

# 地方法院檢察署智慧財產權案件裁判確定情形 (106年1月份)

## Affirmed IP Infringement Cases by Prosecutors' Office of the Taiwan District Courts (Jan 2017)

單位:人

| 類別<br>Area of<br>Infringement | 被告人數 Numbers of defendant (含法人 including judicial persons) |                |                        |                              |                              |                  |                 |                   |                   |                 |                   |                     |               |       |                      |                 |                  |                    |              |                 |             |
|-------------------------------|--|----------------|------------------------|------------------------------|------------------------------|------------------|-----------------|-------------------|-------------------|-----------------|-------------------|---------------------|---------------|-------|----------------------|-----------------|------------------|--------------------|--------------|-----------------|-------------|
|                               | 總計<br>Total  | 科刑 Sentence    |                        |                              |                              |                  |                 |                   |                   |                 |                   |                     |               |       | 免除<br>其刑<br>Remitted | 無罪<br>Acquitted | 免訴<br>Exonerated | 不受理<br>Turned down | 其他<br>Others |                 |             |
|                               |  | 小計<br>Subtotal | 死刑<br>Death<br>penalty | 無期<br>徒刑<br>Life<br>sentence | 有期徒刑 Fixed-term imprisonment |                  |                 |                   |                   |                 |                   |                     |               |       |                      |                 |                  |                    |              | 拘役<br>Detention | 罰金<br>Fines |
|                               |  |                |                        |                              | 6月以下<br><6 mo                | 6月-1年<br>6mo-1yr | 1-2年<br>1yr-2yr | 2年-3年<br>2 yr-3yr | 3年-5年<br>3 yr-5yr | 5-7年<br>5yr-7yr | 7-10年<br>7yr-10yr | 10-15年<br>10yr-15yr | 逾15年<br>>15yr |       |                      |                 |                  |                    |              |                 |             |
| 涉美案件<br>USA                   | 26   | 16             | -                      | -                            | 3                            | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 13                   | -               | -                | 2                  | 1            | 7               | -           |
| 涉歐案件<br>Europe                | 51   | 49             | -                      | -                            | 6                            | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 43                   | -               | -                | 1                  | -            | 1               | -           |
| 涉日案件<br>Japan                 | 6  | 4              | -                      | -                            | 2                            | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 2                    | -               | -                | -                  | 1            | 1               | -           |
| 他國案件<br>Other countries       | 2  | 2              | -                      | -                            | 1                            | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 1                    | -               | -                | -                  | -            | -               | -           |
| 本國案件<br>ROC                   | 56   | 22             | -                      | -                            | 11                           | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 9                    | 2               | -                | 13                 | -            | 21              | -           |
| 涉大陸地區案件<br>China              | 8  | 7              | -                      | -                            | 3                            | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 4                    | -               | -                | -                  | -            | 1               | -           |
| 本月合計<br>Apr total             | 149  | 100            | -                      | -                            | 26                           | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 72                   | 2               | -                | 16                 | 2            | 31              | -           |
| 106年1月<br>Jan 2017            | 149  | 100            | -                      | -                            | 26                           | -                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 72                   | 2               | -                | 16                 | 2            | 31              | -           |
| 105年1月<br>Jan 2016            | 149  | 117            | -                      | -                            | 25                           | 1                | -               | -                 | -                 | -               | -                 | -                   | -             | -     | 78                   | 13              | -                | 5                  | 2            | 25              | -           |
| 增減率<br>Percentage<br>change   | 0.00%  | -14.53%        | 0.00%                  | 0.00%                        | 4.00%                        | -100.00%         | 0.00%           | 0.00%             | 0.00%             | 0.00%           | 0.00%             | 0.00%               | 0.00%         | 0.00% | -7.69%               | -84.62%         | 0.00%            | 220.00%            | 0.00%        | 24.00%          | 0.00%       |
| 106年1月<br>月平均                 | 149  | 100            | 0                      | 0                            | 26                           | 0                | 0               | 0                 | 0                 | 0               | 0                 | 0                   | 0             | 0     | 72                   | 2               | 0                | 16                 | 2            | 31              | 0           |
| 105年1月<br>月平均                 | 149  | 117            | 0                      | 0                            | 25                           | 1                | 0               | 0                 | 0                 | 0               | 0                 | 0                   | 0             | 0     | 78                   | 13              | 0                | 5                  | 2            | 25              | 0           |
| 105年全年<br>月平均                 | 112  | 81             | 0                      | 0                            | 22                           | 1                | 0               | 0                 | 0                 | 0               | 0                 | 0                   | 0             | 0     | 51                   | 8               | 0                | 9                  | 1            | 20              | 0           |

資料來源：臺灣高等法院檢察署 Source: Prosecutors' Office of the Taiwan High Court



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