



# Understanding Geographical Indications in Vietnam

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Geographical indications (GIs) are an essential part of intellectual property that links the quality and reputation of a product to its geographical origin. They serve as a tool to protect and promote local products, ensuring that the unique characteristics attributed to a particular region are recognized and preserved. In Vietnam, the registration and protection of GIs are governed by a comprehensive legal framework aimed at enhancing the commercial value and cultural heritage of regional products.



# What Are Geographical Indications?

## 1 Definition

A geographical indication is a sign used to identify products that originate from a specific location and possess qualities, reputation, or characteristics inherent to that location. These products often derive their unique attributes from natural factors like soil, climate, or human factors such as traditional production methods.

## 2 Examples

Common examples of geographical indications include agricultural products like Phu Quoc fish sauce, Binh Thuan dragon fruit, and Moc Chau tea.



# Types of Geographical Indications

## Indication of Source

This refers to any indication that a product originates from a specific place.

## Appellation of Origin

This is a stricter form of GI, where the quality or characteristics of the product are essentially or exclusively due to the geographical environment, including natural and human factors.

# Benefits of Geographical Indications



## Enhanced Value

Products with GIs often command higher prices in the market due to their perceived quality and uniqueness.



## Consumer Trust

GIs help consumers identify and trust the authenticity of a product, knowing it comes from a reputed source.



## Cultural Preservation

By protecting traditional methods and regional specialties, GIs help preserve cultural heritage and biodiversity.



## Economic Benefits

GIs can boost local economies by promoting regional products, encouraging tourism, and creating job opportunities.

# The Registration Process in Vietnam

1

## Filing Application

The application must be submitted to the National Office of Intellectual Property (NOIP) of Vietnam with detailed information about the product, its unique characteristics, and the geographical area.

2

## Formality Examination

The NOIP conducts a formality examination to check if the application is complete and meets all procedural requirements, usually taking one month.

3

## Publication & Objections

The application is published, allowing third parties to raise objections within a specified period.

4

## Substantive Examination

The substantive examination assesses the eligibility of the GI for protection, taking up to six months. If objections are raised, a re-examination may occur.

5

## Decision & Registration

Based on the examination results, the NOIP will either grant or refuse the GI protection. If granted, the GI is recorded in the National Register of Industrial Property.

# Recent Developments in Vietnamese Law

Change	Description
Homonymous GIs	Ensures GIs with the same pronunciation or spelling but referring to different products are used in a way that does not confuse consumers.
Foreign GIs	Foreign entities can now register their GIs in Vietnam, aligning with international agreements like the EVFTA.
Management Rights	Clarifies the roles and responsibilities of the state and the right holders in managing GIs.

# ABOUT US



Herman, Henry & Dominic is an experienced team of lawyers and legal experts, based in Saigon and Hanoi. The firm is a member of the INTERNATIONAL TRADEMARK ASSOCIATION (INTA).

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