



# Anti – Counterfeiting Measures in Thailand

Ms.Navarat Tankamalas  
Director of International Affairs Office,  
Department of Intellectual Property (DIP)

# Enforcement against IPR Infringement

Physical Market



Online Market



# 1. Enforcement in Physical Markets

## Operations of the Special Task Forces

### Operations at the Regional Level



### Operations in Bangkok



### Assessment at the Regional Level and Bangkok



# IP Enforcement Statistics (Yearly) (By the Royal Thai Police , the Department of Investigation and the Customs Department) From 2018 to 2023

Items	Offices	Years												Total	
		2018		2019		2020		2021		2022		2023 (Jan. - Jul.)			
		Number of	Confiscated	Number of	Confiscated	Number of	Confiscated	Number of	Confiscated	Number of	Confiscated	Number of Raids	Confiscated	Number of	Confiscated
		Raids (Cases)	Goods (Items)	Raids (Cases)	Goods (Items)	Raids (Cases)	Goods (Items)	Raids (Cases)	Goods (Items)	Raids (Cases)	Goods (Items)	(Cases)	Goods (Items)	Raids (Cases)	Goods (Items)
1	Royal Thai Police														
	Trademark Act	3,936	437,350	2,786	354,015	1,270	323,032	920	833,420	544	932,256	363	1,294,013	9,456	2,880,073
	Copyright Act	1,930	85,403	1,079	35,410	527	35,469	438	20,643	517	19,048	197	258,938	4,491	195,973
	Patent Act	18	4,281	5	271	0	0	23	653	9	37	1	10	55	5,242
	Total	5,884	527,034	3,870	389,696	1,797	358,501	1,381	854,716	1,070	951,341	561	1,552,961	14,002	3,081,288
2	Department of Special Investigation														
	Trademark Act	25	88,293	4	732,747	4	512,621	4	2,922,630	9	672,881	8	99,289	46	4,929,172
	Copyright Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Patent Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	25	88,293	4	732,747	4	512,621	4	2,922,630	9	672,881	8	99,289	46	4,929,172
3	The Customs Department	1,029	10,210,211	1,006	527,195	1,541	52,517,596	484	1,347,055	498	683,954	518	138,420	4,558	65,286,011
Total		6,938	10,825,538	4,880	1,649,638	3,342	53,388,718	1,869	5,124,401	1,577	2,308,176	1,087	1,790,670	18,606	73,396,471

# Online IPR Infringements



**e-Commerce  
Platforms**



**Social Media  
Platforms**



**Infringing  
Websites**

## 2. Enforcement in Online Market

### Legal Restrictions

- Website blocking
- Notice & Takedown
- Criminal Enforcement

### Voluntary Mechanism/ Collaborative Effort With Public – Private Partnerships



- The MOU on the Protection of IPRs on the Internet



- The MOU on Online Advertising and Intellectual Property Rights

## Legal restrictions



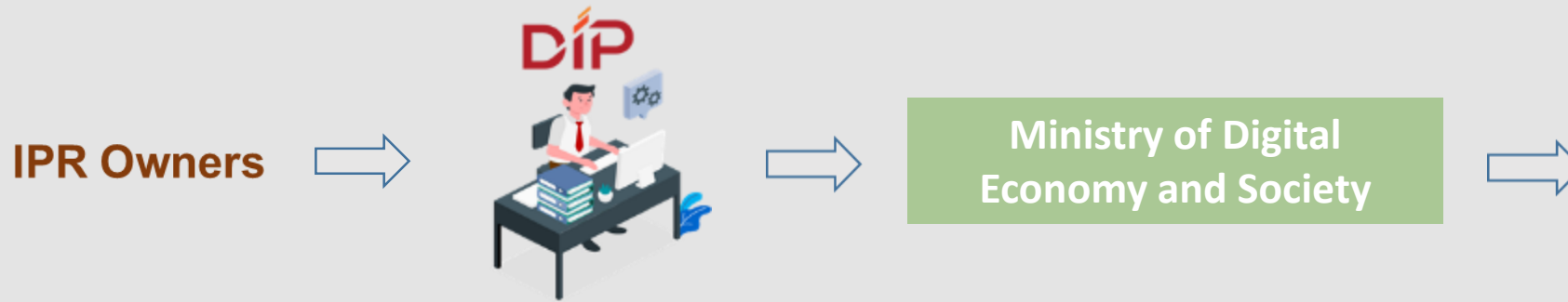
Website Blocking



Notice & Takedown



Criminal Enforcement



## Website Blocking

- A Site blocking In Thailand, the measure to block site with infringing contents is under Section 20 of the Computer Crime Act B.E. 2550 (2007) amended in B.E. 2560 (2017)
- The competent officer with court orders are empowered to block or disable access to IPR infringing content or to remove the infringing content from online computer system
- Since the revised Computer Crime Act entered into force in 2017, Courts have issued **42 court orders** to block or disable access to infringing contents in a total of, **1,641 URLs**

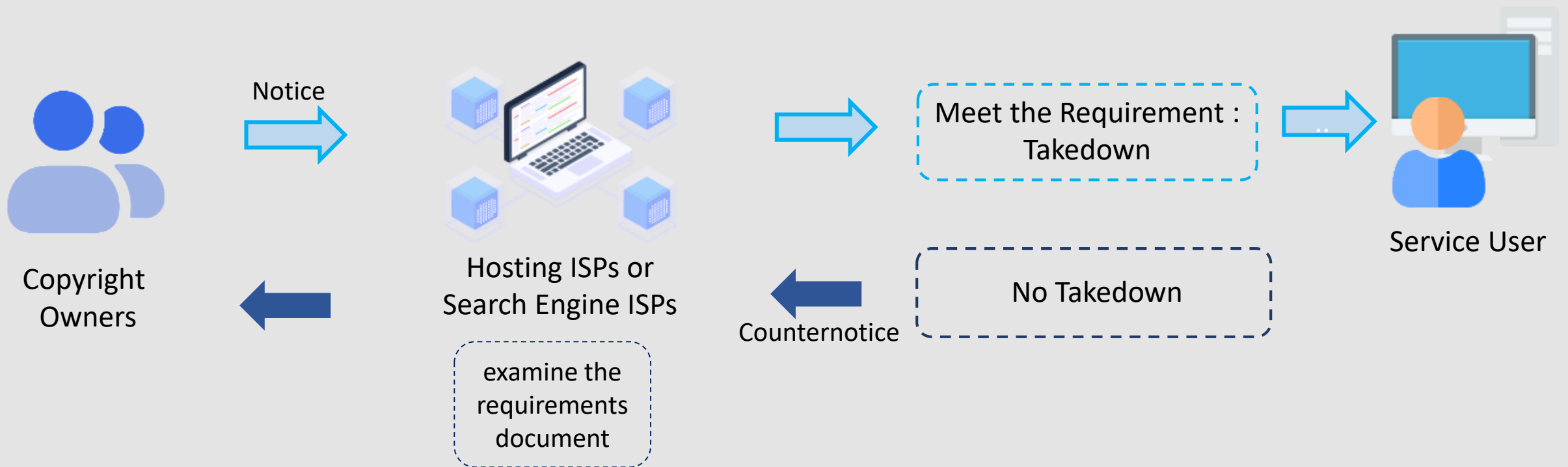
Titles	Number
Court Order (For blocking websites or removing illicit data)	<b>42 court orders s, 1,641 URLs</b>
From January 2018 to September 2023	





## Notice & Takedown

- Notice & Takedown Measure is under the Copyright Act (No.5) B.E. 2565 (2022)



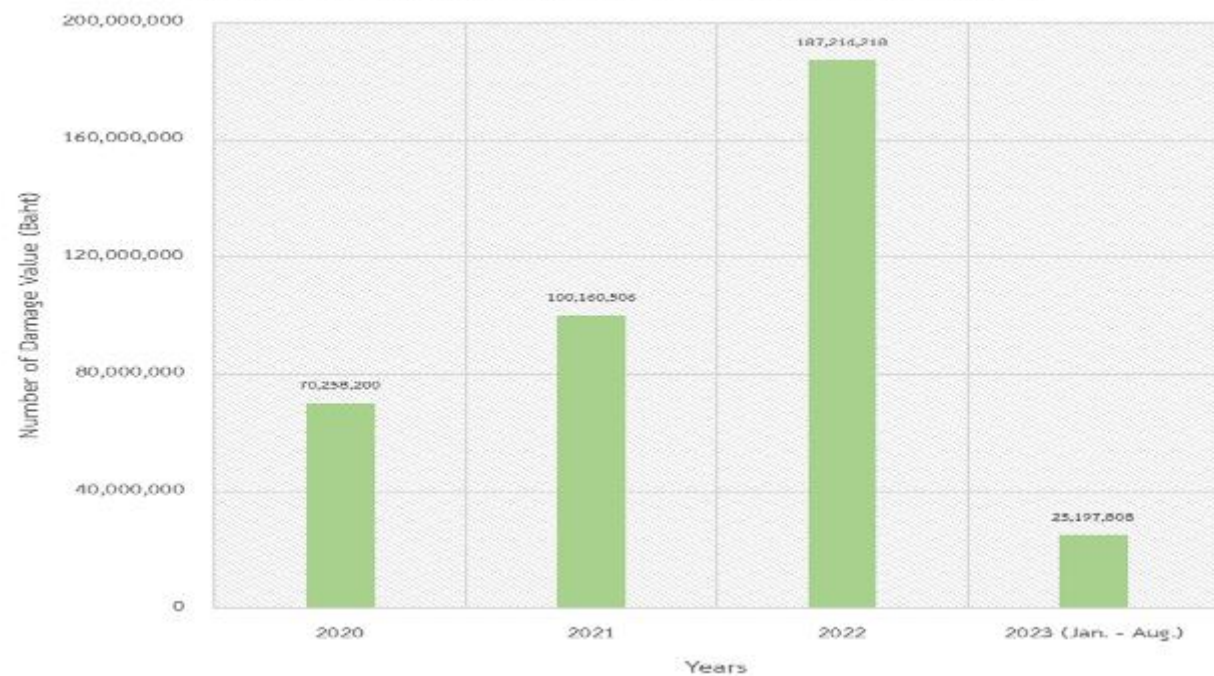


## Criminal Enforcement

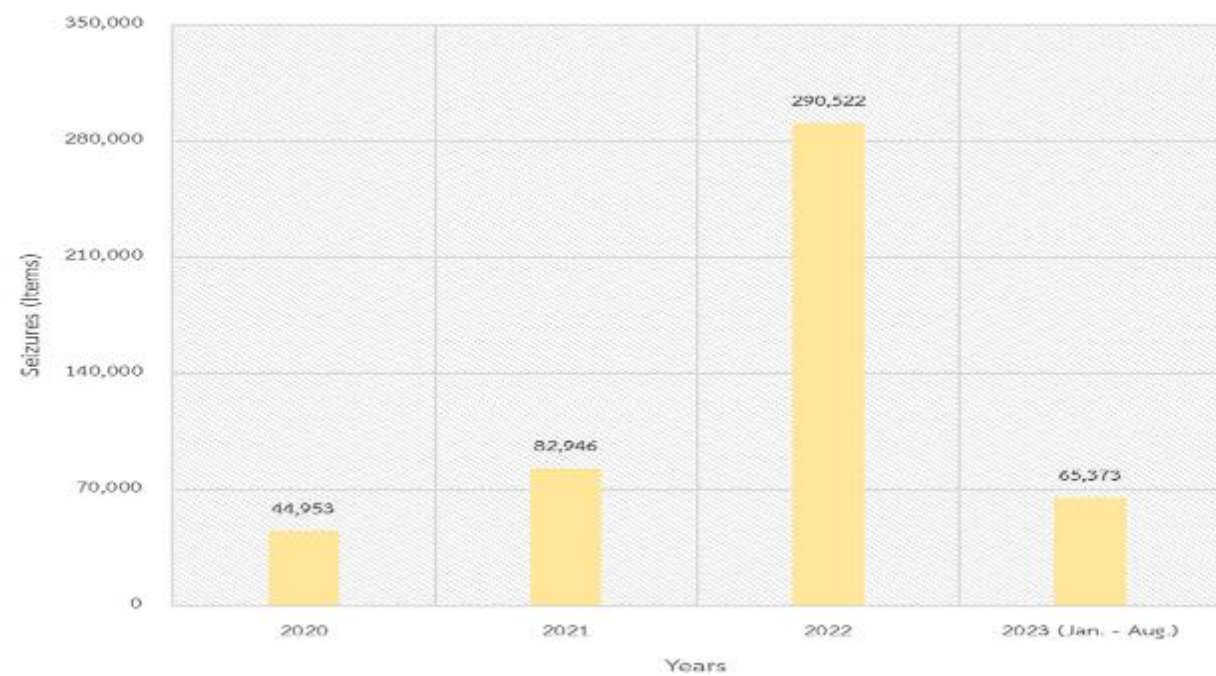
### Online IP Enforcement Statistics

	Number of Raids (Cases)	Number of Seizures (Items)	Number of Damage Value (Baht)
<b>2020</b>	231	44,953	70,258,200
<b>2021</b>	203	82,946	100,160,506
<b>2022</b>	343	290,522	187,214,218
<b>2023</b> (January - August)	170	65,373	25,197,808

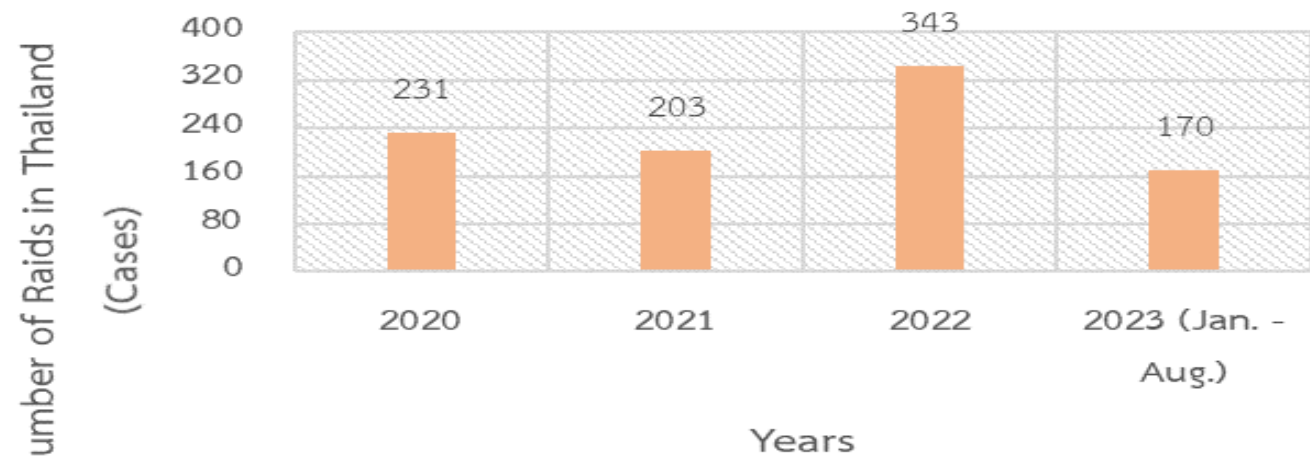
Number of Damage Value in Thailand (2020 - 2023)



Seizures in Thailand (2020 - 2023)



Number of Raids in Thailand (2020 - 2023)



## **Voluntary Mechanism/ Collaborative Effort With Public – Private Partnerships**

The MOU on the Protection of IPRs  
on the Internet

Memorandum of Understanding  
on Online Advertising and Intellectual  
Property Rights

# 1. The Memorandum of Understanding on the Protection of Intellectual Property Rights on the Internet

Since the MOU was signed on January 11th 2021

In 2021

Feb. 2021



+1 IPR Owner

Mar. 2021



+1 IPR Owner

Apr. 2021



+2 IPR Owners

Dec. 2021



+1 IPR Owners

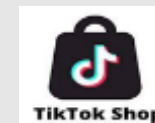
In 2022

Oct. 2022



+1 IPR Owner

Dec. 2022



+1 Internet platform operator

**Total: 33 signers ( 3 Governments   26 IPR Owners   4 Internet platform operators )**

Since the MOU was signed on January 11th 2021

In 2023

March. 2023



- 1 Internet platform operator (Cancellation Signing the MOU)

**Total: 32 signers ( 3 Governments 26 IPR Owners 3 Internet platform operators )**

# Scope of Cooperation

## MOU on the Protection of IPR on the Internet

### Government : DIP

- Initial survey
- Facilitate the coordination
- Monitor the implementation of MOU



### Internet platform operators

- Set up a channel for receiving reports
- Discontinuing IPR-infringing goods



### IPR Owners

- Initial survey
- Report infringement cases
- Submit IP & IP agents list



# The Implementation of MOU

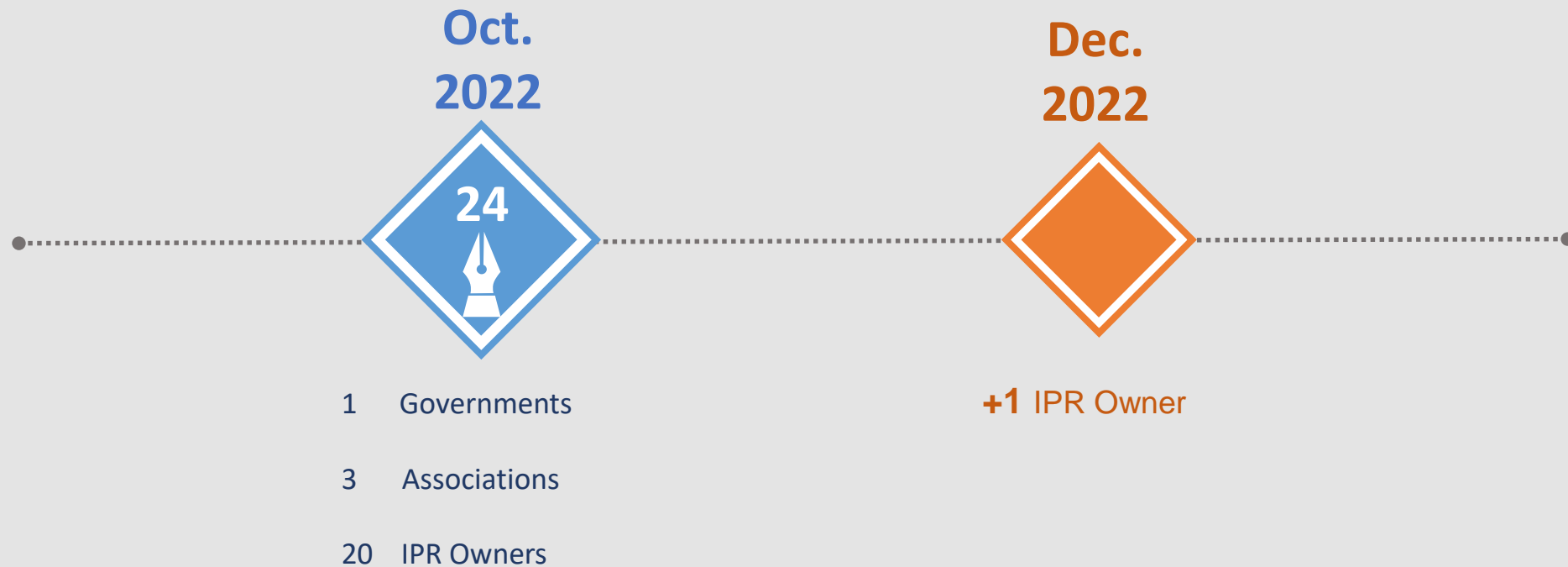
- **From 11<sup>th</sup> March 2021 – 30<sup>st</sup> June 2023**, IP Owners report the notice on IPR-infringing content to Internet platform for about **total 925 records** (Cloths shoes Cosmetics Engines and Toner Cartridges)
- The cooperation was productive by Internet platform managing to takedown the infringing content for about **total 921 records** (about 99 percentage of Reports )





## 2. Memorandum of Understanding on Online Advertising and Intellectual Property Rights

Since the MOU was signed on October 28<sup>th</sup> 2022



**Total: 25 signers ( 1 Government 3 Associations 21 IPR Owners )**

# Scope of Cooperation

## MOU on Online Advertising and Intellectual Property Rights

### IPR owners

If IPR owners find the placement of advertising on websites or applications infringing their IPR

reports to



coordinates with



### Associations

Encourage their members to undertake any steps not to place advertising on websites or applications infringing IPR

DIP coordinates with advertisers and associations to undertake any steps to remove the advertising from such websites or applications.

# The Implementation of MOU

- According to the MOU, the DIP received the list of website infringing IPR from IPR owners and sending it to IPR owners, advertisers and associations to know and make use of such information.
- The DIP will held the meeting discussing about the procedure of the MOU in the future after the meeting, The signatories will jointly review the implementation of this MOU every 6 months or as agreed by the signatories.





# Activities against IP Infringement



# STOP FAKES STOP PIRACY



**Selling Pirated and Counterfeiting Goods is a crime.**

Intellectual property (IP) is an invention or a creation that is protected by laws, for example, trademark, patent, petty patent, and copyright, such as music, movies, paintings, books, and software, etc.,

which enable right holders to profit from their invention or creation within a time limit specified by law.

The production or sale of IP infringing goods is an action that affects the rights of the rights holders and **violates the law.**



## Penalty

- **Distribution of goods bearing a counterfeit trademark**

An imprisonment for a term of not exceeding 4 years or to a fine not exceeding 400,000 baht, or to both.

- **Distribution of piracy**

An imprisonment for a term of 6 months to 4 years or to a fine of 100,000 baht to 800,000 baht, or to both.



## Harm and risks of counterfeiting products.

- **To the consumer:** counterfeiting products are harmful and may pose health risks to consumers due to poor quality or non-standard manufacturing processes, and will never be worth the money spent by the consumers.
- **To the economic system:** piracy and counterfeiting are disincentives for intellectual property right holders to innovate and create. As a consequence, the country could be burdened by tariff barriers and a lack of incentives and confidence for investors, which may lead to a ban on the export of goods.

Found IP infringement, contact 1368



# PUBLIC AWARENESS CAMPAIGN INFOGRAPHICS

# AWARENESS CAMPAIGN



22 August 2023

the DIP and MBK shopping center  
conducted campaign “Let’s get Right”  
invite consumer and seller to buy use  
and sale genuine product.

In addition, run discussion on  
the impact of selling infringed goods  
at MBK Center





## ASEAN Network of Intellectual Property Enforcement Experts – ANIEE 11<sup>th</sup>

### “Respecting IP Rights in the Midst of the Pandemic to Protect MSMEs” Poster Contest by the ASEAN Network of Intellectual Property Enforcement Experts (ANIEE)

The ASEAN Network of Intellectual Property Enforcement Experts (ANIEE) recently conducted a digital poster-making contest to raise awareness of IP enforcement, with the theme of the contest centered around “Respecting IP Rights in the Midst of the Pandemic to Protect MSMEs”.

10 November 2022



# DESTRUCTION CEREMONY

31 August 2023

The DIP conducted the 2023 Destruction Ceremony of IPR Infringing Goods.

Infringing goods 1,253,529 items were destroyed, worth 605,813,800 Thai Bath (17,038,300 USD)





# Thailand IP Fair 2023



This event was held from August 18<sup>th</sup> to 20<sup>th</sup> , 2023  
at Sanyan Mitrtown Bangkok:  
An academic seminar focusing  
on the knowledge development on intellectual  
property and also providing a  
comprehensive IP consultation services.

# FY2023 JPO/IPR Training Course for IP Trainers

## “The Education of Enforcing Patents, Petty Patents, Designs, Trademarks, and Copyrights in Thailand”



Present by

Mr. Watcharakorn Pranee (Ph.D.)

(Patent Examiner Professional Level)

Petro Chemical and Polymer group, and Patent Cooperation Treaty Receiving Office (PCT-RO),  
Patent Office, Department of Intellectual Property, Ministry of Commerce, Thailand

E-mail: [watcharakorn.p@ipthailand.go.th](mailto:watcharakorn.p@ipthailand.go.th)

**Thank You For Your Attention**

---