

Recordal of Licensing Agreement

Minimum-required Contents of a License Agreement

1. The identity of the Licensor and Licensee;
2. Details of the objects to be licensed (information on granted trademark registration or patent);
3. Scope of license, including:
 - Type of license (exclusive or non-exclusive);
 - Object(s) of license;
 - Territory of license (Vietnamese territory or part thereof);
 - Term of license (within the balance of the term of validity of the corresponding Patent for Invention/Utility Solution/Industrial Design or Certificate of Trademark Registration).

(In case of a sub-license, the scope of the sub-license must fall within the scope of the corresponding exclusive license).

4. Price of license and mode of payment;
5. Rights and obligations of each party;
6. Conditions for amendment, termination and invalidation of the Agreement;
7. Method for settlement of disputes;
8. Date and place of signing;
9. Signatures of the authorized representatives of each party.

Documents

1. Two (2) originals or two (2) certified copies of the signed License Agreement;
2. Copy of Patent for Invention/Utility Solution/Industrial Design or Certificate of Trademark Registration of the licensed object(s);
3. A notarized copy of Business Licence/Investment Licence

if the Licensee is a Vietnamese entity;

4. A signed Power of Attorney from the Licensor or Licensee.

Notes

- The License Agreement must be recorded with the National Office of Intellectual Property of Vietnam (NOIP) to be legally effective and enforceable in Vietnam.
- The request for recordal of the License Agreement should be submitted within 60 days from the signing date.
- If the Agreement is executed in English only, the Vietnamese translation of the Agreement is required. The Vietnamese translation must be certified by a Notary Public in Vietnam. Vision & Associates can provide translation service.
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- The License Agreement or Power of Attorney are not required to be notarized or legalized.