1. Patent for Inventions/Utility Solution

**REQUIRED INFORMATION**

1. Full name, address and nationality of the applicant;
2. Full name, address and nationality of the inventor;
3. Title of the invention/utility solution;
4. Country, application number and filing date of the original foreign application from which priority is claimed (if priority is claimed);
5. International filing number and publication number (in case of PCT applications entering the Vietnam National Phase).

**REQUIRED DOCUMENTS:**

1. Specification consisting of the title, description, Claims and abstract (English version) – 02 copies;
2. Drawings (if any) – 02 copies;
3. Power of Attorney (notarization is not required)
*A copy of Power of Attorney can be accepted at the filing time but the original one must be submitted later within 01 month from the Vietnamese filing date. As to non-PCT applications, in case original Power of Attorney is not available at the filing time, the fee for late submitting the document will be incurred;*
4. Certified copy of priority documents (only for applications claiming priority under the Paris Convention), which can be submitted later within 01 month from the Vietnamese filing date;
5. As to PCT applications entering the Vietnam National Phase, apart from the above documents, the following PCT documents are required: PCT publication, International Preliminary Examination Report (PCT/IPER/409) (if any), Notification of the Recording of a Change (PCT/IB/306) (if any), International Search Report (PCT/ISA/210)…

***Notes:***

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| *–* | *As to all patent applications to be filed in Vietnam, the Vietnamese version of the specification is required right at the filing time. Thus, instruction letter and English specification need to be provided as soon as possible (preferably 03 months before filing deadline) for translation work;* |
| *–* | *As to PCT applications, if sending the specification causes any inconvenience, PCT application number or publication number should be early informed for downloading the specification from the WIPO database.* |

**GENERAL INFORMATION:**

1. Term for PCT applications to enter the Vietnam National Phase is 31 months from the priority date;
2. Deed of Assignment and the Vietnamese translation of the priority document may be required by the Vietnamese Patent Office in necessary cases;
3. Request for substantive examination must be filed within 42 months (as to applications to obtain Invention Patent) or 36 months (as to applications to obtain Utility Solution Patent) from the first priority date;
4. Time for formality examination is 01 month from the filing date and for substantive examination is 18 months from the publishing date (if the request for substantive examination is filed before the publishing date) or from the request date (if the request is filed after the publishing date);
5. Valid patent applications are published in the 19th month computed from priority date or Vietnamese filing date (if no priority is claimed), or within 02 months computed from the date of official acceptance of applications, depending on which date comes later. Thus, for the examination process to be shortened, it is advised that a request of early publication should be made. Then, the fee for the request of early publication will be incurred;
6. The validity term of an Invention Patent is 20 years and of a Utility Solution Patent is 10 years from the regular filing date and the Patent is effective from the granting date;
7. Annuity is required to be paid only after a Patent is granted.
8. Trademarks

**REQUIRED INFORMATION**

1. Full name, address and nationality of the applicant;
2. Description of the trademark: meaning, colors claimed, translation or transliteration of characters into English if the mark contains foreign characters;
3. List of goods/services to be covered by the trademark and if possible, the class(es) of the respective goods/services according to the International Classification (if known);
4. If a priority is claimed: statement of country, application number and filing date of the original foreign application from which the priority is claimed.

**REQUIRED DOCUMENTS**

1. A Power of Attorney from the applicant (notarization is not required);
2. 05 specimens of the mark (the size of each specimen is not smaller than 15mm x 15mm and not larger than 80mm x 80mm);
3. If the Convention priority is claimed: a certified copy of the priority document(s) and the English translation thereof.

***Note:***

***A copy of the executed Power of Attorney can be accepted at the time of filing trademark application, but the original one must be submitted within 30 days from the filing date.***

**GENERAL INFORMATION:**

1. A trademark application can cover more than one class;
2. The time limit from the filing to granting date is **12 months**, of which 01 month is for formality examination, 02 months are for data preparation for publication of the application and 09 months are for substantive examination and publication of trademark application;
3. The protection title of a trademark is a Trademark Registration Certificate, which is effective from the granting date;
4. The validity term of a Trademark Registration Certificate is **10 years** from the regular filing date and can then be renewed indefinitely for consecutive periods of 10 years;
5. A Trademark Registration Certificate can be suspended by a request made by any third party if it is not used in five successive years without any proper reason.
6. Since the fee for filing trademark application depends on the number of goods/services in a class, all the generic terms are not accepted for registration. The applicant, therefore, is required to clarify all the generic terms (if any) in the list of goods/services.
7. Industrial Design

**REQUIRED INFORMATION**

1. Full name, address and nationality of the applicant;
2. Full name, address and nationality of the designer;
3. Title of the design stating the article for which registration is sought;
4. Class, in which the design is to be registered, according to the Locarno International Classification (if possible);
5. Country, application number and filing date of the original foreign application from which priority is claimed (if priority is claimed).

**REQUIRED ENCLOSURES:**

1. 05 sets of pictures/drawings illustrating the design. The pictures/drawings must not exceed the international size A4 and be made in the same scale. There must be as many pictures/drawings of the design as they are taken to show all the different sides of the design;
2. Brief design description in English showing the distinctive features of the design to be protected;
3. Power of Attorney (notarization is not required)
4. *A copy of Power of Attorney can be accepted at the filing time but the original one must be submitted later within****01 month****from the Vietnamese filing date. In case Power of Attorney (original or copy) is not available at the filing time, the fee for late submitting the document will be incurred.*
5. Certified copy of the priority document (in case of applications claiming priority under Paris Convention), which can be submitted within 01 month from the filing date.

**GENERAL INFORMATION:**

1. The validity term of a Design Patent is 05 years from the regular filing date. The Design Patent is effective from the granting date and renewable for two additional consecutive periods of 05 years each (max. 15 years);
2. Different variants of a design can be filed in a single application or separate applications. In the latter case, a statement that the design is one variant of the previously filed design is required. All variants of a design are granted only one Design Patent;
3. Duration from the filing to granting date is 10 months, of which 01 month is for formality examination, 02 months is for publication and 07 months is for substantive examination;
4. Deed of Assignment and the Vietnamese translation of the priority document may be required by the Vietnamese Industrial Design Office in necessary cases.
5. Renewal and Annuity

**Annuity for patent of Invention and Utility Solution**

**–***Required information:*

* 1. Data related to the Patent including Patent Number, Patent owner, regular filing date, granting date, priority date.
	2. The effective year for which the annuity should be paid.

**Renewal for patent of Industrial Design**

***–****Required documents:*

1. Power of Attorney from the owner to **VIETNAM IP**
2. Original Certificate of Industrial Design.

**Renewal for Trademark Registration**

***–****Required documents:*

* 1. Power of Attorney from Trademark owner to VIETNAM IP
	2. Original Certificate of Trademark Registration

**Note:**

* + Annuity and Renewal fees can be paid in the duration of six months before the due date.
	+ Late paying the said fees is accepted provided that it is not later than 6 months from the due date and the surcharge of 10% per late month is added.

# Duplication

**Required documents**

1. Power of Attorney to VIETNAM IP

2. Formal letter from rights’ owner to National Office of Intellectual Property of Vietnam presenting the reason causing the missing or the damage of Patent or Registration Certificate.

1. Change of Name/Address

**Required documents**

1. Power of Attorney from the Right’s Owner to VIETNAM IP
2. Notarized Declaration on Change of Name and/or Address by the Owner, or certified copy of Official Record on change of Name and/or Address (required at filing);
3. Original Patent for Invention/Utility Solution/Industrial Design or Certificate of Trademark Registration (required at filing).
4. Recordal of License Contract

**Required documents**

1. **01** **original signed** **Power of Attorney** (POA) by the Licensor or Licensee  (*notarization thereof is****not****required*).
2. **02** **original signed** **License Agreements** without any notarization or 02 certified copies thereof . If the Agreement includes multiple pages, both Assignor and Assignee must sign on each page thereof;
3. **Copy(ies)** **of Trademark Registration Certificate(s)** to be licensed.

# Recordal of Assignment

1. Assignment of Trademark Registration Certificate(s)
Required documents
01 original Power of Attorney signed by the Assignor or Assignee (notarization thereof is not required);
02 original signed Assignment Agreements without any notarization . If the Agreement includes multiple pages, both Assignor and Assignee must sign on each page thereof;
Original Trademark Registration Certificate(s) to be assigned.

2. Assignment of pending trademark application(s)
Required documents
1.      01 original signed Power of Attorney (POA) by the Assignor and 01 original signed POA by the Assignee  (notarization thereof is not required);

2.      02 original signed Assignment Agreements without any notarization . If the Agreement includes multiple pages, both Assignor and Assignee must sign on each page thereof;

1. Copyright

**Required Information**

* 1. Full Name, Address, Nationality of the Applicant;
	2. Full Name, Nationality, Date of Birth, Address of the Author(s) and the Owner of work.
	3. Title, type of the work, date, place and form of publication of the work (if any);
	4. A brief description of the work;

**Required Documents**

* 1. A notarized Power of Attorney from the applicant to **VIETNAM IP**
	2. Three complete copies of the work (required at filling),
	3. Notarized Deed of Assignment from the Author(s) to the Applicant if the Applicant and the Author(s) are not the same (required at filling).
1. Domain Name

**Required Information**

1. The name, address of Registrant;
2. The name of domain name;
3. The name of DNS Primary  and its IP address;
4. The name of  DNS Secondary and IP address thereof;
5. Full contact details: billing contact, administrative contact, technical contact.

**Required Documents**

1. A Power of Attorney to VIETNAM IP*;*
2. Notarized copy of the Certificate of Incorporation.