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ANTI-COUNTERFEITING STANDING COMMITTEE: THAILAND COUNTRY REPORT

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1. EXECUTIVE SUMMARY

The statistics, records, news, and MoU presented throughout this report collectively reflect the continued efforts of IP-relevant agencies across both the private and public sectors in joining forces to combat IP-infringing activities. While certain figures may not demonstrate drastic year-on-year changes, there are encouraging indications that various enforcement measures are being progressively implemented and strengthened in a meaningful way. The MoU concluded with the Department of Special Investigation serves as a notable example. Though lacking legally binding effect, it has succeeded in establishing a clear procedural framework, outlining the steps to be undertaken by the respective parties, and reinforcing the working relationship between the public and private sectors. Notwithstanding these developments, the continued and seemingly unrelenting growth of IP-infringing activities conducted through online e-commerce platforms remains a significant challenge. Consequently, the majority of enforcement actions continue to be concentrated in the territory of physical premises. This report also includes summaries of select notable raids and IP infringement cases from recent years.

2. ENFORCEMENT STATISTICS

2.1 Statistics on the suppression of IP rights infringements by the Royal Thai Police, Department of Special Investigation (DSI), and Customs Department[2]

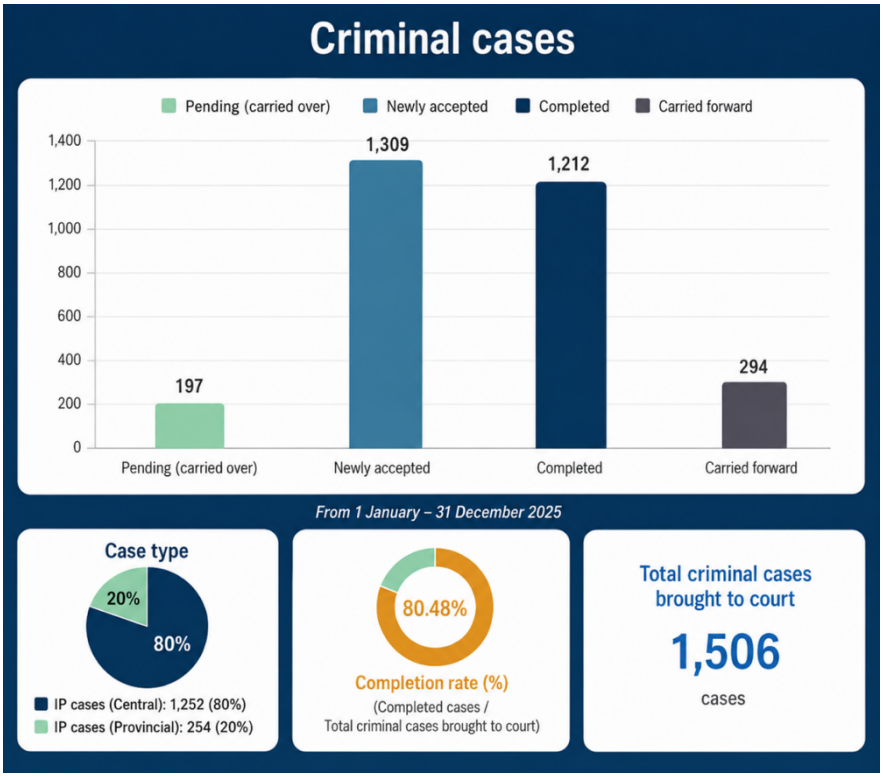
No.	Agency	2025 (January – December)		2025 (January – May)		2026 (January – May)		Changes in Comparison between Jan – May 2025 and Jan – May 2026	
		Number of Raids	Number of Seizures	Number of Raids	Number of Seizures	Number of Raids	Number of Seizures	Raids: Increase/ (Decrease)	Seizures: Increase/ (Decrease)
1.	**Royal Thai Police**								
	Trademark Act B.E. 2534 (1991)	620	1,819,392	158	1,502,051	175	1,009,669	10.76%	-32.78%
	Copyright Act B.E. 2537 (1994)	186	7,567	105	5,660	38	191	-63.81%	-96.63%
	Patent Act B.E. 2522 (1979)	8	272	5	267	1	3	-80.00%	-98.88%
	Total	**814**	**1,827,231**	**268**	**1,507,978**	**214**	**1,009,863**	**-20.15%**	**-33.03%**
2.	**Department of Special Investigation**								
	Trademark Act B.E. 2534 (1991)	9	1,094,653	5	624,881	4	99,423	-20.00%	-84.09%
	Copyright Act B.E. 2537 (1994)	0	0	0	0	0	0	0%	0%
	Patent Act B.E. 2522 (1979)	0	0	0	0	0	0	0%	0%
	Total	**9**	**1,094,653**	**5**	**624,881**	**4**	**99,423**	**-20.00%**	**-84.09%**
3.	**Customs Department**	304	584,194	177	37,073	177	440,983	18.00%	1,089.50%
	Total	**1,127**	**3,506,078**	**423**	**2,169,932**	**395**	**1,550,269**	**-6.62%**	**-28.56%**

[1] This report was contributed to by Ms. Pitcha Hwangkeaw through her work in researching statistics, news, and court case.
[2] Information obtained from: https://www.ipthailand.go.th/th/ผลการปราบปราม/item/staticpp_dipyears-may69_tha.html

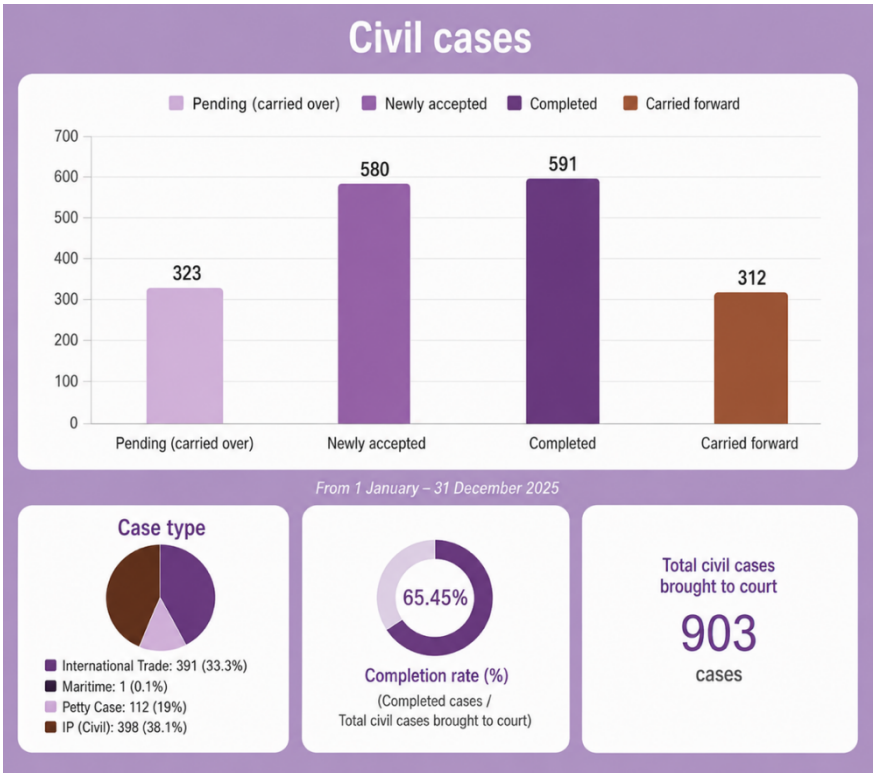
The Thai Department of Intellectual Property (DIP) has recently published its statistics on IP enforcement actions gathered from three principal organizations: the Royal Thai Police, the Department of Special Investigation (DSI), and the Customs Department, covering the period as of May 2026. When compared to the figures recorded during the same period in 2025, the total number of raids decreased slightly by 6.62%, while the number of infringing items seized declined by 28.56%. Notably, the records indicate that the Royal Thai Police remained the leading enforcement authority, conducting 214 raids during the first five months of 2026 and seizing more than one million infringing items.

2.2 Statistics on IP-related cases filed with the Intellectual Property and International Trade (IP & IT) Court[3]

The IP & IT Court has recently released its official statistics pertaining to criminal and civil cases filed throughout 2025. According to the published figures, a total of 1,506 criminal cases and 903 civil cases were filed during the period. The statistics cover all cases handled by the IP & IT Court, including matters arising under both intellectual property and international trade laws. While the released data does not specify the particular area of law (trademark, copyright, or patent) under which each case was brought, the records indicate that all 1,506 criminal cases were exclusively related to IP laws. This reflects the considerable volume of criminal enforcement actions initiated by the relevant government authorities. In contrast, among the 903 civil cases filed, only 399 related to IP laws. When compared to the preceding year's figures, the number of criminal cases recorded a slightly increase from 1,225 to 1,506. With respect to civil cases, however, the figures saw a decline, from 614 to 399. **The charts reflecting the statistics are provided below.**



[3] Information obtained from: https://ipitc.coj.go.th/th/content/category/detail/id/11740/iid/534088.



3. UPDATED LEGISTRATIONS CONCERNING ANTI-COUNTERFEITING ISSUE

On 28 May 2026, the Department of Special Investigation (DSI) entered into a Memorandum of Understanding (MoU) with agents representing IP owners from the private sector. The MoU was established with the aim of enhancing the effectiveness of collaboration in handling IP infringement cases. **Certain key points are summarized below.**

1. The agents are able to notify the authorities of any information or intelligence of infringing activities. The authorities retain the discretion to determine whether to accept the reported case. Upon acceptance, the authorities are required to notify the agents, accordingly, proceed with further investigation, and extend full cooperation throughout the process. In case a case is declined, the authorities are likewise obligated to provide the agents with a justification in support of their decision.

2. Parties mutually agree to treat all shared information as strictly confidential and shall refrain from disclosing or utilizing without prior authorization.

3. The agents are permitted to accompany the authorities in the process of obtaining search warrants from the court, as well as during the conduct of raids, for the purpose of providing supplementary information concerning the rights holders, particulars of the mark, infringing goods, and other related matters.

While the MoU does not carry legally binding force upon the parties, its initiatives serve as a positive indication of mutual commitment in strengthening IP enforcement. Though certain provisions merely reiterate obligations established under existing laws, the act of committing these to writing serves to create a framework for practical cooperation that should ultimately contribute to more effective and consistent handling of IP infringement matters.

4. MAJOR RAIDS

Some of major raids against infringers by Thai government in 2025 are detailed below.

- In March 2026, the Department of Intellectual Property (DIP) and the Department of Special Investigation (DSI) seized over 100,000 counterfeit goods worth approximately THB 30 million during a raid at MBK Center, a physical market identified for high levels of IP infringement. The operation targeted 17 shops and storage locations at the center. The seized items included counterfeit luxury bags, clothing, footwear, and accessories.[4]

- In April 2026, the Department of Intellectual Property (DIP), the Economic Crime Suppression Division (ECD), the Customs Department, and the Department of Special Investigation (DSI) announced the results of a nationwide anti-counterfeiting campaign for the first half of fiscal year 2026 (October 2025–March 2026). Authorities reported 332 cases and seized more than 1.3 million counterfeit items, with estimated economic losses exceeding THB 2.3 billion (78% increase compared to the whole of fiscal year 2025).[5]

- In May 2026, the Central Investigation Bureau (CIB) and international law enforcement agencies, including INTERPOL, conducted a raid on MyIPTV4K, a grey-market internet protocol TV (IPTV) service primarily targeting users in Southeast Asia. Authorities arrested a Thai suspect and seized electronic devices, financial records, and other evidence linked to the unauthorized distribution of copyrighted content.[6]

- In June 2026, the Central Investigation Bureau (CIB), the Consumer Protection Police Division (CPPD), and the Food and Drug Administration (FDA) conducted raids on warehouses in Bangkok. Authorities identified dietary supplements bearing false FDA registration numbers. The seller had allegedly forged product authorization documents to establish an "official store" on online marketplaces and enhance consumer trust. Approximately 14,939 products were seized, with estimated damages exceeding THB 2 million.[7]

5. INTERESTING COURT CASE

An interesting court case decided by the Thai Specialized Court of Appeal (SCA)[8] in 2025, along with our observations, is summarized below.

Plaintiff: Thai Company A, the First Plaintiff
Thai Company B, the Second Plaintiff

Defendant: Thai Individual C, the First Defendant
Thai Individual D, the Second Defendant
Thai Partnership E, the Third Defendant
Thai Individual F, the Fourth Defendant

[4] Information obtained from: https://www.bangkokpost.com/thailand/general/3216228/b30-million-in-fake-goods-seized-at-notorious-mbk-mall.
[5] Information obtained from: https://www.bangkokpost.com/thailand/general/3246139/counterfeit-goods-crackdown.
[6] Information obtained from: https://www.bangkokpost.com/thailand/general/3262288/arrests-made-in-pirated-movie-streaming-crackdown.
[7] Information obtained from: https://www.bangkokpost.com/thailand/general/3266424/almost-15000-illegal-health-products-seized-in-bangkok-warehouse-raid.
[8] Note: The IP & IT Court's official written decisions are not available. The information provided is based on the SCA's decisions.

Remark: This summary is not an English translation of the SCA's decision and covers only certain interesting points of law. Some of the facts and legal opinions mentioned in the decision may be omitted as they may not be interesting or relevant to IP matters.

1. The Plaintiffs are the manufacturer, seller, and exporter of fish sauce bearing the **"SQUID" (in Thai "ปลาหมึก")** mark for more than 70 years. Below are the relevant registrations registered under the First Plaintiff's name.

No.	Mark	Registration Number	Classification/Goods
1.		Kor5247	30/fish sauce
2.		Kor289748	30/fish sauce
3.		Kor294793	30/fish sauce
4.		221122115	30/fish sauce
5.		Kor366698	30/fish sauce



2. The First Defendant is the owner of the registration of the mark (Registration Number 211119023) with fish sauce in class 30.

3. The Plaintiffs claim that the Defendants jointly committed trademark infringement and passing off by infringing the Plaintiffs' rights in their tradename and registered marks.

- **a.** The First Defendant filed for registration of the infringing mark, which includes the squid device and the word "SQUID" for use with fish sauce products, and sold infringing products bearing the infringing mark.
- **b.** The Second and Fourth Defendants, acting as the Third Defendant's authorized persons, manufactured the infringing products bearing the infringing mark under a manufacturing agreement for the First Defendant. As these three Defendants are manufacturers of various fish sauces, they must have been aware of the Plaintiffs' mark and business, which has better right and title. Consequently, the manufacturing of the infringing products was done in bad faith by these Defendants to confuse the public.

  Important: In the decision, the SCA mentions the fact from the hearing where the actual mark in use with the infringing fish sauce product is different from the one registered. The Plaintiffs claim the marks in actual use are strikingly similar to the Plaintiffs' products and marks more than the one that appears in the registration. However, there is no reference picture of both parties' products displayed in the decision. We have attempted to find reference pictures from other sources but found none. In any event, it should be noted that both the IP & IT Court and the SCA ruled that both parties' marks are confusingly similar and the First Defendant's registration shall be rejected. The Courts also ruled that the product bearing the mark in actual use is infringing the First Plaintiff's right to the registration and ordered damages upon the First Plaintiff.

4. The First Defendant has never entered the case and is deemed to be in default.

5. The Second, Third, and Fourth Defendants argue as follows.

- **a.** The manufacture of the infringing products is under the manufacturing agreement with the First Defendant.
- **b.** The First Defendant has duly provided a certificate of his trademark registration for their inspection, and thus they understood that the First Defendant was entitled to use this mark by virtue of the registration.
- **c.** The First Defendant's product is a mixed fish sauce while the Plaintiffs' products are 100% fish sauce. The labels of both parties' products clearly indicate the types of fish sauce as mentioned, and thus the public would notice the difference.
- **d.** Upon becoming aware of the dispute between the Plaintiffs and the First Defendant, the Second, Third, and Fourth Defendants immediately terminated the manufacturing agreement.

6. The SCA rules as follows.

- **a.** Due to the Second Plaintiff is only affiliated with the First Plaintiff and does not own registrations of the disputed mark, the Second Plaintiff is dismissed from the case as it has not been an interested or injured party. The case remains between the First Plaintiff as the trademark owner and the four Defendants.

b. The First Defendant's registration shall be cancelled as it is confusingly similar to the First Plaintiff's registrations, which also has better title and right. The registration of the First Defendant was also found to indicate bad faith.

c. The Second, Third, and Fourth Defendants shall not be liable to the First Plaintiff for the following reasons.

i. The First Plaintiff could not present any witness or evidence to substantiate the fact that the Second, Third, and Fourth Defendants jointly committed the infringing action with the First Defendant.

ii. The Second, Third, and Fourth Defendants are only the manufacturers of the product, which was done in good faith as they had been presented with a valid registration at the time of the agreement, and these Defendants terminated such agreement upon notice of the dispute. These facts suggest good faith.

iii. The mixed fish sauce product is significantly different from the 100% fish sauce product. Thus, the public can differentiate between the parties' products.

d. The First Defendant's actions, both filing for registration of the disputed mark and hiring the Second, Third, and Fourth Defendants for the manufacture of the product bearing the infringing mark as well as selling the product, are deemed infringement against the First Plaintiff's mark. The First Defendant is ordered to reimburse damages caused by the infringement and cease all infringing activities.

Observation: The SCA's decision above is final. Although under the Thai Civil Procedure Code a dissatisfied party may request to appeal the case further before the Supreme Court, providing that the case falls within the appealable causes stipulated by the law, no request has been filed based on the Court's records. In this case, it has been proved that the manufacturing of infringing goods will not automatically result in the manufacturer being deemed an infringer and counterfeiter. They are entitled to prove that the act of infringement has been done in good faith, which may support their defence against liability, depending on the circumstances and the Court's consideration. However, it should be noted that in this case the Court believed the Second, Third, and Fourth Defendants' testimony that they had a verbal manufacturing agreement with the First Defendant. This suggests the Court viewed these Defendants' actions in good faith with a broader interpretation. Under Thai law, a manufacturing agreement does not necessarily need to be in writing and may be formed verbally, however, sufficient evidence must be available to prove its existence and terms, such as witness testimony, chat records, purchase orders, or payment records. In any event, this decision serves as an example that while a verbal manufacturing agreement may be enforceable, manufacturing agreements should be done in writing and include a specific clause, particularly for IP-related matters and should include relevant trademark registrations to be annexed as reference to the agreement.
