

Restricting Brand Value in Thailand Seminar

On 29th March 2018, the International Trademark Association (“**INTA**”) and the Intellectual Property Association of Thailand (“**IPAT**”) co-organized a seminar on “Restricting Brand Value in Thailand: A Cross-Industry Policy Dialogue” at Novotel Bangkok Sukhumvit 20.

INTA’s Chief Representative, Asia-Pacific, Mr. Seth Hays and our Managing Partner, Mr. Kowit Somwaiya, as the Vice President of IPAT and INTA Board member, gave opening remarks. The seminar was attended by over 60 participants who are members of INTA and IPAT, government officials and guests, including the President of Asian Patent Attorney Association Recognized Group of Thailand (APAA RGT), Mr. Rutorn Noppakun, the IP Attaché of the USPTO SEA Regional Office and the high ranking officials from the Department of Intellectual Property of Thailand.

Mr. Praphon Antrakool, Advisor to the FDA, presented the FDA regulations and practices applicable to healthcare products, food and beverages, medical and pharmaceutical products and licenses and permits needed for their sale and advertising. Mr. Samir Dixit, Brand Finance, presented results of a recent study on plain packaging and its impacts on brands. He pointed out that brand restrictions could cause losses of brand value and brand trust, consumer confusion and increase of counterfeiting and unfair competition.

Dr. Jakkrit Kuanpot (Tilleke & Gibbins), Dr. Eliza Steganiw (King Mongkut University of Technology Thonburi) and Ms. Rachanatorn Laohaphan (Legal Director Diageo of Moet Hennessy) gave presentations on impacts of brand restrictions on food and beverage industry and related industries. Dr. Jakkrit also presented the principles of proprietary rights and ownerships of brands that are related to brand restrictions on a global basis.

Mr. Louis Chan, INTA Board Member, Mr. Jesse Lieberman, Legal Director of Minor Group and Mr. Somboon Earterasun of Tilleke & Gibbins, talked about brand restriction regulations as actually applied to use and advertising of affected goods by their owners and related parties, such as hotels and restaurants.

The short Q&A session was moderated by Ms. Paramee Kerativitayanan of LawPlus Ltd. She concluded that there are two sides to every story and, therefore, in relation to brand restriction, it is important to take into account the interests and concerns of brand owners and those of the public and more dialogues between parties concerned should be encouraged.

AUTHOR

Sutatta Rotjanapanya
Associate | **Bangkok**



sutatta.rotjanapanya@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