

Editorial

The Department of Intellectual Property of Thailand (DIP) is leading the ASEAN Network of IPR Enforcement Experts (ANIEE) which consists of representatives from various South-East Asia and international IP offices to implement the IPR enforcement initiatives under the ASEAN IPR Action Plan 2016-2025. The DIP director-general plans to create the mechanism to stop IP infringing such as manual to tackle online IP infringement, increasing capability for the law enforcement in the government organizations.

To follow the current IP enforcement in Thailand, the DIP regularly uploaded the news of raid report on its official website (<https://www.ipthailand.go.th/en/>). During May - June 2023, the Economic Crime Suppression Division (ECD) successfully tackled the trademark infringement of several trademarks such as Huawei, H&M, Nike, Chanel, Dior, Adidas, MCM, Kitty, Mickey Mouse etc. The official IP enforcement statistics by the Royal Thai Police and related agencies from January to May 2023 consist of 757,877 seizures items in 900 raid cases. The statistics also shown the changes between Jan.-May 2022 and Jan.-May 2023 which decreased in number of raids by 6.27% and number of seizures by 65.32%. Despite to those efforts, the country is still retained on the United States Trade Representatives' (USTR) Watch List of this year. However, the DIP vows to continue the intense cooperation of IP enforcement among ASEAN countries with aims to boost confidence among businesses and investors in Thailand. Meanwhile, it will continue to improve understanding on the real situation with the USTR with hope to be removed from the Watch List next year.

Apapan S. Milde

Patent Attorney

1. Thai, US vaccine agencies team up

(From Bangkok Post, Thailand, May 2, 2023)

Thailand – Thailand's National Vaccine Institute (NVI) has joined hands with the US Vaccine Research Centre (VRC) to develop new tuberculosis and Messenger RNA (mRNA) vaccines. Thailand has planned to research four types of tuberculosis and produce locally researched mRNA vaccines. The VRC has further offered Thai researchers to join international tuberculosis control and research networks to contribute to global efforts against tuberculosis. In addition,

the Department of Medical Sciences revealed about the Genomics Thailand Strategy Roadmap (2022-2025), 17 agencies have developed genomic medicine and included genomic medicine in the universal health scheme.

2. Thailand can't shake off IPR watch list placing

(From Bangkok Post, Thailand, May 3, 2023)

Thailand – The Department of Intellectual Property (DIP) said Thailand remains on the United States Trade Representatives' (USTR) Watch List this year. The list features 20 countries include Algeria, Barbados, Bolivia, Brazil, Canada, Colombia, Dominican Republic, Ecuador, Egypt, Guatemala, Mexico, Pakistan, Paraguay, Peru, Trinidad & Tobago, Turkey, Turkmenistan, Uzbekistan, and Vietnam. Seven countries – Argentina, Chile, China, India, Indonesia, Russia, and Venezuela – are on the Priority Watch List. The report noted Thailand continues to seize counterfeit and pirated goods, increased efforts to combat the sale of counterfeit goods online and enhanced intra-agency coordination.

3. Development to generate coffee export opportunities

(From Bangkok Post, Thailand, May 3, 2023)

Thailand – Thailand has approved the export of roasted coffee beans and coffee products that combine domestically produced beans with imported ones in order to increase coffee exporting opportunities for the country. The cabinet approved a draft announcement of the Commerce Ministry. Following the change, roasted coffee beans could be a combination of raw coffee beans imported from countries such as Brazil or Kenya and domestically produced raw coffee beans, such as the Arabica variety which is mainly produced in the northern region, and the Robusta variety which is mainly produced in the southern region. The draft also calls for the addition of a definition of “roasted coffee beans” which means coffee beans – both ground and unground – that have been roasted.

4. Investment in factories creates 30,000 jobs in H1

(From Bangkok Post, Thailand, May 3, 2023)

Bangkok – The Industry Ministry revealed expanding of 1,211 factories during the first half of fiscal 2023 with an investment value of 113 billion baht, generating more than 30,000 jobs. Part of the investment came from entrepreneurs in the bioplastic and electric vehicle (EV) industries, in line with the government policy to promote a green economy and eco-friendly cars.

Investment in the bioplastic sector reached 19 billion baht. The Thai Bioplastics Industry Association said the country is the world's second-largest producer of bioplastic products with abundant raw materials to drive manufacturing.

5. Companies: EU Data Act ‘put trade secrets at risk’

(From Bangkok Post, Thailand, May 9, 2023)

Brussels – German business software maker SAP and German engineering company Siemens have joined US tech giants in criticizing draft EU laws on the use of data generated by smart gadgets and other consumer goods. The European Commission proposed the draft, covering EU consumer and corporate data, with the aim to curb the power of US tech giants and help the EU to achieve its digital and green objectives. US criticisms say the proposed law is too restrictive, while the German companies say a provision forcing companies to share data with third parties to provide aftermarket or other data-driven services could endanger trade secrets. EU countries and EU lawmakers are working on the details of the Data ACT before it can be adopted as legislation.

6. Ministry targets B50bn from sales of GI products

(From Bangkok Post, Thailand, May 9, 2023)

Bangkok – The Commerce Ministry has planned to increase sales from geographical indication (GI) products to 50 billion baht this year, up from 48 billion baht in 2022. There are 185 Thai GI-registered products in various categories, such as food, agricultural products, and appliances. There are eight Thai products with GI registration: Thung Kula Rong Hai hom mali rice in the EU and Indonesia; Doi Chang coffee in the EU; Doi Tung coffee in the EU and Cambodia; Sangyod Muang, Phatthalung rice in the EU and Indonesia; indigenous Isan silk yarn in Vietnam; Lamphun brocade silk in India and Indonesia; Phetchabun sweet tamarine in Vietnam; and Lamphun golden dried longan in Vietnam.

7. Thailand seeks to lead Asean intellectual property network in bid to protect Thai products

(From www.nationthailand.com, May 9, 2023)

Bangkok – Thailand has shown interest in leading the Asean Network of Intellectual Property Enforcement Experts (ANIEE) to help tackle intellectual property infringement in the region. Wuttikrai Leeveeraphan, DIP director-general, explained that by chairing the network, Thailand can ensure that Thai products are protected, new trade opportunities are created and fairness is maintained. He said DIP will promote cooperation in tackling intellectual property infringement in Asean over the next two years and will seek cooperation in things like e-commerce platforms, preparing guidelines and boosting operational efficiency for related agencies. This will help boost Asean’s image when it comes to dealing with protecting intellectual property rights.

8. Thailand joins Asean EV battery initiative

(From Bangkok Post, Thailand, May 12, 2023)

Bangkok – Thailand has teamed up with five technology and electric vehicle (EV) organizations in Asean to jointly study and develop EV battery technology to strengthen the growing EV industry in the region. The Thailand Energy Storage Technology Association (Testa) signed a memorandum of understanding on battery development with five partners during the first Asean Battery and Electric Vehicle Technology Conference in Bali, Indonesia. The association will collaborate in jointly developing and promoting the Asean battery ecosystem, organizing events for networking opportunities as well as conducting research and development in battery technology, safety, standards and the circular economy. Asean has oil-powered cars and motorcycles accounted for 40% of all vehicles worldwide.

9. Department eager to push free trade negotiations

(From Bangkok Post, Thailand, May 18, 2023)

Bangkok – The Trade Negotiations Department is planning to develop a number of new FTAs with several countries that should improve the competitiveness of exports and create trade and investment opportunities for Thai entrepreneurs. The department is studying the feasibility of trade negotiations with countries and blocs such as Israel, Bhutan, South Korea, the Pacific Alliance (Chile, Peru, Mexico and Colombia), and the Southern African Customs Union, which comprises Botswana, Eswatini, Lesotho, Namibia and South Africa. Thailand has 14 FTAs with 18 countries, accounting for 60.9% of its total trade with value of trade reached US\$360 billion in 2022, an increase of 5.1% from a year before.

10. Technological advances replace chemicals in ridding rice of pests

(From www.nationthailand.com, May 22, 2023)

Bangkok – The National Higher Education Science Research and Innovation Policy Council (NXPO) is encouraging enterprises to introduce technology into their business operations to enable Thailand to be out of the middle-income trap by 2037. NXPO president said that Chiang Mai University's Science and Technology Park (CMU STeP) has enabled small enterprises to generate up to 300 million baht compared to 1 to 2 million baht just a few years ago. The agency also works on other technologies and research in six areas including laboratory services, giving advice on business operations from starting to marketing, conducting R&D, business matching and recommending funding, providing space, providing facilities and utilities.