summary

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[1] definition

Industrial design is the appearance of a product expressed in shapes, lines, colors or any combination thereof.

[2] protection criteria

An application for design shall be patented when it is:

- novelty;
- inventive step; and
- industrial applicability.

[3] non-patentable subject matters

The following subject matters are out of the design system:

- appearance of a product that is dictated by its technical features of the product;
- appearance of a civil or an industrial construction work;
- appearance of a product which is invisible during the use of the product.

[4] exception of novelty

An application for design shall be deemed not have lacked novelty if it was disclosed in the following circumstances, provided that application for such design is filed within six [06] months from the date of disclosure:

a) it was disclosed by another person without permission of applicant;

b) it was disclosed in the form of a scientific presentation by the applicant;

c) it was exhibited by the applicant at a national exhibition of Vietnam or at an official or officially recognized international exhibition.

[5] multiple-design application

The multiple design applications are available in Vietnam provided that the designs in the multiple applications must be similar and in the same International Locarno class or in the same set of composition of articles.

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