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INTERNATIONAL LAW OFFICE - INTELLECTUAL PROPERTY AGENCY

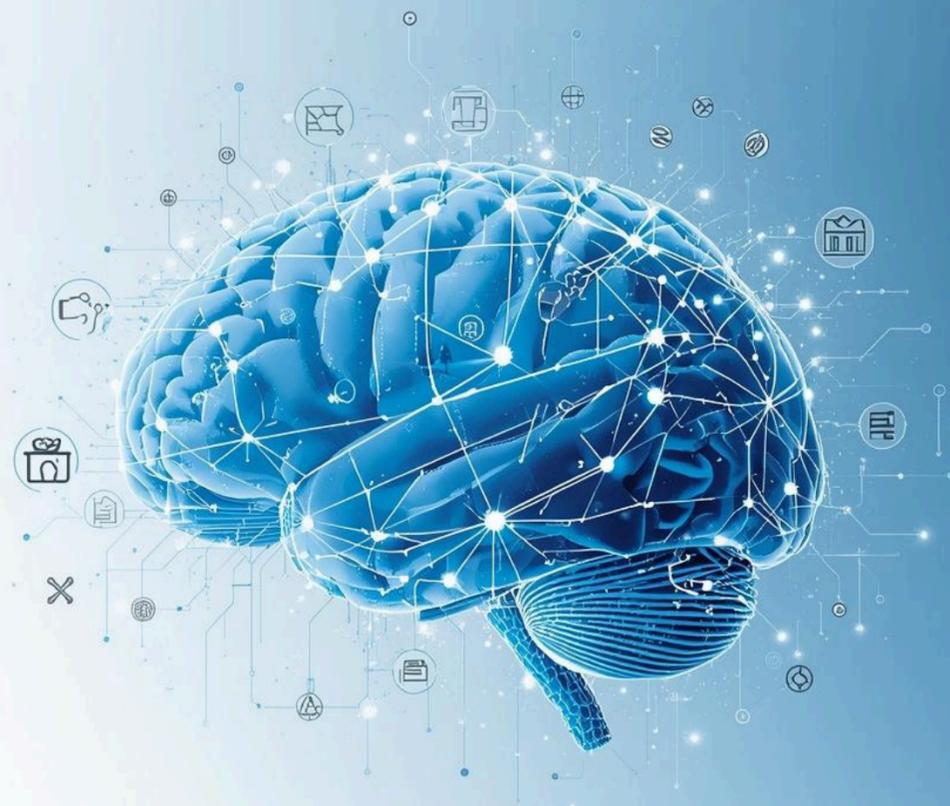
Application of AI in IPRs

Tokyo, February 12, 2026

VU MANH HUNG (MR.)

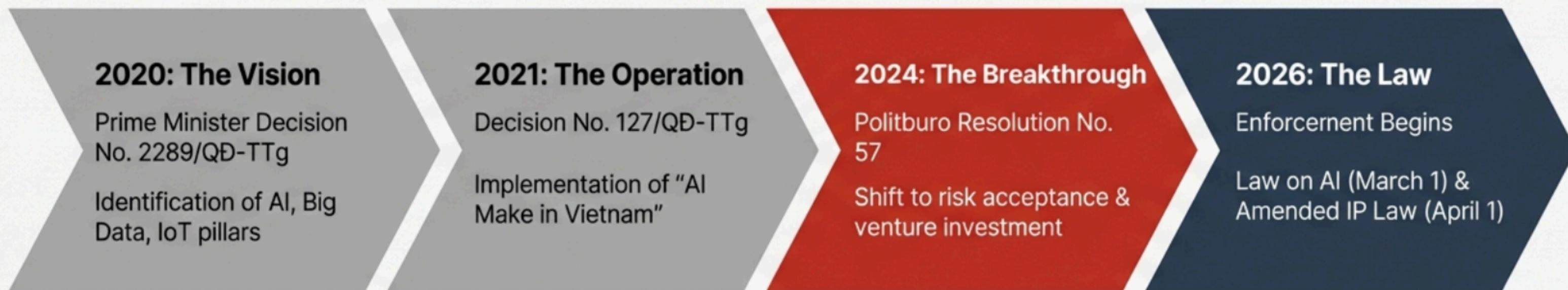
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Vice President of VIETNAM INNOVATION ASSOCIATION



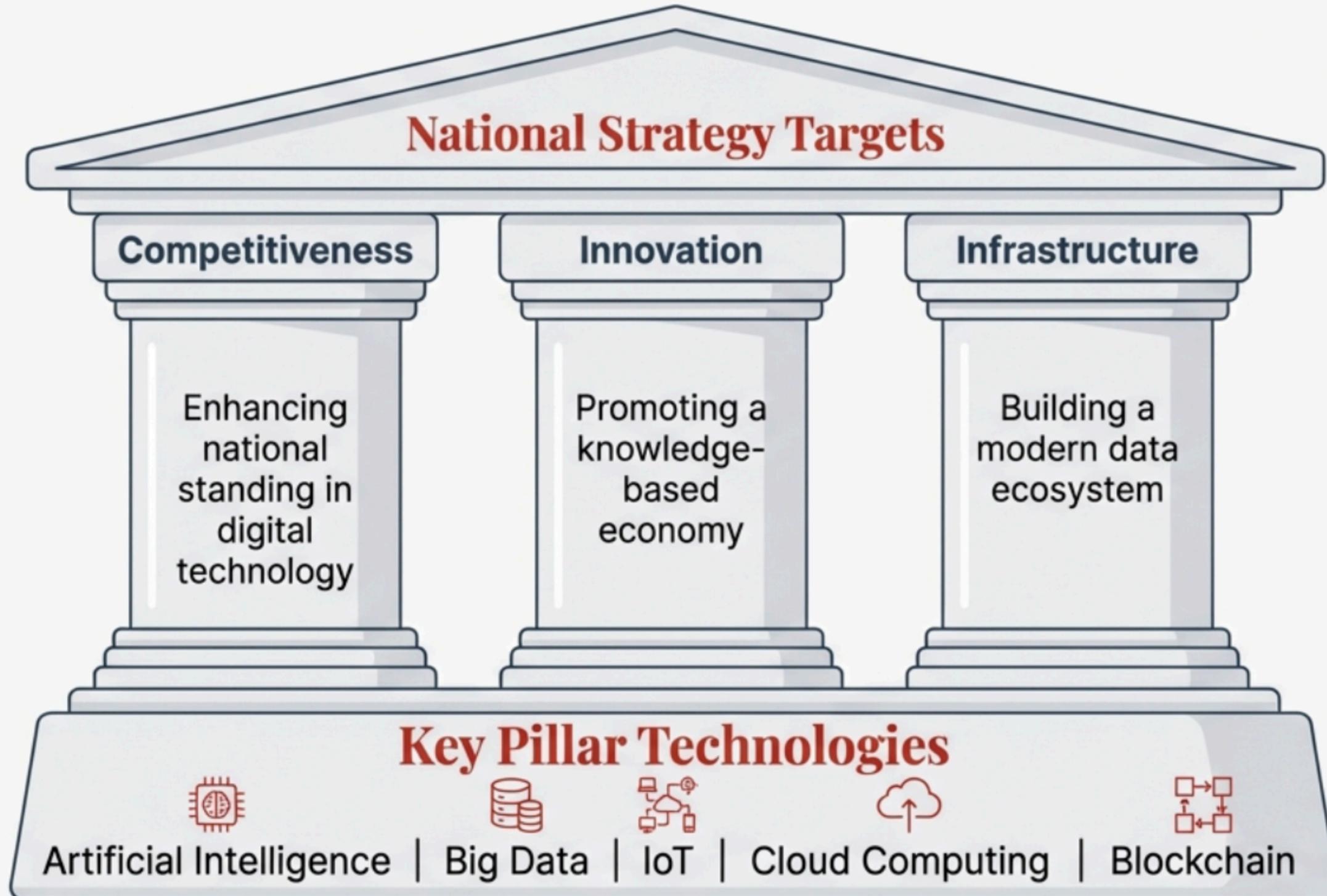
A Synchronized Evolution: The Four Phases of Governance

Vietnam is transitioning from pilot policies to a comprehensive legal framework designed to balance national competitiveness with human-centric safety.



The Strategic Foundation (2020–2024)

Source: Prime Minister Decision No. 2289/QĐ-TTg (National Strategy for the 4th Industrial Revolution)



Operational Directives (2021 Decision No. 127):

- Establish innovation centers
- Develop open data resources
- Form the preliminary legal framework

Key Directions

Strategic focus areas for AI development

**Operational Directives
(2021 Decision No. 127):**

Innovation Centers

Establish hubs to drive AI research and development.

Open Data

Create accessible resources for AI collaboration and growth.

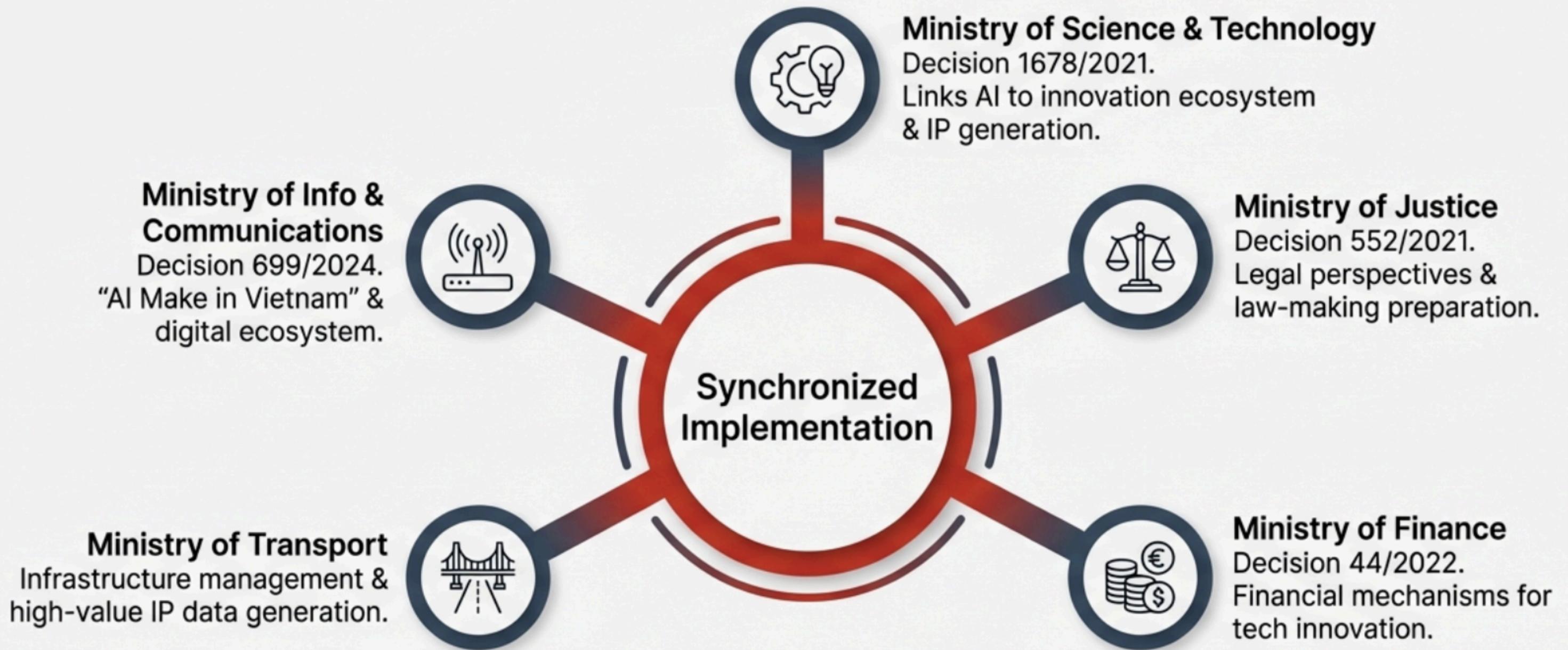
Investment Encouragement

Foster enterprise funding to support AI initiatives and startups.

Legal Framework

Gradually develop regulations to govern AI applications and ethics.

A Whole-of-Government Approach



Key Insight: AI is no longer a pilot policy; it is a **national governance priority.**

The Institutional Breakthrough: Resolution No. 57

Issued by Politburo, December 22, 2024



Risk Tolerance

Accepting risk and venture investment in research to drive growth.



Legal Removal

Improving frameworks to remove barriers for IP and technology development.

Fundamental shift toward a knowledge and technology growth model.



Human Capital

Attracting and valuing scientists and high-quality researchers.



Ecosystem

Developing innovation ecosystems alongside human resource quality.

The Law on Artificial Intelligence: Definitions & Principles

Effective Date: March 1, 2026

Effective from **1 March 2026**, the AI Law establishes core principles such as **human centrality**, transparency, risk control, and accountability, shaping the legal landscape for artificial intelligence in Vietnam.

The Law on Artificial Intelligence: Definitions & Principles

Effective Date: March 1, 2026

THE DEFINITION

Article 3: AI Definition

‘The performance by electronic means of human intellectual capacities, including learning, reasoning, perception, judgment and understanding of natural language.’

Article 3: AI System

‘A machine-based system with varying levels of autonomy... capable of self-adaptation after deployment... generating outputs such as predictions, content, recommendations or decisions.’

THE PRINCIPLES

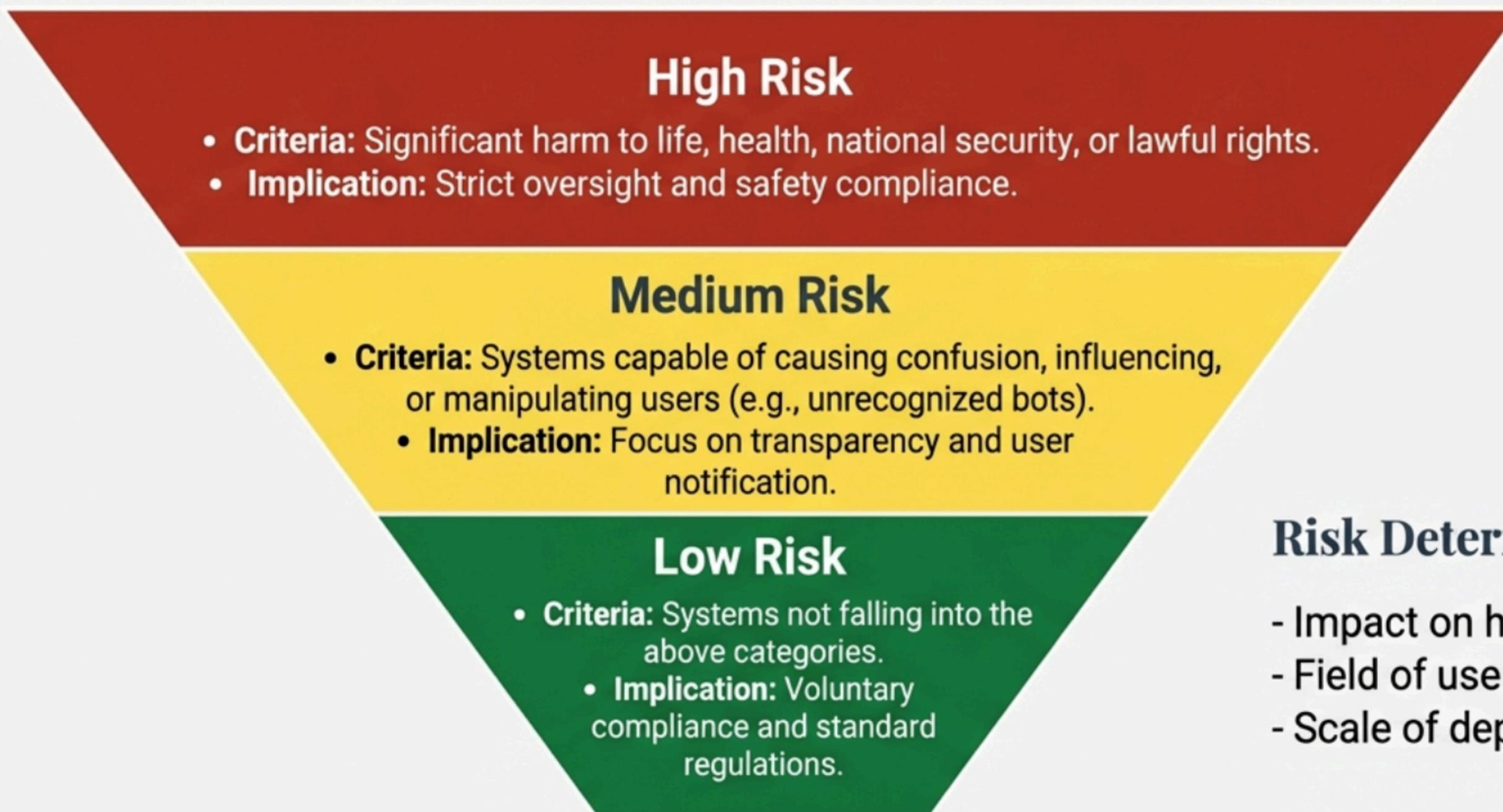
Article 4: Core Principles

- 1. Human-Centric:** ‘Ensure human rights, national interests, and security.’
- 2. Human Control:** AI serves humans; it does not replace human authority.
- 3. Fairness & Ethics:** Non-bias, non-discrimination, compliance with Vietnamese cultural values.
- 4. Green AI:** Promoting sustainable development and efficient resource use.

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Risk Governance Framework (Article 9)



Risk Determination Basis:

- Impact on human rights/safety
- Field of use (essential services)
- Scale of deployment

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Guardrails: Prohibitions & Transparency Obligations

Prohibited Acts (Article 7)

- **Social Scoring:** Exploiting vulnerabilities of specific groups (children, elderly, ethnic minorities).
- **Deception:** Using deepfakes/simulations to intentionally deceive or manipulate behavior.
- **Security Threats:** Creating content that endangers national security or social order.
- **Illegal Data:** Training on data in contravention of personal data/IP laws.

Transparency Obligations (Article 11)

- **Bot Disclosure:** Users must recognize they are interacting with an AI system.
- **Labeling (Deepfakes):** Audio/Images/Video generated by AI must be marked in a machine-readable format.
- **Simulation Warnings:** Content simulating real persons/events must be clearly labeled to distinguish from reality.

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State Policies & Enterprise Support

Articles 5 & 25: Incentivizing Innovation

The Sandbox

Encouragement of “controlled technology experimentation” with management proportionate to risk.

Infrastructure

Vouchers for startups/SMEs to access computing infra, shared datasets, and LLMs (Vietnamese/ethnic languages).

Compliance

Free sample dossiers, self-assessment tools, and consultancy for startups.

Data Incentives

Preferential treatment for enterprises that share data models or research outcomes.

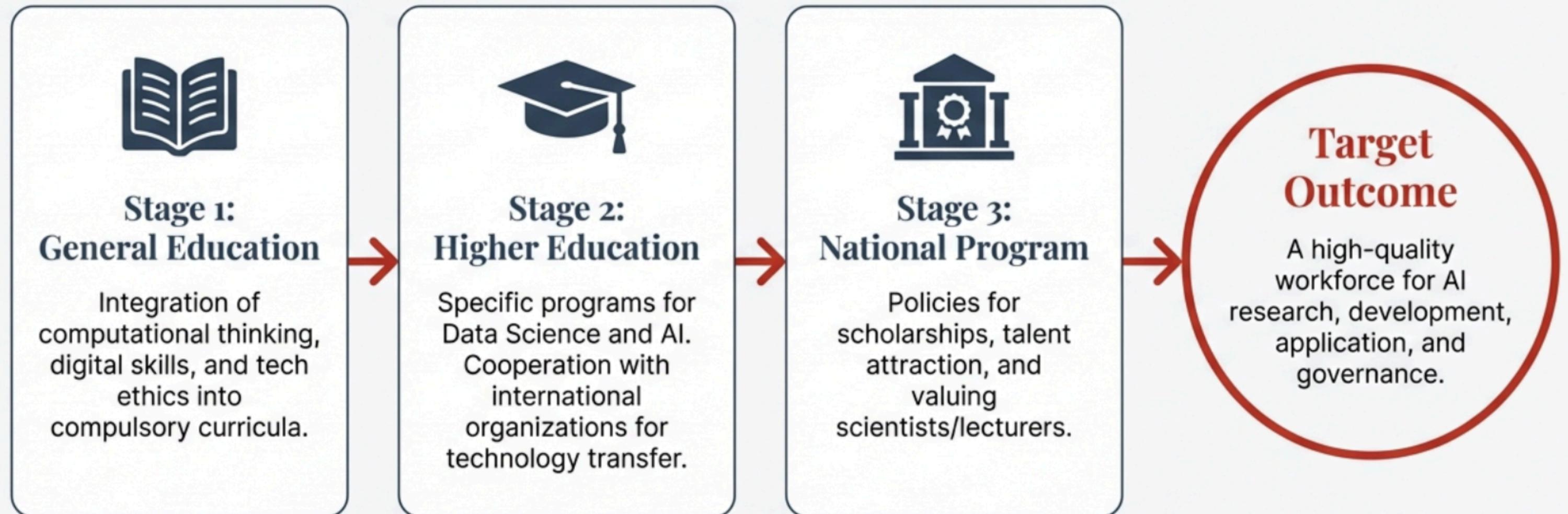
Priority Investment

State focus on high-performance training technologies and foundation models.

The Law on Artificial Intelligence: Definitions & Principles

Effective Date: March 1, 2026

Developing the Human Pipeline (Article 23)



The IP Intersection: Amended Law on Intellectual Property

Effective Date: April 1, 2026

The IP Intersection: Amended Law on Intellectual Property

Effective Date: April 1, 2026

AI Authorship (Article 6, Clause 5)

The Mandate:

The Government shall provide for the emergence and establishment of intellectual property rights in cases where objects are created with the use of AI systems.

Text & Data Mining (Article 7, Clause 5)

The Exception:

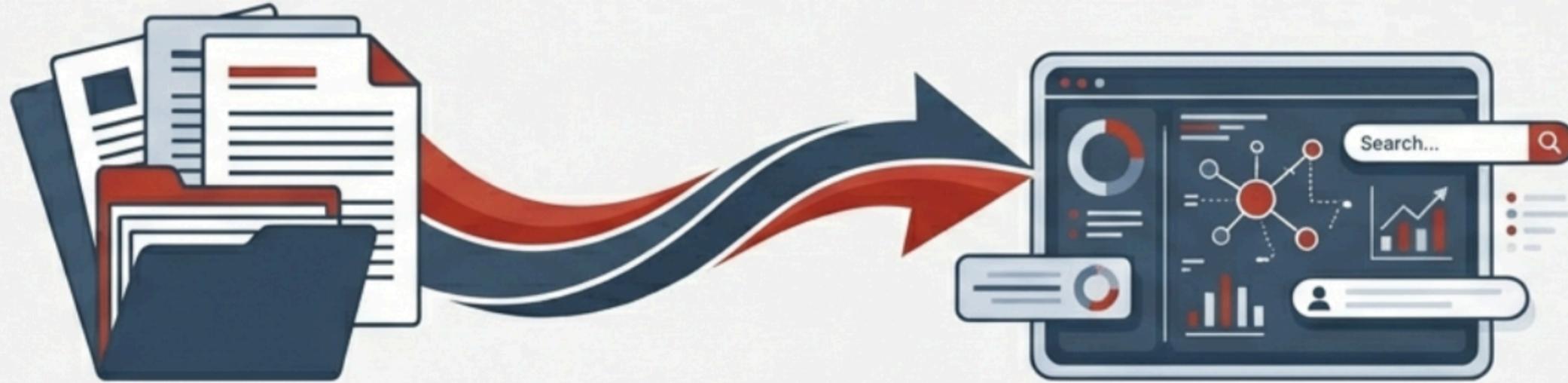
- Legalizes the use of lawfully published text/data for scientific research, experimentation, and training of AI systems.

Condition: Must not unreasonably prejudice the rights of authors.

The IP Intersection: Amended Law on Intellectual Property

Digital Transformation of IP Activities (Article 11b)

Modernizing State Management



Digital Infrastructure: Comprehensive development of online public services and digital platforms for IP.



Data Accessibility: Creation of databases for IP rights enforcement and IP transaction prices.



Automation: Applying Big Data and AI to automate professional procedures, enhancing transparency and reducing processing times.



Ensuring safety, user-friendliness, and administrative efficiency for rights holders.

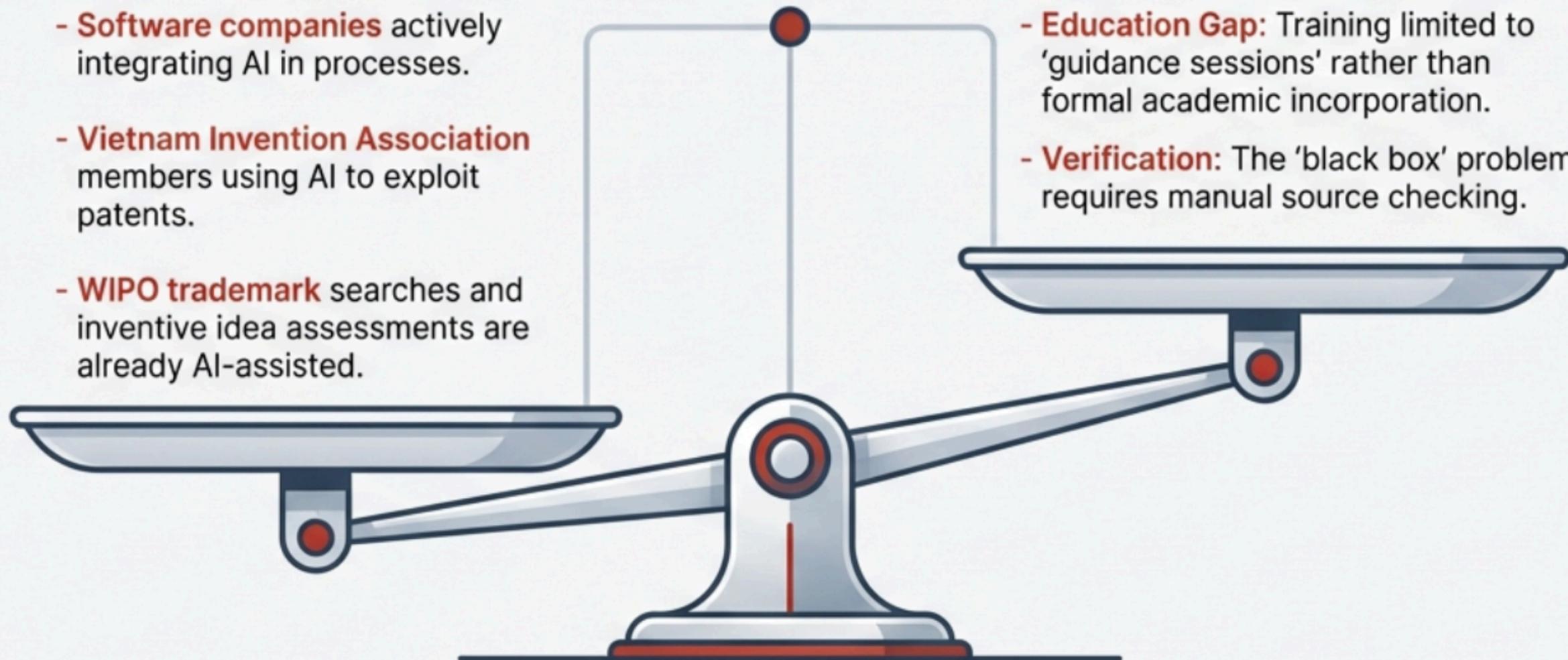
Current Reality: Practices vs. Limitations

Current Practice

- **Software companies** actively integrating AI in processes.
- **Vietnam Invention Association** members using AI to exploit patents.
- **WIPO trademark** searches and inventive idea assessments are already AI-assisted.

Critical Limitations

- **Superficiality:** Reliance on free AI tools requires heavy verification.
- **Education Gap:** Training limited to 'guidance sessions' rather than formal academic incorporation.
- **Verification:** The 'black box' problem requires manual source checking.



Strategic Implications for Stakeholders

For Developers & Deployers

- **Prepare for "Transparency by Design".**
- **Action:** Implement labeling for AI-generated content immediately to meet March 2026 compliance.

For Investors

- **Leverage New Mechanisms.**
- **Action:** Look for "Sandbox" opportunities and state-supported infrastructure vouchers. Resolution 57 "Risk Tolerance" favors venture capital.

For Legal Counsel

- **Monitor & Interpret.**
- **Action:** Monitor upcoming decrees on "AI Authorship" (Art 6). Utilize Text/Data mining exceptions (Art 7) for compliant model training.

AI in IPR Acquisition

01

Automated
Searches

Streamlining prior
art searches
efficiently.

02

AI-Assisted
Drafting

Enhancing patent
application
preparation
processes.

03

Examination
Efficiency

Boosting
productivity in
patent evaluations.

Utilization of IPRs

01

AI-Powered
Surveillance

Monitors IP rights
effectively and
efficiently.

02

Licensing
Analytics

Enhances
strategies through
data-driven
insights.

03

Portfolio
Management

Streamlines
valuation and
management
processes.

Challenges and Opportunities

01

Data Quality
Risks

Inaccurate data
can lead to bias.

02

Legal
Uncertainties

Regulations need
clear definitions of
AI.

03

Skilled
Workforce

Demand for
**trained
professionals** is
increasing.

Opportunities

01

Increased
Efficiency

AI streamlines
processes for
better results.

02

Enhanced
Ecosystem

Fosters
collaboration and
innovation growth.

03

New Business
Models

Drives unique
ventures in AI and
IP.

Strategic Recommendations

01

Strengthen Legal Frameworks

Address AI-IP intersections effectively and comprehensively.

02

Promote AI Literacy

Enhance knowledge among IP professionals significantly.

03

Encourage Collaboration

Foster cross-sector investment and partnerships actively.



A Human-Centric Future

“Artificial intelligence serves humans and does not replace human authority and responsibility.” — Law on Artificial Intelligence, Article 4

Vietnam is building a regulatory environment that balances the speed of innovation with the safety of society—moving from reactive pilots to proactive national governance.

Based on analysis by Vu Manh Hung
Lawyer/IP Attorney, Vice President of Vietnam Invention Association
Tokyo, Feb 12, 2026



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Thank You

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