



經濟部智慧財產局

INTELLECTUAL PROPERTY OFFICE

MINISTRY OF ECONOMIC AFFAIRS

October – December 2012

Quarterly Report on Taiwan's Intellectual Property Rights Protection

The newly-amended Patent Act was promulgated by Presidential Order on December 21, 2011 and taken effect on January 1, 2013. The new Act comprises 159 articles, wherein 108 original articles have been amended, 36 new articles have been added, and 15 original articles have been deleted. In compliance with the implementation of the new Patent Act, TIPO amended 8 regulations, revised 5 Chapters and 51 Sections of examination guidelines. The related regulations, patent examination guidelines, patent application forms, and updated computer systems of electronic patent filing have taken effect concurrently.

Wang, Mei-hua

Director General, Intellectual Property Office (TIPO)

Special Report

TIPO Attending the 24th APEC Ministerial Meeting

Dr. Chii-Ming, Yiin, former Minister of Council for Economic Planning and Development, Executive Yuan and Dr. Yen-Shiang, Shih, former MOEA Minister led a delegation to attend the 24th Asia-Pacific Economic Cooperation (APEC) Ministerial Meeting (AMM), which was held in Vladivostok, Russia on September 5-6, 2012. Chinese Taipei supports Joint Statement on “the APEC Guidelines for Customs Border Enforcement, Counterfeiting and Piracy” and to encourage cooperation in Intellectual Property protection and enforcement.

The 2nd 2012 Taiwan-EU IPR Working Group Videoconference Successfully Concluded.

The 2nd 2012 Taiwan-EU IPR Working Group Videoconference was held on October 1, 2012 and co-chaired by Ms. Sherry Hong, Secretary General of TIPO and Mr. Antonio Parenti, the European Commission's Policy Officer for Taiwan, Hong Kong, Macao and Mongolia. During the conference, both sides gave updates on IPR legislative changes, the status of IPR enforcement and exchanged views on geographical indication (GI) and bilateral cooperation on IPR.

Delegation from Japan's National Graduate Institute for Policy Studies Visits TIPO

A delegation of 9 overseas study members led by Prof. Kaoru Okamoto of Japan's National Graduate Institute for Policy Studies (GRIPS) and accompanied by Interchange Association, Japan (IAJ) visited TIPO on October 2, 2012 to exchange opinions regarding Taiwan's IPR policy, the trend for the application of invention and utility model patents, mechanisms for patent examination, and new types of trademarks. A tour of patent examination practices at TIPO was also organized during the visit.

Delegation Led by Former JIPA President Visits TIPO

A delegation of 22 Japanese corporate representatives led by Mr. Hirohiko Usui, former President of the Japan Intellectual Property Association (JIPA), visited TIPO on November 1, 2012 and was received by Director General Wang. During the visit, both sides exchanged opinions on issues of interest to the Japanese representatives who were also given a status update on Taiwan's IP-related legislative amendments.

The 37th Taiwan-Japan Economic and Trade Conference

On November 28-29, 2012, representatives from TIPO and Japan Patent Office (JPO) attended talks in the IPR sub-group meeting at the 37th Taiwan-Japan Economic and Trade Conference held in Taipei.

On the occasion of the conference, Mr. Susumu Iwasaki, the director of JPO International Affairs Division paid a visit to TIPO and Patent Search Center in the afternoon of November 27, 2012. Both sides exchanged updates on the latest achievements and evaluations of Patent Prosecution Highway (PPH), Patent Search Center operation and Utility Model Patent system.

Mr. Nojo Sukenori, a Lecturer of Intellectual Property from Osaka Institute of Technology, Japan Visits TIPO

Mr. Nojo Sukenori, a Lecturer of Intellectual Property of Osaka Institute of Technology and the former Director of Trademark Division and Chief Appeals Examiner of Appeals Department of JPO was invited by TIPO on December 5-6, 2012, to deliver an “Introduction to Trademark Use and Practical Case Study in Japan” to trademark examiners of TIPO and general publics. During the event, the latest developments of the litigation, dispute and Japanese trademark system have been comprehensively elaborated.

TIPO and USPTO jointly announce the launch of a permanent TIPO-USPTO Patent Prosecution Highway (PPH)

TIPO and USPTO, on December 21, 2012 jointly announced the launch of a permanent TIPO-USPTO Patent Prosecution Highway (PPH), which started on September 1, 2011 and commenced fully on September 1, 2012, following a successful one year trial period. TIPO-USPTO PPH will allow applicants to obtain patents faster and more efficiently.

Legislative Amendments

Program on “Collective Interviews for Relevant Invention Patent Applications” Begins Implementation on October 1, 2012

A program on “Collective Interviews for Relevant Invention Patent Applications” was set up by TIPO to step up acquisition of patent protection for R&D and innovative creations by the industry, academia and individual inventors and to facilitate formulation of well-established patent strategy and portfolio. The program, which began implementation on October 1, 2012, allows applicants to file for a collective examination for their invention patents, where examiners through group interviews can quickly grasp the technical aspects in each application, thereby speeding up patent examination, with enhanced effectiveness. For more information, please visit TIPO webpage (<http://www.tipo.gov.tw>) → “Patent”/“Collective Interviews for Relevant Invention Patent Applications.”

Publication of Article 32-3 of Trademark Act on Processing Principle

To help people from various sectors better understand the principle for processing reinstatement of trademark right and relevant examination regulations, as provided by the newly-amended Trademark Act, TIPO has uploaded related information to the “Trademark Examination” section of the TIPO website; the information provided can be accessed and used as reference by people applying for the reinstatement thereof.

TIPO issues Amendment of Regulation Ratifying Extension to Patent Term on December 28, 2012

Regulations governing the extension of patent terms of pharmaceutical and agrochemical related invention patents have been amended. The main points of the amendment are as follows: 1. The so-called time periods spent for conducting clinical trials or field trials in Taiwan or foreign countries are limited to those sent by the Specific Patent Agency to the Department of Health (DOH) and Council of Agriculture (COA), Executive Yuan for review and confirmed by the DOH or COA to be needed for issuing drug licenses or agrochemical licenses; 2. Provisions are added, prescribing that the so-called time periods within which a patent cannot be exploited due to obtaining related licenses, in the event that time periods concluded by the Specific Patent Agency are longer than the patent terms that the applicant has applied to extend, shall be limited to what the applicant has applied.

The New Patent Act comes into force on January 1, 2013

The newly-amended Patent Act was promulgated by Presidential Order on December 21, 2011 and taken effect on January 1, 2013. The new Act comprises 159 articles, wherein 108 original articles have been amended, 36 new articles have been added, and 15 original articles have been deleted. In compliance with the implementation of the new Patent Act, TIPO amended 8 regulations, revised 5 Chapters and 51 Sections of examination guidelines. The related regulations, patent examination guidelines, patent application forms, and updated computer systems of electronic patent filing have taken effect concurrently. The amended main points can be categorized into 6 aspects:

1. Procedure for application:

Provisions have been added governing the applicant for the patent may claim grace period for disclosing his/her invention in a publication by him/her. Pursuant to “reinstatement of rights” mechanism, applicants who lost their patent rights because they unintentionally failed to claim priority rights at the time of application or failed to pay issue fee or patent annuities on

time may apply for reinstatement of rights.

2. Substantive Examination:

Provisions have been amended to delete the time limit for applicants to modify applications; Provisions have been revised regarding the extension of patent terms.

3. Expansion of Protected Objects:

Provisions have been amended governing the expansion of scope of subject matter in compliance with design patent protection, to cover partial designs, computer-generated icons and graphic user interfaces (Icons & GUIs), and the design of a set of articles. The derivative design system is also introduced.

4. Remedy for Infringement:

Provisions have been amended to clarify the subjective requirements for the patentee to claim the damages of patent infringement and to revise the methods of calculating damages and the regulation of the patent marking.

5. Compulsory Licensing:

Provisions have been added to address public health concerns in developing or least-developed countries with insufficient capacity and to issue compulsory licenses to produce patented pharmaceutical products for export to countries that require assistance.

6. Patent Invalidation:

Provisions have been amended to enable revocation of patent right(s) by ex officio action; an invalidation request may be filed to parts of a claim (of the same patent).

As an effort to allow all sectors to gain a thorough understanding of newly-amended Patent Act and to adapt to its implementation during a transitional period, TIPO has prepared a compilation table of information and relevant provisions on its website (<http://www.tipo.gov.tw>).

Adjustment to Regulations of Patent Fees has been launched in compliance to New Patent Act on January 1, 2013.

In compliance with the substantive examination fee, charging separately according to the number(s) of the claim(s), the application fee for re-examination, invention and utility model patent invalidation and technical report of a utility model patent shall be collected in an itemized comparison of the number(s) of the claim(s) respectively.

In line with the newly-amended Patent Act and implementation, guidelines for Regulations of Patent Fees have been amended and have taken effect on January 1, 2013 in compliance with New Patent Act.

Latest Developments

E-Filing Made Easy with the Upgraded (Ver. 1.2.0) E-SET

In July 2012, TIPO launched two new e-filing tools, entitled E-Service Express Tools (E-SET) and HTML2PDF (a PDF converter) to enable people to submit their patent/trademark applications electronically. Compatible to application documents created in common word processor (MS Word or Open Office), these tools enable one-stop services and provide diversified search functionalities via [TIPO Net](#).

In response to user feedback since the launch of the new e-filing tools, TIPO has fixed a few bugs and completed an update to ver. 1.2.0, which includes the following features: 1. Easier steps to convert forms; 2. Easier steps to compose specifications; 3. More complete kits for making graphs; 4. Auto detection for repeated submission; 5. More convenient steps to name a product and calculate fees; and 6. Enhanced capacity for cases browsing.

The new e-filing system can be accessed at:

<http://stiponet.tipo.gov.tw/S040helpdownload045File.htm>

Inter-Agency Meeting on Applicability of Examination Standards for New Patent Act, Trademark Act and Relevant Case Studies

On September 28, 2012, an inter-agency meeting on the applicability of examination standards for the new Patent Act, Trademark Act and relevant case studies was organized by TIPO at the IP Court, where about 85 invited experts and representatives from the IP Court, Judicial Yuan, Supreme Administrative Court, and MOEA's Petitions and Appeals Committee shared insights regarding the interpretation of provisions and procedures taken in patent and trademark examination and discussed ways to facilitate inter-agency communication and high-quality examination practices.

Cross-strait Working-level Meeting on Patent Affairs

A delegation led by Mr. Cheng-wei Liao, Director of TIPO's Patent Division I, attended the 3rd Working-level Meeting on Patent Affairs held in Beijing, mainland China on September 18-20, 2012 to implement the Cross-strait Agreement on IP Protection and Cooperation and to enhance cross-strait exchange on patent affairs.

SMEA Holds IP Forum for Small and Medium-sized Enterprises

IP Forum for Small and Medium-sized Enterprises and exhibit of project deliverables was held at NTUH International Center On October 24, 2012, by Small and Medium Enterprise Administration (SMEA). The main topics of the forum included the latest development of IP in Asia-the prospects of SMEs; experience sharing in IP strategy; creation of patent market value; IPR system in Korea and Japan; new trends of international patent application and litigation; patent deployment and IP management of SMEs; IP management and business strategy; SMEs technology sharing and promotion. Following the forum, an exhibit of outstanding deliverables created by 12 enterprises (medical devices, high-performance plastics, cloud computing technology, biotechnology industry and intelligence electronics) that had received assistance for reviewing.

TIPO Director General Wang Mei-hua Leads Delegation to Attend Cross-Strait Trademark Forum and Cross-Strait Working-Level Meeting on Trademark

TIPO Director General Wang led a delegation composed of Trademark Division personnel attended the 2012 Cross-strait Trademark Forum, held in Wuxi of Jiangsu Province, Mainland China, on Nov. 5-6, 2012. Issues discussed during the forum included the latest development of respective trademark legislations, types of trademark infringement, recognition of proofs used in trademark right protection and brand image. Following the forum, the group on Nov. 7 continued to attend the Cross-strait Working-level Meeting on Trademark where both sides delivered status updates on the results of the implementation of the Cross-strait Agreement on Intellectual Property Right Protection and Cooperation and exchanged opinions on trademark examination practices and relevant legislations across the strait.

TIPO Holds Elite Conference on "IT Industry Patent Trend and Patent Litigation Analysis"

An elite conference was held at National Chiao Tung University in Hsinchu City on Oct. 16-17, 2012 to share the research results of "IT Industry Patent Trend and Patent Litigation Analysis," a study conducted by the Taiwan Science and Technology Law Society under the commission of TIPO. The conference, which attracted a total of 350 people, touched on topics including in-depth look at touch technology, development trend in touch technology industry, anatomy of touch technology patents, patent portfolio and trend in touch technology, US patent litigation strategy, analysis of US ITC patent litigation cases involving Taiwanese companies, analysis of key US patent litigation cases involving IT industries, analysis of reverse engineering, points of contention over a near 20-year period in US patent litigation and development in relevant litigation systems.

TIPO Held Conference on the Deliverables of Information Technology Patent Trend and Litigation Analysis

TIPO on Oct. 25-26, 2012 held a conference to present research results of a study entitled "IT Industry Patent Trend and Patent Litigation Analysis." Comprising two sessions respectively devoted to micro-reading touch technology patents and technology function matrix, the conference touched on topics including an anatomy of key patents in touch technology, coping strategies for touch technology businesses in patent litigation, manufacturing procedure of technology function matrix, practices on patent survey procedures, patent trends analysis and manufacture of technology function matrix. The conference attracted a total of 300 people.

TIPO Trademark Examiners attended USPTO GIPA Training Course

To establish a comprehensive online system for trademark examination, TIPO dispatched 2 trademark examiners and 1 IT technician to attend an IT training program held by USPTO on November 5-7, 2012. The course includes a full-scale introduction and discussion of X-Search, FAST, TICRS, TRAM, Madrid and relevant external/internal trademark search system.

TIPO-JPO Exchange of Trademark Examiners and Practice

2 trademark examiners from TIPO paid a visit to JPO and JAPIO on November 26-30, 2012. The exchange of topics included: the latest development of trademark system and policy; Japanese electronic trademark examination system and workflow; distinctiveness, against public policy or morals is void, judgment of trademark similarity, well-known trademarks, geographical certification mark and collective membership mark; examination guidelines for new trademark system; examination practice and quality review system.

2012 Cross-Strait Patent Forum

On December 4, 2012, the Cross-Strait Patent Forum was held in Taipei. Both sides exchanged opinions and shared experiences on the recent developments of patent reform, patent examination, administrative remedy and patent litigation. A team of 30 experts of Industry, Official and Academy, led by He Hua, Deputy Commissioner of SIPO, attended this forum. In addition, a total of 200 participants from Taiwan also attended the forum, including TIPO officials and experts from private sectors.

The Delegation of Judges Association of Shandong Province P.R.C. visited TIPO

A group of 8 from Judges Association of Shandong Province P.R.C. visited TIPO on Nov. 26, 2012. Both sides exchanged views on Cross-Strait judicial and administrative protection, including issues related to the establishment of competent authority, tasks, enforcement, and the administration.

Enforcement and Latest Statistics

National Police Agency (NPA)

1. Enforcement News (October-December 2012):

From October to December 2012, a total of 192 copyright infringement cases were uncovered involving 228 suspects and 483 trademark infringement cases were uncovered involving 528 suspects. The market values of these uncovered infringing goods were estimated by rights holders to be around NT\$8,816,964,681.

- a) Internet infringement: 467 cases involving 497 suspects
- b) Night market inspection: 68 cases involving 76 suspects
- c) Store inspection: 136 cases involving 186 suspects
- d) Factory inspection: 2 cases involving 3 suspects
- e) Other types of infringement: 2 cases involving 4 suspects

Total: 675 cases involving 766 suspects

2. Major Cases Involving Economic Crime (October-December 2012)

One case involving 10,000 pirated Blu-ray ODs, 100 CD/DVD burners, 5 computer hard drives and desktop computers was uncovered and transferred to Banciao district prosecutor's office for further investigation and prosecution on charges of violation of Copyright Act.

Statistics for IPR Infringement Cases

Unit: case/person

Year	Total		Trademark		Copyright		
	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of CDs Confiscated
2012 Oct. -Dec.	1,458	1,725	843	978	615	747	39,944
2011 Oct. -Dec.	1,549	1,747	924	999	625	748	15,076
Percentage Change: 2012/2011 Oct. -Dec.	-5.87	-1.26	-8.77	-2.10	-1.60	-0.13	164.95

Source: National Police Agency (NPA), Ministry of the Interior

Joint Optical Enforcement Taskforce (JODE)

From October to December 2012, JODE conducted 151 inspections (80 daytime and 71 nighttime) of OD factories, printing plate factories and related facilities. This is equivalent to those of the same period in 2011 (70 daytime and 81 nighttime). JODE also conducted 29 documented audits of the internal control and audit systems of outstanding OD factories after advising them on the establishment of such systems. In collaboration with the IPR Police, JODE officials during the same period also took part in a total of 16 night market sweeps.

JODE's Inspection Results (October-December, 2012)

Number of Inspections	2012		2011		2012	
	Jan.-Dec.		Oct. -Dec.		Oct. -Dec.	
	Day	Night	Day	Night	Day	Night
	351	348	70	81	80	71
Number of Cases Found Violating the Optical Disk Act	0		0		0	
Number of Plants Closed	Manufacturing Plants		1		1	
	Packaging Plants		0		0	
Number of Cases Prosecuted	0		0		0	
Number of Suspects Prosecuted	0		0		0	
Number of Administrative Dispositions Administered According to the Optical Disk Act	0		0		0	
Number of Machines Confiscated	0		0		0	
Number of Illegal ODs (Pieces) Confiscated	0		0		0	

Source: The Joint Optical Disk Enforcement Taskforce (JODE), Ministry of Economic Affairs

智慧財產局廣告

The Customs Administration, MOF

(The Directorate General of Customs was renamed the Customs Administration for reorganization of Executive Yuan on Jan.1, 2013)

1. Inspection Results:

Customs enforcement of the *Regulations Governing Customs Measures in Protecting the Rights and Interests of Trademark, Operational Directions for Customs Authorities in Implementing Measures for Protecting the Rights and Interests of Patent and Copyright*, and other border measures yielded the following results from October to December 2012:

Category	Trademark Violations		Copyright Violations		Export ODS Without Source ID Code	False Declaration of Source ID Code	Violation of SID Code	False Declaration of Trademark
	Exports	Imports	Exports	Imports				
Cases	0	15	0	3	0	3	0	46
Number	0	24,508	0	116	0	3,994	0	-

2. Major Inspections

Major inspection results from this quarter include: Taichung Customs' October 12 discovery of 120 counterfeit "DENSO" auto parts; Taipei Customs' October 12 discovery of 680 imported counterfeit "PLAYBOY" leather wallets, October 22 discovery of 1,598 tablets of counterfeit drugs "CIALIS"; Kaohsiung Customs' October 24 discovery of 1,244 counterfeit "KYMCO" motorcycle parts; Keelung Customs' November 8 discovery of 900 counterfeit pairs of "NIKE" socks; Taipei Customs' November 19 discovery of 65 watches of "ROLEX" and "OMEGA." All seized goods have been detained according to Taiwanese law.

3. International Exchange

- (1) As part of active efforts to increase the flow of information between foreign customs offices on counterfeiting offenses, DGOC from October to December 2012 provided international counterparts with information on 12 counterfeiting and piracy cases.
- (2) On November 30, 2012, a first Taiwan-EU Working Group DVC on Custom cooperation was co-hosted by the Directorate General of Customs (it was renamed the Customs Administration on Jan. 1 2013) and DG TAXUD. The two sides exchanged views on IPR cooperation.
- (3) Taiwan-USA 2012 Seminar on Anti-Smuggling Intelligence Exchange was co-hosted by the Directorate General of Customs (DGOC) and U.S. Customs. Experts from US Immigration and Customs Enforcement (ICE), Customs Border Protection (CBP), Drug Enforcement Administration (DEA) and Department of Energy (DOE) to give presentation on IPR protection, anti-terrorism strategy, drug strategy, precursor chemical smuggling trend, and investigation techniques. 70 representatives from Taiwan Customs, Dept. of Prosecutorial Affairs and Investigation Bureau of Ministry of Justice, and Criminal Investigation Bureau of Ministry of the Interior to attend the seminar and exchange the view.

Taiwan High Court Prosecutors Office (THPO)

1. Enforcement Results (January-December, 2012)

District prosecutors' offices of the Ministry of Justice island-wide uncovered illegal photocopying of textbooks at 27 off-campus photocopy centers, involving 31 suspects and totaling NT\$ 2,018,278 and US\$37.98 worth of copyright infringement. The THPO will continue to conduct such investigations to effectively deter infringing acts of off-campus illegal photocopying of textbooks.

2. Status of Court Rulings (January-December, 2012)

Affirmed IPR infringement cases by district prosecutor's offices of Taiwan totaled 4,103. Of these, 989 suspects in 799 cases were indicted under ordinary procedures; 995 cases involving 1,042 defendants filed for summary judgment; 2,073 indictments involving 2,154 defendants were deferred; and 236 cases involving 296 defendants were closed by ex officio action. During the same period, 1,557 defendants were sentenced to prison terms at a conviction rate of 92.57%. Compared to the same period of 2011, the status of court rulings on IPR infringement cases (summary judgment included) is as follows. There were 2,031 indictments in 2012 and 2,392 in the year 2011, or a 15.09% decrease than the previous year. As for the number of convictions, there were 1,557 defendants being convicted this year and 1,522 in 2011, which accounted for a 2.30% increase over the same period of last year. The adjudication of IPR cases by district prosecutor's offices in the same period between 2012 and 2011 is outlined in the following table.

Status of Adjudication of Taiwan District Courts on IPR Infringement Cases

unit: person

Sentence	Year	Status of adjudication and number of convictions										
		Total	Sentence								Not Guilty	Others
			Subtotal	Under 6 Months	6-12 months	1-2 year(s)	2-3 years	Over 3 Years	Detention	Fines		
Total	2012 Jan.-Dec.	1,915	1,557	738	64	15	0	1	677	62	125	3
	2011 Jan.-Dec.	1,925	1,522	777	78	19	4	0	604	40	176	1
	Percentage Change(%)	-0.52	2.30	-5.02	-17.95	-21.05	-100.00	100.00	12.07	55.00	-28.98	200.00

Source: The Prosecutors Office for the Taiwan High Court

IPR Awareness

• Informational Meeting on Cross-strait Trademark Dispute Settlement Mechanism

An informational meeting on cross-strait trademark dispute settlement mechanism was organized by TIPO on 9 October 2012 at the International Conference Hall of Tsai Lecture Hall, NTU to help local industries protect their own rights and interest and prevent their corporate trademarks or well-known places of origin from being maliciously squatted in Mainland China or registered as trademarks, corporate names, trade names or by other unfair means of competition such as infringement and counterfeit. The meeting was aimed at providing necessary information to interested people to effectively settle cross-strait disputes through the application of this mechanism. The event included issues concerning cross-strait trademark dispute settlement and administrative implementation of trademark protection in mainland China.

• A 30-second Short "Support Creation & Stop Camcording" Displayed at Cinemas and Broadcast on Major TV Channels

A 30-second short film was produced by TIPO in 2012 to enhance public awareness that camcording at cinemas is an act of copyright infringement. The short, entitled "Support Creation & Stop Camcording" and produced in three languages (Mandarin, Taiwanese and Hakka), was first uploaded to the TIPO website, YouTube, Facebook (under the account name of "I Post and I'm Creative"), and, in cooperation with the Taiwan Foundation against Copyright Theft (TFA©T), was later displayed at 574 cinemas island-wide in September. Meanwhile, as arranged by the Executive Yuan, the short would be broadcast in November on major TV channels (TTV, CTS, CTV, FTV, Hakka TV and Taiwan Indigenous TV) during public

broadcasting hours to further strengthen public awareness.

• **The 2012 Hong Kong and Taiwan “My Video” Award Ceremony**

To promote respect for IPR and help instill a strong sense of creativity in our culture, TIPO and the Hong Kong Intellectual Property Department co-directed the Taiwan Foundation against Copyright Theft (TFA©T) and the Hong Kong Intellectual Property Society to host the 2012 Hong Kong and Taiwan “My Video” Competition. An award ceremony for the competition was later organized at the InnoCentre in Kowloon Tong on Oct. 13, 2012.

A total of 258 video entries were received by the organizers. These contending entries were produced by senior/vocational high school students, college/university students and the general public from both Hong Kong and Taiwan on IPR-related topics such as “Say No to Internet Infringement,” “Say No to Unauthorized Photocopying of Textbooks,” “Promote Cultural and Creative Industries,” and “Say No to Pirated and Counterfeit Goods.” These inspiring 30-second shorts were intended as joint efforts to raise the awareness of IPR protection.

After a three-month period of preliminary screening and final review conducted by a judging committee composed of well-known professionals from the music, motion picture, animation industries and academia of both Hong Kong and Taiwan, a total of 15 entries in the three main categories (senior/vocational high school, college/university, and the general public) were selected to be awarded gold, silver, bronze and meritorious prizes.

• **2012 Campus IPR awareness campaign receives a Great Harvest**

In order to encourage respectful protection of IPR among Taiwanese students, TIPO organized Campus IPR Assistance Teams and dispatched them to 105 campuses, including 65 elementary schools, 20 junior high schools and 20 senior high/vocational schools, for promoting public awareness on IPR protection. The teams were formed by 176 selected lecturers from 21 universities. A total of 20,349 students participated in these campaigns, and satisfactory rate was polled at 98.4%. According to a questionnaire survey conducted afterwards, students’ understanding of IP protection displayed as the following facts:

1. Elementary School: 95.9% of students are aware of the fact that it is copyright infringement to upload, download and share music without legitimate authorization from right holders. 97.6% of students understood that plagiarism is a copyright infringement.
2. Junior High School: 98.8% of students are aware of the fact that it is copyright infringement to upload, download and share music without legitimate authorization from right holders. 99.7% of students understood that plagiarism is a copyright infringement. 98.4% of students are aware of an infringing act when distributing unlicensed in-class sound recording.
3. Senior High/Vocational School: 98% of students understood that to counterfeit others’ trademark is an infringing act. 96.4% of students understood that plagiarism is a copyright infringement. 97.3% of students are aware of an infringing act when distributing unlicensed in-class audio recording.

• **A Successful Completion of the 2012 Campus IPR Assistant Team**

TIPO, along with IPR Service Group, held 250 seminars in 2012 (including 162 activities in schools, 51 activities in enterprises and 37 activities in government agencies) with 25,832 attendees. In addition, TIPO also held seminars on various topics, including “Copyright and Books publishers,” “How to legally access and use software for governments, state-run companies and SMEs,” “The basic concept of copyright issues in business premises,” “Copyright legal system in Mainland China” and “Copyright protection in Campus.” These seminars have successfully spread the knowledge and raised people’s awareness of copyrights. An efficiency assessment was polled afterward every time, the total satisfactory rate was estimated at 98.2% (33.6% of very satisfied, 48.4% of satisfied and 16.2% of somewhat satisfied).

• **TIPO Completed a Number of Significant Reviews on Copyright Collective Management Organization Royalty Rates of Wireless TV stations and Internet Music for Optimal Practices in License Negotiation**

In order to create a sustainable built environment of Copyright Licensing and to review relevant royalty rates, TIPO held a total of 11 Opinion Exchange Forums and 14 meetings of Copyright Examination and Mediation Committee in 2012. A total of 13 types of Collective Management Organization (CMO) Royalty Rates with a classification of 8 categories were completed in the following:

1. Public Broadcast by Radio Stations:
Completed royalty rates reviews for cultural, educational and non-profit public broadcast radio stations of MUST and MCAT and channels of government agencies.
2. Public Broadcast by Wireless TV stations:
Completed royalty rates reviews for wireless-broadcasting TV stations of MUST, MCAT and RPAT.
3. Public Performance by Concerts:
Completed reviews of the lowest profit-seeking royalty rate for MUST’s individual license of public performance (including concerts, theatres, etc.).
4. Public Broadcast by Satellite and Cable TV Networks:
Completed royalty rates reviews for the public broadcast of MCAT’s satellite and cable TV networks.
5. Public Broadcast by Cable and Satellite Broadcasting Channels of Music:
Completed reviews of royalty rates for the cable and satellite broadcasting (including live broadcast) channels (i.e. music broadcasting enterprise) of ARCO.
6. Public Broadcast by Hotels and Hospitals:
Completed reviews of royalty rates for public performance and secondary public broadcast by hospitals, clinics, wards and public areas of medical institutes of MCAT. Royalty rates for secondary public broadcast by restaurants and hotels of RPAT are also reviewed.
7. Public Broadcast by Computerized Karaoke Machines:
Completed reviews of royalty rates for public performance in KTVs and Karaoke bars (containing computerized karaoke machine) of MUST, MCAT and TMCS, as well as the public performance and secondary public broadcast of sightseeing buses enterprises (containing computerized karaoke machine).
8. Public Transmission:
Completed reviews of royalty rates for the public transmission of MUST

The protection of the rights between user and copyright holder as well as a well-developed copyright authorization market mechanism has been strengthened after reviews of the above-mentioned royalty rates.

• **MOE conducts Random Spot-Checks on Campus Copy Shop**

In November 2012, random spot-checks on campus were implemented by MOE in Da-Yeh University and Huaan University. The results were satisfactory along with a sufficiently well-established management of copyrights protection. MOE encourages Universities to establish internal control mechanism of photocopy service to fulfill the IPR protection on campus.

• **2012 Symposium on Campus Awareness of National University and College**

2012 Symposium on Campus Awareness of National University and College was organized by Feng Chia University under the commission of MOE on December 21, 2012. The seminar aimed to promote implementation effectiveness of IPR protection by experience exchange of successful accomplishments of IPR Action Plan, and to cultivate IPR awareness among school personnel.