

## Abstract

Cyberspace or Internet is a computer networks that connected to each other enhancing communication speed. The technology provide great benefits in many aspects; however, its inevitably problems also happens in the cyberspace, in many means such as in communication, commerce and entertainment. The occurred problem can be avoided unless the users respect right of other netizens, i.e. the right owner and avoid initiating defamation. Nevertheless, the nature of internet usage allows the communicators to be anonymous; therefore, the right of netizen has been infringed. From this research, the infringement in cyberspace has been categorized into three ways; copy right infringement, trade mark infringement and defamation.

From the aforementioned reasons, the researcher aims to research on the characteristics of those three infringements and how different those would be, if any, comparing to the infringement arisen before an existence of the internet. Also this study will explore the relevant theories, area of cyberspace, and jurisdiction of foreign countries in which the regulations of cyberspace infringement is set. This research tends to create a clearer understanding from the modeled countries; such as United States, Germany and Singapore, who possess advance internet technology, in term of jurisdiction enforcement. Moreover, several cases in The United States have been studied in order to interpret the regulation and comparing to the national domestic jurisdiction law for advantage or disadvantage or international enforcement or if the same rules adopted in Thailand, are there any regulations to be depend on.

Comparing to other countries laws, including of the lack of judgments of High Court of Thailand, a Thai law system of jurisdiction expansion under the Article 4 Tri creates the disagreement between nations. This leads to international conflicts. Additionally, an un-correlation of the jurisdiction in the international level required immediate improvement to be responsive to the rapid changes in this world of borderless communication.

According to this research, the researcher would like to propose the principle of subject matter interpretation of the infringements. To obtain the jurisdiction of Thai court over a defendant who is not a resident and commit an action which has no subject matters presence in the state, Thai Court can adopt the principle of jurisdiction extension of the United States by referring to its minimum contact rule. Nevertheless, adopting minimum contact principle has no requirement of laws amendment though

the interpretation of subject matter should be reviewed as per the correlation of the nature of the activities in cyberspace.