

Patent Protection in Laos: Understanding Annual Fees and Patent Term for Patents in Laos

In the dynamic landscape of intellectual property rights, protecting inventions through patents is crucial for businesses and inventors alike. When it comes to obtaining and maintaining patents in Laos, it is essential to comprehend the calculation of annual fees and the patent term. At KENFOX, our firm specializes in providing comprehensive patent services in Laos, assisting clients throughout the entire patent lifecycle, from application to maintenance. In this article, we will delve into the calculation of annual fees for granted patents in Laos, explain the patent term, and emphasize the importance of paying these fees promptly.

Calculating the annual fee of a granted patent in Laos

As per Article 36 of Decision 1714, a granted patent in Laos is entitled to a protection period of twenty years from the filing date of the application. To ensure continuous protection throughout this period, the patent owner must fulfill their obligation of paying annual advance fees and service charges. Here's how the annual fee calculation works:

First four years: When filing the patent application, the fee for maintaining the protection period for the first four years is included in the initial application fee and service charge.

From the fifth year onward: Starting from the fifth year of the patent's protection period, the patent owner must pay the official fee and service charge annually to maintain the patent's protection. The payment should be made before the expiry of each year.

Late payments: In case the patent owner fails to pay the annual fee and service charges on time, they have a grace period of six months from the expiry date of the protection period to make the payment. However, late payments are subject to additional fines for the delay.

Calculating the patent term

To determine the patent term, it is critical to consider the following:

PCT filing date: The PCT International filing date is the date when the patent application is submitted under the Patent Cooperation Treaty (PCT).

National phase entry in Laos: To obtain patent protection in Laos, the patent application must enter the national phase within 31 months from the PCT filing date.

Patent term in Laos: A granted patent in Laos enjoys a protection period of twenty years from the filing date of the application. Therefore, the patent term in Laos will be twenty years from the PCT International filing date, provided that the national phase entry is completed within the specified timeframe.

Importance of paying annual fees for a granted patent in Laos

Timely payment of annual fees for granted patents in Laos holds significant importance for patent owners. By paying these fees, patent owners ensure the uninterrupted protection of their inventions, safeguarding their exclusive rights and preventing unauthorized use or infringement by others.

Failure to pay the annual fees within the designated timeframe can result in the expiration of the patent. Consequently, the patent owner loses the legal protection provided by the patent, rendering the invention susceptible to exploitation by competitors.

A bottom line

Understanding the calculation of annual fees and the patent term is vital for maintaining the protection and exclusive rights of granted patents in Laos. As outlined in Article 36 of Decision 1714, the annual fees for maintaining patent protection begin from the fifth year, while the patent term spans twenty years from the filing date of the application.

At KENFOX, our firm specializes in patent services in Laos, providing comprehensive support throughout the patent lifecycle, including application, maintenance, and strategic advice. Don't hesitate to contact us for professional guidance and support in securing and preserving your valuable intellectual property assets.

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