Linklaters



IP BITES

Asia and Middle East Intellectual Property Update

Issue 3, 2026

We are delighted to present the third issue of our IP newsletter for 2026.

The second quarter of 2026 has seen significant intellectual property developments across Asia and the Middle East. Highlights include China's revised trademark law, which will come into force in 2027. Vietnam's IP law amendments have also taken effect in April this year. You will also read about the Japanese Supreme Court's first ruling on copyright protection for applied art, as well as India's reaffirmation of the human inventorship requirement in the context of AI-generated inventions. Against a backdrop of rapid technological change and growing regulatory activity around AI, we trust that these updates will assist you in navigating the evolving IP landscape across our region.



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VIETNAM
April 2026

Amendments to Intellectual Property Law Take Effect

Vietnam's amended Intellectual Property Law (Law No. 131/2025/QH15) came into effect on 1 April 2026, introducing a range of reforms across patents, trademarks, industrial designs and copyright. Key changes include streamlined examination timelines, enhanced online enforcement measures, recognition of partial and non-physical designs, and new provisions aimed at facilitating the commercialisation of IP rights, including their use as collateral.

MAINLAND CHINA
April 2026

Supreme People's Court Releases Typical IP Cases and Inventorship Guidance

On 20 April 2026, the Supreme People's Court released its 2025 Typical Intellectual Property Cases during IP Publicity Week, covering trademarks, patents, copyright, trade secrets and unfair competition. These selections provide practical judicial guidance on emerging issues in enforcement, claim construction and fair competition, reinforcing protection for innovation and brand rights.

JAPAN
April 2026

Supreme Court Clarifies Copyright Protection for Applied Art

On 24 April 2026, Japan's Supreme Court issued its first judgment on the copyrightability of works of applied art. The Court held that industrially produced items may qualify for copyright protection where their shape, pattern or colour combination amounts to a creative expression, offering greater clarity for design-led industries in disputes involving functional products with artistic elements.

INDIA
April 2026

Patent Office Rejects DABUS Application and Reaffirms Human Inventorship Requirement

The Indian Patent Office ruled that an AI system cannot be named as an inventor under the Patents Act 1970 ("**Act**"). The application identified the DABUS AI system as the "true and first inventor", but the Office found that the definition of inventorship under the Act is limited to natural persons capable of holding and transferring legal rights. It also clarified that ownership of the AI system or its source code does not, by itself, establish entitlement to an allegedly AI-generated invention.

SOUTH KOREA
April 2026

New AI, Data and IP Information Portal Launched

On 22 April 2026, South Korea's Ministry of Intellectual Property launched a dedicated "AI, Data and IP" webpage through the Korea Institute of Intellectual Property. The portal consolidates research, policy materials and guidance on AI-related intellectual property issues, reflecting growing business and regulatory interest in the area.

HONG KONG SAR
May 2026

Refined Proposals Issued on IP Tax Deduction Regime

The Hong Kong Government issued a Legislative Council brief paper setting out refined proposals to enhance the intellectual property tax deduction regime following a two-month stakeholder consultation. Key refinements include permitting deductions for certain acquisition costs of IP acquired from associated enterprises, allowing deductions for upfront licence fees that constitute capital expenditure, and clarifying the treatment of franchise arrangements.

MAINLAND CHINA
May 2026

Draft Guidance Issued on Patent Dispute Administrative Adjudication and Mediation

On 25 May 2026, China's National Intellectual Property Administration (CNIPA) published for public consultation draft guidelines on patent dispute administrative adjudication and mediation, aimed at standardising procedural and evidentiary approaches across local IP authorities. The consultation closed on 9 June 2026, with a final version of the guidelines to follow.

MAINLAND CHINA
June 2026

Revised Trademark Law Passed

The Standing Committee of the National People's Congress passed the revised Trademark Law, effective 1 January 2027. The revised law introduced a number of significant changes. It further bolsters the position against bad faith filings and extends registrability of trademarks to dynamic trademarks.

HONG KONG SAR
June 2026

Government Advances IP Financing Initiatives

The Hong Kong Government provided an update on its recent initiatives to promote intellectual property financing. It confirmed that the IP Financing Sandbox has seen its first approval, and a two-year Pilot Patent Valuation Support Scheme for eligible SMEs is expected to launch in Q3 2026.

Team news

Sher Hann Chua recognised in WIPR Leaders 2026

Sher Hann Chua has again been recognised as a leading IP practitioner in the World IP Review Leaders 2026, where she is listed as Highly Recommended. This continues a strong track record of recognition for Sher Hann in leading international IP rankings.

Upcoming events

We will be attending the Asian Patent Attorneys Association Annual Meeting (29 November – 2 December, Hong Kong). See you there!

Recent awards

Our Asia TMT/IP team has been shortlisted as Law Firm of the Year – TMT at the Legal 500 Southeast Asia Awards 2026. In addition, we were awarded Asia-Pacific Law Firm of the Year and India International Law Firm of the Year at the Chambers Asia-Pacific and Greater China Region Honours 2026.

Linklaters celebrates 50 years in Hong Kong

We recently celebrated a significant milestone: 50 years in Hong Kong SAR. Our golden jubilee is a moment to reflect on the relationships, achievements and contributions that have shaped our presence in the region, and we are grateful to all the clients, colleagues and communities who have been part of our story. We look forward to the next chapter.

Key contacts



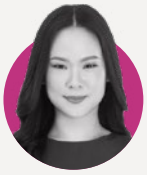
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