

VIET NAM (VN)**I. LEGISLATIVE PROFILE****1. National Legislation****a. Industrial Property**

Capital: Hanoi
Population: 79,526,000

Patents:

- The Civil Code of the Socialist Republic of Viet Nam passed by the National Assembly in October 1995 and effective from July 1996 (Part Six “Intellectual Property and Technology Transfer” ; Chapter II “Industrial Property”).
- Decree No. 63/CP of the Government promulgated in October 1996 on detailed regulations concerning Industrial Property.
- Circular No. 3055/TT-SHCN, December 1996, Ministry of Science, Technology and Environment guiding the implementation of the regulations on the procedures for establishing industrial property rights and other regulations in Decree No. 63/CP of October 1996 of the Government detailing the provisions on industrial property.

Trade Marks:

As above, under Patents.

Industrial Designs:

As above, under Patents.

b. Copyright and Related RightsCopyright:

- Chapter I, Part VI and the relevant Articles of the Civil Code of Viet Nam, adopted by the National Assembly in October 1995, and entering into force in July 1996.
- Decree No. 76/CP, November 1996, of the Government Guiding the Implementation of a Number of Provisions on Copyright in the Civil Code.
- Decree No. 60/CP, June 1997, of the Government on Implementation of the Provisions of the Civil Code Involving Foreign Factors.
- Circular of the Ministry of Culture and Information No. 27/2001/TT-BVHTT of May 2001, Guiding the Implementation of Decree of the Government No. 76/CP of November 1996, and Decree of the Government No. 60/CP of June 1997.

Related Rights:

As above, under Copyright.

c. Other Country-Specific Legislation or ActivitiesAppellations of Origin / Geographical Indications / Indications of Source:

As above, under Patents.

Establishment of Commercial Code:

- Decree No. 140/HDBT, April 1991 of the Government on Actions Against Counterfeit Products.

Administrative Procedures:

- Decree of the Government No. 31/ND-CP of June 2001 on Administrative Fines and Punishment in the Field of Culture and Information.
- Ordinance on Administrative Fines and Punishments.
- Ordinance on Procedures for Settlement of Administrative Cases.
- Ordinance on Procedures for Settlement of Civil Cases.

Enforcement:

- Customs Law, adopted by the National Assembly in September 2001, entered into force in January 2002.

d. Sources for Information on National Laws

Ministry of Justice	Tel.:	(84.4)	843.88.42/65
25A Cat Linh Street			823.11.35
Hanoi	Fax:	(84.4)	843.14.31
<i>Title of Head:</i> Minister of Justice			823.11.24

2. Membership of International Bodies**a. Membership of WIPO Treaties:**

- WIPO Convention, since July 1976.
- Paris Convention (Industrial Property), since March 1949.
- Berne Convention (Literary and Artistic Works), since October 2004.
- PCT (Patents), since March 1993.
- Madrid Agreement (International Registration of Marks), since March 1949.
- Madrid Protocol (International Registration of Marks), since July 2006.
- Geneva Convention (Unauthorized Duplication of Phonograms), since July 2005.

b. WTO: Observer.**c. Membership of other bodies/treaties: APEC, ASEAN, UPOV.**

- Member of APEC since November 1998.
- Member of ASEAN since July 1995.
- Member of UPOV since December 2006.

II. ADMINISTRATION**1. Industrial Property**Supervisory Ministry:

Ministry of Science, Technology & Environment	Tel.:	(84.4)	825.27.31/32
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39 Tran Hung Dao Street
Hanoi
Title of Head: Minister of Science, Technology
and Environment

Fax: (84.4) 826.33.88
825.27.33

Industrial Property Office:

National Office of Intellectual Property (NOIP)
P.O. Box 432, Hanoi
384-386 Nguyen Trai Street
Thanh Xuan District
Hanoi
Title of Head: Director General

Tel.: (84.4) 558.82.17
858.30.69
858.37.93
858.51.56/57/59
Fax: (84.4) 858.40.02
858.34.25
858.84.49
E-mail: noip@ipt.vn

2. Copyright and Related Rights

Supervisory Ministry:

Ministry of Culture and Information
51-53 Ngo Quyen Street
Hanoi
Title of Head: Minister of Culture & Information

Tel.: (84.4) 943.81.21
943.94.56
Fax: (84.4) 943.71.01
943.90.09

Copyright Office:

Copyright Office of Viet Nam (COV)
151 Hoang Hoa Tham Street
Hanoi
Title of Head: Director General

Tel.: (844) 823.69.08
847.04.85
847.09.94
823.43.04
Fax: (84.4) 843.26.30

Collective Management Societies:

Vietnamese Center for the Protection of
Musical Copyright (VCPMC)
51 Tran Hung Dao, Hoan Kiem Dist
Hanoi
Title of Head: Director

Tel.: (84.4) 943.90.04
Fax: (84.4) 943.59.63

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

Industrial Property Tribunal

Supreme People's Court
48 Ly Thuong Kiet Street
Hanoi
Title of Head: President

Tel.: (84.4) 826.39.89
825.84.98
824.04.52
Fax: (84.4) 826.96.98

Copyright Tribunal

None.

Other

General Department of Customs 51 Nguyen Van Cu Hanoi <i>Title of Head: Director General</i>	Tel.: (84.4) Fax: (84.4)	826.39.53 827.25.51/52 826.52.56 826.39.05 826.39.51 827.27.54
Market Control Organisation 91 Dinh Tien Hoang Hanoi <i>Title of Head: Director</i>	Tel.: (84.4) Fax: (84.4)	825.42.92 825.58.34 825.41.54 934.27.26/27
Economic Police Ministry of Public Security 40 Hang Bai Street Hanoi <i>Title of Head: Director</i>	Tel.: (84.4) Fax: (84.4)	825.84.19 824.05.13

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

Hanoi Law University 6 Nguyen Chi Thanh Street Hanoi <i>Title of Head: Headmaster</i>	Tel.: (84.4) Fax: (84.4)	835.94.48 835.81.69 834.40.18 834.32.26
Hanoi University of Social Sciences and Humanities Faculty of Law 336 Nguyen Trai Street Hanoi <i>Title of Head: Director of the Faculty of Law</i>	Tel.: (84.4) Fax: (84.4)	768.07.87 558.83.14

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2003:

		Patents	Trade Marks	Industrial Designs
Applications by:	residents	78	8,613	448
	non-residents	1,097	3,533	233
Grants to:	residents	17	4,910	358
	non-residents	756	2,236	110

PCT – 2002

Applications by residents and non-residents: 90,137 (2 residents, 90,135 non-residents)

Grants to residents and non-residents: Information not available

Madrid System – 2002**International Registrations:**

Total applications: 1,929 (non-residents only)

Total registrations: 1,671 (non-residents only)