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## Latest News

### ► The 9th Cross-Strait Patent Forum

The 9th Cross-Strait Patent Forum was held on December 6-7, 2016 in Taipei. Thirty seven participants from mainland China to the event comprised SIPO Patent Office Deputy Commissioner Xu Cong, Vice President Bonan Lin of All-China Patent Attorneys Association, Deputy Commissioner He Jufeng of Guangdong Intellectual Property Office, Director Chen Yuanqing of Lenovo Group's IP Department, IP Director Song Qiaoli of Northern Microelectronics Corporation, and Chairman Ding Jian of Beijing Zhongjinhao Assets Appraisal Co., Ltd. Participants on the Taiwan side included CNFI secretary-general Tsai Lien-sheng, TIPO Director General Hong Shu-min, Division-Chief Judge Chen Jhong-sing of the IP Court, President Justin Wu of the Taiwan Attorneys Association, Director Steven Liu of MediaTek's IP Division, NARL researcher Zheng Kai-ren, Faith Intellectual Assets Corporation CEO Joseph Chang, and General Director Wang Peng-yu of ITRI's Technology Transfer and Law Center. Lectures were given by these participants and the event saw attendance by over 380 people from government agencies, academia, and research institutes.



The 9th Cross-Strait Patent Forum

## Legislative News

- Amended Trademark Act, Copyright Act, and Optical Disk Act Promulgated by Presidential Order to align with the Criminal Code's chapter on confiscation
- TIPO completes amendment to the Directions Governing Patent Attorney Pre-Employment Training

## TIPO News & Events

- Analysis report on patent trends in the green energy industry: 2005-2015
- TIPO's corresponding table on the EU's region codes for design priority now available

## Campus Awareness

- Explanatory materials on copyright issues involving pictures, clips, or other information transferred through Line
- Awareness activities by TIPO's IPR protection service group

## Enforcement

### ► IPR Infringement Cases Processed by NPA in November 2016

The NPA uncovered a total of 596 IPR infringements in November 2016. Of which, 324 are trademark related and 272 are copyright related. Copyright infringements that involved foreign cases include 5 cases involving Japan.

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The forum's addressed topics such as "experience sharing in assisting private sectors to increase patent quality and values," "development and coping strategies of standard essential patents," "new developments in invalidation examination and administrative litigation," "strategies and management for corporations tackling controversies over global patents," "strategies for building up patent portfolios in next-generation technology," and "patent operation, pledge insurance financing, and value assessment." Experts from either side who are well versed in patent practices shared their insights. China's experience in, inter alia, patent value assessment, insurance, and financing is valuable reference given that China's fast-growing patent pledge financing reached 56 billion RMB in 2015.



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### **Amended Trademark Act, Copyright Act, and Optical Disk Act Promulgated by Presidential Order to align with the Criminal Code's chapter on confiscation**

The amended Criminal Code was promulgated on December 30, 2015, and accordingly, "confiscation" is no longer an accessory punishment but has an independent legal effect. The amendment took effect on July 1, 2016. Subsequently, Article 98 of the Trademark Act, Article 98 of the Copyright Act, and Articles 15 and 17 of the Optical Disk Act were amended and then promulgated by Presidential Order on November 30, 2016.



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### **TIPO completes amendment to the Directions Governing Patent Attorney Pre-Employment Training**

TIPO in May 2016 completed amendment to the Directions Governing Patent Attorney Pre-Employment Training to facilitate autonomy in the patent attorney industry. The pre-employment training is now administered by Taiwan Patent Attorneys Association.

On Nov. 1, TIPO held a public hearing and discussed the following: inclusion of trainees' appeals procedures in the training program, maximum hours of absence from training, and statements made by trainees should be reviewed by the meeting comprising TWPAA and the competent authority before any decision on expulsion is rendered. The Direction was published on December 27.

For more detail, please go to: <https://www.tipo.gov.tw/ct.asp?xItem=605385&ctNode=7452&mp=1>



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### **Analysis report on patent trends in the green energy industry: 2005-2015**

An analysis report has just been published by TIPO using as its basis green energy invention application data and IPC distribution. The report analyzed technical trends and patent portfolios in the seven key green energy industries: solar energy photovoltaics, LED lighting, biofuels, energy information, clean energy (e.g. geothermal, wind), hydrogen and fuel cells, as well as lithium batteries and electric vehicles. The analysis is an important reference to Taiwan's forward-looking green-tech industry and related research institutes.

Between 2005 and 2015, a total of 33,505 green energy invention applications were published. By nationality, applications by residents and non-residents respectively stood at 15,434 (46%) and 18,071 (54%) cases. Residents led by applications in energy information (3,483 cases), lithium batteries and electric vehicles (2,293 cases), as well as clean power generation (geothermal, wind) (251 cases).

The analysis report is available at:

<https://www.tipo.gov.tw/ct.asp?xItem=608167&ctNode=7127&mp=1>



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## TIPO's corresponding table on the EU's region codes for design priority now available

There is inconsistency in the EUIPO's region codes for design priority that may comprise OHIM, EU, or EM. To help applicants avoid unnecessary confusion, TIPO on November 2, 2016 updated a corresponding table that uses exclusively "EM" to the same purpose. This table is now available on the TIPO website.

The corresponding table is available at: <https://www.tipo.gov.tw/ct.asp?xItem=605751&ctNode=7127&mp=1>



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## Explanatory materials on copyright issues involving pictures, clips, or other information transferred through Line

The communication software Line has been popular in recent years with users sending pictures or clips among friends belonging to the same networking groups. TIPO has produced explanatory materials based on actual cases to foster people's copyright awareness.

Line users are advised to take extra care when sending pictures or clips and to refrain from their misuse which could incur infringement. For instance, usage of copyrighted materials may be deemed legitimate among family groups, whereas in the context of friend groups such usage should be examined on a case by case basis.

Copyright is a private right and therefore it should be respected. As such, users should know if the pictures, clips, or articles they are sending are copyrighted so as to avoid possible litigation.

For more information, please go to:

<https://www.tipo.gov.tw/ct.asp?xItem=605665&ctNode=7127&mp=1>



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## Awareness activities by TIPO's IPR protection service group

In November 2016, TIPO's IPR protection service group formed by experts visited 36 government agencies, universities, and enterprises using interactive activities to promote the Trade Secrets Act, on-campus copyright, fair use of copyright, Internet copyright, patent search, and patent licensing to a total of 1,580 people. According to a survey conducted afterwards, over 90% learned more about copyright and understood it is copyright infringement to separately photocopy an entire book.



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Ministry of Economic Affairs R.O.C.

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