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The forum was attended by approximately 400 people, among them are key IP policy makers worldwide including WIPO's Director General Mr. Francis Gurry, the APEC-IPEG Chair and the Director General of the IMPI Mr. Miguel Ángel Margáin, Assistant U.S. Trade Representative at USTR and leading IP negotiator for the TPP Mr. Probir Mehta and JPO's commissioner Yoshinori Komiya other than pundits as well as participants from the industries. Themed with IP-Driven Innovation, the forum had exchange on topics of the utility of innovative IPRs and innovation aspiration through IP portfolio.

2016 Taiwan-EU Seminar on Trade Secrets



Held by TIPO in conjunction with EETO and EBRC, the 2016 Taiwan-EU seminar on trade secrets took place on September 21. Invited to speak at the event were DG Trade Policy Officer Jorg Weberndorfer of the European Commission, Head Prosecutor Jan Østergaard from Denmark, and Ms. Elizabeth Jones from the UKIPO's Copyright & IP Enforcement Directorate. The speakers shared their thoughts on trade secret laws and enforcement with Taiwan's judges, prosecutors, policemen, investigators, the private sectors, as well as scholars and experts. The seminar was very well received by over 250 people comprising respective government officials, enforcement officers, and industrial representatives.

During the seminar, the EU lectures gave in-depth reports on the EU's Trade Secrets Directive, prohibition of business strife for workers and its impact, how to identify potential trade secrets, how to calculate damages, as well as maintaining confidentiality throughout the entire course of litigation. In addition, the EU IP expert stationed in China reported on the country's current trade secret protection and enforcement, which led to engaging discussion and feedback among attendees. In turn, the Taiwan side gave an overview of its trade secret legal regimes and practices, followed by representatives from local industries addressing the challenges they encounter in terms of protecting their trade secrets. These challenges include key elements to identifying potential trade secrets in litigation, filing a request for damages, as well as keeping confidentiality during litigation. Through dialogues and experience sharing, this seminar provided respective industries with the prospect of more comprehensive trade secret protection.



2016 Taipei Int'l Invention Show & Technomart (INST)



The 2016 Taipei Int'l Invention Show & Technomart (INST) had drawn over 500 companies and individual inventors around the globe to exhibit 1,300 patented technologies in the Exhibition Hall 1 in Taipei World Trade Center from September 29 to October 1.

The 2016 INST is basically divided into two sections, Invention Competition and Technology Commercialization. The Invention Competition section gathers over 800 inventions presented by individual inventors, foundations and SMEs around the globe. Pursuant to the criteria of innovative design, technological breakthrough and potential marketability, those stands out are awarded gold, silver, bronze medal or a certificate of merit. Other than that, competitors contend for the INST platinum awards, an honor conferred only to the most exceptional inventions in each group.

The Technology Commercialization section is comprised of 15 pavilions. Supervised by the Ministry of Economic Affairs, Ministry of National Defense, Ministry of Education, Ministry of Science and Technology, Council of Agriculture in Executive Yuan, the agencies representing the industries, government, schools and research institutes exhibit their performance in government subsidized R&D technology. Meanwhile, multiple business matching sessions and contract signing ceremonies are held. During the 3 days, commercialization consultation is available by a group of pundits from Ministry of Education, Ministry of Science and Technology, Council of Agriculture in Executive Yuan, Industrial Development Bureau, Bureau of Foreign Trade, Bureau of Energy, Department of Industrial Technology, Small and Medium Enterprise Administration and Intellectual Property Office in Ministry of Economic Affairs. In addition, 17 information sessions are held on Sep. 30 aiming to promote technological development and to disseminate assistance measures adopted for industrial revival.

TIPO's Innovative Invention Pavilion accommodates gold medalist inventions in well-known international competitions in 2014 and 2015 while another pavilion displays innovative products made by around 10 start-ups.



Amendment to Copyright Act for TPP is submitted to Legislative Yuan after being passed by Executive Yuan

Following the Executive Yuan's policy to dash for Taiwan's inclusion in the TPP, TIPO has started drafting amendments to Patent Act, Trademark Act and Copyright Act to fill the gap with TPP requirements. Currently the draft amendment to Trademark Act had passed first reading in Legislative Yuan. Also, both draft amendments to Patent Act and Copyright Act are submitted to the Legislative Yuan respectively on Aug. 5 and 12 as they had finished review by the Executive Yuan on Aug. 4 and 11.

The key revisions to Copyright Act include: to add criminal liability on circumvention of technological protection measures (TPMs), to adjust the scope of crimes indictable without a compliant and to add provisions regarding protection of encrypted program-carrying satellite and cable signals. The effective date for revision in crimes which are public prosecution is based on the progress in TPP's accession whereas the protection in circumvention of TPMs and in encrypted program-carrying satellite and cable signals come into force once published in view of the advantages in copyright protection and future development.

The draft amendment to Copyright Act aims to not only further participation in regional trade by accessing TPP but also to the creation of a more robust IP regime by reinforcing IPRs protection.



The fee of recordation renewal is exempted if patent or trademark agent passed away

The assignment relationship between patent/trademark agent and applicant is automatically void once the agent deceased. In this case, the reassignment needs to be distinguished from substituting the agent with another de jure. Acknowledging the distinction, TIPO decides to exempt the fee of recordation renewal for reassignment owing to the fact that the agent passed away.

The practice comes into effect as of Aug. 19, 2016. For applications filing before the effective date, the applicants are eligible for the exemption of fee provided that the new assignment hasn't become valid whereas the fee is not refundable for those have finished alteration, subject to the principle of non-retroactivity.



Annex to priority document is revised

Given that the priority document is the certification copy from which the technology disclosed in the patent application on the first filing date, it is justifiable to annex the description, abstract, claims and drawings with the exclusion of the subsequent amendment. Thus, priority document issued for applications that have been conversed or divided will similarly be annexed a copy of the original application. In case that the description, claims and drawings are submitted in foreign language on the date of filing the patent application and Chinese translation is later submitted within stipulated time period, the date on which the foreign language version is provided is deemed to be the first filing date and therefore, the priority document will be annexed a copy of foreign language version.



Compilation of major events in trademark regime is completed for public reference

The Trademark Act is enacted since May 6, 1930. Till now it has been refined with 13 amendments besides numerous additions of ordinances and regulations. Although many promulgated laws are no longer effective, the historical movement is valuable reference either for regime adjustment policy formulation or academic research in the future as it mirrors how the society has evolved and how the laws have been enforced. Not to mention that each revision manifests a fusion of deliberation and debate. Therefore, to record the evolution in a comprehensive and precise manner, this year TIPO compiles the major events in trademark regime by including the typical representative changes. The compilation is now available for public reference. Where any amendment is necessary please do not hesitate to advise us. The link is as follows:

<http://www.tipo.gov.tw/ct.asp?xItem=599760&ctNode=7127&mp=1>



TIPO's IPR protection service team campaign activities

In August, TIPO's IPR protection service team formed by experts and scholars had 15 campaigns in government agencies, universities, and enterprises using interactive activities to promote IPR awareness to a total of 550 people. Most universities wanted to know more about online copyright and issues relating to performance and art works. And enterprises demanded more lectures on patent application, fair use on copyright, employment contract and non-competition agreement. Survey shows that over 90% learned more about copyright and understood it is copyright infringement to separately photocopy an entire book. The team fulfilled its objective of promoting IPR awareness.



IPR Infringement Cases Processed by NPA in August 2016

The NPA uncovered a total of 442 IPR infringements in August 2016. Of which, 245 are trademark related and 197 are copyright related. Copyright infringements that involved foreign cases include 17 cases involving Japan.



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Tel : +886-(02)-2738-0007 Fax : +886-(02)-2377-9875