Linklaters



IP BITES

Asia and Middle East Intellectual Property Update

Issue 4, 2026

Welcome to the final issue of our IP newsletter for 2026!

This quarter's bulletin reflects the remarkable pace at which IP frameworks across Asia-Pacific and beyond are being reshaped by the rise of AI. From Japan's new principles-code for generative AI to public consultations in Singapore and Malaysia on how IP law should respond to AI, policymakers are grappling with questions that will define the next era of innovation. I was glad to have Yeung Kai join me for the webinar we presented to the Malaysian Intellectual Property Association in September on agentic AI and IP, and very much look forward to speaking at the Games Industry Law Summit On Tour in Porto this October. See you at the Asian Patent Attorneys Association's (APAA) annual meeting in Hong Kong from 29 November to 2 December!



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VIETNAM
July 2026

Decree 186 overhauls administrative enforcement of industrial property rights

Vietnam's Decree No. 186/2026/ND-CP took effect on 15 July 2026. Key changes include: (i) removing notarisation and legalisation requirements for powers of attorney in administrative enforcement proceedings; (ii) expressly extending the Market Surveillance Agency's jurisdiction to infringements in commercial service businesses; (iii) empowering the Intellectual Property Office of Vietnam to impose administrative penalties directly; and (iv) introducing domain name access blocking as a new remedy against online infringement.

MALAYSIA
July 2026

Public consultation on amendments to Copyright Act

The Intellectual Property Corporation of Malaysia (MyIPO) conducted a public consultation on the proposed amendments to the Copyright Act from July to August. Amongst others, the consultation paper sought views on the introduction of a text and data mining exception to copyright infringement, artist's resale right framework, reversion rights, and on stronger protection for technological protection measures and rights management information.

JAPAN
August 2026

New principles-code on IP protection and transparency for AI use

The Government published the Principles-Code for Protection of Intellectual Property and Transparency for the Appropriate Use of Generative AI (provisional English translation here), which is a non-binding code applicable to generative AI developers and providers. The code sets forth principles that generative AI businesses should adhere to, namely the transparency of AI use and measures used to protect IP rights, and responding to disclosure requests by rightsholders and users.

UAE
August 2026

Ministry of Economy and Tourism launches Collective Management in Music Guide

The Ministry of Economy and Tourism launched the Collective Management in Music Guide, issued under Ministerial Resolution No. 136 of 2026 on the Adoption of the Collective Management in Music Guide, setting out a framework for licensing, collecting and distributing payments for music copyright and related rights. Educational institutions, government entities and non-commercial events are exempted from the fee collection by CMOs which will begin in December 2026.

INDIA
August 2026

Patent Office issues guidelines for the use of AI in patent examination

The Office of the Controller General of Patents, Designs and Trade Marks published its Guidelines for the Use of AI in Patent Examination Procedures. The guidelines apply to AI use in examination tasks such as screening, classification, search, translation support, drafting support and technical comparison. The input of unpublished patent application material into public generative AI tools is prohibited, and AI-generated citations that cannot be independently verified must be discarded.

SINGAPORE
August 2026

Public consultation on IP regime's response to artificial intelligence

The Ministry of Law (MinLaw) and the Intellectual Property Office of Singapore jointly (IPOS) launched a public consultation on how Singapore's IP framework should adapt to AI. The public consultation paper seeks to understand how existing regulatory frameworks surrounding copyright protection and patents can be adapted to better accommodate, or regulate, the prevalent use of AI within the creative and technological industries. The public consultation closes on 22 October 2026.

MAINLAND CHINA
September 2026

Supreme People's Court seeks comments on draft judicial interpretations ahead of amended Trademark Law

The Supreme People's Court (SPC) published two draft judicial interpretations for public comment ahead of the amended Trademark Law taking effect on 1 January 2027. Specifically, under the drafts, civil disputes arising from facts occurring after 1 January 2027 will be governed by the amended law, while earlier facts remain governed by the law then in force, unless the conduct continues past that date. Comments close on 28 October 2026.

HONG KONG SAR
September 2026

Proposed text and data mining copyright infringement exception amendment deferred

The Government has delayed the introduction of the Copyright (Amendment) Bill 2025 to the Legislative Council, which aimed to introduce a text and data mining exception with an opt-out mechanism (read our previous update here).

HONG KONG SAR
September 2026

First Five-Year Plan and 2026 Policy Address advance IP and technology reforms

The Chief Executive delivered the 2026 Policy Address alongside the inaugural Five-Year Plan. Read about the AI-related updates here. The Policy Address also outlines reforms to further position Hong Kong as a regional IP trading centre, including the launch of the next phase of the IP financing sandbox and tax deductions for IP rights expenditure, and the establishment of a new Strategy Committee on Intellectual Property Trading Development.

Team news

Sher Hann Chua recognised in Lexology Index SEA – Franchising and IAM Strategy 300

Sher Hann Chua has been ranked as one of the world's leading IP strategists and an expert in Franchising from Lexology Index SEA and IAM Strategy 300. This continues a strong track record of recognition for Sher Hann in leading international IP rankings.

Sam O'Neill joins us in Dubai

We are delighted to welcome Sam O'Neill, who leads our TMT/IP practice in Dubai. Sam brings a wealth of experience advising government, sovereign wealth-backed and multinational clients across the Middle East on strategic technology transactions, data protection, cybersecurity and AI governance.

Agentic AI and IP webinar for the Malaysian Intellectual Property Association

Sher Hann Chua and Yeung Kai Ho spoke to members of the Malaysian Intellectual Property Association (MIPA) and representatives from the Intellectual Property Corporation of Malaysia (MyIPO) on "Agentic AI and Your IP Playbook" on 24 September 2026.

Linklaters at the Games Industry Law Summit On Tour

Sher Hann Chua will be speaking at the Games Industry Law Summit On Tour in Porto, Portugal, on the "Legal Radar: Hong Kong SAR" session, sharing insights on Hong Kong's role in the global gaming industry during this three-day conference running from 6 to 8 October 2026.

DEAL ANNOUNCEMENTS

- We advised United Overseas Bank Limited on the proposed sale of its regional asset management business to Allianz Global Investors for US$434m. Read more here.
- We advised Grab on its proposed US$1.49bn acquisition of majority stake in Atome Financial. Read more here.
- We advised ESR on its proposed acquisition of 100% of Aquila Clean Energy APAC. Read more here.

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