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Latest News

- ▶ [TIPO aims to settle karaoke licensing disputes for the benefit of users and rights holders alike](#)

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- ▶ [“Operational Directions of Third-party Observations for Trademark Applications” comes into force from now](#)
- ▶ [TIPO modified the measures for utility model patent technical evaluation reports for patentees to respond to claims that are without novelty or not non-obvious](#)

TIPO News & Events

Enforcement

- ▶ [TIPO releases its 2018 annual report English Edition](#)
- ▶ [Please feel free to take our “Patent Application Trend and Patentability Criteria of Regenerative Medicine in Different Countries” report as reference](#)
- ▶ [TIPO releases “Patent Trend Analysis of Photovoltaic\(PV\) Industry”report](#)
- ▶ [TIPO invites the public to share comments on the principles for Examining Trademarks which Include the “Cross Device”](#)

TIPO aims to settle karaoke licensing disputes for the benefit of users and rights holders alike

Since several community centers and singing classes request to sing karaoke songs and relieve themselves from fear of being sued, and that they believe the songs listed in karaoke machines are “held hostage” by certain karaoke companies, on June 24, TIPO invited rights-holder representatives from the Music Publishers Association (MPA), the Music Creators Union (MCU), and the Recording Industry

Foundation (RIF) to exchange views on this subject. At the meeting, three consensuses were made as follows:

1. TIPO will invite karaoke machine companies to speak with MPA and MCU representatives on the licensing of karaoke songs and related payments.
2. At community centers, people mostly sing Taiwanese songs. TIPO will thus talk to the music companies who publish these songs about licensing.
3. TIPO will learn about the planning and uses of budgets for karaoke machines at the community centers in all counties and cities of Taiwan, so as to draft follow-up assistance measures.

Through the aforementioned practices, TIPO hopes to reach a satisfying plan for all of the parties involved, so that people can sing happily again.



“Operational Directions of Third-party Observations for Trademark Applications” comes into force from now

On June 20, 2019, TIPO announced that the Operational Directions of Third-party Observations for Trademark Applications would come

into force. The new rules are expected to help trademark examiners gather more evidence when they conduct inquisition ex officio, so as to curb bad faith registration attempts while supporting genuine trademark registration. The goal is to make sure the third-party observation mechanism is clear and useful enough for examination.

The main topics of the Directions are: objective, the observer, period of observations and supplementary observations, the reason for and method of observations, the examiner's handling of cases, the ways to propose opposing comments, applicable regulations, and format samples. Particularly with regard to the evidence that should be attached to the letter of third-party observations, depending on the circumstances which forbid a trademark from registration, the eligible ways to provide objective evidence are listed in detail. TIPO believes that these are of much referential value and all members of society are encouraged to draw reference from the Directions.

For more information(in Mandarin), please click the following link:

<https://www.tipo.gov.tw/dl.asp?fileName=96201145954.pdf>



TIPO modified the measures for utility model patent technical evaluation reports for patentees to respond to claims that are without novelty or not non-obvious

To give the right holders of utility model patents a chance to provide thorough explanations when any of the claims in their patents face unfavorable comments in technical evaluation reports, TIPO modified the measures for presenting technical evaluation reports of utility model patents so as to ensure the reports are as truthful as possible.

The main revisions are as follows:

1. Previously, the letters of notification on the references used in technical evaluation reports of utility model patents would only be sent to patentees when all of the claims are without novelty or are not non-obvious. Now, when any of the claims is without novelty or is not non-obvious, TIPO will send such letters to patentees, asking them to provide further explanations.
2. The said measures are also applicable to technical evaluation reports of utility model patents which have been issued for once or more. In the amendments, for the explanations of claims (e01) which do not pass the first evaluation, even though whose follow-up arguments (e.g.e02) still do not meet the requirements, TIPO will send "letters of notification on the references used in technical evaluation reports" to the patentees in question, so as for patentees to provide further explanations.
3. The new regulations become effective from July 1 on.

For more information, please click the following link: <https://www.tipo.gov.tw/dl.asp?fileName=961111442352.pdf>



TIPO releases its 2018 annual report English Edition

In 2018, TIPO devoted to improving patent and trademark application processing procedures and examination quality, solidifying IPR legal schemes, assisting industry in utilizing and protecting IPR, and expanding international cooperation and exchange.

To optimize the quality of patent and trademark application processing procedures, TIPO's patent and trademark processing system has been in place for 10 years. The electronic system has not only enabled the public to utilize the service online around the clock, but has also greatly improved examination efficiency. The average disposal pendency of invention patent applications and trademark applications has respectively shortened to 14 months and 7 months. Moreover, in 2018, the Hearing System for Patent Invalidity was launched for the first time to increase patent examination quality and to skip appeal procedures so as for the parties involved to quickly resolve disputes.

To keep Taiwan's IP legal regime in line with the times, TIPO pushed for the amendments to the Patent Act, the Copyright Act and the Trade Secrets Act. We also completed collection of amendment issues of the Trademark Act. The amendments to the Patent Act, for instance, extended the term of design patent from 12 to 15 years. The draft amendments to the Trade Secrets Act introduced the system of confidentiality orders in hopes to strengthen the efficacy of investigation relating to trade secrets.

To assist industry to develop innovative products, as well as deploying global IP portfolios, TIPO established a global patent search system (GPSS) which allows users to search and analyze over 53 million entries of patent information from IP5, WIPO, and TIPO free of charge. Patent search functions in GPSS were also further strengthened. Not only so, in hopes of helping industry to register outstanding patents, our patent examiners for the first time went to companies for two-way learning and exchange of patent services and technologies.

As to international exchange, we signed an MOU with EUIPO on IPR bilateral cooperation, established PPH cooperation with CIPO, and signed an MOU on patent dossier exchange with Japan. We also deepened IPR exchange with the countries listed in the New Southbound Policy.



Please feel free to take our “Patent Application Trend and Patentability Criteria of Regenerative Medicine in Different Countries” report as reference

In recent years, regenerative medicine has become a trend in the global medical community. To learn about the patenting developments of regenerative medicine in Taiwan and other parts of the world, as well as the differences among the countries' legal regimes, TIPO takes two perspectives to study the applications of regenerative medicine around the world– patent trend analysis and patent examination practices.

Specifically, to learn about the R&D of the regenerative medicine industry, this study analyzed the relevant patent information unveiled to the public, while discussing a number of patenting cases of the following four subjects: stem cell, cell therapy, genetic therapy, and tissue engineering. The statistics from 2000 to 2017, such as the number of applications received each year, the top 10 rights holders / applicants, and Derwent Manual Codes, were gathered and studied. In particular, to analyze the statistics in Taiwan, other than carrying out a trend analysis based on the number of applications received annually, TIPO studied the core stem-cell analytics, such as the researches, fundamental technologies, and applications of stem cells, as well as tissue engineering applications, so as to find out the latest trends.

Also, for members of all relating circles to set their patent portfolios and application strategies, and for domestic applicants to acquire tips for registering patents in other countries, TIPO has analyzed the laws, examination guidelines, and court rulings in regenerative medicine in USA, Europe, Japan, China and Taiwan.

The research report has been published on TIPO's website. All members of society are encouraged to take a look.

For more information (in Mandarin), please click the following link:

<https://pcm.tipo.gov.tw/PCM2010/PCM/Bookcases/BookcasesList.aspx?c=11>



TIPO releases “Patent Trend Analysis of Photovoltaic(PV) Industry”report

Due to worsening global environs and a lack of energy resources, the government has placed much emphasis on energy independence and diversification, going full force to develop renewable and green energy. The goal is to make 20% of Taiwan's electricity generated by renewable resources by 2025, and the largest proportion of which should be solar power.

To learn about the technological trends in the photovoltaic(PV) industry, TIPO recently used a Derwent Innovation (DI) database and the Office's patent search system to collect the data of relevant patents which have been unveiled to the public around the world from 2007 to 2017. The patents relating to the following seven subjects, silicon wafers, silicon thin-film, inorganic compounds, organic compounds, dye-sensitized cells, quantum dots, and perovskites were compared and analyzed altogether, so as to understand their layouts and trends. The goal is to provide references to the government and companies as they strive to develop new techs.

For more information (in Mandarin), please click the following link:

<https://pcm.tipo.gov.tw/PCM2010/PCM/Bookcases/BookcasesList.aspx?c=11>



TIPO invites the public to share comments on the principles for Examining Trademarks which Include the “Cross Device”

The impression of a “Cross Device” to consumers may differ depending on its shape and color, as well as the accompanying texts and other components. This affects whether a trademark that contains the Cross Device may be registered or not. To avoid inconsistency arising from the process of trademark examination, and to make the examination standard more specific and easy to follow, TIPO drafted the “Principles for Examining Trademarks which Include the Cross Device” for all members of society to use.

The draft principles include the following sections: foreword, scope of applicability, distinctiveness, and the application of subparagraphs 5 and 8, paragraph 1, Article 30 of the Trademark Act. After taking into consideration the opinions shared by the public, TIPO will make a final announcement for the implementation of the principles.

For more information, please click the following link:
<https://www.tipo.gov.tw/dl.asp?filename=961815392030.pdf>



For more news, please visit [TIPO's website](#) .

Please contact us if you have any suggestion or question about our monthly news. We will make corrections or write back to you as soon as possible.

Our email address is: ipogp@tipo.gov.tw .



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