



Introduction of trademark divisions of NOIP

**Structure, organization and
future development**



I. Organizational structure of the NOIP

- NOIP consists of 13 divisions, 3 centers, an administrative office and two branch offices in Da Nang and HCM City respectively. There are two trademark divisions (No.1 and No. 2);
- The two trademark divisions are under direct management of the Director General.

II. Organizational Structure and operation of the two trademark divisions

- The trademark divisions carry out the formality and substantive examination of trademark applications; carry out the substantive examination of international trademark applications filed under the Madrid system (both the Madrid Agreement and the Madrid Protocol) designating Vietnam; carry out formality and substantive examination of requests for amendment, assignment concerning trademark applications filed with the NOIP and other tasks as required.

Trademark Division No 1

Consists of 25 staff-members including:

- The Director;
- 3 group managers;
- 23 trademark examiners among which 6 specialized formality examiners; 4 specialized substantive examiners;
- 2 supporting staff;

At present, the Trademark Division No.1 has 5 second-stage substantive examiners including the Director.

Trademark Division No 2

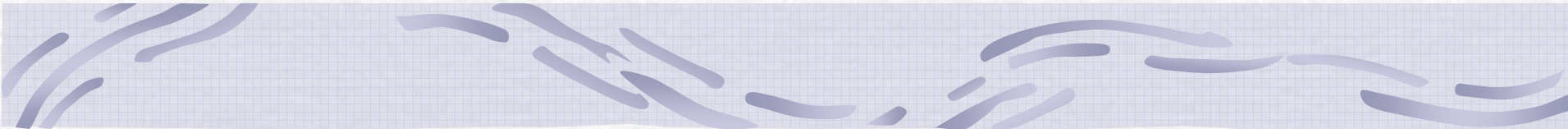
Consists of 25 staff-members including:

- The Director;
- 4 group managers;
- 23 trademark examiners among which 1 specialized formality examiner; 3 specialized substantive examiners;
- 2 supporting staff;


At present, the Trademark Division No.1 has 4 second-stage substantive examiners including the Director.

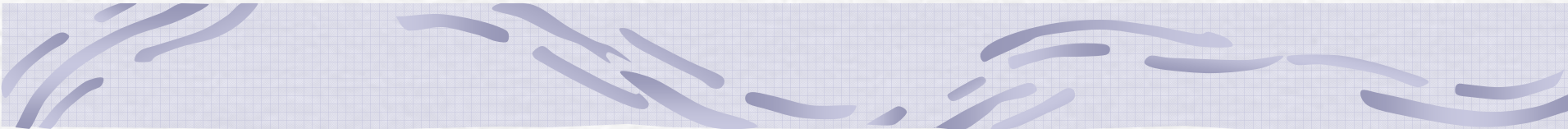
III. Development in recent years

year	No of applications	Domestic	Foreign
2002	8818	6560	2258
2003	12135	8599	3536
2004	14916	10641	4275
2005	18018	12884	5134
2006	23058	16071	6987




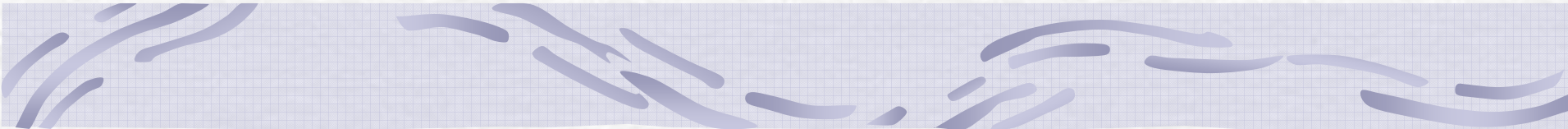
Besides, the two trademark divisions also carry out substantive examination of thousands of international trademarks applications filed under the Madrid Protocol designating Vietnam. The number of this type of applications has been increasing rapidly after Vietnam's adherence to the Madrid Protocol.






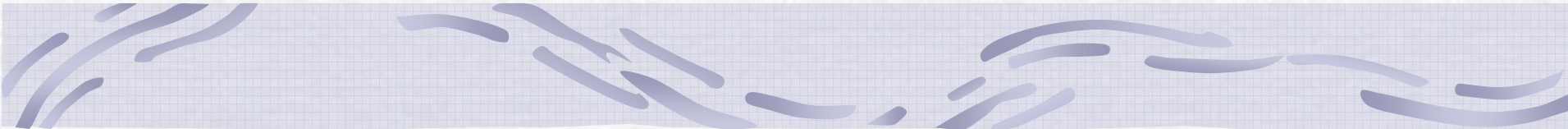

The increase of number of applications has resulted in workload burden on examiners. Most examiners have to work late even at the weekend to cope with the increasing number of applications.

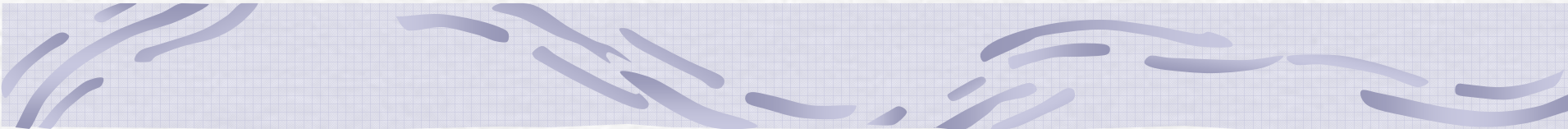





Despite the efforts made by the trademark examiners, because of the increasing number of applications together with the limited human resource, the Office face the backlog problem which accounts to 20,000 applications.



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2. Over past years, to cope with the increasing number of trademark applications, the Office has recruited new examiners, namely in 2006 and 2007 NOIP has recruited 23 new trademark examiners. This helped the Office to increase the delivery of trademark applications. However, most examiners have not been well trained on intellectual property before joining the NOIP, therefore there are limitations in terms of experience and professional knowledge, which result in low efficiency of examination.
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3. The IP law of Vietnam has been promulgated and taken effect from July 01, 2006. The new IP law has some changes compared with the old IP legislation, therefore it requires time for preparation of implementing regulations under the law. So far, the NOIP has yet promulgated an examination guideline which would facilitate the trademark examination process.



IV. Future development

1. Increase of number of trademark examiners so as to cope with the increasing number of applications;
2. Soon promulgation of trademark examination guideline;
3. Establishment of optimal standards for examination process so as to increase the productivity of examination;
4. Enhancement of automation by using IT for examination of trademark applications;
5. Training and advanced training of trademark examiners.



Thank you!