

# JAPAN INTELLECTUAL PROPERTY ASSOCIATION

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October 17, 2019

Mr. Thosapone Dansuputra  
Director General  
Department of Intellectual Property  
Ministry of Commerce  
563 Nonthaburi Road  
Bangkrasor Muang  
Nonthaburi 11000  
Thailand

Dear Mr. Thosapene Dansuputra,

## **Re: JIPA Comments on the amendment bill of Thailand Patent Act**

We, the Japan Intellectual Property Association “JIPA”, are a private user organization established in Japan in 1938 for the purpose of promoting intellectual property protection, with about 980 major Japanese companies as members. When appropriate opportunities arise, we offer our opinions on the intellectual property system of other countries and make recommendations for more effective implementation of the systems.

(<http://www.jipa.or.jp/english/index.html>)

Having learned the amendment bill of Thailand Patent Act on your website, we would like to offer our opinions as follows.

Your consideration on our opinions would be greatly appreciated.

Sincerely yours,

(Hiroaki SANO)

Vice President

Japan Intellectual Property Association

## Comments on Draft Revision of the Thai Patent Act

### Section 3:

#### Modification of Definition of "Designs"

We appreciate the introduction of a partial design system that grants a right to a part of a design.

In the world, an increasing number of countries are now introducing such a partial design system. About 70% of the design applications in Japan are for the registration of partial designs, and this shows that many users are requesting the partial design system. Therefore, the introduction of the system is welcome.

### Section 7

#### Multiple Design Application System

Although this draft revision of the Design Act stipulates that one application shall be limited to a single design, we respectfully request that more than one design may be included within a single application. We respectfully request that users can obtain certified copies more conveniently and pay reduced application fees according to the system.

### Section 9

#### Introduction of Related Design System

The number of variations of shapes of a product is increasing, and thus introducing a related design system, which can comprehensively protect such designs, is ideal for users. We appreciate the introduction of the related design system.

#### Introduction of System of Non-publication of Registration for Certain Period

Release of a product may be delayed for business reasons, and in some cases a registered design may be published before the announcement of the product depending on the period of delay. Therefore, introduction of the system of not publishing registered designs for a certain period is what users need, and we appreciate such a system.

#### Postponement of Publication of Design Applications

We appreciate your stipulation of a system of postponement of publication. However, how long the publication can be postponed is unclear, and thus we respectfully request that a definite period be stipulated.

## Section 12

### Term of Protection

A trend in the world including China and Japan is to extend the term of protection of designs. Therefore, we appreciate a term of protection of 15 years. However, the actual situation is that there are an increasing number of products for which businesses are trying to penetrate their brands by using designs of the products continuously for a long time. Considering this, we, as a user, respectfully request that the protection term be 20 years or longer.

## Section 18

### International Design Registration under the Hague Agreement

The number of member states of the Hague Agreement is increasing. This section under this Agreement improves the convenience of users who file a design application in a large number of countries, and also enables users to file an application in Thailand comprehensively.