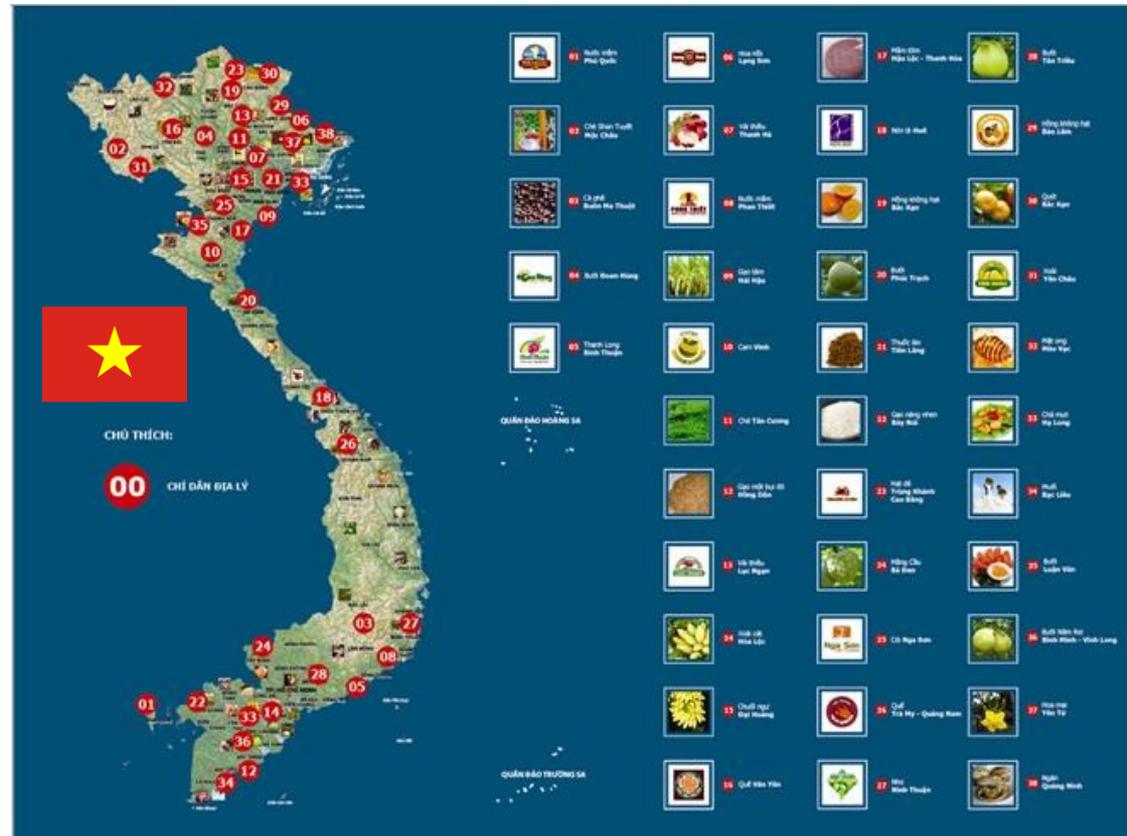


# GEOGRAPHICAL INDICATRION IN VIETNAM

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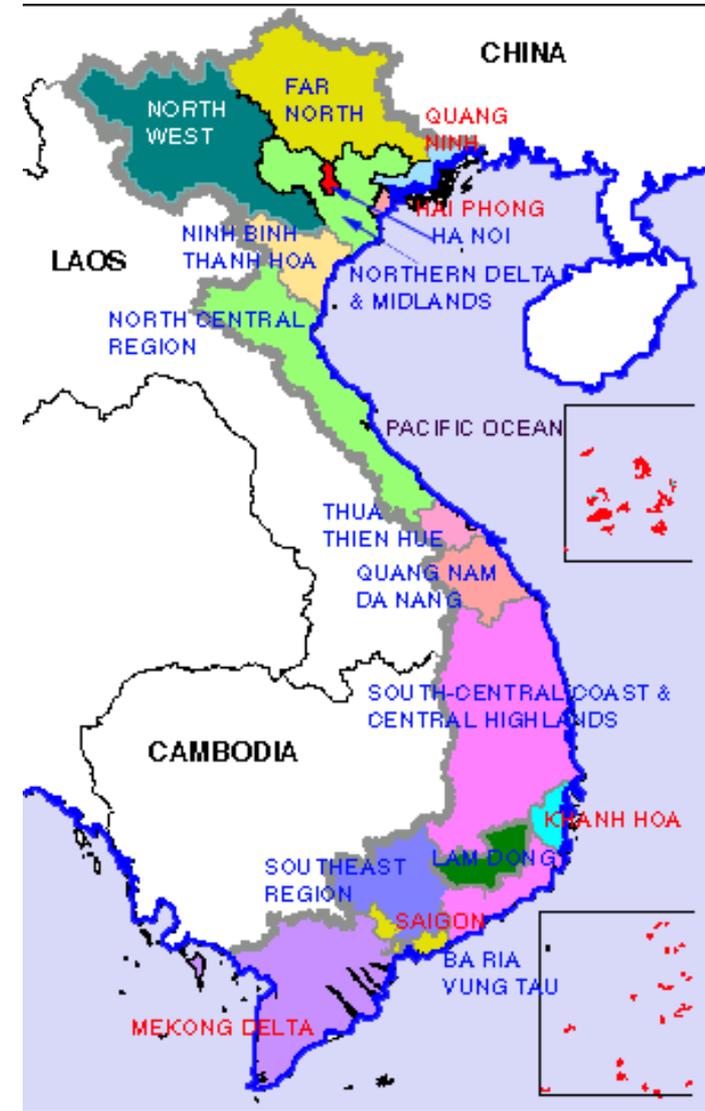
*Member of the Executive Committee of Vietnam*

*Innovation Association*

*Member of Vietnam Lawyer Bar*

*Member of Vietnam Intellectual Property Association*

- VIETNAM
- Tropical Country
  - Humid Subtropical
  - monsoon tropical
  - Tropical savanna
- Agricultural country
- Vietnam has many agricultural products



# VIETNAM agricultural products:

1 . Rice

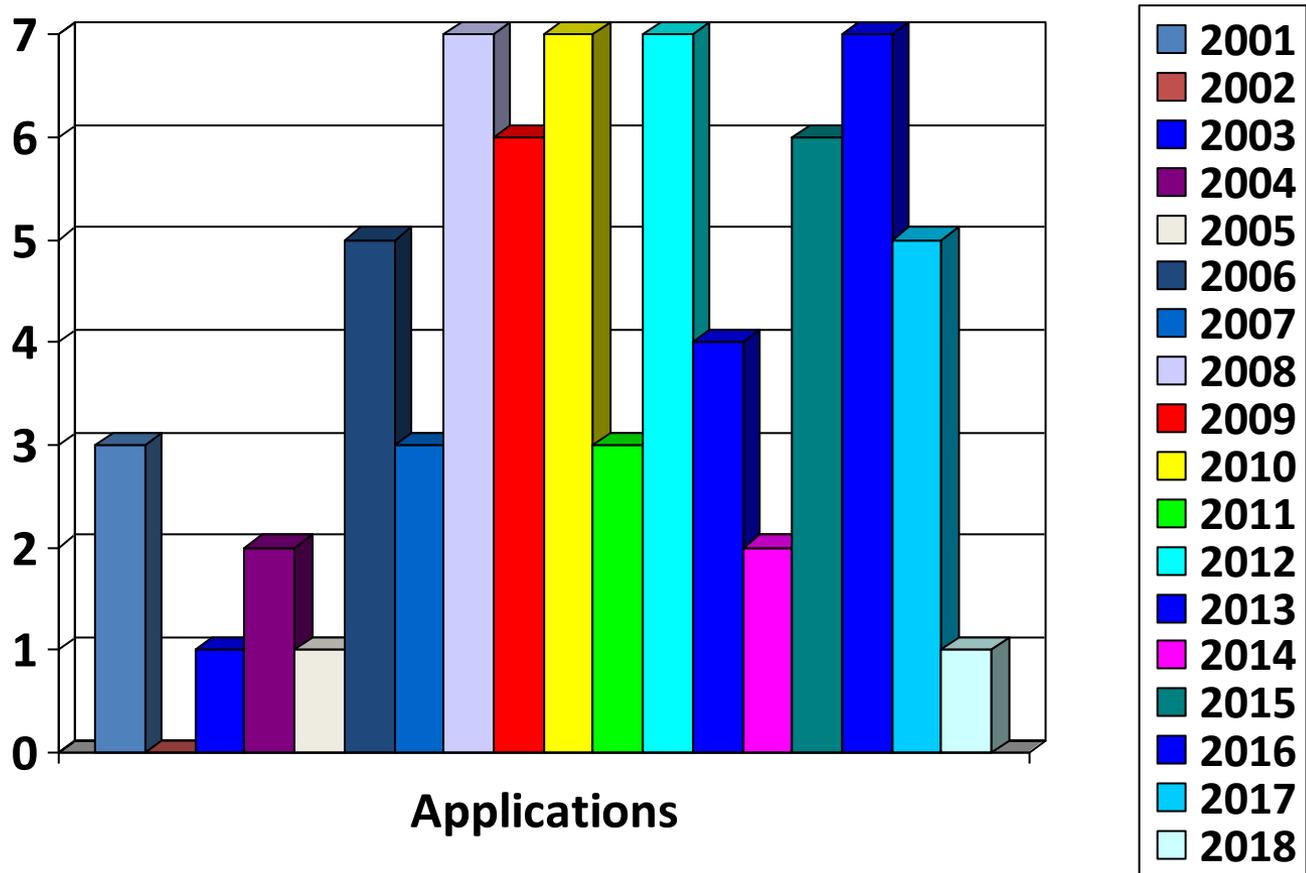
2. Fruit

3. Tea

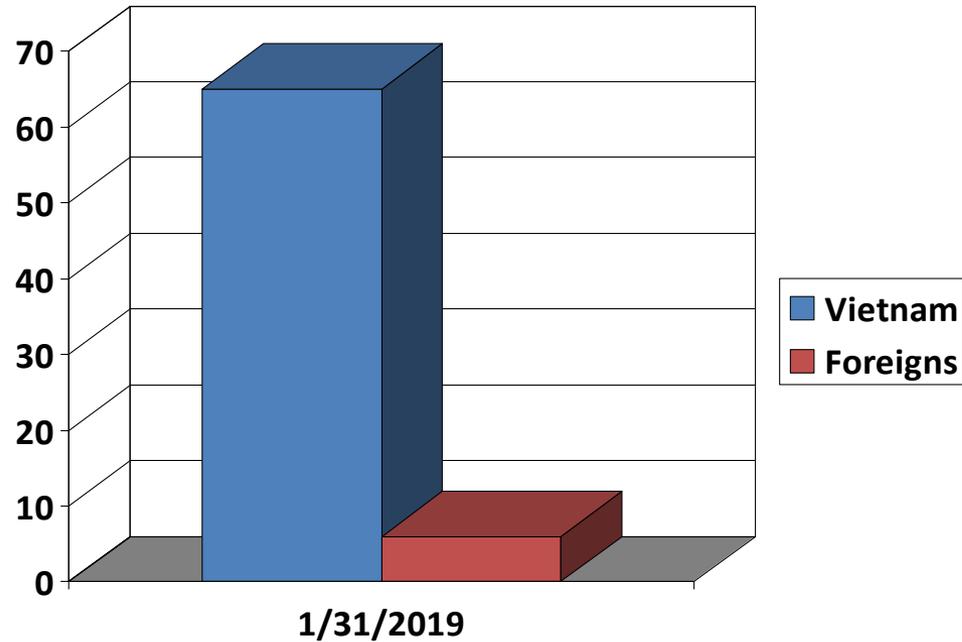
4. Café

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# Number of GI application (granted)



# Number of protected GIs in Vietnam



**Vietnam: 65**

**Foreign: 06**

**Total: 71**

**AFTA: 172**

# Roles of Geographical indications

- Geographical indications play an important role in building a brand for agricultural products, enhancing the value and efficiency of production in rural areas.
- The management of GIs is a decisive factor to promote the GIs development

# State's role on GIs management

- The GIs management is linked to the management of state owned assets.
- Accordingly, the State plays the role of the player, while the collective organization has only a coordinating role and is not conscious

# Challenges

- GIs is defined as state ownership, in which the state is the owner, leading to a fuzzy role of collective organizations. Burden still left on local management agencies in the province.
- it is necessary to change the approach, transfer the *state-owned GIs* to the common ownership of the community, develop policies in the direction of *community asset management*.

# Labling of Gis products

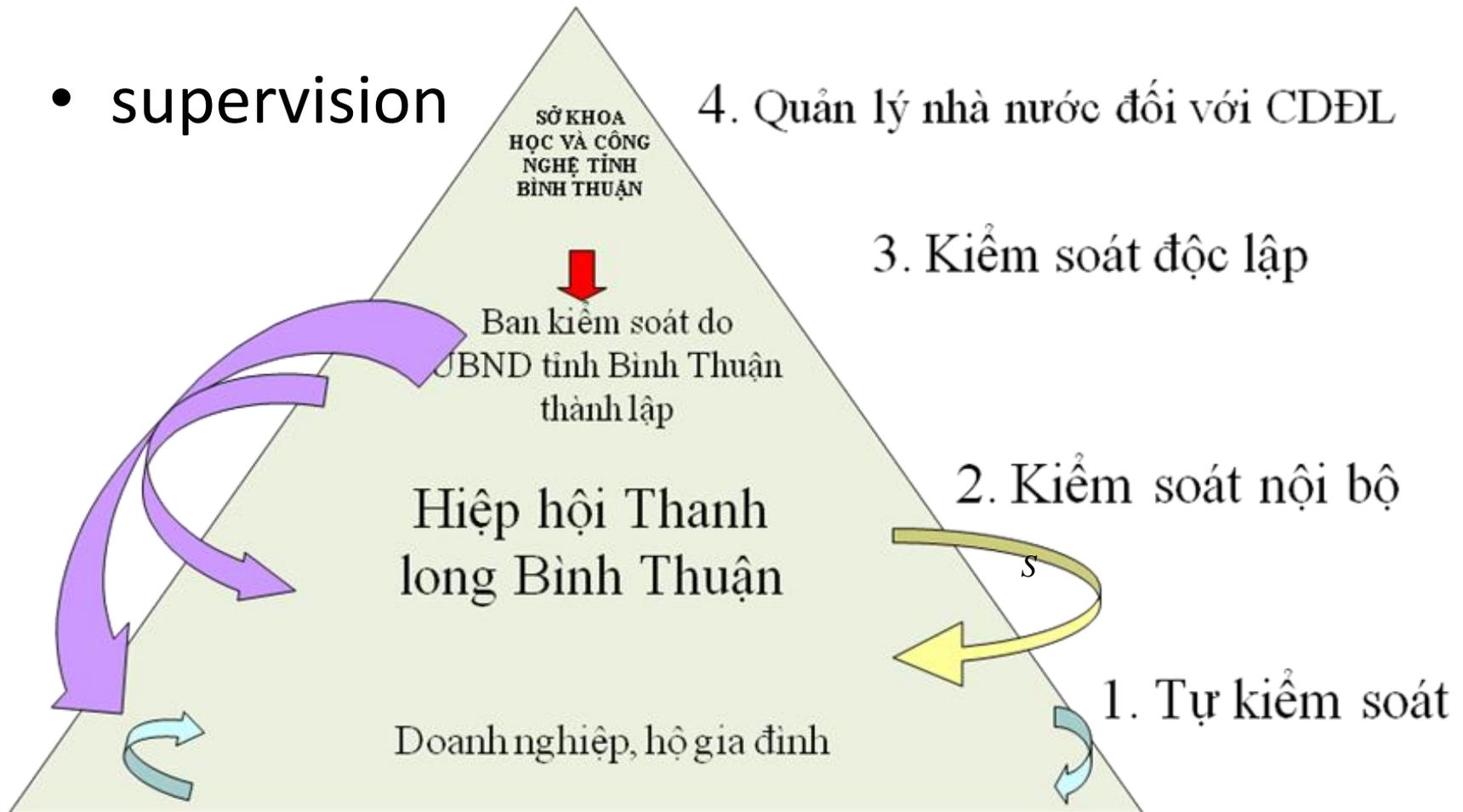
- Dragon fruit



Application No.: 6-2004-00003  
Grant date: 15.11.2006  
Province: Binh Thuan  
Applicant: Binh Thuan Dragon Fruit Association  
Address: Phan Thiet City, Binh Thuan Province

# Dragon fruits in Binh Thuan Province

- supervision



Source: So KHCN tỉnh Bình Thuận

# Independent control of GIs

- The GIs Control Board established by the People's Committee of Binh Thuan Province
- receiving and evaluating the application file for GI usage,
- Issuing stamp of GIs for enterprises and other users
- Frequency of control is 1 time / year.
- The cost of control is extracted mainly from the budget of Binh Thuan province

# Members of the Board of Supervisors

- leaders of Department of Agriculture and Rural Development,
- officials of Department of Agriculture and Rural Development,
- representative of Binh Thuan Dragon Fruit Association,
- representatives of production dragon fruit trading.

# Outcome

- By 2015, the Department of Science and Technology of Binh Thuan province has issued 72 certificates of GIs use right, with a total area of 1724.1 ha.
- The output of Binh Thuan dragon fruits is over 500,000 tons/year,
- the revenue from 3000-5000 billion/ year, of which the export turnover is over 10 million USD/year.
- 29 millions stamps [labeling] have been issued

# Shortcoming(s)

- The Independence control of Binh Thuan dragon fruit GIs is mainly based on the assessment of certificates of good agricultural practice (*Vietgap & Globalgap*).
- The labeling of dragon fruits in Binh Thuan is not as economically feasible as expected by the producers in the domestic market.

# Internal supervision of GIs

- ***Binh Thuan dragon fruit association*** is responsible for
  - periodic inspection of the dragon fruit cultivation,
  - assisting the Independent Control Board in appraising and sending experts.
  - assisting the appraisal of the dossier for registration of the right to Gis usage.
  - However, the role of the association in the process of managing the cluster is still not essential.

# GIs collective organizations

- weak performance of GIs collective organizations
- community participation is not promoted,
- so the role and capacity of the collective organization does not meet the requirements of GIs management

# Lack of active participation in GIs management

- Currently, GIs are considered as responsibility of the government
- Need to assign GI management to the business sector, in line with its management and capacity

# What to do? (1)

- connecting local authorities, businesses, people in the geographical area, to improve understanding of geographical indications and related issues for people
- promote all the roles and capacities of collective organizations, businesses and people.

# What to do? (2)

- Amend the Law on Intellectual Property, putting the GIs into the common property of the community,
- stipulating the objectives, principles and contents of GIs management at the national level;
- In the immediate future, guidelines should be developed for GIs management for localities.

# What to do? (3)

- Manage the use of GIs on the principle of "open", the state only plays the role of monitoring and supervision;
- Improving the effectiveness of activities using geographical indications of organizations, individuals and efficiency in regional association activities to develop key products of inter-provincial and inter-regions