

Leaflet Patents in Vietnam

Duration

The patent has a duration expiring at the end of 20 years as from the filing date of the application, subject to the payment of annual fees.

Compulsory use

A patent owner has the obligation to manufacture the protected products or use the protected processes to satisfy the requirements of national defense and security, disease prevention or treatment, nutrition of the people, or to meet other urgent social needs. When said needs arise and after 4 years from the filing date or 3 years from the granting date, whichever is later, the owner fails to perform such obligation, the competent authority may license the invention to others without the permission of the owner. However, in the normal life of a patent, the owner is not required to provide evidence of manufacture and use, and the obligations are considered as satisfied by imported products or products manufactured by licensees.

Marking

Marking is not compulsory. Marked products have no implications for awarding compensation in case of past infringement.

License

A license agreement must be registered officially in order to be effective against any third party, especially if the licensor wishes to take the benefits from the use of the patent by the licensee. We recommend you to contact us if you intend to grant a license under your patent in Vietnam.