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Proclamation 7161--Extending United States copyright protections to the works of the Socialist Republic of Vietnam

William J Clinton

December 23, 1998

By the President of the United States of America

A Proclamation

Section 104(b)(5) of title 17 of the United States Code provides that when the President finds that a particular foreign nation extends, to works by authors who are nationals or domiciliaries of the United States of America or to works first published in the United States, copyright protection on substantially the same basis as that on which the foreign nation extends protection to works of its own nationals and domiciliaries and works first published in that nation, the President may by proclamation extend protection under that title to works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of that nation, or which are first published in that nation. Section 104A(g) of title 17 of the United States Code provides that when the President finds that a particular foreign nation extends, to works by authors who are nationals or domiciliaries of the United States, restored copyright protection on substantially the same basis as provided under that section, the President may by proclamation extend the restored protection provided under that section to any work of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of that nation, or which was first published in that nation.

Satisfactory assurances have been received that as of the date of entry into force, December 23, 1998, of the Agreement between the Government of the United States of America and the Government of the Socialist Republic of Vietnam on the Establishment of Copyright Relations (the "Copyright Agreement"), Vietnam will extend, to works of United States nationals and domiciliaries and works first published in the United States, copyright protection in the Socialist Republic of Vietnam on substantially the same basis as works of Vietnamese nationals and domiciliaries and works first published in Vietnam, and that Vietnam will extend, to works by authors who are nationals or domiciliaries of the United States, restored copyright protection on substantially the same basis as provided under section 104A of title 17 of the United States Code.

Now, Therefore, I, William J. Clinton, President of the United States of America, by the authority vested in me by section 104(b)(5) and section 104A(g) of title 17 of the United States Code, do declare and proclaim that, as of the date of entry into force of the Copyright Agreement, the conditions specified in section 104(b)(5) and section 104A(g) of title 17 of the United States Code have been satisfied in the Socialist Republic. of Vietnam with respect to works of which one or more of the authors is, on the date of first publication, a national or domiciliary of the United States of America, or which are first published in the United States, and that as of the date of entry into force of the Copyright Agreement, works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of Vietnam, or which are first published in Vietnam, are entitled to copyright protection and restored copyright protection under title 17 of the United States Code.

I hereby request the Secretary of State to notify the Government of the Socialist Republic of Vietnam that the date on which works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of Vietnam, or which are first published in Vietnam, are entitled to copyright protection and restored copyright protection under title 17 of the United States Code is December 23, 1998, the date on which the Copyright Agreement enters into force.

In Witness Whereof, I have hereunto set my hand this twenty-third day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

William J. Clinton

[Filed with the Office of the Federal Register, 8:45 am., December 28, 1998]

NOTE: This proclamation will be published in the Federal Register on December 29.