



Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

Ministry of Industry and Commerce

No.: **0064/IC**  
Vientiane Capital, dated: **10 January 2013**

**NOTICE**

- To:
- Provincial and capital Divisions of Industry and Commerce;
  - District and municipal Offices of Industry and Commerce countrywide;
  - Chamber of Industry and Commerce Association;
  - Local and foreign investors.

Sub: Instruction on enterprise names and codes

- Pursuant to Chapter 3, Section 2 of the Law on Enterprise, No.: 11/NA, dated 9 November 2005.

For used, deregistered, and reused enterprise names and codes and the responsibilities before the law of such use in accordance and in compliance with the provisions of the Enterprise Law, the Ministry of Industry and Commerce hereby notifies all stakeholders to strictly implement the following:

1. An enterprise name (except the name of a sole-trader enterprise) may be used if it has been registered in accordance with the given printed form and the enterprise has been registered.
2. A sole-trader enterprise wishing to sustain and protect its name in accordance with laws and regulations may register the name in accordance with the following procedures:
  - Submit an application for enterprise name registration with the enterprise registry office of the industry and commerce authority supervising an area in which the enterprise is located. An enterprise registration certificate that is issued by the authority at any level shall remain the same.
  - Using an application for enterprise name registration as attached herewith.
3. The selection of the enterprise name shall be in compliance with Article 21 of the Enterprise Law. For the branch, it shall use its head office name followed by the word 'branch' every time;
4. The word:
  - 'Repeated' enterprise name refers to the same name written in the same language notwithstanding any forms of the name such as: udon and Udon or U-don;
  - 'Ambiguous' and 'similar' enterprise name refers to a similar name with another enterprise but not exactly the same as above;

- 'Well-known' enterprise name refers to a widely known or famous name (in case of non-registration in accordance with the Law on Intellectual Property) which shall be considered based upon conditions as stipulated in Article 17 of the Law on Intellectual Property (No.: 08/NA, dated 24 December 2007) on an indulgent basis;
5. 'Scope of enterprise name protection' refers to the scope as provided in item 1 of Article 22 of the Enterprise Law except for well-known enterprise names which shall be protected countrywide;
  6. Preferred right over a repeated name shall comply with the following:
    - Between those who have registered the same name, the requirements of the Enterprise Law shall be adhered to;
    - Between sole-trader enterprises which are not very well known and which have not registered the name in accordance with Clause 2 above, the enterprise that uses the name first shall have preferred right over other enterprises;
    - Between a sole-trader enterprise without name registration and an enterprise with name registration, the enterprise with an approved enterprise name (regardless of whether before or after the approval) shall have preferred right to the name over other enterprises;
  7. In case of disputes regarding the matters stipulated in points 2 and 3 of Clause 6 above, the relevant enterprise registry office of the Division of Industry and Commerce shall issue an order forcing an enterprise using a repeated name to cease such use and to choose a new one.

If such an enterprise does not change its name, the Division of Industry and Commerce shall notify the enterprise registry office of the district Office of Industry and Commerce to temporarily suspend the enterprise until it complies with the above.

8. An enterprise, seeing that other enterprises are using an ambiguous or similar name as its enterprise with proof that such use has caused, is causing, or will cause damage to its business or reputation, may request the Economic Arbitration Office or a competent court to reconcile, resolve, or make a decision forcing other enterprises to stop using the name.
9. For an approved and registered enterprise name which is later found out to be a repeated, similar, or ambiguous name of another well-known enterprise or that violates items 2, 3, or 4 of Article 22 of the Enterprise Law, the relevant enterprise registry office shall issue an order forcing the enterprise to stop using the name and choose a new one. If the enterprise does not follow the order, it shall be temporarily suspended until it complies with the order.

For the name of a sole-trader enterprise, without name registration, which has operated its business for a long period of time and is eligible under Article 17 of the Law on Intellectual Property (No.: 08/NA, dated 24 December 2007), and wishing to have a preferred right or to be protected under the law, it shall apply to register its name or register it in accordance with the Law on Intellectual Property;

10. An enterprise registry office that approves three repeated names shall be penalized in accordance with Article 238 of the Enterprise Law;
11. The enterprise code shall be obtained at the same time as enterprise registration is approved by the relevant enterprise registry office;
12. For an enterprise name which is duly cancelled in accordance with laws and regulations in any manner whatsoever, after three consecutive years of the date of cancellation, any person interested in such name may apply for registration, and it may be considered and approved unless otherwise stipulated in laws and regulations;
13. The cancelled enterprise code shall not be reused in any circumstances. In case of violation, an offender shall be strictly penalized in accordance with Article 238 of the Enterprise Law, and the code shall be null and void;
14. This Notice revokes and supersedes Provision No.: 0924/IC, dated 4 June 2008 on the Registration and Approval of Enterprise Names.

This Notice is for your acknowledgement and strict implementation.

**Minister of Industry and Commerce**

*[Seal and signature]*

**Siewsavard Savaengsueksa**

**Request  
to Reserve an Enterprise Name of a Sole-Trader Enterprise**

- Pursuant to Law 11/NA, dated 9 November 2005; on Enterprise

I (full name): ....., representing the founders of the a sole-trader enterprise, wish to request the enterprise registrar to consider approving one of the following names for the name of ..... in the following preferential order:

**First enterprise name:**

- In the Lao language : ....., abbreviated as:.....
- In an international : ....., abbreviated as:.....  
language (if any)

**Second Enterprise name:**

- In the Lao language : ....., abbreviated as:.....
- In an international : ....., abbreviated as:.....  
language (if any)

**Third Enterprise name (if any):**.....

The enterprise:

- Business operations:.....;
- Office located at.....Village,.....District,.....Province
- Tel:.....Fax:.....

Sincerely desire your due cooperation.

At ....., date, month, year: .....  
Name and Signature of ( ) the Applicant or  
Person assigned power of attorney to register the enterprise

**Remark:**

- Letter of power of attorney to submit this Request to Reserve Name of Enterprise: 2 copies

