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**LEGAL NEWSLETTER**

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## NEWS UPDATE



### **Class Action against the Stock Exchange of Thailand (SET) Cases**

The meeting of the Cabinet Screening Committee had considered and approved in principal on the amendment to certain provisions of the Civil Procedural Code and the draft Act of Class Action against the offenses related to securities, as proposed by the Ministry of Finance. However, the Committee commented and remarked that the purpose of the implementation under the class action should be limited only for the cases under SET's laws and regulations. Such should also be applied in general cases under other laws, e.g. the laws governing unsafe-product liabilities, labor protection and the damage to environment. The meeting also proposed that the Office of the Juridical Council should consider and prepare new draft Class Action Act in order that the class action thereof can be applied for all groups of persons.

*(New Law Magazine, August 2004, Vol. 34)*



### **Scholar to Censure Thai – U.S. FTA**

Pursuant to the current negotiation between Thai and U.S. governments on the Thai - U.S. FTA regarding software industry especially the intellectual property matters, certain scholars and lawyers criticized that Thai people will take few advantages from the entering into the Thai - U.S. FTA. It seems that there is an attempt from U.S. to overcome expanding the patent protection to cover various kinds of U.S. plants and livestock, which shall affect against Thai farmers. In addition, the provisions of FTA shall also be a barrier for researching and development of software industry, since any reverse-engineering and learning of software development method or algorithms shall be deemed illegal. In addition, all copyrights piracy cases shall be brought into the court and shall not be compromised between relevant parties.

*(New Law Magazine, August 2004, Vol. 34)*