

# INTELLECTUAL PROPERTY BROCHURE

IP TEAM . APOLAT LEGAL

One of our distinguishing values and goals is to provide our clients with the most cost-effective solutions that minimize their risk and maximize their return.

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We are a Vietnamese law firm specializing in Intellectual Property, practising in both consultancy and litigation which is performed by a thoroughly selective group of attorneys and engineers.

Our Intellectual Property group advises clients on all aspects of the creation, exploitation and enforcement of intellectual property rights. Our clients operate in a wide range of sectors including life sciences, biotechnology and healthcare, technology, financial services, telecommunications, media, publishing, sport, consumer goods and retail.

Together, and closely interlinked across a variety of industries, our mission is to provide the highest possible standard of legal service, always delivering opportune and reliable advice, empowering our clients to make the right decisions.

The combination of IP expertise and profound knowledge along with service standards comparable to that of international law firms gives us the advantage to advise clients on their most complex disputes and deals.

Our main office is located in Ho Chi Minh City, the hub that connects specialized attorneys with IP professionals in each ASEAN country. These interconnected systems of professionals create the ability, at the local level, for staff to deliver first-rate services that meet our clients' needs and expectations. These partnerships also provide a strong foundation by which we protect, establish, and defend our clients' IP assets before several authorities along jurisdictions.



# PRACTICE AREAS

We provide services to domestic and foreign clients around the world that range in size and sophistication from start-ups to multinational corporations. We offer a single-point contact to clients that ensures service excellence.

We are in continuous movement forward developing innovative ways to better understand and approach our clients. We are committed to service excellence, delivering immediate and reliable solutions.

We provide our clients with strategic IP advice, in areas such as:

- Patents, Utility Models & Industrial Designs;
- Trademarks, Advertising Slogans, Trade Names;
- Copyrights & Related Rights;
- Domain Names;
- Licensing, Transfer of Technology & Franchising;
- Litigation & Alternative Dispute Resolution.

# WE HAVE EXPERIENCES IN

**M**ergers and acquisitions and private equity transactions: We have reputation for transactional IP work including advising on mergers and acquisitions, disposals and joint ventures where technology or brands are integral to the transaction, structure or value. This includes advising clients on the assessment of IP portfolios, the creation and enforcement of security interests over intellectual property assets and sophisticated licensing structures.

**B**usiness critical commercial IP agreements: An important part of our practice involves, advising on patent and trade mark licensing, distribution agreements, sponsorship agreements and franchising deals. We also provide strategic advice in managing and commercialising copyright and trademark portfolios.

**D**ispute Resolution: We represent IP owners in all forms of dispute relating to trademarks, passing off, copyright, database rights, design rights and breach of confidence claims. We regularly advise on cross-border litigation strategy and are skilled in managing large scale cross-border IP disputes. Our experience encompasses multi-jurisdictional and domestic disputes at every level including in the courts, IP registries and in arbitration.

**I**P related technology issues: We regularly advise on the IP aspects of complex software licences, technology transfers, development and maintenance agreements and technology sourcings. We help clients understand the IP issues arising from innovations in digital technology in areas including the Internet of Things, Robotics, Artificial Intelligence and 3D Printing. We also advise established financial institutions, global technology and telecoms companies, investors and start-ups on the IP implications of their fintech activities.

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# Values & Goals



## PATENTS, UTILITY MODELS & INDUSTRIAL DESIGNS

We provide effective practical and technical advice in numerous areas of science, technology and industry including the pharmaceutical, chemical, biotechnology, nanotechnology, and mechanical and electrical sectors.

Our team's team diversity allows us to provide an interdisciplinary client focused approach.

Highly synergistic, our team of engineers, lawyers and skilled translators work for the completion of patent proceedings; namely, clearance search, drafting, registration, prosecution, patent portfolio management, mergers and acquisitions, exploitation, maintenance, enforcement and defence of patents, industrial designs and utility models.

### Related Services:

- Searches;
- Drafting;
- Patent prosecution;
- Patent portfolio management;
- Licensing;
- Mergers & Acquisitions;
- Patent enforcement;
- Patent litigation.



## TRADEMARKS

For many businesses, your brand will be a crucial part of the identity of your business. Customers will often identify your business by reference to your logo, slogan, colour scheme or even a distinctive sound. The best way to protect these distinctive elements of your brand and intellectual property is by obtaining a registered trademark. It is possible to trade without obtaining registration for these elements of your brand. However, by obtaining a registered trademark you will have a record of the date on which you began using a trademark, the exact mark you have registered, and the classes in which you have obtained registration.

Apolat Legal's trademark lawyers can assist you with:

- Searches;
- Filing;
- Trademark prosecution;
- Renewals;
- Trademark portfolio management;
- Licensing & Franchising;
- Mergers & Acquisitions;
- Trademark enforcement;
- Trademark litigation.

Our tailored legal services are comprised of searches, registration, renewals, due diligence, license agreements, franchise agreements, assignment of rights, mergers and acquisitions, trademark portfolio management and litigation.





## COPYRIGHTS, AND RELATED RIGHTS

Copyright is an area of IP law that is becoming increasingly important, particularly with the creation and dissemination of a wide range of works now done by electronic means. The digital revolution has impacted not just on software copyright and music but in areas as diverse as book publishing, satellite broadcasting and databases.

At Apolat Legal, our committed team of professionals is ready to provide a high level of service, delivering in a timely and efficient manner, reliable and effective solutions for the protection, enforcement and defence of copyrights.

### Related Services:

- Registration;
- Copyright portfolio management;
- Licensing & Assignments;
- Drafting & Negotiation of Agreements;
- Copyright Enforcement;
- Copyright litigation.



## DOMAIN NAMES

Dealing with domain name disputes can be technical and complicated. At Apolat Legal, we can provide you with swift advice in regard to your domain name dispute.

Our team has a good record of resolving domain name disputes informally, with the registrant agreeing to transfer the domain name. However, occasionally it is necessary to file formal complaints, for example, under the Uniform Domain Name Dispute Resolution Policy (UDRP) at the World Intellectual Property Organisation (WIPO) as well as Viet Nam laws. We have an excellent record of obtaining the transfer of domain names in such cases.



## TRANSFER OF TECHNOLOGY & FRANCHISING

Our attorneys partner their hands-on experience and rich industry insight with that of our specialized engineers to help our clients profit from and manage their intellectual property assets through licensing, transfer of technology, franchising and other commercial agreements. Franchising is a rapidly growing business model across Viet Nam. Business owners across various industries including fashion, food, real estate and professional services have chosen to grow their businesses through franchising.

Our franchise lawyers have a well-established reputation and provide tailored advice to potential franchisees. We have advised clients operating across a diverse range of industries – including hospitality, home services, IT and retail – and can apply our specialist knowledge to your franchise system. Our franchise team can clearly explain your obligations and rights under the franchise agreement. Importantly, our franchise lawyers are available to provide cost-effective, practical commercial advice before, during and after you enter into a franchise agreement.

We can assist with drafting key documents, leasing, negotiations, intellectual property and buying and selling a franchise.

- IP Due Diligences;
- Drafting of Agreements;
- Negotiation & Counselling;
- Recordation of Agreements.



## LITIGATION, ALTERNATIVE DISPUTE RESOLUTION

We offer innovative and effective representation in intellectual property law, especially in securing protection for and defending patents, industrial designs, trademarks, domain names and copyrights.

Strength and agility in exploiting, protecting and enforcing intellectual property rights is business-critical. Our full-service intellectual property practice combines proven trial lawyers with true technical specialists to defend our clients' IP interests.

Our IP litigators have handled hundreds of complex litigations across a diverse range of industry sectors, including most notably life sciences, telecommunications, computer systems, media and entertainment, biotech, consumer products, oil and gas, cosmetics, and food and beverage.

### Related Services:

- Alternative Dispute Resolution;
- Drafting & Negotiation of Agreements;
- Cancellation actions;
- Civil Court Procedures.



Consequently, we thoroughly investigate all alternative means of resolving disputes, including negotiations and mediation, before proceeding with litigation.

# OUR TEAM



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