

## NOVEMBER 2008 Thailand: Accession to Paris Convention moves PCT closer

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Thailand officially became a member of the Paris Convention for the Protection of Industrial Property (Paris Convention) on August 2 2008, making it the 173rd state to be party to the Convention. The accession to the Paris Convention will have two primary advantages.

Before Thailand's accession to the Paris Convention, Thai nationals were unable to benefit from the priority right if they sought protection in countries which were members of the Paris Convention but not of the World Trade Organization (WTO). As a result of the accession to the Paris Convention, Thai applicants will be able to enjoy the priority date of the application originated from Thailand in filing for patents overseas. The same advantage will apply to nationals from countries that are not members of the WTO, but are members of the Paris Convention, when filing applications in Thailand.

Another advantage is that the accession to the Paris Convention is a mandatory step before joining the Patent Cooperation Treaty (PCT). The PCT will lead to many changes for patent applicants, such as a longer period from the priority date for filing a patent application in the member states. The Department of Intellectual Property (DIP) is now waiting for the outcome of the consideration of the Council of State as to whether or not the Thai Patent Act must be amended to accommodate the adherence to the Patent Cooperation Treaty. Meanwhile, the DIP is now in the process of drafting a Ministerial Regulation and Announcement to support the accession to the treaty and setting up a receiving office to serve as a registration centre for applicants who wish to benefit from the PCT system.



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