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February 08 2008 - Thailand

Tilleke & Gibbins International Ltd

Significant step made towards accession to Madrid Protocol

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The National Legislative Assembly of Thailand has passed the interim cabinet's proposals regarding Thailand's accession to the [Paris Convention for the Protection of Industrial Property](#) and the [Patent Cooperation Treaty](#).

The [Ministry of Commerce](#), which is responsible for the supervision of the [Department of Intellectual Property](#), has been preparing these proposals for several years. The ministry conducted some research, as well as several public relations campaigns, and suggested amendments to the relevant laws and regulations (eg, the [Trademark Act](#)) in order to comply with international procedures and concepts.

The proposals were submitted to the assembly on December 19 2007. The minister of commerce, Kirik-Krai Jirapaet, provided supporting statements highlighting the reasons why Thailand should accede to the Paris Convention and the Patent Cooperation Treaty. Among other things, Jirapaet stated that Thai citizens face many obstacles in obtaining protection of their IP rights in a wide range of countries. Further, he asserted that because Thai individuals cannot afford to register their IP rights abroad, foreigners may use these rights without paying any royalty.

Jirapaet stated as follows:

"Currently, Thailand gives importance to the promotion of innovation. The new Constitution prescribes that the government must promote inventions or discoveries leading to new knowledge, preserve and develop local knowledge and Thai wisdom, and protect intellectual property."

According to Jirapaet, accession to the Paris Convention and the Patent Cooperation Treaty will be beneficial to Thai inventors. They will be able to apply to the Department of Intellectual Property for the extension of the protection of their rights to any member countries, which will remove the need for hiring foreign attorneys. Jirapaet added that:

"accession to the Paris Convention and the Patent Cooperation Treaty [...] will promote the development of innovation and protect IP rights in Thailand and other countries. Moreover, an increase in Thai IP rights in foreign countries will help to create economic value and arm Thai people with the means to develop technology. This will be beneficial to the nation's economic growth [...] in both the short and long term."

The assembly approved the proposals on January 10 2008. The proposals must now be endorsed by the King. They will then be published in the *Royal Gazette* and forwarded to the ministries concerned. The [Ministry of Foreign Affairs](#) will then notify the [World Intellectual Property Organization](#) of Thailand's intention to become party to the treaties.

This represents a significant step towards Thailand's accession to the [Madrid Protocol](#).

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