

### DIP Reports More Than 500 IP Infringing Sites Were Shut Down

On 25<sup>th</sup> June 2018, the Department of Intellectual Property of Thailand (“DIP”) disclosed that during the period of 9 months from September 2017 to May 2018, the DIP has been working cooperatively with the Ministry of Digital Economy and Society (“MDES”) to suppress the dissemination and to remove some online IP-infringing contents under Section 20(3) of the Computer Crimes Act (No. 2) B.E. 2560 (A.D. 2017) enacted to amend the Computer Crimes Act B.E. 2550 (A.D. 2017) of Thailand (“Amended CCA”) and the Court has issued several writs for the officials and service providers to suppress the dissemination or remove the online IP-infringing contents from 535 URLs. Most of the infringing contents are related to pirated movies and songs and counterfeit goods like bags, shoes, clothes, and watches.

The Amended CCA has come into force on and from 24<sup>th</sup> May 2017. Section 20(3) of the Amended CCA allows the competent officer at the MDES to ask the Court for an injunction against websites that publish an online IP-infringing content, provided that he must first obtain approval from the MDES Minister. But in an urgent case, the officer may file a motion with the court before obtaining approval from the MDES Minister, and he must report the matter to the MDES Minister as soon as possible after the motion has been filed with the court.

Since September 2017, the DIP has been working together with the IP rights owners to keep online websites on surveillance. The DIP also accepts complaints from a rights owner or an interested person or any third party with regard to online IP-infringing contents. The DIP then conducts preliminary investigation and gathers information before passing the case to MDES for further action. The officer of MDES with approval from the MDES Minister then files a petition with supporting evidence to the Court of jurisdiction to ask the Court to issue a writ to suppress the dissemination or to remove such computer data from the computer system.

Besides that, the DIP has also been working with the Economic Crime Suppression Division (“ECSD”) to suppress IP infringing activities on Internet via social media and online platforms like Facebook, YouTube and Instagram. From January to April this year, there were 44 cases of online infringement under the authority of ECSD with around 3,256 pieces of seized infringing goods. This online infringement suppression is in place in parallel with the suppression against physical markets where around 9,794,528 pieces of infringing goods were seized from October last year to May this year.



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