

Chinese-character Trademarks in Vietnam: Do You Need to Register Them in Vietnamese?

In the context of deep international economic integration, foreign businesses, especially those from countries using ideographic scripts such as China, Japan, and South Korea, often face an important question when entering the Vietnamese market: *“Is registering a trademark in Chinese characters (or other non-Latin scripts) sufficient for comprehensive brand protection in Vietnam, or is it necessary to additionally register a trademark in the Vietnamese language (either as a transliteration or translation)?”*

KENFOX IP & Law Office provides an in-depth legal analysis of this issue, helping trademark owners identify potential risks and develop an optimal trademark registration strategy in Vietnam.

The Core Difference in Trademark Protection in Vietnam

Consider the example of a famous bubble tea brand named “天籁” (Tiān Lài), where “天” means “sky/heaven” and “籁” refers to “natural sounds or melody.” When entering the Vietnamese market, this brand is typically transliterated or translated as “Thiên Lại”.

The key question: If this brand has already registered the Chinese character mark “天籁” (either as a logo or stylized text) in Vietnam, is it necessary to separately register the Vietnamese-language mark “Thiên Lại”?

The short answer: Registering a Vietnamese-language trademark is highly necessary and by no means redundant, even if a [Chinese-character trademark](#) is already registered.

Distinctiveness and the Risk of Refusal for Non-Common Languages

- Under Vietnam’s current Intellectual Property Law, trademarks consisting solely of characters from non-Latin scripts, such as **Chinese, Korean, Japanese, or Arabic**, are classified as being in a **“non-common language”**. As per Article 74.2(a) of the 2005 IP Law (as amended in 2022), a sign is considered non-distinctive if it consists only of *“letters or characters from a non-common language”*. This means that trademarks comprised solely of non-Latin characters [face a high risk of refusal](#) of protection if filed independently without accompanying Latin characters or distinctive graphic elements.
- Moreover, when non-Latin characters are registered as part of a composite mark (e.g., a logo combining images and text), these characters and their meanings are typically **not granted independent protection** (i.e., they are disclaimed). This implies that the trademark owner does not enjoy exclusive rights over the individual characters or their inherent meanings in isolation. Protection is only afforded to the specific combination of elements as shown in the registered specimen.
- In the case of “天籁” and “Thiên Lại,” although linguistically “Thiên Lại” is a direct translation of “天籁,” trademark protection in Vietnam **does not automatically extend from the original characters to the Vietnamese transliteration or translation unless separately registered**.

Exclusive Rights and Infringement Prevention

- Owning both language versions of the trademark (Chinese and Vietnamese) significantly strengthens the protection scope—covering both visual and semantic elements—effectively preventing **“trademark squatting”** by competitors or local distributors and making it easier for the trademark owner to take legal action, including filing oppositions, cancellations, or infringement claims.
- To secure exclusive rights to use “Thiên Lại” in Vietnam for specific goods/services, **registration of the Vietnamese-language mark “Thiên Lại” is mandatory**. Without such registration, any third party could freely use “Thiên Lại” for similar products, causing serious confusion and diluting the brand’s distinctiveness.
- If the trademark owner relies solely on the registration of Chinese characters (which are not independently protected), **enforcement against third-party use of the Vietnamese-language equivalent “Thiên Lại” would be extremely limited**.
- Enforcement actions (e.g., anti-counterfeiting measures, handling infringing goods or unauthorized use) would be much more effective and efficient when the trademark as actually used by local consumers (“Thiên Lại”) is directly registered. This facilitates easier recognition and enforcement by the competent Vietnamese authorities.

Conclusion

Competitive tactics, including free-riding or causing confusion with well-known brands, are becoming increasingly sophisticated. Relying only on [registrations](#) in the original script, especially those classified as “non-common languages” under Vietnamese law, creates significant loopholes and increases the risk of losing control over your brand name.

Therefore, **proactively registering your trademark in the Vietnamese language is not just a legal recommendation but a key business strategy**. It is a vital legal tool that adds a solid layer of protection, ensuring your brand is recognized, protected, and enforceable in the minds and language of local consumers.

The initial costs of filing an additional trademark application should be viewed as a judicious **and necessary investment**. This expenditure is ultimately far more valuable than the immeasurable damages and protracted, time-consuming, and costly legal disputes that could arise if you fail to establish your rights broadly and effectively from the outset.

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