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| <b>THEMATIC TITLE</b>   | LEGAL PROBLEMS OF ENFORCEMENT OF COPYRIGHT<br>IN MOBILE APPLICATIONS AS SECURITY UNDER<br>SECURED TRANSACTION ACT B.E. 2558 |
| <b>KEYWORD</b>          | ENFORCEMENT OF COPYRIGHT IN MOBILE<br>APPLICATIONS AS SECURITY  |
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### **ABSTRACT**

The objective of this research is to study the legal problems of enforcement of copyright when using mobile applications as security under the Secured Transaction Act. B.E. 2558. It focuses both on Thai and foreign law.

From recent studies, the Secured Transaction Act., which came into force in B.E. 2558, makes a significant change by recognizing intellectual property rights as security. This asset having an economic value can be utilized as security for loans. However, there are still a number of unclear regulations which can cause problems and obstacles in using the copyright of mobile applications as security, namely registration of business security contracts, and enforcement of secured property. In the event that the security grantor failed to pay the underlying debt or perform his obligations which had been assured by the copyright of the mobile application, the efficient and appropriate enforcement of such copyright would be necessary.

This particular study provides recommendations for the revision of problems in order to facilitate business in recognizing copyright in mobile applications as security. Types of intellectual property should be clearly classified. Valuation methods should be recorded as a title document, so that financial institutions are able to clearly examine them and will therefore have increased confidence.

Finally, it is suggested that various alternatives for the enforcement of business security other than sale by auction through judicial process should be provided.