
Rajah & Tann Asia Intellectual Property

Newsletter 2025-2026

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Overview

The intellectual property ("IP") landscape has undergone significant transformation in recent years. Rapid digitalisation continues to reshape the sector, while the increasing recognition of intangible assets ("IA") as valuable resources is driving further evolution in IP law. The region has experienced dynamic legal developments over the past year, with Southeast Asia emerging as a key player in the global IP arena. In response, governments have prioritised the modernisation and enhancement of their IP frameworks, aiming to keep pace with industry advancements and promote the efficient utilisation and robust enforcement of IP rights.

In 2025, many jurisdictions have embarked on legislative reforms to adapt to current economic realities – in particular, to address how IP rights function in the context of the digital economy, including the unique challenges of IP infringement in the digital space, and the interaction between artificial intelligence ("AI") and the creation of IP rights. IP agencies have also sought to enhance their IP processes to ensure greater certainty and efficiency.

Another notable area of focus has been the valuation of IA and IP, with governments implementing policies directed at facilitating the monetisation of these resources, as well as developing and establishing IP rights as a source of investment and capital. The past year has also been marked by greater regional cooperation, with governments working together and entering into regional agreements to develop more standardised procedures and approaches to IP recognition.

In this annual review, we look back at the major developments in IP law in the past year across selected Southeast Asian jurisdictions. We also look ahead to the anticipated trends and developments of 2026.

Please click on the links below to access the full collection of our country-specific 2025-2026 newsletter.

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Cambodia

Chronicling 2025

In 2025, Cambodia advanced its IP framework through significant modernisation and policy initiatives. The year marked a strong push toward digital transformation, legal reform, and international cooperation, reflecting the country's commitment to align with global IP standards and enhance economic growth.

Key developments include the transition to a paperless trademark registration system, consultations on copyright law amendments, and efforts to expand Geographical Indication ("GI") protection for local products. These initiatives aim to enhance the efficiency of the IP processes, strengthen enforcement, and improve the global competitiveness of Cambodian goods and creative works.



Paperless Trademark Registration System

Cambodia implemented a Paperless Trademark Registration System in 2025, marking a significant milestone in the country's digital transformation of IP services. Effective from 30 September 2025, all documents related to trademark registration issued by the Ministry of Commerce shall be provided in digital form. This initiative reflects the government's commitment to modernising administrative processes and improving efficiency for trademark owners and trademark agents. By moving away from traditional paper-based procedures, the system aims to reduce delays, enhance transparency, and align Cambodia's IP processes with international best practices.

Trademark – Registration

The transition to a digital system also strengthens the country's IP framework by introducing greater accessibility and reliability in trademark services. This reform is part of a broader strategy to integrate technology into IP management and support Cambodia's growing participation in regional and global trade.

Copyright Law Amendments Under Consultation

Cambodia's Law on Copyright and Related Rights, first enacted in 2003, is undergoing a significant review to address gaps in enforcement. On 19 September 2025, the Ministry of Culture and Fine Arts, in collaboration with the Bar Association of the Kingdom of Cambodia, held a workshop to gather feedback on proposed amendments to the Law on Copyright and Related Rights. The amendments aim to address technological changes and align Cambodia's copyright framework with international conventions and treaties.

Copyright – Legislation

Strong copyright protection encourages creativity, supports cultural preservation, and drives social and economic development. The proposed amendments are essential to closing enforcement gaps, as previous efforts were criticised for weak sanctions and unclear definitions that left creators vulnerable.

Geographical Indication Expansion

Cambodia launched Siem Reap Prahok as a new GI product during the celebration of World Intellectual Property Day 2025, marking a milestone in preserving traditional practices and empowering local communities.

**Geographical indication
– Domestic products**

The Ministry of Commerce is pushing to secure more GI recognition for local products to boost their competitiveness in global markets. At a seminar in Siem Reap on 15 September 2025, it was highlighted that GI status has increased demand for Khmer agricultural and fishery goods, improving incomes for small and medium-sized farmers. Each new GI designation strengthens rural livelihoods and promotes Cambodia's unique products worldwide.

The Koh Kong Mud Crab is currently pending approval for GI recognition. The Ministry of Commerce is also providing training on packaging and innovation, supported by World Intellectual Property Organisation, to help producers meet international standards.

What's in store for 2026

Cambodia is poised for significant IP law developments in 2026, with the most notable being trade secrets and copyright reform. Both initiatives reflect efforts to modernise the IP framework and support business competitiveness. However, both initiatives face uncertainties due to legislative timelines and shifting policy priorities. This means that while 2026 could mark a transformative year for IP law, implementation is not guaranteed.

Draft Law on Trade Secrets

In February 2025, the Ministry of Commerce announced that it is working on drafting a Law on Trade Secrets. The intention is to create a formal legal framework for protecting confidential business information. If this draft progresses through inter-ministerial review and legislative approval, 2026 could see the first statutory regime

**Trade secrets –
Legislation**

defining misappropriation, remedies, and enforcement mechanisms. This would be a major shift from the current reliance on contractual and unfair competition principles.

Possible Copyright Law Reform

The Ministry of Culture and Fine Arts has concluded the consultation workshop on the proposed reform of the copyright law on 19 September 2025. If these proposals move forward, 2026 could bring about updated rules and clearer infringement penalties, modernising Cambodia's copyright framework to reflect global trends.

Copyright – Legislation

Indonesia

Chronicling 2025

In 2025, Indonesia updated several regulations relating to IP to tackle existing and emerging issues in IP enforcement. This includes the establishment of a framework for IP valuers and a mechanism for handling IP infringement in the digital space, as well as clarifications on the collection of music performance royalty.

The updates seek to keep Indonesia's IP system up to date, addressing the increasing prevalence of digital IP infringement, as well as supporting the adoption of IP assets – which continue to grow in recognition – as legitimate resources.



IP-based Financing Scheme

In September 2025, the Indonesian government issued Minister of Creative Economy Regulation No. 6 of 2025 on Intellectual Property Valuers ("**Regulation No. 6**"), which implements the Creative Economy Law (Law No. 24 of 2019) and subsequent government regulations by providing a legal framework for professionals to assess the value of IP assets. At its core, Regulation No. 6 ensures that valuations are conducted by individuals who are competent, independent, transparent, and accountable.

Valuation – Legislation

This move is part of the government's broader initiative to support IP-based financing as a viable option for creative businesses and innovators. A key milestone in this effort also came in September, when the Financial Services Authority (*Otoritas Jasa Keuangan* or OJK) issued OJK Regulation No. 19 of 2025 on Ease of Access to Financing for Micro, Small, and Medium Enterprises, which explicitly allows banks and financial institutions to accept IP as collateral. Together, these regulations signal a growing recognition of IP assets as legitimate, bankable resources within Indonesia's formal financial system.

While Regulation No. 6 primarily establishes the framework for IP valuers, it represents a significant move toward legal certainty in IP-based financing. Financial institutions—both banks and non-bank lenders—will need to start preparing internal procedures for evaluating financing proposals that use IP as collateral. With clearer rules, Regulation No. 6 is expected to build trust among lenders and creative industry players alike, paving the way for wider adoption of IP as a legitimate and valuable financing asset in Indonesia.

Collection of Music Performance Royalty

In response to the increasing debate over the collection of music royalty, specifically royalty for public performance and the role and authority of the National Collective Management Organisation (*Lembaga Manajemen Kolektif Nasional* or "LMKN") the Indonesian government issued Minister of Law Regulation No. 27 of 2025 ("**Regulation No. 27**") in August 2025. Regulation No. 27 implements Government Regulation No. 56 of 2021 on Royalty Management over Copyrighted Songs and/or Music. Regulation No. 27 provides greater clarity on LMKN's role in royalty collection, territorial scope of LMKN's authority, responsibility of event organisers and business owners for payment of royalty and clarification on digital use in public spaces.

Copyright – Payment of royalty

The enactment of the Regulation marks a significant step forward in clarifying and strengthening the legal framework surrounding royalty management in Indonesia's music industry. However, several royalty tariffs, particularly for digital commercial use, have yet to be determined. Until these are finalised, commercial users may face uncertainty in determining their obligations. Stakeholders should stay alert for further implementing guidelines or tariff schedules from the government.

Furthermore, the Constitutional Court of Indonesia issued its decision number 28/PUU-XXIII/2025, ruling on Article 23 paragraph (5) of the Copyright Law, which allows any person to engage in commercial use of works without prior authorisation from the Author by paying royalty through a Collective Management Organisation. The Court ruled that the term "any person" to be conditionally unconstitutional and thus deemed as legally non-binding, so long as it is not interpreted as "*including organisers of commercial events/shows*". The ruling reaffirms that the event/show organisers (and not the performers) are responsible for paying royalty for public performance of music.

Handling of IP Infringement in Digital Space

In response to the growing prevalence of IP violations in the digital space, such as content piracy, sale of counterfeit products, and unauthorised distribution of works, the Indonesian Government enacted Minister of Law's Regulation No. 47 of 2025 on Handling Reports of Intellectual Property Infringement in Electronic Systems. The Regulation aims to establish a clear and structured mechanism for handling reported IP infringements through electronic systems. It covers copyright and related rights, industrial designs, patents, layout-designs of integrated circuits, trade secrets, trademarks, geographical indications, and communal intellectual property, each treated as exclusive rights recorded or registered under prevailing laws.

Dispute resolution – Digital space

Alleged infringements may be reported electronically via the Directorate General of Intellectual Property ("DGIP")'s official portal or non-electronically at service counters. Only recorded/registered right-holders or recorded licensees (or their attorneys) may file the reports. Reports must include the reporter's identity, the address/link to the infringing content, a brief description of the allegation, and proof of rights or proof of recorded licensing.

If elements of infringement are met, the team in charge may recommend partial or full site closure and/or access termination (e.g., account blocking or content takedown), and the Minister (through DGIP) must send the recommendation to the Ministry overseeing communications and information (in this regard, the Ministry of Communication and Digital Affairs of the Republic of Indonesia) or directly to the Electronic System Operator (the platform). Platforms/users may seek reopening of access/site upon showing consent/cooperation from the right-holder and/or a mediation agreement, supported by proper and required documentation.

What's in store for 2026

2026 holds the possibility of key changes and updates to IP laws and processes. The Indonesian Government has already initiated the process for amending the laws relating to copyright, trademark and industrial design. For copyright, the proposed amendments are expected to provide greater clarity on the copyright for AI works, as well as clearer guidance on the collection of music related royalty. For trademark, the amendments may include a change in the trademark registration process and the possibility of an expedited examination.

Copyright Law Amendment

The emergence of AI and growing debate concerning music royalty were the highlight of copyright issues in 2025. The government is expected to amend or enact new provisions to the current copyright law to tackle such issues. It is hoped that the government will set clear guidelines on copyright protection over works made using AI assistance, and address issues regarding music royalty by including a provision regulating collective royalty collection or direct licensing.

Copyright – Legislation

Industrial Design Law Amendment

The anticipated new Industrial Design Law did not materialise in 2025. However, there is an urgency for the development of an updated law since the current law was enacted more than two decades ago, and industrial design has since become an important alternative and complementary protection for trademark and patent registration.

**Industrial design –
Legislation**

Malaysia

Chronicling 2025

Malaysia's IP landscape saw major progress for IP protection and enforcement in 2025. Starting from 31 December 2025, a new post-grant patent opposition process will allow any interested party to challenge a granted patent within six months of publication, offering a quicker and cheaper alternative to court disputes. A landmark ruling by the Copyright Tribunal confirmed that creators can take royalty disputes to the Copyright Tribunal without consent from collecting societies. Courts also highlighted the importance of proper documentation in technological disputes. Meanwhile, the Intellectual Property Corporation of Malaysia ("MyIPO") boosted global partnerships and launched initiatives to help small businesses protect trademarks.



Patents (Amendment) Act Provisions on Post-Grant Patent Opposition Proceedings in Force from 31 December 2025

Significant amendments to the Patents Act 1983 and Patents Regulations 1986 were introduced in 2022 to align Malaysia's patent system with international standards. The reforms included the introduction of patent opposition proceedings, which had remained inactive for nearly three years. The provisions and corresponding regulatory amendments took effect on **31 December 2025**.

Patent – Opposition proceedings

Under the new section 55A of the Patents Act 1983, any interested party may oppose a granted patent before the Registrar within six months of its publication, provided no court action is pending. This administrative process offers an alternative to litigation, allowing challenges to be raised on limited grounds such as lack of patentability, non-compliance with statutory requirements, or missing drawings. Non-resident opponents must also provide security for costs.

Opponents must file a notice of opposition supported by evidence, after which the patent owner has three months to respond and may request amendments to the patent to

address the opposition. The opponent then has three months to reply. Thereafter, both parties are invited to submit written submissions. The Registrar, assisted by an *ad hoc* committee, if necessary, will decide whether to maintain, amend, or invalidate the patent. Appeals against the Registrar's decision can be made to the High Court.

This development marks a major shift in Malaysia's IP landscape. The new administrative route for challenging patents offers a faster and more cost-effective alternative to court proceedings. Businesses and innovators should review their patent strategies in light of this new mechanism.

For more details, please see our full Legal Update [here](#).

Landmark Copyright Tribunal Ruling Strengthens Creators' Rights in Royalty Disputes

The Copyright Tribunal's ("**Tribunal**") first decision in *Abdulkarim Al Ali v MACP Berhad* (Case No. CTMR2024001) marks a significant milestone for creators' rights in Malaysia. Abdulkarim, author of *Casablanca*, challenged MACP Berhad ("**MACP**"), a collective management organisation ("**CMO**"), over disproportionately low royalties and lack of transparency. MACP argued that section 59C of the Copyright Act required mutual consent for the Tribunal to hear such disputes. The Tribunal unanimously rejected this interpretation, clarifying that "subject to the agreement" refers to the contractual relationship, not procedural consent.

**Dispute resolution -
Copyright**

The Tribunal emphasised that requiring mutual consent would undermine the legislative intent of providing creators with an accessible dispute resolution mechanism. However, it declined to order MACP to invest in technological upgrades, finding such directions beyond its statutory powers.

This landmark ruling confirms that creators can unilaterally refer royalty disputes against CMOs to the Tribunal, offering a specialised and efficient forum for dispute resolution. Creators and rights holders should review their agreements and consider this mechanism when addressing royalty concerns.

The Power of Documentary Evidence in Software Development Disputes – *Skyworld v Neurogine*

In *Skyworld Holdings Sdn Bhd v Neurogine Sdn Bhd* [2025] MLJU 2854, the Court of Appeal considered a software development dispute concerning a social lifestyle mobile application that included a SkyChat module and an e-wallet system. Skyworld sued for a full refund of monies paid, arguing that Neurogine breached the contract by delivering a non-functional app, resulting in a total failure of consideration. Neurogine counter-sued for unpaid invoices for completed work.

**Dispute resolution –
Technology**

Both the High Court and the Court of Appeal dismissed Skyworld's claim and ordered them to pay Neurogine the outstanding amount. The courts found Neurogine's evidence more credible because it was strongly supported by contemporaneous documents. Evidence showed that the first phase (the SkyChat module) was completed and published on Google Play and Apple App Stores, and was signed off by Skyworld's technical consultant

after User Acceptance Tests and Functional Acceptance Tests. The Court held that Skyworld's assertion that the app was non-functional was based on mere oral claims, which were less convincing than Neurogine's documentary proof.

Crucially, the courts found that the failure to complete the second phase (the e-wallet module) was caused by Skyworld's own default. Neurogine was denied access to the Google Play Store account in February 2019 due to the payment dispute, preventing further development. Furthermore, the court accepted Neurogine's argument that the contract sum increased due to change requests made by Skyworld, which was corroborated when Skyworld made a partial payment consistent with the terms of the second quotation. This outcome emphasises the importance of proper record-keeping of written documentation and actions.

Advancing IP Protection at Home and Collaboration Abroad

In 2025, MyIPO undertook several initiatives to advance IP frameworks locally and foster international collaboration. Through various engagement sessions, discussions, and engagements, MyIPO addressed critical areas such as protection of traditional cultural expressions, awareness of IP Rights and support for small businesses, and collaboration with foreign offices, improving protection of IP rights at home and abroad:

Policy – Regional cooperation

1. MyIPO recently held an engagement session on the World Intellectual Property Organisation ("**WIPO**") Treaty for Traditional Cultural Expressions ("**TCE**"), focusing on strategies to document, assess legal frameworks, and develop policies to protect and strengthen TCE in line with international efforts under WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.
2. MyIPO signed a Memorandum of Understanding ("**MoU**") with the Intellectual Property Department of Hong Kong ("**HKIPD**") to strengthen collaboration in the field of IP, by focussing on sharing information, improving examination procedures, and adopting new technologies. The MoU also includes capacity-building programs to enhance the skills of IP examiners and initiatives that support IP commercialisation in both economies.
3. Malaysia hosted the 77th ASEAN Working Group on Intellectual Property Cooperation ("**AWGIPC**") from 3 to 8 November 2025 in Penang. The meeting brought together ASEAN member states, international partners from the US and UK, and local officials to strengthen regional collaboration on IP. The discussions focused on aligning policies and strategies to ensure innovation and creativity translate into real economic benefits for society and industry.
4. MyIPO met with the UK Intellectual Property Office ("**UKIPO**") to discuss Malaysia's proposal for a MoU on the Patent Prosecution Highway (PPH) with UKIPO. The discussions also covered UK's experience with the Hague Agreement Concerning the International Registration of Industrial Designs and explored opportunities for joint workshops or knowledge-sharing sessions.

5. MyIPO also attended various sessions with local universities and organised various events that were open to members of the public to raise awareness of the protection and commercialisation of IP rights, and introduced an initiative to encourage and support local small businesses and traders to protect their trademarks with a programme offering an RM300 discount on official fees for trademark filings.

What's in store for 2026

In 2026, Malaysia is poised to advance the IP Valuation legal framework. The government is considering amendments to regulate IP valuers, ensuring professionalism, accountability, and quality in IP valuation services. This initiative aims to position Malaysia as a regional leader in IP valuation and foster a sustainable innovation ecosystem.

Malaysia to Consider Regulating IP Valuers Under Upcoming Legal Amendments

Malaysia is considering plans to formally regulate professionals who assess the value of IP, such as patents and trademarks. Domestic Trade and Cost of Living Minister Datuk Armizan Mohd Ali announced that a regulatory framework for IP valuers may be introduced soon.

**Legislation – IP
valuation**

This initiative is crucial because it ensures quality, accountability, and confidence in the valuation services provided to the industry. Officials are currently studying amendments to the Intellectual Property Corporation of Malaysia Act 2002 for this purpose. Once implemented, this would position Malaysia among the first countries in the ASEAN region to formally recognise and regulate the profession.

This move is part of a commitment to building a professional and sustainable valuation ecosystem. The clear objective is to position Malaysia as a regional hub for excellence in IP valuation. By deepening cooperation with global bodies like WIPO, ASEAN, universities, and industries, the country intends to further promote the use of valuation services across innovation-driven sectors.

Philippines

Chronicling 2025

In a historic move, the Philippines has become one of the few countries in the world to institutionalise and establish a registration system for well-known trademarks. Prior to this, a trademark could only be officially declared as well known mostly as a result of adversarial proceedings before the Intellectual Property Office of the Philippines ("IPOPHL") or the appropriate courts.

To promote intellectual property ("IP") and make it more accessible, the Philippines has expanded its current programs that target local or small-scale enterprises and important sectors, such as women and youth-led businesses.

There have also been landmark decisions promulgated by the Supreme Court in 2025, particularly on the subject of copyright as the principles of fair use are interpreted anew. Although there is still significant scope for advancement within the IP sector, the developments witnessed in 2025 have been notably influential, laying a solid foundation for further progress in the years ahead.



New Rules and Regulations for the Declaration and Creation of the Register of Well-Known Marks

IPOPHL issued Memorandum Circular No. 2025-009 dated 5 February 2025 or the Rules and Regulations for the Declaration and Creation of the Register of Well-Known Marks with the view of enhancing protection of well-known marks in the Philippines ("**Memorandum Circular No. 9**"). Under Memorandum Circular No. 9, a mark must meet the prescribed criteria to be considered well-known, particularly these four criteria, at the minimum:

Trademark – Well-known marks

1. The duration, extent, and geographical area of any use of the mark, particularly the promotion of the mark, including advertising or publicity and

the presentation (at fairs or exhibitions) of the goods and/or services to which the mark applies;

2. The market share in the Philippines and other countries;
3. The degree of the inherent or acquired distinction of the mark; and
4. The quality, image, or reputation acquired by the mark.

The application process starts with execution and filing of a notarised Application for the Declaration of Well-Known Mark using the IPOPHL-prescribed form for this purpose. For those marks previously declared by a competent authority in the Philippines as well-known, a Manifestation should be filed instead of an application. While the application will be prosecuted *ex parte*, the examiner may still issue an office action, to which the applicant can respond within two months from mailing date. Upon allowance and publication, any interested person who may be damaged by the application may file a Notice of Third-Party Observation before the Director of Trademarks within one month from publication, followed by a verified and written observation with supporting documents. The Applicant may file a comment thereon within one month from receipt of the order from the Director. A consultative committee on well-known declarations shall be constituted and make a recommendation to the Director.

The mark shall be deemed well-known upon finality of the Director's decision declaring the mark as such or, if there is no Third-Party Observation, upon the lapse of the 30-day publication period. The declaration of well-known mark is valid for 10 years, and may be renewed for periods of 10 years, provided the registrant is able to prove continuous use in commerce and well-known status, within one year from the fifth anniversary of the declaration and upon each renewal.

Continuation of Juana Patent and Juana Design Program

On 31 March 2025, in recognition of the importance of developing Micro, Small, and Medium-scale Enterprises and promoting the empowerment of women, IPOPHL issued Memorandum Circular No. 2025-007 extending the Juana Patent and Juana Design Program, a patent protection incentive program designed to aid women-led or women-owned businesses, up to 31 March 2026. The incentive package for those who qualify under the program includes waiver of filing fees for invention, utility model, and industrial designs, among other fees, and priority examination.

Patent – Prosecution

Continuation of Youth Intellectual Property Incentive Program

Pursuant to its commitment to support young innovators, on 20 February 2025, IPOPHL issued Memorandum Circular No. 2025-005 extending the Youth Intellectual Property Incentive ("YIPI") Program up to 31 December 2025 or until 500 trademark, 200 invention, 200 utility model, and 200 industrial design applications have been certified under the program, whichever comes first. In a subsequent Memorandum Circular No. 2025-021 dated 23 September 2025, the age range of youth filers was adjusted to 30 years and below. Aside from waiver of certain fees, the YIPI Program provides technical assistance to youth filers and opportunities for capacity building on IP commercialisation and management.

Trademark and Patent – Prosecution

Supreme Court in *Wolfpac* Case: No Copyright Infringement in Using a 20-second Sample of a Ringtone

Protection of music rights while observing the doctrine of fair use has its own challenges. This was put to test in *Filipino Society of Composers and Publishers ("FILSCAP") vs. Wolfpac Communications, Inc.*, docketed as G.R. No. 184661 ("**Wolfpac Case**"). The Supreme Court, in a decision promulgated on 25 February 2025, declared that Wolfpac's use of a 20-second sample of a ringtone does not constitute copyright infringement, and that it falls under fair use.

**Dispute resolution –
Copyright**

Wolfpac operates a website that allowed the public to listen for free to a 20-second portion of a song through a "pre-listening function" before downloading the ringtone. It was FILSCAP's position that Wolfpac should secure the necessary performance licences and pay the appropriate royalties for the "pre-listening function".

The Court held that the "pre-listening function" is a form of communication to the public, as the two aspects of communication to the public by wire or wireless means are present in this case: (i) the act of making the work available to the public; and (ii) the option on the part of the members of the public to access the work from a place and time individually chosen by them. However, the use of such samples does not constitute copyright infringement; in fact, the Court found that the principle of fair use is applicable. The purpose of the pre-listening function is not purely commercial, as it allows the potential consumers to make an informed decision before downloading. In effect, it also serves a public purpose, i.e., consumer protection. The Court further stated that Wolfpac's use of the sample songs in the pre-listening function would not cause substantial economic harm to the composers. The Supreme Court accordingly affirmed the decision of the lower court dismissing FILSCAP's complaint.

What's in store for 2026

A tougher stance on IP enforcement can be expected in 2026, considering the billions worth of counterfeit and pirated goods that were confiscated through strategic alliances in the past years. In 2024 alone, Php40.98 billion-worth of goods were seized. For the first nine months of 2025, seizures amounted to Php18.64 billion. The Philippine government, through its regulatory and enforcement agencies, is set to review its strategies and to implement effective ways to combat counterfeiting and piracy.

The Philippine E-Commerce Memorandum of Understanding, which is a unique undertaking given its voluntary nature, has proven to be an effective tool to address online infringing activities at the base level. IPOPHL continues to engage with more business owners, associations, and online platforms to promote a safe online environment for customers while protecting IP rights.

In terms of IP policy, new regulations are expected to be issued this year, as some existing rules are being revised. Some of the anticipated issuances include the new regulation implementing the Beijing Treaty on Audiovisual Performances and the Revised Rules on Copyright Registration and Related Services.

Sustained IP Enforcement Efforts through Government–private Sector Coordination

The National Committee on Intellectual Property Rights ("**NCIPR**"), an interagency body that formulates and implements IP-related plans and policies, has reported that the Philippine government seized Php18.64 billion-worth of counterfeit goods from January to September 2025. This was attributed to the collaborative efforts of enforcement authorities and private stakeholders, particularly brand owners. A huge portion of the seizures was achieved through border operations and raids led by the Bureau of Customs, followed by separate operations conducted by the National Bureau of Investigation and the Philippine National Police. It is projected that this trend will continue in 2026.

Enforcement – Policy

To complement enforcement efforts, an NCIPR Help Desk will be established this year at Greenhills Shopping Centre, whose mall was cited in the United States Trade Representative's ("**USTR**") Notorious Markets List. As a practical approach to enforcement, the NCIPR Help Desk is located on-site for easy access and monitoring, for continuous engagement with the local business community. The Philippines is poised to pursue further efforts as the country has been out of the USTR Special 301 Report for 12 straight years.

Progress under the Philippine E-Commerce MOU

A substantial increase in the percentage of take downs and removal of counterfeit product listings in online platforms has been observed since the Philippine E-Commerce Memorandum of Understanding ("**MOU**") came into effect in 2021. During the latest review of the MOU at the initiative of IPOPHL, it was reported that Lazada has proactively removed 85.5% of infringing listings from 1 June 2024 to 15 May 2025, while Shopee posted a 93.6% rate for the same period.

Enforcement – Digital platforms

Through the MOU, online platforms and brand owners can work more effectively together to put a halt to infringing activities. Serving as the industry-wide code of practice against sale of counterfeit and pirated goods online, the MOU has 108 signatories so far, with more establishments expected to sign and participate this year.

Draft Regulations on the Beijing Treaty on Audiovisual Performances and Revised Rules on Copyright Registration and Related Services

IPOPHL's Bureau of Copyright and Related Rights ("**BCRR**") unveiled the draft Implementing Rules and Regulations ("**IRR**") on the Beijing Treaty on Audiovisual Performances ("**BTAP**") and the Revised IRR on Copyright Registration and Related Services. The IRRs are expected to take effect in 2026.

Copyright – Legislation

The IRR on BTAP is intended to establish rules for the protection and enforcement of the related rights of performers in audiovisual performances. It also recognises utilisation of technologies on the production and use of audiovisual performances which can have lasting impact on rights of performers and the public interest. Through the IRR, audiovisual performances can be registered by filing an application before the BCRR.

As to the Revised Rules on Copyright Registration and Related Services, the updated regulation incorporates practical requirements for processing of applications to enhance efficiency and transparency. More importantly, sound recordings and performances (related rights) were added in the list of works that can be registered before the BCRR.

Singapore

Chronicling 2025

In 2025, Singapore's IP framework continued adapting to the digital economy with a dual focus on the valuation and monetisation of intangible assets ("IA") and addressing challenges arising from Artificial Intelligence ("AI"). Major industry events, such as the 14th edition of IP Week 2025 in Singapore, served as crucial forums where policy makers, judicial figures, and industry leaders advanced Singapore's IP Strategy 2030. Through initiatives such as standardising IA disclosure via the Foundation Intangibles Disclosure ("FIND") pilot programme and proposing streamlined amendments to the IP regime through a public consultation, Singapore continues to strengthen its position as a hub for innovation and cross-border dispute resolution.

This period was marked by a push to make IP more investable through greater transparency and robust valuation, alongside efforts to ensure regulations keep pace with fast-moving issues such as AI-generated content and international licensing. The presence of global leaders, including Mr. Daren Tang, Director General of the World Intellectual Property Organization ("WIPO"), alongside domestic ministers, underscored Singapore's role in shaping global IP discourse amid technological and geopolitical shifts.

The Intellectual Property Office of Singapore ("IPOS") also announced a series of new programmes and initiatives aimed at improving the efficiency – both time and cost – of IP processes in Singapore. Collectively, these developments reflect progress toward operational efficiency and structural modernisation across enforcement, policy, and technology.



Focus on Valuation Methodologies for Brands and Technology at IP Week 2025, and Standardisation via the FIND Pilot Programme

At IP Week 2025 (26-27 August 2025), the agenda emphasised valuation methodologies for brands and technology under the Singapore IP Strategy 2030 ("SIPS 2030"), a whole-of-government approach to strengthen Singapore as a global IP and innovation hub. Discussions highlighted how accurate IA valuation translates to measurable revenue,

**Policy – Intangible
assets**

supports transactions and mergers, enables business growth, and attracts capital investment.

As IA continues its growth as a major global economic driver, valued at over US\$80 trillion, efforts to standardise the reporting of IA are gaining momentum. Under the FIND pilot programme, IPOS, Singapore Exchange, WIPO Singapore and the Stock Exchange of Thailand will develop benchmark reports for businesses to share information about their IA. The primary objective of the FIND pilot programme is to enhance transparency regarding companies' IA holdings.

By establishing clearer methods for disclosure, the initiative seeks to reduce investment risk associated with proprietary technologies and brands, thereby fostering greater investor confidence in companies with substantial intellectual capital. The first benchmark report by Nanofilm Technologies International Limited was presented at IP Week 2025 and is now publicly accessible, marking the achievement of a concrete 2025 milestone in the journey towards consistent IA disclosure.

For further information, please see our Legal Update [here](#).

Addressing IP's Role in Securing Capital and Enabling Expansion

A key session at IP Week 2025 focused on the practical application of IP assets for securing financing and enabling international expansion. Experts shared insights on how IP-intensive businesses can leverage their portfolios to attract necessary capital.

Policy – Capital and international expansion

Discussions addressed the cross-border challenges that enterprises face in seeking to expand globally using their intellectual property. This focus reflects Singapore's role as a regional hub where companies centralise IP management and licensing activities to ensure efficient market entry and strong enforcement across Southeast Asia.

Structuring international IP agreements successfully requires navigating jurisdictional, tax, and regulatory complexities, which were central themes in the discussions aiming to share best practices for multinational operations.

Leveraging Advanced Infrastructure for Digital IP Management

From 15 October to 28 November 2025, IPOS issued a public consultation paper seeking feedback on proposed changes to the IP regime, covering patents, trade marks, hearings and mediation, and other cross-IP areas to streamline processes and improve usability.

Legislation – IP procedures

These proposals include formalising the requirement for a patent applicant to submit a basis for amendments made to patent specifications, and introducing a Final Examination Report for trade mark applications that have reached an impasse.

Another notable proposal is to align the deadlines in objections to amendment of geographical indications and oppositions to registration of geographical indications with oppositions to registration of trade marks. This alignment is intended to simplify procedure and increase ease of use for parties and practitioners.

For further information, please see our Legal Update [here](#).

IPOS Launches New Patents and Trade Marks Acceleration Programmes

On 20 May 2025, IPOS launched new Patents and Trade Marks Acceleration programmes – the **SG Patents Fast** and **SG Trade Marks Fast** programmes. These programmes replaced the SG IP FAST pilot programme, which concluded on 31 December 2024.

**Patents and Trade
marks – Acceleration
programme**

The new programmes seek to help filers receive faster office actions and feature simplified eligibility criteria. They are a welcome addition to the Singapore IP registration framework, benefitting enterprises and innovators seeking to capitalise on their IP resources by providing a simplified and accelerated process for registration.

For further information, please see our Legal Update [here](#).

Please note that new acceleration requests under SG Patents Fast and SG Trade Marks Fast have been suspended until further notice from 4 January 2026 while IPOS reviews the programmes. Requests received before 4 January 2026 that meet the qualifying requirements set out under the respective programmes will have their office actions/applications accelerated.

IPOS Piloting Fee Refund Initiative for Using Patent Prosecution Highway Programme

IPOS issued Circular No. 4/2025 on "Pilot Initiative – Fee Savings for Using the Patent Prosecution Highway ("PPH") programme" on 12 September 2025.

**Patents – Patent
Prosecution Highway**

Pursuant to this Circular, IPOS piloted a fee refund initiative for search and/or examination reports, i.e. Singapore Patent Forms PF11 (Request for a Search and Examination Report) and PF12 (Request for an Examination Report). This initiative seeks to support businesses and allow greater access to the PPH programme.

For further information, please see our Legal Update [here](#).

What's in store for 2026

Following a year of proactive regulatory moves and focus on IA valuation, 2026 is expected to surface concrete outcomes in Singapore's IP landscape. Anticipated developments include the first reported decisions on the High Court's patent fast tracks, continued uptake of IP arbitration for complex patent and SEP/FRAND disputes (defined below), possible refinements to the patent linkage regime, and monitoring of new copyright exceptions in practice. IPOS may also expand its pilot expedited track for trade mark proceedings, further streamlining straightforward disputes. Together, these developments will test the efficiency of dispute resolution pathways and provide greater procedural certainty for IP rights holders and market entrants.

In recognition of the importance of global cooperation in protecting IP, 2026 is also expected to bring enhancements to regional co-operation programmes such as the ASEAN Patent Examination Co-operation ("**ASPEC**") programme.

Dispute Resolution Outlook: High Court Fast Tracks and IP Arbitration

Reported decisions on High Court fast tracks: The General Division of the High Court now offers two optional fast tracks for patent disputes. The Simplified Process is designed for tighter, lower-value matters, with caps of SGD 500,000 on monetary relief and SGD 50,000 on costs. By contrast, the Express Track, which commenced in July 2024, imposes no caps and targets a trial within nine months of commencement, making it suitable for complex and high-stakes disputes where speed and procedural discipline are critical. There are, however, no reported IP decisions yet on how either track has been used in practice. Given the Express Track's timelines, the first judgments are likely to surface in 2026. These should offer welcome guidance on case selection, procedural efficiency, cost control, and how the court balances expedition with the evidential demands typical of patent litigation.

*Dispute resolution –
Litigation and
arbitration*

Increased use of IP Arbitration: Singapore continues to promote IP arbitration in line with SIPS 2030, supported by its consistent ranking as a preferred seat for arbitration and the 2025 edition of the Singapore International Arbitration Centre Rules designed for greater efficiency, transparency, and procedural fairness. Increased utilisation is anticipated for sophisticated patent disputes, including those involving Standard Essential Patents (SEPs) and FRAND (Fair, Reasonable, and Non-Discriminatory) licensing terms, leveraging Singapore's arbitration infrastructure to manage technical and valuation-heavy issues efficiently.

Legislative and Regulatory Watch: Patent Linkage and Copyright

Further refinements to patent linkage: Following public consultation in early 2024, amendments to the Health Products (Therapeutic Products) Regulations took effect on 1 August 2024 to update Singapore's patent linkage system. The Health Sciences Authority ("**HSA**") has since received additional suggestions and is assessing their suitability for Singapore's context while ensuring alignment with international obligations. Additional legislative refinements may emerge in 2026 as part of this ongoing review process.

*Legislation – Patent
linkage and copyright*

Monitoring new copyright exceptions: The Copyright (Access Control Measures – Prescribed Exceptions) Regulations 2024, which prohibit circumvention of access control measures subject to prescribed exceptions, are in force from 1 January 2025 to 31 December 2028. Their practical effects and efficacy will be monitored in 2026. This aligns with the government's commitment to a balanced copyright regime within the evolving technological and market landscapes.

Scaling of the Pilot Expedited Track for Trademark Proceedings

IPOS launched an optional Pilot Expedited Track for specific trademark proceedings, such as oppositions and revocations, on 2 January 2025. This pilot was initially capped at a maximum of eight cases for the year 2025.

**Trademarks –
Expedited
proceedings**

IPOS indicated that the number of cases accepted onto this Expedited Track may be increased in 2026, depending on the rate of uptake and the initial outcomes achieved during the pilot year. A successful expansion of this track would streamline the resolution of straightforward trademark disputes, offering businesses more certainty for their market strategies.

Enhancing the ASPEC Programme

IPOS has announced that the ASPEC Programme will see further enhancements. The ASPEC Programme is a regional program where participating ASEAN IP Offices share search and examination results to speed up patent grants across Southeast Asia. Applicants use an existing high-quality report from one member country as a reference to request accelerated examination in another participating country for the same invention, making the process faster, more efficient, and cost-effective.

**Patents – ASEAN
Patent Examination
Co-operation
Programme**

Following a successful pilot, ASEAN will permanently incorporate the use of Patent Cooperation Treaty reports for acceleration of patent protection in the region. ASEAN Member States are also working towards launching ASPEC enhancements in early 2026 to offer applicants more closely harmonised patent reports, where possible, and within committed timelines. More details of the ASPEC enhancement will be shared ahead of its launch in 2026.

Thailand

Chronicling 2025

The past year has been positioned by the Thai government as the "Year of Soft Power," with a policy focus on promoting Thai intangible assets through the enhancement of intellectual property value and the supporting legal framework. Key initiatives have included efforts to promote IP-driven industries, such as the proposed Game Industry Promotion Act, the overhaul of the Film Act, regulatory developments in the fashion industry, and the organisation of cultural and creative festivals. However, following recent political changes, the policy direction has become uncertain and faces potential disruption.

Notwithstanding these challenges, Thailand has recorded a significant increase in intellectual property activity. In total, 75,381 trademark, patent, and design applications were filed, representing a 9.11% increase compared to the previous year. Enforcement activity also remained robust, with more than 1,100 IP enforcement cases conducted, involving an estimated economic value exceeding US\$36 million. Thailand has received positive recognition from the United States Trade Representative for its continued efforts in combating IP infringement, although it remains on their Watch List, with ongoing efforts aimed at removal. The Department of Intellectual Property ("**DIP**") has likewise been commended by private-sector stakeholders, including multinational brand owners such as Nike, for its proactive measures against counterfeit goods.

On the legislative front, progress continues, albeit at a measured pace. Ongoing reform efforts initiated last year include proposed amendments to the Patent Act, enhancements to the Geographical Indications ("**GI**") regime, and revisions to the Copyright Act. While these initiatives remain at a preliminary stage, they are expected to advance to the formal legislative process within 2026.



Draft New Thai Patent Act and Expected Key Changes

Building on developments from 2024, the first draft of the new Patent Act was published for public consultation, with the public hearing concluding in January 2025. Following this consultation, the draft is currently under review by the Department of Intellectual Property, which is considering stakeholder feedback. The revised draft is expected to be submitted

Patent – Legislation

to the Cabinet for further consideration as part of the formal legislative process, potentially within this year.

Importantly, this initiative does not constitute an amendment to the existing Patent Act but rather represents a complete overhaul through the introduction of an entirely new Patent Act. Once in force, the new legislation is expected to bring about substantial changes to both procedural and substantive aspects of patent protection in Thailand.

One of the most notable changes concerns official fees. Under the draft, the patent filing fee is expected to increase from approximately US\$16 to around US\$110, while the substantive examination fee would rise from approximately US\$16 to a minimum of US\$320, based on current exchange rates. In addition, the draft introduces the voluntary filing of divisional patent applications, a flexibility not available under the current regime.

The draft also shortens the timeframe for requesting substantive examination, requiring applicants to file an examination request within three years from the filing date, instead of the current five-year period. Furthermore, a two-stage publication system is proposed: the first publication would occur after preliminary examination, as is currently the case, while a second publication would be introduced upon acceptance of the application for registration.

These changes will only take effect once the new Patent Act is formally enacted and in force, a process that is expected to take some time. Until then, the existing Patent Act remains fully applicable.

Draft Act on the Collection of Remuneration for Copyright and Performers' Rights in Thailand

DIP has proposed an additional piece of legislation in the form of the Draft Act on the Collection of Remuneration for the Use of Copyright and Performers' Rights. The draft legislation was published for public consultation, with the public hearing period concluding in September 2025. Following a process similar to that adopted for the draft New Patent Act, the proposed law is currently under review by DIP in light of stakeholder feedback and is expected to be submitted to the Cabinet for further consideration as part of the formal legislative process.

**Copyright –
Legislation**

Once enacted, the proposed law would require copyright entrepreneurs and copyright management organisations to obtain a licence in order to collect royalty fees. This regulatory approach is intended to tighten oversight of the royalty collection industry, enhance transparency, and strengthen protection for the rights and economic interests of copyright owners and performers.

Regulatory Developments in Geographical Indication Registration in Thailand

There has been a recent regulatory development concerning the registration of GI products in Thailand. DIP has proposed a new ministerial regulation governing the mutual recognition and registration of GI products pursuant to free trade agreements ("FTAs") entered into between Thailand and specific partner countries.

**Geographical
indication –
Regulation**

The draft ministerial regulation has been approved in principle by the Cabinet of Thailand and is currently under review by the Council of State. The regulation is expected to be promulgated and implemented in 2026.

Once in force, the regulation will operate on a reciprocal basis. It will facilitate recognition of Thai GI products under the GI laws of Thailand's FTA partner countries, while simultaneously streamlining the registration process for foreign GI products seeking protection in Thailand. At present, Thailand recognises 24 foreign GI products, and the registration process typically takes approximately two to three years to complete. Following promulgation of the new regulation, the review and registration timeframe is expected to be significantly reduced.

It should be noted that the benefits of this streamlined process will be limited to GI products originating from countries that have an applicable FTA with Thailand.

What's in store for 2026

The IP regime in Thailand is set for major reform in 2026 as Thailand continues to update and enhance its legislative and regulatory framework to facilitate a more vibrant and developed IP industry. As highlighted above, preliminary work on new legislation and regulatory amendments has already been set in motion.

The year ahead is also expected to bring further market development, including foundational work on the growth of IP financing, which is essential for the commoditisation of IP rights, as well as Thailand's growing involvement in the international stage with the expected accession to the WIPO Performances and Phonograms Treaty.

Expected Accession of Thailand to the WIPO Performances and Phonograms Treaty

Thailand is expected to accede to the WIPO Performances and Phonograms Treaty ("WPPT") by 2026, following the anticipated amendment of the Thai Copyright Act. Accession to the WPPT is intended to strengthen enforcement and deterrence mechanisms for performers, such as musicians and actors, as well as producers of phonograms, by enhancing the protection of both economic and moral rights in respect of performances and sound recordings, particularly in digital and online environments.

**Policy – Regional
agreements**

Upon accession, Thailand will become the seventh country in Southeast Asia to be a party to the WPPT, joining Brunei, Indonesia, Malaysia, the Philippines, Singapore, and Vietnam.

Emerging Developments in IP Financing in Thailand

DIP and the Securities and Exchange Commission have initiated preliminary discussions concerning IP financing, with the objective of enhancing understanding, providing regulatory clarity, and potentially laying the groundwork for a legal framework that would enable IP to be used as collateral for business loans and fundraising activities.

*Policy – IP
financing*

At present, Thailand lacks a dedicated legal framework governing IP financing. In particular, there is no clear statutory mechanism or established procedure for recording IP rights as pledged security, unlike in many other jurisdictions where IP can be formally registered and recognised as collateral under specific security regimes.

While discussions remain at an initial stage, it is anticipated that more substantive and structured engagement between DIP and the Securities and Exchange Commission will take place within this year. Such developments could mark a significant step forward in the regulation of IP financing in Thailand and signal a major policy shift toward recognising IP as a bankable asset class.

Vietnam

Chronicling 2025

2025 was a watershed year for Vietnamese IP law, characterised by comprehensive legal reforms and administrative modernisation that fundamentally reshaped how IP is administered and enforced across the country. The reforms unfolded over the course of the year, starting with the acceleration of digital administration in early 2025, gaining momentum with the operationalisation of the People's Courts of Region in July 2025, and culminating in the passage of the Law Amending and Supplementing a Number of Articles of the Law on Intellectual Property ("**Amended IP Law**") on 10 December 2025.

These developments reflect Vietnam's strategic commitment to strengthening IP protection by re-framing IP from a pure rights-protection model to an "assetisation" approach, treating it as an economic resource that can be valued and leveraged.



Amendment of the IP Law

On 10 December 2025, the National Assembly adopted the Amended IP Law, marking a pivotal shift towards assetisation, commercialisation, and governance of IP. The central innovation is the explicit legal recognition of IP rights as verifiable, financeable assets that can be integrated into corporate finance, including being valued, recorded in financial statements, and used as collateral for loans. The Amended IP Law also mandates the creation of a national database on the price of legitimate IP transactions to serve as a legal benchmark and reference for the market.

Legislation – IP law

The scope of protection has also been expanded to address the digital economy, notably including industrial designs for non-physical, digital products (such as digital interfaces). The new law clarified that purely autonomous AI creations are not eligible for copyright or patent protection, requiring substantial human creative input to qualify for authorship or inventorship. The Amended IP Law will take effect on 1 April 2026, with the government tasked with issuing detailed implementing decrees.

Operationalisation of the People's Courts of Region

Effective from 1 July 2025, pursuant to the Law Amending and Supplementing a Number of Articles of the Law on the Organisation of the People's Courts and Resolution No. 81/2025/UBTVQH15, jurisdiction over IP disputes was centralised under two newly established regional courts: the People's Court of Region 2-Hanoi and the People's Court of Region 1-Ho Chi Minh City.

*Dispute resolution –
Judicial reform*

Under this new regime, these courts exercise first-instance jurisdiction over civil, commercial, and administrative cases concerning intellectual property and technology transfer. Specifically, the People's Court of Region 2-Hanoi covers 20 northern and central provinces, while the People's Court of Region 1-Ho Chi Minh City oversees the remaining 14 southern provinces.

This institutional shift represents a significant milestone in Vietnam's enforcement landscape, decentralising authority from the traditional provincial courts while creating specialised hubs for IP adjudication. Cases accepted before 1 July 2025 remain with the provincial courts, while cases previously handled at the district level have been transferred to these new specialised regional courts.

Administrative Modernisation and Procedural Reforms

2025 marked a comprehensive overhaul of IP administration aimed at reducing compliance costs and enhancing efficiency through three key pillars:

*Administration –
Reforms and
modernisation*

Digitalisation & E-Services: From 18 February to 3 June 2025, the Intellectual Property Office of Vietnam ("IPVN") advanced its digital transformation agenda by rolling out the electronic issuance of administrative results and certified copies of IP-related documents. Building on this momentum, effective from 10 August 2025, a priority mechanism for e-filings was introduced, ensuring expedited processing for online applications compared to paper submissions.

Decentralisation & Procedural Updates: In a major structural shift under Decree No. 133/2025/NĐ-CP, effective 1 July 2025, IPVN transferred authority for 19 administrative procedures (including industrial property representation and licensing registration) to Provincial People's Committees. Concurrently, to ease administrative burdens, IPVN clarified that address changes resulting from administrative unit reorganisation do not affect the validity of titles and are exempt from amendment fees.

Fee Reduction: To support businesses, Circular No. 64/2025/TT-BTC mandates a 50% reduction in industrial property registration fees from 1 July 2025 through 31 December 2026, applicable to both online and offline filings.

Government Crackdown on Counterfeits and Online Infringement

In May 2025, Vietnam launched an unprecedented nationwide campaign under Prime Minister Pham Minh Chinh to combat smuggling, trade fraud, counterfeit goods, and IP violations. This campaign emphasised "no concessions, no forbidden zones, no

*Enforcement –
Counterfeit goods /
E-commerce*

exceptions" in enforcement. In the first half of 2025, authorities addressed over 50,419 cases related to smuggling, counterfeits, and IP violations, with over 1,631 cases specifically involving counterfeit goods and IP infringement during the peak enforcement month (15 May 2025 to 15 June 2025).

The Government also strengthened enforcement mechanisms for the digital environment. New regulations require major e-commerce platforms, social networks, and media outlets to commit to not trading in or advertising counterfeit goods that infringe IP rights pursuant to Resolution No. 397/NQ-CP (effective 5 December 2025).

Strengthening Legal Enforcement Tools

Effective from 1 July 2025, Vietnam implemented two significant legislative measures designed to close procedural loopholes and accelerate the handling of IP violations:

**Enforcement –
Legislation**

1. Amendments to the Law on Handling Administrative Violations addressed the critical issue of the statute of limitations expiration in complex cases. The new regulations allow for the standard two-year statute of limitations to be effectively extended by one additional year when enforcement agencies need to coordinate with other bodies. The time taken for such inter-agency coordination is now included within the limitation period calculation, ensuring that administrative delays no longer provide a "guard" for infringers.
2. Decree No. 168/2025/ND-CP has drastically streamlined the procedure for handling Business Name Infringement. The Decree reduces the mandatory review period for state agencies to assess allegedly infringing company names from 10 days to three days, enabling swifter action against lookalike entities. It also imposes a strict 60-day deadline for infringing enterprises to change their names, failing which they may face severe penalties. These combined measures provide IP owners with a faster, more robust toolkit to combat bad-faith registrations and procedural evasion.

Challenges in Copyright Protection

Despite legal progress, Vietnam continues to face significant challenges in copyright protection, evidenced by persistently high piracy rates, with approximately 15.5 million people regularly accessing illegal websites for pirated media. Criminal prosecution for copyright infringement remains difficult under Article 226 of the Criminal Code, which requires satisfaction of strict criteria, including intentional infringement, involvement of property rights, and commercial scale with damages exceeding specified thresholds. The anonymity in the digital environment further complicates the identification of infringing parties.

**Copyright –
Infringement**

What's in store for 2026

With the Amended IP Law adopted in late 2025, 2026 is anticipated to be defined by the rigorous implementation and harmonisation of the new regulations. We expect a concentrated effort by the Ministry of Science & Technology and other relevant agencies to issue crucial secondary legislation, detailing procedural rules for IP valuation, AI governance, and digital enforcement mechanisms.

Operationalisation of IP Assetisation and Finance Decrees

The Amended IP Law, expected to take effect from 1 April 2026, will recognise IP rights as financeable assets, paving the way for "IP Monetisation". The Government's main task will be to issue decrees, expected in early 2026, detailing IP asset valuation and registration procedures for using IP as bank collateral.

**Policy – IP
assetisation**

This new framework aims to establish IP as an economic asset that can be bought, sold, and recorded in financial statements, facilitating the commercialisation of research outcomes. However, practical challenges remain, including the absence of common valuation standards. Consequently, the Government is mandated to establish a transparent valuation system and a national database on the price of legitimate IP transactions to serve as a crucial legal benchmark.

Harmonisation of AI Governance and Digital Compliance

New laws, such as the Amended IP Law and AI Law, form a comprehensive regulatory framework for the digital economy that is expected to fully take form in 2026. Regulators are expected to issue coordinated guidance to harmonise these laws, including the clarification of assessment criteria for AI-assisted or AI-generated outputs.

**Artificial intelligence
– Legislation**

A key focus will be defining the threshold for "human creative contribution" necessary for a work to qualify for copyright or patent protection, given that purely autonomous AI creations are ineligible. Furthermore, businesses must rapidly implement AI compliance mechanisms addressing the lawful use of copyrighted content and legally published data for training AI systems, ensuring such use does not unreasonably prejudice the rights of IP holders.

Enhanced Digital Enforcement and Increased Criminal Measures

Enforcement activities in 2026 are expected to intensify, particularly in the digital realm, leveraging the new legal framework and the operationalisation of the People's Courts of Region. There will be an enhanced focus on digital and AI-driven enforcement, with agencies prioritising the use of AI tools for real-time infringement detection, particularly concerning e-commerce platforms and digital content.

**Artificial intelligence
– Enforcement**

Furthermore, rights holders anticipate a notable pivot towards stricter criminal proceedings. With the People's Courts of Region fully operational and new provisions covering digital assets, 2026 is expected to see a rise in criminal prosecutions targeting

sophisticated operators of large-scale cross-border infringing platforms, pirate streaming sites, and AI-driven counterfeiting networks.

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