

Brand Awareness Training in Cambodia and Thailand

Ploynapa Julagasigorn | Attorney-at-Law | ploynapa.j@tilleke.com
Sukontip Jitmongkolkhong | Partner | sukontip.j@tilleke.com
John King | Partner | john.k@tilleke.com

Cambodia and Thailand are among the largest markets for counterfeit goods in the ASEAN region. To tackle this problem, it is important to raise awareness about the widespread problems and impacts of counterfeit goods, implement innovative approaches for counterfeit inspection and identification, strengthen private sector partnerships with government agencies, and support more aggressive action against the production and trade of counterfeit goods. In late 2016, Tilleke & Gibbins had the opportunity to assist brand owners with their intellectual property (IP) enforcement efforts by arranging training sessions for government officers in Cambodia and Thailand.

Cambodia

Four years after we organized our first IP training session in Cambodia, Tilleke & Gibbins is continuing our efforts to develop local counterfeit inspection and enforcement capabilities by holding a further training session at the Intercontinental Hotel in Phnom Penh on November 22, 2016.

More than 60 officers from 14 different ministries participated in the training, including those at the front lines of



Cambodian IP enforcement: Customs officers, the Economic Police, and Cambodia Import-Export Inspection and Fraud Repression Directorate General (Camcontrol) officers. Most attendees were also members of the National Committee of Intellectual Property Rights, a group established in 2008 to strengthen cross-departmental cooperation for better enforcement of laws and regulations on IP rights. Representatives from seven famous companies in the business of agricultural machinery, apparel, consumer goods, mobile phones, and other products joined the session to provide insights into their brands.

With government officers in Cambodia currently facing challenges in identifying counterfeit products due to limited field experience and lack of information resources, the training helped officers update their knowledge of counterfeit goods and establish working relationships with brand

owners, who can provide in-depth expertise and advice when suspected counterfeit goods are found in the future.

Not only did we achieve our main goal of assisting local authorities, but we were also able to strengthen relationships among government agencies, brand owners, and our firm, laying the groundwork for future collaboration. Tilleke & Gibbins already has plans to work with the Counterfeit Committee of Cambodia to organize new IP enforcement activities for a number of clients.

Thailand

For more than a decade, Tilleke & Gibbins has consistently arranged training sessions on product identification in Thailand to help attendees differentiate between genuine and counterfeit goods, with the aim of providing effective techniques on how to inspect the goods of brand owners participating in the events.

In practice, Customs officers regularly seize counterfeit goods at Thailand's borders under their ex officio capacity, as provided under the Customs Act. Unfortunately, Customs officers have only a short time to detain any suspicious counterfeit goods. To complicate matters further, brand owners may launch a new model of a product or even new packaging designs that contain different points of reference, making it more difficult to distinguish a brand's genuine product from its counterfeit counterpart. It is therefore important for Customs officers to regularly update their knowledge on how to inspect a wide variety of counterfeit goods.

To assist local authorities, Tilleke & Gibbins arranged two training sessions on December 15-16, 2016—one for 63

Customs officers at Suvarnabhumi Airport and the other for 63 Customs officers at Laem Chabang Customs Port. Representatives from ten leading brands joined the sessions to display their products, including alcoholic beverages, apparel, consumer goods, electric appliances, and more. The Customs officers were enthusiastic in the sessions and had a unique opportunity to learn directly from brand owners and from Tilleke & Gibbins professionals who served as the legal representatives of several global brands.

The director of the Central Service Division, Suvarnabhumi Airport Cargo Clearance Customs Bureau, and the director of Laem Chabang Customs Port both expressed their appreciation for the training events and emphasized that the knowledge received by Customs officers will undoubtedly assist them in their fieldwork. The training was also a good opportunity for

Customs officers to meet and gain contact details of brand owners, who can assist in counterfeit suppression work in the future. Both directors recognized Tilleke & Gibbins and our clients for our invaluable training contributions, which underscored the strong cooperation between the Customs Department and the private sector in creating joint solutions to the counterfeiting problem in Thailand.

Enhancing Capabilities

Tilleke & Gibbins shares the objective of all stakeholders to take aggressive legal action against counterfeit goods in the region, and education of government officials on brand awareness and anticounterfeiting techniques is an important starting point for such actions. Our firm may arrange additional IP training sessions in 2017 if the opportunity arises, to help further enhance the capabilities of local authorities and foster collaboration. ⚖️