

(Unofficial Translation)

NOTIFICATION OF THE MINISTRY OF COMMERCE

Re: Determination of Counterfeit Goods and Pirated Goods as Goods Prohibited from Export,
Import and Bringing in Transit B.E. 2565 (2022)

Whereas it is expedient to amend the prohibition measures of export, import and bringing in transit of counterfeit goods and pirated goods to correspond with the current situations.

By virtue of the provisions of Section 5 (1) and (6) paragraph two of the Export and Import of Goods Act, B.E. 2522 (1979), and Section 5/1 of the Export and Import of Goods Act, B.E. 2522 (1979), as amended by the Export and Import of Goods Act (No. 2), B.E. 2558 (2015), the Minister of Commerce, by and with the approval of the Cabinet, hereby issues this Notification, as follows:

Clause 1 This Notification shall be called the “Notification of Ministry of Commerce on Determination of Counterfeit Goods and Pirated Goods as Goods Prohibited from Export, Import and Bringing in Transit B.E. 2565 (2022)”.

Clause 2 This Notification shall come into force upon a lapse of ninety days from the date of its publication in the Government Gazette.

Clause 3 The following shall be repealed:

(1) Notification of Ministry of Commerce on Export and Import of Goods into the Kingdom B.E. 2530 (1987) dated 14th October B.E. 2530 (1987)

(2) Notification of Ministry of Commerce on Export and Import of Goods into the Kingdom (No. 94) B.E. 2536 (1993) dated 21st April B.E. 2536 (1993)

(3) Notification of Ministry of Commerce on Export and Import of Goods into the Kingdom (No. 95) B.E. 2536 (1993) dated 21st April B.E. 2536 (1993)

(4) The goods number 1 and number 2 on the list attached to the Notification of Ministry of Commerce Re: Good Prohibited from Being Brought in Transit B.E. 2559 (2016) dated 9th February B.E. 2559 (2016).

Remark : This is an unofficial translation which is prepared by the Department of Intellectual Property, Ministry of Commerce, Thailand for the information and comprehensive purposes. It has no legal force in any case whatsoever. In case of legal use, please refer to the official Act, in Thai version, adopted and published in the Government Gazette.

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Clause 4 These following goods are prohibited from export, import and bringing in transit;

(1) Goods bearing fake or imitation of trademarks of others under the Trademark Law.

(2) Goods infringing the copyright of another person under the Copyright Law.

The goods according to (1) shall include cases or packages of goods that use of trademark without permission.

Clause 5 The provisions of Clause 4 shall not apply to a reasonable quantity of personal use that is non-commercial.

Clause 6 The trademark owner or copyright owner may notify a custom officer concerning trademark or copyright information for the purpose of inspecting goods that contain or may have the characteristics as under Clause 4 which pursuant to the rules, procedures and conditions prescribed in the Custom Department Regulations.

Notified on the 27th day of March B.E. 2565 (2022).

Jurin Laksanawisit

Minister of Commerce

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