How to protect intellectual property while doing business in Vietnam?

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9 September 2019
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What are intellectual property rights? A snapshot

Copyright:
- Covers literary, artistic, and scientific works.
- Covers software and data collection.

Invention Patent:
- Protects inventions.
- The invention must be new, not obvious, and have an industrial application.
- Registration is necessary.

Industrial Design:
- Protects the appearance of a product.
- New, creative, and has an industrial application.

Trade Marks:
- Is a distinctive sign that allows consumers to distinguish goods or services.

Geographical indication (GI):
- A sign used on products that have a specific geographical origin and possess qualities or a reputation.

Register a Trade Mark In Vietnam

Takes around 15 months

Costs approximately 54 EUR

Lasts 10 years plus renewal

Design registration

Takes 15 months

Costs approximately 59 EUR

Lasts 5 years renewable up to 15 years
Geographical indication registration

- Takes up to **12 months**
- Costs approximately **87 EUR**
- Lasts continuously, without the need to renew the registration **every 10 years**.
## Trade fairs pros and cons

<table>
<thead>
<tr>
<th>Pros</th>
<th>Cons</th>
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<tr>
<td>• Opportunity to present innovations and ideas to potential partners and customers.</td>
<td>• Disclosing your innovative patent.</td>
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<tr>
<td>• Opportunity to find good commercial partners.</td>
<td>• Your trade mark to be copied (trade mark squatting).</td>
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<td>• Exposing your products to rivals.</td>
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Play smart!

Identify your IP assets to protect

• Prioritize protection needs
• Assess vulnerability of your business asset

Sign NA and NNN agreement with partners and employee

• Agreements can be enforced independently from the IP violations
• Trade secrets are a powerful tool

Monitor the Market for possible infringements

• Time is a key factor!
What do you need before enforcement?

Be sure you own the right

Make your own investigation and collect evidences

Notarization and Legalization of Documents

Request for a preliminary infringement assessment from IP legal service providers

ACT!

• Yes but how?
<table>
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<th><strong>Enforcement</strong></th>
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<tr>
<td><strong>Administrative Actions</strong></td>
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<tr>
<td>• Penalty for the infringer</td>
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<td>• Seizure of the infringing goods</td>
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<td><strong>Criminal Prosecution</strong></td>
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<tr>
<td>• Investigation and police raid actions based on request</td>
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<td>• Penalty and imprisonment prescribed in the IP laws</td>
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<tr>
<td>• No control</td>
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<td><strong>Civil Action</strong></td>
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<td>• Long and expensive, damages questionable, delayed results, uncertainty</td>
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<tr>
<td><strong>Alternative Dispute Resolution</strong></td>
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<td>• From a cease and desist letter to mediation and arbitration</td>
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Thank you for your attention!
Stay connected!