



TAIWAN INTELLECTUAL PROPERTY OFFICE,
MINISTRY OF ECONOMIC AFFAIRS

Quarterly Report

on Intellectual Property Rights Protection in Taiwan

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Taiwan and the Republic of Korea Sign MoU on Design Patent Priority Document Exchange

Taiwan and Korea signed an MoU on Electronic Exchange of Priority Document (PDX) for Design Patents on November 12, 2021, following the collaboration between Taiwan and Japan on Design Patent Priority Document Exchange in 2019. Through bilateral cooperation between the Taiwan Intellectual Property Office and the Korean Intellectual Property Office, claiming design patent priority has become easier.

Priority Documents are required in the event that a subsequent patent application is filed with a priority claim. Under the MoU on the Exchange of Industrial Property Information and the Electronic Exchange of Priority Documents signed in 2015, the PDX program is applicable to invention and utility model patent applications. TIPO and KIPO decided to also include design patent priority documents in the program, as it has been put to extensive use by applicants from both countries since its implementation. In addition to offering a much more efficient option besides mailing paperwork, the program also streamlines cross-country application procedures - further improving the exchanging mechanism of patent priority documents.

TIPO and KIPO will actively conduct system development and testing in the future. According to the schedule planned by both offices, the system is officially slated for July 2023 and will provide more convenient services for applicants.

Taiwan and the Republic of Korea Sign MoU on Design Patent Priority Document

Exchange: <https://www.tipo.gov.tw/en/cp-282-898727-9926c-2.html>

TIPO Launches Design Patent Priority Document Exchange Program with JPO

The Taiwan-Japan MoU on Electronic Patent Priority Document Exchange (PDX) was signed in 2013, and is applicable to both invention and utility model patent applications. As the PDX program has been put to extensive use by applicants from both countries since its implementation, an additional MoU on Design Patent Priority Document Exchange was signed in 2019. Upon its implementation the PDX program can increase application efficiency and streamline cross-country application procedures by providing an alternative to mailing paperwork. Broadening the scope of the bilateral PDX cooperation has also made the exchange mechanism between Taiwan and Japan progressively more comprehensive and robust.

Starting from January 1, 2022, a design patent applicant will be deemed to have filed a priority document if he/she provides an access code issued by the JPO within 10 months after the earliest priority date. The design patent application form and the application instructions have both been amended and are provided for applicant use, in conformance with the subsequent implementation.

Amendment Announcement of the Design Patent Application Form and Derivative Design Patent Application Form (in Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-899809-d3d84-1.html>

Legal Amendments

1. Regulations Governing Copyright Protection of Cultural and Art Workers and Enterprises Effective October 5

The Regulations Governing Copyright Protection of Cultural and Art Workers and Enterprises was announced by the Ministry of Culture (MOC) and the Ministry of Economic Affairs (MOEA) on October 5, 2021 and took effect on the same day. In the event that entities such as government agencies, government-endowed foundations, etc., negotiate agreements concerning the copyright of art and cultural procurements, subsidies, or submissions, these regulations ensure greater respect and protection of the creative rights of cultural and arts workers or enterprises.

In addition, the MOC has recently started to revise the contract template for arts and culture procurement and compiled a series of Q&A on copyright-related information. The MOC will continue to implement supporting measures such as holding online courses, revising operation manuals, and offering information sessions at local governments to further promote the enforcement of the Regulations for Cultural and Arts Procurements, as well as the Regulations Governing Copyright Protections. The MOC endeavors to establish close cooperation with government sectors and foundations with the goal to create a secure environment for procurements in the Culture and Arts industries.

2. Revised *Examination Guidelines on Likelihood of Confusion* on TIPO Website

TIPO has referred to the examination guidelines of the EUIPO, JPO, the USPTO,

and the judicial practice of Taiwan and revised the *Examination Guidelines on Likelihood of Confusion*, aiming to provide trademark examiners with even more specific guidelines on evaluating the likelihood of confusion when examining trademark applications. It was promulgated and put into effect on October 27, 2021.

The key points of the revision are as follows:

I. Regarding Similarity between Trademarks:

The revision has laid down principles for evaluating the degree of distinctiveness of trademark elements, assessing each trademark as a whole, facilitating comparisons between individual parts of compound word marks, and judging the similarity between existing words/phrases and phonetic characters, all of which are comprehensively illustrated with examples.

II. Regarding the Similarity of Goods and Services:

An additional criterion, “channels of distribution or points of sale,” was included in the list of determining factors for the degree of similarities between goods and services. Definitions of goods/services that are considered in competition, complementary, or auxiliary/ancillary in relation to specific other goods or services, and supplemental information pertaining to the relations between the goods and their components, raw materials, or semi-finished products, respectively, were also incorporated into the revision. Examples and applicable situations of the abovementioned factors were listed as well.

III. Other Minor Changes:

Several determining factors were modified, such as whether the business of the proprietor of the trademark registered earlier pursues a diversification

strategy, whether the trademark applicant possesses a bona fide intent, and the qualifying factors for being “obviously improper,” (part of the proviso of Subparagraph 10, Paragraph 1, Article 30 of the Trademark Act).

Revised Examination Guidelines on Likelihood of Confusion (in Mandarin):

<https://topic.tipo.gov.tw/trademarks-tw/cp-579-897802-5fb92-201.html>

3. Revisions to Accelerated Examination Program (AEP) Effective Jan 1, 2022

In order to promote the research and development of green patents and accelerate commercialization of related products, the scope of applicability of AEP will be expanded to include green technologies such as energy-saving, carbon emission reduction, and resource-saving technologies.

In addition, applications on the grounds of “essential to commercial exploitation” and “inventions related to green technologies” will have their accelerated examination results issued within 6 months instead of 9 - after filing all necessary documents -thereby expediting the examination process of relevant cases. The revised Accelerated Examination Program is published on the TIPO website for public reference.

Revised Accelerated Examination Program (in Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-897074-74354-1.html>

1. TIPO Take Steps to Help Book Publishers Curb Online Piracy

In response to the publishers' complaints against online book piracy, TIPO facilitated a meeting between the National Police Agency and book publishers on September 29 to gain further clarity on the issue. In addition, during a meeting with the Consumer Protection Committee of the Executive Yuan on October 14, TIPO provided explanations on the current laws and regulations and organized flowcharts of the response measures of various authorities for the participants' reference. Representatives of the e-commerce industry and publishers have reached a consensus on removing pirated books.

2. TIPO Released Q3 2021 IPR Statistics Report

In Q3 2021, TIPO received a total of 18,139 patent applications (including invention, utility model, and design patents) as well as 24,699 trademark applications; this represents a 4% and 5% decrease, respectively, compared with the same period last year.

Among the three types of patent applications, there were 12,248 invention patent applications filed, a number that grew by 2%, compared to the same period last year. The growth was mainly due to the increase of non-resident applications (5% growth) and a slight decrease of resident applications (3%). The number of utility model patent and design patent applications was 3,912 and 1,979, respectively, both of which were lower than the same period of the previous year by 16% and 10%.

In terms of resident patent applications, 4,892 inventions were filed in Q3, of which 3,757 were filed by enterprises, a slight increase compared to the same

period last year. Of the 3,757 applications, 3,010 were filed by large enterprises, a 6% increase compared to the same period last year (2,827).

In addition, the numbers of applications of top 10 invention patent applicants and top 5 design applicants in Taiwan mostly showed positive growth. Among them, TSMC claimed the top spot in invention patents with 580 applications. Acer, with 30 applications, leaped to the top of design patent applications. Both of their Q3 application numbers are at the highest in a decade.

In Q3, foreigners filed 7,419 patent applications for inventions. The numbers of Japanese patent applications for inventions and designs were 3,060 and 268, respectively, claiming the top spot among non-residents. In terms of individual applicants, Applied Material ranked first in patent applications (220), and Intel took the lead in growth rate (118%). As for design patents, PSA Motors filed the most applications (74).



Top 10 Invention Patent Applicants

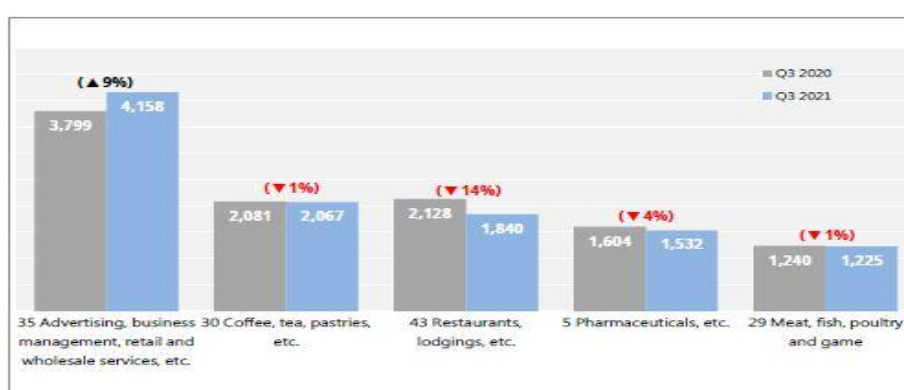


Top 5 Design Patent Applicants

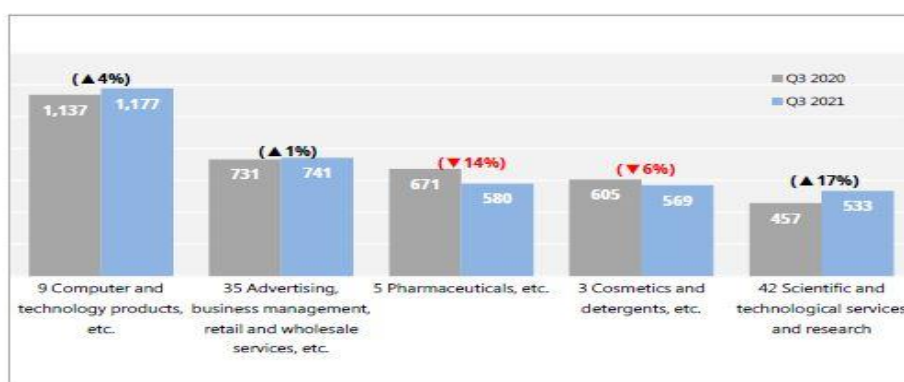
Compared to the same period (Q3) last year, trademark applications TIPO received showed a 5% decrease at 24,699; the number of classes covered showed a 3% decrease at 31,594. The number of resident applications fell by 7%, while that of non-resident remained constant.

In terms of application classes, resident applicants filed the most applications (4,158) in class 35 (advertising, business management, retail, wholesale services, etc.), marking a 9% increase. Uni-President filed 250 applications, ranking first among resident applicants.

The majority of non-resident applications were filed under class 9 (computer, technology products, etc.), totaling 1,177 applications with a 4% growth compared to Q3 last year. Mainland China filed the most applications (1,366) compared to other countries/regions. Shenzhen Futu Network filed 71 applications, outnumbering all other non-resident applicants.



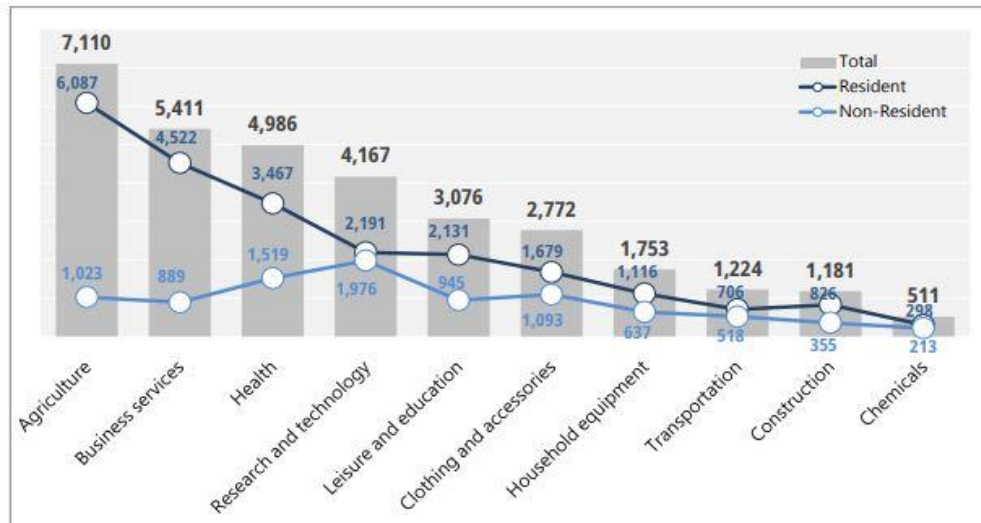
Top 5 Classes for Resident Trademark Applications



Note: "Class 42 Scientific and technological services and research" include computer programming, technological research in the field of environmental protection and energy conservation, and bio-medicine research, etc.

Top 5 Classes for Non-Resident Trademark Applications

As for industry categories, most trademark applications TIPO received in Q3 are classified under “Agriculture.” Resident applications show a high concentration in “Agriculture” at 6,087. Non-resident applications were mostly filed under the “research and technology” industry at 1,976.



Note 1: The top ten industry categories are based on the Nice Classification defined in the *World Intellectual Property Indicators 2020* published by the World Intellectual Property Organization (WIPO).

Note 2: “Research and technology” include devices and instruments, audio/video equipment, telecommunication services, technological services, and related designs for the purpose of scientific research.

Trademark Applications by Industries

TIPO’s Q3 2021 IPR Statistics Report:

<https://www.tipo.gov.tw/en/dl-280105-4f65c802d7ea4ca3b3479171686bc6fa.html>

3. TIPO’s Q4 2021 IPR Statistics Report

In Q4 2021, TIPO received a total of 19,210 patent applications (including invention, utility model, and design patents), marking a less than 1% decrease from the same period last year, whereas trademark applications (24,839 cases) grew by 1%. As for invention patent applications, ITRI (252 cases) came out on top among resident applicants for the first time, and Applied Materials (234 cases) led non-resident applicants. Most trademark applications were filed under the agriculture industry. Uni-President (178 cases) and Cognosphere (56 cases) ranked at the top among resident and non-resident applicants, respectively.

Among the three types of patent applications, there were 12,992 invention patent applications filed, a growth of 2% compared to the same period last year. This was mainly due to an increase in non-resident applications. On the other hand, the number of utility model and design patent applications dropped. All three types of patent applications filed by non-resident applicants saw growth anywhere from 6% to 20%.

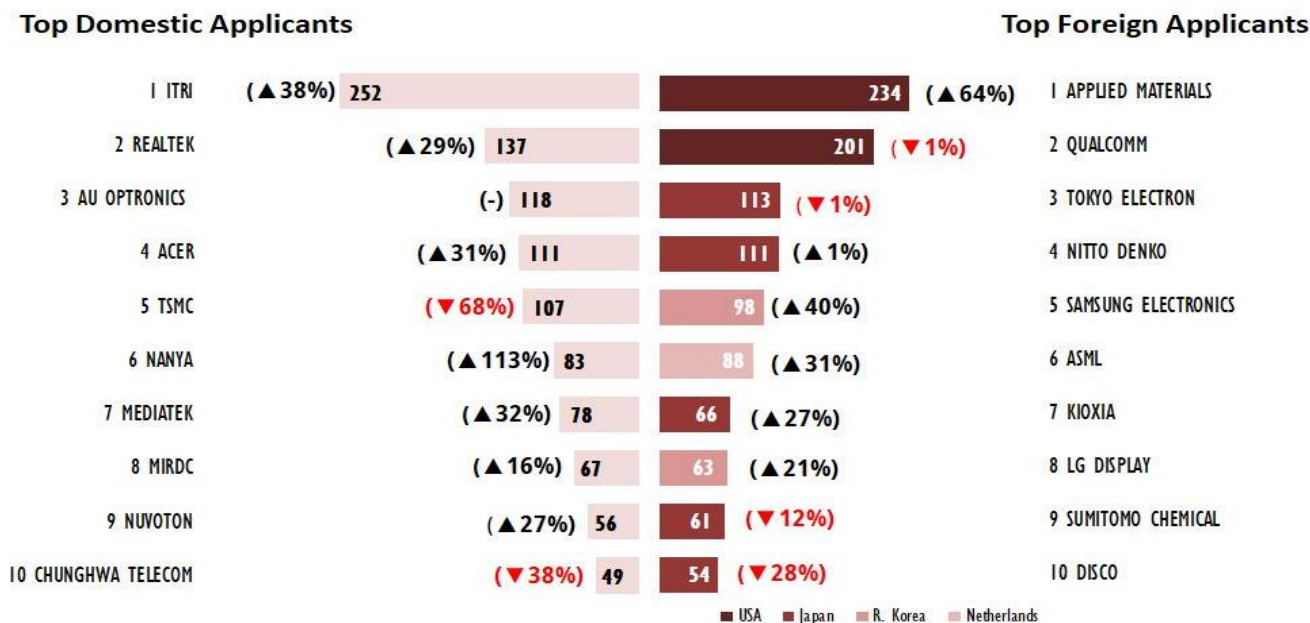
The number of applications from domestic enterprises (3,528 cases) fell mainly because those from large enterprises (2,631 cases) decreased. On the other hand, the number of applications filed by small and medium enterprises (897 cases) rose by 1%.

As for resident applications, ITRI topped with 252 invention patent applications while Acer with 23 design patent applications. Most of the top 10 enterprises of invention patent applications saw growth even though the total number of invention patent applications filed by all enterprises fell. Of these, Realtek (137 cases), Nanya (83 cases) and Nuvoton (56 cases) reached a new high in ten years (Figure 2). Invention patent applications filed by research institutes (454 cases) saw an increase of 17%, with ITRI (252 cases) outnumbering the others.

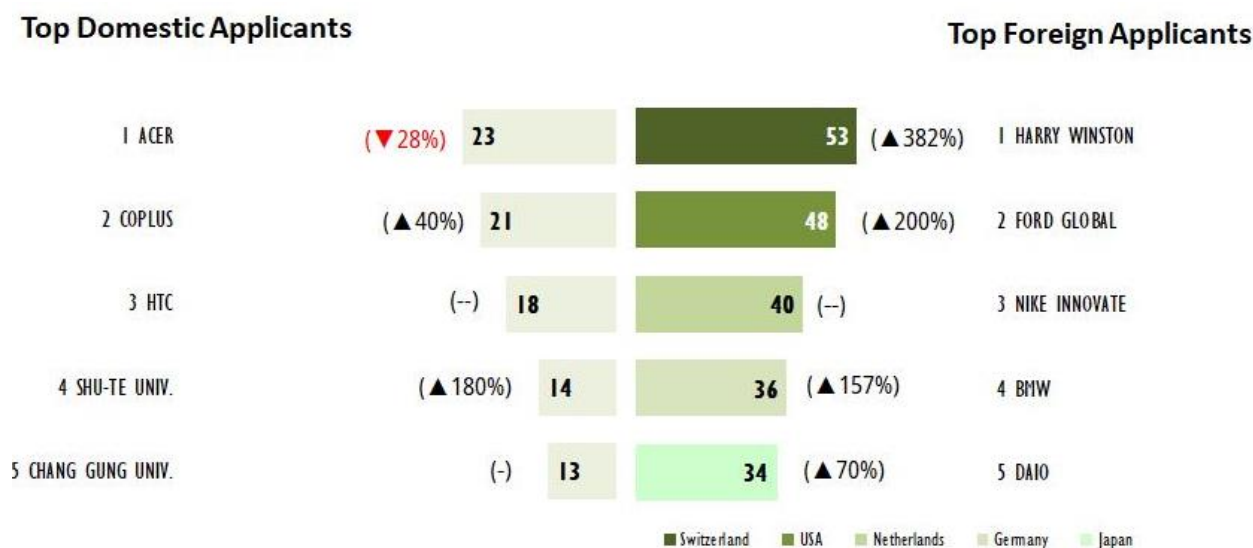
The number of non-resident applications (9,466 cases) grew by 10%, mainly due to a 10% increase in invention patents. Among non-resident applicants, Japan took the lead with 3,117 invention patent applications. The number of invention patent applications of the top 5 filing countries (regions) saw an increase anywhere from 6% to 23%.

The number of design patent applications filed by non-resident applications (1,094 cases) was up by 6%. Of these, the US came on top with 272 applications, outnumbering Japan in Q4 2021.

As for the top 10 non-resident applicants, Applied Materials topped the list of invention patent by filing 234 applications; Harry Winston occupied the leading place in design patents with 53 applications. Both the two applicants saw significant growth - the former at 64% and the latter, 382%.



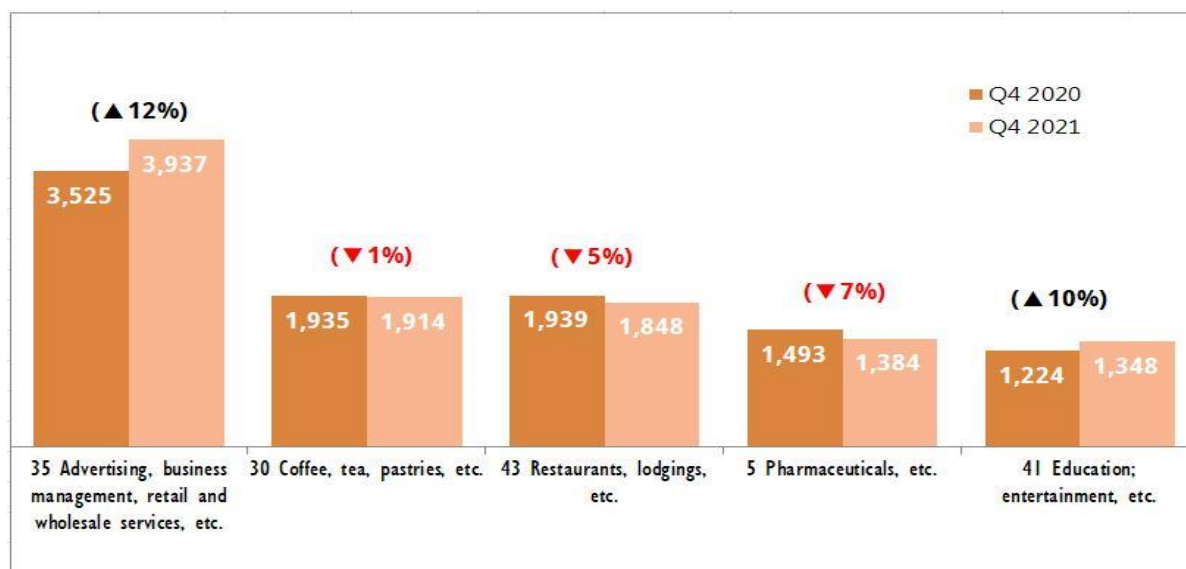
Top 10 Invention Patent Applicants



Top 5 Design Patent Applicants

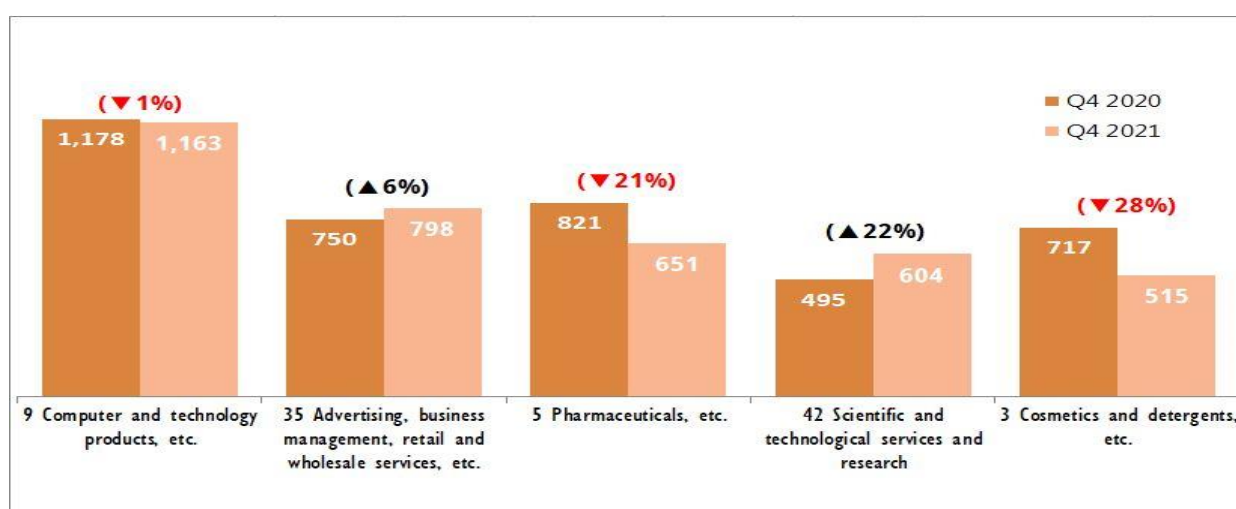
Compared to the same period (Q4) last year, trademark applications (24,839 cases) received by TIPO showed a 1% increase; the number of classes covered (31,809 classes) also showed a 1% increase. The number of resident applications was up by 2%, while that of non-residents down by 3%.

In terms of application classes, resident applicants filed the most applications (3,937 cases) in Class 35 (advertising, business management, retail, wholesale services, etc.), marking a 12% increase (Figure 4). Uni-President filed 178 applications, ranking first among the top 10 resident applicants.



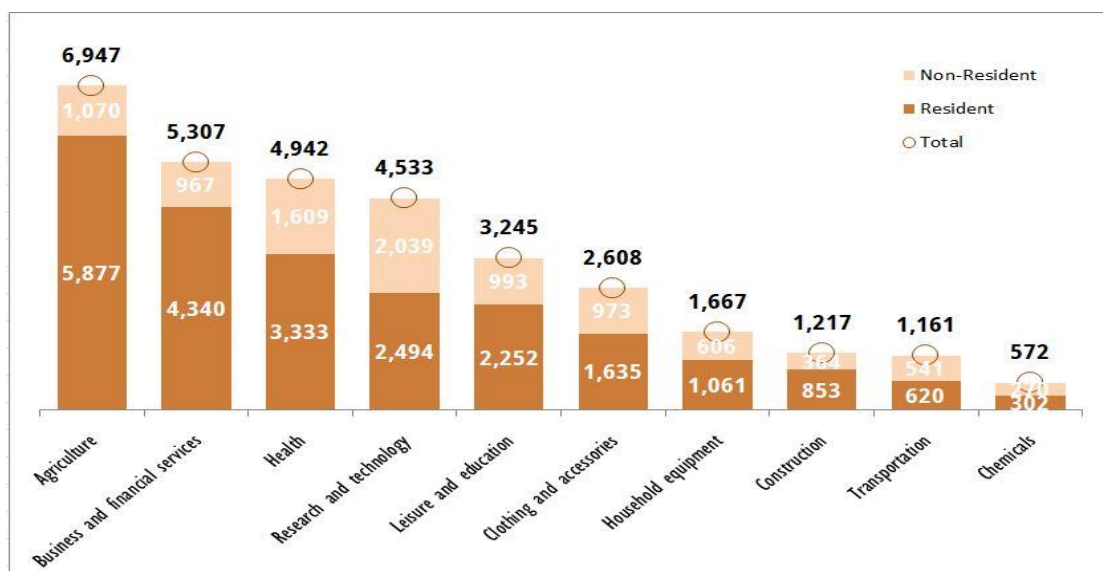
Top 5 Classes for Resident Trademark Applications

As to non-resident applicants, mainland China filed the most applications (1,230 cases) compared to other countries (regions). In terms of application classes, non-resident applicants filed the most applications (1,163 cases) in Class 9 (computer and technology products, etc.). Cognosphere, which was not an applicant in Q4 2020, filed 56 applications, outnumbering all other non-resident applicants.



Top 5 Classes for Non-Resident Trademark Applications

As for industry categories, most trademark applications received by TIPO were classified under “Agriculture” (6,947 cases), and resident applications (5,877) represented a larger share. Non-resident applications were mostly filed under “research and technology” (2,039 cases). “Business and financial services” stood at the second spot for resident applications, marking growth for two consecutive years.



Trademark Applications by Industries

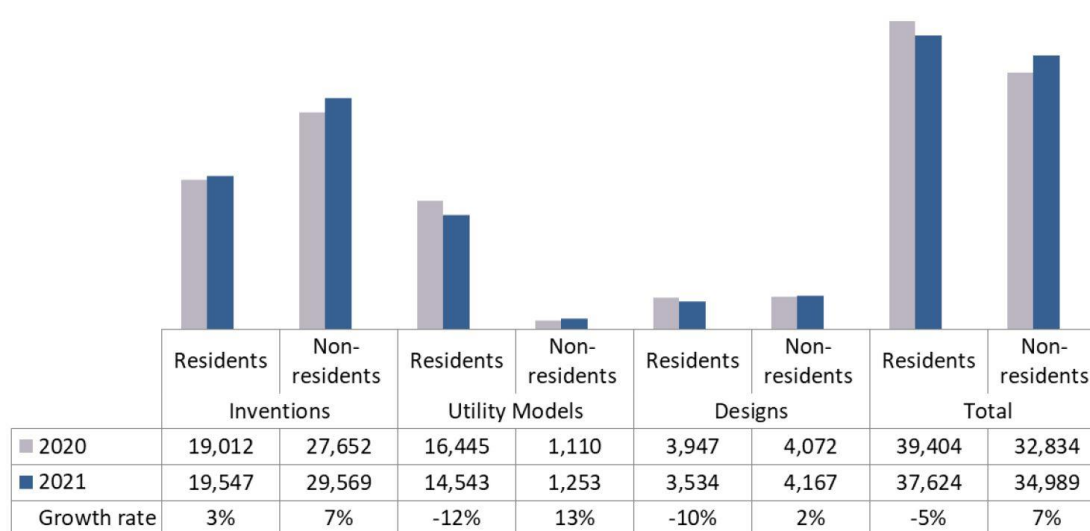
TIPO’s Q4 2021 IPR Statistics Report:

<https://www.tipo.gov.tw/en/dl-280691-8653f9c8c1c941eda29bea64221d4929.html>

4. TIPO Statistics Report: Patent and Trademark Applications in 2021

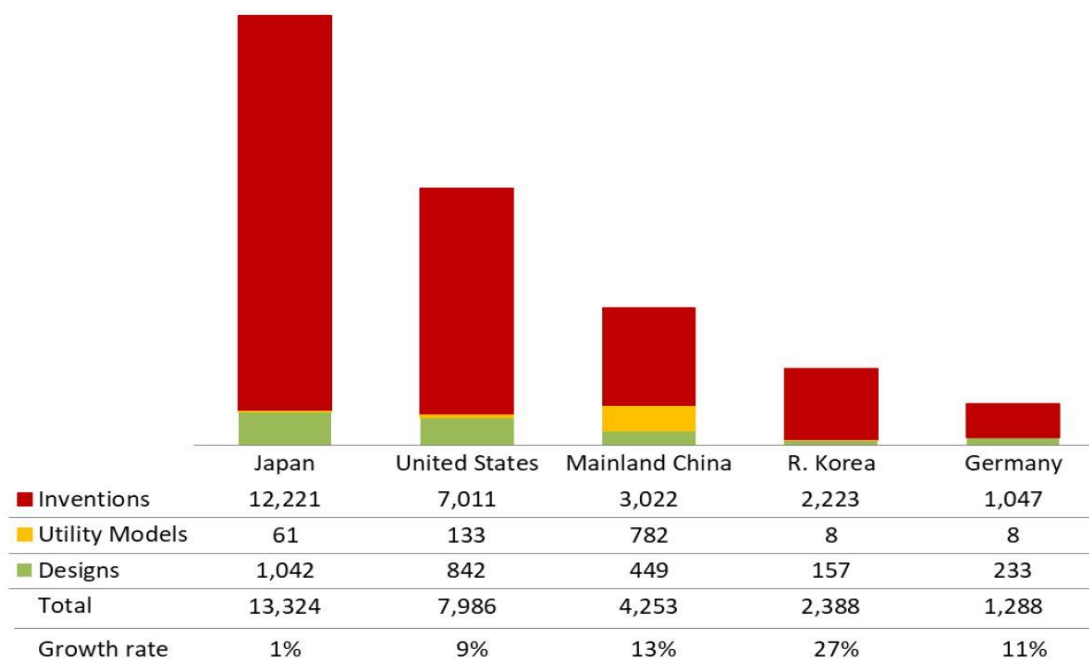
In 2021, overall patent applications increased by 1% to 72,613 cases. Of these, invention patent applications (49,116 cases) grew by 5%, while utility model (15,796 cases) and design patent applications (7,701 cases) decreased by 10% and 4% respectively. For trademark applications, 95,917 cases were filed - the highest number recorded ever since TIPO was founded in 1999. As to examination efficiency, the average disposal pendency was 14.0 months for invention patent applications and decreased to 6.2 months for trademark applications.

Invention patent applications (19,547 cases) filed by residents hit their highest level since 2014. This was due to a 6% rise in the number of applications by corporations, with those filed by large enterprises alone increasing by 9%. Meanwhile, applications by research institutes also saw a growth of 2%. However, utility model (14,543 cases) and design applications (3,534 cases) went down by 12% and 10% respectively due to the decreases in the corporation and individual sectors. As for non-residents, there was an overall increase in applications for invention (29,569 cases), utility model (1,253 cases), and design (4,167 cases) patents, seeing a growth of 7%, 13%, and 2% respectively.



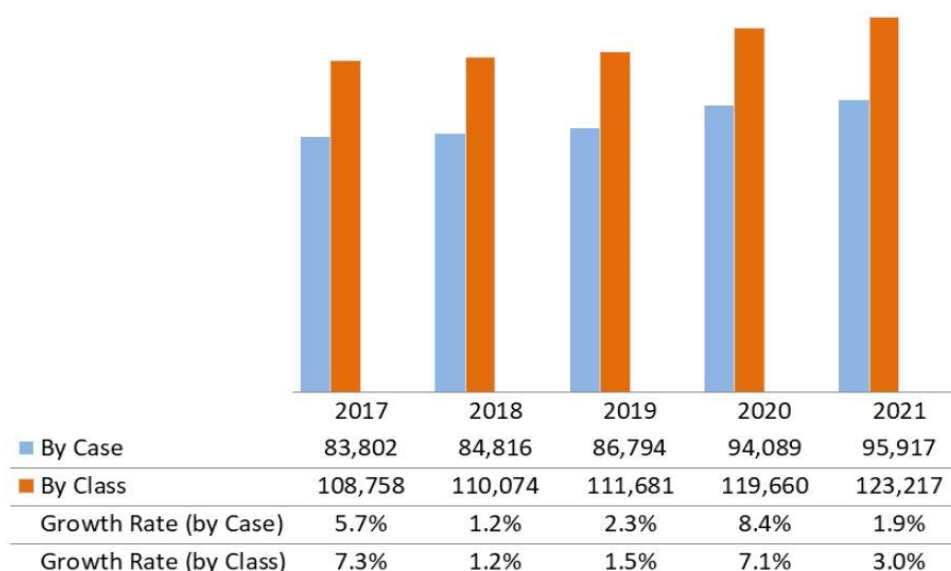
Patent Applications by Residents and Non-residents

A breakdown by applicant nationality shows that Japan continued to top the list with 13,324 overall applications, followed by the US (7,986 cases) and mainland China (4,253 cases), while Korea (2,388 cases) had the highest growth rate among the top 5 countries. Japan also led in the number of invention and design patent applications, and mainland China surpassed other countries in utility model applications.

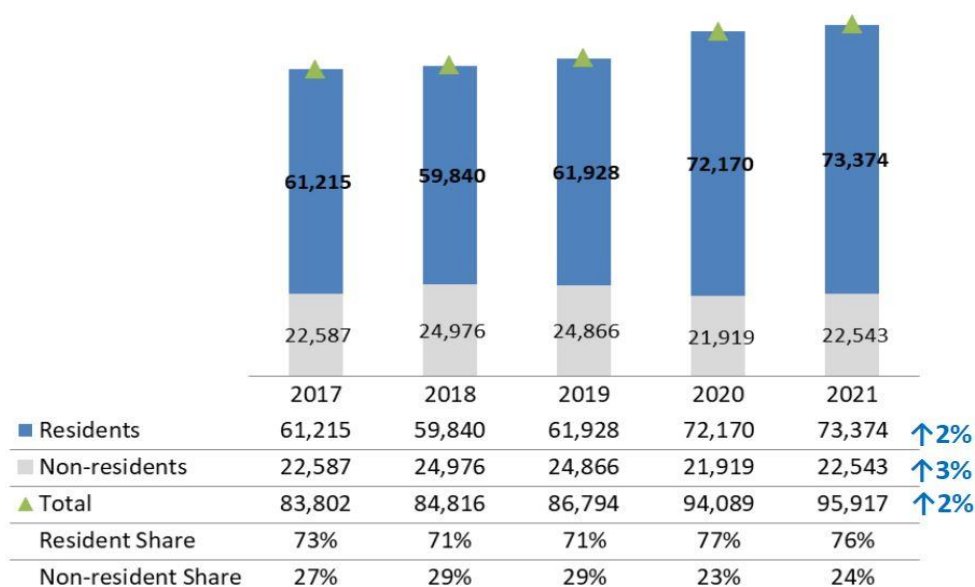


Top 5 Patent Filing Countries (Regions) in 2021

As for trademarks, the number of applications reached 95,917 cases (covering 123,217 classes), showing a growth of 2%. This was mainly due to a 2% and 3% increase in resident (73,374 cases) and non-resident applications (22,543 cases) respectively.

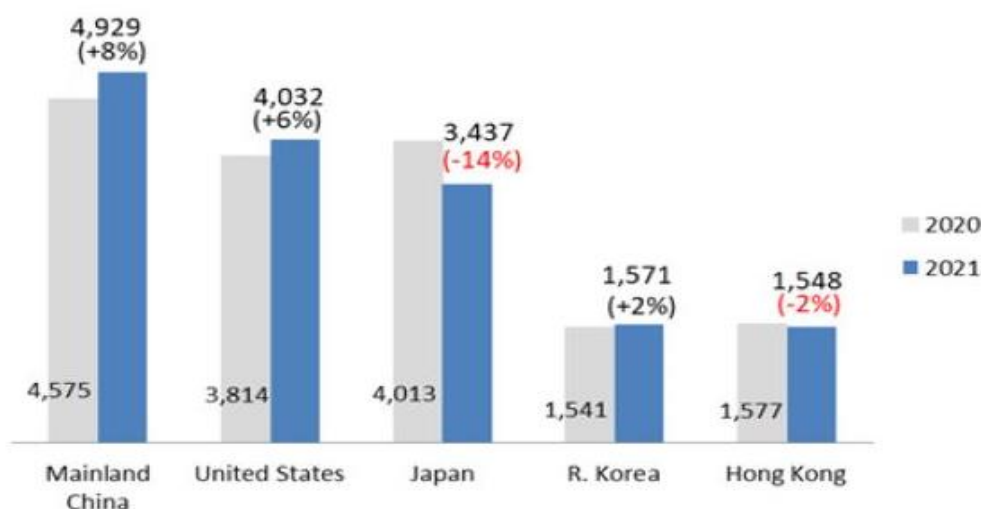


Trends in Trademark Applications (by Case and by Class)



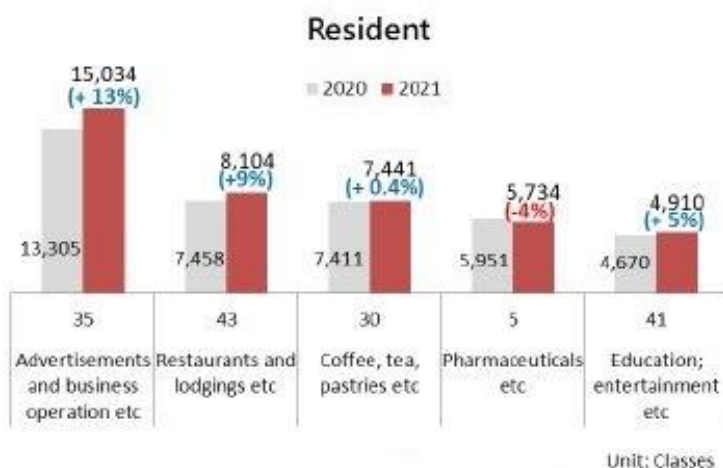
Trends in Trademark Applications (by Case)

Among the top 5 trademark-filing countries or regions, mainland China (4,929 cases) took the lead, followed by the US (4,032 cases) and Japan (3,437 cases). Applications filed by mainland China and the US were up 8% and 6% respectively, while those by Japan were down 14% from last year.



Top 5 Trademark-Filing Countries (Regions) in 2021

With regard to resident trademark applications, Class 35 (advertisements and business operation) topped the list with 15,034 classes, marking an increase of 13%. Among resident applicants, UNI-PRESIDENT ranked first with 567 classes, followed by TAIWAN FAMILYMART (180 classes) and KING CAR FOOD (147 classes).

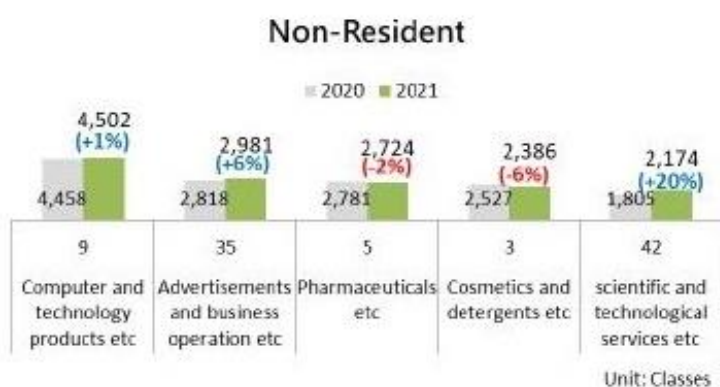


Top 5 Classes for Resident Trademark Applications



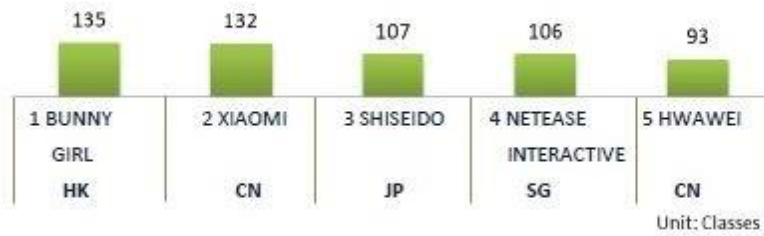
Top 5 Resident Applicants for Trademark Applications

Regarding non-resident trademark applications, Class 9 (computer and technology products) led with 4,502 classes, while Class 42 (scientific and technological services) recorded the strongest growth with 20%. Among non-resident applicants, BUNNY GIRL led with 135 classes, followed by XIAOMI (132 classes) and SHISEIDO (107 classes).



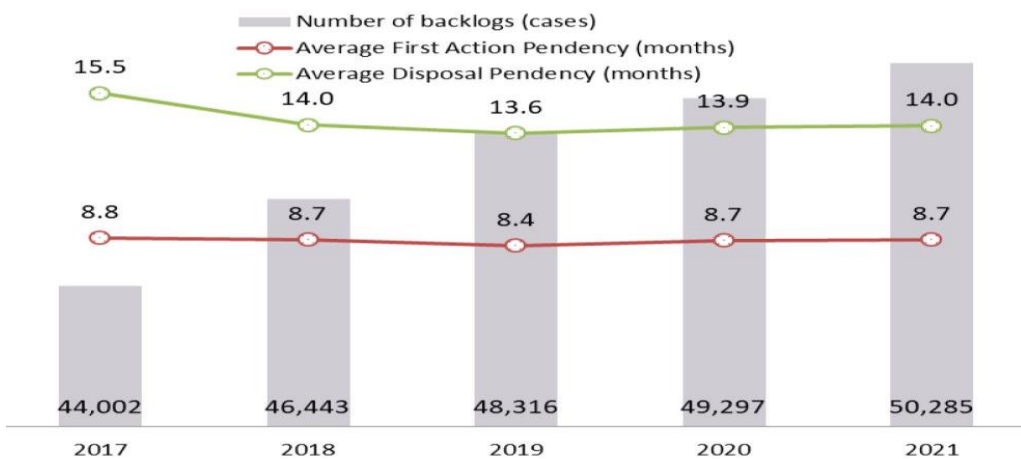
Top 5 Classes for Non-Resident Trademark Applications

Non-Resident

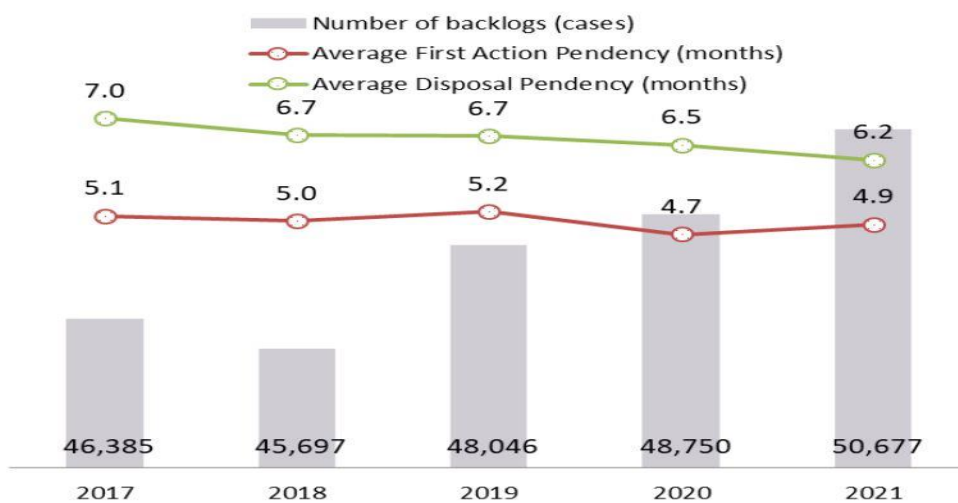


Top 5 Non-Resident Applicants for Trademark Applications

TIPO went full throttle to step up examination efficiency. As a result, the average disposal pendency was less than 14 months for invention patent applications. For trademark applications, average disposal pendency dropped to 6.2 months - a record low since 2009. Pending applications for both invention patent and trademark applications were maintained at about 50,000 cases to help businesses quickly obtain IP rights and begin developing portfolios.



Invention Patent Examination



Trademark Examination

5. TOP 100 Patent Applicants in 2021

According to TIPO's 2021 Statistical Rankings for Patent Applications and Grants, TSMC was the top domestic applicant for invention, utility model, and design patents, with 1,950 applications filed. The company has held on to its lead for the sixth consecutive year now. As for foreign applicants, Qualcomm claimed the top spot for the second year in a row, having filed a total of 845 applications. With respect to the number of patents granted for all three patent types, TSMC led the pack for domestic applications (1,053 patents granted), and Applied Materials was the most successful foreign applicant (492 patents granted). Invention patent applications by domestic corporations and research institutions of the top 100 went up by 17% and 11% respectively.

As regards domestic applicants, TSMC has consistently filed the most applications since 2016. In 2021, that number surged by 78% to 1,950 cases, followed by AU Optronics (471 cases). Realtek Semiconductor (442 cases) and Nanya Tech (290 cases) each filed their highest number of applications ever, coming in fourth and sixth, respectively. Delta Electronics moved back into top 10 with 205 applications (+18%).

Top 10 Domestic Patent Applicants in 2021

Rank	ID	Applicant	Invention	Utility Model	Design	Overall	Unit: Case
							Growth Rate
1	22099131	TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LTD.	1,950	0	0	1,950	78%
2	84149738	AU OPTRONICS CORPORATION	460	4	7	471	1%
3	20828393	ACER INCORPORATED	312	55	95	462	-12%
4	22671299	REALTEK SEMICONDUCTOR CORPORATION	440	0	2	442	5%
5	02750963	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	392	11	1	404	15%
6	89390656	NANYA TECHNOLOGY CORPORATION	290	0	0	290	116%
7	84149961	MEDIATEK INC.	249	12	0	261	-21%
8	04322046	INVENTEC CORPORATION	230	3	0	233	-1%
9	30414175	CHINA STEEL CORPORATION	125	86	0	211	17%
10	34051920	DELTA ELECTRONICS, INC.	163	30	12	205	18%

Reporting Date: January 11, 2022

The top 100 domestic patent applicants filed 12,234 cases in 2021, a year-on-year increase of 8%. This is mainly driven by a 13% rise in the number of invention patent applications (share of 75%), which came from corporations (+17%) and research institutions (+11%). The filings in design patent applications also grew by 1%. However, the filings in utility model patent applications fell by 7%, mainly due to a decrease of 20% in school applicants.



Patent Applications by Domestic Applicants among the Top 100

Five research centers were also among the top 100 domestic applicants for patents of any type. Placing fifth in the overall rankings was the Industrial Technology Research Institute with 404 applications. Behind it was the Metal Industries Research & Development Centre (89 cases).

Research Institutions Among Top 100 Domestic Patent Applicants in 2021

							Unit: Case
Rank	ID	Applicant	Invention	Utility Model	Design	Overall	Growth Rate
5	02750963	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	392	11	1	404	15%
36	83300307	METAL INDUSTRIES RESEARCH & DEVELOPMENT CENTRE	82	4	3	89	-8%
83	02717206	INSTITUTE OF NUCLEAR ENERGY RESEARCH, ATOMIC ENERGY COUNCIL, EXECUTIVE YUAN, R.O.C	47	0	0	47	18%
88	03811209	ACADEMIA SINICA	45	0	0	45	41%
88	05076416	INSTITUTE FOR INFORMATION INDUSTRY	45	0	0	45	-12%

Reporting Date: January 11, 2022

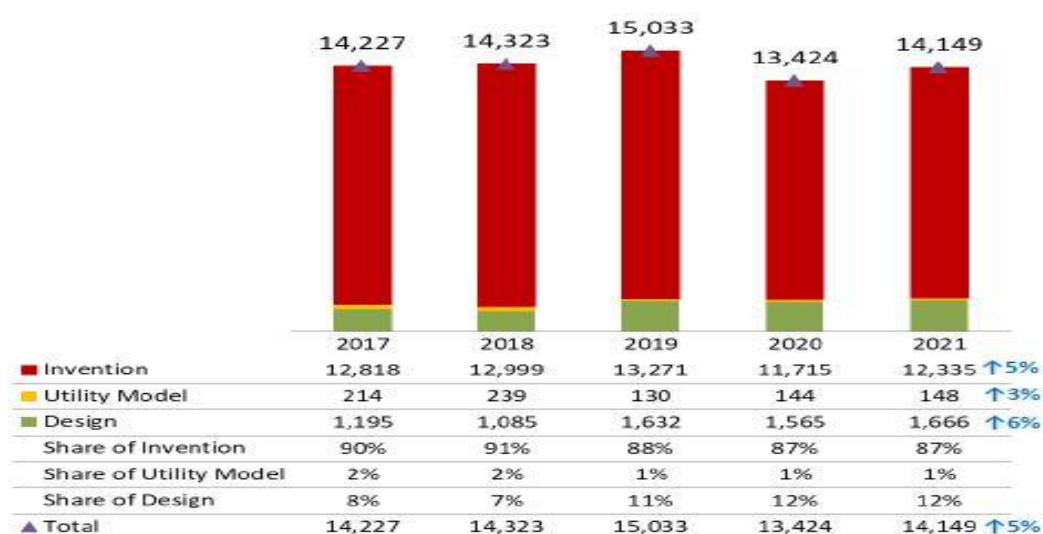
As for the top 10 foreign applicants, Qualcomm remained at the top with 845 patent applications, marking an increase of 17%. Altogether, there were four semiconductor equipment manufacturers in the top ten: Applied Materials (793 cases), Tokyo Electron (477 cases), and DISCO (225 cases) came in second, fifth and tenth, respectively. In addition, ASML (265 cases) filed its highest number of applications and moved up to number eight. Samsung Electronics ranked fourth with 520 cases, marking the highest growth rate of 98% among the top 10.

Top 10 Foreign Patent Applicants in 2021

Rank	Applicant	Invention	Utility Model	Design	Overall	Unit: Case
						Growth Rate
1	QUALCOMM INCORPORATED	845	0	0	845	17%
2	APPLIED MATERIALS, INC.	758	1	34	793	22%
3	NITTO DENKO CORPORATION	529	0	0	529	15%
4	SAMSUNG ELECTRONICS CO., LTD.	510	0	10	520	98%
5	TOKYO ELECTRON LIMITED	463	0	14	477	4%
6	KIOXIA CORPORATION	457	0	1	458	36%
7	SUMITOMO CHEMICAL CO., LTD.	276	0	0	276	4%
8	ASML NETHERLANDS B.V.	265	0	0	265	10%
9	FUJIFILM CORPORATION	262	0	0	262	1%
10	DISCO CORPORATION	225	0	0	225	-23%

Reporting Date: January 11, 2022

The top 100 foreign patent applicants filed 14,149 cases (+5%) in 2021, of which invention patent applications accounted for 87%. The filings in invention patent applications rose by 5%, while utility model and design patent applications also grew by 3% and 6% respectively.



Patent Applications by Foreign Applicants among the Top 100

6. Industry Collaborative Patent Interview Pilot Program Takes Effect November 1, 2021

Examination efficiency and quality can be improved by enhancing patent examiners' ability to quickly grasp technical concepts in patent applications pertaining to advanced technology. As such, TIPO has formulated the Industry Collaborative Patent Interview Pilot Program for a trial period of one year starting from November 1, 2021 in order to provide applicants with swift and smooth patent application experience. The decision on whether to adjust and renew the program will be determined by evaluations during the trial period.

In this program, patent examiners may conduct interviews upon their own initiative and inquire whether applicants are willing to explain the technical content of the applications. The applicant may also submit a letter of intent, so that if the examiner determines that the application pertains to advanced technology and an interview can lead to a better understanding of the technical content in an application, the examiner will sua sponte notify the applicant for an interview. In principle, applicants may only file 10 patent applications. Applicants of patent applications that pertain to advanced technology may submit a letter of intent in paper or electronic form after TIPO has notified the applicant of a substantive examination and before receiving office action or a written decision of patent examination. There is no application fee for interviews.

The aforementioned advanced technology in this pilot program includes stem cell regenerative medicine, medical care informatics, micro-LED display, neur-

-ral network, quantum computer, 3nm semiconductor manufacturing process, artificial intelligence, Internet of Things, big data, blockchain, and 5G mobile communication technology. For details of this program, please refer to the TIPO website.

Industry Collaborative Patent Interview Pilot Program (in Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-897801-406fd-1.html>

7. Amended “Positive Patent Examination Pilot Program for Startups”

Effective Jan. 1, 2022

Since January 1, 2021, TIPO has been implementing the “Positive Patent Examination Pilot Program for Startups” to offer assistance in evaluating patent acquisition probability and provide advice on ways to promptly obtain patent rights. Upon receiving positive responses to the results of the pilot program, TIPO has decided to amend and conduct it for an additional year. Moreover, during the pilot program of 2022, there is a cap of 6 applications each month and a limit of 5 applications per startup per year.

Amended “Positive Patent Examination Pilot Program for Startups” (in Mandarin):

<https://www.tipo.gov.tw/tw/dl-280140-a064390e76d84943a1b6afd34e64b12f.html>

8. *Manual on Patent Application and Management Practices for Enterprises*

Now Available!

To assist enterprises in gaining a deeper understanding of the acquisition, maintenance, and utilization of patents, TIPO has compiled the Manual on Patent Application and Management Practices for Enterprises, which is available on the TIPO website for reference.

The manual includes helpful information to enterprises, such as government resources and services related to intellectual property, a checklist for patent applications, as well as tips and reminders on the patent application progress, patent right maintenance, and management practices.

The Manual of Patent Application and Management Practices for Enterprises (in Mandarin):

<https://topic.tipo.gov.tw/patents-tw/dl-279863-4af7986e117843a2949af89674340f3e.html>
[1](#)

9. *Carbon Reduction Technology Development Patent Map Available on TIPO*

Website

To reach net zero by 2050 is a shared goal worldwide, and carbon reduction technologies R&D not only promotes net zero carbon emissions but also brings forth unlimited business opportunities. TIPO has completed the Carbon Reduction Technology Development Patent Map based on the seven categories of WIPO IPC Green Inventory established in 2010. The Map includes analyses of patent application trends in related industries in the past decade and reference cases of major patent applicants in each field of technology, presenting new directions in future R&D projects.

In addition, TIPO has established the Green Technology Section in the Global Patent Search System (GPSS). This section provides technical analysis reports in the seven categories of WIPO IPC Green Inventory, along with a search interface with a faceted navigation system, providing users a platform to search for patents that hold great reference value for future R&D developments.

Carbon Reduction Technology Development Patent Map (in Mandarin):

<https://www.tipo.gov.tw/tw/dl-279886-611d20536a9b4540b2bb616f8b1d03c9.html>

10. TIPO Releases *Guide to AI Application in Precision Medicine IP*

In order to assist with compiling an IP Portfolio for Precision Medicine – one of the Six Core Strategic Industries of Taiwan - TIPO has been offering customized consulting services to research programs funded by the Department of Life Sciences of the Ministry of Science and Technology, gaining a deeper understanding of the obstacles that may arise when eHealth and Precision Health industries seek IPR protection. The Guide to AI Application in Precision Medicine IP was compiled for public reference with information obtained from the aforementioned proceedings.

The Guide, presented in the form of a video, consists of 12 topics covering the fields of patents, trademarks, copyrights, and trade secrets. By featuring scenarios most concerning to industries or frequently encountered situations, the video disseminates relevant and crucial intellectual property knowledge, starting from R&D, the application process, IPR protection, to means to acquire further information regarding IP. Guide to AI Application in Precision Medicine IP is available on the TIPO Youtube channel.

Guide to AI Application in Precision Medicine IP (in Mandarin):

<https://www.youtube.com/watch?v=SKuSmhBcf9I>

11. Patent Trend Analysis Reports on “Smart Grid” and “Electric Assisted Bicycles”

In response to Taiwan’s goal of net-zero carbon emissions, TIPO conducted and announced Patent Trend Analysis Reports on “Smart Grid” and “Electric Assisted Bicycles,” which both provide detailed technical information on relevant patented key technologies through in-depth patent document analysis, explores future technology development directions, and identifies patent trends

of major countries and enterprises worldwide that act as references for innovative R&D in the domestic tech industry.

Patent Trend Analysis Report on “Smart Grid” and “Electric Assisted Bicycles” (in Mandarin): <https://www.tipo.gov.tw/tw/cp-85-899751-0c721-1.html>

12. Copyright FAQ e-Manual Available for Public Reference

The Copyright Act, perplexing to many, is a series of necessary statutes closely related to people’s daily lives. Rapid development in society and Internet technology has led to increasingly diverse and complicated copyright issues in people’s everyday lives and work. TIPO has thus compiled the Copyright FAQ e-Manual by collecting common copyright issues-related public e-mail inquiries in the past three years. Through detailed explanations and analyses of the twelve cases, the general public is able to gain a deeper understanding of the Copyright Act, so as to foster respect and ensure intellectual property rights protection.

Copyright FAQ e-Manual (in Mandarin):

<https://topic.tipo.gov.tw/copyright-tw/cp-410-897853-2eb67-301.html>

13. Music Licensing: A Guide for the Startup Industry Now Available!

Aiming to assist startups utilizing music in their productions (e.g., music application developers and podcasters) in becoming familiar with a means to obtain licenses and foresee possible situations one may encounter during the licensing process, TIPO has compiled *Music Licensing: A Guide for the Startup Industry*.

The *Guide* is divided into five chapters and introduces how startups utilize musical works, the licensing practices of individual rights holders, and that of collective management organizations. Chapter 1, “The Current Situation and

Development of Music Exploitation in the Startup Industry,” enumerates the types of copyright usage in the startup industry. Chapter 2, “Licensing Practices of Copyright Collective Management Organizations in Taiwan,” provides an introduction to CMOs that conduct a broad range of music management. Chapter 3, “Copyright Licensing Systems and Practices in the Startup Industry,” analyzes problems that startups may encounter when obtaining licenses and the differences between individual copyright owners and collective management organizations. Chapter 4 addresses the issue of the responsible party when obtaining the relevant licenses. Chapter 5 introduces the positive effects music licensing can have on the startup industry.

Music Licensing: A Guide for the Startup Industry (in Mandarin):

<https://topic.tipo.gov.tw/copyright-tw/cp-414-898546-b4a38-301.html>

14. Changes to *Names and Notes of Designated Goods and Services for Trademark Registration*

In response to the latest version of Nice Classification NCL (11-2022), TIPO has amended its own list of Names of Designated Goods and Services for Trademark Registration, effective January 1, 2022. The changes include 45 revisions and 556 additions. As for amendments done to class/subclass names or notes, there are 4 additions, 18 revisions, and 8 removals. The aforementioned changes will be put into effect on January 1, 2022.

Those using the electronic trademark application system after January 1, 2022, are advised to download the updated list featuring all incorporated changes. Individuals who fill out applications with names of goods and services not found on the system’s current list will not qualify for the NT\$300 application fee waiver.

15. 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) is also provided to accept rights holders' reports on links to foreign textbook infringement websites on TANet. There are no reports this quarter.

16. 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 and up until December 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 exclusive rights, 2 (2%) were scheduled to be granted exclusive rights in January 2022, 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

1. From October to December 2021, 546 cases that involved 772 persons were investigated for violation of the Copyright Act, 488 cases (648 persons) for violation of the Trademark Act, and 15 cases (35 persons) for violation of the Trade Secrets Act — a total of 1,049 cases involving 1,455 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.-Dec.	3,672	4,863	1,823	2,305	1,817	2,490	4	32	68
2020 Jan.-Dec.	3,904	4,807	2,215	2,647	1,677	2,131	55	12	29
Percentage Change	-5.94%	1.16%	-17.70%	-12.92%	8.35%	16.85%	-92.73%	166.67%	134.48%

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

2. In order to combat illegal audiovisual streaming, the Telecommunications Investigation Corp of the Criminal Investigation Bureau and the Second Special Police of the National Police Agency formed a task force in early 2021 with an aim to wipe out illegal set-top boxes. The task force conducted three sweeps in August, September, and November. A total of 3 illicit server

rooms (located in New Taipei City, Taoyuan, and Changhua) and 11 suspects involved were seized.

Taiwan High Prosecutors Office (THPO)

Law Enforcement

1. From October to December, there were 543 persons among 473 cases suspected of committing crimes in all the prosecutors offices, of which 168 persons across 118 cases were prosecuted according to usual procedures, 188 persons across 173 cases were granted summary judgment, 156 persons across 152 cases received deferred prosecution, and 31 persons across 30 cases were not prosecuted nor punished by the court's sua sponte motion. The number of defendants convicted by the court from October to December was 265, which equals a conviction rate of 92.98%.
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 October to December 2021, the number of prosecutions was 356, compared to 438 in the same period in 2020, marking a decrease of 82 (18.72%); the number of convictions was 265 in 2021, compared to 243 from the same period in 2020, showing an increase of 22 (9.05%).

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.-Dec.	1,287	1,008	376	3	1	-	607	21	-	85	5	189	-
	2020 Jan.-Dec.	1,484	1,158	365	10	21	-	722	40	1	86	9	230	-
	Percent Change	-13.27%	-12.95%	3.01%	-70.00%	-95.24%	-	-15.93%	-47.50%	-100.00%	-1.16%	-44.44%	-17.83%	-

Source: Taiwan Prosecutors Office

3. The methods used to pirate textbooks are ever-changing, and now include copyright violations via digital and online methods. The Working Group Meeting on the Coordination and Supervision of Investigations Relating to Intellectual Property Rights held by the Taiwan High Prosecutors Office on November 24, 2020, gathered prosecutors, police, and investigators and asked them to heighten investigations into these copyright violations, including but not limited to photocopy shops around university and college campuses, as well as for hard copy textbooks. In the second half of this year, 4 cases involving 4 persons were uncovered. Computers, notebooks, cell phones, USB flash drives, course video CDs, portable hard drives, and infringing books and publications were seized as well.

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 2,200,000 infringing items were seized from October to December, which came from 48 import cases suspected of trademark infringement.
2. From October to December, the Customs Administration had received 37 requests for advice protection on trademark rights, 13 requests for extending the terms for advice protection on trademark rights, and 155 requests for updating/supplementing documents and other matters, adding up to a total of 205 requests.
3. In October, the Keelung Customs intercepted 12,757 imported name-brand apparels bearing the trademarked “Reebok,” “Nike,” and “Ralph Lauren” logos. The items in question have all been seized.
4. In November, the Kaohsiung Customs intercepted 31,500 counterfeit hand warmers with a “kangaroo-shaped” trademark. The items in question have all been seized.

Ministry of Justice Investigation Bureau

Law Enforcement

In Q4 of 2021, the Investigation Bureau has investigated 4 cases that involved 26 persons for violation of the Copyright Act, 7 cases (8 persons) for violation of the Trademark Act, and 10 cases (31 persons) for violation of the Trade Secrets Act-all of them were referred to district prosecutors offices for further investigation in accordance with the regulations.

International Exchange and Cooperation

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

Mr. Nakane Tomohiro, Director of the Economic Department of the Taipei Office of the Japan Taiwan Exchange Association, and Mitsuo Goto, a financial expert, met with the Second Special Police of the National Police Agency in November to discuss the outcome of investigations as well as relevant cases regarding infringement upon the rights of Japanese trademark and copyright owners.

2. The Customs Administration

- (1) On November 23, 2021, the Customs Administration jointly held the 2021 National Training Workshop on Protecting Intellectual Property Rights with REACT, an international organization. Trademark right experts of name-brands from both home and abroad, such as 3M, Samsung, Swarovski, Pandora, HDMI, Bio-Oil, Xperia, Wella Company, Mattel, Western Digital, PopSockets, NXP, and MF Group, introduced techniques for differentiating between authentic and counterfeited products and did live demonstrations to train customs officers and law enforcement agencies in counterfeit identification.
- (2) The Customs Administration continues to exchange information on counterfeiting cases with its global counterparts. There were 8 counterfeiting reports in Q4.

IPR Awareness Campaigns

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

The Second Special Police Corps visited a total of 57 companies and 7 police agencies in Q4 of 2021. In addition to providing information related to trade secret laws, it also provided assistance in examining confidentiality measures.

2. Ministry of Justice

- (1) Ministry of Justice, together with Taiwan Shilin District Prosecutors Office, held a seminar on Trade Secrets Protection Enhancement and System Refinement in Taipei. The total of eighty participants in attendance consisted of personnel from companies in the Science Park, judiciary members, prosecutorial, and investigative authorities.
- (2) The Bureau of Investigation of the Ministry of Justice has included cases of trade secret violations in the scope of anti-corruption work for enterprises, and conducted a total of 76 experience-sharing seminars from October to December in various industrial districts, important industrial and commercial organizations, and corporate groups, reminding enterprises to pay attention to the protection of trade secrets through conducting case studies. A total of 719 businesses participated with 4,790 attendees.

3. The Customs Administration

- (1) The Customs Administration of the Ministry of Finance held seminars on IPR border measures and counterfeit product identification for the Keelung, Taipei, Taichung, and Kaohsiung Customs in October and December, respectively.
- (2) In order to strengthen the promotion of intellectual property border measures and laws, the Taichung Customs held the Joint Seminar for Customs Brokerage, Transportation,

Warehousing, and Container Terminal Industries on November 17 and the Seminar for Customs Brokers on November 30 and December 21. The Kaohsiung Customs held the Joint Seminar for Customs Brokerage, Transportation, Warehousing and Container Terminal Industries on November 30, and the Taipei Customs held the Seminar on Customs Clearance on December 21.

4. Ministry of Foreign Affairs

The Ministry of Foreign Affairs published two reports on the implementation of Taiwan's intellectual property rights policy on the New Southbound Policy Portal.

2021 Taiwan Innotech Expo Showcases R&D Progress on October 14 (in Mandarin) :

https://about.taitra.org.tw/News_Detail.aspx?id=11765

Peking Opera in Taiwan: GuoGuang's Journey into the Future :

https://nspp.mofa.gov.tw/nsppe/news.php?post=210623&unit=412&mofa_login=true

5. Ministry of Education

In November, the Ministry of Education (MOE) sent official correspondence to universities and colleges, urging them to actively remind students to use legal textbooks and copies, avoid e-book copyright infringement, and refrain from sharing foreign URLs from infringing websites on social media platforms.

6. Small and Medium Enterprise Administration

- (1) The SME Intellectual Property Enhancement Program promotes the concept of intellectual property rights and its importance to business operation by organizing advocacy seminars and digital courses. Two advocacy seminars with a total of 140 participants were held this quarter; the online seminar had 1,108 participants, and the virtual lessons, 1,002.

- (2) Also, in order to enhance intellectual property awareness, elevate patent quality, and strengthen their ability to face IP-related challenges, the program also provides consultation services according to the practical needs of SMEs, guiding them to conduct patent searches and create patent portfolios. In Q4 this year, 18 diagnosis visits and 9 consultation services were provided.

7. TIPO

(1) Intellectual Property Advocacy Seminars

- i. TIPO has been accepting registrations for the 2021 annual IPR Expert Service Group Seminar from industrial and commercial enterprises, private organizations, and schools at all levels since the end of March to address issues of concern related to patents, trademarks, copyrights, and trade secrets. Of the 55 seminars (2,900 participants in total) held from October to December, 38 were held for schools, 16 for enterprises and private organizations, and 1 for a government agency. All were free of charge.
- ii. The 4th Webinar for Copyright Knowledge and IPR Infringements and Enforcement Practices for Online Sellers and Influencers were held on October 1. Copyright experts and officials from the National Police Agency were invited as guest lecturers. The 76 participants collectively gave the webinar full scores in the satisfaction surveys. According to the surveys done after the seminar, more than 98% of the participants had a clear understanding of copyright regulations when it comes to online retailing and we-media marketing, including but not limited to “when reselling authentic products online, one shall not use the products’ official website photos without obtaining authorization” and “if one simply gave the author/creator credit while using their copyrighted products in blogs or videos, it cannot be automatically be considered as fair use.”

(2) Campus IPR 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 element-

-ary, junior high, and high/vocational schools through activities in a lively and fun manner. 48 sessions were held from October to December, and there were 7,353 student participants in total. According to the post-session survey, more than 80% of the students are aware that copyright protection starts as soon as a work is created, regardless of whether or not it is registered is a fundamental principle of copyright. They also know 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.

(3) Themed Workshops on Copyrights

TIPO held workshops on Copyright in Practice: for Purchasing Agents, Online Shopping Platform Managers, & E-Commerce Operators, Ways for Performing Artists Protect Their Own Copyright, and Ways to Protect Audiovisual Work Copyright via online streaming in October. To avoid any misconceptions or negligent conduct which can potentially lead to copyright infringement, TIPO invited legal experts and practitioners to share commonly encountered scenarios, aiming 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 pages, and blogs.

(4) Internet Copyright Promotion Campaign

- i. The Exclusive Copyright x I Support Originals Podcast Channel was established on major platforms such as Apple, Google, Spotify, KKbox, etc and invites copyright lawyers and creators from the culture and creative industry who share memes, talk about movie plagiarism controversies, and discuss related copyright issues in the publishing industries. The channel has produced 20 episodes till the end of this year, accumulating more than 100,000 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 page. Fro-

-m October to November, it held giveaways on the following posts: “Best of Copyright Angels vs. Devils- I,” “Copyright Trivia,” “The 20th Podcast Episode.” In the form of comic strips or animations, thirty-three new contents were posted on the fan page, including “Photo Reproduction of Artworks” and “Cosplaying: Copyright Infringement or Fair Use?” As of the end of December, the Original Creation x I Support You official page has created 185 posts and answered 41 questions about copyrights on the Internet, gaining approximately 5,495 fans.