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summary

https://actip.com.vn/laos/summary-a38.html?m_parentid=7

[1] membership

Laos is currently a member of the following international conventions:

- Paris Convention (since October 1998);
- Patent Cooperation Treaty (since June 2006);
- World Trade Organization (since February 2013).

[2] types of patent

There are two types of patent in Laos, namely:

- Patent for invention; and
- Petty Patent for Devices.

Wherein, device is defined as a technical creation which relates to the shape or structure of articles or a combination of articles and has technical lever not high as invention, according to the Laos Intellectual Property Law.

[3] protection criteria

An application for invention or device shall be patented when it is:

- novelty;
- inventive step; and
- industrial applicability.

Although, the conditions for obtaining petty patent is similar to patent, but the inventive step is not required as high as patent. In this situation, it can be understood that the Petty Patent in Laos is similar to the Patent for Utility Model, and an application for device which corresponds with the Patent for utility model in foreign countries can be granted the petty patent in Laos.

[4] patentable subject matter

Subject matters of Patent are listed as follow:

- device;
- process;
- substance;
- use of a known device, process or substance for performing a new function.

While subject matters of petty patent are only:

- devices.

[5] non-patentable subject matter

The following subject matters are out of the patent system:

- discoveries, scientific and mathematical theories;
- schemes, plans, rules or methods for performing purely mental acts, playing games, doing business;
- microorganisms and any components of natural microorganisms of extracts from animals or plants;

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- plant or animal varieties or essentially biological processes for the production of plants and animals; and
- regulations or methods of diagnostic, prophylaxis and treatment of the human or animal body.

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