

GENERAL INFORMATION

Name of formality	Certificate of Petty Patent
Type of formality	Certificate
Date of last modification	27.09.2017
Responsible Authority	Intellectual Property Department
Who should apply for this formality?	The owner of the 'utility innovation' that means a new innovative work derived through technical improvements, which involve simpler steps than with inventions, product improvement, or new manufacturing process and that owner intends to get the full protection over such Invention within Lao PDR
Qualifications needed by the business to get the formality	According to article 26 of the Intellectual Property Law, persons eligible for protection of industrial property shall be as follows:1. a Lao citizen or resident in the Lao PDR, or a legal entity or organization established under the laws of the Lao PDR;2. an individual that is a national 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 the Lao PDR is also a member;3. an individual who is a resident of the Lao PDR or of the territory of any member of the Paris Convention or other international agreement relating to the protection of industrial property and of which the Lao PDR is also a member;4. an individual, legal entity or organization 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 and of which the Lao PDR is also a member.- A utility innovation eligible for a petty patent shall meet the following requirements: 1. shall be new in the sense that it has not been previously known or used in the Lao PDR within one year prior to the date of submitting an application; 2. shall have a new technical improvement that involves an inventive step which has easier inventive steps than required for a patent; 3. shall be applicable in industry, handicraft, agriculture, fishery, commerce, services, etc.

LEGAL FRAMEWORK			
Name	Number	Date	Comment
Law on Intellectual Property (2017)	38/NA	15.11.2017	

REQUIRED DOCUMENTS FORMALITIES		
Name	Type	Comment
`\${SUPPORT_NAME}`	`\${SUPPORT_TYPE}`	`\${SUPPORT_COMMENT}`

LIST OF ATTACHED DOCUMENTS FOR FIRST TIME APPLICATION		
Name of document	Type of document	File of document
`\${ATTACHMENT_NAME}`	`\${ATTACHMENT_TYPE}`	`\${ATTACHMENT_FILE}`

LIST OF ATTACHED DOCUMENTS FOR RENEW APPLICATION		
Name of document	Type of document	File of document
`\${ATTACHMENT_NAME_RENEW}`	`\${ATTACHMENT_TYPE_RENEW}`	`\${ATTACHMENT_FILE_RENEW}`

MEAN OF PRESENTATION	
Means of presentation	At the Authority Offices
Address of authority	Intellectual Property Department, Ministry of Science and Technology

Time it takes to the authorities to process the formality	360	1. The Department will conduct a formality examination of each application to ensure that the application is complete and that fees 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 application submission; and (ii) conduct a 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 the application has previously been subject to a search or examination by another authority, the applicant may submit a copy of the report from such office to the Department.
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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 get the formality?	
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 disburse	Certificate fees businesses need to disburse	Application fees businesses need to disburse	Total fees businesses need to disburse
YES	710000.00	0.00	100000.00	810000.00
Comments	Refer to the Presidential Ordinance 03/PO Service Fee shall be collected for each steps of the review with the total minimum amount of 710,000 LAK;			
ADDITIONAL ISSUING FEES				
Additional fee names				
NO	0.00	0.00	0.00	0.00

Additional fee comments	
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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	Refer to the Presidential Ordinance 03/PO 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 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			

ADDITIONAL RENEWAL FEES				
Additional renewal fees names				
NO	0.00	0.00	0.00	0.00
Additional renewal fees comments				