Global and National Trademark Protection :
Latest Developments, Challenges and Opportunities

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DIP
กรมทรัพย์สินทางปัญญา
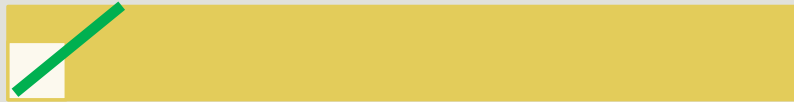DEPARTMENT OF INTELLECTUAL PROPERTY

Topics of the presentation

1. Legal Preparation

2. IT Preparation

3. Resource Preparation

4. Opportunities

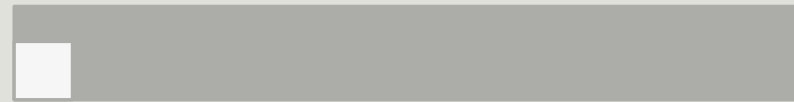5. Things to be done

6. Expected timeline

1. Legal Preparation

Trademark Act

- [ ] Multi class
- [ ] Madrid Chapter
- [ ] Partial assignment
- [ ] Late renewal allowed

Ministerial Reg.

- [ ] Inbound-Outbound clearly defined
- [ ] **Implementing provisions**
- [ ] Notification to IB in various cases

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Challenges

- Understanding the Protocols, Regulations and Administrative Instructions

- Definitions used in Madrid differing from the national's ones

- Many national provisions not applied to Madrid

- 3 level of Committees, different opinions (none of them has direct experience !!), different interpretation

- Conservative culture

2. IT Preparation

Madrid Module

Communicate with WIPO

Communicate with Main TM

Main TM

Send-Receive files to and from Madrid module

Inform first actions

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Challenges

- Educating IT company on Madrid procedure/work flow (both inbound and outbound)

- Understanding technical terminologies in e-Notif and MECAINT, not enough explanation

- Linking with Main TM which is extremely complicate

- Amount of workload surpass the budget

- Undocumented IT procedure, requiring tele-conference with WIPO for explanation

- Paperless or less paper

3. Resource Preparation

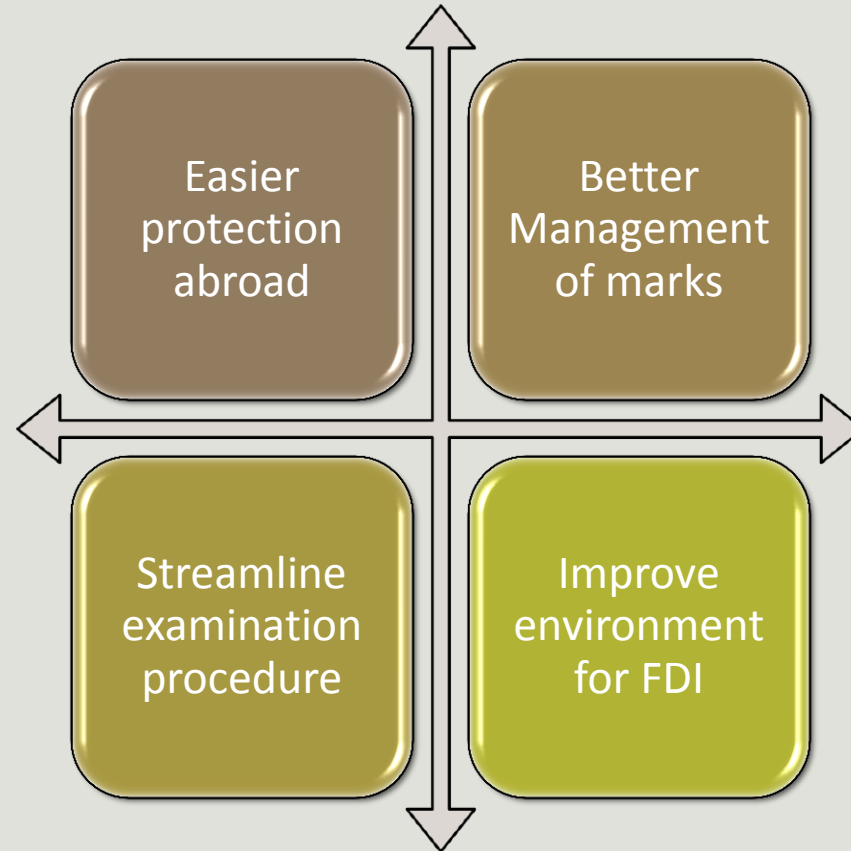| Staff	Competency	Office
• Set up Madrid Group • Recruit more officers	• Knowledge of the system • English competency	• Dedicated area (separate office) • Office equipment

Challenges

- Government policy in general not to increase

- Have to be trained as a national examiner first before doing Madrid

- Deep knowledge of the Madrid system required

- English language capability

- Translation of indications into Thai

- High rate of turnover even before commencing the system

- Backlog

4. Opportunities

5. Things to be done

Min. Regulations to be finalized and sent to Cabinet and Council of the State for approval

Prototype of IT system due to complete by this month and be tested in Jan 17

New staff to be trained in Jan 17

Assessment by WIPO in the 1st quarter of 2017 (hopefully around end of Jan 17)

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6. Expected Timeline

Jan 17

IT Compete

Feb 17

Considered by Cabinet + Council of the State

June 17

Approved by Cabinet + Council of the State

August 17

Ready for accession

Assessment by WIPO

Can be shorted if not many controversial issues

DiP

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Thank you

Q & A