



TAIWAN INTELLECTUAL PROPERTY OFFICE,
MINISTRY OF ECONOMIC AFFAIRS

Quarterly Report

on Intellectual Property Rights Protection in Taiwan

July to September, 2021

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2021 APEC Workshop on the Potential for Use of Alternative Dispute Resolution (ADR) in the Field of IPR a Huge Success!

The *2021 APEC Workshop on the Potential for Use of Alternative Dispute Resolution (ADR) in the Field of IPR* was held by TIPO on July 29th and 30th. This workshop facilitated in-depth knowledge exchanges among APEC member economies; more than 450 participants from various member economies of APEC joined online, including Australia, Canada, Hong Kong, Mexico, New Zealand, Peru, Singapore, Thailand, Vietnam, etc.

The 1.5-days workshop was one of the main outputs of the project “Potential for Use of Alternative Dispute Resolution in the Field of IPR” that was granted subsidies by APEC in 2020. TIPO invited experienced government officials, judges, lawyers, mediators, and arbitrators from the Philippines, Singapore, Thailand, the United States, the International Trademark Association (INTA), and Taiwan to serve as lectures, who presented the basic concepts of ADR and further extended the discussions to the field of IPR. Together, the participants explored the advantages and limitations of mediation, arbitration, and online dispute resolution (ODR) in the field of IPR, as well as the relevant legal and practical experiences of different economies along with the lecturers. The comprehensive discussion, extensive exchanges of views, and diverse perspectives brought forth a fruitful and productive event, providing participants the opportunity to thoroughly explore the potential for the use of ADR. The conclusions of the discussion session and discerning insights attained through the workshop will be compiled into the workshop report, which will be published on both APEC and TIPO’s websites, aim

-ing to assist market participants, including women, youth, and MSME (Micro, Small, and Medium Enterprises) operators in learning about more economically feasible and effective options that can be adopted to resolve IPR-related disputes and enhancing their abilities to protect IPRs.

Taiwan Innotech Expo 2021

2021 Taiwan Innotech Expo (TIE) online exhibition is said to be the most iconic R&D platform in Taiwan. As impacts of the pandemic still linger, 2021 TIE was held in a hybrid format that combined physical and virtual elements. The physical exhibition ran for 3 days from October 14 to 16 at Taipei World Trade Center Exhibition Hall 1; the interactive virtual expo took place from October 14 to 23. As for the online exhibition, it will be open until the end of this year. All are welcome to join us at TIE!

The exhibition comprised 2 main sections: an invention competition and the Three Major Themed Pavilions. The inventions competition exhibited over 400 inventions from individual inventors, industries, and academia and research institutions from home and abroad. Through the competition, the world's most groundbreaking and original inventions with the greatest market potential were awarded the highest accolade: the prestigious Platinum Award. In addition, there was a sub-exhibition, entitled Outstanding Invention Collections, where winning works of the National Invention and Creation Award in 2020 were displayed, thereby demonstrating the innovative strengths of the people of Taiwan.

Three Major Themed Pavilions, a joint-exhibition held by the 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 of the Executive Yuan, National Development Council, Environmental Protection Administration of the Executive Yuan, and Academia Sinica, consisted of three major themes: Innovation Pilot, Future Tech, and Sustainability. The exhibition has showcased the interdisciplinary research results and innovative technologies developed by the abovementioned government agencies.

Forty international VIPs shared their most advanced technological viewpoints and analyses; approximately 180 technical presentations and online business meetings were conducted to facilitate business opportunities. For the first time, automated online tours of six themes and AI algorithms were introduced, efficiently providing recommendations and customized content that would be of interest to visitors.

2021 Taiwan Innotech Expo website:

<https://www.inventaipai.com.tw/en/index.html>

Legal Amendments

1. IPC Restructured into “Intellectual Property and Commercial Court”

Effective July 1

On July 1, 2021, the Intellectual Property Court was restructured into the “Intellectual Property and Commercial Court.” Intellectual Property Courts were established to exclusively hear IP-related cases. The Judicial Yuan has also amended statutes related to intellectual property litigation in order to handle major commercial disputes promptly, enhancing the business environment of Taiwan.

2. Customs Administration Announced Amended Article 7 and 9 of the Regulations Governing Customs Measures in Protecting the Rights and Interests of Trademark Sept. 15

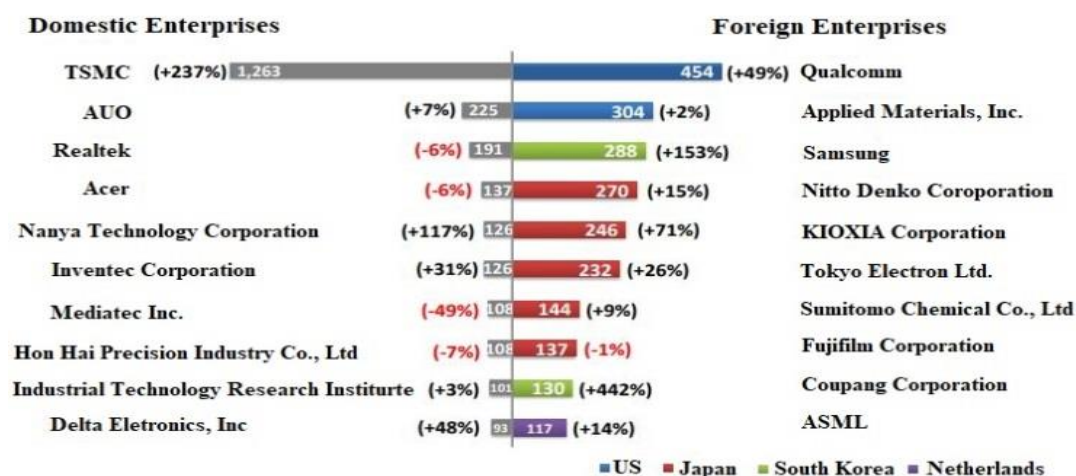
The Customs Administration of the Ministry of Finance has amended and promulgated Article 7 and 9 of the Regulations Governing Customs Measures in Protecting the Rights and Interests of Trademark on September 15, 2021. One of the statutory requirements the amendment has relaxed is that trademark owners are no longer required to come in person to the customs to identify the goods in question, saving both time and labor cost for trademark owners and importers/exporters, thereby enhancing custom administrative efficiency.

1. TIPO Released IPR Statistics for the First Half of 2021

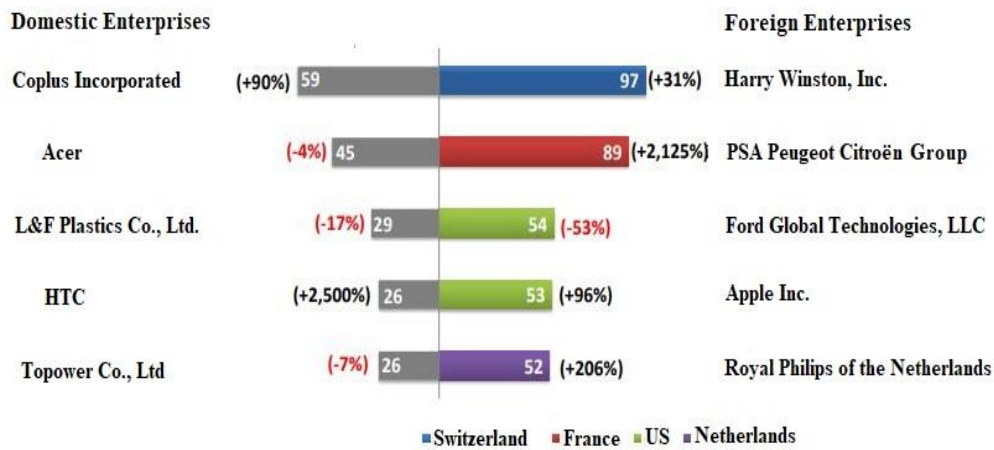
In the first half of 2021, TIPO received a total of 35,264 patent applications (including invention, utility model, and design patents) as well as 46,379 trademark applications; this represents a 4% and 7% increase, respectively, compared with the same period last year. In general, patent and trademark applications saw steady growth in the first half of 2021.

The 7,650 invention patent applications filed by domestic enterprises in the first half of 2021 mark a 21% increase (the highest increase compared to Q3 of the last 5 years) compared to the same period of last year, a number that has been growing for five consecutive years.

Among domestic enterprises, TSMC filed the most invention patent applications (1,263), setting a new record, and Coplus filed the most design patent applications (59); as for foreign enterprise applicants, Qualcomm and Harry Winston topped the list by filing 454 invention patent applications and 97 design patent applications respectively.



2021 First Half Top 10 Invention Patent Applications Filed by Domestic and Foreign Enterprises

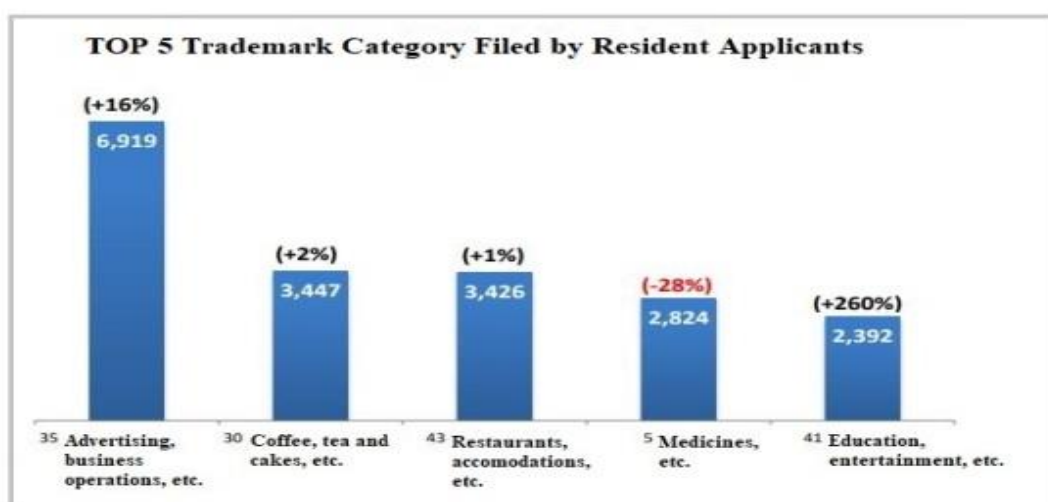


2021 First Half Top 5 Design Patent Applications Filed by Domestic and Foreign Enterprises

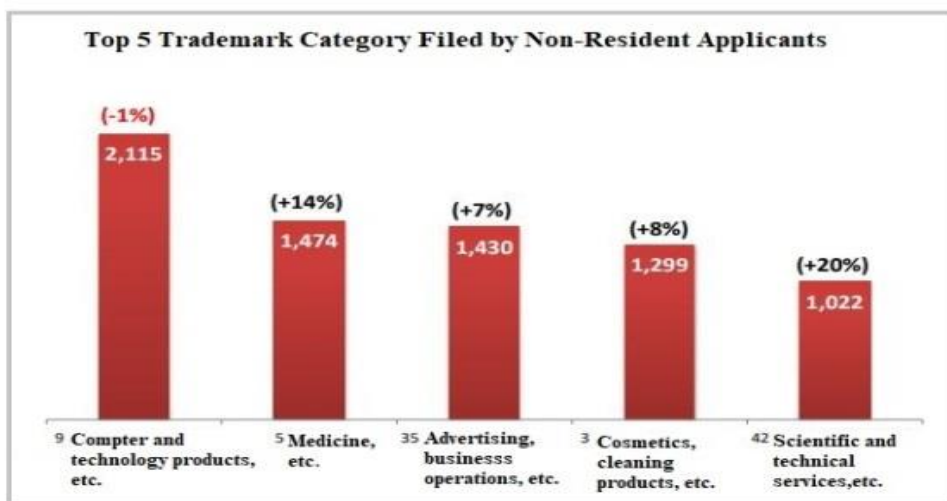
Resident and Non-resident trademark application numbers both grew; 35,048, an all-time high, and 11,331, respectively.

Resident applicants filed the most applications (6,919 cases) in class 35 (advertising, business management, retail, and wholesale services, etc.), marking a 16% growth. Top filer Taiwan Familymart Co., with 145 cases, ranked first among resident applicants.

Non-Resident applicants filed the most applications (2,115) in Class 9 (computer and technology products, etc.). The BUNNY GIRL LIMITED took first place at 135 applications.



2021 First Half Top 5 Trademark Category Filed by Resident Applicants



P.S "42. Scientific and technical services, etc." mainly includes computer programming, the field of the studies for eco-friendly, the studies for biomedicine, etc.

2021 First Half Top 5 Trademark Category Filed by Non-Resident Applicants

For more details (in Mandarin), please visit:

<https://www.tipo.gov.tw/tw/dl-279575-e50274620c1b4f2eb4a3ba1ec401d0ef.html>

2. Discussion Forums— Copyright Issues on the Internet

TIPO held a meeting on Issues Regarding Illegal Set-Top Box Investigations on September 1, providing a platform for the exchange of views on said problem, inviting law enforcement agencies, the National Communications Commission, the Customs Administration, the Bureau of Foreign Trade, and rights holders' groups to discuss how to effectively curb the issue of copyright-infringing set-top boxes.

On September 30, TIPO facilitated conversations with bricks and mortar businesses and online platform retailers, encouraging them to voluntarily remove illegal set-top boxes from their shops. Besides retailers, TIPO also invited the National Police Agency and guests from the publishing industry to a meeting on September 29 to discuss the issue of pirated books sold on online shopping platforms.

3. *The Interpretations of the Patent Act and the Trademark Act, and Compilation of Selected Court Rulings on Trade Secret Cases Available on*

TIPO Website

To enhance public knowledge toward the current Trademark Act, the Patent Act, and their ability to grasp the operation and trend of the judicial practice of trade secrets in Taiwan, TIPO has completed the *Interpretations of the Patent Act* and the *Interpretations of the Trademark Act* in July and September respectively; *Compilation of Selected Court Rulings on Trade Secret Cases* was also completed. All three are published on the TIPO website for reference by the public.

The Interpretations of the Patent Act is mainly focused on revising the interpretations for the key amendments from 2017 to 2020, including “Relaxing grace period,” “Loosening rules regarding division of patent applications after decisions for approvals are served,” “Restrictions on timing for resubmitting grounds for patent invalidation,” “Time period for post-grant amendment of utility model patent and its examination procedure,” and “Extending the protection period for design patents from 12 years to 15 years,” and other regulations. Furthermore, court judgments of significant reference values are included to construe the interpretations of the Patent Act.

Since the last amendment was in January 2017, the Trademark Act and judicial practices underwent changes. The key amendments include “Non-traditional Trademark Types,” “Trademark Distinctiveness Assessment,” “Factors Determining Likelihood of Confusion,” “Proprietor of the Earlier Used Trademark,” “The Exhaustion Doctrine,” and court judgments of significant reference values.

Compilation of Selected Court Rulings on Trade Secret Cases is a compilation TIPO made by studying civil and criminal cases relating to trade secrets from courts at all levels from July 1st, 2019, to December 31st, 2020. A total of 40 cases were selected and excerpted for reference, including 17 civil cases and 23

criminal cases. It was compiled in accordance with the three requirements for trade secrets, civil remedies and damages claims, and criminal offences for trade secret infringements.

The *Interpretations of Patent Act*, June 2021 Edition (in Mandarin):

<https://topic.tipo.gov.tw/patents-tw/lp-924-101.html>

Compilation of Selected Court Rulings on Trade Secret Cases (in Mandarin):

<https://www.tipo.gov.tw/tw/cp-12-894076-cf6a0-1.html>

The *Interpretations of Trademark Act*, September 2021 Edition (in Mandarin):

<https://topic.tipo.gov.tw/trademarks-tw/dl-279802-0b3f2a94b3c64b708a823014027b654e.html>

4. *Industry Trademark Application Strategy Manual for Designated Goods and Services Available!*

TIPO published the Industry Trademark Application Strategy Manual for Designated Goods and Services and Comparison Tables for Standard Industrial Classification and Goods/Services Classification on the official website. They explained the principle of categorizing goods/services and precautions one needs to take before selecting a designated goods/service. A comparison table for specific industries and their corresponding goods/services is also provided, hoping to further explain and offer suggestions pertaining to the selection of designated goods/services when filing applications so as to obtain the trademark protection needed within specific industries.

“Comparison Tables for Standard Industrial Classification and Goods/Services Classification Search(行業類別與商品/服務分類組群對照查詢)” is a brand new function within the trademark search system that offers suggestions pertaining to the selection of designated goods or services when filing applications for Specific industries and provides users quick access to the Industry Trademark Application Strategy Manual for Designated Goods and Services.

Industry Trademark Application Strategy Manual for Designated Goods and Services (in Mandarin):

<https://topic.tipo.gov.tw/trademarks-tw/dl-279799-e1e48a8a7add40afa689bd89419fb699.html>

Comparison Tables for Standard Industrial classification and Goods/Services Classification (in Mandarin):

https://twtmsearch.tipo.gov.tw/OS0/OS0306.jsp?l6=zh_TW&isReadBulletin_US=&isReadBulletinzh_TW=true

5. *WIPO's Guide to the International Patent Classification (2020): Traditional Chinese Edition*

TIPO has published a Traditional Chinese Edition of WIPO's Guide to the International Patent Classification (2020) and Comparison Table of Amended Items on its website in September, aiming to help the public better understand the concepts and methods of international patent classification.

Guide to the International Patent Classification (2020) and Comparison Table of Amended Items (in Mandarin):

<https://topic.tipo.gov.tw/patents-tw/cp-718-896908-90504-101.html>

6. *TIPO to Incorporate Changes Introduced by Locarno Classification (13th Edition) September 1st, 2021*

TIPO has updated its classification list of industrial designs in accordance with the 13th edition of the World Intellectual Property Organization's Locarno Classification for Industrial Designs (effective since 2021); changes include newly added categories for various arrangements of shop interiors and window displays as well as emerging technologies such as virtual reality devices.

The new classification list has been published on the TIPO website and is applicable to

design applications submitted after September 1st, 2021.

13th Edition of Locarno Classification for Industrial Designs (in Mandarin):

<https://topic.tipo.gov.tw/patents-tw/dl-277934-1eee9796b6604ff0a0940df1dea853b2.html>

7. TIPO holds Information Sessions on Patent Laws and Regulations 2021

Due to the impact of the COVID-19 pandemic, TIPO held the Information Sessions on Patent Laws and Regulations via live webcast on September 9th. The information sessions will provide explanations on the Requirements for Design Patents' Descriptions and Drawings announced in May, the Examination Guidelines for Computer Software-Related Inventions announced in July, and other important amendments to the patent examination guidelines.

8. Ministry of Education's TANet Report Portal

The Ministry of Education (MOE) established a mechanism to report suspected copyright infringement on college and university campuses. A dedicated TANet (Taiwan Academic Network) report portal (abuse@moe.edu.tw) was also provided to accept rights holders' reports on foreign textbook infringement cases on the Internet. There are no reports this quarter.

9. Implementation Overview of the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples by the Council of Indigenous Peoples

Since the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples took effect in 2015, till September of 2021, 150 applications for exclusive rights have been received and consolidated into 120 cases, of which 91 cases (76%) have been completed, 19 cases (16%) are pending considerations, 5 cases (4%) have been withdrawn, and 5 cases (4%) have been dismissed. Of the 91 cases completed, 81 (89%)

were granted granted exclusive rights, 2 (2%) were scheduled to be granted exclusive rights in November, 3 (3%) were reexamined, and 5 (6%) were rejected.

Law Enforcement Results and Statistics

The National Police Agency of the Ministry of the Interior

Law Enforcement

From July to September 2021, 414 cases that involved 556 persons were investigated for violation of the Copyright Act, 335 cases (388 persons) for violation of the Trademark Act, and 8 cases (16 persons) for violation of the Trade Secrets Act—a total of 757 cases involving 960 suspects were investigated. All of them were referred to district prosecutors offices for further investigation in accordance with the regulations.

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

Unit : case/person

Year	Total		Trademark		Copyright			Trade Secrets	
	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of CDs Confiscated	No. of Cases	No. of Suspects
2021 Jan.-Sep.	2,623	3,407	1,335	1,657	1,271	1,717	-	17	33
2020 Jan.-Sep.	2,773	3,392	1,465	1,732	1,301	1,639	55	7	21
Percentage Change	-5.41%	0.44%	-8.87%	-4.33%	-2.31%	4.76%	-100.00%	142.86%	57.14%

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

Taiwan High Prosecutors Office (THPO)

Law Enforcement

1. From July to September, there were 541 persons among 475 cases suspected of committing crimes in all the prosecutors offices, of which 165 persons across 120 cases were prosecuted according to usual procedures, 190 persons across 179 cases were granted summary judgment, 153 persons across 145 cases received deferred prosecution, and 33 persons across 31 cases were not prosecuted nor punished by the court's sua sponte motion. The number of defendants convicted by the court from July to September

was 251, equals a conviction rate of 91.94%.

2. The number of prosecutions (including those that applied for summary judgment) and convictions in cases of infringement of intellectual property rights compared to the same period in 2020 are as follows: from July to September 2021, the number of prosecutions was 355, compared to 403 in the same period in 2020, there is a decrease of 48 (11.91%); the number of convictions was 251 in 2021, compared to 353 in 2020, a decrease of 102 (28.9%).

Statistics for Final Court Decisions on IP Cases Brought by Various District Prosecutors Offices

單位：人 Unit: Person

Categories	Year	Results of Court Rulings												
			Sentence							Remitted	Acquitted	Not to Prosecuted	Turned Down	Others
		Total	Subtotal	Under 6 Months	6-12 Months	1-2 Year(s)	Over 2 Years	Detention	Fines					
Total	2021 Jan.-Sep.	955	743	266	2	1	-	457	17	-	65	5	142	-
	2020 Jan.-Sep.	1,184	915	298	9	10	-	566	32	1	65	7	196	-
	Percent Change	-19.34%	-18.80%	-10.74%	-77.78%	-90.00%	-	-19.26%	-46.88%	-100%	0 %	-28.57%	-27.55%	-

Source: Taiwan Prosecutors Office

3. In response to the rapid escalation in digital textbook piracy, the “The Working Group Meeting on the Coordination and Supervision of Investigations Relating to Intellectual Property Rights” implemented by the Taiwan High Prosecutors Office on November 24th, 2020, the prosecutors, police, and investigators were asked to make an effort in investigation activities, including but not limited to the photocopy stores around colleges and universities as well as hard copy textbooks.

The Customs Administration

Law Enforcement Results

1. The Customs Administration of the Ministry of Finance has implemented various border protection measures 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. A total of 6,249 infringing items were seized from July to September. Said items came from 1 import case suspected of copyright infringement, 2 export cases suspected of trademark infringement, and 25 import cases suspected of trademark infringement.
2. From July to September, the Customs Administration had received 24 requests for advice protection on trademark rights, 28 requests for extending the terms for advice protection on trademark rights, and 82 requests for updating/supplementing documents and other matters, adding up to a total of 134 requests.
3. The Kaohsiung Customs intercepted 11 counterfeit handbags with the trademark "Michael Kors" on July 16, and 1,000 bearings with the trademark "NSK" on July 20th. The items in question have all been seized.
4. On August 25, the Keelung Customs intercepted 3,913 imported counterfeit timing belts bearing the trademarked "PowerGrip" logos. The items in question have all been seized.

Ministry of Justice Investigation Bureau

Law Enforcement

In Q3 2021, 15 cases were investigated for infringement of intellectual property rights, all involved persons were referred to district prosecutors offices for further investigation in accordance with the regulations. The 15 cases consist of 6 cases involving 8 persons for violation of the Copyright Act, 4 cases and 5 persons for violation of the Trademark Act,

and 5 cases and 17 persons for violation of the Trade Secrets Act.

International Exchange and Cooperation

1. The National Police Agency of the Ministry of the Interior

Tony Chein, the liaison officer of the U.S. Drug Enforcement Administration (DEA), met with the Second Special Police Corps of the National Police Agency on September 29. He thanked the Corps for seizing counterfeit tobacco products from cargo ships on March 6 with the Ocean Affairs Council and the New Taipei City Police Department Linkou Precinct and discussed issues related to cooperation in the investigation of cargo ship drug and firearm smuggling cases and their traceability.

2. The Customs Administration

The Customs Administration continues to exchange information on counterfeiting cases with its global counterparts. There are 10 counterfeiting reports in Q3.

IPR Awareness Campaigns

1. The National Police Agency of the Ministry of the Interior

The Second Special Police Corps visited a total of 25 companies in Q3 of 2021. In addition to providing information related to trade secret laws, it provided assistance in examining confidentiality measures and conducted 25 courses on the Trade Secrets Act.

2. Ministry of Justice

Ministry of Justice, together with the Taichung District Prosecutors Office and the Qiaotou District Prosecutors Office, held two seminars on “Trade Secrets Protection Enhancement and System Refinement” in Taichung and Kaohsiung on September 27 and September 30 respectively. 160 participants consisting of personnel from companies in the Science Park, members of the judiciary, prosecutorial, and investigative authorities had attended.

3. Council of Indigenous Peoples

- (1) The 2020 Talent Cultivation Program for Protecting Traditional Intellectual Creations of Indigenous Peoples successfully held a series of lectures, intensive courses, and credit courses in mid-July.
- (2) A total of 65 participants attended a seminar organized by the Council of Indigenous Peoples on the topic of “Operation Results of the Preservation of Traditional Intellectual Creation of Indigenous Peoples” in the Jianhe Tribe in Beinan Township, Taitung County, and the Tafalong Tribe in Guangfu Township, Hualien County on September 24 and 29, respectively.

4. Ministry of Education

- (1) The Ministry of Education (MOE) urged all schools to continue to promote the Action

Plan for the Protection of Intellectual Property Rights on Campus at the September 23 Meeting of the Academic Affairs Directors of National Technological and Vocational Colleges and Universities. In addition to deepening teachers' understanding of intellectual property rights, the event called for tightened restrictions on photocopying on campus by stipulating in contracts that vendors providing photocopying services on campus are not allowed to engage in illegal photocopying so as to implement protection of intellectual property rights on campus.

- (2) On September 3, the Ministry of Education (MOE) sent official correspondence to universities and colleges, urging them to further promote the concept of respecting intellectual property rights on campus, actively remind and provide students guidance in using legal copy textbooks (including second-hand books), and not to scan, photocopy, or download/upload books or teaching materials without authorization to avoid infringing on the copyright of others. On the same day, an official correspondence was also sent to all public and private colleges and universities, encouraging teachers to obtain a deeper understanding of copyright through fully utilizing the *Teacher's Guide to Copyright in Teaching*.

5. Small and Medium Enterprise Administration

The “SME Intellectual Property Value Enhancement Program” promotes the concept of intellectual property rights and its importance to business operation by organizing advocacy seminars and digital courses. Six advocacy seminars were held by the end of September this year, with a total of 386 participants. In addition, the program also provides consultation services according to the practical needs of SMEs, guiding them to conduct patent searches and create patent portfolios, in order to enhance intellectual property awareness, elevate patent quality, and strengthen their ability in facing IP-related challenges.

6. TIPO

(1) Intellectual Property Advocacy Seminars

TIPO has been accepting registrations from industrial and commercial enterprises, private organizations, and schools at all levels since the end of March for the 2021 annual “IPR Expert Service Group Seminar,” which will be addressing issues of concern related to patents, trademarks, copyrights, and trade secrets. The 32 seminars held from July to September offered free lectures and on-site consultation services.

(2) Campus IPR Protection Task Force

TIPO formed the “Campus IPR Protection Task Force,” consisting of 62 seed instructors from 17 universities, to promote the concept of intellectual property rights in elementary, junior high, and high/vocational schools in a lively and fun manner. From July to September, 12 sessions were held, with 1,085 student participants in total. According to the post-session survey, more than 90% of the students knew that even if the images on Instagram or Facebook are set to “public,” it does not mean that they are free for download and use. More than 80% of the students know that to use any background music for their own videos on YouTube, they must obtain legal authorization from the copyright owner beforehand.

(3) Themed Workshops on Copyright

Due to the COVID-19 pandemic, TIPO hosted Information Sessions on Protection of Internet Copyright and Information Sessions on Copyright in Cultural and Creative Industries virtually via livestream from July to September. Legal experts and practitioners were invited to give lectures on common copyright cases and answer questions from the attendees.

To avoid any misconceptions or negligent conduct that leads to copyright infringement, TIPO aims to provide clear information regarding copyrights for both related rights holders and users in the cultural and creative industries as well as social media managers, namely those who run e-commerce businesses or operate on platforms such

as YouTube channels, Facebook fan pages, and blogs.

(4) Internet Copyright Promotion Campaign

- i. Exclusive *Copyright x I Support Originals* Podcast Channel was established on major platforms such as Apple, Google, Spotify, KKbox, etc. The show invites copyright lawyers and creators from the culture and creative industry who share memes, talk about movie copyright infringement cases, and discuss related copyright issues in the publishing industries. The channel has produced 16 episodes till September this year, accumulating more than 93,000 listens.
- ii. In order to utilize the power of the Internet to disseminate educational information, TIPO held various events on the Original Creation x I Support You official fan page. On July 5, 28, August 25, and September 20, it held a lucky draw activity on the following posts: “Copyright Questions - Ask Away,” “The Latest Podcast Episode X What Those Movies Taught Me,” “Online Meetup Registration,” and “Best of Copyright Angels vs. Devils- I.” Twenty-three new contents, in the form of comic strips or animations, were posted on the fan page, including “Copyright Q&A – All about Famous/Animated Characters” and “Copyright Issues for Social Media Managers.” As of the end of September, the Original Creation x I Support You fan page has 128 posts and answered 33 questions about copyright on the Internet, gaining approximately 4,200 fans.

(5) Online Seminar on IPR of Indigenous Peoples’ Traditional Intellectual Creations and Cultural and Creative Industries

An online seminar on “Issues related to Intellectual Property Rights of Indigenous Peoples' Traditional Intellectual Creations and Cultural and Creative Industries” was held by TIPO on September 15th, 2021. This seminar covered four major topics, including the protection of design patents and cultural and creative goods, trademark application and related case studies, concepts of copyright essential to cultural and cre-

ative industries, and the practice of licensing exclusive rights for traditional intellectual creations of indigenous peoples.