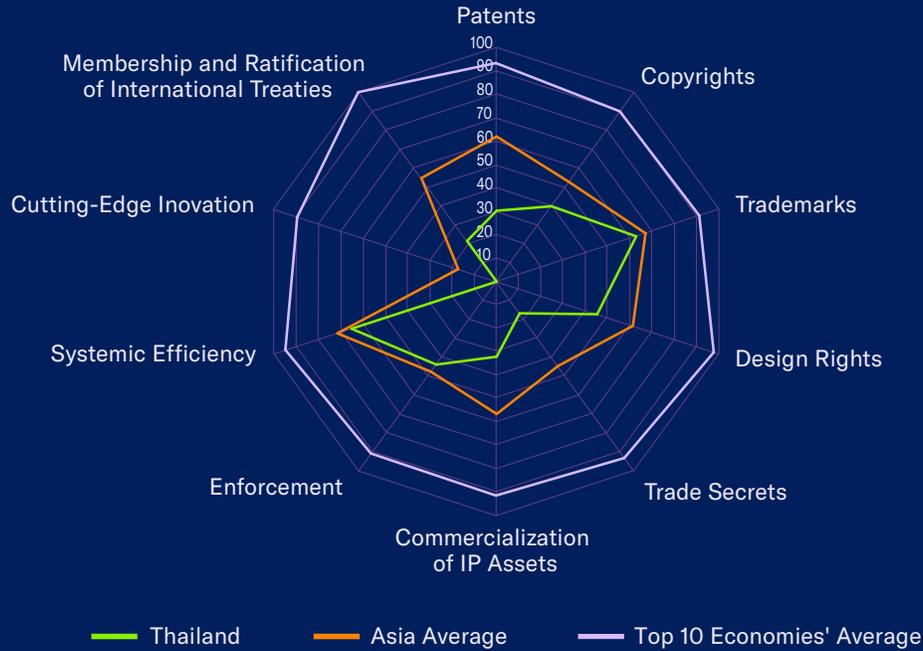




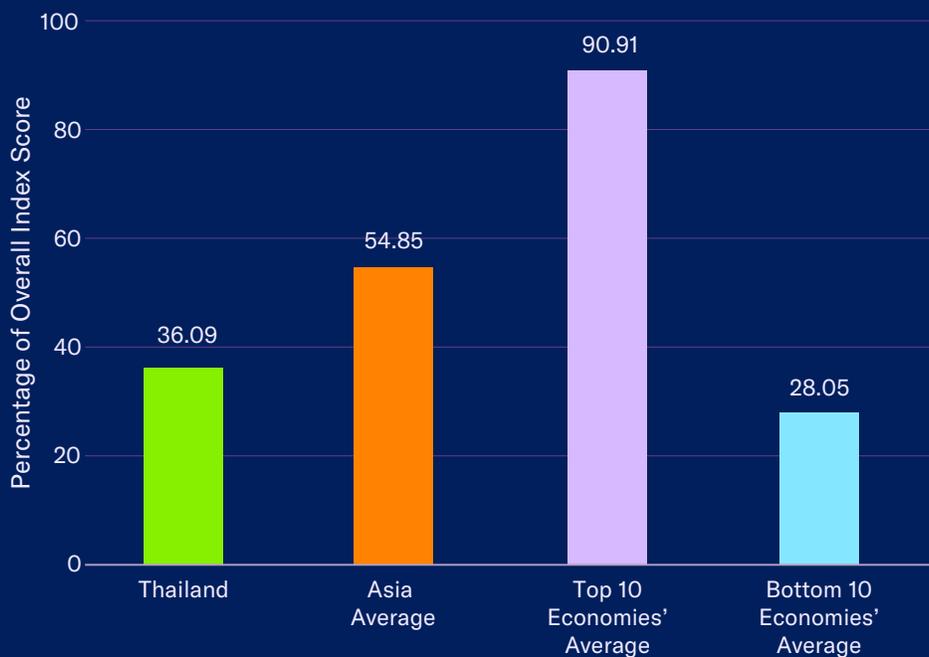
# Thailand

Rank  
45/55

## Category Scores



## Overall Score in Comparison





## Key Areas of Strength

- 2022 Copyright Act amendments introduce notice-and-takedown scheme and additional remedies for the circumvention of technological protection measures including the manufacture, sale, rental, or importation of circumvention devices
- 2022 Thailand Research and Innovation Utilization Promotion Act (TRIUP) improves technology transfer environment
- Injunctive style relief mechanism under Computer Crime Act used against trademark infringement
- Customs Act amendments have resulted in greater anti-counterfeiting efforts against infringing goods in-transit
- Thailand moved from the Priority Watch List to the Watch List on USTR's Special 301 Out-of-Cycle Review as a result of stronger enforcement and coordination within Thai Government
- Basic level of protection and registration system in place for copyrights, trademarks, and designs

## Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- Inadequate patent protection, including gaps in patentability for high-tech arts including life sciences and CIIIs
- History of long patent backlogs
- Many sector-specific IP rights missing including patent term restoration for biopharmaceuticals and RDP
- History of the use of compulsory licensing for biopharmaceuticals
- High physical counterfeiting and digital piracy rates with software piracy estimated at 64%
- Limited participation in international treaties

Indicator	Score	Indicator	Score
<b>Category 1: Patents Rights and Limitations</b>		<b>2.72</b>	
1. Term of protection	1.00	29. Direct Government intervention in setting licensing terms	0.00
2. Patentability requirements	0.25	30. IP as an economic asset	0.75
3. Patentability of CII	0.25	31. Tax incentives for the creation of IP assets	0.67
4. Plant variety protection	0.72	<b>Category 7: Enforcement</b>	
5. Pharmaceutical-related enforcement	0.00	<b>3.06</b>	
6. Legislative criteria and active use of compulsory licensing	0.00	32. Physical counterfeiting rates	0.47
7. Pharmaceutical patent term restoration	0.00	33. Software piracy rates	0.34
8. Membership of a Patent Prosecution Highway	0.50	34. Civil and procedural remedies	0.25
9. Patent Opposition	0.00	35. Pre-established damages	0.25
<b>Category 2: Copyrights and Limitations</b>		<b>2.78</b>	
10. Term of protection	0.53	36. Criminal standards	0.25
11. Exclusive rights	0.25	37. Effective border measures	0.75
12. Expeditious legal remedies disabling access to infringing content online	0.50	38. Transparency and public reporting by Customs	0.75
13. Cooperative action against online piracy	0.25	<b>Category 8: Systemic Efficiency</b>	
14. Limitations and exceptions	0.25	<b>3.25</b>	
15. TPM and DRM	0.50	39. Coordination of IP rights enforcement	1.00
16. Government use of licensed software	0.50	40. Consultation with stakeholders during IP policy formation	0.50
<b>Category 3: Trademarks Rights and Limitations</b>		<b>2.50</b>	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	0.75
18. Protection of well-known marks	0.25	42. Targeted incentives for the creation and use of IP assets for SMEs	0.50
19. Exclusive rights, trademarks	0.50	43. IP-intensive industries, national economic impact analysis	0.50
20. Frameworks against online sale of counterfeit goods	0.75	<b>Category 9: Cutting-Edge Innovation</b>	
<b>Category 4: Design Rights and Limitations</b>		<b>0.90</b>	
21. Industrial Design Term of Protection	0.40	44. IP incentives for orphan medicinal product development	0.00
22. Exclusive rights, industrial design rights	0.50	45. IP incentives for orphan medicinal product development, term of protection	0.00
<b>Category 5: Trade Secrets and the Protection of Confidential Information</b>		<b>0.50</b>	
23. Protection of trade secrets (Civil Remedies)	0.25	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.00
24. Protection of trade secrets (Criminal Sanctions)	0.25	<b>Category 10: Membership and Ratification of International Treaties</b>	
25. Regulatory data protection term	0.00	<b>1.50</b>	
<b>Category 6: Commercialization of IP Assets</b>		<b>1.92</b>	
26. Barriers to market access	0.00	47. WIPO Internet Treaties	0.50
27. Barriers to technology transfer	0.50	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.50
28. Registration and disclosure requirements of licensing deals	0.00	49. Patent Law Treaty and Patent Cooperation Treaty	0.50
		50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	0.00
		51. Membership of the Convention on Cybercrime, 2001	0.00
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	0.00
		53. Post-TRIPS FTA	0.00

**Total Score: 19.13**

# Spotlight on the National IP Environment

## Past Editions versus Current Score

Thailand's overall score has decreased from 19.14 out of 53 indicators on the 13th edition to 19.13. This reflects a score decrease on indicator 32.

## Patent Rights and Limitations

*2. Patentability requirements; 3. Patentability of computer-implemented inventions; 6. Legislative criteria and use of compulsory licensing of patented products and technologies; and 9. Patent opposition:*

Revisions to the Thai Patent Act have been ongoing for years, with several draft proposals put forward since 2018. In late 2024, the national IP office, the DIP, presented a new proposal. While the DIP and Thai authorities should be commended for seeking to update the legislation, unfortunately, the proposed new Act does not address long-standing challenges.

As detailed throughout the Index, rights holders have long faced difficulties registering their patentable subject matter in Thailand, particularly for biopharmaceutical innovation and computer-implemented inventions, with restrictions in place for both areas. Equally, Thailand's compulsory licensing laws have stood firmly outside international standards, with several licenses issued over the past two decades. Thailand has also had in place a system of pre-grant patent opposition. Finally, the administration of the registration process has long been challenging, with patent prosecution times in Thailand stretching over a decade, depending on the technology field. Regrettably, the proposed legislation does little to address these core challenges. At the time of research, the draft bill had not been enacted. The Index will continue to monitor these developments in 2026.

## Copyrights and Limitations

*12. Expeditious injunctive-style relief and disabling of infringing content online:*

As noted in the Index, Thailand has been reforming various parts of its national IP environment for over half a decade. This includes changes to statutory law, regulations, and IP office examination manuals. With respect to copyright law, the government enacted a new Copyright Act in anticipation of Thailand's accession to the WIPO Internet Treaties. Key amendments included: the creation of a notice-and-takedown scheme; the definition of liability for service providers; and additional remedies for circumventing technological protection measures. Following these reforms, Thailand acceded to the WIPO Copyright Treaty in late 2022.

Despite long-standing challenges related to high levels of physical and digital infringement, in 2025, there were continued improvements in rights holders' ability to enforce their copyrights. Specifically, over the past few years, the DIP, Ministry of Digital Economy and Society, Police, and Criminal Court have sought to improve the speed and delivery of orders to disable access to infringing content by making the application process completely digital. The Criminal Court has further expedited this process by launching a specialized division for technology crimes to handle all matters related to cybercrime, including online copyright piracy. The Index will continue to monitor these developments in 2026.

## Trademark Rights and Limitations

*19. Legal measures available that provide necessary exclusive rights to redress unauthorized uses of trademarks; and 20. Availability of frameworks that promote action against online sale of counterfeit goods:*

As noted in the Index, the availability of physical counterfeit goods is high in Thailand. As e-commerce grows, a growing proportion of counterfeit trade is moving online. Over the last half-decade, the Thai Government has recognized this problem and introduced a variety of measures to curb the availability and flow of counterfeit goods. Specifically, the Thai Government has sought to broker greater private sector engagement from online platforms in anti-counterfeiting; increase public sector-led enforcement through the creation of a dedicated unit for online violations within the DIP; and make use of the 2016 Computer Crime Act to order the disabling of access to several websites on the basis of infringement of trademark rights.

These efforts continued in 2025. In May, the Thai FDA announced a new strategic partnership with Thailand's largest e-commerce platforms, Lazada and Shopee, to eliminate the sale of illicit medical products online. The partnership includes greater coordination and integration of enforcement activities through proactive surveillance and inspections. The FDA, together with law enforcement, conducted a significant raid in March that seized nearly half a million counterfeit items, including medical devices, consumer health products, and cosmetics. Separately, the DIP, in collaboration with law enforcement, conducted several raids throughout the year targeting trademark infringement and the online and brick-and-mortar sellers of counterfeit goods. These are positive efforts, and the Index applauds Thailand's continued activity against hard goods piracy. The Index will continue to monitor these developments in 2026.