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## VIETNAM'S INTELLECTUAL PROPERTY LAW SEES SIGNIFICANT UPDATE

### OVERVIEW

Vietnam's evolving intellectual property (IP) framework continues to reflect the country's broader ambition to position itself as a competitive player in the global innovation economy. The recent amendments to the Law on Intellectual Property, effective from April 01, 2026, signal not only a regulatory update but a structural recalibration of how IP is created, protected, and commercialized. While much attention has been given to procedural changes, a deeper examination reveals a shift toward a more integrated, forward-looking IP ecosystem—one that is increasingly responsive to digital transformation and market-driven innovation.



## A SHIFT TOWARD A DIGITAL-FIRST IP FRAMEWORK

One of the most notable aspects of the amendments is the explicit recognition of digital and non-traditional forms of intellectual property. This reflects a broader global trend in which legal systems are adapting to technologies such as artificial intelligence, virtual environments, and data-driven innovation.

The expansion of the definition of industrial designs to include non-physical products is particularly significant. By acknowledging that designs can exist and be reproduced in cyberspace, Vietnam is aligning itself with emerging realities in sectors such as digital content, virtual goods, and user interface design. This change opens the door for protection of assets that previously fell into legal gray areas, especially in industries driven by software and digital interaction.

Equally important is the approach to artificial intelligence. By allowing the use of publicly available data for training AI systems, the law provides a degree of legal certainty for developers and companies operating in this space. At the same time, the introduction of regulations concerning AI-generated intellectual property suggests that Vietnam is preparing to address complex questions around authorship, ownership, and originality. Although the exact contours of these rules will depend on future guidance, the inclusion itself demonstrates a proactive legislative stance.

## STREAMLINING PROCEDURES AND ENHANCING EFFICIENCY

Beyond substantive changes, the amendments place strong emphasis on improving administrative efficiency. This is a critical development, as delays in IP processing have long been a concern for both domestic and foreign applicants.

Shortened timelines for substantive examination across patents and industrial designs indicate a clear effort to accelerate the granting process. For patents, reducing the examination period from 18 months to 12 months—and even to 3 months under expedited procedures—could significantly enhance the attractiveness of Vietnam as a jurisdiction for IP protection. Similarly, reduced deadlines for requesting examination and filing oppositions require applicants to adopt more disciplined and strategic approaches to portfolio management.

These procedural improvements are not merely administrative adjustments; they reflect a broader intention to make the IP system more responsive to business needs. In fast-moving industries, the value of IP often depends on timely protection. By reducing waiting periods, the law increases the practical utility of IP rights, enabling businesses to enforce and monetize their assets more effectively.

However, the success of these measures will depend heavily on implementation. Accelerated timelines place additional pressure on the IP Office, requiring sufficient resources, expertise, and infrastructure to maintain quality while increasing speed. Stakeholders will be closely observing whether these reforms translate into tangible improvements in practice.

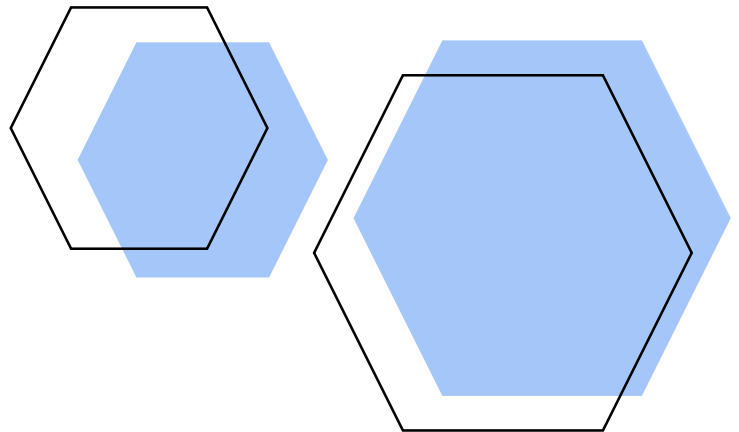


## STRENGTHENING ENFORCEMENT IN THE DIGITAL AGE

Another key pillar of the amendments is the enhancement of enforcement mechanisms, particularly in the context of online infringement. As digital platforms become central to commerce and communication, the ability to address IP violations in the online environment has become increasingly important.

The increase in statutory damages, including the doubling of the upper limit and the introduction of clearer compensation ranges for mental damages, signals a stronger deterrent against infringement. These changes not only provide greater clarity for rights holders but also align Vietnam's enforcement regime more closely with international standards.

Perhaps more significantly, the empowerment of authorities to disable access to infringing online content represents a practical tool for combating digital piracy and counterfeiting. This measure acknowledges the speed and scale at which online infringement can occur and provides a mechanism for more immediate intervention. At the same time, it raises questions about the balance between enforcement and due process, particularly in ensuring that such powers are exercised transparently and proportionately.





## IMPLICATIONS FOR BUSINESSES AND INNOVATORS

For businesses operating in or entering the Vietnamese market, the amended IP law presents both opportunities and challenges. On one hand, the modernization of the legal framework enhances the protection and commercial potential of intellectual property. On the other hand, the stricter timelines and evolving regulatory landscape require more proactive and informed strategies.

Companies with existing IP portfolios in Vietnam may benefit from reassessing their assets in light of the new provisions. The introduction of a legal framework for IP valuation and the emphasis on commercialization suggest that IP can increasingly be leveraged as a financial asset, whether through licensing, securitization, or other forms of monetization. This aligns with global trends where IP is not only a protective tool but also a driver of revenue and investment.

For new applicants, the shortened deadlines necessitate careful planning, particularly in coordinating international filings and managing priority claims. The reduced opposition periods also mean that monitoring competitor activity becomes more critical. Businesses must be prepared to act swiftly in both defending their own applications and challenging those of others.

Moreover, the evolving treatment of digital and AI-related IP introduces an additional layer of complexity. Companies engaged in these areas will need to stay informed about regulatory developments and ensure that their practices align with emerging legal standards.



## CONCLUSION

While the amendments mark a meaningful advancement, they also signal the start of a transitional period. Several elements of the new law, particularly those relating to AI and digital assets, will require further clarification through implementing regulations and practical enforcement. Ultimately, the success of these reforms will depend on how effectively key stakeholders, including government authorities, the IP Office, and the private sector, coordinate and adapt to the changes.

In this regard, Vietnam's approach reflects a balance between ambition and pragmatism. By addressing existing procedural inefficiencies while also laying a foundation for emerging technologies, the country is positioning its IP regime to keep pace with global developments.

For innovators, the direction is clear: Vietnam is evolving into a more dynamic and promising jurisdiction for intellectual property protection. At the same time, capturing these opportunities will require a more strategic, well informed, and agile approach to IP management.

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