

PATTANAPOL PREMSMIT : SCOPE OF PROTECTION OF LITERARY AND ARTISTIC WORK UNDER THAI LAW : A CASE STUDY OF THAI - U.S. COPYRIGHT LAW ISSUE BEFORE THE U.S. BECAME MEMBER TO THE BERNE CONVENTION. THESIS ADVISOR : ASSO. PROF. SURAKIART SATHIRATHAI, SJD. 412 PP.

The purpose of this thesis is to investigate the background of the Thai-U.S. copyright issue and to examine whether Thailand violates the treaty obligation. The analyses is based on the pros and cons of the Copyright Law amendment as compared to the benefits and impacts of the retaliation used by the U.S.. It also studies the extent to which context and scope of the Copyright Law should be amended appropriately.

It is concluded that 1) Thailand has always conformed to its treaty obligation by understanding its obligation through Section 6. 2) The benefits from the G.S.P. have been oversold comparing to the impact of issuing intellectual property protection on Thai economy in the long run. 3) The possibility of being retaliated by Section 301 is small, but its impact is expected to be quite extensive. 4) Computer software protection under Copyright Law also yields a lot of impact. Therefore according of such studies, Thailand should be 1) find the evidences for proving the obligation to the U.S. ; 2) improve the effectiveness of bilateral and multilateral international negotiation ; 3) criticize and analyze the problem, the determine the gesture for the solution; 4) alleviate the production effectiveness; 5) market expansion, investment promotion; 6) domestic technology development and 7) in order to amend the Copyright Law appropriately.