

Hague Agreement Concerning the International Registration of Industrial Designs

Accession to the 1999 Act: Viet Nam

1. On September 30, 2019, the Government of Viet Nam deposited with the Director General of the World Intellectual Property Organization (WIPO) its instrument of accession to the Geneva (1999) Act of the Hague Agreement Concerning the International Registration of Industrial Designs.
2. The instrument of accession was accompanied by the following declarations:
 - the declaration referred to in Article 5(2)(a) of the 1999 Act, whereby an international application designating Viet Nam shall contain a brief description of the characteristic features of the design, pursuant to Article 5(2)(b)(ii);
 - the declaration referred to in Article 5(2)(a) of the 1999 Act, whereby an international application designating Viet Nam shall contain a claim for protection of the design, pursuant to Article 5(2)(b)(iii), as follows*: “Application for overall protection for industrial design(s) as shown and described”;
 - the declaration referred to in Article 11(1)(b) of the 1999 Act, whereby the legislation of Viet Nam does not provide for the deferment of the publication of an industrial design;
 - the declaration referred to in Article 13(1) of the 1999 Act, whereby, in accordance with the legislation of Viet Nam, only one independent and distinct design may be claimed in a single international application, except that:
 - (i) designs that are the subject of the same international application must belong to the same set or* composition of items and conform to a requirement of unity of design, unity of use or accompaniment of each other in use, or
 - (ii) a design may be accompanied by single or multiple options that are variations of that design and which must conform to a requirement of unity of design and be insignificantly different from that design;
 - the declaration as required under Article 17(3)(c) of the 1999 Act, specifying that the maximum duration of protection provided for by the legislation of Viet Nam in respect of industrial designs is 15 years;

* These paragraphs are corrected in agreement with the Intellectual Property Office of Viet Nam, as per its communication of February 24, 2020.

– the declaration referred to in Rule 9(3) of the Common Regulations under the 1999 Act and the 1960 Act of the Hague Agreement, whereby, where the product which constitutes the industrial design is three-dimensional, a perspective view of the industrial design is required; and

– the declaration for the application of level three of the standard designation fee, under Rule 12(1)(c)(i) of the Common Regulations.

3. In accordance with Article 28(3)(b) of the 1999 Act, the 1999 Act and the declarations made will enter into force, in respect of Viet Nam, on December 30, 2019.

4. The accession of Viet Nam to the 1999 Act brings the number of Contracting Parties to this Act to 61 and the total number of Contracting Parties to the Hague Agreement to 71. A list of the Contracting Parties to the Hague Agreement is available on the WIPO website at the following address: <http://www.wipo.int/export/sites/www/treaties/en/documents/pdf/hague.pdf>.

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