



# Cooperation between IPRs enforcement bodies in Vietnam

IP KEY SEA Project

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# 1. Intellectual Property Office of Vietnam (IP Vietnam)

In the first eight months of 2020, IP Vietnam had provided 124 expert opinions to enforcement agencies, including:

<b>Patent</b>	<b>3 cases</b>
<b>Trademark</b>	119 cases
<b>Design</b>	2 cases
<b>Total</b>	124 cases


<b>Economic Police</b>	<b>43</b>
<b>Science and Technology Inspector</b>	11
<b>Customs</b>	7
<b>Market Surveillance</b>	25
<b>Court</b>	7
<b>Others agencies</b>	31



## 2. National Steering Committee 389 (NSC 389)


NSC 389 is an agency attached to the Government of Vietnam organized with the task of preventing smuggling, commercial fraud trade and counterfeit goods. NSC 389 is an interdisciplinary body consisting of the Ministry of Finance, the Ministry of Industry and Trade, the Ministry of Defense and the Ministry of Public Security, the Ministry of Science and Technology (IP Vietnam is a member of NSC 389 under Ministry of Science and Technology).

In the first 6 months of 2020, with the efforts and determination of the NSC 389 of ministries, branches, localities and the Standing Office, the functional forces nationwide discovered and handled 75,264 cases. (decreased 12 % over the same period in 2019), revenue and payment to the state budget 11,291 billion 708 million VND (increased 83% over the same period), prosecuted 1,128 cases (decreased 14 % over the same period), 1,346 subjects (decreased 13% over the same period). Many lines and gangs were destroyed, many conspirators and leaders were arrested and handled in accordance with the law.




# National Steering Committee 389 (NSC 389)

Ministry of Finance has directed the General Department of Customs and the General Department of Taxation to firmly grasp the situation of the case. As a result, the General Department of Customs detected and handled 9,619 violations and paid to the state budget 1,453 billion VND 105 million; prosecuted 18 cases; transfer to another agency to prosecute 32 cases . The General Department of Taxation discovered and handled 21,863 violations and paid to the state budget 9,544 billion VND 603 million.




# National Steering Committee 389 (NSC 389)

Ministry of National Defense has directed the Border Guards forces and the Coast Guard to develop many plans and topics to strengthen the control of the land and sea border lines. As a result, the Border Guards force detected and handled 1,078 violations and paid 22 billion VND 309 million into the state budget; 279 prosecuted cases, 328 subjects; the Coast Guard discovered, discovered and handled 161 violations and paid the state budget 52 billion VND 126 million; prosecuted 63 cases.



# National Steering Committee 389 (NSC 389)


Ministry of Industry and Trade has instructed the Market Surveillance to intensify the inspection and handling of hot spots on counterfeiting and infringement of IPRs in the domestic market. As a result, the Market Surveillance force detected and handled 33,154 violations and paid to the state budget 145 billion 400 million VND.



# National Steering Committee 389 (NSC 389)

Ministry of Public Security has directed the police to do a good basic investigation, firmly grasp the status of the line, area, and subjects to file the fight, destroy lines, gangs, smuggling places. , trade fraud and counterfeiting. As a result , 9,255 violations were detected and handled, paid to the state budget 68 billion 391 million VND; Prosecuted 768 cases, 1,018 subjects.





# National Steering Committee 389 (NSC 389)

Ministry of Science and Technology continue implementing the Program on action plan against infringement of intellectual property rights Phase III (2019-2023) under the Program of Action No. 649/CTHD/BKHCHN-BVHTTDL-BNNPTNT-BTC-BCT-BCA-BTTTT-TANDTC- VKSNDTC issued on March 13, 2019, which consist of 9 participating ministries and agencies including Ministry of Science and Technology, Ministry of Culture, Sports and Tourism, Ministry of Agriculture Industry and Rural Development, Ministry of Finance, Ministry of Public Security, Ministry of Information and Communication, the Supreme People's Court and the Supreme People's Procuracy.

### 3. New implementation plan for up-coming period

Deputy Prime Minister Truong Hoa Binh - Head of the Steering Committee of 389 countries signed and issued Plan No. 399/KH-BCĐ389 dated 10/10/2020 to strengthen the fight against smuggling, commercial fraud and fake goods in e-commerce activities. The plan duration is from 01/11/2020 to 31/10/2023, which focus on the following tasks and solutions:

- Strengthen inspection and supervision of the observance of laws by traders, organizations and individuals participating in e-commerce activities.
- Strengthen to review, amend, supplement or promulgate new legal documents to overcome shortcomings and loopholes in order to perfect mechanisms and policies to adapt to international laws and practices on e-commerce.
- Focusing on researching and investing in information technology facilities and equipment, training to improve professional qualifications, regularly adding professional knowledge, updating information technology development trends, new technology platform for functional forces to meet the requirements, improve effectiveness of the fight, prevent and fight against subjects using high technology to commit law violations in e-commerce activities

# Plan No. 399/KH-BCĐ389

- Strengthen international cooperation with relevant organizations to coordinate investigation and handling of domain names, websites, social networks of objects in foreign countries and users of aerial services cyber-networks provided by foreign countries across borders for e-commerce activities to violate the laws of Vietnam.
- Promptly commend and reward collectives and individuals with outstanding achievements in the fight against smuggling, commercial fraud and fake goods in e-commerce activities.
- Implementing the Plan specifically, the 389 National Steering Committee assigns specific tasks to each ministry: the Ministry of Industry and Trade will preside over and coordinate with the Ministry of Information and Communications, the Ministry of Public Security, the Ministry of Justice and Ministries, branches, localities and relevant authorities.
- To develop plans and programs to propagate and disseminate the law on e-commerce, on the violations in e-commerce activities, on detected and handled cases to raise the awareness and awareness of law observance of organizations and individuals

# Plan No. 399/KH-BCĐ389

Ministry of Public Security shall direct units under the ministry and local police forces to coordinate with other functional forces to actively grasp the situation, collect information and documents, actively detect and verify to do so. clear the violations of organizations and individuals.

- Ministry of Finance directs the General Department of Customs to take measures to detect and promptly prevent, investigate and handle smuggling, commercial fraud, and counterfeit goods in e-commerce activities; General Department of Taxation to coordinate with functional forces, telecommunications companies, companies operating in the fields of information technology, transmission, network infrastructure ... to fully update information of organizations and individuals engaged in e-commerce activities.
- Ministry of Science and Technology has instructed its subordinate units to coordinate with other functional forces to review the provisions of law, promptly detect inadequacies, loopholes and overlaps in order to reach consensus propose, propose competent agencies to amend, supplement or issue of Information and Communications, State Bank of Vietnam, Vietnam E-commerce new legal documents to manage e-commerce activities
- Along with that, assigning tasks to ministries and agencies: Ministry of Information and Communications, State Bank of Vietnam, Vietnam E-commerce Association, Vietnam Consumers Protection Association.



Thank  
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