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MOEA Holds Press conference on TPP

The full text of the Trans-Pacific Partnership (TPP) agreement was released by the TPP Parties on 5 November 2015. The Ministry of Economic Affairs (MOEA) invited competent authorities in charge of the agricultural, industrial and services industries to jointly translate the said text based on the TPP strategic action plan. The MOEA also had a press conference on the text of the TPP Agreement. The IP Section stipulates standards of IP protection that are mostly higher than existing international agreements. These standards may become globalized in the future. The final version of the IP Section contains issues regarding cooperation (patent examination, traditional knowledge), trademark, geographical indication, patent/undisclosed test data, industrial design, copyright and related rights, implementation, as well as ISPs. This IP Section stipulates comprehensive and tangible regulations, and upholds higher standards than the TRIPS Agreement. When the final version came out, TIPO immediately took stock of the legislative discrepancies found in Taiwan's

existing laws and regulations. Accordingly, most of the laws and regulations in Taiwan are in line with those in the IP Section. There are, however, discrepancies regarding the following issues: extension of grace period for patent disclosure; extension of patent terms due to stalled examination; imposing criminal liability on any person importing counterfeit tags or packages; performers exercising the right of public transmission or performance reproduced in sound recordings, or requesting payment of a single equitable remuneration; extension of copyright protection to life of the author plus 70 years; plant variety rights covering all plant species; data exclusivity for agrochemicals, pharmaceuticals and biologics; patent linkage; and protection of encrypted signals. TIPO held a meeting on the TPP IP Chapter on December 29, 2015 to have in-depth discussions on the gaps of laws to increase all circles' understanding and awareness of the IP Chapter to reach consensus on the TPP issues.



Encourage Universities to Apply for Patents to Protect their R&D Results and Promote Dissemination

The number of patent applications filed by local colleges and universities dropped 11.3% to 4,275 in 2014 from the peak of 4,817 in 2013. In addition, their applications filed in the three quarters of 2015 also decreased by 10% compared to the same period of 2014. The applications from national universities were mostly for invention patents while those from private universities were mostly for utility model patents. Overall, these universities outperformed in applications for the areas of medical and healthcare as well as pharmaceutical and biotech. In the past few years, over 50% of the patent applications filed by the top 10 national universities were for invention patents. In particular, the invention patent applications accounted for over 95.5% of the total patent applications filed by the National Tsing Hua University for a long time. In July 2015, TIPO began visiting universities to learn more about why they were decreasing patent applications. Of the six universities visited so far, the decline was mostly due to yearly subsidy cuts in the Aim for the Top University Plan of the Ministry of Education (MOE), and the growing emphasis on the performance of technology transfer stipulated by the Key Performance Indicator of the MOE's Plan for Developing Technological University Paradigms. Guided by these subsidy policies, universities are now attaching greater importance to quality rather than quantity of their patent applications. Although the number of applications might be affected, the industry and academia wishing for long-term partnerships should begin by maintaining sufficient number of high-quality patent portfolios. TIPO invited experts and representatives from the MOE, the Ministry of Science and Technology (MoST), the Department of Industrial Technology and the Industrial Development Bureau of the MOEA, as well as six universities to attend a conference on discussing universities to apply for patents to protect and promote their R&D results. TIPO held the conference in hopes to figure out the reason for the decrease in the universities' patent applications and their patent application strategies. Meanwhile, TIPO also encouraged all attending parties to exchange views on some issues. The issues include how the universities can seek a balance between the application quantity and technology transfer results, whether there is a need to integrate universities technology transfer centers, and how to guide universities enhancing their patent capacity and technology transfer results. The MoST said that its annual subsidy for invention patent applications has never decreased but increased, even up to NT\$140 million in 2016. University and research institutions may file requests for the subsidy and utilize it upon approvals from their internal review mechanisms. Meanwhile, the MoST plans to launch an invention patent applications maintenance and promotion program in 2016. With this program, 10% of the subsidy may be used for promoting and enhancing patent technology transfer results. In 2015, the MoST launched a program on promoting the collaboration between universities and research institute. With the assistance from the Industrial Technology Research Institute, the MoST selected and promoted academic patents with great potential for industries. A total of 12 universities, including National Tsing Hua University, participated in this program in 2015. The MoST plans to seek assistance from the Metal Industries Research & Development Centre (MIRDC) to extend patent matching services for more technologies next year. In addition to providing patent training programs, TIPO is also encouraging universities to work with the industry to apply for more patents. Such applications that involve commercial exploitation are eligible for requesting accelerated examination. TIPO hopes that the MOE and MoST can relax relevant laws and provide incentives to help universities boost their R&D capacity and step up development for the entire industry.



Elite Symposium on Patent Trends and Patent Litigation Analysis in the Communications Industry



The Elite symposium of TIPO-entrusted NARLabs research project on Patent Trends in the Communications Industry and Patent Litigation Analysis was held at NTU's Tsai Lecture Hall in November, with a total of 420 communications professionals in attendance. The issues covered at the symposium included: "IoT- Surpassing Supply Chain Competition", "From 4G to 5G- Forecast on Mobile Broadband Technology Development and Application Services", "Analysis on Patent Portfolio of 4G LTE Mobile Communications Standards", "Forecast on Small Cell Base Stations"

Development based on Patent Analysis”, “Taiwan’s Practices on Integrating Resources to Enter Standard-Setting Organizations”, “Utilizing PTAB’s Inter Parts Review Skills”, and “Differences and Changes in Patent Systems- Discussion on Recent Rulings of Important US Patent Litigation Cases”. A database and a search platform that house key patents and litigation cases in telecommunications industry sampled between 2013 and 2015 have been created under this program. The database and platform enable telecommunications companies establishing their own patent portfolios to analyze the results of developing technologies, and to stay abreast of new opportunities for future development. Companies having a good understanding of the patent portfolios and the latest trends in 4G LTE and 5G telecommunications technologies are better equipped to manage their patent strategies on a global scale.



TIPO Publishes Compilation of Studies on Patent Administrative Litigation Cases (2014-2015)

TIPO published the latest “Compilation of Studies on Patent Administrative Litigation Cases (2014-2015)”. The compilation comprises studies on 22 litigation cases, including 10 administrative judgements from the IP Court and 12 decisions on patent appeals from Ministry of Economic Affairs from July 2014 to March 2015.



TIPO Schedules to End Old E-Filing Services in January, 2017

TIPO established the first e-filing system in 2013. However, due to the constantly changing PC operating environment (Windows 8, Windows 10, Office 2013...), the 2003 e-filing system could no longer meet the demands of increasing features. Therefore, TIPO re-developed a new e-filing system in 2012. In view that the number of users of the 2012 e-filing system now accounts for 75% of the total number of users of the TIPO’s two e-filing systems, TIPO plans to shut down the 2003 version in 2017. TIPO plans to terminate the maintenance services for the 2003 e-filing system in September 2016 and then shut down the system on January 1, 2017. As a result, we urge users of the 2003 e-filing system to shift to the 2012 system. For any question or assistance request for shifting to the new system, please call TIPO’s customer services center at 02-81769009 or send an email with your question and contact information to tipoeservice@tipo.gov.tw.



TIPO Continues IPR Protection Service Group’s Promotion Campaigns

TIPO’s IP Protection Service Group formed of IPR experts and scholars continued giving IPR lectures at various institutions, schools, and enterprises. There were a total of 10 lectures in November, which attracted 834 people. TIPO aims to enhance the IPR awareness through bilateral interactions and through different topics that different audiences are interested. For example, colleges and universities were interested in on-campus copyright and related practices while enterprises wanted to learn more about trade secret ownership, employment contract, and non-competition agreement, and trademark right, etc. The surveys show that over 90% of the participants expressed having gained more knowledge about copyright. They became aware that photocopying an entire book in several times rather than just in one time still constitutes copyright infringement. The overall promotion campaigns have received great results.



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related. Copyright infringements that involved foreign cases include 1 case involving the U.S. and 19 cases involving Japan.



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