th year = 900,000 LAK; (ix) 9th year = 1,100,000 LAK; and (x) 10th year = 1,300,000 LAK 2. Service fee for the maintenance of the patent validity shall be paid on the annual basis from the 2nd year at the rate of 200,000 LAK			

LEGAL FRAMEWORK			
Name	Number	Date	Comment
Law on Intellectual Property (Revised)	01/ສພຸ	20.12.2011	Part III Industrial Property Chapter 1 Industrial Property Requirements (Article 14) Chapter 2 Industrial Property Ineligible for Protection (Article 21) Chapter 3 Protection of Industrial Property (Article 26, 27, 31, 37, 38 to 41) Chapter 5 Terms of Protection of Patents (Article 49)

REQUIRED DOCUMENTS	
Document Name	Comment
Power of Attorney (in case the applicant appoints the attorney to proceed with the application)	

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REQUIRED DOCUMENTS	
Invention Claims	Claims that clearly specify the subject matter to be protected and are supported by the description. ຂໍ້ຮຽກຮ້ອງຂໍຮັບສິດຕ້ອງການິດຢ່າງຈະແຈ້ງ ຫົວຂໍ້ທີ່ຈະປົກປ້ອງ ແລະ ມີບົດອະທິບາຍສະໜັບສະໜູນຂໍ້ຮຽກຮ້ອງນັ້ນ.
Invention Description	Description that discloses the invention or utility innovation in such clear and complete terms as to enable a person of ordinary skill in the relevant field of technology to understand and exploit the invention or utility innovation, the description shall disclose the best mode for making or using the invention or utility innovation. ບົດອະທິບາຍ ກ່ຽວກັບການເຜີຍແຜ່ການປະດິດສ້າງ ຫຼື ສິ່ງປະດິດ ຢ່າງຈະແຈ້ງ ແລະ ຄົບຖ້ວນ ເພື່ອໃຫ້ບຸກຄົນທີ່ມີຄວາມທົ່ວໄປ ໃນຂົງເຂດເຕັກໂນໂລຊີທີ່ກ່ຽວຂ້ອງເຂົ້າໃຈ ແລະ ໃຊ້ການປະດິດສ້າງ ຫຼື ສິ່ງປະດິດນັ້ນ ໃຫ້ເປັນປະໂຫຍດ, ບົດອະທິບາຍຈະຕ້ອງເປີດເຜີຍວິທີທີ່ດີສຸດ ສໍາລັບການຜະລິດ ຫຼື ນໍາໃຊ້ການປະດິດສ້າງ ຫຼື ສິ່ງປະດິດ.
Receipt for Fee Payment	
Drawings	(If need to understand the invention) ຖ້າຕ້ອງການເພື່ອໃຫ້ເຂົ້າໃຈການປະດິດສ້າງ ຫຼື ສິ່ງປະດິດ)
Abstract	

STATISTICS (Issue or/and renewed number)		
Year	Issued	Renewed
2017		
2016		

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