

Appendix 1

Case Statistic of the Central Intellectual Property and International Trade Court 1 January - 31 December 2000

Intellectual Property

Civil Cases

	Amount of Controversy (baht)	Cases Filed	Cases Disposed	Percentage Case Disposal
1 Trademark infringement	1,156,669,055.42	74 [34]	35	47.29
2 Appeals against decisions of Trademark Board	-	16 [3]	5	31.25
3 Cancellation of trademark registration	-	9 [0]	3	33.33
4 Copyright infringement	3,282,670.88	54 [16]	25	46.29
5 Appeals against decisions of Patent Board	-	2 [1]	1	50.00
6 Patent infringement	-	3 [2]	2	66.66
Total	1,159,951,726.30	158 [56]	71	44.93

Criminal Cases

1 The Penal Code	Cases Filed	Cases Disposed	Percentage Case Disposal
- Offences under Sections 271 - 275	71 [14]	21	
Total	71 [14]	21	29.57

2 The Trademark Act	Cases Filed	Cases Disposed	Percentage Case Disposal
- Counterfeiting (Section 108)	30 [0]	30	100.00
- Imitating (Section 109)	11 [1]	11	100.00
- Importing, selling, offering for sale of goods under Sections 108, 109	1,262 [17]	1,256	99.52
- Giving or offering a service under Sections 108, 109	-	-	-
Total	1,303 [18]	1,297	99.53

3 The Copyright Act	Cases Filed	Cases Disposed	Percentage Case Disposal
- Copyright infringement (Section 27)	-	-	-
- Infringement of audiovisual work, cinematographic work, and sound recording (Sections 28 - 29)	1 [1]	-	00.00
- Infringement of computer program (Section 30)	5 [5]	-	00.00
- Selling, offering for sale of work infringing the copyright (Section 31)	914 [117]	794	86.87
- Computer program			
- Other forms of literary work			
- Cinematographic work			
- Sound recording			
- Art work			
- Musical work			
- Infringement of performer's rights	-	-	-
Total	920 [123]	794	86.30

4 The Patent Act	Cases Filed	Cases Disposed	Percentage Case Disposal
- Patent infringement	6 [4]	5	
Total	6 [4]	5	83.33

Intellectual Property Cases - Total	2,458	2,187	88.97
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International Trade

	Amount of Controversy (baht)	Cases Filed	Cases Disposed	Percentage Case Disposal
1 Carriage of goods by sea	586,683,677.95	136 [58]	88	64.70
2 Other forms of international carriage of goods	58,043,381.70	96 [38]	54	56.25
3 International sales of goods	4,097,179,592.98	61 [34]	40	65.57
4 Letter of credit and trust receipt	72,920,885,315.76	797 [243]	331	41.53
5 International services (finance)	8,384,922,926.20	59 [31]	33	55.93
6 Other forms of international services	113,448,634.08	45 [38]	17	37.77
7 Arrest of ships	59,446,774.08	17 [1]	13	76.47
8 Enforcement arbitration awards	2,082,351,382.00	5 [2]	3	60.00
9 Others	-	-	-	-
Total	88,302,961,684.75	1,216 [445]	579	47.61

Case Statistics of all Courts throughout the Kingdom of Thailand
1 January - 30 November 2000

Courts	Case Filed				Case Disposed				Percent age Case Dispos al
	Civil Cases	Bank- ruptcy Cases	Crimina l Cases	Total	Civil Cases	Bank- ruptcy Cases	Criminal Cases	Total	
The Supreme Court	4,670	174	4,734	9,578	3,991	99	3,977	8,067	71.28
Courts of Appeal	3,708	233	7,253	11,194	4,237	198	6,058	10,493	71.28
Courts of Appeal Region 1	1,290	37	3,078	4,405	961	53	2,387	3,401	46.68
Courts of Appeal Region 2	462	13	1,844	2,319	552	12	1,290	1,854	53.65
Courts of Appeal Region 3	628	11	1,980	2,619	590	14	1,946	2,550	90.78
Courts of Appeal Region 4	485	14	1,835	2,334	481	13	1,723	2,217	58.92
Courts of Appeal Region 5	599	16	2,015	2,630	273	11	1,624	1,908	49.28
Courts of Appeal Region 6	318	14	2,030	2,362	332	19	1,849	2,200	62.02
Courts of Appeal Region 7	416	5	2,234	2,655	464	10	1,972	2,446	59.66
Courts of Appeal Region 8	366	10	1,709	2,085	322	14	1,396	1,732	43.56
Courts of Appeal Region 9	249	7	1,496	1,752	511	14	1,364	1,889	60.54
Total Cases of the Court of Appeal	8,521	360	25,474	34,355	8,723	358	21,609	30,690	60.56
Total Cases of the Court of First Instance	284,499	2	496,039	780,540	281,300	614	480,920	762,837	76.50
The Central Bankruptcy Court	257	120	880	0	1,000	113	795	908	72.24
Juvenile and Family Courts	1,769	0	7,856	9,625	1,665	0	8,230	9,895	87.49
The Central Labour Court	15,702	0	0	15,702	15,739	0	0	15,739	71.06
The Central Tax Court	316	0	0	316	239	0	0	239	54.07
The Central Intellectual Property and International Trade Court	818	0	1,909	2,727	548	0	1,882	2,430	71.74

Appendix 2

Members of the Working Party

Honorary Advisor

Prasobsook Boondech

Educational Background

- LLB. Thammasat University
- Barrister-at-Law, Thai Bar Association
- Barrister-at-Law, Lincoln's Inn, UK

Previous Posts

- Judge attached to the Ministry of Justice
- Judge of Tak Provincial Court
- Director of Legal Affairs Division, Office of the Judicial Affairs
- Chief Judge of Song Khla Provincial Court
- Secretary-General, Office of the Judicial Affairs
- Senior Judge of the Court of Appeals Region 3
- Judge of the Supreme Court

Present Posts

- Chief Justice of the Central Intellectual Property and International Trade Court

Members

Vichai Ariyanuntaka

Educational Background

- LLB.(Hons.) Chulalongkorn University
- Barrister-at-Law, Thai Bar Association
- LLB.(Hons.) University of Wales, UK
- LL.M. London University, UK
- Barrister-at-Law, Gray's Inn, UK

Previous Posts

- Judge of Srisaket Provincial Court
- Judge attached to the Ministry of Justice working as Director of Legal Affairs Division
- Chief Judge attached to the Ministry
- Deputy Secretary-General, Office of the Judicial Affairs
- Director of the Arbitration Office
- Executive Director of the Arbitration Office
- Editor-in-Chief: Botbandit Journal, Law Journal of the Thai Bar Association (1990-1995)

Present Posts

- Judge of the Central Intellectual Property and International Trade Court
- Part-time lecturer in Comparative Law, Intellectual Property Law and International Commercial Arbitration at Chulalongkorn, Thammasat and Ramkhamhaeng Graduate Schools of Law

Wutipong Vechayanon

Educational Background

- LLB.(Hons.) Thammasat University
- Barrister-at-Law, Thai Bar Association
- LLM. Harvard University, US

Previous Posts

- Judge of Pechaboon Provincial Court
- Deputy Secretary-General, Office of the Judicial Affairs
- Judge of the Central Intellectual Property and International Trade Court

Jagkrit Jenjesda

Educational Background

- LLB. Ramkhamkheang University
- Barrister-at-Law, Thai Bar Association
- M.C.J. Howard University, USA
- M.C.L. The Dickinson School of Law, USA

Previous Posts

- Chief Judge Attached to the Ministry working as the Supreme Court Assistant Judge
- Director of Judicial training Institute, Ministry of Justice
- Judge Attached to the Ministry working as the Director
- Judge of Saraburi Provincial Court
- Judge of Takuapa Provincial Court
- Judge Attached to the Ministry working as Dusit Kweang Court
- Judge Attached to the Ministry working as Criminal Court Judge
- Judge Attached to the Ministry working as Civil Court Judge
- Judge trainee, Ministry of Justice
- Attorney, Thongchai International Law Clinic

Present Posts

- Chief Judge Attached to the Ministry working as the Central Intellectual Property and International Trade Court Judge

Sittipong Tanyapongpruch

Educational Background

- LLB. Ramkhamhaeng University
- Barrister-at-Law, Thai Bar Association
- Master of Comparative Law (MLC), California Western School of law, San Diego, California, USA
- LLM. Southern Methodist University, Dallas, Texas, USA
- LLM. Queen Mary and Westfield College, University of London, UK

Previous Posts

- Judge of Thonburi Kwaeng Court
- Judge of The Civil Court of Southern Bangkok
- Assistant Judge in Supreme Court

Voravuthi Dvadasin

- Judge of Criminal Court
- Judge of Surin Provincial Court
- Judge Attached to the Ministry working as Deputy Secretary-General, Office of the Judicial Affairs

Present Posts

- Executive Director, Arbitration Office, Thailand

Educational Background

- LL.B.Thammasat University
- Barrister-at-Law, Thai Bar Association
- LL.M.Tulane University, USA
- LL.M.University of Pennsylvania , USA
- LL.M.University of London, UK

Previous Post

- Judge of Baytong Provincial Court
- Judge of Kabinburi Provincial Court
- Judge Attached to the Ministry working as Director of Legal Affairs Division
- Judge Attached to the Ministry working as Deputy Secretary-General, Office of the Judicial Affairs
- Judge attached to the Ministry working as Deputy Secretary-General, Office of the Judicial Affairs
- Chief Judge attached to the Ministry working as Deputy Secretary-General, Office of the Judicial Affairs
- Executive Director, Arbitration Office, Thailand

Present Posts

- Chief Judge of Chiangmai Juvenile and Family Court

Wisit Wisitsora-At

Educational Background

- LLB.(Hons.) Thammasat University
- Barrister-at-Law, Thai Bar Association
- LLB.(Hons.) University College of Wales, UK.
- Barrister-at-Law, of Grays' Inn, UK

Previous Post

- Official Receiver of the Legal Execution Department
- Judge Attached to the Ministry working as in different Courts : Civil Court, Supreme Court, and Songkla Magistrate Court
- Judge Attached to the Ministry working as Deputy Secretary-General, Office of the Judicial Affairs
- Adjunct lecturer – in law at various universities including Thammasat University, Ramkhamhaeng University and Durakijbundit University
- Editor – in Chief of the Ministry of Justice Law Journal (1996 -1998)

Surapol Konglap

Present Posts

- Executive Director, Business Reorganisation Office, Legal Execution Department, Ministry of Justice
- Deputy Director – General, Legal Execution Department, Ministry of Justice

Educational Background

- LL.B. Thammasat University
- Barrister-at-Law, Thai Bar Association
- LL.M Thammasat University
- LL.M University of London(Queen Mary and Westfield College),UK

Previous Post

- Judge of Sakon Nakorn Provincial Court
- Secretary of the Civil Court
- Judge of the Thonburi Criminal Court

Present Posts

- Judge of the Central Intellectual Property and International Trade Court

Secretariat

Panyong Putthipat

Educational Background

- LLB. Ramkhamhaeng University
- Legal Officer, Arbitration Office

Liaison

Phattarasuda Boonkitticharoen

Educational Background

- LLB. Chulalongkorn University
- Barrister-at-Law, Thai Bar Association
- Legal Officer, The Central Intellectual Property and International Trade Court

The views expressed in the Report represent the personal opinions of the authors and do not necessarily reflect those of the Central Intellectual Property and International Trade Court.