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## Message from the Director General

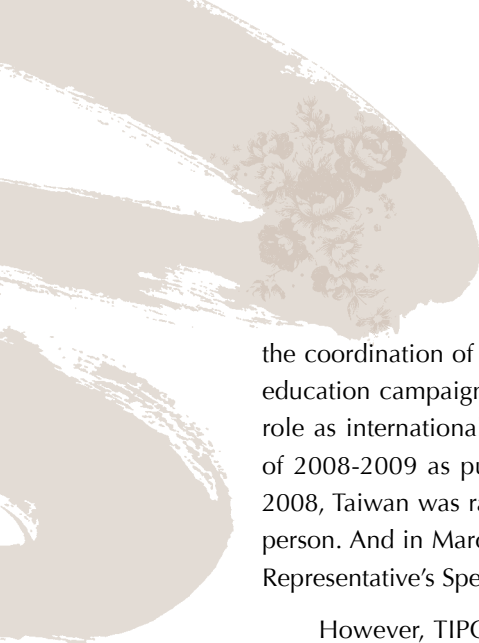
TIPO had a landmark year in 2008 in furthering IP protection and consolidating legal IP framework. The Patent Attorney Act was enacted, and the inaugural Patent Attorney Examinations were held. Advanced professional training programs were also organized. The patent and trademark e-filing system was also launched on August 26, 2008 to formally accept applications and filing fees online. With much anticipation from every sector of society, the Intellectual Property Court also began operations last year with TIPO's hands-on coordination and technical support. While navigating a variety of unforeseen difficulties and challenges, TIPO has made these significant accomplishments with full confidence and determination in nurturing a sound environment for IP protection in Taiwan.

To keep in step with technological advancement and economic development, IP legal framework needs to be frequently updated. Against this backdrop and to reflect the principles of transparency and professionalism, TIPO in 2008 undertook a series of substantial revisions and amendments to laws and regulations governing patent, copyright and trademark as well as copyright intermediary organization. The drafting process of amendments is time-consuming and complicated in nature because it involves the coordination of policy-making and the overhaul of existing IP-related legal frameworks. Therefore the finalization of the draft amendments and their passing through the legislative process is expected in 2009.

TIPO has actively participated in international cooperation and exchange programs through multilateral, bilateral and international workshops to enhance cooperation and exchange programs with its worldwide counterparts. Along these lines, two memoranda of understanding on IP cooperation were concluded with Spain and Australia in 2008. Also last year in conjunction with further relaxation of cross-strait relations, three IP-related forums on patent, trademark and copyright were held in Taiwan and China. This, in turn, has paved the way to help protect the intellectual property rights of Taiwanese manufacturers in China.

To dispel the negative image of Taiwan as a haven for infringement within the international community, TIPO, under the national IP protection policy of Taiwan government, has conducted a variety of IP protection measures in recent years. In 2003, TIPO began implementation of a series of three-year IP action plans. Under these plans, an IP Inter-Agency Coordination Committee was also created to monitor





the coordination of IP protection measures such as IP enforcement planning, the IP education campaigns and judicial remedies. This has also resulted in Taiwan's new role as international base for R&D and innovation. Based on a comparative report of 2008-2009 as published by the World Economic Forum (WEF) on October 8, 2008, Taiwan was ranked highest in the average number of patents owned by each person. And in March 2009, Taiwan was also removed from the United States Trade Representative's Special 301 watch list.

However, TIPO is also faced with challenges in dealing with the increasing number of pending applications for patent examinations. In 2008, there were 83,000 applications with over 146,000 pending cases to be examined, with the average pending period increasing to 31.37 months. If TIPO is not able to adopt measures to shorten these examination times, the incentives for innovation and invention in Taiwan might be negatively impacted, thereby affecting Taiwan's global competitiveness.

To deal with such challenge, TIPO has begun to streamline examination procedures by subcontracting non-core examination operations and requesting more financial support from the central government to increase the number of patent examiners. It is hoped that these issues can be resolved successfully without compromising the quality of existing examinations.

On the eve of its 10<sup>th</sup> anniversary since reorganization in 1999, TIPO's efforts in building a sounder IP regime in Taiwan have been widely recognized. With this vision in mind, TIPO will continue promoting the protection of IP rights in the following areas: timely completion of amendments to laws and regulations governing patents, trademarks, copyrights and copyright intermediary organizations; upgrading efficiency and shortening patent examination timeframes; and sustaining IP enforcement and promoting legal use of copyright works through authorization by fully-fledged copyright intermediary organizations. By fulfilling these objectives, an improved IP protection environment in Taiwan will undoubtedly produce a more stable and conducive arena for both the creation of innovations and the enrichment of social and cultural development in Taiwan.



Director General

Intellectual Property Office, MOEA

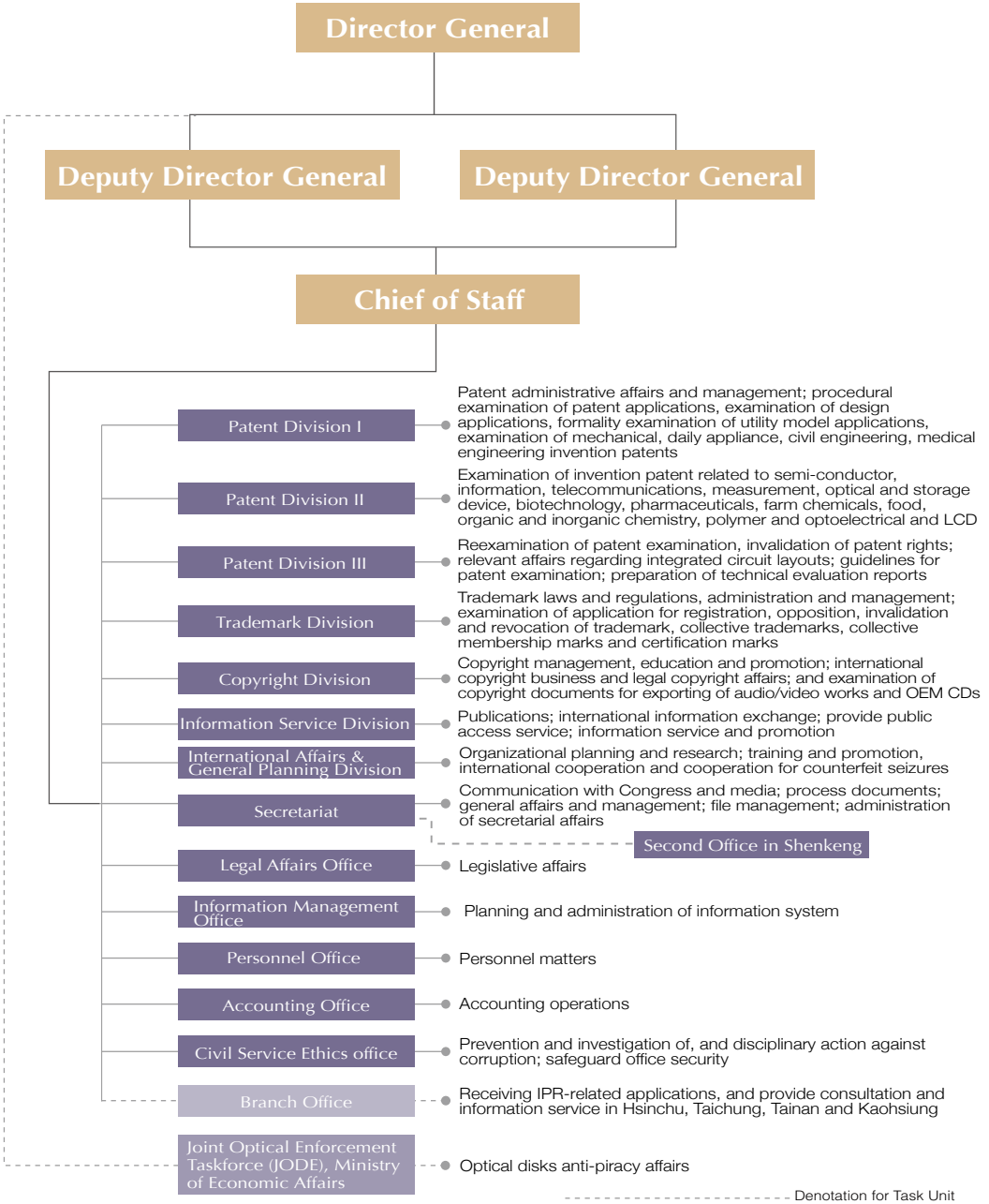
2008

I

# Organization, Budget and Staff



# Organization





## Budget

### 2008 Annual Revenue

Unit: NT\$1,000

Item	Amount	Percentage
Application Fees	2,810,460	99.78%
Properties	109	0.01%
Fines and Indemnities	3,921	0.14%
Others	1,950	0.07%
Total	2,816,440	100.00%

### 2008 Annual Expenditure

Unit: NT\$1,000

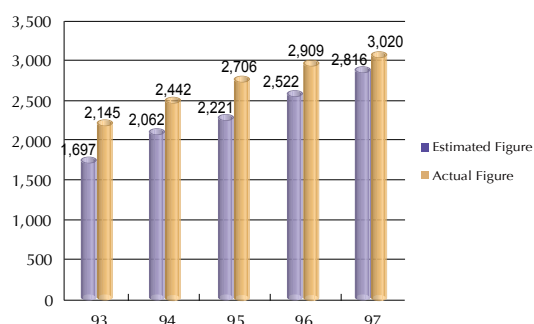
Item	Amount	Percentage
IP training Programs	29,450	2.20%
Digital Conversion Project of TW Patent Documents	38,542	2.89%
General administration	837,477	62.69%
Planning, training, awareness campaigns, and international cooperation	57,582	4.31%
Patent-related administration and examination	124,316	9.31%
Trademark-related administration and examination	12,253	0.92%
Copyright and trade secret administration	19,016	1.42%
IP data processing and services	131,219	9.82%
Anti-counterfeiting	44,584	3.34%
TIPOnet Project	38,589	2.89%
Primary reserve fund	2,850	0.21%
Total	1,335,878	100.00%

### TIPO Annual Budget, 2004-2008

Annual Budget – Revenue

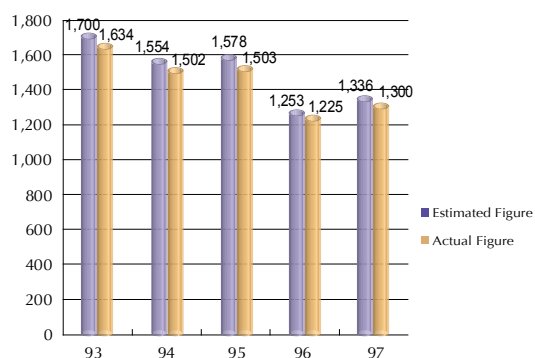
Unit: NT\$ Million

Year	Estimated Figure	Actual Figure
2004	1,697	2,145
2005	2,062	2,442
2006	2,221	2,706
2007	2,522	2,909
2008	2,816	3,020



### Annual Budget – Expenditure Unit: NT\$ Million

Year	Estimated Figure	Actual Figure
2004	1,700	1,634
2005	1,554	1,502
2006	1,578	1,503
2007	1,253	1,225
2008	1,336	1,300

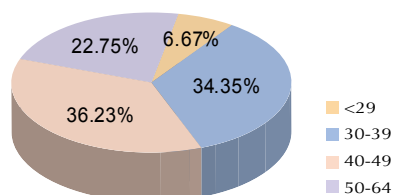


## Human Resources

As of December 31, 2008, TIPO had a total of 690 employees of whom 519 are civil servants and 171 are employees under contract.

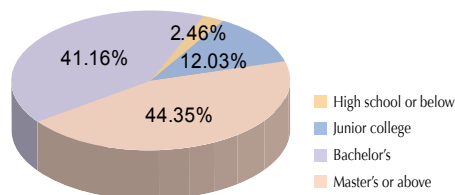
### Breakdown by Age

Age	Person (%)	Compared with 2007
<29	46 (6.67)	0
30-39	237 (34.35)	+17
40-49	250 (36.23)	-25
50-64	157 (22.75)	+22



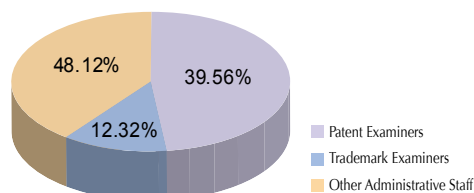
### Breakdown by Level of Education

Level of education	Person (%)	Compared with 2007
High school or below	17 (2.46)	-1
Junior college	83 (12.03)	-1
Bachelor's	306 (44.35)	+9
Master's or above	284 (41.16)	+7



### Allocation of Existing Staff

Category	Number (%)	Compared with 2007
Patent Examiners	273 (39.56)	+16
Trademark Examiners	85 (12.32)	0
Other Administrative Staff	332 (48.12)	-2





2008

II

# Patent Affairs



Exceptional patent examination quality and reasonable examination pendency are both vital to a sound patent system. This system, in turn, is of great significance to the development of a good environment for nurturing technological innovation and sustaining industrial development, and particularly benefits a country's competitiveness in today's era of knowledge-based economy. With this in mind, TIPO in recent years has adopted a number of measures to upgrade examination quality. The benefits of some of these measures were seen by the end of 2008.

Regarding examination pendency, TIPO has spared no effort in training its patent examiners to deal with an increasing number of patent applications. However, serious backlogs have developed over time, causing excessive delays in examination pendency. This is one of the major challenges that TIPO must overcome in the future.

### Quality is TIPO's Top Priority

Facing the increasing backlog and examination pendency delays in 2008, TIPO did its best to implement a number of measures to upgrade examination quality some of which are listed below:

- **Implementation of the Claim-based Examination Process**

Dependent and independent patent claims are the basis to defining the scope of patent rights. Therefore, patent examination procedures will be more adequate and appropriate if they are conducted on a claim-basis. On July 1, 2004, TIPO began requesting examiners to fully conduct prior art research and carry out claim-based examinations. This measure was adopted to coincide with the enactment of the amended Patent Act and to keep in line with international examination practices. In October 2008 TIPO issued Claim-based Examination Guidelines for Invention Patent Applications, which TIPO patent examiners are required to strictly follow.



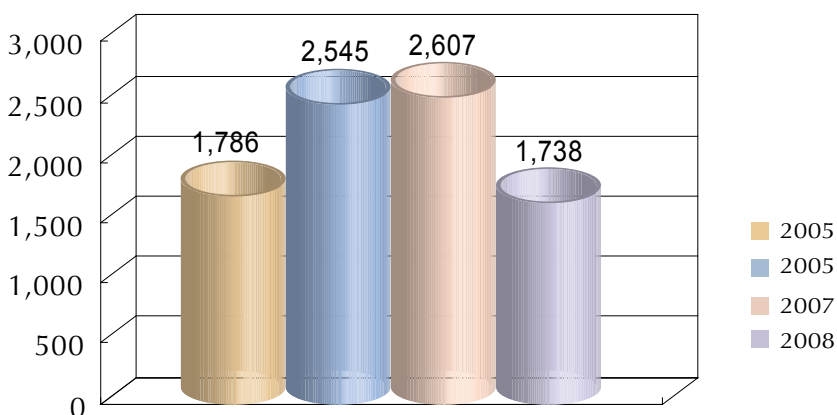
- **Launching Accelerated Examination Program for Invention Patent Applications**

After a thorough study of the practices of other major foreign patent offices, TIPO in 2008 issued the Action Plan to Facilitate Examination for Invention Patent Applications to help facilitate examinations and shorten pending periods for invention patent applications. Under this new program, applicants who submit, along with all other required documents, a corresponding patent from abroad which has already been approved by the patent office of that country, TIPO will, in most cases, send out a notice of examination results no more than six months after receipt of all documents. The one-year trial period will commence on January 1, 2009 and undergo an evaluation after completion.

- **Harmonization of Patent Examination Standard**

To harmonize the examination guidelines used by examiners concerning the drafting of specification and patent claims, TIPO has chosen the public bulletin entitled “Comparative Study Report on Trilateral Project 12.6 requirements for Disclosure and Claims” which was jointly published by the patent authorities in the United States (USPTO), Japan (JPO) and Europe (EPO) for using as the basis for studying the differences in examination

**Statistics of Patent Re-examination Applications**  
2005-2008



guidelines between these three countries. The result of this study will also be used as a basis for revising examination guidelines to remain consistent with required examination practices.

- **Implementation of Advance Notice of Reason for Rejection**

In March 2004, TIPO began issuing advanced notices of reason for rejection, in order to give applicants the opportunity to express their views in detail. This practice has helped upgrade examination quality and has been instrumental to the substantial reduction of re-examination applications.

- **Attachment of Prior Arts Search Report**

To upgrade patent examination quality and fully reflect transparency, TIPO, in January 2007, began requiring the examination notices and approval notices be attached by relevant prior art search report for invention and design patent applications. In doing so, the relationship between claims and any reference quoted in prior art could be established. Equally important, applicants, by way of such a transparent process, will be able to understand the basis of patentability, thus enabling them to judge whether their patent applications are in a position to be granted or to prepare rationale for further examination process.

- **Fully Accept Island-wide Interview Requests**

Patent applications are technologically complicated in nature. Through the interview process, open communications would be conducted among inventors, applicants and patent examiners. This process will also be instrumental to increase the accuracy of patent examination decisions. For the applicant's convenience, TIPO has set up remote conference facilities to conduct interviews with applicants in other cities such as Hsinchu, Taichung, Tainan and Kaohsiung. In principle, any requests for interviews are accepted. 520 interviews were held in 2008.

- **Reclassification of Published Patent Documents**

More than 466,000 pieces of patent documents published between 1990 and 2006 were reclassified according to latest edition (8th) of International Patent Classification (IPC). Patent examiners and the general



public will be able to access and conduct patent search at IPC data bases with the same IPC number at those in the United States, Japan and Europe.

- **Extension of Specified Response Period for Examination Notice for Foreign Patent Applications**

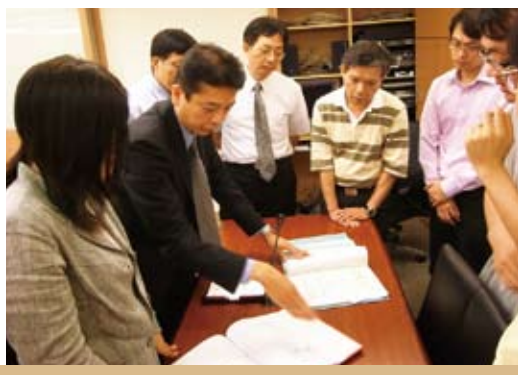
Beginning from January 1, 2008, the specified response period was extended from 60 to 90 days for foreign invention patent applications. However, only one-time extension is permitted.

- **Recruitment of Patent Examiners and Training**

Given the budget restraint, TIPO is not able to increase a large number of patent examiners at once. However, to deal with the increasing examination workload, 44 additional patent examiners were recruited in 2008. TIPO has developed a training manual which covers the examination guidelines and practices to be used as pre-employment training material to help newly recruits familiarize themselves with the Patent Act and its implementation rules and regulations, patent classification, prior art search and examination procedures. 22 patent examiners received the pre-employment training courses in 2008.

There are also advanced on-job training programs to equip patent examiner with the capacity in preparing examination decision. Workshops were also held to keep them up-to-date on the latest development in

examination practices widely adopted by foreign patent offices. TIPO also dispatched examiners to participate in patent examination seminar held overseas. TIPO invited foreign senior patent examiners to visit TIPO to share their working experiences in patent examination.



JPO's examiner exchanged views with TIPO Patent examiners

## Timely Amendment to Patent Act

The Patent Act, as amended, was promulgated on February 6, 2003 and enacted on July 1, 2004. Given the dynamic environment in intellectual property and in compliance with the latest information technology advancement, TIPO has regularly studied the necessity, by incorporating the public comments, to develop a draft amendment as highlighted below to the Patent Act in force:

### • Harmonization with International Patent Examination Norms

- A. Extension of the deadline for resubmission of documents for priority claims: The deadline will be extended from the current 4 months from the date of filing to 16 months since the date of first filing at foreign patent office. If amended, the sooner the priority claim is filed, the longer period the foreign applicants may enjoy to submit relevant documents claiming priority rights for their patent applications before TIPO. This amendment would bring convenience to foreign applicants.
- B. Introduction of reinstatement of patent rights: All applicants are allowed to claim reinstatement of patent rights for priority right claim, payment of patent certificate fee and patent annuities, except those who willingly or intentionally ignore the deadline for the above matters.
- C. Addition of grace period for novelty of invention claims: Applicant may claim novelty step for his/her patent application even if she/he under her/his free will has previously published patent-related papers. Also any R&D professional will not be deprived of eligibility for patent applications if he/she publishes the patent-related papers beforehand. As part of amendments, a grace period has also been extended to those claiming inventive steps; claiming grace period is no longer used as references for lack of inventive steps.
- D. By referring to the Ministerial Declaration of Doha Round and to the decision adopted by the General Council of the World Trade Organization (WTO), TIPO will properly incorporate the compulsory licensing clause into its Patent Act. If amended, it would allow pharmaceutical manufacturers in Taiwan to produce and export medicines to help countries with insufficient or nonexistent

manufacturing capacities in the pharmaceutical sector to treat HIV/AIDS, tuberculosis, malaria and other epidemics. The Legislative Yuan ratified the protocol relating to the “Decision to Amend TRIPS” (Article 31bis of Trade-Related Intellectual Property, TRIP) on May 23, 2008.

### • **To Meet with Industrial Development Requirements**

In order to meet with industrial development, TIPO has adopted significant steps below to extend the scope of statutory of subject matters.

- A. Patent protection for animals and plants: Acceptance of patent applications of genetically modified plants and animals.
- B. Stipulate the scope of patent term extension for pharmaceuticals: Applicable only to active ingredients and indication as specified in the market approval.
- C. Non-commercial private act does not enjoy the legal effect of patent rights.
- D. Stipulate research and test exemption: To facilitate research for generic pharmaceuticals, patents rights do not apply to research and test aimed to seek regulatory approval of a drug in accordance with Pharmaceutical Affairs Act.
- E. Stipulate the adoption of international exhaustion principle to allow parallel importation of patented product.
- F. Enlarging the scope of industrial designs application to those relating to icons, GUI, portion design and set of articles; addition of derived design patent and associated design patent abolished.

### • **In Response to Requests from Various Quarters**

- A. Revision related to compulsory licensing:
  - a. Change in Chinese terminology for compulsory license.
  - b. Specifying the clauses “unable to reach an agreement with reasonable commercial terms and within reasonable time” as a prerequisite and not a reason.
  - c. Compulsory licensing can be applied once conduct of violation of anti-competition is issued by the Fair Trade Commission, without awaiting final disposition.

- d. Clarify the administrative procedures of compulsory licensing and the monitoring mechanism after issuance of a compulsory license.
- B. Several revisions to deal with patent infringements have been made including subjective components, types, scope of damage claims and labeling of patent number. Addition of provision on indirect infringement is also under consideration.
- C. Clarify the requirements for filing patents with using foreign language documents. Acceptable foreign language documents will be explicitly defined. Provision for correcting mistranslation will be added.
- D. Division of a patent application is allowed after the approval of examination.

#### • In Response to Examination and Practice Needs

The following measures are taken to meet the practical needs during the examination process:

- A. Clarify the terms and deadline for revising patent specification or figures;
- B. Revision of provisions governing utility models including the addition of reasons for not granting utility model patent, technical evaluation report for utility models, and the amendment of utility model claims;
- C. Revision of the regulations governing invalidation, including invalidation action can be initiated against each claim, revocation of one or several claims is allowed. Patent authority may combine several invalidation actions into one examination procedure and decision.

### Amendments to Implementation Rules of Patent Act

To be in line with the launching of patent e-filing, TIPO has duly revised the Implementation Rules of Patent Act and the guideline for charging application fees. The Patent E-filing Implementation Rules were enacted on May 8, 2008, thus enabling the launching of e-filings on August 26, 2008; TIPO also amended patent rules and regulations on August 19, 2008 to further simplify the e-filing application forms. On September 4, 2008, TIPO issued the guidelines for e-filing fees. TIPO also provides an incentive for

applications filed through e-filing with a reduction of NT\$600 per application. On January 12, 2008, TIPO promulgated a regulation governing the fees to be charged for issuing the certificate of patent attorneys.

## Revision of Guidelines Governing Patent Examination

- **Addition of the Examination Guidelines for Chinese Herbal Inventions**

To meet with R&D advancement and its applications in Chinese herbs and with the national Chinese herbal development agenda, the Examination Guidelines for Chinese Herbal Inventions, the first such in the world, was promulgated on January 17, 2008. Under this guideline, examination in Chinese herbs invention will be conducted in a consistent manner.

To reflect the latest development in computer software in recent years and the revision of patent rules in 2001, 2003 and 2004, the Examination Guidelines for Computer-related Inventions was revised, and also promulgated on May 20, 2008 to enlarge the scope of protection of software invention patent, and stipulate the means plus function claims.

## Patent Attorney Examination and Professional Training Programs

The Patent Attorney Act was enacted on January 11, 2008. There are two ways to become a certified patent attorney. The first option is to

take a national-level patent attorney examination; 37 people passed the above examination in 2008. After having received pre-employment training and gained membership with the Patent Attorney Association, then the patent attorney is certified to practice. The second option is in-practice patent agents who meet relevant requirements



Patent attorneys complete on-job training workshop. Center: DG Wang Mei-hua

may participate in on-job professional training programs organized by TIPO to earn their patent attorney certification. In 2008, TIPO held two such training courses. Seventy-seven patent agents completed the courses and received their certification.

## Patent Data Search Services

- TIPO established the patent data search system in 2008 which opened for public access on July 1, 2008. In parallel to this development, TIPO, as of January 2008 launched the domestic digital patent data search services (around 380,000 pieces of patent data) which was also incorporated into the above patent data search system. This patent data search system is not only used by TIPO patent examiners for prior arts search but is also helpful to private sectors in following the latest technological development. This system provides index function using international patent classification and other related services.

- **Establishment of English-translated Patent Data Base**

To facilitate consistency with patent data base overseas and to enhance the exchange of patent data programs, TIPO, beginning in 1993, started translating all Chinese patent data into English. More than 100,000 pieces of documentation including 58,000 works with abstract have been completed in 2008. These data have also been incorporated into the World Patent Index, Chemical Abstracts Service and International Patent Index.

- **Establishment of Chinese-English Technical Patent Glossary**

In recent years, the patent authorities in Japan, Korea and China have provided automatic translation services for patent documents. In consideration of this development, TIPO also started a pilot project called "Patent Documents Automatic Translation and Certification Program" in 2008. TIPO also launched the Chinese-English Technical Patent Glossary which contains 1,810, 000 terminologies in December 2008. This database is designed to support the operating ability and precision of the project and has received positive feedback from users. In the future, TIPO will continue to enrich the database to include terms in nanotechnology and medicine.

## Technical Assistance to IP Court

The Intellectual Property Court under the Judicial Yuan was inaugurated on July 1, 2008. To help judges investigate IP litigation in a comprehensive and professional way, patent examiners are housed at the IP Court to provide assistance on cases involving technical matters.

The position for technical examiners is critical to the litigation of IP cases. After having held an inter-agency meeting among Judicial Yuan, Department of Personnel Affairs of Executive Yuan and Intellectual Property Office of the Ministry of Economic Affairs, it was decided that some patent examiners at TIPO will be transferred to the IP Court to act as interim technical examiners.

There are 9 patent examiners transferred to IP Court to act as technical examiner in the litigation process, out of which 5 have background in machinery, 2 in electronic and semi-conductor, 1 in chemistry and another 1 in bio-tech and medicine.

## Innovation and Creation

### • Sponsor Taipei Technomart to Promote Business Opportunities

Since 2005, TIPO has worked in partnership with Taiwan External Trade Development Council (TAITRA) to host the annual Taipei International Invention Show and Technomart for patented and commercialized products. Taipei International Invention Show and Technomart 2008 were held from September 25-28, 2008. Six hundred forty one inventors from 19 countries participated in the exhibition. More importantly, 178 multi-national and academic/research institutes displayed their newly-developed products. The exhibition has become one of the leading technological-oriented shows in Asia.

To encourage R&D in creation and innovation, there was a “National Invention and Creation Award Ceremony” which took place during the exhibition. Out of 795 entries, 118 were awarded golden medals, 118 silver medals and 159 bronze medals. In parallel to the exhibition, six workshops



were held and 92 business meetings were conducted. Twenty-five contracts were concluded with an estimated amount of US\$ 2.9 million which were followed up by 1993 business opportunities to be negotiated. It is estimated that the accumulated value in trade might reach US\$17 million as a result of such annual event.

- **Sponsorship of National Invention Campaign and Creation Award**

TIPO sponsors a national invention and creation award event annually. Its aim is to identify the best new inventions and advanced technologies in order to sustain public passion towards innovation, invention and creation. In its annual invention award ceremony, Foxconn and HTC, two high-tech Taiwanese IT companies, and Textile Industry Research Institute were awarded for their innovation and invention. At a press conference, a special edition entitled "Introduction of National Invention and Innovation Awardees with their inventions 2008" was released.

## Analysis of Patent Applications

- **Patent Applications**

In 2008, the number of patent applications registered 83, 613, up by 1,779 (or up by 2.17%) as compared to 81,834 in 2007, and the number of invention application is the highest, accounting for 62.08% of all applications. In terms of applicant nationality, the number of domestic applications was 51, 339, while foreign ones was 32,274.

The number of invention applications was 51,909 in 2008. Domestic applications accounted for 23,868 (45.98%) while foreign ones accounted for 28,041(54.02%). The domestic applications for utility model patent registered at 23,195, accounting for 96.84% of all utility model applications.

**Table 1 Patent Applications Statistics**

<b>Year \ Item</b>	<b>Invention</b>	<b>Utility Model</b>	<b>Design</b>	<b>Total</b>	
Applications in 2008	51,909	23,953	7,751	83,613	
Percent to total	62.08	28.65	9.27	100.00	
Applications in 2007	51,676	22,715	7,443	81,834	
Percentage change	0.45	5.45	4.14	2.17	
ROC nationals in 2008	23,868	23,195	4,276	51,339	
Percent to total	28.55	27.74	5.11	61.40	
ROC nationals in 2007	23,330	22,214	4,051	49,595	
Percentage change	2.31	4.42	5.55	3.52	
Foreign nationals in 2008	28,041	758	3,475	32,274	
Percent to total	33.54	0.91	4.15	38.60	
Foreign nationals in 2007	28,346	501	3,392	32,239	
Percentage change	-1.08	51.30	2.45	0.11	

**Table 2 Certificates Issuances Statistics**

<b>Nationality \ Item</b>	<b>Invention</b>	<b>Utility Model</b>	<b>Design</b>	<b>Total</b>	
Total in 2008	12,867	23,411	6,005	42,283	
Percent to total	30.43	55.37	14.20	100.00	
ROC nationals	6,364	22,823	3,177	32,364	
Percent to total	15.05	53.98	7.51	76.54	
Foreign nationals	6,503	588	2,828	9,919	
Percent to total	15.38	1.39	6.69	23.46	

## • Issuance of Patent Certificates

The number of patent certificates issued in 2008 was 42,283 wherein 12,867 were for invention patents, 23,411 were for utility model patents and 6,005 were for design patents. By nationality, ROC nationals made up 32,364 with utility models reaching 70.52% of the domestic certificates issued; foreign nationals made up 9,919, about 65% was invention patents.

## • Re-examination

There were 1,537 re-examination applications in 2008, down by 777 as compared to 2,314 in 2007. This is due to the following: (1) a decrease in the willingness to file a request for re-examination. In 2008, the ratio for re-examination was 35.99% as compared to 51.78% in 2007, a reduction of 15.79%; (2) TIPO widely accepted requests for interview so as to provide applicants with more opportunities to express their views, thus being able to further narrow down applicants' misunderstandings toward the result of patent examination.

## • Invalidation

The number of invalidations filed has decreased in recent years. Any individual can initiate invalidation applications action before TIPO if they find the approval of patent rights is not in line with Patent Act. The total number of invalidations actions in 2008 was 1,034, a reduction of 125 as compared to 1,159 in 2007. The drop in invalidation actions is that as of July 1, 2004, formality examinations have replaced substantial examination for utility model patent applications, and technical evaluation reports for utility model are requested when exercising patent rights. Thus utility model patent owners refrain themselves from enforcing patent right. Consequently invalidation actions against utility model patent filed by third party lowered heavily.

Aside from the percentage of invalidation actions against invention patent was lower than 2%, more than 55% of the invalidation actions were denied after examination in last 5 year.

- **Administrative Remedy**

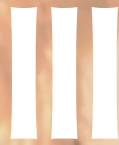
The number of appeals filed against the decision for rejection or re-examination and invalidation is less than 1000 each year since 2006. The total number of appeals in 2008 was 531, a reduction of over 50% as compared to 1,242 in 2004. This is substantially due to the improvement in quality of patent examination.

- **Formality Examination for Utility Model Patent Applications and Technical Report**

In 2008, examination of 25,114 utility model patent applications was completed, up by 3,696 (or up by 17.26%) as compared to 21,418 in 2007. On average, first action pendency was within 4 months after applications were filed. 2,650 utility model technical reports were requested in 2008, and 2,658 reports were conducted. 10,443 requests for utility model technical reports have been received, since the formal examination was conducted on utility model patent applications in 2004. About 9.7% of granted utility model patents were requested for technical report, 88.51% of which was applied by patent rights holders, mainly focusing on machinery and daily necessities technical fields.

The background of the entire page is a close-up photograph of a thick, braided rope, likely made of natural fibers, tied in a knot. The rope is a warm, golden-brown color. Overlaid on this image is a white grid pattern consisting of thin lines that divide the page into several rectangular sections. The year '2008' is written in a white, elegant script font in the upper right quadrant.

2008



# Trademark Affairs





單車威風 當禁向前

執行保證 單車威風 當禁向前

頒獎典禮

PR Forces of Awad Ceremony

導辦：經濟部 單車  
：內政部 單車  
：財務部 單車

To sustain the ongoing efforts for the continuous development of a more comprehensive and sound trademark protection environment, as well as to offer greater convenience to the public at the same time, TIPO adopted seven performance goals supported by 20 implementing measures in 2008. The goals mainly cover the following areas: expediting trademark examination, improving trademark examination quality and relevant legislation, furthering services to the public, improving training programs and enhancing international harmonization. The tangible result has been achieved in the following areas:

### Upgrading the Efficiency and Quality of Trademark Examination

To upgrade the efficiency and quality of trademark examination, the working group on the improvement of trademark examination quality continues to review examination criteria, process and quality. Furthermore, the working group monitors examiners to manage and trace the examination process. In this way, the pending number of applications would be reduced.

Base on the annual target number of examination cases, the working group sets up monthly estimated quota, and adjusts this quota every month after considering the actual number of cases examined to manage the working target. Using monitoring, encouragement, managing and assessing mechanism of trademark examinations, the working group actively looks into the long-pending applications and helps examiners conclude cases and reduce backlog.

The average time of first action period has been reduced from 8.48 months in 2007 to 7.43 months in 2008, with a 12.38% curtailment.

TIPO, beginning from April 2007, started an examination quality review system by reviewing the designated goods and services of the trademark applications for registration before the examination process



is finished. 20,000 applications were checked from April to December 2007 and the correct rate reached 97.43%; 35,000 applications were checked in 2008 and the correct rate was 99.52%. The correctness of the examination results increase obviously.

TIPO also established a pre-examination preview system of trademark applications. This system can gather similar and special cases together, remind and urge the examiners to discuss together and make the decisions uniformly. Through such preview process, 7,235 unique or related applications were identified; 1,128 inconsistent figurative element classification analysis data were harmonized in 2008.

To help trademark examiners accelerate examination process and improve examination quality, trademark search database such as “repeating pattern trademark” and “pocket/position trademark” were completed in 2008. TIPO, after referring to the international trademark classification database and business practices, adjusted 326 terms of goods and services in 2008.

### **Active Promotion to Amend Trademark Act**

To harmonize its trademark application proceeding with international norms, protection for trademark rights, combat trademark infringement effectively, as well as fully implement the national policy to provide protection for the terms of well-known places of origin, TIPO, beginning from 2007, started to draft amendments to Trademark Act.

In connection with the drafting work, four public hearings, two panel discussions among trademark experts and scholars, one inter-agency meeting and two meetings of Trademark Quality Consultation Committee were held in 2008.

TIPO has also referred to trademark practices and internationally-recognized trademark laws and regulations as contained in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), Paris Convention and Singapore Treaty on the Law of Trademark. The highlights are as below:


- Extending the scope of protected subjects to cover any distinctive sign to be registered as a trademark.
- To comply with Singapore Treaty on the Law of Trademark, adding clauses regulating remedy measures for trademark owners who unintentionally fail to pay registration fees before deadline.
- Fully implementing the protection for the terms of well-known place of origin by amending the provisions on certification marks and collective trademarks.
- Specifying the types of trademark infringements and formulating the prohibition of contributory infringements.
- Enhancing rules governing border measures to prevent infringing goods from circulating into the market.

These amendments are scheduled to be submitted for review at the Ministry of Economic Affairs in 2009.

## Formulating and Amending Trademark Examination Guidelines and Relevant Rules and Regulations

To meet with practical needs, TIPO has completed the draft “Examination Guidelines on Retail Services” which are the basis for trademark applications for registration and examination regarding retail services. The draft guideline has completed public hearing procedure. However, its enactment won’t be in place soon due to the fact that its entry into force is subject to the passage of the amendments on the Regulations of Trademark Fees. It has been posted on the TIPO’s website for reference for all circles.

- To clearly explain the concept of trademark distinctiveness and provide the criteria of trademark distinctiveness on examination in detail, TIPO, on December 31, 2008, promulgated the “Examination Guidelines on Trademark Distinctiveness” to replace the previous edition issued in 2004. The latest edition has wider applicability level and more detailed interpretation than the previous one.

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- To remind and guide trademark owners to use their registered trademarks properly, the “Notice on the Use of Registered Trademark” was amended and promulgated on July 10, 2008.
  - In conjunction with the enactment of “The Trademark E-filing Implementation Rules,” TIPO revised Articles 2 and 8 of the Regulations of Trademark Fees to provide fees reduction incentives to applicants who file online.

### **Legal Remedies to Be Provided to Trademark Rights Owners on Well-known Trademarks and Trade Dress**

To address the concerns expressed by foreign trade communities in Taiwan, TIPO sponsored a workshop entitled “Legal Remedies on Well-known Trademarks and Trade Dress.” Representatives from European Union, American Institute in Taiwan, Interchange Association, Taipei Office from Japan, European Chamber of Commerce, American Chamber of Commerce and Japanese Chamber of Commerce, Judicial Yuan, Ministry of Justice, Fair Trade Commission and Commerce Department of the Ministry of Economic Affairs were present for the workshop. The issues on the

agenda for discussion included “Possible Types of Well-known Trademarks Infringements,” “Remedies on Cases Involving Counterfeited Well-known Trademarks and Trade Dress” and “Principles for Competent Authorities when Receiving Complaints.”

## **Completion of 9th Edition of International Classification of Goods and Services in Traditional and Simplified Chinese Languages and English-Chinese Bilingual Index**

Given increasing cross-strait interflows and international interactions for Taiwan trade communities, TIPO completed the 9th edition of International Classification of Goods and Services (Nice Classification) in traditional and simplified Chinese language and English-Chinese Bilingual Index with search function. The edition was promulgated on October 6, 2008 on TIPO's website for access by trademark agents, applicants and trademark examiners.

## **Analysis of Trademark Cases**

### **• Applications**

In 2008, the number of trademark applications by case was 59,568, down by 1,886 (around 3.07%) as compared to 2007. The number of domestic applications was 45,876, accounting for 76.31%, while foreign ones was 14,244, accounting for 23.69%. In terms of applications by class, the number was 75,033, down by 1,299 as compared to 2007.

### **• Registrations**

In 2008, the number of published registrations by case was 49,500, down by 1,826 (around 3.56%) as compared to 2007; domestic registrations were 37,220 while foreign ones were 12,280. Domestic registrations accounted for 75.19% of all registrations and foreign ones accounted for 24.81%. In terms of published registrations by class, the number was 61,238, down by 989 as compared to 2007.

## • Other Cases

In 2008, TIPO disposed 23,192 cases with respect to the following areas: trademark alteration assignment, licensing, pledging issuance of trademark certificate in English and re-issuance of certificate. 529 cases of trademark counterfeits were investigated, and 102 cases on trademark infringements were assessed. 28,729 cases of trademark renewal and 1,988 cases regarding opposition, invalidation and revocation were handled.

**Table 1 Statistics of Trademark Applications and Registration 2007-2008**

Year	Item & No.	Application		Registration	
		By case	By class	By case	By class
2008		59,568	75,033	49,500	61,238
2007		61,454	76,332	51,326	62,227
Percent change compared to 2007		-3.07	-1.7	-3.56	-1.59

**Table 2 Application of ROC Nationals and Foreigners**

Year	Item & No.	Residents		Non-residents	
		Application	Registration	Application	Registration
2008		45,876	37,220	14,244	12,280
Percentage		76.31	75.19	23.69	24.81
2007		47,371	39,167	14,740	12,159
Percentage change compared to 2007		-3.16	-4.97	-3.36	1.00

2008

IV

# Copyright Affairs

Copyright is very relevant to daily life. A sound environment for copyright protection is also critical to national, cultural and social development as well as to further creative innovations. It is also an indicator of a nation's competitiveness. In recent years, copyright has become the issue of focus within the international community partially due to the rise of cyberspace technology and the impact of globalization.

To be aligned with advancements in Internet technology and to nurture a protective environment for copyright use, TIPO promoted a bill to govern limited liability on Internet service providers (ISP) and to amend rules governing the Copyright Intermediary Organization Act (CIOA) in hopes of achieving positive outcomes for both copyright owners and users. This will enable the development of a mechanism for managing collective licensing which may fully reflect supply and demand in the copyright licensing market.

## Developing A Comprehensive Copyright Legal Framework

### • **Amendment to Copyright Intermediary Organization Act**

Copyright intermediary organizations are the most effective channels of communication between copyright owners and users. There are seven such organizations in Taiwan managing copyright licensing in the areas of music, video, sound recording and literary works. They play an indispensable role in balancing demand and supply of the copyright licensing market.

Due to practical problems that have surfaced which require further review since the promulgation of the Copyright Intermediary Organization Act on November 5, 1997, TIPO has made partial amendments to the Act in 2008 which are highlighted below:

A. The title of the Act has been changed from Copyright Intermediary



- Organization Act to Copyright Collective Management Organization Act. This serves to differentiate copyright intermediaries from brokers.
- B. Revising the definition of “Copyright Collective Management Organizations (CMOs)” and “Copyright Collective Management Services.” Also, allowing different category of works to be managed in one CMO.
  - C. Addition of stricter terms and conditions to establish new CMO so that the number of to-be-established CMOs can be controlled.
  - D. Addition of royalty rate parameters to be used as a reference for calculating the rate of royalty by the CMO. Changes made to royalty rates no longer require pre-approval, the competent authority will only examine the royalty rate when dispute arises.
  - E. Revising the methods of supplying information of CMO’s repertoire and the obligation to prepare the information list to solve practical problems.
  - F. Amending the rights and obligations of retired members of the CMO to maintain an orderly licensing market. In addition, any members, once withdrawing their membership from such an organization, will be granted rights to claim their royalty licensing fees.

Once the Legislative Yuan adopts the amendments, the copyright collective management system will be run in a more orderly manner. It will also protect the rights of copyright owners and facilitate copyright users to obtain license.

### • Promotion of ISP Liability Bill

Increasingly rampant Internet infringements have severely impacted the protection of copyright in recent years. These infringement activities, which appear in a variety of ways on the Internet, rely on services provided by Internet service providers (ISP) to operate. To target this worsening problem and to provide incentives that would benefit both ISP and copyright owners, TIPO has proposed an amendment to the

Copyright Act (“ISP Liability Bill”) after having reviewed many safe-harbor practices adopted by many other countries. The draft of this bill completed its third reading at the Legislative Yuan on April 21, 2009 and, with the promulgation by the Presidential Office, is expected to be a deterrent against copyright infringing activities on the Internet.

The passage of this bill will create a three-win result for rights holders, Internet service providers and users. In this way, a more comprehensive Internet protection environment will be created, thereby adequately redressing the problems brought on by Internet copyright infringements.

The highlights of the bill are described below :

#### **A. For Copyright Owners:**

In dealing with copyright infringements, the copyright owners may claim their rights via judiciary proceedings, or they may follow the provisions in this ISP bill and notify the service provider to remove the infringing content or information (so called “notice-and-take down”). This would stop further damage from spreading and protect their legitimate rights in a quick and efficient manner. When a web user uses P2P to engage in infringement activities, the copyright owner may, via the service provider, send a “warning” to the IP address of that user as a reminder to refrain from infringement activities.

#### **B. For Service Providers:**

Service providers who act in accordance with the procedure stipulated in this ISP bill may be exempted both from civil liability (joint tortfeasance) for alleged infringement to copyright owner and contractual liability to that alleged user. This form of liability exemption is generally referred to as “safe-harbor.”

To take advantage of the “safe-harbor,” service providers must, prior to providing their services, clearly inform users of the copyright protection measures they adopt, and also inform users that partial or complete termination of services would be carried out if they have three repeated alleged infringements.

### C. For Internet users:

Internet users who are guilty of violating copyright by uploading, posting, or using P2P to transmit unauthorized videos, music, or literary works, as well as selling pirated goods over on-line auction site would have their infringing content removed by the service providers. The copyright owner could also send a warning notice to the service provider to be forwarded to the user of the IP address allegedly engaging in infringing activities. Users must be aware that after three repeated warnings, the service provider would terminate services to that user, either partially or in whole.

If a user accidentally violates copyright, this “notice-and-take down” mechanism would also give user an opportunity to correct his/her act and avoid unnecessary lawsuit against him/her. This system has positive educational effect while at the same time helps reduce legal costs and resources.

### Supervision and Technical Assistance to Improve Operations of Copyright Intermediary Organizations

- To assure orderly supply and demand in the copyright licensing market, TIPO held 8 meetings of the Copyright Regulatory and Mediation Board in 2008 to review the royalty rates of CMOs and copyright issues, including the royalty rates for licensing public performances through Karaoke by RPAT, broadcasting of satellite television by MÜST, and secondary use of broadcast by MÜST, MCAT and TMCS, and some copyright issues with respect to merely turning on the radio or TV in public



A meeting which was presided over by DG Wang Meihua was held to exchange views with representatives from copyright intermediary organizations

places, live broadcasts of the games of Major League Baseball by FTV, chess playbook, digital set-top box, and library.

- TIPO held five coordination meetings in 2008 to provide representatives of copyright intermediary organizations to exchange views on some technical issues with respect to copyright licensing practice and calculation of royalty rates, and the review of financial statements. TIPO also held three coordination meetings to gather information from copyright users and copyright intermediary organizations for the examination of royalty rates. On August 14, 2008, TIPO organized a workshop entitled “Copyright Licensing by Copyright Intermediary Organizations – A Practical Approach.” Representatives from intermediary organizations, academic circles, the hotel management sector, and television/radio broadcasting stations were invited to attend. Five issues closely related to the policy of collective management and practices of copyright intermediary organizations were discussed. It was suggested that the management of copyright licensing be harmonized and operated through a one-stop service.

## Coordination on Copyright Licensing

The mass media in modern times has led to wide-spread distribution of literary, music and artistic works. Under such circumstances, copyright owners and users have disputes over the licensing arrangements. As the competent authority, TIPO has every responsibility to mediate these disputes in a candid and fair manner.



A licensing agreement was concluded between the Police Radio Station and MUST, witnessed by DG Wang Mei-hua

- In 2008, TIPO successfully mediated the dispute between MUST and Police Radio Stations over the basis for calculating royalty rate. On November 6, 2008, representatives from these two entities came to an agreement on the royalty rate for music works broadcast by Police Radio Station.

- TIPO also maintained regular communications with copyright users such as associations of hospitals, tour buses and hotels to understand problems in licensing arrangements with copyright owners. TIPO, if circumstances require, would take initiatives to mediate with copyright intermediary organizations over the royalty rate to assure licensing market order.
- TIPO called for a meeting to coordinate the royalty rates charged to beauty salons and tourism service providers in which music/video works are used.
- On October 3, 2008, TIPO noticed the Transportation Business Association of copyright-related issues involving playing radio on buses in response to the dispute of bus drivers listening to Police Radio Station on bus.
- Solutions to licensing practice were proposed, including the forming of one-stop service, royalty rates of every CMO, restraining criminal actions initiated by CMOs, information of CMO's repertoire, and collation of using list so as to figure out the market share of every CMO. CMOs and users' representatives from radio/TV station were invited to coordinating meetings in hopes to solve licensing practical issues. In addition, TIPO helped Eastern Broadcasting Co., Ltd coordinates with MÜST over the dispute involving music work licensing.

### Distribution of Copyright-related Information

- To facilitate copyright owners and uses to exchange views on copyright-related issues such as licensing arrangements and other related information, TIPO created a copyright information exchange platform entitled "EZ-Use Network – How to Legally Use Copyrighted Works" on TIPO's website.
- TIPO also published several copyright-related reports in 2008. They are: "Study on the Feasibility of Forming A One-stop Service for Taiwanese Copyright Collective Management Organizations," "Study

Proposal for Licensing System of Video-and-Audio Entertainment Singing Industry,” “U.S. Copyright Laws Studies,” “The Draft of Administrative Regulation for Compliance to Sec. 18 of Digital Content Industry Development Act,” “The Evaluation of Standards of Compensation for Fair Use of Works in Paragraph 4, Article 47 of the Copyright Act.”

- TIPO also published seven copyright-related brochures in 2008. These were distributed to educate the general public about the importance of following copyright rules and regulations: “An Introduction to Copyright Issues Relating to the Use of Audiovisual Works in the Classroom,” “An Introduction to Copyright Issues Regarding the Play of Karaoke Facilities in Community Centers,” “The Legal Use Literary Works in Non-Profit Activities,” “ Q & A on Copyright Issues Relating to Live TV and Radio Broadcast and the Use of Musical Works in Commercial Places,” “Copyright Issues in the Offices of Government Agencies and State-owned Enterprises.” TIPO also published 239 pieces of interpretations on copyright-related issues on its website.

2008

V

# E-filing for Patent and Trademark Applications





TIPO has exerted its best efforts to plan and implement the e-filing programs for patent and trademark applications and the establishment of its supporting service platform in recent years. E-filing services were officially launched on August 26, 2008 to move TIPO to a new milestone in the areas of patent and trademark applications.

The e-filing system consists of 14 sub-service systems. The services cover the following: management of e-filing directories, applicants and agents registration, single entry website, application content editing, filing and acceptance, management of fees, management of application content, e-learning, operations of e-filing service center, notification sending, publication of patent gazettes, integrated patent search and office automation.

## Excellent and Expeditious Services

### • On-line Applications

The system uses editing system to provide integrated patent and trademark drafting environments. Patent and Trademark applicants, both individuals and agents, follow the application format as edited under the system to fill out all the requirements before submitting the applications. The system also adopts PKI which supports certificates of the government public key infrastructure, GPKI and a key certificate issued by TIPO exclusively.



The e-filing service center

### • On-line Notification

The application acceptance system will send an on-line notice back to the applicant once it receives and confirms the applications in its integrity. Each applicant will at the same time receives a confirmation number via email.

### • On-line Payment

The e-filing systems can also accept different kinds of payments ranging from in-person payment, wire transfer from post offices, ATM transfers or on-line wire transfer from applicants' accounts at any financial institutes. To provide incentives for using e-filings, any applications relating to inventions, utility models and industrial designs will enjoy a reduction of NT\$600 each while NT\$300 reduction is given to trademark applications.

### • On-line Inquiry

Applicants can access the patent gazette in addition to the status of their applications and fees as well as the status of the disputes online.

### • Distant Teaching

A virtual tutorial environment has been created at TIPO to guide the general public through the e-filing process as well as IP educational programs.

### • On-line Service Center

TIPO has also set up an e-filing hotline to support the e-filing operations. An online FAQ as well as inquiry message board are available if applicants have any questions on e-filing applications of patent and trademarks.

## Initial Results

Since the implementation of the e-filing system for patent and trademark applications on August 26, 2008, TIPO is seeing only a slow increase in the number of online applicants. Part of the reasons is that applicants are not familiar with the online application procedure, including uncertainty over the verification of natural person or corporate certificate. As of December 31, 2008, the total number of online applications was 1,163, of which trademark applications accounted for 993 while patent 170.

To increase public use of e-filing, TIPO will continue to add more functions to the system and take measures to increase stability and operability of the e-filing system. In addition, TIPO will also provide its staffs in charge of e-filing operations with trainings to ensure smooth operation of the system.



2008

# **VI International Cooperation and Cross-Strait Exchange**

In recent years, Taiwan's manufacturers, with the purpose of globalizing their operations, have been actively looking for overseas marketing opportunities and have invested by building plants in other countries. In view of such dramatic development and to protect the IP rights of Taiwanese enterprises, TIPO has spared no efforts in promoting bilateral and multilateral IP exchange programs overseas in an effort to consolidate its presence before international and regional organizations.

### **Participation in TRIPS Meetings at the World Trade Organization (WTO)**

TIPO continued its participation in TRIPS talks under the WTO Doha Round in 2008. To obtain Taiwan's maximum interests, TIPO officials attended the WTO/TRIPS Council and Special Meetings held in Geneva, Switzerland on the following agenda: extension of geographical indication, establishment of a multilateral system of notification and registration of geographical indication for wines eligible for protection and other issues related to the Convention of Biological Diversity (CBD).

With respect to the amendment to TRIPS (Article 31bis) governing the production and exportation of medicines to help countries with insufficient or nonexistent pharmaceutical manufacturing capacities to treat HIV/AIDS, tuberculosis, malaria and other epidemics, the Legislative

Yuan ratified the protocol relating to the “Decision to Amend TRIPS” (Article 31bis of Trade-Related Intellectual Property, TRIPS) on May 23, 2008. On July 10, 2008, the Presidential Office issued a statement of acceptance to the stated protocol. It was then transmitted to the World Trade Organization through the Permanent Mission of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu to the WTO in Geneva, Switzerland.

Regarding the IP dispute (DS-362) between the United States and China before the Settlement Dispute Body of the WTO for inadequate IP protection in China, Taiwan has requested to participate in this dispute process as a third party. TIPO, as the competent authority on this issue, worked closely with the Office of Trade Negotiations of the Ministry of Economic Affairs to prepare working papers on the protection of Taiwan's rights and interests.

### **Attending Meetings of Intellectual Property Expert Group (IPEG) Under APEC Framework**

In line with the drastic developmental trend in international IP-related issues, APEC/IPEG has diversified its IP-related agenda accordingly. In 2008, TIPO continued to participate for IPEG meetings and made proposals regarding some IP-related issues and contributed in filling out the questionnaires listed below. TIPO hopes that an environment for comprehensive IP protection will be developed in Asia through close interactions at IPEG.

- Questionnaire on the preliminary report on copyright exceptions and limitations;
- Questionnaire on untraditional trademarks;
- Questionnaire on the protection of traditional knowledge and obtaining of Sui Genesis by APEC members;
- Cooperation in patent examination;
- Establishment of an enforcement database.



## Establishment of IP Consultation Channels with Other Countries

To closely follow the development in intellectual property and to provide nationals and foreigners the same level of IP protection, TIPO has established a communication platform for holding regular bilateral IP talks with the United States, Japan and the European Union. TIPO also maintains an excellent working relationship with the American Chamber of Commerce and the European Chamber of Commerce in Taiwan and has provided feedback to the IP comments as contained in the White Papers published annually by the foreign chambers of commerce in Taiwan. TIPO announces the latest developments in IP protection on its website ([www.tipo.gov.tw](http://www.tipo.gov.tw)) through press releases, and the IP quarterly report and e-news letter.

### • IP Relationship between Taiwan and the United States

During the video conferences held under TIFA's framework, the United States and Taiwan have exchanged IP-related issues such as on-campus IP protection, the status of ISP bill and the establishment of the Intellectual Property Court. Trade officials from the United Trade Representative Office (USTR) visited Taiwan in February, July and December 2008 to exchange views with TIPO officials on a variety of IP-related issues. The close bilateral interactions in IP-related issues show that the relationship between the United States and Taiwan is moving in a positive direction.

The United States Representative Office (USTR) officially announced Taiwan's removal from the USTR annual 301 Watch List on January 17, 2009 (January 16 EST of the United States) after eight months of dialogue. This move recognized Taiwan for its efforts in IP protection in recent years.

According to the USTR, Taiwan has continued to make great strides in the last eight years to strengthen IP enforcement and legislation, thus enabling Taiwan to transform itself from a haven for pirates into a world-class base of innovation and research. TIPO viewed such a move by the USTR as a tangible reaction to recognize Taiwan's efforts in IP protection and to the close bilateral trade relationship between Taiwan and the United States.

Taiwan was removed on April 25, 2008 from the USTR annual Special 301 Watch List after the conclusion of an Out-of-Cycle (OCR) Review in 2008.

### • IP Relationship between Taiwan and Japan

In recent years, the number of Japanese patent applications has ranked among the top filed by foreigners. This signifies the important IP relationship between the two countries. The 33rd Taiwan-Japan Trade Review Meeting was held on November 5-6, 2008 in Taipei. Prior to this annual gathering, some IP-related problems were collected at a workshop entitled “Problems Encountered for ROC Nationals in Filing Patent Application before Japanese Patent Office” which was held on September 27, 2008. At this annual meeting, Taiwan proposed 12 IP-related issues, while Japan’s delegation suggested 16. These issues covered patent, trademark, copyright, international cooperation and joint enforcement against infringements.

### • IP Relationship between Taiwan and European Union

The IP Working Group, a part of Taiwan-EU Annual Trade Review Meeting, was created in 2007. Two IP video conferences were held in 2008. The agenda covered the establishment of IP Court, the legislative status of IP amendments, trademark protection, geographical indication, plant variety rights protection, and the development of ACTA and bilateral cooperation in IP areas. The EU was also updated on the amendments to regulations governing compulsory patent licensing.

## Multi-facets of Bilateral Cooperation and Exchange Programs

### • Conclusion of MOUs in Intellectual Property

Director General Wang Mei-hua concluded a Memorandum of Understanding (MOU) on intellectual protection during her meeting with Mr. Alberto Casado Cerviño, Director General of Spain Patent and Trademark Office on September 3, 2008.

In connection with the Taiwan-Australia annual bilateral trade meeting, TIPO established a working platform in Intellectual Protection with IP Australia. Representatives from the Taipei Economic and Cultural Office in Australia and the Australia Commerce and Industry Office on

behalf of TIPO and IP Australia signed an IP MOU on October 9, 2008 in Taipei. Based on the MOU, TIPO will deepen IP cooperation programs with IP Australia in the following areas: exchange of IP information, joint attack on IP infringements, and workshop for patent examiners.



A MOU on intellectual property was signed between TIPO and Spain Patent and Trademark Office

As a follow-up to the IP MOU concluded between TIPO and the Intellectual Property Office of the Philippines in 2007, officials from the latter were invited to attend the “Taipei International Invention Show and Technomart 2008.” During their stay, they visited Director General Wang Mei-hua, the IPR Police and the Intellectual Property Court to exchange views on enhancing bilateral cooperation in intellectual protection.

TIPO will continue its best efforts to explore possibilities in concluding IP arrangements with its counterparts in other countries.

### • Conducting Overseas Visits to Develop Partnership

To expand partnership with its counterparts in Europe, Director General Wang Mei-hua visited IP Offices in Spain, Belgium, France and Germany from September 1-13, 2008. During her visit to Spain, Director General Wang concluded an IP MOU. During her stay in Belgium, she visited officials in charge of intellectual property at the European Commission to exchange views on CD-R compulsory licensing and explained the status of amendments to the Patent Act. She also explored the possibility of deepening cooperation in IP areas with the Ministry of Economic Affairs in Belgium.

During her visit to France, Director General Wang co-chaired the Taiwan-France annual IP meeting with Mr. Benoit Batistelli, Director General of France Patent Office. They fully exchanged views on the IP-related issues such as IP policy-making, the amendment to the Patent Act, bilateral future IP exchange programs and the IP policy to be coordinated among

EU members during Mr. Batistelli's tenure in rotation as president of European Union. During her visit in Germany, she visited the Germany Patent Office and the Germany Federal Patent Court to exchange views on the training program for TIPO's patent examiners and incidents regarding the alleged patent infringements by Taiwan IP manufacturers at IT trade show.

### • Overseas Advanced Training Programs for TIPO Patent and Trademark Examiners and Copyright Officials

To facilitate consistency with international organizations in intellectual property, TIPO dispatched 36 patent and trademark examiners as well as copyright experts for advanced training programs held at the European Patent Office (EPO), the European Trademark and Design Office (OHIM), the Germany Federal Patent and Trademark Office, the Germany Patent Court, the Austria Patent Office, the Japan Patent Office, the United States Patent and Trademark Office (USPTO) and copyright intermediary organizations in Italy and Spain. A group of them also went to the University of Washington in Seattle and Harvard University for short-term academic training courses. Training programs of such kind will be instrumental to further improve the quality of patent and trademark examination and to the making of IP policy.

### • Invitation of Foreign IP Experts and Professors to Give Lectures

To keep examiners at TIPO abreast of international development in patent and trademark examination procedures, TIPO in 2008 invited IP experts from France, the USPTO, and the Japan Patent Office to give lectures on patent and trademark examination procedures as well as IP related issues. Also Mr. Franklin E. Gibbs from the law firm-Wang, Hartmann, Gibbs and Cauley gave lecture on U.S. patent litigation in practice.



Mr. Olaf Ungerer from Eisenfuehr Speiser & Partner in Germany presenting the guideline on computer software examination in Germany

## Creation of New Page for Cross-Strait IP Relationship



Deputy Director General Lee Yu-guang, SIPO exchanged gifts with DG Wang, TIPO in Taipei

Since the Ma Administration took office on May 20, 2008, cross-strait relationship is further relaxed. In line with such development, significant progress in cross-strait cooperation in intellectual property has been achieved.

Through the arrangement by private sectors, TIPO and SIPO developed a platform for exchanging visits and information as well as setting up a forum for patent and trademark examination cooperation.

- In 2009, some pre-registered, well-known Taiwanese trademarks have been revoked by the competent authorities in China. These trademarks include Ali Mountain, Sun Moon Lake, Li-Shan, Spring of Wu-She, Chi-Shan Rice and Ku-Keng Coffee with the rights of these trademarks holders being adequately protected.
- TIPO contracted the Chinese National Federation of Industry (CNFI) to circulate a survey among Taiwan business communities in China to solicit their views on IP protection in China including but not limited to the judicial litigation procedures, patent and trademark examination.

To improve the cross-strait IP cooperation and help Taiwan trade communities in China to globalize their operations, TIPO, in accordance with the pace of promoting a cross-strait relationship, will consider implementing the following agenda within short and intermediate terms:

### • Short Term

- A. Establishment of IP protection framework;
- B. Cooperation in patent and trademark examination;
- C. Joint efforts to combat IP infringements and conduct IP information exchange;
- D. Settlement of trademark squatting in China of Taiwanese trademarks.

### • Intermediate Term

- A. Mutual recognition of patent and trademark priority claims;
- B. Patent agents in Taiwan obtaining license to practice in China.

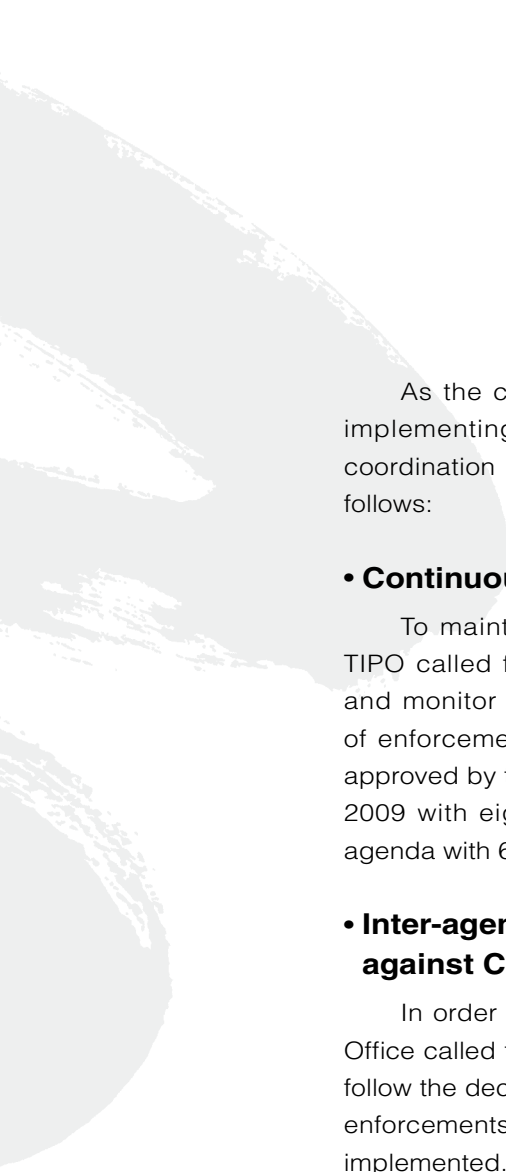


2008

VII

# IP Enforcement





As the competent authority for IP protection, TIPO continued implementing the IP protection agenda through an inter-agency coordination platform in 2008. The highlights of the agenda are as follows:

• **Continuous Implementation of IPR Action Plan**

To maintain momentum in carrying out the IPR Action Plan, TIPO called for four inter-agency coordination meetings to review and monitor results of IP protection measures mainly in the area of enforcements. The IPR Action Plan 2009-2011 as revised, was approved by the Executive Yuan and was put into force as of January 2009 with eight goals to be reached. They are supported by 31 agenda with 62 measures therein.

• **Inter-agency Efforts to Reinforce Enforcement against Counterfeiting and Pirated Works**

In order to reinforce IP protection, the Higher Court Prosecutor Office called for three enforcement coordination meetings in 2008. To follow the decision of the coordination meeting, TIPO cooperated with enforcements island-wide to make sure that IP protection was fully implemented. Also the National Police Agency (NPA) of the Ministry of the Interior issued an “Implementation Plan for Cracking Down on IP Infringements.” In accordance with the Plan, NPA carried out four enforcements simultaneously in 2008 against alleged counterfeiting and piracy activities in factories, shops, warehouses and night markets. The number of crackdowns by IPR Police under the Ministry of the Interior registered at 2,127 infringements, out of which 1,200 were Internet-related, which is 56.42% of all infringements.

• **Reinforcing Inspection to Deter Pirated Optical Disks**

The MOEA Joint Optical Disk Enforcement Taskforce (JODE) conducts on regular or random basis, the inspections at optical disk

manufacturers during the day and the evening island-wide. There were 916 such inspections in 2008 (408 inspections during the night; 508 during the day). It also reviewed statements supplied by 255 firms about their operational activities. No pirated discs were found. This shows that the inspection of such kind has been effective.

### • **Award to Be Granted to General Public for Reporting Alleged Infringements**

In accordance with the Guidelines for Awarding Seizure of Counterfeit Goods by the Ministry of Economic Affairs, a total of 450 submissions for award by law enforcement units were approved. A total of NT\$13,855,200 in prize awards were dispensed. This award program has raised the morale of the members of enforcement task forces and has also encouraged the general public to actively report alleged infringements. These actions are also witnesses to the mutual and closer support and cooperation between police authorities and the general public.

### • **Sponsored On-job Training Programs for Anti-piracy Taskforce Members**

To improve professionalism in combating piracy, the National Police Agency of the Ministry of the Interior organized an “Anti-piracy Workshop—A Practical Approach” in 2008. More than 4,700 policemen in charge of economic affairs from police units in each municipality participated in this IP enforcement professional training course. TIPO sent IP experts as lecturers to the workshop.

TIPO also sponsored three training camps entitled “The Anti-piracy and Counterfeiting Workshop” from November 3-21, 2008. Each workshop lasted five days. A total of 146 policemen participated in the workshop.

### • Award to Agencies for Great Performance in IP protection

TIPO organized an award ceremony on December 27, 2008 to honor 31 agencies for their outstanding performances in implementing anti-piracy and counterfeiting activities.

Inter-agency Anti-piracy and Counterfeiting Performance in 2006-2008

Agence		Year	2006	2007	2008	
NPA/MOI	Number of items		5,158	6,274	6,093	
	Number of persons		5,688	7,119	6,656	
	Pcs of Optical Discs Seized		1,177,523	636,080	1,396,305	
Investigation Bureau/MOJ	Number of Items		119	115	70	
	Number of persons		180	158	114	
IPR Police	Number of Inspections		6,209	6,582	6,275	
	Number of Inspectors		26,597	29,038	28,001	
	Number of Items		1,935	2,280	2,127	
	Number of Persons		2,057	2,380	1,946	
JODE/MOEA	Number of Inspections		1,076	1,008	916	
	Number of Supervisions		0	117	255	

2008

VIII

Promotion of  
IP Protection

The promotion of intellectual property among industrial sectors, academic institutes and communities is one of the priorities the TIPO IP agenda carried out in 2008. It is only through the maintaining of the momentum to sustain IP-related campaign would then a consensus respect for IP as an intangible asset could be established.

### IP Propaganda

- To be in line with the “World Intellectual Property Day 2008” organized by the World Trade Organization (WTO), TIPO held events entitled “Innovation and Promoting Respect for Intellectual Property,” “Outdoor Creative Design Contest,” “IPR Strategic Arrangement Conference” and “Award Ceremony of the World Intellectual Property Day” in April 2008. TIPO also worked with private sectors to sponsor additional IP-related events. They were: movie-marathon; anti-piracy campaign against side-cording at movie theaters; on-campus intellectual property tour and an additional series of activities in anti-piracy events. A 2008 special edition entitled “Major Events to Promote Intellectual Property in Taiwan” summarized the major activities TIPO organized in 2008. It was forwarded to the World Trade Organization for circulation among members for information.
- TIPO organized five workshops for the general public to introduce the inventions in Chinese Herbs in March 2008 in Taichung, Tainan, Hsinchu, Kaoshiung and Taipei. It also sponsored five presentations on the invention of computer software in June 2008 in Taipei, Kaohsiung, Tainan, Taichung and Hsinchu. The themes of the workshops covered the examination guideline on applications dealing with inventions of computer software, its development in recent years and practices, and the means plus function claims.
- To solicit views from the industrial sectors, agents, individual applicants and the general public, TIPO held an annual

roundtable for TIPO's top management team to engage in face-to-face discussions. In April 2008, Director General Wang Mei-hua, accompanied by her colleagues at TIPO, held five such meetings. In addition to the presentations on an introduction of certification of patent attorney and professional training programs and on the latest development of amending the Patent Act, DG Wang entertained IP-related questions raised by the attendees. The viable suggestions made at the workshops were incorporated into TIPO's annual agenda for implementation in the future.

- TIPO organized workshops in March 2008 to explain to trademark agents and applicants the "Examination Guidelines for the Protection of Well-known Trademarks under Article 23, Paragraph 1, Subparagraph 12 of the Trademark Act" and "Examination Guideline on Certification Marks, Collective Trademarks and Collective Membership Marks."
- To raise awareness of IP importance and to develop creative works in Taiwan and Hong Kong, TIPO and the Hong Kong Intellectual Property Office as well as the Taiwan Foundation against Copyright Theft and the Hong Kong Intellectual Society jointly sponsored a contest called "2008 Hong Kong and Taiwan 'My Video' Competition." Many entries were submitted and the competition was keen.
- TIPO worked together with the Bureau of Foreign Trade (BOFT) in June 2008 to sponsor workshops to teach manufacturers the right way to apply labels to specify the places of origins and how to apply for trademarks and the types of trademarks and uses trademarks.
- To help municipalities in Taiwan market their unique local products before potential customers, TIPO jointly sponsored the following workshops/presentations with local governments: a presentation on trademark registration of agricultural products in Miaoli, a presentation on certification mark for Wen-Shan Tea in Taipei County, a workshop on technical assistance to Shih-Weh Thin Noodle Manufacturing Association in Penghu. TIPO and the Council for Agricultural (COA) also jointly sponsored eight workshops featuring explanation on "trademarks and geographical indications" and "geographical certification marks and collective trademark applications for registration."



- At the request of the National Training Institute for Farmers' Organizations (NTIFO), TIPO helped NTIFO organizing a workshop on the norms to regulate visual applications for the joint marks owned by farmers trade associations. This would help to improve the concept among farmers in the area of geographical indications and the protection for terms of place of origin.
- To meet the needs from industrial groups, private sectors and academic circles, TIPO's IPR Service Group conducted 244 presentations with 49,650 attendees in major cities to explain the importance of intellectual property protection. For awareness on Internet infringements, TIPO held 3 roundtables entitled "Internet Infringements, Out!" which provided ISPs, copyright users and holders, copyright experts and the public with the opportunity to conduct face-to-face discussions on copyright-related issues, particularly on the concept of copyright licensing over the Internet. In order to develop a correct concept in terms of "user pays and licensing" to protect copyright holders' rights, TIPO sponsored eight workshops on licensing through copyright intermediary organizations. To deepen respect on the protection of intellectual property rights, TIPO also held a large-scale campaign on anti-piracy and counterfeiting by holding an outdoor cycling event where 1,200 civilians and attendees from both private sectors and government agencies were present. TIPO's officials also participated in 16 events held by the Taiwan Foundation against Copyright Theft and other copyright associations.



A presentation on guideline of computer software



A workshop on trademark applications in Taichung

## Intellectual Property Professionals Training Programs

In 2005, the Intellectual Property Academy was founded to implement an action plan to nurture IP professionals. In 2008, TIPO edited 58 volumes of IP training material, 6 of which were new and 32 were revised. TIPO organized 61 IP training workshops with 1,241 trainees to complete the training courses. TIPO also jointly sponsored two on-the-job training courses with the Ministry of Justice and Judicial Yuan in 2008 to train 67 judges and prosecutors. TIPO also organized IP workshops for ranking managers from industrial sectors to receive lectures on patent litigation, the development of IP strategy, merger and acquisition.

To meet with industrial needs and to upgrade competitiveness for Taiwan's industries, TIPO prepared a budget in the amount of US\$3.8 million in 2008 to carry out a four-year IP professional training program which mainly covered the following: providing different levels of IP training programs and deepening exchange programs with IP institutes overseas as well as the development of IP capacity evaluation mechanism to improve professionalism in intellectual property.

## IP Education on Campus

- To cope with illegal copies of textbooks on campus and relieve students from the pressure of purchasing new textbooks, TIPO continued promoting and creating on-campus interchange platforms of second-hand textbooks at 135 colleges and universities. TIPO also trained 100 members of different clubs/associations at 16 universities/colleges to establish "Campus IPR Assistance Team" to conduct 80 IP educational programs at elementary and secondary schools. Total of 13,950 students participated at the workshops. TIPO also organized 144 workshops at universities/colleges to lecture on Internet and on-campus copyright protection.



An event on promoting on-campus copyright protection was taken place on Oct 26, 2008

An award ceremony on copyright awareness poster competition took place on Oct 16, 2008

- TIPO sponsored a competition on copyright awareness posters in 2008 mainly to solicit entries from college students and the general public. There were 232 entries (123 from students and 109 from the general public) and 16 entries were awarded. To establish efficient and good on-campus Internet management systems, TIPO, American Institute in Taiwan and the Ministry of Education held a joint seminar to deal with on-campus Internet management systems in 2008. IP experts from Taiwan and the United States were present at the seminar and shared their working experiences over on-campus Internet management systems. To improve the on-campus IP protection environment, TIPO produced IP teaching materials as listed:
  - A. Publication of 100,000 copies of a comic book called “BG’s IPR Secret Tips” to be circulated for use among 4,226 schools of all levels.
  - B. Publication of 5,000 copies of “Know Your Copyrights” to be circulated among 164 colleges/universities, 322 high schools and 157 vocational schools. It was also posted on TIPO’s website.
  - C. Production of the educational brochure entitled “An Introduction to Copyright Issues Relating to the Use of Audiovisual Works in the Classroom” was circulated as teaching material in elementary through high schools. It was also posted on TIPO’s website.

## Internet Campaign to Promote Intellectual Property

TIPO sponsored a series of educational programs of copyright protection on the Internet entitled “Voyage to the IP King” with the following well-known blog servers: Yam, Xuite.net, PIXNET, and wretch. The activity attracted over 300,000 hits for its duration of July to September 2008. In addition to the above-mentioned cyberspace educational programs, TIPO also worked with these servers’ management teams to organize a seminar entitled “Just Genius Bloggers Talk Party.” Attendees at the seminar declared the determination for copyright protection and exchanged views on the legal use of copyrighted works over the Internet. TIPO also worked with the management team at Yam to educate bloggers of the proper concept of copyright protection through the presentation of illustration, animated cartoons, games and posters. This site logged over 100,000 visitors.



A roundtable with 4 well-known blog servers in Taiwan was held on Sept 16, 2008

## IP Education Campaign Through Mass Media

TIPO also conducted a series of copyright protection programs through the broadcast services by the China Broadcasting Corporation, the National Education Radio and Police Radio Station. TIPO also produced four IP educational short-films, one 50-second IP commercial, both of which were broadcast by major TV Stations and cable service providers. TIPO contracted Taipei Metro Systems, Taiwan Railway Station Authorities and the Taipei Airport Authority to display posters inside the terminals or on the platforms to publicly campaign the importance of copyright protection. Posters with texts and illustrations focused on the campaign against pirated music works or counterfeit products sold on the Internet. They also stated that it is illegal to bring any counterfeiting goods or pirated works across the border.





2008

IX

Conclusion

There are around 80,000 patent and 60,000 trademark applications filed to TIPO annually. These numbers fully reflect the fact that trade communities recognize the importance of not only patent mining and the registration of brand names but also patent and trademark examination. The rapid development of cyberspace in recent years has caused great concern for copyright protection. Facing these potential pitfalls, industries will be able to sustain competitiveness by continuing to invest in R&D, creativity and innovation only within a sound, safe environment for intellectual property.

Looking ahead, patent, trademark and copyright acts are required to be in compliance with industrial development; licensing arrangements between copyright holders and users must be improved to reflect the needs of copyright works; and IP enforcement must also be strengthened to cope with new methods of counterfeiting and piracy.

In viewing of such development, TIPO has come up with a “Triple Action Plan” as below :

- **Examination:**

- to enhance efficiency of patent examination as TIPO's core business;

- **Excellence:**

- to strengthen legal IP mechanisms as TIPO's major goal;

- **Enforcement:**

- to improve copyright licensing and enforcement.

With these aims in mind, TIPO is determined to continue to undertake amendments to IP laws and regulations, upgrade patent examination quality, and improve trademark review systems in hopes that Taiwan can fully develop a sufficiently strong environment for IP protection. This will allow Taiwan to continue its commitment to creativity and innovation and sustain its competitive global edge.



The background of the entire page is a composite image. It features a traditional Chinese clock face with Chinese characters for the hours, overlaid with a grid of white lines. In the foreground, there are blurred, horizontal strokes of Chinese calligraphy in black ink on a light background.

2008

X

# Appendix

Annual Statistics

Calendar of Events

Annual Publications

## Annual Statistics

### Patent Applications Filed & Disposed

#### A. General Statistics of Patent Cases (1984-2008)

Year	Item	Application	Approval	Certificate Issued	Published Certificate	
1984		22,013	8,592	8,005	–	
1985		23,870	9,427	8,886	–	
1986		26,198	10,526	8,498	–	
1987		28,900	10,615	8,263	–	
1988		29,511	12,355	9,622	–	
1989		32,103	19,265	15,975	–	
1990		34,343	22,601	19,623	–	
1991		36,127	27,281	24,235	–	
1992		38,554	21,264	20,142	–	
1993		41,185	22,317	19,266	–	
1994		42,412	19,032	15,136	–	
1995		43,461	29,707	22,907	–	
1996		47,055	29,469	25,529	–	
1997		53,164	29,356	26,935	–	
1998		54,003	25,051	23,640	–	
1999		51,921	29,144	24,338	–	
2000		61,231	38,665	31,096	–	
2001		67,860	53,789	43,277	–	
2002		61,402	45,042	44,101	–	
2003		65,742	53,034	42,082	–	
2004		72,082	27,717	66,490	21,893	
2005		79,442	–	58,306	57,236	
2006		80,988	–	49,315	48,774	
2007		81,834	–	49,290	49,006	
<b>2008</b>		<b>83,613</b>	<b>–</b>	<b>42,366</b>	<b>42,283</b>	

Note : "Application" is the number of applications for each individual year.

"Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues a certificate at the same time the approval is published. "Certificate Issued" is the number of certificates actually being issued.

## B. Statistics on Patent from 1999 to 2008

### 1. Patent Cases Filed & Disposed

Year \ Item	Application	Re-examination	Opposition	Invalidation	Assignment	Licensing	
1999	51,921	8,227	2,074	653	1,490	137	
2000	61,231	7,103	2,266	583	2,013	188	
2001	67,860	10,463	2,596	701	1,598	111	
2002	61,402	11,728	1,734	591	2,365	140	
2003	65,742	13,325	1,867	512	3,561	199	
2004	72,082	7,084	1,197	811	3,835	431	
2005	79,442	1,786	–	1,583	3,779	257	
2006	80,988	2,545	–	1,294	4,261	235	
2007	81,834	2,607	–	1,159	4,314	412	
<b>2008</b>	<b>83,613</b>	<b>1,738</b>	<b>–</b>	<b>1,034</b>	<b>4,685</b>	<b>108</b>	

Note: 1. The figures for "Application," "Re-examination," "Opposition," and "Invalidation" reflect the total number of cases applied each year.

2. The figures for "Assignment" and "Licensing" reflect the total number of cases concluded each year.

3. The drop in re-examination applications is due to the fact that examination for utility model patents was changed to formality examination from July 1, 2004, thus no more re-examination applications were filed.

4. Due to the fact that the opposition system was abolished by the newly promulgated Patent Act of July 1, 2004. Thus no more opposition applications were filed after October 2004.

### 2. Invention Patents Filed & Disposed

Year \ Item	Application	Pre-grant Publication	Request for Examination	Re-examination	Rejection	Approval	Certificate Issued	Published Certificate	
1999	22,161	–	–	4,945	8,251	11,280	10,022	–	
2000	28,451	–	–	4,390	8,089	15,657	13,061	–	
2001	33,392	–	–	6,298	10,381	24,429	21,012	–	
2002	31,616	–	3,040	7,413	12,031	23,036	22,616	–	
2003	35,823	8,194	21,269	8,503	14,354	25,134	21,752	–	
2004	41,919	28,917	27,334	5,528	9,216	14,688	28,583	5,766	
2005	47,841	41,441	34,488	1,482	4,886	–	20,800	20,626	
2006	50,111	44,778	43,348	2,129	6,028	–	23,324	23,228	
2007	51,676	46,979	46,093	2,314	5,353	–	22,315	22,218	
<b>2008</b>	<b>51,909</b>	<b>50,140</b>	<b>45,938</b>	<b>1,537</b>	<b>5,115</b>	<b>–</b>	<b>12,891</b>	<b>12,867</b>	

Note: 1. The number of rejections is based on the number of rejections after examination and re-examination.

"Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues the certificate at the same time the approval is published. "Certificate Issued" is the number of certificates actually being issued.

2. The figures for pre-grant publication are sourced from the total number of pre-grant publication applications.

The pre-grant publication system was implemented on October 26, 2002. Figures reflecting cases from such system were available as of May 1, 2003.

3. The number of request for examination is the total number of applications filed pursuant to Article 37 of the Patent Act for each individual year. This system has been implemented since October 26, 2002.

### 3. Utility Model Patents Filed & Disposed

Item Year	Application	Re- examination	Rejection	Approval	Certificate Issued	Published Certificate	Requests for Technical Evaluation Report	Preparation of Technical Evaluation Report	
1999	21,481	2,130	7,660	14,298	11,883	–	–	–	
2000	23,728	1,763	8,468	15,990	12,945	–	–	–	
2001	25,370	2,797	9,668	21,212	16,680	–	–	–	
2002	21,750	3,100	9,493	16,115	15,200	–	–	–	
2003	21,935	3,551	11,165	21,439	15,505	–	–	–	
2004	21,518	1,035	3,303	9,492	30,434	14,064	496	0	
2005	23,226	–	295	–	30,926	30,118	2,431	1,155	
2006	23,279	–	108	–	19,828	19,407	2,278	2,784	
2007	22,715	–	144	–	20,950	20,769	2,578	2,074	
<b>2008</b>	<b>23,953</b>	<b>–</b>	<b>226</b>	<b>–</b>	<b>23,468</b>	<b>23,411</b>	<b>2,650</b>	<b>2,646</b>	

Note: 1. The number of rejections is based on the number of rejections after examination and re-examination.

"Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues the certificate at the same time the approval is published. "Certificate Issued" is the number of certificates actually being issued.

2. "Requests for Technical Evaluation Report" is the number of applications for technical evaluation.

"Preparation of Technical Evaluation Report" is the number of requests received and technical evaluation report prepared. The system took effect on July 1, 2004.

3. In accordance with the Patent Act amendment of July 1, 2004, examination of utility model patent is changed to formality examination, thus no re-examination cases from 2005 on.

### 4. Design Patents Filed & Disposed

Item Year	Application	Re-examination	Rejection	Approval	Certificate Issued	Published Certificate	
1999	8,279	1,152	5,380	3,566	2,433	–	
2000	9,052	950	5,559	7,018	5,090	–	
2001	9,098	1,368	5,312	8,148	5,585	–	
2002	8,036	1,215	4,091	5,891	6,285	–	
2003	7,984	1,271	3,464	6,461	4,825	–	
2004	8,645	521	1,864	3,537	7,473	2,063	
2005	8,375	304	1,793	–	6,580	6,492	
2006	7,598	416	1,758	–	6,163	6,139	
2007	7,443	293	1,437	–	6,025	6,019	
<b>2008</b>	<b>7,751</b>	<b>201</b>	<b>1,288</b>	<b>–</b>	<b>6,007</b>	<b>6,005</b>	

Note: The number of rejections is based on the number of rejections after examination and re-examination.

"Approval" is the number of published approvals. This system was replaced by the published certificate system on July 1, 2004, which issues the certificate at the same time the approval is published. "Certificate Issued" is the number of certificates actually being issued.

## 5. Patent Opposition Disposal and Invalidation

Year \ Item	Opposition		Invalidation	
	Sustained	Denied	Sustained	Denied
1999	685	1,022	282	376
2000	569	975	200	336
2001	760	1,343	168	287
2002	835	1,466	194	353
2003	524	973	261	366
2004	648	1,279	142	266
2005	460	1,096	172	370
2006	210	448	354	504
2007	42	67	605	743
<b>2008</b>	<b>6</b>	<b>11</b>	<b>523</b>	<b>646</b>

Note: 1. The figures reflect the total cases concluded each year.

2. In addition to sustained and denied cases, other conditions such as withdraw or rejection are not included in the chart.

## 6. Statistics of Patent Administrative Remedy Filed and Revoked

Year \ Item	Petition			Re-petition			Administrative Litigation (include appeal for re-examination)			Total		
	Filed	Revoked	Percentage revoked	Filed	Revoked	Percentage revoked	Filed	Revoked	Percentage revoked	Filed	Revoked	Percentage revoked
1999	1,357	223	16.43	599	0	0	406	12	2.96	2,362	235	9.95
2000	1,297	209	16.11	342	0	0	481	7	1.46	2,120	216	10.19
2001	1,256	65	5.18	—	—	—	208	23	11.06	1,464	88	6.01
2002	1,849	65	3.52	—	—	—	693	34	4.91	2,542	99	3.89
2003	1,373	88	6.41	—	—	—	519	44	8.48	1,892	132	6.98
2004	1,242	103	8.29	—	—	—	555	40	7.21	1,797	143	7.96
2005	1,085	96	8.85	—	—	—	562	38	6.76	1,647	134	8.14
2006	737	91	12.35	—	—	—	534	28	5.24	1,271	119	9.36
2007	685	45	6.57	—	—	—	486	22	4.53	1,171	67	5.72
<b>2008</b>	<b>531</b>	<b>57</b>	<b>10.73</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>348</b>	<b>33</b>	<b>9.48</b>	<b>879</b>	<b>90</b>	<b>10.24</b>

Note: 1. Since revision and implementation of the Administrative Appeal Act and the Administrative Litigation Act on July 1, 2000, the re-petition procedure has been revoked and there has been no re-petition cases since 2001.

2. Cases of petition filed with the Ministry of Economic Affairs in the year are cases where applicants consider his/her right or interest was unlawfully or improperly injured by TIPO's administrative action.

3. Cases being revoked in petition are the number of cases decided by the Petitions and Appeals Committee, Ministry of Economic Affairs for revocation against TIPO administrative dispositions.

4. Cases of administrative litigation filed are the number of cases the applicant opposes petition decision in accordance with articles 4, 238 and 273 of the Administrative Litigation Act, and bring to the first instance, appeal and retrial of the administrative litigation in sequence.

5. Cases of administrative litigation revoked are the number of cases adjudicated for revocation in the year by the Supreme Administrative Court against TIPO administrative dispositions.

## 7. Residents and Non-Residents Patent Application

Year	Item	Residents				Non-Residents				
		Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total	
1999		5,804	20,283	6,556	32,643	16,357	1,198	1,723	19,278	
2000		6,830	22,660	6,879	36,369	21,621	1,068	2,173	24,862	
2001		9,170	24,220	6,820	40,210	24,222	1,150	2,278	27,650	
2002		9,638	20,692	5,596	35,926	21,978	1,058	2,440	25,476	
2003		13,049	21,231	5,383	39,663	22,774	704	2,601	26,079	
2004		16,747	20,809	5,464	43,020	25,172	709	3,181	29,062	
2005		20,093	22,641	4,987	47,721	27,748	585	3,388	31,721	
2006		21,365	22,674	4,587	48,626	28,746	605	3,011	32,362	
2007		23,330	22,214	4,051	49,595	28,346	501	3,392	32,239	
<b>2008</b>		<b>23,868</b>	<b>23,195</b>	<b>4,276</b>	<b>51,339</b>	<b>28,041</b>	<b>758</b>	<b>3,475</b>	<b>32,274</b>	

## 8. Residents and Non-Residents Patent Approval (1999-2004)

Year	Item	Residents				Non-Residents				
		Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total	
1999		2,139	13,375	2,538	18,052	9,141	923	1,028	11,092	
2000		3,834	14,924	4,979	23,737	11,823	1,066	2,039	14,928	
2001		6,477	19,999	5,834	32,310	17,952	1,213	2,314	21,479	
2002		5,683	15,265	3,898	24,846	17,353	850	1,993	20,196	
2003		6,399	20,315	4,241	30,955	18,735	1,124	2,220	22,079	
2004		4,859	8,856	2,201	15,916	9,829	636	1,336	11,801	

Note: The published approval system was abolished after the new Patent Act took effect on July 1, 2004.

## 9. Residents and Non-Residents Published Certificate (2004-2008)

Year	Item	Residents				Non-Residents				
		Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total	
2004		2,662	13,637	1,302	17,601	3,104	427	761	4,292	
2005		9,124	29,328	3,872	42,324	11,502	790	2,620	14,912	
2006		11,431	18,857	3,485	33,773	11,797	550	2,654	15,001	
2007		10,578	20,267	3,223	34,068	11,640	502	2,796	14,938	
<b>2008</b>		<b>6,364</b>	<b>22,823</b>	<b>3,177</b>	<b>32,364</b>	<b>6,503</b>	<b>588</b>	<b>2,828</b>	<b>9,919</b>	

Note: The published certificate system issues the certificate at the same time the approval is published. This system took effect on July 1, 2004.

## C. Statistics on Patent – by Classification

### 1. Invention Applications and Certificates Issued by Classification (2006-2008)

Class	Application			Published Certificate		
	2005	2006	2007	2006	2007	2008
A01	330	308	347	139	149	68
A21	21	25	18	13	14	10
A22	2	5	2	3	3	2
A23	220	253	233	92	64	53
A24	12	11	23	8	12	3
A41	53	77	88	16	27	9
A42	22	41	50	10	3	4
A43	64	63	47	59	25	15
A44	73	65	49	59	21	26
A45	64	83	94	50	28	20
A46	20	25	19	7	10	7
A47	371	380	494	186	223	112
A61	2,204	2,134	2,232	651	762	388
A62	46	41	47	18	10	9
A63	331	468	523	180	157	162
B01	421	505	504	209	213	160
B02	23	16	17	11	9	6
B03	8	14	15	4	7	4
B04	2	4	3	0	4	0
B05	215	193	234	78	146	93
B06	7	8	11	4	1	1
B07	7	16	10	2	7	4
B08	62	85	84	39	35	15
B09	24	25	27	20	19	10
B21	119	132	170	87	97	64
B22	114	95	93	40	60	34
B23	418	434	482	201	233	216
B24	180	193	182	49	190	68
B25	331	356	395	167	192	83
B26	64	84	70	40	45	31
B27	33	35	42	13	11	4
B28	12	17	19	8	10	1
B29	456	492	527	248	230	128
B30	22	22	24	16	8	2
B31	16	12	15	6	4	0
B32	275	338	323	137	124	92
B41	376	436	324	259	231	145
B42	37	29	59	17	19	2
B43	45	41	36	11	18	19
B44	33	37	40	17	13	9
B60	443	469	493	260	182	233



Class	Application			Published Certificate			
	2005	2006	2007	2006	2007	2008	
B61	19	21	30	7	17	7	
B62	396	359	415	300	320	138	
B63	35	27	46	11	11	28	
B64	10	21	5	6	2	8	
B65	712	675	672	251	469	192	
B66	75	75	82	41	52	33	
B67	25	26	29	7	12	11	
B68	0	1	0	0	0	0	
B81	87	45	81	35	51	24	
B82	23	20	30	2	11	2	
C01	307	245	250	125	117	63	
C02	117	125	136	43	43	37	
C03	226	229	227	87	84	48	
C04	133	123	141	72	39	41	
C05	12	11	7	3	4	3	
C06	1	1	3	1	2	0	
C07	1,402	1,847	1,942	466	456	342	
C08	1,377	1,445	1,431	534	514	470	
C09	981	844	896	305	336	316	
C10	77	97	121	26	37	15	
C11	62	60	67	32	24	17	
C12	301	312	271	97	127	74	
C13	0	1	2	0	0	1	
C14	3	4	8	3	2	0	
C21	45	43	40	11	28	11	
C22	147	132	112	78	56	45	
C23	478	566	449	219	195	118	
C25	111	180	126	90	57	37	
C30	67	68	113	47	34	25	
C40	0	1	0	0	0	0	
D01	88	59	73	19	39	31	
D02	25	7	22	9	5	5	
D03	27	30	31	12	10	12	
D04	64	65	82	22	45	28	
D05	61	52	52	27	20	17	
D06	145	156	121	72	97	52	
D07	1	1	4	1	2	0	
D21	55	49	56	23	34	13	
E01	32	39	26	12	13	8	
E02	54	60	52	12	16	11	
E03	34	38	53	17	9	2	
E04	155	178	224	73	79	24	

Class	Application			Published Certificate		
	2005	2006	2007	2006	2007	2008
E05	133	165	170	65	96	40
E06	65	84	71	32	27	21
E21	15	10	12	5	5	3
E99	0	0	0	0	0	0
F01	84	92	64	43	38	31
F02	157	137	96	81	65	48
F03	35	84	109	7	10	10
F04	212	210	235	89	111	55
F15	25	21	20	15	13	13
F16	501	586	672	297	265	239
F17	34	23	24	23	17	12
F21	186	215	385	112	59	73
F22	4	9	5	6	2	3
F23	56	73	60	31	29	18
F24	176	170	194	93	97	67
F25	116	82	95	35	63	22
F26	15	23	22	8	12	4
F27	14	33	26	2	7	3
F28	194	130	93	64	88	58
F41	34	31	26	24	19	7
F42	3	2	4	4	4	0
F99	0	0	0	0	0	0
G01	1,610	1,712	1,984	840	1,064	455
G02	3,018	2,890	2,671	1,376	1,532	688
G03	1,326	1,427	1,476	570	565	362
G04	29	33	42	20	11	1
G05	307	365	315	162	159	74
G06	4,332	3,974	4,369	1,999	1,844	1,077
G07	69	85	75	28	22	26
G08	187	146	208	45	82	97
G09	1,267	1,446	1,235	599	727	328
G10	103	138	139	66	70	44
G11	1,982	1,844	1,559	1,206	927	533
G12	8	26	13	4	7	5
G21	26	43	64	19	22	4
H01	8,116	8,632	8,980	4,944	3,975	2,278
H02	801	929	1,003	265	407	256
H03	746	929	899	268	365	183
H04	4,013	4,681	4,822	2,291	1,494	552
H05	1,861	1,773	1,888	858	833	556
X	435	452	557	0	0	0

Note: Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report. Therefore, figures from prior three years are used as the basis of the said statistics.

## 2. Utility Model Applications and Certificates Issued by Classification (2006-2008)

Class	Application			Published Certificate			
	2005	2006	2007	2006	2007	2008	
A01	526	479	495	418	414	484	
A21	45	34	23	40	22	27	
A22	9	7	5	7	5	8	
A23	112	79	101	80	73	74	
A24	19	15	28	16	16	26	
A41	354	312	261	289	243	244	
A42	86	99	95	66	86	83	
A43	217	187	173	174	148	178	
A44	126	124	89	106	102	101	
A45	381	416	425	332	397	394	
A46	37	33	31	29	29	37	
A47	2,004	1,975	1,888	1,652	1,732	1,940	
A61	1,005	949	833	834	818	846	
A62	83	66	86	68	74	72	
A63	811	779	731	664	677	732	
B01	231	241	246	174	228	293	
B02	30	42	23	25	33	33	
B03	6	4	8	3	7	3	
B04	3	3	2	0	3	6	
B05	181	160	145	130	157	158	
B06	2	1	1	1	1	2	
B07	26	27	26	20	20	32	
B08	41	38	42	36	30	48	
B09	8	7	8	6	6	11	
B21	95	93	90	103	76	83	
B22	16	14	14	9	14	15	
B23	362	385	409	303	394	414	
B24	139	127	113	114	109	115	
B25	474	579	433	430	501	471	
B26	137	119	133	120	104	118	
B27	117	84	78	97	67	97	
B28	21	22	13	18	21	15	
B29	173	196	184	159	172	219	
B30	14	28	23	21	22	17	
B31	13	22	19	19	16	16	
B32	104	115	112	94	103	109	
B41	101	112	123	88	96	135	
B42	103	94	103	75	91	101	
B43	123	103	143	100	104	119	
B44	68	68	58	50	66	49	
B60	1,026	939	859	831	807	826	
B61	3	5	4	6	2	6	

Class	Application			Published Certificate		
	2005	2006	2007	2006	2007	2008
B62	613	604	652	510	558	725
B63	55	41	48	42	34	37
B64	8	2	11	6	8	3
B65	1,178	1,208	1,112	997	1,073	1,121
B66	62	76	59	64	65	46
B67	21	21	24	13	23	24
B68	0	2	2	1	3	4
B81	5	3	3	4	3	5
B82	0	0	0	0	0	2
C01	10	8	18	5	9	11
C02	65	63	69	47	65	64
C03	16	8	17	8	11	19
C04	5	3	6	4	2	5
C05	3	3	6	1	3	8
C06	2	0	0	1	0	0
C07	0	0	0	0	0	0
C08	6	4	4	0	3	5
C09	19	11	16	8	13	16
C10	2	3	4	2	2	5
C11	10	10	9	3	9	12
C12	12	14	10	13	8	15
C13	0	0	1	0	1	0
C14	1	6	2	4	3	1
C21	3	3	3	3	2	7
C22	2	4	0	3	1	1
C23	12	10	21	7	10	36
C25	22	31	32	17	36	22
C30	1	6	2	5	4	3
C40	0	0	0	0	0	0
D01	13	11	22	9	14	14
D02	3	2	16	2	6	9
D03	20	15	30	17	15	31
D04	52	69	63	51	61	63
D05	53	70	63	63	46	71
D06	89	91	106	79	87	97
D07	4	2	4	1	2	4
D21	7	3	3	6	3	9
E01	65	48	46	61	40	36
E02	57	56	78	47	58	67
E03	134	112	114	99	108	116
E04	464	468	482	365	463	513
E05	415	390	345	338	334	347

Class	Application			Published Certificate			
	2005	2006	2007	2006	2007	2008	
E06	398	408	300	375	307	306	
E21	1	8	7	5	7	5	
E99	1	0	0	0	0	0	
F01	52	67	75	63	47	69	
F02	103	102	75	96	74	92	
F03	45	88	97	49	86	109	
F04	201	216	212	182	179	204	
F15	11	7	9	4	10	7	
F16	853	824	863	719	763	905	
F17	28	26	22	20	18	23	
F21	370	433	547	332	402	715	
F22	2	3	7	1	2	9	
F23	132	96	112	93	96	93	
F24	459	486	502	380	435	546	
F25	58	66	68	62	54	63	
F26	18	22	25	21	18	31	
F27	10	5	11	8	9	11	
F28	71	36	64	46	45	68	
F41	120	58	65	63	43	84	
F42	13	38	22	17	38	8	
F99	0	2	5	0	0	1	
G01	404	414	395	371	374	447	
G02	482	478	494	388	456	556	
G03	123	158	171	110	136	189	
G04	38	44	36	43	31	39	
G05	38	45	35	37	39	43	
G06	1,167	1,089	978	957	1,006	1,018	
G07	64	91	74	54	78	70	
G08	104	89	134	94	94	116	
G09	217	236	213	173	211	202	
G10	64	50	62	50	49	67	
G11	247	202	153	193	165	171	
G12	8	10	10	7	6	7	
G21	0	0	6	0	2	6	
H01	2,157	2,475	2,605	1,886	2,353	2,909	
H02	327	384	436	308	358	430	
H03	27	33	51	23	41	45	
H04	790	703	594	673	592	555	
H05	826	950	833	791	873	861	
X	188	172	170	0	0	0	

Note: Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report. Therefore, figures from prior three years are used as the basis of the said statistics.

### 3.Design Applications and Certificates Issued by Classification (2006~2008)

Class	Application			Published Certificate		
	2005	2006	2007	2006	2007	2008
01	44	17	18	13	5	14
02	191	302	306	137	210	268
03	179	148	125	115	118	103
04	32	49	31	20	39	31
05	77	49	35	79	32	30
06	375	346	320	285	263	288
07	328	202	253	177	156	188
08	537	461	377	338	313	258
09	453	440	398	340	327	305
10	229	226	216	208	182	192
11	147	170	141	89	109	111
12	689	596	668	511	599	586
13	564	436	530	430	362	373
14	1,585	1,364	1,224	1,336	1,107	1,050
15	316	292	324	237	234	238
16	350	325	311	280	272	314
17	11	2	2	4	2	0
18	15	21	18	15	19	16
19	215	194	236	183	167	162
20	67	56	52	31	36	33
21	293	326	261	178	260	193
22	21	35	36	17	29	34
23	476	535	455	329	420	338
24	101	111	168	81	95	151
25	196	193	199	111	97	126
26	457	316	385	313	292	352
27	39	14	14	22	8	9
28	211	220	172	163	201	149
29	11	2	4	6	2	6
30	26	26	26	14	20	16
31	42	19	33	31	22	28
99	56	46	67	46	21	43
x	42	59	38	0	0	0

Note: Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report. Therefore, figures from prior three years are used as the basis of the said statistics.

#### 4. Invention Applications by International Patent Classification(IPC) in 2007 (TOP 20)

Rank	IPC	IPC Subject	No. of Application
1	H01L	semiconductor devices; electric solid state devices not otherwise provided for	6,359
2	G06F	electric digital data processing	3,320
3	H04L	transmission of digital information	1,582
4	G02F	liquid crystal display (LCD) electrophoresis display (EPD)	1,391
5	H04N	pictorial communication	1,267
6	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	1,229
7	G02B	optical elements, systems, or apparatus	1,220
8	A61K	preparations for medical, dental, or toilet purposes	1,202
9	C07D	heterocyclic compounds	1,147
10	G09G	arrangements or circuits for control of indicating devices using static means to present variable information	982
11	G03F	photomechanical production of textured or patterned surfaces; materials therefor; originals therefor; apparatus specially adapted therefor	892
12	G11B	information storage based on relative movement between record carrier and transducer	817
13	H04B	transmission	775
14	G11C	static stores	742
15	G01R	measuring electric variables; measuring magnetic variables	671
16	H01R	electrically-conductive connections	651
17	H04M	telephonic communication	595
18	H05B	electric heating; electric lighting not otherwise provided for	538
19	G01N	investigating or analysing materials by determining their chemical or physical properties	516
20	G06Q	electronic commerce	506

Note: 1. The order of placement is arranged by the number of patent applications in 2007, from most to least.

2. For detailed IPC subject, please refer to International Patent Classification 8th.

3. Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report. Therefore, figures from prior one year are used as the basis of the said statistics.

#### 5. Utility Model Applications by International Patent Classification(IPC) in 2007 (TOP 20)

Rank	IPC	IPC Subject	No. of Application
1	H01R	electrically-conductive connections	1,497
2	G06F	electric digital data processing	807
3	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	757
4	B65D	containers for storage or transport of articles or materials	675
5	A47G	household or table equipment	545
6	H01L	semiconductor devices; electric solid state devices not otherwise provided for	466
7	A63B	apparatus for physical training, gymnastics, swimming, climbing, or fencing; ball games; training equipment	439
8	A47C	chairs; sofas; beds	324
9	F21V	lighting devices	323
10	A47J	kitchen equipment; coffee mills; spice mills; apparatus for making beverages	288
10	B25B	tools or bench devices	288
12	A47B	tables; desks; office furniture; cabinets; drawers; general details of furniture	286
13	E06B	shutter	276
14	G02F	liquid crystal display (LCD) electrophoresis display (EPD)	249
15	B60R	vehicles, vehicle fittings, or vehicle parts, not otherwise provided for	235
15	E05B	locks; accessories therefor; handcuffs	235
17	A01K	animal husbandry; care of birds, fishes, insects; fishing; rearing or breeding animals, not otherwise provided for; new breeds of animals	231
18	B62K	cycles; cycle accessories	213
19	F16B	devices for fastening or securing constructional elements or machine parts together	208
20	B01D	separation	204

Note: 1. The order of placement is arranged by the number of patent applications in 2007, from most to least.

2. For detailed IPC subject, please refer to International Patent Classification 8th.

3. Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report. Therefore, figures from prior one year are used as the basis of the said statistics.



## 6. Design Applications by International Classification for Industrial Design System(LOC.) in 2007 (TOP 20)

Rank	LOC.	LOC. Subject	No. of Application
1	14-03	Communications equipment, wireless remote controls and radio amplifiers	530
2	13-03	Equipment for distribution or control of electric power	449
3	14-02	Data processing equipment as well as peripheral apparatus and devices	374
4	12-16	Parts, equipment and accessories for vehicles, not included in other classes or subclasses	327
5	09-01	Bottles, flasks, pots, carboys, demijohns, and containers with dynamic dispensing means.	209
6	16-06	Optical articles	203
7	14-01	Equipment for the recording or reproduction of sounds or pictures	174
8	02-04	Footwear, socks and stockings	162
9	25-02	Prefabricated or pre-assembled building parts	156
10	23-04	Ventilation and air-conditioning equipment	153
11	14-99	Miscellaneous	146
12	28-03	Toilet articles and beauty parlor equipment	145
13	06-01	beds and chairs	144
14	26-06	Luminous devices for vehicles	143
15	21-01	Games and toys	140
16	23-01	Fluid distribution equipment	139
17	08-05	Other tools and implements	122
18	03-01	Trunks, suitcases, briefcases, handbags, keyholders, cases specially designed for their contents, wallets and similar articles	112
18	12-11	Cycles and motorcycles	112
20	24-02	Medical instruments, instruments and tools for laboratory use	107

Note: 1. The order of placement is arranged by the number of patent applications in 2007, from most to least.

2. Patent application figures, in consideration of the time period differentiated between application collection and classification, may not be available by the publication deadline for the annual report. Therefore, figures from prior one year are used as the basis of the said statistics.

## 7. Invention Certificates Issued by International Patent Classification (IPC) in 2008 (TOP 20)

Rank	IPC	IPC Subject	No. of Application
1	H01L	semiconductor devices; electric solid state devices not otherwise provided for	1,789
2	G06F	electric digital data processing	836
3	G02F	liquid crystal display (LCD); electrophoresis display (EPD)	453
4	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	383
5	G09G	arrangements or circuits for control of indicating devices using static means to present variable information	280
6	G11B	information storage based on relative movement between record carrier and transducer	269
7	G11C	static stores	264
8	G03F	photomechanical production of textured or patterned surfaces; materials therefor; originals therefor; apparatus specially adapted therefor	255
9	G02B	optical elements, systems, or apparatus 223	223
10	A61K	preparations for medical, dental, or toilet purposes	198
11	H04L	transmission of digital information	189
12	C07D	heterocyclic compounds	187
13	G01R	measuring electric variables; measuring magnetic variables	165
14	C08L	compositions of macromolecular compounds	154
15	H05B	electric heating; electric lighting not otherwise provided for	138
16	C09K	materials for applications not otherwise provided for; applications of materials not otherwise provided for	132
17	H04N	pictorial communication	130
18	G01N	investigating or analysing materials by determining their chemical or physical properties	129
19	C08G	macromolecular compounds obtained otherwise than by reactions only involving carbon-to-carbon unsaturated bonds	119
19	H01R	electrically-conductive connections	119

Note: 1. The order of placement is arranged by the number of patent certificates in 2008, from most to least.

2. For detailed IPC subject, please refer to International Patent Classification 8th.

## 8. Utility Model Certificates Issued by International Patent Classification (IPC) in 2008 (TOP 20)

Rank	IPC	IPC Subject	No. of Application
1	H01R	electrically-conductive connections	1,660
2	G06F	electric digital data processing	856
3	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	795
4	B65D	containers for storage or transport of articles or materials	683
5	A47G	household or table equipment	529
6	H01L	semiconductor devices; electric solid state devices not otherwise provided for	521
7	F21V	lighting devices	447
8	A63B	apparatus for physical training, gymnastics, swimming, climbing, or fencing; ball games; training equipment	429
9	A47B	tables; desks; office furniture; cabinets; drawers; general details of furniture	335
10	B25B	tools or bench devices	308
11	A47C	chairs; sofas; beds	298
12	A47J	kitchen equipment; coffee mills; spice mills; apparatus for making beverages	287
12	E06B	shutter	287
14	G02F	liquid crystal display (LCD); electrophoresis display (EPD)	286
15	B01D	separation	247
16	A01K	animal husbandry; care of birds, fishes, insects; fishing; rearing or breeding animals, not otherwise provided for; new breeds of animals	242
16	B62K	cycles; cycle accessories	242
18	E05B	locks; accessories therefor; handcuffs	238
19	F16B	devices for fastening or securing constructional elements or machine parts together	236
20	F21S	non-portable lighting devices or systems thereof	220

Note: 1. The order of placement is arranged by the number of patent certificates in 2008, from most to least.  
2. For detailed IPC subject, please refer to International Patent Classification 8th.

## 9. Design Certificates Issued by International Classification for Industrial Design System (LOC.) in 2008 (TOP 20)

Rank	LOC.	LOC. Subject	No. of Application
1	14-03	Communications equipment, wireless remote controls and radio amplifiers	480
2	14-02	Data processing equipment as well as peripheral apparatus and devices	342
3	12-16	Parts, equipment and accessories for vehicles, not included in other classes or subclasses	309
4	13-03	Equipment for distribution or control of electric power	300
5	16-06	Optical articles	211
6	02-04	Footwear, socks and stockings	169
7	09-01	Bottles, flasks, pots, carboys, demijohns, and containers with dynamic dispensing means.	162
8	26-06	Luminous devices for vehicles	149
9	14-01	Equipment for the recording or reproduction of sounds or pictures	139
10	28-03	Toilet articles and beauty parlor equipment	136
11	06-01	beds and chairs	131
12	23-04	Ventilation and air-conditioning equipment	110
13	21-01	Games and toys	108
14	26-05	Lamps, standard lamps, chandeliers, wall and ceiling fixtures, lampshades, reflectors, photographic and cinematographic projector lamps	104
15	23-01	Fluid distribution equipment	103
16	12-11	Cycles and motorcycles	99
16	25-02	Prefabricated or pre-assembled building parts	99
18	08-05	Other tools and implements	97
19	03-01	Trunks, suitcases, briefcases, handbags, keyholders, cases specially designed for their contents, wallets and similar articles	94
20	24-02	Medical instruments, instruments and tools for laboratory use	91

Note: The order of placement is arranged by the number of patent certificates in 2008, from most to least.

## 10. Patent Applications by Nationality (2008)

Nationality	Application				
	Invention	Utility Model	Design	Total	Percentage
TAIWAN, REPUBLIC OF CHINA	23,868	23,195	4,276	51,339	<b>61.40</b>
JAPAN	11,032	124	1,521	12,677	<b>15.16</b>
UNITED STATES OF AMERICA	8,548	185	632	9,365	<b>11.20</b>
REPUBLIC OF KOREA	1,783	21	245	2,049	<b>2.45</b>
GERMANY	1,462	20	218	1,700	<b>2.03</b>
NETHERLANDS	852	3	69	924	<b>1.11</b>
SWITZERLAND	651	0	117	768	<b>0.92</b>
CHINA	353	191	22	566	<b>0.68</b>
HONG KONG	328	74	102	504	<b>0.60</b>
UNITED KINGDOM	378	14	45	437	<b>0.52</b>
FRANCE	373	3	54	430	<b>0.51</b>
SWEDEN	293	2	67	362	<b>0.43</b>
FINLAND	156	0	134	290	<b>0.35</b>
SINGAPORE	237	10	27	274	<b>0.33</b>
AUSTRALIA	210	8	16	234	<b>0.28</b>
ITALY	160	5	59	224	<b>0.27</b>
CANADA	190	4	7	201	<b>0.24</b>
BRITISH VIRGIN ISLANDS	106	15	20	141	<b>0.17</b>
BELGIUM	109	1	3	113	<b>0.14</b>
ISRAEL	108	0	3	111	<b>0.13</b>
LUXEMBOURG	67	0	11	78	<b>0.09</b>
DENMARK	63	2	12	77	<b>0.09</b>
CAYMAN ISLANDS	70	4	0	74	<b>0.09</b>
SPAIN	48	2	7	57	<b>0.07</b>
AUSTRIA	53	0	3	56	<b>0.07</b>
BERMUDA	53	1	0	54	<b>0.06</b>
BARBADOS	51	0	2	53	<b>0.06</b>
MALAYSIA	21	5	25	51	<b>0.06</b>
SAMOA	14	21	0	35	<b>0.04</b>
IRELAND	30	0	3	33	<b>0.04</b>
INDIA	27	0	0	27	<b>0.03</b>
LIECHTENSTEIN	13	0	12	25	<b>0.03</b>
NORWAY	12	0	4	16	<b>0.02</b>
BRUNEI	3	1	11	15	<b>0.02</b>
NEW ZEALAND	8	2	4	14	<b>0.02</b>
SOUTH AFRICA	7	4	2	13	<b>0.02</b>
CZECH REPUBLIC	9	0	2	11	<b>0.01</b>
SAN MARINO	7	3	0	10	<b>0.01</b>
MAURITIUS	4	5	0	9	<b>0.01</b>
THAILAND	4	3	2	9	<b>0.01</b>
BAHAMAS	8	0	0	8	<b>0.01</b>
HUNGARY	7	0	0	7	<b>0.01</b>
RUSSIAN FEDERATION	6	0	0	6	<b>0.01</b>
OTHERS	127	25	14	166	<b>0.20</b>
TOTAL	51,909	23,953	7,751	83,613	<b>100.00</b>

Note: Countries with fewer than 5 applications are listed as "Others".

## 11. Pre-Grant Publications by Nationality (2008)

Nationality	Pre-Grant Publications	Percentage
TAIWAN, REPUBLIC OF CHINA	21,772	<b>43.42</b>
JAPAN	10,767	<b>21.47</b>
UNITED STATES OF AMERICA	9,223	<b>18.40</b>
REPUBLIC OF KOREA	1,808	<b>3.61</b>
GERMANY	1,486	<b>2.96</b>
NETHERLANDS	926	<b>1.85</b>
SWITZERLAND	745	<b>1.49</b>
UNITED KINGDOM	517	<b>1.03</b>
FRANCE	392	<b>0.78</b>
SWEDEN	375	<b>0.75</b>
CANADA	216	<b>0.43</b>
SINGAPORE	213	<b>0.42</b>
CHINA	201	<b>0.40</b>
ITALY	156	<b>0.31</b>
FINLAND	153	<b>0.31</b>
ISRAEL	147	<b>0.29</b>
BRITISH VIRGIN ISLANDS	132	<b>0.26</b>
BELGIUM	116	<b>0.23</b>
AUSTRALIA	89	<b>0.18</b>
HONG KONG	82	<b>0.16</b>
BARBADOS	80	<b>0.16</b>
DENMARK	62	<b>0.12</b>
LUXEMBOURG	59	<b>0.12</b>
BERMUDA	51	<b>0.10</b>
SPAIN	50	<b>0.10</b>
CAYMAN ISLANDS	40	<b>0.08</b>
IRELAND	38	<b>0.08</b>
AUSTRIA	38	<b>0.08</b>
INDIA	35	<b>0.07</b>
MALAYSIA	14	<b>0.03</b>
BRUNEI	12	<b>0.02</b>
THAILAND	12	<b>0.02</b>
SAMOA	11	<b>0.02</b>
LIECHTENSTEIN	10	<b>0.02</b>
NEW ZEALAND	10	<b>0.02</b>
NORWAY	9	<b>0.02</b>
HUNGARY	8	<b>0.02</b>
SOUTH AFRICA	8	<b>0.02</b>
MAURITIUS	7	<b>0.01</b>
OTHERS	70	<b>0.14</b>
TOTAL	50,140	<b>100.00</b>

Note: Countries with fewer than 5 applications are listed as "Others."

## 12. Certificates Issued by Nationality (2008)

Nationality	Certificate Issued				
	Invention	Utility Model	Design	Total	Percentage
TAIWAN, REPUBLIC OF CHINA	6,378	22,877	3,178	32,433	<b>76.55</b>
JAPAN	3,381	66	1,269	4,716	<b>11.13</b>
UNITED STATES OF AMERICA	1,454	149	497	2,100	<b>4.96</b>
REPUBLIC OF KOREA	601	25	116	742	<b>1.75</b>
GERMANY	323	13	202	538	<b>1.27</b>
NETHERLANDS	165	0	73	238	<b>0.56</b>
SWITZERLAND	139	0	95	234	<b>0.55</b>
CHINA	30	140	24	194	<b>0.46</b>
FRANCE	65	0	81	146	<b>0.34</b>
HONG KONG	18	80	29	127	<b>0.30</b>
UNITED KINGDOM	70	11	45	126	<b>0.30</b>
ITALY	22	4	91	117	<b>0.27</b>
BRITISH VIRGIN ISLANDS	11	18	49	78	<b>0.18</b>
FINLAND	14	0	63	77	<b>0.18</b>
SWEDEN	27	3	33	63	<b>0.15</b>
SINGAPORE	27	10	25	62	<b>0.15</b>
CANADA	29	5	4	38	<b>0.09</b>
AUSTRALIA	9	11	13	33	<b>0.08</b>
CAYMAN ISLANDS	23	4	6	33	<b>0.08</b>
BELGIUM	19	1	4	24	<b>0.06</b>
SPAIN	9	1	14	24	<b>0.06</b>
LIECHTENSTEIN	4	0	20	24	<b>0.06</b>
AUSTRIA	13	0	6	19	<b>0.04</b>
DENMARK	2	1	16	19	<b>0.04</b>
MALAYSIA	0	4	11	15	<b>0.04</b>
LUXEMBOURG	15	0	0	15	<b>0.04</b>
NORWAY	1	0	9	10	<b>0.02</b>
IRELAND	3	1	5	9	<b>0.02</b>
MAURITIUS	0	7	2	9	<b>0.02</b>
SAMOA	0	5	3	8	<b>0.02</b>
ISRAEL	7	0	0	7	<b>0.02</b>
BRUNEI	3	1	3	7	<b>0.02</b>
OTHERS	29	31	21	81	<b>0.19</b>
TOTAL	12,891	23,468	6,007	42,366	<b>100.00</b>

Note: Countries with fewer than 5 cases are listed as "Others."

### 13. Residents Patent Applications in 2008 (Top 20)

Rank	Applicant	Number of Application				
		Invention	Utility Model	Design	Total	
1	HON HAI PRECISION INDUSTRY CO., LTD.	2,054	1,007	236	3,297	
2	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	921	4	2	927	
3	INVENTEC CORPORATION	547	123	9	679	
4	AU OPTRONICS CORP.	556	0	0	556	
5	ASUSTEK COMPUTER INC.	355	0	9	364	
6	CHENG UEI PRECISION INDUSTRY CO., LTD.	22	199	110	331	
7	CHI MEI COMMUNICATION SYSTEMS, INC.	315	0	11	326	
8	FOXCONN TECHNOLOGY CO., LTD.	294	3	23	320	
9	CHI MEI OPTOELECTRONICS CORPORATION	310	3	0	313	
10	CHUNGHWA PICTURE TUBES, LTD.	229	61	0	290	
11	MEDIATEK INC.	281	0	0	281	
12	INVENTEC APPLIANCES CORP.	163	93	8	264	
13	NATIONAL TAIWAN UNIVERSITY	230	9	0	239	
14	WISTRON CORPORATION	142	77	0	219	
15	FAR EAST UNIVERSITY	65	149	0	214	
16	DELTA ELECTRONICS, INC.	186	24	3	213	
17	DARFON ELECTRONICS CORP.	79	114	3	196	
18	HIGH TECH COMPUTER, CORP.	156	6	16	178	
19	NATIONAL CHUNGHSING UNIVERSITY	165	1	0	166	
20	HIMAX TECHNOLOGIES LIMITED	165	0	0	165	

Note: Applicants with the same total of patent applications are given the same ranking, but the order of placement is arranged by the number of invention patents, from most to least.

### 14. Residents Certificate Issued in 2008 (Top 20)

Rank	Applicant	Number of Certificate Issued				
		Invention	Utility Model	Design	Total	
1	HON HAI PRECISION INDUSTRY CO., LTD.	280	678	178	1,136	
2	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	357	10	6	373	
3	INVENTEC CORPORATION	157	141	13	311	
4	CHENG UEI PRECISION INDUSTRY CO., LTD.	0	206	60	266	
5	TAIWAN SEMICONDUCTOR MANUFACTURING CO., LTD.	224	0	0	224	
6	AU OPTRONICS CORP.	198	0	0	198	
7	FAR EAST UNIVERSITY	23	157	0	180	
8	INVENTEC APPLIANCES CORP.	55	63	44	162	
9	MITAC INTERNATIONAL CORP.	107	29	25	161	
10	DELTA ELECTRONICS, INC.	95	32	7	134	
11	DARFON ELECTRONICS CORP.	14	96	7	117	
12	VIA TECHNOLOGIES, INC.	106	3	0	109	
13	ADVANCED SEMICONDUCTOR ENGINEERING, INC.	108	0	0	108	
14	INNOLUX DISPLAY CORP.	58	28	6	92	
15	SOUTHERN TAIWAN UNIVERSITY OF TECHNOLOGY	8	75	7	90	
16	FOXCONN TECHNOLOGY CO., LTD.	76	1	9	86	
16	WISTRON CORPORATION	17	69	0	86	
18	KWANG YANG MOTOR CO., LTD.	35	40	8	83	
19	NATIONAL CHIN-YI UNIVERSITY OF TECHNOLOGY	4	76	0	80	
20	ALTEK CORPORATION	10	68	1	79	
20	P-TWO INDUSTRIES INC.	0	76	3	79	

Note: Applicants with the same total of certificate issued are given the same ranking, but the order of placement is arranged by the number of invention patents, from most to least.

## 15. Non-Residents Patent Application in 2008 (Top 20)

Rank	Applicant	Number of Application			
		Invention	Utility Model	Design	Total
1	QUALCOMM INCORPORATED	886	0	0	886
2	SONY CORPORATION	616	1	65	682
3	KONINKLIJKE PHILIPS ELECTRONICS N.V.	417	1	34	452
4	SAMSUNG ELECTRONICS CO., LTD.	270	0	100	370
5	INTERNATIONAL BUSINESS MACHINES CORPORATION	364	0	0	364
6	TOKYO ELECTRON LIMITED	336	1	18	355
7	FIH (HONG KONG) LIMITED	274	0	62	336
8	APPLIED MATERIALS, INC.	318	6	0	324
9	MICROSOFT CORPORATION	282	0	40	322
10	SUMITOMO CHEMICAL COMPANY, LIMITED	278	0	0	278
11	KABUSHIKI KAISHA TOSHIBA	204	0	39	243
12	INTERDIGITAL TECHNOLOGY CORPORATION	202	33	0	235
13	3M INNOVATIVE PROPERTIES COMPANY	188	3	39	230
14	MICRON TECHNOLOGY, INC.	229	0	0	229
14	FUJIFILM CORPORATION	229	0	0	229
16	NOKIA CORPORATION	89	0	133	222
17	NITTO DENKO CORPORATION	193	0	2	195
18	CANON KABUSHIKI KAISHA	194	0	0	194
19	MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.	153	0	33	186
20	YAMAHA MOTOR CO., LTD.	148	0	28	176

Note: Applicants with the same total of patent applications are given the same ranking, but the order of placement is arranged by the number of invention patents, from most to least.

## 16. Non-Residents Certificate Issued in 2008 (Top 20)

Rank	Applicant	Number of Certificate Issued			
		Invention	Utility Model	Design	Total
1	INTEL CORPORATION	202	1	0	203
1	SAMSUNG ELECTRONICS CO., LTD	162	1	40	203
3	SEIKO EPSON CORPORATION	187	0	9	196
4	TOYOTA JIDOSHA KABUSHIKI KAISHA	2	0	180	182
5	SONY CORPORATION	146	0	20	166
6	HONDA MOTOR CO., LTD.	66	0	83	149
7	SHARP KABUSHIKI KAISHA	119	0	23	142
8	TOKYO ELECTRON LIMITED	92	0	31	123
9	HYNIX SEMICONDUCTOR INC.	115	0	0	115
10	MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.	68	0	43	111
11	KABUSHIKI KAISHA TOSHIBA	73	0	29	102
12	SANYO ELECTRIC CO., LTD.	89	0	7	96
13	KONINKLIJKE PHILIPS ELECTRONICS N.V.	38	0	52	90
14	MITSUBISHI ELECTRIC CORPORATION	65	0	12	77
14	BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT	0	0	77	77
16	SHIMANO INC.	51	2	21	74
17	NOKIA CORPORATION	11	0	62	73
17	WOLVERINE WORLD WIDE, INC.	1	0	72	73
19	INTERDIGITAL TECHNOLOGY CORPORATION	41	31	0	72
20	SMC KABUSHIKI KAISHA	16	0	53	69

Note: Applicants with the same total of certificate issued are given the same ranking, but the order of placement is arranged by the number of invention patents, from most to least.



## 17. Certificates Issued by Type of Industry

Type of Industry	Corresponding International Patent Classification	Residents Application		Non-Residents Application		Total		
		Invention	Utility Model	Invention	Utility Model	No. of Application	Percentage	
Agriculture, Forest, Fishery & Animal Husbandry	A01, (exclude A01H, A01K67, A01N, A01P)	21	472	25	5	523	1.44	
Foods & Tobacco	A21-A24	40	134	28	1	203	0.56	
Domestic Articles	A41-A47	102	2,913	92	68	3,175	8.73	
Pharmaceutical & Entertainment	A61-A63, (exclude A61K, A61P, A61Q)	179	1,605	177	42	2,003	5.51	
Biotech	A01H, A01K67, A01N, A61K35/66-35/76, 38, 39, 47/42, 48, 49/14, 49/16, 51/08, 51/10, A61P, C07K, C12, G01N33, A01P, C40B	91	39	79	0	209	0.58	
Preparation for Medical, Dental or Toilet Purposes	A61K (exclude 35/66-35/76, 38, 39, 47/42, 48, 49/14, 49/16, 51/08, 51/10) , A61Q	48	6	136	0	190	0.52	
Separation & Mixing	B01-B09	134	581	159	6	880	2.42	
Working of Metal	B21-B32, (exclude B31)	382	1,659	344	20	2,405	6.61	
Printing	B41-B44	76	393	99	11	579	1.59	
Transporting	B60-B68	375	2,747	278	51	3,451	9.49	
Micro-structural technology; nano-technology	B81-B82	18	7	8	0	33	0.09	
Inorganic Chemistry, Treatment of Waste Water	C01-C05, C30	86	108	131	2	327	0.90	
Organic Chemistry	C07, (exclude C07K \ C07M)	27	0	300	0	327	0.90	
Organic Macromolecular Compound	C08	75	5	397	0	477	1.31	
Dyes, Petroleum, Animal or Vegetable Oils	C09-C11	71	32	277	1	381	1.05	
Sugar Industries & Pelts/Leather	C13-C14	0	1	1	0	2	0.01	
Metallurgy, Coating Metallic Material & Alloys	C21-C23, C25 (exclude C22K)	51	62	160	4	277	0.76	
Textiles & Flexible Materials	D01-D07	45	287	101	2	435	1.20	
Paper Making & Making Paper Articles	D21, B31	2	25	11	0	38	0.10	
Fixed Constructions	E01-E06	84	1,369	22	18	1,493	4.11	
Mining or Quarrying	E21	1	5	2	0	8	0.02	
Engines and Pumps	F01-F04	76	468	70	8	622	1.71	
Hydraulics or Pneumatics in General	F15-F17	121	919	143	18	1,201	3.30	
Lighting; Heating	F21-F28	161	1,519	87	19	1,786	4.91	
Weapons; Explosive Charges	F41-F42, C06	5	89	2	3	99	0.27	
Optics	G01-G03, (exclude G01N33)	657	1,120	811	56	2,644	7.27	
Measuring	G04-G08, (exclude G06F, G06Q)	246	383	128	7	764	2.10	
Semi-Conductor Applications	G09-G12	445	431	465	16	1,357	3.73	
Nuclear Engineering	G21	3	6	1	0	10	0.03	
Electric Power; Generation, Distribution or Conversion of Electric Power, Electric Heating	H02, H05	550	1,284	264	22	2,120	5.83	
Basic Electronic Elements	H01, (exclude H01L)	218	2,298	272	95	2,883	7.93	
Semiconductor Devices	H01L	914	495	876	26	2,311	6.36	
Basic Electronic Circuitry; Electric Communication Technique	H03, H04	423	539	313	61	1,336	3.67	
Electric Digital Data Processin	G06F (exclude 17/60)	600	837	239	26	1,702	4.68	
E-business	G06F17/60, G06Q	51	39	15	3	108	0.30	
Total		6,378	22,877	6,513	591	36,359	100.00	

## 18. Statistics for Valid Patent – Invention &amp; Utility Model

Classification	Invention	Utility Model	Classification	Invention	Utility Model	Classification	Invention	Utility Model
A01	1,150	2,144	B62	1,582	3,400	E06	185	1,966
A21	101	193	B63	141	256	E21	46	30
A22	13	36	B64	30	34	E99	0	0
A23	548	404	B65	2,244	5,756	F01	360	326
A24	93	72	B66	401	385	F02	617	461
A41	136	1,076	B67	78	136	F03	59	275
A42	40	364	B68	2	10	F04	688	1,254
A43	190	850	B81	234	28	F15	121	76
A44	289	655	B82	19	4	F16	1,995	4,484
A45	168	1,709	C01	789	53	F17	155	141
A46	50	159	C02	417	334	F21	413	1,989
A47	908	8,401	C03	589	73	F22	35	24
A61	5,243	4,639	C04	540	10	F23	354	638
A62	90	379	C05	41	20	F24	653	2,364
A63	1,138	3,789	C06	15	6	F25	440	336
B01	2,013	1,258	C07	4,788	1	F26	54	119
B02	84	198	C08	5,015	17	F27	98	61
B03	52	35	C09	2,461	55	F28	368	325
B04	15	17	C10	406	14	F41	99	370
B05	707	834	C11	292	31	F42	33	119
B06	17	8	C12	818	55	F99	0	1
B07	47	165	C13	6	4	G01	5,504	2,292
B08	269	239	C14	18	10	G02	8,135	2,372
B09	148	58	C21	350	36	G03	3,606	788
B21	741	614	C22	578	6	G04	171	176
B22	584	102	C23	1,639	101	G05	864	237
B23	1,740	2,350	C25	531	172	G06	13,645	6,732
B24	1,097	707	C30	364	16	G07	337	385
B25	980	3,033	C40	0	0	G08	433	482
B26	300	770	D01	462	86	G09	3,956	1,025
B27	133	566	D02	107	33	G10	606	355
B28	105	105	D03	164	104	G11	8,394	1,202
B29	1,675	1,252	D04	421	387	G12	28	45
B30	111	115	D05	296	378	G21	266	15
B31	52	126	D06	595	456	H01	43,256	14,710
B32	1,077	463	D07	12	19	H02	2,774	2,197
B41	1,677	728	D21	260	38	H03	3,203	266
B42	71	439	E01	109	228	H04	13,073	3,913
B43	115	540	E02	189	315	H05	4,989	4,992
B44	105	261	E03	98	567	H99	0	0
B60	1,445	4,121	E04	553	2,416			
B61	77	22	E05	407	2,213	<b>Total</b>	<b>173,668</b>	<b>119,802</b>

Note: 1. The figures above are calculated based on existing patents as of December 31, 2008.

2. Invention patents and utility model patents are classified by the IPC Classification.

## Design

classification	Design	classification	Design	
01	43	27	124	
02	914	28	852	
03	482	29	39	
04	228	30	204	
05	243	31	161	
06	1,257	32	180	
07	819	33	28	
08	1,610	34	43	
09	1,563	35	13	
10	1,039	36	37	
11	594	37	148	
12	2,663	38	27	
13	2,464	39	7	
14	5,421	40	34	
15	1,395	41	6	
16	1,305	42	12	
17	428	43	1	
18	196	44	4	
19	944	45	17	
20	187	46	230	
21	986	47	12	
22	224	48	10	
23	1,944	49	40	
24	620	50	43	
25	626	99	182	
26	1,409	Total	32,058	

Note: The figures above are calculated based on existing patents as of December 31, 2008.

## 19. Statistics of Pending Patent Applications for Examination (2004~2008)

Year	Application			Re-examination		Opposition			Invalidation			Technical Evaluation Report for Utility Model	TOATL
	Invention	Utility Model	Design	Invention	Design	Invention	Utility Model	Design	Invention	Utility Model	Design		
2004	43,978	14,818	7,901	14,862	371	439	1,649	149	211	874	70	485	85,807
2005	52,757	4,725	8,027	11,046	196	213	474	2	305	1,738	92	1,719	81,294
2006	62,937	6,634	6,703	9,256	335	48	25	0	411	2,028	73	1,204	89,654
2007	90,824	7,340	7,029	7,641	291	1	4	0	501	1,703	85	1,693	117,112
2008	120,405	6,011	7,077	5,904	183	1	0	0	504	1,554	57	1,664	143,360

Note: 1. Since July 1, 2004, Utility Model patents applications have only been subject to formality examination with the requirement that the technical evaluation reports be attached.

2. The statistics above excludes the number of applications not requesting for substantial examination. (2004: 6,239 cases; 2005: 10,509; 2006: 11,298; 2007: 11,374; 2008: 11,779)

## D. Trend Table of Invention Requests For Examination

Number and percentage of requests for examination (shown by the year of filing)

Filing Year	Invention Applications (Total Applications In This Year)	In the First Year Since the Filing Date		In the Second Year Since the Filing Date		In the Third Year Since the Filing Date		After the Third Year Since the Filing Date		Sum of the Number/Percentage of Applications Requested For Examination	
		Applications	Percentage	Applications	Percentage	Applications	Percentage	Applications	Percentage	Applications	Percentage
2002	6,221	3,430	55.14	390	6.27	1,577	25.35	91	1.46	5,488	88.22
2003	35,823	21,962	61.31	1,292	3.61	8,898	24.84	462	1.29	32,614	91.04
2004	41,919	25,833	61.63	1,645	3.92	10,236	24.42	596	1.42	38,310	91.39
2005	47,841	29,641	61.96	1,679	3.51	11,321	23.66	657	1.37	43,298	90.50
2006	50,111	31,732	63.32	1,561	3.12	2,919	5.83	313	0.62	36,525	72.89
2007	51,676	33,318	64.47	792	1.53	123	0.24	336	0.65	34,569	66.90
2008	51,909	31,499	60.68	16	0.03	70	0.13	267	0.51	31,852	61.36

Date: 2009/2/17

Note: 1. The number of requests for examination (including new applications, divisional applications, and conversion applications) refers to the number of requests for examination according to the provisions of Article 37.1 and 2 of the Patent Act of the ROC.

2. Except for the divisional applications and conversion applications conforming to the provisions of Article 33 or 102 of the Patent Act, the invention applications failing to be submitted a request for examination within three years from the filing date are deemed to have been withdrawn.

3. The percentage of requests for examination refers to the percentage of the total number of the requests for examination in each year within three years from the filing dates, divisional and conversion applications divided or converted in 30 days from the filing date according to the provisions of Articles 33 and 102 of the Patent Act, to the total number of new applications for invention.

4. The total number of invention applications in each year, besides the new applications filed in the year, further includes the number of the divisional applications and the number of conversion applications divided or converted in the year but originally filed before the year.

5. The statistics above were calculated on Feb. 17, 2009.

### E. Statistics for IC Layout Applications and Certificates Issued

Year	Application	Certificate Issued
1996	243	40
1997	148	224
1998	125	204
1999	135	52
2000	102	150
2001	206	55
2002	76	91
2003	53	79
2004	56	34
2005	26	93
2006	63	28
2007	43	73
<b>2008</b>	<b>37</b>	<b>37</b>

## Trademark Cases Filed & Disposed

### A. General Statistics of Trademark Cases (1984-2008)

Year	Item	Application	Registration	Approval	Rejection	
1984		62,968	39,236	41,563	21,245	
1985		55,973	45,026	46,301	13,472	
1986		64,772	45,106	45,245	18,459	
1987		69,543	40,388	39,874	22,023	
1988		60,788	42,114	46,467	19,063	
1989		59,071	47,788	46,912	11,955	
1990		56,925	44,033	45,475	14,087	
1991		60,500	41,195	42,460	15,402	
1992		64,394	39,301	42,368	15,304	
1993		64,799	50,773	53,707	12,681	
1994		67,641	44,287	42,114	9,870	
1995		63,797	41,416	43,797	6,219	
1996		67,063	44,973	50,657	7,272	
1997		70,502	57,541	53,973	9,306	
1998		69,371	49,512	54,257	9,875	
1999		73,212	60,302	56,764	7,665	
2000		88,002	52,954	68,168	6,543	
2001		59,158	76,413	75,731	9,467	
2002		61,729	70,842	64,032	9,253	
2003		65,907	74,572	54,335	7,451	
2004		61,667	54,912	–	6,440	
2005		63,580	55,181	–	7,929	
2006		65,101	54,597	–	7,393	
2007		61,454	51,326	–	7,055	
<b>2008</b>		<b>59,568</b>	<b>49,500</b>	<b>–</b>	<b>7,811</b>	

Note: 1. The figures for "Application" are calculated based on the total number of registration applications collected each year.  
 2. The figures for "Registration," "Approval," and "Rejection" are calculated based on the total number of cases published each year.  
 3. The published approval system was abolished after the new Trademark Act took effect on November 28, 2003; a trademark shall be registered and published after the registration fee payment is made.

## B. Statistics of Trademark (1999-2008)

### 1. Statistics of Applications

Year	Item	Application		Opposition	Invalidation	Revocation	Renewal	License	Assignment	Alteration	
		By case	By class								
1999		73,212	–	1,782	503	234	14,346	3,824	7,422	7,418	
2000		88,002	–	1,871	511	206	19,402	2,300	8,872	7,561	
2001		59,158	–	2,051	439	268	15,284	2,549	6,935	8,650	
2002		61,729	–	2,081	577	256	17,896	3,215	8,607	8,059	
2003		65,907	–	1,762	644	317	21,996	2,593	11,477	8,611	
2004		61,667	72,650	1,536	440	288	21,559	2,056	7,796	5,451	
2005		63,580	76,838	1,562	537	368	22,534	1,980	9,255	7,416	
2006		65,101	79,767	1,637	493	453	26,155	1,864	9,418	8,461	
2007		61,454	76,332	1,195	438	357	26,394	1,800	10,866	10,179	
<b>2008</b>		<b>59,568</b>	<b>75,033</b>	<b>1,192</b>	<b>363</b>	<b>358</b>	<b>29,954</b>	<b>1,413</b>	<b>8,971</b>	<b>9,595</b>	

Note: 1. The figures above reflect the total number of applications.

2. The term "Application" includes applications for certification mark, collective membership mark and collective trademark.

3. The term "License" includes applications for sub-license from the year 2000 onward.

4. The term "Alteration" includes applications for "goods /service reduction" from 2001 on.

5. Beginning from November 28, 2003, applications for trademark registration may contain two more types of goods or services, thus the number of applications and the number of classes are not the same.

### 2. Trademark Opposition

Year	Item	Sustained	Denied	Others	
1999		483	601	186	
2000		723	763	240	
2001		1,196	817	316	
2002		1,450	593	311	
2003		896	501	206	
2004		806	399	261	
2005		804	520	231	
2006		804	445	199	
2007		854	478	243	
<b>2008</b>		<b>705</b>	<b>282</b>	<b>268</b>	

Note: 1. The chart reflects the number of types been examined each year.

2. The term "Others" includes rejection, revocation, and other types of rejection.



### 3.Trademark Invalidation

Year \ Item	Sustained	Denied	Others
1999	295	202	48
2000	239	192	91
2001	234	174	72
2002	354	164	60
2003	296	134	50
2004	293	94	48
2005	255	180	76
2006	267	135	65
2007	227	110	91
<b>2008</b>	<b>241</b>	<b>94</b>	<b>76</b>

Note: 1. The chart reflects the number of applications been examined each year.  
 2. The term "Others" includes rejection, revocation, and other types of rejection.

### 4.Trademark Revocation (Cancellation)

Year \ Item	Sustained	Denied	Others
1999	147	39	94
2000	96	59	82
2001	189	51	59
2002	168	58	52
2003	193	42	48
2004	198	39	51
2005	216	71	45
2006	307	66	73
2007	284	27	42
<b>2008</b>	<b>226</b>	<b>43</b>	<b>53</b>

Note: 1. The chart reflects the number of applications been examined each year.  
 2. The term "Others" includes rejection, revocation, and other types of rejection.  
 3. Beginning from November 28, 2003, "disciplinary cancellation" has been changed to "revocation."

## 5. Statistics of Trademark Administrative Remedy Filed and Cancelled

Year	Petition			Re-petition			Administrative litigation (include appeal for re-examination)			Total		
	Filed	Revoked	Percentage revoked	Filed	Revoked	Percentage revoked	Filed	Revoked	Percentage revoked	Filed	Revoked	Percentage revoked
1999	1,488	145	9.74	718	45	0	328	14	4.27	2,534	204	8.05
2000	1,099	123	11.19	351	18	0	407	22	5.41	1,857	163	8.78
2001	1,468	135	9.20	–	–	–	493	67	13.59	1,961	202	10.30
2002	1,542	204	13.23	–	–	–	591	30	5.08	2,133	234	10.97
2003	1,190	101	8.49	–	–	–	477	50	10.48	1,667	151	9.06
2004	812	101	12.44	–	–	–	332	48	14.46	1,144	149	13.02
2005	1,215	141	11.60	–	–	–	417	29	6.95	1,632	170	10.42
2006	1,172	138	11.77	–	–	–	503	28	5.57	1,675	166	9.91
2007	1,173	78	6.65	–	–	–	463	34	7.34	1,636	112	6.85
<b>2008</b>	<b>1,016</b>	<b>87</b>	<b>8.56</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>386</b>	<b>30</b>	<b>7.77</b>	<b>1,402</b>	<b>117</b>	<b>8.35</b>

- Note: 1. Since revision and implementation of the Administrative Appeal Act and the Administrative Litigation Act on July 1, 2000, the re-petition procedure has been revoked and there has been no re-petition cases since 2001.
2. Cases of petition filed before the Ministry of Economic Affairs in the year are cases where applicants consider his/her right or interest was unlawfully or improperly injured by TIPO's administrative action.
3. Cases being revoked in petition are the number of cases decided by the Petitions and Appeals Committee, Ministry of Economic Affairs for revocation against TIPO administrative dispositions.
4. Cases of administrative litigation filed are the number of cases the applicant opposes petition decision in accordance with articles 4, 238 and 273 of the Administrative Litigation Act, and bring to the first instance, appeal and retrial of the administrative litigation in sequence.
5. Cases of administrative litigation revoked are the number of cases adjudicated for revocation in the year by the Supreme Administrative Court against TIPO administrative dispositions.

## 6. Residents and Non-Residents Trademark Applications (By case)

Year	Item	Residents	Non-Residents
1999		56,933	16,279
2000		64,683	23,319
2001		41,299	17,859
2002		45,403	16,326
2003		48,878	17,029
2004		48,613	13,054
2005		50,263	13,317
2006		51,107	14,350
2007		47,371	14,740
<b>2008</b>		<b>45,876</b>	<b>14,244</b>

Note: Applications for joint ownership of trademark received from July 13, 2006. The number of statistics by nationality in this table is counted by the number of applicants in terms of their nationality.

## 7. Residents and Non-Residents Trademark Registrations (By case)

Year \ Item	Residents	Non-Residents
1999	45,734	14,568
2000	40,650	12,304
2001	56,785	19,628
2002	49,151	21,691
2003	52,942	21,630
2004	40,224	14,688
2005	42,782	12,399
2006	41,974	12,623
2007	39,167	12,159
<b>2008</b>	<b>37,220</b>	<b>12,280</b>

## C. Statistics of Trademarks by Class and Nationality

### 1. Trademark Applications and Registrations by Class (2006-2008)

Type	Application			Registration			
	2006	2007	2008	2006	2007	2008	
Total	79,678	76,247	74,949	66,731	62,164	61,163	
1	1,277	1,248	1,247	1,179	985	1,062	
2	328	333	361	384	262	269	
3	5,540	4,765	4,366	4,562	4,200	3,398	
4	517	485	496	441	408	354	
5	5,756	5,356	5,327	4,391	4,530	4,150	
6	1,077	940	950	965	916	752	
7	1,741	1,776	1,643	1,556	1,468	1,533	
8	515	525	506	506	435	426	
9	6,274	6,265	6,140	5,925	4,930	5,326	
10	1,077	1,123	1,025	967	1,027	827	
11	1,571	1,589	1,673	1,464	1,280	1,357	
12	1,514	1,415	1,721	1,460	1,195	1,245	
13	89	57	69	41	78	37	
14	1,417	1,266	1,239	1,199	1,050	1,023	
15	126	142	107	136	108	93	
16	2,678	2,413	2,406	2,284	1,923	1,994	
17	512	561	566	469	502	486	
18	2,068	1,922	1,957	1,653	1,677	1,496	
19	479	471	514	427	380	390	
20	1,264	1,111	1,037	1,050	1,083	874	
21	1,315	1,306	1,172	1,152	1,024	1,088	
22	167	166	142	160	160	122	
23	115	119	97	104	108	90	
24	976	890	842	846	852	740	
25	5,218	5,111	5,152	4,228	4,101	3,698	
26	342	402	347	270	296	320	
27	162	135	134	125	141	105	
28	1,681	1,575	1,515	1,379	1,374	1,302	
29	2,674	2,361	2,442	2,014	1,960	1,771	
30	4,887	4,564	4,447	3,634	3,507	3,349	
31	952	836	909	740	723	689	
32	2,110	1,963	1,639	1,611	1,462	1,336	
33	1,162	821	818	835	789	537	
34	268	307	352	232	258	252	
35	6,606	6,550	6,756	5,771	5,206	5,791	
36	1,061	1,212	1,260	917	866	1,038	
37	1,033	1,096	993	923	821	897	
38	882	1,002	966	754	690	811	
39	670	619	674	605	547	561	
40	454	532	416	377	413	432	
41	2,933	2,889	2,896	2,474	2,286	2,535	
42	2,335	2,509	2,298	2,000	1,806	2,058	
43	4,202	3,999	3,734	3,150	3,035	3,180	
44	1,293	1,131	1,050	1,064	1,034	987	
45	360	389	548	307	268	382	

Note: The above figures do not include the applications and registrations of certification mark and collective membership mark.

## 2. Trademark Applications by Nationality in 2008 (By Case)

Nationality	Application	Percentage	Nationality	Application	Percentage
TAIWAN, REPUBLIC OF CHINA	45,876	76.31	RUSSIAN FEDERATION	34	0.06
UNITED STATES OF AMERICA	3,596	5.98	UNITED ARAB EMIRATES	32	0.05
JAPAN	3,223	5.36	BRAZIL	31	0.05
CHINA	957	1.59	INDONESIA	30	0.05
GERMANY	886	1.47	SAMOA	30	0.05
SWITZERLAND	669	1.11	PHILIPPINES	27	0.05
FRANCE	612	1.02	FINLAND	26	0.04
UNITED KINGDOM	587	0.98	ISRAEL	26	0.04
HONG KONG	475	0.79	POLAND	25	0.04
ITALY	402	0.67	CHILE	24	0.04
REPUBLIC OF KOREA	344	0.57	MEXICO	24	0.04
NETHERLANDS	245	0.41	MACAO	23	0.04
BRITISH VIRGIN ISLANDS	227	0.38	SOUTH AFRICA	23	0.04
SINGAPORE	206	0.34	BERMUDA	20	0.03
SWEDEN	190	0.32	VIETNAM	20	0.03
AUSTRALIA	135	0.22	NORWAY	19	0.03
CANADA	132	0.22	INDIA	18	0.03
CAYMAN ISLANDS	120	0.20	SAUDI ARABIA	18	0.03
SPAIN	82	0.14	BULGARIA	16	0.03
MALAYSIA	72	0.12	BAHAMAS	11	0.02
BELGIUM	67	0.11	TURKEY	11	0.02
LUXEMBOURG	50	0.08	MONACO	10	0.02
THAILAND	50	0.08	CZECH REPUBLIC	9	0.02
AUSTRIA	49	0.08	PORTUGAL	9	0.02
DENMARK	49	0.08	MAURITIUS	8	0.01
NEW ZEALAND	41	0.07	BARBADOS	7	0.01
IRELAND	38	0.06	HUNGARY	6	0.01
LIECHTENSTEIN	37	0.06	OTHERS	131	0.22
ICELAND	35	0.06			
Subtotal			Ratio		
Residents	45,876			76.31%	
Non-Residents	14,244			23.69%	
<b>Total</b>	<b>60,120</b>		<b>100.00%</b>		

Note: Countries with fewer than five applications are listed as "Others."

### 3. Trademark Registrations by Nationalities in 2008 (By case)

Nationality	Registration	Percentage	Nationality	Registration	Percentage
TAIWAN, REPUBLIC OF CHINA	37,220	75.19	IRELAND	25	0.05
UNITED STATES OF AMERICA	3,349	6.77	LIECHTENSTEIN	25	0.05
JAPAN	2,346	4.74	UNITED ARAB EMIRATES	24	0.05
CHINA	880	1.78	INDIA	23	0.05
GERMANY	800	1.62	SAMOA	23	0.05
SWITZERLAND	558	1.13	RUSSIAN FEDERATION	22	0.04
FRANCE	510	1.03	COLOMBIA	19	0.04
HONG KONG	461	0.93	FINLAND	18	0.04
UNITED KINGDOM	435	0.88	PHILIPPINES	16	0.03
REPUBLIC OF KOREA	357	0.72	TURKEY	16	0.03
ITALY	345	0.70	POLAND	14	0.03
NETHERLANDS	233	0.47	CHILE	13	0.03
SINGAPORE	215	0.43	CZECH REPUBLIC	13	0.03
BRITISH VIRGIN ISLANDS	180	0.36	MONACO	13	0.03
CAYMAN ISLANDS	140	0.28	BRAZIL	12	0.02
AUSTRALIA	132	0.27	GUATEMALA	12	0.02
CANADA	110	0.22	SOUTH AFRICA	12	0.02
SWEDEN	90	0.18	BAHAMAS	11	0.02
SPAIN	85	0.17	MACAO	11	0.02
MALAYSIA	78	0.16	BARBADOS	10	0.02
ICELAND	73	0.15	HUNGARY	10	0.02
BELGIUM	65	0.13	SAUDI ARABIA	10	0.02
AUSTRIA	53	0.11	NETHERLANDS ANTILLES	9	0.02
DENMARK	48	0.10	ARGENTINA	9	0.02
LUXEMBOURG	45	0.09	BELARUS	8	0.02
ISRAEL	40	0.08	VIETNAM	8	0.02
MEXICO	39	0.08	GREECE	7	0.01
THAILAND	34	0.07	SEYCHELLES	7	0.01
NORWAY	29	0.06	PORTUGAL	6	0.01
BERMUDA	27	0.05	UKRAINE	6	0.01
INDONESIA	26	0.05	OTHERS	59	0.12
NEW ZEALAND	26	0.05			
Subtotal			Ratio		
Residents	37,220			75.19%	
Non-Residents	12,280			24.81%	
<b>Total</b>	<b>49,500</b>			<b>100.00%</b>	

Note: Countries with fewer than five registrations are listed as "Others."

D. Statistics for Certification Mark and Collective Membership Mark

Year	Certification Mark		Collective Membership Mark	
	Application	Registration	Application	Registration
1996	13	3	85	59
1997	8	6	91	73
1998	14	3	95	49
1999	13	10	100	36
2000	29	6	117	76
2001	27	32	110	68
2002	34	14	109	112
2003	36	37	91	83
2004	34	27	61	74
2005	40	33	56	41
2006	29	37	60	44
2007	30	31	55	32
<b>2008</b>	<b>41</b>	<b>40</b>	<b>42</b>	<b>35</b>



# 2008

## Calendar of Events

- 1 Patent search data was published in the Patent Gazette. The specified response period for foreigners receiving preliminary examination notice for patent and utility model applications was extended from 60 to 90 days. The request for period extension was limited to one time only and not over 180 days.
- 2 The new Guidelines for Patent Attorney Licensing Fees was promulgated and was entered into force on January 11, 2008.
- 11 The Patent Attorney Act was entered into force, replacing the Management Guidelines for Patent Agents.
- 13-15 TIPO sent officials to attend the Life Science Innovative Forum (LSIF) held in Singapore.

### January

### February

- 20-23 Deputy Director General Margret Chen led a delegation to participate in APEC/IPEG meeting in Lima, Peru.
- 22 Mr. David Katz USTR Director in charge of Taiwan affairs visited TIPO to exchange views on IP issues between Taiwan and the United States.
- 26 TIPO, AIT and the Ministry of Education jointly sponsored a capacity-building workshop to combat against copyright infringement on campus.
- 26-3/25 Five Seminars each were held for Trademark Act amendments and Guidelines on Examination for Chinese Herbs. The seminars were held across Taiwan in Taipei, Hsinchu, Taichung, Kaohsiung and Tainan.
- 27 The Kaohsiung Branch Office of TIPO celebrated its 20th anniversary. A roundtable discussion was also organized to explain settlement procedures for IP litigation cases and to introduce the upcoming opening of the Intellectual Property Court.





- 3** TIPO called an inter-agency meeting to discuss the ways to effectively seize pirated and counterfeiting goods and prevent them from re-circulation in the marketplace.
- 13-14** TIPO sent officials to Geneva to attend WTO/TRIPS meetings.
- 14** TIPO sponsored a seminar on "Legal Remedies on Well-known Trademarks and Trade Dress." Representatives from the European Chamber of Commerce, AIT and other foreign institutions were present at the seminar. The agenda included: possible types of well-known trademarks infringements, remedies on cases involving counterfeited well-known trademarks and trade dress and principles for competent authorities when receiving complaints.

#### March

- 26** The Copyright Intermediary Organization Act and Amendments to Articles 37, 81, 82 of the Copyright Act were adopted at the 3085th meeting of the Executive Yuan, and were later forwarded on to the Legislative Yuan for adoption on April 2, 2008.
- 26** Representatives from the IP section of the American Chamber of Commerce in Taipei visited TIPO and exchanged views on IP issues. The visitors recognized Taiwan's efforts in IP protection and stated they would suggest to the USTR the removal of Taiwan from their annual Special 301 list.
- 26** Dr. Pedro Osona from the European Patent Office (EPO) visited TIPO and exchanged views on issues of cooperation between TIPO and EPO.



**1-3** TIPO officials were dispatched to New Delhi, India, attending WTO/TRIPS Regional Seminar.

**19,21,25** In coordination with the 2008 World IP Day, TIPO organized Outdoor Creative Design Contest, IPR Strategic Arrangement Conference and concurrently held a ceremony to recognize outstanding TIPO patent and trademark examiners.

**22,24,28,29,5/6** Five meetings were held in Taipei, Hsinchu, Tainan, Kaohsiung and Tainan to solicit comments from private sectors and patent and trademark agents as part of plans to amend IP-related laws and regulations.

**26** In their annual Special 301 review report, the USTR did not remove Taiwan from the Watch List. TIPO expressed regret for the decision.



April

May

**8** The Patent E-filing Implementation Rules were promulgated.

**9** The Trademark E-filing Implementation Rules were promulgated.

**21** The first digital video conference of the Taiwan-EU IP Working Group was held.

**23** The Legislative Yuan adopted the Protocols to WTO/TRIPS as forwarded by the Executive Yuan.

**27** Representatives from the U.S. Law firm of Manatt, Phelps & Phillips, LLP, visited TIPO to exchange views on patent and trademark issues.



**1** Adoption of IPC 200804 version to be applied to the patent applications.

**2,13,19,20,27** TIPO jointly sponsored with the Bureau of Foreign Trade (BOFT) five workshops in Taipei, Taichung, Tainan and Kaohsiung dealing with the right way to apply labels to specify the places of origins and how to apply for trademarks and the types of trademarks and how to use trademarks.

**3,11** The first and second meetings of the Patent Quality Examination Advisory Committee were held.

**9** A USTR delegation led by Jared W. Ragland visited TIPO to exchange views on the USTR's Special 301 Out of Cycle Review of Taiwan's IP protection measures. The two sides also exchanged views on an amendment to the Copyright Act regarding ISP liability limitations.

## June

**10,18,19,24,25** TIPO held five seminars across Taiwan on computer software patent examination guidelines. A total of 293 representatives from private sectors and government agencies were in attendance.

**20-30** TIPO co-sponsored with 22 universities an event promoting the recycle of second-hand textbooks and the development of an on-campus exchange center for second hand textbooks.

**23** A panel of experts was invited to a symposium on multi-offenses in criminal copyright cases.

**25** Major Points on Registered Trademark Usage was amended by TIPO.



**1** The new patent search data system was launched on the TIPO website for access by the general public.

**1-2,9-10,16-17,21-22,24-25** Five on-the-job training courses were organized for trademark agents in Taichung, Tainan, Kaohsiung and Taipei. A total of 319 agents received training.

**8-11** TIPO sponsored a patent examination workshop for part-time patent examiners at MOEA's Professional Training Center in Hsinchu. A total of 64 examiners attended.

## July

**8,8/6,7,12,13,27,9/30** TIPO assisted the Council of Agriculture to organize seven training courses on the themes "Geographical Certification Marks and Collective Trademark Applications for Registration" and "Trademark and Geographical Indications" in Taoyuan, Tainan, Kaohsiung, Hualien, Taitung, Miaoli and Chiayi.

**10** Held public hearing on the draft "Examination Guidelines on Retail Services."

**15** Director General Wang met Jeffery Harde, Deputy Chairman of BSA Asia, exchanging views on ISP Liability Bill.

**15** TIPO conducted a pilot project to remind patent holders via telephone of their patent expiration and urge them to pay annual fees before deadline.

**17** A meeting was held to exchange views on current legislation in Taiwan regarding the protection of encrypted broadcast feeds and their corresponding rules in IP-related laws and regulations. This was one of the sections contained in other free trade agreements that the U.S. has concluded with other trading partners.

**30** The final round of voting was completed for the 2008 National Invention and Creation Award. Voters awarded 5 gold medals and 10 silver medals for the Invention Award, 9 gold medals and 27 silver medals awarded for the Creation Award, and 6 winners of the Contribution Award.


- 4-8** In coordination with the Judicial Yuan, TIPO organized an on-the-job training camp for IP judges.
- 13-16** TIPO officials were dispatched to Peru for the 27th APEC/IPEG meetings, where they also attended a seminar entitled: "Survey On Access To Genetic Resources And Protection Of Traditional Knowledge In APEC Economies."
- 14** A workshop was held to discuss various copyright intermediary organization practices.
- 15-9/16** The first round of training was held for patent attorneys in Taiwan who were exempt from taking the national-level patent attorney examination.
- 18** A public hearing was held to present an amendment to the Patent Act concerning compulsory licensing.
- 19** Articles 15, 31 and 57 of the Patent Act Implementation Rules were amended.

## August

- 20** A delegation of U.S. congressional assistants visited TIPO to exchange views on issues relating to IPR enforcement.
- 21** A meeting was called to discuss the USTR's Special 301 Out of Cycle Review. Representatives of right holder groups were invited and exchanged views with officials from the National Police Agency, IPR Police, Ministry of Education and TIPO.
- 25-28** Two public hearings were held to present a new draft amendment to the Trademark Act.
- 26** TIPOnet, a new service for accepting applications for patent and trademark applications over the Internet, was officially launched. Guidelines for the collection of patent and trademark fees were also revised.
- 26-28** Two public hearings were held to present draft amendments to the Patent Act.
- 27** Ms. Andrea Wu, new executive director of the American Chamber of Commerce in Taipei, visited Director General Wang Mei-hua to exchange views on the USTR's Special 301 Out of Cycle Review and other IP-related issues between Taiwan and the US.
- 27** The Japanese Chamber of Commerce and Industry Taipei (JCCI) invited Director General Wang Mei-hua to participate in a meeting held by the JCCI. Director General Wang delivered a speech on the direction of amendments to Patent and Trademark Acts and expressed views on other current IP-related issues.





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- 1-13** Director General Wang was in Europe for a four-country tour of Spain, Belgium, France and Germany. During her visit, Director General Wang met with patent and trademark authorities to explore cooperation and exchange views on IP information exchange and training programs.
  - 1** Designated periods for preliminary examination and re-examination communications were amended from a daily calculation basis to a monthly basis.
  - 4** A third public hearing was held to discuss a draft amendment to the Trademark Act.
  - 8** In coordination with the opening of the new TIPOnet e-filing service, TIPO amended 16 types of trademark and patent application forms and brochures outlining e-filing requirements.

## September

- 10** TIPO and the Taiwan Foundation Against Copyright Theft (TFACT) jointly held a press conference to announce the winners of the 2008 Hong Kong and Taiwan “My Video” Competition. Among the three categories, Taiwan participants won one gold medal, two silver medals, one bronze medal and 3 special recognition awards.
- 16** Director General Wang invited representatives from Taiwan’s top blogging websites — Yam, Wretch, Xuite and Pixnet — for a roundtable discussion to raise public support for online copyright protection.
- 25-28** With the cooperation of the Taiwan External Trade Development Council (TAITRA), TIPO hosted the 2008 Taipei International Invention Show and Technomart; Taiwan President Ma Ying-jeou was in attendance for the opening ceremony. A total of 642 companies and inventors from 19 countries attended the exhibition.
- 25** The draft amendment to the Copyright Act concerning limitation of liabilities for ISPs was approved at the 3111st meeting of the Executive Yuan.





- 1,8,15** Three public hearings were held to present an amendment to Chapter 10 of the Guidelines for Substantive Examination of Invention Patent regarding pharmaceutical-related patents. Discussed at the hearing were standard criteria for granting pharmaceutical-related patents.
- 9** A fourth public hearing was held to solicit public comments on an amendment to the Trademark Act concerning trademark infringement and resolution procedures during trademark disputes.

#### October

- 14** The ISP Limitation of Liability Bill amendment to the Copyright Act passed First Reading at the Legislative Yuan and was subsequently forwarded to the Economic Committee for further review.
- 16** The first public hearing was called to solicit comments on Guidelines for Substantive Examination of Invention Patent regarding patent term extensions.
- 16** An award ceremony was held for the 2008 Copyright Awareness Poster Design Competition. Director General Wang presided over the event and presented the awards.
- 19** A bilateral Memorandum of Understanding (MOU) on Industrial Property between Taiwan and Australia was agreed to during the 13th Taiwan-Australia Economic and Trade Conference.
- 20-22** Three public hearings were held to present a draft amendment to Examination Guidelines on Trademark Distinctiveness.
- 23** TIPO published Guidelines for Patent Data Fees.



- 5-6** An examiner from the Japan Patent Office was invited to Taipei to give a lecture on patent examination practices in Japan.
- 5-6** At the 33rd Japan-Taiwan Annual Economic Conference in Taipei, TIPO delegates presented 12 IP-related proposals, while 16 were presented from the Japanese side. The two sides then exchanged views on each of these proposals.

#### November

- 6** Under the direction and supervision of Director General Wang, a three-year copyright licensing agreement between National Police Radio and the Music Copyright Intermediary Society of Chinese Taipei (MÜST) was signed.
- 12** A delegation from Suzhou (China) Copyright Society visited TIPO in Jiangsu Province, China to discuss cross-strait copyright protection issues.
- 17** A delegation from the State Intellectual Property Office of the PRC (SIPO) led by Deputy Commissioner Li Yu-guang visited TIPO for a meeting with Director General Wang Mei-hua to discuss cross-strait patent-related issues.
- 18-19** The 2008 Cross-Strait Patent Seminar was held in Yilan County and jointly organized by the Chinese National Federation of Industries (CNFI) and the All-China Patent Agents Association (ACPAA).
- 25** The Chinese Commercial and Industrial Coordination Society (CCICS) and the China Trademark Association (CTA) jointly organized the 2008 Cross-Strait Trademark Seminar in Chengdu, Sichuan Province, China. CCICS Chairperson Chang Pen-tsao led a Taiwan delegation also including Director General Wang. The two sides met to express and exchange views on a number of trademark-related cross-strait issues.

- 27** The CCICS and Copyright Society of China (CSC) jointly organized the 2008 Cross-Strait Copyright Seminar in Chengdu, Sichuan Province, China. Director General Wang and Deputy DG Margaret Chen attended the seminar and exchanged views with their Chinese counterparts on copyright-related cross-strait issues.
- 28** The “EZ-Use Network – How to Legally Use Copyrighted Works,” an online informational service for copyright licensing, was launched by TIPO.

November

December

- 8** The Chinese-English Technical Patent Glossary, a free online resource for domestic and foreign users featuring approximately 1.81 million Chinese and English patent-related technical terms, was launched and made available on the TIPO website.
- 26** The amended Directions for Inspection of Export of Audio-Visual Copyrighted Works and OEM Audio CDs was promulgated.
- 27** An award ceremony was held by TIPO to recognize outstanding achievements among Taiwan's law enforcement agencies in the area of IPR protection. An “IPR Bicycle” event was also organized by TIPO to help raise IPR awareness.
- 31** The revised Examination Guidelines on Trademark Distinctiveness was promulgated.

## Annual Publications

### Study Reports

Name of Study/Reports	Responsible Agency/Individual
Rights of Rebroadcasting in Copyright Act of Taiwan	Ms. Chang Yi-yung
The Plan for the Cultivation and Training of IP Professionals 2008	National Taiwan University
Study Proposal for Licensing Systems in the Video-and-Audio Entertainment Singing Industry	TAITIP
US Copyright Laws Studies	Yi-Bo IP Inc
The Evaluation of Standards for Compensation for Fair Use of Works in Paragraph 4, Article 47 of the Copyright Act	Mr. Hsiao Hsiung-ling
Case Analysis of Foreign Trademarks Court Decision	National Taiwan University
Well-known Trademarks Case Directory and Studies	Mr. Liu Kung-chung
A Research Study on Investigation the IPR Protection of Taiwanese Investors in China and the Resolution Thereof	CNFI
Study on the Examination Quality of Patent Invalidation Cases	Taiwan Technology and Law Association
The Draft of Administrative Regulation for Compliance to Sec. 18 of the Digital Content Industry Development Act	Mr. Huang Ming-Chie

### Books and Reports

Name of Publications	Publishing date: MM/YY
Avoidance of Patent Rights Infringement – Innovative Designs for Utility Model Patent Applications	3/2008
Internet and Copyright	3/2008
Intellectual Property Applications and Market Order	3/2007
Licensing Negotiations	3/2008
Trademark Applications & Maintenance Procedures	3/2008
Basic Copyright Concerns and Infringement of Digital Content	3/2008
Licensing Transaction Mechanisms of Digital Content	3/2008
Copyright Concerns Relating to Development and Operation of Online Games	3/2008
Digital Publications – Copyright-related Issues	3/2008
Copyright-related Concerns: Digital Publications	3/2008
Compilation of Trademark Disputes 2008 (Volume 1)	7/2008
Compilation of Trademark Disputes 2008 (Volume 2)	7/2008
Selected Patent Litigation Cases 2008	7/2008
BG's IPR Secret Tips 2008	9/2008
Understanding Patent	11/2008
Patented Biological Material Deposit Manual	11/2008
Copyright Issues in the Offices of Government Agencies and State-owned Enterprises.	12/2008

## Periodicals

Titles	Publishing date	
Patent Gazette (Paper)	Every 10 days	
Patent Gazette (CD-Rom)	Every 10 days	
Trademark Gazette (Paper/Optical Disc)	Semi-monthly	
IPR Monthly	Monthly	
Patent Application Publication Gazette (Paper)	Semi-monthly	
Patent Application Publication Gazette (CD-Rom)	Semi-monthly	
TIPO Annual Report 2008 (Chinese Edition)	Annually	
TIPO Annual Report 2008 (English Edition)	Annually	

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### Purchasing Location

Intellectual Property Office, MOEA	3F, No. 185, Sec. 2, Hsinhai Rd., Daan Dist., Taipei City 106, Taiwan (R.O.C.)	886-2-27380007
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TIPO Branch Office in Kaohsiung	8F, No. 436, Chenggong 1st Rd., Qianjin Dist., Kaohsiung City 801, Taiwan (R.O.C.)	886-7-2711922
Wu-Nan Book Inc.	3F, No. 32, Luchuan E. St., Central Dist., Taichung City 400, Taiwan (R.O.C.)	886-4-22210237
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