



Parichart Monaiyakul

Attorney-at-Law

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Office: Bangkok, Thailand

Practice: Intellectual Property

BIOGRAPHY

Parichart Monaiyakul, an attorney-at-law, is an expert in intellectual property with more than a decade of experience in patent, trademark, and copyright prosecution; enforcement; strategic planning; litigation; client counseling; and transactions. Parichart helps clients in the apparel, electronic, cosmetic, and other industries to protect their well-known and valuable trademarks through negotiation, organizing and managing enforcement activities against counterfeiters, and lobbying the Thai government to develop more effective and efficient anticounterfeiting programs.

Parichart has also assisted and counseled clients in many successful IP pre-litigation matters and litigation actions to obtain and secure the clients' intellectual property rights in Thailand.

EXPERIENCE

- Obtained a favorable Supreme Court judgment on behalf of a French electrical equipment and accessories company in a civil action under the law of passing off. Our litigation strategy was to present each discrete instance of infringement to demonstrate the defendant's bad faith by using similar packaging, product designs, trademarks, orange theme design, and motto in the trade dress of its circuit breakers. The Supreme Court ordered the defendant to cease using the products and awarded compensation to our client.
- Attained a service mark registration for a client in the hotel business over the initial rejection of the Trademark Registrar and the Board of Trademarks in Thailand due to similarity to prior registered trademarks. Our strategy to overcome the ruling focused on the evidence of good-faith use of the mark and our client's distinguished and high standard of service, as well as presenting a forceful argument about the unlikelihood of confusion.
- Assisted a leading manufacturer of elevators and escalators in securing its trade name in Thailand. With our strategic approach through the litigation and negotiation process, we were able to secure the return of the valuable and reputed name to the client.
- Reached an out-of-court settlement, in a cost-effective and timely manner due to our aggressive negotiation, wherein the opposing party ceased its widespread infringement of the trademark of a leading global jewelry manufacturer.
- Stopped the unauthorized use of a well-known mark belonging to a reputed client in the cosmetics industry, even though the infringer had been using our client's mark on its signage for over 10 years with the firm belief that it had a right to do so.
- Defended a leading company in infant and child nutritional products against an allegation of trademark infringement (claims total USD 1,000,000).

EDUCATION

LLM, Chulalongkorn University

LLB, Thammasat University

LANGUAGES

Thai, English