

Thailand Finally Removed from the US Priority Watch List

On 15th December 2017, the US Trade Representative (“USTR”) announced that the USTR is closing the Special 301 Out-of-Cycle Review of Thailand which was initiated on 15th September 2017, and it is moving Thailand from Priority Watch List (PWL) to the lower Watch List (WL) category for its intellectual property protection.

“We welcome the corrective actions that Thailand has taken and look forward to continuing to work with Thailand to resolve our remaining IP concerns,” said he USTR Robert Lighthizer said in a statement released on 15th December 2017.

Thailand has been in the PWL since 2007. The major problems of intellectual property protection in Thailand as said in the previous Special 301 Reports were the persistent copyright infringement of entertainment products, software piracy, and the manufacture and distribution of fake designer goods.

Four main factors that helped Thailand to be finally removed from the PWL are as follows:-

- (1) The prevention and suppression of intellectual property infringement in Thailand has been put into the national policies and the Thai government under Prime Minister Prayut Chan-o-cha has attached high importance on the protection of intellectual property and continuously promoted IP awareness and enforcement of laws in line with its 4.0 policy. This has resulted in more concrete actions against intellectual property infringement.
- (2) The trademark law has been amended and the registration system of patent and trademark in Thailand has been improved. For instance, there are more Patent Examiners and Trademark Registrars in the Department of Intellectual Property which leads to more efficient registration process.
- (3) Thailand has finally joined the Madrid System which facilitates international trademark applications.
- (4) There has been more transparency in amendment of law or issuance of new legislation as the government is more open for public hearing as stipulated under Section 77 of the Constitution of the Kingdom of Thailand 2017.

This shows a good progress of intellectual property protection and the continuing effort of the government in Thailand. The removal from PWL will help enhance and support economic growth, trade, investment and employment and also increase the competitiveness of Thailand under the Thailand 4.0 policy where innovation is used to drive the economy, said Tossapol Tungsubut, Director-General of the Department of Intellectual Property.

AUTHOR



Kowit Somwaiya
Managing Partner | **Bangkok**
kowit.somwaiya@lawplusltd.com



Paramee Kerativitayanan
Associate | **Bangkok**
paramee.kerativitayanan@lawplusltd.com

LawPlus Ltd.
Unit 1401, 14th Floor, Abdulrahim Place 990
Rama IV Road, Bangkok 10500, Thailand
Tel: +662 636 0662
Fax: +662 636 0663

LawPlus Myanmar Ltd.
Unit No. 520, 5th Floor, Hledan Centre
Corner of Pyay Road and Hledan Road, Kamayut Township,
Yangon, Myanmar
Tel: +95 (0)92 6111 7006
and +95 (0)92 6098 9752