

Trade Digest

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Blockchain: A New Route to Boost Thailand's Intellectual Property Management

On 5 February 2019, the Trade Policy and Strategy Office (TPSO), Ministry of Commerce, and the British Embassy held a seminar on the topic of "Enhancing Intellectual Property Management by Blockchain". Distributed Ledger Technology (DLT), or Blockchain as it is more commonly known, is a form of technology that establishes ownership via a ledger and stores transaction data on a network. It is a system that is very hard to corrupt and in which ownership is easy to record. For these reasons, the British Embassy has promoted the use of Blockchain to improve many areas of the business ecosystem, including Intellectual Property (IP) management. In addition, TPSO also stated that Blockchain can be applied in many cases, especially those that involve registration, traceability, ownership, e-commerce and trade facilitation, among others. For instance, Blockchain can store IP registration data and the transactions from IP work, as well as detecting evidence of ownership and authentication.

On the advice of Professor Dr. Arnat Leemakdej, Director of the Centre of Intellectual Property and Business Incubator, Thammasat University, several Blockchain-driven IP management projects have been proposed. The proposed projects can be divided into 2 types: one-year projects (e.g. importing the existing IP database from the Department of Intellectual Property into the public Blockchain ledger, and developing the standards for storing the copyright database on Blockchain) and intermediate-term projects focusing on developing the registration, tractability, and management of all kinds of intellectual properties, including patents, trademarks, and Geographical Indications (GI).

The purpose of this IP management project is to make Thailand's business environment more enabling. Better IP management can be beneficial to Thailand in both trade and investment aspects

by building trust among foreign investors and enhancing the country's reputation. Better IP management can also promote innovation which can in turn lead to the country's economic development.

Price Controls on Thailand's Medical Supplies and Services

On 22 January 2019, the Cabinet approved the addition of medicine, medical supplies and medical services to the updated Product and Service Price Control List, as proposed by Thailand's Ministry of Commerce.

Due to growing concerns and numerous complaints from the public over the high medical fees charged by private hospitals, the Ministry of Commerce decided to take action on this issue by proposing a price control on medical supplies and medical service charges in order to prevent price gouging. Regarding implementation of the control, the Cabinet expressed its resolve to establish a subcommittee to work out appropriate measures to regulate medical supplies and medical services, in compliance with The Product and Service Price Act B.E. 2542, in a way that is fair for stakeholders. The subcommittee must be comprised of representatives from the Ministry of Commerce, the Ministry of Public Health, the Comptroller General's Department, the Private Hospital Association Thailand, the Foundation for Consumers, the National Health Committee Office, the Thai Insurance Association, and economic experts.

Meanwhile, many of the private healthcare sector's concerns regarding the approval of the new regulation have been raised. With the implementation of price controls on medical supplies and medical services, it is unavoidable that private hospitals and healthcare providers' revenues and profits would be adversely affected. As private hospitals' service charges also include investment in high technology and advanced medical devices, the price control



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could also limit new investment in healthcare innovations and the diversity of medical services provided by private hospitals. On a broader level, as argued by some stakeholders, the price controls might become an obstacle to Thailand's goal of promoting itself as a regional hub for medical tourism, whereby foreigners come to the country looking for a mixture of high-quality services and affordable prices.

The measures proposed by the subcommittee to regulate medical service charges will be a crucial factor in determining the intensity of the new regulation's impact. It is, therefore, essential that the subcommittee take into consideration all the relevant factors in determining measures that are sustainable and fair for all concerned parties.

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