

Design Patent

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Design Application Procedure



Filing an Application

Preliminary examination

Publication of Application

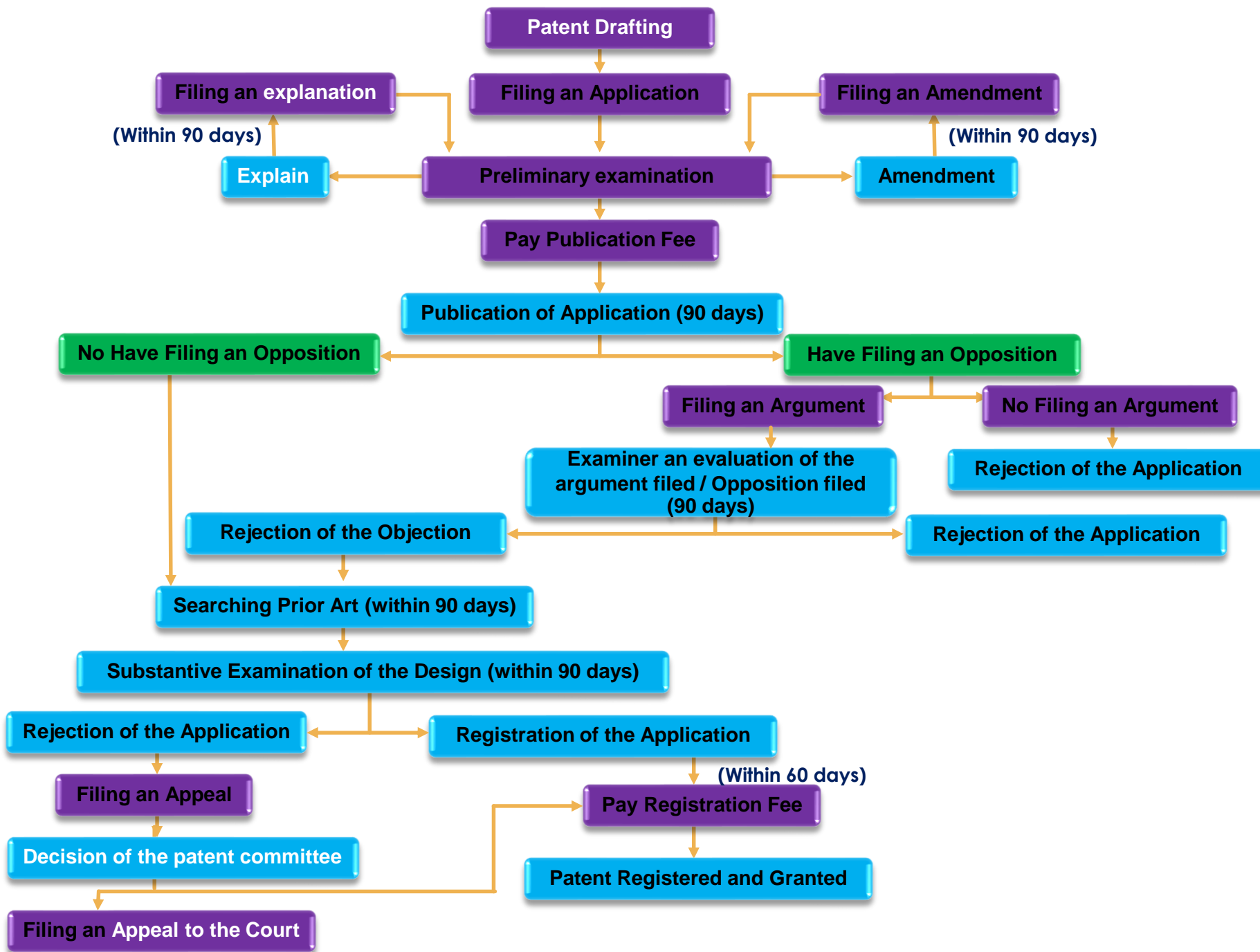
Searching Prior Art

Registration of the Application

Decision of the patent committee

Design Application Procedure

- The procedure of Applicant
- The procedure of Officer
- The procedure of Opposer





Patent ACT

Patent are protected under the Thai Patent Act B.E. 2522 (A.D. 1979), Thai Patent Act (No. 2) B.E. 2535 (A.D. 1992), and Thai Patent Act (No.3) B.E. 2542 (A.D. 1999), covering both invention and product design. The Acts provide protection for patent, design patent, and petty patent.

2024, We are in the process of amending Design Patent Law to streamline our registration procedures

REGISTRATION REQUIRMENT

Section 3

“design” means any form or composition of lines or colors which gives a special appearance to a product and can serve as a pattern for a product of industry or handicraft;

Section 56

A patent may be granted under this Act for a new design for industry, including handicrafts.

Section 58

The following are unpatentable

- (1) designs that are contrary to public order or morality;
- (2) designs prescribed by a Royal Decree.

Section 57

The following designs are not new:-

- (1) a design which was widely known or used by others in this country before the filing of the application for a patent;
- (2) a design which was disclosed or described in a document or a printed publication in this or a foreign country before the filing of the application for a patent;
- (3) a design which was published under Section 65 and Section 28 before the filing of the application for a patent;
- (4) any design so nearly resembling any of the designs prescribed in (1), (2) or (3) as to be an imitation.

THE LENGTH OF THE PROTECTION PERIOD

Section 62(1)

A design patent shall have a term of **ten years** from the date of filing of the application in the country.

Matters regarding the Hague Agreement

- The current status regarding joining the Hague Agreement.

In currently the draft law is being considered by the Council of State Rules Committee.

- The plan toward joining the Agreement.

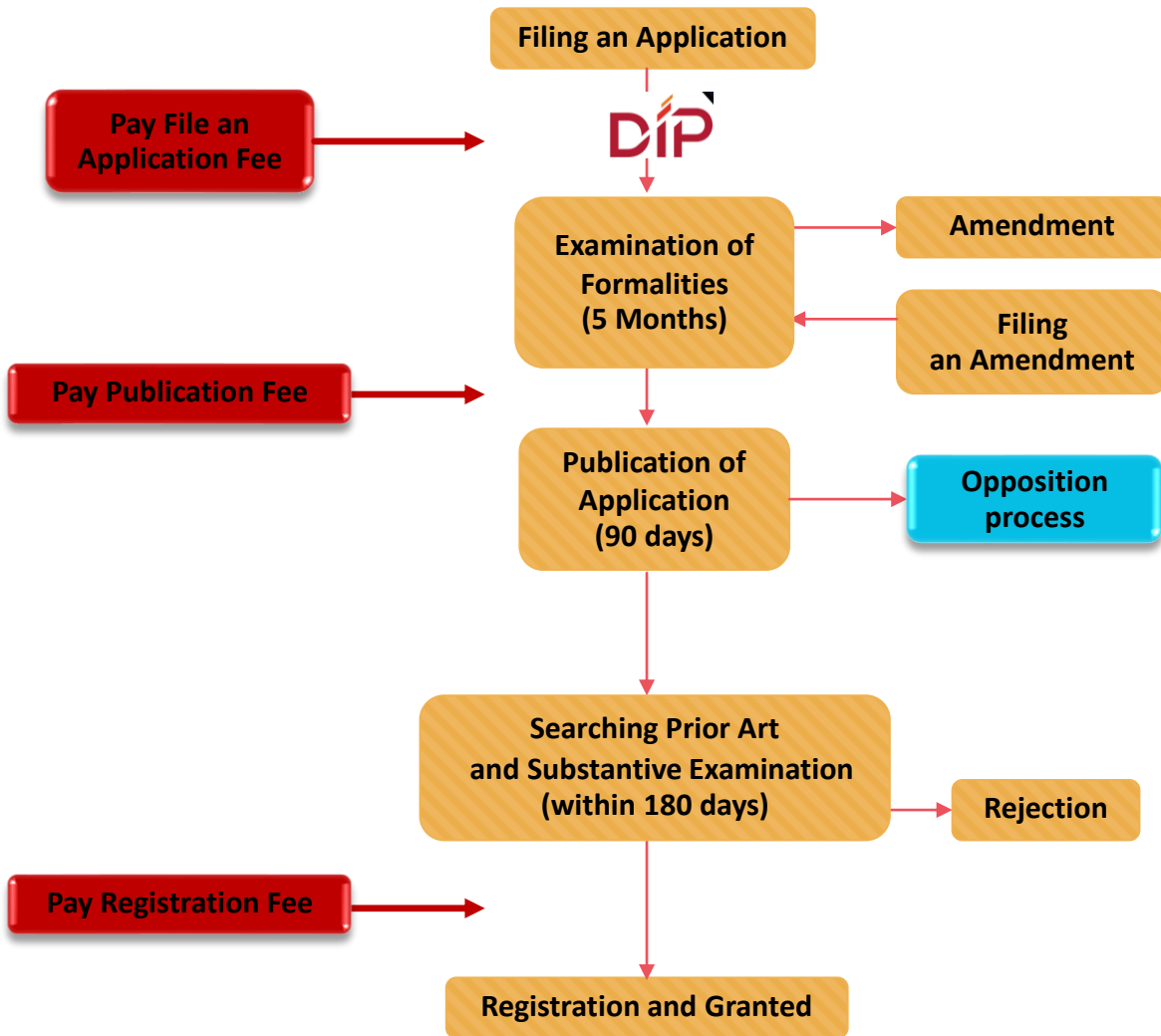
The parliament gave its approval to join The Hague agreement upon the completion of the amendment to the Patent Act.

- The major challenges Our country is facing to join The Hague Agreement.

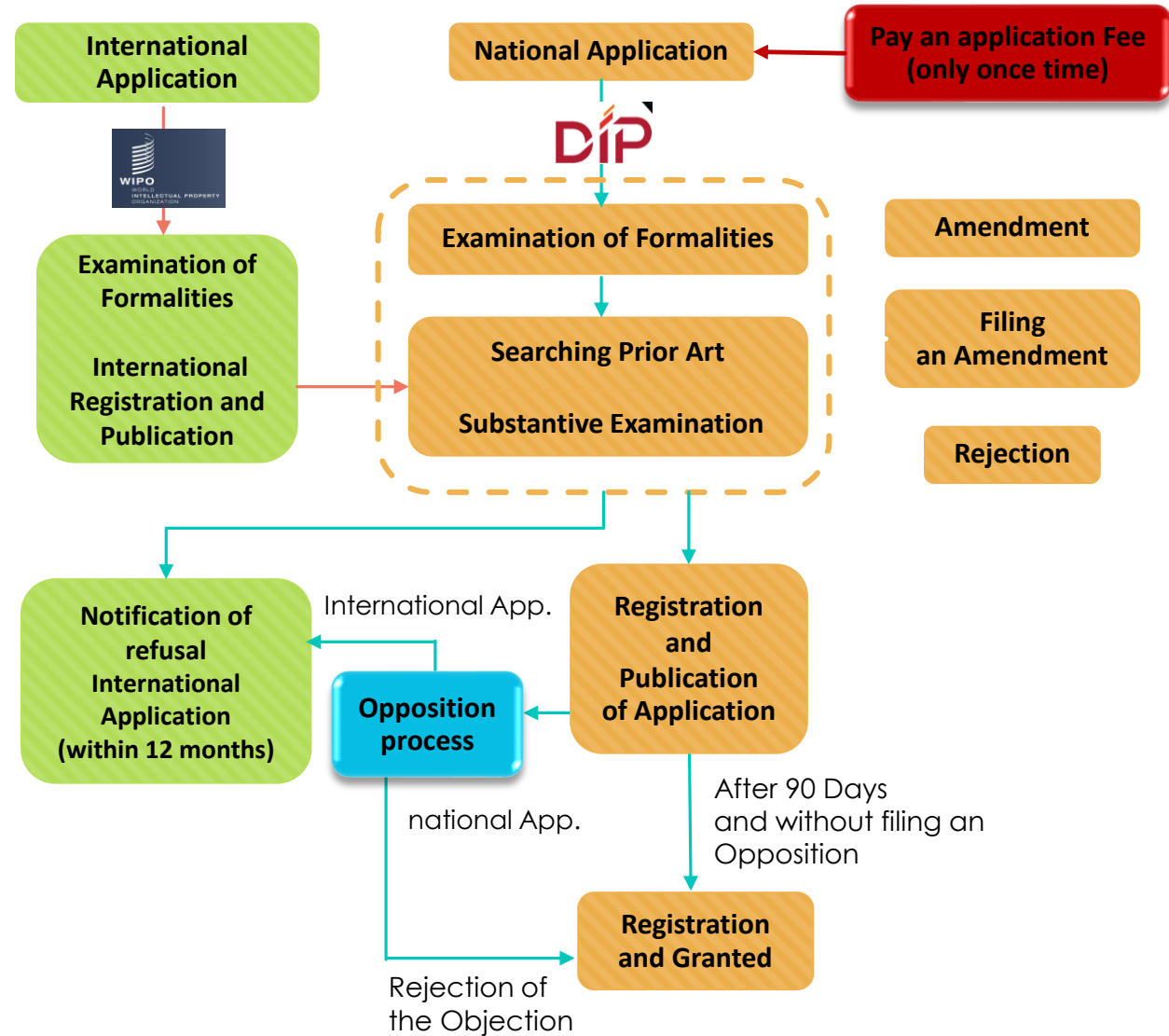
Gap between the Hague system and the conventional procedural practices in my country.

Outline of Design Examination Process

Current process



New draft process



THANK YOU

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