

GENERAL INFORMATION	
Name of formality	Certificate of Patent
Type of formality	Certificate
Date of last modification	22.12.2017
Responsible Authority	Intellectual Property Department
Who should apply for this formality?	The owner of the 'Invention' that means the technical solution to create new product or manufacturing process of production to resolve a specific problem 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 IP 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 or a 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 the Lao PDR is also a member;3. 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.- An invention eligible for a patent shall meet the following requirements:1. shall be new meaning that such an invention has not been existed, not be disclosed to the public by journal or by actual use or in any other means in the Lao PDR or any place in the world prior to the date of filing the application for registration or prior to application for priority date for such patent;2. shall involve increased inventive steps compared to the previous invention;3. shall be industrially applicable in industry, handicraft, agriculture, fishery, trade, services, etc. (article 13 of IP Law)

LEGAL FRAMEWORK			
Name	Number	Date	Comment

Law on Intellectual Property (2017)	38/NA	15.11.2017	
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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	960	<p>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 submission date of the application; and (ii) conduct a substantive examination to determine whether it meets the requirements for patentability as described in laws within the framework of 32 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 of such office and request that it be accepted by the Department in lieu of conducting a search in Lao PDR.</p>

RENEWAL INFORMATION	
Does the formality have a validity or an expiration date?	How long will the formality be valid for? (in months)
YES	240
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 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	600000.00	300000.00	200000.00	1100000.00
Comments	Refer to the Presidential Ordinance 03/PO Service Fee shall be collected for each step of the review with the total minimum amount of 1,200,000 LAK;			
ADDITIONAL ISSUING FEES				
Additional fee names				
NO	0.00	0.00	0.00	0.00
Additional fee comments				

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	6400000.00	0.00	42000000.00	48400000.00

Comments	<p>Refer to the Presidential Ordinance 03/PORenewal Fee for the total period of 20 years of validity, calculated in the following rate: (i) first 4 year = 300,000 LAK; (ii) 5th year = 300,000 LAK; (iii) 6th year = 400,000 LAK; (iv) 7th year = 500,000 LAK; (v) 8th year = 600,000 LAK; (vi) 9th year = 800,000 LAK; (vii) 10th year = 1,000,000 LAK; (viii) 11th year = 1,400,000 LAK; (ix) 12th year = 1,800,000 LAK; (x) 13th year = 2,300,000 LAK; (xi) 14th year= 2,800,000 LAK; (xii) 15th year = 3,300,000; (xiii) 16th year = 3,900,000 LAK; (xiv) 17th year = 4,500,000 LAK; (xv) 18th year = 5,100,000 LAK; (xvi) 19th year = 5,700,000 LAK; and (xvii) 20th year = 6,500,000 LAKService fee for the maintenance of the patent validity shall be paid on the annual basis from the 5th year at the rate of 400,000 LAKIn the case the patent owner does not want to reserve their right, he/she can suspend the payment of the fee and the patented invention will become a public domain for the general public upon such suspension.</p>			
ADDITIONAL RENEWAL FEES				
Additional renewal fees names				
NO	0.00	0.00	0.00	0.00
Additional renewal fees comments				