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[Vietnam: 2025 IP Law – Major overhaul embraces digital economy and strengthens enforcement](#)

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In brief

On 10 December 2025, Vietnam's National Assembly passed significant amendments to the Law on Intellectual Property ("**2025 IP Law**" or "**Law**"), marking a decisive step toward supporting a technology-driven and digital economy. Effective 1 April 2026, the Law modernizes intellectual property protection, streamlines industrial property procedures and strengthens enforcement mechanisms.

This update highlights the most notable changes under four key themes:

- i. Copyright and related rights
- ii. Industrial property
- iii. Intermediary liability
- iv. Enforcement

Key takeaways

Effective date: 1 April 2026

Strong digital focus: Clearer rules on computer program protection, backup rights, and the lawful use of data for artificial intelligence (AI) training and research purposes

Industrial property modernization:

- Shortened timelines for publication, opposition and substantive examination
- Fast-track examination mechanism for patents and trademarks

- Expanded definition of industrial designs to cover nonphysical forms, product parts, and additional acts of use

Intermediary liability:

- Enhanced obligations for internet service providers (ISPs) and digital platform operators in protecting IP rights in cyberspace
- Safe harbor regime extended to all types of IP objects, not only copyright and related rights
- Direct obligation for platform operators to implement proactive IP protection measures, signaling a shift toward more active enforcement in the digital environment

Enforcement enhancements:

- New and robust enforcement tools, particularly for digital environments, which increase potential liability against infringers and clarify administrative and civil remedies
- Strengthening the ability of right holders, courts and authorities to address both traditional and online IP infringements more effectively

In more detail

1. Copyright and related rights: New rules on digital copying and data hosting

Computer program protection

- Lawful users may create a backup copy of a computer program solely for replacement purposes in the event of deletion or technical failure.
- Backup copies may not be transferred to third parties. For computer programs provided as Software-as-a-Service (SaaS) or through online platforms, backup rights depend on the applicable license terms.

Data use for AI and research

- Organizations and individuals may use lawfully published and publicly accessible text and data related to IP rights for scientific research, experimentation and AI training, provided such use does not unreasonably prejudice the legitimate rights and interests of authors or IP right holders.
- Use of text or data protected by copyright or related rights must also comply with government regulations.

Excluded subject matter

- Copyright protection explicitly does not extend to ideas, slogans or standalone names of works.

2. Industrial property

Streamlined procedures and expanded protection

- The 2025 IP Law introduces significant procedural reforms, particularly by shortening timelines for publication, opposition and substantive examination across patents, trademarks, industrial designs and geographical indications.

- These changes are intended to address long-standing registration delays and facilitate faster acquisition of IP rights.

Publication timelines

- **Industrial designs, trademarks, and geographical indications:** Reduced to one month from the date of formality acceptance (previously two months).
- **Patents:** Convention applications published at the 19th month from the filing or priority date; early publication within one month from request or formality acceptance date, whichever is later. For national-phase applications, publication reduced to one month from formality acceptance.

Opposition timelines

- **Patents:** Six months from publication, or three months for patents under fast-track examination
- **Industrial designs:** Three months from publication (previously four months)
- **Trademarks:** Three months from publication (previously five months)
- **Geographical indications:** Unchanged at three months from publication

Substantive examination timelines

- **Patents:** Reduced to 12 months from the publication date or examination request date (whichever is later), instead of 18 months; deadline for requesting substantive examination shortened to 36 months from the filing or priority date (previously 42 months)
- **Industrial designs:** Five months from publication (previously seven months)
- **Trademarks:** Five months from publication (previously nine months)
- **Geographical indications:** Five months from publication (previously six months)

Fast-track examination

- The Law introduces a fast-track examination mechanism for patents and trademarks in cases stipulated by the Government allowing substantive examination to be completed within:
 - Three months from the publication date for trademarks and
 - Three months from the later of the publication date or the request for substantive patent examination

Expanded industrial design protection

- The definition of industrial design now covers the external appearance of the whole or a part of a product in both physical and nonphysical forms.
- Producing a part of a product or circulating digital copies of nonphysical products whose appearance is protected may now constitute use of a protected industrial design.

3. Intermediary liability - broader scope and stronger obligations

- The Law explicitly covers intermediary service providers, including ISPs and digital platform operators.

- A unified safe harbor regime applies to ISPs and digital platform operators that meet prescribed technical and procedural requirements. Importantly, this protection now extends to all IP objects, not only copyright and related rights.
- The Law's scope is significantly broadened from "internet/telecom environment" to "cyberspace," covering cloud services, over-the-top (OTT) platforms, social media and emerging digital services.
- Digital platform operators are required to proactively implement technical and organizational measures to protect IP rights in cyberspace, in accordance with IP law, e-commerce law, cybersecurity law and related regulations. This marks a shift from a purely reactive takedown model to more active IP compliance obligations.

4. Enhanced digital enforcement tools

- New remedies and provisional measures target online infringement, enabling courts and authorities to respond more effectively to digital IP violations.
- Courts may now order the removal, concealment or disabling of access to infringing information, content, accounts, websites, applications or internet addresses.

Damage compensation

- **Material damages:** Statutory damages (where actual losses cannot be determined) increased from VND 500 million to VND 1 billion.
- **Moral damages:** Compensation is now calculated at 10 to 100 times the state base salary, replacing the previous fixed monetary range. If the base salary is abolished, the government will set a reference amount not lower than the former minimum.

Administrative sanctions

- **Expanded scope:** "Storage" of counterfeit goods is now expressly recognized as an administrative violation, alongside production, importation, transportation and sale.
- **Unfair competition:** Acts of unfair competition are now explicitly subject to administrative sanctions under the law on administrative violations, in addition to competition law.

Conclusion

The 2025 IP Law represents a decisive step in aligning Vietnam's intellectual property framework with the realities of a digital and innovation-driven economy. By modernizing procedures, clarifying rights in the digital space, and strengthening intermediary obligations and enforcement tools, the Law significantly enhances legal certainty for right holders while improving efficiency for applicants and authorities alike. These reforms are expected to reduce long-standing registration backlogs, promote responsible digital platform governance, and provide more effective remedies against online infringement. Taken together, the changes position Vietnam as a more attractive and competitive jurisdiction for technology, creativity and investment in the years ahead.

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