

## Things to keep in mind when submitting a design application in Laos ?

### 1. Is it possible to conduct an availability search for an industrial design in Laos before filing a design application in Laos?

An applicant is able to submit its request with DIP to search for an industrial design that is in the database of DIP to identify whether such an industrial design subject to the search has already been registered or not, by identifying the classification of industrial design that needs to be searched, and by paying the relevant service charge.

DIP, however, conducts the search based on its preliminary database only, and the search result does not mean that such an industrial design may be registered or not because there needs to be an additional search in the international database. Therefore, approaching an IP agent in Laos for a comprehensive search seems to be a strategic way available to many applicants noting that the search result be for reference source which shall not anticipate the registration of the application.

### 2. Where to file and What must be included in an industrial design application In Laos?

An industrial design application must be filed with DIP under the Ministry of Science and Technology. The application dossier must contain the following:

- (i) A formal application form (a request form) defined by DIP;
- (ii) Power of Attorney certified by notary public and the name and address of the applicant's representative in the Lao PDR in case of foreign applicant;
- (iii) Deed of Assignment if the applicant is not the inventor, which must be duly signed by related parties and notarized by notary public;
- (iv) Drawings, photos, or images that indicate an industrial design clearly in order to demonstrate a feature in all angles of the design;
- (v) Brief description of a product category or a goods related to the industrial design;
- (vi) A receipt of official fee and service charges;

An application for an industrial design may also contain a claim for priority. If priority is claimed, the applicant must submit a copy of the application on which the priority claim is based, certified as correct by the authority which received the application and showing the filing date. Such documents do not require any authentication, and may be filed, without fee, at any time within three (3) months of the filing date of the application in Laos.

Each application for industrial design registration in Laos must apply to a single industrial design or a series of related designs for a single class (as per the international classifications).

#### *Requirements for drawings, photos or images:*

A drawing, a photo or an image shall clearly show the industrial design in order to demonstrate how the use or the feature of such an industrial design are related to each other, namely, details in all angles necessary to be able to indicate a feature of such an industrial design.

The drawing, photo, image and model clearly indicating an industrial design with a feature in all angles shall at least show a minimum of 7 different angles including front, back, top, bottom, left, right and overall angles. For an industrial design that comes as a set, there shall be 7 different angles of each component of such a set;

The drawing, a photo, or an image shall not include other articles that are not a component of the industrial design or other components of a product not related to an industrial design.

The drawing, a photo, or an image shall be displayed in a quality and non-glossy paper by showing an industrial design clearly. Lines or motifs shall be clear, bold, and not exceeding 20 x 28 centimeter or not under 14 x 20 in size per item. A registration applicant may provide a drawing, a photo, or an image of an industrial design in an electronic form.

#### *Requirements for description of industrial design*

A brief description of an industrial design submitted with a registration application shall indicate all components that indicate unique features of the design clearly, indicate a novelty distinct from earlier industrial designs,

match the drawing, photo or image submitted with an application dossier, and indicate with which type of product or goods it will be used.

Where an industrial design is ornamental, a description shall indicate the relation between the design and such an object with which it is used or to which it is attached that gives a special appearance.

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