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## Combating IP Infringement under the Anti-Money Laundering Act

**T**hailand's Anti-Money Laundering Act has been amended to include "intellectual property crime" as a predicate offense, resulting in new mechanisms for combating IP infringement.

Although the Thai government officials responsible for enforcing intellectual property are already taking aggressive action against infringers, IP infringement continues to run rampant throughout the country. The Thai government, especially the Department of Intellectual Property (DIP), has proposed a number of innovative legal measures in an

attempt to solve this problem. One important measure that the DIP has successfully put into place is to add an IP offense as a predicate offense under the Anti-Money Laundering Act of 1999 (the Act). The DIP believes that this will result in stronger enforcement against major infringers, because such infringers would face the confiscation of personal assets suspected of being related to their crimes.

After extensive debates on the issue, Parliament enacted an amendment to Thailand's money laundering law on February 1, 2013. Among the changes, violation of IP rights has now been included as one of eleven additional predicate offenses. The essence of the amendment is to supplement the existing predicate offenses, such as drug trafficking, fraud against the public, and so forth, to cover a wider range of violations under the Act than before.

This amendment of the Act brings Thailand's anti-money laundering standards to the same level as other countries with a similar level of development. While this is a step forward, it is important to remember that IP crimes, by their nature, are different from other predicate offenses because they cause direct damage to private parties, in addition to public harm. Enforcement efforts under this law will require significant coordination among various government entities in order to be effective. It remains to be seen how IP enforcement will be changed, in practice, after the implementation of this amendment to the Act. 🐘