Country Report: Thailand — Patents

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1. Executive Summary

- Patent filing activity in Thailand continues to grow. The DIP received 4,299 invention patent applications in January–June 2026 (+4.47% year on year), and grants rose 20.49% to 2,887.
- Foreign applicants file about 87% of invention patent applications, while Thai applicants file about 94% of petty patent applications. Thai universities lead the petty patent filings.
- The new draft Patent Act (171 sections, replacing the 88-section Patent Act B.E. 2522 (1979)) completed public hearings in January 2025 and is under review by the Office of the Council of State. As of mid-2026, it remains before the legislature and is not yet law.
- The DIP continues to cut pendency through administrative measures: the Target Patent Fast-Track Program (now covering green and digital innovation), the JPO–DIP PPH, and revised PCT fees effective August 27, 2026.

2. Recent Patent Statistics

2.1 International Benchmarks (WIPO)

Indicator	Figure	Source
Invention patent applications received by DIP, 2023	8,605 (752 resident; 7,853 non-resident)	WIPO, World IP Indicators 2024
Growth in patents granted by DIP, 2023	+101.2%, mainly non-resident grants	WIPO, World IP Indicators 2024
Invention patent applications received by DIP, 2024	8,727, mostly from non-residents	WIPO, World IP Indicators 2025
Applications filed worldwide by Thai residents, 2024	4,227 (vs. 1,680 in 2014)[1]	WIPO, World IP Indicators 2025

2.2 DIP Statistics, First Half of 2026 (January–June)[2]

Metric	Invention patents	Petty patents
Applications filed	4,299 (+4.47%)	2,641 (+13.10%)
Grants/registrations	2,887 (+20.49%)	1,345 (+45.41%)
Domestic applicants share	13%	94%
Top applicants	Toyota (139); Qualcomm (136); Nippon Steel (78); JFE Steel (63); Syngenta (56)	Rajamangala Univ. of Technology Rattanakosin (96); Burapha (71); Srinakharinwirot (64); Kasetsart (60); Khon Kaen (58)

[1] A separate WIPO publication (IP Facts and Figures 2025) reports 4,277 (+10.2%). The difference between the two WIPO publications has not been resolved and should be checked against the WIPO IP Statistics Data Center before citing.
[2] Source: DIP statistics as reported by Rouse (August 2026). The DIP also reported 3,662 invention patent applications for January–May 2026, up 7.99% from 3,391 in the same period of 2025 (The Nation).

Metric	Invention patents	Petty patents
Leading fields	Pharmaceuticals/healthcare (562); communications technology (380); antibodies/biopharma (195); macromolecules (126); enzymes (102)	Food and beverage (282); herbal medicine (137); communications technology (133); medical devices (88); enzymes (52)

2.3 Fast-Track Usage

Participation in the Target Patent Fast-Track Program has grown: 36 applications in 2023 (24 petty patents, 12 patents), 37 in 2024 (26 and 11), and 62 in 2025 (39 and 23). As of February 2026, seven applications had been filed.

2.4 Observations

- The invention patent system is used mainly by foreign filers, especially Japanese, US, and European companies in automotive, telecommunications, steel, agrochemical, and life-science fields.
- The petty patent system is used mainly by Thai filers, led by universities, which reflects technology-transfer policy.
- Grant numbers are rising faster than filings, which suggests that work on the examination backlog is having an effect.

3. Changes in Patent Laws and Regulations

3.1 The New Draft Patent Act

Legislative history and status:

- Earlier rounds: the DIP held hearings on second-phase amendments in September–October 2019. On March 27, 2020, the Council of State asked that both phases be combined into one bill.
- January 2024: the draft amendment was with the Office of the Council of State for review.
- December 16, 2024 – January 31, 2025: the DIP released the new draft Patent Act for public hearing. The draft expands the Act from 88 to 171 sections. Thirty-three responses were submitted, and the results, published in April 2025, were generally positive.
- May 29, 2025: the DIP Director General said the draft had been finalized by the Council of State and would go back for legislative proceedings.
- 2026: the U.S. State Department reported that as of April 2026, Thailand was still amending the Act. Commentary from June 2026 describes the bill as under parliamentary consideration and not yet law. The Patent Act B.E. 2522, as amended in B.E. 2535 (1992) and B.E. 2542 (1999), therefore remains in force.

Stated objectives:

The stated objectives are to modernize the 1979 Act, simplify examination, reduce the backlog and pendency, align the law with international standards, and prepare for accession to the Hague Agreement. The design provisions fall outside this report.

Key proposed changes for invention patents:

Topic	Current law	Draft Act
Publication	Single publication after formalities, followed by opposition No further publication occurs upon patent grant.	The draft introduces a two-stage publication system for patent applications. First publication as soon as possible after 18 months from filing or priority. Second publication after substantive examination, which opens a 90-day opposition period
Substantive examination request	Within 5 years of publication	Within 3 years of filing date
Filing fee	THB 500	THB 3,500 for the first 30 pages, plus THB 40 per extra page (maximum rates; Ministerial Regulations may reduce or waive them)
Examination fee	THB 500	THB 10,000, plus THB 2,000 per claim beyond 10
Divisional applications	Not available voluntarily	May be filed voluntarily
Third-party observations	No formal mechanism	Third parties may submit observations after the initial publication and prior to the notice of issuance.
Post-grant amendment	Not available	Allowed for non-substantive matters only
PCT national phase	The official fee for late filing Thai translation of specification is THB 50.	Late translation allowed for a THB 3,000 surcharge
Excluded subject matter	Surgical methods excluded in practice	Surgical methods expressly excluded
Genetic resources / traditional knowledge	No disclosure requirement	Applicants must declare the source and submit supporting documents
Licenses	Registration with the DIP is mandatory	Recording is optional
Compulsory licensing	Government use and compulsory licenses	Pharmaceutical compulsory licenses in pandemics and drug shortages. Export licenses to least-developed countries under TRIPS Art. 31bis

Key proposed changes for petty patents:

- The filing fee would include publication and registration fees, and publication and registration would follow formalities examination without a separate fee payment.
- The period for requesting substantive examination would be extended to 6 years from filing (currently 1 year after publication and registration).
- Conversion between petty patents and invention patents would be expressly permitted before the notice of registration.

Practical significance for IP owners:

The shift to pre-grant opposition after examination, the shorter deadline for requesting examination, and much higher official fees will affect prosecution budgets and timelines. Optional license recordal and voluntary divisional will add flexibility. The pharmaceutical compulsory-licensing provisions deserve close attention from life-science rights holders. Further changes may be made during parliamentary deliberations.

3.2 Other Regulatory and Administrative Developments

Development	Details
Target Patent Fast-Track Program	Launched June 1, 2022. Expanded to Medical Sciences & Public Health and Future Food (December 8, 2023), Green Innovation (requests from January 2025; up to 10 applications per month; six categories; applications must be filed first in Thailand), and Digital Innovation (December 2025). Applications must be filed by e-filing. Selected applications receive a first office action within 12 months in substantive examination.
JPO–DIP Patent Prosecution Highway	Pilot extended from January 1, 2026 to December 31, 2027, subject to further extension after joint review. The DIP encourages e-filing of requests. ASPEC remains available.
PCT fees	The DIP revised PCT filing and international search fees with effect from August 27, 2026.

4. Notable Court Decisions

Thai patent cases are heard at first instance by the Central Intellectual Property and International Trade Court (IP&IT Court). Appeals go to the Court of Appeal for Specialized Cases and then to the Supreme Court, only with the Supreme Court's permission. Patent litigation is relatively rare, with about 20 cases per year, including Patent, Petty Patent, and Design Patent.

One infringement lawsuit involving a Standard Essential Patent (SEP) was filed before the IP&IT Court in 2026, but the case has been withdrawn as the parties could reach a global settlement agreement. So far, no precedent case law on SEP in Thailand.

Our searches did not identify any notable patent (non-design) judgments issued in 2025–2026.

5. Outlook

The main development to watch is the enactment of the new Patent Act and its transitional provisions (Sections 156–171 of the draft), which will govern how pending applications are treated. The Ministerial Regulations on fees will also matter.

Continued growth in fast-track programs and rising grant numbers suggest pendency will continue to improve in the meantime.

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