



經濟部智慧財產局
INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

April to June 2020

Quarterly Report on Intellectual Property Rights Protection in Taiwan

In response to the continued global spread of COVID-19, TIPO began offering the following six services:

- ※ *Patent analysis for the “national mask team”*
- ※ *Access to information on global technology patents relating to pandemic prevention*
- ※ *Provision of Taiwanese patent information regarding potential drug treatments for COVID-19*
- ※ *Pandemic prevention-related trademark hotline*
- ※ *Reinstatement if applicants fail to comply within a statutory time period*
- ※ *Smart home consultations plus online applications*

These six initiatives collectively make up the national IP pandemic prevention strategy. It is hoped that measures such as disclosure of patent information, professional consultation, and reinstatement of applicant status will facilitate the diffusion of technologies and help industry focus on R&D, while also safeguarding public rights and interests.

Special Report

TIPO offers six new services to combat COVID-19

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- ※ Reinstatement if applicants fail to comply within a statutory time period
- ※ Smart home consultations plus online applications

These six initiatives collectively make up the national IP pandemic prevention strategy. It is hoped that the measures will facilitate the diffusion of technologies, help industry focus on R&D, and breathe new life into the fight against COVID-19. In an effort to combat the current global pandemic, countries all over the world have been competing with each other on the innovation front, with particular attention being given to the development of test kits, drugs, and vaccines. By following these R&D trends closely, TIPO has been able to meet the needs of industry for timely information and services.

I. Patent analysis for the “national mask team”

Responding to the ongoing COVID-19 pandemic, the Ministry of Economic Affairs has gathered together a squad of Taiwanese equipment manufacturers to form the so-called “national mask team,” whose aim it is to boost the production capacity of face masks. So far, more than 20 countries have purchased mask production units from Taiwan. To support our national mask team in their global endeavor, TIPO has been releasing information regarding existing patents on mask production equipment and technologies from around the world. This allows Taiwanese manufacturers to avoid any potential patent infringement disputes. TIPO is more than happy to assist the national mask team with any and all patent analysis needs.

II. Access to information on global technology patents relating to pandemic prevention

TIPO's Global Patent Search System (GPSS) now includes an all-new “pandemic prevention” section. Items are divided into 14 categories such as masks, protective clothing, test kits, vaccines, and drugs. With just one click, users can gain access to a comprehensive global directory of patents relating to pandemic prevention technology. Registered GPSS members also enjoy a wide variety of benefits, including automatically generated notifications showing the latest cases from chosen technical fields. Statistical and chart-based analyses are just some of the other value-added features available to members. TIPO aims to ensure that industry players have all relevant information at their fingertips. This way, they can stay abreast of the latest key developments in pandemic prevention technology.

III. Provision of Taiwanese patent information regarding potential drug treatments for COVID-19

As the search for a COVID-19 vaccine continues, medical experts both at home and abroad have been hard at work trying to come up with effective treatment solutions. For now, the “old drugs, new uses” approach remains the most convenient and safest option.

Starting in March, TIPO began releasing the approval status and patent information of 52 drugs currently attracting worldwide attention for their potential use as treatments against COVID-19. These include remdesivir, hydroxychloroquine, favipiravir, and ivermectin (commonly used as an antiparasitic). The drugs are divided into three categories according to their patent status: 1. the core patent of the drug's main active ingredient is under protection in Taiwan; 2. the core patent of the drug's main active ingredient is not under protection in Taiwan, but other non-core patents are; 3. the drug is not protected in Taiwan at all.

By providing the above information, TIPO hopes to assist medical and pharmaceutical companies in learning more about relevant patents. This should in turn help them to quickly develop effective business strategies – such as negotiating licensing agreements or designing around existing patents – or just dispel any worries about patent infringement altogether. For the welfare of Taiwan and its people, we hope to see the prompt development of effective, readily available drug treatments against COVID-19.

IV. Pandemic Prevention-related trademark hotline

Since the outbreak of COVID-19, the demand for products such as hypochlorous acid, hand sanitizers, pressure-free mask covers, and protective clothing has given rise to new business opportunities. To meet trademark applicants' needs, TIPO has compiled a categorized list containing the “names of pandemic prevention products and services.” Any online applicant whose designated goods or services are identical to the terms on said list is eligible for a fee reduction (NT\$300 per class). TIPO also set up a consultation hotline that could help applicants conduct trademark searches and provide information on the likelihood of a successful application. In addition to speeding up the application process for companies, it also allowed them to reduce their marketing risk. The service, which came to an end on May 31, yielded very positive results.

V. Reinstatement if applicants fail to comply within a statutory time period

The COVID-19 pandemic may prevent patent or trademark applicants from being able to comply with statutory deadlines for applications and other procedures, such as certificate fee and patent annuity payments or substantive examination and re-examination requests. In such cases, applicants may ask TIPO for reinstatement of status upon

presenting documents as evidence. In general, the outcome of these cases is determined leniently so as to protect the rights and interests of the applicant.

VI. Smart home consultations plus online applications

Despite the ongoing pandemic, TIPO has managed to continue providing patent and trademark consultation services. With just one simple phone call, you can enjoy consultations by professional volunteers from the safety and comfort of your own home. There's also good news for those looking to send off an application. Thanks to our electronic filing system, applications can just as easily be made online. As an added bonus, those using the e-filing service save money, with fee reductions of NT\$600 on patent applications and NT\$300 on trademark applications.

TIPO has already released detailed information about these six new measures, which you can find on our website under the section "IPR News related to COVID-19" (<https://www.tipo.gov.tw/tw/lp-853-1.html> - Mandarin webpage). By providing patent information, offering professional consultation services, and accepting reinstatement applications, TIPO hopes to protect public rights and interests, facilitate the dissemination of innovative technologies, and boost R&D with the goal of finding swift solutions to help us tackle the COVID-19 crisis.

Legislative Amendments

1. The provisions governing matters relating to patent applications are relaxed after promulgation of the amended Enforcement Rules of the Patent Act

On June 24, 2020, the Enforcement Rules of the Patent Act were amended so as to relax regulation and broaden public participation in examinations with the aim of improving examination quality.

The key revisions include a provision stating that an invention patent applicant who uses an electronic file format prescribed by TIPO to submit a listing of nucleotide and/or amino acid sequences may be exempted from making a submission in written form. Also, the restriction stipulating that a third party may submit an observation to TIPO only after the publication of the invention patent application has now been relaxed. Any person may submit observations prior to an examination decision being rendered.

Amended Articles 17 and 39 of the Enforcement Rules of the Patent Act:

<https://www.tipo.gov.tw/en/cp-282-879752-03620-2.html>

2. Alternative methods for electronic transmission of patent and trademark application documents took effect on July 1, 2020

In order to remedy the situation concerning patent and trademark e-filings where transmission takes longer than usual due to file size or where failures occur in TIPO's filing system, thereby disrupting the e-filing process, TIPO has amended the Regulations Governing the Implementation of Filing Patent Applications and Services by Electronic Means and the Regulations Governing the Implementation of Filing Trademark Applications and Services by Electronic Means. TIPO also published information about alternative methods for electronic transmission, which became available on July 1. Key highlights are as follows:

- I. Where the file size of patent or trademark application documents exceeds 500MB, or where TIPO announces a breakdown of its system, a user may store the files on a read-only DVD disc, which can be submitted in person or mailed to TIPO to complete the e-filing process.
- II. For applications filed through such alternative methods, the date of application and other proceedings shall be the date on which TIPO receives the electronic patent/trademark application documents. For postal submissions, the date of application shall be the postmark date. Unless otherwise proved by the parties involved, the date of those applications whose postmark date appears to be ambiguous shall be based on the date of receipt by TIPO.

The amended provisions of the Regulations Governing the Implementation of Filing Patent Applications and Services by Electronic Means and the Regulations Governing the Implementation of Filing Trademark Applications and Services by Electronic Means:

<https://www.tipo.gov.tw/en/dl-275608-6afc7e4fc8fd4d0a89f06eb50155784d.html>

<https://www.tipo.gov.tw/en/dl-275534-132a6d043e754b50b2d088f0ed991e67.html>

Announcements re alternative methods for electronic transmission (in Mandarin):

<https://www.tipo.gov.tw/tw/cp-86-878212-02e1a-1.html>

3. Changes made to the catalogue of Names of Designated Goods and Services for Trademark Registration and cross-reference index

In order to align its classification of goods and services more closely with the industry status quo, TIPO added/amended 468 items and deleted 14 items in the section Names of Designated Goods and Services for Trademark Registration. TIPO also added/amended 16 names of groups/sub-groups or notes in total. The above changes took effect on July 1, 2020.

Updated catalogue of "Names of Designated Goods and Services for Trademark Registration" (in Mandarin):

<https://topic.tipo.gov.tw/trademarks-tw/lp-653-201.html>

1. TIPO-JPO and TIPO-KIPO permanent PPH MOTTAINAI Program came into effect on May 1, and July 1, 2020

The Patent Prosecution Highway MOTTAINAI (PPH) pilot program between Taiwan and Japan and that between Taiwan and South Korea were set to come to an end in April and June of this year. However, in view of the initiatives' resounding success, Japan and South Korea have both extended their programs with Taiwan indefinitely – effective May 1 and July 1, respectively. The new permanent programs aim to continue providing applicants with stable and convenient PPH services.

Taiwan enjoys close economic and trade ties with Japan and South Korea, both of which have continually been among the top five countries filing for patents in Taiwan. In return, JPO received a total of 1,548 invention patent applications from Taiwan last year. KIPO received 1,102 applications last year, indicating an upward trend in recent years.

TIPO and JPO had been running the PPH pilot program since May 1, 2012, before adopting the PPH MOTTAINAI model in 2014. The PPH MOTTAINAI pilot program between TIPO and KIPO became effective on July 1, 2015.

The request forms and details on the procedures of the permanent PPH MOTTAINAI can be found on TIPO's website as well as that of the JPO and KIPO.

TIPO's website: <https://www.tipo.gov.tw/en/cp-825-873220-103c3-2.html>

JPO's website: https://www.jpo.go.jp/e/system/patent/shinsa/soki/pph/japan_taiwan_highway.html

KIPO's website: https://www.kipo.go.kr/en/HtmlApp?c=100016&catmenu=ek02_02_03

2. TIPO releases patent and trademark application statistics for the first quarter of 2020

In Q1 2020, TIPO received a total of 16,680 applications for invention, utility model, and design patents, marking a 3% decrease from the same period last year. The number of design patent applications filed by foreign applicants, however, saw a slight increase of 2%. The number of trademark applications was 20,310, marking a 4% increase, of which those filed by domestic applicants registered a 7% increase. Taiwan Semiconductor Manufacturing Company (TSMC) filed the most invention patent applications of any domestic applicant, while Nitto Denko took the top spot for foreign applicants. It is also worth noting that the number of invention patent applications filed by Taiwanese SMEs grew by an impressive 9%.

TIPO received a total of 8,381 applications for invention, utility model, and design patents from domestic applicants, representing a 4% decrease compared to the same period last year. This is mainly due to a drop in the number of invention patent applications by companies and utility model patent applications by individuals. Foreign applicants filed 8,299 applications for invention, utility model, and design patents, with applications for design patents seeing an increase of 2%, marking the sixth quarter of consecutive growth.

When it comes to invention patent applications by domestic companies, TSMC came out on top with 129 applications, followed by AU Optronics (114) and Realtek (111). As for applications by foreign companies, Nitto Denko led the field with 148 applications. Taiwan's SMEs contributed impressively with a 9% increase in the number of applications, continuing a period of growth that has lasted for eight straight quarters. This goes to show what an increasingly important role SMEs are playing in terms of Taiwanese R&D.

The number of new applications for trademark registration (20,310) showed a 4% increase compared to the same period last year. Among these, 15,008 applications were filed by domestic applicants, marking a 7% increase. 5,302 were filed by foreigners, representing a slight decrease.

Taking a closer look at trademark applications, we can see that domestic applicants contributed 2,729 applications under class 35 (advertising, corporate management, etc.), the most for any class, while for foreign applicants, it was class 9 (computers, tech products, etc.) that saw the most applications filed (1,091). Domestic companies ROEHL and Da Han and the non-domestic Turritopsis Holdings each submitted 80 applications, putting them at the top of the foreign and domestic company applicant lists, respectively.

For more information, please visit: <https://www.tipo.gov.tw/en/cp-282-875637-9e269-2.html>

3. Relief for patent and trademark applicants unable to comply with statutory or specified deadlines due to the COVID-19 pandemic

TIPO has announced the following remedies for applicants unable to meet statutory or specified deadlines due to the COVID-19 crisis

I. Statutory time period

- i. According to Article 17.2 of the Patent Act and Article 12 of the Enforcement Rules of the Patent Act, as well as Article 8.2 of the Trademark Act and Article 9 of the Enforcement Rules of the Trademark Act, an applicant filing a written request for reinstatement should state that non-compliance with the statutory time period is due to the COVID-19 pandemic and provide evidence thereof. While making a request for reinstatement, the applicant shall concurrently fulfill all obligations that should have been fulfilled within the relevant time period. The outcome will be determined as leniently as possible on a case-by-case basis.
- ii. If an applicant who has appointed an agent fails to comply with the statutory time period due to impeded communication with said agent, and where such difficulty arises from the COVID-19 pandemic, he or she may file a written request for reinstatement accompanied by evidence to substantiate his/her claim. The outcome will be determined as leniently as possible on a case-by-case basis.

II. Specified time period

- i. An applicant who fails to comply with a specified time period due to the COVID-19 pandemic may still fulfill all requirements before a decision is rendered by TIPO. Applicants who deem an extension of the specified time period necessary may submit a written statement accompanied by evidence laying out their claim. The outcome will be determined as leniently as possible on a case-by-case basis.
- ii. Applicants who are still unable to fulfill the requirements during the aforementioned extension of the specified time period can submit a statement to TIPO with evidence supporting their claim. TIPO will usually approve another one-month extension if deemed appropriate. However, if the evidence provided demonstrates that an extension of more than one month is needed, TIPO will approve an appropriate extension lasting longer than one month.

4 TIPO publishes “Analysis of Trademark Application Trends by Industry Sector (2010–2019)”

Taking as a reference the annual “World Intellectual Property Indicators (WIPI) Report” released by the WIPO IP Statistics Data Center, TIPO grouped trademark applications into ten different industry categories as they relate to the designated goods and services listed under the Nice Classification System. Employing a data-driven strategy and data visualization, which converts complex data into easily understood graphs and charts, TIPO analysed the more than 770,000 trademark applications received over a ten-year period. The resulting report is entitled “Analysis of Trademark Application Trends by Industry Sector (2010–2019).” The report also compared the WIPI 2019 figures with data on applications made by Taiwanese residents in order to reveal similarities and differences between Taiwan’s industry sectors and those of other countries. In this way, the report serves as a reference for businesses wishing to build portfolios, develop brands, and keep up to date with market trends. The report has been published on TIPO’s official website.

For more information, please visit: <https://www.tipo.gov.tw/en/cp-282-878898-a4f4d-2.html>

“Analysis of Trademark Application Trends by Industry Sector (2010–2019)” (in Mandarin)

<https://www.tipo.gov.tw/tw/dl-275152-fb967e0e05e74d89ae87fd26abf7fb3c.html>

5 Participation in video conference hosted by the Internet Corporation for Assigned Names and Numbers (ICANN)

TIPO recently participated in the 68th Public Meeting of the Internet Corporation for Assigned Names and Numbers (ICANN). The event, which took place between June 22 and June 25, was held remotely via video conferencing. Dominating the agenda were two items: an open house session for APAC members introducing the Intellectual Property Constituency (IPC) of the Generic Names Supporting Organization (GNSO), and a symposium on the Rights Protection Mechanism (RPM) of the Government Advisory Committee (GAC). The meetings were designed to foster greater understanding of issues affecting international trademark protection and domain name dispute resolution.

6.2020 Taiwan Innotech Expo

The 2020 Taiwan Innotech Expo will take place from September 24 to 26 in Hall 1 of the Taipei World Trade Center. The expo is Taiwan’s most iconic R&D platform, attracting more than 45,000 visitors every year. 2020’s event is also expected to draw large crowds. All members of society are encouraged to take part.

This year, the layout of the exhibition area will revolve around the so-called Three Key Themes as well as an invention contest, where inventors, entrepreneurs and academics from around the globe will have the chance to present their innovative creations. By holding the contest, TIPO hopes to uncover the world’s most original and promising inventions, the creators of which will be vying for a host of awards, including the highly coveted Platinum Medal. Such a prestigious distinction will give great exposure to the winners and their inventions, attracting potential investors in the process. Meanwhile, a special area for outstanding innovation by Taiwanese inventors will showcase products that won awards at international fairs held within the past three years – a testament to the boundless creativity to be found across Taiwan.

The expo’s Three Key Themes exhibit will be jointly curated by the following ministries and bodies: Ministry of Economic Affairs, Ministry of Science and Technology, Ministry of Education, Ministry of National Defense, Ministry of Health and Welfare, Ministry of Labor, Council of Agriculture, National Development Council, Environmental Protection Administration and Academia Sinica. The focus will be on technologies of the future, original inventions, and sustainable development. Bringing together the trailblazing technologies developed with the help of the above institutions, the exhibition unveils Taiwan’s latest achievements in scientific research. Each of the themed sections will feature a technology exchange display, where visitors can discover the most exciting innovations from around the world. The goal is to establish channels of cooperation and offer valuable opportunities for exchange between local and international members of industry, academia, and R&D institutions.

For more information (in Mandarin), please visit: <https://www.inventaipai.com.tw/>

7. Laying the foundations for patent awareness – TIPO launches exchange and cooperation program with NTUT’s College of Design

This year, for the first time, TIPO has joined forces with the College of Design at the National Taiwan University of Technology (NTUT). The collaboration takes the form of a one-year exchange and cooperation program that endeavors to bridge the gap between academia and IPR as it relates to the field of design, as well as to strengthen IPR protection in Taiwan. As part of the program, TIPO is sending patent examiners to NTUT’s campus to discuss

issues surrounding patent protection with lecturers and students. Class discourse facilitates the exchange of views between the patent examiners, industry experts, faculty members and students. Attendees also have the chance to learn about upcoming design trends and avail of IPR consultation services.

This experimental approach to interactive learning should pave the way for future design protection policies and help nurture a new generation of talent, whose interdisciplinary skill sets will likely boost competitiveness in the design sector.

8. Encouraging industrial clusters and developing supply chains for the electric motorcycle industry through IP courses and consultation services

To save energy and lower carbon emissions, the Ministry of Economic Affairs has devoted itself to promoting the electric motorcycle industry in Taiwan. To this end, MOEA began implementing initiatives to subsidize the purchase of electric motorcycles, with the first being introduced in 2014 and the second in 2018. The aim of the measures is to boost domestic market growth and encourage the development of relevant supply chains.

It is precisely because of these proactive efforts by MOEA that current supply chains for Taiwan's electric motorcycle sector are so complete. This includes upstream materials/components (batteries, motors, motorcycle frames), mid-stream components/modules (seats, lights, dampers), down-stream systems (power, battery management, transmission/brakes), and entire vehicles (electric motorcycles). In support of MOEA, starting this year, TIPO has begun offering consultation services and courses on IP matters (patents, trademarks, trade secrets) to members of the electric motorcycle sector. By providing information on topics such as application and examination procedures, prior art search, and litigation, TIPO hopes to preserve the industry's achievements in the fields of R&D and innovation through IP protection.

9. Seminar on IPR Concerning Traditional Intellectual Creations by Indigenous Peoples and the Cultural and Creative Industry – a well-attended event with lively interactions

On May 29, TIPO and the National Taiwan Craft Research and Development Institute co-hosted the "Seminar on IPR Concerning Traditional Intellectual Creations by Indigenous Peoples and the Cultural and Creative Industry". The aim of the event was to promote awareness of IPR protection in relation to traditional intellectual creations by indigenous peoples and the cultural and creative industry.

The speakers, selected by TIPO and the Council of Indigenous Peoples, addressed issues concerning IPR and protection of traditional knowledge that may be faced by the cultural and creative industry. The speeches covered various topics, including the protection of design patents and cultural and creative products, cases relating to trademark applications and indigenous peoples' cultural creations, must-know copyright concepts for cultural and creative industry operators, and practices relating to the licensing of exclusive rights to use indigenous people's traditional intellectual creations. A discussion session also sparked lively debate between participants.

10. TIPO's 2020 IPR Affairs Seminars

To enable the public to better understand TIPO's routine IPR affairs and facilitate in-person communication with different industry sectors, TIPO recently hosted its annual "IPR Affairs Seminar Series." The seminars took place across four different cities: Taipei (July 27), Taichung (July 30), Hsinchu (August 3), and Kaohsiung (August 7).

The agenda for this year's series comprised four items: (1) An overview of the "Guidelines for processing third-party observations on patent applications" and the "Proactive patent examination program for start-ups"; (2) Case studies pertaining to ex officio examination, res judicata and new evidence; (3) An introduction to the fast-track mechanism for trademark applications; and (4) Reminder notifications about patent- and trademark-related proceedings. Time was also set aside for a discussion session, during which members of the public could ask questions and provide feedback regarding TIPO's day-to-day workings. A total of 332 people attended the seminars.

11. Discussing issues of Copyright Collective Management with the Satellite Television Broadcasting Association R.O.C.

On June 11, TIPO visited Taiwan's Satellite Television Broadcasting Association (STBA) to address concerns by association members about the issues of copyright collective management. Aside from engaging in a fruitful exchange and offering clarification, TIPO also took the opportunity to deepen its understanding of issues surrounding the practical aspects of TV licensing, while at the same time providing relevant information and assistance.

12. MOE sets up an email service for reporting TANet-related IP infringement offenses

The Ministry of Education has set up an email address (abuse@moe.edu.tw) for reporting IP infringement offenses on TANet. The ministry will comply with any legitimate request made by the Taiwan Book Publishers Association, a right-holder group in Taiwan, to block TANet's access to foreign textbook piracy websites. No such cases have been reported in this quarter.

13. Council of Indigenous Peoples implements "Protection Act for the Traditional Intellectual Creations of Indigenous Peoples"

Since the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples came into force in 2015, the Council of Indigenous Peoples has so far received 133 exclusive right applications, which were combined into 104 cases in total. Of these, 85 cases (82%) have already been concluded, 14 cases (13%) are still pending, and 5 cases (5%) have been withdrawn. Of the 85 concluded cases, 74 (87%) were decided in favor of granting the exclusive right, 4 cases (5%) required further amendment, and 7 cases (8%) were dismissed.

Law Enforcement Results and Statistics

The National Police Agency (NPA)

1. Law enforcement results

From April to June 2020, a total of 420 copyright infringement cases involving 545 suspects and resulting in damages of NT\$ 1.43 billion were recorded (Figures for damages are based on data provided by the affected right holders). A total of 500 trademark infringement cases involving 594 suspects and damages of NT\$ 787 million were also recorded, as were 2 trade secret violation cases involving 7 suspects causing damages of NT\$ 44 million. In total, there were 922 IPR infringement cases involving 1,146 suspects, with the amount of money lost as a result reaching NT\$ 2.26 billion. The above-mentioned cases were later referred to district prosecutors' offices for further investigation.

2. Major Cases

In one of the more notable cases, the Second Special Police Corps tracked down an online vendor of set-top boxes (PX BOX) connecting to copyright content without authorization, thereby committing copyright infringement. The market value of the devices was estimated by the right holder to be in the region of NT\$ 110 million.

3. International exchanges

On June 24, the Economic Section Director of the Japan-Taiwan Exchange Association Fukumura Taku and the association's newly appointed director Nakane Tomohiro paid a visit to the Second Special Police Corps to discuss continued cooperation between both sides.

Statistics for IP Infringement Cases by the National Police Agency, NPA

Unit: case/person (Jan.-Jun. 2020)

Year	Total		Trademarks		Copyright		
	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of CDs Confiscated
2020 Jan.-Jun.	1,031	1,316	241	315	784	982	45
2019 Jan.-Jun.	1,854	2,141	895	1,057	959	1,084	52
Percentage Change: 2020/2019 Jan.-Jun.	-44.39	-38.53	-73.07	-70.20	-18.25	-9.41	-13.46

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

Joint Optical Disk Enforcement Taskforce

From January to June 2020, the Joint Optical Disk Enforcement Taskforce (JODE) of the Ministry of Economic Affairs conducted a total of 34 inspections on OD factories, printing plate factories, and related facilities – 92 inspections fewer in comparison with the same period last year (126) – this shortfall was due to the COVID-19 outbreak. JODE also advised OD factories on how to put in place internal control and audit mechanisms. Four documented audits have been carried out in relation to this, with no major violations reported.

JODE's Inspection Results

(Jan.-Jun. 2020)

		2018	2019	2020
Number of Inspections		255	Jan.-Jun.	Jan.-Jun.
			126	34
Audit/Consultation		26	14	4
Number of Cases Found Violating the Optical Disk Act		0	0	0
Number of Plants Closed	Manufacturing Plants	3	0	0
	Packaging Plants	0	0	0
Number of Cases Prosecuted		0	0	0
Number of Suspects Prosecuted		0	0	0
Number of Administrative Dispositions		0	0	0
Number of Machines Seized		0	0	0
Number of Illegal ODs (Pieces)		0	0	0

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

The Customs Administration

1. Law Enforcement Results

- (1) The Customs Administration of the Ministry of Finance has been carrying out its duties regarding border protection in accordance with the Regulations Governing Customs Measures in Protecting the Rights and Interests of

Trademark and the Operational Directions for Customs Authorities in Implementing Measures for Protecting the Rights and Interests of Patent and Copyright. Results of the Customs Administration from April to June 2020 are listed below:

Apr.-Jun. 2020	Trademark Violations		Copyright Violations		False declaration of SID codes	False declaration of trademarks
	Exports	Imports	Exports	Imports		
No. of cases	0	48	0	1	1	51
No. of items	0	8,702	0	135,000	464	621,373

* Here, "False Declaration of Trademarks" refers to failing to or untruthfully declared trademarks, as prescribed in paragraph 3, Article 17 of the Foreign Trade Act.
Source: Customs Administration, Ministry of Finance

- I. From April to June 2020, customs across Taiwan received 32 requests for lodging advice on protecting trademark rights, 15 requests for extending the terms for advice on protecting trademark rights, and 58 requests for updating documents and other matters. In total, there were 105 requests.
- II. In April, Taipei Customs seized 177 counterfeit Louis Vuitton leather key rings as well as 66 counterfeit leather handbags and wallets of the same brand. The articles, which were imported via express delivery, have all been confiscated.
- III. In May, Keelung Customs seized the following items: 68 counterfeit pairs of Gucci shoes, imported via express shipping; 4,650 counterfeit Remax power adapters/chargers, imported via standard shipping; 135,000 emery wheels with fire dragon motifs that infringed copyright, imported via standard shipping. All products were confiscated.

2. International exchange

- I. As part of its efforts to step up exchange of information on counterfeiting with global counterparts, the Customs Administration provided 6 pieces of information for customs authorities of other countries between the months of April and June.
- II. On June 23, the Economic Section Director of the Japan-Taiwan Exchange Association Fukumura Taku and the association's newly appointed director Nakane Tomohiro paid a visit to the Custom Administration to strengthen cooperation and exchange between both parties on matters relating to IPR protection.

The Taiwan High Prosecutors' Office (THPO)

1. Court Rulings

From April to June 2020, the District Prosecutors' Offices in Taiwan investigated and closed a total of 600 cases of suspected IPR infringement, involving 696 suspects. Among these, 229 suspects in 170 cases were indicted under ordinary procedures; 208 suspects in 197 cases had their cases heard in a summary judgment; 204 suspects in 189 cases were granted a deferred prosecution; and 55 suspects in 44 cases were not indicted on ex officio grounds. In total, 294 suspects were found guilty during this period, resulting in a conviction rate of 92.16%.

Comparing these statistics with those of the same period last year (2019), we find that the number of suspects indicted (including those who applied to have their cases heard in a summary judgment) in 2019 stood at 368, while in 2020, that figure reached 437 (+69), resulting in an 18.75% year-on-year increase. With regard to the number of suspects convicted, the number stood at 203 in 2019 and 294 in 2020 (+91), representing a 44.83% year-on-year increase.

Status of adjudication of Taiwan District Courts on IPR infringement cases

unit: person

Area of infringement	Year	Results of Court Rulings													
		Total	Sentence								Remitted	Acquitted	Not to Prosecuted	Turned down	Others
			Subtotal	Under 6 Months	6-12 Months	1-2 Year(s)	2-3 Years	Over 3 Years	Detention	Fines					
Total	Jan.-Jun. 2020	750	563	185	6	8	-	-	340	24	-	49	7	131	-
	Jan.-Jun. 2019	560	378	130	2	2	-	-	225	19	-	36	-	146	-
	YoY %	33.93	48.94	42.31	0.00	0.00	0.00	0.00	51.11	26.32	0.00	36.11	0.00	-10.27	0.00

Source: Taiwan High Prosecutors' Office

IPR Awareness Campaigns

1. National Policy Agency of the Ministry of the Interior

In the second quarter of 2020, the Second Special Police Corps visited a total of 46 companies. In addition to providing information related to trade secret laws, it assisted in examining confidentiality measures and also conducted 31 courses on trade secret laws.

2. Customs Administration, Ministry of Finance

- I. On June 18, Kaohsiung Customs held the “2020 First Joint Symposium on Customs Brokerage, Transportation, Warehousing and Container Terminal Operations.” The event allowed participants in these industries to familiarize themselves with IPR and border protection measures as well as all relevant laws and regulations.
- II. The Customs Administration has planned a series of seminars set to take place between August 18 and 21 across all four of Taiwan's Customs Offices (Taichung, Kaohsiung, Keelung, and Taipei). The focus will be on IP rights and border protection as well as counterfeit goods identification training.

3. Council of Indigenous Peoples

On March 30, the Council of Indigenous Peoples released the “2020 Talent Cultivation Program for Protecting Traditional Intellectual Creations of Indigenous Peoples.” So far, 28 universities and colleges have signed up for lectures, intensive courses, and credit courses, all of which will commence in September of this year. This is a valuable opportunity for college students to familiarize themselves with the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples.

4. Ministry of Foreign Affairs

The Ministry of Foreign Affairs has published three new articles dealing with the implementation status of IPR protection as well as other related reports to the “New Southbound Policy Information Platform.” Another 12 reports by the ministry appeared on Taiwan Today's online news website detailing the current situation regarding IPR policy implementation in Taiwan.

5. Ministry of Education

The Ministry of Education has asked universities and colleges to promote greater respect for intellectual property on its campuses. It hopes that they can proactively provide relevant information to their students and remind them to use original learning materials or second-hand books, as opposed to copying, scanning or downloading written works or materials without authorization. This should hopefully reduce the chances of copyright infringement. Learning materials provided as part of classes held online due to the COVID-19 pandemic must also not violate copyright regulations. Should faculty members have any queries about copyright issues relating to specific learning materials, they can address these to their on-campus “IPR Consultation Desk.”

6. Ministry of Economic Affairs

I. IPR awareness lecture series

Starting in March, TIPO began accepting registrations for the 2020 IPR Protection Service Group lecture series, which is designed to strengthen IPR awareness among the public. Corporations, civil society groups, and schools of all levels are eligible to register. Once applications have been approved, on-site lectures on issues of interest (including patents, trademarks, copyright, and trade secrets) will be arranged free of charge, along with consultations. By the end of June, a total of 2,751 people had attended 57 lectures (involving schools: 49; civil society organizations: 6; government agencies: 2).

Results from questionnaires distributed after each event showed that more than 90% of participants found the lectures to be helpful in better understanding copyright concepts; 80% were aware of the fact that photocopying reading materials in batches still constitutes a breach of copyright; and more than 90% understood that copyright protection is obtained automatically without the need for registration or other formalities.

II. Work continues for IPR On-Campus Task Force

From May to June 2020, the IPR On-Campus Task Force, a group of 119 seed instructors from 20 universities, visited 17 elementary, junior and senior high schools, including vocational schools, to promote IPR protection through fun, lively group activities. A total of 986 students took part in the events. A subsequent survey showed that more than 90 percent of the students learned that sound or video recording, digital scanning, and photocopying are all considered a form of “reproduction” under the Copyright Act. More than 80 percent of them understood that uploading newly released movies onto the Internet using P2P software constitutes an act of copyright violation. Finally, more than 90% of the students were aware that photocopying an entire textbook, even in separate batches, is also a form of copyright infringement. These figures demonstrate the effectiveness of the events in raising awareness about IP rights.

III. Internet copyright awareness activities

What better way to quickly disseminate information than with the help of the Internet? In acknowledgement of this very fact, TIPO launched the “Question and Answer Box” and “Mobile Wallpaper Sharing” initiatives via its “I Support Innovation” online platforms on May 18 and June 8, respectively. TIPO also posted and live-streamed 13 comics and animations with the following titles: Artwork in Video Games – Tattoo Design; International Copyright – “Inside Out” Copyright Lawsuit Rejected; Cuisine and Copyright; Streaming Media in the Workplace; Copyright and Games. By the end of June, TIPO had already uploaded 75 promotional posts, answered 20 online queries about copyright matters, and gained 655 followers – success on all fronts.