

No. 0703/ 815



Department of Intellectual Property
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May 15, 2006

Dear Mr. Makoto NAKAJIMA

Pursuant to your letter dated 25, April, 2006 concerning your inquiry about the Department of Intellectual Property's (DIP) practices on the examination procedure on patents and industrial designs, we would like to inform you of our practices as follows:

An applicant for a patent or an industrial design may request an accelerated examination process under the following cases:

(1) where a request has been filed to the DIP by an applicant of a patent or an industrial design that the patent or the industrial design application be examined in preference to other applications, if a person other than the applicant is exploiting the invention or the industrial design claimed in the patent or the industrial design application in his business without the consent of the applicant after the publication of the patent or the industrial design application under paragraph 2, Section 28 of the Thai Patent Act (including applied *mutatis mutandis* to industrial design application under Section 65); and

(2) where the applicant of the patent application submits the documents regarding the results of the examination conducted in foreign country under the paragraph 2, Section 27 of the Thai Patent Act.

Accordingly, as in (1), the DIP takes the request into consideration and in case the request fulfills the conditions, the DIP examines the application in preference to other applications; and as in (2), the patent application is examined in preference to other applications.

Any person may submit evidences to the DIP after a patent or an industrial design application is published under paragraph 2, Section 28 of Thai Patent Act (including applied *mutatis mutandis* to industrial design application under Section 65). The DIP, thus, makes best efforts to take the evidences into account of substantive examination of the patent or the industrial design application. The evidences will be the ones which state:

(1) The patent application does not satisfy the conditions under Section 5, 6 or 7 of Thai Patent Act, or

(2) The industrial design application does not satisfy the conditions under Section 56 and 57 of Thai Patent Act

We hope that this information will be useful for you. If you need any further information, please do not hesitate to contact us.

Sincerely yours,



(Mr.KANISSORN NAVANUGRAHA)
DIRECTOR GENERAL

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