

Updates on the National Legislation and Initiatives on Copyright Protection in Thailand

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Copyright Office, Department of Intellectual Property

Vision

The central agency for enhancing Thailand's economic development and international competitiveness with intellectual property

Mission

Creation

Nurture innovation and creativity

Commercialization

Promote commercialization of IPRs

Protection

Provide timely and effective protection of IP

Enforcement

Strengthen the enforcement of IPRs at the domestic and international level

Raising Awareness

Start new proactive campaigns to increase awareness in IPRs



Policy Level - Cabinet Resolution



On 28 June 2022, the Cabinet issued a resolution instructing the relevant enforcement agencies to continue their efforts in combatting IPR infringement, particularly in the online environment.

Legislative Developments and Accession to International Agreements



The Copyright Act Amendments

PHASE 1

- Enhancing mechanisms to protect copyright in the digital environment
- Copyright Act (No.5) B.E. 2565 (2022) and its secondary legislation came into force on 23 August 2022
- Thailand deposited the instrument of accession to the WIPO Copyright Treaty (WCT) with WIPO on 13 July 2022
- WCT has been in force for Thailand since 13 October 2022

PHASE 2

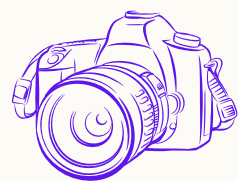
- Preparing for the accession to the WIPO Performances and Phonograms Treaty (WPPT)
- Working on the draft amendment
- Set up the Copyright Legislative Development Committee on 7 March 2023 to consider the draft proposal for the amendment
- The first public hearing regarding the issues to be addressed in the amendment was held on www.law.go.th between 24 July - 8 September 2023
- 4th Committee Meeting was held on 3 November 2023

Copyright Act (No. 5) B.E. 2565 (2022)



Exemption from ISP Liability

Repealing section 32/3 and adding Part 7
Exemption from the ISP liability which
introduces the Notice and Takedown process



Extension of the term of Protection for photographic works

From 50 years as from its creation or
from its first publication

➤ life of the author + 50 years



Technological Protection Measures (TPMs)

- Making the circumvention of access control TPMs an infringement of TPMs
- Amending the provision on exemption to prohibition on circumvention of TPMs
- Adding the provision prohibiting provision of services, manufacture, sale or distribution of products or devices which can be used to circumvent TPMs and its exemptions and penalties



Term of Copyright Committee

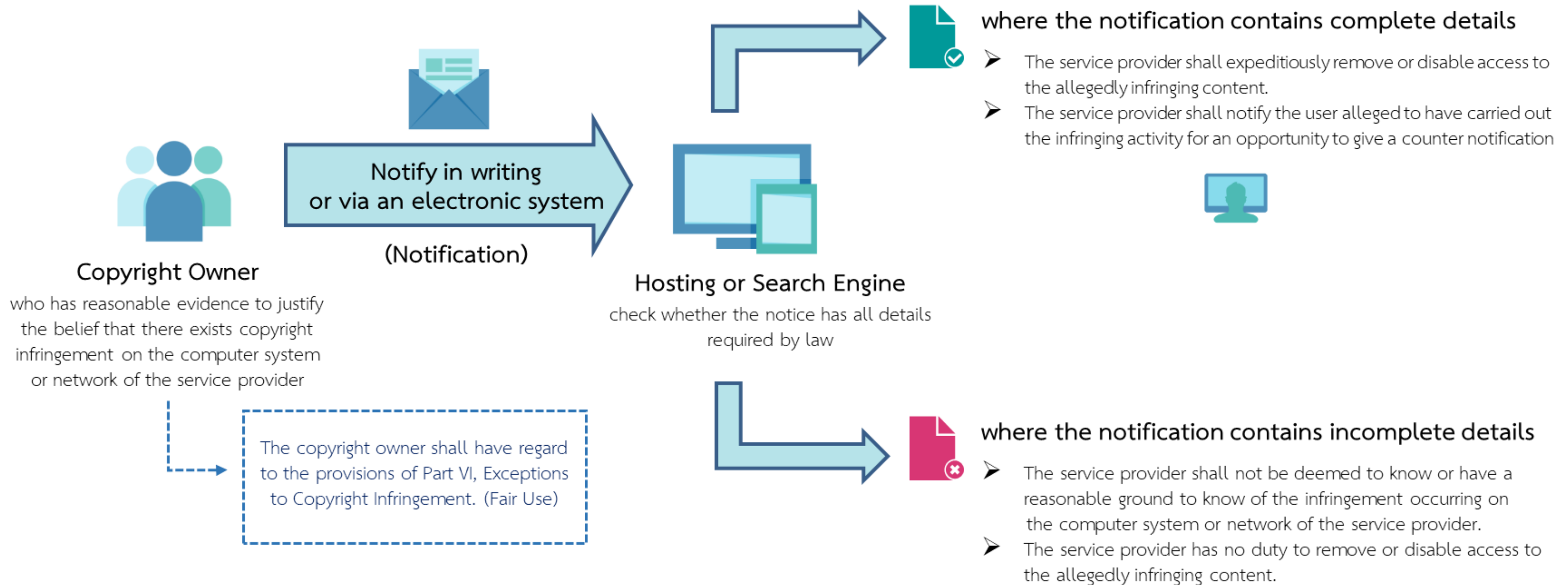
Copyright Committee shall continue to perform
their duties until new experts are appointed.



Notice and Takedown



Section 43/6



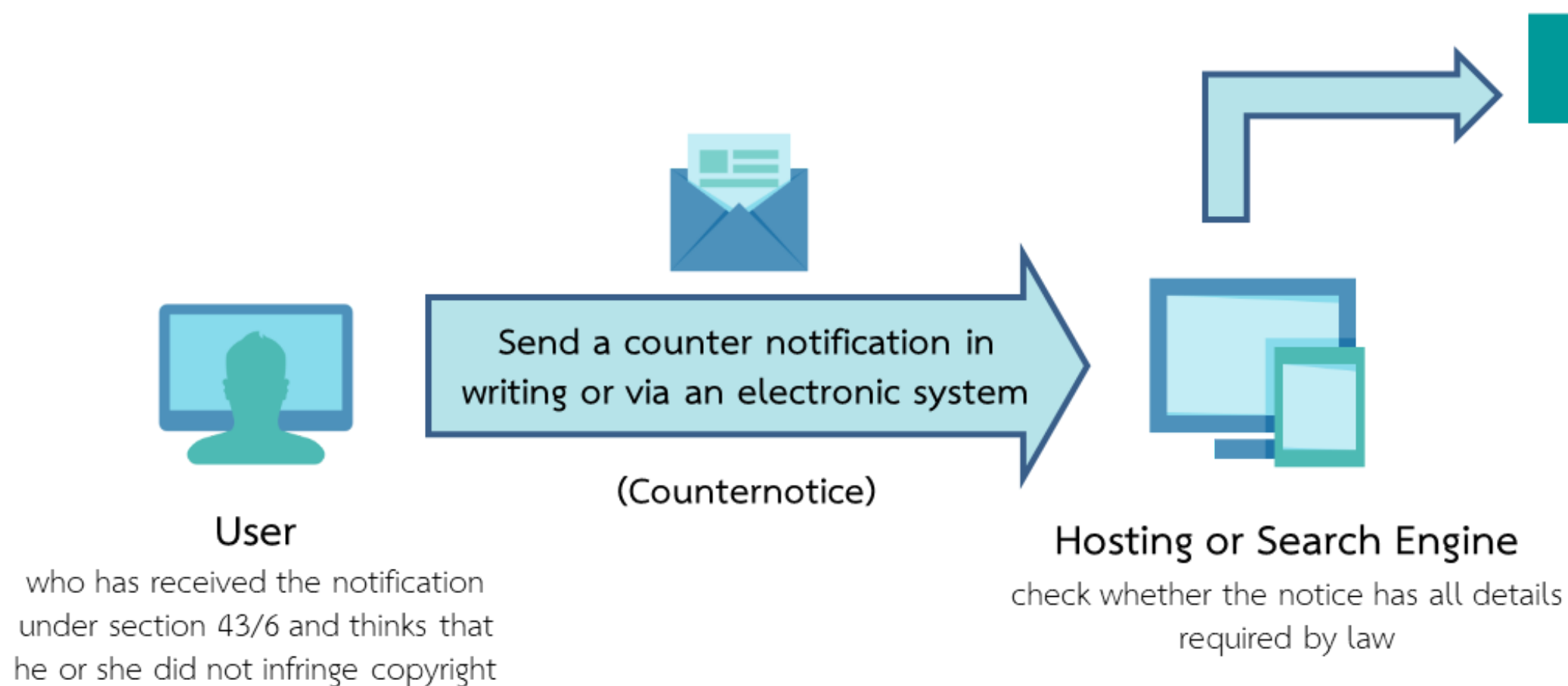
* The service provider who has acted in good faith shall not be liable for any loss arising from their activity in removing or disabling access to the allegedly infringing content.



Counternotice



Section 43/7



where the counter notification contains complete details

- The service provider shall promptly forward a copy of the counter notification to the copyright owner and inform that it will replace the removed content or cease disabling access to it at the expiration of thirty days as from the date of receipt of the counter notification.
- At the expiration of the such period, the service provide shall replace the removed content or cease the disabling of access to such content within fifteen days, unless the service provider receives a notification, supported by evidence from the copyright owner that a lawsuit has been filed against the user.



where the counter notification contains incomplete details

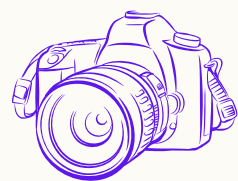
- The service provider has no duty to replace or cease disabling access to such content.

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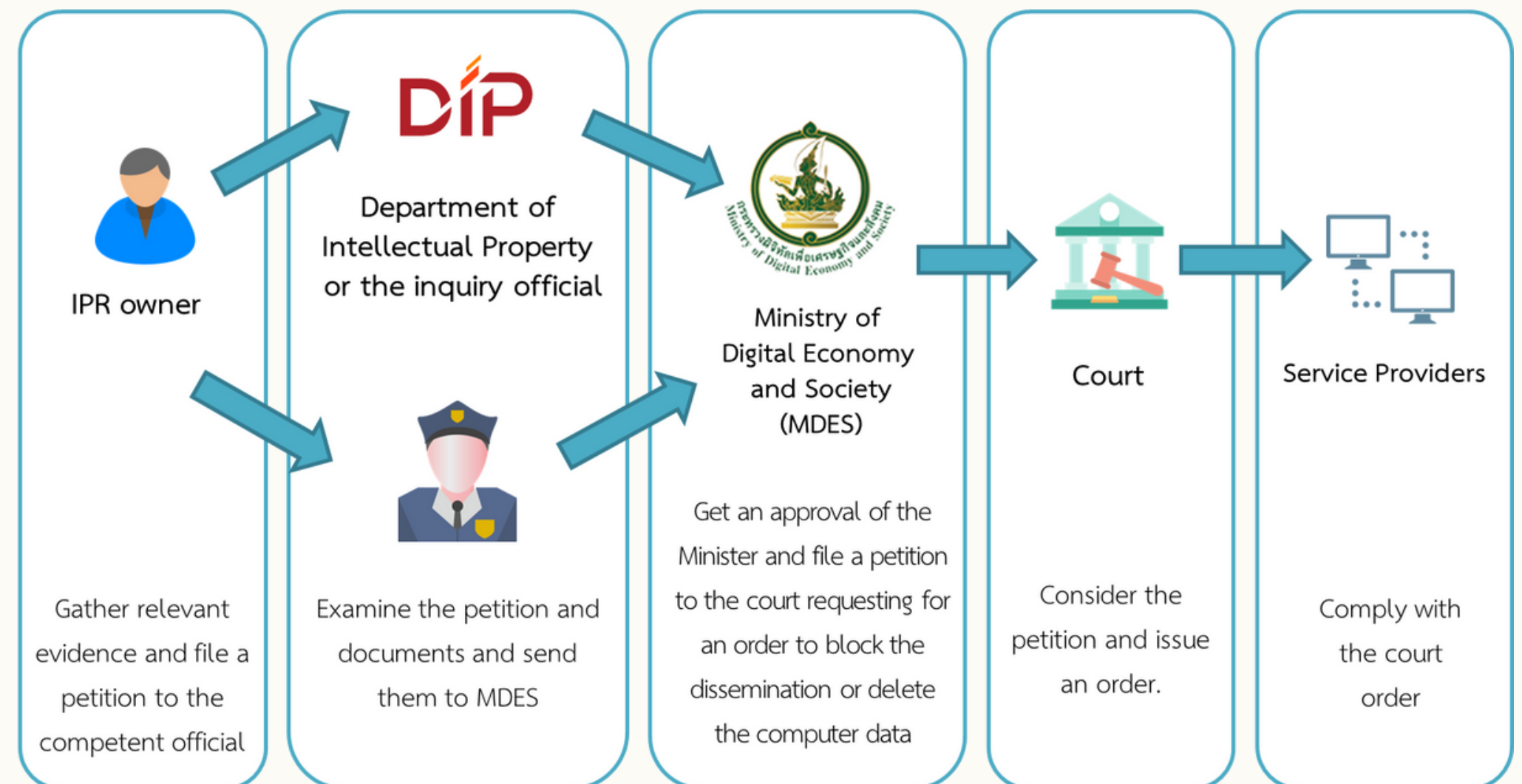
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Enforcement Efforts

- Notice and takedown procedure introduced by the Copyright Act (No.5) 2022
- Site blocking mechanisms under the Computer Crime Act (No.2) 2017
 - more than 1600 URLs



Site Blocking under Section 20 of the Computer Crime Act B.E. 2550 as amended by the Computer Crime Act (No.2) B.E. 2560



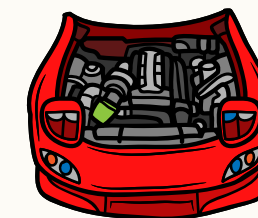
MOU on the Protection of IPRs on the Internet



- Signed on 11 January 2021
- 25 IPR owners + 3 e-Commerce Platforms (Lazada, Shopee, , TikTok Shop) + 3 Government Agencies (DIP, DBD, DITP)
- Set up channels for reporting online infringements
- 925 items (March 2021- June 2023) were reported. 921 were taken down. (99%)



1



2



3



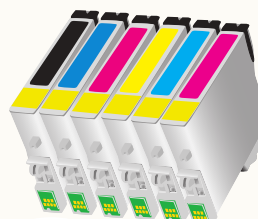
4



5



6



1

MOU on Online Advertising and IPRs

Establishing the voluntary cooperation mechanism among the relevant stakeholders in the advertising industry in preventing and suppressing online IPR infringement.



Signed by the **DIP**
+ 3 Advertising Associations
+ 20 IPR owners
on 28 October 2022
+ 1 IPR owner after October 2022

Now **25** signatories

39 websites reported



Objectives



To discourage the placement of advertisements on "IPR-infringing websites/applications"



To encourage the stakeholders to abstain from producing the "advertisements violating IPR"



To encourage the stakeholders to refrain from advertising "IPR-infringing goods and services."

- The DIP has compiled a list of websites suspected of infringing IPRs that have been notified by owners of IPRs, and has reported a list of 39 websites suspected of violating IPRs to advertising associations (3 associations) in order to publicize and disseminate to members of the Advertising Associations.
- The DIP also encourages members to take any action not to advertise on websites that are suspected of infringing IPRs.

Awareness and Educational Activities

- DIP, in collaboration with JOOX Thailand launched a competition "DIP x JOOX Original Voice Audition 2023"

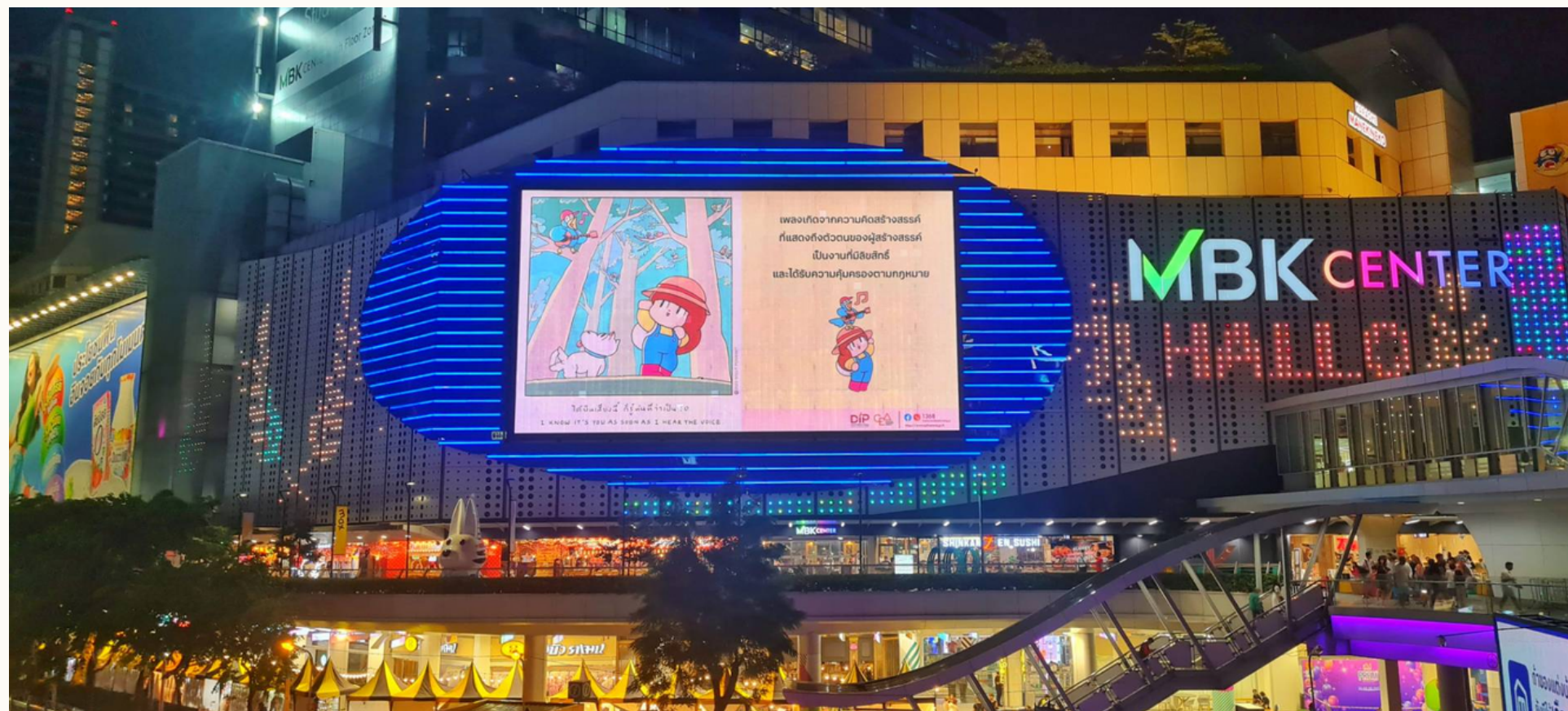


- DIP uses online and Social Media channels e.g. TikTok to promote awareness in Copyright



Awareness and Educational Activities

- PR educational media using a famous character called "**Mamuang**" to raise awareness on copyright and related rights



Infographics and VDO clips

ดูแล้ว ไม่เท
ร่วมกันรณรงค์ดูหนังถูกลิขสิทธิ์





103 DÍP

IP FAIR 2023

มหกรรมทรัพย์สินทางปัญญา 2566

IP GALAXY

จักรวาลแห่งความคิด ก้าวนำเศรษฐกิจด้วยทรัพย์สินทางปัญญา

พบกับ
นวัตกรรม สิ่งประดิษฐ์ งานศิลปะ
จากนักคิด นักสร้างสรรค์ และศิลปินชื่อดังมากมาย พร้อมรับคำปรึกษาด้านทรัพย์สินทางปัญญาจากผู้เชี่ยวชาญ

18-20 สิงหาคม 2566
สามย่านมิตรทาวน์ฮอลล์ ชั้น 5

www.thailandipfair.com



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IP SEMINAR

เสวนาด้าน IP กับศิลปินมากมาย

พบกับ นักประดิษฐ์ นักสร้างสรรค์ ศิลปิน นักออกแบบ และช่างภาพมืออาชีพ
หลากหลายหัวข้อที่น่าสนใจ ประกอบด้วย กว่า 10 หัวข้อ อาทิ

- นวัตกรรมทางการแพทย์อนาคต • กาแฟ GI ไทย กำเนิดใหม่พิชิต • สิทธิบัตร ความรู้แห่งความนิ่ง • สร้างแบรนด์ไทยไปทั่วโลก
- ห่วงโซ่อุปทานศิลปะ: จากนิวนิวในสตูดิโอ • ดนตรีกระแส IP ไม่มีตกยุค



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IP ACTIVITY

GI Cafe' 18-20 ส.ค. 66 | 10.00 - 18.00 น.

Mini Concert: DIP x JOOX Original Voice 19 ส.ค. 66 | 17.00 - 18.00 น.

TRENDY 20 ส.ค. 66 | 13.00 - 14.00 น.

Mini Concert: วาน อนาคต 19 ส.ค. 66 | 16.00 - 17.00 น.

การประกวดคนดี จากองค์กรเยาวชน: Melon 20 ส.ค. 66 | 17.00 - 17.30 น.

Mini Concert: Club After Class 20 ส.ค. 66 | 17.00 - 18.00 น.

LOGO DESIGN CONTEST กิจกรรมออกแบบ LOGO

IP Fair 2023



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IP SHOWCASE

เปิดจักรวาลแห่งความคิดสร้างสรรค์
และนวัตกรรม ที่จะสร้างรายได้ สร้างมูลค่า
และแรงบันดาลใจให้กับธุรกิจของคุณ



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HIGHLIGHT TRENDY GI CAFE'

พิเศษสุดกับไฮไลท์ใหม่ในงาน
GI Cafe' ชวนชิมกาแฟ GI ไทยกว่า
8 สายพันธุ์จาก
5 จังหวัดโดยบาร์ิสต้าชื่อดัง

ร่วมประมุ
งานอาร์ตแอนด์ไอเท็ม
กับ Trendy Gallery

IP Advisory Center : IPAC



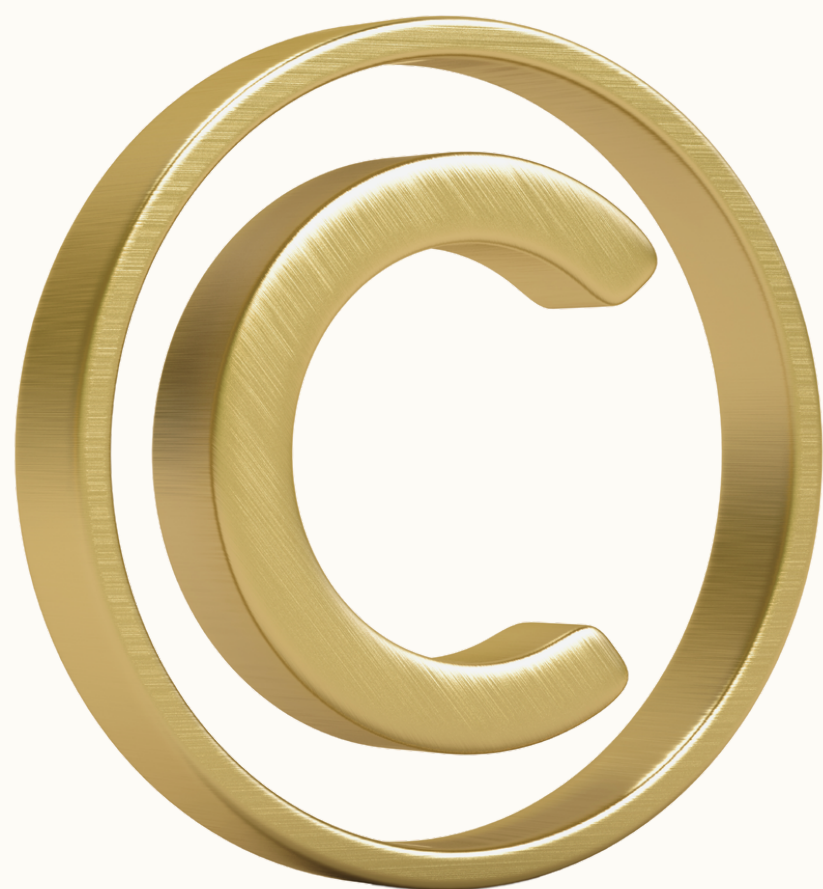
Providing IP consultation services in all aspects to various business sectors, entrepreneurs, SMEs and the general public.

New Challenge

***Are AI-generated works
eligible for copyright
protection?***

ภาพที่ **AI** ทำขึ้น
มีลิขสิทธิ์ไหม ?





Thank you

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Website : www.ipthailand.go.th

Email : copyright.office@ipthailand.go.th

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Muang, Nonthaburi, 11000***