

**ASEAN-USPTO Seminar on Intellectual Property Seminar on Intellectual  
Property Rights Enforcement for the Judiciary and Public Prosecutors  
Bangkok, 6-8 June 2007**

**Organized by  
The ASEAN Secretariat and the United States Patent and Trademark Office**

**And Co-Sponsored by  
Central Intellectual Property and International Trade Court of Thailand and  
Department of Intellectual Property and International Trade Litigation Office of  
the Attorney General of Thailand**

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**Day 1: Wednesday, 6 June 2007**

**Welcome/Opening Remarks**

- i. **Honorable Surapol Sonthayanont**, Chief Judge, Thai Central Intellectual Property and International Trade Court, Bangkok, Thailand
- ii. **Honorable Pongsakon Chantarasapt**, Deputy Director-General, Department of Intellectual Property and International Trade Litigation, Office of the Attorney General, Bangkok, Thailand
- iii. **Professor Rohazar Wati Zualcobley**, Deputy Director-General, Intellectual Property Office of Malaysia, and Representative of the Chair, ASEAN Working Group on Intellectual Property Cooperation, Kuala Lumpur, Malaysia
- iv. **Honorable Margaret J.A. Peterlin**, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office, Alexandria, Virginia

***I. Session 1: Introduction to the Types of Intellectual Property***

**Presenter: Jennifer Ness**, IPR Regional Attache, U.S. Foreign Commercial Service, U.S. Embassy, Bangkok, Thailand

***II. Session 2: Overview of Best Practices in IP Enforcement***

**Moderator: Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

***III. Session 3: Handling IP Cases: Is There a Need for Specialization by Courts and Prosecutors?***

Moderator: **Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

Panel:

- i. **Honorable Reynaldo Bautista Daway**, Presiding Judge, Regional Trial Court, Branch 90, and Intellectual Property Judge and Commercial Court Judge for Quezon City, Philippines
- ii. **Honorable Richard Seeborg**, Magistrate Judge, U.S. District Court for the Northern District of California, San Jose, California
- iii. **Honorable Nandana Indananda**, Judge, Central Intellectual Property and International Trade Court, Bangkok, Thailand
- iv. **Asdang Chiewthada**, Executive Director, Office of Intellectual Property and International Trade Litigation 2, Office of the Attorney General, Bangkok, Thailand
- v. **Brian M. Pearce**, Legal Adviser, Office of Overseas Prosecutorial Development and Training, U. S. Department of Justice, Bangkok, Thailand

***IV. Session 4: Collecting Societies and Copyright Licensing and Royalty Disputes: Should Governments Become Involved?***

Moderator: **Honorable Jayin Sunthornsingkarn**, Judge and Secretary, Central Intellectual Property and International Trade Court, Bangkok, Thailand

Panel:

- i. **Ang Kwee Tiang**, Regional Director and Regional Counsel for Asia-Pacific, International Confederation of Societies of Authors and Composers (CISAC), Singapore
- ii. **Honorable Reynaldo Bautista Daway**, Presiding Judge, Regional Trial Court, Branch 90, and Intellectual Property Judge and Commercial Court Judge for Quezon City, Philippines
- iii. **Jennifer Ness**, IPR Regional Attache, U.S. Foreign Commercial Service, U.S. Embassy, Bangkok, Thailand

***V. Session 5: Criminal Enforcement Against Counterfeiting and Copyright Piracy: Elements of a Case***

Moderator: **Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

Panel:

- i. **Christopher Sonderby**, Attaché, IP Law Enforcement Coordinator-Asia, U.S. Department of Justice, Criminal Division U.S Embassy, Bangkok, Thailand
- ii. **Prasert Jarunratanasri**, Provincial Public Prosecutor, Office of the Attorney General, Bangkok, Thailand

**Day 2: Thursday, 7 June 2007**

***VI. Session 6: Search and Seizure Motions and Orders***

Moderator: **Honorable Jayin Sunthornsingkarn**, Judge and Secretary, Central Intellectual Property and International Trade Court, Bangkok, Thailand

Panel:

- i. **Honorable Richard Seeborg**, Magistrate Judge, U.S. District Court for the Northern District of California, San Jose, California
- ii. **Honorable Reynaldo Bautista Daway**, Presiding Judge, Regional Trial Court, Branch 90, and Intellectual Property Judge and Commercial Court Judge for Quezon City, Philippines
- iii. **Christopher Sonderby**, Attaché, IP Law Enforcement Coordinator – Asia, U.S. Department of Justice, Criminal Division, U.S. Embassy, Bangkok, Thailand

***VII. Session 7: Survey of Criminal Law Developments in the Asia-Pacific Region***

Moderator: **Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

Presenter: **Honorable Jumpol Pinyosinwat**, Judge, Central Intellectual Property and International Trade Court, Bangkok, Thailand

**Building Working Relationships Between Public Prosecutors and Rights holders**

Presenters:

- i. **Christopher Sonderby**, Attache, IP Law Enforcement Coordinator – Asia, U.S. Department of Justice, Criminal Division, Bangkok, Thailand
- ii. **Say Sujintaya**, Partner, Baker & McKenzie, Bangkok, Thailand
- iii. **Edward J. Kelly**, Partner and Director of Intellectual Property, Tilleke & Gibbins International, Bangkok, Thailand
- iv. **Wanpen Manomaiudom**, Senior Expert Public Prosecutor, Office of IP and International Trade Litigation 1, Office of the Attorney General, Bangkok,

Thailand

***VIII. Session 8: How to Achieve Deterrence: Some Approaches***

**Judicial Perspective on Appropriate Criminal Sentencing**

Panel:

- i. **Honorable Richard Seeborg**, Magistrate Judge, U.S. District Court for the Northern District of California, San Jose, California
- ii. **Honorable Reynaldo Bautista Daway**, Presiding Judge, Regional Trial Court, Branch 90, and Intellectual Property Judge and Commercial Court Judge for Quezon City, Philippines

**Approaches for Confronting and Prosecuting Organized Criminal Activity**

Panel:

- i. **Christopher Sonderby**, Attaché, IP Law Enforcement Coordinator – Asia, U.S. Department of Justice, Criminal Division, U.S. Embassy, Bangkok, Thailand
- ii. **Fabrice Mattei**, Partner, Rouse & Co. International, Bangkok, Thailand
- iii. **Opat Varophat**, Provincial Public Prosecutor, Office of IP and International Trade Litigation 1, Office of the Attorney General, Bangkok, Thailand
- iv. **Benjamin Ming Shu Ng**, Regional Counsel, Asia, IFPI, Hong Kong

***IX. Session 9: Handling IP Cases: Discussion of Case Study***

Panel:

- i. **Honorable Richard Seeborg**, Magistrate Judge, U.S. District Court for the Northern District of California, San Jose, California
- ii. **Honorable Reynaldo Bautista Daway**, Presiding Judge, Regional Trial Court, Branch 90, and Intellectual Property Judge and Commercial Court Judge for Quezon City, Philippines
- iii. **Brian M. Pearce**, Legal Adviser, Office of Overseas Prosecutorial Development and Training, U. S. Department of Justice, Bangkok, Thailand

***X. Session 10: Changing the IP Enforcement Environment: Need for Public Education and Awareness***

Moderator: **Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

Panel:

- i. **Margaret J.A. Peterlin**, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office, Alexandria, Virginia
- ii. **Wong Sheng Kwai**, Assistant Director-General and Legal Counsel Infrastructure Development Division, Intellectual Property Office of Singapore, Singapore
- iii. **Benjamin Ming Shu Ng**, Regional Counsel, Asia, IFPI, Hong Kong
- iv. **Fabrice Mattei**, Partner, Rouse & Co. International, Bangkok, Thailand

**Day 3: Friday, 8 June 2007**

***XI. Session 11: Private Sector Perspectives on Trademark Counterfeiting Trends in ASEAN***

Moderator: **Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

Panel:

- i. **Sunee Kirdniyom**, Global Brand Protection Manager and Legal Counsel, Procter & Gamble Thailand, Bangkok, Thailand
- ii. **Fabrice Mattei**, Partner, Rouse & Co. International, Bangkok, Thailand

***XII. Session 12: Private Sector Perspectives on Copyright Piracy Trends in ASEAN***

Moderator: **Peter N. Fowler**, Senior Counsel, Office of Enforcement, USPTO, Alexandria, Virginia

Panel:

- i. **Frank Rittman**, Regional Counsel, Asia-Pacific, MotionPicture Association, Singapore
- ii. **Tarun Sawney**, Director of Anti-Piracy, Asia-Pacific Region, Business Software Alliance, Singapore
- iii. **Benjamin Ming Shu Ng**, Regional Counsel, Asia, IFPI, Hong Kong

***XIII. Session 13: Survey of Recent Significant Decisions on IP Related Issues***

Presenters: **Honorable Reynaldo Bautista Daway**, Presiding Judge, Regional Trial Court, Branch 90, and Intellectual Property Judge and Commercial Court Judge for Quezon City, Philippines – to review ASEAN decisions

**Mock Trial Hearing on Trademark Counterfeiting Case Study**

**Discussion of Panel Decision in Case Study**

**Evaluations and Concluding Remarks**