

[Click here if you cannot see this page](#)

Latest News

▶ TIPO Creates Information Platform: "IP for SMEs"

Government authorities successively introduced counselling and supporting measures for IP creation, protection, exchange, and applications. To help SMEs utilize these IP resources, TIPO created a new web page, titled "IP for SMEs" as an information platform. There are three major sections on the web page: 1) "IP": FAQs about IPR; 2) "IPR Services and Counselling": IPR resources from government authorities, including R&D and innovation, financial support, technology transaction and commercializat...



TIPO Creates Information Platform: "IP for SMEs"

▶ Cross-Strait Copyright Working Group Meeting and Exchange Forum

▶ German Patent Attorney Speaks on "Claim Interpretation and Doctrine of Equivalents"

Legislative News

▶ Amendments to "Enforcement Rules of the Trademark Act" and "Regulations Governing the Implementation of Filing Trademark Applications and Services by Electronic Means"

▶ Amendments to "Regulations Governing the Implementation of Filing Patent Applications and Services by Electronic Means" and "Regulations Governing Invention and Creation Awards"

Enforcement

TIPO News & Events

▶ TIPO's Decisions on Joint Royalty Rate, Royalty Distribution, and Royalty Collection Unit for Public Performances of Songs Using Karaoke Machines for Public Interests

▶ Patentees Shall Abide by Medical Laws when Exploiting Patent Right for Patented Products with Names relating to Medical Effects

▶ 2015 IPR Business Forum

▶ Vice President Wu Meets Gold Medal Winners of 2014 International Invention Fairs

▶ TIPO Announces 2Q15 IPR Trend Analysis

TIPO Creates Information Platform: "IP for SMEs"



Government authorities successively introduced counselling and supporting measures for IP creation, protection, exchange, and applications. To help SMEs utilize these IP resources, TIPO created a new web page, titled "IP for SMEs" as an information platform. There are three major sections on the web page: 1) "IP": FAQs about IPR; 2) "IPR Services and Counselling": IPR resources from government authorities, including R&D and innovation, financial support, technology transaction and commercialization, brand marketing, establishment of management system, and IP dispute settlement; and 3) "IPR Resources and Applications": IPR learning, awards, exhibitions, and activities. The new Information platform, "IP for SMEs",

aims to provide SMEs information from their perspectives by consolidating all the resources and services provided from government authorities in hopes to help SMEs find answers to the questions about IP and related service contacts in a real-time and convenient manner. The link for the web page of “IP for SMEs” is listed below:
<http://www.tipo.gov.tw/ct.asp?xItem=554139&CtNode=7706&mp=1>



Cross-Strait Copyright Working Group Meeting and Exchange Forum



TIPO and National Copyright Administration of mainland China (NCAC) had a working group meeting on July 20, 2015. Representatives from the Ministry of Culture, National Palace Museum, and Taiwan Association for Copyright Protection (TACP) attended the meeting. Both sides exchanged views on related issues, including the cases that TIPO reported to the coordination assistance authority in mainland China, enhancing online copyrights protection for comic books published in Taiwan, laws on CMO management, mainland China's P2P infringement problem, media box, and mainland China's 2015 “Sword Net Action” against IP infringement. The 2015 Cross-Strait Forum on Copyrights was held in Taipei on July 21. Over 100 people from both sides of the Taiwan Strait attended the forum, which was jointly chaired by the Chinese Commercial & Industrial Coordination Society and Taiwan Association for Copyrights Protection. Attendees from Taiwan include representatives from the Ministry of Culture, KKBox, CHT, CMOs, TIPO, as well as copyright experts and scholars. Meanwhile, a delegation from mainland China, consisting of 24 representatives from NCAC, CCTV, Tencent, and Alibaba and other units, also attended the forum. The delegation was led by Yan Xiaohong, chairman of Copyright Society of China (also deputy director of State Administration of Press, Publication, Radio, Film, and Television and NCAC). This forum, titled “Development of Cultural and Creative Industries and Copyright Protection in the Digital Era”, was held to discuss the current status and development of the music and literature copyright protection related laws and practices. TIPO's Director General Wang Mei-Hua stated that the new challenges we face in the digital era are inevitable so TIPO has been actively drafting amendments to the Copyright Act to make the legal regime meets the needs of the modern technology developments and private sectors. Yan Xiaohong, Deputy Director of the NCAC, said that Chinese government has launched the 2015 “Sword Net Action” to protect music copyrights and rectify the new media, including app and cloud SSD companies. He believes that this action can efficiently combat illegal online infringement activities.



German Patent Attorney Speaks on “Claim Interpretation and Doctrine of Equivalents”



TIPO invited Mr. Dettel von Ahsen, a patent attorney from German IP law firm KUHNEN & WACKER, to deliver a speech on German courts' patent claim interpretation theories and practices on July 17, 2015. Representatives from the Intellectual Property Court and Taiwan Patent Attorneys Association attended the meeting to exchange views. All the issues that attendees were concerned about would be further discussed at the upcoming “2015 Patent Seminar”.



Amendments to “Enforcement Rules of the Trademark Act” and “Regulations Governing the Implementation of Filing Trademark Applications and Services by Electronic Means”

To streamline the application process, TIPO published the amendments to the “Enforcement Rules of the Trademark Act” and the “Regulations Governing the Implementation of Filing Trademark Applications and Services by Electronic Means” on July, 14, 2015. The key points of the amendments are as follows: 1) The original copies of related proofs for rights of priority and exhibition priority are no longer required; 2) The copies of the written request and related documents of the original application for an divisional trademark application are no longer required; and 3) The paper documents of proofs for e-filing of a trademark application may be replaced with the electronic files.



Amendments to “Regulations Governing the Implementation of Filing Patent Applications and Services by Electronic Means” and “Regulations Governing Invention and Creation Awards”

The revised “Regulations Governing the Implementation of Filing Patent Applications and Services by Electronic Means” was promulgated on July 15, 2015. The key points of the amendments are as follows: 1) TIPO will notify the user if the payment transaction fails due to insufficient balance in the user’s account. 2) TIPO shall accept a request for amendments to the documents of an application based on the originals for any missing or distorted parts in the electronic files or any inconsistencies between the original paper documents and the converted electronic files under the following circumstance- if a user uses TIPO’s information system to covert paper documents of an application into electronic files to submit the electronic files of the original specification, patent claims, and drawings in the designated format; and 3) TIPO will assume that a user has successfully submitted an application or made the payment based on the system’s auto reply message for successful application submission and payment transaction even though the actual procedures have yet been completed. The amendments to the “Regulations Governing Invention and Creation Awards” were published on July 21, 2015. The key points of the amendments are as follows: 1) The qualification for entries is patents with certificates issued within “six” years prior to the year of award application. 2) A technical evaluation report for a utility model patent should be submitted for the awards. 3) The maximum number of the Evaluation Committee members is revised from 37 to 40. 4) A “semi-final round” is added to the evaluation procedures. 5) Entries with patent holders as the inventors, creators or designers of the patent shall be given extra points during the semi-final stage.



TIPO’s Decisions on Joint Royalty Rate, Royalty Distribution, and Royalty Collection Unit for Public Performances of Songs Using Karaoke Machines for Public Interests

TIPO announced the decisions on reviews of joint royalty rate for public performances of songs using karaoke machines for the purpose of the public interests based on Paragraphs 3 and 5 of Article 30 of the Copyright Collective Management Organization Act. The decisions are summarized as below: 1. Single window: TIPO has designated MUST as the single window and will make another decision on this after reviewing the results three years after the implementation. 2. Joint royalty rate 1) NT\$6,300 (pre-tax) per karaoke machine per year if the exploitation is for cultural, educational, or other purposes in the public interest; 2) NT\$3,150 (pre-tax) per karaoke machine per year if the exploitation is non-profit and for the purpose of public interests; 3) The royalty distribution for the three CMOs is: MUST (50%), MCAT (30%), and TMCS (20%). 4) Administrative cost: 2% of the total royalty amount collected by the single window; the remaining amount shall be distributed to the three CMOs based on the aforesaid ratios. 5) Implementation date: August 1, 2015 for the joint royalty rate and single window



Patentees Shall Abide by Medical Laws when Exploiting Patent Right for Patented Products with Names relating to Medical Effects

The media recently reported that a certain patented product of utility model patent with a name relating to medical effects may mislead the public for believing that the medical effects of the patented product are recognized by the TIPO. However, a utility model patent application is reviewed via a formality examination, rather a substantive examination. It means that a utility model patent certificate will be issued as long as the specification of its application meets the format requirements. Therefore, the so-called medical effects of the

patented product have never been examined, verified, or approved by the TIPO. A patentee of a patented utility model product can only exploit the patent right to prevent others from exploiting the patent without the patentee's consent. Nevertheless, if exploiting the patent right involves specific regulations, the patentees of invention or utility model patents have to abide by related laws and regulations. Accordingly, a patentee needs to abide by medical laws and regulations when claiming medical effects for the patented product. As of now, for invention or utility model patents with names involving medical effects, TIPO would remind patentees to abide by related medical laws and regulations to exploit the patent right to prevent improper use. Furthermore, anyone who finds a patentee claiming his/her patented product to have medical effects may consult the TIPO or health institutions first to prevent being misled by the deceptive advertisements.



2015 IPR Business Forum



TIPO held five sessions of IPR Business Forum respectively in Taipei, Hsinchu, Taichung, Tainan, and Kaohsiung on June 16, 24, 29, and July 6, and 7, 2015. The discussion agenda of the five sessions include the latest trend in patent law amendments, patent examination practices, and trademark business overview. Attendees from all circles proposed 46 suggestions and also received responses at the sessions. A total of 261 attendees participated in the five sessions.



Vice President Wu Meets Gold Medal Winners of 2014 International Invention Fairs

To commend Taiwan inventors for their creativity and innovation, Vice President Wu met with gold medal winners and representatives of teams to the world's famous invention fairs. Vice President Wu pointed out during his speech that the achievements of 978 medals won from 10 major international invention fairs in 2014 fully manifest our country's strong inventive and innovative power. The aforesaid 978 medals comprise 362 gold medals, 407 silver medals, and 209 bronze medals. In addition, the 10 international invention fairs include those held in Moscow (Archimedes), Geneva of Switzerland, Paris of France, Pittsburgh of the U.S., Ukraine, Portland, Nuremberg of Germany, Croatia, and Seoul of South Korea. Vice President Wu said that right after he assumed office at the Executive Yuan in September, 2009, he proposed to promote four emerging intelligent industries. The first promotion, "Program for the Promotion of Invention Patent Industrialization", has achieved fruitful results with the joint efforts from various ministries and departments, including an economic result of over NT\$100 billion as of end 2014. In addition, TIPO's "Patent Backlog Reduction Project", approved during his term as the Premier, also produced positive outcomes, including a significant improvement for the average pendency (from 47 months in July, 2012 to 27 months in June, 2015). This would allow inventors to acquire patents earlier to make plans for their IP portfolios. Vice President Wu further added that the government plans to establish a better tax system and business platform to help inventors turn their creativity and inventions into products or industries. He hopes that the people in Taiwan may evolve from "innovators" to "entrepreneurs", aiming to "create wealth" for the nation.



TIPO Announces 2Q15 IPR Trend Analysis

TIPO released its IPR statistics for the second quarter of 2015. The number of new patent applications filed with TIPO in 2Q of 2015 dropped 2.37% YoY to 18,176. An analysis of the patent applications filed with TIPO shows that Hon Hai remained No. 1 among all domestic companies while Intel maintained its first place among all foreign companies for the third straight quarter. By industries, applications filed by the semiconductor industry increased while those filed by the panel industry decreased. The pending invention patent applications were down to under 90,000. In addition, the applications for trademark registration were more than those filed in the same period of 2014. The invention patent applications slightly rose 0.88% to 10,554, including 6,527 (+8.30%) from foreign applicants and 4,027 (-9.20%) from local applicants. By nationality, Japan retained its championship with 2,721 applications filed with TIPO, followed by the U.S. (1,853), South Korea (399), Germany (304), and mainland China (298). The year-on-year growth rates of applications filed by non-residents in 2Q are as follows: South Korea (-20.99%), Japan (+2.25%), the U.S. (+28.24%), and mainland China (+10.78%), and

Germany (0%). In terms of the examination results, the number of invention patent backlogs was reduced by 24.31% YoY to 86,503 and the average pendencies for the first office action and disposal fell to 18.82 months and 26.97 months, respectively. Moreover, the average disposal pendency is expected to decrease to 24-25 months by the end of 2015. Compared to the trademark statistics in 2Q of 2014, the total trademark applications in 2Q of 2015 grew 2.98% to 20,326, including 14,967 (+1.83%) from local applicants and 5,359 (+6.63%) from foreign applicants. By nationality, mainland China continue topping the chart with 1,088 trademark applications filed with the TIPO, followed by the U.S. (994), Japan (806), South Korea (412) and Hong Kong (327). Meanwhile, mainland China, the U.S., South Korea, and Hong Kong all saw positive year-on-year growth rates ranging from 10% to 63%. However, Japan reported a year-on-year decrease of 9.34% in this regard.



for more tipo related news, please see the [tipo website](#).



Office Hours: 9:00~12:00, 13:30~17:30 Add : 185 Hsinhai Rd., Sec. 2, 3F; Taipei 10637, Taiwan, R.O.C

The site has been optimized for monitors with over 1024x768 resolution, with window maximized
Tel : +886-(02)-2738-0007 Fax : +886-(02)-2377-9875