

**MINISTRY OF FINANCE**

**SOCIALIST REPUBLIC OF VIETNAM**

Independence - Freedom - Happiness

No.23 TC/TCT

Hanoi, 9 May 1997

**CIRCULAR**

**Providing Guidelines on Collection, Payment, and Management  
of Charges and Fees in Respect of Industrial Property**

Pursuant to Articles 32 and 45 and Clause 2 of Article 64 of Decree No.63/CP dated 24 October 1996 of the Government making detailed provisions on industrial property.

The Ministry of Finance hereby provides guidelines on collection, payment, and management of charges and fees in respect of industrial property as follows:

**I. PAYERS:**

Legal entities, individuals or other entities (hereinafter referred to as organisations and individuals) filing an application for formation, maintenance, amendment, suspension, cancellation, extension, transfer of industrial property rights, complain or request for provision of information and implementation of other State administrative responsibilities in relation to industrial property provided for in Decree No.63/CP dated 24 October 1996 of the Government shall be liable for payment of charges and fees (hereinafter referred to as charges and fees of

completion of the procedures before the time limit and request that the body responsible for State management of industrial property work overtime, that body shall be entitled to an additional charge being 50% of the rate provided for in the tariff issued with this Circular.

5. The rates of charges and fees provided for in the tariff issued with this Circular already cover relevant costs such as costs of printing or purchase of application forms, receipt of applications, verification (tests), printing (or purchase) of patent or certificate forms, entering into the National Registrar and other related expenses.

Organisations and individuals which have paid charges and fees of industrial property in full at the rates provided for in this Circular shall not be liable for any other payment (except for fees payable for other specific services other than those provided for in this Circular).

When the market prices change by at least 20% (twenty per cent), the body collecting charges and fees shall request in writing to the Ministry of Finance for adjustment of the rates in conformity with the market prices.

### **III. PROCEDURES FOR COLLECTION, PAYMENT AND MANAGEMENT**



- a. Printing (or purchase) of application forms, declaration forms, files, protection certificates (or patents) forms and other relevant publication used for State management of industrial property and collection of fees;
- b. Payment of allowance to State officers and employees who work full time in State management of industrial property and collection of fees and are required to work overtime (if any) in accordance with the State regulations.

In cases where the body fails to have State officers and employees available and must hire additional employees to assume State management of industrial property and collection of fees, the body shall be entitled to pay wage and other relevant expenses such as social insurance and health insurance to those hired additional employees in accordance with the State regulations.

Payment of allowances for overtime of State officers and employees working full time or wage of the above-mentioned hired additional employees must be carried out in accordance with labour contracts or time sheet of overtime or hired employees. Pay-sheets of allowances, wages and other relevant expenses must be signed by employees and accompanied by appropriate and proper documentary evidences in accordance with the State provisions (except salary of State officers and employees and other expenses paid by the State budget in accordance with the annual budget).

- c. Payment of bonuses to persons who are directly involved in verification of files and collection of charges and fees of industrial property. The amount of bonuses paid to any individual per year shall not exceed three months's basic salary for his position or skill level in accordance with the State regulations.

All fees which are temporarily retained in accordance with the rate provided for in this sub-clause shall be balanced by the body in its annual financial budget and must be managed and used for proper purposes in accordance with the existing financial regulations. If the temporarily retained fees are not expended in full by the end of each year, the remainder shall be paid to the State budget in accordance with the procedures provided for in Paragraph d of Sub-clause 2 of this Clause.

- 3.2 After making payment of taxes in full as stipulated by the laws in respect of fees earned from industrial property services, the remainder shall be distributed in accordance with the provisions of Circular No.25TC/TCT dated 28 March 1994 of the Ministry of Finance providing guidelines on amendment of and addition to Sub-clauses a and d of Clause 6 of Part II of Circular No.01 TC/HCVX dated 4 January 1994 of the Ministry of Finance.



**TARIFF OF CHARGES AND FEES OF INDUSTRIAL PROPERTY**  
**(issued with Circular No.23 TC/TCT dated 9 May 1997 of the Ministry of Finance)**

No.	CHARGE	RATES APPLICABLE TO VIETNAMESE ORGANISATIONS AND INDIVIDUALS ('000 VND)					RATES APPLICABLE TO FOREIGN ORGANISATIONS AND INDIVIDUALS (USD)				
		Invention	Utility solution	Industrial design	Trademark	Appellation of origin of goods	Invention	Utility solution	Industrial design	Trademark	Appellation of origin of goods
1	Submission of an application (in respect of a trademark in each category)	150	150	150	150	150	40	40	40	40	40
	If the written description comprises more than 5 pages, an additional charge shall be required for each page from the sixth page	10	10				3	3			

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protection											
If it contains more than one figure, an additional charge shall be required for each figure from the second figure	50	50	50				10	10	10		



10	Issue of certified true copies of the certificate of protection	200	200	200	200	200	60	60	60	60	60
11	Issue of copies of the certificate of national or international registration (for each object)	100	100	100	100	100	30				



	After the application is announced	150	150	150			40	40	40		
22	Amendment of a certificate of protection										
	- Name and address of the owner of the certificate of protection or the representative service organisation in industrial property	200	200	200	200	200	60	60	60	60	60
	- Limitation of the plan of industrial design (for each plan)			150					40		

- Limitation of the list of

25	Issue of an operation licence of a representative service organisation in industrial property	300	200
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**FEES OF INDUSTRIAL PROPERTY SERVICES**

RATES APPLICABLE TO VIETNAMESE

	thirty first word										
5	Service of reference to information in relation to industrial property										
	- Reference to identical trademarks (in each category)				100					30	
	- Reference to similar trademarks/industrial designs (each category)			200	200				60	60	
	- Reference to inventions/utility solution (each object)	300	250				90	70			
6	Completion of the procedures for international registration of a trademark				1500					450	