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Latest News

► 2013 Patent Summit: Patent Portfolio in the New Era

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► 2013 Informational Meeting on Copyright Exploitation in Business Venues

► 2013 Informational Meeting on Copyrighted Songs in Karaoke Machines

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► Amendment to the Program on Collective Interviews for Relevant Invention Patent Applications begins Implementation on May 10, 2013.

► Amendments to the Patent Act

Enforcement

► IPR Infringement Cases Processed by NPA in May 2013

The NPA uncovered a total of 408 IPR infringements in May 2013. Of which, 231 are trademark related and 177 are copyright related. Copyright infringements that involved foreign cases include 10 cases involving the U.S. and 18 cases involving Japan.

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2013 IPR Symposiums

In order to collect public opinions on recent changes to patent and trademark operations, TIPO hold a total of six IPR Symposiums on June 24 and 25, July 2, 3 and 10, 2013 respectively in Taipei, Taichung, Tainan, Kaohsiung and Hsinchu. Director General Mei-hua Wang and various divisional officers attended to hear opinions from the industry and patent attorneys. The following issues were reported at the symposium: publicity of the procedure of patent examination, the key points to the revision in the newly-amended Patent Act, points requiring attention for revision, correction of translation errors, the guidelines for the reinstatement of trademark, and planning patent and trademark service effected by electronic transmission.



2013 Informational Meeting on Copyright Exploitation in Business Venues

Three information meetings have been scheduled on June 19, July 16 and August 20 respectively in Taoyuan, Taichung and Kaohsiung for operators of radio and TV, convenience stores, department stores, shopping malls and small boutique shops. These meetings enable rights holders and users to better understand copyright regulations and licensing mechanism involving music. For those who are interested in attending please contact Miss Chen of National Association of Small and Medium Enterprises, R.O.C. at (02) 23660812 Ext. 222 or fax to (02) 23672005 as well as send e-mail(s) to: shih_ying@nasme.org.tw.



2013 Informational Meeting on Copyrighted Songs in Karaoke Machines

To avoid the copyright issues of computer karaoke machine troubling proprietors in business venues and to enable industrial stakeholders, relevant rights-holders and users better understand legal licenses for reproduced songs and rental of karaoke machines, TIPO hold a total of three meetings on June 27, September 3 and October 3, 2013 respectively in New Taipei City, Taichung and Kaohsiung. For enrollment information, please contact Ms. Chen of the National Association of Small & Medium Enterprises R.O.C. at (02) 23660812 Ext. 222 or by Fax: (02) 23672005 and email: shih_ying@nasme.org.tw



One-stop-shop Communication Service for Patent Examination Practices

In addition to the current "IP Forum" and "Write to Director General & Other Divisions," TIPO recently has added a one-stop-shop service to quickly respond to the inquiries and opinions that applicants or agents have over patent examination practices. For more information, please contact Mr. Ching-chieh Lin, Director of Legal Affairs Office at (02) 23767488, 23767487 or ipold@tipo.gov.tw.



Amendment to the Program on Collective Interviews for Relevant Invention Patent Applications begins Implementation on May 10, 2013.

A program on Collective Interviews for Relevant Invention Patent Applications was set up by TIPO to step up acquisition of patent protection for R&D and innovative creations by the industry, academia and individual inventors and to facilitate formulation of well-established patent strategy and portfolio. The program allows applicants to request for a collective interview for their invention patents, where examiners through group interviews can quickly grasp the technical aspects in each application, thereby speeding up patent examination, with enhanced effectiveness.



Amendments to the Patent Act

The amendment of articles 32, 41, 97, 116 and 159 of the Patent Act were initiated by legislators. The amendment were completed the 3rd reading on May 31 and promulgated by the Presidential Order on June 11, 2013. The major revisions to the Patent Act are as follows: 1. Article 32 has been amended with respect to a declaration made by the applicant(s) when filing an invention patent application and a utility model patent application for the same creation on the same date. According to the current Patent Act, when an applicant files an invention patent application and a utility model patent application for the same creation, the utility model patent shall be deemed non-existent ab initio if the applicant selects the granted invention patent. To ensure the rights and interests of patent applicant(s), the provision has been added by adopting "the principle of succession of rights". 2. Article 41 has been amended in compliance with the adapted "principle of succession of rights" embedded in the Article 32. With respect to a claim initiated for other people's exploitation of invention prior to the publication of an invention patent, a claim of the compensation fee for invention patent and the damage award based on utility model patent might be made in duplicate. A provision has been therefore added under paragraph 3 requiring applicant(s)

to select the claim of compensation fee or the damage award of utility model patent. 3. Article 97 has been amended with respect to the calculation of damages regarding patent infringement and added provisions introducing the award of punitive damages. 4. To prevent an abuse of warning(s), the amended Article 116 stipulates that a patentee shall not issue warning(s) without presenting a utility model technical evaluation report. The reason of the amendment also specifies that the presentation of a technical evaluation report is not a prerequisite to institute litigation. 5. Article 159 has been stipulated that this amendment to the parts of the Patent Act went into effect from the date of promulgation.



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