

Stream-Ripping: Vietnam and the Battle Against Online Content Piracy

*Did you know that every time you download music or videos from YouTube using unofficial tools, you are participating in potential copyright infringement? This behavior, which extends from music to videos to TV shows downloaded without the copyright owner's permission, not only violates the law but also seriously affects the revenue and creativity of artists. Known as “**Stream ripping**”, this practice of copying online content is not only popular in Vietnam but is also considered one of the biggest challenges facing the global entertainment industry. The negative impacts of online content piracy on artists and content creators can be severe and are often unpredictable.*

What is the current situation of “Stream-Ripping” in Vietnam? What sanctions can be applied to copyright infringement, and what solutions can be implemented to improve the effectiveness of copyright protection? These questions will be answered by KENFOX IP & Law Office in this article.

1. Stream-Ripping: What is the Current Status of Online Content Piracy in Vietnam?

In Vietnamese, “Stream ripping” can be referred to as “online content ripping” or “online content copying”.

“**Stream-Ripping**” refers to the process of using software or a web service to convert and download streaming media - such as music or videos - from sites like YouTube and Spotify, which typically offer content for temporary viewing or listening. Essentially, “**Stream-Ripping**” allows users to permanently save the streaming content to their devices, enabling offline access without proper licensing or permission from the copyright holders. This practice is often considered a form of copyright infringement, as it circumvents the copyright protections and licensing agreements that regulate content distribution and access.

The term “**ripping**” in a digital context refers to the process of extracting audio or video data from a CD, DVD, streaming media, or any digital media source, and converting it into a file format that can be stored, played, and managed on computers or other digital devices. Commonly, “**ripping**” is used to transfer content from physical media like CDs to a more convenient digital format, such as MP3 for audio or MP4 for video. This process allows users to easily access, organize, and transport their media on personal devices without needing the original physical medium.

Although “**ripping**” can be legally performed for personal use in some jurisdictions under fair use or private copying exemptions, it becomes illegal if the content is distributed without permission or violates copyright laws.

Vietnam has one of the highest levels of music piracy in the world, according to the latest 2023 Music Consumer Study conducted by the International Federation of the Phonographic Industry (IFPI). The study shows that an alarming **66%** of Vietnamese people aged 16 to 44 admit they regularly listen to pirated music - more than double the global average of 29%. The most common method is “**Stream-Ripping**”, with 63% of respondents admitting to downloading unlicensed music from sites such as YouTube via unauthorized websites and applications like **Y2Mate** and **SnapTube**. Additionally, 35% used cyberlockers like Mega or Rapidgator for music piracy (often to obtain pre-releaseleaks), and 29% frequented BitTorrent sites like ThePirateBay. Notably, **Y2Mate**, one of the most widely used tools, recorded over 53 million visits from Vietnam in 2023. These figures serve as a stark warning about the prevalence of music copyright infringement in Vietnam and underscore the urgent need for lawmakers and the music industry to address this issue.

Y2Mate, ranked among the top seven online content extraction websites globally, reportedly operates out of Vietnam and has drawn significant attention in the online community. Despite implementing voluntary geoblocking in the US, UK, France, and Germany to adhere to local copyright laws, the site remains accessible in these countries. Notably, operators have established alternative sites to circumvent these restrictions, undermining the effectiveness of digital content control measures and highlighting the challenges of enforcing intellectual property rights.

2. Sanctions: How are Organizations and Individuals Held Accountable for Copyright Infringement in Vietnam?

Acts of [infringement of copyright](#) and related rights are outlined in Articles 28 and 35 of the Intellectual Property Law 2022. Acts of copyright infringement can be categorized into three groups: **(i)** infringement of personal copyright rights; **(ii)** infringement of economic copyright rights; **(iii)** infringement of copyright protection measures.

According to current regulations, copyright owners can request that competent enforcement agencies apply administrative, civil, or criminal sanctions for acts of copyright infringement. The sanctions applied depend on the severity and nature of the infringement.

[1] Administrative sanctions: Such as fines, confiscation of counterfeit goods, and suspension of business operations. The level of fines depends on the type of violation committed by the organization or individual involved.

No	Infringer	Maximum fine level	Note
1	Individual	250,000,000 VND	Decree No. 131/2013/ND-CP (amended and supplemented by Decree No. 28/2017/ND-CP) of October 16, 2013, on Sanctioning Administrative Violations of Copyright and Related Rights
2	Organization	500,000,000 VND	

[2] Civil sanctions: Civil sanctions include measures such as ordering an end to the violations, awarding compensation for damages, and providing other remedies.

IP rights, especially copyright rights, are considered civil property rights, making [compensation](#) a key measure for addressing copyright infringements. However, due to the “intangible” nature of intellectual assets, the mechanisms for protection and violation management are distinct from those for tangible assets. The IP Law not only specifies legal mechanisms to enforce copyright protection but also aims to secure compensation for those whose rights have been infringed.

Intellectual property rights, particularly copyright rights, are considered civil property rights; thus, compensation is a key measure for addressing copyright infringement. However, due to the intangible nature of intellectual assets, the mechanisms for protection and violation handling exhibit unique characteristics compared to those for tangible assets. The IP Law not only establishes forms of liability to protect copyrights but also aims to recover damages for those whose rights have been infringed.

No	Civil sanctions	Details	Note
1	Compulsory termination of the infringing acts	Violators must immediately cease all actions that infringe upon intellectual property rights	IP Law 2005, amended in 2009, 2019 and 2022
2	Compulsory public apology and rectification	The violator must make a public apology and correction through the media to restore the honor and reputation of the rights owner.	
3	Compulsory performance of civil obligations.	Includes obligations such as restoring the original state or performing other specific actions to remedy the consequences of the violation.	Civil Code 2015 and Civil Procedure Code 2015
4	Compulsory payment of damages for loss.	Including compensation for damages, both physical and mental. The plaintiff needs to prove actual damages and the basis for determining compensation according to Article 205 of the Intellectual Property Law	
5	Compulsory destruction, distribution or use for non-commercial purposes	goods, raw materials and materials, and facilities used principally for the production or trading of goods which infringed must be destruction, distribution or use for non-commercial purposes, use will not affect the exploitation of rights by intellectual property right holders.	

[3] Criminal sanctions: Applicable in cases where acts of infringement of intellectual property rights are [considered crimes under the Criminal Code](#).

The Intellectual Property Law stipulates: "Any individual, commercial legal entities who commits an act of infringement of intellectual property rights involving a criminal element shall be criminally prosecuted in accordance with the criminal law." (Article 212 of the Intellectual Property Law).

In addition, Article 225 of the 2015 Penal Code also stipulates the crime of infringing upon copyright and related rights. Specifically:

CRIMINAL SANCTIONS FOR INDIVIDUALS		
Rules	Infringement	Penalty
Article 225.1	<ul style="list-style-type: none"> ▪ Making copies of works, video recordings, audio recordings without permission. ▪ Making the copies of works, video recordings, audio recordings publicly available without permission. 	<ul style="list-style-type: none"> ▪ Fine from 50 million VND to 1 billion VND. ▪ 03 years' community sentence ▪ 06 months - 03 years' imprisonment
Article 225.1	<ul style="list-style-type: none"> ▪ The offence is committed by an organized group ▪ The offence has been committed more than once ▪ The illegal profit reaped is VND 300,000,000 or over; ▪ The loss incurred is VND 500,000,000 or over; ▪ The illegal goods are assessed at VND 500,000,000 or over. 	<ul style="list-style-type: none"> ▪ Fine from 300 million VND to 1 billion VND. ▪ 06 months - 03 years' imprisonment
Article 225.3	Other criminal sanctions	<ul style="list-style-type: none"> ▪ Fine from 20 million VND to 200 million VND ▪ prohibited from holding certain positions or doing certain works for 01 - 05 years
CRIMINAL SANCTIONS FOR LEGAL ENTITIES		
Article 225.4(a)	<ul style="list-style-type: none"> ▪ Making copies of works, video recordings, audio recordings without permission. ▪ Making the copies of works, video recordings, audio recordings publicly available without permission. 	<ul style="list-style-type: none"> ▪ Fine from 300 million VND to 1 billion VND.
Article 225.4(b)	<ul style="list-style-type: none"> ▪ The offence is committed by an organized group ▪ The offence has been committed more than once ▪ The illegal profit reaped is VND 300,000,000 or over; ▪ The loss incurred is VND 500,000,000 or over; ▪ The illegal goods are assessed at VND 500,000,000 or over. 	<ul style="list-style-type: none"> ▪ Fine from 1 billion VND to 3 billion VND, or ▪ Suspension of operations for a period of 6 months to 2 years
Article 225.4(c)	Other criminal sanctions	<ul style="list-style-type: none"> ▪ Fine from 100 million VND to 300 million VND ▪ Prohibition of business, prohibition of activities in certain fields, or ▪ Prohibited from raising capital from 01 year to 03 years.

3. Solutions: How to effectively address copyright infringement in Vietnam?

In the context of globalization and the rapid development of digital technology, copyright protection has become more urgent than ever. This is particularly true in Vietnam, where acts of copyright infringement are not only becoming more common but also more sophisticated. It is essential to recognize that protecting copyrights is not just about safeguarding creators but also about contributing to the cultural

and economic development of the country. A respected and strictly adhered-to legal system will motivate creativity and innovation, bringing widespread benefits to society as a whole.

To protect the rights of creators and authors, intellectual property rights holders and [enforcement agencies](#) in Vietnam must develop a comprehensive strategy that integrates legal, technological, and educational approaches. Namely:

- **Strengthening propaganda and legal education:** It is crucial to increase public awareness and understanding of copyright protection. This can be achieved by broadly disseminating the provisions of the Intellectual Property (IP) Law through media campaigns, community education programs, and guidance documents to enhance compliance with the law.
- **Tightening management and inspection:** Enforcement agencies must intensify inspections and examinations, particularly for digital platforms and online businesses, to quickly detect and rigorously address violations. They should also leverage technology in monitoring and law enforcement, such as employing software to prevent the spread of illegal content online.
- **Increasing fines:** Redesigning the sanction system is essential to ensure both deterrence and fairness. Amendments should be proposed to current laws to escalate penalties for copyright infringements, including the introduction of additional punitive measures to enhance deterrence. Concurrently, specialized laws need to clearly define civil, administrative, and criminal responsibilities for acts of copyright infringement, particularly in the digital environment.
- **Building international cooperation:** Promoting cooperation with international organizations and other countries for copyright protection, to benefit from their experience and technical assistance, and to ensure effective enforcement of international treaties to which Vietnam is a party.
- **Improving the coordination mechanism between authorities:** Establishing a robust coordination mechanism among state management agencies, law enforcement agencies, and the business community to ensure quick and effective handling of violations.

Final thoughts

Vietnam has made significant strides in protecting IPRs since joining the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), also known as the WIPO Internet Treaty, in 2022. Along with extensive reforms to its IP Law that same year, these developments demonstrate the Vietnamese government's ongoing commitment to strengthening copyright protection. However, combating piracy remains a never-ending battle in most jurisdictions around the world. Infringers, employing increasingly sophisticated tactics and technology, continue to test the boundaries of the law, eluding enforcement agencies and rights holders. Obviously, this requires continuous, synchronized efforts and a comprehensive strategy to effectively restrain, prevent and handle copyright infringement in the digital environment in Vietnam.

KENFOX IP & Law Office, with extensive practical experience and expertise, has been successfully supporting many IP rights holders in handling and enforcing IP rights. Please contact us if you need a professional IP representative to effectively handle IP infringements in Vietnam.

**By Nguyen Vu QUAN
Partner & IP Attorney**

Contact

KENFOX IP & Law Office

Building No. 6, Lane 12/93, Chinh Kinh Street, Nhan Chinh Ward, Thanh Xuan District, Hanoi, Vietnam

Tel: +84 24 3724 5656

Email: info@kenfoxlaw.com / kenfox@kenfoxlaw.com