
The Evolution Of Vietnamese Law On Copyright In Enhancing The Rights Of Disabilities In Print Reading

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Abstract

Access to knowledge is a fundamental human right, especially for those of minorities, who are vulnerable in society, i.e. people with disabilities in print reading. This is increasingly important in a digital society and the industrial revolution 4.0. In order to enhance the quality of life of persons with disabilities, the amended and supplemented IP law 2022 has made a breakthrough when stipulating: “people with visual disabilities, people with disabilities who are unable to read printed words and other people with disabilities do not have access to works to read in the usual way (hereinafter referred to as people with disabilities), persons who nurture and care for persons with disabilities and organizations permitted by the government to use works in accordance with Article 25a”. This regulation is intended to support the reduction of the scarcity of books, to increase opportunities for access to health, education, employment or participation in the socio-economic life of people with disabilities, including people with visual impairments, autism, people with learning difficulties or people with mobility disabilities who cannot hold books and turn the pages of the book. On the other hand, these provisions are well-designed in the light of the Marrakesh Treaty that Vietnam is aiming for reducing the barriers for people with disabilities to access the print edition. This article aims to provide a comprehensive and holistic view of a humane exemption when the IP law has made an important exception exclusively for people with disabilities in copyright in balance with the copyright ownerships.

Keywords: copyright exceptions; rights of persons with disabilities; Treaty of Marrakesh; accessible-format book for disabilities; Vietnamese copyright.

Introduction

Globally, at least 2.2 billion people have a near or distance vision impairment and in terms of regional differences, the prevalence of distance vision impairment in low- and middle-income regions is estimated to be four times higher than in high-income regions [1]. In Vietnam, there are about 2 million blind and limited visual people [2]. In particular, many people have access to literary, scientific and artistic works to improve people's knowledge and education as well as legitimate cultural and entertainment needs but also face barriers in the legal framework related to the rights of people with disabilities in reading. The quality of life and the improvement of science and technology require the relevant legal framework to be constantly updated and changed. This article aims to assess the transformation of Vietnamese Intellectual property law (IP law) on copyright exceptions for persons with disabilities in reading in reference to the Marrakesh Treaty.

1. Historical and current legal frameworks on copyrights exceptions for print unreadable person

The exception is designed to facilitate access to works with disabilities that have been recognized in the Vietnamese legal system for copyright from the beginning. As the first unified document on copyright in Vietnam, Decree No.142/HDDBT has not provided exceptions of copyright, but only includes 8 articles with the main content clarifying the concept of authorship, protected work objects, and basic rights of author, duration of protection and copyright regime for film, television, video and broadcasting works for production agencies. However, following Decree No. 142/HDDBT, the Ordinance on Copyright issued by the Standing Committee of the National Assembly in 1994 not only provides more specifically for copyright protection mechanism but also allows individuals and organizations to “transfer works to Braille for the blind” while not having to apply for permission as well as remuneration to the author or copyright owner.

Although the application of the exception under the Ordinance is limited to the narrow scope of both accessible and beneficiary forms of work, the recognition reflects lawmakers' concern for the rights of one of the vulnerable groups of society.

The Civil Code 1995 and the next Civil Code in 2005 devotes the sixth section to regulating intellectual property (IP) rights in general and copyright in particular. With the high legal effect of these documents, the regulations on copyright in Civil Code are an important foundation to gradually improve and unify legal regulations on copyright, meeting the needs of regulating social relations in this field and creating favorable conditions for Vietnam's international integration and accession to international conventions on copyright.

On 29/11/2005, the Law on Intellectual Property (amended and supplemented in 2009) was promulgated as a specialized law on IP rights. IP law permits restrictions and exceptions related to the right of persons with disabilities to access printed works. **Firstly**, Article 25 of the Law on Intellectual Property and Article 25 of Decree 100/2006/ND-CP stipulate one of the cases in which the published works may be used without permission or pay royalties and remuneration is "transcribing of works into Braille or other languages for visually impaired people". The regulations have been changed in the exception between the Intellectual Property Law and the Copyright Ordinance in 1994. Specifically, the regulations expand the scope of the exception to facilitate persons with print disabilities to access to works not only in Braille but also in other languages as long as it meets the needs of the visually impaired. However, there is not any specific written legal guidance on how "other language" should be understood. Ambiguity in the legal text can make it difficult to convert works to formats other than Braille such as embossed illustrations, audiobooks, stereo graphics, large print, or electronic formats that are accessible to people with print disabilities. Beneficiaries who are blind under the 1994 Ordinance are also replaced by visually impaired people under the IP Law. Since visual impairment and blindness are two different conditions, the absence of either beneficiary limits the scope of the exception. In addition, this exception does not apply to architectural works, visual works, and computer programs. Stemming from the territorial nature of the copyright protection mechanism, this exception is valid only within the territory of Vietnam. **Secondly**, the IP law of Vietnam does not allow the export and import of copies in a format accessible to persons with disabilities without the consent of the copyright owner. In other words, the IP Law gives the owner the exclusive right to export and import copies of works across borders. The owner has the full right to allow and prohibit other entities from exercising this right. Exceptions for parallel importation of works or copies of copyright-protected works are not clearly provided for in Vietnamese IP law [3]. By all those defects, the law then should be improved to meet the needs of society.

2. Conformity of the Vietnamese amended intellectual property law on copyright exceptions for the print unreadable person with the Marrakesh Treaty

The Marrakesh Treaty (hereinafter MA) is the standard for the international model for the exceptions on copyright for print unreadable persons which is applied in many countries in the world. Therefore, the comparison between the MA and Vietnamese law is necessary: i) firstly, Vietnam is a member of TRIPS; and ii) secondly, the balance between the legitimate interests of copyright owners and the society is significantly important to archive the goal of copyrights.

2.1 Dedicate to the purpose of humanities

The Marrakesh Treaty was adopted in June 2013 and entered into force in September 2016. The agreement is operated by ratifying or participating countries that regulate copyright laws, convert, distribute and increase the number of publications in accessible formats, and share accessible materials within and across borders so that blinds and print unreadable persons can access such publications. The need for access to the works of people with disabilities in Vietnam is significant, and the signing of the MA is necessary and inevitable. However, until August 2022, Vietnam has not joined the treaty yet. Recognizing the importance of the international legal system on informative technology and wishing to develop restrictions and exceptions on informative technology for the purpose of facilitating the access of works by person with print unreadable disabilities, the MA contains provisions, on the one hand, addressing the need to grant the rights for free access of (copyrighted) works for targeted groups and on the other hand, ensuring that copyright is not illegally violated. Not different from the TRIPS approach, the MA establishes minimum framework provisions on limits and exceptions of the copyright and empowers states parties to decide the content. Through the regulations, while considering the interests of the author/owner of the copyright, the MA also narrows the differences between the copyright legal systems in each country regarding the rights of unreadable persons.

Although not being a member of MA, Article 25(1)(m) of Vietnamese Intellectual Property (IP) Law towards enhancing the rights and power of disabilities has been changed in the final draft that was passed by the National Assembly in 2022 as follows: “People with visual impairments, people with disabilities who cannot read the print and other disabled people who cannot access works to read in the normal way (hereinafter referred to as disabled people), nurturers, caregivers for people with disabilities, organizations that meet the conditions prescribed by the Government to use works as prescribed in Article 25a of this Law”. The change of law in the direction of not only regulating exceptions case of copyrights but also adding another Article to regulate in details about the exceptions for disabled persons in Article 25a has proved the effort of legal transplation as well as harmonization of the domestic law of Vietnam and international standards. The gap between the IP Law of Vietnam and the MA should be well-studied for a clearer view of applying for this exemption.

2.2 Harmonization of Vietnamese law copyrights and Marrakesh Treaty on the exceptions of print unreadable person

The MA is the first international treaty to recognize the specific exception of the copyright for a disadvantaged group in society, namely the print unreadable persons. The comparison between the MA and Vietnam law on copyrights is expressed by the following aspects: i) the scope of application; ii) regulations that facilitate access to works for print unreadable persons; and iii) the legal framework towards the guarantee of copyrights.

2.2.1 Beneficiaries

The beneficiaries of the MA are controversial, because the wider the range of beneficiaries, the greater the impact on the rights of the authors and owners, and could lead to a violation of the “Three-step test” that the MA sets out to ensure the copyrights. While the African countries’ draft approaches the beneficiary concept with a broad scope that includes all those who suffer from visual or physical, mental, sensory, and cognitive disabilities [4]; the US [5] and the European union [6] narrowing and excluding deaf and hard of hearing from the range of beneficiaries. The concept of “beneficiary” enshrined in Article 3 of the MA is the result of the reconciling of views between developed countries with a strong desire to protect economic development and developing countries with a desire to expand the possibility of applying exceptions and restrictions. On the one hand, the MA satisfies the concerns of copyright owners by excluding deaf and hard of hearing persons from the scope of regulation and limiting those who must be under certain circumstances to become beneficiaries under agreement. On the other hand, by using general concepts and leaving it open to national legislation to concretize the types of defects and disabilities that are provided for in the agreement, the MA has been making room for self-arranged for the member states. The three groups of beneficiaries specified in Article 3 include:

- Blind and visually impaired.
- People who do not have visual function disabilities, perpetual and reading disabilities that prevent the brain from absorbing information from sight.
- These defects and disabilities must make it substantially impossible for persons with disabilities to read and absorb information compared to persons without disabilities.
- People with other physical disabilities, resulting in an inability to hold a book or focus their eyes on a point of view.

In the context of debates on the causes of many diseases that cause inability to read and absorb information, Marrakesh’s approach in these three directions both reduces the omission of beneficiaries and facilitates countries to internalize flexibly but remain within the framework set forth by the MA. Blind people, visually impaired people, or people with disabilities who are unable to read and absorb the prints are collectively referred to by authors as print unreadable people. In addition, Article 3 notes that the negotiating parties agree that the term “cannot be improved” provided for in Article 3(b) does not require the use of all possible treatments. This consensus both reduces the burden on print unreadable persons and avoids the abuse of loopholes that result in regulations that may not be applied in some countries based on rapidly developing medicine. In other words, this regulation is intended to avoid exclusion from the beneficiaries of non-readable persons who cannot afford to pay for treatments despite guaranteed medical conditions.

In comparison with Vietnam IP law, the beneficiaries of the copyright exception include:

- People with visual impairments.
- People with disabilities who cannot read the print.

- Other disabled people who cannot access works to read in the normal way.

The beneficiaries in Vietnam IP law, therefore, have been well-transplanted the objects of the MA in a wider range of kinds of print nonreadable disabilities without changing the scope of MA. However, the MA has transparently covered a group of non-visual disabilities but having difficulties in reading “People who do not have visual function disabilities, perpetual and reading disabilities that prevent the brain from absorbing information from sight”. These groups of persons should be added to the exception of copyright in Vietnam as well, although they could be seen as non-disabilities.

2.2.2 Empowered subjects

One of the key issues in creating the exceptions and limits in question is which entities are empowered to make copies and distribute accessible formats. This issue is not mentioned in the drafts of the African countries as well as Brazil, Ecuador and Paraguay. In contrast, the US and EU drafts are highly restrictive as they are the actors who have the power and ability to make and distribute accessible versions of the format. For the US, the draft requires the subject to have legal personality [7] but the legal status of each country defines differently. The EU requires the subject to be approved [8] and the consent of both the right holder and the unreadable persons, the procedure will be lengthy and cumbersome regardless of whom this consent belongs to, and how this consent is expressed. The concept of empowered subjects is formally stipulated in Article 2(c) of the MA. The agreement specifies three conditions that an organization must satisfy in order to become an empowered entity, including (1) it must be authorized or recognized by the government to provide education, vocational training, reading, and information services, instructional training, adaptive reading or information access; (2) serve unreadable persons; (3) operate on a non-profit basis.

The MA extends the element of the status of the empowered subject compared to the US and EU drafts that it is the subject to be awarded. Accordingly, the MA requires permission or recognition from the government and does not refer to the legal status of the subject for the purpose of avoiding differences between the legal systems. In this regard, the agreement also suggests brief clarity in procedure when member states internalize, the subject is empowered only to need the permission or recognition of the government if it is a social organization not under the direct management of the government. The acceptance of copyright owners and unreadable persons outlined in the EU draft is unnecessary. This limitation and exception aim to facilitate unreadable person, because there is no difference between the consent and the permission of the owner of the publisher, which both pose many obstacles as mentioned in the previous sections.

In general, the IP law in Vietnam, Article 25a(2) regulates that: “An organization that meets the conditions prescribed by the Government has the right to copy, distribute, perform or transmit the work in the format of an accessible copy of the work when it has lawful access to the original or copies of works and works for non-profit purposes”. It is clear that the regulation on organization as prescribed by the Government also operates as a non-profit unit and serving for unreadable persons with the purposes of education, vocational training, reading, and information services, instructional training, adaptive reading or information access.

The MA is designated that works as subjects to be converted into an accessible format (works) to comply with Article 2(1) of the Berne Convention. Article 2(1) gives an open definition to explain the concept of literary and artistic works by enumerating and allowing any form and mode to be expressed otherwise. However, the MA is not as open-minded as the Berne convention, rather it limits the form of such works in Article 2(a) to: (1) text; (2) notes, notations; (3) or/and illustrate related illustration; (4) audio works such as audio books. Therefore, audio visual works such as films and musicals do not fall under the limits and exceptions set by the MA, which greatly limits unreadable person's ability to enjoy spiritual and cultural treasures. The MA, however, does not limit the ways these works are brought to the public or published by any means of communication.

Pursuant to Article 25(1)(m) of Vietnam IP law, we could understand that the applicable work must be in a form of print to grant the exceptions for print nonreadable person “who cannot read the print and other disabled people who cannot access works to read in the normal way”. As a result, the audio-visual works could not be counted as the exception. As for now, the law has not been explained in detail but the applicable works have to be similar to that of the MA, including text, notes, notations, illustrate related illustrations and audio works.

2.2.3 Accessible copy format

Article 2(b) of the MA defines what constitutes an accessible format copy, namely: (1) being a copy in another alternative form of a work; (2) is a copy of the work that is freely accessible to the print unreadable persons; (3) a copy of the accessible format used exclusively by beneficiary persons specified in the MA; (4) this accessible format must respect the original work in consideration of the changes needed to make the work accessible as well as the accessibility needs of unreadable persons.

The objective of the MA is to create a legal framework to facilitate access to the work of unreadable persons through an accessible format. This legal framework is based on the limitations and exceptions of the law on copyright for beneficiaries who are unreadable persons and subjects which are accessible format copies. States need to internalize restrictions and exceptions to ensure this goal and follow the MA's legal corridor. The limits and exceptions set out in Article 4 of the MA establish the most common and minimum legal framework that states are required to follow. In addition, the agreement also provides for model provisions on limits and exceptions for member states to refer to when internalizing regulations into national laws.

Article 25a(1) of Vietnam IP law has been transplanted in a manner that is very close to the MA: "a copy in an accessible format is a copy of a work rendered in an alternative format or format for persons with disabilities; may only be used for personal use by persons with disabilities and may be subject to appropriate technical adjustments necessary to enable persons with disabilities to access the work". The accessible format is very important for disabilities since they could not access in the normal way. The transformation of format, on the other hand, may create a violation of copyright. As a result, the requirements on forms of accessible format should be regulated in the guidance of applying the exceptions for copyright.

On the other hand, Article 4(a) of the MA requires member states to develop restrictions and exceptions on copyright, applicable to the right to copy, the right to distribution and the right to publish works under the WIPO Copyrights Treaty (WCT). The WCT is said to be one of the internet treaties when one of the causes of the agreement was to introduce new international laws and explain existing provisions. To solve new problems such as culture, economy, religions, etc. Especially, the significant influence of informative technological development creates and uses literary and artistic works to serve for society. Therefore, the analysis of exceptions and restrictions on copyright under Article 4(a) namely the right to copy, the right to distribute and the right to publish works might be interpreted in the light of the WCT. Because Vietnam has not joined WCT yet, the related issues must be applied as the domestic law.

2.2.4 Cross – border exchange of accessible format copies

In addition to recognizing the restrictions and exceptions in copyright protection laws in countries, the Marrakesh Agreement also provides for a cross-border exchange mechanism to ensure that copies of works are accessible to persons with print disabilities on a global, regional scale or at least between two different countries. Producing copies in an accessible format of a protected work requires significant financial resources. In fact, with high financial demands, production capacity as well as economic efficiency has been wasted when different countries have similar needs for copies in the accessible format of the same work but must carry out production independently of each other and limit circulation within the most national scope. Conversely, once legal framework allowing the cross-border exchange of copies in an accessible format for people with disabilities is operated, it can provide an economic boost with the formation of new industries in the field of copy production. The demand for similar copies will also reduce production costs as large numbers of copies can be brought to market. However, exporting and importing copies of protected works in an accessible format is not automatically recognized as an exception to copyright prior to the adoption of the MA.

Firstly, stemming from the principle of equality of sovereignty and respect for national sovereignty, States have the right to decide the exclusive scope of the author/copyright owner as well as exceptions for the distribution and production of copies accessible to persons with disabilities, but these provisions apply only and are valid within the country itself without affecting copyright protection in other countries [9]. In other words, export activities are governed by the laws of the country where copies are produced. In contrast, the importation activity is regulated by the laws of the country where the copy was imported [10]. Since then, access to the work of people with disabilities depends almost entirely on the country in which they live.

Second, international treaties on copyright do not specify exceptions for copyright in general and cross-border exchanges, but only establish a minimum condition – the three-step test principle – that each member must meet to apply any exceptions. In the absence of a uniform way to regulate cross-border exchanges, the

rule of choice of law in the conflict norm in Article 5.2 of the Berne Convention indicates that the content of the copyright exception shall be entirely provided for by the laws of the publishing country protecting the work. Although the purpose of Article 5.2 is aimed at resolving conflicts of law, the law itself continues to lead to the legal status of the importing and exporting country. The discrepancy between national laws and international treaties has made the exportation and importation of copies in accessible formats for the benefit of persons with disabilities always at risk of being seen as an infringement of copyright, thereby limiting the access to the work of people with disabilities.

The recognition of the cross-border exchange exception in the MA is indeed a big step forward, contributing to the elimination of the second barrier of copyright protection – the difference between copyright legal systems. The above analysis also happens the same way in Vietnam and Article 25a (3) also allows for cross-border exchange with the main target of the future position as a member state of MA: “An organization that meets the conditions prescribed by the Government has the right to distribute or communicate copies in an accessible format of the work to the respective organization in accordance with the international treaties to which the Socialist Republic of Vietnam is a member without the permission of the copyright holder”.

2.2.5 Export copies

The legal systems of different countries have different rules about whether to allow the export of copies in an accessible format to another country. Some countries give exclusive rights to copyright holders to decide on the export of copies of protected works. The other countries do not allow the export of copies of works through regulations prohibiting distribution if the copy is produced based on a copyright exception, without the permission of the rights owner. Some other legal systems may allow copies to be exported in cases where it is for personal use.

Export copies in the accessible format specified in Article 5 of the Marrakesh Agreement. Article 5 requires the State Party **to** ensure that the empowered entity in this State Party **can** distribute or make available copies accessible to beneficiaries or vested persons in another State Party without the consent of the copyright owner, if this copy is legally produced under restrictions or exceptions or under national law. The language in Article 5 of the Agreement binds the obligation of the member state to establish a legal basis for the cross-border export of accessible copies. According to the Agreement, export subjects are empowered organizations and importers can be either empowered organizations or beneficiaries (individuals). The original draft proposed by the European Union limited cross-border exchanges to be conducted only between the empowered entity in one member state and the empowered entity in another member state or (1) based on a licensing contract; or (2) although a license contract does not exist, there are restrictions and exceptions in the importing country for the rights of persons with disabilities. The distribution directly to the beneficiaries is later officially recognized in the Agreement. Considering that direct distribution to the beneficiary is necessary, in order to facilitate the beneficiary's access to the copy in an accessible format even if in that member state the empowered organization has not been established.

On the other hand, in order to balance the mechanism of cross-border exchange and the exercise of the rights of copyright owners, as well as to ensure that the purpose of supporting persons with disabilities in prints is not subject to profiteering, Article 5 recognizes several conditions that must be met when exporting copies of works under this Agreement. **First**, the last paragraph of paragraph 2.A, Article 5 of the Marrakesh Agreement stipulates that the mechanism of cross-border exchange must satisfy that *“prior to distribution or publication, the empowered entity in the exporting country did not know or had no reasonable basis to know that the accessible copy would be used by entities other than the beneficiary”*. The empowered entity in the exporting country may adopt certain means of determining whether the beneficiary is a beneficiary under the provisions of the Treaty if a copy of the work is distributed directly to the beneficiary without going through an intermediary of the authorized subject on the importing country. **Second**, similar to other restrictions and exceptions in the Agreement, the implementation of the Agreement does not conflict with the rights of the author/copyright owner in other international treaties [11]. In other words, cross-border exchanges must also meet the three-step test principle. However, it is of concern that three of the signatories to the Agreement are not bound by any International Treaty on Copyright. That means that these countries are not bound by any obligations based on the principle of the transparent three-step test when implementing restrictions and exceptions under the MA. Differences in enforcement obligations are fixed in Article 5(4) of the Marrakesh Agreement. In particular, Article 5(4), States that have no obligation arising from Article 9(2) of the Berne Convention shall ensure that copies of accessible works are distributed or available only to beneficiaries; at the same time copies may not be exported from one State Party to another in accordance with Article 5 of this Agreement. **Third**, the Agreement affirms that any content of the Agreement

(including Article 5) shall not be construed as reducing or expanding the scope of exclusivity enshrined in any other international treaty.

The spirit of MA also be transplanted in Vietnam IP law into Article 25a(4): “An organization that meets the conditions prescribed by the Government has the right to distribute or communicate copies in an accessible format to people with disabilities abroad in accordance with the provisions of international treaties to which the Socialist Republic of Vietnam is a member without the permission of the copyright owner provided that prior to distribution or transmission, the organization does not know or has no basis to know the copy under the copyright in the easier accessible format will be used by anyone other than people with disabilities”.

2.2.6 Import copies

Before the issue of importing copies of works without the consent of the copyright owner was noted in the MA, the IP legal system also had an exception for parallel imports and imports. Parallel importation allows the work to enter the foreign territory without the consent of the rights owner. However, this import mechanism also does not really create an effective legal tool to support people with printed disabilities to access works, stemming from the fact that most national laws as well as international legal documents only open the opportunity to import parallel works or copies of works that are available on the market. Legality herein is understood that the product is put on the market by the owner himself or the owner's licensee. Copies produced, distributed, and circulated based on exceptions are likely not to apply a parallel import mechanism for circulation into the territory of another country. Therefore, besides parallel imports, the explicit recognition of the exception for imports of accessible copies in the Marrakesh Agreement is essential.

Article 6 of the Agreement provides that States Parties whose laws allow beneficiaries or representatives, or organizations empowered to produce accessible copies of the format must also allow them to import copies of accessible formats for the benefit of the beneficiaries without having to seek permission from the copyright owner. An important success of the negotiation process was the recognition of the mandatory nature of the import clause, which requires the laws of member states to internalize the contents of regulations into the national legal system. Paragraph 2 of Article 6 refers to the flexibilities noted in Article 4 of the MA. Accordingly, on the one hand, Article 6 obliges members to internalize the provision on importation of copies, on the other hand allows open nodes to harmonize the already existing legal system with the recognition of the entirely new provision. Based on Article 4, the state party has the right to use some flexibility to decide several issues such as who is allowed to produce copies in an accessible format, or whether the right to public performance is excluded, or whether commercial availability and remuneration should apply.

Not differing from MA, the IP law of Vietnam in Article 25a(4) also provides that: “Persons with disabilities or those who foster and care for people with disabilities or organizations that meet the conditions prescribed by the Government have the right to import an accessible format copy of the work from the respective organization in accordance with regulations of international treaties to which the Socialist Republic of Vietnam is a contracting party for the benefit of people with disabilities without the permission of the copyright holders”. The above regulation could be considered as the most important purpose of Vietnam IP law for importing copy of work to serve the purposes of education, entertainment and others for improving the quality of life of print unreadable persons in the near future.

3. Conclusion

From the above analysis, we can see that the Vietnamese law on copyright has adopted international standards. In particular, the regulations of Article 25a (3,4 and 5) have provided the appropriate legal framework for Vietnam to quickly connect with the MA. If this is done soon, it will be of great benefit to the print disabled community in Vietnam. However, to ensure the compatibility of the Vietnamese legal framework, the author has some specific suggestions and recommendations:

- 1) Article 25(1)(m) should be compatible with beneficiaries under MA. The regulation: “People with visual impairments, people with disabilities who cannot read print and other people with disabilities who cannot access works to read in the usual way” will make it difficult to determine whether a subject “can access a work to read in a normal way” is too general. Thereby, it could create unfairness for the right holder when the exceptions could be abused for non-beneficiaries or alike.
- 2) The IP law should provide that organizations that may make copies, distribute, export and import work

for people with disabilities in print must be for non-commercial purposes and in connection with their activities, including the purposes of education, training and coaching. The concretization of the above provisions by the guiding documents of the government is necessary but should be accompanied by the above statutory conditions. The organization as the empowered subject would play the main role in order to operate the golden goal of the legal issue.

3) Last but most important, it is necessary to join the MA as soon as possible so that the new provisions of Vietnam's intellectual property law can promote their full effect. The future of many students, learner and trainee are based on how effective the framework is given by exceptions of IP law for accessing the library and sources of information that they could have from other countries. This is the first step for moving forward in the industry 4.0 of disabilities in print unreadable persons.

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