

IPR FOCUS

DENTAL SECTOR IN VIETNAM

Desk for Intellectual Property Rights Assistance
and Protection and Trade Barriers



Ho Chi Minh City Office

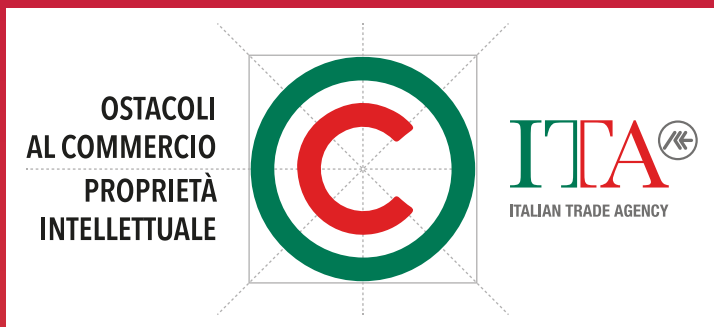


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Desk for Intellectual Property Rights Assistance and Protection and Trade Barriers

Ho Chi Minh City Desk – August 2026

Italian Trade Commission

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INDEX

1. INTRODUCTION	5		
2. INTELLECTUAL PROPERTY PROTECTION	5		
2.1. Main IPR Considerations for Dental	5		
2.2. Practical Considerations	6		
3. MAIN IP ISSUES FOR DENTAL BUSINESSES IN VIETNAM	6		
3.1. Patent Protection and Freedom-to-Operate	6		
3.2. Implant “Compatible” Products and Aftermarket Components	7		
3.3. Software Piracy and “Cracked” Dental Software	7		
3.4. Mapping IP Assets in AI and Digital Dentistry	8		
3.5. Technology Transfer into Vietnam	8		
		3.6. Trade Secrets, Know-How and IP Ownership with Vietnamese Partners	9
		3.7. Counterfeits, Grey Market and Unauthorized Distribution	9
		3.8. Trademarks, Brand Architecture and Packaging	9
		3.9. Applying Industrial Designs from Dental Chairs to Digital Interfaces	10
		3.10. Choosing the Right Tools for IP Enforcement	10
		4. IMPORTATION OF DENTAL PRODUCTS INTO VIETNAM	11
		4.1. Importation Dossier	11
		4.2. Customs Clearance Procedures	11
		4.3. Customs Duties	12
		5. CONCLUSIONS	13

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DESK FOR INTELLECTUAL PROPERTY RIGHTS ASSISTANCE AND PROTECTION AND TRADE BARRIERS

**HO CHI MINH CITY DESK – AUGUST 2026
ITALIAN TRADE COMMISSION**

1. INTRODUCTION

This IPR Focus provides Italian companies with an overview of the main intellectual property issues affecting the dental sector in Vietnam, covering dental equipment, implants, digital dentistry solutions, dental materials, oral-care products, dental software, and related services.

For these businesses, intellectual property protection is not merely a legal formality but a core element of market entry and competitive strategy in Vietnam. This paper highlights the IP issues that dental businesses should consider when entering or operating in Vietnam.

2. INTELLECTUAL PROPERTY PROTECTION

As with other healthcare and technology-based sectors, intellectual property plays a central role in market entry and business expansion. Proper IP protection helps companies preserve goodwill,

secure distribution channels, control brand use, and prevent unfair exploitation by local partners or competitors.

2.1. MAIN IPR CONSIDERATIONS FOR DENTAL

Companies operating in the dental sector should consider protecting the following IP assets in Vietnam:

- trademarks for company names, product names, logos, clinic names, and brand lines;
- industrial designs for the external appearance of dental devices, packaging, instruments, aligner boxes, implant kits, and product containers;
- patents or utility solutions for dental technologies, materials, devices, treatment-related technical solutions, CAD/CAM systems, scanners, and manufacturing processes;
- copyright for catalogues, manuals, training materials, software interfaces, marketing content, and visual materials;

- trade secrets and know-how for manufacturing processes, formulations, clinical protocols, customer databases, and technical training materials.

The brand reputation of dental products is closely linked to their safety, quality, and professional trust. A counterfeit dental product or unauthorized use of a trusted brand will create not only commercial loss but also reputational and regulatory risks for the brand and its reputation.

2.2. PRACTICAL CONSIDERATIONS

Italian and/or European trademark, patent, or design registrations do not automatically extend to Vietnam. In most cases, enforceable protection in Vietnam requires local registration or valid international extension designating Vietnam.

Protection based solely on use or reputation is very limited. Therefore, companies should register their important IP rights before entering

the market, appointing distributors, attending trade fairs, disclosing technologies, or launching products in Vietnam.

In particular, companies should secure protection before providing samples, catalogues, technical drawings, software demos, or manufacturing specifications to potential partners.

3. MAIN IP ISSUES FOR DENTAL BUSINESSES IN VIETNAM

The following are important IP issues that dental businesses should consider when entering or

operating in Vietnam.

3.1. PATENT PROTECTION AND FREEDOM-TO-OPERATE

For manufacturers of implants, scanners, CBCT systems, orthodontic devices, handpieces, CAD/

CAM equipment, and AI-assisted diagnostic tools, the main question is not only whether the

technology is patented, but also whether it can be commercialized in Vietnam without infringing third-party patents. Businesses should consider conducting freedom-to-operate (FTO) reviews before launching new technologies in Vietnam, particularly for implant structures and connection systems, scanner and image-processing

technologies, CAD/CAM systems, and AI-assisted treatment-planning tools.

Patent protection and FTO analysis should be considered together. Owning a patent does not necessarily mean that commercialization of the patented product is free from third-party patent risks.

3.2. IMPLANT “COMPATIBLE” PRODUCTS AND AFTERMARKET COMPONENTS

A third party may sell components described as “compatible with [Brand]” or “replacement for [Brand] implant systems.” Such products are not necessarily straightforward counterfeits. Businesses need to distinguish between legitimate compatibility references, trademark

misuse, patent infringement, unfair competition, and counterfeit products.

Companies should develop an IP strategy specifically addressing compatible and aftermarket products, rather than focusing only on obvious counterfeit goods.

3.3. SOFTWARE PIRACY AND “CRACKED” DENTAL SOFTWARE

Modern dental practices rely heavily on software for CAD/CAM, implant planning, digital smile design, orthodontic treatment planning, CBCT/ image analysis, intraoral scanning, 3D printing, and clinic management. Unauthorized or “cracked” versions of dental software create a significant commercial problem for software developers and technology providers. The risk includes unauthorized multi-device installation from a single licence, cracked software bypassing

activation keys, unauthorized sharing between clinics or laboratories, and local technicians providing unauthorized copies or activation tools.

Software piracy should be seen as an IP and business risk problem for digital dentistry companies, not just an IT issue. Businesses need to do copyright documentation, licence management, software audit mechanisms, distributor controls, and appropriate enforcement measures.

3.4. MAPPING IP ASSETS IN AI AND DIGITAL DENTISTRY

AI is increasingly integrated into dental X-ray analysis, caries detection, periodontal assessment, implant planning, orthodontic planning, and treatment recommendations. This raises questions about who owns the AI system, the training data, the algorithm, AI-assisted outputs, and improvements generated through use. A modern dental technology company may own far more IP than it realizes - including patents for device technology, copyright and trade secrets for software and algorithms,

industrial designs for product appearance and interfaces, and trademarks for brands across multiple product lines.

Digital dentistry businesses should conduct an IP asset mapping exercise, rather than treating the physical medical device as the only IP asset. Vietnam's 2025 IP amendments (effective 1 April 2026) have expanded protection around industrial designs and address IP issues associated with AI.

3.5. TECHNOLOGY TRANSFER INTO VIETNAM

Under Vietnam's technology-transfer framework, the objects of technology can include technical processes, solutions, designs, algorithms, formulas, software, information, and data. This is relevant where an overseas dental company licenses technology, provides proprietary manufacturing know-how, transfers dental software with technical know-how, or collaborates with a Vietnamese technology partner. Registration is mandatory for certain technology-transfer transactions, including transfers from overseas into Vietnam, and the contract's effectiveness is linked to issuance of a Certificate of Registration.

Before implementing a cross-border dental technology licence or cooperation arrangement in Vietnam, businesses should determine whether the arrangement constitutes a technology transfer requiring registration, or merely a software licence. That distinction can have significant implications for validity and implementation.

3.6. TRADE SECRETS, KNOW-HOW AND IP OWNERSHIP WITH VIETNAMESE PARTNERS

Not all dental technology should necessarily be patented. Trade secrets may include formulations, manufacturing parameters, surface-treatment processes, material compositions, calibration data, AI training methods, and technical troubleshooting knowledge. Companies should identify which elements should be patented versus kept confidential. This is particularly important when technology is shared with local distributors, manufacturers, technicians, or laboratories.

Additionally, dental companies frequently collaborate with Vietnamese dentists, hospitals, universities, laboratories, and software developers. This creates important questions about who owns the resulting patent or software, who owns improvements, and whether the local partner can commercialize the technology independently. The safest approach is to resolve ownership and publication issues before the collaboration begins.

3.7. COUNTERFEITS, GREY MARKET AND UNAUTHORIZED DISTRIBUTION

Dental businesses should distinguish between counterfeit goods, grey-market/parallel-imported genuine goods, unauthorized distributors, compatible third-party products, and online sellers - as these scenarios require very different strategies. Potential measures include trademark and patent enforcement, customs measures,

online enforcement, investigation, administrative action, and civil litigation. For medical and dental products, counterfeit products may also create patient-safety and regulatory concerns, making enforcement more urgent than in ordinary consumer-goods contexts.

3.8. TRADEMARKS, BRAND ARCHITECTURE AND PACKAGING

International dental businesses often have multiple layers of branding such as corporate brand, technology brand, product family, product name,

software name, and AI platform name. A Vietnam trademark strategy should go beyond registering a single house mark. Additionally, dental products

are often sold in distinctive packaging where brand trust and product presentation are very important. Competitors may not copy the exact trademark but may imitate the overall packaging appearance, creating confusion among dentists, clinics, and laboratories.

Businesses should consider protection of the overall commercial presentation of their products, not merely the word mark. Protection may involve trademarks, industrial designs, copyright, and unfair competition provisions.

3.9. APPLYING INDUSTRIAL DESIGNS FROM DENTAL CHAIRS TO DIGITAL INTERFACES

Industrial design protection is relevant to dental chairs, handpieces, equipment housings, control panels, scanner bodies, display modules, and packaging. Following Vietnam's 2025 IP amendments (effective 1 April 2026), the scope and treatment of industrial designs have been updated.

For digital dentistry businesses, the question is increasingly whether protection extends not only to the physical appearance of the machine, but also to relevant visual elements of digital products. This makes design protection a potential complement to patent and copyright protection.

3.10. CHOOSING THE RIGHT TOOLS FOR IP ENFORCEMENT

When infringement is identified, businesses should first determine what they are dealing with - patent infringement, trademark infringement, copyright infringement, industrial-design infringement, unfair competition, trade-secret misuse, or contractual breach. A single infringing product may implicate several rights at once. The appropriate response may include cease-and-desist letters, administrative enforcement,

customs measures, civil proceedings, criminal referral in serious cases, online platform takedowns, or settlement/licensing.

4. IMPORTATION OF DENTAL PRODUCTS INTO VIETNAM

Dental products consist of a broad range of items, including dental equipment, dental implants, digital dentistry solutions, dental materials, oral care products, dental software, and related services. However, due to the limited scope of this informative note, we will focus solely on the importation of dental equipment.

In general, dental equipment is classified as a type

of medical device and is regulated by Decree No. 98/2021/ND-CP on the management of medical devices, Circular No. 05/2022/TT-BYT, and their respective amendments and supplements. Set out below is a brief overview of the documentation requirements and import procedures applicable to dental equipment in Vietnam.

4.1. IMPORTATION DOSSIER

The importation dossier is as follows:

- Import declaration
- Commercial invoice
- Bill of Lading
- Certificate of origin (if applicable)
- Packing list
- Medical device classification certificate
- Receipt of Application for declaration of applicable standards of medical devices (for medical devices type A and B)
- Certificate of Free Sale for Medical Devices (for medical devices type C and D)
- Importation permit (if applicable)

4.2. CUSTOMS CLEARANCE PROCEDURES

The customs declaration may be submitted before the arrival of goods or within 30 days from the date of arrival. Typical customs workflow is as follows:

- Prepare import dossier
- Submit dossier to Customs
- Customs review dossier
- Customs notify applicable taxes and fees
- Importer pays taxes
- Goods released
- Delivery to warehouse or distributor

4.3. CUSTOMS DUTIES

The importation of dental products into Vietnam may be subject to import duties, depending on the nature and classification of the products concerned. In particular, import duty is generally determined based on:

- the applicable HS Code;
- the corresponding tariff schedule;
- and the availability of preferential treatment under any relevant bilateral or multilateral trade agreements to which Vietnam is a party.

The import duty rate for dental products is not uniform and varies depending on the specific type of product. For example, different duty rates may apply to dental equipment, dental instruments, dental materials, implants, and other related products, as each category may be classified under a different HS Code.

Accordingly, a case-by-case classification assessment is required to determine the correct tariff treatment and the applicable import duty rate. Importers may also benefit from preferential or special preferential import duty rates where the products satisfy the relevant rules of origin and documentary requirements under applicable free trade agreements. In addition to import duty, other taxes, such as value-added tax, may also be imposed in accordance with Vietnamese tax regulations.

5. CONCLUSIONS

Vietnam's dental sector offers attractive opportunities for Italian companies, particularly in premium dental equipment, implants, orthodontics, digital dentistry, AI-assisted diagnostics, and dental materials. However, the sector also presents significant IP risks - from patent freedom-to-operate concerns and software piracy to compatible-product competition, technology-transfer compliance, and counterfeit goods. Companies that actively manage their IP position will be better placed to protect their investments and compete effectively.

The most effective strategy is preventive. Companies should register their IP rights in Vietnam before market entry, conduct FTO analysis before product launch, implement software licence controls, structure technology-transfer arrangements carefully, resolve IP ownership before collaborations begin, and monitor the market continuously. Without local registration and a comprehensive IP strategy, enforcement options may be significantly limited.

To protect dental brands and technologies in Vietnam, companies should consider the following steps:

- register important trademarks, patents, utility solutions, and industrial designs before market entry;
- conduct freedom-to-operate reviews before launching new technologies or products in Vietnam;
- conduct an IP asset mapping exercise covering patents, copyrights, trade secrets, designs, and trademarks across all product lines;
- implement software licence management, audit mechanisms, and anti-piracy measures for dental software;
- determine whether cross-border technology arrangements require registration as technology transfers under Vietnamese law;
- resolve IP ownership and confidentiality issues before collaborating with Vietnamese partners, distributors, or research institutions;
- include strong IP ownership, trademark-use, confidentiality, audit, and termination

clauses in distribution and licence agreements;

- conduct regular online and offline monitoring and coordinate with local counsel to determine the most effective enforcement route when infringement is detected.

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