

First Action Fast Track Examination for Trademark Applications in Thailand

A trademark application filed with the Trademark Office (TMO) of the Department of Intellectual Property (DIP) of Thailand from 1st January 2022 onwards will enjoy the First Action Fast Track (FAFT) examination process if it meets the filing requirements listed below.

The application examined under the FAFT examination process will receive the first office action order from the TMO within 6 months from its filing date.

A trademark application not eligible to the FAFT examination process can take longer than 6 months from its filing date before the TMO issues the first office action order for it.

FAFT Filing Requirements

1. The application must not cover more than 50 items of goods or services.
2. The specifications of goods or services under the application must be compliant with the suggested specifications of goods and services of the DIP as available in the website of the DIP (<https://tmsearch.ipthailand.go.th>).
3. The applicant must not request any amendment to the application after its filing date, such as a request to amend any particulars of the application or an assignment or inheritance of rights over the application, or submit any evidence to prove distinctiveness of the trademark, which may prolong the application examination period.
4. The application must be filed with the TMO at the DIP or a provincial commercial office or other government offices designated by the DIP or by post or via the e-Filing System of the DIP.

The FAFT examination process does not apply to the examination of applications for the International Trademark Registration under the Madrid Protocol.

Meeting the requirements under Nos. 1 and 2 above is a challenge because some item of goods or services under the application may be viewed by the TMO as covering more than one item or a broad or vague specification. Thus, it is advisable to obtain assistance from a Thailand trademark agent in relation to the requirements under Nos. 1 and 2 before filing a trademark application that will be eligible to the FAFT examination process.



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