

Tracing Industrial Design Infringement in Vietnam: From VIPRI Expert Assessment to the Destruction of Over 5,000 Infringing Products

1. Snapshot of the Case

KENFOX IP & Law Office acted for a multinational Dutch company holding registered [industrial design](#) rights in Vietnam over the distinctive bottle shape of its dishwashing liquid. The infringing products first appeared anonymously on e-commerce channels: sellers disclosed only a phone number, gave no verifiable address, and used vague manufacturer information on the bottle to avoid detection by rights holders and enforcement authorities. Through persistent investigative work - including controlled trap orders, direct engagement with the seller, tracking fulfillment behavior, and on-site surveillance - we identified the hidden production site, which was being quietly operated inside a larger factory complex to avoid visibility. We then filed for an expert Assessment Conclusion from the Vietnam Intellectual Property Research Institute (VIPRI), which confirmed that the outward appearance of the Vietnamese product's bottle infringed our client's protected industrial design in Vietnam. Equipped with VIPRI's technical conclusion and full intelligence on location and production scale, we escalated the matter to the Inspectorate of the Ministry of Science & Technology (IMOST). IMOST, working in coordination with local police, raided the site, seized more than 5,000 infringing bottles, and ordered destruction of the infringing goods. The case was later publicized by IMOST as a representative industrial design infringement enforcement action in Vietnam. This matter demonstrates KENFOX's ability to (i) penetrate deliberately opaque, online-first counterfeit networks, (ii) enforce industrial design rights - not just trademarks - through [VIPRI-backed conclusions](#), and (iii) coordinate police-supported raids that result in large-scale seizure, destruction, and public deterrence.

Client: A multinational Dutch company owning protected industrial design rights in Vietnam for the distinctive bottle shape / external appearance of its dishwashing liquid product.

Problem: Dishwashing liquid in lookalike bottles (copying the client's protected industrial design) was being offered for sale online in Vietnam, including on e-commerce and social sales channels. But:

- Sellers did not list a physical address.
- Sellers only provided a phone number for private negotiation.
- The "manufacturer" information printed on the bottles was vague and incomplete.
- No clear warehouse, no storefront.

In other words, a shadow manufacturer was distributing infringing packaging while trying to stay untraceable.

Result:

- Through persistent trap-order work, direct engagement with the seller, and surveillance, we identified and located the hidden production site, which was concealed inside a larger factory complex.
- We obtained a VIPRI Assessment Conclusion confirming that the infringing bottle's outward appearance infringed our client's registered industrial design.
- We escalated the case to the Inspectorate of the Ministry of Science & Technology (IMOST).
- IMOST, working with local police, raided the site.
- More than 5,000 infringing bottles were seized and destroyed.
- IMOST publicly reported the case as a model industrial design enforcement action in Vietnam.

Mr. Quan detected the warehouse of infringing bottle of dishwashing liquid



2. Why the Case Was Legally Difficult?

(1) Anonymous online sales: The infringing products appeared only on e-commerce / social commerce listings. The seller:

- did not put an address,
- did not show a tax ID,
- and steered everything to phone contact and private pricing.

That is intentional. It's designed to avoid random inspections, avoid civil process servers, and avoid customs attention.

(2) False/opaque manufacturer identity: Even the label on the physical bottle was vague about who produced it. No clean company name + address + factory code. This blocks standard follow-up by Market Surveillance and local police, who typically start by going to the printed "manufacturer" address. So the infringer wasn't just copying a shape. They were actively concealing corporate identity and manufacturing site.

(3) Industrial design rights, not just [trademark](#): This wasn't a logo case or a "name confusion" case. It was an industrial design case - i.e. infringement of the protected outward appearance / shape / contour / configuration of the product's bottle. That's critical, because:

- Many Vietnamese enforcement officials are used to "trademark logo on fake goods."
- Fewer are comfortable acting purely on "shape copying" unless they have a formal expert opinion backing it.

So we had to:

- prove the design was registered and protected in Vietnam, and
- prove the alleged infringing bottle was insubstantially different from the protected design.

That requires technical evidence - not just "*look, they copied us*". This is where VIPRI is key.

3. KENFOX Strategy and Actions

(i) Covert identification of the real manufacturer

We did not rely on whatever fake info was printed on the bottle. Instead, we:

- directly engaged with the seller using the phone contact from the online listings,
- posed as a buyer / placed controlled trap orders,
- tracked fulfillment behavior (who handled delivery, where goods were picked up, how quickly stock could be moved),
- and monitored patterns in communication and logistics.

Through this, we mapped not just "*someone is selling*", but "*where supply is physically coming from*". Eventually, after sustained monitoring and pressure, we located the true manufacturing premises - and this is important - the facility was **hidden inside a larger factory complex**, not an obvious branded standalone plant. That's a deliberate concealment strategy: use a "factory within a factory" to obscure the infringing line.

We don't wait for authorities to "find the warehouse". We do the legwork to locate the production site even when the infringer is trying to disappear behind shell contact details.

(ii) Evidence preparation and technical basis for infringement

Once we had the physical source, we needed to prove [infringement on industrial design](#) - not just morally ("*they copied us*") but technically in a way Vietnamese authorities will act on. We filed a request with VIPRI (Vietnam Intellectual Property Research Institute) for an Assessment Conclusion. We asked VIPRI to determine whether:

- the outward appearance of the infringing dishwashing liquid bottle,
- manufactured and sold by this Vietnamese entity,
- was confusingly similar / substantially identical to our client's registered industrial design rights in Vietnam.

VIPRI issued a conclusion stating that:

- the appearance of the Vietnamese product's bottle infringed the Dutch company's protected industrial design.

That opinion is critical. IMOST and police rely heavily on a VIPRI Assessment Conclusion in industrial design cases, because it answers the question: "Is this really an infringing copy of a [protected design](#), or is this just a generic bottle?"

We secured authoritative technical opinions (VIPRI) that convert a design-copying complaint into a raid-ready infringement case.

(iii) Escalation to enforcement: IMOST + local police

With the identified premises, proof of ongoing production, and VIPRI's assessment in hand, we escalated to the Inspectorate of the Ministry of Science & Technology (IMOST), the national-level body empowered to handle industrial property infringement administratively.

IMOST then:

- coordinated with local police,
- executed a raid at the identified concealed production site,
- inventoried infringing goods on-site,
- and documented the violation formally.

This wasn't a "visit". It was a coordinated enforcement operation, backed by both administrative IP authority and the police for on-site control, evidence preservation, and deterrence.

We don't just hand a file to authorities; we deliver a complete enforcement-ready dossier so they can walk in with confidence and act.

(iv) Seizure and destruction

During the raid:

- Over 5,000 bottles bearing the infringing industrial design were seized.
- The infringing stock was ordered destroyed, not released back into circulation.

That's important for two reasons: **(i)** It cuts off immediate market harm, and **(ii)** It deprives the infringer of inventory and molds/stock needed to continue commercializing the copied design.

(v) Public enforcement signal

The case was later published on IMOST's website as a representative industrial design infringement case in Vietnam.

That's a big deal. It publicly names [industrial design infringement](#) as a serious IP violation (not a "minor lookalike issue"). It signals to the market that copying packaging/bottle shapes of multinational FMCG brands can and will trigger raids, seizures, and destruction. It implicitly enhances the deterrent value for the Dutch client: anyone thinking of copying that bottle design now knows enforcement is real and visible.

We don't just solve quietly. We deliver a result strong enough that it becomes a public enforcement example in Vietnam.

4. Outcome / Impact

- **Hidden manufacturer exposed:** We pierced a deliberate obfuscation strategy (no address, burner phone, vague labeling) and identified the real production site - even though it was tucked inside a larger factory compound.
- **VIPRI validation of industrial design infringement:** We didn't rely on subjective visual complaints. We secured a national expert conclusion that the copied bottle shape infringed the client's protected industrial design in Vietnam.
- **Coordinated enforcement raid with police involvement:** IMOST and local police raided the site, seized over 5,000 infringing bottles, and documented the offense. This is crucial for deterrence and for future escalation if the manufacturer reoffends.

- **Destruction of infringing stock:** The seized bottles were destroyed. This removes infringing product from the marketplace and eliminates the inventory that would otherwise quietly leak back through gray channels.
- **Public deterrence:** IMOST publicized the case as a typical/illustrative industrial design infringement matter, signalling to the wider market that industrial designs are enforceable IP rights in Vietnam, not decorative paperwork.

Commercially, for the Dutch company

- We protected its [brand presentation](#) in Vietnam.
- We prevented erosion of its product's distinctive bottle shape (which is often what consumers recognize first).
- We stopped a shadow supply chain that could have scaled quickly using online channels with zero accountability.

5. What This Case Proves About KENFOX?

- **We can hunt down evasive manufacturers who hide behind anonymous online listings:** We didn't wait for authorities to guess. We conducted trap orders, direct contact, logistics tracing, and surveillance until we physically located the concealed production site.
- **We enforce industrial design rights, not just trademarks:** Many firms focus only on logos. We enforced industrial design rights - bottle shape / outward appearance - which is exactly what copycats in household and FMCG products tend to steal.
- **We secure VIPRI technical opinions to unlock enforcement:** We obtained VIPRI's Assessment Conclusion confirming that the infringing bottles copied our client's protected industrial design. That technical finding is what allowed IMOST and police to raid confidently.
- **We coordinate raids with police for maximum impact:** We escalated the case to IMOST, which then executed a raid with local police, leading to seizure of over 5,000 infringing bottles. This isn't just "legal letters"; it's real boots-on-the-ground enforcement.
- **We deliver not just seizure, but destruction:** The infringing bottles were confiscated and destroyed. That prevents resale of [the infringing goods](#) and removes the infringer's immediate inventory from circulation.
- **We create public deterrence:** The case became a published example on IMOST's official channels, signalling to the broader market that industrial design copying in Vietnam is a punishable offense and that our client is actively defended.
- **We protect physical product identity and market positioning:** For FMCG / home care brands (dishwashing liquid, detergent, cleaning products), the bottle shape is the brand. By shutting down a knockoff bottle, we protected the Dutch company's shelf identity and consumer recognition in Vietnam.

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