



TAIWAN INTELLECTUAL PROPERTY OFFICE,
MINISTRY OF ECONOMIC AFFAIRS

Quarterly Report

on Intellectual Property Rights Protection in Taiwan

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2022 TIPA IP Symposium: Trial Model of Patent Litigation Concludes Successfully!

To enhance the productivity of the trial model of patent litigation, as well as safeguard the procedural rights of the parties involved during patent litigation at the courts and TIPO, TIPO has been actively advocating simplification of the administrative remedy proceedings and amendments to the both parties adversary trial system.

In order to learn from relevant experience from other international entities, TIPO made a special request to TIPA and the IP and Commercial Court to organize the hybrid 2022 TIPA IP Symposium: Trial Model of Patent Litigation on November 18, 2022 at the NTU College of Law Tsai Lecture Hall. TIPO hopes to better understand the relevant international systems and practices through this event, which will serve as a reference for us to establish a regime in the future that better aligns with the expectations of patent professionals.

The symposium invited speakers to share their experiences on topics including trial procedures and practices of the US PTAB, US Federal District Courts, Germany Federal Patent Court, and in Japan. The event attracted over 540 attendees from academia, the public and private sectors to attend in person and online. Participants engaged in avid discussions and were able to fully exchange opinions. Excerpts of discussion from the symposium has posted online under TIPA IP Monthly Issue.

TIPA IP Monthly Issue (Mandarin): <https://www.tipa.org.tw/tc/monthly.htm>

Legal Amendments

1. Revisions to Part I of the Patent Examination Guidelines Come into Effect on December 1, 2022

TIPO has made revisions to Part I of the Patent Examination Guidelines regarding procedural examination and patent rights management. Main revisions are as follows:

I. Chapter 1- Procedures for Filing Patent Applications and Related Patent Matters

Electronic signatures are on the rise. As the documents submitted for patent applications are primarily governed by private law, an electronic signature may be accepted as long as both parties can agree to the validity thereof. TIPO has therefore revised “1.2.4 Signatures for Electronic Documents” to relax requirements for signature formats. The signee only needs to provide a form of signature (whether it be a signature, stamp, or electronic signature) that matches the signature on the application documents.

II. Chapter 3-Patent Applicant

In accordance with adjustments made to procedural examination, revisions have been made to “3.1 Inventor Change,” “4.1 Applicant Name or Title Change,” “4.5 Inventor Name Change,” and included case studies to help the public better understand the principle of examination. The revisions also specify that applicants who are able to rectify inconsistencies on documents submitted with their applications do not fall under this category. In accordance with a judicial ruling, TIPO also included a case study explanation regarding name changes for different applicants who belong to the same entity.

III. Chapter 5-Filing date

The establishment of the filing date is closely tied to the patent applicant provided

on the application. To clearly stipulate that the cause for decisions on postponement of the filing date, revisions were made to “1.1 Application” for further clarification. The three relevant scenarios were also listed as “Change in Applying Entity,” “Addition of Listed Applicants,” “Decrease in Listed Applicants.”

IV. Chapter 7-Patent Priority and Grace Period

Added an example of incorrect priority document to the “1.5 Documentation and Submission Timelines for Priority.”

V. Chapter 8 - Deposit of Biological Materials

Added revision to “4. Documentation for Deposit of Biological Materials” stipulating that a depository not an international depositary authority (IDA) under the Budapest Treaty must include viability information as required documentation.

VI. Chapter 19- Change of Patent Rights

Revised “6. Recordation of Pledge Establishment ” and “6.2 Requisite Application Documents” in accordance with changes to Article 67 of the Enforcement Rules of the Patent Act announced on October 20, 2022.

VII. Other Revisions

Revisions to all other chapters made in accordance with the relevant revisions to official regulations and procedural examination.

Revisions to Part I of the Patent Examination Guidelines (Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-914806-9c46c-1.html>

2. Patent pledge registration will no longer require a patent certificate, and relaxation of the reasons for applying for the reissuance or renewal of a patent certificate

To relax regulations and safeguard the rights of patent holders and pledges, revisions were made to the Enforcement Rules of the Patent Act and promul-

-gated on October 20, 2022. The application process for patent pledges have been simplified, and reasons for reissuance or renewal of patent certificates have been relaxed. Highlights of the revisions are as follows:

- I. Deleted requirement that applicants filing for a patent pledge must include the patent certificate, as well as requirement stipulating that patent pledge information must be included within patent certificate.
- II. Added “Change in Requisite Information to be Included on Patent Certificate” as a reason for applying for the re-issuance or renewal of a patent certificate. Added the requirement for the Specific Patent Agency to void the original patent certificate upon the re-issuance or renewal of a new patent certificate.

TIPO Announces Revisions to Article 67 and 80 of the Enforcement Rules of the Patent Act (Mandarin):

<https://www.tipo.gov.tw/tw/cp-86-914721-09500-1.html>

1. TIPO's Q4 2022 IPR Statistics Report

In Q4 2022, TIPO received a total of 19,130 patent applications (including invention, utility model, and design patents), which remained steady compared to the same period last year. Among them, 13,370 invention patent applications were filed, marking a 3% increase. Trademark applications, on the other hand, stood at 22,890 cases with a drop of 8%.

Compared to the same period (Q4) last year, overall patent applications (19,130 cases) received by TIPO saw a slight decrease of 0.4%. Of these, the majority were invention patents, with 13,370 cases and a 3% increase. Both resident applications (5,265 cases) and non-resident applications (8,105 cases) increased, with the former showing a higher growth rate (6%) compared to that of the latter (1%).

The number of invention patent applications from domestic enterprises (3,896 cases) and colleges and universities (541 cases) both grew by 10%.

As for resident applications, ITRI filed the most invention patent applications (213 cases), surpassing other applicants. Inventec (76 cases) registered a considerable growth rate of 171%. The number of applications filed by Mediatek (147 cases) and Nan Ya Plastics (64 cases) hit their decade highs. In terms of design patent applications, Acer filed the most applications with 40 cases. Getac (30 cases) and AUO Display (13 cases) entered the top 5 list for the first time.

The number of invention patent applications filed by foreign applicants (8,105 cases) saw a small increase of 1%. Japan filed the most with 2,942 cases. Among the top 10 applicants, Samsung Electronics leaped to the top of invention patent applications for the first time by filing 212 applications. The

number of invention patent applications filed by Samsung Electronics, LG Display (82 cases), and Lam Research (71 cases) are at their all-time highs.

As for design patents, Ford Global Tech came out on top with 44 applications. PSA (22 cases) saw a growth rate of 120%, and Japan Aviation hit a new record high with 24 applications, entering the top 5 list for the first time.

Top 10 Invention Patent Applicants

Top Resident Applicants

- 1 ITRI
- 2 MEDIATEK
- 3 AU OPTRONICS
- 4 ACER
- 5 TSMC
- 6 MIRCDC
- 6 INVENTEC
- 8 REALTEK
- 9 NANYA TECH
- 10 NAN YA PLASTICS

(▼15%) 213
(▲88%) 147
(▲19%) 141
(▲25%) 139
(▼12%) 94
(▲13%) 76
(▲171%) 76
(▼48%) 71
(▼18%) 68
(▲83%) 64

212 (▲116%)
191 (▼18%)
136 (▼32%)
101 (▼9%)
100 (▼12%)
82 (▼7%)
82 (▲30%)
75 (▲67%)
75 (-)
71 (▲82%)
71 (▲31%)
71 (▲8%)

■ R. Korea ■ USA ■ Japan ■ Netherlands ■ Mainland China

Top Non-Resident Applicants

- 1 SAMSUNG ELECTRONICS
- 2 APPLIED MATERIALS
- 3 QUALCOMM
- 4 NITTO DENKO
- 5 TOKYO ELECTRON
- 6 ASML
- 6 LG DISPLAY
- 8 META PLATFORMS
- 8 XI'AN ESWIN MATERIAL
- 10 LAM RESEARCH
- 10 DISCO
- 10 KIOXIA

Top 5 Design Patent Applicants

Top Resident Applicants

- 1 ACER
- 2 GETAC
- 3 CGUST
- 4 COPLUS
- 5 AUO DISPLAY
- 5 TONG YAH

(▲74%) 40
(-) 30
(▲62%) 21
(▼24%) 16
(-) 13
(▲86%) 13

44 (▼8%)
34 (▲31%)
29 (▼45%)
24 (▲60%)
22 (▲120%)
13

■ USA ■ Switzerland ■ Japan ■ France

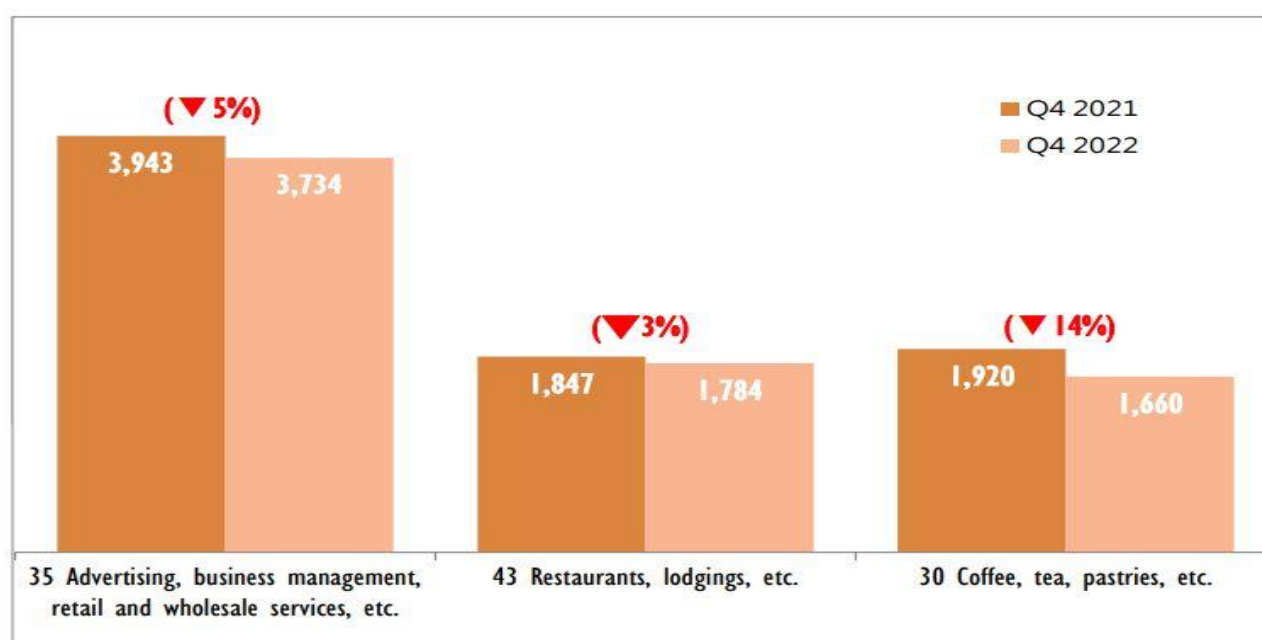
Top Non-Resident Applicants

- 1 FORD GLOBAL TECH
- 2 APPLE
- 3 HARRY WINSTON
- 4 JAPAN AVIATION
- 5 PSA

Compared to the same period last year, trademark applications reached 22,890 cases (covering 29,252 classes) and saw a decrease of 8%, given a higher base period last year. The number of applications filed by residents (18,088 cases) and non-residents (4,802 cases) both decreased.

As for trademark applicants, Cathay Life Insurance filed 128 applications, outnumbering all other resident applicants. Most of the number of applications filed by the top 10 applicants increased. In terms of the classes resident applicants filed under, most applications (3,734 cases) were filed under Class 35, “Advertising, Business Management, Retail and Wholesale Services, etc.”

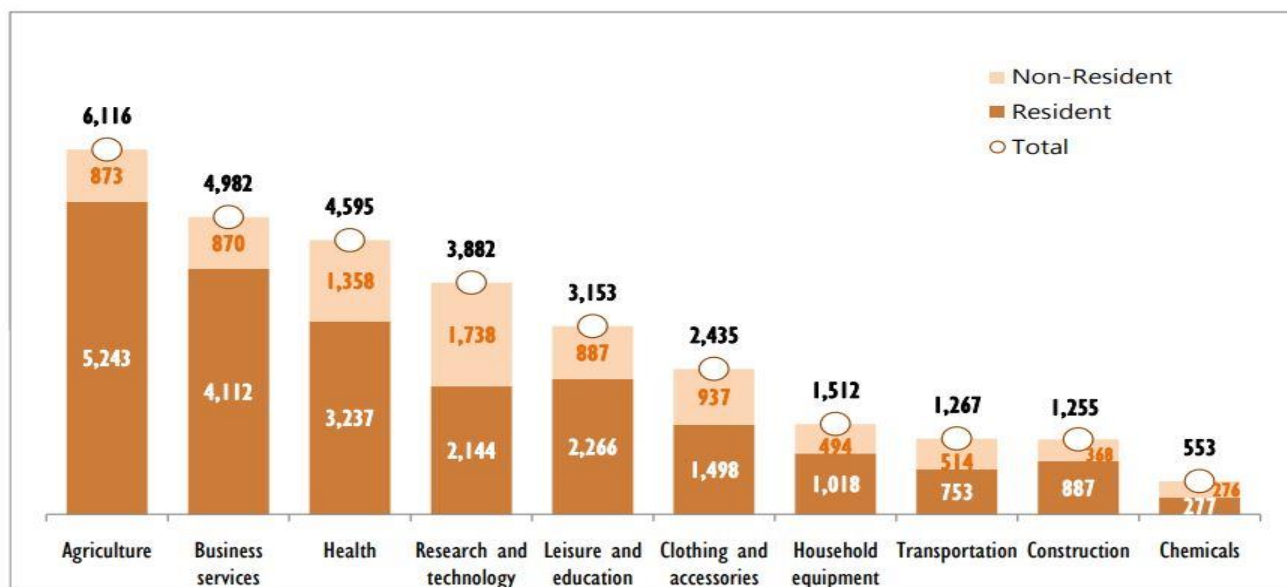
Top 3 Classes for Resident Trademark Applications



Among non-resident applicants, mainland China filed the most applications (909 cases) (Figure 1). FindSatoshi Lab Limited, a company incorporated in the British Virgin Islands, ranked first among non-resident applicants with 37 applications, surpassing all others (Table 3). The number of applications filed by the top 10 applicants all saw positive growth. Regarding trademark classes, non-resident applicants filed the most applications (1,065 cases) in Class 9, “Computer and Technology Products, etc.”

The top 3 industry categories trademark applicants filed under were “Agriculture” (6,116 cases), “Business Services” (4,982 cases), and “Health” (4,595 cases). Most applications filed by residents were under “Agriculture” (5,243 cases), the majority of which were for the hospitality industries. On the other hand, most non-resident applications were filed under “Research and technology” (1,738 cases).

Trademark Applications by 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 Q4 2022 IPR Statistics Report:

<https://www.tipo.gov.tw/en/dl-283867-837c6656d87b41a296bd525dd31fd16a.html>

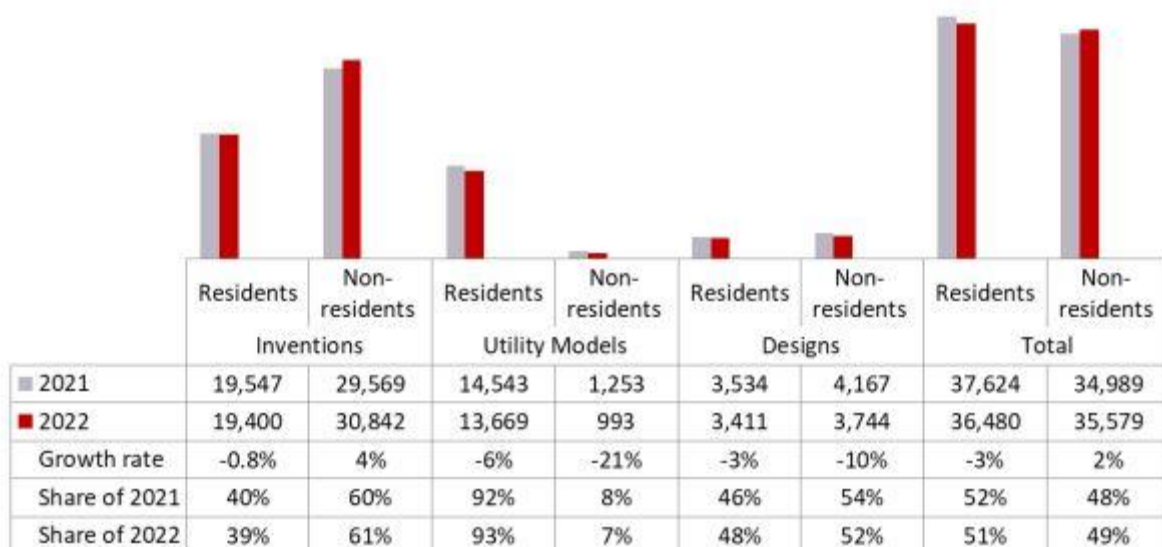
2. TIPO Statistics Report: Patent and Trademark Applications in 2022

In 2022, overall patent applications slightly decreased by 0.8% to 72,059 cases. Of these, invention patent applications (50,242 cases) grew by 2%, while utility model (14,662 cases) and design patent applications (7,155 cases) decreased by 7%, respectively. For trademark applications, 94,778 cases were filed, covering a total of 122,320 classes. As to examination efficiency, the average first action

pendency was 8.8 months for invention patent applications and 5.2 months for trademark applications.

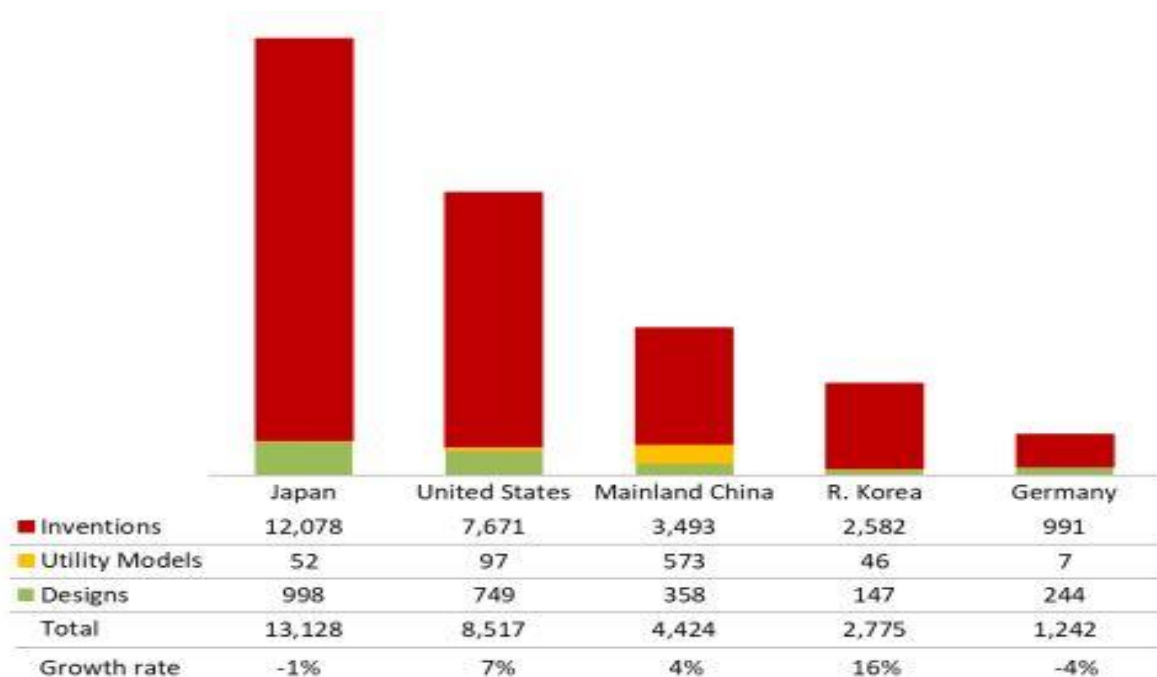
In 2022, invention patent applications (19,400 cases) slightly decreased by 0.8%, mainly due to the declines in filings from individual and research institute sectors. Meanwhile, applications by corporations and educational institutes saw a growth of 1% and 7%, respectively. However, there was a moderate decrease in utility model (13,669 cases) and design applications (3,411 cases) by 6% and 3%, respectively, mainly due to the declines in filings from individuals and corporation sectors, compared to the previous year.

Non-resident applications for invention patents (30,842 cases) grew by 4%, while utility model (993 cases) and design (3,744 cases) patents saw declines.



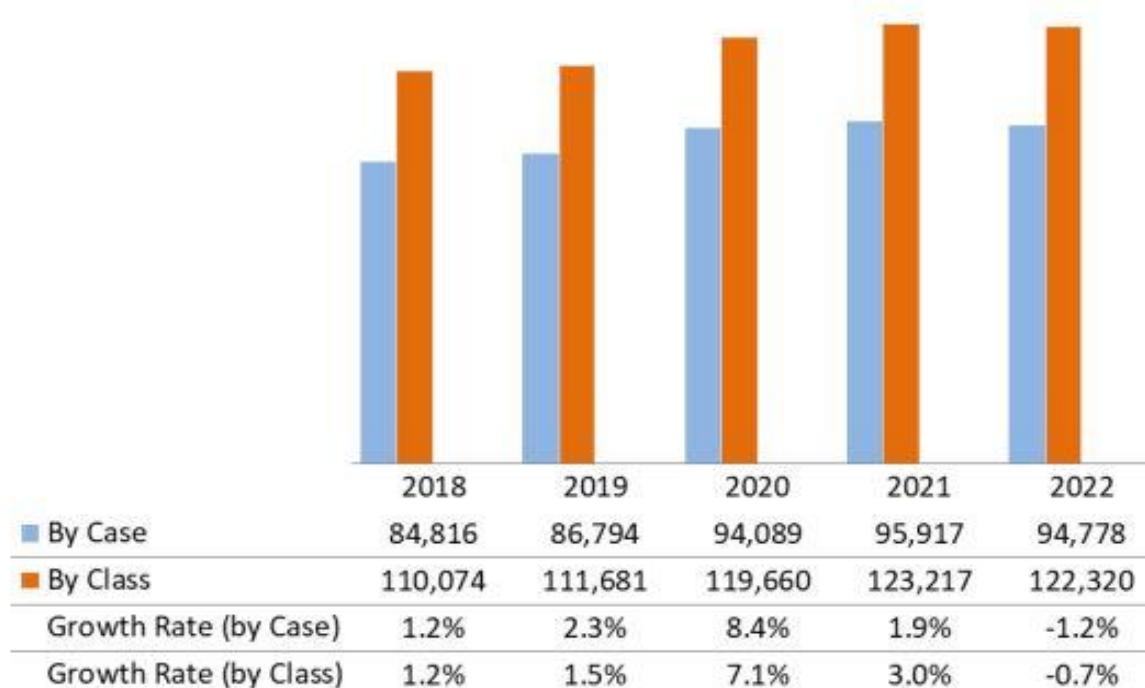
Patent Applications by Residents and Non-residents

A breakdown by applicant nationality shows that Japan continued to top the list with 13,128 overall applications (-1% compared to the previous year), followed by the US (8,517 cases, +7%) and mainland China (4,424 cases, +4%), while South Korea (2,775 cases) saw the highest growth at 16% 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 2022

The number of trademark applications totaled 94,778 cases (covering 122,320 classes). Notably, there was a 1% increase in resident (74,326 cases) and a 9% decrease in non-resident applications (20,452 cases).

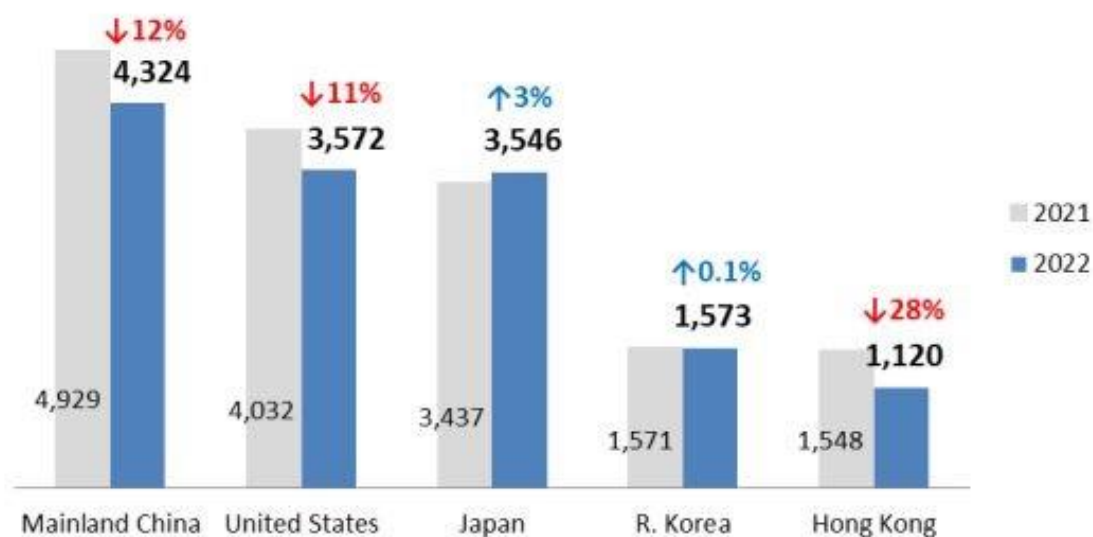


Trends in Trademark Applications (by Case and by Class)



Trends in Trademark Applications (by Case)

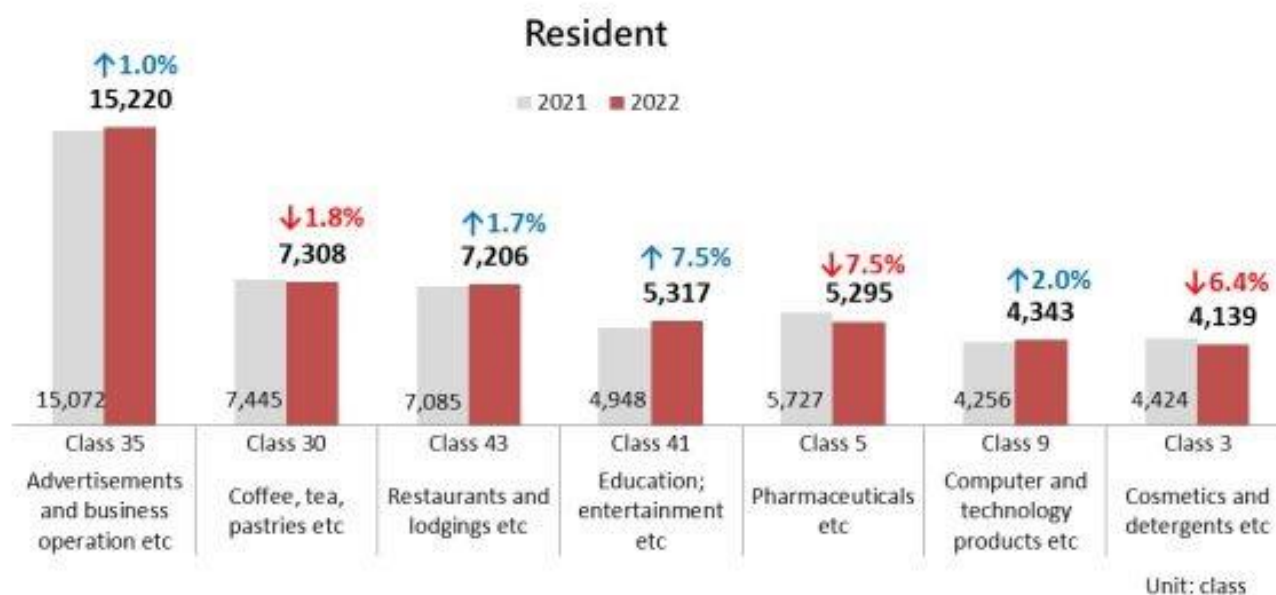
Among the top 5 trademark-filing countries or regions, mainland China (4,324 cases) took the lead, followed by the US (3,572 cases) and Japan (3,546 cases). Applications numbers filed by mainland China and the US showed double-digit drops, while those from Japan were up 3% compared to last year.



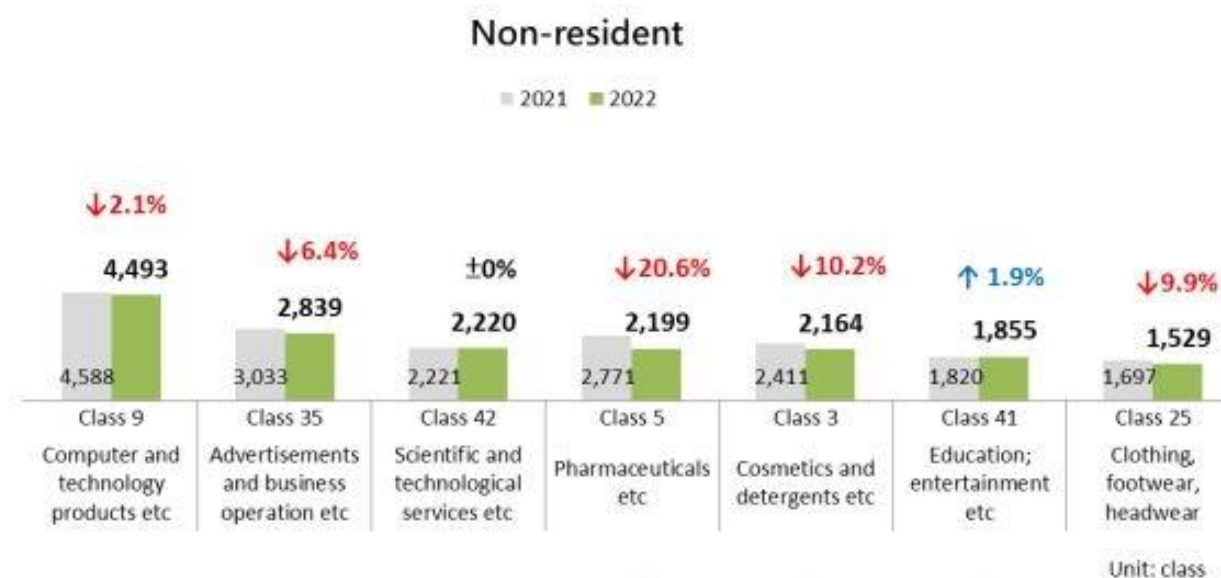
Top 5 Trademark Filing Countries (Regions) in 2022

With regard to resident trademark applications, Class 35 (advertisements and business operation) topped the list with 15,220 classes. Furthermore, the COVID-19 pandemic has boosted online shopping, remote technology and video games, leading to a 7.5% increase on Class 41 (education; entertainment)

and a 2% increase in Class 9 (computer and technology). Regarding non-resident trademark applications, Class 9 led with 4,493 classes.



Top Nice Classes for Resident Trademark Applications



Top Nice Classes for Non-Resident Trademark Applications

TIPO's Statistics of Patent and Trademark Applications in 2022:

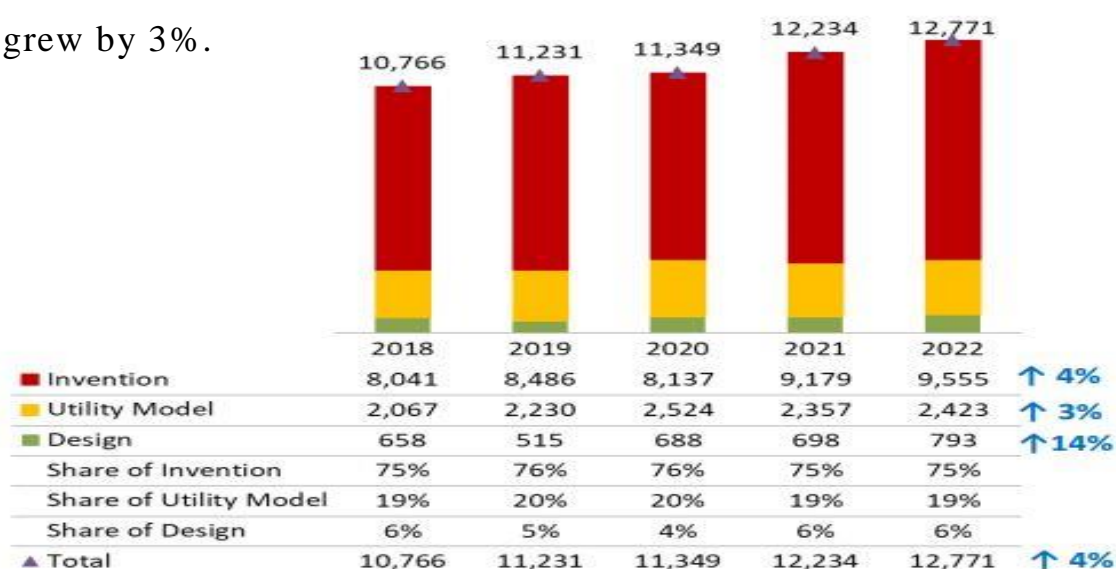
<https://www.tipo.gov.tw/en/dl-283874-e1d65d4c46b14926a2de122985152041.html>

3. Top 100 Patent Applications in 2022

TIPO's 2022 Statistical Rankings for Patent Applications and Grants reveals that TSMC maintained its position as the top domestic patent applicant for the seventh consecutive year, filing 1,534 applications. As for foreign applicants, Applied Materials secured the top spot for the first time, with a total of 881 applications. With respect to the numbers of patents granted for all three patent types, TSMC led the pack for domestic applications (1,196 patents granted), and Qualcomm was the most prolific foreign applicant (573 patents granted).

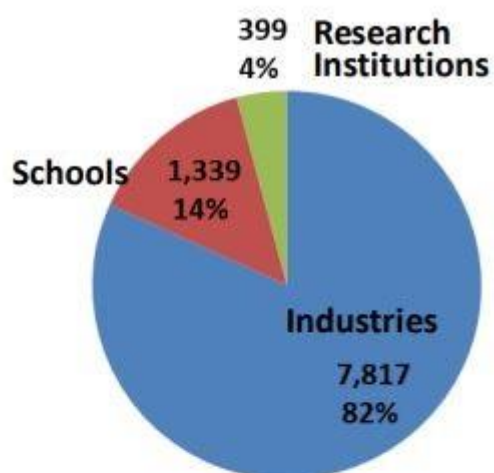
Companies active in the semiconductor, display, and ICT industry sectors headed the list of top 10 domestic applicants. With 1,534 cases, TSMC has consistently filed the most applications since 2016. Acer (530 cases) and AU Optronics (505 cases) came in second and third, respectively. Mediatek's application filing surged by 58% (412 cases), while Nanya Tech (371 cases) and Innolux (336 cases) each filed their highest number of applications over the last 10 years.

The top 100 domestic patent applicants filed 12,771 cases in 2022, a year-on-year increase of 4%. The number of invention (9,555 cases) and design patent applications (793 cases) were up 4% and 14%, respectively. The growth in applications was mainly driven by corporations and educational institutions. Furthermore, the filings in utility model patent applications (2,423 cases) also grew by 3%.



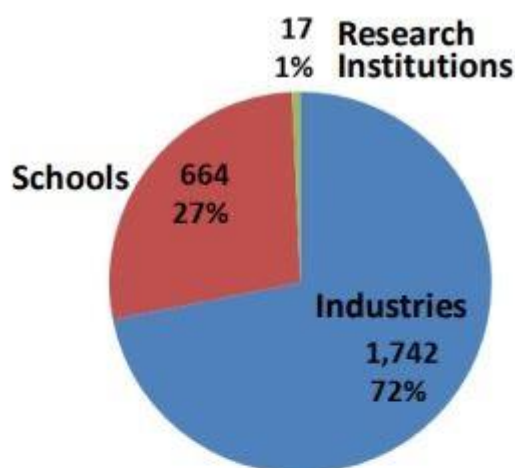
Patent Applications Filed by Domestic Applicants among the Top 100 in the Past 5 Years

Invention



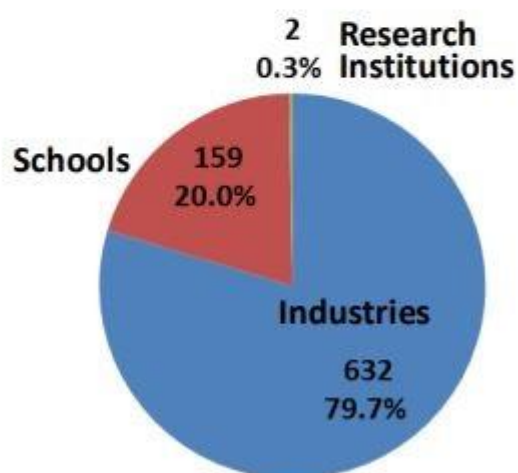
Type	Industries	Schools	Research Institutions
Growth rate	+6%	+11%	-35%

Utility Model



Type	Industries	Schools	Research Institutions
Growth rate	+6%	-5%	+13%

Design



Type	Industries	Schools	Research Institutions
Growth rate	+11%	+29%	-50%

Patent Applications Filed by Domestic Applicants among the Top 100 in 2022

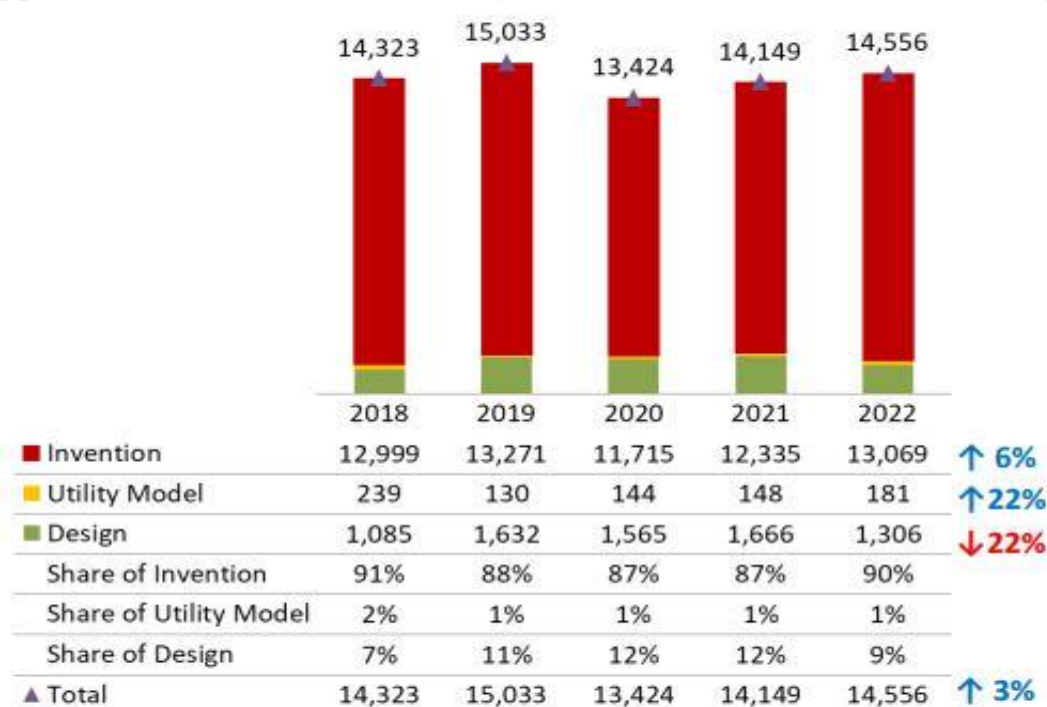
There were six banks among the top 100 domestic patent applicants in 2022. Taiwan Cooperative Bank (220 cases) headed the list of patent applications, followed by the Bank of Taiwan (214 cases) and MEGA International Commercial Bank (205 cases), which also claimed the top position for bank invention patent applications (53 cases). Taishin International Bank (87 cases), meanwhile, made its debut on the list for the first time.

Twenty-eight schools were among the top 100 domestic applicants for overall

patents. Taipei City University of Science and Technology ranked first with 162 applications for the third straight year. Meanwhile, National Cheng Kung University (135 cases) claimed first place in school rankings for invention patent applications, followed by National Yang Ming Chiao Tung University (125 cases), National Tsing Hua University (108 cases), and National Taiwan University (77 cases).

Two research centers were also among the top 100 domestic applicants for patents across various types. The Industrial Technology Research Institute placed eighth in the overall rankings with 331 applications, while the Metal Industries Research ranked 41th with 87 filings.

The top 100 foreign patent applicants collectively filed 14,556 cases (+3%) in 2022, mainly driven by the rise in invention (13,069 cases) and utility model patent applications (181 cases), with growth rates of 6% and 22%, respectively.



Patent Applications Filed by Foreign Applicants among the Top 100 in the Past 5 Years

On the foreign applicant front, the top 10 companies were mainly active in the semiconductor, ICT, and chemistry industry sectors. Applied Materials became the largest patent applicant with record-high 881 applications, while smart-

-phone IC designer Qualcomm fell one notch to second place with 763 patent applications. Samsung Electronics took the third spot with 675 applications, the most it has filed in the last 10 years. Moreover, Meta Platforms Technologies (293 cases) and Shin-Etsu Chemical (275 cases) made their first appearance on the list for the first time.

Top 100 Patent Applications Statistics in 2022:

<https://www.tipo.gov.tw/en/dl-283877-3a6eec95fde444e3bd1cc29cae746d18.html>

4. New Upgrades to TIPO's Digital Services – Online Certificates for Patents and Trademarks Available from 2023

To ensure TIPO offers more comprehensive digital services that better align with global trends, TIPO plans to offer online certificates for patents and trademarks from January 2023. The paperless process will make it more convenient for right holders to obtain and save their certificates, as well as reduce the cost of printing and mailing paper copies – a beneficial step towards achieving sustainable development goals of conserving energy and reducing carbon emissions.

For the applicant's convenience, TIPO will not make online certificates mandatory for all. The applicant may choose either an online or paper certificate when requesting their patent certificate or paying trademark registration fees. Should the applicant require a paper certificate later on, those who choose to receive an online certificate may apply for a paper copy.

Upon receiving notification from TIPO that their certificate has been issued, applicants can download the online certificate by entering their verification code at the specified site within six months. Applicants may also obtain their online certificates through the E-SET e-delivery system. Afterwards, applicants will be able to access their online certificates on the e-portal with their digital certificate, under “My Applications.”

TIPO's online certificates will be provided via PDF formats for easy circulation. The online certificates will be equipped with anti-counterfeiting measures that require verification and digital signatures, as well as a QR code. Right holders may upload digital files of their certificates onto TIPO's system or scan the QR codes to quickly verify the authenticity of their patent certificates, as well as access any updates to the status of their rights.

5. TIPO Publishes Revisions to the Industry Collaborative Patent Interview Pilot Program, Which Take Effect on January 3, 2023

TIPO has implemented the Industry Collaborative Patent Interview Pilot Program (hereinafter referred to as "the Program") from November 1st, 2021, to October 31st, 2022. The Program has been well received by the public. To further enhance the process of collaborative patent interviews, TIPO has made revisions to the Program and plans to renew the trial period for another two years.

This Program aims to provide applicants with swift and smooth patent rights application experience and assist them in building their patent portfolio. The interviews with applicants allow patent examiners to better understand the application's advanced technical content, thus enabling them to conduct an efficient and high-quality examination. Patent applicants may proactively submit a letter of intent in paper or electronic form. Welcome to watch the program's introductory video on TIPO's YouTube Channel.

Industry Collaborative Patent Interview Pilot Program Introductory Video:

<https://www.youtube.com/watch?v=Is64XkGi3ss>

6. TIPO Publishes Revisions to the Positive Patent Examination Pilot Program for Startup Companies, Which Take Effect on January 1, 2023

TIPO has been promoting the Positive Patent Examination Pilot Program for Startup Companies in 2022, as the program shall terminate on December 31.

To encourage more startups to participate in the program, TIPO relaxed the eligibility, allowing startups founded within 8 years to join. The revision replaces the original requirement that startups must be within 5 years of founding to join and comes into effect on January 1, 2023.

Reviews from startups who participated in the program this year (2022) are available on TIPO's YouTube Channel.

Startup - Pure Metallica Co., Ltd. (Mandarin):

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

Startup - Mantis Yesway Co., Ltd. (Mandarin):

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

7. Changes to Description of Designated Goods and Services for Trademark Registration

In response to the revision of the 12th edition of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, TIPO has updated its list of Description of Designated Goods and Services for Trademark Registration. Effective as of January 1, 2023, the changes include 481 additions or amendments and 48 deletions. Additionally, 42 class/subclass names or notes have been added, removed, or amended. The electronic trademark application system's "Description of Designated Goods and Services for Trademark Registration" section has also been updated to reflect said changes.

Those who wish to utilize the Fast-Track Trademark Examination Program and file through the electronic trademark application system after January 1, 2023, are advised to download the updated list featuring all incorporated changes. Individuals who fill out applications with descriptions of goods and services not found on the system's current list will not qualify for the Fast-Track Program and will not enjoy the preferential fee reduction.

Amended Designated Names of Goods and Services for Trademark Registration
(in Mandarin):

<https://www.tipo.gov.tw/tw/dl-283332-406aca85d4534af2b023ec2bf8f67be2.html>

8. TIPO Launches New Inquiry System for Patent and Trademark Certificates and Rights

TIPO has made available the "Inquiry System for Patent and Trademark Certificates and Rights" service since 2017, allowing users to search the latest rights status using an array of search criteria, such as certificate number, application number, rights holders/agents, publication date, and patent title or trademark name. Additionally, users can scan QR codes on patent and trademark certificates for immediate access to information.

The Office has redesigned the website of the service with a focus on a user-friendly interface to improve efficiency and service quality. The new website features include the following:

- I. Optimized operation for enhanced convenience and mobile device compatibility.
- II. Unlimited search results per search, eliminating the previous display limit of 500 results.
- III. Customizable display of search result pages and number of results per page for ease of browsing.

TIPO is pleased to announce the pre-launch of its redesigned website, developed to offer a more streamlined and user-friendly experience. The website is now open for a trial run - all interested parties are welcome to test out its features!

Operation Manual for the New Inquiry System for Patent and Trademark

Certificates and Rights (in Mandarin):

<https://www.tipo.gov.tw/tw/dl-283361-51f5b9339d6c4f36a2c7ad15bc5025a9.html>

The New Inquiry System for Patent and Trademark Certificates and Rights Website (in Mandarin): <https://cert.tipo.gov.tw/>

9. TIPO Enhances Online Systems with Addition of New Administration Appeal and Litigation Case Information

TIPO has collaborated with the Petitions and Appeals Committee of the Ministry of Economic Affairs and the Judicial Yuan to increase the accessibility of intellectual property information in Taiwan. As a result of this partnership, TIPO has integrated patent and trademark case information (including this year and the last five years) and litigation information (dating back to 2021) into systems such as "Patent Public Information Inquiry System", "Trademark Search," and the "My Filings" section on the e-Filing platform, allowing users to access complete case information. These services were officially made available to the public on December 19, 2022.

Users can now browse administrative appeals and litigation information and download the full text of appeal decisions and litigation judgments directly. Additionally, the “Patent Public Information Inquiry System” has been optimized to provide a more convenient and intuitive inquiry feature. All parties are welcome to utilize these services.

New Patent Public Inquiry System Functions:

https://tiponet.tipo.gov.tw/S092_OUT/2022/out?lang=en_US

Introduction to the New Patent Public Inquiry System (in Mandarin):

<https://www.tipo.gov.tw/tw/dl-283336-0e3bd0dc998d40aca08329c42a700675.html>

Trademark Search (in Mandarin): <https://twtmsearch.tipo.gov.tw/OS0/OS0201.jsp>

Introduction to the newly added functions of the "My Filings" section on the e-Filing platform (in Mandarin):

<https://www.tipo.gov.tw/tw/dl-283337-20eb56da7dcd475b843bc53c2b733782.html>

10. Comprehensive Guide to Domestic and Foreign Trademark Applications is Now Available!

To help industries better understand Taiwan's trademark registration process, trademark protection and management, as well as important things to know when applying for trademarks overseas, TIPO has compiled the Comprehensive Guide to Domestic and Foreign Trademark Applications.

The guideline provides businesses with tips on how to apply for domestic trademarks and the importance of applying for trademarks overseas. In addition to covering basic knowledge about trademark rights, it also touches upon resolutions for trademark disputes. At the same time, the guideline also provides relevant government resources in hopes of effectively assisting SMEs with difficulties in trademark protection. The guideline mainly consists of the following:

- I. The Benefits of Trademarks: Trademark basics, benefits of registering a trademark, and the branding process.
- II. Tips for Domestic Trademarks: Important information on applying for domestic trademarks and relevant regulations on trademark reproduction design.
- III. The Importance of Trademark Registration Abroad: Important information on applying for trademarks overseas, monitoring similar trademarks registered abroad and infringement, and strategies on dealing trademark squatting incidents abroad.

- IV. Protection and Management of Trademark Rights: Protection of trademark rights, dispute resolution procedures, civil and criminal liabilities of trademark infringement, and defenses to trademark infringement.
- V. Government resources and services: TIPO provides relevant information on IPR; MOEA IDB provides assistance with branding; MOEA SMEA provides relevant information and counseling for new startups.

Comprehensive Guide to Domestic and Foreign Trademark Applications (Mandarin): <https://www.tipo.gov.tw/tw/dl-282960-2d15cf0056814073973ef9e963da37a6.html>

11. TIPO Releases the Reference Manual on Green Manufacturing Proprietary Technology within the Semiconductor Industry's Supply Chain Transformation

Goals to reach net zero emissions by 2050 have become important policy priorities for governments across the world, who have gradually incorporated sustainability within their policies and regulations to drive greater discussion within the private sector on topics such as sustainability, reducing emissions, and the environment.

Taiwan has the most developed semiconductor industry cluster and division of services in the world. As the industry continues to grow rapidly, wafer foundries must carefully weigh the balance between reducing emissions and maintaining product yield. Major concerns include how to resolve ensuing environmental pollution issues, how to recycle and reuse relevant materials, and how to replace or reduce the use of related compounds.

TSMC, the global leading semiconductor manufacturer, has worked with equipment manufacturers since 2016 to develop energy-efficient green machinery for semiconductor manufacturing. They have also included energy-

efficient requirements into procurement standards and specifications for new machines, becoming the world's first semiconductor company to drive equipment manufacturers to adopt energy saving measures with advanced equipment.

TIPO compiled a manual of proprietary technology and case studies of green manufacturing machinery from 10 businesses within TSMC's supply chain. Through analyzing case studies, TIPO elaborates on the green manufacturing development status and trends of these suppliers, in hopes that this can serve as a reference for domestic semiconductor companies looking to transform their green manufacturing supply chains.

Reference Manual on Green Manufacturing Proprietary Technology within the Semiconductor Industry's Supply Chain Transformation (Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-914773-964b5-1.html>

12. The Trend Analysis Report of Smart Flight Control Technology of Drones is Now Available!

With the recent rise in commercial drones, their use is now visible in industries as wide-ranging as transportation, agriculture and animal husbandry, search, rescue, and patrol, as well as national defense. Drones have evidently become an important tool in the development of many major industries. Yet an integral and indispensable part of drone technology lies in smart flight control. The report details the development of domestic and international drone industries and targets smart flight control technology to conduct patent trend analysis.

The greatest advantage of Taiwan's drone industry is our thriving ICT and semiconductor industries. Taiwan has a complete supply chain for drone batteries, AI chips, microprocessors, camera lens assembly, image processing chips, etc. and has the advantage of being able to control R&D costs and facilitate systems integration. TIPO hopes that the report can help domestic

industries better grasp the development trends in drone technology, which will serve as reference for future industry development.

The Trend Analysis Report of Smart Flight Control Technology of Drones (Mandarin): <https://www.tipo.gov.tw/tw/dl-282953-45ea68b9054345188eea220f7c0ba66e.html>

13. TIPO's Report on Net Zero Emissions Measures by International CMOs and Music Industries Shares Latest Updates on Carbon Reduction Measures Adopted by Music Industries Abroad!

Climate change and the environment are some of the major issues impacting our generation. As such, TIPO has compiled the Report on Net Zero Emissions Measures by International CMOs and Music Industries focused on efforts by the music industry to combat climate change. The report introduces carbon reduction and net zero emission measures adopted by foreign music industries and CMOs in the fight against climate change. TIPO hopes that by providing a reference for Taiwanese people, our music industries can transition to a more environmentally friendly and sustainable future.

The report is available on the official TIPO website under Net Zero Emissions IP Information for public download.

Report on Net Zero Emissions Measures by International CMOs and Music Industries (Mandarin):

<https://www.tipo.gov.tw/tw/dl-282860-ca79ce8fda59416bb2690e1e8f77f256.html>

14. TIPO Releases *International Patent Trend Analysis Report on Carbon Capture Technology*

Aimed at intensifying efforts to fight climate change, the Glasgow Climate Accord calls for a reduction in the use of coal and establishes the basic rules of the global carbon market. In line with this, the National Development Council

of Taiwan published Taiwan's Pathway to Net-Zero Emissions in 2050 in March last year, which identified "carbon capture, utilization, and storage" as one of its 12 key strategies.

In response, TIPO is focusing on Carbon Capture, Utilization, and Storage (CCUS) and has compiled relevant patent information (published before the end of December 2021) from various countries. Said information will be subject to further analysis to provide a comprehensive view of overall patent trends, global patent filing trends for related technologies, and filing trends at major patent offices. Furthermore, TIPO will conduct a thorough analysis of the most frequently cited and industry-relevant patent cases related to carbon capture technologies in high-emission industries (e.g., petrochemicals, steel industry, etc.). Based on this analysis, TIPO will release the *International Patent Trend Analysis on Carbon Capture Technology* for public reference.

International Patent Trend Analysis on Carbon Capture Technology (Mandarin):
https://www.tipo.gov.tw/tw/cp-85-916712-4b1c5-1.html?fbclid=IwAR3jk2X1LG_WSGe_eJMdx6Liyy4dgbGCQRleBRDmm6kgvDayNGEBlyIHfIXk

15. Metaverse-Related Technology Analysis Report Published for Public Reference

The emergence of Metaverse is expected to drive significant advancements in extended reality (XR), digital service platforms, and internet technologies. To assist in understanding core technologies of the Metaverse, TIPO has analyzed 107,000 patents related to the Metaverse that were filed before 2021. Based on their structures and themes, 32 crucial patents have been selected and further analyzed to provide the latest insights on the core technology and patent trends in the Metaverse. This report also features suggestions regarding Metaverse patent application and examination for reference to the public.

Metaverse-Related Technology Analysis Report:

16. Online Manual “Top 10 Internet Copyright Case Studies” is Now Available!

Recent developments in digital technology have introduced new and diverse uses of internet copyrights, e.g., P2P, embedded links, set top boxes, APP, etc. As the scope of use for copyrights has increased, related controversies and disputes have also ensued. To help copyright holders better understand how to protect their copyrights and users better understand legal copyright use, TIPO has compiled a list of judicial rulings in the past ten years regarding internet copyright issues.

The compilation includes topics such as APP copyrights infringement, illegal distribution of set-top boxes, online gaming, or repurposing photos, posts/content, or video clips from other persons for online retail or e-commerce businesses, etc. Each case study also includes a summary of the relevant copyright issues and regulations, as well as practical judicial insights, to help readers understand important concepts and judicial opinions regarding internet copyright disputes. TIPO hopes the manual will prevent copyright infringements with internet use, thereby promoting proper use of copyrighted works.

Online Promotional Manual “Top 10 Internet Copyright Case Studies”
(Mandarin): <https://topic.tipo.gov.tw/copyright-tw/cp-416-915553-c9d6f-301.html>

17. 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. Hyperlinks directing to copyright-infringing foreign textbook websites can be reported through the dedicated TANet (Taiwan Academic Network) portal

(abuse@moe.edu.tw). One case of infringement was reported this quarter.

18. 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 2022, 150 applications for exclusive rights have been received and consolidated into 120 cases - of which 99 cases have been completed, 11 cases are pending considerations, 8 cases have been withdrawn, and 2 cases have been dismissed. Of the 99 cases completed, 85 were granted exclusive rights, 3 were scheduled to be granted exclusive rights, 6 were reexamined, and 5 were rejected.

Law Enforcement Results and Statistics

The National Police Agency of the Ministry of the Interior

Law Enforcement

Between October and December of 2022, a total of 512 cases involving 635 persons were investigated for violation of the Copyright Act, a total of 589 cases (719 persons) for violation of the Trademark Act, and 3 cases (19 persons) for violation of the Trade Secrets Act. A total of 1,104 cases involving 1,373 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.-Dec.	4,191	5,525	2,054	2,677	2,121	2,800	16	16	48
2021 Jan.-Dec.	3,672	4,863	1,823	2,305	1,817	2,490	4	32	68
Percentage Change %	14.13%	13.61%	12.67%	16.14%	16.73%	12.45%	300%	-50.00%	-29.41%

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 468 suspects were involved in 436 concluded cases of IPR infringement between October and December, of which 125 persons involved in 101 cases were prosecuted according to regular procedures, 142 persons involved in 138 cases were granted summary judgment, 180 persons across 176 cases received deferred prosecution, and 21 persons across 21 cases were not prosecuted nor punished by the court's sua sponte motion. 243 persons were convicted by the courts between October and December, for a conviction rate of 94.55%.
2. Among the aforementioned cases, a total of 15 suspects were involved in 11 concluded cases of trade secrets infringement, of which 14 suspects involved in 10 cases were prosecuted according to regular procedures. 2 persons were convicted by the courts between October and December, for a conviction rate of 28.57 %.
3. A comparison to the same period in 2021 reveals the following regarding the number of prosecutions (including those who requested summary judgment) and convictions for cases of IPR infringement: 267 persons were prosecuted between October and December this year, marking a decrease of 89 persons (25%) compared to 356 persons in the same period in 2021; 243 persons were convicted between October and December, marking an decrease of 22 persons (8.3%) compared to 265 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					
Total	2022 Jan.-Dec.	1,284	1,023	356	7	14	-	604	40	-	51	3	205	2
	2021 Jan.-Dec.	1,287	1,008	376	3	1	-	607	21	-	85	5	189	-
	Percent Change %	-0.23%	1.49%	-5.32%	133.33%	1300%	-	-0.49%	90.48%	-	-40%	-40%	8.47%	-

Source: Taiwan Prosecutors Office

4. As the methods used to pirate textbooks continue to change, copyrights violations via digital and online methods are starting to emerge. 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 further the investigation into these copyright violations, including but not limited to photocopy shops around university campuses or hard copy textbooks. In the second half of this year, 14 cases involving 7 persons were uncovered. Computers, laptops, USB flash drives, recorded CDs, and pirated test papers and e-books were seized accordingly.

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 23,646 infringing items were seized from 111 import cases suspected of trademark infringement between October and December.
2. Between October and December, the Customs Administration received 66 requests for advice protection on trademark rights, 17 requests for extending the terms for advice protection on trademark rights, and 118 requests for updating/supplementing documents and other matters, adding up to a total of 201 requests.
3. The Taipei Customs intercepted 21 counterfeit handbags bearing the logos “Chanel,” “LV,” “Gucci,” “YSL,” etc., air express consignments on October 3.
4. The Kaohsiung customs intercepted 10 counterfeit handbags bearing the “Chanel” logo on October 31 from maritime express consignments. On November 2, they intercepted a total of 27 counterfeit watches, accessories, and bags bearing the “Cartier,” “Rolex,” “Chanel,” logos from maritime express consignments. On November 8, they intercepted a total of 140 counterfeit handbags bearing the “LeSportsac” logo from maritime express consignments. Also, the Kaohsiung customs intercepted a total of 43 leather goods and accessories bearing “Celine,” “Dior,” “LV,” and “Hermes” logos in the latter half of November from maritime express consignments. All

aforementioned cargoes in question have been seized.

Ministry of Justice Investigation Bureau

Law Enforcement

In Q4, the Investigation Bureau referred a total of 18 cases of IP violations to district prosecutors offices for further investigation, including 2 cases involving 2 persons for violation of the Copyright Act, 11 cases (13 persons) for violation of the Trademark Act, and 5 cases (7 persons) for the Trade Secrets Act.

International Exchange and Cooperation

The Customs Administration

1. On November 9, 2022, the Customs Administration partnered with REACT, an international NPO, to hold the 2022 National Training Workshop on Protecting Intellectual Property Rights at the Chang Yung-fa Foundation. Representatives of trademark holders were invited to give the class speeches and teach skills to differentiate between authentic and counterfeited products. The class was highly interactive, as students were able to touch and feel authentic and counterfeited products from different brands at each booth. Customs officers who attended the class also shared their experience with investigating counterfeit products to facilitate exchange.
2. The Customs Administration continues to exchange information on cases of counterfeiting with its global counterparts. A total of 6 reports of counterfeiting were made in Q4 of 2022.

IPR Awareness Campaigns

1. Judicial Yuan

In Q4 of 2022, the Judicial Yuan has held the 3rd and 4th IP Theory & Practice Seminars, as well as the 2nd Professional Workshop on Trade Secrets, and the Trade Secrets for Administrators course. The Judicial Yuan has also partnered with the Taiwan Intellectual Property Training Academy to hold the 2022 Professional Workshop on IP to provide further training to judges and judicial professionals in IP Courts. The workshop ensures that the adjudication process complies with regulations and changes in international practices to align with the rapid changes of the IP field.

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

The Second Special Police Corps visited 14 manufacturers in Q4 of 2022 to provide information on trade secrets related laws and regulations and assistance in reviewing trade secrets protection methods. In this quarter, a total of 351 persons attended the nine promotional events given regarding trade secret regulations and IPR protection.

3. THPO

The Intellectual Property Branch of the Taiwan High Prosecutors Office partnered with the Taiwan Association for Trade Secrets Protection (TTSP) to hold the 2022 Trade Secrets Protection Promotion Seminar. The seminar was co-hosted by Chief Prosecutor Chang Tou-Hui and TTSP Chairman Su Wen-Tang, and the Minister of Justice Tsai Ching-hsiang was invited to delivered remarks. The head of the MOJ Department of Prosecutorial Affairs Huang Mou-hsin, Director General of TIPO Hong Shu-min, Head of the Ministry of Justice Investigation Bureau Economic Crime Prevention Division Kao Cong-ming, Chief Prosecutors from six district prosecutors office, all THPO prosecutors and industry professionals were invited to attend the seminar.

Head Prosecutor Chen Wen-chi touched on issues of trade secrets and national security.

Prosecutor Chu Shuai-jun shared topics on the latest changes and developments of trade secrets, and Chairman Su Wen-Tang discussed topics on the challenges and best practices for protecting trade secrets within a business. The hope is that companies can enhance their trade secrets protection, as well as help investigators better understand the condition and status of the industry.

4. Ministry of Justice

- (1) To provide prosecutors and investigators with more trade secrets training, the MOJ Academy for the Judiciary held the 2022 Professional Certification Course in Trade Secrets Law Basics for Judicial Professionals from October 18 to 22. A total of 22 participants passed the course and was awarded trade secret basic certificates from the Ministry of Justice.
- (2) The Investigation Bureau 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 34 seminars from October to December in various industrial districts, important industrial and commercial organizations, and corporate groups. The seminars reminded enterprises to pay greater attention to the protection of trade secrets by sharing actual case studies. A total of 70 businesses and 3,475 participants were in attendance.

5. The Customs Administration

- (1) The Customs Administration, ministry of finance held 4 seminars on counterfeit product identification for the Taipei, Taichung, and Kaohsiung Customs between December 13 and 16 to impart professional knowledge for customs inspections.
- (2) In order to strengthen the promotion of intellectual property border measures and laws, the Taichung Customs held the Seminar for Customs Brokers on October 14 and December 28. The Kaohsiung Customs held the Joint Seminar for Customs Brokerage, Transportation, Warehousing and Container Terminal Industries on December 1. The Taichung Customs held the Joint Seminar for Customs Brokerage, Transportation,

warehousing and Container Terminal Industries on December 6.

6. Council of Indigenous Peoples

The Council of Indigenous Peoples held a Promotion Seminar for Application and Examination of Indigenous Peoples' Traditional Intellectual Creations at the Pingtung County Wutai Township Office and the Miaoli County Walo Tribe Development Association on December 15 and 30 respectively. The seminars provided attendees with a better understanding of how to protect traditional intellectual creations and are the cornerstone to promote the protection of the traditional intellectual creations for indigenous peoples. A total of 50 people attended the seminars.

7. Ministry of Education

The Ministry of Education convened the 2022 Inter-Ministry Advisory Group Meeting of the Ministry of Education on Campus Protection of Intellectual Property Rights on December 26. Attendees included experts, school administrators, student representatives, government representatives, and rights owner groups. The group will continue with the following items in the future:

- (1) Advise against students downloading unauthorized and illegal digital copies of books.
Promote the use of original and copyrighted books (including second hand books) in the classroom to prevent copyright infringement.
- (2) Promote the use of the campus copyrights section of TIPO's website. Ask schools to promote the use of "reasonable technological measures" during remote classes to students and teachers. Possible methods include sending emails via school-wide email notifications or during various meetings.
- (3) Continue to supervise schools in clearing old teaching materials from third-party copyrights holders (publishers) from online teaching platforms. Ensure that all uploaded materials abide by copyright laws.

8. TIPO

(1) Intellectual Property Advocacy Seminars

TIPO's 2022 IPR Protection Service Group provides free seminars on topics of interest (patents, trademarks, copyrights, and trade secrets, etc.) to businesses, non-government groups, and schools. Between October and December, TIPO held a total of 41 seminars, including 22 sessions for schools, 19 sessions for businesses and non-government organizations. The seminars were attended by 2,175 people.

A survey afterwards showed that over 90% of the participants agreed that the seminars improved their understanding of copyrights. 80% understood that videos or photos posted by friends on social media set to "public" cannot be downloaded and used without permission. Over 70% of participants understood that copyright laws protect creations, meaning that the copyrights holder obtains copyrights immediately upon completing the creation, and their subsequent rights are protected by the Copyright Act. Copyright holders do not need to apply to or register with a government authority.

(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. 53 sessions were held from October to December, and there were 5,228 student participants in total.

A post-session survey found that over 90% of students knew that they were not allowed to repost photos from other persons online. Over 70% of students knew that they must obtain permission from the copyright holder of any background music they would like to use for their YouTube videos. And over 90% of students knew that the period of copyrights protection lasts for the copyright holder's life plus 50 years.

(3) Internet Copyrights Promotion Campaign

In order to rapidly promote information via online channels and as of the end of December, TIPO's Facebook page "Original Creation x I Support You" has made 174 posts on various topics including copyrights information and current events. The page has over 48,190 followers. Two sweepstakes events were held in October and November to promote the reasonable use of copyrights for non-profit events, as well as promotion of the use of resources on TIPO's copyrights website. 3,900 people attended the events, which were conducted via simple QA sessions. The *Exclusive Copyright x I Support Originals* Podcast Channel has uploaded 4 programs between October and December, and has been listened to for over 52,000 times.

(4) Seminar on Common Copyrights QA for Government Institutions

The seminar was held online on October 5 to provide government employees with a better understanding of copyrights. The goal is that with better understanding, they can set rules appropriate for their individual agencies regarding copyright usage and avoid potential copyright-related disputes. The seminar was attended by 125 participants, with 96.4% of attendees reporting satisfaction with the event – demonstrating that the event was a success.

(5) Branding Taiwan Project Consulting Service

TIPO provided 7 businesses with consultation services for the protection of branding, helping businesses assess their own brands and with IPR questions.

(6) 2022 Trade Secrets Protection Enhancement Seminars for Businesses

To assist businesses in establishing comprehensive mechanisms for trade secrets protection, TIPO has collaborated with the Taiwan Association for Trade Secrets Protection (TTSP), the NSTC Central Taiwan Science Park Bureau, the MOEA Export Processing Zone Administration, and the MOI NPA Second Special Police Corps to hold 3 sessions of the Trade Secrets Protection Enhancement Seminars for Businesses. The

seminars were held on September 16, 23, and October 7 at the Central Taiwan Science Park, New Taipei Industrial Park, and the Kaohsiung Nanzih Technology Industrial Park respectively, with 149 attendees engaging in lively discussions and exchange.

(7) Trade Secrets Protection Seminars for Foundations and Academic Institutions

Collaboration between foundations, academic institutions, and corporations may potentially involve or yield trade secrets. As such, TIPO held the Trade Secrets Protection Seminar for Foundations and the Trade Secrets Protection Seminar for Academic Institutions on September 27 and October 20 respectively.

The seminars covered topics such as the current regulations on trade secrets, real case studies, and trade secrets protection strategies. Participants also asked questions and shared their opinions and experiences during the seminar. The event helped foundations and academic institutions bolster the protection and management of trade secrets.