

MINISTRY OF EDUCATION AND TRAINING  
HO CHI MINH CITY UNIVERSITY OF LAW

**INFORMATION OF THE NEW CONTRIBUTIONS  
OF THE THESIS**

**Dissertation title:** Liability for compensation for damage caused by copyright infringement under Vietnamese law.

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**THE NEW CONTRIBUTIONS OF THE THESIS**

The thesis is in-depth research on liability for compensation for damage caused by copyright infringement under Vietnamese law. With the purpose of strengthening the protection of the rights of copyright holders, the thesis systematizes the theoretical basis of liability to compensate for damage caused by copyright infringement from the perspective of protecting ownership rights, freedom of by creative research, freedom of speech, and centralizing the legitimate rights and interests of copyright holders. The thesis analyzes and evaluates in an overall and comprehensive manner the current law enforcement on compensation for damage caused by copyright infringement through dispute settlement at the Court. The new essential contributions of the thesis are shown as follows:

Firstly, study the theoretical basis system on liability for compensation for damage, characteristics of copyright in comparison with other objects of intellectual property rights and with other types of property. State the nature of the liability for compensation for damage in the field of copyright which is the liability for compensation for non-contractual damages but has specific characteristics.

Secondly, the act of infringing copyright is one of the bases for arising liability, as well as the degree and the nature of the act of copyright infringement, together determining the level of compensation. The determination of infringement should be

extended to acts performed through technology, typically infringing acts on the internet to determine the liability for compensation not only of the direct exploitation and illegal use of copyright but also the responsibility of the intermediary service provider. Hence, the rights of copyright holders are protected more fully and effectively.

Third, the issue of determining damage and the level of compensation for material and spiritual damage should promote the self-determination of the copyright holder. When applying to settle the matters of compensation for damage, the competent authority, in addition to the legal provisions, also needs to attach special importance to relevant economic issues in order to determine damage accurately. The principle of punitive damages should be supplemented to improve deterrence and effective application of liability for damages caused by copyright infringement. The thesis also proposes to supplement criteria to determine damage and the level of compensation for the actual application to be efficient.

*Ho Chi Minh city, 30/6/2022*

**Phd Candidate**

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