



Department of Intellectual Property (DIP)

Intellectual Property Mediation



Dispute Resolution Section, Legal Office
Department of Intellectual Property (DIP),
Ministry of Commerce

Scope of DIP Mediation Service

1

Any IP rights disputes



Copyright

e.g. book, song, photograph



Trademark

e.g. restaurant name, brand name



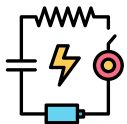
Patent/ Design patent

e.g. process, product shape



Trade secret

e.g. food recipe for business



Integrated Circuit Layout Design



Geographical Indication

e.g. Nont Durian, Doi Chang Coffee

2

Other disputes related to IP rights



Trade name



Domain name



Facebook / Line name

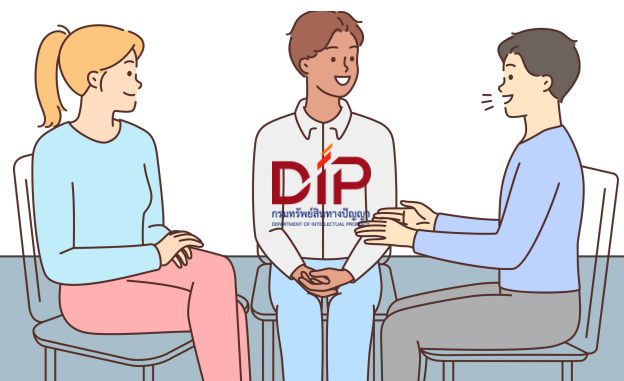


Copyright issue in contract

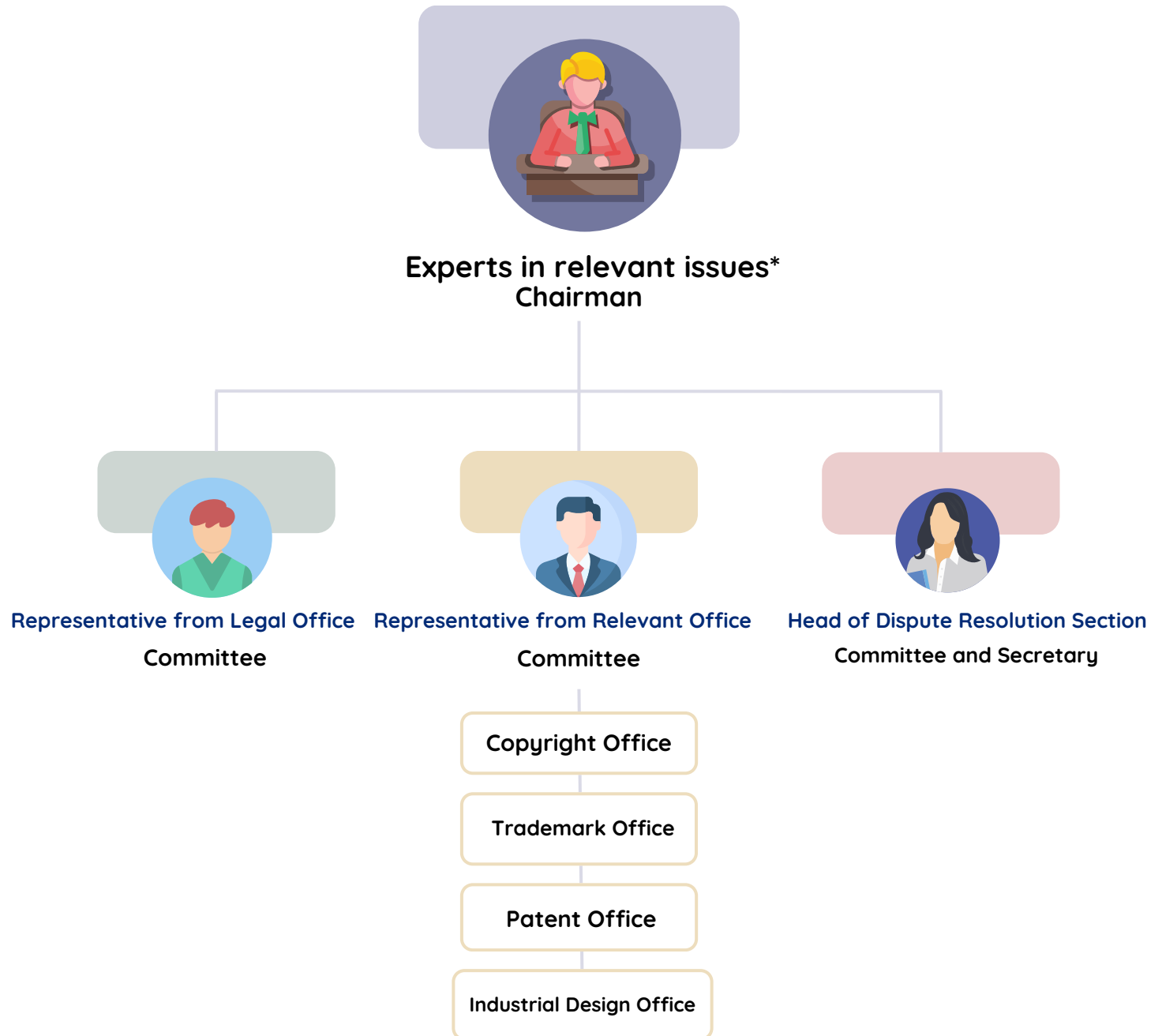
LICENSED



Trademark/Patent licensing agreement



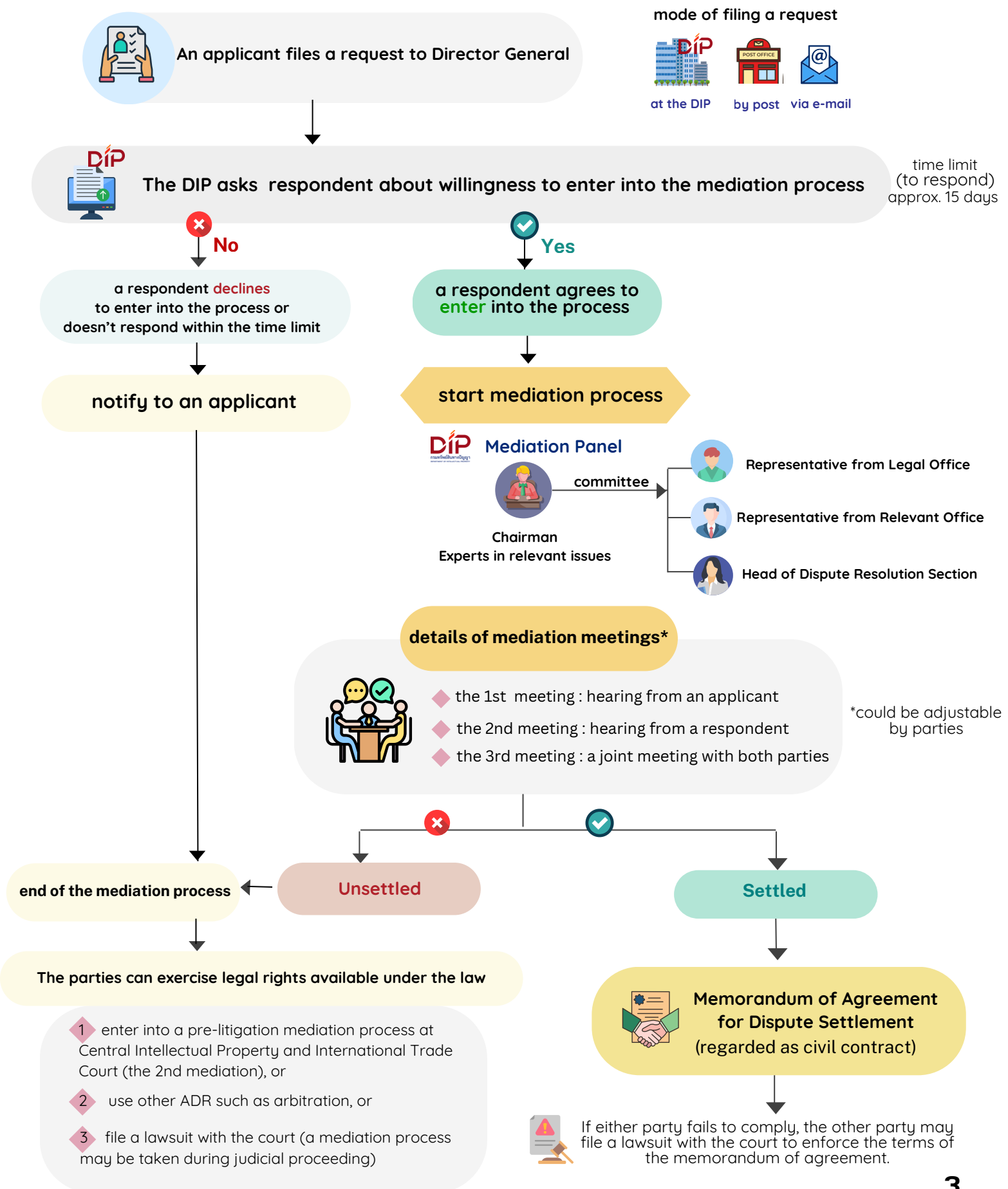
Intellectual Property Mediation Panel



- **DIP's experts act as chairman of Intellectual Property Mediation Panel**

1. Patent Expert is responsible for patent, design patent and petty patent matters.
2. Copyright Expert is responsible for copyright and related rights matters.
3. Legal Expert is responsible for legal matters such as breach of contract, including intellectual property matters.
4. Industrial Property Expert is responsible for trademark matters.

Mediation Process



Mode and Time of Mediation process



The parties can choose mode of mediation



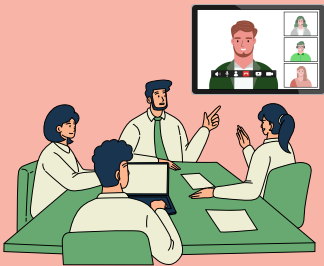
at the Department of
Intellectual Property
(DIP)

1



via online
ZOOM / GOOGLE MEET

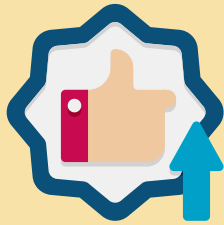
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Hybrid
at the DIP and online

3

The duration of the mediation process depends on negotiations between the parties.



Advantages of mediation



Voluntary basis



No binding decision



Informal



Self-directed by the parties



Save money and time



Mutually satisfactory solutions (WIN-WIN)



Confidential



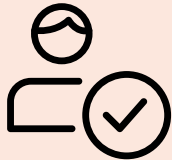
Not affect the right to pursue other legal actions

DIP
กรมทรัพย์สินทางปัญญา
Department of Intellectual Property



Details of Mediation Request

Eligible party to file a request



IP Right owner



Offender or
alleged offender



Representative

Details of applicant and respondent

- Name/ Company name
- Contact details of both parties
- Brief description of dispute
- Documents/Attachments (if any)
- Mediation request/IP dispute
- Request for the DIP to act as a mediator in the process

file a mediation request to
Director General (no formality)



Example of
mediation request



Alternative Dispute Resolution

Channels for filing a mediation request



At the DIP

Legal Office (12th floor)
Dispute Resolution Section



By Post to the DIP

563 Nonthaburi Road, Bangkrasor,
Muang Nonthaburi 11000



Via email

ipodr.dip@gmail.com



Tel. 02-547-5029



Case study of successful outcome*

01

pay compensation or remuneration

One party agrees to make monetary payments to another party. In this regard, method and timing of the payments may be determined by the parties.

02

cease infringing activities

e.g. stop producing and selling infringing products, stop imitation

03

comply with terms of contract

e.g. performing/refraining from specific acts, pay compensation

04

business negotiation

e.g. IP rights transfer with remuneration, licensing with remuneration

05

proceed in accordance with the law for compoundable criminal offense (copyright)

e.g. withdrawal of complaint.

*The result of negotiation depends on facts in dispute and the mutual satisfaction of both parties.



When the parties reach a mutual agreement in the mediation process, how it can be enforced?

Once the parties reach a mutual agreement, the Memorandum of Agreement for Dispute Settlement will be prepared, with the mediation committee signing as witnesses.

If either party fails to comply with the agreement, the other party may file a lawsuit to enforce their rights at the Central Intellectual Property and International Trade Court.



Causes of “Unsuccessful” Mediation

01

The respondent refuses to participate in the mediation process.

02

The parties cannot reach mutual agreement.

03

The applicant withdraws a request.



04

The applicant intends to file a lawsuit however file a request solely to comply with terms of contract.

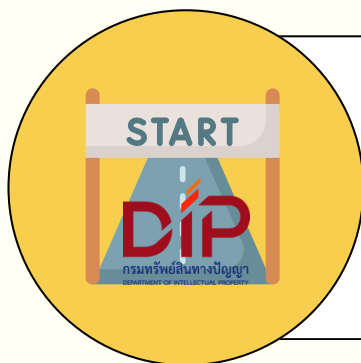
05

A mediation session was held, but subsequently, one of the parties failed to report the outcome to the DIP or could not be contacted within the specified timeframe.

Information of DIP Alternative Dispute Resolution



The Development of DIP Dispute Resolution Service



2002

The DIP has begun offering three types of dispute resolution services

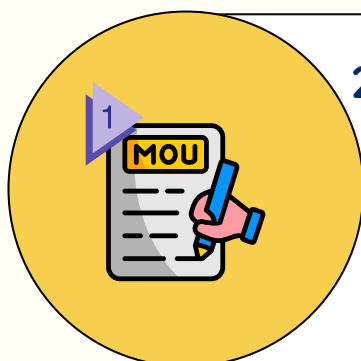
- Mediation (no charge)
- Conciliation (with fees)
- Arbitration (with fees)

2020

The DIP provides an Online Mediation Service

The DIP has signed a MOU with THAC

- Developing an online mediation platform
- Knowledge sharing



2022

The DIP has signed a MOU with WIPO promoting the use of ADR service and WIPO CENTER's case management service for international IP disputes

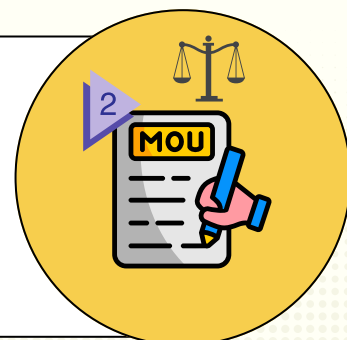


The DIP has signed a MOU with THNICf and WIPO promoting the use of ADR in relation with .th and .ไทย and promoting ADR skill development for mediator/ conciliator/ arbitrator

2024

The DIP has signed a MOU with Central Intellectual Property and International Trade Court

Facilitating coordination between the two agencies ; referring of disputes, Knowledge sharing etc.



ADR - Alternative dispute resolution, including mediation, conciliation, and arbitration

THAC - Thailand Arbitration Center

WIPO - World Intellectual Property Organization

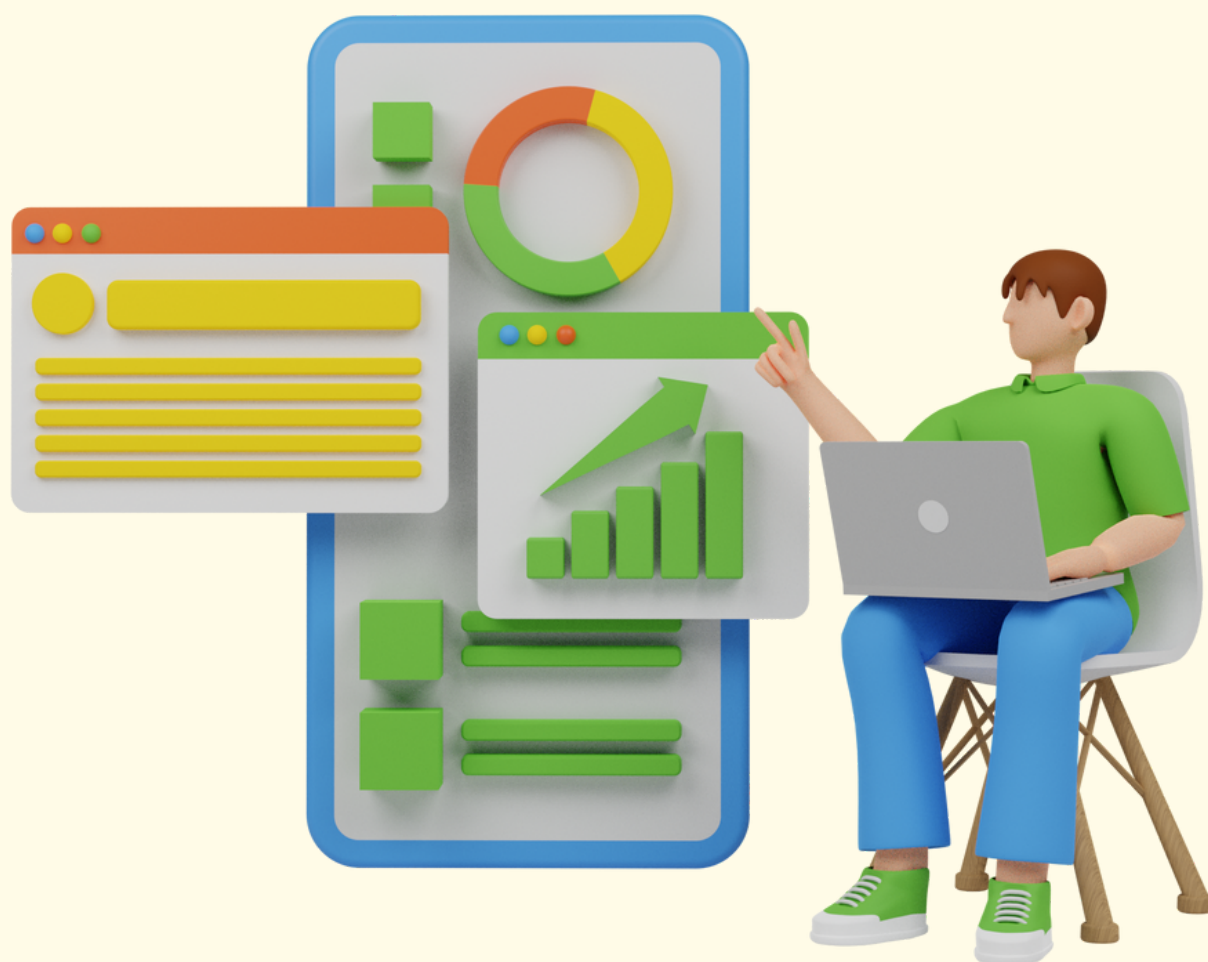
THNICf - Thai Network Information Center Foundation

Comparison of DIP ADR Service



	Arbitration	Mediation	Conciliation
Neutral	Arbitrator 47 arbitrator in DIP list or Ad-hoc Arbitrator agreed by parties	Mediator DIP Official (Experts in relevant issues as a Chairman)	Conciliator DIP Panelists (in process) or Ad-hoc Conciliator agreed by parties
Role of Neutral	Decision - making process	Facilitative process	Advisory process
Process	Formal (less formal than court)	Informal	Informal
Cost	Fees and costs (less than court)	No charge	Fees and costs (less than arbitration)
Resolution	Award imposed by arbitrator	Parties decide the outcome by themselves	Parties decide the outcome under conciliator advice
Outcome (mutual agreement)	Arbitral Award	Memorandum of Agreement for Dispute Settlement (legal binding; civil contract)	Settlement Agreement (legal binding; civil contract)
Enforcement (fails to comply with agreement)	Filing an application to enforce the arbitral award with the IP Court	Filing a lawsuit with the IP Court	Filing a lawsuit with the IP Court

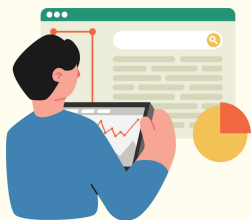
Mediation Statistics



 Visit Website

ipthailand.go.th/th/สถิติคำขอไกล่เกลี่ยข้อพิพาท.html



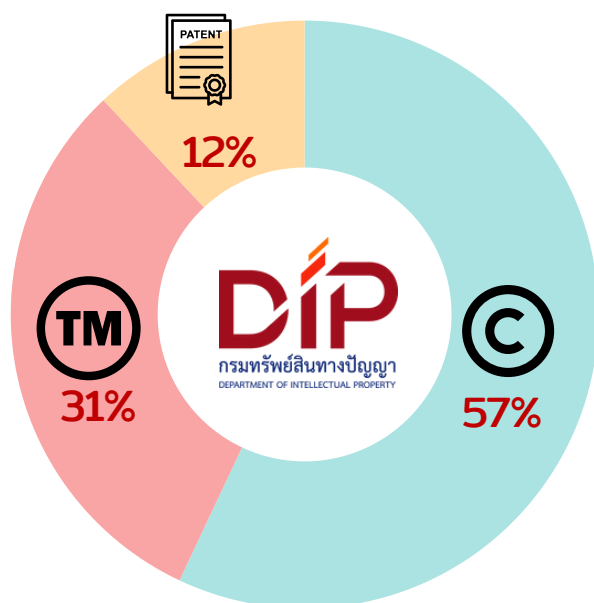


DIP Mediation Statistics

Total requests

767

(1 October 2002 – 31 May 2025)



Copyright

435

57%



Trademark

237

31%



Patent

95

12%

Type of IP	Settled	Unsettled	In process
Copyright	220	208	7
Trademark	130	105	2
Patent	37	58	-
Total	387 (50.5%)	371 (48.4%)	9



DIP Mediation Outcome in 2024

Total request (38 requests)



Copyright

15



Trademark

14



Petty Patent

6



Design Patent

2

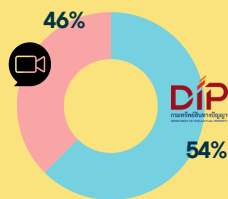


Patent

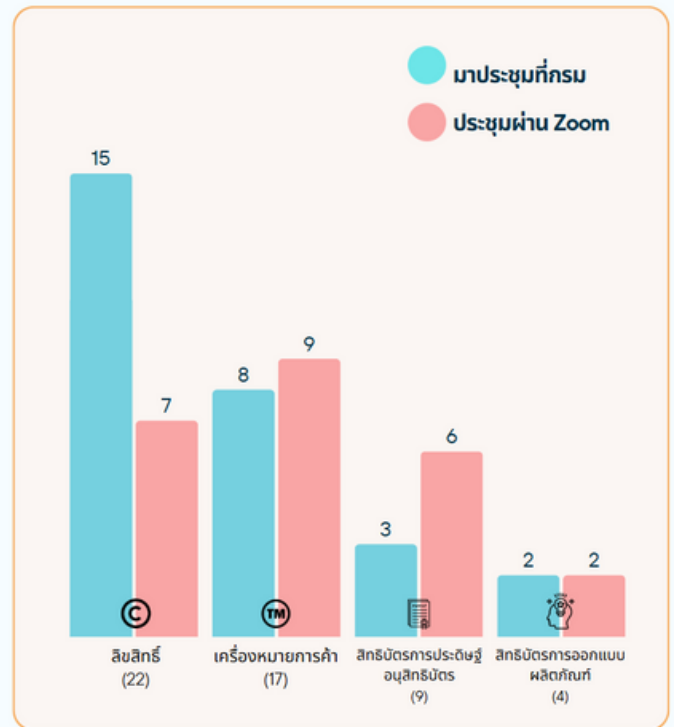
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Total meeting

- Total meeting 52 times
- meeting at DIP 28 times
- meeting via Zoom 24 times



จำนวนครั้งของการประชุม (52 ครั้ง)



Average time of mediation process : 2 months 17 days



- Settled 11
- Unsettled 11
- No meeting 16