APAA 2026, in Hong Kong
Trademark Committee
Group Report - Thailand

A. Developments

1. No changes in the Trade Marks Act in 2026

2. Fast Track 4 Months Plus+ for e-commerce business

With effect from **1 January 2026**, Thailand's Department of Intellectual Property (DIP) introduced a dedicated accelerated examination procedure for "e-commerce operators", which is defined broadly to cover individuals and persons in any industry with business on the internet, with an urgent need to use their trademarks in online commerce. Under the "Fast Track 4 Months Plus+" programme, an eligible applicant **may receive the first examination result within four months from the filing date**, without having to pay any additional official fees.

Emergency Fast-Track filing system requirements:

- The list of goods or services specified in the application must **not exceed 10 items for one class.**
- The description of goods or services must comply with the DIP's standard list of goods and services guideline.
- No amendment, recordals of trademark assignment or inheritance of trademark rights, or request to prove acquired distinctiveness through use upon or after filing.
- All required documents in support of the application must be filed with the application (at the time of filing).
- Submitting **a document proving the urgent need to use** the trademark in Thailand.
- Submitting **a search report** on similar and/or identical prior marks from certain databases.

3. AI-Powered Trademark Search Tools

In February 2026, Thailand's Department of Intellectual Property (**DIP**) introduced two AI-driven tools, **AI Image Search** and **Trademark Checker**, to modernize trademark services, enhance user experience, and reduce avoidable trademark application refusals.

- **AI Image Search:** Identifies potentially similar trademarks by analyzing visual elements
- **Trademark Checker:** Provides guidance on goods and services selection, preliminary registrability assessments, and links to the e-Filing system.

Both tools are available online free of charge. However, they serve only as **preliminary screening tools** and cannot replace comprehensive trademark clearance searches. They may

not fully assess the distinctiveness of a mark, phonetic similarities, risks of confusion, or the exercise of discretion by trademark examiners.

B. Statistics

1. The number of new applications

Year	No. of new applications	Increase/Decrease
2024	51,970	-
2025	55,430	about 6.5%

Comments and /or additional statistics: The number of trademark applications filed in Thailand has continued to increase annually, with a significant proportion of applications originating from Chinese applicants.
Ref: https://www.ipthailand.go.th/th/trademark-010/item/staticgiregistration20231212-copy.html

2. Average timeframe from filing up to registration

Year	Average timeframe from filing up to registration (months)
2024	Approximately 8-10 months
2025	Approximately 8-10 months

Comments and /or additional statistics: In 2025, the trademark registration process in Thailand remained unchanged compared with 2024. The statistics presented relate to the examination of trademark applications filed directly through the national filing system. However, substantial delays continued to affect the examination of international registrations designating Thailand under the Madrid Protocol.

C. CASES

1. Beiersdorf AG v. Department of Intellectual Property and Somsak Panichyakul
Court: Court of Appeal for Specialized Cases
Judgment No.: 98/2568

Opposition against trademark "นีเวียร์" application No. 180125873 in Class 32
Summary:

The Registrar dismissed the opposition on the grounds that the respective goods fell within different classes and were not goods of the same character. The Trademark Board upheld the Registrar's decision and further found that the evidence submitted was insufficient to establish that NIVEA was a well-known trademark in Thailand reasoning partly that the evidence show use only in few years even though the mark has been registered for many years.

Beiersdorf subsequently brought the matter before the Central Intellectual Property and International Trade Court. The Court of First Instance overturned the decisions of the Registrar and the Trademark Board and ordered the authorities to proceed with the rejection of the opposed application'

On appeal, the Court of Appeal for Specialized Cases affirmed the lower court's judgment, finding that NIVEA and นีเวีย trademarks had acquired a well-known status in Thailand prior to the filing date of the opposed trademark, "นีเวียร์" application No. 180125873 in Class 32.

The Supreme Court denied the Defendants' request for permission to appeal. Accordingly, the judgment of the Court of Appeal for Specialized Cases became final.

The Court's assessment

The Court held that the high sales volume and substantial revenue generated from NIVEA products reflected both the popularity of the products and their extensive consumer base in Thailand.

The evidence also demonstrated that NIVEA products were widely distributed and advertised throughout Thailand. This was sufficient to establish that the general public, or at least the relevant sector of the Thai public, was familiar with and recognized the NIVEA trademarks.

Importantly, the Court held that Beiersdorf was not required to submit evidence covering every single year from the date of its earliest trademark registration in Thailand to the filing date of the opposed mark. Rather, the evidence, when considered as a whole, sufficiently demonstrated continuous, widespread, genuine, and good-faith use and promotion of the NIVEA trademarks over an extended period prior to the filing of the opposed trademark, 'นีเวียร์".

The decision confirms that a trademark's well-known status in Thailand must be established based on the evidence as a whole, demonstrating recognition among the Thai public, without requiring a complete year-by-year record. It further illustrates that a well-known trademark may enjoy protection across different classes of goods or services and that minor differences between marks may not preclude a finding of similarity where the marks remain substantially similar in pronunciation and overall commercial impression.

2. Pirelli & C. S.p.A. v. Department of Intellectual Property and Wichote Seangchotichuangchai

Court: Supreme Court of Thailand, Intellectual Property and International Trade Case Division
Judgment No.: 8837/2568

Cancellation petition against trademark "  **" Application/Registration No. 444323/Kor151544 in Class 12**

Summary:

Pirelli filed a petition for cancellation of the registered **P.RALLY** trademark for motorcycle tires in Class 12, arguing that it was confusingly similar to its earlier **PIRELLI** trademark and could mislead consumers as to the ownership or origin of the goods.

The Supreme Court recognized that **PIRELLI had a long-established presence in the Thai market**. The mark had been registered in Thailand since 1980, Pirelli had appointed a Thai distributor since 1992, and its products had been continuously promoted in the Thai market.

Nevertheless, the Court did **not expressly determine whether PIRELLI qualified as a "well-known mark" under Section 8(10)**. Instead, the Court's decision was based on the likelihood of confusion and the grounds for cancellation under Section 61(4).

Although **PIRELLI** and **P.RALLY** shared some phonetic similarity and were used in connection with related goods, the Court found that their overall visual appearances were materially different. The Court also gave weight to the fact that **P.RALLY had been continuously used for approximately 10 years before its registration in 2001**, which contributed to its recognition by consumers as a distinct commercial identifier. There was insufficient evidence to establish that relevant consumers had actually been confused or misled as to the ownership or commercial origin of the goods.

The Supreme Court therefore held that P.RALLY was not confusingly similar to PIRELLI to the extent required for cancellation and **affirmed the dismissal of Pirelli's action**.