



GEOGRAPHICAL INDICATIONS PROTECTION SYSTEM

LAO PDR



OCTOBER 2015



Receipt of the application: (Obtaining a geographical indication certificate)

In order to obtain a geographical indication certificate, an indication shall meet all the following requirements:

1. The indication identifies a good as originating in a particular geographical country or territory, or a region or locality in that territory;
2. A given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin. Such quality, reputation, or characteristic may be based on natural factors including conditions of the soil, air, water, ecology, and other natural conditions or on human factors including skill and the experience of the manufacturers and traditional production methods of that locality.

Geographical Indications Ineligible for Registration

1. Geographical indications which are likely to mislead or confuse consumers as to the true source origin of goods;
2. Names of geographical indications which have become customary names of such goods in the Lao PDR;
3. Geographical indication with respect to products of the wine for which the relevant indication is identical with the customary name of a grape variety existing in the Lao PDR;
4. Geographical indication of another country where such geographical indications are not or cease to be protected in their country of origin, or which have fallen into disuse in that country;
5. Geographical indications which are identical with or similar to protected trademarks where use of the indications will lead to misunderstanding or confusion as to the origin of the said goods;
6. A geographical indication that is homonymous with a protected geographical indication for wine.

Application for registration

Shall include the following documents:

1. A request for registration of the geographical indication;
2. If the applicant is represented, a power of attorney and the name and address of applicant's representative in the Lao PDR;
3. A clear image of the geographical indication;
4. Statement of the geographical region to which the proposed geographical indication applies;



5. Goods to which the proposed geographical indication applies and applicable methods of control;
6. Statement of the basis on which the proposed geographical indication is claimed to be a geographical indication, and evidence in support of such statement;
7. Where the geographical application is based on protection in a foreign country, evidence that the geographical indication is protected in its country of origin;
8. Receipt for payment of fees.

One registration application is valid for only one geographical indication.

The Ministry of Science and Technology shall accept the application and assign a filing date that contains, at a minimum:

- the name, address and nationality of the applicant;
- image of the geographical indication;
- a statement of the geographical region to which the proposed geographical indication applies;
- the goods to which the proposed geographical indication applies;
- filing fee as per regulations

If any individual, legal entity or organization wishes to apply for registration of geographical indication, shall satisfy all specified requirements within the times set by the Ministry of Science and Technology.

Examination:

After completion of the formality examination of the application, the Ministry of Science and Technology will examine as to substance the geographical indication applications for registration.

Registration and Opposition

Where an industrial design, trademark or geographical indication has been registered, the third party may request an objection or a cancellation of such registration within period of 5 years from the date of publication in the official gazette.

Term of Protection of Geographical indications

The term of protection of geographical indications is unlimited and commences from the date of receipt of the registration certificate and payment of a one-time fee.

CONTACT

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