



TAIWAN INTELLECTUAL PROPERTY OFFICE,
MINISTRY OF ECONOMIC AFFAIRS

Quarterly Report

on Intellectual Property Rights Protection in Taiwan

April to June, 2022

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Taiwan Signs IPR MOU with India, Marking a New Chapter in Bilateral Cooperation!

The Taiwan-India MOU on Intellectual Property Rights was signed on May 18, 2022. Under the framework of this MOU, both sides will jointly facilitate activities such as expert exchange programs, training courses, sharing experience of IP awareness campaigns, and facilitating the protection of traditional knowledge. A joint committee will also be established to coordinate cooperative events.

India is an exceedingly important country in Taiwan's New Southbound Policy. The signing of the MOU shall give depth to our mutual understanding of each other's IP regimes, and also provide better IP protection to benefit applicants and the industrial development of both sides.

TIPO and the National Science and Technology Museum (NSTM) Sign MOU on June 24 and Organize the “Rising Stars in Invention” Special Exhibition

TIPO signed an MOU with the National Science and Technology Museum (NSTM) on June 24, 2022, which shall serve as a basis for the systematic collection of outstanding Taiwanese inventions and creations. Both shall continue to collaborate in the future to collectively promote outstanding inventions and creations – ensuring widespread and comprehensive development for innovative technology and education.

The NSTM is Taiwan's first applied science museum and bears the responsibility of preserving artifacts and promoting education. In 2014, NSTM partnered with TIPO to co-organize the donation and collection of award-winning entries for the National Invention and Creation Awards. Over 90 entries in 49 categories have been collected through 8 years (and four competitions) of effort.

On the same day, TIPO and NSTM also held the first "Rising Stars in Invention" Special Exhibition featuring award-winning entries from the National Invention and Creation Award. The name of the exhibition, "Rising Stars in Invention", compares the brilliance of each award-winning recipient and entry of the National Invention and Creation Award to that of a new star that shines a light into people's lives, in hopes that future inventors may visit the exhibit and become rising stars in the field of invention themselves. The exhibit is divided into five major areas: "Inventions are Everywhere", "The Devil is in the Details", "We Want You!", "Creative Invention Mindset: TRIZ", and "Classics for Posterity", allowing visitors to view and experience excellent and representative inventions and creations up close. The exhibition is open until August 21, 2022, and all who are interested are welcome to visit NSTM!

1. Bid to Join CPTPP: Legislative Yuan Approves Draft Amendments to the Copyright Act, Trademark Act, and Patent Act

The Legislative Yuan passed draft amendments to the Copyright Act, the Trademark Act, and the Patent Act on April 15, 2022 to ensure that Taiwan's IPR laws comply with the regulations of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). Main draft amendments include:

I. Amendments to the Copyright Act

- i. Instances of illegal digital piracy, distribution, and public transmission constituting serious infringement are now considered offenses indictable without complaint. "Serious infringement" is determined by the following conditions: (1) infringement of work provided not for free by another person; (2) reproduction in their original form; and (3) infringements resulting in damages exceeding NT\$1 million.
- ii. Optical disc piracy is no longer a major source of infringement and will therefore revert back to general liabilities – increased penalties for the reproduction and distribution of pirated optical discs have since been removed.

II. Amendments to the Trademark Act

- i. Criminal provisions for counterfeiting labels of trademarks or collective trademarks have been added, and criminal liabilities now apply to some preparatory and contributory acts of infringement – including the importation of counterfeit labels or packaging.
- ii. According to the existing Trademark Act, the subjective condition for counterfeiting labels to be held civilly and criminally liable is that the acts were

carried out “knowingly.” This condition has since been deleted and civil liability will revert to “intentional” and “negligent” acts, whilst criminal liability will be determined by “intentionality”.

III. Main amendments to the Patent Act

- i. Taiwan implemented a patent linkage system on August 20, 2019 under the Pharmaceutical Affairs Act. New amendments were added to stipulate the legal basis for patent holders to sue generic drug manufacturers that make a P4 declaration for patent infringement.
- ii. If the patent holder does not file a suit within the stipulated time period, the generic drug manufacturer may file a declaratory judgement to ascertain whether any infringement has occurred, which will prevent future infringement lawsuits after the generic drug is launched.

2. Partial Draft Amendments to the Copyright Collective Management

Organization Act Passes Third Reading at the Legislative Yuan

The Legislative Yuan passed partial draft amendments to the Copyright Collective Management Organization Act at the third reading on April 29. The amendments ensure smooth operation, increased transparency, and prudent management of Taiwan’s collective management system to protect the rights of members and facilitate circulation of copyrighted works. After adjustment, a total of 6 amendments were additions, and 15 were revisions – the main highlights of which are as follows:

I. Introduction of a public consultation mechanism

When a CMO applies for an establishment permit, TIPO shall make the information publicly available on their official websites for general copyright users to leave comments, which shall serve as reference for TIPO when processing the permit application.

II. Term limits for management-level positions and internal controls

To ensure that a CMO can fulfill its duty of good governance, the amendment would curtail the duration and number of terms for the positions of director and supervisor, reducing the possibility of a monopoly or any abuse of power. The amendments also stipulate the need for internal controls to manage personnel, finances, and operations, etc.; royalties must also be deposited in designated accounts to ensure CMOs conduct operations in a reasonable, prudent, appropriate, and transparent manner.

III. Use of Technology to Enhance Management and Operations of CMOs

To facilitate the development and use of technology, a new amendment has been added that stipulates TIPO's responsibility to counsel CMOs in the use of innovative technology for more efficient management and operations thereof, as well as to lower the cost of copyrights licensing.

IV. Expansion of TIPO's Supervisory and Guidance Capacity

Amendments have been added ensuring TIPO's authority to supervise and penalize any CMOs in violation of the law. TIPO is authorized to request that CMOs submit financial declarations and plans for improvement within a specified timeframe. TIPO also has the power *ex officio* to suspend or dismiss any directors or supervisors found guilty of illegal conduct. If the CMO commits a major violation of the law by misappropriating allotted funds or not allocating royalties in accordance with the law and fails to rectify their actions, then TIPO has the power to revoke its establishment permit and eliminate any CMOs not adhering to prudent management practices

Partial Amendments to the Copyright Collective Management Organization Act:

<https://www.tipo.gov.tw/en/dl-282539-30e0e922af6b4b5a8b02b3fd3891b515.html>

3. Partial Amendments to the Copyright Act Promulgated on June 15, 2022 by Presidential Order

In response to advancements in digital technology that have increased learning outcomes and created a need for digital schoolbags, as well as to facilitate preservation of books and digital services within libraries, the Legislative Yuan passed partial draft amendments to the Copyright Act by a third reading on May 27, 2022. The amendments were promulgated by Presidential Order on June 15. Main amendments include:

I. Fair use of copyrighted works by schools for registered students during distance learning

In response to technological developments, distance learning needs after school shut-downs due to the pandemic, and to ensure that teachers can provide remote instruction as they do in the classroom, the amendments stipulate that – within the necessary scope of classroom instruction – teachers may distribute reference materials or information to students online. And because remote education is instrumental to public interest, school teachers are exempt from obtaining paid authorization for the use of copyrighted works in their lessons to ensure that teaching activities can resume unimpeded.

II. Not-for-profit remote education institutions may use copyrighted works but are required to pay remuneration

Current law in Taiwan only regulates television-based education like that of open universities and does not include rules for the fair use of copyrighted works for online education. As such, amendments were drafted to regulate the fair use of copyrighted works by educational institutions or schools for the purpose of distance online learning. But not-for-profit educational institutions, like the MOOCs education platform eDX, are aimed at the general public and therefore, must still pay for copyright authorization within the necessary scope of education to ensure the rights of copyright holders. As for-profit distance learning activities (e.g.: online education provided by cram schools, etc.) are not directed at public interests, the amendments stipulate clearly that paid authorization is required for

use of copyrighted works to protect the rights of copyright holders.

III. Textbook preparers may transmit digital copies to teachers and students

In order to meet the need for digital school bags for students in the digital era, amendments were drafted to allow textbook preparers to transmit textbooks over the internet under reasonable conditions, but remuneration must be paid for the authorized use of copyrighted works for the aforementioned situation.

IV. The National Central Library (NCL) may create a digital collection that is accessible to visitors on the library's intranet

With the aim to facilitate cultural development with the National Central Library, the amendments allow NCL to digitally reproduce its book collection in advance as a precaution against damage or loss, so that contemporary works may be better preserved at the NCL. Another amendment stipulates that the NCL and other library institutions may, under certain restrictions, allow readers to access the digital collection via computers within the libraries, in lieu of lending or allowing physical access to the original paperback. The amendments not aid in the digitalization of library services and preservation of physical library collections.

Attachment(s) for download: 1. Copyright Act 2022 (Article 46-1 newly adopted, Articles 46, 47 and 48 amended):

<https://www.tipo.gov.tw/en/dl-282474-f0d5c85ffdad4f6489963ee1cf696d8c.html>

1. TIPO's Q1 2022 IPR Statistics Report

In Q1 2022, TIPO received a total of 17,498 patent applications (including invention, utility model, and design patents) and 22,450 trademark applications, marking a 2% and 0.3% increase respectively from the same period last year (30,024 classes, 4% increase).

Of all the patent applications received by TIPO in Q1, 12,534 were invention patents – a growth of 5% from the same period last year – primarily due to a 10% increase in the number of non-resident applications. Resident applications (4,697) fell slightly from last year. Utility model (3,328) and design patent (1,636) applications both showed a slight decrease from the same period last year as well, dropping 6% and 5% respectively.

The number of invention patent applications from domestic enterprises (3,745) fell by 2%, mainly due to a decrease in applications from SMEs (748). The number of applications filed by large enterprises (2,997) were similar to those of the same period last year.

Despite an overall drop in invention patent applications from enterprises, 6 out of the top 10 invention patent applicants still saw double-digit growth. TSMC (723) surpassed all other applicants and broke its own personal record since TIPO first published quarterly statistics in 2012. Acer and Crown MFG tied for first place in design patents by filing 18 applications each. TSMC (17) and Keyway (14) exhibited rapid growth along the top five design patent applicants. Applications filed by domestic colleges and universities (371) increase 16% from the same period last year, primarily due to an increase in the number of

applications from the top ten applicants – most of which exhibited double-digit growth rates. National Tsing Hua University took the crown with 35 invention patent applications.

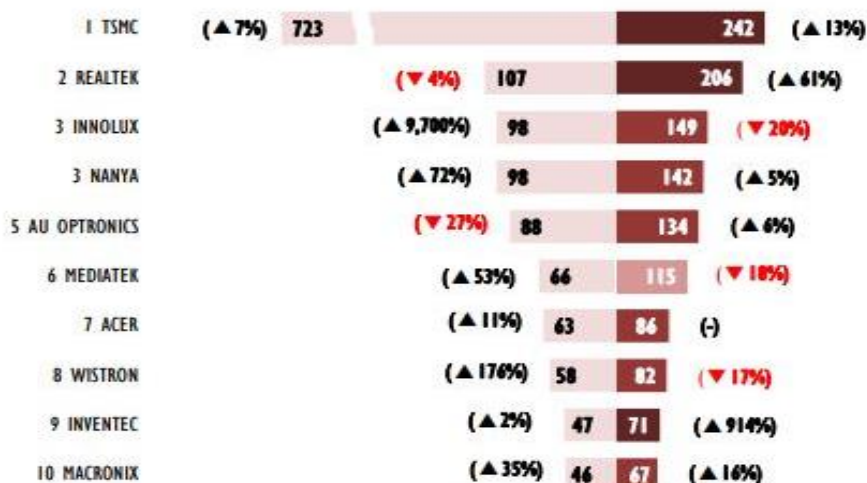
Applications from domestic research institutions (76) decreased from the same period last year, with ITRI topping the list at 40 applications.

Non-resident applications (7,837) were primarily for invention patents and grew by 10%. Among all non-resident applicants, Japan took the lead with 3,555 applications. The number of invention patent applications of the top 5 filing countries (regions) increase from the same period last year. The US and Germany saw double-digit growth in the number of applications. The number of design patent applications filed reached 859 cases, and Japan came out on top with 251 applications.

For the top non-resident applicants, Qualcomm led the list of 10 invention patent applicants by filing 242 applications, and Intel surpassed all others with a staggering increase of 914%. Among design patent applicants, PSA occupied the leading place with 38 applications, and BMW (30) saw significant growth of 88%.

Top 10 Invention Patent Applicants

Top Domestic Applicants



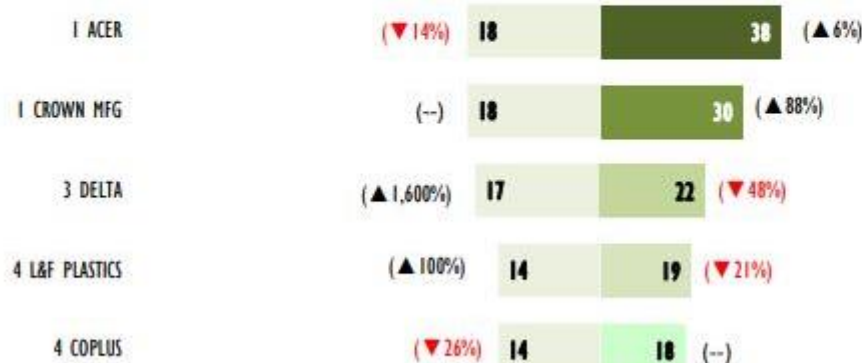
Top Foreign Applicants



■ USA ■ Japan ■ R. Korea

Top 5 Design Patent Applicants

Top Domestic Applicants



Top Foreign Applicants

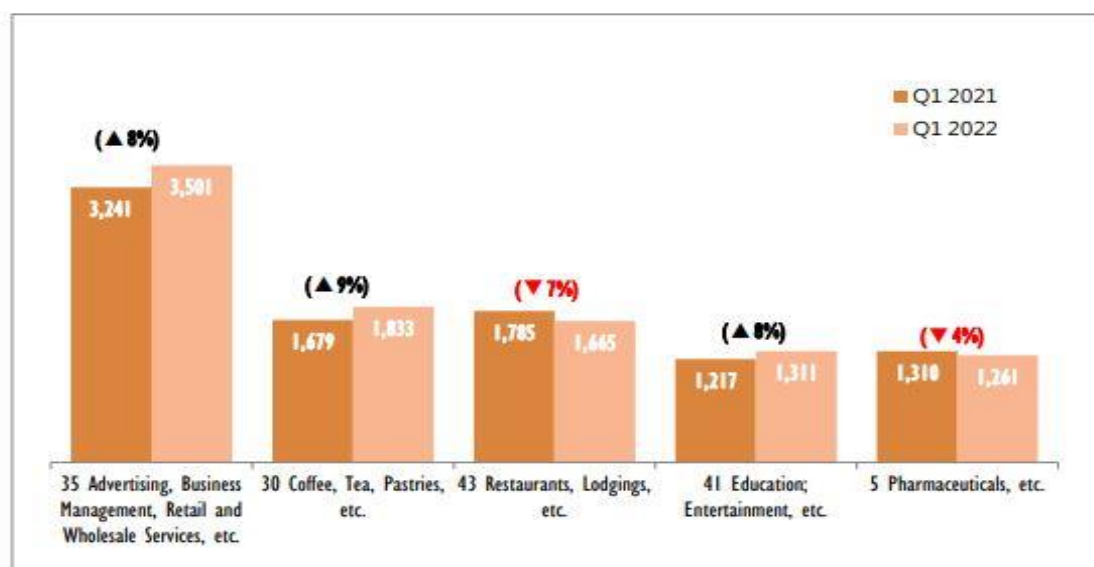


■ France ■ Germany ■ Switzerland ■ USA ■ Mainland China

Compared to the same period last year, the number of resident trademark applications (17,358) increased by 2%. Over the past three years, the number of resident applications (as well as the proportion thereof) has demonstrated a year-on-year increase. Non-resident applications (5,092) on the other hand, are on the decline.

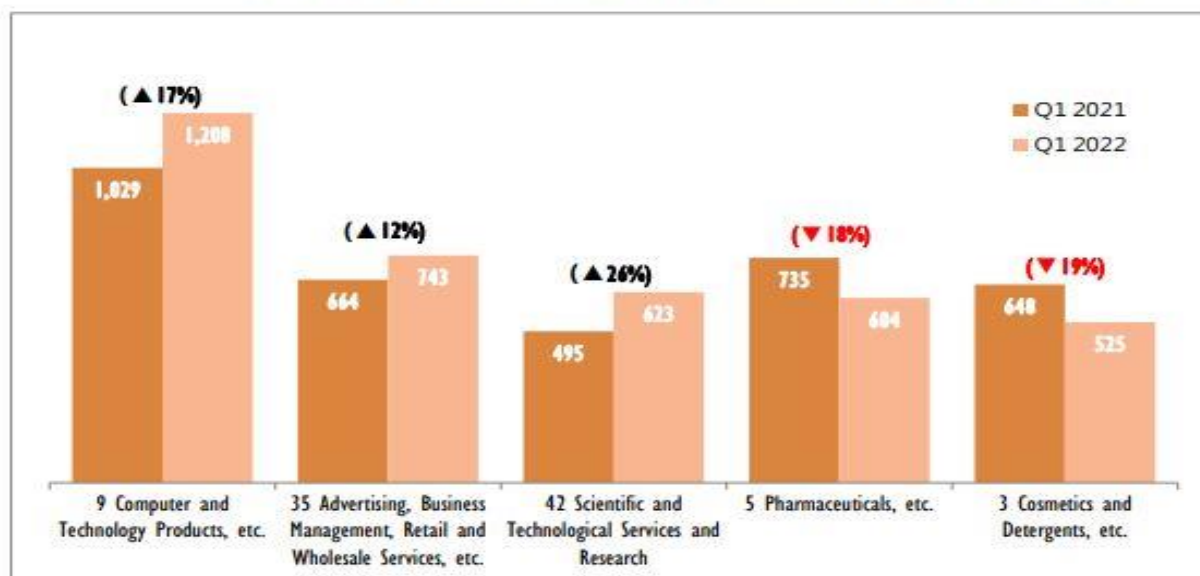
In terms of application classes, resident applicants filed the most applications (3,501) in Class 35 “Advertising, Business Management, Retail, Wholesale Services, etc.”, marking an 8% increase. Uni-President topped the list by filing 220 applications.

Top 5 Classes for Resident Trademark Applications



Most of the non-resident trademark applications were in Class 9 “Computer and Technology Products, etc.,” (1,208). Applications in Class 42 “Scientific and Technological Services and Research” saw the highest growth at 26%. Mainland China filed the most applications (1,130) out of all other countries (regions). Guangdong Longshun International Logistics filed 76 applications, outnumbering all other non-resident applicants.

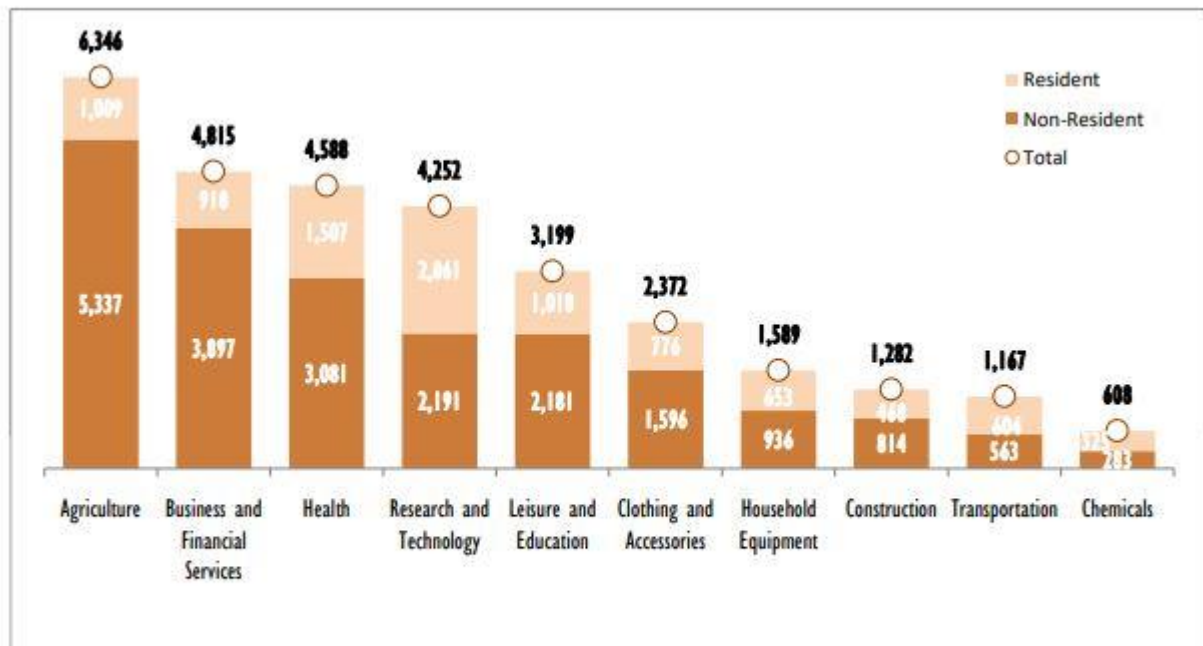
Top 5 Classes for Non-Resident Trademark Applications



Note: Class 42 “Scientific and Technological Services and Research” includes computer programming, technological research in the field of environmental protection, energy conservation, and bio-medical research, etc.

Industry-wise, trademark applications received by TIPO within the first quarter were primarily classified under “Agriculture” – the class under which most of the resident trademark applications (5,337) were filed as well. Resident applications filed under “Agriculture” and “Business and Financial Services” has grown steadily over the past two years. Most of the non-resident applications (2,601) were filed under “Research and Technology”.

Trademark Applications in the Top 10 Industries



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.

TIPO's Q1 2022 IPR Statistics:

<https://www.tipo.gov.tw/en/dl-282168-ddb376d1fff74d848eb0ac94fb75fa9a.html>

2. TIPO Releases IPR Statistics for the First Half of 2022

In the first half of 2022, TIPO received a total of 34,753 patent applications for invention, utility model, and design patents, marking a 1% decrease from the same period last year, whereas trademark applications (46,578 cases) grew slightly by 0.4%.

The number of invention patent applications (24,316 cases), accounting for a majority of all patent applications received by TIPO, saw a growth of 2% compared to the same period last year. The increase is mainly due to the growth in non-resident applications.

The number of invention patent applications filed by domestic enterprises

(7,454 cases) fell by 3% mainly because the applications in small and medium enterprises (1,332 cases) decreased. On the other hand, those from large enterprises (6,122 cases) grew by 3%.

In terms of resident applications, most of the top 10 invention patent applicants and top 5 design patent applicants were enterprises. TSMC (1,163 cases) outnumbered other applicants for the sixth consecutive year in a row. As for design patents, Acer (74 cases) filed the most applications among the top 5 applicants.

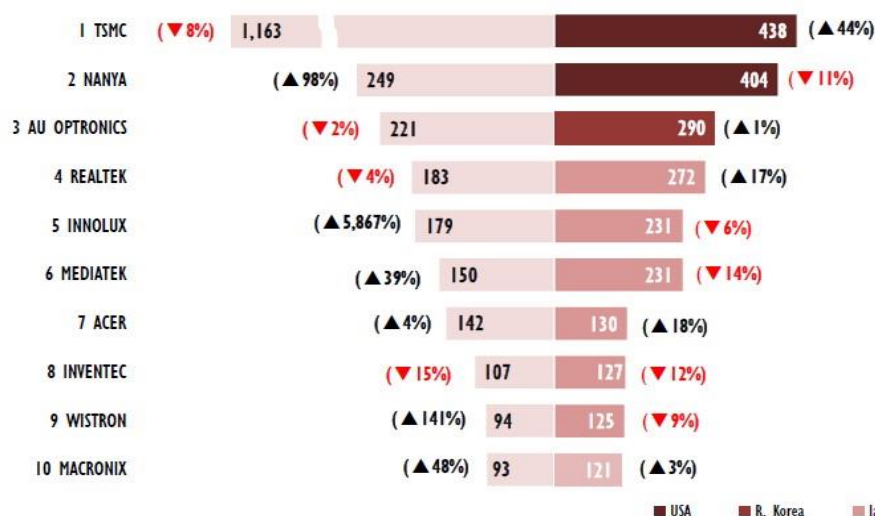
The number of invention patent applications filed by domestic colleges and universities (840 cases) rose by 3%, whereas that of research institutions (131 cases) fell.

In terms of non-resident applications, those for invention patents (14,960 cases) grew by 6%, accounting for the majority of all patent applications. Of these, Japan took the lead with 6,193 invention patent applications among the top 5 filling countries (regions). USA (3,759 cases) saw double-digit growth with 16%. Moreover, the number of design patent applications filed reached 1,864 cases, and Japan came out on top with 519 applications.

As for top non-resident applicants, Applied Materials filed 438 invention patent applications and saw a growth of 44%, outnumbering all other applicants. Among design patent applicants, Ford Global occupied the leading place with 89 applications, and design patent applications of Cartier (43 cases) grew by 13 times, a significant surge compared to the same period last year.

Top 10 Invention Patent Applications in the First Half of 2022

Top Domestic Applicants



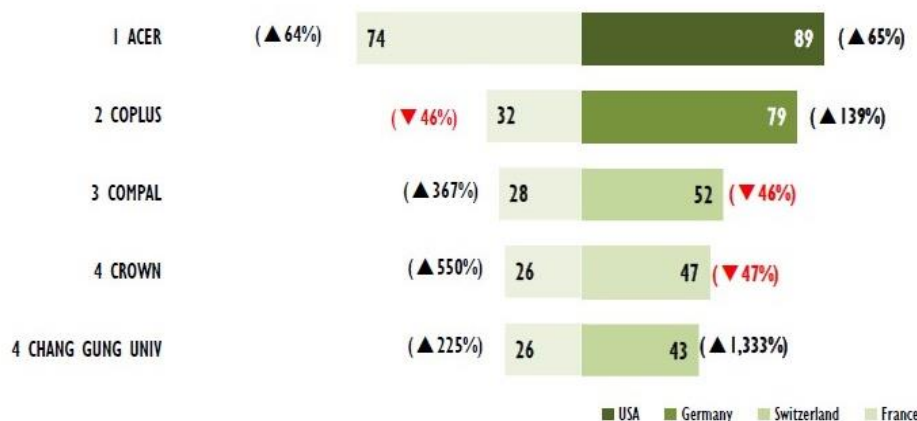
Top Foreign Applicants



■ USA ■ R. Korea ■ Japan ■ Netherlands

Top 5 Design Patent Applicants in the First Half of 2022

Top Domestic Applicants



Top Foreign Applicants



■ USA ■ Germany ■ Switzerland ■ France

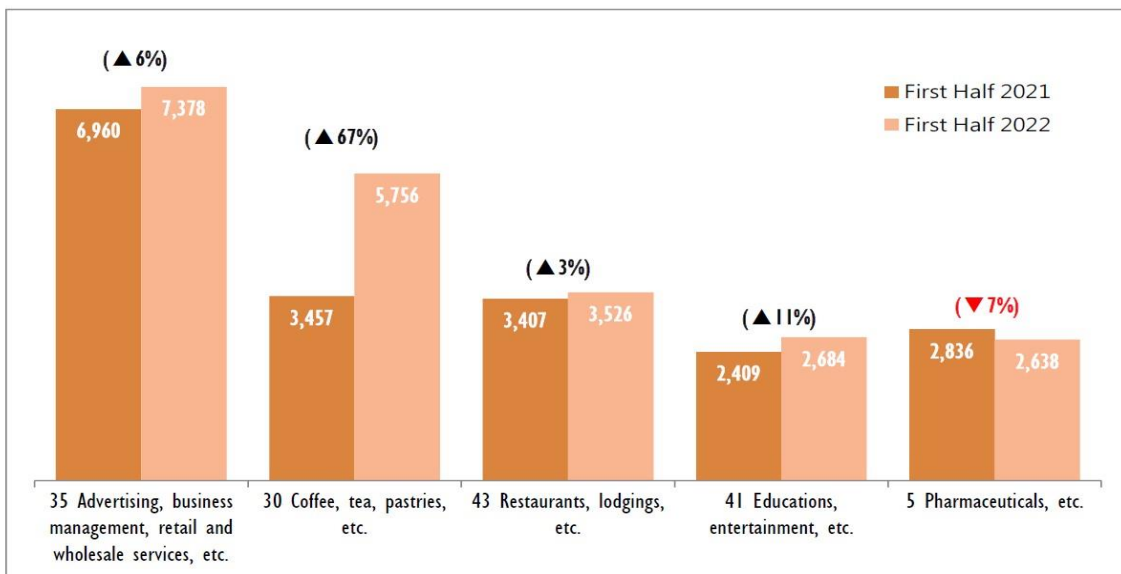
Compared to the same period (First Half) last year, trademark applications (46,578 cases) received by TIPO showed a 0.4% increase; the number of classes covered (60,963 classes) also showed a 2% increase. The number of resident applications (36,449 cases) was up by 4%, while that of non-residents (10,129 cases) was down.

In terms of application classes, resident applicants filed the most applications (7,378 cases) in Class 35 “Advertising, Business Management, Retail and Wholesale Services, etc.” and saw the highest growth rate with 67% in Class 30

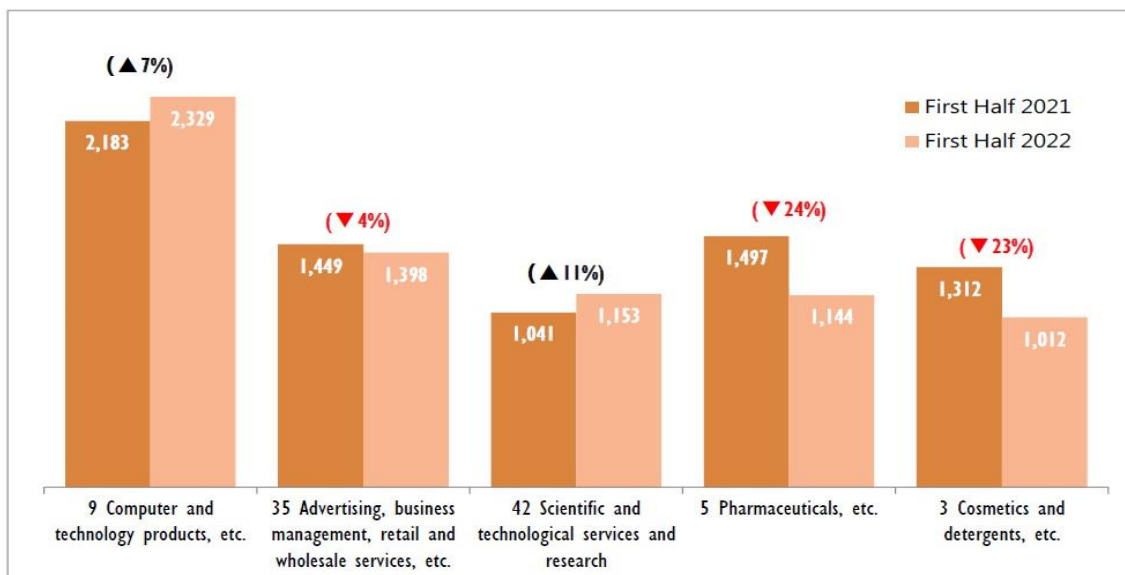
“Coffee, tea, pastries, etc.” Of these, Uni-President filed 548 applications and saw significant growth of 294%, ranking first among resident applicants.

On the other hand, non-resident applicants filed the most trademark applications (2,329 cases) in Class 9 “Computer and Technology Products, etc.” and saw the highest growth rate with 11% in Class 42 “Scientific and Technological Services and Research.” Of these, Guangdong Longshun International Logistics filed 85 applications, outnumbering all other non-resident applicants.

Top 5 Classes for Resident Trademark Applications



Top 5 Classes for Non-Resident Trademark Applications



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

As for industry categories, most trademark applications received by TIPO were classified under “Agriculture” (15,092 cases), and resident applications (13,240 cases) represented the larger share. The agriculture industry also saw the largest difference (11,388 cases) in the number of applications between residents and non-residents. Resident applications filed under “Agriculture” and “Business Services” and non-resident applications under “Research and technology” saw a growth for two consecutive years.

TIPO Releases IPR Statistics for the First Half of 2022:

<https://www.tipo.gov.tw/en/cp-282-912674-fa612-2.html>

3. TIPO has Compiled the “Patent IPC and Standard Industrial Classification Concordance Table and Statistical Application Analysis Report” for Public Reference

TIPO has referenced established international patent-and-industry concordance tables and government statistics to construct a “Patent IPC and Standard Industrial Classification Concordance Table.” By following the table, TIPO has completed Taiwan’s first ever industry-scale analysis of patent trends. Also, TIPO has determined Taiwan’s IP-intensive industries for the first time as well according to international definitions and government statistics.

The purpose of the report is to establish a link between patent and industry information and integrate patent and industry data through automated forms, which will facilitate analysis of industry-wide patent portfolio trends and the connection between patent activities and industry economies. TIPO hopes that early data from companies’ patent portfolios can quickly reflect the market development and possible future trends of the industry, which will support IPR-based economic activities. The report is available for public reference.

Patent IPC and Standard Industrial Classification Concordance Table and Statistical Application Analysis Report (Mandarin):

<https://www.tipo.gov.tw/tw/dl-282247-960bb37d92ea4ccc9267550cb6e1b32b.html>

4. Starting from August 1, 2022, TIPO Will Implement WIPO Standard ST.26 for Nucleotide and/or Amino Acid Sequence Listings Disclosed for Invention Patent Applications

WIPO has announced that the WIPO Standard ST.26 applies to international applications with nucleotide and/or amino acid sequence listing filed on or after July 1, 2022.

In addition, to facilitate the needs of those filing international patent applications, TIPO shall accept all applications between July 1 and 31, 2022, even if the disclosed sequences do not comply with the new Standard. TIPO has published a Q&A on the new listing requirements of WIPO Standard ST.26 on its website for public reference.

“Implementation of WIPO Standard ST.26” Q&A (Mandarin):

<https://www.tipo.gov.tw/tw/dl-282231-436d899364584b5292cc04763cca8c5f.html>

5. TIPO Releases Report on “The Relationship Between the Metaverse and Design Patents”

The Metaverse is all the latest buzz, and in the field of intellectual property, there are increasing discussions on its relationship to trademarks and copyrights as infringements have already occurred. In light of the fact that there are very few cases of Metaverse-related design patent applications filed both domestic and abroad, as well as a conspicuous lack of academic journals, adjudications, and media reports on the subject, TIPO decided to compile a rep-

-ort on the matter for public reference. The report covers whether a Metaverse design patent can be filed, how the application would be examined, and the validity of such a patent.

“The Relationship between the Metaverse and Design Patents” report
(Mandarin):

<https://www.tipo.gov.tw/tw/dl-282258-477dd67ac935450fb7a7c72ef31d7d0c.html>

6. “Briefs of Classic Trademark Cases in Recent Years” Now Available!

To assist domestic and foreign market participants and people from different sectors in further understanding the latest development of trademark-related laws and judicial opinions, TIPO has selected classic judgements made by Intellectual Property and Commercial Court in the past 5 years to accomplish 7 case briefs . The content of these case briefs contains many important issues in the field of trademark, including how to determine the scope of goods in connection with which the trademark has been put to genuine use, the territorial limitation on genuine use of the trademark, the determination of likelihood of confusion between trademarks with low degree of similarity, whether the protective scope varies among well-known trademarks due to different levels of fame, the determination of the parody defense related to trademark infringement, keyword advertising and the determination of trademark infringement, the application of the defense of trademark exhaustion, etc., and it is believed that these case briefs can be very beneficial for those interested to have more complete understanding of trademark-related laws and practices in Taiwan. Welcome to access the case briefs below.

“Briefs of Classic Trademark Cases in Recent Years”:

<https://www.tipo.gov.tw/en/dl-281137-221cc1b60332409b8c735cb45c70a5bb.html>

7. 22 New FAQs Added to Trade Secrets Section on TIPO's Official Website!

TIPO has compiled some of the questions that have been asked at trade secrets promotion events in recent years – with regard to internal and external problems concerning corporate trade secret protection measures – and provided answers in simple terms on how companies can protect their trade secrets more comprehensively. The 22 FAQs cover topics such as the definition and inventory of trade secrets and how companies can better protect their own trade secrets when dealing with vendors or customers. TIPO has published the 22 new FAQs on its official website under the “Trade Secrets Section” for public reference.

Trade Secrets FAQ (Mandarin):

<https://www.tipo.gov.tw/tw/lp-11-1.html>

8. The General Information Session on IPR Services for Cultural and Creative Industries Comes to a Successful Close

In order to expand the services offered to cultural and creative industries, TIPO partnered with the National Palace Museum to host the online and on-site General Information Session on IPR Services for Cultural and Creative Industries on May 21 and 31, 2022. The event attracted approximately 240 people to attend both in person and online, and attendees came from cultural and creative industries, the design industry, arts and culture related educational institutions, government agencies, and IP related industries.

The information session covered four major topics, including design patents, trademarks, copyrights, and indigenous peoples' traditional intellectual creations. In addition to introducing common IP protection measures for each topic, TIPO also touched upon IP portfolios for the Metaverse. Participants en-

-gaged in eager discussions with experts from various fields, and the satisfaction rate with both information sessions reached 97%. Upwards of 95% of all attendees also agreed that the information session helped them gain a better understanding of related fields.

The 2022 General Information Sessions on IPR Services for Cultural and Creative Industries (Mandarin):

Facebook Livestream of the Morning Session : <https://fb.watch/dCH4nGR99y/>

Facebook Livestream of the Afternoon Session : <https://fb.watch/dCH55Y--rn/>

9. Registration for 2022 TIPA IPR Practitioners Professional Capability & Certification Examination is Now Open Until June 9

In order to establish a comprehensive certification system for IP professionals and ensure benchmarks for their professional capacity, the Taiwan Intellectual Property Training Academy (TIPA) has been offering the IPR Practitioners Professional Capability & Certification Examination since 2010 in hopes of providing requisite training to and promoting the overall quality of IP professionals.

The 2022 IPR Practitioners Professional Capability & Certification Examination is again divided into two main tracks: patents and trademarks. The patent track includes exams on patent engineering, patent procedure & control, and patent search analysis & value-added applications. The trademark track on the other hand, includes exams on trademark applications & management and the application & protection of trademarks.

As requested by test-takers in Central and Southern Taiwan, a new test center was established in Tainan this year.

10. Ministry of Education's TANet Report Portal

The Ministry of Education (MOE) has established a mechanism to report suspected copyright infringement on college and university campuses. Infringing links to foreign textbook websites can be reported on the dedicated TANet (Taiwan Academic Network) portal (abuse@moe.edu.tw). No cases of infringement were reported this quarter.

11. 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 June 2022, 150 applications for exclusive rights have been received and consolidated into 120 cases - of which 92 cases (77%) have been completed, 18 cases (15%) are pending considerations, 8 cases (7%) have been withdrawn, and 2 cases (1%) have been dismissed. Of the 92 cases completed, 83 (90%) were granted exclusive rights, 4 (4%) were reexamined, and 5 (6%) were rejected.

Law Enforcement Results and Statistics

The National Police Agency of the Ministry of the Interior

Law Enforcement

Between April and June of 2022, a total of 489 cases involving 692 persons were investigated for violation of the Copyright Act, a total of 451 cases (626 persons) for violation of the Trademark Act, and 2 cases (2 persons) for violation of the Trade Secrets Act. A total of 942 cases involving 1,320 persons were investigated for various types of infringement. All the aforementioned persons were referred to the district prosecutors offices for further investigation in accordance with the law.

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
2022 Jan.-Jun.	1,888	2,529	867	1,136	1,010	1,369	16	11	24
2021 Jan.-Jun.	1,866	2,447	1,000	1,269	857	1,161	0	9	17
Percentage Change %	1.18%	3.35%	-13.30%	-10.48%	17.85%	17.92%	100%	22.22%	41.18%

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

Taiwan High Prosecutors Office (THPO)

Law Enforcement

1. According to the data from all the prosecutors offices, a total of 505 suspects were involved in 437 concluded cases of IPR infringement between April and June, of which 167 persons involved in 125 cases were prosecuted according to regular procedures, 158 persons involved in 149 cases were granted summary judgment, 143 persons across 132 cases received deferred prosecution, and 37 persons across 31 cases were not prosecuted nor punished by the court's sua sponte motion. 256 persons were convicted by the courts between April and June, for a conviction rate of 95.52%.
2. Among the aforementioned cases, a total of 30 suspects were involved in 14 confirmed cases of trade secrets infringement, of which 29 persons involved in 13 cases were prosecuted according to the usual procedures, 1 person across 1 case received deferred prosecution. 8 persons were convicted by the courts between April and June, for a conviction rate of 53.33%.
3. A comparison to the same period in 2021 reveals the following regarding the number of prosecutions (including those who requested summary judgement) and convictions for cases of IPR infringement: 325 persons were prosecuted between April and June, marking an increase of 59 persons (22.18%) compared to 266 persons in the same period in 2021; 256 persons were convicted between April and June, marking an increase of 20 persons (8.7%) compared to 236 persons in the same period in 2021.

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							Sentence Remitted	Acquitted	Not to Prosecuted	Case Rejected	Others
			Total	Subtotal	Under 6 Months	6-12 Months	1-2 Year(s)	Over 2 Years	Detention	Fines				
Total	2022 Jan.-Jun.	659	515	178	3	6	1	312	15	-	27	1	116	-
	2021 Jan.-Jun.	644	492	186	-	1	-	297	8	-	43	4	105	-
	Percent Change %	2.33%	4.67%	-4.30%	100%	500%	-	5.05%	87.50%	-	-37.21%	-75.00%	10.48%	-

Source: Taiwan Prosecutors Office

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 1,707 infringing items were seized from 36 import cases suspected of trademark infringement between April and June.
2. Between April and June, the Customs Administration received 30 requests for advice protection on trademark rights, 12 request for extending the terms for advice protection on trademark rights, 36 requests for updating/supplementing documents and other matters, adding up to a total of

78 requests.

3. The Taipei Customs intercepted 30 bottles of counterfeit perfume bearing the “DIOR” logo on April 12, all of which have been seized.
4. The Kaohsiung Customs intercepted 3 counterfeit bags with the “HERMES” logo on April 25, all of which have been seized.

Ministry of Justice Investigation Bureau

Law Enforcement

In Q2, the Investigation Bureau has referred a total of 17 cases of IP violations to district prosecutors offices for further investigation, including 1 case involving 1 person for violation of the Copyright Act, 11 cases (11 persons) for violation of the Trademark Act, and 5 cases (6 persons) for the Trade Secrets Act.

International Exchange and Cooperation

The Customs Administration

1. The Japanese Chamber of Commerce & Industry in Taipei and the Japan Taiwan Exchange Association paid a visit to the Customs Administration on April 25 and presented them with the seventh edition of the “List of Trademarks Registered by Japanese Companies in Taiwan,” which they hope will be useful to customs officers when conducting inspections.
2. The Customs Administration continues to exchange information on cases of counterfeiting with its global counterparts. A total of 4 reports of counterfeiting were made in Q2 of 2022.

IPR Awareness Campaigns

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

Due to the pandemic, the Second Special Police Corps visited one police agency in Q2 of 2022 to provide information on the Trade Secrets Act and share their investigative experience. Since April, all events to promote awareness of trade secrets have been suspended and shall resume once the pandemic abates.

2. Ministry of Justice

The Bureau of Investigation of the Ministry of Justice has listed instances of trade secret violations under the scope of anti-corruption for enterprises and offered a total of 44 seminars from April to June in various industrial districts, important industrial and commercial organizations, and corporate groups. The seminars reminded enterprises to pay greater attention on the protection of trade secrets through sharing actual case studies. A total of 126 businesses and 4,131 participants were in attendance.

3. The Customs Administration

The Taichung Customs of the Ministry of Finance conducted written interviews for Customs Brokers on June 1. The Taipei Customs promoted border measures and laws related to IP protection via email on June 30.

4. Ministry of Foreign Affairs

Six Mandarin and English articles on the implementation of IPR policy in Taiwan has been published on the New Southbound Policy Portal.

Chen-yuan Tung Urges Overseas Chinese Community to Support Taiwan's Bid to Join the CPTPP and Expand Taiwan's Global Trade Connections (Mandarin):

<https://www.ocac.gov.tw/OCAC/Pages/Detail.aspx?nodeid=346&pid=37278404>

MOEA Furnishes Quality IP Environment for Taiwan as ITRI Tops Asia in IP Influence, Receiving the Honor of Top 100 Global Innovators for Six Years in a Row (Mandarin):

https://www.itri.org.tw/ListStyle.aspx?DisplayStyle=01_content&SiteID=1&MmmID=1036276263153520257&MGID=111042016065162366

ITRI and Eight Companies from Taiwan Receive Honor of Top 100 Global Innovators:

https://www.itri.org.tw/english/ListStyle.aspx?DisplayStyle=01_content&SiteID=1&MmmID=617731531241750114&MGID=111042016261985334

U.S.-Taiwan Cooperation on Global Semiconductor Supply Chain Resilience Industry Forum:

https://www.moea.gov.tw/MNS/english/news/News.aspx?kind=6&menu_id=176&news_id=99938

Taiwan Signs IPR MOU with India, Marking a New Chapter in Bilateral Cooperation!

<https://www.tipo.gov.tw/tw/cp-85-909721-146fe-1.html>

Taiwan Signs MoU with India to Bolster IPR Cooperation

<https://www.tipo.gov.tw/en/cp-282-910388-7d28e-2.html>

5. Ministry of Education

The Ministry of Education delivered posters to all public and private tertiary institutions to advocate IPR protection on campus and asked universities to heighten efforts to educate teachers and students against the use of illegal e-books or posting links on social media to foreign websites suspected of infringement. A digital file of the poster has also been placed on webpages dedicated to IPR within the official websites of each school.

6. TIPO

- (1) Intellectual Property Advocacy Seminars

TIPO has been accepting registrations for the 2022 annual IPR Expert Service Group seminar from industrial and commercial enterprises, private organizations, and schools at all levels since April to address issues of concern related to patents, trademarks, copyrights, and trade secrets. Of the 54 seminars (2,694 participants in total) held as of the end of June, 42 were held for schools, 11 for enterprises, and 1 for a government agency. All were free of charge. A survey afterwards revealed that over 90% of the participants said the seminar facilitated understanding of copyright concepts, and 80% understood that public videos and images on social media sites cannot be downloaded and used without permission.

(2) Campus IPR Protection Task Force

TIPO formed the Campus IPR Protection Task Force, consisting of 90 seed instructors from 29 universities, to promote the concept of intellectual property rights in elementary, junior high, and high/vocational schools through activities in a lively and fun manner. 8 sessions were held from May to June, and there were 861 student participants in total.

(3) Themed Workshops on Copyrights

- i. On May 31 and June 17, TIPO held two livestreamed sessions of the Copyright Laws on Illegal Set-top Boxes, E-commerce Products & Deepfake Technology online workshop, which were attended by 179 participants. A survey afterwards revealed that 80% of the participants understood that the sale of purportedly "clean" set-top boxes may not necessarily be legal, and over 90% of the participants reported greater awareness of copyright, which was beneficial to their work and life.
- ii. On June 10 and 24, TIPO held two livestreamed sessions of the Copyright Protection for Social Media Managers online workshop, which were attended by 148 participants. A survey afterwards revealed that 90% of the participants understood images set to "public" on Facebook did not necessarily mean that they could be freely

- iii. downloaded, and over 90% of the participants reported greater awareness of copyright, which was beneficial to their work and life.
- (4) Copyrights Advocacy Seminars
- i. TIPO held two sessions of the Common Copyright Issues for Government Agencies Online Advocacy Seminar on May 4 and June 15 to help government employees gain a better understanding of copyright concepts and facilitate the establishment of proper copyright ownership and licensing agreements that meet agency needs and prevent copyright disputes. The seminars were attended by 555 persons and received a satisfaction rate of over 97%.
 - ii. TIPO held two online sessions of the Copyright Infringement Case Studies for Online Sellers and Influencers on June 8 and 28, inviting Mann C. C. Liu, a copyrights expert and lawyer from InfoShare Tech Law Office, to share cases of copyright regulations regarding online sellers and self-media, as well as investigations of copyright infringements online. The event was attended by 360 persons and received a satisfaction rate of over 98%.

(5) Internet Copyrights Promotion Campaign

In order to utilize the power of the Internet to disseminate educational information, TIPO shared 81 posts regarding copyrights information, current events, etc. on the Copyright x I Support Originals Facebook page and answered 13 questions about copyrights on the internet. Currently, the number of followers has reached approximately 47,700 people.

(6) Training Courses for IP Professionals.

TIPO held the Common Intellectual Property Issues for Startups: Copyright and Trademarks Seminar at the Social Innovation Lab on May 27. The seminar covered topics such as “What You Need to Know About Copyrights”, “Copyrights for Startup Industries”, “Portfolio Strategies Against Trademark Squatting”, etc., and was livestreamed on the Startup Terrace’s official FB page.

(7) Workshops for the Executive Yuan's IEIT for Startups

TIPO held the Trademark Protection and Application for Startups seminar on April 13 at the Cultural Heritage Park of Taichung's Cultural Affairs Bureau and provided consultations after the event. The seminar was attended by a total of 32 professionals from the cultural creative industry involved in jewelry, leather, gift designing, as well as handmade soaps.

(8) TIPO Provides One-on-One Consultations

Beginning in March, TIPO has provided one-on-one IP consultation services in the afternoon on the first Thursday of every month at the Startup Terrace in Linkou and Yawan. The service is provided on an appointment basis, and TIPO assigns personnel based on the questions received from startups, which concern issues such as trade secrets, copyrights, trademark and patent application, and IP infringement, etc.

(9) Promotion via Video Media

In May, TIPO commissioned 6 domestic broadcast TV companies and M-Radio to run the thirty-second "Copyrights for Online Livestreaming" promotional video a total of 307 times and the thirty-second "Prohibited Downloads of Online Music, Videos, and Articles" ad a total of 11,856 times. TIPO also commissioned the Executive Yuan's 25 digital multimedia LCD signboards across the nation (located at train stations, highway service areas, etc.) to broadcast the "Copyrights for Online Livestreaming" promotional video.