

## HOW TO REGISTER TRADEMARK IN VIETNAM

***When doing business in Vietnam, it is necessary to register trademark in Vietnam to protect your rights. The following article shall provide full knowledge on Vietnam trademark registration.***

### **What sign can be protected as trademark in Vietnam?**

Trademark in Vietnam can be one of the following forms: logo or device, words, design of package and 3D trademark. According the CPTPP which has become effective in Vietnam, trademark could be a sound which shall be a positive improvement of Vietnam IP system.

### **What classification is Vietnam following?**

Registration of Trademark in Vietnam follows Nice international classification and accepts a trademark application in multi-classes.

### **How is a trademark filed in Vietnam?**

Trademark applicant can be filed in Vietnam through one of the following methods:

- + Direct trademark filing without priority date.
- + Trademark filing in Vietnam through **Paris convention** in which trademark applicant could claim priority of the filing date of their foreign application for their counterpart trademark application in Vietnam within 06 months from the priority date.
- + Trademark filing in Vietnam through Madrid system (Madrid protocol and Madrid agreement).

### **What is the trademark filing rule of Vietnam?**

Vietnam trademark follows the rule of first to file.

### **What is procedure of trademark in Vietnam?**

#### **(a) + First step:** Vietnam Trademark search of the availability:

The step of trademark search in Vietnam is optional but necessary to identify if your intentional trademark is available or to check if there is any other identical or similar trademarks registered or filed in Vietnam National Office of Intellectual Property (NOIP). When receiving the trademark search result, you will decide to your trademark application in Vietnam immediately or amend the sample of your trademark.

You could conduct the basic trademark search (not updated) on the published website of The National Office of Intellectual Property (NOIP) [here](#).

#### **(b) + Second step:** Registration of trademark in Vietnam (estimated total time: 13-18 months)

Registration of trademark in Vietnam shall include the following stages:

#### **(i) Stage 1: Formality examination of Vietnam trademark application**

#### **Hanoi-Head Office**

Suite 1707, 17th Floor, 169 Nguyen Ngoc Vu  
Cau Giay District, Ha Noi, Vietnam  
Tel: (+84) 2435551315

#### **Ho Chi Minh Office**

8F, PDD Building, 162 Pasteur Str, Ben Nghe Ward,  
District 1, Ho Chi Minh City  
Tel: (84)(08) 352.08.101|  
Hotline: (+84)982682122.

**Email: [info@aslgate.com](mailto:info@aslgate.com)**

**Web: [www.aslgate.com](http://www.aslgate.com)**

Within 01 month of filing date of trademark in Vietnam, if your trademark applicant meets formality requirement, NOIP shall issue the decision on accepting the legitimate of the trademark application.



*Process of Trademark in Vietnam – Vietnam Trademark (ASL LAW)*

Otherwise, NOIP shall issue notification of required correction. The trademark applicant shall need to respond to the refusal within 02 months from the issuing date.

(ii) **Stage 2:** *Publication of Vietnam trademark application on IP Gazette*

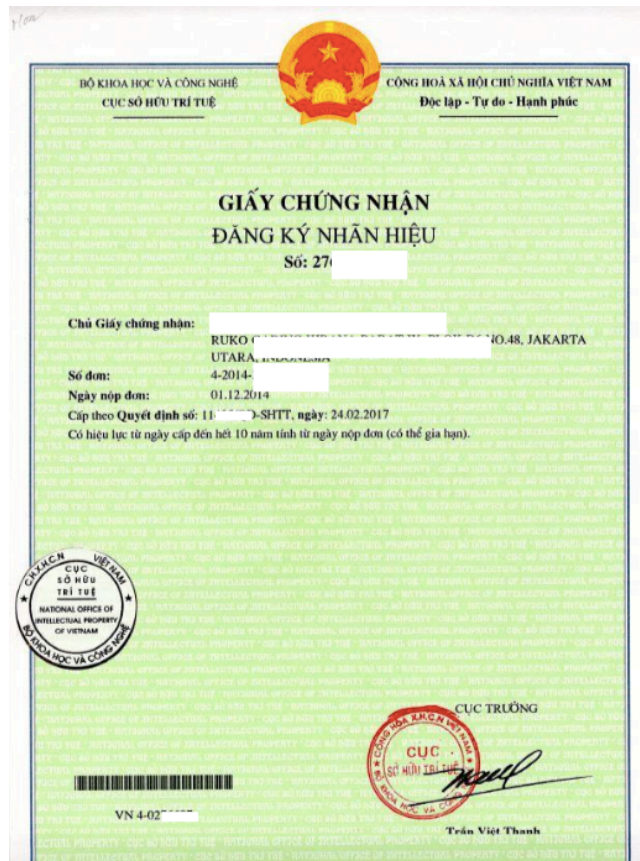
Within 02 months from the formality acceptance date, NOIP shall publish Vietnam Trademark applicant for any possible opposition on Vietnam IP Gazette.

(iii) **Stage 3:** *Substantive examination of trademark in Vietnam*

Within 9-12 months (could be longer) from the publishing date, NOIP shall issue the Notification of registrability of the Vietnam trademark application. If the trademark application is refused, the trademark applicant shall need to respond to this refusal within three months. Which could be extensible. If the trademark is accepted, NOIP shall issue trademark registration certificate within 1-2 months.

**What is sample of Vietnam trademark registration certificate?**

Hereafter is the sample of trademark certificate in Vietnam for your reference:



*Trademark in Vietnam – Vietnam Trademark Registration – Trademark Certificate in Vietnam*

### How long is the Vietnam trademark registration certificate valid?

+ 10 years counted from the filing date of trademark application in Vietnam

+ Renew trademark in Vietnam: trademark owner can renew validity of trademark certificate in Vietnam is for unlimited times.

### What trademark services could ASL LAW provide to clients?

ASL LAW could profile full services of trademark registration in Vietnam including but not limited to:



+ Trademark Search in Vietnam

- + Prior consulting before officially registering trademark in Vietnam
- + Trademark filing in Vietnam: following the trademark application, watching and report on any office action to the trademark applicant
- + Consultancy how to label a trademark legally
- + Trademark opposition in Vietnam

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