

## Patent Law

### US :

Patent law is designed to encourage inventors to disclose their new technology to the world by offering the incentive of a limited-time monopoly on the technology. For U.S. utility patents, this limited-time term of patent is 20 years from the earliest patent application filing date (but this term can be extended via patent term adjustment). After the patent term expires, the new technology enters the public domain and is free for anyone to use. Other patent law is found in a variety of sources, including federal court decisions that have accumulated over more than 200 years. The U.S. Patent and Trademark Office also has its own court system, the Patent Trial and Appeal Board (formerly known as the Board of Patent Appeals and Interferences), that specifically handles appeals of examiners' refusals to grant patents, and various other matters pertaining specifically to the USPTO. Some Patent Trial and Appeal Board opinions will be considered precedent, and will affect future patent applications.

### Thailand :

An invention patent shall have a term of twenty years from the date of filing the patent application in the Kingdom. In the case where there have been court proceedings according to section 16, section 74 or section 77 , the term of the patent shall not include the period during which the court proceedings have been taken.

After the expiration of a period of three years from the date of grant of a patent or four years from the date of filing a patent application, whichever period expires later, any other person may file a request for the grant of a licence to the Director General if it appears, at the time of filing the request, that there is a circumstance showing that the owner of the patent fails to exercise his legitimate rights as follows:

1. there has been no production of the patented product or no use of patented process in the Kingdom without any justification.
2. there has been no sale of the patented product or the product produced by the use of the patented process ,or there has been a sale of such product at unreasonably high price ,or a sale of such product does not sufficiently meet the public demand in the Kingdom, without any justification.

Whether it is the case of subsection (1) or (2), the person requesting for the grant of a licence shall show that he has already made an effort to obtain a licence from the owner

reference :

[http://web.krisdika.go.th/data/outsitedata/outside21/file/PATENT\\_ACT,B.E. 2522 \(1979\).pdf](http://web.krisdika.go.th/data/outsitedata/outside21/file/PATENT_ACT,B.E. 2522 (1979).pdf)

[https://en.wikipedia.org/wiki/United\\_States\\_patent\\_law](https://en.wikipedia.org/wiki/United_States_patent_law)