

Lao PDR
Peace, Independence, Democracy, Unity, Prosperity

Ministry of Industry and Trade
No./OK
Vientiane Capital, Date

Agreement On Trademarks

- In accordance with the Intellectual Property Law (amended version) No. 38/NA, dated November 15, 2017;
- In accordance with the Prime Minister's Decree on the Organization and Operation of the Ministry of Industry and Trade No. 604/NY, dated October 15, 2021;
- In accordance with the proposal of the Department of Intellectual Property No./OK.IPD, dated December 10, 2021.

The Minister
Ministry of Industry and Trade
Issues this Agreement:

Chapter 1
General Provisions

Article 1: Purpose

This Agreement establishes the principles and regulations governing the organization and implementation of work related to trademarks, including registration, post-registration procedures, representation, and the management of trademark-related work. The aim is to ensure the uniform application of intellectual property laws throughout the country and to contribute to the socio-economic development of the nation.

Article 2: Trademarks

A trademark is any sign or combination of signs used on goods or services to distinguish the goods or services of one person, legal entity, or organization from those of others.

Article 3: Explanation of Terms

The terms used in this Agreement shall have the following meanings:

1. **Applicant:** Means a person, legal entity, or organization that files an application for the registration of a trademark, opposition, renewal, change of name and/or address, authorization for use, transfer of rights, modification, partial or total cancellation, deletion, and other proposals related to a trademark or successor in interest of such person;
2. **Application:** Means a document filed for the registration of a trademark, opposition, renewal, change of name and/or address, authorization for use, transfer of rights, modification, partial or total cancellation, deletion, and other proposals related to a trademark;
3. **Opponent:** Means the holder or owner of a right or a third party who is a person, legal entity, or organization that files an opposition to an application for registration of a trademark that has been published in the Official Gazette of Industrial Property Registration;
4. **Cancellation:** Means the filing of an application for the partial or total cancellation of a trademark registration by the canceller, who files an application for the partial or total cancellation of a trademark registration;
5. **Deletion:** Means the filing of an application by the deletion requester for the total deletion of a trademark registration;
6. **Class:** Means the classification of goods and services according to the Nice Agreement for the Classification of Goods and Services for the Registration of Trademarks;

7. **Division of Application:** Means the division of an application for registration of a trademark into two or more versions according to the class of goods or services by the applicant, each of which must relate to the mark in the original application;
8. **Holder or Owner of a Right:** Means a person, legal entity, or organization that has a legal right to a trademark, a licensee, or a successor in interest of such person;
9. **Power of Attorney:** Means a written document by which the holder or owner of a right grants authority to one or more persons to act as his or her representative;
10. **Grantor:** Means the holder or owner of a trademark who grants his or her right to one or more persons to act as his or her representative in filing an application for registration of a trademark or other proceedings with the Department of Industry and Trade of the province, capital, and the Intellectual Property Department;
11. **Agent:** Means a lawyer or representative authorized by the owner of the trademark to file an application for registration of a trademark or other proceedings with the Department of Industry and Trade of the province, capital, and the Intellectual Property Department;
12. **Priority Date:** Means the date on which the applicant filed an application for registration abroad, with another office, or in the Lao PDR, which is effective before this date.

Article 4: Scope of Application

This Agreement shall apply to persons, legal entities, and organizations, both domestic and foreign, involved in intellectual property matters in the Lao PDR.

Chapter 2 Registration of Trademarks

This chapter outlines the procedures and requirements for registering trademarks in the Lao PDR.

Article 5: Types of Trademarks

Trademarks are classified into four categories:

1. **Trademarks for Goods:** These are any signs that can distinguish the goods of one person, legal entity, or organization from those of others. The signs can be words, including fancy words, slogans, personal names, letter styles, graphic elements, shapes, drawings, photographs, images, three-dimensional shapes, moving images, or packaging of goods, as well as combinations or combinations of multiple colors, such as a combination of any of these signs.
2. **Trademarks for Services:** These are any signs that can distinguish the services of one person, legal entity, or organization from those of others. These are signs similar to those defined in paragraph 1 of this article.
3. **Collective Marks:** These are marks created by legal entities or organizations for use in guaranteeing standards or specific characteristics that are conditions for the certification of goods or services. Such marks may be used by third parties to indicate that the origin, raw materials, production methods, service methods of the goods have met quality, safety, cleanliness standards and are produced by persons with specific expertise in a particular field.
4. **Collective Marks:** These are marks that are adopted by collective organizations such as: associations, unions, other social organizations, cooperatives, chambers of commerce and industry, or other collective organizations. Collective marks are trademarks that can only be used by members of the collective organization to indicate that their goods or services are different from those of other sectors.

Article 6: Trademark Search

Individuals, legal entities, or organizations can file a request to search for trademarks at the Department of Industry and Trade of the province or capital city to determine whether a particular trademark has

been registered. The applicant must specify the class of goods or services and pay the service fee. Alternatively, the applicant can search for this information on their own through the Intellectual Property Information Service System of the Department of Intellectual Property.

In the case of a trademark search for a foreign word and/or a drawing, picture, or photograph of the trademark, the applicant must provide a description and pronunciation in Lao and submit an electronic sample of the trademark.

The Department of Intellectual Property shall conduct the trademark search in the Intellectual Property Information System and notify the applicant of the results within 10 working days from the date of receipt of the request. The results of the trademark search cannot be used to support or prove any legal claims. They are only for preliminary information about the trademark.

Article 7: Application for Trademark Registration

The application for trademark registration shall consist of the following documents:

1. Application form for trademark registration in the format prescribed by the Department of Intellectual Property;
2. Original power of attorney; In case of filing through a representative, a copy of the relevant power of attorney receipt must be attached;
3. Drawing, photograph, or image of the trademark to be notified;
4. Specification of the class and items of goods or services for which the mark is to be used. In the case of a collective mark or certification mark, the mark must be specified in the application, together with an explanation of the use, purpose, and protection of the mark;
5. Copies or documents confirming the priority date (if any);
6. Receipt of payment of fees and service charges.

Applications for trademark registration and other attached documents filed in English must be translated into Lao (except for names, addresses of individuals, legal entities or organizations, and technical terms) in accordance with Article 37 of the Intellectual Property Law within 90 days after filing and must be certified by a translation company. The translated documents must be submitted to the Department of Intellectual Property in electronic form. Failure to comply with these conditions shall result in the application not being considered and the right being forfeited.

Article 8: Procedures for Filing Trademark Registration Applications

Applicants can file trademark registration applications or extension requests at the Department of Industry and Trade of the province, capital city, or electronically in the format prescribed by the Department of Intellectual Property, subject to the minimum requirements set out in Article 8 of this Agreement.

The Department of Industry and Trade of the province, capital city shall comply with the following procedures:

1. Receive the application, assign a number and date of filing, and issue a receipt for the payment of fees and service charges in case the application complies with the minimum requirements set out in Article 8 of this Agreement;
2. Send the complete trademark registration application file in accordance with the requirements set out in Article 7 of this Agreement to the Department of Intellectual Property for further processing;
3. In case the applicant for registration intends to withdraw the application or the application is forfeited or rejected, no refund of the fees and service charges paid will be made;
4. In case the last day of the priority period is a public holiday or a day on which the Department of Industry and Trade of the province, capital city is not open to receive applications, the Department shall extend the period until the next business day. In the case of a registration application specifying a priority date as defined in Article 29 of the Intellectual Property Law, which has a priority period for trademark registration of 6 months from the date of receipt of the priority date.

Article 9: Minimum Requirements for Obtaining a Filing Date

Trademark registration applications as defined in Articles 1, 3, and 6 of Article 7 of this Agreement, together with the correct specification of the class of goods or services and items of goods or services for which protection is sought under the trademark, shall be considered to have a filing date on the date of receipt by the Department of Intellectual Property of the following documents:

- The completed application form for trademark registration in the format prescribed by the Department of Intellectual Property;
- The original power of attorney; In the case of filing through a representative, a copy of the relevant power of attorney receipt must be attached;
- Drawing, photograph, or image of the trademark to be notified;
- Specification of the class and items of goods or services for which the mark is to be used. In the case of a collective mark or certification mark, the mark must be specified in the application, together with an explanation of the use, purpose, and protection of the mark;
- Copies or documents confirming the priority date (if any);
- Receipt of payment of fees and service charges.

Applicants for trademark registration must submit additional or amended documents to meet the full requirements set out in Article 7 of this Agreement within 60 days from the date of notification; otherwise, the right shall be forfeited.

Article 10: Requirements for Trademark Specimens

Drawings, photographs, images, or three-dimensional representations or motion marks must be submitted in electronic format or in a high-quality (non-faded) hard copy, detailed, clear, and unambiguous, showing only the trademark and no other components that are not part of the trademark applied for registration as a trademark, such as: product information, origin of goods, certification marks and guarantees (FDA, Lao National Standard, ISO), and others contained on the product label.

Trademarks consisting of standard fonts must specify the font name and font size used as the trademark, between 15-30 pt.

Word marks must be accompanied by a description and pronunciation in Lao.

Color or multicolored trademarks that constitute the main feature of the trademark must clearly specify the color or color code.

Three-dimensional trademarks must clearly show each dimension.

Motion marks must be accompanied by an explanation of the meaning of the mark and a copy of the mark sample showing the details of all motion in electronic format free of charge at the time of filing.

Article 11: Specification of Goods or Services

Applicants may specify goods or services related to the International Classification, which are linked to the mark applied for by the applicant and classified according to the type of goods or services as defined in Article 12 of this Agreement.

The Department of Industry and Trade of the province, capital city shall provide advice and confirmation of the classification of goods or services in the case where the applicant specifies goods or services.

Article 12: Classes of Goods and Services

Applications for trademark registration, certification marks, and collective marks must specify the code and name of the class of goods or services according to the International Classification (Nice Classification), which is subject to change from time to time and is in use at the time of filing the application.

In the event that the international classification changes during the examination of the application, the Department shall notify the applicant through the Department of Industry and Trade of the province, capital city so that the applicant can amend the application to specify the correct class. If the change in the international classification results in an increase in the number of classes, the applicant shall not be required to pay the fee for the additional class, but shall be required to pay the fee for each class of goods or services at the time of renewal of the protection of such mark.

Article 13: Marks Capable of Registration as Trademarks

A mark capable of being registered as a trademark must meet all the requirements set out in Article 16 and not be contrary to Article 23 of the Intellectual Property Law.

Article 14: Principles for Examining Trademark Registration Applications

The examination of trademark registration applications shall be carried out in accordance with the principles set out in Article 28 of the Intellectual Property Law. In the case of multiple trademark registration applications filed during the same period for the same or similar marks for the same or similar goods, the application with the earlier priority date shall be considered first. In the case where the Department of Intellectual Property has carried out the examination procedure for the application, the application with the earlier priority date shall be registered and a notice of rejection shall be issued for the application with the later priority date.

In the case where the examination of the application with the later priority date is completed first and the application meets the conditions for registration, the Department of Intellectual Property shall suspend the examination of that application until the examination of the application with the earlier priority date is completed.

In the case where a trademark registration application is for a mark that is identical or similar to a well-known mark or a geographical indication, the application shall be considered, but must have an earlier priority date than the well-known mark or geographical indication that has been registered in the Lao PDR or any other country. Examiners shall not provide legal advice or recommendations on whether a trademark is in accordance with the Intellectual Property Law and this Agreement.

Article 15: Preliminary Examination

After receiving a trademark registration application, the Department of Intellectual Property shall conduct a preliminary examination of the correctness and conformity of the application form in accordance with Article 33 of the Intellectual Property Law and Articles 5, 7, 8, 9, and 10 of this Agreement. The preliminary examination must be completed within 60 days from the date of receipt of the complete application form.

For applications for registration of certification marks or collective marks, the completeness, correctness, and conformity of the application must also be examined in accordance with the conditions set out in paragraph 3 or 4 of Article 5 of this Agreement.

In the event that the application form is incorrect or does not comply with the conditions set out in Articles 9 and 10 of this Agreement, the Department of Intellectual Property shall notify the Department of Industry and Trade of the province, capital city so that the Department of Industry and Trade of the province, capital city shall notify the trademark applicant within 3 working days. The trademark applicant must provide the requested documents or make corrections in accordance with the said conditions within 12 working days from the date of notification.

In the event that the trademark applicant fails to comply within the specified time limit, the Department of Intellectual Property shall notify the Department of Industry and Trade of the province, capital city or electronically to inform in writing the parties concerned that the application will not be considered and shall be deemed forfeited.

In the event that the application form complies with the conditions of the preliminary examination, the Department of Intellectual Property shall publish the application in the Official Journal of Intellectual Property.

Any modification of the specimen of the mark must not alter the essential character of the trademark.

Article 16: Publication of Applications and Opposition

The Department of Intellectual Property shall publish trademark registration applications in the Official Journal of Intellectual Property within 15 days after completion of the preliminary examination. The publication of a trademark registration application shall include the following information:

1. The mark;
2. The class of goods and/or services;
3. The application number and filing date;
4. The name and address of the applicant;
5. A disclaimer of exclusive right to any element of the mark (if applicable).

Any third party may file an opposition to the application with the DIP as prescribed in Article 39 of the Intellectual Property Law within 60 days from the date of publication in the Official Journal of Intellectual

Property, using the prescribed form and paying the service fee. The Department of Industry and Trade of the province, capital city shall forward the opposition to the Department of Intellectual Property for further action.

Article 17: Substantive Examination

The Department of Intellectual Property shall conduct a substantive examination using the Department's Intellectual Property Information System (IPAS) and the international system (WIPO GLOBAL BRAND) as prescribed in Article 40 of the Intellectual Property Law to consider the application in accordance with the conditions set out in Article 12 of this Agreement.

The Department of Intellectual Property shall notify the trademark applicant of the preliminary refusal of trademark registration in the event that the application does not meet the registration requirements.

The trademark applicant must provide documents, information, evidence, or explanations or objections to the Department of Intellectual Property within 60 days from the date of issuance of the preliminary refusal notice. In the event that the trademark applicant has sufficient reason in writing, the Department of Intellectual Property may extend the time limit for an additional 30 days from the date of the first notice; otherwise, it shall be deemed forfeited.

The substantive examination must be completed within 90 days from the date of the expiration of the publication of the application without opposition.

Article 18: Disclaimer of Exclusive Right in Elements of a Mark

The Department of Intellectual Property shall not allow exclusive rights to any element or word of a mark, such as descriptions or general terms, indications of quality, characteristics of goods or services, and shall preliminarily notify the trademark applicant of the refusal.

The trademark applicant may inform the Department of Intellectual Property that he does not claim exclusive rights to any element or word of the mark that is not an essential element of the mark within 60 days from the date of the preliminary refusal notice.

Article 19: Division of Applications

A trademark application may be divided into two or more applications, but only before registration, abandonment, refusal, or other final disposition of the application. An application for division must reference the original application and state that the new application is a division of the original application, and must set forth the serial number and filing date of the original application on each new application. The original application must be amended to retain only the items or classes of goods or services that remain. The divisional application must be filed together with the amended original application as prescribed in Article 7 of this Agreement.

Each divisional application shall have the filing date of the original application. Each divisional application shall be subject to the payment of fees and charges.

Article 20: Amendment of Mark Type

Pursuant to Article 42 of the Intellectual Property Law and Article 21 of this Agreement, any type of mark specified in the initial application may be amended to a certification mark or a collective mark.

In the event that the mark is amended to a certification mark or a collective mark, the trademark applicant must file a new application for registration together with the relevant documents with the Department of Industry and Trade of the province, capital city or electronically.

Article 21: Amendment of Applications

During the examination period, the trademark applicant may amend the application, but only before registration, abandonment, refusal, or other final disposition of the application as prescribed in Article 42 of the Intellectual Property Law, without having to pay fees and charges if there is no increase in the class of goods or services or a change in the essential characteristics of the mark in the application.

Article 22: Addition of Goods or Services

The applicant must submit a request to add goods or services in the format prescribed by the Department of Intellectual Property, specifying the category and details of the goods or services to be

added, and pay the fees for each category of goods or services at the Department of Industry and Trade of the province, capital city or electronically. In the event that the trademark application is still under preliminary examination within 60 days.

If the applicant proposes to add goods or services after the publication date of the application and before registration, the applicant must submit a request to add goods or services in the format prescribed by the Department of Intellectual Property, specifying the category and details of the goods or services to be added. The Department of Intellectual Property shall re-publish the application with the added goods or services.

In the event that a request is made to add goods or services after the registration of the trademark, the applicant must file a new trademark application in the format prescribed by the Department and pay the fees and charges.

Article 23: Trademark Registration

The Department of Intellectual Property shall issue a certificate of registration of the trademark and record the relevant information in the Department's database upon compliance with the registration requirements as prescribed in the Intellectual Property Law and this Agreement.

Article 24: Publication of Trademark Registration

After the registration of a trademark, the Department of Intellectual Property shall publish the registration result in the Official Journal for Intellectual Property.

The trademark registrant may submit to the Department of Industry and Trade of the province, capital city or electronically to correct errors and republish the correct information without paying any service fees within 60 days from the date of the first publication.

Chapter 3 Proceedings After Trademark Registration

Article 25: Change of Information After Trademark Registration

The trademark owner may file an application with the Department of Industry and Trade of the province, capital city, or electronically to change the information about the name and/or address of the trademark owner or representative in the format prescribed by the Department of Intellectual Property and pay the service fees.

The Department of Intellectual Property shall record all changes in the Department's intellectual property database and publish them in the Official Journal for Intellectual Property.

Article 26: Request for a Certified Copy of Trademark Registration

The trademark owner may request a certified copy of the trademark registration for use as evidence in court proceedings, registration of trademarks in foreign countries, and in lieu of a registration certificate or renewal certificate that has been lost or cannot be found.

The owner of a registered trademark with the Department of Intellectual Property must file an application with the Department of Industry and Trade of the province, capital city, or electronically and pay the service fees.

Article 27: Amendments After Registration

After a trademark has been registered, the trademark owner may file an application to amend certain information in the registration document for certain items in the registered goods or services, reduce the number of goods or services, request the right to some components of the trademark, amend certain errors in the trademark application, or amend the trademark specimen by submitting an application to the Department of Industry and Trade of the province, capital city, or electronically and paying the service fees. Such amendments are only allowed for minor changes that do not alter the fundamental characteristics of the trademark.

In the event that the amendment of the certificate of registration of a trademark containing errors is caused by the Department of Intellectual Property, the applicant shall not be charged a service fee. The Department of Intellectual Property shall publish the information on such amendments in the Official Journal for Intellectual Property.

Article 28: Cancellation or Invalidation of Trademarks Based on Incorrect or Misleading Information

In the event that the Department of Intellectual Property finds that a registered trademark is based on incorrect information, misrepresentation of the true ownership in the application, concealment of information, or any act that violates or contravenes the laws and regulations, and if such information is true, the Department of Intellectual Property shall initiate administrative cancellation procedures and notify the trademark owner.

If the trademark owner disagrees with the notification, they may file an administrative review with the Department of Intellectual Property or the People's Court.

Article 29: Term of Protection and Maintenance of Protection

A trademark has a term of protection of 10 years from the date of filing the application. In the case of a registered trademark with a registration date prior to this, the trademark shall be considered to have a term of protection of 10 years from the date of registration upon renewal.

When a registered trademark expires, the owner of the trademark may renew it for 10 years at a time by filing an application for renewal of protection with the Department of Industry and Trade of the province, capital city, or electronically. And pay the fees and service fees. Such renewal applications must be filed within 6 months before the expiration date of protection.

In the event that the protection of a trademark expires but has not yet been renewed, the applicant for registration of the trademark may file an application for renewal of registration, but must be filed within 6 months from the expiration date of such protection. And pay the fees and service fees for maintaining the term of protection, but must pay the adjustment fee for such delay.

In the event that the last day of the term of protection of a trademark is a public holiday or a day on which the Department of Industry and Trade of the province, capital city does not accept applications, the application date shall be extended to the next business day.

A trademark that is not maintained or expires shall be considered a public domain trademark.

Article 30: Assignment and Registration of Assignment Information

The owner of a trademark, certification mark, or collective mark may assign all or part of his rights in writing, such as by contract, inheritance, or gift.

In the event of an assignment of a registered trademark, certification mark, or collective mark, the assignor or assignee must notify the Department of Intellectual Property of the assignment in the form prescribed by the Department of Intellectual Property through the Department of Industry and Trade of the province, capital city, or electronically. To forward to the Department of Intellectual Property and pay the service fee.

The Department of Intellectual Property shall acknowledge the assignment in writing to the assignee, record the assignment in the intellectual property database, and publish it in the Official Journal of Intellectual Property. If the assignee is the notifier of the assignment, the parties involved shall submit an acknowledgment of the assignment to the assignor.

In the event of an assignment of ownership of a legal entity related to a trademark, certification mark, or collective mark, the provisions of the assignment document shall be followed. Unless otherwise specified, the assignment of ownership of a legal entity shall be deemed to include the assignment of the trademark of the legal entity.

In case of doubt or need for clarification, the Department of Intellectual Property may notify the Department of Industry and Trade of the province, capital city to request the notifier of the assignment to submit additional information or documents.

In the event of an assignment of the right to use a trademark, certification mark, or collective mark, the owner of the right must notify the Department of Industry and Trade of the province, capital city, or electronically for forwarding to the Department of Intellectual Property to be recorded in the intellectual property database, otherwise it will have no effect on third parties.

Article 31: Licensing

The owner of the right to a trademark may authorize another person to use his trademark, in part or in whole, for the purpose of profiting from such right, which may be done by a licensing agreement, but is not considered a transfer of ownership of the trademark as defined in Article 47, paragraphs 2 and 4 of the Intellectual Property Law. The licensee or licensee must notify the Department of Industry and Trade of the province, capital city, for forwarding to the Department of Intellectual Property to know according to the procedures specified in Article 30 of this Agreement.

In the event of a transfer of ownership of a legal entity that has been licensed to use a trademark, certification mark, or collective mark, the license shall be deemed to be transferred with the transfer of ownership of that legal entity, unless otherwise specified in the license agreement or transfer document. In the event that the ownership of a legal entity that has been licensed to use the trademark is transferred, the trademark licensing agreement to another person shall not be considered a sub-license, unless otherwise specified in the licensing agreement.

Article 32: Recreation of Documents

The Department of Intellectual Property shall notify the applicant or owner of the document to submit copies of the relevant documents or documents related to intellectual property, together with confirmation of the authenticity and completeness of such copies, including documents or documents related to intellectual property. related to intellectual property.

The Department of Intellectual Property shall recreate copies of lost or missing documents or other documents.

Chapter 4: Representation in Trademark Registration and Other Proceedings

Article 33: Representation in Trademark Registration and Other Proceedings

The following persons are entitled to represent in trademark registration and other proceedings:

1. A person who has co-designed and been appointed as a representative in the case of a joint design.
2. A lawyer licensed to practice law in the Lao People's Democratic Republic;
3. An intellectual property registration service agent company;
4. An employee of a legal entity or organization;
5. A Lao citizen hired by the applicant.

For foreign trademark applicants, trademark applications must be filed through an intellectual property registration service agent company or a lawyer licensed to practice law in the Lao People's Democratic Republic only.

The representative must be a person appointed by a power of attorney in writing, signed by the applicant or grantor. The Department of Intellectual Property shall recognize the conditions specified in the power of attorney, unless the conditions of the power of attorney are contrary to law or regulations.

Article 34: Grant of Power of Attorney

A power of attorney must specify the following:

1. The terms and conditions of the representation;
2. The rights granted to perform any acts related to the Department of Industry and Trade of the province, capital city, and the Department of Intellectual Property;
3. The term (if any).
4. The grantor may revoke it at any time without prejudice to the representative's right to receive compensation for services and expenses incurred in connection with the Department of Industry and Trade of the province, capital city, and the Department of Intellectual Property.

A power of attorney shall be used for one application only.

In the event that the power of attorney does not specify the scope or duration of the representation or other acts related to the power of attorney, and the validity of the power of attorney shall expire upon the completion of all matters related to the application or other acts, but not exceeding a period of 3 years from the date of signing.

In the case where the grantor of the power of attorney is a legal entity or organization, the power of attorney must be signed by a person authorized by the legal entity or organization.

Chapter 5: Trademark Management

Article 35: Trademark Management

Trademark management is divided into two levels:

1. Central level: Department of Intellectual Property (DIP)
2. Provincial level: Department of Industry and Trade of the province, capital city

Article 36: Rights and Duties of the Department of Intellectual Property

The Department of Intellectual Property (DIP) has the following rights and duties:

1. To publish agreements and issue guidelines on trademarks;
2. To conduct research and propose to the Ministry to issue laws and regulations for the management and protection of trademarks;
3. To consider applications for registration, renewal, change of name and/or address, licensing, transfer of rights, and other matters related to trademarks;
4. To record and keep information about trademarks;
5. To register, notify of refusal, cancel or delete, and other matters related to the registration of trademarks;
6. To provide services for searching for trademarks in the DIP's database;
7. To investigate and consider objections to the refusal of registration of trademarks;
8. To promote and encourage the registration of trademarks;
9. To regularly summarize the implementation of this Agreement;
10. To perform other rights and duties as assigned by the Ministry of Industry and Trade.

Article 37: Rights and Duties of the Department of Industry and Trade of the province, capital city

The Department of Industry and Trade of the province, capital city (DIT) has the following rights and duties:

1. To receive applications and other submissions related to trademarks, to check the correctness and completeness of applications for registration of trademarks according to the minimum requirements;
2. To forward applications, fees, and service charges to the Department of Intellectual Property (DIP);
3. To assign responsibilities to the Industrial and Trade Offices of the districts, towns, and cities as appropriate;
4. To promote and encourage the registration of trademarks;
5. To regularly report on the progress of trademark work;
6. To perform other rights and duties as assigned by the DIP.

Chapter 6 Final Provisions

Article 38: Implementation

The Department of Intellectual Property (DIP) and the Department of Industry and Trade of the province, capital city (DIT), in coordination with the relevant parties, shall strictly implement this Agreement.

Article 39: Effective Date

This Agreement shall come into effect after it has been signed, recorded in the Official Gazette, and shall be effective from the date of

This Agreement shall supersede the Agreement on Trademarks and Trade Names, No. 2822/KV, dated December 17, 2019.

Minister