



MINISTRY OF INDUSTRY AND TRADE  
THE SOCIALIST REPUBLIC OF VIETNAM

February 4, 2016

The Honorable Michael B.G. Froman  
United States Trade Representative  
Office of the U.S. Trade Representative  
Washington, D.C.

Dear Ambassador Froman,

I have the honor to confirm the following understanding reached between representatives of the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United States of America (United States) regarding Bourbon Whiskey and Tennessee Whiskey during the negotiations of Chapter 2 (National Treatment and Market Access for Goods) of the Trans-Pacific Partnership Agreement (TPP Agreement):

1. Viet Nam shall recognize Bourbon Whiskey and Tennessee Whiskey as distinctive products of the United States. Accordingly, Viet Nam shall, pursuant to its laws and regulations on unfair competition, not permit the sale of any product as Bourbon Whiskey or Tennessee Whiskey if it has not been manufactured in the United States in accordance with the laws and regulations of the United States governing the manufacture of Bourbon Whiskey or Tennessee Whiskey.
2. The United States shall promptly notify Viet Nam of its existing laws and regulations governing the manufacture of Bourbon Whiskey or Tennessee Whiskey and of any modifications it makes to those laws and regulations thereafter.
3. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark or geographical indication.

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the TPP Agreement as between Viet Nam and the United States.

Yours sincerely,

Vu Huy Hoang  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

EXECUTIVE OFFICE OF THE PRESIDENT  
THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508

February 4, 2016

The Honorable Vu Huy Hoang  
Minister of Industry and Trade  
Socialist Republic of Viet Nam

Dear Minister Hoang:

I am pleased to acknowledge your letter of this date, which reads as follows:

"I have the honor to confirm the following understanding reached between representatives of the Government of Viet Nam (Viet Nam) and the Government of the United States (United States) regarding Bourbon Whiskey and Tennessee Whiskey during the negotiations of Chapter 2 (National Treatment and Market Access for Goods) of the Trans-Pacific Partnership Agreement (TPP Agreement):

1. Viet Nam shall recognize Bourbon Whiskey and Tennessee Whiskey as distinctive products of the United States. Accordingly, Viet Nam shall, pursuant to its laws and regulations on unfair competition, not permit the sale of any product as Bourbon Whiskey or Tennessee Whiskey if it has not been manufactured in the United States in accordance with the laws and regulations of the United States governing the manufacture of Bourbon Whiskey or Tennessee Whiskey.
2. The United States shall promptly notify Viet Nam of its existing laws and regulations governing the manufacture of Bourbon Whiskey or Tennessee Whiskey and of any modifications it makes to those laws and regulations thereafter.
3. For greater certainty, nothing in this letter shall be construed to create or confer any right relating to a trademark or geographical indication.

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the TPP Agreement as between Viet Nam and the United States."

I have the honor to confirm that my Government shares this understanding, and that your letter and this reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the TPP Agreement as between the United States and Viet Nam.

Sincerely,



Ambassador Michael B.G. Froman