

UDK: 347.77 (597)
339.13 (597)
Professional paper

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THE ACTUAL SITUATION OF VIETNAM'S GI LEGAL FRAMEWORK AND THE MEASURES FOR ITS MAINTENANCE AND DEVELOPMENT

ABSTRACT

The Vietnamese legal framework concerning geographical indications (GIs) has been established since the 1990s and is currently being adapted in an attempt to better align with international law. Over the years, GIs in Vietnam have significantly contributed to the national economic growth and the preservation of traditional heritage. However, the GI system in Vietnam has not been fully exploited and does not adequately reflect the country's economic prosperity, particularly in agriculture and handicrafts sectors. The main objective of this research is to discuss the current issues that GIs in Vietnam are now facing, focusing on those stemming from the legal framework. We primarily employ the comparative and analytical method to identify the differences and similarities between the EU and Vietnam's legislations on GIs. To this end, we extract the valuable lessons that Vietnam can learn from the EU to harmonize its law with international standards and strengthen its GI regulations.

Keywords: *Actual situation, geographical indication, legal framework, Vietnam, EU*

1. INTRODUCTION

Geographical indication (GI) under Vietnamese law is defined as an indicator of geographical origin of goods originating in specified region, locality, territory, or country.¹ The first Vietnamese law recognizing GIs was the 1995 Civil Code, which stated that GI is a sign identifying a product that originates from a specific area, locality, region or country². Actually, GI was enacted like scheme by Vietnamese government in 1989 through the Ordinance on the Protection of Industrial Property Rights. However, this scheme remained in hibernation until

¹ Article 4 (22), Vietnam's Intellectual Property Law of 2005.

² Article 768 of the Civil Code 1995.

2001, when the first two GI products – Phu Quoc Fish sauce and Shan Tuyet Tea from Moc Chau – were registered.³ In 2005, Vietnam's Intellectual Property Law (hereinafter the 2005 IP Law) was enacted, demonstrating Vietnamese government's effort to comply with the WTO's Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS). Vietnamese GIs have actually turned over a new leaf when the EU-Vietnam Free Trade Agreement (EVFTA) entered into force in August 2020 with specific commitments on GIs. EVFTA opens the door for 39 Vietnamese GIs⁴ to be protected in the EU, allowing these products to enter a single market. However, to align with the EU's standards, Vietnam is also required to adjust its GI legal framework, leading to the third amendments of the 2005 IP Law in June 2022.

In practice, the protection, management, maintenance and improvement of Vietnam's GI system are now facing a lot of problems, stemming from various reasons. For example, the issue caused by the current administrative restructure that took place in April 2025 has negatively impacted the situation for the Vietnamese GIs. Specifically, according to the Article 1(2) of the Resolution No.76/2025/UBTVQH15, dated April 14, 2025, the rearrangement of province-level administrative divisions means merging provinces with other provinces to establish new provinces, or merging provinces with centrally-affiliated cities to establish new centrally-affiliated cities, as approved by the competent authorities, in order to reduce the number of administrative divisions, increase their scale, and expand development space. As a result of this restructuring, operation of district-level administrative divisions nationwide shall be terminated from July 01, 2025⁵, leading to the removal of numerous provinces and cities from the administrative map. Consequently, many GIs pertained to such eliminated provinces face the risk of confusion regarding the origin of their products, potentially damaging their reputation. Another challenge facing Vietnam's GI system is the limited involvement of GI producers in the development of product specification, the GI application process, and management. Additionally, there is the lack of development for geographical indication related to craft and industrial products despite the country's rich tradition handicraft and craft villages. Furthermore, insufficient attention to sustainability in legislation could negatively impact the competitiveness of Vietnam's GI-protected products in the international market.

³ Nguyen, S L.; Le, V A., *Diffusion of Geographical Indication Law in Vietnam: "Journey To The West"*, IIC, 2023, 176-199, p. 179, available at <https://doi.org/10.1007/s40319-023-01289-9>.

⁴ Chapter 12, EVFTA, available at https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/viet-nam/eu-viet-nam-agreements/texts-agreements_en (accessed on September 4, 2025).

⁵ Article 2 (2), Resolution No.203/2025/QH15 amendments to certain articles of the Constitution of the Socialist Republic of Vietnam.

This chapter aims to draw the lesson for Vietnam based on the EU's approach to GIs, with the goal of strengthening the Vietnam's GI system. To achieve that goals, the comparative and analytical method will be primarily employed.

Overall, the chapter contains the view that although Vietnam's GI system has made significant progress, it still necessitates structural refinement, enhanced participation of producer groups, the incorporation of sustainability principles, and more responsive administrative mechanisms.

2. THE BRIEF OVERVIEW OF THE EU'S REGULATIONS REGARDING GIs

Under EU law, geographical indication refers to a sign identifying a product as originating from a particular territory where its quality, characteristics, or reputation are essentially attributable to its geographical origin.⁶

Regarding the EU's GI system, this consists of three main categories: Protected Designation of Origin (PDOs), Protected Geographical Indication (PGIs), and Geographical Indication (GIs). PDO and PGI are designed to protect foodstuffs and wines, while GI specifically applies to spirits.⁷

The EU's GI system has been reformed and four main key pillars are the strength of the role of producer groups, the effective protection, the simplification of the registration system, and the sustainability and transparency.⁸ Regarding the GI producer groups, their responsibilities extend beyond merely safeguarding the name of the product. These groups are involved in drafting and revising the product specification, submitting application for registration, amendments, or cancellation, and acting on behalf of their members within intellectual property enforcement frameworks, including cooperation with national and EU-level anti-counterfeiting authorities. In addition, producer associations are expected to enhance the overall value and long-term viability of the GI. This includes

⁶ Article 5 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs.

⁷ Geographical indications and quality scheme explained, available at https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained_en#pdo (accessed on September 10, 2025).

⁸ Adinolfi, F.; Vecchio, Y.; Masi, M.; Mastandrea, G.; Lambertini, G.; De Castro, P., (2024). *The reform of EU geographical indications: A look at the newly approved Regulation*, *AIMS AGRICULTURE AND FOOD*, 2024, 693-698, p.695-696, available at <https://doi.org/10.3934/AGRFOOD.2024037>.

strengthening environmental protection, social responsibility, and economic sustainability linked to the product. They also play a proactive role in detecting and addressing infringement or misleading commercial practices, ensuring that products marketed under the GI comply with the approved specification.⁹ When it comes to the sustainable practices, producer groups may draft and periodically update a sustainability report supported by verifiable data. Such a report typically outlines the sustainable practices applied in production, evaluates how production methods affect environmental, social, economic, or animal welfare objectives, and explains how these factors influence the product's development, market performance, and reputation. The European Commission is responsible for publishing this report to ensure transparency.¹⁰

3. BRIEFING THE VIETNAM'S GI LEGAL FRAMEWORK

Vietnam's GI law is built primarily on the Law on Intellectual Property No.50/2005/QH11 of November 29, 2005, of the XI National Assembly (2005 IP Law) and its amendments (2009, 2019, and 2022), detailed through Government's Decree No. 65/2023/ND-CP of August 23, 2023, detailing a number of articles of, and providing measures to implement the law on Intellectual Property regarding industrial property, protection of industrial property rights and plant variety rights, and the state management of intellectual property (Decree 65), Government's Decree No. 105/2006/ND-CP of September 22, 2006, detailing and guiding the implementation of a number of articles of the law on intellectual property on protection of Intellectual property rights and on State management of Intellectual Property (Decree 105), and Ministry of Science and Technology's Circular No. 23/2023/TT-BKHCT of November 30, 2023 (Circular 23), detailing a number of articles of the Law on Intellectual Property and providing measures to implement Decree 65 related to procedure for establishment of intellectual property rights and assurance of industrial property information. Additionally, the GI system of Vietnam is strongly influenced by international commitments, including TRIPS Agreement, and EVFTA.

In general, the majority of the Vietnam's regulations on GIs align with those of the European Union. This includes aspects such as the definition of GIs, homonymous

⁹ Article 32 of the Regulation (EU) 2024/1143 of the European Parliament and of the Council on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialties guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012.

¹⁰ Article 8 of the Regulation (EU) 2024/1143.

GIs, the conditions for GI protection, and the registration procedures. According to the Article 11 of the Vietnam's 2022 IP Law, a geographical indication is a sign used to indicate the geographical origin of products originating from a specific area, locality, territory, or country. This definition corresponds to the criteria set forth in the Article 22(1) of the General Agreement on Tariff and Trade (GATT;1994), which offers a minimum standard and a comprehensive definition of GI without limiting it to any particular category.¹¹ Additionally, a recent amendment added a new Clause 22a to Clause 22 of Article 4 of the 2005 IP Law, which defines a homonymous geographical indication as a geographical indication that has the same pronunciation or spelling.

The main difference between Vietnam and the EU in regulating GIs is the role of GI producers. Under EU's law, producer groups play a key role in creation, registration, management, and maintenance GI system. For instance, Article 32 of the Regulation (EU) 2024/1143 sets out the functions assigned to recognized producer groups. These include the preparation of the product specification, the submission of applications for registration as well as for amendments or cancellation, and the implementation of activities aimed at managing the geographical indication. Producer groups are also expected to assist their members in establishing internal control mechanisms to monitor and ensure conformity with the approved specification. Furthermore, they are required to take appropriate measures to safeguard the geographical indication and the intellectual property rights associated with it. However, producers of Vietnamese GI-protected products tend to play a relatively limited role in the formation of product specifications, the registration for protection and the GI management. This position causes by the Vietnam's top-down approach to GIs. The state authorities play prominent role in GI application for registration, and in the elaboration of product specification as well as setting rules for GI practices, leaving no space for producers and other stakeholders to express their opinions on their products and the formation of GIs.¹² Under the GI law of Vietnam, GIs belong to the State, and public authorities play a key part in the creation and management of GIs.¹³ The other difference between the two GI law systems is the regulation regarding the sustainability. According to the Article 8 of the Regulation (EU) 2024/1143, farmers shall agree with the

¹¹ Nga, T H.; Nguyen, N K H, *Protection of non-agricultural geographical indications under EU law: implications for the EVFTA and compatibility with Vietnam's intellectual property legislation*, TalTech Journal of European Studies, 2025, 25-39, p30, available at <https://doi.org/10.2478/bjes-2025-0018>.

¹² Pick, B.; Marie-Vivien, D., *Representativeness in Geographical Indications: A Comparison between the State-Driven and Producer-Driven Systems in Vietnam and France*, Sustainability, 2021, 1-16, p.5, available at <https://doi.org/10.3390/su13095056>.

¹³ Article 121(4), 2005 IP Law.

sustainable practices. Therefore, they must comply with the sustainable agreement to produce products bearing GIs, prepare and regularly update a sustainable report that demonstrates their compliance. In contrast, Vietnam’s current IP law lacks specific provisions for sustainability. Furthermore, there are no requirements for farmers to regularly report on their implementation of sustainable practices in producing GI-labelled products, indicating a lack of emphasis on sustainability.

4. THE ACTUAL STATUS OF VIETNAMESE Gis

From 2001 to 2024, there were 137 products have been protected as geographical indication in Vietnam (see Table 1)

Table 1. The official list of GI-designated products in Vietnam from 2001 to 2024

List of Geographical Indications in Vietnam from 2001 to 2024						
No	Filing Number	Registration Number	Registration Date	Geographical Indication	Products	Applicant
1	6-2001-00001	6-00001	01.06.2001	Phủ Quốc	Phu Quoc Fish sauce	Association
2	6-2001-00009	6-00002	09.08.2010	Mộc Châu	Shan Tuyet Tea	Department of Science and Technology of province Son La
3	6-2001-00002	6-00003	13.05.2002	Cognac	Spirit	National interagency office Cognac
4	6-2005-00001	6-00004	14.10.2005	Buôn Ma Thuột	Coffee	Provincial People’s Committee - Đắk Lắk
5	6-2006-00001	6-00005	08.02.2006	Đoan Hùng	Pomelo	Department of Science and Technology of province Phú Thọ
6	6-2004-00003	6-00006	15.11.2006	Bình Thuận	Dragon Fruit	Association
7	6-2006-00003	6-00007	15.02.2007	Lạng Sơn	Star Anise	Department of Science and Technology of province Lạng Sơn
8	6-2006-00002	6-00008	23.05.2007	Pisco	wine	Peru
9	6-2006-00005	6-00009	25.05.2007	Thanh Hà	Lychee	People’s Committee – District Thanh Hà
10	6-2004-00001	6-00010	30.05.2007	Phan Thiết	Fish sauce	Department of Standards, Metrology and Quality of Bình Thuận province
11	6-2006-00004	6-00011	31.05.2007	Hải Hậu	Rice	Association
12	6-2007-00001	6-00012	31.05.2007	Vinh	Organ	Department of Science and Technology of province Nghệ An
13	6-2007-00004	6-00013	20.09.2007	Tân Cương	Tea	Department of Science and Technology of province Thái Nguyên

14	6-2007-00002	6-00014	25.06.2008	Hồng Dân	Rice	Department of Science and Technology of province Bạc Liêu
15	6-2008-00001	6-00015	25.06.2008	Lục Ngạn	Lychee	Department of Science and Technology of province Bắc Giang
16	6-2003-00009	6-00016	03.09.2009	Hòa Lộc	Mango	Department of Science and Technology of province Tiền Giang
17	6-2008-00004	6-00017	30.09.2009	Đại Hoàng	Banana	People's Committee – Distric Lý Nhân
18	6-2009-00001	6-00018	07.01.2010	Văn Yên	Cinnamon Bark	People's Committee – Distric Văn Yên
19	6-2008-00007	6-00019	25.06.2010	Hậu Lộc	Fermented Shrimp Paste	People's Committee – Distric Hậu Lộc
20	6-2009-00005	6-00020	19.07.2010	Huế	Conical Hue	Department of Science and Technology of province Thừa Thiên Huế
21	6-2010-00003	6-00021	08.09.2010	Bắc Kạn	Seedless Persimmon	Department of Science and Technology of province Bắc Kạn
22	6-2009-00002	6-00022	09.11.2010	Phúc Trạch	Pomelo	People's Committee – Distric Hương Khê
23	6-2008-00003	6-00023	19.11.2010	Scotch whisky	Spirit	The Scotch Whisky Association
24	6-2009-00004	6-00024	19.11.2010	Tiên Lãng	Lao Tobacco	People's Committee – Distric Tiên Lãng
25	6-2008-00008	6-00025	10.01.2011	Bảy Núi	Fragrant rice Nang Nhen	People's Committee – Distric Tĩnh Biên
26	6-2010-00002	6-00026	21.03.2011	Trùng Khánh	Chestnut	People's Committee – Distric Trùng Khánh
27	6-2010-00006	6-00027	10.08.2011	Bà Đen	Sugar Apple	Department of Science and Technology of province Tây Ninh
28	6-2010-00005	6-00028	13.10.2011	Nga Sơn	Sedge	People's Committee – Distric Nga Sơn
29	6-2009-00006	6-00029	13.10.2011	Trà My	Cinnamon Bark	Department of Science and Technology of province Quảng Nam
30	6-2010-00001	6-00030	07.02.2012	Ninh Thuận	Grapes	Department of Science and Technology of province Ninh Thuận
31	6-2011-00002	6-00031	14.11.2012	Tân Triều	Pomelo	Department of Science and Technology of province Đồng Nai
32	6-2012-00001	6-00032	14.11.2012	Bảo Lâm	Seedless Persimmon	Department of Science and Technology of province Lạng Sơn
33	6-2012-00005	6-00033	14.11.2012	Bắc Kạn	Tangerine	Department of Science and Technology of province Bắc Kạn
34	6-2009-00003	6-00034	30.11.2012	Yên Châu	Round-shaped mango	Department of Science and Technology of province Sơn La
35	6-2011-00005	6-00035	01.03.2013	Mèo Vạc	Mint honey	Department of Science and Technology of province Hà Giang
36	6-2008-00002	6-00036	29.08.2013	Bình Minh	Pomelo	Enterprise

37	6-2012-00003	6-00037	12.12.2013	Hạ Long	Fried Squid cake	People's Committee - Hạ Long city
38	6-2012-00002	6-00038	12.12.2013	Bạc Liêu	Salt	Department of Science and Technology of province Bạc Liêu
39	6-2012-00007	6-00039	18.12.2013	Luận Văn	Pomelo	People's Committee – Distric Thọ Xuân
40	6-2012-00006	6-00040	18.12.2013	Yên Tử	Yellow Mai Flower	People's Committee - Uông Bí city
41	6-2012-00004	6-00041	19.03.2014	Quảng Ninh	Bivalve mollusk	Department of Science and Technology of province Quảng Ninh
42	6-2013-00001	6-00042	18.09.2014	Isan Thái Lan	Traditional Silk	The Queen sirikit department of sericulture
43	6-2010-00004	6-00043	25.09.2014	Điện Biên	Rice	Department of Science and Technology of province Điện Biên
44	6-2008-00005	6-00044	28.10.2014	Vĩnh Kim	Lo Ren Star apple	Department of Science and Technology of province Tiền Giang
45	6-2010-00007	6-00045	28.10.2014	Quảng Trị	Pepper	Department of Science and Technology of province Quảng Trị
46	6-2013-00003	6-00046	05.11.2014	Cao Phong	Orange	Provincial People's Committee - Hòa Bình
47	6-2013-00002	6-00047	12.11.2015	Vân Đồn	Sea worm	People's Committee – Distric Vân Đồn
48	6-2015-00001	6-00048	08.06.2016	Long Khánh	Rambutan	Department of Science and Technology of province Đồng Nai
49	6-2011-00003	6-00049	16.08.2016	Ngọc Linh	Gingseng	Department of Science and Technology of province Kon Tum
50	6-2014-00002	6-00050	19.08.2016	Vĩnh Bảo	Lao tobacco	People's Committee – Distric Vĩnh Bảo
51	6-2015-00005	6-00051	10.10.2016	Thường Xuân	Cinammon	People's Committee – Distric Thường Xuân
52	6-2016-00006	6-00052	10.10.2016	Hà Giang	Organ	Department of Agriculture and Rural Development of Hà Giang province
53	6-2015-00003	6-00053	28.12.2016	Kampong Speu	Sugar Thot not (Vương quốc Cam-pu-chia)	Kompong Speu Palm Sugar Promotion Association (KSPA)
54	6-2015-00003	6-00054	28.12.2016	Kampot	Pepper (Cambodia)	Kampot Pepper Promotion Association (KPPA)
55	6-2016-00005	6-00055	23.01.2017	Hung Yên	Longan	Department of Science and Technology of province Hưng Yên
56	6-2016-00008	6-00056	05.07.2017	Quản Bạ	Seedless persimmon	People's Committee – Distric Quản Bạ
57	6-2016-00009	6-00057	28.09.2017	Xín Mần	Rice Già Dui	People's Committee – Distric Xín Mần

58	6-2016-00007	6-00058	28.09.2017	Son La	Coffee	Department of Science and Technology of province Son La
59	6-2016-00002	6-00059	24.10.2017	Ninh Thuận	Lamb	Department of Science and Technology of province Ninh Thuận
60	4-2016-00006	6-00060	08.12.2017	Thảm Dương	Sticky rice Tan Đón	People's Committee – Distric Văn Bàn
61	6-2017-00001	6-00061	22.01.2018	Mường Lò	Rice	People's Committee – Distric Nghia Lộ
62	6-2017-00006	6-00062	26.01.2018	Bến Tre	Pomelo	Department of Science and Technology of province Bến Tre
63	6-2017-00007	6-00063	26.01.2018	Bến Tre	Coconut	Department of Science and Technology of province Bến Tre
64	6-2014-00001	6-00064	12.02.2018	Bà Rịa –Vũng Tàu	Pepper	Department of rural development -of Bà Rịa-Vũng Tàu province
65	6-2015-00007	6-00065	12.02.2018	Ô Loan	Cockles	Department of Science and Technology of province Phú Yên
66	6-2017-00005	6-00066	13.03.2018	Bình Phước	Cashew nut	Association
67	6-2016-00003	6-00067	04.07.2018	Ninh Bình	Goat meat	Department of Agriculture and Rural Development of Ninh Binh province
68	6-2017-00004	6-00068	23.07.2018	Cao Bằng	Cooling mat	Department of Science and Technology of province Cao Bằng
69	6-2018-00001	6-00069	16.08.2018	Hà Giang	Shan Tuyet Tea	Department of Agriculture and Rural Development of Hà Giang province
70	6-2017-00002	6-00070	31.01.2019	Bà Rịa - Vũng Tàu	Longan	Department of Rural Development of Bà Rịa Vũng Tàu province
71	6-2017-00003	6-00071	31.01.2019	Cát Lở Bà Rịa - Vũng Tàu	Sugar apple	Department of Rural Development of Bà Rịa Vũng Tàu province
72	6-2018-00003	6-00072	28.02.2019	Hương Sơn	Deer Antler Velvet	People's Committee – Distric Hương Sơn
73	6-2018-00005	6-00073	12.10.2018	Hà Giang	Beef	Department of Agriculture and Rural Development of Hà Giang province
74	6-2016-00004	6-00074	27.05.2019	Đồng Giao	pineapple	People's Committee - Tam Điệp city
75	6-2018-00004	6-00075	28.05.2019	Vĩnh Châu	Onion	Department of Science and Technology of province Sóc Trăng
76	6-2018-00002	6-00076	16.09.2019	Bà Rịa	Salt	Provincial People's Committee - Bà Rịa - Vũng Tàu
77	6-2019-00004	6-00077	15.11.2019	Kỳ Sơn	Ginger	People's Committee – Distric Kỳ Sơn
78	6-2019-00006	6-00078	26.11.2019	Cao Lãnh	Mango	Department of Agriculture and Rural Development of Đồng Tháp province
79	6-2019-00008	6-00079	26.12.2019	Đắk Hà	Coffe	People's Committee – Distric Đắk Hà
80	6-2019-00010	6-00080	11.05.2020	Cái Môn	Durian	Department of Science and Technology of province tỉnh Bến Tre
81	6-2019-00011	6-00081	29.06.2020	Lý Sơn	Garlic	People's Committee – Distric Lý Sơn

82	6-2019-00009	6-00082	10.07.2020	An Thịnh	Garlic	People's Committee – Distric Lương Tài
83	6-2020-00001	6-00083	20.07.2020	Lục Nam	Deer skin	People's Committee – Distric Lục Nam
84	6-2019-00005	6-00084	07.08.2020	Vị Xuyên	Cardamom	People's Committee – Distric Vị Xuyên
85	6-2019-00013	6-00085	30.09.2020	Châu Thành Long An	Dragon fruit	Department of Science and Technology of province Long An
86	6-2020-00002	6-00086	30.09.2020	Hàm Yên	Orange	People's Committee – Distric Hàm Yên
87	6-2020-00003	6-00087	05.11.2020	Phú Yên	Lobster	Department of Science and Technology of province Phú Yên
88	6-2019-00014	6-00088	13.11.2020	Khả Linh	Pomelo	People's Committee – Distric Yên Bình
89	6-2020-00005	6-00089	23.11.2020	Văn Chấn	Trionychidae	People's Committee – Distric Văn Chấn
90	6-2020-00006	6-00090	23.11.2020	Cổ Lũng – Bá Thước	Duck	People's Committee – Distric Bá Thước
91	6-2020-00004	6-00091	23.11.2020	Cù Lao Chàm – Hội An	Edible Bird's net	People's Committee - Hội An city
92	6-2020-00009	6-00092	23.11.2020	Cầu Đúc	Pineapple	Department of Agricultural, Forestry and Fishery Product quality Management of Hậu Giang province
93	6-2020-00008	6-00093	23.11.2020	Mang Yang	Rice Ba Châm	People's Committee – Distric Mang Yang - tỉnh Gia Lai
94	6-2020-00011	6-00094	23.11.2020	Trà Bồng	Cinammon	Department of Science and Technology of province Quảng Ngãi
95	6-2020-00010	6-00095	03.12.2020	Vĩnh Châu	Artemia	Department of Science and Technology of province Sóc Trăng
96	6-2020-00014	6-00096	03.12.2020	Huế	Cajeput essencial oil	Provincial People's Committee - Thừa Thiên Huế
97	6-2019-00001	6-00097	25.12.2020	Kagoshima Wagyu/Kagos hima, Kuroushi/Thịt bò Kagoshima	Beef	Kagoshima Prefectural Beef Cattle Promotion Council
98	6-2020-00013	6-00098	25.12.2020	Mường Khương – Bát Xát	Rice Sẻng Cù	Department of Science and Technology of province Lào Cai
99	6-2019-00012	6-00099	28.12.2020	Yên Bái	Bammo shoots Bát Độ	People's Committee – Distric Trấn Yên
100	6-2020-00017	6-00100	29.12.2020	Tú Lệ	Sticky rice nếp	People's Committee – Distric Văn Chấn
101	6-2020-00007	6-00101	29.12.2020	Mù Cang Chải	Honey	People's Committee – Distric Mù Cang Chải

102	6-2020-00019	6-00102	14.04.2021	Bến Tre	Sea crab	Department of Science and Technology of province Bến Tre
103	6-2020-00015	6-00103	19.04.2021	Bến Tre	Lobster	Department of Science and Technology of province Bến Tre
104	6-2020-00019	6-00104	23.04.2021	Na Hang	Tea	People's Committee – Distric Na Hang
105	6-2019-00002	6-00105	29.04.2021	Hà Giang	Cyprinus carpio	Department of Agriculture and Rural Development of Hà Giang province
106	6-2020-00016	6-00106	29.04.2021	Bắc Kạn	Dong Vermicelli	Department of Science and Technology of province Bắc Kạn
107	6-2019-00003	6-00107	14.06.2021	ICHIDA GAKI/ICHIDA A KAKI/ HÔNG ICHIDA	persimmon	Minami Shinshu Agricultural Cooperative Association
108	6-2020-00012	6-00108	02.08.2021	Núi Dành	Gingseng	People's Committee – Distric Tân Yên
109	6-2021-00005	6-00109	15.09.2021	Soi Hà	Pomelo	People's Committee – Distric Yên Sơn
110	6-2020-00022	6-00110	30.09.2021	Cà Mau	Lobster	Department of Science and Technology of province Cà Mau
111	6-2021-00001	6-00111	09/11/2021	Đắk Nông	Pepper	Department of Science and Technology of province Đắk Nông
112	6-2021-00004	6-00112	09/11/2021	Phình Hồ	Tea	People's Committee – Distric Trạm Tấu
113	6-2016-00001	6-00113	09/11/2021	Khánh Hòa	Babylonia areonata	Association
114	6-2017-00009	6-00114	24/11/2021	Phechabun	Tamarindus indica	Phetchabun Province (Phetchabun Provincial Government)
115	6-2021-00003	6-00115	27/12/2021	Chư Sê	Pepper	People's Committee – Distric Chư Sê
116	6-2021-00006	6-00116	08/6/2022	Cà Mau	Crab	Department of Science and Technology of province Cà Mau
117	6-2017-00008	6-00117	05/08/2022	Lam Phun	Longan	Lamphun Provincial Administrative Organization
118	6-2021-00007	6-00118	05/08/2022	Bến Kè	Purple yam	People's Committee – Distric Thanh Hóa
119	6-2018-00006	6-00119	17/08/2022	MIYAGI SALMON	Salmon	Miyagi Coho Salmon Promotion Association
120	6-2019-00007	6-00120	03/10/2022	TEQUILA	Wine	CONSEJO REGULADOR DEL TEQUILA, A.C
121	6-2020-00020	6-00121	04/11/2022	Văn Chấn	Organ	People's Committee – Distric Văn Chấn
122	6-2021-00010	6-00122	04/11/2022	Suối Giàng Văn Chấn	Tea Shan tuyết	People's Committee – Distric Văn Chấn

123	6-2007-00003	6-00123	10/11/2022	NAPA VALLEY	Wine	NAPA VALLEY VINTNERS
124	6-2022-00004	6-00124	10/11/2022	Bến Tre	Mango	Department of Science and Technology of province Bến Tre
125	6-2021-00011	6-00125	10/11/2022	Gia Lai	Coffee	Department of Science and Technology of province Gia Lai
126	6-2022-00002	6-00126	19/01/2023	Quảng Trị	Tea	Department of Science and Technology of province Quảng Trị
127	6-2022-00009	6-00127	09/02/2023	Lạng Sơn	Mesona chinesis	Department of Agriculture and Rural Development of Lạng Sơn province
128	6-2022-00012	6-00128	20/02/2023	Na Hang	Corn wine	People's Committee – Distric Na Hang
129	6-2022-00008	6-00129	17/04/2023	Vân Thủy	Honey	People's Committee – Distric Chi Lăng
130	6-2021-00009	6-00130	05/06/2023	Bắc Kạn	Duck	Department of Science and Technology of province Bắc Kạn
131	6-2022-00003	6-00131	28/11/2023	Bến Tre	Rambutan	Department of Science and Technology of province Bến Tre
132	6-2022-00016	6-00132	26/12/2023	La Tinh Hoài Đức	Sugar pomelo	People's Committee – Distric Hoài Đức
133	6-2021-00008	6-00133	18/01/2024	Bến Lức Long An	Seedless lemon	Department of Agriculture and Rural Development of Long An province
134	6-2023-00008	6-00134	18/01/2024	Huế	Hoàng Mai (yellow Mai Flower)	Department of Science and Technology of province Thừa Thiên Huế
135	6-2023-00003	6-00135	18/01/2024	Huế	Mango plum	Department of Science and Technology of province Thừa Thiên Huế
136	6-2022-00013	6-00136	25/01/2024	Bình Định	Yellow Mai tree	Department of Science and Technology of province Bình Định
137	6-2022-00022	6-00137	05/02/2024	Thanh Phú	Rice	Department of Science and Technology of province Bến Tre

Source: ipvietnam.gov.vn¹⁴

The given table shows that the vast majority of GI-labelled products have been registered by public authorities and non-agricultural GIs have not yet received the attention they deserve as only 2 out of 137 GIs were classified as non-agricultural product (the Hue conical hats (non la Hue) and Cao Bang bamboo mats). This

¹⁴ List of GI-protected products in Vietnam, available at https://www.ipvietnam.gov.vn/en_US/web/english/list-of-protected-gis-in-viet-nam (accessed on November 2, 2025).

situation demonstrates the lack of focus on non-agricultural GIs in a country that is home to 3,597 traditional craft villages.¹⁵

Furthermore, GIs in Vietnam have currently been established and managed based on various level of inspection, enforcement, traceability rules. For instance, the Binh Phuoc cashew nut has been protected as a GI since 2018¹⁶ and is owned by the People's Committee of Binh Phuoc province, with management handled by the Department of Science and Technology¹⁷. In contrast, the Binh Thuan Dragon Fruit, which received its protection certificate in 2020¹⁸ is managed by the Binh Thuan dragon fruit association¹⁹. The divergences in the GI management systems across various provinces not only reflect the absence of a unified national management and enforcement for GIs, but also demonstrate the varying level of participation and engagement of key stakeholders, particularly GI producers, in the elaborating and developing of GI specifications.

Additionally, the administrative restructuring that took place in April 2025 has negatively impacted the situation for the Vietnamese GIs. Specifically, according to the Article 1(2) of the Resolution No.76/2025/UBTVQH15, dated April 14, 2025, the rearrangement of province-level administrative divisions means merging provinces with other provinces to establish new provinces, or merging provinces with centrally-affiliated cities to establish new centrally-affiliated cities, as approved by the competent authorities, in order to reduce the number of administrative divisions, increase their scale, and expand development space. As a result of this restructuring, operation of district-level administrative divisions nationwide shall be terminated from July 01, 2025²⁰, leading to the removal of

¹⁵ Nga, T H.; Nguyen, N K H, *Protection of non-agricultural geographical indications under EU law: implications for the EVFTA and compatibility with Vietnam's intellectual property legislation*, TalTech Journal of European Studies, 2025, 25-39, p.36, available at <https://doi.org/10.2478/bjes-2025-0018>.

¹⁶ Decision 673/QĐ-SHTT of the National Office of Intellectual Property, granting the GI registration Certificate No.00066 for cashew nut from Binh Phuoc, https://ipvietnam.gov.vn/web/english/news-events/-/asset_publisher/ZMuTgR44COLR/content/geographical-indication-of-binh-phuoc-for-cashew-nut-protected?utm_source=chatgpt.com (accessed on November 8, 2025).

¹⁷ Article 6(3) of Decision No. 2065/2018/QĐ-UBND issued by the People's Committee of Binh Phuoc province to govern how the GI is used, controlled and maintained.

¹⁸ Decision 1577/QĐ-SHTT of the National Office of Intellectual Property, granting the GI registration Certificate No. 00006 for dragon fruit from Binh Thuan, <https://ipvietnam.gov.vn/documents/20182/1185430/0006.pdf/cd3b6d4a-1779-460a-8137-4ea228f3564d> (accessed November 15,2025) .

¹⁹ Article 4(1) of Decision No. 76/2015/QĐ-UBND issued by the People's Committee of Binh Thuan province to govern how Binh Thuan GI is used and managed.

²⁰ Article 2 (2), Resolution No.203/2025/QH15 amendments to certain articles of the Constitution of the Socialist Republic of Vietnam.

numerous provinces and cities from the administrative map. Consequently, many GIs pertained to such eliminated provinces face the risk of confusion regarding the origin of their products, potentially damaging their reputation. For example, Ben Tre province, which had protection for its green-skinned pomelos originating from six districts - Chau Thanh, Giong Trom, Mo Cay Bac, Mo Cay Nam, Cho Lach, Binh Dai, and Ben Tre city²¹ - will no longer exist as a separate administrative unit. It has been dissolved and merged with Vinh Long and Tra Vinh provinces to form a new entity called Vinh Long province. According to the Article 10 of the Resolution No. 190/2025/QH15 providing regulations on handling certain issues related to the reorganization of the state apparatus, the applicant, the holder of the protection certificate, or person authorized by State to exercise the right to register GIs has the right to request the National Office of Intellectual Property to amend or supplement the GI application or protection certificate to record changes in the address of the applicant, the owner of GI protection certificate, or the GI management organization due to the rearrangement of administrative units. However, a significant concern arises when the name Ben Tre is removed. This core element, which signifies the origin of the product, will no longer be present, potentially leading to confusion and infringing activities.

5. RECOMMENDATIONS FOR MAINTENANCE AND DEVELOPMENT OF THE VIETNAMESE GI SYSTEM

Firstly, the Vietnamese government should take action to provide producers of GI-protected products more opportunities to express their opinions on the elaboration, protection and management of GI. This study supports the approach proposed by Marie-Vivien²² that Vietnam should adopt the EU's bottom-up approach to GIs, allowing producer groups to engage actively and prominently in the elaboration of product specifications, application for GI protection and GI management. This measure would also increase the awareness of producers of the importance and evaluation of GIs.

Secondly, from the EU's perspective, GI-designated product is sustainable product itself. Therefore, the EU has developed a strategy to link GI protection intrinsically

²¹ Decision 297/QĐ-SHTT of the National Office of Intellectual Property, granting the GI registration Certificate No. 00062 for green-skinned pomelos from Ben Tre province, <https://ipvietnam.gov.vn/documents/20182/1185430/00062.pdf/3de56278-4235-4db8-bd67-b52b0ba45db9> (accessed November 21, 2025).

²² Pick, B.; Marie-Vivien, D., *Representativeness in Geographical Indications: A Comparison between the State-Driven and Producer-Driven Systems in Vietnam and France*, Sustainability, 2021, 1-16, p.16, available at <https://doi.org/10.3390/su13095056>.

to sustainable development objectives. It is recommended that Vietnamese IP law be amended to introduce a provision requiring GI producers to submit periodic sustainability reports. In that way, products labelling GIs originating from Vietnam would be better equipped to satisfy the EU market's sustainability requirements, thereby enhancing their prospects for obtaining GI protection in Europe.

With regard to craft and industrial products, the EU has recently expanded its GI framework by introducing regulations governing the protection of non-agricultural products.²³ Meanwhile, Vietnam continues to concentrate predominantly on agricultural GIs. It is therefore necessary for Vietnam to learn from the EU's experience in developing the distinct legal framework for the protection of craft and industrial products. This approach could contribute to safeguarding traditional heritage while also mitigating the risk of the disappearance of traditional craft villages in Vietnam.

Lastly, the recommendation for minimizing the ambiguity concerning the GI-labelled products whose characteristics are associated with provinces that have been merged is that the competent authorities should ensure that registration application and related documentation are duly updated to reflect such administrative changes. At the same time, the name of products that have previously been granted geographical indications protection should be retained; however, the continue legal validity of those GIs should be clarified to ensure legal certainty and transparency.

6. CONCLUSION

The paper has examined the current state of Vietnam's GI legal framework and the actual state of Vietnam's GI system. Although the Vietnamese regulations on GIs are broadly aligned with international standards, the involvement of producers in the elaboration, management and enforcement is still limited due to the continuance of a predominantly top-down governance model.

Furthermore, the absence of explicit sustainability provisions in Vietnam's GI legislation reveals critical gap in light of global trends. In order to learn from the way EU responses to sustainability requirements, Vietnam should incorporate sustainability requirements into its GI legal framework. That would enhance the

²³ Regulation (EU) 2023/2411 of the European Parliament and of the Council on the protection of geographical indications for craft and industrial products.

international competitiveness of Vietnamese GI products, particularly within the EU market.

The research also highlights the underdevelopment of non-agricultural GIs in Vietnam, despite the country's rich tradition handicraft and craft villages. Developing a distinct legal framework for non-agricultural GIs in Vietnam could contribute significantly to not only increase the number of craft and industrial products protected as GI, but also preserve traditional heritage.

Finally, the administrative restructuring in Vietnam presents new legal and practical challenges for the maintenance of GI protection. Ensuring that registration dossiers are updated to reflect the administrative changes, while simultaneously clarifying the continued legal validity of existing GIs, is essential to safeguard legal certainty and prevent confusion regarding product origin.

Overall, the study concludes that Vietnam's GI system has achieved important milestones but requires structural refinement, stronger producer engagement, sustainability integration, and adaptive administrative mechanisms. Drawing lesson from the EU, experience does not imply simple transplantation; rather, it requires selective adaption consistent with Vietnam's social-economic conditions.

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