procedure

https://actip.com.vn/laos/procedure-a35.html

[1] time limit

twelve [12] months counted from the earliest priority date is limited to claim the priority on the basis of the conventional patent application under Paris Convention.

thirty [30] months from the earliest priority date claimed in PCT application is limited to enter the national phase under PCT Article 22 or PCT Article 39.

[2] requirements

In order to file an application for a patent/petty patent in Laos, it is required the following documents:

Direct National Application

documents	remarks	time of filing
Power of Attorney	- notarized	on filing date
Inventorship Deed of Assignment	- notarized & required when applicant and inventor is not the same	on filing date
English patent specification	- required	on filing date
Laos patent specification	- required	within 90 days from the filing date

Convention Based-Application

documents	remarks	time of filing
Power of Attorney	- notarized	on filing date
Priority document	- certified copy which issued by the first receiving office - English & Laos translations are required	within three [3] months from the filing date
Priority Deed of Assignment	- notarized & required when applicant is other than one in priority document	within three [3] months from the filing date
English patent specification	- required	on filing date
Laos patent specification	- required	within 90 days from the filing date

Copy of examination report of corresponding application in foreign country	- if any	on available
Copy of registration certificate of patent/petty patent obtained in foreign country	- if any	on available

Entry of PCT National Phase

documents	remarks	time of filing
Power of Attorney	- notarized	on filing date
Priority Deed of Assignment	- notarized & required when applicant is other than one in the PCT application	on filing date
Details of PCT application	- required - copy of PCT publication page	on filing date
Notification of recording of change	- If any	on filing date
PCT specification as original filed and English translation	- required	on filing date
Amended specification for national phase and English translation	- required	on filing date
Laotian translations of the PCT application as original filed and the amended specification for national phase	- required	within 90 days from the filing date
International Search Report	- If available	on available
International preliminary examination report	- If available	on available
Copy of examination report of corresponding application in foreign country	- if any	on available
Copy of registration certificate of patent/petty patent obtained in foreign country	- if any	on available

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[3] examination

An application for patent/petty patent in Laos shall be conducted the formality examination and substantive examination with the alternate publication.

formality

The examination as to formalities will be commenced no later than three [03] months from the filing date and must be completed no later than twelve [12] months from the filing date.

Time limit to make the response to the Office Action is sixty [60] days counted from the issued date of the notice.

publication

If the application is considered formality accepted, it will be published in the official journal in the 19th month counted from the filing date or the priority date.

The national phase of PCT application will be published within two [2] months from the acceptance date.

substance

The Lao Patent Office itself has no facilities to conduct the substantive examination of the invention or device, at present, and the substantive examination result will be followed to the result which is made by any foreign Patent Office for its corresponding application.

In case the applicant cannot submit the foreign examination results, the Lao patent office will request the WIPO to take the substantive examination for the application upon the applicant’s request which is filed within thirty two [32] months for the patent application and twelve [12] months for the petty patent application from the filling date or priority date (if any).

Time limit to make the response to the Office Action is three [03] months counted from the issued date of the notice.

grant

The whole duration for the grant and publication of Patent certificate is about 32 ~50 months from the filing date.

[4] term & maintenance

Term of protection of patent is twenty [20] years from the filing date. While term of protection of petty patent is ten [10] years from the filing date and renewable once for two [02] years, that is the maximum term of protection of petty patent is twelve [12] years.

The effective date is from the filing date, so the 1st annuity is required at the time of filing.

A six-month grace period is allowed for the late payment of the annual fee, with an additional surcharge.

[5] exploitation of patent or petty patent

A patent or petty patent will be invalid and the exploiting the invention or device of the third party is allowed if within three [03] years from the granting date of the invention or device which has been granted a patent or petty patent has not been exploited or not fully exploited by patentee, unless patentee submits the response for explaining of non-exploitation.

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