ACTIP Corporation

procedure

https://actip.com.vn/vietnam/procedure-a34.html

[1] time limit

six [06] months counted from the earliest priority date is limited to claim the priority on the basis of the conventional design application under Paris Convention.

[2] requirements

In order to file an application for a design in Vietnam, it is required the following documents:

Direct National Application

documents	remarks	time of filing
Power of Attorney	- signed	on filing date
Inventorship Deed of Assignment	- signed & required when applicant and inventor is not the same	on filing date
Photographs/drawings	- required - including seven [7] views, namely front view, rear view, right view, left view, top view, bottom view, perspective views presented with solid lines at the same scale - the drawing in state of use is also required when the design is a part of product	on filing date
Description of the salient novelty features of design and claims for protection.	- required	on filing date

Convention Based-Application

documents	remarks	time of filing
Power of Attorney	- signed	on filing date
Priority document	- certified copy which issued by the first receiving office - english translation is required	within three [3] months from filing date
Priority Deed of Assignment	- signed & required when applicant is other than one in priority document	within three [3] months from filing date

Photographs/drawings	- required - including seven [7] views, namely front view, rear view, right view, left view, top view, bottom view, perspective views presented with solid lines at the same scale - the drawing in state of use is also required when the design is a part of product	on filing date
Description of the salient novelty features of design and claims for protection.	- required	on filing date

[4] examination

An application for design in Vietnam shall be conducted the formality examination and substantive examination with the alternate publication.

formality

The duration of formality examination is one [01] month from the date on which all the statutory required documents are filed sufficient and in order.

Responses for Formality Refusal have to be made within one [01] month from the date of notification and one extension of one [1] month is acceptable.

publication

The conventional application will be published within two [02] months from the acceptance date.

substance

Duration of substantive examination is seven [07] months counted from the publication date of application.

Responses for Notice of Examination Result have to be made within two [02] months from the date of notification, and one only extension of two [02] months is acceptable.

grant

Normally, the whole duration for obtaining a Patent for design will take about eleven [11] to thirteen [13] months from the filing date.

[5] examination acceleration

The system of examination acceleration for industrial design application is available in Vietnam. Accordingly, the applicant can request the NOIP to accelerate the substantive examination stage for the application. In this case, the duration for application can be shortened to about six [06] months from the filing date.

[6] term & renewal

Term of protection of design is five [05] years from the filing date and renewable twice, each for five years, that is the maximum term of protection of design is fifteen [15] years. The effective date is from the granting date.

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