



MEASURES TO COMBAT IPR ONLINE INFRINGEMENT – LEGAL FRAMEWORK AND INITIATIVES IN THAILAND

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Outline

- 1. Thailand's IP Policy**
- 2. Measures to combat IPR online infringement**
- 3. IP Awareness Activities**
- 4. Online Legislative Development**

1. Thailand's IP Policy

Thailand's IP Policy



**Thai
Constitution**

**National
Strategy
2018-2037**

**Effective
Interagency
Cooperation**

Thailand's IP System : Policy

**National Committee on
IP Policy**

- Chaired by Prime Minister and consisted of two Deputy Prime Ministers and Minister of Commerce as vice chair
- 18 heads of government agencies
- IP Roadmap (in line with the Thailand 4.0 policy)

**Sub-Committee on IPR
Enforcement**

- Chaired by Deputy Prime Minister + **11** government agencies
- IPR Action Plan

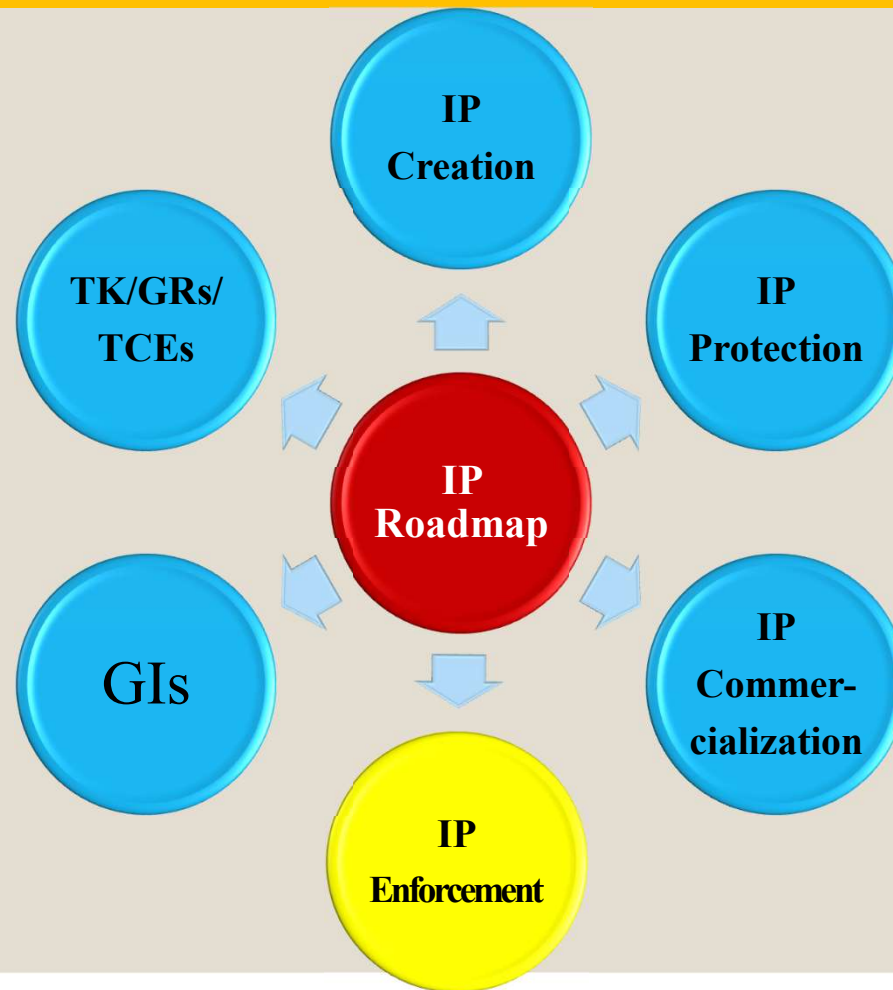
IPR Action Plan

- 3 working groups chaired by ISOC
 - 1) Working Group on Suppression of IP Violation
 - 2) Working Group on Suppression of IP Violation over the Internet
 - 3) Working Group on Destruction of IPR Infringing goods.

National Committee on IP Policy Meeting



IP Roadmap



Sub-Committee on IPR Enforcement



- Chaired by Deputy Prime Minister
- Responsible for security and crime suppression matters
- 11 heads of enforcement agencies.
- Determining measures and overseeing all enforcement operations in Thailand

ISOC & 3 Working Groups



- ISOC has been assigned by the Sub-Committee to be the focal point on IPR enforcement nationwide.
- Sub-Committee on IPR Enforcement has appointed 3 working groups:
 - (1) Working Group on Suppression of IP Violation
 - (2) Working Group on Suppression of IP Violation over the Internet
 - (3) Working Group on Destruction of IPR infringing goods

2. Measures to combat IPR online infringement

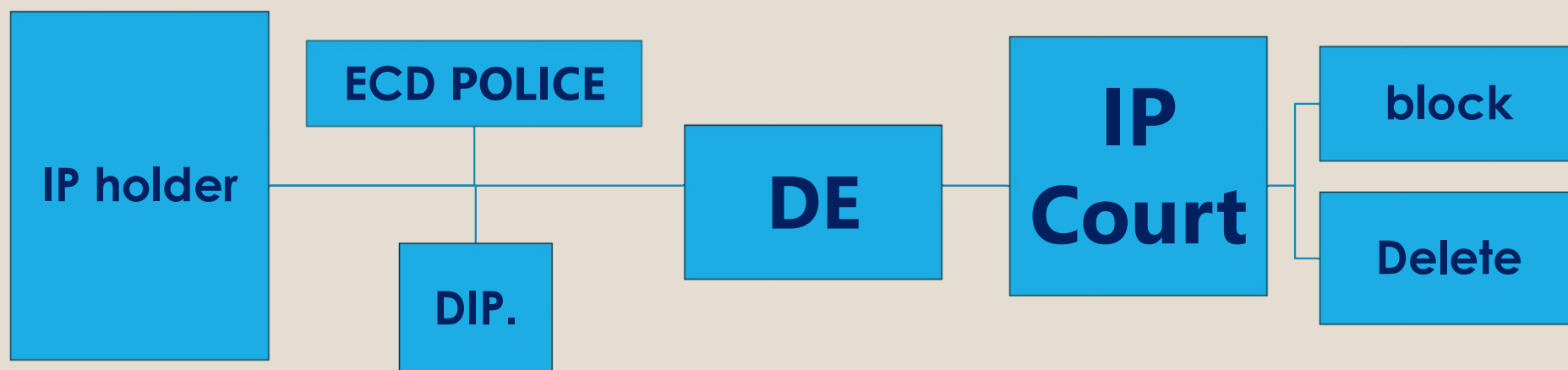
IP Enforcement

Mechanisms Against Online Infringement

- The Computer Crime Act



How to stop online IP Infringement



Enforcement against online Infringement

- The computer Crime Act (No.2) B.E. 2560 (2017) was entered into force on 24th May 2017. Under the amended Act, IPR infringement is listed as a predicate offense under Section 20. Thus, the competent officers with court orders are empowered to block or disable access to IPR infringing contents or to remove the infringing content from online computer system.

-The Digital Economy and Society (DE) has published the Ministerial Notification on the procedures to block or disable the access to online infringing contents or activities.

-The DIP has assigned a number of officers to receive official requests from IP owners on this matter. Now the DIP has received 67 requests for blockage or disability of access to IPR infringing contents or activities. 65 of those requests have been forwarded to DE for further actions. (Sep 2017 – March 2019)

-The Central IP and International Trade Court and the Criminal Court have issued 37 court orders to block or disable the access to copyright infringing contents in a total of 953 URLs. (Oct 2017 –Jan 2019)

Mechanisms Against Online Infringement

- The i-Spider Net



Mechanisms Against Online Infringement

- The Center of Operational Policing for Thailand against Intellectual Property Violations and Crimes on the Internet Suppression (COPTICS)



Mechanisms Against Online Infringement



- The MOU between REACT and COPTICS

IP Enforcement

Enforcement on Online Markets – Statistical Data in 2018

Enforcement Agency	Number of Raids	Number of Item Seized
The Royal Thai Police	268	60,441
Total	268	60,441

IP Enforcement

Example: Enforcement on Online Market related to an organized crime



3. IP Awareness Activities

IP Awareness

- Traditional Public Awareness Activities

- Seminars/Workshops on Enhancing IP Knowledge and Raising Public Awareness on IP
- IP Consulting Services
- Creative IP Campaigns & Events
- Dissemination of IP knowledge and Information on Television and Radio Broadcasting

IP Awareness

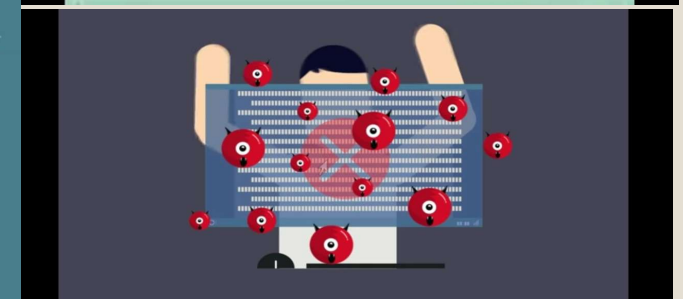
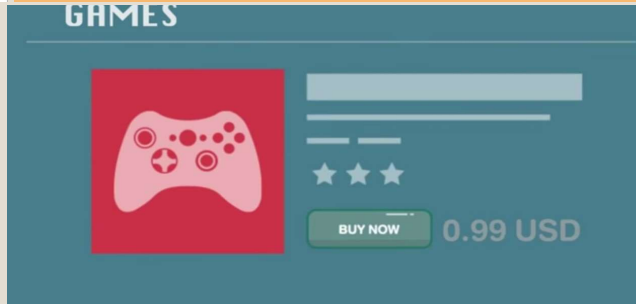
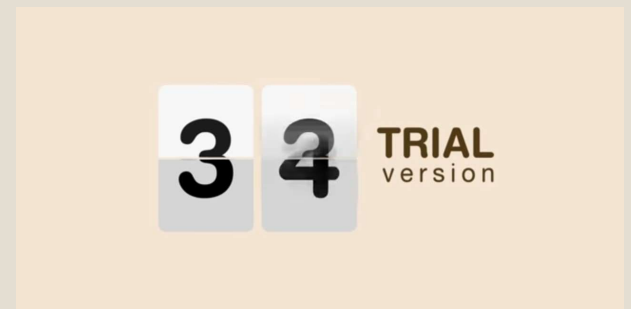
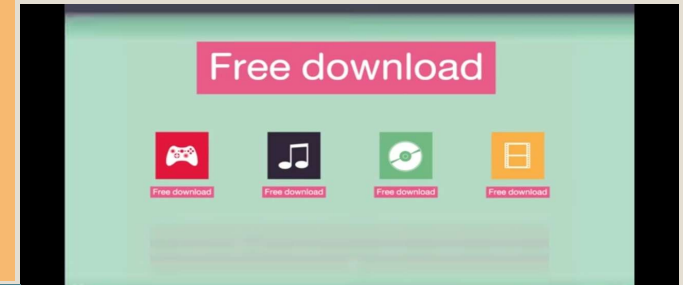
- Non-Traditional Public Awareness Activities
 - Social Media



IP Awareness

- Example of IP Awareness Video Clip Posted

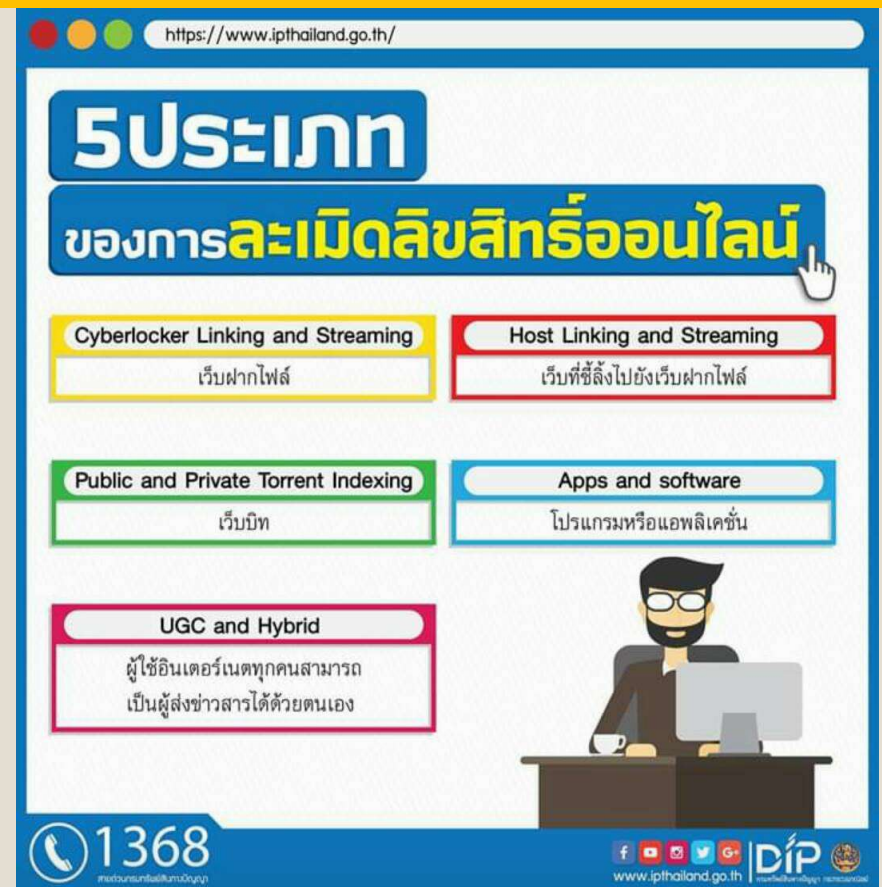
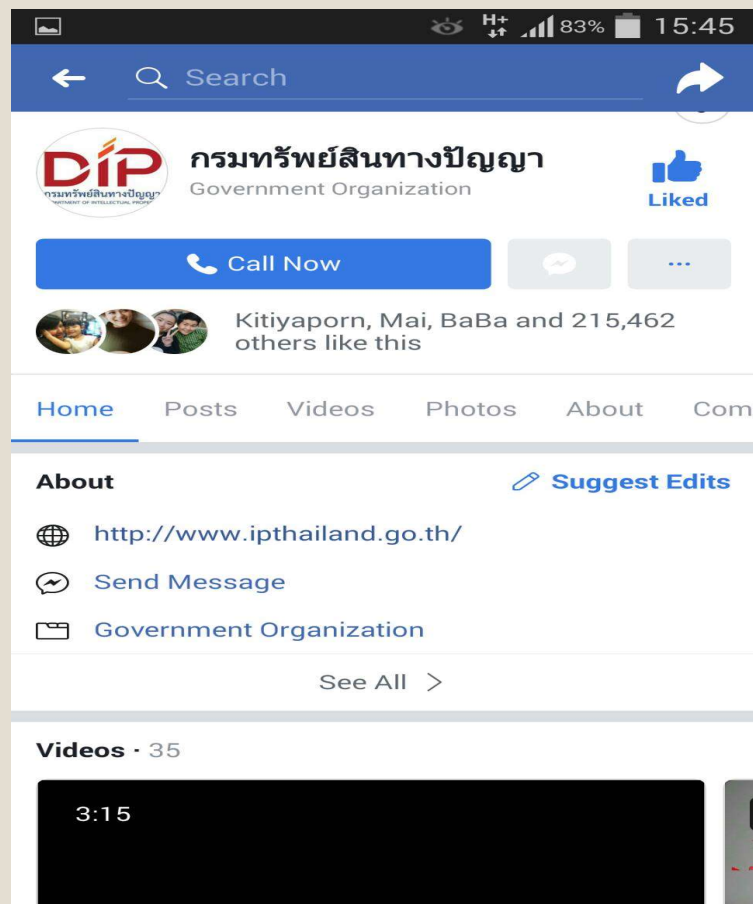
https://www.youtube.com/watch?v=vucJTT0_4k8



Awareness and Educational Activities



DIP website and Facebook Fan Page







**STOP
FAKE**

*Respect
Intellectual
Property
Rights*



DIP Mini-Marathon 2018



4. Legislative Development and Accession to International Agreements

Legislative Development

Amendment of the Copyright Act (1st Phase)

- Enhance mechanisms to protect copyright in the digital environment (ISP's liability limitation, notice and takedown system and technological protection measure)
- Prepare for Thailand's accession to the WIPO Copyright Treaty (WCT)

Status: the draft amendment is under the review of the Council of State

Legislative Development

Amendment of the Copyright Act (2nd Phase)

- Prepare for Thailand's accession to the WIPO Performances and Phonograms Treaty (WPPT)

Status: the DIP is gathering information and preparing the draft amendment

THANK YOU