

## NOTIFICATION OF TOTAL PROVISIONAL REFUSAL OF PROTECTION

Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)

I. Office making the notification:

Department of Intellectual Property of Thailand

II. Number of the international registration:

1128501 (EXN,31/2019)

National application No.

190140360

III. Name of the holder:

Comité International Olympique

IV. Information concerning the type of provisional refusal:



Total provisional refusal based on an ex officio examination



Total provisional refusal based on an opposition



Total provisional refusal based on both an ex officio examination and  
an opposition

Where the refusal is based on an opposition, please indicate the name and  
address of the opponent:

(i) Name of the opponent:

(ii) Address of the opponent:

V. Information concerning the scope of the provisional refusal:

Total provisional refusal affects all the goods and/or services.

**VI. Grounds for refusal [(where applicable, see item VII)]:**

- The following items of goods/services in this application do not comply with Thailand's Trademarks Act (No.3) B.E. 2559, section 9 because of the broad/vague identification. The applicant shall clarify with more concise or precise words/texts, but not to broaden beyond those terms in the original application:

Broad/Vague the identification

Class 1

"Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry;unprocessed artificial resins, unprocessed plastics;tempering and soldering preparations;thermoplastic and thermosetting synthetic resins and organic compounds for molding, for general use in industrial processes;intermediate chemicals;organosilicon compounds, namely polysiloxanes and silanes in the form of resins, pastes, fluids, elastomers, vulcanization and acceleration products;anti-foaming agents;chemicals for development and setting of x-ray films and other chemicals in connection with the development of said films;chemical substances used as nuclear fission materials;fuel for nuclear reactors;fused quartz in various forms, such as disks, ingots, rods and tubes for general use in industrial processes;adhesive materials for use in industry;polycrystalline alumina ceramic for general use in industrial processes;brazing and soldering fluxes and products;thermoplastic and thermosetting adhesives;chemicals, biochemicals and reagents for use in industry, science and research;chemical reagents, kits and products for analysis or diagnosis for scientific purposes, namely chemicals for cell culture and separation, purification of nucleic acid, nucleotides, florescent nucleotides, oligonucleotides, peptides, proteins, amino acids, organic molecules and markers for DNA/RNA synthesis;radiochemical products for scientific research;specialized chemicals for use in industry, science and research;gases and gas mixtures for use in industry, science and research;chemical substances and products for manufacture of pharmaceutical products, diagnostic products and substances;chemical testing reagents, saline solution and paper coated with reagents, all for scientific use and for use in laboratories;fissile chemicals for scientific research;radioactive isotopes and elements for use in industry, science and research;radioactive sources and norms for radiographic technology;radioactive sources for non-destructive testing, purification and sterilization technology;radionuclides for scientific research;chemical compounds and chemicals for treatment of water supply systems, wastewater treatment systems, cooling water circuits, boiler water and steam generating systems, boiler condensate systems, liquid separation systems, systems for water purification and dehydration in aqueous systems, conditioning systems, gas purification systems, industrial process systems, fuel treatment systems, hydrocarbon and gas treatment systems, petrochemical systems and gas and oil treatment systems, pulp and paper making systems, metal and plastic coating systems, metal treating systems;chemicals, namely chemical additives for gasoline, additives for heating oil and additives for improving the efficiency of turbine engine fuel;bags with chemically treated granular materials for absorbing water to be placed in fuel tanks;bacterial cultures and nutritive elements for treating sludge and wastewater;chemicals and chemical compounds used as anti-fouling and demulsifying agents in operations for producing coke and metallurgy-derived products;chemicals, catalysts, plastic semi-processed goods used as materials, filters for removing acid gases, untreated plastics, crystal whiskers and diamond gray."

<Example of the amendment identification>

“chemical substances and products for manufacture of pharmaceutical products, diagnostic products and substances”

Further specify the type of goods/services for examples: preservatives for use in the pharmaceutical industry; antioxidants for use in the manufacture of pharmaceuticals.

#### Class 2

“Paints, varnishes, lacquers;preservatives against rust and against deterioration of wood;colorants;metals in foil and powder form for painters, decorators, printers and artists;corrosion inhibitors in the form of a coating for use in the metal finishing industry, namely an acid aqueous product for final rinsing;corrosion inhibitors in the form of a coating for cooling water circuits;corrosion inhibitors in the form of a coating, namely resinous coatings for masonry and metal surfaces;covering materials, etching liquids;toners, toners for copiers, toners for facsimile machines.”

#### Class 3

“Bleaching preparations and other substances for laundry use;cleaning, polishing, degreasing and abrasive preparations;perfumery, essential oils, cosmetics, hair lotions;dentifrices;cleaning preparations containing chemicals and chemical compounds for cleaning steel, aluminum, mixed and galvanized metal surfaces for general industrial use for manufacturing goods of metal;cleaning agents containing chemicals and chemical compounds for industrial use for removing contaminants in industrial process systems;paint stripping preparations containing chemicals and chemical compounds for removing paint from equipment surfaces in spray-painting booth operations.”

#### Class 4

“Industrial oils and greases;dust absorbing, wetting and binding compositions;fuels (including motor spirit) and illuminants;candles and wicks for lighting.”

#### Class 5

“Pharmaceutical and veterinary preparations;sanitary preparations for medical purposes;dietetic substances adapted for medical use, food for babies;plasters, materials for dressings;material for dental fillings and dental impressions;fungicides, herbicides;pharmaceutical preparations for diagnosis;veterinary pharmaceutical preparations for diagnosis;veterinary and pharmaceutical substances for medical use;diagnostic preparations and reagents for medical use;diagnostic substances for medical use;contrasting substances for medical imaging;scanning diagnostic reagents for use in vivo;diagnostic imaging agents for magnetic resonance imaging (MRI);radiopharmaceuticals for medical and clinical use;radiopharmaceutical sources and norms for nuclear medicine;radioactive pharmaceuticals and non-radioactive reagents for producing radiopharmaceuticals for in-vivo diagnosis or for therapeutic use;gases and mixtures for medical imaging;pre-filled bottles containing reagents for medical diagnosis;pre-filled cartridges containing chemical solutions for medical use;pre-filled cylinders containing gases and gas mixtures for

capsules;radiotherapy administration system consisting of radioactive pellets and of a bioabsorbable carrier set.”

#### Class 7

“Machines and machine tools;motors and engines (other than for land vehicles);machine coupling and transmission components (other than for land vehicles);agricultural implements other than hand-operated;apparatus, equipment and instruments for electricity production, namely electrical and wind energy generators generating electricity;turbines;turbines for energy production;wind turbines for energy production;wind turbines linked to wind farms, turbine-powered production installations, namely installations for electricity production;power-generating engines;and parts and components of all the aforesaid goods;machines and systems of machines, including parts and accessories for electricity production, transformation and conversion;dynamos, electric motors of all kinds, steam and gas turbines and their parts, electrical generators and their parts, aircraft engines, compressors;laundry washing machines, dishwashers, grinders and compactors of waste;pumps, namely centrifugal pumps, diaphragm pumps, bellows pumps, pumps and transfer pumps;liquid control devices, namely valves, regulators, actuators, ejectors, liquid separation cartridges and their parts, including semi-permeable diaphragms;filtering cartridges for various industrial machines for filtering applications, including for filtering of coating solutions for manufacturing of magnetic tapes and for filtering of petrochemicals, drinking water, beer in the brewing industry and other special chemicals;machines for supplying and applying chemicals for industrial use;axial-flow and radial-flow compressors;screw and sliding-vane compressors;rotary, vacuum, electric, submerged and centrifugal pumps;turbo-expanders, namely, air and electric compressors;CNG refueling machines for land vehicles and industrial equipment and accessories and parts of all the aforesaid goods, namely pumps, valves, fuel filters, filter housings, distributor rotors, blades, bearings and mechanical joints;welding machines, industrial robots, machines for insertion of electronic components, dry etching machines, electric micro-discharge machines, systems for production of optical discs, precision connection equipment, treatment machines for printed wiring panels, welding rods, machines for assembling parts, brazing machines, machines for fixing screws, electrical tools;electric motors, electric generators;washing and drying machines, electric washing machines, electric dishwashers;pumps, electric pumps;mixing, cutting and chopping machines, mixing machines, electric centrifuges, electric food processors, electric meat grinders, electric can openers, electric knife sharpeners, electric coffee grinders, electric ice crushers, electric waste-processing machines;garden tools, electric lawnmowers, garden vaporizers for disinfectants and insecticides;electric apparatus for cleaning, electric vacuum cleaners, electric floor polishers;electric hand tools and implements;plasma, gas or arc-cutting machines for cutting metal;mixers, centrifuges, hand-held mixers, food processors.”

#### Class 9

“Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments;apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity;apparatus for recording, transmission or reproduction of sound or images;magnetic data

carriers, recording discs;automatic vending machines and mechanisms for coin-operated apparatus;cash registers, calculating machines, data processing equipment and computers;spectacles, sunglasses, goggles for sports;computer software, computer game software;fuel distribution equipment, namely calibrated fuel pumps, electric fuel-level gauges, control valves for regulating gas flow and fuel lines;automated systems for service-station management comprising operating software, calibrated fuel pumps, flow control panels, fuel lines and pump nozzles for refueling of land vehicles, marine vehicles and aircraft;on-board and roadside signaling and communication systems, train inspection systems, crossing notification systems, apparatus for electric control of switching;GPS tracking and monitoring systems for the railway and transit industries;electrical distribution products and devices, namely capacitors, circuit breakers, circuit-breaker patch boards, circuit closers, contact breakers, commutators, contactors, current rectifiers, current limiters, electric contacts, electric collectors, electric conductors, electric connectors, electric controllers, electric inductors, electric power supply systems, distribution boards and branch boxes (electricity), electrical distribution consoles, electrical switchboards and switchboxes;software for persons in charge of troubleshooting and maintenance of programmable controllers, software for blood vessel analysis, including heart vessel analysis, also with calculation functions with regard to blood vessels, software for medical patient-monitoring equipment, software for receiving, processing, transmitting and displaying data, software for developing customized programs for asset allocation;software for use on line enabling vendors of office equipment to place orders, to manage portfolios and communicate with the company;software for accessing mortgage and insurance information, software for collecting data concerning vital signs, software for analyzing electrical systems and electronic instruction manuals sold in the form of sets, software for employees of financial institutions used for assessing customers' financial investments and processing the sale of the investments identified, software for obtaining information on the risk of flooding with regard to real property, software for developing graphic user interfaces and displaying data, software for calculating mortgage payments, software for controlling and managing vehicle fleet maintenance services, software for using and accessing commercial information technology services, software used by clients to obtain information regarding lease portfolios, software for a radiology information system for radiologists and radiology departments, software for managing databases containing information on employees and patients for archiving purposes and patient follow-up, software installed on and used with PCs and medical monitoring equipment for graphic user interfaces, software for sending encrypted and compressed data to radio-paging (transport) systems, software for providing access to web sites so that buyers and sellers can carry out business transactions by electronic means, and software for subterranean navigation, namely navigation of the assembly of a depth probe for oil drilling and drilling assemblies so as to set up subterranean installations;electronic, nuclear, industrial and laboratory instruments and apparatus, for testing, measuring, calculating and monitoring;electrical products, electricity production and distribution products and voltage surge protection products, namely lightning conductors, armored rods;input/output devices and controls;controls for lighting;switch boxes, DELs, namely light-emitting diodes, electrical voltage regulators, voltage surge protectors, voltage surge limiters, voltmeters, electrical circuit boards, relays and timers, electromagnetic switches and limit switches, manual full-voltage starters, reduced-voltage starters,

disconnecting switches and switches, splitters for circuit boards and short-cycling panels, circuit breakers and disconnecting switches, transformers, electric circuit and electric lighting boards, electric wires, cables, cords and conductors, electric wiring and accessories, lightning conductors, electricity meters, wattmeters, grounding resistances, humidity and temperature sensors; industrial calibration sensors, push buttons, engine and motor control centers and their electric controls and voltage regulators included in this class; computer programs and software for medical use, industrial use and for research; electrophoresis apparatus; chromatography columns and pumps; apparatus for microfabrication; apparatus for bio-informatics systems; scintillation apparatus; imaging apparatus for luminescent and radioactive emissions; integrated purification and synthesis systems; oligonucleotide-producing apparatus; optical laser systems for digital imaging; glassware for laboratories; vials and micro-vials; microtiter plates; software and manuals therefor sold in the form of sets for plant management; software for creating graphic presentations and editing dynamic data interfaces for real-time graphic applications for industrial and commercial use; software for controlling, monitoring, simulating, communicating, recording and collecting data and for plant automation; software for integration of manufacturing machine operations, process control, supply of data for displaying, problem follow-up and production report generation; software packages for operating and programming grinders in the manufacture industry; computer hardware for monitoring industrial processes, namely computerized monitors; portable computers, Ethernet cards and cables; computer networking hardware, memory boards; computer network hubs, switches and routers, computer accessories, displaying devices and terminals; processors and system cards; call controllers, operator interfaces, reference interfaces and data collectors; applications for manufacture and control, namely for statistical process control, data collection, direct digital control; document management systems; digital signal processing products and systems, namely, industrial automation controls and programmable logic controllers; adaptive control product in the form of an external controller for optimizing rough and semi-rough cutting performance of machine tools; distributed and remote input/output equipment, input/output modules, interface modules, electricity supplies and assembly equipment; anti-theft and burglar alarm systems; security devices, namely logic programming computers, control panels, electronic burglar detectors, electronic glass-breakage detectors, electronic vibration detectors, magnetic contacts for security systems, electronic switch plates, electronic motion detectors for alarm systems, electronic motion-sensitive switches, fixed connection sirens, audio loudspeakers, electronic navigation systems, alarm monitoring and access control systems; fire, smoke and heat alarms and detectors; systems for access control with computer cards; card readers, card encoders and encoded cards for card-operated access control systems; video devices for object recognition; video devices for object following; video devices for reading license plates; video devices for checking alarms; video devices for facial recognition; video devices for vehicle recognition; video devices for traffic detection; video devices for access door control; video devices for burglar detection; processing software or hardware used for analyzing digital video images for extracting, recording and reporting information automatically, and remote video surveillance systems for surveillance and security applications; central video monitors; apparatus for shooting and filming; closed-circuit video systems; closed-circuit video systems consisting of one or several cameras and camera housings; wireless, short-range and radiofrequency transceivers; transceivers for

lines;communication monitoring equipment for operating closed-circuit cameras;communication monitoring equipment, namely numeric-pad controls, matrix switching devices, multiplexers, digital video recorders, integrated swinging panoramic zoom domes, remote video controllers, receivers, electronic alarms, triggers and management controls and video transmission devices sold separately or as parts of a closed-circuit camera operating system;communication interfacing devices for personal digital assistants (PDAs);fiber-optic transmission systems, namely fiber-optic transmitters, receivers and transceivers for transmission of video signals, audio signals and data via optical fibers;electromechanical locking devices;magnetic cards for locks, access control, presence control, alarms and security systems;portable electronic hardware for reception, control, storage, handling, display and transmission of data and for actuating electronic locks;electronic access cards and their readers and encoders;magnetic access cards and their readers and encoders;memory access cards and their readers and encoders;proximity cards and their readers and encoders;key holders and their readers and encoders;barcode access cards and their readers, encoders and laminators;access keypads;radio-frequency tracking devices;tracking and control systems consisting of one or several detectors, transceivers and radio-frequency beacons for determining and checking the location and movements of assets, stocks and people;infrared sensors;computer hardware and software for managing infrastructures and monitoring systems for accessing infrastructures and components thereof, namely control boards, access card readers and video imaging, video surveillance, digital hard disk recording, network transmission and remote access equipment and systems;networked digital video storage servers, applications for surveillance and access control, alarm and security monitoring, computer hardware and software for monitoring and operating access and security systems comprising locking systems, doors, access and identification devices;and security cases in the form of boxes for keys;surveillance and monitoring systems sold separately or as components or in the form of sets such as systems comprising one or several surveillance cameras, hidden cameras, closed-circuit television cameras, camera casings, camera stands, lenses, video monitors, video recorders, digital recorders, video recording media, video switches, control panels, numerical pad controls, joysticks, interface apparatus for alarms and access control equipment, transceivers, receivers, transmitters, signal processors, multiplexers, matrix switches, controls, control panel casings, switch housings, transformers, switches, splitters, coaxial cables, connectors, motion detectors, microphones and loudspeakers;user interface software and control software for management of access, security and fire-extinguishing systems;portable electronic communication and computer equipment for data reception, control, storage, handling, display and transmission for operating electronic locking devices;electronic key holders, readers and encoders;computer hardware and software for data processing;electric power supplies, namely batteries, rectifiers/regulators of current/voltage and transformers;control panels, namely electronic apparatus designed for electronically monitoring a predefined activity and for activating an anti-theft alarm;and electronic siren controls, namely ringer tone generators and amplifiers for sirens;switching devices integrating magnetically triggered blade switches for anti-theft alarm systems and fire alarm systems, in industrial tracking apparatus, revolution counters, security lock systems for equipment cabinets, industrial position-monitoring apparatus, electric cables and pump and valve monitoring apparatus and home security alarm systems;electric and electronic checking apparatus for detecting the presence of certain

substances on people, in luggage and freight;electric and electronic checking apparatus for detecting the presence of explosives and/or narcotics on people, in luggage and freight;timers or sensitive apparatus for detecting changes in conditions for launching and monitoring regeneration or washing cycles for waster treatment equipment;control valves for water treating and filtering equipment;portable analysis instruments, namely a probe with a recorder for data conversion equipped with microprocessors for measuring organic and inorganic products in water;filters and filter housings for laboratories;deionization devices for laboratories, filters and filter housings for laboratories;membranes for laboratories;liquid flow control devices, namely pumps, valves, flowmeters and regulators for laboratories;laboratory equipment, namely porous titration microplates for cellular biology and other applications in life sciences;electronic controls for water treatment and processes, namely apparatus for treatment of industrial and commercial water supply systems, boiler water systems, water cooling systems, cooling water systems and closed water-supply systems, systems for paper and pulp treatment, fuel treatment systems and metal treatment systems for analyzing system chemistry, determining the right treatment program, applying the desired treatment and monitoring treatment efficacy;electronic controls for data processing in the field of paper, pulp and water treatment;apparatus for supplying an industrial, commercial or municipal water supply system with measured quantities of chemicals;laboratory testing equipment, namely apparatus for testing deposit levels and corrosion speed;mobile laboratory equipped with instruments and equipment for measuring and monitoring pH, conductivity and concentration of chromate in domestic and industrial water, for carrying out inorganic and microbiological water testing;electronic and electrochemical products, namely fuel cells;apparatus for converting photo-electric radiation to electrical energy, namely, photovoltaic solar modules, hybrid photovoltaic solar modules, electronic sensors for measuring solar radiation, photo-cells;apparatus for converting electronic radiation to electric energy, namely photovoltaic solar modules, systems and components and all related system components;printers, laser printers, ink-jet printers, multi-function and multi-purpose printers, parts of all the aforesaid goods;portable electronic devices for wireless reception and/or transmission of data, enabling users to store or manage personal information and to transmit and receive voice, video and image communications;software for synchronization of data between a remote unit or station and a fixed unit or station, and software providing a one-way and/or two-way wireless connection to data;portable digital electronic apparatus and related software;portable electronic devices for wireless data reception and/or transmission;software for re-orientation of messages, electronic mail and/or other data from a personal computer or a server towards one or several portable electronic devices;computer programs and software for wireless device operation and management;telecommunication devices;software for accessing, researching, indexing and recovering information and data from global computer networks and global communication networks, and for navigation on web sites in the aforesaid networks;portable electronic devices for voice, video, data and image communications;software, software packages;batteries, dry cells and batteries, rechargeable batteries, battery chargers, storage batteries, solar cells and batteries, fuel cells;carbon, carbon electrodes for dry batteries, carbon electrodes for welding;wiring apparatus, connectors (electric), electric cables, electric ducts, floor ducts specially designed for housing electric cables, ballast (for discharge lamps), wiring systems under carpets, code lighting switches,



circuit breakers, magnetic starter switches and contactors, circuit protectors, switching devices, electric connecting boxes, device switches, output jacks, plugs (electric), insulating materials, electric timers, other wiring devices;signaling apparatus and instruments, video intercoms, intercom systems, electric door chimes, intercoms, fire alarms, gas-leak alarms, anti-theft alarms, portable emergency intercoms;acoustic machines and apparatus, radios, tape recorders/players, radio cassette recorders, portable tape players, compact disc recorders/players, minidisc recorders/players, minidisc consoles, DVD audio recorders/players, secured digital recorders/players, secured digital cards, loudspeakers, tuners, amplifiers, stereo systems, disc readers, graphic equalizers, alarm clocks, integrated circuit recorders, digital audio processing devices, earphones, headphones, microphones, cassette recorders/players, software for compact discs (prerecorded), electric megaphones, language laboratories, audio systems for cars, public address systems, mixing consoles, cleaning products for audio equipment, audio cables, video cables, other audio machines;audiovisual machines and apparatus, television sets, cathode ray tube display devices, cathode ray tubes, image pick-up tubes, plasma television sets, plasma display devices, television sets (liquid crystal display), liquid crystal display monitors, television sets combined with video tape recorders, television sets combined with disc players, antennas, tuners for satellite broadcasting, television tuners, Internet terminals, video projectors, video cassette recorders, camcorders, video cameras, video printers, laser disc players, video CD (compact disc) players, software for video CD (compact disc), video recorders/players for DVDs, color video systems for large-scale display, cable television systems, hard disk units, video imaging devices, electric optical display boards, multi-purpose electric display systems, closed-circuit video equipment systems, software for DVDs, television cameras, video switches, non-linear editing systems, editing controllers, DVD creation systems, LED displays, other audiovisual machines;optical disc machines and apparatus;optical disc units, optical disc recorders, optical disc readers, optical disc changers, optical disc cartridges, optical disc recording systems;communication apparatus and machines, facsimile transceivers, transceivers, telephones, cellular mobile telephones, cases for cellular mobile telephones, telephone answering machines, private auto-switch systems, global positioning system receivers, radiotelephones, marine radars, radio-paging receivers, mobile communication systems, multi-channel access radio systems, electric panels for traffic information, videoconferencing systems, private portable telephone systems, local network systems, AV codecs (coder-decoders), navigation systems for cars (road guidance systems), electronic systems for road toll collection, GPS (global positioning system) antennas;surveillance (monitoring) apparatus and instruments, electric door opening devices, communication and surveillance systems for apartment structures, intruder detection systems, automated systems for surveillance and control of functions in buildings, security apparatus with several electrical layers;automatic control machines and instruments, electric distribution boards, road signal control apparatus, bus placement systems, ultrasound vehicle detectors, information and telecommunication networks for road traffic management, light dimmers, light switches, inverters, programmable control systems, transformers, cabinets, domestic electricity production systems, power capacitors;data processing equipment;computers and computer peripherals, word processors, software (recorded), image scanners for personal computers, printers, PC cards, computer keyboards, mice (data processing equipment), CD-ROM units, diskette units, card

reading/writing systems, barcode readers, time recorders, portable data terminals, point-of-sale systems, data collection terminals, personal digital assistants (PDAs), DVD-RAM/ROM units, CAD/CAM (computer-aided design/computer-aided manufacturing) systems, hard disk units, electronic calculators, uninterruptible power supplies for computers / communication / broadcasting;external storage devices, video cassettes, cleaning heads, D-VHS (video systems for household use), other computer peripherals;video tapes, audio cassettes, diskettes, optical discs, mini-discs, DVDs (digital versatile discs), integrated circuit memory cards;weighing and measuring apparatus and instruments, thermoluminescent dosimetry systems, portable x-ray dosimeters, electronic meters, ammeters, electricity consumption meters, grip measuring devices, electric apparatus for measuring leakance, electric insulation meters, thermometers, measuring system processors, electric multi-circuit sector voltage monitors, micro-precision measuring devices, body fat monitors, pacers, audio/video analyzers, oscilloscopes, modulators, voltmeters, distortion meters, other measuring apparatus;sensors, light-sensitive sensors, thermometric sensors, position sensors, angular velocity sensors, rotation sensors, angle sensors, dew point sensors, other sensors;electric components, LEDs, liquid crystals, liquid crystal display modules, magnetrons, diodes, transistors, thermostats, integrated circuits, semi-conductor storage devices, micro-computers with a single chip, cartridges for microphones with electric capacitor, gray-scale image processors, thermal print heads, magnetic heads, permanent magnets, connectors, relays, display components, semi-conductor lasers, charge coupling devices, image detectors, film capacitors, over-oxygenation membrane units, electric tuner units, high-frequency units, coin validation units, note validation units, magnetic card reading/writing devices, voltage-controlled oscillators, phase-locking circuit synthesizing modules, wireless communication module units, optical transmission components, printed wiring boards, loudspeaker components, electricity supplies, AC adaptors, focusing magnets, inductors (coils), capacitors for electric apparatus, electric signal filters, transformers, deflection coils, thermistors, varistors, piezoelectric ceramic components, acoustic-optical components, resistances, potentiometers, encoders, printing units, hybrid integrated circuits, switching components, heat-welding wiring boards, transparent button boards, electroluminescent components, remote control units, magnetic resistance elements, thermal disconnects, other electric utensils for household use, electric flat irons, electric hair curlers, electric hair straightening or curling irons;electric arc-welding apparatus, welding electrodes, electric timers;equipment for processing data, particularly for financial applications;operating system programs;computer hardware and software, particularly for local and wide-range computer network development, maintenance and use;systems for reading memory cards and systems for reading stored data including integrated circuit memories and bank card memories;encoded cards, including magnetic cards and integrated circuit cards, particularly for financial applications;card readers, printing apparatus, including printing apparatus for data processing systems and financial transaction systems;machines for banking institutions;encoders and decoders;encoded magnetic cards, cards with electronic data, readers for encoded magnetic cards, readers for cards with electronic data, electronic encryption systems, computer hardware, computer terminals, software used in financial services, in the banking and telecommunication industries;electric and electronic products, namely calculating machines, pocket planners, alarms and torches;bank cards, including printed bank cards and bank cards with magnetic memory and with integrated circuit memory;

bank cards, credit cards, debit cards, including such cards equipped with integrated circuits and microprocessors; data processing equipment and computers including cards equipped with microprocessors and integrated circuits; computer hardware in the form of integrated circuit cards and card readers containing transponders and other proximity payment devices; machines and machine systems, including parts and accessories for transmission, distribution and control of electricity; induction devices, electrical displacement devices, electricity control and regulation devices, electricity measuring instruments, electrical protection devices, switchboards, switchboard apparatus, wiring devices and supplies; liquid control devices, namely, flowmeters, manostats, sequential timers, electric controls and switches; electric devices for killing insects, audio amplifiers for keyboards, external memories for musical instruments; electro-thermal hair curling apparatus, electric hair straightening or curling irons, electric hair curlers; systems for managing data and preserving archives in the field of anesthesia.”

#### Class 10

“Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; test kits for clinical medical use comprising test tubes, test plates and indicator diagrams for evaluating test results; systems comprising medical apparatus and accessories for administering measured doses of pharmaceutical preparations; patient monitoring systems, namely gas monitors; pulse oximeters, multi-parameter monitors, ECG monitors, invasive and non-invasive blood pressure monitors, neuromuscular transmission monitors, metabolic monitors and spirometers for diagnostic, intensive care and anesthesia applications; anesthetic machines and ventilators; anesthesia and intensive care accessories for a single patient, namely gas sampling lines, airway adapters, respiratory circuits, spirometry tubes and sensors, tubes, water separators, pulse oximetry sensors, non-invasive sphygmomanometers, rinsing sets, anesthesia masks, carbon dioxide absorbers, temperature-sensing probes and nebulizers; gradient coils, namely magnetic gradient coils for magnetic resonance imaging; medical diagnosis devices, namely bone densitometers; fetal monitoring apparatus, namely fetal pulse and vital sign monitors; patient monitoring apparatus, namely, vital sign and cardiac monitors, medical imaging systems, namely ultrasound imaging machines for medical diagnosis, imaging devices for diagnostic and screening applications for planning operations and surgery, and their parts and accessories; medical diagnosis apparatus for displaying diagnostic images, namely spot film apparatus, image intensifiers, fluoroscopes, mobile x-ray devices, x-ray film viewers, CAT scans, nuclear resonance apparatus, ultrasound scanners, magnetic resonance apparatus, positron emission tomography apparatus (PET scans) and their parts and accessories, including tables and pads; electronic apparatus for measuring blood pressure, laser apparatus for medical treatment, ultrasound diagnosis equipment, acoustic apparatus, laser scalpels, electric massaging apparatus, portable vibrators for medical use, low-frequency muscle stimulators for medical use, high-frequency apparatus for medical use, electric air mattresses for preventing bedsores, electric inhalers for therapeutic use, electrically heated pads, CCD (charge-coupled device) sensor systems, medical apparatus for measuring bone density.”

#### Class 11

“Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes;solar panels, panels for capturing solar energy;solar lighting accessories, namely lighting units and solar light fixtures for indoor and outdoor use;solar-thermal installations, namely solar-thermal modules;gas and electric cooking apparatus for household use, namely gas and electric cookers, cooking rings;gas and electric cooktops and ovens;heat exchangers;thick-wall chemical reactors and nuclear reactors and accessories and components thereof, namely, heat pumps, valves for steam systems and valves for regulating liquid and gas flow;electric lamps of all kinds and their parts;electric lighting accessories and their parts;freezers, air-conditioning apparatus, electric ovens, cookers, electric refrigerators;convection ovens, gas and electric cooktops;gas and electric cookers and cooking ovens;ventilation hoods for stoves and exhaust fans;water filters;water softeners;laundry driers;electric fans, ceiling fans, flashlights;vehicle lamps and lights;electric lights for Christmas trees;liquid separation devices;liquid concentration devices;liquid recycling devices;filters for filtering of solids from gas and liquids or for filtering of liquids from gas and for filtering of an immiscible liquid from another;spiral cartridges or elements contained in a tubular plastic sleeve for concentrating goods and removing impurities in liquid treatment systems;water conditioning devices for residential use;reverse osmosis modules and their membranes;devices and systems for water purification consisting of clarification units, electric deionization systems, condensate polishing filters, vacuum degassing devices, ultra-filtration devices, ultraviolet sterilization devices, ion exchangers, systems for regeneration of acids and caustic products, reverse osmosis systems, forced-air carbonate removal devices, filters, systems for supplying chemicals and devices for storage of bulk goods, sold with automatic controls and instruments for monitoring device and system operation parameters, electrochemical purification devices for liquids for industrial, commercial and municipal use;water filtering devices for household, industrial and commercial use;drinking water purification devices for household, industrial and commercial use;liquid separating devices, namely industrial liquid filters;recycling devices, namely liquid purification devices;water treatment equipment, namely cartridges;water treatment equipment for household use, namely water softeners and water conditioners;support filters and depth filters for removing deposits, iron, sulfur, tastes and smells from water;reverse-osmosis water purification devices;depth filter units and cartridges for filtering liquids and air for household, industrial and commercial use;apparatus and installations for lighting, incandescent bulbs, gas discharge starters, grooved fluorescent lamps, fluorescent lamps, tungsten and halogen lamps, pocket lamps, fluorescent lanterns, other lamps, fluorescent lighting apparatus, dynamo lighting kits for bicycles, germicidal lamps, other lighting apparatus;cooking apparatus and installations, automatic bread-making machines for household use, electric kettles, electric rice cookers, gas rice cookers, crock pots, electric grills, cooking ovens, toasters, coffee machines, cookers, electric thermal-insulating coffee machines, gas cookers, induction cooktops, electric barbecue grills, microwave ovens, gas cookers with ovens, electric saucepans, sink trays, other kitchen ranges;freezing and refrigerating apparatus and installations, refrigerators, freezers, cold/hot water dispensers, refrigerating and freezing display cases, electric water coolers, ice-making apparatus;ventilation apparatus and instruments, electric fans, fans, electric air purifiers, extractor hoods for cookers, electric dehumidifiers, electric humidifiers, blowers, blinds propelling cold air, air exhaust units, ceiling fans, ceiling ventilators, electrostatic dust extractors, their parts and

components, all included in this class;other ventilation apparatus and installations;heating apparatus and installations, apparatus for steam generating, drying, cooling and air conditioning, air conditioners, blade fans for air conditioning, apparatus for cooling air by evaporation, stoves, electric radiators, electric blankets, electric floor carpets, kerosene-powered fan heaters, electric foot warmers (kotatsu), wireless gas radiators, other heating/cooling and air-conditioning installations;water distribution apparatus;sanitary installations, electric bidets, toilets, self-cleaning toilet seats, portable toilets, systems for wastewater treatment by aeration, water purifiers, incinerators (waste incinerators), household waste processors, saunas, bathtubs, bath installations, electric showers;water heaters, gas-powered instantaneous water heaters, other water heaters;driers, dish driers, electric hair driers, laundry driers, other driers;electric lamps, electric driers, electric-resistance heating cables;laundry driers.”

#### Class 12

“Vehicles;apparatus for locomotion by land, air or water;electric motors and diesel engines for land vehicles;bicycles, tires and tubeless tires for bicycles, automatic vehicles, electric bicycles;tires.”

#### Class 14

“Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, particularly commemorative medals and coins;jewelry, precious stones;pins;timepieces and chronometric instruments;key rings.”

#### Class 16

“Paper, cardboard and goods made from these materials, not included in other classes;printed matter, particularly postage stamps;newspapers, periodicals, books, photographs and posters;bookbinding material;stationery;adhesives (glues) for stationery or household purposes;artists' materials;typewriters and office requisites (except furniture);instructional or teaching material (except apparatus);plastic materials for packaging (not included in other classes);printing type;printing blocks;computer printouts;checkbooks, punched cards;electronic newspapers and periodicals;paper shredders, electric staplers, battery-powered letter openers, electric pencil sharpeners, electric perforators, electronic typewriters, ribbon cartridges for electronic typewriters, apparatus for printing checks, thermal paper;disposable paper or cellulose diaper-pants, diapers and napkins.”

#### Class 17

“Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes;products made of semi-processed plastics;packing, stopping and insulating materials;silicone mastic for various uses, particularly for caulking of bathtubs, boats and automobiles;impervious and road covering material made of silicone, roofing covering made of silicone rubber;plastic compounds for glazing;plastic materials in the form of sheets, plates, blocks, all for manufacture;electric insulation materials, electric insulation devices, including insulating varnish, silicone rubber compounds;plastic materials in the form of sheets, rods or plates,

modeling materials.”

#### Class 18

“Leather and imitations of leather, and goods made of these materials and not included in other classes;trunks and travelling bags;umbrellas, parasols and walking sticks;whips, harness and saddlery.”

#### Class 19

“Non-metallic building materials;asphalt, pitch and bitumen;thermoplastic building materials, namely thermoplastic molded and extruded materials used as substitutes for wood, metal or glass, for supporting or covering;doors (not of metal), rain gutters, ceiling panels, folding doors, wooden floors, roofing tiles, prefabricated houses, laminates, connecting tracks, steps (ladders) not of metal, building materials with soundproofing properties;non-metallic roofs, with solar cells;plastic panels for building;thermoplastic materials used as building materials for insulation, covering (roofing) and glazing;water pipes made of PVC (polyvinyl chloride).”

#### Class 21

“Household or kitchen utensils or containers;combs and sponges;brushes (except paint brushes);articles for cleaning purposes;unworked or semi-worked glass (except glass used in building);glassware, porcelain and earthenware not included in other classes;implements for cleaning clothing, toothbrushes;ultrasound cleaning apparatus for dentures;dental floss, holders for dental floss, toothpicks, holders for toothpicks;non-electric implements and materials included in this class, all for cleaning;parts and components of all the aforesaid goods included in this class;holders and dispensers for all the aforesaid goods, all included in this class;electric trouser presses.”

#### Class 25

“Clothing, footwear, headgear.”

#### Class 28

“Games, toys;gymnastic and sporting articles not included in other classes;electric floats for fishing, apparatus for tying fishing lines to hooks, electronic apparatus for practicing golf, wax applicators for skis;stationary exercise bicycles and rollers.”

#### Class 29

“Meat, fish, poultry and game;meat extracts;preserved, dried and cooked fruits and vegetables;jellies, jams, compotes;eggs, milk and milk products;edible oils and fats.”

#### Class 30

“Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee;flour and preparations made from cereals, bread, pastry and confectionery, edible ices;honey, treacle;yeast, baking powder;salt, mustard;vinegar, sauces (condiments);ice for refreshment.”

## Class 32

“mineral and aerated waters and other non-alcoholic beverages;fruit beverages and fruit juices;syrups and other preparations for making beverages.”

## Class 35

“dissemination of advertisements by all media, particularly in the form of themed messages focused on human values;advertising by sponsorship (sponsoring);promotion of the goods and services of others, by means of contractual agreements, particularly partnership (sponsorship) and licensing agreements, affording them with increased notoriety and/or enhanced image and/or sympathy derived from the notoriety and/or enhanced image resulting from cultural and sporting events, particularly international events and/or sympathy generated by the above;promotion of the goods and services of others by means of what is referred to as the initial interest factor driving the public to consider, from among many competitors, goods or services presented with signs, emblems or messages so as to capture its attention;promotion of the goods and services of others by means of the so-called image transfer;rental of advertising space of all type and on all media, whether digital or not;business administration of the participation of national teams to an international sports competition, and promotion intended for the public and bodies interested in providing support to the aforesaid teams;advertising by means of direct marketing for others consisting in marketing of databases;advice for advertising by means of direct marketing for others consisting in marketing of databases;automobile and truck fleet management services, namely billing via a global computer network;advice in connection with the management of automobile and truck fleets;commercial services, namely administration of contracts for repair and servicing;supply chain management services and advice relating to the purchase and supply in terms of chemicals and chemical services;product inventory and supply services, limitation of costs;advice, marketing, analysis of prices and costs concerning devices for electrochemical purification of liquids for industrial use;administrative, commercial and technical management of computer files;management of value-added data transmission networks and computer servers (multimedia systems, interactive videography, global computer networks for telecommunications);retail sale of electric and electronic machines and apparatus (grouping, for others, of a range of goods so as to enable customers to view and purchase said goods at their convenience in a retail store carrying electrical goods);information concerning the sale of raw materials;commercial information, commercial information agencies;rental of photocopiers;promotion of the sale of goods and services of others including by means of advertisements, promotional competitions, awarding of prizes and bonuses in the form of promotional lotteries, discounts, reduction tokens and value-added offers in connection with the use of payment cards;promotion of sporting events and competitions for use by others;organization of exhibitions for commercial or advertising purposes;provision of documentation, namely direct mail advertising, distribution of advertising material, distribution of samples;document reproduction;advertising concerning the promotion of commercial sales of goods and services for retail sale purposes;provision of information in connection with e-commerce and electronic retail sale;provision of information concerning the purchase of goods

documentation services, namely advertising concerning transport, travel, hotels, accommodation, food and meals, sports, entertainment and sightseeing tours, tourist agency services.”

#### Class 36

“monetary affairs;real estate affairs;credit card services;financing of sporting and cultural activities;private mark and equity financing services;financial services in connection with credit cards;credit card services, namely granting credit to others;financial asset management for others;insurance and reinsurance services, namely underwriting of all types of insurance;insurance underwriting services in the field of bonds;mutual funds;loan and private capital investments;information, assistance and advice in all the aforesaid fields;lease-purchasing of mobile and modular structures;credit agency services in the field of commercial and consumer credit;financing of real estate loans and financial and banking services;monetary operations particularly by means of bank cards or customer loyalty cards;financial operations;debit card services;provision of liquidities;check cashing services;authentication and verification of transactions;information services in the field of tourism, namely financial information.”

#### Class 37

“Construction;repair;installation services;replacement, overhaul and maintenance of power plants, motors and engines, turbines, wind turbines and apparatus, equipment and instruments for energy and electricity production and their parts, components and accessories;installation, maintenance and repair of compressors and pumps, namely machines, turbo-expanders, fuel pumps and fuel distribution equipment, CNG refueling equipment, gas turbines, steam turbines, air-cooled heat exchangers, steam condensers, thick-wall reactors and tubular reactors;drilling and pumping of oil and gas;remote monitoring, diagnosis, repair and maintenance for the repair and maintenance of airplane engines, turbines, electrical equipment, medical equipment, locomotives, including parts and accessories of all the aforesaid goods;chemical cleaning of glass-coated reactor vats used in the pharmaceutical and chemical treatment industries;maintenance and repair of equipment with computerized cooling systems, repair and maintenance of electrical equipment, apparatus, instruments and machines;repair and maintenance of machines and instruments for measuring and/or testing;repair and maintenance of medical apparatus and instruments;electricity works;telecommunication equipment;installation, maintenance and repair of compressors, pumps, namely, machines, turbo-expanders, fuel pumps and fuel distribution equipment, CNG refueling equipment, gas turbines, steam turbines, air-cooled heat exchangers, steam condensers, thick-wall reactors and tubular reactors.”

#### Class 38

“Telecommunications;television program broadcasting, broadcasting of televised programs (live or recorded);other message transmission services;radio and television broadcasting provided via the Internet;telecommunication of information (including Web pages), computer programs and all other data;simultaneous broadcasting, particularly by means of electronic interconnections, of films and of sound and video recordings;wireless data messaging services, particularly services enabling a user to send and/or receive messages via a wireless data network;one-way and two-



way messaging services;electronic transmission of data, images, documents and audio and video data, including texts, cards, letters, messages, mail, animations and electronic mail, via local or global communication networks, including the Internet, intranets, extranets, television, mobile communication networks, cellular networks and satellite networks;electronic transmission of software via local or global communication networks, including the Internet, intranets, extranets, television, mobile communication networks, cellular networks and satellite networks<sup>1</sup>;provision of access to databases and to local or global communication networks, including the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks;transmission and relay of messages, namely electronic transmission of messages.”

#### Class 39

“Transport;packaging and storage of goods;distribution of oil or gas by pipelines;rental of automobiles, airplanes, self-propelled and marine vehicles;delivery and storage of chemicals in the field of water treatment and of pulp and paper making systems;vehicle reservation services;travel reservation services;transport ticket reservation;information services in the field of tourism, namely transport information;information services in the field of tourism, namely information on reservation of tickets for transport, travel and sightseeing tours;information services in the field of tourism, namely information on planned activities for sightseeing tours and transport;services in connection with transport for tourist assistance;tourist reservation services, namely ticket reservation services and transport reservation services;information relating to prices, timetables and means of transport;tourist assistance services concerning transport ticket, travel and sightseeing tour reservation;tourist reservation services, namely reservation of tickets for transport, travel and sightseeing tours.”

#### Class 40

“Treatment of materials;cinematographic film development;photograph enlargement, photograph printing, photographic film development;rental of photographic machines and instruments for developing, printing, enlarging or finishing;wastewater treatment services, water treatment services, namely desalination, purification, treatment, cleaning of ion-exchange resins;membrane regeneration services;provision of information to others, on a global computer network, concerning industrial systems for water purification.”

#### Class 41

“entertainment;sporting and cultural activities, televised sporting and cultural entertainment;organization of exhibitions for cultural and educational purposes;operating lotteries and competitions;betting and gambling services in connection with or relating to sports;entertainment services provided during sporting events or concerning sporting events;organization of sporting and cultural events and activities;organization of real or virtual sporting competitions;production, presentation and distribution of films and of sound and video recordings;rental and/or provision via a computer network of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games;entertainment, namely presentation of interactive entertainment and education products, namely interactive

games;covering televised and broadcast sporting events;production of television and radio programs and of videotapes;reservation of tickets for sporting events and shows;interactive entertainment;on-line betting services;provision of raffle services;information concerning entertainment or education, provided on line from a data bank or the Internet;provision of electronic publications on line;publication of books, magazines, texts (other than publicity texts) and periodicals;publication of books, magazines, texts (other than publicity texts) and of electronic periodicals on line;editing and publishing services;education services in the field of medical imaging and diagnosis, namely conducting of seminars, conferences, symposiums or workshops concerning the pharmaceutical industry, intended for medical doctors and employees of pharmaceutical companies;education services, namely conducting of seminars, conferences, symposiums or workshops in the field of life sciences and biotechnology for scientists and researchers;training services in all the aforesaid fields;education services, namely conducting of practical training workshops, courses and seminars including demonstrations in the field of medicine and management;organization and performance of concerts;education services, namely conducting of courses, seminars, presentations, video presentations, provision of educational material, namely dissemination of material in the field of financial knowledge;information services in the field of tourism, namely information services regarding reservation of tickets for recreational events;information services in the field of tourism, namely information services regarding entertainment;information services in the field of tourism, namely information services regarding planned sporting, cultural and recreational activities;services in connection with entertainment for tourist assistance;tourist reservation services, namely activity and entertainment reservation services.”

#### Class 42

“Scientific and technological services and research and design relating thereto;services relating to wind and wind energy, namely professional consultancy and engineering services;engineering services, technical consultancy and research for the gas and oil industries;gas and oil prospecting, namely locating and testing of wells;remote monitoring and diagnosis services in connection with compressors, pumps, turbo-expanders, fuel pumps and fuel distribution equipment, CNG refueling equipment, gas turbines, steam turbines, air-cooled heat exchangers, steam condensers, thick-wall reactors and tubular reactors;research, consultancy and assistance services in connection with engineering, design and development problems encountered by governments, individuals and companies whether industrial or commercial and by public institutions;consultancy services in connection with the discovery and evaluation of medicines and components with diagnostic, prophylactic and/or therapeutical properties;customer analysis and synthesis services;biotechnological services;customized design of security systems, access systems and systems for checking inventories and property for others;laboratory and testing services for liquid separation and membrane testing;engineering and consultancy services regarding water treatment, water supply systems, cooling water circuits, industrial boiler water systems, systems for water supply and industrial processes, industrial fuel treatment systems, pulp and paper making systems, systems for treating plastics and metals;engineering and technical assistance services concerning the design and configuration of systems comprising computer hardware and software

treatment of water supply systems and pulp and paper making systems, oil and petrochemical product treatment systems and metal and plastic finishing operations; consultancy services in all the aforesaid fields; industrial development and research services in the field of information technology; all technical consultancy in the field of information technology; consultancy regarding computer programming and data processing, particularly in connection with financial transactions; quality control; technical project studies; maintenance of software, engineering, testing and research concerning electric machines, apparatus and instruments, computer rental; recovery of data, images, documents and of audio and video data, including texts, cards, letters, messages, mail, animations and electronic mail, via global or local communication networks, including the Internet, intranets, extranets, television, mobile communication networks, cellular networks and satellite networks.”

Class 43

“tourist reservation services, namely reservation of hotel rooms, accommodation, food and drink; rental of mobile and modular structures.”

Class 44

“medical and pharmaceutical toxicological controls; hygienic and beauty care for human beings and animals; agriculture, horticulture and forestry services; consultancy services in all the aforesaid fields.”

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VII. Information relating to the possibility to request a review or file an appeal:

(i) Time limit for requesting review or appeal (ninety days from the date of provisional refusal):

April 28, 2021

(ii) Authority to which such request for review or appeal should be made:

Trademark Board, Department of Intellectual Property of Thailand

(iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:

The appeal, amend or comply with the registrar's order shall be appoint an representative in Thailand and use Thai language. The representative list is available at the following address

<https://www.ipthailand.go.th/th/component/zoo/item/list-of-law-relevant-representatives-in-thailand.html>



Please note that any form(s) filed with the International Bureau of the World Intellectual Property Organization in response to this refusal, will not be treated as a request for a review of this refusal unless the above has been complied with.

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VIII. Date of the provisional refusal was pronounced:

January 28, 2021

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IX. Corresponding essential provisions of the applicable law:

See the relevant provisions of Thai trademark law and ministerial regulation are attached.

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X. Signature of the official seal of the Office making the notification:



Miss Narumon Sirikan  
Authorized Officer's Signature

Email: madrid\_dip@ipthailand.go.th

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EXTRACT FROM TRADEMARK ACT B.E. 2534  
AMENDED BY TRADEMARK ACT (NO. 2) B.E. 2543  
AND TRADEMARK ACT (NO. 3) B.E. 2559

Section 6:

To be registrable, a trademark must

- (1) be distinctive;
- (2) not be prohibited under this Act;
- (3) not be the same as or similar to a trademark registered by another person.

Section 7:

A distinctive trademark is a trademark which enables the public or users to distinguish the goods with which the trademark is used from other goods. A trademark having or comprising any of the following essential characteristics shall be deemed distinctive.

- (1) a personal name, a surname of a natural person not being such by its ordinary signification, a full name of a juristic person in accordance with the law on such matter or a tradename represented in a special manner and having no direct reference to the character or quality of the goods;
- (2) a word or phrase having no direct reference to the character or quality of the goods and not being a geographical name prescribed by the Minister;
- (3) an invented word;
- (4) a stylized letter or numeral;
- (5) a combination of colors represented in a special manner;
- (6) the signature of the applicant or the predecessor in his or her business or the signature of another person with his or her permission;
- (7) the representation of the applicant or of another person with his or her permission or of a deceased person with the permission of his or her ascendants, descendants and spouse, if any;
- (8) an invented device;
- (9) a picture having no direct reference to the character or quality of the goods and not being a picture of a map or a geographical site prescribed by the Minister;
- (10) a shape which is not the natural form of the goods or a shape which is not necessary to obtain a technical result of the goods or a shape which does not give value to the goods;
- (11) a sound having no direct reference to the character or quality of the goods or a sound which is not the natural sound of the goods or a sound which does not result from the functioning of the goods.

A trademark having no characteristics under paragraph two (1) to (11), if used on goods which have been widely sold or advertised in accordance with the rules prescribed in a notification by the Minister and if it is proved that the rules have been duly met, shall be deemed distinctive.

Section 8:

Trademarks having or consisting of any of the following characteristics shall not be registrable:—

- (1) state arms or crests, royal seals, official seals, Chakkri emblems, emblems and insignia of the royal orders and decorations, seals of office, seals of ministries, bureaux, departments or provinces;
  - (2) national flags of Thailand, royal standard flags or official flags;
  - (3) royal names, royal monograms, abbreviations of royal names or royal monograms, or
  - (4) representations of the King, Queen or Heir to the Throne;
  - (5) names, words, terms or emblems signifying the King, Queen or Heir to the Throne or members of the royal family;
  - (6) national emblems and flags of foreign states, emblems and flags of international organizations, emblems of head of foreign states, official emblems and quality control and certification of foreign states or international organizations, names and monograms of foreign states or international organizations, unless permission is given by the competent officer of the foreign state or international organization;
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- (7) official emblems and emblems of the Red Cross or appellations "Red Cross" or "Geneva Cross";
  - (8) a mark identical with or similar to a medal, diploma or certificate or any other mark awarded at a trade exhibition or competition held by the Thai government or a Thai government agency for public enterprise or any other government organ of Thailand, a foreign government or international organization unless such medal, diploma, certificate or mark has been actually awarded to the applicant for goods and is used in combination with the trademark;
  - (9) any mark which is contrary to public order, morality or public policy;
  - (10) a mark registered or not, which is identical with a well-known mark as prescribed by the Ministerial Notifications, or so similar thereto that the public might be confused as to the owner or origin of the goods;
  - (11) trademarks similar to those under (1) (2) (3) (5) (6) or (7);
  - (12) geographical indications protected under the law on geographical indications;
  - (13) other trademarks prescribed by the Ministerial Notifications.

#### Section 9:

An application for registration of a trademark may be made for specific goods in one class or in different classes but the particular kinds of goods for which protection is sought shall be clearly specified.

The classification of goods shall be as prescribed by the Ministerial Notifications.

#### Section 11:

Applications for trademark registration shall comply with the rules and procedures prescribed in the Ministerial Regulations.

In cases where Thailand acceded to an international convention or agreement concerning trademark protection, the trademark application which is in compliance with the requirement of such international convention or agreement shall be deemed to be a trademark application under this Act.

#### Section 13:

Subject to Section 27, the Registrar shall not grant registration to a trademark applied for if he finds that:

(1) it is identical with a trademark registered by another person for use with goods in the same class or in different classes found to be of the same character

(2) it is so similar to a trademark registered by another person that the public might be confused or misled as to the ownership or origin of the goods for use with goods in the same class or in different classes found to be of the same character.

#### Section 15:

If, in the opinion of the Registrar,

(1) any unessential part of a trademark applied for is not registrable under Section 6, or

(2) any application for registration is contrary to Section 9 or Section 10 or is not in accordance with the rules and procedures prescribed in the Ministerial Regulations issued under Section 11,

The Registrar shall order the applicant to amend the application within sixty days from the date of receipt of the order and shall notify the applicant in writing without delay.

#### Section 16:

If, in the opinion of the Registrar, the entire trademark or any essential part thereof is not registrable under Section 6, the Registrar shall refuse registration and shall, without delay, in writing notify the applicant of the order giving the grounds therefor.

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## Section 17:

If, in the opinion of the Registrar, a trademark considered as a whole is registrable under Section 6 but contains one or more parts which are common to the trade for some types or classes of goods such that no applicant should have exclusive right thereto or which are not distinctive, the Registrar shall make either of the following:

(1) order the applicant to disclaim exclusive right to such part or parts of the trademark within sixty days from the date of receipt of the order;

(2) order the applicant to enter such other disclaimers as the Registrar finds it necessary to define the rights of the owner of such trademark within sixty days from the date of receipt of the order.

For the purpose of implementing the provisions of the first paragraph, the Registrar shall have the power to declare by notification what is common to the trade with respect to certain types or classes of goods.

The Registrar shall, without delay, in writing notify the applicant of any order under the first paragraph giving the grounds therefor.

## Section 18:

The applicant shall be entitled to appeal the order of the Registrar under Section 15, Section 16 and Section 17 to the Trademark Board within sixty days from the date of receipt of the Registrar's notification. Decisions of the Board shall be final.

## Section 19:

If the applicant fails to appeal under Section 18 paragraph one and does not comply with the order of the Registrar under Section 15 or Section 17, as the case may be, or if the applicant appeals under Section 18 paragraph one but fails to comply with Section 18 paragraph two, the application shall be deemed abandoned.

## Section 20:

Where several applicants file applications for registration of trademarks, if the Registrar finds that those trademarks have any of the following characteristics, he shall proceed with the application first filed and inform the subsequent applicants in writing to await the processing of the application filed before:

(1) the trademarks are identical whether for use with goods in the same class or in different classes found by the Registrar to be of the same character

(2) the trademarks are so similar as to cause public confusion as to the ownership or origin of goods, whether for use with goods in the same class or in different classes found by the Registrar to be of the same character.

Where the trademark first filed is not registered, the Registrar shall proceed with the application next filed and inform the applicant of that application and other applicants without delay.

## Section 29:

When an application for registration of a trademark is considered acceptable, the Registrar shall be order the application to be published.

Paragraph two (repealed)

The publication of applications shall be in accordance with the procedures prescribed in the Ministerial Regulations.

## Section 35:

Upon publication of a trademark application under Section 29, any person seeing that he or she has better title to trademark than the applicant, or that the trademark is not registrable under Section 6, or that the application is not in conformity with the provisions of this Act, may file an opposition, with grounds thereof, with the Registrar within sixty days from the date of publication under Section 29.

Oppositions under the first paragraph shall comply with the rules and procedures prescribed in the Ministerial Regulations.

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## Section 45:

A trademark registered without limitation of color shall be deemed to be registered for all colors.

## Section 79/6:

When an international application requesting protection in the Kingdom is notified by the International Bureau, it shall be deemed an application in the Kingdom and the Registrar shall proceed with it under this Act.

Where the Registrar finds that the trademark under paragraph one lacks registrable characteristics or the application does not conform with the provisions under this Act, the Registrar shall refuse registration and inform the International Bureau, with reasons, within the time and in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulations.

Where the Registrar sees that there may be an opposition lodged beyond the time prescribed in the Ministerial Regulations under paragraph two, he shall notify the International Bureau in writing within the time and in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulations. Where there is an order refusing registration which results from the opposition, the Registrar shall notify the International Bureau in writing, with reasons for the opposition, within the time and in accordance with the rules, procedures and conditions prescribed in the Ministerial Regulations.

Absent any notification whatsoever to the International Bureau under paragraph two or paragraph three, it shall be deemed that the Registrar allows registration of the trademark without need to publish the mark under Section 29.

The trademark, once registration is granted, shall enjoy the same protection as that afforded to a trademark applied for registration in the Kingdom.

## Section 82:

The applicant for registration of a certification mark, in addition to complying with the provisions on registration of trademarks, shall:—

(1) submit the regulations on use of the certification mark together with the application for registration and

(2) demonstrate an ability to certify the characteristics of the goods or services as provided in the regulations under (1).

The regulations under (1) shall indicate the origin, composition, method of production, quality or other characteristics which are to be certified including the rule, procedures and conditions for authorizing use of the certification mark.



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**Ministerial Regulations**  
**Re: Registration of Marks under the Madrid Protocol B.E. 2560 (2017)**

**Clause 3:**

Communications between an applicant and the Department of Intellectual Property shall be in Thai except that the International Bureau's notification to the applicant in Thailand for protection in other contracting parties shall be in English.

**Clause 18:**

As for examination of an international application, the same rules and procedures as those of a national application shall apply unless stipulated otherwise in this Ministerial Regulation.

**Clause 20:**

If that the Registrar considers that the mark applied for protection in Thailand is not registrable or that the application for registration does not conform with the provisions of the trademark law, the Registrar shall issue a notice of refusal and inform the International Bureau thereof before the expiry of the period of eighteen months from the date of the International Bureau's notification of designation of Thailand.

To amend the application or comply with the Registrar's notice, appeal or take any action as per the Registrar's notice under Paragraph one, the applicant shall appoint an agent in Thailand and proceed as aforementioned within sixty days from the date of the applicant's deemed receipt of the Registrar's notice under Clause 33.

**Clause 25:**

In case that the applicant does not comply with the Registrar's notice and does not appeal against such order within the prescribed period or that the applicant does not comply with the Registrar's notice in full, the Registrar shall further proceed as per the documents as available and may issue any of the following notices:

(1) In case of the application containing some terms of goods in relation to which the mark is registrable, the Registrar shall order publication of the application for such registrable terms.

(2) In case of the application not registrable, the Registrar shall order refusal of the said application and shall notify it to the International Bureau as well as the applicant's agent in Thailand, as the case may be. The Registrar shall also dismiss the application from the register.

**Clause 33:**

The notification of grant of protection, the notification of opposition, the notification of refusal, the notification of opposition decision, the notification of order, the notification of decision or the notification of court judgement, the certificate of registration, the notification of summons or any other notifications to the International Bureau, the applicant or the trademark owner shall be in the forms as notified in the Director General.

When the notification is issued in accordance with Paragraph one and the period of thirty days expires, the applicant or the trademark owner shall be deemed to have received such notification.

In case the International Bureau notifies that there are irregularities and such irregularities are caused by the Department of Intellectual Property, Ministry of Commerce, the Registrar shall cancel previous notifications and orders (if any) and issue new notifications and orders. The period of time under Paragraph two shall be counted from the date of sending new notifications.

**Notice :**

These are unofficial translations. Only the original Thai texts of Laws have legal effect.