(Ver15)

Questionnaire Concerning Client Privileges (APAA Group Name: Thailand)

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Part 1 (As for qualification for patent professionals):

1. Questionnaire 1-1

Concerning the qualifications for patent professionals*1:

Note*1: A patent professional is admitted for and able to professionally work for at least one of the following practices. In this case, "patents" include utility models.

- practicing patent prosecution before the Patent Office (including any Office administering patent filing, prosecution and/or registration);
- opinion preparation concerning patent actions;
- representation in patent infringement litigations;
- representation in patent nullity procedures or litigations; and
- foreign patent filing and prosecution practices (such as evaluation of patentability of a foreign application, preparing a patent document to be sent to a foreign associate, and sending technical comments to the foreign associate in response to an Office Action)

In your country, what kinds or types of patent professionals (e.g., patent agents, patent attorneys, attorneys at law, etc.) are admitted for conducting professional work relating to practicing patent prosecution before the Patent Office, opinion preparation concerning patent cases, patent infringement litigations, patent nullity procedures or litigations, and foreign patent filing and prosecution

practices?

In Thailand, only patent agents who are registered with the Department of Intellectual Property (DIP) are permitted to file and prosecute patent applications before the Thai Patent Office (articles 13 and 14 of Ministerial Regulation No. 21 (B.E. 2542) (1999), issued under the Patent Act B.E. 2522 (1979), issued on 24 September 1999). In addition, only lawyers who are registered with and licensed by the Lawyers Council of Thailand under the Lawyer Act B.E. 2528 (1985) are permitted to handle litigation, including patent infringement litigation, before Thai courts (there is no law or regulation governing lawyers who are specifically permitted to handle patent infringement litigation).

There is no specific legislation governing qualifications of individuals who are permitted to give opinions or advice in patent infringement cases or to file overseas patent applications. This means that anyone who is knowledgeable on the issues may handle these types of work.

If there are plural kinds or types of patent professionals who are admitted for such professional work, please specify them. In such a case, please indicate the kinds or types of patent professionals and the title names in Table 1 below, by reference to the related law or rule stipulating such patent professionals.

There is only one type of patent professional who is permitted to file and prosecute patent applications in Thailand, a "patent agent."

Table 1:

Kinds or types of patent professionals	Title name of patent professional in your	Related law or rule*2 stipulating the patent
	country	professionals
Lawyer*3 patent professionals	-	-
Non-lawyer patent professionals	Patent Agent	 Ministerial Regulation No. 21 (B.E. 2542) (1999), issued under the Patent Act B.E. 2522 (1979); and The Notification of the DIP re: Registration of Patent Agents B.E. 2552 (2009).

Note (*2):If the professionals are stipulated only in an internal rule of a related organization to which the patent professionals belong, please reproduce the content of such internal rule. In the following, when the law or rule is referred to, please also understand that "law" and "rule" include internal rules if there is any internal rule of a certain organization governing the patent professionals.

Note (*3): "Lawyers" refers to persons licensed to practice law, including attorneys at law, solicitors, barristers, and the like.

Please specify the title name in the table. Hereinafter, "Lawyer patent professionals" will be simply referred to as "Lawyers."

- 2. Questionnaire 1-2 (scope of patent related practices or work for which patent professionals are admitted):
- (1) Questions are raised about the following kinds of professional work.
 - practicing patent prosecution before the Patent Office;
 - opinion preparation concerning patent cases;
 - representation in patent infringement litigations;
 - representation in patent nullity procedures or litigations; and

foreign patent filing and prosecution practices.

If there are plural kinds or types of professionals, then please indicate the kinds of professional work admitted for in relation to the kinds or types of patent professionals shown in Table 2 as follows, by reference to the related law or rule stipulating the patent professionals.

As discussed in our response to Question 1-1 above, there is only one type of patent professional in Thailand, namely a "patent agent."

Please explain such kind or type of patent professionals and classify them into lawyers and non-lawyer patent professionals.

As discussed in our response to Question 1-1 above, only Patent Agents are permitted to file and prosecute patent applications before the Thai Patent Office. Only registered and licensed lawyers are permitted to handle litigation before Thai courts. There is no specific legislation governing the qualifications of individuals who are permitted to give opinions or advice in patent infringement cases or to file overseas patent applications.

In Table 2 below, "lawyers" means registered and licensed lawyers under the Lawyer Act and "non-lawyer patent professionals" means registered patent agents under the Ministerial Regulation.

Table 2:

Scope of professional work admitted for:	Lawyers	Non-lawyer patent professionals*4
	(yes or no)	(yes or no)
i) Patent prosecution practice before the Patent Office	No	Yes
ii) Opinion preparation concerning patent cases	Yes	Yes

iii) Representation in patent infringement litigations	Yes	No
iv) Representation in patent nullity procedures or	Yes (nullity procedures or litigation	Yes (opposition administrative
litigations	before the courts)	procedures at the Patent Office)
	No (opposition administrative	No (nullity procedures or litigation
	procedures at the Patent Office)	before the courts)
v) Foreign patent filing and prosecution practices	Yes	Yes

Note (*4): If there are plural kinds or types of non-lawyer patent professionals (such as a patent agent, Benrishi, etc), then please indicate the scope of professional work, respectively. The above is also applied to the following questions below.

(2) In the scope of the professional work as listed in Questionnaire 2(1) above, what professional work can be conducted only by the patent professionals (i.e. if a non-qualified person works for compensation, he or she would be punished)?

Registered patent agents only can file and prosecute patent applications before the Thai Patent Office. However, registered patent agents can not appear in Court to litigate in patent disputes.

License lawyers who are not registered as patent agents can not file and prosecute patent applications before the Thai Patent Office. However, licensed lawyers can appear in Court to litigate in patent disputes (infringements and nullity litigation).

Table 3:

Scope of professional work admitted for:	Lawyers	Non-lawyer patent professionals*4
	(yes or no)	(yes or no)
i) Patent prosecution practice before the Patent Office	No	Yes
ii) Opinion preparation concerning patent cases	Yes	Yes
iii) Representation in patent infringement litigations	Yes	No
iv) Representation in patent nullity procedures or	Yes (nullity procedures or litigation	Yes (opposition administrative
litigations	before the courts)	procedures at the Patent Office)
	No (opposition administrative	No (nullity procedures or litigation

	procedures at the Patent Office)	before the courts)
v) Foreign patent filing and prosecution practices	Yes	Yes

- 3. Questionnaire 1-3 (the conditions under which a person may act as a patent professional):
- (1) What are the conditions under which a person may act as a patent professional for the above scope of work? Please answer the following sub-questions.
- (i) Whether or not a qualification test is required? If so, please indicate the law or rule stipulating the qualification test. If there are plural kinds or types of patent professionals required to take the qualification test, then please answer the questions, respectively. In such a case, please explain which kind or type of patent professionals is required to take a qualification test in Table 4 below, by specifying the kind or type of the patent professionals in Table 4 as follows, and by reference to the related law or rule stipulating the qualification test.

On 24 September 2009, Thailand submitted an instrument of accession to the Patent Cooperation Treaty (PCT) to the World Intellectual Property Office (WIPO) Director General. The PCT will become binding on Thailand on 24 December 2009. To prepare for the PCT, the DIP issued a new Notification re: *Registration of Patent Agents, B.E. 2552 (2009)* on 2 September 2009, to replace and repeal the previous 2008 Notification on the same matter.

Under the 2009 Notification, there are three categories of patent agents, namely types A, B and C. Type C patent agents are those agents who were registered with the DIP under the repealed Notifications of 2000 and 2002.

Type A patent agents include:

1. agents who have passed: 1.1 the DIP training course on the process of applying for patents under the Patent Act and the process of applying for protection of inventions under the PCT; and 1.2 the relevant test administered by the DIP;

- 2. Type C agents who have passed the DIP training course on the process of applying for patents under the Patent Act and the process of applying for protection of inventions under the PCT; or
- 3. Type C agent who have passed relevant test administered by the DIP.

Type B patent agents include:

- 1. agents who have passed the training course approved by the DIP on the process of applying for patents under the Patent Act and the process of applying for protection of inventions under the PCT; and have passed the relevant test administered by the DIP; or
- 2. Type C agents who have passed the training course approved by the DIP on the process of applying for patents under the Patent Act and the process of applying for protection of inventions under the PCT;

All three types of patent agents are permitted to handle the same tasks before the Patent Office. The Patent Office advised us that it categorizes patent agents only for ease of reference. However, in effect, the new Notification provides that from now on, all new patent agents must pass a training course on the processes of applying for patents under the Patent Act and of applying for protection under the PCT. This course can be either the one held by the DIP or be one held by private or state agencies or educational institutions but approved by the DIP. The new agent must also pass a patent qualification test held by the DIP.

Table 4:

Kind or type of patent	Title name of patent	Is qualification test required?	Related law or rule stipulating the
professionals	professional in your county	(yes or no)	qualification test, if any
Lawyers	-	Yes – must have lawyer's	Law Degree and License
		license to practice	
Non-lawyer patent	Patent Agent	Yes	The Notification of the DIP re:
professionals			Registration of Patent Agents B.E. 2552
			(2009)

- (ii) If a qualification test is required, please briefly answer the following a) to c) and fill in Table 5 below. Also, please indicate the related law and rule stipulating the following items:
 - a) How many subjects are covered?
 - b) What kinds of subjects are covered?
 - c) Is an interview needed?

Under the Notification of the DIP re: Rules and Means for Testing to Register and Obtain a Patent Agent License B.E. 2552 (2009), the test covers eight (8) subjects, namely:

- 1. international law and agreements on intellectual property;
- 2. basic knowledge about intellectual property law;
- 3. patent law;
- 4. preparation of applications for patents, petty patents, and design patents;
- 5. management of intellectual property;
- 6. prosecution of intellectual property cases, including the process of bringing cases to court and relevant court rules on intellectual

property cases;

- 7. being a patent agent; and
- 8. other matters, as announced by the Patent Agent Committee (the Committee has yet to make any announcement on this issue).

An interview is not required in order to register and obtain a patent agent license.

Table 5:

Kind or type of	How	many	What kinds of subjects are covered?	Is a	an Related law or
patent	subjects	are		interview	rule, if any
professionals	covered?			needed?	
Lawyers	-		-	-	-
Non-lawyer patent	8		1. International law and agreements on	No.	Notification of the
professionals			intellectual property		DIP re: Rules and
			2. Basic knowledge about intellectual property		Means for Testing
			law		to Register and
			3. Patent law		Obtain a Patent
			4. Preparation of applications for patents, petty		Agent License
			patents, and design patents		B.E. 2552 (2009)
			5. Management of intellectual property		
			6. Prosecution of intellectual property cases,		
			including process of bringing cases to court		
			and relevant court rules on intellectual		
			property cases		
			7. Being a patent agent		
			8. Other matters, are announced by the Patent		
			Agent Committee (the Committee has yet to		
			make any announcement on this issue).		

⁽iii) Does the test cover a code of conduct or vocational ethics?

If the answer is yes, please refer to the law or rule stipulating a code of conduct or vocational ethics.

The Notification does not make a code of conduct or vocational ethics specific subjects under the test. However, these matters should be included in the subject of "being a patent agent."

Table 6:

Kind or type of patent	Is a code of conduct or vocational ethics	Related law or rule, if any
professionals	included as a subject?	
	(yes or no)	
Lawyers	-	-
Non-lawyer patent	Yes (sub-set of "being a patent agent"	Notification of the DIP re: Rules
professionals	subject)	and Means for Testing to
		Register and Obtain a Patent
		Agent License B.E. 2552 (2009)

(iv) Is practical training required before taking the test?

If the answer is yes, how long a term of training is required?

In this case, please refer to the law or article stipulating this point.

Practical training is required before taking the test. Under the Notification of the DIP re: Registration of Patent Agents B.E. 2552 (2009), a person who would like to be a patent agent must pass a training course and, then, a test. The prescribed training course covers practical training. Under the Notification of the DIP re: Training Course on Process of Applying for Patents and Applying for Protection

of Inventions under the Patent Cooperation Treaty B.E. 2552 (2009), to obtain a training course certificate, the attendee must attend at least 80% of the required 96 practical training hours.

Table 7:

Kind or type of patent	Is practical training required?	How long?	Law and/or rule basis
professionals	(yes or no)		
Lawyers	-	-	-
Non-lawyer patent professionals	Yes	80% of 96 hours	Notification of the DIP re: Training Course on Process of Applying for Patents and Applying for Protection of Inventions under the Patent Cooperation Treaty B.E. 2552 (2009)

(2) Concerning how to govern, control, administrate or maintain the qualification of patent professionals:

Is there any organization governing, controlling, administrating or maintaining the qualification of the patent professionals?

(Answer here: Yes or No)

No. (The specified tasks are handled by the Patent Agent Committee, which was established under the Notification of the DIP re: Registration of Patent Agents B.E. 2552 (2009). The members of the Committee include the Deputy of the DIP, the Director of Legal Affairs, the Director of Promotion and Development of Intellectual Property, the Director of Intellectual Property Center, and the Director

of Patent Office (all members are senior officials of the DIP).)

If the answer is yes, please answer the following sub-questions.

- a) Which organization governs, controls, administrates or maintains the qualification of the patent professionals?
- b) Whether or not the organization has been established so that the members of the organization can professionally represent their clients?

Table 8:

Kind or type of patent	Sub-question a) above	Sub-question b) above	Law and/or rule basis
professionals			
Lawyers	-	-	-
Non-lawyer patent	-	-	-
professionals			

(3) As for the conditions for maintaining the qualification:

Please answer the following sub-questions:

(i) Are patent professionals required to complete an obligatory subject or lecture (such as code of conduct or vocational ethics, and lectures on practice change or law amendment) in order for him/her to maintain the qualification for the professional work?

(Answer here: Yes or No)

No, there is no requirement for existing patent agents to complete any obligatory subject or lecture, whether it is about codes of conduct or vocational ethics or practice changes or amendments in law.

(ii) If yes in Item (i), please answer whether or not a code of conduct or vocational ethics is included as the obligatory subject?

Table 9:

Kind or type of patent	Code of conduct or vocational	Law and/or rule basis
professionals	ethics	
	(yes or no)	
Lawyers	-	-
Non-lawyer patent professionals	-	-

- 4. Questionnaire 1-4 (concerning the penalty when patent professionals do not meet the conditions for being admitted for the professional work):
- (1) Is there any criminal penalty imposed when a patent professional releases or divulges confidential information obtained from his or her client, without any justifiable reason?

(Answer here: Yes or No)

Yes.

If the answer is yes in item (1), please give the following information in Table 10 below.

(i) Which law or rule governs such penalty?

(ii) Amount of fine, if any

(iii) Term for imprisonment, if any

There is no specific law which provides a criminal penalty for patent agents who release or divulge confidential information obtained from their clients, without a justifiable reason. The following general provisions of the Patent Act and the Penal Code are applicable to patent agents, among others.

According to section 22 of the Patent Act, any person who, knowing that a patent application has been filed, discloses any information contained in the detailed description of the invention or commits any act that is likely to cause damage to the applicant before publication of such application, without written authorization from the applicant, shall be subject to imprisonment not exceeding six months or fine not exceeding Baht 20,000 (twenty thousand baht), or both.

According to section 324 of the Penal Code, any person who, in the course of his position, profession, or occupation, having known or acquired a secret concerning the industry, discovery, or scientific invention of another person, discloses or makes use of such secret for the benefit of himself or another person shall be punished with imprisonment not exceeding six months or a fine not exceeding Baht 1,000 (one thousand baht), or both.

Table 10

Kind or Type	of patent	Information i) above	Criminal Penalty		
professionals			Amount of fine (ii)	Term for imprisonment (iii)	
Lawyers		Section 22 of the Patent Act	Section 22: not exceeding	Section 22: not exceeding	
		and section 324 of the Penal	Baht 20,000	six months	
		Code	Section 324: not exceeding	Section 324: not exceeding six	
			Baht 1,000	months	
Non-lawyer	patent	Section 22 of the Patent Act	Section 22: not exceeding	Section 22: not exceeding	
professionals		and section 324 of the Penal	Baht 20,000	six months	
		Code	Section 324: not exceeding	Section 324: not exceeding six	
			Baht 1,000	months	

(2) Is there any penalty imposed when a patent professional has become unsuitable for being admitted for the professional work (for example, he or she has failed to meet the conditions for the qualification (for example, he or she violates the Association laws or rules, damages the order or reputation of the association or misbehaves in a manner impairing his/her or its own dignity) after he or she has become qualified)?

(Answer here: Yes or No)

Yes.

If the answer is yes in item (2), please give the following information in Table 11 below.

- (a) Which law or rule governs such penalty?
- (b) Disciplinary action, if any
- (c) Suspension of professional work, if any
- (d) Deprivation of the qualification, if any
- (e) Other penalty, if any

According to article 26 of the Notification of the DIP re: Registration of Patent Agents B.E. 2552 (2009), the Patent Agent Committee is entitled to advise the Director-General of the DIP to suspend a patent agent's license for not less than one year when the agent is found to have taken (or not to have taken) any action resulting in damages to persons who file patent applications, petty patent applications, oppositions, counterstatements, or appeals with the Patent Office.

According to article 27 of the same Notification, the Patent Agent Committee is entitled to advise the Director-General to withdraw the license of a patent agent on the following conditions, among others:

- 1. his license has been suspended twice;
- 2. he has been penalized by a final court decision in an intellectual property infringement case; or
- 3. he, having been consulted or knowing about an opposition, a counterstatement or an appeal in the course of his duty, later represents or assists the opposing party on the same matter.

Table 11

Kind or Type	Information	Penalty						
of patent	(a) above	Disciplinary action (b)	Suspension of	Deprivation of the	Other penalty (e)			
professionals		professional work (c)		qualification (d)				
Lawyers	-	-	-	-	-			
Non-lawyer	According to	-	Suspension of patent	Cancellation of the	-			
patent	articles 26		agent license	patent agent license				
professionals	and 27 of the							
	Notification of							
	the DIP re:							
	Registration							
	of Patent							
	Agents B.E.							
	2552 (2009)							

Part 2 (regarding client privileges or professional secrecy):

Before raising the following questions, it would be useful to comment on some points concerning the terminology used in the following questions, in order to avoid any possible confusion derived from any possible misunderstanding of the terminology.

$General\ concept:$

1. Client privilege is the right of a client not to have to disclose information (communications and/or documents*) which would otherwise have been required. In common law countries, client privilege may allow a client or a patent professional to keep

communications and/or documents secret and to be silent on certain issues under a discovery system.

2. In the following questions, the term "a discovery system" means a system comparable to the discovery system employed in the U.S. litigation procedure. The discovery procedure is the procedure for collecting evidence before a trial in the U.S. The discovery procedure is stipulated in the Federal Rules of Civil Procedure: Rule 26 (FRCP R26).

Note*: Communication takes place usually in the form of letters. Here, "documents" do not include communication documents. The scope of documents stipulated in the Federal Rules of Civil Procedure: Rule 34 (FRCP R34) may include writings (such as work products and expert opinions), drawings, graphs, charts, photographs and the like.

3. In civil law countries, professional secrecy may allow a patent professional or a client not to disclose confidential communications or not to produce confidential documents, such confidential communications and/or documents having taken between the patent professional and his or her client or prepared thereby.

1. Questionnaire 2-1

- (1) If your country is a common law country, please fill in Table 12 below, taking the following questions into consideration.
 - (i) Is there any discovery system corresponding to that employed in the U.S.? (Answer here: Yes or No)
 - (ii) If yes, please answer the following a) to c).
 - (a) In the discovery procedure, can patent professionals be immune from testimony or document production (such as "work product"*5) before the courts?

Note*5 "Work product" is the term used in the U.S. discovery procedure and means the document or tangible thing which has been prepared by a lawyer in anticipation of litigation or for trial by or for another party or its representative (FRCP R. 26(b)(3)(A))

- (b) If the answer is yes, what kinds of communications and/or documents are covered?
- (c) Is there any difference between immunity as to technical advice and immunity as to legal advice? If yes, please explain the difference.

Table 12

Common law countries							
Discovery system	Yes	No					
What is protected from disclosure:							
Communication/documents?							
What kinds of communications are protected?							
What kinds of documents are protected?							
Is legal advice protectable?							
Is technical advice protectable?							
Difference if any between legal advice and technical							
advice							

- (2) If your country is a civil law country, please fill in Table 13 below, taking the following questions into consideration.
 - (i) Is professional secrecy protectable?
 (Answer here: Yes or No)

Yes.

- (ii) If yes, please answer the following questions a) to c).
 - (a) Does a patent professional have to testify or produce documents before the courts?
 - (b) If the answer is yes, what kinds of communications and/or documents are covered?
 - (c) Is there any difference between technical advice and legal advice as to professional secrecy? If yes, please explain the difference.

For licensed lawyers, attorney-client privilege is protected and lawyers are permitted to refuse to testify about or produce such privileged information and documents as evidence in court, per the Lawyer Act, the Civil Procedure Code, and the Criminal Procedure Code.

For registered and licensed patent agents, there is no specific law or regulation enabling them to refuse to testify about the confidential information of their clients or produce confidential documents for the Court. However, a patent agent may refuse to testify before or produce confidential documents for the Court based on general provisions under the Civil Procedure Code and the Criminal Procedure Code.

According to section 92 of the Civil Procedure Code, any person who is required to give testimony or produce any kind of evidence that may entail disclosure of any invention, design, or other work protected from publicity by law is permitted to refuse to give such testimony or to produce such evidence, unless he has obtained permission from the competent official or person concerned.

Section 231 of the Criminal Procedure Code similarly provides that any person who is required to testify or produce the following evidence is permitted to refuse to give or produce such evidence unless he has obtained permission from the authority or the person concerned with such secret:

- 1. documents or confidential information he/she has received in the course of his/her duty or profession; and
- 2. processes, plans, or any other work protected from publicity by law.

Table 13

	Civil law countries								
Is professional secrecy protectable?					Yes	No			
What	is	protected	from	disclosure:	Section 92 of the Civil Procedure Code:				
Commu	Communications/documents?				information and documents about				
					inventions, designs, or other work				
					protected from publicity by law				
					Section 231 of the Criminal Procedure				
					Code: information and documents about				
					processes, plans, or any other work				
					protected from publicity by law				
What ki	nds of co	mmunications	are prote	ected?	The law does not specific the kinds of				
					communications that are protected from				
					being produced in court; however, any				
					kind of communication that relates to				
					the confidential information prescribed				
					under sections 92 and 231 above should				
					be protected from disclosure.				
What kinds of documents are protected?					The law does not specify the kinds of				

documents that are protected from being			
produced in court; however, any kind of			
document that relates to the confidential			
information prescribed under sections 92			
and 231 above should be protected from			
disclosure.			
There is no specific provision of law			
providing that legal advice is protected			
from being disclosed in court. However,			
if such advice relates to protected			
confidential information under sections			
92 and 231 above, it should be similarly			
protected.			
There is no specific provision of law			
which provides that legal advice is			
protected from being disclosed in court.			
However, if such advice relates to			
protected confidential information under			
sections 92 and 231 above, it should be			
similarly protected.			
No, there is no difference in the legal protection given to disclosure of technical			
advice or legal advice to the Court.			
	produced in court; however, any kind of document that relates to the confidential information prescribed under sections 92 and 231 above should be protected from disclosure. There is no specific provision of law providing that legal advice is protected from being disclosed in court. However, if such advice relates to protected confidential information under sections 92 and 231 above, it should be similarly protected. There is no specific provision of law which provides that legal advice is protected from being disclosed in court. However, if such advice relates to protected confidential information under sections 92 and 231 above, it should be similarly protected. No, there is no difference in the legal protected.		

- (3) As for treatment of foreign patent professionals in common law countries:
 - (i) In your country, is there any law or rule to provide the same privilege as provided to domestic patent professionals to foreign patent professionals?

(Answer here: Yes or No)

(ii) If the answer is yes, then please explain the content of the law or rule.

Table 14: Common law countries (answer in yes or no):

	Non-lawyer patent	Lawyer	Client	Foreign non-lawyer	Foreign Lawyer
	professional			patent professional	
Client privilege					
Communication					
Document					
Legal advice					
Technical advice					

[Contents of the law/rule]

- (4) As for treatment of foreign patent professionals in civil law countries:
 - (i) In your country, is there any law or rule to provide the same professional secrecy as provided to domestic patent professionals to foreign patent professionals?

(Answer here: Yes or No)

Yes. The same type of protection discussed in Question 2-1 (2) above is also applicable to this matter.

(ii) If the answer is yes, then please explain or exemplify the content of the law or rule.

Table 15: Civil law countries (answer in yes or no):

	Non-lawyer	Lawyer	Client	Foreign non-lawyer	Foreign Lawyer
	patent			patent professional	
	professional				
Professional secrecy	Yes	Yes	Yes	Yes	Yes
Communication	Yes	Yes	Yes	Yes	Yes
Work product	Yes	Yes	Yes	Yes	Yes
Legal advice	Yes	Yes	Yes	Yes	Yes
Technical advice	Yes	Yes	Yes	Yes	Yes

[Contents of the law/rule]

The answers in Table 15 above are all 'yes' based on the conditions discussed in Question 2-1 (2) above

2. Questionnaire 2-2

Please give the following information on your country concerning the cases where Client Privilege or professional secrecy was an issue (including past cases). Specifically, please briefly explain the following points as shown in Tables 16 and 17.

From our research, there are no published court cases on client privilege or professional secrecy.

- (1) Cases where Client Privilege or professional secrecy was accepted or recognized in your country.
- (2) Cases where Client Privilege or professional secrecy was denied in your country.

Table 16: Common law countries:

Client Privilege	Non-lawyer	Lawyer	Client	Foreign	Foreign Lawyer
	patent			non-lawyer	
	professional			patent	
				professional	
Accepted					
Denied					

Table 17: Civil law countries:

Professional	Non-lawyer patent	Lawyer	Client	Foreign non-lawyer	Foreign Lawyer
secrecy	professional			patent professional	
Accepted	-	-	-	-	-
Denied	-	-	-	-	-

End