



LAOS

TRADEMARK HANDBOOK

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Disclaimer: This IP HANDBOOK is intended to provide general guidelines only and not advice with regard to specific cases. The information given is non-exhaustive. Please also note that the relevant law and its interpretation are subject to change.

You should contact us for advice specific to your own situation. Whilst every effort has been made to ensure the accuracy of the information, Pintas IP Group shall not be responsible for any inaccuracies or omissions, however caused therein. Nor can any responsibility be accepted for any loss or damage to any

Legislation

Prime Minister's Decree on Trademarks No 06/PM (1995)

Definition

A trademark is a sign used for the purpose of indicating a connection between a person having the right to use the sign and his goods or services. A sign includes words, logos, labels, names, letters, numbers or a combination of the above.

Criteria

A trade mark has to fulfil the following conditions in order to claim protection:-

- it must be distinctive
- it cannot be generic
- it cannot be deceptively similar to a previous or existing trademark.
- it cannot be a geographical name or surname
- it cannot be deceptive or confusing
- it cannot be scandalous or offensive
- it cannot have direct reference to the character or nature of the goods/services

Membership

✓ - Paris Convention

✓ - Madrid Protocol

Laos is a member of the Paris Convention from 1998, whereby applications from convention countries will be subject to the same priority date in Laos. The application for priority has to be made within six months of the first application in a convention country.

Rule of Priority

"First to File" is the rule followed by Laos in determining priority of trademarks.

Duration and Renewal

A trade mark once registered is valid for a term of 10 years and can be renewed every 10 years. A 6-months grace period is allocated after the expiry date for the renewal. Once the expiry date has passed, the trade mark will no longer have the benefit of any rights arising from registration.

Procedures

Application

Every applicant is required to submit an application with the Laos Intellectual Property Office.

Substantive Examination

Is conducted to identify any prior registered mark which are identical with/or similar to the claimed mark.

Registration

The duration of registration takes a minimum period of 18 months from filing date. The registration is effective from date of application.

Filing Requirements

The following information and/or documents are required to file an application for a trademark application in Laos:-

- Application form.
- Power of Attorney.
- Twenty (20) clear copy of the mark.
- The full name, nationality and registered address of the applicant.
- A list of goods or services (which closely follow the Nice International Classification).
- For marks that contain non-English words, a certified transliteration and translation.

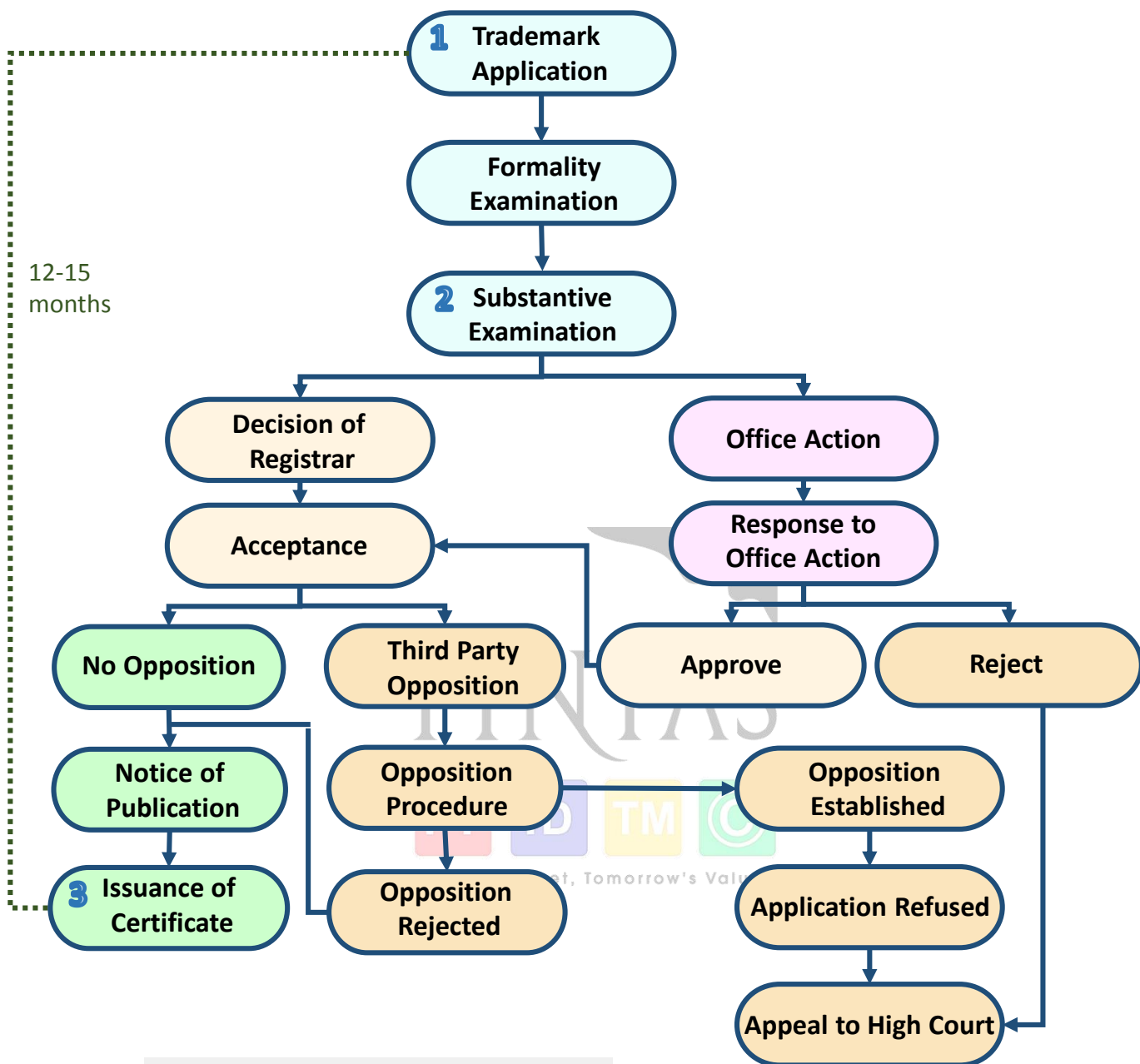


"Today's Asset, Tomorrow's Value"

Documents To Be Furnished For Filing Trade / Service Mark Application

Basic Requirements		
Documents	Remarks	Time of Filing
Power of Attorney	Signed and notarized	A copy on filing date with the original to be submitted within one month
Mark	not larger than 8cm x 8cm	On filing date
(If applicable) Additional Documents for Claiming a Conventional Priority		
Documents	Remarks	Time of Filing
Priority documents	Notarized	A copy on filing date with the original to be submitted within one month
(if applicable) Documents for Filing a Request of Records of Assignments		
Documents	Remarks	Time of Filing
A Power of Attorney	Notarized	On filing date
Photocopy of Certificate of Trademark registration		On filing date
Original notarized/certified copy of the Trademark Assignment Agreement	Notarized	On filing date
(if applicable) Documents for Filing a Request of Records of Changes		
Documents	Remarks	Time of Filing
A Power of Attorney	Notarized	On filing date
Photocopy of Certificate of Trademark registration		On filing date
Original Declaration of Change of Name/Address of legal document showing the change of name/address	Notarized	On filing date
(If applicable) Documents for Filing an Opposition of Counter-Statement (Deadline for Applying is during 3 Months Publication Period of the Trade Mark Application to be Opposed)		
Documents	Remarks	Time of Filing
A Power of Attorney	Notarized	On filing date
Affidavit of use	Notarized/Certified	On filing date
Evidence of use of the mark in Laos (such as bill of lading, packages, advertising and/or promoting materials, brochures, photographs, etc.)	Notarized	On filing date

Trademark Registration Process in Laos



1 Every applicant is required to submit an application with the Laos Intellectual Property Office.

2 Is conducted to identify any prior registered mark which are identical with/or similar to the claimed mark.

3 The duration of registration takes a minimum period of 18 months from filing date. The registration is effective from date of application.

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