

vietnam
DESIGN BASIC

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| Main Law | ▪ Law on Intellectual Property |
| Main International Treaty | ▪ Paris Convention |
| Protection Principle | ▪ Registration (First-to-File) |
| Registration Authority | ▪ The National Office of Intellectual Property of Vietnam (NOIP) |
| Designs | ▪ Visual appearance (ornamental features) of products. |
| Protection Titles | ▪ Design Patent |
| Requirements for Registration | ▪ New ▪ Non-obvious ▪ Capable of Industrial Application |
| Term of Protection | ▪ 5 years from date of filing. Renewable, twice, 5 years each. |
| License | ▪ A license agreement needs to be recorded with NOIP to be valid in connection with third parties (<i>egg. when requesting for a suspension of customs procedure, a licensee needs a recorded license agreement.</i>) |
| Assignment | ▪ Assignment of a design patent must be registered with NOIP. |
| Design Application | ▪ An application shall be filed with NOIP. ▪ A foreign applicant needs to authorize a local representative for the filing and prosecution. |
| Time Limit to Claim Priority Right | ▪ 6 months from the filing date of the priority application. |
| Design Examination Process | ▪ Formalities Examination ▪ Publication ▪ Substantive Examination |

DESIGN FILING REQUIREMENTS

National Design Applications

- Name/ Address/ Nationality of Applicant and Inventors
Requirement: Needed at filing
- Drawings/ Pictures of the design
Requirement: 7 views: front, rear, left-side, right-side, top, bottom, and perspective views.
- Power of Attorney (POA)
Requirements:
 - + Signed by Applicant; neither notarization nor legalization is required.
 - + Original – A copy is acceptable at filing if the original is submitted within **1 month** from date of filing.

If Priority Claimed

- Number/ Date of Filing/ Country of Filing of Priority Application
Requirement: Needed at filing.
- Priority Application
Requirement: A certified copy to be submitted within **3 months** from filing date, **not extendible**.