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## Intellectual Asset Management in Universities

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### Abstract

The article focuses on clarifying approach and content intellectual asset (IA) management in universities, analysing the current state of IA management activities at several universities in Ha Noi. Based on secondary data from university publications and primary data collected through surveys of 50 lecturers and scientists from 9 universities in

Ha Noi, the article identifies limitations in both the models and the content of IA management within these institutions. Accordingly, the article proposes recommendations to strengthen IA management practices in general and in particular for universities specialised in economics and business administration.

**Keywords:** Intellectual Property (IP), Intellectual Asset Management, Intellectual Property Rights

### 1. Introduction

Intellectual assets (IA) are tangible assets that include property rights over inventions, trademarks, industrial designs, geographical indications... as well as copyrights, related rights, rights over plants and genetic materials. Identifying and implementing reasonable policies for managing IAs within universities is essential to facilitate asset development, protect property rights and maximise their benefits for both universities and society.

Previous studies on IA management in universities, such as those by Ngo Minh Cach (2021)<sup>[9]</sup>, Asifa P. Nanyaro (2020), Pham Thi Thuy Hang *et al.* (2018)<sup>[7]</sup>, Tran Van Hai (2010)<sup>[6]</sup>, have primarily focused on asset identification and model development for IA commercialization through technology transfer. However, these studies lack a comprehensive approach, particularly regarding asset development, protection, and commercialization within economics and business administration faculties.

By using descriptive statistical methods, this study analyzes secondary data from university reports and primary data from surveys of 50 lecturers across 9 universities in Ha Noi's economics and business administration departments. The findings highlight limitations which need improvement in IA management to enhance efficiency and effectiveness, especially in these faculties.

### 2. Theoretical issues in intellectual asset management in universities

#### 2.1 Identification of intellectual assets in universities

According to the World Intellectual Property Organization (WIPO), "Intellectual assets are assets created from intellectual knowledge and human creativity, including intellectual elements that individuals or organisations can control or establish ownership rights" (Intellectual Property Office of Vietnam, 2013)<sup>[3]</sup>. These include literary and artistic works, inventions, databases, operational procedures, trade secrets, technology knowhow, etc.

Meanwhile, the Intellectual Property Law in 2005 and its amendments (2009, 2022) approaches IA as property rights related intellectual property, which include: Copyright and related rights to copyright (e.g. literary, artistic, fine arts, scientific works, recordings, performances, etc.); Industrial property assets (e.g. trademarks, inventions, geographical indications, trade names, integrated circuit layout designs, industrial designs); Assets associated with plant varieties and genetic materials.

Universities generate and manage various types of IAs, including assets generated internally (created by individuals or groups within the organisation using their own resources), assets transferred from external sources, and co-owned assets formed through collaboration (Nguyen Quoc Think *et al.*, 2022)<sup>[13]</sup>. The most common types are:

- Educational program and educational technology (education programs, program development and implementation).

- Learning materials (text books; reference books, learning materials; scientific articles; presentations, videos and databases, images; training support software, etc.)
- Industrial property assets (trademarks, inventions and utility solutions; trade secrets such as strategies, internal information, university databases; industrial design)
- Brand identity elements (website interface, fanpage; publications, private images, promotional videos, etc.)

In technical and scientific universities, assets such as inventions, industrial designs are highly noticed whereas in economics and business administration universities, copyrights and related rights of copyright are more common, therefore, in many cases they are less concerned with IA protection.

## 2.2 Content and models of intellectual asset management in universities

According to Nguyen Quoc Thinh (2022) <sup>[13]</sup>, “IA management involves orientations, decisions, and actions towards creation, control, ownership establishment, utilisation, and legal protection with IA of organisation and individuals”. Thus, IA management needs an approach in both strategic thinking and practical implementation, including main contents: Asset source management, property right management, and asset utilisation management (Nguyen Quoc Thinh, 2019, 2020) <sup>[11, 12]</sup>.

- Asset source management involves maximising resources to generate IA, including partnerships and identification of asset transfer from outside of universities; identification of IAs inside universities. Important issue in management of IA is building a humanistic and innovative work environment, therefore harnessing the full potential of the team (intellectual capital).
- Property rights management involves establishing ownership; defining rights and responsibilities among stakeholders towards IA; protecting and handling infringement and dispute situations. Important matter that needs attention in property right management is effectively implementing and protecting rights, in order to create motivations and stimulate the creative process as well as maximise the exploitation of intellectual property.
- Asset utilisation management brings benefits and motivations, in the form self-exploitation to serve activities of organisation or transfer to interested parties. Asset utilisation in universities can be used for both commercial and non-commercial purposes. IA management in universities typically follows two primary approaches:

- (a). Administrative management approach focuses on controlling formation process and identify ownership of IAs through two well-known models: *Open management model* which focuses on asset development (best possible conditions, promotions, encourages the formation of assets and utilize assets, such as international promotion, implement scientific researches, develop textbooks, reference materials, etc.); *Closed management model* which involves property rights (establishment the terms of use, regulations on copying, distributions of assets,

infringement enforcement, efforts to register for asset protection, define rights and benefits among stakeholders.

- (b). Economic approach which focuses on IA creation and utilisation, either through *centralised model*, accordingly universities manage directly all the procedures from creating sources, rights management to assets commercialization, etc. and normally by functional department on behalf of the university; or *specialised model* (spin out/spin off) (establishment of university-affiliated business or joint venture between university and external organisations to collect and transfer IAs (Asifa P. Nanyaro, 2000) <sup>[8]</sup>. IAs owners can negotiate directly with enterprises to commercialise their assets).

Different models will serve specific purposes in IA activities in universities and have certain benefits and drawbacks. However, the spin off model is currently receiving a lot of attention and encouragement to apply in universities, research institutes.

## 3. Current state of intellectual asset management in Vietnamese universities

Besides secondary data collected from intellectual property reports, evaluation articles about intellectual property activities in universities, research articles, publications and from several university websites, group of researchers collected primary data from interviews and surveys of 50 lecturers and scientists from 9 universities in Hanoi: Foreign Trade University, National Economics University, Thuongmai University, Vietnam Academy of Finance, University of Technology and Management, Business Administration faculty from Hanoi University of Natural Resources and Environment, Economics and Management faculty from Hanoi University of Mining and Geology, Economics and Management Institute from Hanoi University of Science and Technology, Business Administration faculty from Hanoi University of Industry. Selection of the subjects for the surveys was purposefully conducted with lecturers, experienced scientists who had many scientific works and transferred many IA activities.

### 3.1 Current management models and identification of intellectual assets in universities

According to published regulatory documents from several universities, it can be seen that most universities surveyed apply an administrative management approach, which focuses on issuing regulations on the development of asset resources with some exceptions such as Hanoi National University (VNU-HN), Ho Chi Minh National University (VNU-HCM), University of Medicine and Pharmacy. Common regulations include:

- Regulations on the procedure of textbooks, reference books, and monographs; policies for publication of scientific articles, mandatory regulations on research quota (number of publications, scale and level of works, etc.)
- Regulations on managing and sourcing scientific articles (budget or investors); regulation on research collaboration and copyrights related to research results of lecturers and students.
- Regulation on utilising textbooks, learning materials, references from different sources, etc.

IA management using an economic approach is often applied in technical universities, such as VNU-HCM, VNU-HN, Thuyloi University, Thai Nguyen University of Agriculture and Forestry, Hanoi University of Mining and Geology.

Centralised management model is applied at VNU-HCM, VNU-HN, Thai Nguyen University of Agriculture and Forestry, Thuyloi University, where IA commercialization is centralised through a main body (IP and Technology Transfer Center or Science and Technology Management Office). The regulations of these universities are often issued independently with those related to scientific and technological activities, emphasising the copyright transfer in registering IP protection, especially patents; clearly defining the profit-sharing ratios from transferring the research results between stakeholders and encouraging owners (individuals and groups) to actively participate in science and technology fairs, technology exchange platforms.

For most universities that solely offer education in economics and business administration, such as National Economics University, Foreign Trade University, Thuongmai University, Vietnam Academy of Finance, Vietnam Academy of Banking, etc. the management models primarily focus on scientific and technological activities, with less emphasis on intellectual property protection and commercialization. This is likely due to the nature of the fields of study and research at these universities, where the assets mainly belong to authorship and related rights, making the protection of these assets less prioritised.

An examination of IP documents from several universities reveals that these documents do not list all IA and mainly mention primary assets such as textbooks, reference/monograph materials, learning systems, research results, scientific journals, software systems or other IA defined by current laws. Clearly, such identifications pose challenges to the management of IA in universities. A range

of assets seems to be overlooked in these regulations, such as: Training technologies, confidential assets of university operations (strategies, databases, etc.) brand identification system, website interfaces, fan pages, media publications/promotional videos, and training software systems.

The result from the survey of 50 lecturers and scientists shows that management documents related to IP mostly cover: Regulations on textbooks, reference materials, and monographs; regulations related to scientific research activities; regulations on transferring research results; regulations supporting international publications. Only two universities have regulations on defining rights and benefits from the transfer of research results, and VNU-HN has an IP strategy. Clearly, the effectiveness and efficiency of the management process rely heavily on the identification of IA.

### 3.2 Current state of protecting and exploiting intellectual assets in universities

A review from Intellectual Property Office of Vietnam database shows that among 14 universities offering programs in economics and business administration, four of them have not registered any trademarks (such as Hanoi University of Mining and Geology, Thuyloi University, Vietnam Academy of Finance and Academy of Banking), whereas some universities have registered a significant numbers of patents, such as VNU-HCM (34 patents), VNU-HN (15 patents), Hanoi University of Science and Technology (29 patents), Academy of Agriculture (11 patents), National Economics University (5 patents), University of Commerce (5 patents), Foreign Trade University (4 patents).

The number of patents and industrial designs is primarily registered by universities offering technical training, and no economic focused universities have registered patents or industrial designs (Table 1).

**Table 1:** Number of intellectual property objects registered for protection by universities

S. No	University Name	Number registered for protection		
		Trademarks	Industrial designs	Inventions/Utility solutions
1	VNU-HN	15	2	134
2	VNU-HCM	34	15	256
3	Hanoi University of Science and Technology	29	6	217
4	University of Mining and Geology	0	2	4
5	Hanoi University of Industry	2	2	4
6	Foreign Trade University	4	0	0
7	Thuongmai University	5	0	0
8	National Economics University	5	0	0
9	University of Transport and Communication	3	3	13
10	University of Natural Resources and Environment	3	0	4
11	Thuyloi University	0	0	1
12	Vietnam Academy of Finance	0	0	0
13	Academy of Banking	0	0	0
14	Academy of Agriculture	11	0	4

**Source:** Summary by the authors from the IP Office of Vietnam (updated until June 2024 - excluding applications under examination or yet to be published)

The survey results of 50 faculty members (25 associated professors, 18 doctors and 7 MBA) shows that 70% (35 individuals) have more than 15 years of experience. The total number of research topics conducted (as lead authors or contributors) is about 180, with 520 scientific articles published. In 2022 and 2023, IP transfer activities including teaching for businesses (160 sessions), project execution for

businesses (16 sessions), consulting (65 sessions), technology transfer (16 sessions), teaching for localities (142 sessions), consulting for localities (25 sessions). These activities may or may not be reported to the university, through contracts signed by the university or university-based unit (centre). Clearly, under the administrative model, the transfer of research results is often significantly limited.

Hence, intellectual property transfer activities mainly focus on teaching, consulting for businesses, the transfer of research results and their applications in business operations remains limited in quantity. Many faculty members have expressed concerns about tools and methods to prevent intellectual property infringement, especially illegal copying of the university's learning materials and databases. With the digital transformation and the widespread of online teaching, unauthorised copying and use of data sources have become more complex. Universities use plagiarism tools, but are typically applied to research topics, text books and theses, not to undergraduate students.

Infringement of intellectual property at universities is relatively popular, such as: Unauthorised use of logos, university branding; attaching logos to personal pages without permissions; misleading information about university's activities that could confuse the public; registering domain names identical to the university's brand name, and creating links to infringing services. However, in the past three years, there have been no reported legal actions or disputes over these infringements. As evidence, the protection of IP in universities' online environments is still limited and underemphasized, partly due to outdated legal regulations.

The analysis of current management of IA in universities highlights several key limitations: Universities have not fully identified all their IA and mostly still focus more on asset formation rather than transfer and commercialization; Security measures are still underemphasized at many universities; Infringement control has not been rigorously implemented.

#### 4. Suggestions to enhance intellectual assets management in Universities

The rapid digital transformation presents significant challenges for IA management in universities, especially concerning copyrights and related rights in the digital environment. Therefore, universities must proactively manage their intellectual property, from creation to protection and commercialization.

- Universities need to develop IP policies, based on suggestions from WIPO (based on survey of over 20 leading global universities), emphasising the commercial exploitation of IA to drive innovation and clarify right protection (IP Office of Vietnam, 2013) [3]. Moreover, they can also establish detailed regulations on intellectual property management in universities based on IA commercialization.
- Comprehensive identification of IA, universities should establish a non-redundant, and inclusive system for identifying all types of IA, covering every source and category. This system creates a robust IA database that accounts for all assets they own or are licensed to use. Such a database should include: Asset name, source of asset (self-created or transfer, licensed, or co-owned), protection status (national registration or international registration, registration IDs, application forms, expiration date and renewal status), exploitation status (outcomes, duration and scope of use, transfer or licensing details, scale of exploitation, etc. cessation), protection status (infringement, dispute and resolution status, etc.)
- Universities should implement confidentiality policies for managing IA. These policies must specify the

individuals and groups authorised to access different types of IA. Additionally, universities should promote awareness among lectures and students on the importance of respecting and adhering to IP rights. Under Vietnam's IP law, trade secrets are automatically protected (without formal registration) if they are acquired legally and safeguarded by the owner. Hence, if universities do not apply security measures then in disputes or IP infringement or misappropriation, it will reduce their ability to enforce rights effectively.

- Universities should frequently monitor digital platforms to identify potential cases of IA infringement or unauthorised usage, whether intentional or accidental. This approach can prevent, limit potential damage to the university's reputation, prestige and brand.

#### 5. Conclusion

This article analysed IA management models in universities, which focus on the economic approach applied in some universities, particularly in technical fields, where IAs are categorised as industrial property. For universities in the humanities and social sciences, the management model largely follows an administrative approach, from characteristics of IAs in these institutions, which are predominantly author rights-based. Commercialization and protection for IAs are more active in technical universities, while they receive less attention in universities specialising in economics and business administration. Consequently, various solutions have been proposed to improve IA management in universities, emphasising on planning, identification, and security of IAs.

An issue that the article does not address is the role of state management of IAs in universities, particularly handling infringements, disputes, and development commercialization policies. The limited survey sample size is another area that needs to be addressed in the future studies.

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