



The temporary relinquishment of surcharges for late renewal of trademark registration and late payment of patent annuity fee during the outbreak of COVID-19 in Thailand

On March 27, 2022, the Minister of Ministry of Commerce has approved the two Ministerial Regulations, in connection with the temporary relinquishment of surcharges for late renewal of trademark registration and late payment of patent annuity fee during the outbreak of COVID-19 in Thailand to help those who has been economically affected by the Covid-19 spreading situation. The two Ministerial Regulations currently become temporarily effective from **April 9, 2022 to September 30, 2022**. The details of the two Ministerial Regulations are set out below: -

Trademark: The trademark registrants are generally subject to payment of a 20 percent surcharge of the regular renewal fee for late renewal in accordance with Sections 54 Para 2, 80, 81 and 94 of the Thai Trademark Act. According to the aforesaid measure, the surcharge of late renewal will be relinquished if a late renewal is filed during the effective of the temporary relinquishment measure.

Patent: The same measure is applied for the invention patent, design patent and petty patent as well. It means that the 30 percent surcharge of the regular annuity fee in accordance with Sections 43 Para 3, 65 and 65 decies of the Thai Patent Act will be relinquished if a late payment is made during the effective of temporary relinquishment measure.

However, the temporary relinquishment measure does not have a result to extend the deadline for trademark renewal or the deadline for payment of annuity fee. The trademark and patent registrants are still required to file a trademark renewal application and pay the annuity fee within the stipulated deadline.

In case you require more information or require advice on this temporary relinquishment of surcharges as well as other IP matters, please do not hesitate to contact us via email: ipgroup@ilct.co.th

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