



# **SUPPORTING GI PRODUCERS IN PROTECTING AND ENFORCING GI RIGHTS**

**PRESENTER: DR. HOANG TIEN MINH**

**OFFICIAL – INSPECTION AND APPEAL DIVISION, INTELLECTUAL PROPERTY OFFICE OF VIETNAM**

**CHALLENGES AND BEST PRACTICES IN THE PROTECTION AND ENFORCEMENT OF GEOGRAPHICAL INDICATIONS (GIS)  
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# MAIN CONTENTS

- The role of geographical indications in Vietnam
- The current situation of geographical indication protection in Vietnam
- Measures to protect geographical indications in Vietnam
- Difficulties and challenges in protecting geographical indications in Vietnam
- Proposed some solutions

# THE ROLE OF GEOGRAPHICAL INDICATIONS

Enhance economic value and affirm the reputation of products associated with regions and localities.

Assert competitive position.

Increase income for producers.

Ensure product quality.

Preserve and promote the value of tangible and intangible heritage, as well as the biodiversity of Vietnam.

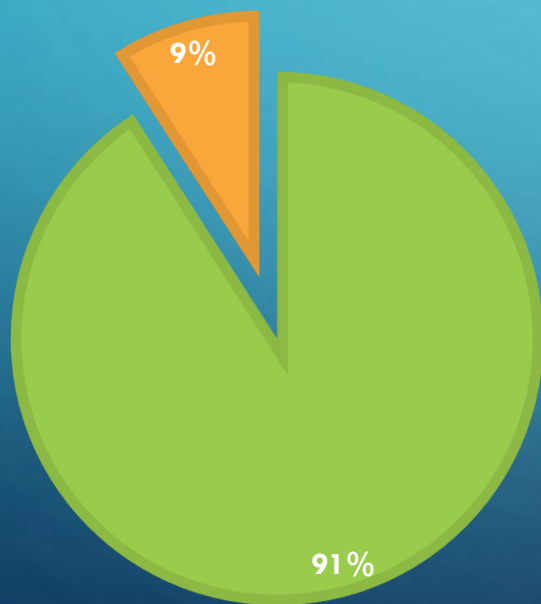
Consumers can identify specialty products.

Share and support rural tourism and craft village tourism in local areas.

# STATUS OF GEOGRAPHICAL INDICATIONS IN VIETNAM

## 143 GIS PROTECTED IN VIET NAM THROUGH DIRECT APPLICATIONS

■ Domestic Gis 130 ■ Foreign 13 ■ ■



Mainly fruit products, accounting for 35% of the total number of protected geographical indications; aquatic products 14%; medicinal herbs 10%; products from industrial crops 10%; rice 9%





# ACTS OF INFRINGEMENT OF RIGHTS TO GEOGRAPHICAL INDICATIONS

- According to Point c, Clause 3, Article 129 of the Intellectual Property Law 2005, as amended in 2022:

The following acts are considered infringements of protected geographical indication rights: Using any sign identical or similar to a protected geographical indication for products not originating from the geographical area indicated, causing consumers to mistakenly believe that the products originate from that geographical area

# ENFORCING GI RIGHTS IN VIETNAM

## Civil remedies

- Compelling the termination of infringing acts
- Compelling the public apology and rectification
- Compelling the performance of civil obligations
- Compelling the payment of damages
- Compelling destruction, distribution or use for non-commercial purposes of goods

## Administrative remedies

- Confiscation of intellectual property counterfeit goods, suspension of business activities
- Compelled destruction or distribution or use for non-commercial purposes of intellectual property counterfeit goods

Temporary custody of persons/goods

## Criminal remedies

- Imprisonment
- Fine

## Border measures

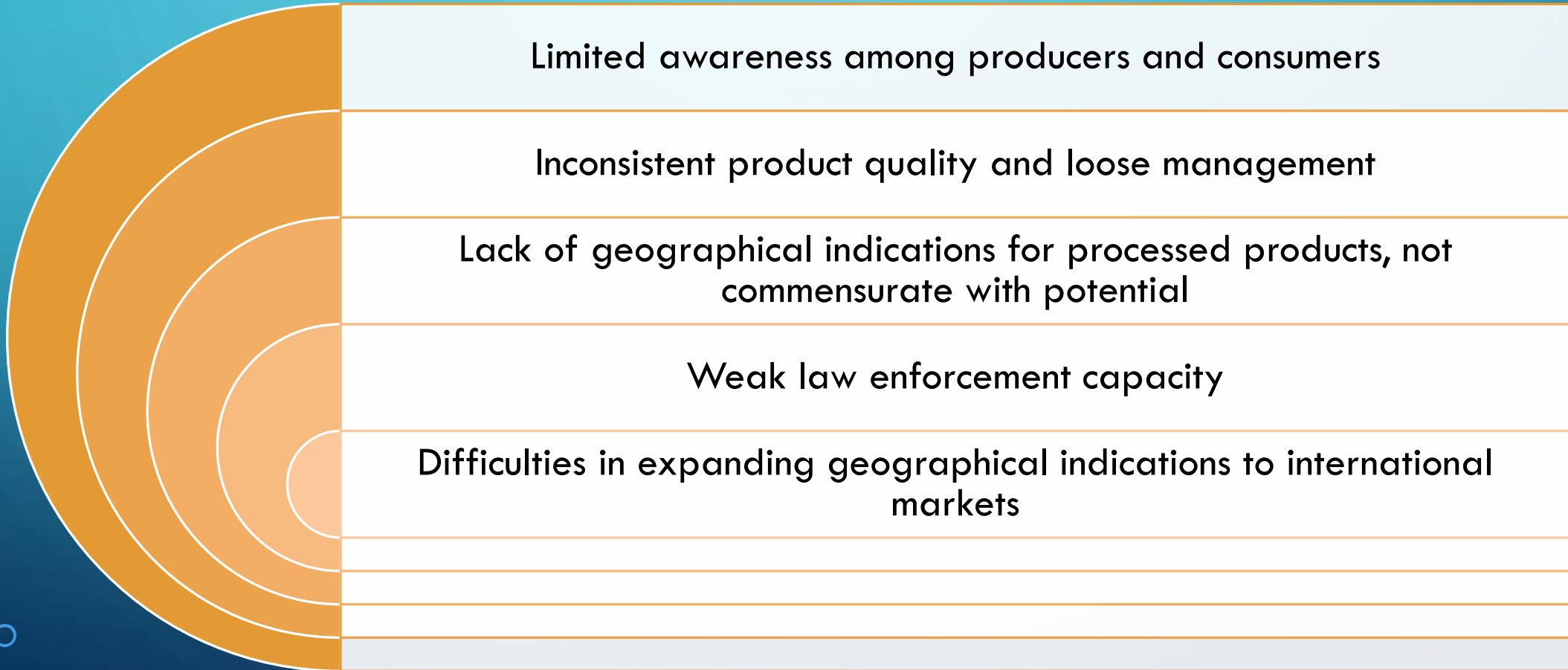
- Suspension of customs clearance
- Inspection and supervision
- Ex Officio Action

# ENFORCEMENT AUTHORITIES






# CHALLENGES AND DIFFICULTIES IN GI PROTECTION IN VIETNAM



# SOLUTIONS TO ENHANCE THE EFFECTIVENESS OF GI PROTECTION IN VIETNAM



Continue to improve the legal framework for geographical indications (GIs), remove barriers, and create a more open legal environment to strengthen GI protection activities;

Standardize the management and control model for GIs (at three levels: self-management, internal management, and external management);

Enhance coordination between state management agencies and between these agencies and business entities;

Increase activities to raise public awareness of intellectual property (IP), and strengthen information dissemination about IP;

Promote international cooperation and experience sharing to advance the protection of Vietnamese geographical indications abroad.

# CONCLUSION

*Geographical indications are an essential tool for local economic development, ensuring the value and reputation of region-specific products.*

*Effective protection and enforcement of geographical indications require coordinated efforts, a comprehensive legal framework, and increased community awareness.*

*All stakeholders are encouraged to participate in developing and preserving local heritage through geographical indications.*

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**THANK YOU SO MUCH!**