

DECREE

Making detailed provisions and providing guidelines for implementation of certain Articles of the Law on Intellectual Property regarding Protection of Intellectual Property Rights and State management of intellectual property

THE GOVERNMENT

- Pursuant to the Law on Organization of the Government dated 25 December 2001;
- Pursuant to Law 50/2005/QH11 on Intellectual Property dated 29 November 2005;
- Upon the request of the Minister of Science and Technology;

DECREES

Chapter I

GENERAL PROVISIONS

Article 1. Scope of application

This Decree makes detailed provisions and provides guidelines for implementation of certain Articles of the Intellectual Property Law

4 "Element" means a product or a process or a part/component thereof;

5. "Infringing element" means any element created from an act of infringement;

6. "Examined act" means an act that is suspected from being an act of infringement and therefore it is put under examination in order to conclude whether it is really an act of infringement.

7. "Examined object" means an object that is suspected and put under examination in order to find whether it is the object of infringement;

8. "Application for settlement of infringement" means an application for applying the appropriate measures to deal with an act of infringement.

Article 4. Application of civil remedies, administrative and criminal measures for intellectual property right protection

Depending on its nature and seriousness, an act of infringement may be dealt with by civil remedies, administrative or criminal measures as set out in Section Five (Intellectual Property Right Protection) of the Intellectual Property Law and in accordance with the following provisions:

1. Civil remedies shall be applied to deal with an act of infringement at the request of the intellectual property right holder or the aggrieved party (either an organization or an individual) due to that act of infringement, even when such act has been dealt with or is dealing with by way of administrative or criminal measures.

Procedures for request of civil remedies, the jurisdiction, formalities and procedures for application of civil remedies shall be in accordance with the legislation on civil

Article 7. Determination of infringing elements as to copyrights and related rights

1. An infringing element as to copyrights may be one of the following:

- a) The copy of a work which is unlawfully created;
- b) The derivative work which is unlawfully created;
- c) The work falsifying the name or the signature of the author or affixing unlawfully the name of the author or misappropriating the authorship of the author;
- d) The part of a work which is quoted or copied or inserted unlawfully;
- dd) The product containing the copyright protecting equipment which has been unlawfully circumvented.

A product containing any infringing element referred to in this clause shall be regarded as the copyright infringing product.

2. An infringing element as to related rights may be one of the following:

- a) The first fixation of a performance which is unlawfully created;
- b) The copy of a fixation of a performance or a copy of a fixation of a sound/video recording or a copy of a broadcasting program which is unlawfully created;
- c) The part or the whole of a fixed performance or a sound/video recording or a broadcasting program which is copied or quoted or inserted unlawfully; The part or the whole of a broadcasting program which is recorded, decoded and distributed unlawfully;
- d) The product containing the related right protecting equipment which has been unlawfully circumvented; the fixation of a performance of which the related right management information has been dismantled or modified unlawfully.

A product containing any infringing element referred to in this clause shall be regarded as the related right infringing product.

3. The legal basis for determination of a copyright infringing element shall be the scope of copyright protection which is determined by the form of expression of the original of a work or by the characters, the figures and the way of expression of personality of the characters, the figures and the events by the original work in the case of determining the infringing element as to a derivate work.

4. The legal basis for determination of a related right infringing element shall be the scope of the related right protection which is determined by the form of expression of the first fixation of a performance or a sound/video recording or a broadcasting program.

5. In order to determine whether a copy or a work (or a fixation of a performance or a sound/video recording or a broadcasting program) is an infringing element as to copyrights or related rights, it is required to compare such copy or work to the original of the work (or the first fixation of the performance or the sound/video recording or the broadcasting program) or the original work, as it is relevant to the case.

A copy of a work or of a fixation of a performance or of a sound/video recording or of a broadcasting program shall be regarded as an infringing element in the following cases:

- a) The copy is a duplication of a part or the whole of a work or of the first fixation of a performance or of a sound/video recording or of a broadcasting program being protected in the name of another person;

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b) Such work (or part of it) is a part ~~of~~ the whole of a work or the first fixation of a performance or of a sound/video recording ~~of~~ a broadcasting program being protected in the name of another person;

c) Such work or part of it has the character or the figure or the way of expression of

3. In the following cases, a product or a part of a product shall be regarded as an infringing element as to the rights to a patented industrial design:

a) The examined product or the part of the examined product, including one for which an Industrial Design Patent has been granted, contains a combination of the shaping features that create an overall appearance which is a copy or substantially a copy (almost undistinguishable from) of an industrial design being protected in the name of another person without permission of such person. Formatted: Indent: First line: 0.95 cm

b) The examined product or the part of the examined product, including one for which an Industrial Design Patent has been granted, contains a combination of the shaping features that create an overall appearance which is a copy or substantially a copy (almost undistinguishable from) of an industrial design being protected in the name of another person without permission of such person.

4. An industrial design of a product (or a part of it) shall only be regarded as not significantly different from an industrial design being protected as referred to in clause 1 of this Article if such industrial design is a copy or substantially a copy of an industrial design of, at least, one product belonging to a set of products whose industrial design(s) being protected in the name of another person.

Article 11. Infringing elements as to the rights to trademarks

1. An infringing element as to the rights to a trademark may be any sign affixed on goods and their packaging, service providing means, transaction documents, signboards, advertising means and other business instruments which are identical or confusingly similar to a trademark being protected. Formatted: Indent: Left: 0 cm, First line: 0.95 cm

2. The legal basis for determination of an infringing element as to the rights to trademark shall be the protection scope of such trademark, including the trademark specimen and the list of goods and services defined by the Trademark Registration Certificate or the Certificate of International Registration of the trademark being protected in Vietnam. Formatted: Indent: First line: 0.95 cm

3. In order to determine whether a suspected sign is an infringing element as to the rights to a trademark, it is required to compare such sign to the [protected] trademark and at the same time to compare the products and the services bearing such sign to the products and the services falling within the scope of protection [of the protected trademark]. An infringing element can only be confirmed if the following two conditions are met in full:

a) The suspected sign is identical or confusingly similar to the protected trademark; for that purpose, a sign shall be regarded as identical to a protected trademark if it consists of the same composition and the method of presentation (including the colors); and a sign shall be regarded as confusingly similar to a protected trademark if it consists of several features being identical or similar [to the protected trademark] to such an extent that it is not easy to distinguish between them in terms of composition, the way of pronunciation, the way of phonetic transcription of signs, letters, meaning, the method of presentation and colors and that leads to a confusion for the consumers about the goods and services bearing the trademark;

b) The goods and services bearing the suspected sign are identical or similar in their essence to, or in the interrelationship in terms of their functions or utility with, or in the same distribution channels with, the goods and services that fall within the scope of protection [of the protected trademark];

4. With regard to a well-known trademark, a suspected sign shall be regarded as an infringing element if:

a) The suspected sign meets the conditions set out in clause 3(a) of this Article;

b) The goods and services bearing the suspected sign meet the conditions set out in clause 3(b) of this Article or the goods and services which are not identical or not similar or unrelated to the goods and services bearing the well-known trademark but there are likely to cause confusion among the consumers as to the origin of goods and services or to cause a wrong impression about the existence of a relationship between the producer or trader of such goods and services with the owner of the well-known trademark;

5. Where any products or services bear a sign which is identical to or difficult to be distinguished, in terms of the overall composition and the way of display [of such sign], from a protected trademark for the same goods and services falling within the protection scope [of the protected trademark], such products and services shall be regarded as counterfeit goods defined in Article 213 of the Intellectual Property Law.

Article 12. Infringing elements as to the rights to geographical indications

1. An infringing element as to the rights to a geographical indication may be any

indication shall also be regarded as infringing element as to the rights to the geographical indication.

4. Where any products bear a sign which is identical to or is difficult to be distinguished, in terms of the overall composition and the way of display [of such sign], from a protected geographical indication for the same products falling within the protection scope, such products shall be regarded as counterfeit goods defined in Article 213 of the Intellectual Property Law.

Article 13. Infringing elements as to the rights to trade names

1. An infringingiinfri0dheddr.9(143.34)rscins dheddr4.6(na-6.2(tra-6.2(di)4.5(e-6.2()-5.7(i)4.5(l)-6 na w [(fro)5

similar to the name of the protected plant variety;

dd) The provisions of points (a) and (b) of this clause also apply appropriately to the harvesting materials if the holder of the Protection Certificate has not been yet in the reasonable conditions to exercise his/her rights over the propagating materials of the same species.

2. The legal basis for consideration of an infringing element of the rights to a plant variety:

a) The Description of the plant variety certified by the plant variety protection authority;

b) The Protection Certificate of the plant variety.

Article 15. Bases for determination of nature and seriousness of infringements

1. The nature of infringement referred to in Article 199.1 of the Intellectual Property Law shall be determined on the following bases:

a) The circumstance and motivation of the infringement: innocent infringement, willful infringement, infringement under constrain or due to dependence, first infringement or repeated infringement;

the losses produced by the parties, including the expert opinions and a list of losses, which must specify the bases for determination and calculation of the losses.

Article 17. Loss in property

1. Losses in property shall be determined in accordance with the level of decrease in or loss of the in-cash value of the protected intellectual property right subject matters.

2. The in-cash value of an intellectual property right subject matter referred to in clause 1 of this Article shall be determined in accordance with one or more bases as follows:

a) The price of transfer of the ownership right or the licensing price of the intellectual property right subject matter;

b) The value of business capital contribution by the value of intellectual property right;

c) The ratio of the value of intellectual property right to the total enterprise assets;

d) The value of investments in creating and developing the intellectual property

c) Actual possibility of licensing or transferring the intellectual property right subject matters to other people;

d) Other business opportunities lost directly due to the act of infringement.

2. A loss in business opportunities means loss of the in-cash value of the income that the aggrieved person would have achieved in any of the cases referred to in Clause 1 of this Article but fails to do so due to the acts of infringement.

Article 20. Reasonable expenses for prevention and restoration of damages

Reasonable expenses for prevention and restoration of damages referred to in Article 204.1(a) of the Intellectual Property Law include expenses of temporary custody, maintenance, storage of infringing goods, costs of implementation of provisional measures, reasonable cost for assessment services, prevention and dealing with consequences of the act of infringement and cost of notification and correction in the mass media relating to acts of intellectual property right infringement.

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Chapter III

REQUESTING FOR SETTLEMENT OF INFRINGEMENTS AND DEALING WITH SUCH REQUESTS

Article 21. Exercise of the right to self-protection

1. Organizations and individuals shall exercise the right to self-protection as set out in Article 198 of the Intellectual property law and detailed provisions of this Article.

2. Those technological measures referred to in Article 198.1(a) of the Intellectual property Law comprise of the following:

a) Provide instructive information about the basis of the establishment, the protection title, owner, scope and term of protection and other related intellectual property rights information on products, service vehicles, the original and copies of a work, the fixation of the performance, sound/video recording or the broadcasting program (to be jointly referred to in this Article as "works") in order to make notification of the fact that the product is a protected intellectual property rights subject matter and to recommend others not to infringe it.

b) Use a technical equipment or measure to mark, identify, distinguish and protect the protected products.

3. A request for termination of an infringing act referred to in Article 198.1(b) of the Intellectual property Law shall be made by the intellectual property rights holder by serving a written notice upon the infringer. The written notice must contain instructive information about the basis of the establishment, the protection title, scope and term of protection and must fix a reasonable period of time for the infringer to terminate his/her infringing acts.

4. A request for the competent State agency to deal with acts of infringements set out in Article 198.1(c) of the Intellectual property Law must be made in compliance with Articles 22, 23, 24, 25, 26 and 27 of this Decree.

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Article 22. Petition for settlement of infringement

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1. A petition for settlement of infringement must have the following contents:

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- a) Full date of the petition;
- b) Name and address of the requester for settlement of infringement; name of the representative of the requester if such request is made by the representative;
- c) Name of the agency that receives the petition;
- d) Name and address of the infringer; name and address of the person suspected from committing an infringement with regard to a request for suspension of completion of customs formalities with regard to suspected imports and exports;
- dd) Name and address of organizations/individuals with related rights and obligations (if any);
- e) Name and address of the witness (if any);
- g) Brief information about the infringed intellectual property rights, including the right, bases for appearance of the right and its subject matters;
- h) Brief information about the act of infringement: full date and venue of the infringement, brief description of the infringed subject matter, acts of infringement and other information (if any);

With regard to a petition for suspension of completion of customs formalities with regard to suspected imports, exports, it is necessary to provide additional information about the method of importation, exportation, exporting country, mode of packaging, legal exporter/importer, criteria for distinguishing between legal imports, exports and infringing goods; threats of circumstances when certain measures need to be applied to prevent [infringements] and to secure the imposition of penalties and other information (if any);

- i) Details of the request for application of a measure to deal with the infringement;
- k) A list of documents and evidence accompanying the petition;
- l) Signature of the petitioner with a seal (if it is so required).

2. A petition for settlement of infringement must be accompanied by documents and evidence proving such request.

Article 23. Documents, evidence and exhibits accompanying petitions for settlement of infringements

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1. A requester for settlement of infringement must submit the petition for settlement of the infringement together with the following documents, evidence and exhibits to prove his/her request:

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- a) Evidence proving that he/she is the right holder, if the requester is the rights holder or a transferee or heir of the intellectual property rights;
- b) Evidence proving the actual occurrence of the acts of infringement; or proving the suspicion of imports and exports suspected from infringement (with regard to a petition for suspension of completion of customs formalities with regard to imports/exports suspected from infringement);
- c) A copy of the notification from the intellectual property rights holder to the infringer which has fixed a reasonable period of time for the infringer to terminate his/her infringing act; and evidence of the failure of the infringer to terminate such infringing act

in case a petition for settlement of infringement is lodged under Article 211.1(b) of the Intellectual property Law.

d) Evidence of the losses to consumers or the society due to the infringing products including food, foodstuff, disease preventative and treatment medicines, foods for animal husbandry, fertilizer, sanitary medicines, insecticides, plant varieties and animal breeds that cause harms to human health, animals and the environment in case a petition for settlement of infringement is lodged under Article 211.1(a) of the Intellectual property Law.

dd) Evidence and exhibits of the intellectual property rights counterfeit goods or products, parts of products, decan, labels, marks, packaging, materials, raw materials and equipment mainly used to produce and trade intellectual property rights counterfeit goods; documents evidencing the act of job assignment, ordering, production and trading of products or parts of products, decan, labels, marks, packaging, materials, raw materials and equipment mainly used to produce and trade intellectual property rights counterfeit goods in case a petition for settlement of infringement is lodged under Articles 211.1(c)

management agency in charge of industrial property.

| 3. With regard to other intellectual property rights subject matters, evidence to provide one's right holder status shall be any documents, exhibits or information used as the basis for appearance/establishment of the relevant right as provided in Articles 6.1, 6.2, 6.3(b) and 6.3(c) of the Intellectual property Law as detailed as follows:

| a) With regard to unregistered rights of authors, rights of performers, rights of

request for settlement of infringement for unfair purposes and therefore causing damages to other organizations and individuals must pay compensation.

Article 27. Filing and processing petitions for settlement of infringement

1. A petition for settlement of infringement shall be filed with authorities settling the infringement of intellectual property rights as set out in Article 200 of the Intellectual Property Law (to be referred to as infringement settlement authority).

2. Upon receipt of a petition for settlement of infringement, if it is deemed to fall within the power of another agency, the agency that receives such petition shall instruct the requester to lodge such petition to the competent agency or shall forward the petition to the competent agency within 10 days from the date of receipt of the petition.

3. If a request for settlement of infringement does not yet provide sufficient documents, evidence and exhibits, the authority that settles the infringement shall request the requester to provide additional documents and evidence and shall fix a reasonable period of time not exceeding 30 days for the filing to do so.

4. In the following cases, the infringement settlement agency shall refuse to process a request for settlement of infringement and specify the reasons therefore:

a) Upon the expiration of the period of time referred to in clause 3 of this Article and the requester does not meet the requirements of the infringement settlement agency to provide additional documents, evidence and relevant exhibits;

b) Upon the expiration of the statute of limitations period provided for by law to settle the infringement;

c) It is revealed by the verification of the infringement settlement agency or the police that none infringement exists as described in the petition for settlement of infringement;

d) Upon a written document of a competent agency specifying that there are not enough bases for settlement of the infringement.

5. In case of a dispute or complaint in relation to the right holder, protect ability, scope of protection of the intellectual property rights, the agency that receives the petition for settlement of infringement shall instruct the requester to complete procedures for dispute resolution or settlement of complaint with the competent agency within 10 days from the date of dispute.

Chapter IV

SETTLEMENT OF INFRINGEMENT BY ADMINISTRATIVE AND MEASURES

Section 1

Article 28. Determining the value of infringing goods

element(s) [from an entire product] to be an independent product as specified in paragraph a of this clause, the infringing goods shall be defined as the entire product containing the infringing element(s).

2. With regard to infringing goods that which are not defined as intellectual property right counterfeit goods or raw materials and equipment that are mainly used to produce or trade such goods, the competent authority shall apply the measure to compel the owner of the goods, the transporter or the keeper of the goods to remove the infringing elements from the goods and apply appropriate measures as specified in Clause 4 of this Article.

With respect to imported goods which are infringing goods but not defined as intellectual property right counterfeit goods, materials and equipment mainly used to produce intellectual property right counterfeit goods, the competent authority in charge of dealing with the infringement shall apply appropriate measures specified in Clause 1.c of this Article.

completion of customs procedures, the customs authority shall be liable to consider and issue a notice on accept of the request, if the applicant has satisfied the requirements

c) Determining infringement elements, infringing products/services, the elements regarded as the bases for determining the value of the protected intellectual property right subject matter and the infringing object;

d) Determining the ability in proving one's intellectual property right holder status and in proving the act of infringement or the ability in arguing for the contrast allegations on the basis of the documents and evidence used in the dispute or in the infringement case;

dd) [Determining] other facts of the dispute or the infringing case needed to clarify.

2. Intellectual property assessment shall cover the following sectors:

a) Assessment of copyrights and related rights;

b) Assessment of industrial property rights;

c) Assessment of the rights to plant varieties.

Article 40. The right to call for intellectual property assessment and the right to request intellectual property assessment

1. The authorities having competence to call for intellectual property assessment are

2. The Ministry of Science and Technology, Ministry of Culture and Information and the Ministry of Agriculture and Rural Development, depending on their State management functions on intellectual property rights, shall work with the Ministry of Training and Education, the Ministry of Justice to regulate in details on training program for each field.

3. Persons that meet the following requirements are recognized and received "intellectual property assessing persons card":

(a) To have a university degree in the assessment sector.

(b) To have a good morality records.

(c) To have full civil conduct capacity.

(d) To pass a professional examination aimed at assessing their legal knowledge on intellectual property rights, technical and scientific qualifications, professional skills and experiences for the purpose of conducting assessment services relating to industrial property, copyright, related rights and rights to plant varieties.

Ministry of Science and Technology, the Ministry of Culture and Information and Ministry of Agriculture and Rural development shall provide for the contents of those professional examinations referred to in this clause with regard to their respective the scope of control; shall provide guidelines for and regularly organize those examinations and issue certificates of eligibility for assessment activities to intellectual property rights assessors.

4. Intellectual property assessors shall have the following rights and obligations:

a) Conducting an assessment upon a call or a request for assessment; to carry out the assessment in accordance with the details set out in the request or calls for assessment and within the time limit for assessment. Where additional time is required to conduct an assessment, it must be notified to the caller or requester for assessment.

b) Refusing to conduct examination if the objects of the assessment or related document are not sufficient or not valuable enough to produce the assessment conclusions, the assessor has rights and obligations related to the assessment object or the assessment detail or for other reasons which may affect the objectiveness of the assessment conclusions;

c) Requesting agencies and organizations to provide documents, exhibits and information relating to the assessment object.

d) Selecting an appropriate and necessary method to conduct the assessment; using testing results or professional or experts opinions for the assessment purpose;

dd) Making assessment dossiers, to be present upon summon by the assessment calling agency; clarifying the assessment conclusions upon request.

e) Maintaining relevant documents and exhibits of the assessment case; keeping confidential the assessment conclusions, and other relevant information and documents;

g) Being independent in taking assessment conclusion and responsible for his conclusion;

h) Compensating damages in case of willfully taking fraud assessment conclusion, causing damages to relevant individuals, organizations;

i) Complying with provisions on procedures of assessment and performing other rights and obligations in accordance with laws.

5. The Ministry of Culture – Information, the Ministry of Science and Technology, the Ministry of Agriculture and Rural Development stipulate procedures of recognizing, issuing, revoking Intellectual Property Assessing Card, publishing List of the intellectual property assessing persons in respective fields: copyright and related rights, industrial property rights; rights to plant variety.

Article 45. Call for assessment

1. Any call for assessment must be made in writing.

2. A minute of calling for assessment must have the following contents:

a) Name and address of the agency calling for assessment; Name and title of the person that calls for assessment;

b) Name and address of the assessing organization or the assessing persons;

c) Details that need to be assessed;

d) Relevant evidence, items and documents;

(specific specimens are intellectual property infringed elements and intellectual property right protected objects) by themselves or persons calling, requesting for assessment to provide the assessing specimen. Specimens taken must be recorded in a written document with the witness and signatures of relevant parties.

2. Sending, receiving, returning of the assessing specimen shall be carried out in accordance to Article 47 of this Decree.

Article 49. Performing intellectual property assessment

1. The intellectual property assessment can be performed by one or more intellectual property assessing persons. Personal assessment is the assessing method performed by one assessing person. Collective assessment is the assessing method performed by more than two assessing persons.

2. In case of personal assessment, the assessing person shall perform his assessment as whole and be responsible for his assessment conclusion. In case of collective assessment on issues under the same professional field, the assessing persons performing the assessment must sign in the joint conclusion document and be responsible for their

3. Written conclusions of assessment must be signed by the persons performing the assessment. Where the assessment is done by an assessing organization, then the written conclusions must also be signed by the head of the assessing organization and sealed by the assessing organization.

intellectual property rights protection activities, making proposal for concrete policies, measures in order to enhance the effectiveness of the intellectual property system and secure uniformed state administration of intellectual property;

d) Formulating and directing the implementation of general programs, projects on intellectual property rights protection, and of coordinated measures among the state competent agencies in the field of intellectual property;

dd) Negotiations, conclusion for accession to, and organization of the implementation of international treaties on intellectual property in general; making proposals for handling national disputes concerning intellectual property in international relations.

2. In addition to the responsibility for taking the lead in conducting common activities that are stipulated in the first paragraph of this Article, the Ministry of Science and Technology shall also bear the following responsibilities:

a) Directly performing the function of state administration of industrial property, ensuring the consistency between strategies of, policies, legal documents on industrial property and general strategies of, policies, legal documents on intellectual property;

and PCs of provinces and centrally-run cities within their functions and tasks have the responsibility to coordinate with the Ministry of Science and Technology, the Ministry of Culture - Information and the Ministry of Agriculture and Rural Development to implement the following specific tasks:

1. Implementing the tasks provided for in Article 55(1) of this Decree and directly implementing specific tasks assigned by the Government and the National Steering Committee for the Intellectual Property;
2. Ensuring that the implementation of policies and legislation on the intellectual property in localities is in consistence and compliance with the Intellectual Property Law and its other guiding legal documents;
3. Submitting regular or unforeseen reports to the Ministry of Science and Technology on activities concerning the State administration and enforcement of intellectual property rights in order to jointly solve the emerging issues, reporting to Prime Minister.

Article 59. National Steering Committee for the Intellectual Property

The Prime Minister shall decide on the establishment of the National Steering Committee for the Intellectual Property and provide for specific responsibilities and authorities of the National Steering Committee for the Intellectual property

Article 60. Coordination mechanism

1. The Ministry of Science and Technology has the responsibility to take the lead in and coordinate with the Ministry of Culture and Information, the Ministry of Agriculture and Rural Development and other relevant agencies in implementing the State administration and enforcement, checking, inspection and handling of the infringement of intellectual property rights.
2. State administration agencies have the responsibility to provide adequate and timely answers to requests of the enforcement agencies.
3. State administration agencies have the responsibility to participate in inspection or checking missions at request to serve the inspection and checking.
4. The relevant Ministries have the responsibility to make reports of the enforcement of intellectual property rights on annual basis or at the request of the National Steering Committee for the Intellectual Property, at the international request.

Chapter VIII

IMPLEMENTATION PROVISIONS

Article 61. Transitional provisions

1. Provisions on patents of this Decree shall be applied for utility solutions protected according to provisions of the Civil Code 1995 and the Decree No. 63/CP dated October 24, 1996 of the Government on detailed regulations concerning industrial property, amended and supplemented by the Government Decree Number 06/CP dated February

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2001 of the Government.

3. The application of the Decree's provisions for other intellectual property subjects shall comply with paragraph 1 and 3 of Article 220 of the Intellectual Property Law.

Article 62. Validity

This Decree shall take effect after 15 days since being posted in the Official Gazette.

Other provisions contained in the documents issued prior to the time this Decree takes effect that are contrary to this Decree shall be cancelled.

Article 63. Responsibilities for implementing guidelines

1. Minister of Science and Technology, Minister of Culture-Information, Minister of Agriculture and Rural development shall be responsible to provide guidelines for implementing this Decree.

2. Ministers, Heads of Ministerial level agencies, Chairmen of people's committees of provinces and cities under central authority shall be responsible to implement this Decree.

FOR AND ON BEHALF OF THE GOVERNMENT
THE PRIME MINISTER

Nguyen Tan Dung
(Signed and Sealed)