

AN ASSESSMENT OF THE LIKELY IMPACT OF THE COPYRIGHT ORDINANCE ON THE BUSINESS ENVIRONMENT OF THE SOFTWARE INDUSTRY: A CASE OF VIETNAM

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A research study submitted in partial fulfillment of the requirements for the degree of Master of Business Administration

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Abstract

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As international trend, Vietnam has acknowledged the copyright protection of computer software through legislation of the Copyright Ordinance (1994), and the Copyright Law (1995). The loophole of provisions of the Copyright Ordinance is that: works which are first published outside Vietnam and not then published in Vietnam within 30 days will not be entitled to any copyright protection in Vietnam.

Therefore, the unauthorized use of the major of imported software does not break the law in Vietnam. However, the locally made software has been ill protected because lacking of a Decree on Copyright to implement the law. As a consequence, the software piracy is maintained at a high ratio here. And, there is the gap between demand side and supply side: the former needs to use software, but it prefers copying to purchasing, while the latter wants to develop software to satisfy the demand, but it is reluctant to decide whether it should invest on software development. That gap inhibits the development of a software industry as well as process of Vietnam's integration into international and regional community.

3.1 Benefits and Costs of Copyright Protection of Computer Software