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THAILAND'S ACCESSION TO THE MADRID SYSTEM MOVES CLOSER

Having recently become a member of the Patent Cooperation Treaty on December 24, 2009, Thailand is taking another important step to strengthen its commitment to internationally recognized means of protecting intellectual property. Thailand's accession to the Madrid Protocol and the attendant International Registration of Marks, which it agreed to join along with the other ASEAN members to implement the ASEAN Economic Community blueprint, is nearer to becoming a reality.

In 2004, the Thai Department of Intellectual Property (DIP) issued a roadmap for accession to the Madrid Protocol. During 2005 to 2009, the DIP completed a study of the effects on all concerned parties in joining the Madrid System, a comparison of the registration procedures under the Madrid Protocol and that of the current Thai Trademark Act, and a feasibility study of technological, manpower, and organizational managerial system in relation to Madrid System. These studies led to the conclusion that amend-

ment of the current Thai Trademark Act is required to meet the requirements of the international registration of marks through the Madrid System. The currently proposed amendments to the Trademark Act, which are now under the consideration of the Council of State, cover several significant changes, such as expanding the definition of marks to include registrable smell and sound marks and allowing multiple-class applications.

A new working group responsible for the amendments to the Trademark Act was established on February 15, 2010, to consider and study the additional amendments of the Trademark Act to completely fulfill the Madrid System requirements. The amendments look ready to be completed in time for Thailand to become a member of the Madrid System by 2012. 

Thailand's International IPR Agreements

- Convention Establishing the World Intellectual Property Organization (December 25, 1989)
- World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (January 1, 1995)
- Berne Convention for the Protection of Literary and Artistic Works (December 29, 1980)
- Paris Convention for the Protection of Industrial Property (August 2, 2008)
- Patent Cooperation Treaty (December 24, 2009)