



# Annual Report

▶▶ 2005

A large, stylized logo for the Intellectual Property Office (IPO). It features the letters 'IP' in a white, serif font, set against a teal rectangular background. This rectangle is part of a larger, circular teal shape that has a 3D effect with a drop shadow. The background of the entire cover is a soft-focus image of various colored pencils and a yellow flower.

IP

Intellectual  
Property  
Office



INTELLECTUAL PROPERTY OFFICE  
MINISTRY OF ECONOMIC AFFAIRS



# TPO

## Contents

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Message from the Director General .....	2
I. Organization, Budget, and Personnel .....	4
A. Organization .....	4
B. Budget .....	6
C. Personnel .....	8
II. Operation Overview .....	9
A. Patent .....	9
B. Trademark .....	23
C. Copyright .....	31
III. International Cooperation .....	40
A. Multilateral Relations .....	40
B. Bilateral Relations .....	42
IV. IPR Promotion and Protection .....	47
A. Awareness of IPR Laws and Regulations .....	47
B. Reinforcement of IPR Concept .....	48
C. IPR Protection .....	50
V. Prospects .....	55
A. Enhancing Patent and Trademark Examination Quality .....	55
B. Cultivating IPR Professionals .....	56
C. Further Revision of the Patent Act .....	56
D. E-Filing .....	57
E. Maintaining IPR Protection Achievements .....	58
Appendix .....	59
A. Annual Statistics .....	60
B. Annual Publications .....	97
C. Calendar of Events .....	99



# Message from the Director General

In the era of knowledge economy, Taiwan's industrial transition must rely on knowledge innovation and application. Intellectual property rights (IPR) such as patent, trademark, and copyrights, represent technological novelty, commercial marketing, and cultural innovation, and also play an indispensable role in industrial transition. As an authority hereof, TIPO is committed to establishing a world-class IPR environment to foster investment interests in R&D and enhance international competitiveness.

Thanks to our staff and the cooperation of related organizations and industries, much has been accomplished this past year for our three major objectives, including moving toward a comprehensive IPR legal framework, improving patent and trademark examination quality, and implementing IPR protection. The draft "Patent Attorney Act" was examined by the Executive Yuan and delivered to the Legislative Yuan for further legislative processing. The successful implementation of various improvement schemes has elevated patent and trademark examination quality, and decreased backlog of pending applications. With great diligence, TIPO was able to fulfill public expectations with other achievements, including the establishment of the Taiwan Intellectual Property Training Academy (TIPA) for the cultivation of IP professionals, guidance for the establishment of licensing channels for copyright intermediary organizations, establishment of the Express Service Counter for the convenience of applicants, strengthened investigation of IPR infringements, and organization of the Taipei International Invention Show & Technomart to encourage innovative R&D.



In strengthening international cooperation, TIPO completed the Taiwan-Guatemala Free Trade Agreement (FTA) IPR chapters negotiation and signatory process, and held successful exchange talks with New Zealand and Australia on bilateral IP cooperation, the records of which were signed upon the conclusion of conference. These actions have effectively increased partners in IP cooperation.

In future, TIPO will persist in providing excellent services, encouraging innovative breakthroughs, and establishing good interactive relationships with the public. Building on existing foundations with a just, diligent, and matter-of-fact work ethic, we will continue to promote a sound IPR legal infrastructure, enhance patent and trademark examination quality and efficiency, and implement IPR protection, to create an environment conducive to IPR development and create new value for Taiwanese industry.

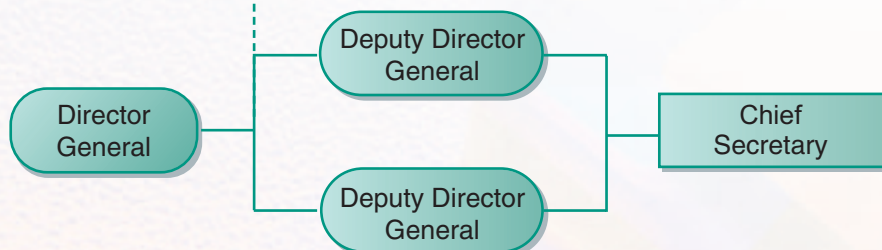
*Tsai, Lien-Sheng*

Director General, Intellectual Property Office, MOEA

# I.

# Organization, Budget, and Personnel

## A. Organization



----- Denotation for Task Unit

----- Anti-Counterfeiting Committee (ACC), Ministry of Economic Affairs	● Anti-counterfeiting affairs
----- Joint Optical Disk Enforcement Taskforce (JODE), Ministry of Economic Affairs	● Anti-optical disks piracy affairs
Patent Division I	● Patent administrative affairs and management; procedural examination of patent applications; examination of design applications; formality examinations of utility model applications.
Patent Division II	● Examination of invention patents related to electronics, electrical engineering, mechanics, civil engineering, pharmaceuticals, microorganisms, chemistry, physics and daily commodities.
Patent Division III	● Reexamination, opposition, invalidation of patent rights; relevant affairs regarding integrated circuit layouts; guidelines for patent examination.
Trademark Division	● Trademark related administration and management; examination of trademark applications and disputes; Trademark Act related legal affairs.
Copyright Division	● Copyright management, general planning, education, and promotion; international general and legal copyright affairs; inspection of copyright documents for exporting of audio-visual works and OEM audio CDs
Information Service Division	● Collection, research, and analysis of IPR related information; international information exchange; provide public access services; information services and promotion.
International Affairs & General Planning Division	● Organizational planning and research; training and awareness; international cooperation.
Office of General Service	● Communicate with the Congress and media; process documents; general affairs and management; file management; administration of secretarial affairs
	Second Office in Shenkeng
Legal Council Office	● Legislative affairs
Information & Technology Management Office	● Planning and administration of information systems
Personnel Office	● Personnel matters
Accounting Office	● Accounting operations
Civil Service Ethics Office	● Prevention and investigation of, and disciplinary action against corruption; safeguard office security.
----- Branch Offices	● Receiving IPR-related applications, and provide consultation and information services in Hsinchu, Taichung and Kaohsiung.

## B. Budget

### 2005 Annual Revenue

Unit: NT\$1,000, %

Item	Amount	Percentage
Fines and Indemnities	4,323	0.21
Fees	2,057,099	99.78
Properties	30	0.00
Others	200	0.01
Total	2,061,652	100.00

Note: The figures listed above represent legitimate budget numbers.

### 2005 Annual Expenditure

Unit: NT\$1,000, %

Item	Amount	Percentage
IP Professionals Training	29,300	1.94
General Administration	809,408	53.47
Wages and salary	606,585	40.07
Administration management	59,895	3.96
Information management	74,307	4.91
Documents and files management	68,621	4.53
IPR Protection Promotion	671,786	44.38
Planning, training, promotion, and international cooperation	55,418	3.66
Patent related administration and examination	196,700	12.99
Trademark related administration and examination	23,187	1.53
Copyright and trade secret administration and promotions	21,206	1.40
IPR data development and services	91,109	6.02
Anti-counterfeiting	56,244	3.72
TIPOnet Project	182,246	12.04
IPR Police	45,676	3.02
Primary Reserve Fund	3,259	0.21
Total	1,513,753	100.00

Note: The figures listed above represent legitimate budget numbers.

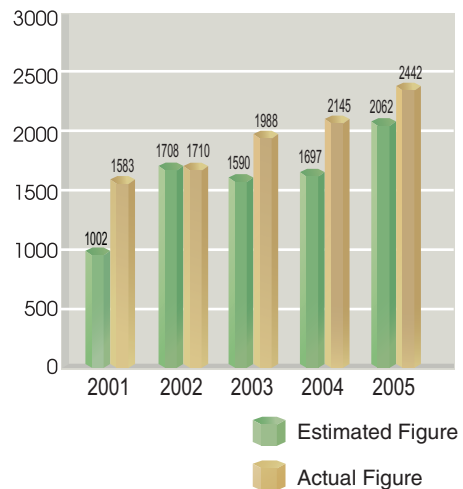
## **TIPO Annual Budget, 2001-2005**

### (1) Annual Budget - Revenue

Unit: NT\$ million

Year	Estimated Figure	Actual Figure
2001	1,002	1,583
2002	1,708	1,710
2003	1,590	1,988
2004	1,697	2,145
2005	2,062	2,442

Note: The figures listed above include supplementary budget.

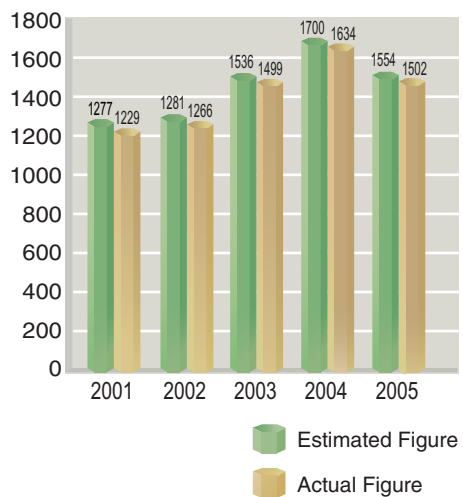


### (2) Annual Budget - Expenditure

Unit: NT\$ million

Year	Estimated Figure	Actual Figure
2001	1,277	1,229
2002	1,281	1,266
2003	1,536	1,499
2004	1,700	1,634
2005	1,554	1,502

Note: The figures listed above include supplementary budget and secondary reserve fund.



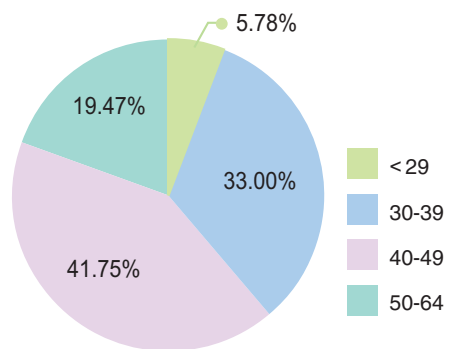
## C. Personnel

TIPO has 606 employees, of whom 421 are civil servants and 185 are contract employees.

### Breakdown by Age

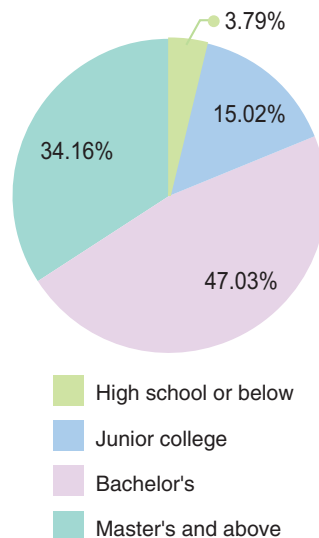
Age	Person (%)	Compare with 2004
<29	35 (5.78%)	-8
30-39	200 (33.00%)	+1
40-49	253 (41.75%)	-10
50-64	118 (19.47%)	+14
Total	606 (100.00%)	-3

Average age : 42.06



### Breakdown by Education

Age	Person (%)	Compare with 2004
High school or below	23 (3.79%)	-5
Junior college	91 (15.02%)	-1
Bachelor's	285 (47.03%)	-14
Master's and above	207 (34.16%)	+14



# II.

# Operation Overview

## A. Patent

Since 2004, TIPO has implemented many effective measures for improving substantive examination quality, such as examining every individual claim for each patent applications, expanding interview services, implementing advance notices of reasons for rejecting to the invention applications, and strengthening professional training for examiners. Our top priorities, apart from expediting application examination, are to enhance the functionality of search tools for prior art, improve the quality of written examination decisions, accelerate the revision of the "Guidelines for Patent Examination," implement quality control, make personnel distribution more flexible, and invite experts and scholars to form the Guidance Committee on Patent Examination Quality. Our ultimate objective is to elevate patent examination quality both qualitatively and quantitatively.

### 1. Performance Summary

#### (1) Accelerating the patent examination process

In 2005, 79,442 patent applications were received, which is 7,360 more than in 2004. By the end of 2005, 81,294 applications were pending for substantive examination, which is 4,513 less than 2004 (-5.26%).

In response to the introduction of formality examination for utility model patents from July 1, 2004, the 3,926 pending utility model patent applications filed prior to June 30, 2004 were processed. In order to satisfy the market's need for expedient patenting, the examination period for

design patents and utility model patents were shortened from 11.5 to 11 months and from 6 to 5 months, respectively.

### (2) Improving examination quality and effectiveness

#### a. Comprehensive reform for the elevation of examination quality

A working team for improving patent examination quality was founded to execute the "patent examining quality improvement project." Seven objectives were listed in the project, including accelerating the completion of revisions to the "Guidelines for Patent Examination," examining every claim, expanding interview services, enhancing the functionality of search tools for prior art, improving the quality of written examination decisions, implementing quality control, and holding educational training and case-study workshops. In addition, the Guidance Committee on Patent Examination Quality met aperiodically to review current examination operations and provide suggestions for improving examination quality.

#### b. Provide interview services extensively to facilitate two-way communication

All applications for interview are processed unless they fall under the conditions for rejection as stipulated by Rule 3 of the "Main Points for Patent Interview" or by other inevitable impediments. The interview mechanism allows applicants, inventors, and examiners an opportunity to communicate thoroughly, face-to-face, to greatly enhance the accuracy of examination decisions, circumvent any misunderstanding on the part of applicants, and indirectly reduce the number of cases seeking administrative review.

### **c. Revising standard operation procedures**

In conjunction with the implementation of the revised Patent Act and the revision of the "Guidelines for Patent Examination," relevant standard operation procedures have also been amended, including the "Standard Operation Procedures for Patent Rights Management," "Standard Operation Procedures for Patent Procedural Examination," "Standard Operation Procedures for Invention Examination and Classification Prior to Publication," "Standard Operation Procedures for Utility Model Patent Formality Examination," and "Standard Operation Procedures for Design Patent Examination." In addition, the "Patent Examination Decision Form " was also revised, and "Standard Operation Procedures for Patent Examination" were completed to be in line with current legislation and to improve operation quality.

## **(3) Enhancing public accessibility**

### **a. Establishment of the Patent Express Service Counter**

Following the restructuring of the patent registration process, the Patent Express Service Counter was set up to provide easy access to the public. The Counter provides one-on-one services for cases where patent file reviews are not required, such as patent agent registration, application for certification of priority right, receipt re-issuance, and patent certificate re-issuance. The Counter will provide next-day service at its initial stage of operation, and provide same-day service in the future.

### **b. Implementation of e-mail notification for patent annuities payment**

To be in-line with the e-processing trend, beginning on July 5, 2005, e-mail notification was used as an alternative to traditional mail to notify rights holders and patent agents of annuity payment. Over 260 patent

holders and agents took advantage of this new service in 2005, and the volume of paper notification letters mailed was reduced per month from 14,207 to 8,554. At present, approximately 40% of the notifications are delivered via e-mail. This saves time, labor, and costs, and also simplifies administrative processes. TIPO will continue to promote and expand this service regime.

### **c. Streamline operation processes**

To streamline standard patent rights management procedures, processing time for various applications were reduced. Processing time for inspection of file wrapper requests was reduced from 15 to 10 working days after procedures were simplified and personnel was redistributed; processing time for applications for the alteration of patent right registration, such as patent assignment, licensing, succession, pledge, and trust, was reduced from three months to 30 working days; and processing time for changes to patent registration was reduced from 35 working days in 2004 to 25 working days in 2005.

### **(4) Patent-related publications**

- a. Administrative appeal decisions as well as judicial rulings of the High Court and Supreme Court in 2004 were selected and compiled by the Patent Administrative Dispute Research Team into the "2004 Selected Case Studies of Patent-Related Administrative Litigation Decisions" as reference for strengthening examination decisions.
- b. From the 171 patent-related administrative disputes collected between 2001 and 2004, including cases where procedural examinations of administrative appeals or administrative litigations were conducted, 45 were selected after further categorization and analysis for the compilation of the "Selected Case Studies of Patent Procedural

Examination-Related Administrative Disputes (2001-2004)."

- c. From among 303 patent-related civil rulings from May 2004 to October 2005, 42 with reference to infringement acts were selected and analyzed, and published in the "Analysis of Patent Infringement in Civil Cases " for public reference.
- d. To strengthen the public's understanding of international IPR regulations, the English-Chinese bilingual-version of "Patent Law Treaty and the Regulations under the Patent Law Treaty" was published. With authorization from the European Patent Office, the "Guide for Applicants, Part 1" was also translated into Chinese to help the public understand European patent application procedures and practices.

#### **(5) Compilation of instructional materials for patent training**

Over 100 recent administrative appeal decisions of the Ministry of Economic Affairs (MOEA) and judicial rulings of the Taipei Administrative High Court and Administrative Supreme Court were selected for the compilation of the "2005 Training Manual for Examination Practices in Patent Disputes." This manual illustrates both effective and ineffective methods for writing invalidation decisions. It is also a good reference text for examinations and the processing of administrative review cases.

#### **(6) Enhancement of the patent database**

A comprehensive database for prior art search is crucial to patent examination and also indispensable for innovative R&D. TIPO is committed to the continued enhancement of the patent database to provide references for examiners and the public. Accomplishments in 2005 include:

- a. The 8<sup>th</sup> edition of the Locarno Agreement Establishing an International Classification for Industrial Designs was updated in Chinese by TIPO in September 2005 and took effect on October 1. In accordance with the

updates and new categories included in the 8<sup>th</sup> edition of the Locarno Classification, the design patent search system was upgraded to include new categories and keywords. On October 7, the keywords comparison chart was also revised.

- b. A total of 5,457 items were added to the "Biotech, Medicine, and Traditional Chinese Medicine Patent Database." Patent information in the database comes from Europe, Germany, Japan, Taiwan, the U.K., the U.S., and WIPO, and contains 21,844 items on biotech and medicine, 23,839 items on traditional Chinese medicine, 705,000 items on compound structures, and 660 items on biosequence.
- c. The English bibliographic data and abstracts of 66,758 invention or utility model patents were updated in the English version of the Taiwan Patent Search.
- d. An analysis system was established to provide quick and multi-layered citations as well as citation histories on U.S. patent citations to assist examiners in patent examinations.
- e. Up-to-date patent information from Europe, Japan, the U.S., and other international patent organizations are continuously collected and integrated into the patent database.

### **(7) Providing incentives for R&D**

In order to encourage innovation and foster national industrial and technological development, TIPO enacted the following measures in 2005:

- a. Of the total 249 eligible entries in the 2nd National Invention and Creation Awards hosted by TIPO, a total of 15 received the Invention Award and 38 received the Creation Award (53 total); six Contribution Awards (specially dedicated to patent holders) were also given to six legal persons. The Award Ceremony was held on October 3.



👤 President Chen Shui-Bien presents National Invention and Creation Award prizes.

- b. To encourage R&D and innovation and to increase technology trade volume, the 2005 Taipei International Invention Show and Technomart was launched at the Taipei World Trade Center from September 29 through October 2, 2005, under the theme "Get to Know Taiwan, Set Foot in Taiwan, Invest in Taiwan." This milestone event integrated the National Invention Show and Taiwan Technomart, and was jointly sponsored by the MOEA, National Science Council (NSC), Ministry of Defense, Council of Agriculture, and Ministry of Education, planned by the Industrial Development Bureau, Bureau of Energy, Small and Medium Enterprise Administration, Department of Industrial Technology, and Industrial Technology Research Institute, and organized by the Taiwan External Trade Development Council and Taiwan Technology Marketplace. Invited foreign exhibitors included inventor organizations and enterprises from Europe, Japan, Korea, and the U.S., showcasing over 1,000 inventions and attracting over 40,000 foreign and local

buyers and other visitors. The Technomart area was set up to showcase R&D achievements of government-guided academic and industry cooperation, as well as winners of the National Invention Award, Industrial Technology Development Award, and Small and Medium Enterprises Innovative Research Award. This comprehensive presentation of recent local R&D and innovative achievements will help to increase both domestic and international investment opportunities and technology trade.



🔄 The signatory ceremony for technology trade at the opening of the "2005 Taipei International Invention Show and Technomart." A total of NT\$350 million-worth of contracts were signed during the Show.

- c. Through the TIPO patent commercialization website and the patent commercialization awareness and education DVD, TIPO, in its capacity as patent information provider, is continuously providing necessary information and assistance for patent commercialization to independent inventors to create economic benefits. By the end of 2005, the industrial technology suppliers and buyers registry had recorded a total of 5,754

successful business matches. Nine related seminars were also held and attended by a total of 628 participants.

## 2. Amendments

### (1) Formulation of the Patent Attorney Act

Coinciding with the promotion of a knowledge-based economy and industrial development, and to establish a sound IPR environment, it is necessary to establish a management mechanism for patent professionals, including patent agents, to protect the rights of the applicants. TIPO has been active in promoting the legislation of the Patent Attorney Act so as to offer high quality professional services, establish a certification system, strengthen patent agent management, and protect the rights of applicants. The draft bill was completed in 2005 following two public hearings, reviewed by the Executive Yuan, and delivered to the Legislative Yuan on December 14 for further legislative processes. This is a benchmark for the establishment of a national management system for patent agents and attorneys.

### (2) Revision of "Regulations Governing Awards for Inventions and Creations"

Articles 1, 6, and 7 of the "Regulations Governing Awards for Inventions and Creations" was revised and promulgated on March 17, 2005, and took effect on March 19, 2005.

### (3) Revision of "Guidelines for Patent Examination"

#### a. Promulgating 'Section One: Procedural Examination' of the "Guidelines for Patent Examination"

In essence, Taiwan's Patent Act covers both substantial and procedural laws regulating the procedural, formality, and substantial conditions for

granting and revoking patents. Under the "procedural precedes substantial" principle, procedural examination is the prerequisite for formality and substantial examinations. Therefore, regardless of whether the application is in its examination, reexamination, or invalidation stage, it is closely tied to procedural examination. For this reason, TIPO drafted the Procedural Examination section of the "Guidelines for Patent Examination," which took effect on May 20, 2005.

### **b. Comprehensive revision of the "Guidelines for Patent Examination"**

Pursuant to the promulgation of the Patent Act of October 24, 2001 and February 6, 2003, and the "Implementing Regulations of the Patent Act" of April 7, 2004, TIPO began to revise the "Guidelines for Patent Examination" accordingly. In 2005, TIPO completed revising the following items: (1) the completion, promulgation, and implementation of Chapters 1 through 6 of Section 3-'Substantial Examination for Design Patent'. (2) The completion of the draft 'Patent Invalidation and Ex Officio Examination' portion in Section 5, Chapter 1. (3) The completion of preliminary drafts for Section 2, Chapter 9-'Computer Software Related Invention', Chapter 10-'Chemical Invention', Chapter 11-'Biotechnological Invention', and Chapter 12-'Traditional Chinese Medicine Invention'. These standardized guidelines will assist examiners in making impartial judgments to ensure the objectiveness and consistency of patent examinations.

## **3. Education and Training**

- (1) A total of 23 examiners participated in the 120-hour 2005 Patent Examiner

Training from October 17 through November 11.

- (2) A total of 344 part-time patent examiners took part in four "2005 Examination Practice for Part-Time Patent Examiners" seminars.
- (3) A total of 14 training sessions were provided for assistant patent examiners. Training included 14 lectures on case studies on disputed examination, examination practices for patent appeals, administrative litigations for dispute cases, examination guidelines for dispute cases, case studies on administrative disputes, interview and examination practices, writing examination decisions for dispute cases, the Integrated Circuits Layout Protection Act, the submission and revision of specifications and drawings, examination correction guideline, and the U.S. Patent Act.
- (4) Pursuant to the updated "Criteria Governing Technical Evaluation Report for Utility Model Patent", six workshops were held for 261 patent examiners to better understand the writing and production of the utility model patent technical evaluation report.
- (5) To elevate patent examination quality, six sessions of the "Examination Practices for Patent Dispute Cases" were held for 131 participants, to strengthen their understanding of administrative litigation rulings and writing methods for invalidation decisions.
- (6) Two explanatory workshops on Chapters 5 to 7 of the "Guidelines for Invention Patent Examination" were held to help examiners understand Guideline revisions.
- (7) Six trainings on patent classification were held for 230 examiners to enhance their knowledge on international patent classification.
- (8) Two explanatory meetings on the operation of, and procedures for digital audiovisual recording systems used for Interviews were held for 160 attending staffs to enhance interview quality.

- (9) IPR experts from the National Institute of Industrial Property of France, the Japan Patent Office, and the U.S. Patent and Trademark Office were invited to give lectures and exchange experiences.
- (10) A total of 31 TIPO staffs were selected to attend patent-related trainings offered by the European Patent Office, the Japanese Research Institute of Economy, Trade, and Industry, and the U.S. Patent and Trademark Office.
- (11) Four study tours were organized to visit the Chinese Petroleum Corp., Media Tek Inc., Hannspree, Inc., and Runhorn Pretech Engineering Co., Ltd.
- (12) Other training activities included regular trainings for new staff, seminars on patent-related operations, symposiums on patent examination cases, and trainings on patent classification.

### 4. Operation Analysis

The following is a statistical analysis of patent applications and grants in 2005:

#### (1) Patent applications

Patent applications increased steadily in 2005, during which a total of 79,442 applications were filed, an increase of 7,360 applications (10.21%) from 2004. Invention patent applications accounted for 47,841 of applications filed. Analysis by nationality indicates 47,721 applications filed by ROC nationals and 31,721 filed by foreign nationals.

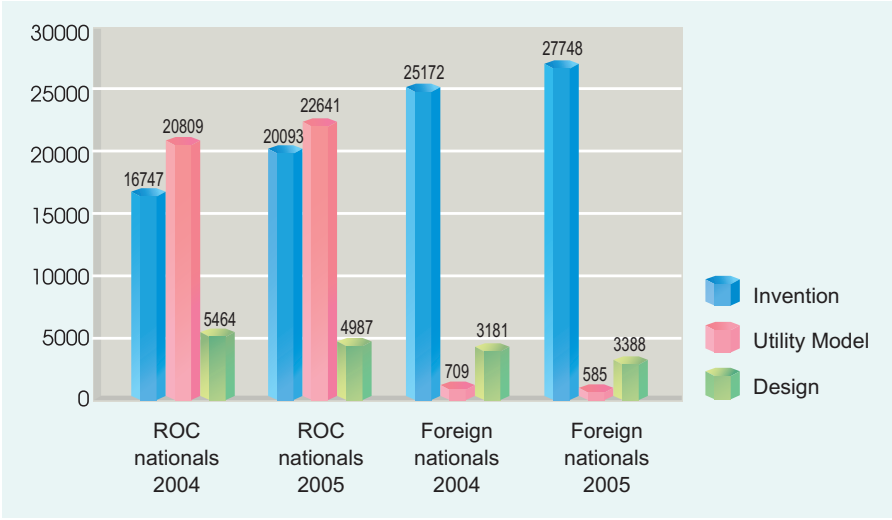
Patent applications in Taiwan soared from 47,055 in 1996 to 79,442 in 2005, with a growth rate of 68.83% in one decade. Applications for invention patents filed by ROC nationals numbered 20,093 in 2005, a 684% increase from the 2,938 in 1996. Statistics indicate that the emphasis placed on innovative R&D, along with the great investment of

personnel and resources by the industrial, academic, and government sectors, have contributed greatly to the obvious progress of domestic industrial technology.

### Patent Applications in 2004 and 2005

<div>Item</div> <div>Year</div>	Invention	Utility Model	Design	Total
Total cases in 2005	47,841	23,226	8,375	79,442
Percent to Total	60.22%	29.24%	10.54%	100.00%
Total cases in 2004	41,919	21,518	8,645	72,082
Percentage change	14.13%	7.94%	-3.12%	10.21%
ROC nationals 2005	20,093	22,641	4,987	47,721
Percent to Total	25.29%	28.50%	6.28%	60.07%
Total cases in 2004	16,747	20,809	5,464	43,020
Percentage change	19.98%	8.80%	-8.73%	10.93%
Foreign nationals 2005	27,748	585	3,388	31,721
Percent to Total	34.93%	0.74%	4.26%	39.93%
Total cases in 2004	25,172	709	3,181	29,062
Percentage change	10.23%	-17.49%	6.51%	9.15%

### Patent Applications in 2004 and 2005



### (2) Certificates published

A total of 57,236 patent certificates were published in 2005. By categories, utility model patents accounted for 30,118, invention patents for 20,626, and design patents for 6,492. By nationality, 42,324 were filed by ROC nationals, and 14,912 by foreign nationals.

The Patent Act of July 2004 adopts formality examination for utility model patent applications, which greatly enhanced examination efficiency and increased the number of certificates published. In 2005, 29,328 utility model patent certificates were published, which accounted for 51.24% of the total.

#### Published Certificates in 2005: By Nationality

Item Nationality	Invention	Utility Model	Design	Total
Total cases in 2005	20,626	30,118	6,492	57,236
Percent to Total	36.04%	52.62%	11.34%	100.00%
ROC nationals 2005	9,124	29,328	3,872	42,324
Percent to Total	15.94%	51.24%	6.76%	73.94%
Foreign nationals 2005	11,502	790	2,620	14,912
Percent to Total	20.10%	1.38%	4.58%	26.06%

### (3) Reexamination

There was a distinctive 73.19% decrease of invention patent reexamination cases in 2005, numbering just 1,428, as opposed to 5,528 in 2004. For

design patents, the number decreased 41.65%, from 521 to 304 cases. These significant reductions show that the implementation of examining every claim, the issuance of advance notices of reasons for rejecting the applications, and the enhancement of interview services have greatly reduced the number of applications for reexamination.

#### **(4) Opposition and invalidation**

In 2005, there were a total of 1,583 patent opposition and invalidation cases, a 21.17% decrease from 2,008 in 2004, indicating the number of appeals to examination and reexamination results has decreased.

#### **(5) Administrative review**

The number of administrative appeals against reexamination, opposition, and invalidation decisions decreased from 1,242 in 2004 to 1,085 in 2005, indicating that the number of appeals to reexamination, opposition, and invalidation decisions has also decreased.

## **B. Trademark**

A trademark is a distinctive mark that identifies certain goods or services as those produced or provided by a specific person or business. In light of the rapid development in commercial and industrial internationalization, new forms of commercial activities are constantly being introduced to meet with the challenges of globalization. ROC nationals are becoming more and more aware of the importance of brand name and IPR protection. As the competent authority for trademark affairs, TIPO aims to establish a sound environment for trademark protection in pursuit of securing business opportunities, protecting consumers' interests as well as fair market competitions. Substantial trademark achievements in 2005 are as follows:

### 1. Performance Summary

#### **(1) Establishment of the Trademark Examination Quality Improvement Work Team**

To secure the quality and improve the efficiency of trademark examination, a Trademark Examination Quality Improvement Work Team was established in 2005. Under the active operation of the team, 10 monthly assemblies and 26 meetings had been held by the end of 2005 to help improve examination quality. The working of the team helped streamline trademark practice, compile domestic and international trademark examination-related data, modify sub-classes for goods and services, improve operational performance for examination, and review examination quality. It is particularly helpful in ensuring consistency as well as enhancing administrative efficiency for trademark examination.

#### **(2) Expedite the processing of trademark applications filed before the end of 2003**

The 3,347 trademark applications filed before the end of 2003 that were still pending decisions at the beginning of 2005 were processed efficiently under regular monitoring and scrupulous evaluation and control, and were reviewed by the members of the Examination Quality Improvement Work Team to provide suggestions for possible solutions. By the end of 2005, 2,809 (83.93%) of these pending applications were processed.

#### **(3) Reduce the time needed for processing trademark applications**

In 2005, 67,935 trademark applications were processed. This is a 2.39% growth from the 66,352 applications in 2004. The average time needed per application in 2005 is 8.09 months, which is 0.33 month shorter than the 8.42 months in 2004. The number of pending applications in 2005 (42,858 cases) is also less than in 2004 (43,253 cases).

#### **(4) Enhance functionalities and services for trademark search system**

TIPO and Chunghwa Telecom Co., Ltd. developed and established the Trademark Four-in-One System in 2002, and went online on October 18, 2004. The Trademark Distant Search System and Trademark E-Bulletin Web Search System are set up on TIPO's website and are available to the public. The Trademark Word Search System and Trademark Figurative Elements Search System are for examiners only. To enhance public accessibility, TIPO commissioned Chunghwa Telecom Co., Ltd. through BOT to plan the Trademark Four-in-One Advance System to allow public access to the word and figurative elements search systems, as well as to add search functions for trademark right status. This advance system will be activated in 2006.

#### **(5) Revise "Analysis for Trademark Figurative Elements Classification Data"**

To streamline examination procedure, examiners who are familiar with trademark figurative elements classifications were assigned to revise the classifications and definitions of trademark figurative elements. Training was held to familiarize examiners with the data and 63 examiners participated. The revised data of trademark figurative elements classification is available to examiners.

#### **(6) Increase volume of trademark reference materials**

Trademark examiners translated the Australian Trade Marks Act 1995 and the Australian Trade Marks Manual of Practice and Procedure as future training materials for examiners to better understand foreign trademark examination systems and practices, as well as to improve examination quality. The translated Australian trademark-related examination guidelines

contains 380,000 words and were placed on the TIPO website for public access.

### **(7) Review of trademark legislations**

To follow up on the public opinions received after the Trademark Act Amendment in 2003, and to keep abreast with the international trend in trademark legislations, the "Research Project on Trademark Act and Suggestions for Substantial Amendments" was completed in November 2005 to provide a more comprehensive legal framework.

In addition, classification systems for goods and services in other countries were collected for reference. Possible solutions to classification problems in Taiwan were proposed so that classification in Taiwan can be in line with international trends, and trademark examination efficiency elevated. In October 2005, a "Study on the International Classifications of Goods and Services & Similarity of Goods and/or Services in Taiwan" was also completed.

## **2. Amendments**

### **(1) Enacting "Operational Procedures on Hearings for Trademark Dispute Cases"**

A trademark dispute involves the interests of both parties. Since public hearing mechanisms for trademark disputes in advanced countries has proved useful in allowing trademark disputes to be dealt with accurately and promptly, TIPO commenced drafting the "Operational Procedures on Hearings for Trademark Dispute Cases" in accordance with Article 107, Paragraph 2 of the Administrative Procedure Act, with reference to the implementation experience of trademark hearing systems in other countries. The said procedure was promulgated and took effect on

February 15, 2005. Relevant administrative decisions are to be rendered after hearings to avoid administrative appeals and related preparatory proceedings, reaching the goal of minimizing the use of resources in administrative remedies.

## **(2) Coordination of the Fair Trade Act and Trademark Act**

Current provisions for well-known trademark and trade dress in the Trademark Act and Fair Trade Act are in many instances overlapping or supplementary to one another. To ensure normal market competitions and orders as well as to harmonize our legal system to protect public interests, TIPO invited the Executive Yuan Fair Trade Commission (FTC) to discuss the coordination of the Trademark Act and Fair Trade Act. In this inter-agency meeting, a review of the two Acts was carried out to coordinate future amendments. The first inter-agency meeting was held on December 22, 2004 to discuss adjustments within the two Acts. Trademark Act amendments were drafted after the first meeting. Upon the second meeting on May 24, 2005, a common ground was reached.

## **(3) Amendments of "Main Points for Advance Notices of Reasons for Disapproving Trademark Applications"**

To meet the need of trademark examination practices, Rule 3 of the "Main Points for Advance Notices of Reasons for Disapproving Trademark Applications" was amended, promulgated, and became effective on October 7, 2005, stipulating that, "Within the said prescribed time limit, the applicant may state his opinions or limit the designated goods or services which are in conflict with the prior registered trademark, and may provide facts and solid evidence in his favor." Rule 5 was deleted.

### 3. Education and Training

#### **(1) Professional training for trademark examiners**

- a. Professional training for trademark examiners was conducted between July 25 and August 17, 2005. Twenty trademark examiners completed the 125-hour training.
- b. Professional training for assistant trademark examiners was held for new trademark examiners. Six assistant trademark examiners completed the 120-hour training.

#### **(2) Overseas study tours for trademark examiners**

To give trademark examiners an opportunity to learn about the different trademark systems of different countries, and to help broaden their international outlook, four trademark examiners were sent to visit the U.S. Patent and Trademark Office and trademark law firms in the U.S. between November 12 and 21, 2005. In addition, six trademark examiners were sent to IP Australia between November 20 and 28, 2005 for advanced study and to visit its state office, to learn how to increase services in our own branch offices.

#### **(3) Seven seminars to share examination experiences**

Seven seminars were held to provide examiners with an opportunity to share examination experiences, familiarize themselves with international trademark affairs, and share overseas learning experiences. A total of 494 participants attended the seminars.

#### **(4) Sixteen seminars to explain classifications of goods and/or services**

To foster trademark examiners' professional ability in examination of classifications for goods and/or services, 16 seminars on classifications of

goods and/or services were held in 2005. At the seminars, examiners were separated into different groups to share experiences on matters concerning Nice Classifications and examination practices for goods and/or services in Taiwan, in hopes of achieving examination consistency. A total of 959 people participated in the seminars.

## 4. Operation Analysis

### (1) Applications

In 2005, 63,580 trademark applications were filed. This is 1,913 more than the 61,667 filed in 2004, with a growth rate of 3.10%. Applications filed by ROC nationals accounted for 79.05% with 50,263 applications, while applications filed by foreign nationals accounted for 20.95% with 13,317 applications. There were 76,838 applications by classes in 2005, 4,188 more than in 2004, with a growth rate of 5.76%.

#### Trademark Applications 2005

Type Item	Application			Published Registration		
By Application	Total	ROC nationals	Foreign nationals	Total	ROC nationals	Foreign nationals
	63,580	50,263	13,317	55,181	42,782	12,399
By Class	76,838			63,759		

#### Variation of Trademark Applications 2004~2005

Type Item	Application		Published Registration	
	By Application	By Class	By Application	By Class
2005	63,580	76,838	55,181	63,759
2004	61,667	72,650	54,912	56,056
Percentage change	3.10%	5.76%	0.49%	13.74%

### (2) Published registrations

55,181 applications were approved and registered in 2005, which is 269 more than in 2004. Applications filed by ROC nationals accounted for 77.53% with 42,782 applications and applications filed by foreign nationals accounted for 22.47% with 12,399. By classes, there were a total of 63,759 published registrations, an increase of 7,703 (13.74%) from the previous year.

### Top Ten Classes of Trademark Applications (By classes of goods and/or services)

Goods and Services		2005		No. of Applications in 2004	Percentage change %
Class	Description	No. of Applications	Percentage		
9	Scientific apparatus, audiovisual recording and electricity transmitting instruments	6,618	8.61	6,508	1.69
35	Advertising, business management	6,101	7.94	5,404	12.90
3	Laundry accessories, bleach, soap, and cosmetics	5,750	7.48	5,297	8.55
5	Pharmaceuticals, food for medical purposes, disinfectants	5,458	7.10	5,660	-3.57
25	Clothing, footwear, and headgear	5,349	6.96	4,966	7.71
30	Coffee, tea, sugar, spices	4,638	6.04	4,425	4.81
43	Services for providing food and drink; temporary accommodation	3,606	4.69	3,070	17.46
41	Education, entertainment, and cultural activities	2,632	3.43	2,480	6.13
29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables	2,523	3.28	2,396	5.30
16	Papers, printed matter, and other office requisites	2,453	3.19	2,454	-0.04

Note: This table is compiled according to the Trademark Application Statistics Table in the appendix - "Statistics Table for Trademark Application and Registration by Class." For more classifications, please refer to the table.

## **Top Ten Classes of Trademark Registrations (By classes of goods and services)**

Goods and Services		2005		No. of Registrations in 2004	Percentage change %
Class	Description	No. of Registrations	Percentage		
9	Scientific apparatus, audiovisual recording and electricity transmitting instruments	6,169	9.68	5,443	13.34
5	Pharmaceuticals, food for medical purposes, and disinfectants	5,054	7.93	4,676	8.08
35	Advertising and business management	4,787	7.51	4,108	16.53
3	Laundry accessories, bleach, soap, and cosmetics	4,439	6.96	4,313	2.92
25	Clothing, footwear, and headgear	4,180	6.56	3,581	16.73
30	Coffee, tea, sugar, spices	3,749	5.88	3,159	18.68
43	Services for providing food and drink; temporary accommodation	2,460	3.86	1,979	24.31
41	Education, entertainment, and cultural activities	2,083	3.27	1,846	12.84
29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables	2,081	3.26	1,853	12.30
16	Papers, printed matter, and office requisites	2,054	3.22	1,881	9.20

Note: This table is compiled according to the Trademark Application Statistics Table in the appendix - "Statistics Table for Trademark Application and Registration by Class." For more classifications, please refer to the table.

## C. Copyright

Copyright protection in Taiwan is now in line with international standards after the Copyright Act revisions in 2003 and 2004. These revisions, fulfilling the purposes of protecting the rights and interests of authors with respect to their

works, balancing different interests for the common good of society, and promoting cultural development, have greatly enhanced Taiwan's international image for IPR protection.

Under the framework of existing legislation, TIPO fully engaged itself in 2005 to provide supervision and guidance to copyright intermediary organizations, facilitate the use and fair use of copyright, implement copyright education and awareness, strengthen campus IPR awareness, and initiate "Copyright Authorized Document Inspection for Export of Audio-visual Works and OEM Audio CDs" to effectively ensure a convenient process for Customs clearance of international trading of copyrighted works.

### 1. Performance Summary

#### **(1) Formulating procedures for the inspection of copyright infringement cases in compliance with the 2004 Copyright Act revisions**

TIPO completed the "Flowchart and List of Applicable Legislations for the Inspection of Audio-visual Optical Disk Rental Shops Infringing on Copyrights" and "Flowchart for Inspecting Karaoke/KTV, Restaurants, Hotels, and Karaoke Machines Retail Shops Infringing on Copyrights" for police and investigators implementation.

#### **(2) Supervision and guidance for copyright intermediary organizations**

- a. In 2005, the Copyright Examination & Mediation Committee convened 12 times to examine issues related to royalty reviews and other copyright-related matters. Concrete conclusions reached through the consultancy and conference of Committee members duly facilitated the promotion of intermediary operations.

- b. Four sessions of the Intermediary Operations Exchange Seminar were held to provide a platform for domestic intermediary organizations to facilitate better understanding of copyright licensing operations.
- c. Information provided by intermediary organizations on copyright licensing channels was placed on the TIPO website on April 18, 2005. This information protects user-rights by providing a clear understanding of the limitations of intermediary organization authority, preventing repeat applications for licensing.
- d. In order to establish a just and objective annual review system for copyright intermediary organizations, the 2004 review of copyright intermediary organizations took place on April 28, 2005. On August 12, awards were presented to exemplary copyright intermediary organizations by TIPO.
- e. The Copyright Licensing Information Express Service Desk was established on July 20, 2005 to facilitate users' obtaining copyright licensing information.
- f. The "Guidelines Governing Intermediary Operations of Copyright Intermediary Organizations" was completed on September 26, 2005, and delivered to all copyright intermediary organizations.

### **(3) Compilation of copyright awareness publications and pamphlets**

A number of promotional materials on copyright protection were published for public use and Internet awareness promotions:

- a. "Existing Copyright Regulations"
- b. "Introduction to the Nature and Functions of Copyright Intermediary Organizations"
- c. "All You Need to Know About IPR "

- d. "Copyright Issues Relating to Using File-Swapping Software to Download Music From the Internet"
- e. "Legal Liabilities for Transmitting Copyrighted Works via BT or Emule P2P Software"
- f. "Legal Liabilities for Giving Out Software Serial Numbers for Installation"
- g. "Internet Copyrights 1, 2, 3"

#### **(4) Completion of legislative research on copyright regime**

To strengthen Taiwan's protection of copyright related rights and provide better protection through the Trade Secrets Act, comprehensive research of foreign practices were conducted as reference for future legislation. In 2005, 11 research projects were completed:

- a. "Copyright Protection for Broadcasting Organizations"
- b. "A Study on the International Trend for Terms of Protection on Economic Rights of Copyright"
- c. "A Study on Trade Secret Legal Regime"
- d. "A Study on Copyright Levy System "
- e. "Studies on the Collective Management of Copyrights and Related Rights for Literary Works"
- f. "Research on the Licensing of Copyright in Digital Content Industry"
- g. "Research on the Copyright Acts and the Related Amendments in Singapore and Australia"
- h. "The Current Development and Related Revision of Japan's Copyright Act"
- i. "A Study on the Impacts of Copyright Infringement on the Industry in the Digital Age"
- j. "Studies on the Collective Management of Copyrights and Related Rights by the World Intellectual Property Organization"

k. "A Study on the Mechanism to Promote Free Copyright Licensing"

#### **(5) Provide public inquiry operations**

In 2005, 2,000 telephone calls and 280 e-mails were received by TIPO, in its capacity as an easy and direct access window for public inquiry regarding the application of copyright regulations.

#### **(6) Continuous copyright awareness promotion**

In 2005, TIPO continued its use of mass media channels and other multifaceted tactics for a comprehensive public awareness promotion. Promotional tools included interactive online games, IPR educational outreach lectures and seminar series, campus awareness promotions, copyright licensing mechanism promotion seminars, TV programs and promotional clips, promotional optical disks (ODs), advertisements on printed and electronic medias, and placement of promotional posters and flyers in airports and MRT stations.



➡ Active participations at the "Game Characters' Costume Contest."

## **2. Amendments**

### **(1) Revision of copyright regulations**

a. In accordance with Criminal Code revisions whereby provisions on career criminals were deleted, TIPO submitted the explanatory and comparison chart of articles for the draft Copyright Act revision to the

MOEA. Draft revisions have been approved by the Executive Yuan, and submitted to the Legislative Yuan for review.

- b. Pursuant to the 2004 revisions, administrative orders for the subparagraphs of Article 80*ter*, Paragraph 3 of the Copyright Act were formulated.

### **(2) Revision of the "Directions for Inspection of Export of Audio-visual Copyrighted Works and OEM Audio CDs" and copyright authorization document inspection forms**

Pursuant to the addition of Article 9*bis* of the Optical Disk Act, promulgated in May 2005, a business entity which manufactures and exports pre-recorded ODs may be exempted from the liability of Article 235 of the Criminal Code when the following requirements are fulfilled: (1) the entity has received authorization documentation from foreign right holders and the ODs are for exports only and will not be distributed, transmitted or sold in Taiwan; (2) the exporter has submitted a pledge stating the exportation is in no violation of the laws and regulations of the importing country. The "Directions for Inspection of Export of Audio-visual Copyrighted Works and OEM Audio CDs" and copyright authorization document inspection forms were amended accordingly to provide manufacturers with better and more expedient service, thereby stimulating industrial development.

### **(3) Review and revision of copyright related regulations in accordance with the drafting of the Digital Content Industry Development Act**

In coordination with the Executive Yuan's promotion of digital content industry development, and with the assistance of experts and scholars, the MOEA Industrial Development Bureau has drafted the Digital Content Industry Development Act to include copyright-related articles, such as

"established copyright pledge registration" and "legal licensing with unknown copyright holders." The relevant information will be placed on the TIPO website in due course to ensure distributable protection, and to facilitate digital content industry development.

### **3. Coordination of Copyright Intermediary Affairs**

In 2005, TIPO continued to provide a communication channel between copyright holders and users, establishing communication platforms according to differentiated objectives and needs, in pursuit of both parties' best interests as well as social stability.

- (1) To settle the dispute concerning audio-visual copyright remunerations between hotel-businesses and copyright intermediary organizations, said parties were invited for conferences on July 29, September 27, and November 30, 2005 so that hotel-businesses could use audio-visual works legally, and business opportunities can be created for both parties.
- (2) To assist the Government Information Office in setting up an audio-visual platform, TIPO diligently coordinated contact with copyright holders' organizations and participated in relevant conferences to resolve copyright licensing related issues.
- (3) To assist the National Institute for Compilation and Translation (NICT) with resolving issues relating to copyright licensing of digital works, TIPO participated in several meetings of the NICT taskforce for copyright-related legislation.
- (4) To assist the Taiwan Computer United Association (TCUA) with matters concerning the use of licensed computer software on campus, TIPO invited the Information Service Industry Association of ROC, Microsoft Taiwan Corporation, and Business Software Alliance (BSA) Taiwan to negotiate

the improvement of software product supply and demand. Moreover, TIPO actively facilitated a reciprocal licensing mechanism between TCUA and Microsoft Taiwan Corporation, and will continue to actively participate and promote mutually beneficial situations for copyright holders and users.

- (5) TIPO invited KTV and karaoke video businesses to negotiation meetings on March 8, June 10, July 27, September 22, November 14, and November 24, to mediate licensing issues involving the reproduction of VHS karaoke videos in VOD format by KTV owners. On December 23, 2005, TIPO further invited the Ministry of Justice and FTC to exchange opinions in a seminar for KTV business related issues, which should have a positive outcome for KTV businesses.
- (6) TIPO invited copyright holder organizations and ISPs to negotiate the management mechanism for an industry agreement on Internet copyright infringement.
- (7) On September 5 and 22, 2005, TIPO invited the Consumer Public Performance Remuneration Association Taiwan, Music Copyright Association Taiwan (MCAT), and Music Copyright Intermediary Society of Chinese Taipei (MÜST) to negotiate public performance remuneration from KTV companies. After the October 18 and November 23, 2005 meetings of the Copyright Examination & Mediation Committee, it was concluded that: "KTV companies are bound by legal obligations, while providing consumers with public performance opportunities, to acquire licensing from and provide remuneration to copyright holders. Without licensing, the KTV companies shall be subject to civil and criminal liabilities." Conclusion were compiled and provided to the public as reference.

## 4. Operation Analysis

### (1) Copyright management

In 2005, copyright administrative operations included the processing of four applications for plate right registration, one application for the establishment of a copyright intermediary organization, and two compulsory licensing registrations for musical works.

### (2) Inspection of copyright licensing documents

In 2005, 42,946 cases on copyright licensing inspection were processed (a total of 353,408,510 disks, including 305,449,069 audio-visual works disks and 47,959,441 laser disks), a growth of 1.97% from 2004.

#### Inspection of Copyright Licensing Documents in 2005

Unit: Case, %

Location of Inspection No. of Cases	TIPO	Inspection Center			Total
		Taichung	Kaohsiung	Subtotal	
No. of Cases	42,079	822	45	867	42,946
Percentage	97.98%	1.91%	0.11%	2.02%	100.00%



# International Cooperation

International exchange has intensified in the globalization era, and countries around the globe are working together to strive for the prosperity and development of society through cooperation and harmonization. As a member of the global society, Taiwan is committed to the development and protection of IPR to promote and develop local industries and culture, and to be in compliance with the global standard. In 2005, TIPO participated actively in WTO and TRIPS Council activities, IPR-related APEC meetings and negotiations, and exchanges with Australia, France, and New Zealand authorities, to achieve mutual understanding, information exchange, and technical cooperation.

Multilateral and bilateral IPR exchange operations in 2005 include:

## A. Multilateral Relations

### 1. WTO/TRIPS/ WIPO Affairs

- (1) TIPO attended the regular and special meetings of TRIPS in Geneva on June 14 through 17 for negotiations on the current development of TRIPS-related geographical indications, TRIPS, CBD (Convention on Biodiversity) relations, and public health issues.
- (2) TIPO participated in the regular and special meetings of TRIPS in Geneva on October 25 through 28, in preparation for the 6<sup>th</sup> WTO Ministerial Conference in Hong Kong in December, where negotiations of TRIPS related issues were to take place.
- (3) TIPO prepared domestic IPR-related data for Taiwan's first Trade Policy

Review (TPR) to be conducted in 2006 since its accession to the WTO. The WTO/TPR Body (TPRB) visited and interviewed TIPO on November 1 regarding Taiwan's current IPR issues and development.

- (4) TIPO continued to exchange opinions with WIPO officials during WTO and APEC meetings, and responded to the request made by the International Bureau of WIPO to provide protections according to the Paris Convention, thereby establishing a connection with WIPO.

## 2. APEC Affairs

- (1) TIPO reported Taiwan's current progress for IPR protection at the 20<sup>th</sup> Meeting of APEC/IPEG (IPR Experts Group) in Seoul, Korea on February 22 and 23, including data-exclusivity protection provided by Pharmaceutical Affairs Act revisions, trademark infringement related regulations amended to the Customs Anti-Smuggling Act, and penalty standards for the import and export of infringing products; the establishment of existing border control measures and the IPR Service Center were also presented. In addition, at the February 24 and 25 Seminar on the Dissemination and Use of Digital Economy and IPR-data, on the topic of experiences with establishing IPR management guidelines, TIPO reported on government strategies for the enhanced guidance of industry R&D, and the appropriate use and management of IPR. Much exchange took place with other member economies.
- (2) TIPO reported on Taiwan's "Implementation Plan for Strengthening Preventive Measures Against Internet Infringements," enforced from May 1, 2005, at the 21<sup>st</sup> APEC/IPEG meeting and Seminar on Cybercrime in Manila, the Philippines, on August 2 through 5. It was a great opportunity to gather and exchange experiences, as well as seek opportunities for

cooperation among other representatives.

- (3) TIPO presented Taiwan's current situation and achievements for strengthening Internet infringement prevention and IPR protection implementation at the APEC High-level Symposium on IPR in Xiamen, China on September 7 and 8, where it also exchanged experiences and opinions with the representatives of WTO, WIPO, and APEC members.
- (4) TIPO also attended the "APEC-USPTO Workshop on Developing a Successful Intellectual Property Enforcement Regime" in Bangkok, Thailand on October 3 through 5.

## B. Bilateral Relations

### 1. Bilateral Communications

#### (1) Participation in bilateral economic and trade conferences

In the Taiwan-E.U. Consultation Meeting, Taiwan-U.K. Consultation Meeting, and Taiwan-Japan Economic and Trade Consultation Meeting, officials discussed Taiwan's IPR protection achievements and anti-piracy enforcement, IPR legislation in both countries, as well as personnel exchange.

#### (2) Participation in FTA/IPR negotiations

Negotiations with Guatemala on IPR Chapter were finalized and an agreement signed on September 22, 2005.

#### (3) Promotion of bilateral IPR cooperation agreements

IP Australia Director-General, Dr. Ian Heath, invited TIPO Director-General Tsai to Australia for a bilateral meeting on May 1 through 5. Both parties exchanged opinions on important issues in WIPO-led meetings on the integration of substantive patent regulations, Australia's Digital Agenda Act, experiences with the e-filing process, TIPO trademark inquiry and

management systems, and the operation of the Institute of Patent and Trade Mark Attorneys of Australia (IPTA). The mutual exchange of electronic operations and biochemical patents officials was also discussed. The meeting was recorded and signed by both parties, greatly facilitating bilateral IPR cooperation.

On May 5 through 7, 2005, Director-General Tsai and TIPO management officials visited Director-General Neville Harris of the Intellectual Property Office of New Zealand, to discuss bilateral cooperation. The meeting record was signed following the meeting.

#### **(4) Hosting the 7<sup>th</sup> Meeting of the Taiwanese-French Commission on Industrial Property**

The 7<sup>th</sup> Meeting of the Taiwanese-French Commission on Industrial Property, co-hosted by TIPO Director-General Tsai and Director-General Benoit Battistelli of the National Institute of Intellectual Property of France, took place on November 8 in Taipei. Both parties presented reports on operations progress since the 6<sup>th</sup> meeting, and reviewed and discussed the existing and future technological cooperation items.




 The 7<sup>th</sup> Meeting of the Taiwanese-French Commission on Industrial Property.

## 2. Diverse Exchanging Activities

### (1) International conference sponsorship and participation

Two international trademark conferences were convened in 2005. On March 10, TIPO and the International Trademark Association (INTA) co-hosted the TIPO-INTA Examination Guidelines Roundtable. Over 40 participants joined in the exchange, including TIPO trademark examiners, experts and scholars, the MOEA Committee of Appeal, the FTA, and INTA members in Taiwan. On October 20 and 21, the 2005 Taipei Symposium on Trademark Law and Policy was held at the Taipei International Convention Center. Vice-Premier Wu Zong-Yi of the Executive Yuan gave the opening speech. A total of 183 participants included high-ranking trademark management officials from Australia, the E.U., Hong Kong,



 The 2005 Taipei Symposium on Trademark Law and Policy.

Japan, Singapore, Taiwan, and the U.S., as well as local judges, officials of the FTC and the MOEA Committee of Appeal, trademark attorneys, experts, scholars, and TIPO trademark examiners.

TIPO Copyright Division Director Margaret Chen was invited to the Computer Software International Symposium, where she spoke on the current development of computer software protection in Taiwan. The event took place from November 9 through 11 in Korea, and was hosted by the Korean Program Deliberation Mediation Committee (PDMC).

## **(2) Personnel training and education**

TIPO personnel were sent to IP Australia, the European Patent Office, Japan Patent Office, and U.S. Patent and Trademark Office for training and operations exchange. Foreign experts were also invited to give lectures and keynote speeches. For instance, two trademark experts from the INPI gave an interactive session on how to use trademark search systems to identify counterfeit, well-known, and untraditional trademarks in France. Examiners from the Japan Patent Office spoke on "Practices on Registrability Report for Utility Model in Japan" and interacted with the TIPO examiners present. Furthermore, in order to better understand and integrate with the international copyright framework and practices, we invited Ms. Andrea Wechsler from the Max Planck Institute in Germany to elaborate on "E.U. Regulations Concerning Technological Protection Measures."

## **(3) Provide information and database**

Taiwan's patent information was translated and provided to the European Patent Office, Thomson Scientific Co., Ltd., and Chemical Abstracts Service (CAS) and integrated into esp@cenet, the World Patent Index (WPI), and the Scientific and Technical Information Network (STN)

databases. In addition, Taiwan's current patent legal status data was integrated into the European Patent Office's INPADOC database.

# IV.

## IPR Promotion and Protection



In compliance with the national IPR protection policy, TIPO continued to promote the "IPR Action Plan 2003-2005" and periodically met with the inter-agency Coordination Taskforce for IP Enforcement to coordinate anti-counterfeiting enforcement; and, in response to criminal violation of unlicensed computer software and Internet access, enforcing the "Implementation Plan for Enhancing Computer Software Protection" and "Implementation Plan for Strengthening Preventive Measures Against Internet Infringement." TIPO also promoted IPR protection awareness by arranging various conferences, explanation meetings, and promotional activities to engender the concept of IPR protection in the public. As a result, Taiwan's IPR protection performance in 2005 was very successful and acquired remarkable international recognition. The U.S. Government moved Taiwan from the Special 301 Priority Watch List to the Watch List in April 2005. Taiwan was also removed from the ten top priority countries in the International Federation of the Phonographic Industry (IFPI) Commercial Piracy Report 2005. Furthermore, the Business Software Alliance (BSA) 2005 White Paper states, that the Taiwan government has led a concerted effort to tackle software piracy with policies proven to effectively stop, stall, and stifle software piracy. Because of these IPR protection schemes, Taiwan has effectively reduced software piracy.

### A. Awareness of IPR Laws and Regulations

TIPO continued to hold legislative awareness seminars and conferences to illustrate legal system practices. The "Utility Model Patent Formality Examination

and Technical Report Seminar" and the "A Year in Retrospect: Formality Examination for Utility Model Patents Seminar" were held in response to the reform of formality examinations for the utility model patent. The latest court rulings and proceedings were illustrated in various awareness seminars on the Trademark Act and the "Operational Procedures on Hearings for Trademark Dispute Cases." Promotional seminars for the Copyright licensing mechanism as well as IPR educational outreach lectures were held, and a compilation of 900 court rulings, administrative orders, press releases, and activity notifications were announced on the TIPO website to assist the public in understanding the latest developments in related laws and regulations.

## **B. Reinforcement of IPR Concept**

### **1. Seminar on IPR Legal System**

TIPO and the National Chiao Tung University Institute of Technology Law co-hosted the "2005 Conference on National Technology Law" on November 17 and 18, attended by over 600 participants.

### **2. IPR Services for the Industrial Sector**

- (1) TIPO hosted two advanced courses on patent management and trademark management during August and September 2005 in Taipei and Kaohsiung with 248 trainees and four classes in total.
- (2) During August and November 2005, 117 trainees attended three sessions of a patent infringement verification course.
- (3) The Taiwan IP Training Academy (TIPA) office began operations on June 28, 2005, compiling 41 training texts. 152 qualified IP professionals were selected and trained to provide quality education to industries with respect to efficient IPR management.



↑ TIPO Director-General Tsai, NTU President LEE Si-Chen, and consultants at the TIPA office commencement-of-operations ceremony.

### 3. IPR Campus Outreach

- (1) To help college students become more aware of patent information, four sessions of the "Patent Database Search and Its Application" course were given with 810 participants, offering them knowledge of future careers in the innovation and R&D industries.
- (2) To prevent copyright infringement via unlicensed duplication of textbooks, TIPO worked with bookstores at the National Taiwan Normal University, National Tsing Hua University, and National University of Kaohsiung, to set up used textbook-exchange mechanisms, and also established the Internet Bookstore for Used Textbooks. These measures have yielded excellent results.
- (3) A total of 70 students from 12 colleges were trained and dispatched to various primary and secondary schools for 56 IPR protection campaigns, a total of 7,640 students involved, reaching an ideal awareness result.

### 4. Intellectual Property Right Journal

For the promotion of IPR awareness, the IPR Journal was published to provide the public with a better understanding of IPR-related laws, issues, international developments, and news.

## C. IPR Protection

### 1. IPR Action Plan

- (1) For the continued enforcement of IPR protection, TIPO invited relevant government agencies to four meetings of the inter-agency Coordination Taskforce for IP Enforcement on January 28, April 19, August 2, and November 10. The focus of these meetings was to examine enforcement results for the "IPR Action Plan 2003-2005" and "Implementation Plan for Enhancing Computer Software Protection."
- (2) In response to new forms of Internet infringement crimes, the MOEA formulated and promulgated the "Implementation Plan for Strengthening Preventive Measures Against Internet Infringement." Enforcement results since May 1, 2005 were submitted to the 3rd and 4th meetings of the Coordination Taskforce for IP Enforcement for further review and monitoring.

### 2. Revision of the "Main Points for Awards for the Seizure of Counterfeit Goods" and Optical Disk Act

- (1) Targeting Internet infringement crimes, Point 4, Paragraph 4 of the "Main Points for Awards for the Seizure of Counterfeit Goods" was promulgated on April 22, 2005, and implemented retrospectively on March 30, 2005. Awards for reported and uncovered counterfeit cases were increased to encourage public reporting, and to raise officer morale.

(2) Taiwan is a major OD exporter, and OD manufacturing plays an important role in domestic industry and economic development, as it creates enormous output value each year. Custom's detainment of foreign-licensed pre-recorded ODs manufactured in Taiwan for exporting could hinder business interactions and potentially cause business opportunity losses. To resolve this dilemma, under specific conditions, the local manufacturing of said pre-recorded ODs for exporting will be permitted, provided they are not distributed, broadcast, or sold domestically. The amendment of Article 9*bis* to the Optical Disk Act was promulgated and implemented on June 15, 2005 to preserve said OD manufacturers from criminal penalties.

### **3. Multiple Channels for IPR Education**

- (1) The "Intellectual Expedition" interactive online game attracted a total of 750,000 visits in 2005.
- (2) A total of 17,000 people attended a series of 237 IPR educational outreach lectures and seminars.
- (3) Other tactics for enhancing the effectiveness of awareness promotions include: TV programs, promotional clips in the cinemas, advertisements at MRT stations, CKS airport, and train stations, promotional flyers and CDs, awareness promotion stalls at events, and the production of useful promotional paraphernalia.

### **4. Awards for IPR Infringement Seizure**

According to the main points and implementation plan for awards, awards are provided to informants and law enforcement personnel upon the seizure of IPR-infringing products. A total of NT\$17,012,883 was granted to 456 applications from law enforcement officials.



➤ Premier Hsieh awards relevant units and personnel for distinguished performance in cracking down on counterfeiting and piracy.

### 5. Inspection of OD Plants and Eradication of Pirated OD Production

The Joint Optical Disks Enforcement Taskforce (JODE) inspected 1,193 OD plants in 2005, 11.80% more than in 2004. No major infringement cases were found during 685 daytime inspections and 508 night inspections, a clear indication of JODE's effectiveness in deterring piracy.

### 6. Coordinate IPR Police for Piracy and Counterfeit Seizure

- (1) The IPR Police uncovered 1,428 cases of IPR infringement in 2005, an increase of 17.15% from 2004. Among the cases uncovered were 769 cases of Internet infringement, and 2,740 phone services were terminated because phone numbers appeared on flyers with information on sales of pirated and counterfeit items. Intensive night market raids have uncovered 292 cases of OD infringements. Through the measures implemented, IPR protection is improved.
- (2) On September 23, 2005, after two months of continuous surveillance, a special task force of the IPR Police discovered Taiwan's first case (and the second largest case in Asia) of IPR infringement using a BitTorrent (BT)



Large-scale destruction of seized pirated OD declares the government's conviction for battling infringement.

protocol. The BT protocol provides multiple-point transmissions for illegal music downloading and uploading. The discovery of such a monumental case has delivered a severe warning to Internet infringers.

## 7. Trainings for Counterfeit Seizure

- (1) 100 police officers participated in two IPR Police Counterfeit Seizure Seminars from January 17 through 28.
- (2) A seminar for 110 police officers on "Inspection and Prevention of Counterfeiting on the Internet" was held from September 5 through 9.
- (3) Two sessions of the "Counterfeit Inspection and Prevention Seminar" were held from September 12 through 15 and October 17 through 20, with the participation of 97 police officers.
- (4) On December 13 through 15, 2005, the Department of Prosecutorial Affairs and TIPO jointly held the "Workshop for Legal Professionals on Capacity

Building of IPR Infringement", attended by 48 prosecutors and administrative prosecutors.

### **8. Research on Strategies and Measures Against Piracy**

Four research projects were completed, including "Strategies and Measures Against Pirated Audio-visual Works," and "Compilations and Analyses of Anti-Counterfeiting Organizations, Policies, Enforcement Mechanisms, and Internet Infringement Issues in Japan, Hong Kong, and Korea." Research conclusions offered multifarious recommendations regarding legislation, enforcement, education, and promotion, as reference for the IPR Action Plan.

Taiwan's tremendous economic achievements were the result of excellent manufacturing capabilities in the past. However, with the maturation of domestic economic development and the growing competitiveness from new developing countries, there is great pressure and necessity to transform Taiwan's industrial structure into a knowledge-based economy. Patent, trademark, and copyright represent technological and cultural innovation as well as commercial marketing, and are the core elements of a knowledge-based economy. As the authority of IPR operations, TIPO carries the great responsibility to create and maintain a sound IPR environment and protect the fruits of knowledge innovation for the enhancement of national competitiveness. Major objectives for future operations include:

## **A. Enhancing Patent and Trademark Examination Quality**

All projects for the enhancement of patent and trademark examination quality in 2005 have yielded results. In the future, TIPO will continue to promote and implement the "patent examining quality improvement project" for patent examination quality, including the accelerated revision of the "Guidelines for Patent Examination," examining every individual claim for each patent applications and expanding interview services, strengthening the functionality of search tools for prior art, improving the quality of written examination decisions, implementing quality control, and holding educational training and case-study workshops, so as

to more comprehensively and concretely elevate quality. Moreover, suggestions and improvement projects provided by the Guidance Committee on Patent Examination Quality, the Patent Examination Quality Improvement Work Team, and the Trademark Examination Quality Improvement Work Team will be executed with the elevation of examination quality as the priority item.

### **B. Cultivating IPR Professionals**

The Taiwan Intellectual Property Training Academy (TIPA) was officially established in 2005, and since then has trained 152 instructors and compiled 41 instructional texts. In accordance with the IP Professionals Training Plan, training agencies have also been selected to form an alliance of IP professional training hubs throughout Taiwan. As a virtual center of education, TIPA will organize a national franchise of IP professionals training programs in 2006 for the promotion of professional IP education, supplying instructors and uniform instructional materials to northern, central, and southern Taiwan locations. An estimated 1,000 persons will be enrolled in 2006. Target trainees include R&D professionals, patent and trademark representatives, judges, and IPR managerial professionals. This systematic cultivation mechanism will ensure innovation, strengthen IPR protection, invigorate IP utilization, and cultivate IP human resources.

### **C. Further Revision of the Patent Act**

The next wave of Patent Act revisions will focus on plant and animal patent protection, public health, economic development requirements, and economic litigation for the people. Major directions for the amendments include: (1) Coinciding with the rapid development of biotechnology, plants, animals, and their derivative breeds have become a source of abundant business opportunities. The Council of Agriculture convened a seminar on June 30, 2005 to discuss new patent

protection measures to protect R&D results and promote industry upgrading. On August 23, 2005, the Executive Yuan Biotechnology Industry Guidance Committee reached a decision to deregulate plant and animal patenting as an important complementary measure for biotech industry development. (2) Assisting underdeveloped and developing countries with obtaining patented medicines for HIV/AIDS, tuberculosis, malaria, and other communicable diseases, in order to resolve their domestic public health crisis, as well as to revise related regulations in the Taiwan Patent Act in compliance with the Article 31, Paragraph 1 amendments to TRIPS by the WTO General Council on December 6, 2005. (3) A meeting of the Executive Yuan Science and Technology Advisory Group decided and suggested: "patent and trademark administrative remedies shall be revised from a binary to unitary system, and feasibility studies conducted." TIPO will promote said unitary system for a more efficient litigation procedure and dispute settlement system. (4) Since patent and trademark invalidation and reexamination systems are integral to the function of the IP Court, TIPO will work with the Judicial Yuan in ensuring a smooth transition to the new system. TIPO suggests the amendment of patent and trademark appeal and dispute committees in future Patent and Trademark Acts revisions to simplify administrative review, implement three-person reexaminations, and provide opportunity for oral proceeding on a case-by-case basis, in order to elevate the efficiency and accuracy of IPR judicial remedy.

## **D. E-Filing**

The international trend for IPR-operations is toward a paperless, electronic system. TIPO launched the challenging TIPOnet project in 2003. Though complexity of the project has delayed full operation, Phase One of the project is now reaching its completion. Fourteen application systems for small-scale online applications have been tested and the system is scheduled to go online in 2006, by

which time the public will be able to file patent and trademark applications, trace the progress of the application, submit fees, and receive important notifications online. The development and establishment of a core system for patent and trademark examination, publication, search, and client services will follow. TIPO aims to provide a comprehensive intranet electronic examination and rights management system, and Internet full-text electronic gazettes and information searches for the public, to further facilitate international exchange.

## **E. Maintaining IPR Protection Achievements**

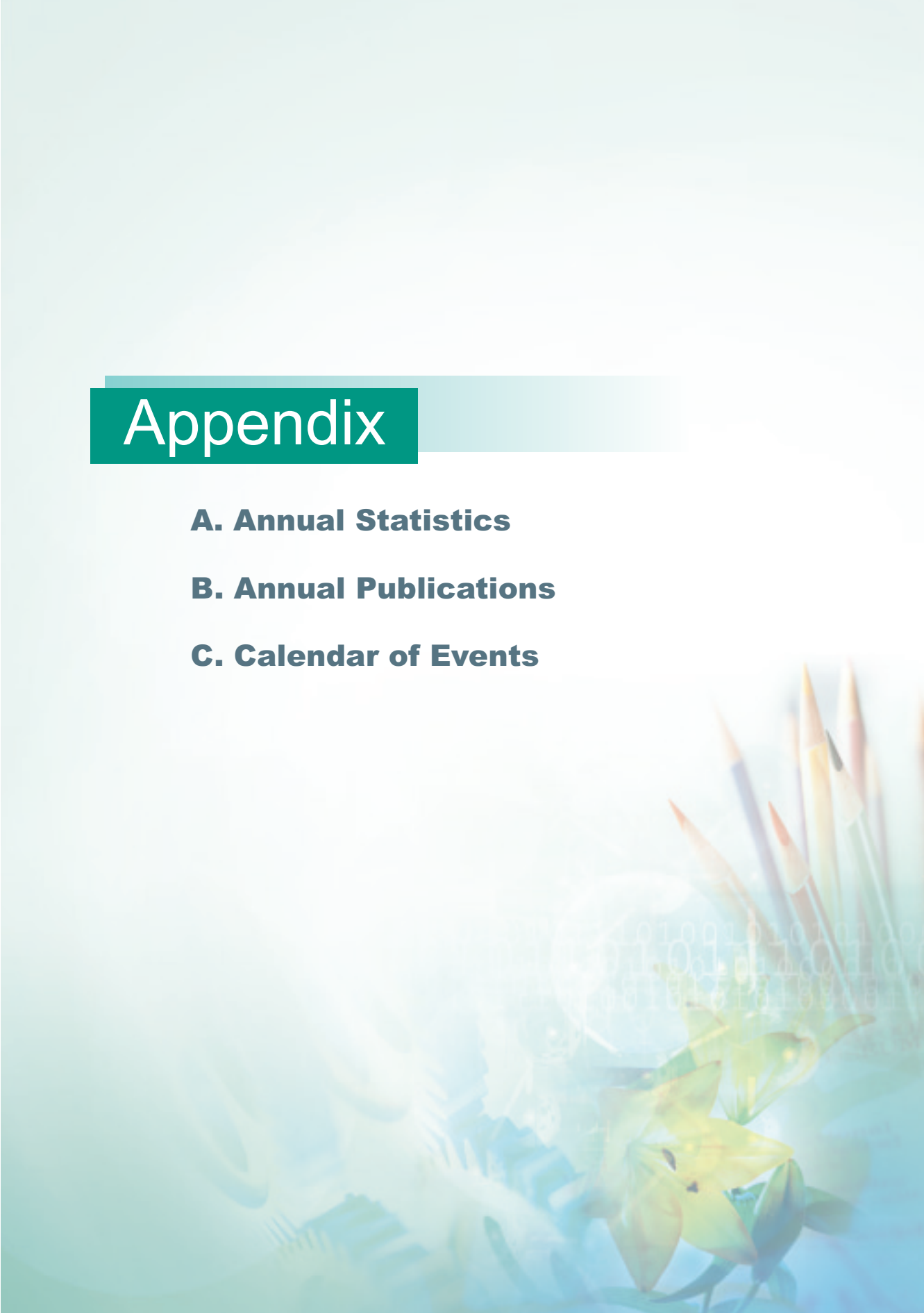
IPR protection is an established government policy. It serves the purposes of fulfilling international obligations and commitments, encouraging innovation and R&D, helping upgrade industries, promoting international competitiveness, and ultimately stimulating national economic growth. The "IPR Action Plan 2003-2005" was concluded in 2005. For the continued enforcement of IPR protection, a new "IPR Action Plan 2006-2008" will be initiated to strengthen Internet infringement prevention, provide guidance for the establishment of a copyright licensing system, and strengthen campus software management, according to the principles of reducing trade in counterfeit and pirated products, battling piracy, and preventing the sales of counterfeit items over the Internet. Concrete measures include periodic meetings of the Coordination Taskforce for IP Enforcement to coordinate relevant government agencies to examine enforcement results of the new IPR Action Plan, as well as the "Implementation Plan for Enhancing Computer Software Protection" and "Implementation Plan for Strengthening Preventive Measures Against Internet Infringement." Review results will be subjected to follow-up reviews and monitoring by the aforementioned Taskforce in pursuit of an excellent IPR protection environment.

# Appendix

**A. Annual Statistics**

**B. Annual Publications**

**C. Calendar of Events**



A. ANNUAL STATISTICS

I. Patent Cases Filed & Disposed

A. Cases Filed for Patent (1981-2005)

Item Year	Application	Approval	Certificate Issued	Published Certificate
1981	15,027	6,264	6,013	—
1982	16,328	7,460	5,781	—
1983	19,428	7,096	5,327	—
1984	22,013	8,592	8,005	—
1985	23,870	9,427	8,886	—
1986	26,198	10,526	8,498	—
1987	28,900	10,615	8,263	—
1988	29,511	12,355	9,622	—
1989	32,103	19,265	15,975	—
1990	34,343	22,601	19,623	—
1991	36,127	27,281	24,235	—
1992	38,554	21,264	20,142	—
1993	41,185	22,317	19,266	—
1994	42,412	19,032	15,136	—
1995	43,461	29,707	22,907	—
1996	47,055	29,469	25,529	—
1997	53,164	29,356	26,935	—
1998	54,003	25,051	23,640	—
1999	51,921	29,144	24,338	—
2000	61,231	38,665	31,096	—
2001	67,860	53,789	43,277	—
2002	61,402	45,042	44,101	—
2003	65,742	53,034	42,082	—
2004	72,082	27,717	66,490	21,893
2005	79,442	—	58,306	57,236

Note: "Application" is the number of applications for each individual year. "Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues a certificate at the same time the approval is published. "Certificate Issued" is the number of actual certificates being issued.

## B. Statistics on Patent from 1996 to 2005

### 1. Patent Cases Filed & Disposed

Item Year	Application	Reexamination	Opposition	Invalidation	Assignment	Licensing
1996	47,055	8,290	1,855	768	1,291	194
1997	53,164	7,933	2,029	778	1,678	204
1998	54,003	6,669	1,843	638	1,818	166
1999	51,921	8,227	2,074	653	1,490	137
2000	61,231	7,103	2,266	583	2,013	188
2001	67,860	10,463	2,596	701	1,598	111
2002	61,402	11,728	1,734	591	2,365	140
2003	65,742	13,325	1,867	512	3,561	199
2004	72,082	7,084	1,197	811	3,835	431
<b>2005</b>	<b>79,442</b>	<b>1,786</b>	<b>—</b>	<b>1,583</b>	<b>3,779</b>	<b>257</b>

- Note: 1. The figures for "Application," "Reexamination," "Opposition," and "Invalidation" reflect the total number of cases applied each year.
2. The figures for "Assignment" and "Licensing" reflect the total number of cases concluded each year.
3. The drop in reexamination applications is due to the fact that examination for utility model patents was changed to formality examination beginning from July 1, 2004, thus no more reexamination applications were filed.
4. The drop in opposition applications is due to the fact that the opposition system was abolished by the newly promulgated Patent Act of July 1, 2004. Thus no more opposition applications were filed after October 2004.

### 2. Invention Patents Filed & Disposed

Item Year	Application	Pre-grant Publication	Request for Examination	Re- examination	Rejection	Approval	Certificate Issued	Published Certificate
1996	15,959	—	—	4,464	8,067	8,594	7,389	—
1997	20,046	—	—	4,225	7,552	9,008	9,344	—
1998	21,978	—	—	3,762	6,994	8,478	8,380	—
1999	22,161	—	—	4,945	8,251	11,280	10,022	—
2000	28,451	—	—	4,390	8,089	15,657	13,061	—
2001	33,392	—	—	6,298	10,381	24,429	21,012	—
2002	31,616	—	3,040	7,413	12,031	23,036	22,616	—
2003	35,823	8,194	21,269	8,503	14,354	25,134	21,752	—
2004	41,919	28,917	27,334	5,528	9,216	14,688	28,583	5,766
<b>2005</b>	<b>47,841</b>	<b>41,441</b>	<b>34,488</b>	<b>1,482</b>	<b>4,886</b>	<b>—</b>	<b>20,800</b>	<b>20,626</b>

- Note: 1. The number of rejections is based on the number of rejections after examination and reexamination. Approval is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues the certificate at the same time the approval is published. Certificate issued is the number of actual certificates being issued.
2. The figures for pre-grant publication are sourced from the total number of pre-grant publication applications. The pre-grant publication system was implemented on October 26, 2002. Figures reflecting cases from such system were available as of May 1, 2003.
3. The number of request for examination is the total number of applications filed pursuant to Article 37 of the Patent Act for each individual year. This system has been implemented since October 26, 2002.

## 3. Utility Model Patents Filed & Disposed

Item Year	Application	Reexamination	Rejection	Approval	Certificate Issued	Published Certificate	Application for Technical Evaluation Report
1996	19,975	2,401	8,372	13,623	11,988	—	—
1997	21,800	2,469	8,220	14,943	12,431	—	—
1998	22,235	2,016	7,042	13,416	12,000	—	—
1999	21,481	2,130	7,660	14,298	11,883	—	—
2000	23,728	1,763	8,468	15,990	12,945	—	—
2001	25,370	2,797	9,668	21,212	16,680	—	—
2002	21,750	3,100	9,493	16,115	15,200	—	—
2003	21,935	3,551	11,165	21,439	15,505	—	—
2004	21,518	1,035	3,303	9,492	30,434	14,064	496
<b>2005</b>	<b>23,226</b>	<b>—</b>	<b>295</b>	<b>—</b>	<b>30,926</b>	<b>30,118</b>	<b>2,431</b>

- Note: 1. The number of rejections is based on the number of rejections after examination and reexamination. "Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues the certificate at the same time the approval is published. "Certificate Issued" is the number of actual certificates being issued.
2. "Application for Technical Evaluation Report" is the number of applications for technical evaluation. This system took effect on July 1, 2004.
3. In accordance with the Patent Act amendment of July 1, 2004, examination of utility model patent is changed to formality examination, thus no reexamination cases from 2005 on.

## 4. Design Patents Filed & Disposed

Item Year	Application	Re-examination	Rejection	Approval	Certificate Issued	Published Certificate
1996	11,121	1,425	6,220	7,252	6,152	—
1997	11,318	1,239	5,564	5,405	5,160	—
1998	9,790	891	4,610	3,157	3,260	—
1999	8,279	1,152	5,380	3,566	2,433	—
2000	9,052	950	5,559	7,018	5,090	—
2001	9,098	1,368	5,312	8,148	5,585	—
2002	8,036	1,215	4,091	5,891	6,285	—
2003	7,984	1,271	3,464	6,461	4,825	—
2004	8,645	521	1,864	3,537	7,473	2,063
<b>2005</b>	<b>8,375</b>	<b>304</b>	<b>1,793</b>	<b>—</b>	<b>6,580</b>	<b>6,492</b>

- Note: The number of rejections is based on the number of rejections after examination and reexamination. "Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues the certificate at the same time the approval is published. "Certificate Issued" is the number of actual certificates being issued.

## 5. Patent Opposition Disposal and Invalidation

Item Year	Opposition		Invalidation	
	Sustained	Denied	Sustained	Denied
1996	823	1,150	353	360
1997	676	1,065	274	426
1998	744	1,221	272	497
1999	685	1,022	282	376
2000	569	975	200	336
2001	760	1,343	168	287
2002	835	1,466	194	353
2003	524	973	261	366
2004	648	1,279	142	266
<b>2005</b>	<b>460</b>	<b>1,096</b>	<b>172</b>	<b>370</b>

Note: 1. The figures reflect the total cases concluded each year.

2. In addition to sustained and denied cases, other conditions such as withdraw or rejection are not included in the chart.

## 6. Residents and Non-Residents Patent Application

Item Year	Residents				Non-Residents			
	Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total
1996	2,938	18,690	9,557	31,185	13,021	1,285	1,564	15,870
1997	3,761	20,542	9,354	33,657	16,285	1,258	1,964	19,507
1998	5,213	21,123	7,907	34,243	16,765	1,112	1,883	19,760
1999	5,804	20,283	6,556	32,643	16,357	1,198	1,723	19,278
2000	6,830	22,660	6,879	36,369	21,621	1,068	2,173	24,862
2001	9,170	24,220	6,820	40,210	24,222	1,150	2,278	27,650
2002	9,638	20,692	5,596	35,926	21,978	1,058	2,440	25,476
2003	13,049	21,231	5,383	39,663	22,774	704	2,601	26,079
2004	16,747	20,809	5,464	43,020	25,172	709	3,181	29,062
<b>2005</b>	<b>20,093</b>	<b>22,641</b>	<b>4,987</b>	<b>47,721</b>	<b>27,748</b>	<b>585</b>	<b>3,388</b>	<b>31,721</b>

## 7. Residents and Non-Residents Patent Approval (1996-2004)

Item Year	Residents				Non-Residents			
	Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total
1996	1,393	12,245	5,772	19,410	7,201	1,378	1,480	10,059
1997	1,611	13,680	4,260	19,551	7,397	1,263	1,145	9,805
1998	1,598	12,454	2,365	16,417	6,880	962	792	8,634
1999	2,139	13,375	2,538	18,052	9,141	923	1,028	11,092
2000	3,834	14,924	4,979	23,737	11,823	1,066	2,039	14,928
2001	6,477	19,999	5,834	32,310	17,952	1,213	2,314	21,479
2002	5,683	15,265	3,898	24,846	17,353	850	1,993	20,196
2003	6,399	20,315	4,241	30,955	18,735	1,124	2,220	22,079
2004	4,859	8,856	2,201	15,916	9,829	636	1,336	11,801

Note: The published approval system was abolished after the new Patent Act took effect on July 1, 2004.

## 8. Residents and Non-Residents Published Certificate (2004-2005)

Item Year	Residents				Non-Residents			
	Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total
2004	2,662	13,637	1,302	17,601	3,104	427	761	4,292
<b>2005</b>	<b>9,124</b>	<b>29,328</b>	<b>3,872</b>	<b>42,324</b>	<b>11,502</b>	<b>790</b>	<b>2,620</b>	<b>14,912</b>

Note: The published certificate system issues the certificate at the same time the approval is published. This system took effect on July 1, 2004.

## C. Statistics on Patent—by Classification

### 1. Invention Applications and Certificates Issued by Classification (2003-2005)

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
A01	171	243	293	153	120	143
A21	14	30	24	4	21	16
A22	2	6	1	0	2	1
A23	129	188	201	58	67	92
A24	16	23	27	13	15	21
A41	31	39	50	10	33	21
A42	5	10	9	5	10	8
A43	20	49	50	16	18	23
A44	34	64	49	23	49	66
A45	40	52	57	12	27	43
A46	6	17	17	5	11	2
A47	127	221	293	69	128	179
A61	1,069	1,845	1,871	671	930	750
A62	21	40	30	6	19	10
A63	131	229	331	124	254	207
B01	245	389	384	251	329	193
B02	2	19	15	10	9	7
B03	3	7	13	9	10	6
B04	1	3	4	1	2	2
B05	66	152	191	83	111	66
B06	2	1	3	7	4	1
B07	4	5	15	2	4	10
B08	13	46	56	24	31	36
B09	25	41	26	27	29	19
B21	65	115	133	108	86	46
B22	53	82	69	70	77	40
B23	165	255	305	223	204	156
B24	128	143	161	162	186	74
B25	125	211	342	97	169	143
B26	36	58	83	31	45	41
B27	22	18	30	16	24	12
B28	19	27	29	13	28	12
B29	227	287	334	193	268	191
B30	14	20	21	11	14	28
B31	6	10	10	4	11	12
B32	187	224	237	121	236	124
B41	171	270	282	280	321	153
B42	13	15	17	9	16	6
B43	25	28	44	16	25	10
B44	34	29	27	9	25	23
B60	160	266	334	177	223	228

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
B61	7	26	12	16	11	9
B62	143	278	381	162	219	243
B63	22	19	33	18	25	13
B64	4	8	10	1	2	2
B65	294	486	569	247	335	212
B66	31	68	72	78	71	34
B67	7	19	18	7	15	7
B68	1	1	1	0	1	0
B81	63	70	78	49	72	40
B82	1	6	3	1	2	2
C01	116	178	218	92	133	83
C02	61	92	118	57	89	67
C03	78	153	192	65	163	99
C04	54	81	109	52	127	73
C05	9	10	11	6	11	7
C06	1	2	0	3	4	4
C07	836	1,157	1,428	613	882	517
C08	700	1,081	1,055	541	1,087	458
C09	377	638	765	250	521	274
C10	65	67	78	66	73	35
C11	24	56	57	27	33	31
C12	235	257	288	56	154	121
C13	1	0	1	0	1	1
C14	0	5	2	2	3	3
C21	36	38	32	76	68	23
C22	78	96	119	69	119	53
C23	242	322	402	229	405	180
C25	81	146	145	64	147	73
C30	37	49	68	60	98	47
D01	66	87	66	53	102	42
D02	13	18	27	29	19	12
D03	21	47	38	35	35	11
D04	43	68	87	47	76	46
D05	25	64	46	48	49	36
D06	78	132	150	51	90	49
D07	0	3	2	0	1	1
D21	28	76	48	33	59	19
E01	14	29	22	26	21	5
E02	26	32	32	17	39	13
E03	18	29	27	11	19	5
E04	92	138	153	86	86	62

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
E05	50	95	137	54	88	43
E06	18	47	63	18	20	32
E21	8	8	9	10	2	2
F01	24	49	95	41	55	30
F02	79	114	150	84	98	77
F03	27	27	49	15	12	7
F04	54	133	207	110	100	60
F15	9	15	13	8	11	3
F16	237	385	480	269	290	246
F17	21	31	28	14	22	8
F21	63	81	125	36	79	55
F22	2	7	9	3	1	1
F23	46	83	84	39	63	44
F24	72	97	99	55	85	58
F25	56	67	95	90	84	29
F26	5	15	15	8	10	7
F27	11	7	9	13	3	7
F28	39	81	109	30	41	27
F41	9	23	27	8	13	8
F42	1	12	7	2	4	1
G01	605	1,067	1,353	655	986	674
G02	1,011	2,054	2,509	740	1,713	1,062
G03	420	802	1,124	360	629	546
G04	30	34	34	26	18	11
G05	68	147	254	97	104	79
G06	2,231	3,291	3,910	1,636	2,336	1,804
G07	61	51	52	69	80	16
G08	89	85	99	31	61	42
G09	438	952	1,188	541	817	429
G10	69	112	96	60	105	68
G11	1,008	1,726	1,956	980	1,353	1,030
G12	2	5	9	1	4	5
G21	22	28	24	37	30	4
H01	5,330	6,843	7,323	5,998	5,764	4,563
H02	290	544	647	376	473	261
H03	431	556	699	421	477	388
H04	1,675	2,921	3,553	1,648	2,112	2,125
H05	695	1,118	1,491	716	786	715
X	13	201	357	0	0	0

Note: 1. Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report; therefore, figures from prior three years are used as the basis of the said statistics.  
2. "Certificate Issued" is the actual number of certificates being issued.

## 2. Utility Model Applications and Certificates Issued by Classification (2003-2005)

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
A01	432	442	442	387	546	650
A21	31	31	50	14	44	69
A22	7	10	2	7	11	5
A23	85	80	82	36	110	130
A24	21	10	19	3	18	23
A41	128	139	210	44	163	361
A42	59	73	96	36	105	124
A43	196	185	231	87	247	311
A44	126	138	127	86	220	153
A45	358	319	385	172	534	541
A46	33	44	46	21	55	55
A47	1,610	1,701	1,760	842	2,285	2,606
A61	842	1,022	1,059	590	1,246	1,425
A62	47	139	74	27	114	110
A63	971	952	848	607	1,265	1,158
B01	172	195	212	171	230	325
B02	27	31	32	33	44	49
B03	6	4	8	5	5	11
B04	1	4	4	3	4	7
B05	135	172	147	152	207	225
B06	0	1	2	0	1	4
B07	29	38	27	29	46	41
B08	31	43	31	34	46	57
B09	13	10	6	12	17	9
B21	86	101	78	89	142	110
B22	23	31	23	18	46	24
B23	261	358	362	363	471	528
B24	111	104	94	104	126	152
B25	585	643	530	462	803	754
B26	153	123	132	110	239	183
B27	68	73	88	76	97	135
B28	26	13	18	17	24	24
B29	232	226	197	175	339	284
B30	17	22	14	11	29	21
B31	19	37	21	14	38	26
B32	49	70	72	54	92	109
B41	134	113	101	172	173	162
B42	120	101	98	41	142	142
B43	127	134	115	41	220	163
B44	53	58	68	17	66	95
B60	690	825	917	571	983	1,346

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
B61	1	8	1	3	6	3
B62	714	693	598	573	989	850
B63	45	38	45	27	76	73
B64	7	9	8	4	11	10
B65	1,093	1,012	1,077	657	1,371	1,549
B66	57	64	43	75	89	74
B67	36	28	23	17	46	34
B68	0	3	3	0	4	2
B81	3	7	2	4	11	4
B82	0	1	1	0	1	1
C01	7	8	10	9	11	14
C02	68	61	72	39	86	103
C03	10	7	17	13	16	22
C04	3	1	3	2	1	2
C05	2	4	0	3	3	3
C06	2	1	1	1	1	2
C07	1	1	0	0	1	0
C08	5	3	3	5	3	6
C09	6	9	6	5	9	14
C10	1	0	6	1	1	7
C11	7	7	9	4	8	12
C12	39	16	7	9	30	11
C13	0	2	1	0	2	1
C14	1	0	1	1	0	1
C21	7	6	2	6	9	4
C22	1	0	1	2	1	1
C23	21	7	17	25	15	22
C25	30	27	29	30	36	42
C30	0	1	1	0	2	1
D01	12	15	19	12	15	23
D02	7	7	5	6	10	6
D03	15	14	15	11	18	23
D04	73	71	40	80	76	74
D05	57	44	42	74	67	65
D06	80	91	79	80	100	110
D07	6	3	3	8	5	5
D21	8	5	10	9	10	7
E01	35	52	45	24	55	60
E02	62	57	45	39	67	67
E03	124	123	140	87	142	200
E04	405	440	450	260	525	614

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
E05	451	455	409	348	537	576
E06	347	357	343	257	415	512
E21	3	7	1	2	8	1
F01	62	58	49	35	95	61
F02	85	80	97	66	109	137
F03	22	21	38	9	19	56
F04	256	244	213	244	346	304
F15	22	20	4	19	24	7
F16	660	735	737	498	1,000	1,099
F17	37	30	29	18	46	41
F21	322	261	300	95	496	454
F22	2	5	5	1	4	7
F23	117	121	149	80	185	203
F24	320	338	366	208	438	598
F25	58	42	71	42	76	80
F26	16	13	14	21	20	18
F27	7	6	4	9	3	9
F28	50	48	32	40	70	65
F41	56	68	98	42	81	158
F42	18	19	12	5	43	21
G01	314	381	339	333	545	488
G02	348	416	429	222	609	623
G03	112	126	129	95	162	186
G04	39	44	33	21	55	42
G05	21	31	34	36	39	48
G06	1,174	1,338	1,142	851	2,157	1,613
G07	58	64	67	62	74	100
G08	87	82	86	56	104	120
G09	216	208	264	172	294	335
G10	43	62	70	33	85	89
G11	190	240	250	188	380	346
G12	14	10	8	6	12	15
G21	1	1	3	2	4	2
H01	1,982	2,314	2,036	1,746	3,451	3,046
H02	369	336	279	379	543	438
H03	38	29	38	29	58	44
H04	600	815	734	551	1,160	1,026
H05	791	864	785	773	1,165	1,129
X	0	0	20	0	0	0

Note: 1. Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report; therefore, figures from prior three years are used as the basis of the said statistics.

2. "Certificate Issued" is the actual number of certificates being issued.

### 3. Design Applications and Certificates Issued by Classification (2003-2005)

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
01	10	15	30	8	4	18
02	120	210	251	114	177	187
03	51	130	126	118	124	95
04	8	67	58	32	90	66
05	33	41	54	26	28	28
06	223	454	388	351	320	258
07	40	304	267	246	266	175
08	110	507	564	263	411	432
09	289	523	507	222	430	351
10	57	234	266	148	213	217
11	76	128	112	64	96	62
12	72	452	637	257	483	490
13	108	585	669	369	553	540
14	188	1,362	1,725	814	1,457	1,355
15	87	264	255	188	295	221
16	44	312	363	250	332	312
17	5	11	6	8	13	2
18	5	17	20	16	20	15
19	129	289	281	213	241	230
20	55	84	147	38	46	72
21	137	332	282	243	294	195
22	16	37	27	26	34	23
23	152	650	547	375	615	434
24	12	129	98	89	115	92
25	44	174	177	76	162	157
26	50	282	343	141	253	248
27	10	15	13	14	9	17
28	129	263	244	118	258	197

Class	Application			Certificate Issued		
	2002	2003	2004	2003	2004	2005
29	1	8	5	4	6	5
30	14	23	19	11	23	12
31	18	38	37	22	41	31
32	0	0	0	1	0	0
33	0	0	0	0	2	0
34	0	0	0	1	0	0
35	0	0	0	0	0	0
36	0	0	0	0	0	0
37	5	0	0	2	1	0
38	2	0	0	4	6	0
39	0	0	0	0	0	0
40	0	0	0	0	1	0
41	0	0	0	1	0	0
42	0	0	0	0	0	0
43	0	0	0	0	0	0
44	0	0	0	0	0	0
45	0	0	0	0	0	0
46	5	0	0	1	1	0
47	0	0	0	0	0	0
48	0	0	0	1	0	0
49	1	0	0	1	0	0
50	0	0	0	0	0	0
99	43	101	68	25	59	43
x	0	0	59	0	0	0

- Note: 1. Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report; therefore, figures from prior three years are used as the basis of the said statistics.
2. Prior to Jan. 1, 2002, applications were classified by items under the design patent classification system. After Jan. 1, 2002, classifications follow that of the International Classification for Industrial Design System.
3. "Certificate Issued" is the actual number of certificates being issued.

#### 4. Patent Applications by Nationality (2005)

Nationality	Application				
	Invention	Utility Model	Design	Total	Percentage
TAIWAN, REPUBLIC OF CHINA	20,093	22,641	4,987	47,721	60.07%
JAPAN	11,866	105	1,733	13,704	17.25%
UNITED STATES OF AMERICA	8,481	213	561	9,255	11.65%
REPUBLIC OF KOREA	1,866	20	85	1,971	2.48%
GERMANY	1,375	9	185	1,569	1.98%
NETHERLANDS	1,203	4	66	1,273	1.60%
SWITZERLAND	622	1	150	773	0.97%
FRANCE	297	1	123	421	0.53%
UNITED KINGDOM	283	11	49	343	0.43%
ITALY	173	6	108	287	0.36%
FINLAND	193	0	53	246	0.31%
SWEDEN	207	1	23	231	0.29%
CHINA	71	93	31	195	0.25%
CANADA	170	5	8	183	0.23%
SINGAPORE	144	4	27	175	0.22%
BELGIUM	121	1	5	127	0.16%
HONG KONG	38	21	28	87	0.11%
BRITISH VIRGIN ISLANDS	16	37	31	84	0.11%
AUSTRALIA	67	5	6	78	0.10%
AUSTRIA	63	0	9	72	0.09%
ISRAEL	65	0	3	68	0.09%
DENMARK	37	0	16	53	0.07%
SPAIN	39	5	5	49	0.06%
MALAYSIA	10	6	25	41	0.05%
LIECHTENSTEIN	21	0	20	41	0.05%
BARBADOS	33	0	0	33	0.04%
IRELAND	30	0	1	31	0.04%
CAYMAN ISLANDS	26	1	2	29	0.04%
INDIA	21	2	2	25	0.03%
NEW ZEALAND	22	0	1	23	0.03%
NORWAY	6	1	12	19	0.02%
BRUNEI	9	9	0	18	0.02%

Nationality	Application				
	Invention	Utility Model	Design	Total	Percentage
LUXEMBOURG	15	0	3	18	0.02%
BERMUDA	14	0	0	14	0.02%
HUNGARY	13	0	0	13	0.02%
MACAU	8	2	0	10	0.01%
BRAZIL	10	0	0	10	0.01%
RUSSIAN FEDERATION	7	2	0	9	0.01%
SAMOA	0	8	0	8	0.01%
MAURITIUS	1	1	5	7	0.01%
BAHAMAS	5	0	2	7	0.01%
SOUTH AFRICA	6	0	0	6	0.01%
GREECE	6	0	0	6	0.01%
BELIZE	1	4	0	5	0.01%
PORTUGAL	3	0	2	5	0.01%
THAILAND	4	1	0	5	0.01%
SAUDI ARABIA	4	0	0	4	0.01%
INDONESIA	0	0	3	3	0.00%
POLAND	2	0	0	2	0.00%
SLOVAKIA	2	0	0	2	0.00%
NETHERLANDS ANTILLES	2	0	0	2	0.00%
SLOVENIA	2	0	0	2	0.00%
PHILIPPINES	1	1	0	2	0.00%
TURKEY	1	0	0	1	0.00%
MOROCCO	1	0	0	1	0.00%
CROATIA	1	0	0	1	0.00%
MEXICO	0	0	1	1	0.00%
IRAN	1	0	0	1	0.00%
CUBA	1	0	0	1	0.00%
KAZAKHSTAN	1	0	0	1	0.00%
CZECH REPUBLIC	0	0	1	1	0.00%
OTHERS	61	5	3	69	0.09%
TOTAL	47,841	23,226	8,375	79,442	100.00%

## 5. Pre-Grant Publications by Nationality (2005)

Nationality	Pre-Grant Publication	Percentage	Nationality	Pre-Grant Publication	Percentage
TAIWAN, REPUBLIC OF CHINA	14,839	35.81%	THAILAND	9	0.02%
JAPAN	11,518	27.79%	NORWAY	9	0.02%
UNITED STATES OF AMERICA	8,012	19.33%	HUNGARY	7	0.02%
REPUBLIC OF KOREA	1,570	3.79%	BERMUDA	6	0.01%
NETHERLANDS	1,326	3.20%	BRAZIL	5	0.01%
GERMANY	1,310	3.16%	CZECH REPUBLIC	4	0.01%
SWITZERLAND	575	1.39%	BAHAMAS	3	0.01%
FRANCE	349	0.84%	PORTUGAL	3	0.01%
UNITED KINGDOM	326	0.79%	GREECE	2	0.00%
SWEDEN	236	0.57%	CROATIA	2	0.00%
ITALY	189	0.46%	MOROCCO	2	0.00%
CHINA	155	0.37%	PHILIPPINES	2	0.00%
SINGAPORE	139	0.34%	SOUTH AFRICA	2	0.00%
FINLAND	104	0.25%	POLAND	2	0.00%
CANADA	99	0.24%	CUBA	2	0.00%
BELGIUM	92	0.22%	SLOVENIA	2	0.00%
AUSTRALIA	77	0.19%	RUSSIAN FEDERATION	2	0.00%
HONG KONG	56	0.14%	CYPRUS	1	0.00%
ISRAEL	56	0.14%	MACAU	1	0.00%
SPAIN	46	0.11%	SAMOA	1	0.00%
AUSTRIA	45	0.11%	MEXICO	1	0.00%
DENMARK	42	0.10%	COSTA RICA	1	0.00%
LUXEMBOURG	40	0.10%	BELIZE	1	0.00%
IRELAND	24	0.06%	TURKEY	1	0.00%
BRITISH VIRGIN ISLANDS	21	0.05%	ECUADOR	1	0.00%
BARBADOS	21	0.05%	VENEZUELA	1	0.00%
CAYMAN ISLANDS	20	0.05%	SRI LANKA	1	0.00%
LIECHTENSTEIN	18	0.04%	SAUDI ARABIA	1	0.00%
MALAYSIA	18	0.04%	INDONESIA	1	0.00%
INDIA	13	0.03%	OTHERS	9	0.02%
NEW ZEALAND	11	0.03%			
MAURITIUS	9	0.02%	<b>TOTAL</b>	<b>41,441</b>	<b>100.00%</b>

Note: The figures for pre-grant publication are from the total number of pre-grant publication applications. The pre-grant publication system was implemented on October 26, 2002. Figures reflecting cases from such system were available as of May 1, 2003.

## 6. Certificates Issued by Nationality (2005)

Nationality	Certificate Issued				
	Invention	Utility Model	Design	Total	Percentage
TAIWAN, REPUBLIC OF CHINA	9,220	30,115	3,947	43,282	74.23%
JAPAN	6,327	176	1,351	7,854	13.47%
UNITED STATES OF AMERICA	2,811	279	500	3,590	6.16%
REPUBLIC OF KOREA	730	20	43	793	1.36%
GERMANY	567	16	133	716	1.23%
NETHERLANDS	248	27	67	342	0.59%
SWITZERLAND	157	5	80	242	0.42%
FRANCE	137	3	88	228	0.39%
UNITED KINGDOM	118	16	41	175	0.30%
CHINA	82	71	16	169	0.29%
ITALY	49	4	62	115	0.20%
BRITISH VIRGIN ISLANDS	18	74	21	113	0.19%
FINLAND	29	0	54	83	0.14%
SWEDEN	34	0	42	76	0.13%
HONG KONG	14	27	17	58	0.10%
SINGAPORE	42	4	11	57	0.10%
CANADA	27	7	3	37	0.06%
AUSTRALIA	20	8	6	34	0.06%
BELGIUM	28	1	4	33	0.06%
CAYMAN ISLANDS	14	9	9	32	0.05%
IRELAND	7	4	11	22	0.04%
SPAIN	5	5	12	22	0.04%
LIECHTENSTEIN	5	0	17	22	0.04%
AUSTRIA	20	1	0	21	0.04%
DENMARK	7	0	12	19	0.03%
LUXEMBOURG	18	0	1	19	0.03%
MALAYSIA	5	6	7	18	0.03%
SAMOA	0	16	0	16	0.03%
NORWAY	4	4	6	14	0.02%
ISRAEL	10	0	1	11	0.02%
THAILAND	5	1	3	9	0.02%
INDIA	4	4	1	9	0.02%

Nationality	Certificate Issued				
	Invention	Utility Model	Design	Total	Percentage
BRUNEI	1	5	0	6	0.01%
NEW ZEALAND	4	0	1	5	0.01%
MACAU	3	2	0	5	0.01%
BELIZE	2	3	0	5	0.01%
BRAZIL	1	2	1	4	0.01%
BAHAMAS	0	1	3	4	0.01%
MAURITIUS	1	0	2	3	0.01%
CZECH REPUBLIC	3	0	0	3	0.01%
BERMUDA	2	1	0	3	0.01%
SOUTH AFRICA	2	0	1	3	0.01%
PORTUGAL	0	0	3	3	0.01%
VIETNAM	1	1	0	2	0.00%
BULGARIA	0	0	2	2	0.00%
CUBA	1	0	0	1	0.00%
SAUDI ARABIA	1	0	0	1	0.00%
INDONESIA	0	1	0	1	0.00%
CROATIA	1	0	0	1	0.00%
PHILIPPINES	0	1	0	1	0.00%
SEYCHELLES	1	0	0	1	0.00%
BARBADOS	1	0	0	1	0.00%
ANGUILLA	1	0	0	1	0.00%
GREECE	1	0	0	1	0.00%
MEXICO	0	0	1	1	0.00%
POLAND	1	0	0	1	0.00%
HUNGARY	0	1	0	1	0.00%
RUSSIAN FEDERATION	0	1	0	1	0.00%
CYPRUS	1	0	0	1	0.00%
SRI LANKA	1	0	0	1	0.00%
VENEZUELA	1	0	0	1	0.00%
OTHERS	7	4	0	11	0.02%
<b>TOTAL</b>	<b>20,800</b>	<b>30,926</b>	<b>6,580</b>	<b>58,306</b>	<b>100.00%</b>

## 7. Residents Patent Applications (Top 20)

Rank	Applicant	Number of Application			
		Invention	Utility Model	Design	Total
1	HON HAI PRECISION INDUSTRY CO., LTD.	1,230	463	193	1,886
2	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	871	18	0	889
3	INVENTEC COPORATION	357	270	24	651
4	TAIWAN SEMICONDUCTOR MANUFACTURING CO., LTD.	648	1	0	649
5	BENQ CORPORATION	437	0	19	456
6	AU OPTRONICS CORP.	452	0	0	452
7	MITAC INTERNATIONAL CORP.	403	0	16	419
8	ADVANCED SEMICONDUCTOR ENGINEERING, INC.	384	4	5	393
9	VIA TECHNOLOGIES, INC.	306	1	0	307
10	DELTA ELECTRONICS, INC.	273	20	10	303
11	INNOLUX DISPLAY CORP.	224	53	16	293
12	INVENTEC APPLIANCES CORP.	211	40	41	292
13	ASUSTEK COMPUTER INC.	237	2	7	246
13	FAR EAST COLLEGE	79	167	0	246
15	CHUNGHWA PICTURE TUBES, LTD.	211	2	5	218
16	FOXCONN TECHNOLOGY CO., LTD.	177	30	3	210
17	UNITED MICROELECTRONICS CORP.	191	3	0	194
18	CHI MEI OPTOELECTRONICS CORP.	181	2	0	183
19	ASIA OPTICAL CO., INC.	164	6	5	175
20	MACRONIX INTERNATIONAL CO., LTD.	168	0	0	168

Note: Applicants with the same grand total of patent applications are given the same ranking, but the order of placement is arranged by the number of invention patents, from most to least.

## 8. Residents Certificate Issued (Top 20)

Rank	Applicant	Number of Certificate Issued			
		Invention	Utility Model	Design	Total
1	HON HAI PRECISION INDUSTRY CO., LTD.	104	768	146	1,018
2	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	508	30	2	540
3	TAIWAN SEMICONDUCTOR MANUFACTURING CO., LTD.	325	6	0	331
4	BENQ CORPORATION	268	7	50	325
5	HANNSPREE, INC.	2	34	284	320
6	ADVANCED SEMICONDUCTOR ENGINEERING, INC.	300	19	0	319
7	INVENTEC COPORATION	133	168	14	315
8	AU OPTRONICS CORP.	233	14	0	247
9	VIA TECHNOLOGIES, INC.	231	13	1	245
10	INVENTEC APPLIANCES CORP.	98	99	32	229
11	FAR EAST COLLEGE	15	172	0	187
12	MEDIATEK INC.	145	0	0	145
13	DELTA ELECTRONICS, INC.	111	17	5	133
14	CHUNG SHAN INSTITUTE OF SCIENCE AND TECHNOLOGY	81	40	4	125
15	ADVANCED CONNECTEK INC.	9	92	23	124
16	TATUNG SYSTEM TECHNOLOGIES INC.	46	52	22	120
17	MOLEX TAIWAN LTD.	4	114	1	119
18	CHENG UEI PRECISION INDUSTRY CO., LTD.	1	80	37	118
19	MACRONIX INTERNATIONAL CO., LTD.	108	0	1	109
20	MITAC INTERNATIONAL CORP.	55	43	6	104

Note: The above figures are the number of published certificates in 2005.

## 9. Non-Residents Patent Application (Top 20)

Rank	Applicant	Number of Applicant			
		Invention	Utility Model	Design	Total
1	KONINKLIJKE PHILIPS ELECTRONICS N.V.	848	1	33	882
2	SAMSUNG ELECTRONICS CO., LTD.	710	2	0	712
3	SONY CORPORATION	496	0	81	577
4	MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.	426	1	108	535
5	INTEL CORPORATION	497	0	0	497
6	SEIKO EPSON CORPORATION	440	2	22	464
7	INTERNATIONAL BUSINESS MACHINES CORP.	449	0	0	449
8	INTERDIGITAL TECHNOLOGY CORP.	318	45	0	363
9	KABUSHIKI KAISHA TOSHIBA CORP.	323	0	37	360
10	SANYO ELECTRIC CO., LTD.	326	1	14	341
11	HEWLETT-PACKARD COMPANY	302	0	5	307
12	HONDA MOTOR CO., LTD.	176	1	111	288
13	QUALCOMM INCORPORATED	285	0	0	285
14	SHARP CORPORATION	248	0	36	284
15	3M INNOVATIVE PROPERTIES COMPANY	250	1	29	280
16	ROHM CO., LTD.	196	0	39	235
17	FUJI PHOTO FILM CO., LTD.	215	0	8	223
18	FUJITSU LIMITED	211	0	2	213
19	HYNIX SEMICONDUCTOR INC.	208	1	0	209
20	NOKIA CORPORATION	159	0	46	205

## 10. Non-Residents Certificate Issued (Top 20)

Rank	Applicant	Certificate Issued			
		Invention	Utility Model	Design	Total
1	SONY CORPORATION	391	0	51	442
2	SEIKO EPSON CORPORATION	308	3	13	324
3	INTEL CORPORATION	313	0	0	313
4	SHARP CORPORATION	271	0	26	297
5	SAMSUNG ELECTRONICS CO., LTD.	289	1	0	290
6	INTERNATIONAL BUSINESS MACHINES CORP.	277	0	0	277
6	KABUSHIKI KAISHA TOSHIBA CORP.	241	1	35	277
8	SANYO ELECTRIC CO., LTD.	256	1	9	266
9	HONDA MOTOR CO., LTD.	136	2	84	222
10	MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.	136	0	57	193
11	FUJITSU LIMITED	164	0	2	166
12	HITACHI, LTD.	145	1	0	146
13	KONINKLIJKE PHILIPS ELECTRONICS N.V.	93	24	26	143
14	J. S. T. MFG. CO., LTD.	47	0	95	142
15	MITSUBISHI DENKI KABUSHIKI KAISHA	126	2	7	135
15	INTERDIGITAL TECHNOLOGY CORP.	105	30	0	135
17	INFINEON TECHNOLOGIES AG	122	0	0	122
18	TDK CORPORATION	114	0	0	114
19	MOLEX INCORPORATED	13	91	3	107
20	TOYOTA JIDOSHA KABUSHIKI KAISHA	2	0	102	104

Note: 1. The above figures are the number of published certificates in 2005.

2. Applicants with the same grand total certificates issued are given the same ranking, but the order of placement is arranged by the number of invention patents, from most to least.

## 11. Certificates Issued by Type of Industry

Type of Industry	Corresponding International Patent Classification	Residents Application		Non-Residents Application		Total	
		Invention	Utility Model	Invention	Utility Model	No. of Application	Percentage
Agriculture, Forest, Fishery & Animal Husbandry	A01, (exclude A01H,A01K67, A01N)	26	639	40	5	710	1.37%
Foods & Tobacco	A21-A24	31	224	99	3	357	0.69%
Domestic Articles	A41-A47	130	4,051	212	100	4,493	8.69%
Pharmaceutical & Entertainment	A61-A63,(exclude A61K&A61P)	254	2,588	296	100	3,238	6.26%
Biotech	A01H,A01K67,A01N,A61K35/66-35/76,38,39,47/42,48,49/14,49/16,51/08,51/10,A61P,C07K,C12,G01N33	93	28	241	2	364	0.70%
Preparation for Medical, Dental or Toilet Purposes	A61K (exclude35/66-35/76,38,39,47/42,48,49/14,49/16,51/08,51/10)	37	5	330	0	372	0.72%
Separation & Mixing	B01-B09	134	722	206	6	1,068	2.06%
Working of Metal	B21-B32, (exclude B31)	453	2,291	414	33	3,191	6.17%
Printing	B41-B44	83	556	109	6	754	1.46%
Transporting	B60-B68	270	3,827	478	114	4,689	9.07%
Micro-structural technology; nano-technology	B81-B82	24	5	18	0	47	0.09%
Inorganic Chemistry, Treatment of Waste Water	C01-C05,C30	103	141	273	4	521	1.01%
Organic Chemistry	C07, (exclude C07K)	23	0	455	0	478	0.92%
Organic Micromolecular Compound	C08	60	6	398	0	464	0.90%
Dyes, Petroleum, Animal or Vegetable Oils	C09-C11	52	33	288	0	373	0.72%
Sugar Industries & Pelts/Leather	C13-C14	1	2	3	0	6	0.01%
Metallurgy of Iron, Coating Metallic Material & Alloys	C21-C23,C25	90	62	239	7	398	0.77%
Treatment of Textile or the Like & Flexible Materials Not Otherwise Provided For	D01-D07	73	293	124	13	503	0.97%

Type of Industry	Corresponding International Patent Classification	Residents Application		Non-Residents Application		Total	
		Invention	Utility Model	Invention	Utility Model	No. of Application	Percentage
Paper Making & Making Paper Articles	D21,B31	8	33	23	0	64	0.12%
Fixed Constructions	E01-E06	111	1,998	49	31	2,189	4.23%
Mining or Quarrying	E21	1	1	1	0	3	0.01%
Engines and Pumps	F01-F04	63	551	111	7	732	1.42%
Hydraulics or Pneumatics in General	F15-F17	128	1,113	129	34	1,404	2.71%
Lighting; Heating	F21-F28	90	1,409	138	25	1,662	3.21%
Weapons; Explosive Charges	F41-F42,C06	8	179	5	2	194	0.38%
Optics	G01-G03, (exclude G01N33)	941	1,249	1,294	35	3,519	6.80%
Measuring	G04-G08, (exclude G06F)	221	504	194	11	930	1.80%
Semi-Conductor Applications	G09-G12	536	774	996	11	2,317	4.48%
Nuclear Engineering	G21	2	2	2	0	6	0.01%
Electric Power; Generation, Distribution or Conversion of Electric Power, Electric Heating	H02,H05	463	1,533	513	34	2,543	4.92%
Basic Electronic Elements	H01,(exclude H01L)	495	2,458	622	127	3,702	7.16%
Semiconductor Devices	H01L	1,861	436	1,585	25	3,907	7.55%
Basic Electric Circuitry; Electric Communication Technique	H03,H04	1,495	1,022	1,018	48	3,583	6.93%
Electric Digital Data Processing	G06F (exclude 17/60)	784	1,373	611	28	2,796	5.41%
E-business	G06F17/60	76	7	66	0	149	0.29%
Others		0	0	0	0	0	0.00%
Total		9,220	30,115	11,580	811	51,726	100.00%

12. Statistics for Valid Patent

Invention & Utility Model

Classification	Invention	Utility Model	Classification	Invention	Utility Model
A01	1,077	2,099	B28	120	111
A21	98	206	B29	1,464	1,283
A22	12	36	B30	108	102
A23	490	416	B31	66	154
A24	104	60	B32	944	324
A41	125	658	B41	1,219	774
A42	27	323	B42	50	423
A43	147	854	B43	96	554
A44	224	733	B44	100	222
A45	102	1,551	B60	1,090	3,741
A46	45	173	B61	58	18
A47	608	7,308	B62	1,129	3,379
A61	4,720	4,290	B63	123	242
A62	77	319	B64	35	37
A63	877	3,994	B65	1,885	5,268
B01	1,870	1,077	B66	351	364
B02	89	212	B67	72	145
B03	51	39	B68	3	12
B04	19	18	B81	157	18
B05	533	803	B82	5	2
B06	11	5	C01	625	54
B07	58	157	C02	400	265
B08	209	221	C03	522	59
B09	139	53	C04	477	5
B21	655	663	C05	44	12
B22	554	145	C06	18	6
B23	1,412	2,143	C07	5,209	1
B24	976	598	C08	4,754	15
B25	701	2,965	C09	1,985	30
B26	239	783	C10	421	13
B27	158	512	C11	292	24

Classification	Invention	Utility Model	Classification	Invention	Utility Model
C12	729	47	F21	220	1,301
C13	8	3	F22	33	19
C14	18	5	F23	393	740
C21	382	38	F24	511	2,015
C22	495	4	F25	436	331
C23	1,334	73	F26	53	95
C25	454	159	F27	116	49
C30	300	4	F28	227	272
D01	546	100	F41	56	416
D02	136	31	F42	31	92
D03	188	83	G01	3,948	1,982
D04	438	406	G02	5,432	1,690
D05	300	347	G03	2,517	616
D06	547	489	G04	211	176
D07	11	21	G05	583	214
D21	280	34	G06	10,464	6,133
E01	107	207	G07	345	378
E02	215	283	G08	269	389
E03	103	617	G09	2,611	1,020
E04	608	2,233	G10	521	374
E05	312	2,377	G11	6,750	1,256
E06	172	2,013	G12	13	49
E21	53	24	G21	304	12
F01	315	294	H01	36,788	11,881
F02	596	440	H02	2,351	1,982
F03	51	89	H03	2,844	291
F04	590	1,271	H04	10,499	3,627
F15	94	99	H05	3,344	3,938
F16	1,576	3,833	Total	<b>143,193</b>	<b>108,192</b>
F17	136	159			

Note: 1. The figures above are calculated based on existing patents as of December 31, 2005.

2. Invention patents and utility model patents are classified by the IPC Classification and design patents are classified by the International Classification for Industrial Design.

Design

Classification	Design	Classification	Design	Classification	Design
01	31	19	820	37	387
02	593	20	180	38	103
03	352	21	754	39	20
04	241	22	267	40	56
05	287	23	1,772	41	17
06	1,218	24	603	42	29
07	741	25	550	43	7
08	1,206	26	934	44	10
09	1,061	27	175	45	43
10	1,130	28	795	46	509
11	829	29	45	47	23
12	1,758	30	444	48	45
13	2,311	31	158	49	80
14	3,675	32	383	50	90
15	1,351	33	60	99	132
16	885	34	79	Total	28,701
17	1,023	35	23		
18	323	36	93		

Note: 1. The figures above are calculated based on existing patents as of December 31, 2005.  
2. Invention patents and utility model patents are classified by the IPC Classification and design patents are classified by the International Classification for Industrial Design.

D. Statistics for IC Layout Application and Certificate Issued

Year	Application	Certificate Issued
1996	243	40
1997	148	224
1998	125	204
1999	135	52
2000	102	150
2001	206	55
2002	76	91
2003	53	79
2004	56	34
2005	26	93

## II. Trademark Cases Filed & Disposed

### A. Case filed for Trademark (1981-2005)

Item Year	Application	Registration	Approval	Rejection
1981	43,463	19,038	26,200	7,138
1982	42,819	35,102	34,835	12,656
1983	53,641	30,587	34,353	11,295
1984	62,968	39,236	41,563	21,245
1985	55,973	45,026	46,301	13,472
1986	64,772	45,106	45,245	18,459
1987	69,543	40,388	39,874	22,023
1988	60,788	42,114	46,467	19,063
1989	59,071	47,788	46,912	11,955
1990	56,925	44,033	45,475	14,087
1991	60,500	41,195	42,460	15,402
1992	64,394	39,301	42,368	15,304
1993	64,799	50,773	53,707	12,681
1994	67,641	44,287	42,114	9,870
1995	63,797	41,416	43,797	6,219
1996	67,063	44,973	50,657	7,272
1997	70,502	57,541	53,973	9,306
1998	69,371	49,512	54,257	9,875
1999	73,212	60,302	56,764	7,665
2000	88,002	52,954	68,168	6,543
2001	59,158	76,413	75,731	9,467
2002	61,729	70,842	64,032	9,253
2003	65,907	74,572	54,335	7,451
2004	61,667	54,912	—	6,440
<b>2005</b>	<b>63,580</b>	<b>55,181</b>	<b>—</b>	<b>7,929</b>

Note: 1. The figures for “Application” are calculated based on the total number of registration applications collected each year.

2. The figures for “Registration,” “Approval,” and “Rejection” are calculated based on the total number of cases published each year.

3. The published approval system was abolished after the new Trademark Act took effect on November 28, 2003; a trademark shall be registered and published after the registration fee payment is made.

## B. Statistics for Trademark from 1996 to 2005

### 1. Statistics for Application

Item Year	Application		Opposition	Invalidation	Revocation
	By Application	By Class			
1996	67,063	—	1,732	579	246
1997	70,502	—	1,833	570	284
1998	69,371	—	1,587	563	267
1999	73,212	—	1,782	503	234
2000	88,002	—	1,871	511	206
2001	59,158	—	2,051	439	268
2002	61,729	—	2,081	577	256
2003	65,907	—	1,762	644	317
2004	61,667	72,650	1,536	440	288
<b>2005</b>	<b>63,580</b>	<b>76,838</b>	<b>1,562</b>	<b>537</b>	<b>368</b>

Item Year	Renewal	License	Assignment	Alteration
1996	13,652	2,668	8,193	7,166
1997	21,740	3,188	5,958	7,028
1998	15,283	2,542	7,376	7,558
1999	14,346	3,824	7,422	7,418
2000	19,402	2,300	8,872	7,561
2001	15,284	2,549	6,935	8,650
2002	17,896	3,215	8,607	8,059
2003	21,996	2,593	11,477	8,611
2004	21,559	2,056	7,796	5,451
<b>2005</b>	<b>22,534</b>	<b>1,980</b>	<b>9,255</b>	<b>7,416</b>

Note: 1. The figures above reflect the total number of applications.

2. The term “Application” includes applications for certification mark, collective membership mark and collective trademark.

3. The term “License” includes applications for sub-license from 2000 on.

4. The term “Alteration” includes applications for “goods /service reduction” from 2001 on.

5. Beginning from November 28, 2003, application for trademark registration may contains two more classes of goods or services, thus the numner of applications and the number of classes are not the same.

6. Beginning from November 28, 2003, “disciplinary cancellation” is changed to “revocation.”

## 2. Trademark Opposition

Item Year	Sustained	Denied	Others
1996	957	577	171
1997	836	573	234
1998	862	636	237
1999	483	601	186
2000	723	763	240
2001	1,196	817	316
2002	1,450	593	311
2003	896	501	206
2004	806	399	261
<b>2005</b>	<b>804</b>	<b>520</b>	<b>231</b>

Note: 1. The chart is arranged based on number of cases disposed each year.  
 2. The term "Others" includes rejection, revocation, and other types of rejection.

## 3. Trademark Invalidation

Item Year	Sustained	Denied	Others
1996	251	220	89
1997	263	173	55
1998	211	227	105
1999	295	202	48
2000	239	192	91
2001	234	174	72
2002	354	164	60
2003	296	134	50
2004	293	94	48
<b>2005</b>	<b>255</b>	<b>180</b>	<b>76</b>

Note: 1. The chart is arranged based on number of cases disposed each year.  
 2. The term "Others" includes rejection, revocation, and other types of rejection.

## 4. Trademark Revocation (Cancellation)

Item Year	Sustained	Denied	Others
1996	63	49	130
1997	114	39	101
1998	86	39	150
1999	147	39	94
2000	96	59	82
2001	189	51	59
2002	168	58	52
2003	193	42	48
2004	198	39	51
<b>2005</b>	<b>216</b>	<b>71</b>	<b>45</b>

Note: 1. The chart is arranged based on number of cases disposed each year.

2. The term "Others" includes rejection, revocation, and other types of rejection.

3. Beginning from November 28, 2003, "disciplinary cancellation" is changed to "revocation."

## 5. Residents and Non-Residents Trademark Application (By Application)

Item Year	Residents	Non-Residents
1996	51,734	15,329
1997	53,526	16,976
1998	53,417	15,954
1999	56,933	16,279
2000	64,683	23,319
2001	41,299	17,859
2002	45,403	16,326
2003	48,878	17,029
2004	48,613	13,054
<b>2005</b>	<b>50,263</b>	<b>13,317</b>

6. Residents and Non-Residents Trademark Registration (By Application)

<div>Item Year</div>	Residents	Non-Residents
1996	34,916	10,057
1997	43,991	13,550
1998	37,465	12,047
1999	45,734	14,568
2000	40,650	12,304
2001	56,785	19,628
2002	49,151	21,691
2003	52,942	21,630
2004	40,224	14,688
<b>2005</b>	<b>42,782</b>	<b>12,399</b>

## C. Statistics on Trademark by Class and Nationality

### 1. Trademark Application and Registration by Class (2003-2005)

Class	Application			Registration		
	2003	2004	2005	2003	2004	2005
Total	66,765	72,555	76,742	69,755	55,955	63,685
1	1,118	1,273	1,245	1,276	934	1,168
2	250	305	416	289	226	279
3	5,296	5,297	5,750	4,518	4,313	4,439
4	493	533	500	505	397	437
5	5,815	5,660	5,458	4,233	4,676	5,054
6	727	904	994	912	711	783
7	1,466	1,588	1,566	1,641	1,314	1,624
8	473	557	555	552	379	557
9	6,320	6,508	6,618	7,479	5,443	6,169
10	986	1,011	1,107	1,061	917	948
11	1,453	1,588	1,662	1,642	1,206	1,578
12	1,419	1,535	1,652	1,436	1,094	1,533
13	34	98	38	54	28	88
14	1,020	1,219	1,359	905	869	1,113
15	100	97	109	100	98	84
16	2,245	2,454	2,453	2,603	1,881	2,054
17	419	414	504	488	383	367
18	1,368	1,590	1,984	1,463	1,214	1,392
19	394	453	494	450	405	351
20	1,053	1,141	1,169	1,119	903	1,008
21	1,061	1,109	1,217	1,159	893	1,092
22	134	122	165	131	114	127

Class	Application			Registration		
	2003	2004	2005	2003	2004	2005
23	86	83	111	100	91	78
24	855	903	1,043	901	786	848
25	4,191	4,966	5,349	4,448	3,581	4,180
26	248	286	280	269	264	241
27	134	141	123	120	145	114
28	1,341	1,516	1,560	1,418	1,294	1,322
29	2,406	2,396	2,523	2,397	1,853	2,081
30	4,099	4,425	4,638	3,570	3,159	3,749
31	771	825	862	631	622	776
32	1,920	2,134	2,092	1,538	1,437	1,724
33	1,148	1,255	1,092	812	908	1,034
34	362	363	314	260	258	288
35	4,733	5,404	6,101	6,168	4,108	4,787
36	715	905	1,016	872	659	723
37	769	819	940	906	652	708
38	782	741	840	1,110	627	603
39	500	532	640	601	463	445
40	330	402	374	477	286	359
41	2,204	2,480	2,632	2,412	1,846	2,083
42	1,984	2,136	2,176	3,985	1,617	1,713
43	2,449	3,070	3,606	1,919	1,979	2,460
44	858	1,054	1,120	679	706	910
45	236	263	295	146	216	214

Note: 1. The above figures are for trademark cases, not including certification mark and collective membership mark.

2. The Trademark Act adopts a system to allow for single registration for goods and/or services in several classes from November 28, 2003 on.

## 2. Trademark Application by Nationality in 2005 (By Application)

Nationality	Application	Percentage	Nationality	Application	Percentage
TAIWAN, REPUBLIC OF CHINA	50,263	79.05%	LIECHTENSTEIN	28	0.04%
UNITED STATES OF AMERICA	3,709	5.83%	PORTUGAL	27	0.04%
JAPAN	2,868	4.51%	POLAND	24	0.04%
GERMANY	781	1.23%	INDONESIA	23	0.04%
FRANCE	743	1.17%	IRELAND	20	0.03%
UNITED KINGDOM	572	0.90%	CHILE	20	0.03%
CHINA	561	0.88%	INDIA	19	0.03%
SWITZERLAND	537	0.84%	MAURITIUS	19	0.03%
ITALY	428	0.67%	VIETNAM	19	0.03%
REPUBLIC OF KOREA	395	0.62%	ISRAEL	17	0.03%
HONG KONG	353	0.56%	UNITED ARAB EMIRATES	16	0.03%
BRITISH VIRGIN ISLANDS	291	0.46%	MONACO	14	0.02%
SINGAPORE	230	0.36%	PANAMA	13	0.02%
NETHERLANDS	207	0.33%	NORWAY	12	0.02%
CANADA	159	0.25%	TURKEY	12	0.02%
AUSTRALIA	120	0.19%	SAMOA	12	0.02%
SPAIN	107	0.17%	RUSSIAN FEDERATION	11	0.02%
SWEDEN	97	0.15%	BRUNEI	10	0.02%
CAYMAN ISLANDS	86	0.14%	HUNGARY	10	0.02%
MALAYSIA	84	0.13%	MACAU	9	0.01%
MEXICO	77	0.12%	ARGENTINA	9	0.01%
BELGIUM	65	0.10%	SOUTH AFRICA	8	0.01%
NEW ZEALAND	63	0.10%	BAHAMAS	8	0.01%
DENMARK	53	0.08%	BULGARIA	8	0.01%
LUXEMBOURG	43	0.07%	SLOVAKIA	7	0.01%
BERMUDA	42	0.07%	NETHERLANDS ANTILLES	6	0.01%
FINLAND	35	0.06%	PHILIPPINES	5	0.01%
AUSTRIA	34	0.05%	BARBADOS	5	0.01%
THAILAND	34	0.05%	GREECE	5	0.01%
BRAZIL	29	0.05%	OTHERS	118	0.19%
Subtotal			Ratio		
Residents	50,263		Residents		79.05%
Non-Residents	13,317		Non-Residents		20.95%
Total	63,580		Total		100.00%

Note: Countries with fewer than five applications are listed as "Others."

### 3. Trademark Registration by Nationality in 2005 (By Application)

Nationality	Registration	Percentage	Nationality	Registration	Percentage
TAIWAN, REPUBLIC OF CHINA	42,782	77.53%	NEW ZEALAND	30	0.05%
UNITED STATES OF AMERICA	3,699	6.70%	IRELAND	28	0.05%
JAPAN	2,667	4.83%	INDIA	27	0.05%
GERMANY	784	1.42%	NORWAY	22	0.04%
FRANCE	730	1.32%	ISRAEL	21	0.04%
SWITZERLAND	541	0.98%	PHILIPPINES	19	0.03%
UNITED KINGDOM	438	0.79%	PORTUGAL	16	0.03%
CHINA	423	0.77%	BRAZIL	15	0.03%
HONG KONG	392	0.71%	CZECH REPUBLIC	14	0.03%
ITALY	367	0.67%	MACAU	14	0.03%
REPUBLIC OF KOREA	253	0.46%	MEXICO	13	0.02%
SINGAPORE	243	0.44%	BAHAMAS	12	0.02%
BRITISH VIRGIN ISLANDS	233	0.42%	SAMOA	12	0.02%
NETHERLANDS	219	0.40%	BERMUDA	11	0.02%
AUSTRALIA	140	0.25%	MAURITIUS	11	0.02%
CAYMAN ISLANDS	135	0.24%	MONACO	10	0.02%
CANADA	102	0.18%	UNITED ARAB EMIRATES	10	0.02%
SWEDEN	102	0.18%	SOUTH AFRICA	9	0.02%
MALAYSIA	87	0.16%	VIETNAM	8	0.01%
SPAIN	75	0.14%	RUSSIAN FEDERATION	8	0.01%
BELGIUM	63	0.11%	CHILE	7	0.01%
THAILAND	54	0.10%	BRUNEI	7	0.01%
LIECHTENSTEIN	45	0.08%	TURKEY	7	0.01%
AUSTRIA	39	0.07%	ARGENTINA	6	0.01%
LUXEMBOURG	38	0.07%	BARBADOS	5	0.01%
INDONESIA	36	0.07%	POLAND	5	0.01%
DENMARK	36	0.07%	ICELAND	5	0.01%
FINLAND	30	0.05%	OTHERS	76	0.14%
Subtotal			Ratio		
Residents	42,782		77.53%		
Non-Residents	12,399		22.47%		
Total	55,181		100.00%		

Note: Countries with fewer than five applications are listed as "Others."

D. Statistics for Certification Mark and Collective Membership Mark

Year	Certification Mark		Collective Membership Mark	
	Application	Registration	Application	Registration
1995	9	11	74	112
1996	13	3	85	59
1997	8	6	91	73
1998	14	3	95	49
1999	13	10	100	36
2000	29	6	117	76
2001	27	32	110	68
2002	34	14	109	112
2003	36	37	91	83
2004	34	27	61	74
2005	40	33	56	41

## B. Annual Publications

### Books and CDs

Title	Publishing Date
New R&D Management Trend 2005 - Strategies for Patent Commercialization (Seminar Handouts)	4/2005
2004 Selected Case Studies of Patent-Related Administrative Litigation Decisions	8/2005
The 8 <sup>th</sup> edition Locarno Agreement Establishing an International Classification for Industrial Designs	9/2005
Selected Case Studies of Patent Procedural Examination-Related Administrative Disputes (2001-2004)	12/2005
Q&A About Patent	12/2005
Guide for Applicants Part 1, European Patent Office (Traditional Chinese Version)	11/2005
Patent Law Treaty and the Regulations Under the Patent Law Treaty (English-Chinese Bilingual Version)	12/2005
An Explanation of Trademark Act Articles	5/2005
Selected Case Studies of Trademark Administrative Disputes	7/2005
Copyright Issues Relating to Using File-Swapping Software to Download Music From the Internet	3/2005
Legal Liabilities for Giving Out Software Serial Numbers for Installation	5/2005

Legal Liabilities for Transmitting Copyrighted Works via BT or Emule P2P Software	6/2005
Internet Copyrights 1, 2, 3	7/2005
All You Need to Know About IPR	8/2005
Existing Copyright Regulations	9/2005
Performance Report on Intellectual Property Rights Protection in Taiwan (Chinese/English)	4/2005; 7/2005
Intellectual Property Rights Protection on Campus (Chinese/English)	7/2005
Annual Report 2004 (Chinese)	6/2005
Annual Report 2004 (English)	9/2005

Journals

Title	First Issue
Patent Gazette (Hardcopy/CD) (Every 10 days)	1/1974; 7/2001
Patent Application Publication Gazette (Hardcopy/CD) (Biweekly)	5/2003; 5/2003
Trademark Gazette (Hardcopy/CD) (Biweekly)	1/1974; 1/2005
IPR Journal (Monthly)	1/1999

## C. Calendar of Events

- Jan. 1      Official publication of Trademark Gazette CD. All Gazettes are now available on CD.
- Jan. 27      Revision and promulgation of the "Implementation Regulations for Suspension of Release of Goods Infringing on Copyright or Plate Rights by Customs Authorities."
- Feb. 15      The completion, promulgation, and implementation of the "Operational Procedures on Hearings for Trademark Dispute Cases."
- Mar. 4      Revision and promulgation of Chapters 1 through 6 of Section 3- 'Substantial Examination for Design Patent' of the "Guidelines for Patent Examination."
- Mar. 10      The TIPO-INTA Examination Guidelines Roundtable took place with the participation of INTA experts, TIPO trademark examiners, local scholars and experts, the MOEA Committee of Appeals, the FTC, and Taiwan INTA members. Participants exchanged experiences and opinions on nontraditional trademarks, likelihood for confusion, conflicts and coordination of the Trademark Act and Fair Trade Act with respect to trademarks protection, and the protection of geographical indications.
- Mar. 17      Articles 1, 6, and 7 of the "Regulations Governing Awards for Inventions and Creations" were revised and promulgated, and took effect on March 19, 2005.
- Mar. 30      Completion of the first technical evaluation report for utility model patents following the implementation of the revised Patent Act.
- Apr. 22      Revision and promulgation of Point 4 of the "Main Points for Awards for the Seizure of Counterfeit Goods", which took effect on March 30, 2005.

- Apr. 25 Establishment of the Patent Express Service Counter providing one-on-one services for cases where patent file reviews are not required.
- Apr. 25 The 2005 IPR Operations Conferences were held in Hsinchu,  
- May 17 Taichung, Taipei, and Kaohsiung to solicit opinions from businesses as well as patent and trademark representatives for operations reform.
- May 1-7 A TIPO delegation, led by Director-General Tsai, conducted successful exchange talks with New Zealand and Australia on bilateral IP cooperation, the records of which were signed upon the conclusion of conference.
- May 17 The completion and promulgation of 'Section One: Procedural Examination' of the "Guidelines for Patent Examination," which took effect on May 20, 2005.
- May 30 Interactive online game, "Intellectual Expedition" launched.
- Jun. 14-17 A delegation attended the WTO/TRIPS meeting in Geneva, Switzerland.
- Jun. 15 The President promulgated the amendment of Article 9*bis* to the Optical Disk Act.
- Jun. 28 The TIPA Opening Ceremony was held at the NTU Innovation and Incubation Center. Director-General Tsai and NTU President Lee held a joint press conference and presided over the opening ceremony.
- Jul. 1 Implementation of e-mail notification for patent annuities payments.
- Jul. 4 Revision and promulgation of Point 5 of the "Directions for Inspection of Export of Audio-visual Copyrighted Works and OEM Audio CDs" and copyright authorization document inspection forms, which took effect on July 17, 2005.

- Jul. 20 Establishment of the Copyright Authorization Information Express Service Desk to facilitate easy-access to copyright licensing information by rights users.
- Aug. 2 Premier Hsieh awarded relevant units and personnel for distinguished performance in the "2005 Award Presentation Ceremony for Units with Outstanding IPR Performance."
- Aug. 2-5 Deputy Director-General Lu attended the 21<sup>st</sup> APEC/IPEG meeting and Seminar on Cybercrime in Manila, the Philippines.
- Sep. 7-8 Deputy Director-General Lu attended the "APEC High-level Symposium on IPR" in Xiamen, China.
- Sep. 28 TIPO and the American Institute in Taiwan (AIT) co-hosted the "Seminar on Combating Internet Piracy."
- Sep. 29 The "2005 Taipei International Invention Show and Technomart" was  
- Oct. 1 held at the Taipei World Trade Center (TWTC) Exhibition Hall.
- Oct. 1 Implementation of the 8<sup>th</sup> edition "Locarno Agreement Establishing an International Classification for Industrial Designs" for design patents.
- Oct. 3 TIPO hosted the "2005 National Invention and Creation Awards" to honor inventor achievements.
- Oct. 3-5 Deputy Director-General Lu attended the "APEC-USPTO Workshop on Developing a Successful Intellectual Property Enforcement Regime" in Bangkok, Thailand.
- Oct. 7 Revision and promulgation of the "Main Points for Advance Notices of Reasons for Disapproving Trademark Applications."
- Oct. 20-21 The "2005 Taipei Symposium on Trademark Law and Policy" was held.

- Oct. 25-28 A delegation attended the TRIPS regular and special meetings in Geneva to continue negotiation on current TRIPS issues.
- Nov. 8 The 7<sup>th</sup> Meeting of the Taiwanese-French Commission on Industrial Property in Taipei
- Nov. 30 A TIPO delegation, led by Deputy Director-General Tsai, attended the  
- Dec. 1 30<sup>th</sup> Taiwan-Japan Economic and Trade Consultations.
- Dec. 14 Following its Executive Yuan approval on December 7, the Patent Attorney Act was submitted to the Legislative Yuan for review.
- Dec. 15 Implementation of e-mail notification of trademark registration renewal.
- Dec. 29 The Executive Yuan abolished the "Administrative Guideline of Anti-Counterfeiting Committee", effective January 1, 2006, and relevant operations were transferred under TIPO.
- Dec. 30 In accordance with Criminal Code revisions, the draft revision of partial Copyright Act articles was approved by the Executive Yuan and submitted to the Legislative Yuan for review.



# Annual Report 2005

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