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ccTLD Domain Name Status

Dispute Resolution
7/2019:

Total: 484,492
New: 85,776
(01-07/2019)
Goal in 2019: 500,000
13 Registrars (7 domestics + 6 overseas)
IPv6 supported
DNS SEC
.VN ccTLD Domain Name Status

.VN ccTLD by Registrar (7/2019)

- PA VIETNAM (36.71%)
- MATBAO (23.81%)
- GMO RUNSYSTEM (12.36%)
- NHANHOA (10.29%)
- iNET (7.31%)
- VNPT (3.32%)
- ESC (2.41%)
- HI-TEK (1.99%)
- WebNIC (0.81%)
- Instra (0.41%)
- EuroDNS (0.31%)
- InterNetX (0.26%)
- Megazone (0.009%)
- SPT (0%)
.VN ccTLD Domain Name Status

VN ccTLD usage

- Website: 39.53%
- Underconstruction: 15.81%
- Redirect: 7.34%
- Domain Parking: 0.08%
- No Website (Error, No IP address, not connection, pending delete, undefined): 37.24%

IPv6 supported Website: **10.962**
ccTLD vs gTLD
- ccTLD: 45.27%
- gTLD: 46.98%
- NewgTLD: 7.75%
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- ccTLD Domain Name Status
- Dispute Resolution
Vietnam builds the dispute settlement policy based on ICANN’s UDRP (Uniform Domain-name Dispute-Resolution Policy), with reference to the policies of others ccTLD.

Settlement of complaints and domain name .VN disputes resolution:
- Complaints related to services, procedures for registration and maintenance of domain names: Settlement at the domain name registrar.
- Domain name .vn disputes resolution: There are 3 methods of settlement including:
  1. negotiation and conciliation;
  2. arbitration;
  3. court lawsuit.
- Related parties agree on the proper settlement method.
Therefore, in Vietnam, the status of related parties is often mistaken when applying the resolution of cases arising when the Internet domain name is the same as the brand name, trademark, copyrights, protected works.

Regarding the conflicts between Internet domain names and intellectual property, intellectual property rights holders in Vietnam are still confused between the two approaches:

1. Functioning to deal with infringements of intellectual property rights of Internet domain name holders, and
2. Request for settlement of Internet domain name disputes.
Domain name is not the object of Intellectual Property Law (the objects include copyright, industrial property and plant varieties). Domain names and IPRs (trademarks, trade names, geographical indications) are governed by 2 different laws: IT Law and IP Law.

- .VN domain name is registered and used as first come, first serve principle
- .VN are not governed by the Law on Intellectual Property.
- Domain name – intellectual property: independent objects, due to the difference between intellectual property law and domain name regulation.
- The development of trademark and tradename as well as .VN domain name lead to domain name disputes.
.VN Registrar and VNNIC can, based on the successful conciliation record of the disputing parties, effective arbitral awards or effective court ruling, do the followings:

- Revoke the domain name and give priority to the plaintiff in registering the domain.

- Maintain the current status of the domain name.

- Implement other decisions related to revocation, suspension or termed retention.
The same problem (the domain name is identical or similar to the brand name, trademark, geographical indication, copyright), there exist two different ways of understanding. Vietnam has two agencies (Ministry of Information and Communications, Ministry of Science and Technology) participate in dispute settlement process as Vietnam.

Although not interfering with the immutability of the domain name industry "first come first serve", the current state of Vietnam is using administrative measures to handle domain name dispute is not consistent with the usual international.
Using joint circular guiding the order and procedures for changing and revoking domain names violating IP law with principles:

(1) To define issue: Comply with the laws on intellectual property, information, technology and telecommunications, as concluded or decided by agencies competent to handle violations or persons competent to sanction administrative violations or in the field of intellectual property.

(2) Final decision base on:

- The domain name is identical or confusingly similar to the protected intellectual property subject matter.
- The domain name is used to post information infringing upon the intellectual property rights.
1. To force change information on domain names:
- Website posts information infringing upon the intellectual property rights such as product advertising or introduction information, offer for sale or sale of products or services which are identical, similar or related to, or damage the prestige, reputation and property of the owner of, a protected mark, trade name or geographical indication.
2. To return of domain names “.vn” in case the domain name user commits an act violating the law on intellectual property and the following conditions are fully met:

1. The domain name “.vn” is identical or confusingly similar to a protected mark, trade name or geographical indication over which its owner has the lawful rights or interests.

2. The user of the domain name “.vn” has no lawful rights and interests to the protected mark, trade name or geographical indication.

3. The website pointed to by the domain name “.vn” contains information:
   - About product advertising or introduction, offer for sale or sale of products or services which are identical, similar;
   - related to, or damage the prestige, reputation or property of the owner of a protected mark, trade name or geographical indication
   - information disgracing or slandering similar products, goods or services of the owner of a protected mark, trade name or a geographical indication.
3. To revoke domain names

Agencies competent to handle violations shall revoke a domain name “.vn” in the following cases:

a/ The user of the domain name “.vn” infringing upon the intellectual property rights fails to change information on such domain name or return the domain name under the decision on sanctioning of administrative violations in the field of intellectual property within 30 days from the date such decision takes effect.

b/ The user of the domain name “.vn” fails to prevent or remove information infringing upon the intellectual property rights posted on the website pointed to by such domain name at the request of a competent state agency.
Before 2014, there were few lawsuits related to .VN domain names such as: samsungmobile.vn, bkav.vn, tictours.vn, lamy.com.vn, ... 

Until now, the method of arbitration has not been used by parties as it requires the agreement between those parties.