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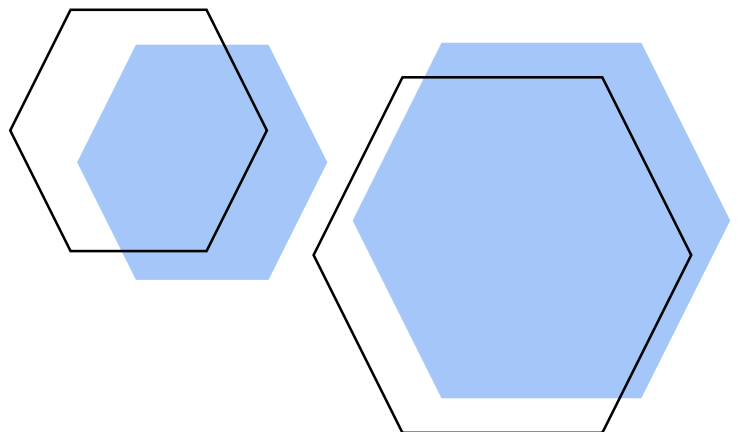
STRENGTHENING BORDER ENFORCEMENT OF INTELLECTUAL PROPERTY IN VIETNAM



OVERVIEW

Vietnam continues to refine its legal framework for the protection of intellectual property rights at the border. In early 2026, the Ministry of Finance introduced new regulatory adjustments that further develop the procedures governing customs control over goods suspected of infringing intellectual property rights. These regulatory improvements form part of Vietnam's broader effort to align its enforcement mechanisms with international practices and respond to the rapidly changing dynamics of cross-border trade, including the rise of digital commerce.

The updated regulations focus on improving administrative efficiency, enhancing the role of customs authorities in detecting infringing goods, and adapting inspection procedures to modern trade channels. By clarifying procedural requirements and introducing greater flexibility in documentation and monitoring, the new rules are expected to strengthen the overall effectiveness of intellectual property enforcement at Vietnam's borders.





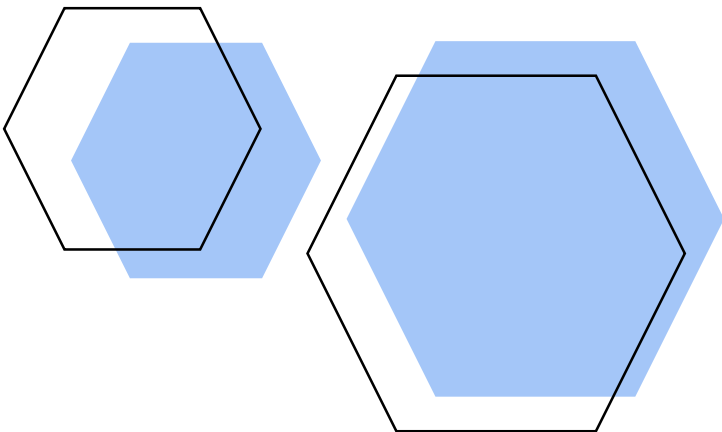
STREAMLINING ADMINISTRATIVE PROCEDURES FOR RIGHTS HOLDERS

One of the most significant developments under the new regulatory framework is the simplification of administrative procedures for intellectual property rights holders seeking protection through customs supervision. In earlier regulatory practice, applicants were often required to submit a substantial number of supporting documents to record their intellectual property rights with customs authorities. These requirements sometimes created practical difficulties, particularly for foreign rights holders who needed to prepare legalized documents or obtain confirmation letters from various authorities.

The revised regulations aim to reduce unnecessary administrative burdens by allowing greater reliance on digital information sources and publicly accessible databases. Instead of submitting extensive documentation, rights holders may now provide essential information about their intellectual property rights that customs authorities can independently verify through recognized online databases. This adjustment reflects the growing global trend toward digital verification of intellectual property status.

The shift toward simplified documentation benefits both applicants and customs authorities. For rights holders, the process becomes faster and more cost-efficient. For customs authorities, digital verification allows quicker access to updated information and facilitates more efficient decision-making when reviewing applications for customs recordal.

In particular, owners of internationally registered trademarks designating Vietnam may find the updated procedures especially advantageous. Rather than obtaining separate confirmation documents from domestic authorities, applicants can rely on information available through international intellectual property databases, which reflect the protection status of their registrations in Vietnam.





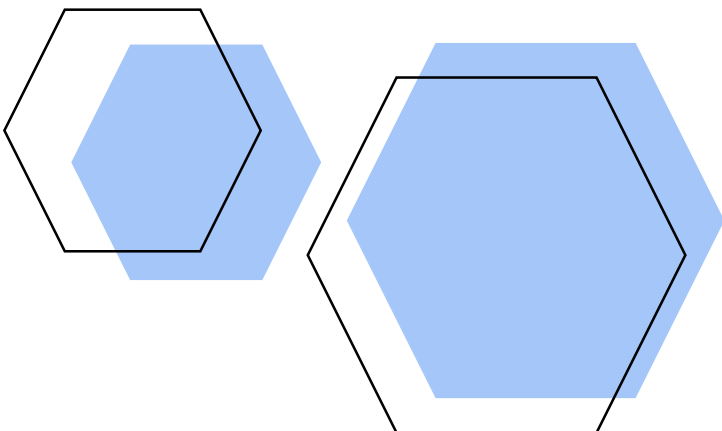
EXPANDED AUTHORITY FOR CUSTOMS INTERVENTION

Another important aspect of the regulatory changes involves strengthening the authority of customs officials to take proactive action against suspected infringing goods. Traditionally, customs intervention often depended on requests submitted by intellectual property rights holders who had previously recorded their rights with customs authorities. While this system remains an important mechanism, it can sometimes delay enforcement if customs officials must wait for formal requests before acting.

The updated regulations provide clearer guidance on the circumstances under which customs authorities may suspend the clearance of goods suspected of infringing intellectual property rights on their own initiative. This approach allows customs officers to intervene more quickly when they encounter shipments that show signs of containing counterfeit or pirated products.

By clarifying the procedures for such proactive measures, the regulations aim to ensure greater consistency in enforcement practices. Customs officers are provided with a more defined legal basis for initiating suspension procedures, which helps reduce uncertainty and supports more effective border control operations.

This development reflects a broader international trend in intellectual property enforcement. Many jurisdictions have recognized that customs authorities play a critical role in preventing the distribution of counterfeit goods before they enter domestic markets. Granting customs officials greater authority to act independently can significantly enhance the overall effectiveness of border protection systems.





ADAPTING ENFORCEMENT TO THE GROWTH OF E COMMERCE

Global trade patterns have changed dramatically in recent years, with e-commerce becoming an increasingly important channel for cross-border transactions. The rapid growth of online marketplaces and international parcel shipments has created new challenges for intellectual property enforcement authorities, as infringing goods may now be distributed through smaller and more frequent consignments rather than large commercial shipments.

The updated regulations address these emerging challenges by introducing specific provisions for the supervision of goods traded through e-commerce channels. Customs authorities are empowered to apply risk management measures when assessing shipments associated with online transactions. These measures allow officials to identify consignments that may carry a higher risk of intellectual property infringement.

Under this framework, customs authorities may examine shipments linked to e-commerce platforms and apply suspension procedures when there are reasonable indications that the goods may violate intellectual property rights. The application of risk analysis tools enables customs authorities to focus enforcement efforts on shipments that present the greatest likelihood of infringement.

By incorporating provisions related to e-commerce into the regulatory framework, Vietnam acknowledges the evolving nature of international trade. The ability to monitor goods traded through digital platforms is becoming increasingly important as online retail continues to expand across borders.

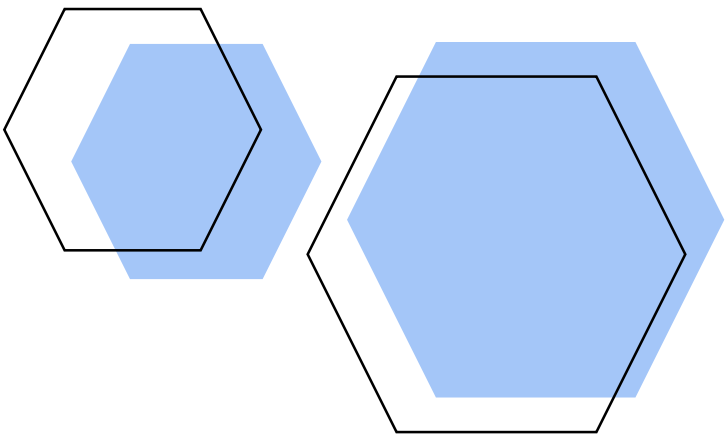


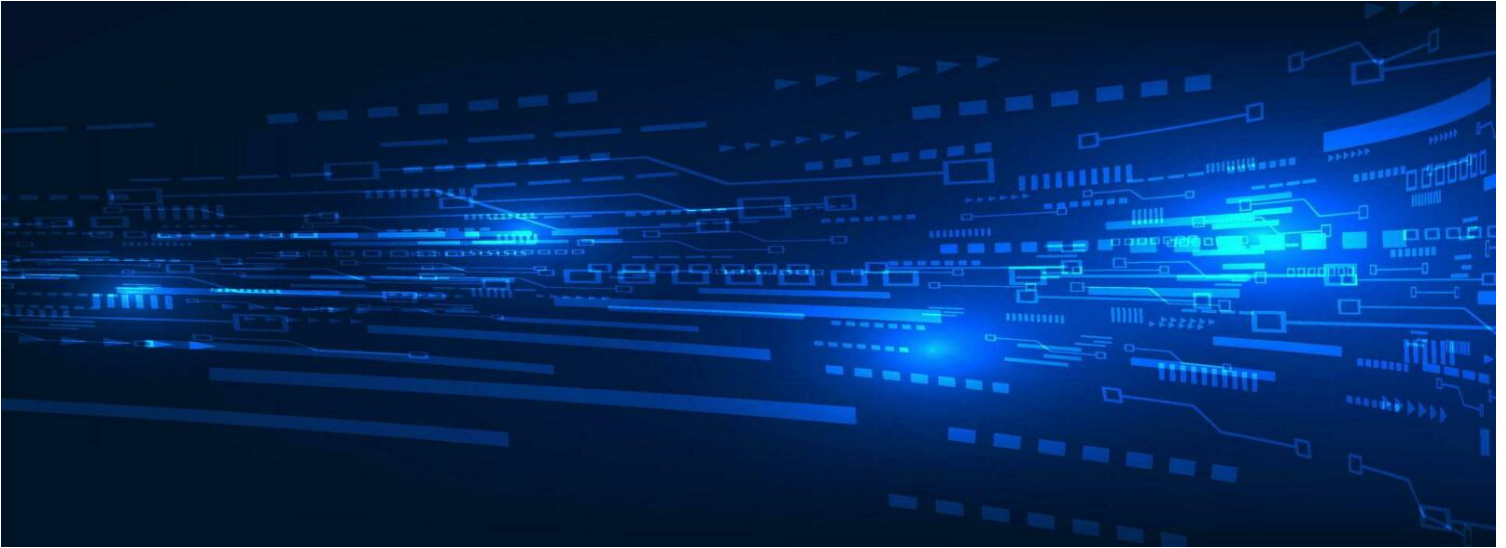
IMPROVING COORDINATION BETWEEN RIGHTS HOLDERS AND AUTHORITIES

Effective enforcement of intellectual property rights at the border requires close cooperation between rights holders and government authorities. The revised regulatory framework seeks to enhance this cooperation by making it easier for intellectual property owners to provide relevant information and by giving customs authorities clearer mechanisms for taking action when necessary.

Simplified documentation procedures encourage more rights holders to record their intellectual property rights with customs authorities. When more rights are recorded, customs officials have better access to information that helps them identify suspicious shipments. At the same time, the expanded authority granted to customs officers allows them to respond more rapidly to potential infringements even when formal requests have not yet been submitted.

This improved coordination contributes to a more responsive enforcement environment. Customs authorities are better equipped to detect infringing goods, while rights holders benefit from more effective protection of their intellectual property interests at the border.





CONCLUSION

The recent regulatory adjustments represent another step in Vietnam's ongoing effort to strengthen intellectual property enforcement within its customs system. By modernizing procedures, reducing administrative obstacles, and adapting enforcement mechanisms to the realities of digital trade, the new framework aims to create a more efficient and responsive border control regime.

As Vietnam continues to integrate into the global trading system, effective protection of intellectual property rights will remain an important priority. Counterfeit and pirated goods not only harm legitimate businesses but can also pose risks to consumers and undermine confidence in international trade.

The enhanced regulatory framework for customs supervision demonstrates Vietnam's commitment to addressing these challenges. With clearer procedures, improved access to digital information, and stronger enforcement authority, customs authorities are better positioned to prevent infringing goods from entering the market.

In the long term, the continued development of Vietnam's intellectual property enforcement system is likely to support both domestic innovation and foreign investment. By ensuring that intellectual property rights are effectively protected at the border, Vietnam strengthens its reputation as a reliable and responsible participant in the global economy.

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