Abstract

The overall objective of this research is to focus on the problems of the collective system of copyright royalty for musical works in Thailand in order to discover the proper methodology to be the alternative guideline to solve the problems.

The method that was used to the research is the comparison between the collective system in the developed country such as United State of America and Japan and the current collative system in Thailand.

The research found that, the significant problem of collective system in Thailand is the non-appropriated penalty in Copyright Act B.E. 2537 caused the squeezing money from infringed person and not to bring this infringement to the court.

Second, the non-effective of collection in Copyright’s royalty fee in Thailand leads the double royalty fee collection among the organizations. The studying will study to the administration system of the royalty fee collection for establishment of the new incoming Independent Collective Organization for Copyright’s Royalty and the system in order to be basis for establishment of Independent Collective Organization for Copyright’s Royalty in Thailand lead to the other country such as United States and Japan.

Third, the double payment of royalty fee, the copyright users have to pay one copyright work to more than one collective organization.
Fourth, the rate of royalty fee should combined with fairness, standardize and effectiveness to both copyright owner and users

As mentioned in the previous paragraph, the study discovered that the said four problems are the significant roles to encourage the government and involving organizations to foresee the necessary to amend the Copyright Law in the part of Collective Management Organization to be the monopoly organization as the principal center of the Collective Management in Thailand.

This study provides the understand of the principal of Copyright Law in Thailand, the collective management system for copyright royalty fee and its problem together with the analysis of the problems, the comparison of collective system with other country to be one of the guideline to solve our system problems. Moreover, the analysis of the study also provides the good direction for researcher who would like to study more on Collective Management Organization in the next period.