

Vietnam's Compliance with International IP Agreements

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Abstract: Intellectual property rights (IPRs) are becoming increasingly important as the world becomes more globalized as it fosters cross-border trade, innovation, and economic integration. Vietnam, rapidly integrating into the global economy, is placing significant emphasis on this issue. Over the past decades, Vietnam has made significant strides in aligning its domestic laws with global IP standards. This has been achieved primarily through Vietnam's active participation in key international treaties, such as the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the Berne Convention for the Protection of Literary and Artistic Works, and the Paris Convention for the Protection of Industrial Property. In addition to these multilateral treaties, Vietnam has also committed to high standards of IP protection through its involvement in modern free trade agreements (FTAs), including the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the EU-Vietnam Free Trade Agreement (EVFTA). These FTAs have pushed Vietnam to implement more stringent IP regulations, offering better protection for patents, copyrights, trademarks, and other forms of intellectual property. As a result, the country has introduced significant legislative reforms, enhanced the protection of IP rights and aligned its legal framework with international best practices. Continued efforts to improve enforcement, capacity building, and international cooperation will be crucial for Vietnam to sustain its progress and foster an environment that encourages innovation, attracts foreign investment, and strengthens its competitive position in the global economy.

Keywords: Vietnam, International IP, Agreements

I. Introduction

Intellectual property is all exclusive rights of intellectual creation. It normally includes two kinds of rights: industrial property, including a group of rights related to things such as innovations (patents), trademarks, industrial designs and models, and designations of origin; copyright-which includes a group of rights in the sphere of things such as literary and creative property (TFEU, 2024). The following shall be the forms under the protection of the 1967 Convention Establishing the World Intellectual Property Organization: Works of science, literature, and other creative expression; Phonograms, broadcasts, performances; Industrial designs; Inventions and scientific discoveries; Trademarks, service marks, and commercial designations or indications; Protection against unfair competition; Other rights.

The copyright protects two types of rights: economic rights, which allow creators to derive financial benefits from their works; and moral rights, which enable creators to protect their association with their work for integrity and attribution. Economic rights can be transferred, while moral rights normally are not transferable. Copyright duration is limited and, as a general rule, extends beyond the life of the author to extend benefits to their successors. In some countries, moral rights continue indefinitely after the economic rights expire.

International affairs and the global economy greatly depend on intellectual property. They reaffirm the commitment to a common standard concerning protection of IPR across boundaries and further promote innovation, trade, and economic well-being across the world. They promote innovation and creativity. These agreements encourage investment in R&D and creative industries, knowing that inventors, innovators, and enterprises can protect their intellectual property at a global scale. Without such legal protection, there could be great trepidation by firms to invest in new innovative goods, technologies, or content. These international treaties on intellectual property provide legal stability and protection when business enterprises and organizations conduct business across borders, thereby allowing technological, scientific, and cultural advancement. IP stimulates global trade and investment by creating equal

opportunities. International IP agreements help harmonize IPR protection and enforcement laws, and hence they facilitate the entry of companies into new markets and exportation to any part of the world.

This creates an environment that is more secure with reduced risks to businesses. On the other hand, IP attracts foreign investment: Countries that have strict laws on protection of intellectual property and observe international agreements on the same are likely to gain more foreign direct investments. Investors are also confident of having their intellectual property kept safe. The agreement on IP will help countries in combating piracy, counterfeiting, and other forms of infringement, hence saving their economies and businesses, especially in sectors such as pharmaceuticals, software, and entertainment. Transformation of the country from a centrally planned economy to a socialist-oriented market economy implied that several reforms were undertaken, including those concerning intellectual property rights. Initial attempts at the codification of intellectual property protection were driven by a desire of Vietnam to attract foreign investment, as well as to make its domestic legislation compatible with international standards. One of the most defining moments in the early intellectual property integration process of Vietnam was the signing of the Paris Convention for the Protection of Industrial Property in 1981. It represents accession into the international community of intellectual property, although limited institutional support and enforcement measures were present at its inception.

Throughout its development, the Vietnamese government has recognized the importance of international economic integration and has introduced changes to its legal system to promote deeper and broader integration. Aligning with the global intellectual property (IP) framework is an important part of the country's broader efforts to modernize its economy and participate more actively in the global trading system. Aligning its IP policies with international standards is essential not only to promote domestic innovation and technological advancement but also to comply with the requirements of free trade agreements. Prior to *Đổi mới*, IP was not an important part of Vietnam's legal framework as private enterprises were not yet legalized. The country's transition from a centrally planned economy to a socialist-oriented market economy has prompted reforms in many areas, including IP. Initial efforts to formalize IP protection were motivated by Vietnam's desire to attract foreign investment and align domestic laws with international standards. One of the most important milestones in Vietnam's initial IP integration process occurred in 1981 with the signing of the Paris Convention for the Protection of Industrial Property. This marked Vietnam's entry into the international IP community, although institutional support and enforcement mechanisms were underdeveloped in the early stages.

II. Main content

2.1. Vietnam's Membership and Obligations

In the last few decades, Vietnam has also been busy joining international treaties on intellectual property in creating its legislation and bringing it up to international norms. In the year 1949, the basic agreements included accession to the Paris Convention for the Protection of Industrial Property and the Madrid Agreement for the International Registration of Marks. Vietnam reinforced this commitment to global norms on IP when joining the World Intellectual Property Organization in 1976 and the Patent Cooperation Treaty in 1993, which allowed international applications for patents. Vietnam has signed the Berne Convention on the protection of copyright and the TRIPS Agreement under the WTO in extending full protection in intellectual property. Below are some of the major international intellectual property (IP) agreements that Vietnam has joined over the years:

- World Trade Organization (WTO) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
- Paris Convention for the Protection of Industrial Property
- Berne Convention for the Protection of Literary and Artistic Works
- Madrid Agreement Concerning the International Registration of Marks
- Patent Cooperation Treaty (PCT)

Over the last period, Vietnam's system of intellectual property has been supplemented and revised remarkably in order to create favorable conditions for integration with other countries and international organizations on intellectual property. The framework of the law on Vietnamese intellectual property has been built to reach completeness, effectiveness, and meet international standards. The Law on Intellectual Property was issued for the first time in 2005, amended and supplemented in 2009 and 2019, and substantially amended and supplemented in 2022 to ensure the fulfillment of Vietnam's commitments on intellectual property when accessioning to new free trade agreements, especially the CPTPP, EVFTA, and RCEP. In addition to this, Vietnam has ratified the Protocol amending the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement, 2017), the Hague Agreement Concerning the International Registration of Industrial Designs (2019), and the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Registration (2021), so bringing in

some international treaties entered into by Vietnam regarding the protection and international registration of intellectual property rights administered by WIPO to 14.

At multilateral forums (WTO, WIPO, APEC and ASEAN) on intellectual property, Vietnam has participated proactively and positively. Notably, Vietnam was elected as Chairman of the WIPO General Assembly for the 2018-2019 term and has been a member of two important WIPO Committees, the Coordination Committee and the Planning and Budget Committee for many terms. Within the framework of bilateral cooperation, the National Office of Intellectual Property currently has good cooperative relations with many intellectual property agencies in the world with 17 cooperation agreements in the field of industrial property that are still in effect to date, including cooperation agreements with the group of 05 largest intellectual property agencies in the world (United States, European Union, Japan, Korea, China). Accordingly, many projects and cooperation activities have been effectively implemented, typically technical assistance projects with the Japan International Cooperation Agency (JICA), projects with the European Union, training programs, seminars on intellectual property protection and enforcement with the United States Patent and Trademark Office, or appropriate technology development projects and trademarks of the Korean Intellectual Property Office, joint research projects on intellectual property systems chaired by the Chinese Intellectual Property Office, etc.

In the process of integration, Vietnam has signed and joined a number of multilateral international treaties on copyright and related rights. Participation in international conventions is the basis for protecting intellectual property rights for international trademarks in the Vietnamese market and vice versa. Since 2004, Vietnam has been a member of 5 multilateral international treaties on copyright and related rights, specifically as follows:

The Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, effective in Vietnam on March 1, 2007, currently has 91 member countries. The Copyright Office coordinates with the Department of International Treaties, Ministry of Foreign Affairs to prepare procedures for participation according to the commitment in the Agreement between the Government of the Socialist Republic of Vietnam and the Government of the Swiss Confederation on the Protection of Intellectual Property and Cooperation in the Field of Intellectual Property;

The TRIPS Agreement on Trade-Related Aspects of Intellectual Property Rights, effective in Vietnam on January 11, 2007, since Vietnam became a member of the WTO, currently has 157 member countries. The Copyright Office is participating in negotiations to join the WTO.

The Berne Convention for the Protection of Literary and Artistic Works, effective in Vietnam on October 26, 2004, currently has 165 member countries. The Copyright Office coordinates with the Department of International Treaties, Ministry of Foreign Affairs to prepare procedures for participation according to the commitments in the Agreement between the Government of the Socialist Republic of Vietnam and the Government of the Swiss Confederation on the Protection of Intellectual Property and Cooperation in the Field of Intellectual Property and the Trade Agreement between the Socialist Republic of Vietnam and the United States of America;

The Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms, which entered into force in Vietnam on July 6, 2005, currently has 77 member countries. The Copyright Office, in coordination with the Department of International Treaties, Ministry of Foreign Affairs, prepares the procedures for participation in accordance with the commitment in the Trade Agreement between the Socialist Republic of Vietnam and the United States of America;

The Brussels Convention for the Distribution of Program-Carrying Signals Transmitted by Satellite, which entered into force in Vietnam on January 12, 2006, currently has 35 member countries. The Copyright Office, in coordination with the Department of International Treaties, Ministry of Foreign Affairs, prepares the procedures for participation in accordance with the commitment in the Trade Agreement between the Socialist Republic of Vietnam and the United States of America;

There are currently 3 treaties: the WIPO Copyright Treaty (WCT), the WIPO Performances and Phonograms Treaty (WPPT), and the Beijing Audiovisual Performances Treaty that Vietnam has not yet joined. Partners at international forums, bilateral and multilateral economic and trade partnership agreements negotiations, have requested Vietnam to commit to participating in the above treaties. Three multilateral treaties with provisions directly related to trademark issues that businesses may often have to consider complying with and applying in their business are: the Paris Convention, the Madrid Agreement and Protocol, and the TRIPS Agreement.

In addition, Vietnam also adopts and applies the International Classification of Goods and Services for Trademark Registration under the Nice Agreement; International Classification of Trademark Figurative Elements under the Vienna Agreement, since 1973. According to the International Classification of Goods and Services for Trademark Registration, all categories of goods and services which businesses supply fall into 45 groupings, including 34 groups of goods and 11 groups of services. Of these, the International Classification of the Figurative features of

Trademarks classify the graphic features of a trademark into 29 categories, 144 classifications in all totaling 1,887 entries. During the activities regarding trademark protection, the enterprises and national trademark authorities are bound to resort to and apply these two classifications constantly when carrying out the search for identical or overlapping trademarks.

Each State Party to the Convention undertakes to ensure the protection of the rights of authors and other copyright holders in literary, scientific and artistic works, including written works, musical, dramatic and cinematographic works, and paintings, engravings and sculptures.

2.2. Implementation of International IP Standards in Vietnam

Vietnam has made significant strides in harmonizing its domestic laws with international standards, a decision that has been crucial for its economic integration and development. This harmonization process involves aligning national regulations and standards with those recognized globally, ensuring that Vietnamese products and services meet international quality and safety requirements. Vietnam aligns 60% of its national standards with international and regional standards—a great achievement in this field. The active participation in international standardization organizations ISO and IEC has allowed Vietnam to implement such an alignment. This adoption not only provides a highly competitive advantage to the products offered by Vietnam in the world market but also gets rid of technical trade barriers.

Moreover, Vietnam's adherence to international agreements, such as the World Trade Organization (WTO) and various free trade agreements (FTAs), has necessitated the alignment of its domestic laws with international norms. These agreements often include stringent requirements on technical standards, intellectual property rights, and environmental regulations, prompting Vietnam to update its legal framework accordingly.

Vietnam amended its domestic IP law to comply with new obligations under international agreements such as the CPTPP and EVFTA. The changes mentioned above addressed digital copyright issues, strengthened enforcement measures, and streamlined the registration process for patents and trademarks. All these important achievements indicate but one thing—the continuous efforts on the part of Vietnam to align its intellectual property system with international standards and at the same time promote the country's economic integration with the global market. Such success has been witnessed through increased international integration of Vietnam within the global economy by the promulgation of current intellectual property laws and major international treaties to develop a predictable and secure environment for both national and foreign enterprise. In other words, it goes without saying that more foreign direct investment and better protection of intellectual property rights give birth to innovation and technical improvement. The third amendment of the Intellectual Property Law is targeted at meeting the commitments under the CPTPP, EVFTA, and RCEP Agreements. The Law commonly referred to as "IP Law 2022," will come into effect on January 1, 2023. It is under the IP Law 2022 that protection for the exclusive use rights of markers of product origin, in the case of trademarks and geographical indications, and exclusive rights of exploitation of technological advances—in the case of inventions, industrial designs, and plant varieties—is entrusted.

Vietnam does not accept use patent protection (use claim, Swiss-type claim, second or further medical use claim) but only grants exclusive rights for technical innovations in one of three forms: substance, product or process. A patent for invention with a term of protection of 20 years is granted if the technical creation satisfies all three conditions: novelty, inventive step and industrial applicability. In case the technical solution does not have an inventive step (but is not common knowledge), it can be protected as a Utility Solution Patent with a validity of 10 years.

The 2022 IP Law for the first time provides an exception for loss of novelty for an invention (not applicable to industrial designs) that is publicly disclosed by the applicant or a third party if the patent application is filed within 12 months from the date of public disclosure. The applicant may file a national application (directly with the NOIP) no later than 12 months from the date of filing the corresponding application abroad, or file an international application (entering the national phase based on the PCT application within 31 months (cannot be extended) from the priority date.

Patent applications, whether PCT international applications or national applications (Paris Convention applications), are examined to form within a month before being published in the 19th month (unless there is a request for early publication). Patent/utility solution applications are only examined as to substance within 18 months after the applicant has filed a request for substantive examination within 42 months and 36 months respectively from the priority date. The applicant should proactively provide the status of similar patents abroad to shorten the time for substantive examination because the NOIP often grants patents to Vietnamese applications based on similar patents granted by other agencies. foreign patents (USPTO, EPO, JPO, CNIPA, KIPO) grant patents. The applicant must pay the first-year maintenance fee together with the patent issuance fee according to the notice of granting the protection certificate of the National Office of Intellectual Property. From the second year onwards, the maintenance fee must be paid annually, calculated from the date of the granting decision recorded on the patent.

Industrial design patent: The external appearance of a product can be protected in the form of an industrial design patent, which is valid for 5 years and can be renewed twice, each time for 5 years, provided that the industrial design applied for registration meets all 3 conditions at the same time: novelty, inventive step and industrial applicability.

Vietnam has not yet accepted the protection of partial designs even though new legal signs: product parts, complex products and visible properties during exploitation, are included in the new definition of industrial designs. Article 4.14 of the 2022 IP Law defines an industrial design as the external appearance of a product or a part for assembly into a complex product, expressed in shapes, lines, colors or a combination of these elements and visible during the exploitation of the product or complex product's function.

Unlike invention utility solutions that have a grace period of up to 12 months for loss of novelty, the novelty standard for industrial designs in Vietnam is global and absolute. Applicants can choose to file a national application (directly with the NOIP) or an international application (under the Hague Agreement) when registering an industrial design in Vietnam. Furthermore, applicants can delay the publication of an industrial design for up to 7 months, provided that the applicant submits a request for delay at the time of filing. If there is no request for delay, the industrial design application will be published within two months from the date of acceptance of the application. The industrial design is examined for content within 7 months from the date of publication

Plant Variety Protection Certificate: If an application for registration simultaneously satisfies the five requirements for protection—novelty, distinctiveness, uniformity, stability, and a suitable name—a plant variety that is chosen, discovered, and developed may be protected in the form of a Plant Variety Protection Certificate. In contrast to the 2005 Law on Intellectual Property, the 2022 Law on Intellectual Property does not include the sixth protection need, which required the plant variety to be registered to be on the Ministry of Agriculture and Rural Development's List of plant species. Plant variety protection certificates are valid for 25 years for woody and climbing plant varieties, and 20 years for other plant varieties, calculated from the date of issue, provided that the first year's maintenance fee is paid 3 months after the date of issue. The application for registration of a plant variety is examined by the Plant Variety Protection Office in form within 15 days and is examined in substance, including examination of novelty, appropriate name, and examination of technical test results (DUS) within 90 days from the date of receipt of the DUS.

Trademark registration certificate: A sound sign can be protected as a trademark in Vietnam in addition to visible signs including 3D trademarks (shape trademarks) as long as they have trademark function and do not conflict with other people's pre-existing trademarks, designs or copyrights. It should be noted that signs expressed solely in Chinese, Japanese, Korean characters or non-Latin characters are generally refused protection. Except for the case where distinctiveness has been acquired through use prior to the filing date, a three-dimensional sign (shape mark) can be protected in Vietnam provided that it does not fall into one of three categories: it is the inherent shape of the goods; or is required by the technical characteristics of the goods; or it significantly increases the value of the goods. Vietnam only grants protection to the earliest filed trademark, and also only protects a trademark after it has been granted a certificate of trademark registration, unless the trademark is considered a well-known trademark. In general, any individual or organization can apply for trademark registration in Vietnam through the Madrid System (international registration) or directly with the National Office of Intellectual Property (national registration). A trademark application may designate one or more classes according to the Nice Classification. The filed trademark will be examined as to form within 1 month and examined as to content within 9 months from the date of publication (after acceptance of form).

Vietnam applies for the first time the procedure of temporary suspension of examination of trademarks (similar to that in the United States), specifically, the enterprise can proactively request to suspend the processing of a rejected trademark application in case it files an application to terminate or cancel the validity of the referenced trademark. A granted trademark is valid for 10 years from the date of filing and can be renewed (without requiring the submission of evidence of use) every 10 years within 6 months before the expiry date. A granted trademark can only be terminated if a third party files a request to prove that the trademark has not been used for 5 consecutive years.

Copyright: Literary and artistic works such as books, films, applied arts, paintings, software, computer programs, etc. are all protected under copyright as long as they are fixed in a certain material form and are original. Vietnam does not recognize those who support, give opinions or provide materials for others to create literary and artistic works as authors/co-authors, but only recognizes those who directly create the work as authors. Vietnam does not recognize authors as legal entities, so there is no such thing as work made for hire as in the US copyright law. Three types of personal rights (moral rights) are protected indefinitely and are non-transferable: the right to name the work; the right to be named; the right to protect the integrity of the work while providing limited protection (50 years after the author's death for most works) for economic rights including the right to copy, the right to distribute, the right to perform the work in public, the right to broadcast/communicate the work to the public, and the right to make derivative works.

Derivative works are defined openly in the 2022 IP Law (instead of the closed definition in the 2005 IP Law), according to which a derivative work is a work created on the basis of one or more existing works through translation from one language to another, adaptation, compilation, annotation, selection, arrangement, musical conversion and other conversions. The 2022 IP Law adds an exception for non-infringement of copyright (no need to ask for permission, no need to pay royalties) for published works, for example, it is not considered an infringement of the right to copy and the right to distribute if it is temporarily copied for technical reasons, copied to exercise other rights under the law, or distributed for the next time the original/copy of the work is distributed or authorized for distribution by the copyright owner (expired/exhausted distribution rights). The 2022 IP Law supplements and details the exception for non-infringement of copyright for published works, provided that the three-step test is followed and information about the author's name and the origin of the work is provided.

Enforcement of intellectual property rights: Right holders can protect their intellectual property rights by administrative measures, civil measures (sue in court) or even petition to initiate criminal proceedings. In case administrative measures are required, the act of infringing intellectual property rights may be subject to the main penalty: a fine of up to VND 500 million; may be accompanied by an additional penalty: temporary suspension of production and business for 1-3 months.

Regardless of the act of infringing intellectual property rights Regardless of whether the act of infringement of intellectual property rights has been or is being administratively handled or is being prosecuted for criminal liability, the right holder still has the right to file a lawsuit for the act of infringement of intellectual property rights with a request for compensation for material damage and spiritual damage based on the actual loss caused by the infringement. Depending on the level of infringement, the Court may determine the maximum compensation for material damage of VND 500 million and/or compensation for spiritual damage from VND 5 million to VND 50 million.

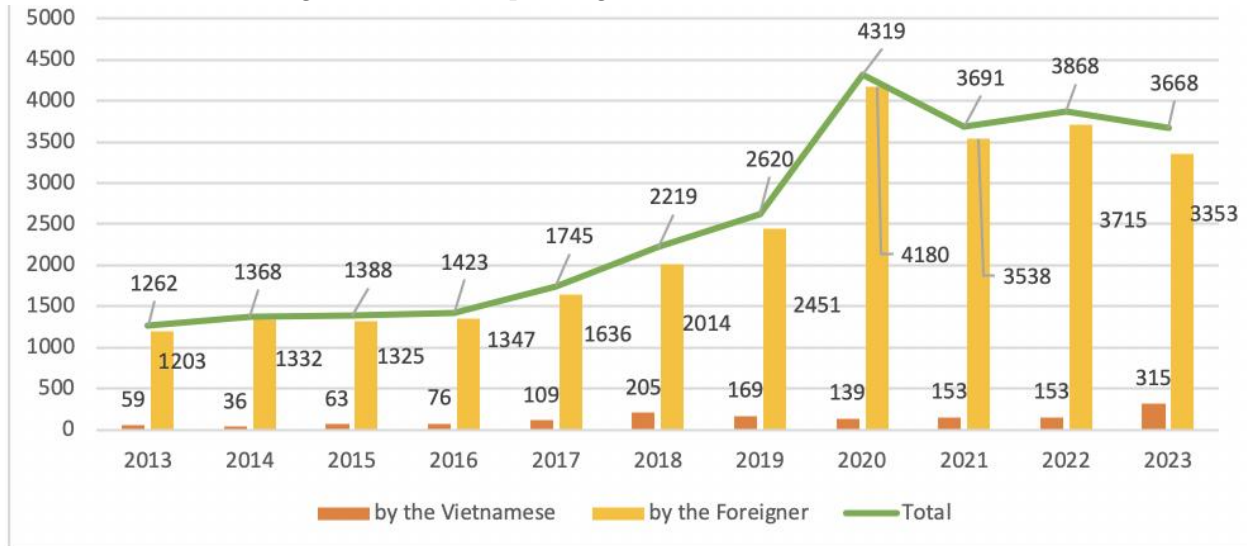
Criminal liability may be applied to acts of intentional counterfeiting of trademarks or geographical indications under Article 226 of the Penal Code, or to acts of intentional copying of works, sound recordings, video recordings, or distributing to the public copies of works, sound recordings, video recordings under Article 225 of the Penal Code, provided that these acts are carried out on a commercial scale. Independent of the criminal liability of individuals, commercial legal entities may also be prosecuted if they commit certain acts of intellectual property infringement on a commercial scale.

In the online environment, an intermediary service provider-also referred to as an "OSP" or "ISP"-is not necessarily exempt from liability for copyright or related rights infringement. Under Article 198b of the 2022 IP Law, OSPs are exempted from liability only conditionally. In other words, three types of service provision-including information transmission (mere conduit), automatic and temporary storage (caching), and storage of digital information content of users at their request (hosting)-are entitled to the "Safe Harbor" mechanism, provided that an OSP satisfies the following conditions. For example, hosting services have to ensure that the following two requirements are satisfied: a) The ISP or OSP does not know that the digital information content infringes on copyright or related rights; and b) In case the ISP or OSP becomes aware that such digital information content infringes on copyright or related rights, such service will act expeditiously to remove or to block access to it.

2.3. Achievements

During the last decade, Vietnam has seen an astonishing 2.9 times the number of issued patents grow from 1262 to 3668 by 2023. That is indicative of the rapidly growing innovative landscape of the country and also reflects its commitment toward fostering a robust IP environment. Significantly, patents granted for foreign applications increased 2.8 times, while those granted for domestic ones surged 5.3 times. This is indicative of the efforts put in place by the IPVN to make the patent examination process more efficient and cut down the backlog, hence higher grants being issued on time.

Figure 1. Investment patents granted from 2013-2023 in Vietnam



Source: Investtip.vn

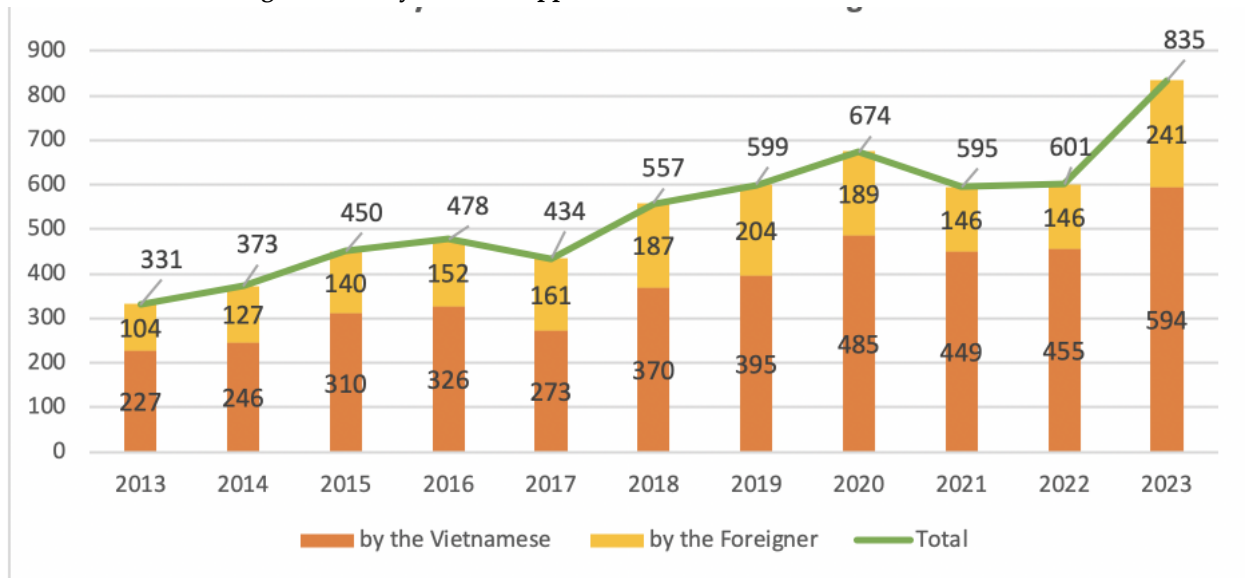
The surge in patent grants reflects the strategic policy of Vietnam to enhance its IP infrastructure, which is considered critical in securing more foreign investments and promoting local innovation. Various efforts have been made by the IPVN to enhance the efficiency and transparency of the patent examination process: introducing advanced technologies for performing patent searches and examinations, increasing the number of qualified examiners, and further enhancing cooperation with international IP organizations.

Moreover, the rise in the number of patent grants domestically testifies to greater capabilities and competitiveness of Vietnamese inventors and enterprises. The growth is supported by government policy and program programs aimed at fostering research and development activity, granting financial incentives for innovation, and enshrining a culture of creativity and entrepreneurship. The increase in patents also indicates that intellectual property protection is vital for economic development, as it encourages technology progress.

Besides such efforts, participation in international treaties and agreements, like the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the Regional Comprehensive Economic Partnership, has taken Vietnam one more step toward strengthening its IP framework. These agreements provide an easy way of better protection and enforcement of IP rights, boosting confidence among foreign investors and encouraging cross-border collaborations.

The impressive increase in the number of patent grants over the past decade is a testament to Vietnam's determination to build a dynamic and innovative economy. With the country continuing to improve its IP ecosystem, it holds great promise of becoming one of the leading innovation and technology development hubs in the region. Vietnam's efforts in economic integration into the global market have been highly successful, firstly shown through the rapid economic growth the country has experienced ever since 1989, the introduction of *Đổi mới* reform, transforming Vietnam from one of the poorest countries globally into a dynamic emerging economy. The Vietnamese per capita GDP increased a whopping six-fold, maintaining such a robust economic growth rate that rivals those of China.

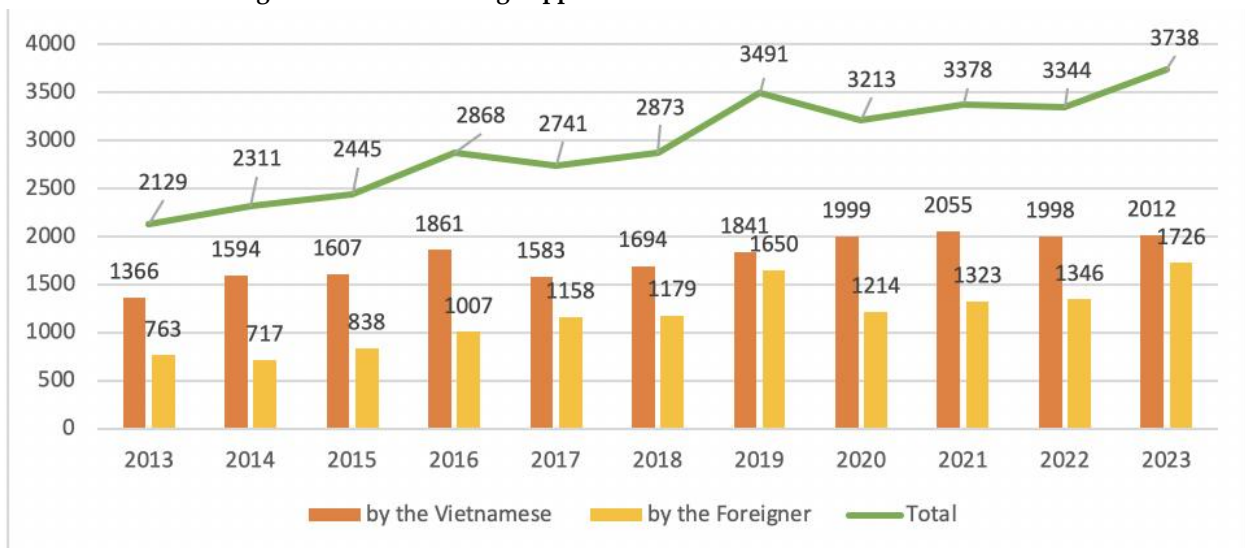
Figure 2. Utility solutions applications filed from 2013-2023 in Vietnam



Source: Investtip.vn

There clearly seems to be an upward trend in the total numbers of utility solutions applications filed over the last decade. This indicates that Vietnam has seen an increase in innovation and patent activity. Between 2013 and 2023, there was a considerable increase in the number of utility solution registrations. The era began with 331 applications, peaked at 674 applications in 2020, and eventually increased to 835 applications in 2023. In contrast to patent applications, the data shows a divergent pattern in utility solution applications. Throughout the study period, domestic applications outnumbered foreign ones by 2 to 3 times, indicating a clear trend toward domestic filing. The increasing number of applications suggests a strengthening innovation ecosystem in Vietnam, supported by both local and international inventors. At the same time, the steady rise in foreign applications indicates the world's growing interest and confidence in Vietnam's IP system, a really good state of national interest.

Figure 3. Industrial design applications filed from 2013-2023 in Vietnam

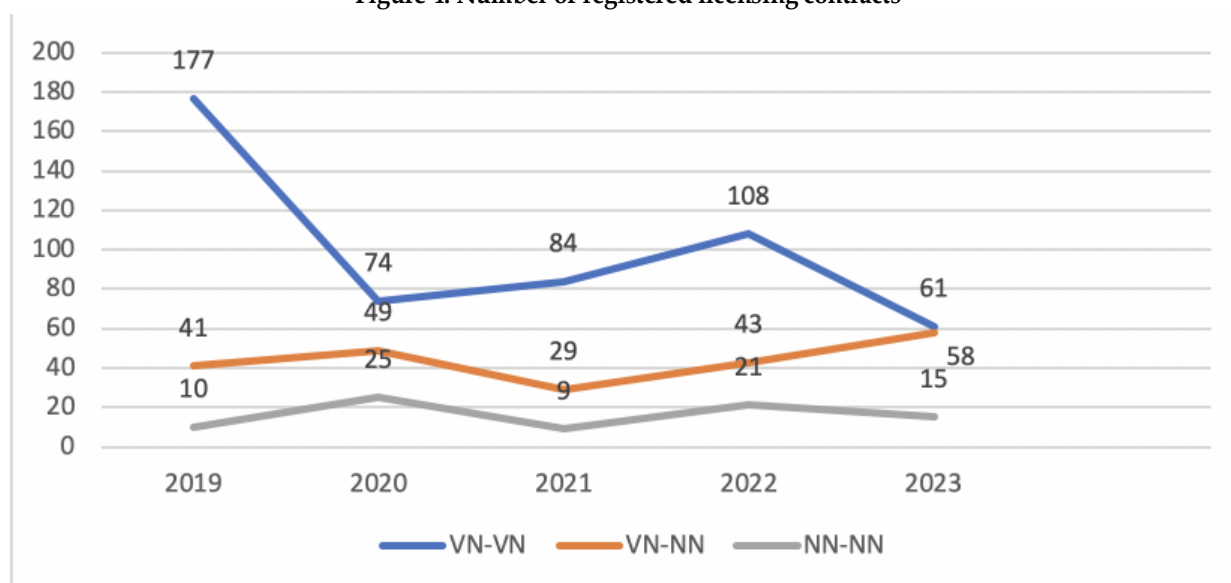


Source: Investtip.vn

The data presented show that between 2013 and 2023, the applications for design have been remarkably improved. In essence, total applications increased 1.8-fold, while for domestic and international, they went by 1.5-fold and 2.3-fold, respectively. This is presumably due to continuous technological advances in the general field of enhanced design methods, which have raised innovation and ingenuity within corporations and given impetus to the creation of more new products and updates. The high growth in design applications reflects corporations' efforts to protect distinctive designs and aesthetics, which are an important means for corporations to compete for market distinctiveness.

As an example, Nike and Samsung have registered their trademarks in Vietnam to safeguard their brand identity and prevent counterfeiting. Vietnam's participation in international agreements like the CPTPP and RCEP has strengthened its IP framework, providing better protection for both local and foreign corporations.

Figure 4. Number of registered licensing contracts



Source: Investip.vn

Above are graphs that illustrate the number of requests for license contract registration and the number of registered licensing contracts between 2019 and 2023 between Vietnamese parties and between Vietnamese and foreign parties. It appears from the figures that most of the license arrangements are between Vietnamese parties in which VN-VN: Licensing contract between the Vietnamese and the Vietnamese; VN-NN: Licensing contract between the Vietnamese and the foreigner; NN-NN: Licensing contract between the foreigner and the foreigner. Several key factors contribute to this trend:

- Many Vietnamese companies and innovators are increasingly targeting the domestic market; hence, more and more license agreements tend to stay within their own country. This way, they could easily expand their influence and increase their power over the local market.
- When dealing with other Vietnamese businesses and individuals, Vietnamese people tend to be more familiar, understanding, and trusting. This is because of factors such as shared cultural values and easy communication between parties.

III. Conclusion

Today, intellectual property has become the basis of global innovation and commerce. The benefits of economic development combined with the knowledge economy have made the sea of intellectual property relevant in a world that can be more easily defended and applied to intellectual property which is important and motivating for incumbents and international organizations. The intellectual property rights in Vietnam depend on international organizations to ensure that the benefits of economic development are integrated into the global economy. During the last decade, we have given impetus to create intellectual incentives for promotion as a driving force of innovation, promoting external reversals and accumulating international achievements. The compliance of the relevant international intellectual property agreements, including the Madrid Acuerdo, the Paris Convenio, the Berne Convenio, and the OMC Acuerdo on the Aspects of the Intellectual Property Derechos related to the Comercio, demonstrates the compromise for a part of the country is one of the most important platforms of intellectual support. Protection. Vietnam must continue to develop its position in the global economy, most importantly for parties interested in international profit by intellectual property as a means of protecting activities and promoting an extraordinary energy business opportunity.

The Vietnamese government has issued the National Standardization Strategy to 2030, aimed at increasing the harmonization ratio to at least 65% by 2025 and 75% by 2030. The use of such an approach testifies to the country's commitment to continuous improvement and adaptation in accordance with global norms, which is critical in the course of preserving economic growth and integration. Harmonization of domestic laws with international standards, due to its relevance and implications for economic integration and development, has not been easy for Vietnam. This is

particularly because it calls for great legal reforms to match local laws with those at the international level. Such processes are always complex and time-consuming since there is a considerable number of stakeholders involved in such coordination. Other factors may include that putting into place and enforcing the new standard calls for major resources in terms of financial investment, qualified personnel, and technology infrastructure, which may be limited in a developing country such as Vietnam. The local industries and enterprises may also be against it since they are accustomed to the set laws. To adapt to the new standards, there might be a need to modify manufacturing processes, which is very costly and disruptive. While aligning with international standards is important, it is also crucial to consider local economic conditions and interests. Striking the right balance between global integration and local needs can be challenging. Globally, as Vietnam integrates more deeply into the global market, it faces increased competition from other countries. Needless to say, ensuring that local businesses can compete effectively while adhering to international standards is a significant challenge, one that requires a coordinated effort from the government, private sector, and international partners.

IV. Methodology

- Data Collection Methods: Collect and review Vietnam's IP-related laws, amendments, and government decrees. Analyze Vietnam's obligations under international agreements such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), and European Union-Vietnam Free Trade Agreement (EVFTA).
- Economic and Policy Analysis: understanding the broader economic implications of IP agreements and how government policies shape or are influenced by these agreements.
- Compare and contrast methods: Conduct a detailed review of Vietnam's domestic IP laws and compare them with international standards set by agreements like TRIPS or CPTPP. Identify gaps, alignments, and key amendments made to comply with international obligations.

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