

### III. Conclusion

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The Survey Team started the IP project in December 2011 and completed the final report in September 2012. The challenges that the team faced include:

- Through interviewing over ten institutions and twenty individual legal experts, no cases could provide a clear concept or provide concrete information on implementing IP rights protection concerning ICH data. We, therefore, realised that IP rights protection concerning ICH data has not yet been strictly implemented in conformity with the intellectual property legal regulations of the state.
- The interviews with legal experts provided some information on IP and copyrights. These interviewed experts did not have many opportunities to work on this issue, but they all recommended pursuing the matter as a useful task and that it is necessary to learn from the experience of other countries.
- The survey team was very committed in carrying out interviews and collecting data, but their knowledge and experience in this field were still limited.

The findings of the research work showed that IP rights protection related to ICH data is very important to Viet Nam, based on the following:

- To ensure profits of ICH bearing communities, groups and individuals
- To ensure that ICH be duly protected and promoted in conformity to the 2003 UNESCO Convention, avoiding divergence of ICH elements or commercialisation in ICH concerning activities resulting from inappropriate and unsustainable development
- To ensure ICH recreation of the concerned communities
- To ensure respect, harmony, and information and shared benefits among communities who have similar ICH elements, especially among communities of ICH elements existing transnationally.

Our recommendations are:

- Every country should include IP protection issues in their national action plan, conduct research, and establish policies for IP rights protection
- ICHCAP should continue studying this subject, evaluate step by step, and draw on experience to publish and disseminate information to Member States in the region.
- The more experienced countries are invited to support the less experienced countries in implementing pilot projects and building policies to protect IP rights related to ICH

On this occasion, we would like to express our sincere thanks to ICHCAP for their grants and in supporting us in implementing this IP project, through which, we have learnt much about IP rights protection in the process of ICH information building and sharing to apply in Viet Nam in the near future.

Le Thi Minh Ly, *Ph.D.*

Director of the Center for Research and Promotion of Cultural Heritage