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2015 TIPO-JPO Trademark Examiner Exchange



The 4th TIPO-JPO trademark examiner exchange was held in October. Two JPO trademark examiners came for this exchange. For the exchange topics, TIPO answered JPO's questions on the registration of geographical certification marks and letter of consent for trademark registration. Meanwhile, JPO briefed on the new operation for non-traditional trademark applications launched since April 1, 2015. JPO pointed out that it received 481 non-traditional trademark applications (not including 3D trademarks) on the very first day. As of October 20, JPO had received a total of 1,036 applications in this regard, which is equivalent to that received in the EU from 1996 to 2012. The non-traditional trademark applications were numerous in terms of quantity and diversity. There were heated discussions on the position trademarks and sound trademarks, which inspired the attendees a lot. In addition, both sides also had in-depth discussions on the practices for a same trademark application filed at the JPO and TIPO. The view exchange on various specific cases helped examiners on both sides develop a more comprehensive perspective. Moreover, in order to enhance JPO's understanding about our enforcement on trademark protection, TIPO also arranged a meeting between the JPO examiners and Taiwan's IPR Police.



Public Hearing on Draft Regulations for On-the-Job Training of Patent Attorneys and Agents



The amended Patent Attorney Act was promulgated on July 1, 2015. The new version has an additional provision requiring that a patent attorney or a patent agent shall continuously participate in on-the-job training and provide documents proving that such on-the-job training is completed to TIPO every 2 years. It also authorizes the Specific Patent Agency to consult the Taiwan Patent Attorneys Association and stipulate related training regulations. Accordingly, TIPO drafted the "Regulations for On-the-Job Training for Patent Attorneys and Agents" and "Q&As on Patent Attorney Act" after consulting the Taiwan Patent Attorneys Association. TIPO convened a public hearing on October 21. Many attendees expressed their opinions on the training hour calculation, training subjects, and reporting system. TIPO would consolidate these opinions for further revisions to the aforesaid draft regulations.



TIPO Solicits Public Opinions on 3rd Draft Amendments to Copyright Act

In view of the internet age and the digital convergence development, TIPO released the third draft amendments to the Copyright Act. The key points include adjusting the performer's right, adding statutory authorization provisions on public transmission of legally compiled textbooks, restoring provisions on copyright pledge registration prescribed in the first draft, and revising regulations on border control measures, etc. We welcome all comments and opinions from all circles that care about the copyright issues. Please kindly send your comments and opinions on related draft amendments to Intellectual Property Office, Ministry of Economic Affairs (3F, No. 185, Sec. 2, Xinhai Rd, Da-An District, Taipei City) via postal mail or to ipocr@tipo.gov.tw via email by November 30, 2015.



2015 Seminar on Trademark Law Completes Satisfactorily

TIPO held four seminars on mainland China's newly-amended Trademark Law respectively in Taipei, Taichung, Kaohsiung, and Tainan on

October 27-30, 2015. The aforesaid law was effective on May 1, 2014. TIPO's purpose is to help Taiwan companies and trademark agents know the key points and related practices of the said law and how to maintain their trademark right in mainland China. The seminars introduced the features of the newly-amended law, important cases in terms of application practices and right maintenance. A total of 273 participants attended the four seminars.



TIPO Promotes IPR Awareness through IPR Protection Service Group Campaigns

In 2015, TIPO joined with IPR experts and scholars to form a "IPR Protection Service Group" to promote IPR awareness by giving speeches at various institutions, schools, and enterprises. In October, the group had 16 speech sessions to enhance IPR awareness through two-way communications and interactions, which attracted a total of 2,015 participants. The speeches were delivered based on the needs of different target audiences. The speeches for the universities (e.g. Soochow University, and National Changhua University of Education, and National Pingtung University) and government organizations (e.g. Coast Guard Administration and National Archives Administration) focused on the Copyright Act and also introduced some related cases. Those for enterprises (e.g. Hotai Motor and Daxin Materials Corp.) emphasized on the trade secret ownership, employment contract, and non-competition agreement. As to the speeches for others (e.g. Silicon Power Computer & Communications Inc.) stressed patent search related issues. According to the feedback survey results, over 90% of the participants expressed that their awareness on the copyright issue has increased after the speeches. Moreover, they realized that copying an entire book in separate times rather than in just one time still constitutes an infringement to copyright. Overall, the promotion campaigns produced great results.



IPR Trends Q3 2015: Patent and Trademark Statistics

The patent applications filed in Q3 2015 concluded at 18,059, accounting for a 6.0% decrease from Q3 2014. Of these, the utility model patent applications dropped to 5,135, down 11.0%, the biggest fall among all types of patent applications. In addition, the invention patent applications fell 4.4% to 10,946, including 4,090 filed by Taiwan nationals (-11.4%, a drop for 11 consecutive quarters) and 6,856 filed by foreign applicants (+0.4%). In terms of invention patent applications by country, Japan and the U.S. respectively ranked No. 1 and No. 2 with 3,106 (-0.3%) and 1,768 (+9.2%) applications, followed by South Korea (-12.2%, a drop for 4 straight quarters) with 446 applications. By domestic corporations, Hon Hai ranked No. 1 with 82 applications (-56.8%), which were mostly for IoT, cloud system, and communications. TSMC ranked No. 2 with 80 applications, mostly on wafer fabrication technology and advanced MEMS packaging technology. By foreign corporations, Intel topped the chart for the 4th quarter with 236 applications, continually focusing on the semiconductor and information technologies. Fujifilm rose to No. 2 on the chart with 133 applications, mainly on thin films for special use, photosensitive materials and methods. In the same period, the trademark applications grew 3.7% to 20,302, including 14,725 (+2.7%) from Taiwan nationals and 5,577 (+6.5%) from foreign applicants. In terms of foreign trademark applications by country, the top three were mainland China (1,055), the U.S. (1,032), and Japan (866).



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Ministry of Economic Affairs R.O.C.

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