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▶ IPR Infringement Cases Processed by NPA in September 2014

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Small and Medium-sized Enterprise Administration, and Department of Industrial Technology. The National Development Council, GreTai Securities Market (GTSM), and Bureau of Foreign Trade joined this year's event for the first time, providing counseling on funding and subsidies. On September 19, a total of 15 information meetings on joint project guidance were held to help people learn more about the government's guidance measures for innovation. In all, this invention show was well attended by both buyers and the general public; participating enterprises expressed appreciation for a wide variety of business opportunities available during the event.



2014 Mark of Origin Seminar successfully concluded



On September 24, 2014, TIPO and the Executive Yuan's Council of Agriculture (COA) co-organized the 2014 Mark of Origin Seminar, inviting mainland China's GI experts to share their experiences in the promotion of GIs for products such as the "Yichang White Goat" of the Hubei Province and the "Zhongning Goji" of Ningxia. Taiwan experts also shared experiences in promoting four GI products, including "Yuli Rice" of Hualian County and Lugu's "Dongding Oolong Tea." During the event, the COA's Agriculture and Food Agency and TIPO's trademark division respectively reported on the promotion of agricultural and dairy products and presented case studies in Japan, South Korea, and Scotland. Over 200 representatives from agriculture-related central agencies, township and district offices, farmers and fishermen's associations, agricultural and fishery product development associations, as well as agriculture research institutes were able to learn more about the greater economic values and development of special agricultural products brought forth by the establishment, identification, and promotion of marks of origins.



CMO representatives from Japan, Australia and other countries visit TIPO

On September 9, 2014, representatives from four CMOs (Satoshi Watanabe from JASRAC, Scot Morris from APRA, CISAC's Asia Pacific regional director Benjamin NG, and IFPI's regional director K.T. Ang) visited TIPO to exchange views on copyright fair use, extending terms of copyright protection, online infringement, and other practical issues concerning CMOs administering copyrighted works.



The Executive Yuan Passes Partial Amendment to the Patent Attorney Act

To establish a more comprehensive body of regulations governing practices of patent attorneys, TIPO in 2013 began drafting a partial amendment to the Patent Attorney Act. On October 2, 2014, the draft was passed at the Executive Yuan and sent to the Legislative Yuan on October 8 for further review. Major revisions include: 1. Adding provisions on employment of a patent attorney by a registered corporation: In line with the actual conditions of this profession, it is now stipulated that a patent attorney can practice by setting up a law firm, getting employed by a patent firm, or by a registered corporation. 2. Revising the scopes of patent attorney practices: In consideration of the professionalism, importance and general conditions of patent attorney practices, it is now stipulated that the scopes of such practices would include patent appeal, administrative litigation, patent infringement analysis, and patent consulting. 3. Adding provisions on patent attorneys partaking in compulsory on-the-job training: For the purpose of enhancing professional capacity, it is now stipulated that both patent attorneys and patent agents are required to partake in on-the-job training continuously and provide patent competent authorities with completion certificates for training every two years. 4. Adding types of patent attorney malpractice: The types of malpractice include non-certified attorneys or agents carrying out stipulated scopes of practice with the intention of making a profit, attorneys or agents lending their seals or certificates for relevant businesses, soliciting businesses through fake advertising, not

completing on-the-job training, or people faking the identity of certified patent attorneys or agents. Also, in Article 32 of the Act, criminal punishment is now carried out prior to administering civil punishment against the aforementioned types of malpractice.



TIPO launches the Patent Biological Material Search Database for free public access

TIPO's Patent Biological Material Search Database is Taiwan's first free database providing primarily patent biological material search services and advanced search categorizing different industries and materials. This database also houses value-added information certified by experts, comprising basic patent information, status of use of deposited materials, potential use of deposited materials, relevant patents and technical analysis, key marketing information, product information, and relevant corporations. The database aims to effectively enhance information exchange and facilitate convenience in patent biological material search. This database also provides analysis reports on relevant regulations and litigation cases (e.g. regulations governing exclusive and non-exclusive licensing and relevant practices) to help the industries better understand the purposes of such regulations. These reports are very helpful not only in terms of practical use but also in providing clear analyses on the legality involving biological material transfer. In addition, users of the database can access a sample checklist and terms of a biological material transfer agreement, which are produced by referencing relevant agreement samples and actual operations in international depositaries. The information provided aims to provide effective solutions to this long-term problem affecting relevant sectors when seeking licensing and material transfer. With a diversity of services, this database hopes to step up on its usability and spur further development in the bio-related industries. Other functions such as "patent trend analysis for technology" or "patenting self-evaluation in multiple technical fields" are also available to the public. For more information, go to http://pbma.tipo.gov.tw/.



Statistical analysis on domestic and foreign invention patent applications

In Taiwan, the top ten invention patent applications have long concentrated on "information technology," "semiconductor," and "consumer electronics" industries, with "information technology" surpassing other top industries in terms of percentage and number. In 2013, "medical care" climbed two slots whereas "communications" was down two notches. In foreign applications, the three leading industries among top ten technical fields are "high-end material," "semiconductor," and "precision machinery and automation," with "high-end material" registering a gradual increase for the past three years and ousting "semiconductor" from its top position; "consumer electronics," on the other hand, fell two notches consecutively. Among the top ten countries (regions) filing invention patent applications in Taiwan, Japan takes up 40%, whose proactive patent portfolio is evidenced in the yearly increase in application numbers. The EU countries, on the contrary, have in recent years seen a steady decline in application numbers, taking up a very small percentage. Over the past three years, domestic applications have reported a steady growth in "information technology," "high-end material," and "medical care," with "information technology" registering a more obvious increase (236 applications or +6.6%). Applications in other fields, however, have seen an overall slump, with "communications" concluding with a marked 26.4% decline. Last year also saw an increasing presence of private universities among the top ten patent filing higher-education institutions. The Far East University, for instance, took the lead with 345 invention and utility model applications. Of these, the school's utility model applications (315) also outnumbered those of other universities. In terms of invention applications, National Taiwan University topped the list with 154 applications. In 2013, the top ten domestic patent filing state-run and private corporations were mostly mega corporations or multinational corporations, whose invention applications took up more than 80% of the overall patent applications. Hon Hai Precision Industry Co., Ltd. took the lead in the number of patent applications, covering the ten major fields, with "environmental protection" (+100% increase over the past three years) and "medical care" ticking upward. The company's major patenting focus and portfolio, namely the "communications," however, has been down for consecutive years. Taiwan Semiconductor Manufacturing Company Ltd. in 2013 concluded with an outstanding performance compared to the previous year in terms of the number (over 200) and percentage (+110%) of the more technically advanced invention patent applications. Particularly, the company's "semiconductor" invention applications have registered a 300% growth over the past three years. This statistical analysis is now available at: http://www.tipo.gov.tw/public/Attachment/492211551569.pdf



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