



Intellectual Property Office
Annual Report 2009



CONTENTS



	MESSAGE FROM THE DIRECTOR GENERAL	2
I	BUDGET & HUMAN RESOURCES	5
II	PATENT AFFAIRS.....	9
III	TRADEMARK AFFAIRS.....	25
IV	COPYRIGHT AFFAIRS.....	33
V	E-FILING FOR PATENT AND TRADEMARK APPLICATIONS.....	39
VI	INTERNATIONAL COOPERATION AND CROSS-STRAIT EXCHANGE.....	43
VII	IP ENFORCEMENT	51
VIII	PROMOTION OF IP PROTECTION.....	55
IX	FUTURE PROSPECTS.....	61
	APPENDIX	65

MESSAGE FROM THE DIRECTOR GENERAL

In today's world, technological developments and economic changes can occur seemingly in the blink of an eye. Determined to strengthen intellectual property in Taiwan, we came up with the Triple E Plan in 2009. The plan is geared toward three main areas of IP administration: (a) Examination – to increase efficiency of patent examinations; (b) Excellence – to fortify the legal IPR regime in Taiwan; (c) Enforcement – to increase copyright awareness and strengthen enforcement of IPR. It is hoped that the measures entailed in this plan can help industries in Taiwan boost their capacity for innovation and international competitiveness while operating within a friendly environment for IP rights.

In 2009, we worked relentlessly to drive home a number of major reforms, and our efforts have paid off. After years of negotiation and legislation, the Bill of Limitations on Liability for Internet Service Providers passed legislation and was entered into force in May 2009, providing more effective management of copyright protection over the Internet. A new milestone in copyright protection for all citizens was also reached last year with the passing of an amendment to the Copyright Collective Management Organization Act. Successes in patent legislation were also achieved last year in the form of a draft amendment to the Patent Act, submitted to the Legislative Yuan for examination near the end of 2009, and a series of implementation regulations drafted in conjunction with the recently-amended Patent Attorney Act and promulgated in 2009. The popularity of TIPONet – our electronic patent and trademark filing service launched in 2008 – has been steadily rising with each month, while the Intellectual Property Court, thanks in large part to the avid support received by all sectors, also experienced healthy growth in its second year of operations. Considerable progress was also made toward a comprehensive amendment to the Trademark Act. All of these changes involve regulatory frameworks, regulation amendments and operational changes, none of which come easy. However, we strive to do our best based on the principles of professionalism, openness and transparency.

Beyond our borders, we have been consistently engaged in international IP affairs by attending global and regional conferences and by organizing bilateral negotiations, multi-national seminars, delegation visits and training exchange programs. Meanwhile, we are actively seeking to establish cooperative ties with our foreign counterparts. For example, TIPO implemented Memorandums of Understanding on IPR with both Spain and the Philippines last year, and also successfully hosted international symposiums on trademark and patent contributory infringement. Meanwhile, to reflect Taiwan's improving relationship with Mainland China and further deepen ties with the Mainland, TIPO attended three cross-strait forums on patent, trademark and copyright, respectively, in 2009.

However, even more daunting challenges lay ahead. A drastic increase in the number of patent applications received has left us with increasingly large backlogs. In 2009, roughly 140,000 applications for invention patents were still pending. To tackle this problem, we have asked our examiners to maximize output, streamline procedures and outsource non-critical tasks (as is

done in many other countries). Meanwhile, we have sought support from the Executive Yuan to increase the number of patent examiners on staff. It is our goal to accelerate the speed of patent examinations without compromising examination quality; by doing so, we can effectively respond to the diverse needs of industries competing in our new, fast-paced knowledge economy.

Our growth and development has been significant during the past year. Going forward, we will continue to push our major initiatives with a proactive approach and broad vision. These initiatives include the completion of the amendments to the Patent Act and the Trademark Act; enhancement of examination efficiency and effectiveness; reduction of patent application backlogs; strengthening of counterfeiting inspections on behalf of rights holders; promoting proper concepts of copyright use and implementing fair mechanisms for copyright licensing through intermediary organizations; and continued enhancement of automated services in order to ensure the most efficient customer service possible. Our hope, as always, is to create a friendly environment for intellectual property that will support innovative research and development among businesses and citizens, guiding economic development and enriching our society and culture.



Director General

Intellectual Property Office, MOEA







INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

I | BUDGET & HUMAN RESOURCES

I | BUDGET & HUMAN RESOURCES

A. Budget

2009 Annual Revenue

Unit: NT\$ Million

Item	Amount	Percentage
Patent fees (application fees, issue fees, registration fees)	682	23.50
Trademark fees (application fees, issue fees, registration fees)	545	18.78
Patent Annuities	1,656	57.06
Others	19	0.66
Total	2,902	100.00

2009 Annual Expenditure

Unit: NT\$ Million

Item	Amount	Percentage
IPR technological development	60	4.54
Promotion of IPR protection	421	31.84
General Administration	841	63.62
Total	1,322	100.00

Annual Budget (2005-2009)

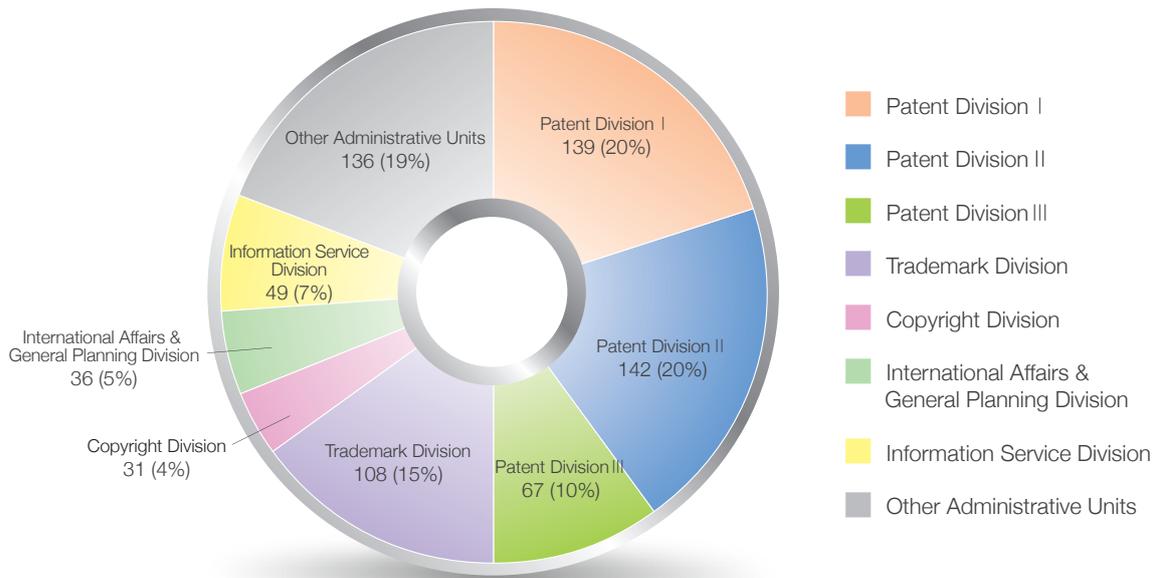
Unit: NT\$ Million

Year	Revenue	Expenditure
2005	2,442	1,502
2006	2,706	1,503
2007	2,909	1,225
2008	3,020	1,300
2009	2,902	1,322

B. Human Resources

As of the end of December, 2009, TIPO had a total of 708 employees. The breakdown is as follows:

Unit	Patent Division I	Patent Division II	Patent Division III	Trademark Division	Copyright Division	International Affairs & General Planning Division	Information Service Division	Other Administrative Units	Total
No. of Employees	139	142	67	108	31	36	49	136	708







INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

II | PATENT AFFAIRS

II | PATENT AFFAIRS

Over the past several years, we have been striving to enhance examination quality and shorten examination pendencies. However, the number of concluded cases still lags far behind the number of new applications received. Although we have maximized the productivity of current staff, the backlog remains heavy, and the growing pendency periods that result represents one of the most difficult challenges ahead of us.

A. Enhancement of Patent Examination Quality and Quantity

Patent applications have been steadily increasing each year at TIPO from both natural persons and domestic and foreign companies. Totals have risen from 51,921 cases in 1999 to 83,613 cases in 2008, an increase of 61%; however, these numbers dropped slightly to 78,425 cases in 2009 due to the effects of the global financial crisis. The majority of the applications received were for invention patents, up from 22,161 in 1999 to 51,909 in 2008, a 134% increase, before suffering a slight drop to 46,654 in 2009.

At the same time, TIPO has so far been unable to add the new examiner staff needed to address these increases; accordingly, the Patent Division is now faced with a severe shortage of examiner personnel. Meanwhile, several factors, such as the growing emphasis toward claim-based examinations for invention patents, have also lengthened the average examination pendency in recent years, from 19.7 months in 2006 to 36.8 months in December 2009. Meanwhile, the total pending cases as of December 2009 have risen to 162,457, most of which (140,646) are invention patent cases.

To improve both examination quality and efficiency, we began to adopt the following measures in 2009:



In May 2009, senior examiners from Japan Patent Office visited TIPO.



TIPO officials visited private companies to understand industry trends.

1. Maximizing examination capacity: We saw a healthy increase in our examination capacity in 2009 as our 2007 class of recruits gained another year of experience. This increased output was also a result of requesting all of our examiners to increase their daily workload. Last year, the total number of patent application disposals rose to 21,223 (89 cases per examiner), a 35% jump from the 15,700 patent applications disposed in 2008.
2. Refunds for withdrawn invention patent applications: To make the most effective use of examination resources while allowing enterprises to effectively review patent allocation, TIPO began offering full refunds of substantive examination fees in instances when applications are rescinded after the announced processing deadlines. This measure was passed in a December 2009 amendment to Regulations of Patent Fees; according to the amendment, starting on January 1, 2010, invention patent applicants who have not yet received first action notification may withdraw their applications and receive refunds of substantive examination fees or re-examination fees.
3. Claim-based fee collection for invention patent applications: In accordance with the December 2009 amendment to Regulations of Patent Fees, substantive examination fees, as of January 2010, would be charged based on the number of patent claims.
4. Expanded use of foreign patent search and examinations: In keeping with the spirit of the internationally-recognized Patent Prosecution Highway (PPH), TIPO began implementation of its new “Accelerated Examination Program (AEP)” for invention patent applications on January 1, 2009. The program is applicable to invention patent applications submitted to TIPO that have already been approved by foreign patent authorities via substantial examination. By utilizing overseas patent offices in this way, TIPO examiners can sharply reduce lengthy examination times and pendency periods.

A total of 894 invention patent applications were received under the AEP scheme in 2009; of this figure, 563 were submitted with complete documentation and compliant with all other required criteria. TIPO issued examination notices for 433 applications last year, in an average pendency period of 51.7 days. After a review of implementation performance conducted in the latter half of 2009, TIPO added two new conditions under which an application would be eligible for the AEP: (1) if an examination notice and search report have already been issued by the patent authority in the U.S., EU, or Japan but a final result has yet to be issued, or (2) if an expedited examination is deemed necessary for commercial practice. Both requirements took effect on January 1, 2010.

Origin of Invention Patent Applications using AEP in 2009

Applicant country	No.	Applicant country	No.	Applicant country	No.
Taiwan (TW)	532	South Korea (KR)	12	Canada (CA)	8
USA (US)	109	UK (GB)	12	Italy (IT)	7
Japan (JP)	104	Switzerland (CH)	9	Hungary (HU)	6
Singapore (SG)	35	Sweden (SE)	9	Others*	17
Germany (DE)	26	Netherlands (NL)	8		

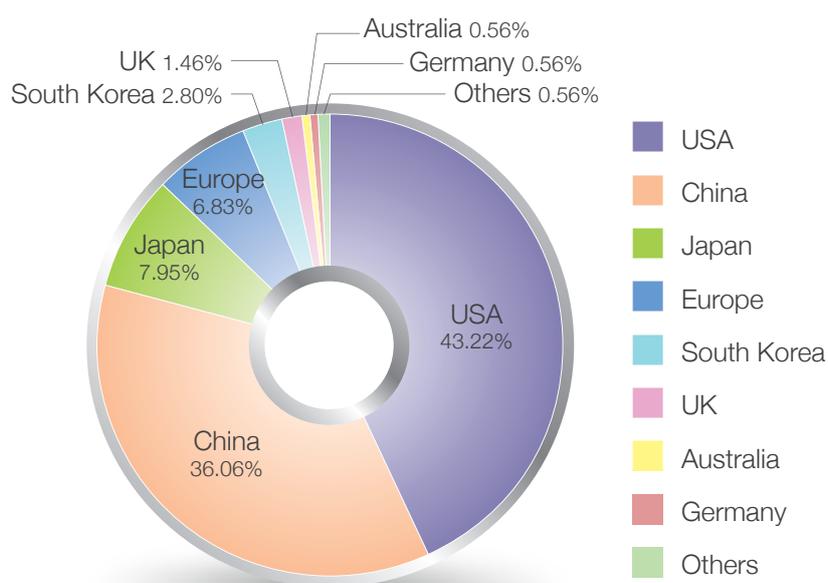
*Countries with fewer than 5 applications were listed as "Others."

Approved Corresponding Applications by Country in 2009

Corresponding Country	No.	Corresponding Country	No.
USA	386	UK	13
China	322	Australia	5
Japan	71	Germany	5
Europe	61	Others*	5
South Korea	25		

*Countries with fewer than 5 applications were listed as "Others."

Approved Corresponding Applications – by Country



5. Added resources: The Executive Yuan is considering a proposal to enlarge the budget and employ 60 new examiners at TIPO. If approved, these new recruits will begin duties in the near future.
6. Enhanced training and management of examiners: TIPO periodically organizes seminars, workshops, practical training sessions and company visits in order to provide our examiners with new knowledge, enhanced expertise and a greater understanding of industry trends. TIPO officials were also encouraged to prepare reports for fellow personnel following participation in foreign training courses, or produce study papers on foreign patent systems, PPH (Patent Prosecution Highway) initiatives and other examination practices.
7. Simplified examination reports: While adhering to the principle of claim-based patent examinations and maintaining standards of clear, concise reports, TIPO has simplified the process by which examination reports are drafted by examiners. The reports also fully and conveniently highlight contentious issues to which applicants may respond, and include search reports attached as appendixes to allow applicants to more effectively utilize search information and summarized claims. The change was made in response to the views of external sectors and after careful study of the official notification formats issued by the European Patent Office and Japan Patent Office.
8. Expedited technical reports for utility model patents: Beginning March 1, 2009, new measures were put into effect regarding technical reports for utility model patents. Under these new measures, if related amendments are made to a technical report while the report is still being produced, applicants no longer need to wait for the amendment to be approved; the report can still be produced based on the publicly-announced edition at the time of the application for the technical report. Meanwhile, in cases where each of the utility model claims are lacking in novelty or inventiveness (inventive step), notices to the applicants will be directly issued and reports will be produced accordingly. For all other cases, reports can duly be made. As for references attached to technical reports, only non-patent literature or those which are deemed difficult to access will be sent to applicants.

All the above measures have been adopted within our current manpower structure. However, the central fact remains that we simply cannot keep up with the current number of applications received each year, let alone reduce the backlog of over 160,000 patent cases. Hence, we have come up with the Patent Backlog Reduction Project, which includes a proposal to bring in additional examiner staff in the coming months. This proposal is now waiting for the approval from the Executive Yuan. It is hoped that we can adopt all measures in the project as soon as possible and thus become better equipped to handle the problem of patent case backlogs.



Professor Tseng, Fan-Gang from National Tsing Hua University gave a speech at TIPO.



On June 19, 2009, Director General Wang hosted the Patent Quality Committee Meeting.

B. Legislative Amendment

| Draft Amendment to the Patent Act

Planning for a comprehensive amendment to the Patent Act was begun with several objectives in mind: to answer the demands from Taiwanese industries, to allow room for development in the biotechnology industry, to encourage enterprises to make better use of their intellectual properties, and to solidify patent examination mechanisms and patent protection. A draft version of the amendment was completed last year after a series of public hearings and after thorough examination of recent amendments and developments in international patent law. In all, 15 public hearings were held, eight of which took place in 2009. Below is a summary of amendment goals targeted last year:

1. Clarifying the definition of the term “creation,” to avoid misunderstanding of its use when referring to designs and utility models and to address conflicting scopes of the term “creation” found in current patent law.
2. Defining the term “practice” for inventions, utility models and designs, to ensure the term is understood to encompass the term “use.” The change will help eliminate confusion stemming from inconsistencies between the usage of “use” and “practice” in current patent law.
3. Clarifying the language of regulations governing exclusive licensing, including a stricter definition of exclusive licensing and specific wording that distinguishes between exclusive licensing and non-exclusive licensing, along with provisions delineating exclusive or non-exclusive re-licensing.

4. Insertion of a clause that exempts the obligation of depository in Taiwan for applicants who have deposited in foreign depository institutions that are mutually recognized with Taiwan.
5. Amendment to regulations governing patent infringement, by specifying that any claim for damages must be based on intentional or negligent behaviour by the infringer; addition of a clause that allows the use of a reasonable royalty amount as damages to appropriately alleviate burden of proof; deletion of the clause that prohibits patent holders from seeking damages when patent serial numbers are not marked, in order to more accurately reflect the intent of patent marking regulations.
6. The applications for utility model patents shall be reviewed with formality examinations. However, in cases where examination is involved with an invalidation action case, the case shall be processed together via substantive examination.
7. Addition of transitional clauses, such as the inclusion of plant and animal patents, grounds for grace period claims, allowing division of applications after the initial approval of patents, the adoption of formality examinations for simple corrections of utility model applications, and updated provisions on invalidation actions, amended patents and designs. These provisional clauses are each connected with major reforms in the patent system of Taiwan and will help facilitate the transition to the new laws.
8. Based on the feedback from all sectors and a consideration of potential influence on industrial development and the overall legal environment in Taiwan, the decision was made to exclude provisions on contributory infringement from the current Patent Act amendment. Other factors in the decision were the opinions that the new Intellectual Property Court should first accumulate more practical experiences and that the industrial structure in Taiwan is currently in the midst of a major transformation, as well as concerns over the possible abuse of rights or excess litigations typically seen in the early days of new systems.

The draft amendment covers a total of 162 articles (108 articles amended, 39 articles added and 15 articles deleted) and also introduces several new measures. The draft was submitted to the Legislative Yuan for review on December 11, 2009.

It is hoped that the successful passing of this legislation will serve as a boon to the development of the government's specially-designated "six key emerging industries," namely the biotechnology, green energy, and high-end agriculture industries. The legislation will create sweeping changes to patent examinations, patent development strategies, and patent litigation practices in Taiwan. At the end of 2009, active planning was underway to develop a variety of measures to accompany the draft amendment, such as supplementary guidelines, FAQs and other informational material.

Amendment of Patent Examination Guidelines

In order to strengthen understanding of the current Patent Act and its accompanying Enforcement Rules and, in turn, facilitate patent applications from the industrial sector, the following examination guidelines were reviewed and amended:

1. An amendment to Chapter 8 of “Guidelines for Substantive Examination of Invention Patents,” which covers patent term extensions, was promulgated on April 15, 2009. The amendment includes the following main points: specific definitions of pharmaceuticals and agrichemicals eligible for patent term extension; clarification of the scope of patent rights during extensions; designation of dates related to the acquisition of permits; clarifying standards of required documentation during applications for extension; and clarification of criteria for first issuance of permits and for calculation of patent extension periods.
2. An amendment to Chapter 10 of “Guidelines for Substantive Examination of Invention Patents,” which covers pharmaceutical inventions, was promulgated on June 3, 2009. These regulations provide detailed examination guidelines and examples concerning the characteristics of pharmaceutical inventions. The focus of the amendment is on how to determine diagnoses, treatments or surgical methods that are not patentable. The amended regulations also explain criteria for determining patentability of inventions of medical products, medical methods and medical utilities, as well as proper methods of indicating scope of claims and full disclosure of documentation so as to enable practice of the invention.
3. An amendment to Section 4 of “Guidelines for Formality Examination of Utility Model Patents” was promulgated on July 30, 2009.
4. Guidelines for substantive examination of computer software inventions and Chinese herbal medicine inventions were translated into English for public reference.

Meanwhile, TIPO is also in the process of amending guidelines for procedural examinations and management of patent rights, in order to keep pace with new developments in patent practices.

Amendment to Patent Retrieval Guidelines

Under the previously-existing Operating Guidelines for Patent Retrieval, retrieval was limited to certain portions of patent files, while other restrictions were imposed on retrieval of oppositions or invalidation actions. A broad range of these limitations was removed last year in an amendment to the guidelines, which was approved and promulgated on October 29, 2009. The amendment provides clearer criteria for the retrieval of all patent files and allows TIPO to remain in accord with the legislative intent of “openness as principle, restriction by exception” as outlined in the Freedom of Government Information Law.

Recent Patent Attorney Legislation

In order to provide better supervision of patent attorneys while upholding the rights of patent applicants, the MOEA issued the Patent Attorney Disciplinary Regulations on August 7, 2009. The regulations were drafted after careful examination of the disciplinary organizations and review procedures of related professions and technical staff.

Also newly introduced in 2009 were the Patent Attorney Prevocational Training Guidelines, which took effect on March 12. These guidelines provide for training to those who successfully pass the Patent Attorney Eligibility Examination; in all, 32 patent attorneys completed this training in 2009. During the training, participants were also educated about and encouraged to join the Taiwan Patent Attorneys Association and were offered guidance on a variety of relevant operating procedures. These services not only help ensure professionally-minded, expert patent attorneys, but also aid the development of the entire patent agent system in Taiwan.

The Taiwan Patent Attorneys Association was approved by the Ministry of the Interior on September 16, 2009 and commenced operations on December 11. Also established last year (November 19) was the Patent Attorney Disciplinary Committee, which is composed of representatives from the patent attorney field, academia, and the Ministry of Justice and the Ministry of Economic Affairs.

Amendment to Patent Fee Regulations

Based upon the principles whereby users bear costs and fee mechanisms should be reasonable, the fee schedule for substantive examinations of patents was modified in 2009. The revised system is expected to reflect expenses incurred due to patent applications in the form of substantive examination fees, and will cause applicants to re-evaluate the necessity of applying for substantive examinations. According to the new regulations, which were made effective on January 1, 2010, the fees for substantive examinations of patent applications shall be calculated according to the number of patent claims. For an application of less than 10 claims, a NT\$7,000 fee is charged. An additional NT\$800 is levied for each claim exceeding the initial 10 claims.

Furthermore, after consideration of the differences between inventions, utility models and design patents, the decision was made to reduce patent annuities for design patents by as much as 72%. Meanwhile, annuities for utility model patents (the majority of domestic patent holders) from the fourth year onward and invention patent annuities from the seventh year onward were lowered by a range of 11%~56%.

A partial amendment to Regulations of Patent Fees was promulgated on January 1, 2010. Explanatory notes and a list of frequently asked questions were also published to increase applicants' understanding of the new provisions.



A seminar on patent criteria & examinations was organized in June 2009.



In February 2009, a public hearing was hosted to discuss an amendment to the Patent Act. All participants were actively involved in discussions.

C. Research Performances

Under the provisions of the amended Patent Act, applications for computer graphics and group designs will be accepted, corresponding to patent practices in the U.S. and Japan. Research work on the requirements of graphic disclosures was also conducted last year. The design protection and fee collection systems of the U.S., the EU, Japan, Korea, Australia and China were each studied and used as references in planning of a revision of the design system in Taiwan.

A collection of examples of novelty and non-obviousness and detailed requirements published by the EPO, JPO and USPTO were also researched in order to extract summaries regarding patent examinations as reference for TIPO examiners.

As the amended Patent Act will introduce combined examinations for invalidation requests, TIPO conducted an investigation of combined examinations in Japan and oppositions and appeals to the EPO, in order to provide guidance for the operation of a comparable system in Taiwan.

The Intellectual Property Court became operational on July 1, 2008. Recent decisions of the court related to patents were collected and compiled by TIPO in the sequence of court references, verdict dates, reasons, patent numbers, decision texts, facts, contentious points, claims from plaintiffs, statements from the court and decision summary. This compilation will serve as a reference for TIPO officials.

D. Data Exchanges & Search Services

1. Patent data exchange: In order to provide a reference for internal examinations and for the general public, cross-strait exchange of literature and data was carried out last year via the All-China Patent Attorneys Association and the Chinese National Federation of Industries. Among the exchanged literature included electronic patent data and IP-related publications. Also in 2009, TIPO reached an agreement in principle with the Korean Intellectual Property Office to exchange database resources. This exchange will include data on design patents and a Chinese/English and Korean/English glossary of technical patent-related terms.
2. New patent synonym database: The Global Parsing System for Domestic and Foreign Patents can automatically link to relevant synonyms in both Chinese and English and assist with the expansion of searches.
3. Expansion of Global Parsing System for Domestic and Foreign Patents: Coverage of the system was increased by including full-text published applications and granted patents from the EU, along with IPC search features (old and new versions) for published applications and granted cases.
4. Expansion of database for design graphics and picture cards: TIPO upgraded to a single global database for design graphics, so that examiners can simultaneously search databases in Taiwan, the U.S. and Japan.
5. Digitalization of Taiwanese patent texts: Last year was the second of a four-year technology development project undertaken by TIPO to digitalize complete texts Taiwanese patents. The XML format of full-text Taiwanese patent specifications is in the process of being uploading to the Internet for use by both patent examiners and the general public. This opening up of digital data sources will also allow industries to more fully utilize intellectual property.
6. Optimization of Foreign Patent Information Search: In order to provide patent examiners with more convenient full-text search tools for a wider range of patent documents and non-patent literature, a scientific project known as “Optimization of Foreign Patent Information Search” is in the process of implementation. The project, funded by National Science Council, involves the introduction of EPOQUE.Net from the EPO. Also last year, TIPO patent examiners were sent to attend EPO instructor-training courses while access to EPOQUE.Net was continued on a trial basis.

7. Development of prototype automatic translation system: In order to further disseminate information and enhance global visibility of Taiwan patents and also facilitate international exchange of patent information, TIPO developed a prototype of an automatic translation system and filed an evaluation report for the project in 2009. These goals were accomplished by developing an alignment technique for Chinese and English words and phrases and a technique for phrasing of Chinese terms. Efforts to build a database of corresponding Chinese-English terms and phrases continue. These achievements will serve as a foundation for the creation of a Chinese-English translation system for Taiwan patent documents.



On July 8, 2009, a seminar was held in Hsinchu on the patent database searches.



TIPO officials visited KIPO on September 15, 2009 to take a look at their machine translation system and discussed the matters concerning data exchanges.

E. Case Analysis

I New Applications

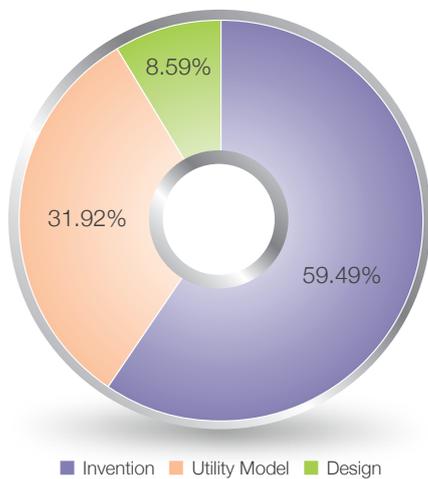
In 2009, a total of 78,425 patent applications were registered with TIPO, a 6.20% decrease from the previous year (83,613 applications in 2008). The majority of these applications were for invention patents, amounting to 46,654 in all (59.49% of all applications). In terms of the breakdown between domestic and foreign applicants, 51,256 applications were filed domestically and 27,169 applications were submitted from abroad.

Among the invention patent applications received in 2009, 22,712 were submitted domestically, equaling 48.68% of all invention applications, while 23,942 – or 51.32% – were filed by foreign persons. The small gap between these two percentages is the continuation of a recent trend over the last several years, and is a sharp contrast to the geographical breakdown of utility model applications, of which 97.03% (24,289) were submitted domestically last year.

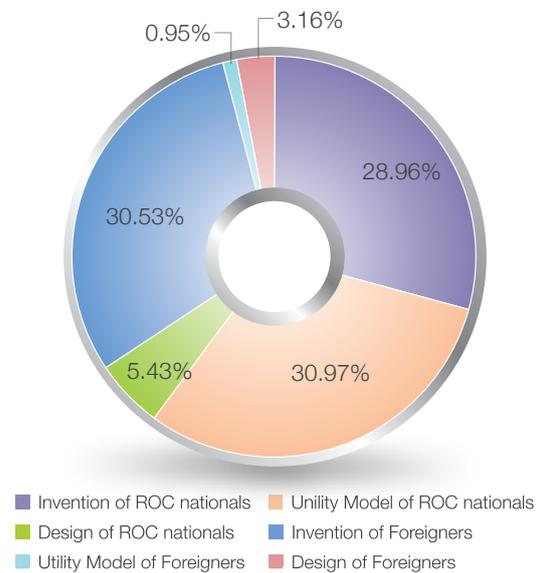
2009 Patent Applications

Year \ Item	Invention	Utility Model	Design	Total
Applications in 2009	46,654	25,032	6,739	78,425
Applications in 2008	51,909	23,953	7,751	83,613
Percentage change	-10.12	4.50	-13.06	-6.20
ROC nationals - 2009	22,712	24,289	4,255	51,256
ROC nationals - 2008	23,868	23,195	4,276	51,339
Percentage change	-4.84	4.72	-0.49	-0.16
Foreign nationals - 2009	23,942	743	2,484	27,169
Foreign nationals - 2008	28,041	758	3,475	32,274
Percentage change	-14.62	-1.98	-28.52	-15.82

2009 Patent Application by Type of Patent



2009 Patent Applications – ROC nationals v.s. Foreigners



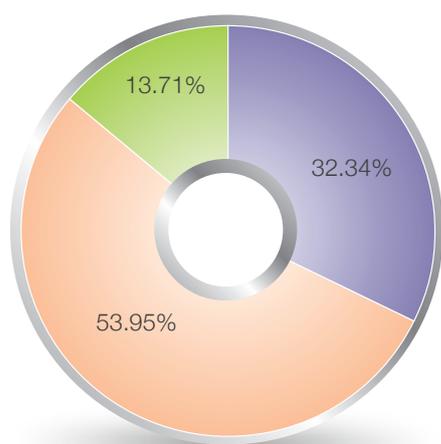
Patent Granted

TIPO granted a total of 43,724 patents in 2009; of this total, 23,591 were granted for utility model patents via formality examinations, 14,138 were granted for invention patents, and 5,995 were granted for design patents. Classified by nationality, ROC nationals were granted 33,457 patents in 2009, with utility models comprising 68.20% (22,819) of this total, while foreign nationals received 10,267 patents, most of which were inventions.

2009 Patent Granted

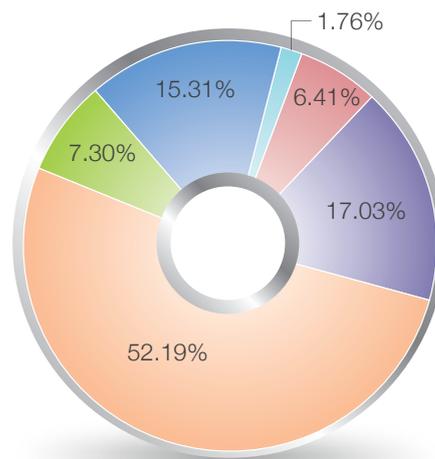
Nationality \ Item	Invention	Utility Model	Design	Total
Total in 2009	14,138	23,591	5,995	43,724
Percent to total	32.34	53.95	13.71	100.00
ROC nationals	7,445	22,819	3,193	33,457
Percent to total	17.03	52.19	7.30	76.52
Foreign nationals	6,693	772	2,802	10,267
Percent to total	15.31	1.76	6.41	23.48

2009 Patent Granted by Type of Patent



■ Invention ■ Utility Model ■ Design

2009 Patent Granted – ROC nationals v.s. Foreigners



■ Invention of ROC nationals ■ Utility Model of ROC nationals
 ■ Design of ROC nationals ■ Invention of Foreigners
 ■ Utility Model of Foreigners ■ Design of Foreigners

Re-examination

Out of the 8,081 rejected initial applications in 2009, a total of 2,143 applications for re-examination were filed, equalling a 26.52% rate. This percentage marks a sharp drop from the rates of the previous two years; in 2008, a total of 1,537 – or 35.99% – of the 4,271 rejected applications received subsequent requests for re-examination, while 2,314 – or 51.78% – of the 4,469 rejected applications in 2007 received re-examination requests. In 2007, 16,990 applications for invention patent were concluded by initial examination; this figure fell slightly to 15,700 in 2008 before jumping to 21,223 in 2009. This increase of over 5,000 more concluded applications, even when offset by the reduced rate of re-examination requests and an approximately 10% higher rejection rate from 2008 to 2009, was still large enough to cause an increase in the number of re-examination applications received last year.

Invalidation Actions

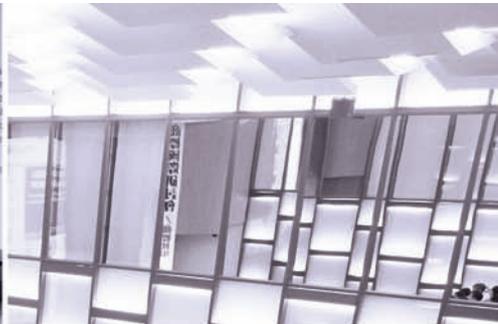
The number of invalidation actions filed with TIPO has steadily decreased in recent years, falling below 1,000 for the first time in 2009. In all, 1,159 invalidations were filed in 2007, along with 1,034 in 2008 and 980 in 2009. Invention patents comprised 264 invalidation actions in 2007, compared to 205 in 2008 and 233 in 2009. The number of invention patents approved after initial and re-examination equaled 15,532 in 2007, 13,751 in 2008 and 15,590 in 2009. Invalidation actions have been filed for less than 2% of invention patents approved over the last three years, signifying a high reliability in recent TIPO patent approvals. Only 1.70% of approved invention patents involved invalidation actions in 2007, followed by 1.49% in 2008 and 1.49% in 2009.

Administrative Remedies

The number of appeals filed against the decision for rejection or invalidation action cases has been less than 1000 each year since 2006, reaching a record low of 508 appeals in 2009. This total is a decrease of nearly 60% from the 1,242 appeals filed in 2004. This decrease is largely attributable to recent improvements in patent examination quality at TIPO.

Formality Examination of Utility Model Patent Applications and Technical Reports

An upward trend has been seen in the number of utility model patent applications processed under formality examinations in the past three years: a total of 22,715 such applications were completed in 2007, followed by 23,953 in 2008 and 25,032 in 2009. TIPO concluded a total of 24,695 utility model applications last year, with an average first action pendency of 3.86 months from the application filing date. Also in 2009, TIPO received a total of 2,606 applications for utility model technical reports, a similar number to that of 2008. In all, 1,448 of these reports were processed last year, in an average pendency of 10.73 months.



INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

III | TRADEMARK AFFAIRS

III | TRADEMARK AFFAIRS

To construct a comprehensive trademark legal system and strengthen the protection of trademark rights, TIPO in 2009 completed a draft amendment to the Trademark Act, established the Examination Guidelines for Trademark Disclaimers, and adopted measures to accelerate the process of trademark applications and improve the efficiency and quality of trademark examinations.

A. Enhancement of Examination Quality

| Acceleration of Trademark Examinations

To expedite the examination process, an auditing mechanism was set up to periodically control backlogs and manage lead times. A quality improvement committee reviews all overdue applications on a quarterly basis, in order to understand dominant factors and take necessary measures. In 2009, a total of 74,177 trademark applications for registration were filed (by class) and 74,969 applications were closed. The average time of first action period was 7.2 months.

To effectively clear the backlog of pending trademark dispute cases as of June 30, 2008, the status report has been updated on a monthly basis. Assistance is provided to the cases which are pending due to other cases, in order to accelerate the overall process. In 2009, TIPO completed examination of a total of 2,241 trademark dispute cases, a 12.7% increase over the previous year (1,988 cases examined in 2008).

| Improvement of Trademark Examination Quality

TIPO's Trademark Division is actively improving the quality of trademark examinations, maintaining a particular focus on the following measures:

1. Implementation of a trademark case review system to enhance the accuracy of basic data of approved trademark registration applications and the database of goods and services. A review of goods and services in trademark applications and invalidation actions reveals a current accuracy rate of above 98%.
2. Amendment of a reference manual for the classification and cross-retrieval of goods and services, along with the organization and analysis of over 20,000 entries in the current Chinese-English Goods and Services Glossary. A total of 8,354 of these entries were selected for publication on the official TIPO website for public reference.
3. Creation of a new performance review system for trademark examinations, in order to upgrade examination quality review procedures.



The 2009 Trademark International Symposium in Taipei was held on October 14.



The 2009 Trademark International Symposium in Taipei was chaired by Director General Wang.

4. A series of internal meetings held to discuss proposals from colleagues regarding the improvement of examinations and administration. Discussions mainly focused on the classification of goods, examination principles and key individual cases. The conclusions were forwarded and explained to examiners in order to establish the consensus improve examination consistency.

B. Legislative Amendments

| Draft Amendment to the Trademark Act

This amendment was drafted with close reference to the Singapore Treaty on the Law of Trademarks to give a more comprehensive scope to the Act and remain in step with international practices. The main purposes of the amendment are to meet the needs of industrial development and enhance trademark examination mechanisms. A total of 12 conferences and public hearings were held to gather feedback from scholars, experts and the public. In August and September 2009, TIPO worked in concert with the Intellectual Property Court to host two symposiums on trial-related trademark issues. After a final round of consultation with all sectors, the final draft was submitted to the Ministry of Economic Affairs on November 30, 2009.

The amendment includes provisions that expand the objects of protection under trademark registration, and the following other new features: provisions on reinstatement of rights; provisions on exclusive and non-exclusive trademark licensing to enhance protection of the rights of exclusive trademark licensees; provisions stipulating that parties who request an invalidation or revocation based on a trademark that has been registered for three years or longer shall submit proof evidencing the use of said trademark or evidence showing justified reasons for not putting it into use in the three years before the request for invalidation or revocation; a provision stipulating that acts of preparing for, processing or assisting trademark infringement shall constitute contributory trademark infringement; and a provision that allows holders of well-known trademarks to claim for exclusion or prevention of infringement when the possibility of dilution of the distinctiveness or reputation of well-known trademarks exists, which will strengthen protection of well-known trademarks by allowing effective preventive measures to be taken before actual damages occur. A clause was also added to the amendment stipulating that customs officials may supply rights holders with information concerning infringed goods if such information is necessary to investigate infringement or proceed with litigations.

Examination Standards for Trademark Distinctiveness

In order to help establish a clear, unified concept of trademark distinctiveness and provide more detailed criteria for examiners in determining distinctiveness, the Examination Guidelines on Distinctiveness of Trademarks were enacted by TIPO on January 1, 2009. The revised standards include new definitions for distinctiveness, criteria for establishing distinctiveness, and detailed examination guidelines, and cover a wider scope than the previous Examination Standards for Trademark Distinctiveness, which were concurrently invalidated.

Examination Guidelines for Trademark Disclaimers

Examination Guidelines on Disclaimers and Examples of Disclaimers Granted by Ex Officio Action were officially enacted by TIPO on January 1, 2009.

Directory of Well-known Geographical Names and Characteristics

Under the national policy of “One Town, One Product,” all well-known local products or processed goods from agricultural, fishing, animal farming or handicraft industries should be regarded as distinct from the products or industries of other towns and locations. The purpose of the policy is to ensure the continued development of local specialty industries and traditional arts while enhancing their competitiveness in the market. To prevent local names or products from being unintentionally registered or misused in foreign countries, a set of criteria was created by which a list of well-known geographical names and their respective unique characteristics could

be determined. The end result was the publication of the Directory of Well-known Geographical Names and Characteristics, compiled by TIPO with the assistance of the Tourism Bureau, Council of Agriculture, and municipal and county governments. The directory contains a total of 346 places of origin known for famous local specialties. Measures to instruct local industries on the registration and protection of geographical collective trademarks were also introduced.

| Compilation and Updates of Online Trademark Information

To better serve the needs of the public, TIPO has been engaged in the revision and reclassification of trademark information and headings found on TIPO web pages. Also included was a list of frequently asked questions, compiled from responses to e-mail questions sent to TIPO in recent years, and summaries of key court cases involving different chapters of trademark law.

C. Research Performances

| “Bi-Monthly Court Decisions in Trademark Cases” Published

The first issue of Bi-Monthly Court Decisions in Trademark Cases was published on February 2, 2009. The publication summarizes disputed trademarks and trademark subject matter, contentious goods and services, relevant laws and regulations, and court judgment outlines and extracts. Relevant contents will also be published online at a later date for public reference.

| Analysis of Cases Withdrawn by Petitions & Appeals Committee and Administrative Courts

In 2009, TIPO completed an analysis of trademark disputes from 2007 and 2008 whose original decisions were withdrawn by the Petitions & Appeals Committee, Taipei High Administrative Court, Intellectual Property Court and Supreme Administrative Court. The report examines the reasons why the original decisions were withdrawn and explains the differences in the interpretations of such cases. It is hoped this insight from higher administrative authorities and judicial institutions can be used as a valuable future reference by TIPO trademark examiners.

| Database of Well-Known Trademark Cases Established

A database of cases recognizing well-known trademarks was published online in 2009. Cases from July 2008 and June 2009 were examined for information such as goods and services, well-known trademark holders (including nationalities), dates, document numbers, recognizing authorities, case types, provisions, and grounds for recognition of well-known trademarks. A total of 650 new cases were added to the database, which also includes search functions. To facilitate searches for foreign companies, updated information and related links were added to the English version of the TIPO website.

D. Data Exchange & Search Services

In September 2009, a delegation of TIPO officials was sent on a foreign study visit to the Korean Intellectual Property Office. Both parties discussed matters concerning trademark database exchange and reached agreement in principle on several items of exchange.

TIPO also established trademark value-added services, providing a convenient service menu that has received the widespread approval of trademark agents. Plans are also underway to develop a trademark administrative file management system that will further upgrade system functionality.

E. Case Analysis

I Applications

In 2009, the number of trademark applications by class was 74,177, a slight drop of 856 (1.14%) from the 2008 total. By nationality, domestic applications counted 47,009 (78.76%) in contrast to 12,677 (21.24%) foreign cases.

I Registrations

In 2009, TIPO published a total of 48,075 registrations by case, a decrease of 1,425 (2.88%) from 2008. In all, 35,650 (74.15%) of registrations were domestic and 12,425 (25.85%) were foreign. In terms of published registrations by class, the number was 62,695, an increase of 1,457 over 2008.

I Other Cases

In 2009, TIPO concluded 20,612 cases with respect to the following areas: trademark alteration assignment, transferring, licensing, pledging issuance of trademark, certificate in English and re-issuance of certificate. A total of 837 trademark counterfeit cases were investigated and 62 trademark infringement cases were confirmed. Last year also produced 32,462 cases of trademark renewal and 2,241 cases regarding opposition, invalidation and revocation.

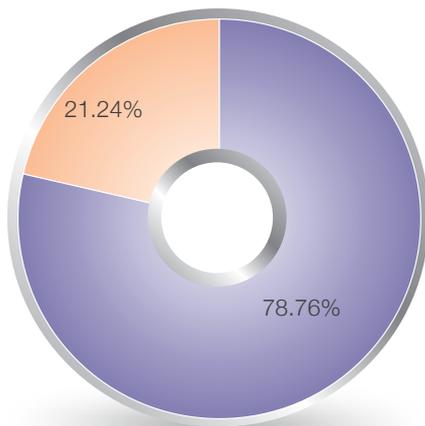
Trademark Applications and Registrations, 2008-2009

Year \ Item	Applications		Registrations	
	By case	By class	By case	By class
2009	59,669	74,177	48,075	62,695
2008	59,568	75,033	49,500	61,238
Percentage change	0.17	-1.14	-2.88	2.38

Applications and Registrations of ROC Nationals and Foreign Nationals

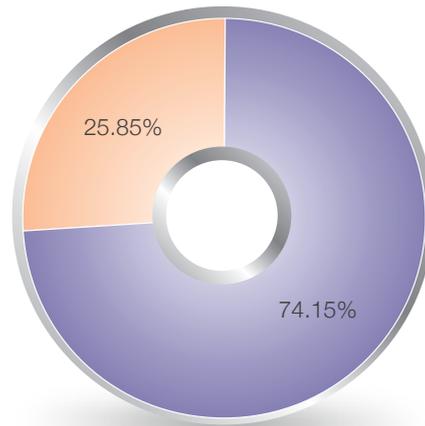
Year \ Item	ROC Nationals		Foreign Nationals	
	Applications	Registrations	Applications	Registrations
2009	47,009	35,650	12,677	12,425
Percentage	78.76	74.15	21.24	25.85
2008	45,876	37,220	14,244	12,280
Percentage change	2.47	-4.22	-11	1.18

2009 Trademark Application – ROC Nationals v.s. Foreigners

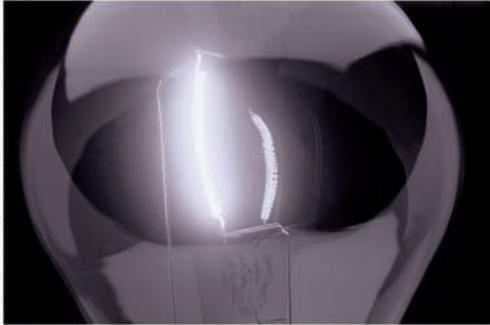


■ ROC nationals ■ Foreigners

2009 Trademark Registration – ROC Nationals v.s. Foreigners



■ ROC nationals ■ Foreigners





INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

IV | COPYRIGHT AFFAIRS

IV | COPYRIGHT AFFAIRS

Due to the impact of globalization and the rise of Internet technology, copyright has received an increasing level of focus within the international community in recent years. To become better aligned with these advancements while fostering a protective environment for copyright use, TIPO last year drafted a bill concerning limited liability for Internet service providers (ISPs), the amendment of Article 37 and Article 53 of the Copyright Act, along with an amendment to the Copyright Intermediary Organization Act. The new legislation will enable the development of a mechanism for mitigating licensing disputes by fully reflecting supply and demand in the copyright licensing market, creating equal benefits for both rights holders and users.

A. Developing A Comprehensive Legal Framework for Copyright

| Insertion of the ISP Liability Bill

The growing popularity of copyright infringement committed over the Internet has severely harmed the rights of copyright holders. The enactment of the ISP Liability Bill, amended to the Copyright Act and promulgated on May 13, 2009, establishes a safe-harbor mechanism and a legitimate environment for the operations of Internet service providers while maintaining protection of copyrights online. The highlights of the bill are as follows:

1. Regulations in the Civil Code governing joint infringement are applicable to Internet service providers in situations where third parties use ISP equipment and services to conduct infringement activities.
2. Establishment of a “Notice & takedown” mechanism to hinder online distribution of infringing material.
3. Before the commencement of services, ISPs must clearly inform customers of all relevant copyright protection measures. Users shall be made aware that after three warnings of copyright violation, the service provider will terminate the services of that user, in whole or in part. This is to ensure users fully understand legalities surrounding use of copyrighted works.
4. Creation of a counter-notification mechanism to protect users' rights.
5. ISPs who remove infringing information in accordance with procedures stipulated in the ISP Bill are exempt both from damages to the copyright holder and contractual liability to the user.

As a supplement to the ISP Bill, Regulations Governing the Exemption of Liability for Internet Service Providers were promulgated on November 17, 2009, in order to facilitate implementation of the safe-harbor system.



| “Copyright Intermediary Organization Act” Amended to “Copyright Collective Management Organization Act”

Broadcasting of music by radio and TV stations, and playing of music, video and TV programs at KTVs, karaoke bars, restaurants, eateries and public transport vehicles all involve copyrighted work. In practice, Copyright Collective Management Organizations (CMOs) act as intermediaries that solve licensing problems on a case-by-case basis. The newly-amended Copyright Collective Management Organization Act (CMOA), which was promulgated on February 10, 2010, will serve to streamline licensing procedures and create more reasonable royalty fee standards.

One of the central components of the new legislation is the addition of a “joint royalty rate” and “One-stop shop” clause. Multiple CMOs are obliged to draw up a joint rate for individual types of copyright use specified by TIPO, while one CMO will be chosen to collect royalties from all users, thus greatly simplifying future licensing procedures. However, to counter potential difficulties about the adoption of joint royalty rates, the amendment authorizes TIPO to assist CMOs with implementation procedures over the first two years of enactment.

The amendment also includes major changes to the determination of the collective management royalty rates. Previously, rates were submitted by CMOs to TIPO for review before being put into practice. However, under the new system, royalty rates are determined directly by the CMOs; TIPO becomes involved only in the event of disputes forwarded by users.

As part of efforts to support the new system, TIPO has been drafting a series of operational guidelines for the amended Act, while informational meetings were organized to introduce and explain the contents of the amendment to CMOs and users.

| Article 53 Amendment

To ensure equal access to copyrighted works for individuals with learning difficulties or any other physical, psychological or emotional abnormalities that impair hearing, vision or cognition, an amendment was made to Article 53 of the Copyright Act. The new Article, enacted on February 10, 2010, extends the applicable scope of fair copyright use to individuals with learning disabilities, visual impairments or hearing impairments.

| Article 37, Article 81 and Article 82 Amendments

To resolve certain contentious issues concerning domestic copyright licensing and to remain consistent with legislation in the amended Copyright Intermediary Organization Act, revisions were made to Article 37, Article 81 and Article 82 of the Copyright Act and enacted on February 10, 2010. The highlights of the amendments are outlined below:

1. To remain consistent with the amended Copyright Intermediary Organization Act, references to “copyright intermediary organizations” were changed to “copyright collective management organizations.”
2. Broadcasting of music or video at business venues is defined as re-broadcast of copyrighted works. In case of disputes, users are exempt from criminal liabilities, unless the copyrights in use are managed by CMOs. In view of the difficulties of obtaining complete authorization of all broadcasted works, this measure helps to reduce the frequent criminal risks faced by businesses such as hotels, hospitals, restaurants, coffee shops, department stores, shopping malls, convenient stores, passenger buses and tour buses in which video or audio is played for customers.
3. Regarding the reproduction of licensed content such as music or other works in advertisements and the subsequent broadcast or simultaneous transmission of such content, broadcasters are exempt from criminal liability unless the copyrighted content in use is managed by CMOs. This amendment resolves issues stemming from the fact that music used

in advertisements are chosen by advertising production companies, leaving TV and radio stations unable to obtain licensing from copyright holders and thus subject to frequent threat of criminal lawsuits.

The above amendments to the Copyright Act are conducive to building a safer, more inclusive environment for copyright protection, creating a win-win result for both rights holders and users.

B. Response to Developments in International Copyright Law

TIPO has maintained a close watch of the copyright-related discussions of international organizations such as APEC and WIPO; recent discussion topics include the prevention of illegal recordings in cinemas, protection of scrambled cable and satellite signals, reasonable use, protection for performers, and protection for broadcasters. In addition to analysis of the Taiwanese legal regime and active participation in discussions and responses to outside inquiries, TIPO officials in 2009 were also sent abroad to attend an APEC seminar on regulations and law enforcement relating to signal stealing in the new globalized world, in order to gain an understanding of how the issue is dealt with by industries and other countries. In addition, as a response to concerns raised by the WIPO Standing Committee on Copyright and Related Rights (SCCR) over the years, TIPO last year extended the scope of reasonable use defined in Article 53 of the Copyright Act to increase the rights of mentally or physically challenged people who possess visual or hearing impairments.

C. Research Performances

TIPO completed a total of eight research projects in 2009 in order to examine developments in international copyright law and investigate the practices of foreign CMOs. These projects were entitled: “US Copyright Laws and Studies (2009),” “A Study on Copyright Laws and Judgments of Japan,” “A Study on the Copyright System in Digital Convergence Environment,” “A Study on Extended Collective License System,” “International Legislative Trends on Fair Use of Copyright Law,” “Analysis of the Most Up-date Trend on the Internet Copyright Issues,” “A Study of Multi-offenses in Criminal Copyright Cases” and “Rights of Rebroadcasting in Copyright Act of Taiwan.” These research projects were used as reference by Taiwanese policy makers and legislators, in order to help achieve a stronger environment for copyright protection.

D. Copyright Practices

| Harmonization of the Copyright Licensing Market

1. Review of CMO royalty rates to ensure more reasonable fees for music use by non-profit radio and TV stations: In 2009, TIPO completed reviews of public broadcasting royalty rates for MÜST satellite television stations (including music channels, business channels, and public broadcasting channels with Hakka or Taiwanese aboriginal content), amendments to public broadcasting royalty rates for non-profit radio stations (e.g. police radio and educational radio stations), and the addition of broadcasting royalty rates for tour buses, transit buses, trains, MRT subways and high-speed rail services. These efforts aim to create fairer, more suitable music royalty rates and improve the supply/demand mechanism in the copyright market.
2. Key points for copyright-related performance contracts and sample contracts for transferring and licensing of copyrights: To ensure the copyrights of performers (including actors), TIPO has completed lists of key points for performance contracts concerning copyrights and sample contracts for the transferring and licensing of copyrights. The lists and sample contracts have been uploaded to the official TIPO website for public reference.

| Public Inquiries & Publication of Licensing Information

In 2009, a total of 345 entries on key explanations of the Copyright Act were uploaded to the official TIPO website for public reference. TIPO representatives fielded a total of 2,548 telephone calls and 422 e-mails containing questions on the applicability of the Copyright Act, along with 1,621 inquiries on copyright registration. An express service desk for copyright licensing questions was also opened to provide users with quick access to needed information. A total of 516 cases were dealt with by this desk last year.

| Examinations of Copyright Applications through the E-Filing System

A total of 41,655 applications were received via the e-filing system in 2009 (322,238,528 audio/video works and 81,778,964 CDs, totaling 404,017,492 individual works). Examinations were all approved in a timely manner to facilitate customs checks.



智慧財產權 e 網通



計畫編起

最新消息

會展專區

電子法規

案件申請

案件進度

議事教學

INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

V | E-FILING FOR PATENT AND TRADEMARK APPLICATIONS

GPKI



V | E-FILING FOR PATENT AND TRADEMARK APPLICATIONS

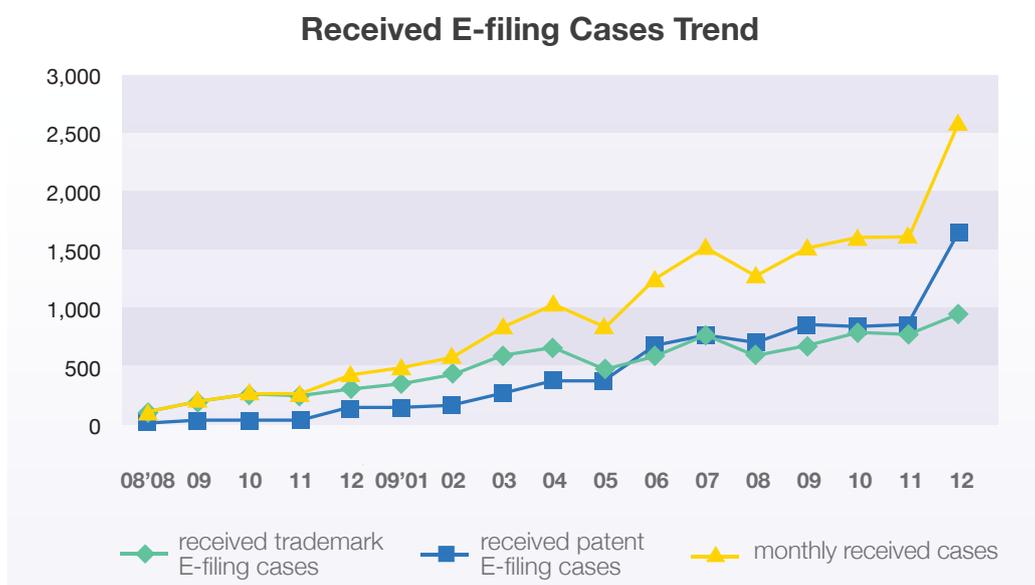
TIPO's e-filing services for patent and trademark applications were officially launched on August 26, 2008. As the most important considerations in transmissions over the Internet are the assurance of safety, completeness and accuracy of personal data, TIPO provides e-filing services which completely support the various digital certificates issued by the Government Public Key Infrastructure (GPKI). In addition, to meet the needs of patent attorneys and enterprises in Taiwan, an exclusive IP certificate for TIPO electronic services was officially launched on March 2, 2009.

A. Current Implementation Status for E-Filing Services

As applicants and agents were unfamiliar with the new operation in the initial months of the service, only 1,163 e-filing cases were filed by the end of 2008. This was quite a low proportion to the total amount of filing cases. Since January 2009, the number of submitted e-filing cases gradually rose each month. A total of 12,932 e-filing cases were reached by the end of 2009, including 5,961 patent cases and 6,971 trademark cases. The percentage of new patent applications filed electronically increased from 1.18% at the end of 2008 to 13.49% by the end of 2009, while the e-filing percentage for trademark applications rose from 6.02% to 14.85% over the same period.

The following charts reveal the implementation status of TIPO e-filing services from August 2008 to December 2009:

Current Implementation Status for E-filing Services (2008/08~2009/12)



E-filing Applications Rate



B. Upgrade of Electronic Services

In order to encourage the use of e-filing in place of paper filing by patent and trademark applicants and agents while enhancing customer service, TIPO has been gradually expanding services and increasing transparency of information.

Objectives completed in 2009 included: a new application form for electronic filing of supplementary patent documents, which includes a notice instructing applicants on proper e-filing procedures; an expansion of the “My Case” online review functions, enabling both paper-filed and electronically-filed documents to be browsed and accessed online; a new payment method for small fees, including an online ATM service allowing instant money transferring; and the creation of an online database for issued patent documents. Online integration of inter-agency services was also an area of focus last year, as TIPO actively worked with the Commerce Industrial Services Portal of MOEA to link electronic business information and services. Businesses now may search information of TIPO's patent and trademark cases not only via the e-Services of the Commerce Industrial Services Portal, but can also directly receive information by downloading the “Enterprise e-Assistant” software (G2B e-document exchange and government message announcement service system).

Tasks which are underway in 2010 include the expansion of universal e-forms for follow-up patent and trademark documents, online payment of patent annuities, establishment of an electronic database for trademark dispatch documents, and the extension of e-mail receiving periods to non-work hours. With the successful conversion of the basic platform for the administrative patent system in 2009, a new platform for the administrative trademark system is expected to be completed in 2010. The focus of future e-promotion will gradually move toward the information and service integration of application systems.





INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

VI | INTERNATIONAL COOPERATION AND CROSS-STRAIT EXCHANGE

VI | INTERNATIONAL COOPERATION AND CROSS-STRAIT EXCHANGE



A delegation from the United States Trade Representative visited TIPO on December 10, 2009.

In response to increased industrial globalization in recent years, Taiwanese manufacturers have actively invested in chief overseas markets and emerging countries. In order to stay abreast of international development trends and maintain the intellectual property rights of manufacturers in these countries, TIPO continuously promotes bilateral and multilateral international exchange and cooperation, while working to strengthen international participation in IPR affairs.

A. Participation in Negotiations of the World Trade Organization (WTO) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

In 2009, TIPO was an active participant in the WTO Doha Round of TRIPS negotiations and regularly attended TRIPS Council regular and special sessions. TIPO also convened the International Economic and Trade Strategic Alliance IPR Arrangement meeting in order to integrate the opinions of different agencies on major TRIPS issues – including the extended scope of geographical indications (GIs), the establishment of a multilateral system of GI notification and registration for wines and spirits eligible for protection, and issues related to the Convention of Biological Diversity (CBD) – in order to obtain the maximum benefit for Taiwan in international meetings and conferences.

B. Participation in the Asia-Pacific Economic Cooperation/Intellectual Property Rights Experts' Group (APEC/IPEG)

As international IPR issues rapidly change, discussion topics of the APEC / IPEG begin to diverge into multiple directions as well. In addition to the delegation of officials to participate in the 28th and 29th APEC/IPEG meetings and discussions, TIPO has also conducted extensive study and been actively involved in a number of major issues, i.e., completion of a gap analysis for the Patent Cooperation Initiative on Patent Acquisition Procedures – Roadmap for Further Cooperation

and participation in the APEC/IPEG, Survey on Certification and Collective Marks, APEC Member Economies Reports on Plant Variety Protection, APEC/IPEG Survey on Opposition Proceedings, and Survey of Strategic Consideration of IPR Capacity Building in APEC Economies. TIPO also introduced recent reforms to IP litigation in Taiwan and a draft amendment to the Copyright Act involving limitation of liabilities for Internet service providers (commonly known as the ISP Bill), and presented a status report on the new Accelerated Examination Plan for invention patents and Campus IPR Action Plan. Through avenues of exchange and experience-sharing such as these, Taiwan contributes to creating a sounder environment for IPR protection in the Asia-Pacific region.

In addition, at the invitation of IP Australia, TIPO was a featured speaker at the April 2009 workshop entitled “Conducting Effective IPR Public Education and Awareness Campaigns for Small and Medium Enterprises” in which TIPO shared its experiences on IPR protection and awareness campaigns in Taiwan.

C. Establishment of International Consultation Channels on Bilateral IPR Issues

In order to maintain firm control of the latest international trends in IPR development, TIPO has established international consultation platforms and communication channels with the United States, Japan, European Union, and other major countries. A positive interactive relationship is also maintained with the overseas Taipei Economic and Cultural Offices and foreign chambers of commerce in Taiwan to create mutually-beneficial exchange for both sides.

| IP Relationship between Taiwan and the United States

As the United States is one of Taiwan's most important trading partners, both sides are committed to maintain good relations with each other. IPR issues in Taiwan are therefore of key concern to the United States. For many years, Taiwan's efforts toward the promotion of legislative amendments and coordination of cross-ministry investigations have effectively enhanced Taiwan's IPR protection environment. On January 17, 2009, the United States Trade Representative removed Taiwan from the Watch List of its annual Special 301 Report, after the conclusion of an out-of-cycle review. In the 2009 Special 301 Report, released by the USTR on May 1, strong recognition was given to Taiwan's IPR protection efforts over the previous year, which included the opening of the new Intellectual Property Court in Taipei in July 2008, successful implementation of the Campus IPR Action Plan, adherence by Taiwan prosecutors to regulations in the 2007 Copyright Act amendment regarding P2P file-sharing, and the passing of a bill amended to the Copyright Act involving limitation of liabilities for Internet service providers (commonly known as the ISP Bill).

| IP Relationship between Taiwan and Japan

As the annual leader among foreign patent applicants in Taiwan, Japan has developed tremendously close ties with Taiwan in the field of IPR. At the 34th Japan-Taiwan Economic and Trade Conference, held in Tokyo on November 26~27, 2009, both sides engaged in productive, in-depth discussion on all issues, reaching consensus on future electronic exchange of priority patent

documents and the designation of a preliminary contact window for this purpose. Japan has also provided positive responses on issues of concern to Taiwanese patent and trademark applicants in Taiwan.

IP Relationship between Taiwan and the European Union

The EU is currently the fourth largest trade partner of Taiwan. As such, the economic and trade relationship between the two regions has experienced tangible growth in recent years. This relationship was particularly enhanced with the establishment of the Taiwan-EU IPR Working Group in 2007. Taiwan and the EU also convened two digital video conferences (DVCs) in 2009 to discuss issues of mutual concern, such as the development of Taiwan's new IP Court and the IP branch of the Taiwan High Prosecutors Office, trademark protection, geographical indications, IPR protection and enforcement, and cooperation and exchange on both a bilateral level and with other countries in the Asia-Pacific region.

New steps were taken by the EU and Taiwan last year to expand bilateral cooperation in the form of two events held in October 2009 in Taipei: the Taiwan-EU Design Patent Experts Conference and the Taiwan-EU Geographical Indications (GI) and Trademark Symposium, the latter of which was jointly hosted by the European Economic and Trade Office, the Executive Yuan Council of Agriculture, and TIPO. Both events were highlighted by active participation from a variety of sectors and contributed to greater understanding of the laws and practices of the two regions.

D. Diversified Bilateral Exchange and Cooperation

Negotiation and Signing of Bilateral MOUs on IPR

In attempts to reach agreement on the signing of a Memorandum of Understanding (MOU) on IPR with Malaysia, TIPO invited Mr. Kamel Mohamad, Director General of the Intellectual Property Corporation of Malaysia, to visit Taiwan on May 22~24, 2009. During a meeting held between Mohamad and TIPO officials, both sides exchanged experiences on a broad scale of topics pertaining to their respective offices, including IPR protection systems and policies, patent and trademark examinations, personnel training, remedies and litigation, while also exploring potential future areas of partnership and development between the two offices. In addition, TIPO will be conducting feasibility studies toward additional bilateral MOUs on IPR with countries such as Mexico, Vietnam, and the UK while actively exploring areas of bilateral IPR cooperation in Southeast Asia with countries including Vietnam, Singapore, Malaysia and Thailand.

Implementation of Bilateral MOUs on IPR

In 2009, TIPO took active measures to further implementation of MOUs already signed with other foreign IP offices, such as the Spanish Patent and Trademark Office (SPTO), National Industrial Property Institute, France (institut national de la propriété industrielle – INPI), and the Intellectual Property Office of the Philippines (IP Philippines). These measures included invitations sent to partner offices to participate in a variety of international IP-related events hosted by Taipei. The 2009 Taipei International Invention Show and Technomart, for instance, featured representatives from the SPTO and IP Philippines, the 2009 Trademark International Symposium –



Taiwan-EU Geographical Indications (GI) and Trademark Symposium was hosted by TIPO, EETO and Council of Agriculture in October 2009.



Mr. Kamel Mohamad (second from left), Director General of MyIPO, visited TIPO in May 2009.

Trademark Use in Taipei included appearances by INPI and IP Philippines, while the Symposium on Contributory Patent Infringement also featured representation by IP Philippines.

Developing Bilateral Partnerships through High-Level Overseas Visits

As part of TIPO's continued, long-term strategy to build and strengthen international partnerships, Director General Wang, Mei-hua was in Hong Kong for a five-day official visit in June 2009. The visit consisted of meetings with IP-related government agencies and members of the Legislative Council, regional IP associations, academic institutions and major rights holder groups, where DG Wang exchanged experiences on IPR protection and enforcement matters with her hosts. In September 2009, DG Wang was invited to Japan to give two presentations for the Interchange Association (Japan), in which she introduced Taiwan's recent and pending amendments to the Trademark Act and Patent Act and the current state of patent affairs at TIPO. DG Wang also visited a variety of related IPR organizations during her visit, such as the National Center for Industrial Property Information and Training (INPIT), Japan Institute of Invention and Innovation (JIII), Japan Patent Attorneys Association (JPAA), Institute of Intellectual Property (IIP), Japan Intellectual Property Association (JIPA) and Japan Patent Information Organization (JAPIO), where she shared opinions on various IP matters of interest and helped strengthen Taiwan's economic and trade partnerships in Japan.

Personnel Training in Overseas IP Offices

To ensure consistency with international IP practices while enhancing the professional expertise of all TIPO staff, a total of 43 patent and trademark examiners and other officials from the Copyright Division were sent to participate in short-term, advanced training courses conducted at major foreign agencies such as the European Patent Office, Office for Harmonization in the Internal Market (OHIM), United States Patent and Trademark Office, and the Japan Patent Office.

Invitation of Foreign Experts to IP Events in Taiwan

To help stay abreast of developing international trends in the field of IP, TIPO invited a number of well-known foreign scholars and experts to events held in Taiwan last year to discuss specific IP issues with patent and trademark examiners. These events included the following:

1. At the Symposium on Contributory Patent Infringement, held on July 15-16, scholars and experts from the U.S., Japan, and Germany were invited to outline the laws and judicial practices of their respective countries as they relate to contributory patent infringement. The knowledge gained at the event served as valuable reference for TIPO in studies toward the potential drafting of contributory infringement legislation in Taiwan.

2. TIPO partnered together with the International Confederation of Societies of Authors and Composers (Confédération Internationale des Sociétés d'Auteurs et Compositeurs – CISAC) to host the “2009 International Symposium on Copyright Collective Management Practices” on September 8-9, 2009. Guest speakers from Hungary, Japan, Australia, Canada and Hong Kong were invited to relate their expert views and experiences regarding collective copyright management organization practices in their respective countries.



Group photo of attendees of 2009 International Symposium on Copyright Collective Management Practices.

3. On September 22, TIPO hosted the 2009 International Symposium on Patent Litigation and Trial System.

Guest speakers Dr. Ryu Takabayashi, Faculty of Law professor at Waseda University in Japan, and Misao Shimizu, Presiding Judge of the Tokyo District Court, were on hand to give presentations: “System and Practices of Japanese Patent Invalidation Trials and Correction Trials,” and “Practices and Case Study on Patent Invalidation Defense in Patent Infringement Suits in Japan.” Patent experts from Singapore and Korea were also invited to the symposium to participate in roundtable discussions and Q&A sessions along with academic and judicial experts from Taiwan. The panelists engaged in stimulating discussions on the current patent system and patent practices in Taiwan, including patent litigation procedures and upcoming amendments to the Patent Act.

4. Judges and trademark officials from the U.S., Japan, France, and Germany were invited to attend the 2009 Trademark International Symposium in Taipei – Trademark Use, held on October 14-15. The foreign guests shared experiences and engaged in insightful discussions with fellow speakers and audience members, allowing Taiwanese participants to become more familiar with the unique trademark laws of countries around the globe. The success of the event served as a strong foundation on which to develop similar international exchanges in the future.

5. During a visit to Taiwan on May 18-21, Saito Kei and Kiyono Chiaki, senior patent examiners with the Japan Patent Office, conducted two lectures on JPO examination practices. These lectures, entitled “Examination Standards for Pharmaceutical Inventions” and “Patent Term Extension Guidelines,” served as important references in the drafting of amendments to TIPO patent examination standards.

6. On October 26, UK lawyer Craig Thomson was in Taipei to give a series of presentations on examination guidelines for pharmaceutical and plant patents. Thomson introduced key regulations, court decisions and past cases as part of an analysis of UK-IPO guidelines for pharmaceutical invention patents, along with supplementary protection certificate (SPC) guidelines for pharmaceutical and plant-related patents.

7. On November 12, Mr. Raimund Lutz, President of the (German) Federal Patent Court, participated in a symposium alongside TIPO patent examiners, trademark examiners and legal officers, in which speakers discussed the similarities and differences between the patent and trademark litigation systems of Taiwan and Germany.

E. Promotion of Cross-Strait IP Relationships

With the gradual ease in tensions between Taiwan and Mainland China in recent years, significant cross-strait progress has also been made in the field of IP. In April 2009, a group from the Mainland led by Yang Tie-jun, Deputy Commissioner of the State Intellectual Property Office (SIPO), visited TIPO to attend a meeting with TIPO DG Wang, Mei-hua to discuss patent-related issues such as e-filing and prior art search procedures. This meeting was followed by a visit to the Mainland by TIPO Deputy DG Cheng, Chih-hua, in June 2009 to attend a cross-strait IPR forum and a symposium on regional IPR

exchange strategies between Taiwan and Fujian Province. And in September 2009, a delegation of CEOs from high-tech industries in Fujian Province visited TIPO, exchanging IP management experiences with TIPO officials while learning more about patent prosecution in Taiwan. At the meeting, both the visiting delegation and TIPO expressed their hopes toward developing further cooperation in the future.

Cross-strait cooperation was also witnessed in the organization of three cross-strait IPR forums held in 2009 through the assistance of private intermediary groups. At the forums, participants conducted in-depth discussions about recent developments in IPR laws and management systems in Taiwan and Mainland China, and exchanged opinions about the chief IPR protection concerns of cross-strait industries. On the heels of interactions such as these, Taiwanese businesses received several positive responses by the Mainland government last year. On May 6, the trademark for “Taiwan Beer” was successfully registered in Mainland China, while preliminary trademark approval was granted to Chunghwa Telecom Co., Ltd (CHT) on September 27. On December 27, the Mainland also granted geographical indication (GI) protection to Chishang Rice, making it the first-ever Taiwanese product to be registered as a GI on the Mainland. In addition, “Kinmen Kaoliang” and “Tzu Chi” were both officially recognized as well-known trademarks by Mainland China last year.

| Cross-Strait Trademark Forum

A delegation from TIPO participated in the Cross-Strait Trademark Forum, organized by the Chamber of Commerce of the Republic of China (ROCCOC), on June 15 in Taipei. The forum began with a morning workshop in which speakers discussed issues such as protection of registered trademarks, trademark distinctiveness, and recognition of well-known trademarks. The workshop was followed by two afternoon symposiums: one organized for local industries who are interested



On September 23 2009, a delegation of CEOs from high-tech industries in Fujian Province, PRC visited TIPO.

in investing or applying for trademark rights in China, and the other focusing on general cross-strait trademark affairs of particular concern to both sides. The knowledge and insights gained at the forum helped the Taiwanese industrial sector and general public gain a better understanding of current cross-strait commerce and trademarking trends, as well as the trademark protection system of Mainland China and the important status of the term “well-known trademark” in both the Mainland marketplace and in Mainland trademark law. The active discussion between all sides served to raise awareness on issues of chief concern to the Taiwanese industrial sector, such as trademark registration obstacles facing Taiwanese businesses on the Mainland, disputes between registered trademarks and commercial names, and the harmful effect of counterfeiting on commercial reputations. The event was a successful example of Taiwan and Mainland China joining forces to raise the future standard of IPR protection in both regions.

■ Cross-Strait Patent Forum

TIPO representatives were part of a Taiwanese delegation led by the Chinese National Federation of Industries (CNFI) attending the 2009 Cross-Strait Patent Forum in Hangzhou, Zhejiang Province on November 18. The two sides introduced and shared opinions on recent progress in legislative amendments and other changes to patent practices, while also exploring potential new topics of cross-strait exchange in the future. Among these topics include the progression toward electronic-based administrative procedures, training of entry-level patent examiners, examination procedures and guidelines, examiner personnel exchange programs, and obstacles encountered by Taiwanese firms while filing patent applications in Mainland China.

■ Cross-Strait Copyright Forum

TIPO was also an active participant in the 2009 Cross-Strait Copyright Forum, held in Taipei on November 30-December 1 and organized by ROCCOC. The agenda was composed of a cross-strait copyright seminar, a symposium for copyright protection in commerce and industry, a symposium on affairs of competent copyright agencies in Taiwan and Mainland China, and an exchange forum for collective copyright management groups on both sides of the Taiwan Strait. By deepening and broadening issues of exchange, the event successfully built upon the foundation of the inaugural Cross-Strait Copyright Forum, held in Chengdu, Sichuan Province in 2008. It is TIPO's hope that the establishment of positive mechanisms of interaction such as these will benefit both Taiwan and the Mainland by ensuring stronger copyright protection in both regions while encouraging the development of innovative industries in Taiwan.

In the fourth round of cross-strait talks between the Straits Exchange Foundation (SEF) and the Association for Relations across the Taiwan Straits (ARATS) on December 22, 2009, it was agreed to incorporate IPR issues into the following round of negotiations. Looking ahead, TIPO will uphold the principles of openness and transparency with an attentive ear to public opinion and the needs of industry while planning future cross-strait IPR agreements, and will look to continue negotiations with the Mainland at the appropriate time. It is TIPO's hope that within this positive atmosphere of interactive relations continued progress can be made in cross-strait IPR partnerships in order to ensure and maintain the IP rights of all Taiwanese citizens.



INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

VII | IP ENFORCEMENT

VII | IP ENFORCEMENT

In today's era of knowledge-based economies, IPR protection is not merely an international duty Taiwan shares with its foreign neighbors; it is also vital to the upgrade of domestic industries and is a basis for sustainability in our new technological age. The traditional borders of economic competition are ceding predominance to a newly-formed global village of international economies. In response to this trend, TIPO began implementation of the 2009-2011 IPR Action Plan and continued regular meetings of the Inter-agency Coordination Taskforce for IP Enforcement, which coordinates multiple agencies covering a variety of IPR protection duties, including anti-counterfeiting and anti-piracy tasks, border controls, and compact disk factory inspections.

A. Coordinating Inter-Agency Efforts against Counterfeiting and Piracy

| Taiwan High Prosecutors Office, Ministry of Justice

IPR enforcement strategies of the Taiwan High Prosecutors Office are planned during periodical IP enforcement coordination meetings. The statistics for all suspects of IPR infringement criminal cases handled by Taiwan District Prosecutors Offices in 2009 are listed below:

Unit: case

Year	Total closed investigations	Outcome				
		Indicted (Ordinary Procedure)	Not Indicted	Deferred	Indicted (Summary Judgement)	Other Cases
2009	7,414	656	2,699	1,933	1,263	863

| National Police Agency, Ministry of the Interior

Police departments under the jurisdiction of the National Police Agency (NPA) conduct investigations and enforcement of all types of IPR infringement crimes in accordance with the NPA Implementation Plan for Cracking Down on IP Infringements. Statistics for Trademark Act and Copyright Act violations, compact disk seizures, and cases of infringement over the Internet are displayed below:

Units: Case/person/disk

Year	Total		Trademark Violations		Copyright Violations		Compact Disks Seized	Internet Cases
	Cases	Suspects	Cases	Suspects	Cases	Suspects	No. of Disks	No. of Cases
2009	5,543	6,115	2,690	2,919	2,923	3,196	785,806	2,763

IPR Police, National Police Agency

The IPR Police is the competent policing authority for the implementation of counterfeiting and piracy inspections. The professional training possessed by all officers once again led to outstanding accomplishments last year. Statistics for 2009 IPR infringement cases are classified according to case type in the following table:

Unit: case

Year	Total Cases	Type of Case					
		Internet	Night Market	Stores	Flyers	Factories	Other
2009	2,010	1,263	430	174	13	2	128

B. Investigation of Optical Disk Production Sources

To improve investigations of compact disk manufacturing plants, the MOEA Joint Optical Disk Enforcement taskforce (JODE) conducted random, frequent, island-wide inspections of OD factories, printing plate factories and other OD-related facilities last year, with an increased focus on nighttime and weekend inspections of large-scale OD manufacturers. A total of 820 inspections were conducted in 2009 (387 daytime and 433 nighttime), along with 263 documented audits. No major cases involving illegal OD production were uncovered by JODE investigators last year, providing evidence that these intensified efforts targeted at the source of production has created a positive deterrent against OD infringement activities.

C. Border Controls

In 2009, the Directorate General of Customs (DGOC) of the Ministry of Finance continued implementation of IPR protection tasks in accordance with the Operational Directions for Customs Authorities in Implementing Measures for Protecting the Rights and Interests of Patent, Trademark, and Copyright. The DGOC also made an active effort to increase the flow of data between foreign customs offices on counterfeiting offenses in order to more effectively combat illegal counterfeiting and piracy trade practices. Statistics on customs inspection by the DGOC in 2009 are revealed in the following table:

Unit: case/disk

Category	Trademark Violations		Copyright Violations		False Declaration of Export ODS	Violation of SID Code	False Declaration of Trademark
	Exports	Imports	Exports	Imports			
Case	3	270	0	45	15	1	513
Amount	102,672	1,215,282	0	29,425	257,058	50	-

D. Public Rewards and Financial Incentives

In order to encourage the public to report suspected acts of IPR infringement and to recognize the outstanding accomplishments of IPR enforcement officials, financial rewards are granted each year by TIPO in accordance with the Ministry of Economic Affairs (MOEA) Guidelines for Awarding Seizure of Counterfeit Goods. Submissions for rewards are reviewed by TIPO once cases have been successfully prosecuted; in total, 302 submissions were approved in 2009, with a total of NT\$9,963,200 issued. Rewards are granted to police officers, investigators, prosecutors and customs officers who perform exemplary service during investigation of IPR infringement cases, as well as to members of the public who assist in the reporting of infringement crimes.

E. Enhancing Personnel Expertise through Professional Counterfeit Inspection Training

In June and July 2009, a total of 10 seminars on economic policing practices were held for police departments in Taoyuan County, Changhua County, Taipei City, Hualien County, Tainan County, Yunlin County, Taipei County, Taichung City, and Kaohsiung City. Topics included investigative procedures in copyright infringement cases and proper procedures to be followed by copyright intermediary organizations when pursuing criminal litigation against infringers of public broadcast and public performance rights. The courses are targeted at officers responsible for economic crimes with the purpose of enhancing their professional knowledge of copyright infringement investigations.

In August and September 2009, three 5-day anti-counterfeiting seminars were held for municipal and county police officers in order to upgrade their knowledge of counterfeit inspection techniques. The seminars were held at the MOEA Professional Training Center and were attended by a total of 127 officers. The majority of content was focused on copyright infringement conducted over the Internet and was explored through case studies and experience exchange.

The implementation of effective IPR protection measures is one of TIPO's most important annual objectives. The successful partnerships created with fellow government agencies in recent years have contributed to concrete results in a variety of areas, including amendments to IPR-related legislation, counterfeiting and piracy investigations, border controls and measures, educational awareness campaigns, and international cooperation. However, TIPO also recognizes that the protection of IPR is a never-ending mission. Within the framework of the 2009-2011 IPR Action Plan, TIPO will use its recent achievements as a foundation on which to build toward even greater gains in the future.



INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

VIII | PROMOTION OF IP PROTECTION

VIII | PROMOTION OF IP PROTECTION

A. Promotion of IPR Concept and Regulations

| World IP Day

In April 2009, TIPO coordinated with related organizations in hosting a series of events and activities to celebrate World Intellectual Property Day. The aim of the celebration is to demonstrate Taiwan's determination in IPR protection. Promotional activities included inviting experts and scholars from related cultural creative industry to organize a Symposium on Creative Industry and Intellectual Property, coordinating with the Consumer Protection Council (CPC), the Department of Health, and the Council of Agriculture for an exhibition on genuine and counterfeited medicine and alcoholic products. We also arranged to have experts at the exhibition to demonstrate the knowledge and skills on how to identify genuine products from counterfeited ones. Also for the World IP Day event, TIPO held a Fun IP contest and a One-Thousand Strong Declaration for Genuine Goods activity.

| 2009 Hong Kong and Taiwan “My Video” Competition

To promote respect for IPR and foster creative culture, TIPO, Taiwan Foundation Against Copyright Theft and Hong Kong Intellectual Property Society jointly organized a cross-region video clip competition, the 2009 Hong Kong and Taiwan “My Video” Competition, to stimulate creativity through creating short videos. The competition was divided into three categories—senior/vocational high school, college/university and open. A total of 15 creative works were granted the Gold, Silver, Bronze and Outstanding Award. The award ceremony was held on August 29 to promote interaction among Taiwan and Hong Kong winners, and to also promote IPR protection concept. The winning entries were posted on the event's official website (<http://www.myvideocompetition.com/>) for public viewing. The contest reminds people to value IPR protection in this digital information era.



2009 Hong Kong and Taiwan “My Video” Competition press conference was held on March 6.

| Copyright Concept Promotion

TIPO's IPR Service Group has held a total of 285 seminars on IP laws and regulations throughout the nation. These seminars were held to meet the needs of businesses and enterprises, reaching 38,365 participants. Six seminars on copyright collective management organizations and licensing were held for libraries, publishers, health care institutes, beauty salons, hotels (travel and accommodation industry), transportation industry (passenger services), catering, audio-visual industry, general businesses and snack shop owners. In addition, for the first time TIPO invited

government agencies, schools and state-owned enterprises to four seminars on Ambiguous Copyright Issues in the Office and three seminars on Proper Use of Licensed Software/Freeware. These two series of seminars gave in-depth explanations on copyright and authorization issues in the office, and received great responses from the participants.

For the general public and college students, TIPO held for the first time a music creation contest and the second annual 2009 Copyright Awareness Poster Design Competition. The two events effectively promoted public awareness to respect copyright and the concept of obtaining legal authorization of works from others.

In the area of campus awareness, TIPO continues to work with students from legal service clubs of 20 colleges to form the Campus IPR Assistance Team. The team goes to elementary and junior-high schools to advocate and educate students on IPR knowledge and concept. TIPO also set up a second-hand textbook website and coordinated with college campus bookstores to promote a used textbooks exchange system. Currently, 154 colleges and universities (94%) nationwide have established this second-hand book platform which yields outstanding achievements.

In addition, TIPO worked with Internet blog platforms to promote Internet copyright concept, printed awareness stickers for karaoke machine manufacturers and tour bus associations to place on their karaoke facilities, issued e-newspapers, produced awareness videos, and integrated radio media, TV shorts, light box advertisements, brochures, flyers, books, comics, and other media to strengthen awareness of copyright concepts.

| IPR Symposiums

To gather public opinions on reforms of IPR affairs, a series of IPR Affairs Symposiums was held between July and August in Taipei, Hsinchu, Tainan, and Kaohsiung. Besides having reports on trademark affairs and legislative and practical aspects of the draft amendment to the Patent Act, Director General Wang also led trademark and patent directors to communicate directly with the attending business and industrial representatives. The suggestions proposed in the symposium would be carefully assessed and serve as reference for TIPO's related work.



TIPO held a workshop on Ambiguous Copyright Issues in the Office on July 29, 2009.



On-campus IP promotion and advocacy performed at an elementary school on November 17, 2009.

| Law Guidance Symposium

A series of symposiums on trademark laws and regulations were held starting March 18 throughout northern, central, and southern Taiwan. The main themes of the symposiums were to introduce examination standards for trademark distinctiveness and on using registered trademarks; the symposiums were held to meet the needs of people in trademark business. Also from June 9 on, TIPO held patent examination standards symposiums throughout northern, central, and southern regions to explain issues in examination standards in medical invention patents and Standards for Patent Right Extension.

| Patent Database and Patent/Trademark E-Filing

To help businesses and industries make full use of the patent information system, TIPO held the Patent Database and Patent/Trademark e-Filing Seminar beginning from July 6 throughout Taipei, Hsinchu, Tainan, and Kaohsiung. Introductions and explanations were given for the R.O.C. Patent Database Search System, Chinese-English Query System of Patent and Technical Terms, and Patent Trademark e-Filing.

B. Taiwan Intellectual Property Training Academy (TIPA)

To cultivate professional working in intellectual property-related fields, the Taiwan Intellectual Property Training Academy (TIPA) was established. This academy cooperates with judiciary institutions, Ministry of Education, and technology transfer or RD units of state-owned enterprise in offering professional courses to promote professional IP education.

In 2009, TIPA held a total of 47 courses, which included 39 beginning and intermediate courses and eight courses for enterprises, training a total of 1,135 persons. In addition, TIPA joined the Judicial Yuan and other relevant governmental departments in organizing a total of 14 intellectual property courses and trained 686 people. Also, an advanced level training course was given to decision makers from the industries, training 11 people in total.

To further enhance TIPA's capacity in harmonizing with international IP environment, a domestic intellectual property exchange platform was established, and hosted 6 sessions on intellectual property case study symposium, 3 international conferences, and issued 12 e-newspapers. In fact, the case study symposium has become an opinion exchange platform on intellectual property examination cases, where these opinions would serve as an important reference for building our IP legal environment. The international conferences focused on indirect patent infringement, patent litigation, and other new issues. Also, to meet the needs of enterprises for IP professionals, TIPO has completed the schemes for the Patent Engineer Skill and Ability Examination. The exam shall start in 2010 and will provide an objective assessment to the ability of patent engineers.

C. Innovation Award

| Taipei International Invention Show and Technomart

The 2009 Taipei International Invention Show and Technomart was co-organized by the MOEA, Ministry of Education, Ministry of National Defense, National Science Council, and Council of Agriculture and held at the Taipei World Trade Center Exhibition Hall 1 on September 24-27. The main themes for the 2009 show were “Smart Life,” “Biotech and Medicare” and “Green Future.” Participants came from 16 countries (regions), with a total of 555 manufacturers and organizations participated in the show. Nearly 2,000 works, products or technology were displayed at the show. During the four-day event, the exhibition attracted 85,000 buyers and consumers, which was a 6.6% growth from last year's event, reaching the highest participation of the event's history.



Crowd of visitors at the 2009 Taipei International Invention Show & Technomart (Taipei INST).

To encourage outstanding inventions, an invention contest was held at the show. In all, 106 gold, 106 silver and 136 bronze medals were awarded, for a total of 348 award-winning inventions. A grand ceremony was then given to honor all the winners. In the technology trading zone, 11 technical trading meetings and 3 international conferences were held. The meetings and conferences were a great success, leading to approximately 2,500 cooperation cases.

| National Invention and Creation Award



Award Ceremony of the 2009 National Invention and Creation Award – Group photo of Contribution Award winners.

To encourage research, innovation and invention, the 2009 National Invention and Creation Award was held in accordance to the Regulations Governing Invention and Creation Awards (2009 amended version). A total of 56 inventions were selected and granted the Invention Award, Creative Award and Contribution Award. A total of NT\$13.6 million in prize money was awarded to the recipients. The number of entries in 2009 was the highest ever. As high practicality means huge market value, most of these inventions are already on the

production line, with technological licensing exceeding NT\$1 billion. These achievements demonstrated Taiwan's R&D capability in various areas.

To promote these winning entries, the winners were publicly announced and a press conference was also held. The winning works were also displayed at the 2009 Taipei International Invention Show and Technomart to promote trade opportunities. A grand award ceremony was held at the show to recognize the innovative research and development of enterprises, teams and individuals.





INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

IX | FUTURE PROSPECTS

IX | FUTURE PROSPECTS

As there is a shortage of examiners, it has become an important issue to efficiently manage and employ the existing manpower. The Executive Yuan has allocated an additional 60 persons who are expected to report to duty in August 2010. We are also expecting a few handfuls of alternative military draftees specialized in R&D to arrive in September 2010. In the coming year, we shall invest both time and resources to train and guide its incoming new staff, and on the challenge of enhancing examination efficiency. Every examiner shall uphold the challenge and strive to increase his/her examination quota. From a mid-long term perspective, we shall continue to reinforce its examination resources, and endeavor to shorten examination time to 22 months.

Drafting of the Trademark Act Amendment started in November 2007 and was completed for submission to MOEA on November 30 for review; the completed draft amended a total of 109 articles, where 71 have been revised, 23 were added, and 8 were deleted. During this two-year period, a total of 15 public hearings, panel discussions among trademark experts and scholars and inter-agency meetings were held, with meeting records exceeding 100,000 Chinese characters. Although the process was difficult and encountered many obstacles, the Trademark Act Amendment will be more consistent with international regulations and may further meet industrial needs. Trademark owners will have more convenience in exercising their rights, while trademark examination will also become more efficient. We are willing to take up the challenges and responsibilities and overcome the difficulties. In the future, we will advocate for the legislation of the Trademark Act Amendment so that it may be implemented as soon as possible and uphold public expectations.





After the Copyright Collective Management Organization Act is announced and implemented, we can expect to see more reasonable royalty rates made to collective management organizations. The implementation of “joint royalty rate” and “One-stop shop” should allow for easier and more convenient licensing. This in turn would reduce criminal charges from collective management organizations and allow for more harmonious relationship between collective management organizations and users. This kind of relationship would increase users' desire to obtain authorization on the one hand, and protect the interests of rights holders on the other, providing a more complete and smoother operation in the copyright licensing market.

In the area of international and cross-strait cooperation and exchange, we shall actively participate in international IP conferences, continuously promote bilateral and multilateral international exchange, and expand cooperation in the field. In addition, we shall assess the situation and build a cross-strait IPR communication system to improve cross-strait IPR exchange and development so that IP rights of our nationals can be protected and maintained.

Since the Patent Attorney Association was established in the end of 2009, we look forward for the association to become the liaison between applicants and TIPO. We also look forward to working closely together to enhance the abilities and quality of patent attorneys. We hope that the association shall timely response to the opinions of enterprises and provide specific recommendations to further improve the patent system and related measures.

We will continue to better our e-filing service. We plan to add a few more functions to the service, including universal e-forms for follow-up patent documents and an online annuity payment service. Procedures for online filling shall also be simplified, where non-signature individuals will no longer need to sign up for service. Also, electronic ID will be used to fill online in the future.

Establishing a sound IP protection environment is an on-going mission that allows for no neglect. In the future, work in legislation amendments, enhancement of patent examination quality, examination of the trademark review system shall be continuously promoted as to move towards the directions of stable examination quality, reasonable fees, and efficient examination.





INTELLECTUAL PROPERTY OFFICE
MINISTRY OF ECONOMIC AFFAIRS

APPENDIX

- I.** Annual Statistics
- II.** Calendar of Events
- III.** Research Projects and Annual Publications

I. Annual Statistics

Patent Applications Filed & Disposed

A. General Statistics of Patent Cases (1985-2009)

Item Year	Application	Approval	Certificate Issued	Grant
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
2008	83,613	—	42,366	42,283
2009	78,425	—	43,750	43,724

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

"Approval" is the number of published approvals. This system was replaced by the patent granted 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 2000 to 2009

1. Patent Cases Filed & Disposed

Item Year	Application	Re-examination	Opposition	Invalidation	Assignment	Licensing
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
2008	83,613	1,738	—	1,034	4,685	108
2009	78,425	2,331	—	980	4,333	140

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

Item Year	Application	Pre-grant Publication	Request for Examination	Re- examination	Rejection	Approval	Certificate Issued	Grant
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
2008	51,909	50,140	45,938	1,537	5,115	—	12,891	12,867
2009	46,654	52,617	40,905	2,143	8,938	—	14,152	14,138

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 patent granted 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	Grant	Requests for Technical Evaluation Report	Preparation of Technical Evaluation Report
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
2008	23,953	—	226	—	23,468	23,411	2,650	2,646
2009	25,032	—	218	—	23,603	23,591	2,606	1,448

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 patent granted 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	Grant
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
2008	7,751	201	1,288	—	6,007	6,005
2009	6,739	188	1,098	—	5,995	5,995

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 patent granted 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 and Invalidation

Item Year	Opposition		Invalidation	
	Sustained	Denied	Sustained	Denied
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
2008	6	11	523	646
2009	4	4	719	602

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

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

6. Statistics of Patent Administrative Remedy Filed and Revoked

Item 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
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
2008	531	57	10.73	—	—	—	348	33	9.48	879	90	10.24
2009	508	46	9.06	—	—	—	239	47	19.67	747	93	12.45

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 Applications

Item Year	Residents				Non-Residents			
	Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total
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
2008	23,868	23,195	4,276	51,339	28,041	758	3,475	32,274
2009	22,712	24,289	4,255	51,256	23,942	743	2,484	27,169

8. Residents and Non-Residents Patent Approvals (2000-2004)

Item Year	Residents				Non-Residents			
	Invention	Utility Model	Design	Total	Invention	Utility Model	Design	Total
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 Patent Grants (2004-2009)

Item Year	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
2008	6,364	22,823	3,177	32,364	6,503	588	2,828	9,919
2009	7,445	22,819	3,193	33,457	6,693	772	2,802	10,267

Note: The patent granted 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 Grants by Classification (2007-2009)

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
A01	308	347	412	149	68	111
A21	25	18	12	14	10	9
A22	5	2	12	3	2	0
A23	253	233	206	64	53	46
A24	11	23	53	12	3	8
A41	77	88	70	27	9	7
A42	41	50	41	3	4	4
A43	63	47	55	25	15	14
A44	65	49	64	21	26	20
A45	83	94	84	28	20	15
A46	25	19	24	10	7	3
A47	380	494	444	223	112	107
A61	2,134	2,232	2,625	762	388	426
A62	41	47	42	10	9	17
A63	468	523	537	157	162	120
B01	505	504	482	213	160	155
B02	16	17	22	9	6	8
B03	14	15	11	7	4	9
B04	4	3	7	4	0	4
B05	193	234	263	146	93	77
B06	8	11	4	1	1	1
B07	16	10	17	7	4	1
B08	85	84	85	35	15	4
B09	25	27	18	19	10	8
B21	132	170	167	97	64	129
B22	95	93	94	60	34	33
B23	434	482	478	233	216	165
B24	193	182	164	190	68	40
B25	356	395	407	192	83	176
B26	84	70	108	45	31	25
B27	35	42	35	11	4	21
B28	17	19	18	10	1	3
B29	492	527	518	230	128	140
B30	22	24	21	8	2	4
B31	12	15	13	4	0	5
B32	338	323	302	124	92	61
B41	436	324	315	231	145	122
B42	29	59	21	19	2	16
B43	41	36	41	18	19	14
B44	37	40	53	13	9	9

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
B60	469	493	445	182	233	206
B61	21	30	26	17	7	14
B62	359	415	485	320	138	133
B63	27	46	47	11	28	12
B64	21	5	14	2	8	3
B65	675	672	654	469	192	222
B66	75	82	46	52	33	34
B67	26	29	29	12	11	4
B68	1	0	2	0	0	0
B81	45	81	127	51	24	21
B82	20	30	49	11	2	7
C01	245	250	276	117	63	86
C02	125	136	124	43	37	47
C03	229	227	216	84	48	45
C04	123	141	127	39	41	43
C05	11	7	12	4	3	2
C06	1	3	0	2	0	0
C07	1,847	1,942	1,230	456	342	379
C08	1,445	1,431	1,343	514	470	412
C09	844	896	959	336	316	224
C10	97	121	116	37	15	22
C11	60	67	72	24	17	10
C12	312	271	318	127	74	133
C13	1	2	2	0	1	0
C14	4	8	2	2	0	0
C21	43	40	53	28	11	18
C22	132	112	140	56	45	52
C23	566	449	482	195	118	138
C25	180	126	142	57	37	43
C30	68	113	92	34	25	26
C40	1	0	3	0	0	0
D01	59	73	92	39	31	28
D02	7	22	9	5	5	5
D03	30	31	33	10	12	16
D04	65	82	64	45	28	12
D05	52	52	56	20	17	13
D06	156	121	131	97	52	52
D07	1	4	0	2	0	0
D21	49	56	56	34	13	16
E01	39	26	31	13	8	1
E02	60	52	39	16	11	18
E03	38	53	44	9	2	10
E04	178	224	186	79	24	37

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
E05	165	170	136	96	40	30
E06	84	71	83	27	21	26
E21	10	12	4	5	3	3
E99	0	0	0	0	0	0
F01	92	64	61	38	31	28
F02	137	96	101	65	48	62
F03	84	109	173	10	10	17
F04	210	235	194	111	55	67
F15	21	20	17	13	13	9
F16	586	672	695	265	239	289
F17	23	24	26	17	12	8
F21	215	385	709	59	73	94
F22	9	5	5	2	3	5
F23	73	60	66	29	18	40
F24	170	194	235	97	67	66
F25	82	95	82	63	22	56
F26	23	22	21	12	4	13
F27	33	26	23	7	3	9
F28	130	93	110	88	58	67
F41	31	26	69	19	7	8
F42	2	4	3	4	0	1
F99	0	0	0	0	0	0
G01	1,712	1,984	2,080	1,064	455	477
G02	2,890	2,671	2,675	1,532	688	743
G03	1,427	1,476	1,323	565	362	464
G04	33	42	24	11	1	2
G05	365	315	400	159	74	69
G06	3,974	4,369	5,279	1,844	1,077	1,446
G07	85	75	81	22	26	21
G08	146	208	230	82	97	36
G09	1,446	1,235	1,147	727	328	282
G10	138	139	160	70	44	50
G11	1,844	1,559	1,088	927	533	668
G12	26	13	9	7	5	7
G21	43	64	60	22	4	3
G99	0	0	0	0	0	0
H01	8,632	8,980	8,614	3,975	2,278	2,230
H02	929	1,003	1,096	407	256	320
H03	929	899	835	365	183	320
H04	4,681	4,822	4,745	1,494	552	939
H05	1,773	1,888	2,089	833	556	482
H99	0	0	1	0	0	0
X	452	557	439	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 Grants by Classification (2007-2009)

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
A01	479	495	461	414	484	530
A21	34	23	35	22	27	43
A22	7	5	8	5	8	6
A23	79	101	67	73	74	76
A24	15	28	26	16	26	25
A41	312	261	260	243	244	238
A42	99	95	118	86	83	117
A43	187	173	177	148	178	159
A44	124	89	109	102	101	126
A45	416	425	391	397	394	390
A46	33	31	46	29	37	42
A47	1,975	1,888	1,938	1,732	1,940	1,945
A61	949	833	862	818	846	865
A62	66	86	64	74	72	73
A63	779	731	714	677	732	658
B01	241	246	271	228	293	259
B02	42	23	51	33	33	47
B03	4	8	1	7	3	4
B04	3	2	6	3	6	2
B05	160	145	143	157	158	135
B06	1	1	3	1	2	1
B07	27	26	28	20	32	23
B08	38	42	47	30	48	43
B09	7	8	8	6	11	9
B21	93	90	77	76	83	80
B22	14	14	11	14	15	11
B23	385	409	407	394	414	406
B24	127	113	119	109	115	134
B25	579	433	448	501	471	453
B26	119	133	103	104	118	109
B27	84	78	76	67	97	50
B28	22	13	20	21	15	12
B29	196	184	228	172	219	210
B30	28	23	21	22	17	19
B31	22	19	18	16	16	20
B32	115	112	92	103	109	107
B41	112	123	117	96	135	95
B42	94	103	92	91	101	96
B43	103	143	107	104	119	108
B44	68	58	52	66	49	49
B60	939	859	741	807	826	741
B61	5	4	5	2	6	3

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
B62	604	652	846	558	725	1,012
B63	41	48	31	34	37	31
B64	2	11	2	8	3	7
B65	1,208	1,112	1,146	1,073	1,121	1,090
B66	76	59	50	65	46	61
B67	21	24	28	23	24	32
B68	2	2	4	3	4	0
B81	3	3	9	3	5	4
B82	0	0	3	0	2	2
C01	8	18	17	9	11	16
C02	63	69	59	65	64	56
C03	8	17	21	11	19	14
C04	3	6	2	2	5	3
C05	3	6	4	3	8	4
C06	0	0	0	0	0	0
C07	0	0	0	0	0	0
C08	4	4	11	3	5	8
C09	11	16	20	13	16	20
C10	3	4	6	2	5	4
C11	10	9	13	9	12	13
C12	14	10	18	8	15	14
C13	0	1	0	1	0	0
C14	6	2	0	3	1	0
C21	3	3	8	2	7	3
C22	4	0	1	1	1	2
C23	10	21	36	10	36	24
C25	31	32	24	36	22	29
C30	6	2	5	4	3	3
C40	0	0	0	0	0	0
D01	11	22	13	14	14	12
D02	2	16	7	6	9	11
D03	15	30	22	15	31	21
D04	69	63	58	61	63	57
D05	70	63	60	46	71	65
D06	91	106	80	87	97	87
D07	2	4	5	2	4	4
D21	3	3	8	3	9	2
E01	48	46	42	40	36	39
E02	56	78	51	58	67	77
E03	112	114	114	108	116	117
E04	468	482	517	463	513	451
E05	390	345	334	334	347	332

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
E06	408	300	341	307	306	360
E21	8	7	2	7	5	5
E99	0	0	1	0	0	0
F01	67	75	55	47	69	63
F02	102	75	104	74	92	89
F03	88	97	111	86	109	113
F04	216	212	191	179	204	186
F15	7	9	11	10	7	12
F16	824	863	814	763	905	761
F17	26	22	21	18	23	22
F21	433	547	819	402	715	828
F22	3	7	4	2	9	5
F23	96	112	83	96	93	73
F24	486	502	552	435	546	508
F25	66	68	57	54	63	65
F26	22	25	25	18	31	16
F27	5	11	12	9	11	9
F28	36	64	50	45	68	43
F41	58	65	82	43	84	79
F42	38	22	3	38	8	3
F99	2	5	0	0	1	0
G01	414	395	451	374	447	433
G02	478	494	596	456	556	573
G03	158	171	203	136	189	198
G04	44	36	38	31	39	32
G05	45	35	54	39	43	51
G06	1,089	978	1,065	1,006	1,018	1,015
G07	91	74	62	78	70	63
G08	89	134	131	94	116	163
G09	236	213	251	211	202	267
G10	50	62	67	49	67	65
G11	202	153	175	165	171	170
G12	10	10	8	6	7	12
G21	0	6	4	2	6	3
G99	0	0	0	0	0	0
H01	2,475	2,605	3,128	2,353	2,909	3,022
H02	384	436	431	358	430	440
H03	33	51	67	41	45	81
H04	703	594	548	592	555	562
H05	950	833	945	873	861	955
H99	0	0	0	0	0	0
X	172	170	147	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 Grants by Classification (2007-2009)

Classification	Application			Grant		
	2006	2007	2008	2007	2008	2009
01	17	18	22	5	14	7
02	302	306	228	210	268	140
03	148	125	135	118	103	111
04	49	31	45	39	31	38
05	49	35	46	32	30	30
06	346	320	335	263	288	275
07	202	253	230	156	188	174
08	461	377	313	313	258	241
09	440	398	397	327	305	272
10	226	216	185	182	192	146
11	170	141	146	109	111	95
12	596	668	659	599	586	555
13	436	530	638	362	373	552
14	1,364	1,224	1,452	1,107	1,050	1,226
15	292	324	320	234	238	264
16	325	311	304	272	314	213
17	2	2	5	2	0	1
18	21	18	16	19	16	11
19	194	236	172	167	162	119
20	56	52	43	36	33	24
21	326	261	302	260	193	216
22	35	36	26	29	34	21
23	535	455	453	420	338	355
24	111	168	117	95	151	89
25	193	199	269	97	126	167
26	316	385	515	292	352	393
27	14	14	20	8	9	16
28	220	172	194	201	149	158
29	2	4	15	2	6	6
30	26	26	17	20	16	17
31	19	33	34	22	28	38
99	46	67	44	21	43	25
x	59	38	55	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 2008 (TOP 20)

Rank	IPC	IPC Subject	No. of Applications
1	H01L	semiconductor devices; electric solid state devices not otherwise provided for	5,971
2	G06F	electric digital data processing	4,053
3	A61K	preparations for medical, dental, or toilet purposes	1,696
4	G02F	liquid crystal display (LCD) \ electrophoresis display (EPD)	1,534
5	H04L	transmission of digital information	1,433
6	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	1,387
7	H04N	pictorial communication	1,216
8	G02B	optical elements, systems, or apparatus	1,096
9	G09G	arrangements or circuits for control of indicating devices using static means to present variable information	874
10	G03F	photomechanical production of textured or patterned surfaces; materials therefor; originals therefor; apparatus specially adapted therefor; exposure apparatus	843
11	H01R	electrically-conductive connections	735
12	H04B	transmission	717
13	G01R	measuring electric variables; measuring magnetic variables	670
14	G11C	static stores	667
15	C07D	heterocyclic compounds	618
16	H04M	telephonic communication	587
17	G06Q	electronic commerce	582
18	H05B	electric heating; electric lighting not otherwise provided for; organic light emitting diodes (OLED)	568
19	F21V	lighting devices	543
20	G01N	investigating or analysing materials by determining their chemical or physical properties	508

Note: 1. The order of placement is arranged by the number of applications in 2008, 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 2008 (TOP 20)

Rank	IPC	IPC Subject	No. of Applications
1	H01R	electrically-conductive connections	1,889
2	G06F	electric digital data processing	902
3	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	856
4	B65D	containers for storage or transport of articles or materials	687
5	F21V	lighting devices	533
6	H01L	semiconductor devices; electric solid state devices not otherwise provided for	524
7	A47G	household or table equipment	519
8	A63B	apparatus for physical training, gymnastics, swimming, climbing, or fencing; ball games; training equipment	421
9	A47B	tables; desks; office furniture; cabinets; drawers; general details of furniture	347
10	E06B	shutter	328
11	A47J	kitchen equipment; coffee mills; spice mills; apparatus for making beverages	306
12	B62K	cycles; cycle accessories	297
13	B25B	tools or bench devices	292
14	A47C	chairs; sofas; beds	289
15	G02F	liquid crystal display (LCD) \ electrophoresis display (EPD)	288
16	B62J	cycle saddles or seats; accessories peculiar to cycles and not otherwise provided for	244
17	B01D	separation	231
18	F21S	non-portable lighting devices or systems thereof	227
19	E05B	locks; accessories therefor; handcuffs	225
20	F16B	devices for fastening or securing constructional elements or machine parts together; joints or jointing	204

Note: 1. The order of placement is arranged by the number of applications in 2008, 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 2008 (TOP 20)

Rank	LOC	LOC Subject	No. of Applications
1	14-03	communications equipment, wireless remote controls and radio amplifiers	632
2	13-03	equipment for distribution or control of electric power	513
3	14-02	data processing equipment as well as peripheral apparatus and devices	492
4	12-16	parts, equipment and accessories for vehicles, not included in other classes or subclasses	321
5	16-06	optical articles	205
6	25-02	building parts (prefabricated or pre-assembled)	199
7	09-01	bottles, flasks, pots, carboys, demijohns, and containers with dynamic dispensing means	198
8	14-01	equipment for the recording or reproduction of sounds or pictures	196
9	28-03	toilet articles and beauty parlor equipment	172
10	26-06	luminous devices for vehicles	169
11	23-04	ventilation and air-conditioning equipment	166
12	23-01	fluid distribution equipment	156
13	06-01	seats	154
14	21-02	gymnastics and sports apparatus and equipment	151
15	21-01	Games and toys	149
16	09-03	boxes, cases, containers, (preserve) tins or cans	144
17	26-05	lamps, standard lamps, chandeliers, wall and ceiling fixtures, lampshades, reflectors, photographic and cinematographic projector lamps	140
18	02-04	footwear, socks and stockings	137
18	12-11	cycles and motorcycles	137
18	15-99	miscellaneous(machines)	137

Note: 1. The order of placement is arranged by the number of applications in 2008, 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 Grants by International Patent Classification (IPC) in 2009 (TOP 20)

Rank	IPC	IPC Subject	No. of Grants
1	H01L	semiconductor devices; electric solid state devices not otherwise provided for	1,663
2	G06F	electric digital data processing	1,156
3	G02F	liquid crystal display (LCD) \ electrophoresis display (EPD)	567
4	H04L	transmission of digital information	373
5	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	355
6	G11C	static stores	349
7	G11B	information storage based on relative movement between record carrier and transducer	319
8	G09G	arrangements or circuits for control of indicating devices using static means to present variable information	256
9	G03F	photomechanical production of textured or patterned surfaces; materials therefor; originals therefor; apparatus specially adapted therefor; exposure apparatus	254
10	H04N	pictorial communication	247
11	A61K	preparations for medical, dental, or toilet purposes	218
12	G03B	apparatus or arrangements for taking photographs or for projecting or viewing them; accessories therefor	203
13	G01R	measuring electric variables; measuring magnetic variables	194
14	C07D	heterocyclic compounds	173
15	G02B	optical elements, systems, or apparatus	171
16	C07C	acyclic or carbocyclic compounds	137
17	G01N	investigating or analysing materials by determining their chemical or physical properties	135
18	C23C	coating metallic material; coating material with metallic material	126
19	G06K	recognition of data; presentation of data; record carriers; handling record carriers	125
19	H01R	electrically-conductive connections	125

Note: 1. The order of placement is arranged by the number of grants in 2009, from most to least.

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

8. Utility Model Grants by International Patent Classification (IPC) in 2009 (TOP 20)

Rank	IPC	IPC Subject	No. of Grants
1	H01R	electrically-conductive connections	1,884
2	H05K	printed circuits; casings or constructional details of electric apparatus; manufacture of assemblages of electrical components	842
3	G06F	electric digital data processing	839
4	B65D	containers for storage or transport of articles or materials	664
5	F21V	lighting devices	543
6	A47G	household or table equipment	536
7	H01L	semiconductor devices; electric solid state devices not otherwise provided for	477
8	A63B	apparatus for physical training, gymnastics, swimming, climbing, or fencing; ball games; training equipment	388
9	E06B	shutter	349
10	B62J	cycle saddles or seats; accessories peculiar to cycles and not otherwise provided for	345
11	A47B	tables; desks; office furniture; cabinets; drawers; general details of furniture	338
12	A47J	kitchen equipment; coffee mills; spice mills; apparatus for making beverages	321
13	B62K	cycles; cycle accessories	314
14	B25B	tools or bench devices	286
15	A47C	chairs; sofas; beds	274
16	G02F	liquid crystal display (LCD) \ electrophoresis display(EPD)	262
17	F21S	non-portable lighting devices or systems thereof	227
18	A01K	animal husbandry; care of birds, fishes, insects; fishing; rearing or breeding animals, not otherwise provided for; new breeds of animals	220
19	E05B	locks; accessories therefor; handcuffs	215
20	G02B	optical elements, systems, or apparatus	214

Note: 1. The order of placement is arranged by the number of grants in 2009, from most to least.
2. For detailed IPC subject, please refer to International Patent Classification 8th.

9. Design Grants by International Classification for Industrial Design System (LOC) in 2009 (TOP 20)

Rank	LOC	LOC Subject	No. of Grants
1	14-03	communications equipment, wireless remote controls and radio amplifiers	495
2	13-03	equipment for distribution or control of electric power	470
3	14-02	data processing equipment as well as peripheral apparatus and devices	410
4	12-16	parts, equipment and accessories for vehicles, not included in other classes or subclasses	243
5	14-01	equipment for the recording or reproduction of sounds or pictures	192
6	26-06	luminous devices for vehicles	138
7	12-11	cycles and motorcycles	137
8	28-03	toilet articles and beauty parlor equipment	136
9	09-01	bottles, flasks, pots, carboys, demijohns, and containers with dynamic dispensing means.	135
10	16-06	optical articles	131
11	14-99	miscellaneous(equipment)	129
12	23-04	ventilation and air-conditioning equipment	126
13	25-02	building parts (prefabricated or pre-assembled)	120
14	23-01	fluid distribution equipment	116
15	06-01	seats	115
16	21-01	games and toys	109
17	03-01	trunks, suitcases, briefcases, handbags, keyholders, cases specially designed for their contents, wallets and similar articles	108
18	21-02	gymnastics and sports apparatus and equipment	106
18	26-05	lamps, standard lamps, chandeliers, wall and ceiling fixtures, lampshades, reflectors, photographic and cinematographic projector lamps	106
20	09-03	boxes, cases, containers, (preserve) tins or cans	100

Note: The order of placement is arranged by the number of grants in 2009, from most to least.

10. Patent Applications by Nationality (2009)

Nationality	Application				
	Invention	Utility Model	Design	Total	Percentage
TAIWAN, REPUBLIC OF CHINA	22,712	24,289	4,255	51,256	65.36
JAPAN	9,082	87	1,111	10,280	13.11
UNITED STATES OF AMERICA	7,822	154	442	8,418	10.73
GERMANY	1,424	10	154	1,588	2.02
REPUBLIC OF KOREA	1,409	27	90	1,526	1.95
NETHERLANDS	775	1	65	841	1.07
CHINA	365	279	50	694	0.88
SWITZERLAND	524	1	90	615	0.78
HONG KONG	268	97	79	444	0.57
FRANCE	366	2	31	399	0.51
UNITED KINGDOM	336	7	31	374	0.48
SWEDEN	245	0	55	300	0.38
SINGAPORE	210	5	10	225	0.29
ITALY	95	0	67	162	0.21
CAYMAN ISLANDS	116	6	2	124	0.16
CANADA	75	5	39	119	0.15
FINLAND	77	0	37	114	0.14
ISRAEL	88	0	2	90	0.11
AUSTRALIA	64	0	22	86	0.11
BELGIUM	78	0	3	81	0.10
BRITISH VIRGIN ISLANDS	57	7	11	75	0.10
DENMARK	61	4	7	72	0.09
SPAIN	39	1	7	47	0.06
MALAYSIA	17	3	25	45	0.06
AUSTRIA	36	1	2	39	0.05
BERMUDA	35	3	0	38	0.05
LIECHTENSTEIN	14	0	17	31	0.04
SAMOA	8	18	1	27	0.03
LUXEMBOURG	26	0	0	26	0.03
BARBADOS	16	0	4	20	0.03
IRELAND	16	0	1	17	0.02
INDIA	11	2	2	15	0.02
MAURITIUS	8	6	1	15	0.02
BRUNEI	8	1	4	13	0.02
THAILAND	7	0	6	13	0.02
ANGUILLA	5	5	2	12	0.02
BRAZIL	9	2	0	11	0.01
NORWAY	5	0	6	11	0.01
NEW ZEALAND	7	0	0	7	0.01
AMERICAN SAMOA	6	0	0	6	0.01
BELIZE	4	2	0	6	0.01
PORTUGAL	6	0	0	6	0.01
OTHERS	122	7	8	137	0.17
TOTAL	46,654	25,032	6,739	78,425	100.00

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

11. Pre-grant Publications by Nationality (2009)

Nationality	Pre-grant Publication	Percentage
TAIWAN, REPUBLIC OF CHINA	23,568	44.79
JAPAN	11,806	22.44
UNITED STATES OF AMERICA	8,834	16.79
REPUBLIC OF KOREA	1,709	3.25
GERMANY	1,601	3.04
NETHERLANDS	906	1.72
SWITZERLAND	704	1.34
FRANCE	408	0.77
UNITED KINGDOM	392	0.74
SWEDEN	295	0.56
SINGAPORE	255	0.48
HONG KONG	249	0.47
CHINA	240	0.46
CANADA	178	0.34
ITALY	176	0.33
AUSTRALIA	170	0.32
FINLAND	136	0.26
CAYMAN ISLANDS	123	0.23
IRELAND	115	0.22
BELGIUM	114	0.22
LUXEMBOURG	72	0.14
DENMARK	68	0.13
BRITISH VIRGIN ISLANDS	62	0.12
SPAIN	52	0.10
AUSTRIA	47	0.09
BERMUDA	46	0.09
BARBADOS	40	0.08
IRELAND	30	0.06
INDIA	30	0.06
SAMOA	23	0.04
MALAYSIA	19	0.04
LIECHTENSTEIN	13	0.02
CZECH REPUBLIC	11	0.02
NEW ZEALAND	11	0.02
SOUTH AFRICA	10	0.02
MAURITIUS	9	0.02
NORWAY	9	0.02
SAN MARINO	7	0.01
OTHERS	79	0.15
TOTAL	52,617	100.00

Note: Countries with fewer than 5 pre-grant publications are listed as "OTHERS."

12. Certificates Issued by Nationality (2009)

Nationality	Certificate Issued				
	Invention	Utility Model	Design	Total	Percentage
TAIWAN, REPUBLIC OF CHINA	7,452	22,830	3,193	33,475	76.51
JAPAN	3,355	141	1,250	4,746	10.85
UNITED STATES OF AMERICA	1,626	178	500	2,304	5.27
REPUBLIC OF KOREA	694	16	141	851	1.95
GERMANY	269	22	175	466	1.07
CHINA	38	227	15	280	0.64
SWITZERLAND	138	1	111	250	0.57
HONG KONG	15	88	118	221	0.50
NETHERLANDS	113	3	71	187	0.43
FINLAND	35	0	110	145	0.33
ITALY	40	2	60	102	0.23
FRANCE	61	3	35	99	0.23
UNITED KINGDOM	59	12	27	98	0.22
SWEDEN	32	1	57	90	0.21
SINGAPORE	28	6	30	64	0.15
CANADA	37	3	5	45	0.10
CAYMAN ISLANDS	22	5	1	28	0.06
BELGIUM	20	0	4	24	0.05
SAMOA	2	22	0	24	0.05
DENMARK	8	4	11	23	0.05
MALAYSIA	2	2	19	23	0.05
AUSTRALIA	10	0	10	20	0.05
BRITISH VIRGIN ISLANDS	7	8	4	19	0.04
SPAIN	7	3	8	18	0.04
AUSTRIA	12	0	4	16	0.04
IRELAND	9	0	3	12	0.03
BRUNEI	5	0	4	9	0.02
NEW ZEALAND	3	1	4	8	0.02
THAILAND	2	3	2	7	0.02
SOUTH AFRICA	0	4	3	7	0.02
NORWAY	3	0	3	6	0.01
OTHERS	48	18	17	83	0.19
TOTAL	14,152	23,603	5,995	43,750	100.00

Note: Countries with fewer than 5 certificates issued are listed as "OTHERS."

13. Residents Patent Applications in 2009 (Top 20)

Rank	Applicant	Number of Applications			
		Invention	Utility Model	Design	Total
1	HON HAI PRECISION INDUSTRY CO., LTD.	2,269	818	163	3,250
2	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	796	20	4	820
3	INVENTEC CORPORATION	455	145	6	606
4	AU OPTRONICS CORPORATION	523	0	0	523
5	CHENG UEI PRECISION INDUSTRY CO., LTD.	25	281	133	439
6	MEDIA TEK INC.	343	0	0	343
7	FAR EAST UNIVERSITY	76	253	0	329
8	FOXCONN TECHNOLOGY CO., LTD.	235	3	69	307
9	CHI MEI OPTOELECTRONICS CORPORATION	273	6	0	279
10	CHUNGHWA PICTURE TUBES, LTD.	193	79	0	272
11	NATIONAL TAIWAN UNIVERSITY	239	14	0	253
12	HIGH TECH COMPUTER, CORP.	212	4	23	239
13	INVENTEC APPLIANCES CORP.	141	67	6	214
14	SOUTHERN TAIWAN UNIVERSITY	76	121	11	208
15	ACER INCORPORATED	200	2	5	207
16	CHUNGHWA TELECOM CO., LTD.	167	29	8	204
17	FOXSEMICON INTEGRATED TECHNOLOGY, INC.	72	5	118	195
18	WISTRON CORPORATION	144	49	1	194
19	YUANPEI UNIVERSITY	6	174	1	181
20	CHI MEI COMMUNICATION SYSTEMS, INC.	165	0	15	180

14. Residents Patent Grants in 2009 (Top 20)

Rank	Applicant	Number of Grants			
		Invention	Utility Model	Design	Total
1	HON HAI PRECISION INDUSTRY CO., LTD.	421	1,142	207	1,770
2	INDUSTRIAL TECHNOLOGY RESEARCH INSTITUTE	390	12	2	404
3	CHENG UEI PRECISION INDUSTRY CO., LTD.	3	187	95	285
4	INVENTEC CORPORATION	147	92	7	246
5	TAIWAN SEMICONDUCTOR MANUFACTURING CO., LTD.	225	1	0	226
6	AU OPTRONICS CORPORATION	224	1	0	225
7	FAR EAST UNIVERSITY	14	187	0	201
8	INVENTEC APPLIANCES CORP.	61	87	9	157
9	VIA TECHNOLOGIES, INC.	152	2	2	156
10	CHUNGHWA PICTURE TUBES, LTD.	70	78	0	148
11	SOUTHERN TAIWAN UNIVERSITY	12	112	22	146
12	FOXCONN TECHNOLOGY CO., LTD.	110	5	28	143
13	DELTA ELECTRONICS, INC.	102	28	5	135
14	ADVANCED SEMICONDUCTOR ENGINEERING, INC.	120	0	0	120
15	MACRONIX INTERNATIONAL CO., LTD.	113	0	0	113
16	MITAC INTERNATIONAL CORP.	93	6	11	110
17	ASIA OPTICAL CO., INC.	80	29	0	109
17	DARFON ELECTRONICS CORP.	27	81	1	109
19	QUANTA COMPUTER INC.	34	41	27	102
20	ALTEK CORPORATION	21	76	1	98

Note: Applicants with the same total of grants 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 Applications in 2009 (Top 20)

Rank	Applicant	Number of Applications			
		Invention	Utility Model	Design	Total
1	QUALCOMM INCORPORATED	1,230	0	0	1,230
2	SONY CORPORATION	490	0	35	525
3	KONINKLIJKE PHILIPS ELECTRONICS N.V.	360	0	36	396
4	TOKYO ELECTRON LIMITED	330	1	25	356
5	INTERNATIONAL BUSINESS MACHINES CORPORATION	352	0	0	352
6	SUMITOMO CHEMICAL COMPANY LTD.	317	0	1	318
7	APPLIED MATERIALS, INC.	291	3	1	295
8	INTERDIGITAL TECHNOLOGY CORPORATION	250	0	0	250
9	FIH (HONG KONG) LIMITED	177	10	29	216
10	KABUSHIKI KAISHA TOSHIBA	170	0	36	206
11	SEMICONDUCTOR ENERGY LABORATORY CO., LTD.	194	0	0	194
12	3M INNOVATIVE PROPERTIES COMPANY	178	1	10	189
13	FUJIFILM CORPORATION	164	0	0	164
14	PANASONIC CORPORATION	133	0	28	161
15	INTEL CORPORATION	159	0	0	159
16	CORNING INCORPORATED	157	0	0	157
16	HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.	156	0	1	157
18	MICROSOFT CORPORATION	144	0	3	147
18	INTERDIGITAL PATENT HOLDINGS, INC.	123	24	0	147
20	BASF AKTIENGESELLSCHAFT	144	0	0	144

Note: Applicants with the same total of 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 Patent Grants in 2009 (Top 20)

Rank	Applicant	Number of Grants			
		Invention	Utility Model	Design	Total
1	SAMSUNG ELECTRONICS CO., LTD.	174	0	57	231
2	SONY CORPORATION	183	1	30	214
3	INTEL CORPORATION	207	0	0	207
4	SEIKO EPSON CORPORATION	109	0	27	136
4	KABUSHIKI KAISHA TOSHIBA	95	0	41	136
4	NOKIA CORPORATION	26	0	110	136
7	HYNIX SEMICONDUCTOR INC.	131	0	0	131
8	HONDA GIKEN KOGYO KABUSHIKI KAISHA	49	0	66	115
9	SHARP KABUSHIKI KAISHA	91	0	17	108
10	PANASONIC CORPORATION	66	0	32	98
11	TOKYO ELECTRON LIMITED	77	1	18	96
11	FUJINON CORPORATION	8	88	0	96
13	INTERNATIONAL BUSINESS MACHINES CORPORATION	93	0	0	93
14	SANYO ELECTRIC CO., LTD.	76	0	11	87
15	FIH (HONG KONG) LIMITED	1	0	75	76
16	TOKYO OHKA KOGYO CO., LTD.	75	0	0	75
17	LG ELECTRONICS, INC.	54	0	20	74
18	INTERDIGITAL TECHNOLOGY CORPORATION	64	9	0	73
19	LG CHEMICAL CO., LTD.	71	0	0	71
20	SHIMANO INC.	48	6	14	68

Note: Applicants with the same total of grants 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		Non-Residents		Total	
		Invention	Utility Model	Invention	Utility Model	No. of Certificates Issued	Percentage
Agriculture, Forest, Fishery & Animal Husbandry	A01, (exclude A01H, A01K67, A01N, A01P)	33	520	43	4	600	1.59
Foods & Tobacco	A21-A24	28	149	35	1	213	0.56
Domestic Articles	A41-A47	114	2,958	57	59	3,188	8.44
Pharmaceutical & Entertainment	A61-A63,(exclude A61K, A61P, A61Q)	180	1,538	156	45	1,919	5.08
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	102	41	182	3	328	0.87
Preparation for Medical, Dental or Toilet Purposes	A61K(exclude35/66-35/76,38,39,47/42,48,49/14,49/16,51/08,51/10), A61Q	39	10	151	0	200	0.53
Separation & Mixing	B01-B09	108	517	159	6	790	2.09
Working of Metal	B21-B32, (exclude B31)	491	1,564	308	29	2,392	6.34
Printing	B41-B44	81	340	80	8	509	1.35
Transporting	B60-B68	395	2,909	234	69	3,607	9.55
Micro-structural technology; nano-technology	B81-B82	14	5	14	1	34	0.09
Inorganic Chemistry, Treatment of Waste Water	C01-C05,C30	108	94	141	2	345	0.91
Organic Chemistry	C07, (exclude C07K \ C07M)	32	0	309	0	341	0.90
Organic Macromolecular Compound	C08	77	8	335	0	420	1.11
Dyes, Petroleum, Animal or Vegetable Oils	C09-C11	59	37	197	0	293	0.78
Sugar Industries & Pelts/Leather	C13-C14	0	0	0	0	0	0.00
Metallurgy, Coating Metallic Material & Alloys	C21-C23,C25 (exclude C22K)	67	57	184	1	309	0.82
Textiles & Flexible Materials	D01-D07	39	253	88	4	384	1.02
Paper Making & Making Paper Articles	D21,B31	7	22	14	1	44	0.12
Fixed Constructions	E01-E06	95	1,357	27	19	1,498	3.97
Mining or Quarrying	E21	1	5	2	0	8	0.02
Engines and Pumps	F01-F04	113	443	61	8	625	1.66
Hydraulics or Pneumatics in General	F15-F17	210	778	96	17	1,101	2.92
Lighting; Heating	F21-F28	245	1,517	105	31	1,898	5.03
Weapons; Explosive Charges	F41-F42,C06	6	81	3	1	91	0.24
Optics	G01-G03 ,(exclude G01N33)	917	1,069	727	114	2,827	7.49
Measuring	G04-G08,(exclude G06F,G06Q)	222	418	100	10	750	1.99
Semi-Conductor Applications	G09-G12	425	489	582	25	1,521	4.03
Nuclear Engineering	G21	2	3	1	0	6	0.02
Electric Power; Generation, Distribution or Conversion of Electric Power, Electric Heating	H02,H05	531	1,343	273	56	2,203	5.83
Basic Electronic Elements	H01,(exclude H01L)	308	2,444	259	102	3,113	8.24
Semiconductor Devices	H01L	810	445	856	33	2,144	5.68
Basic Electronic Circuitry; Electric Communication Technique	H03,H04	673	547	588	96	1,904	5.04
Electric Digital Data Processing	G06F (exclude 17/60)	849	812	308	28	1,997	5.29
E-business	G06F17/60,G06Q	71	57	25	0	153	0.40
Total		7,452	22,830	6,700	773	37,755	100.00

18. Statistics for Valid Patent Invention – Invention & Utility Model

Classification	Invention	Utility Model	Classification	Invention	Utility Model	Classification	Invention	Utility Model
A01	1,151	2,166	B61	85	20	E04	511	2,403
A21	104	179	B62	1,569	3,767	E05	383	2,074
A22	12	33	B63	140	241	E06	194	1,915
A23	533	401	B64	27	34	E21	45	29
A24	95	84	B65	2,227	5,613	F01	346	321
A41	128	1,058	B66	405	382	F02	604	437
A42	39	395	B67	67	146	F03	74	355
A43	173	817	B68	2	10	F04	671	1,167
A44	290	596	B81	242	28	F15	122	78
A45	163	1,708	B82	25	6	F16	2,120	4,528
A46	47	166	C01	806	59	F17	144	130
A47	892	8,404	C02	420	321	F21	472	2,467
A61	5,100	4,575	C03	573	79	F22	35	22
A62	97	376	C04	538	12	F23	354	568
A63	1,119	3,633	C05	41	18	F24	650	2,396
B01	1,939	1,284	C06	7	4	F25	419	338
B02	81	206	C07	4,547	1	F26	60	121
B03	59	34	C08	4,920	22	F27	100	58
B04	16	19	C09	2,453	67	F28	410	315
B05	724	793	C10	380	15	F41	96	375
B06	16	6	C11	281	36	F42	30	94
B07	44	163	C12	869	61	G01	5,530	2,324
B08	245	228	C13	5	3	G02	8,471	2,610
B09	148	51	C14	15	10	G03	3,771	849
B21	795	582	C21	347	35	G04	155	166
B22	550	98	C22	588	7	G05	853	237
B23	1,763	2,394	C23	1,661	115	G06	14,270	6,594
B24	1,031	746	C25	531	169	G07	316	362
B25	1,071	2,976	C30	375	17	G08	436	540
B26	292	730	C40	0	0	G09	4,084	1,069
B27	140	508	D01	421	82	G10	624	354
B28	93	96	D02	91	41	G11	8,344	1,117
B29	1,628	1,254	D03	154	107	G12	34	52
B30	111	111	D04	385	361	G21	263	16
B31	52	128	D05	287	367	G99	0	0
B32	1,008	472	D06	561	437	H01	42,342	15,637
B41	1,662	686	D07	10	17	H02	2,896	2,268
B42	75	437	D21	243	26	H03	3,310	300
B43	119	509	E01	99	220	H04	13,102	3,833
B44	101	245	E02	173	326	H05	5,159	5,211
B60	1,436	3,929	E03	94	552	H99	0	0
						Total	173,606	120,840

Note: The figures above are calculated based on existing patents as of December 31, 2009.

Design

Classification	Design	Classification	Design
01	43	26	1,531
02	767	27	109
03	449	28	832
04	215	29	31
05	202	30	128
06	1,200	31	153
07	738	32	97
08	1,483	33	12
09	1,539	34	37
10	930	35	8
11	484	36	17
12	2,855	37	91
13	2,484	38	12
14	5,359	39	3
15	1,411	40	15
16	1,209	41	5
17	264	42	7
18	136	44	3
19	777	45	12
20	147	46	133
21	951	47	6
22	182	48	8
23	1,771	49	17
24	567	50	23
25	614	99	152
		Total	30,219

Note: The figures above are calculated based on existing patents as of December 31, 2009.

19. Statistics of Pending Patent Applications for Examination (2004~2009)

Item Year	Application			Re-examination		Opposition			Invalidation			Technical Evaluation Report for Utility Model	Total
	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	123,123	6,161	7,103	5,907	180	1	0	0	517	1,595	67	1,732	146,386
2009	140,646	6,410	6,034	4,627	124	0	1	0	461	1,244	37	2,873	162,457

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 ; 2007 : 12,965 ; 2008 : 8,501)

3. Some new applications were collected via E-filing starting April 2008. Since operation procedures were different, there was a slight discrepancy in statistical data for 2008 on the number of pending cases.

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	31,726	63.31	1,558	3.11	10,724	21.40	359	0.72	44,367	88.54
2007	51,676	33,305	64.45	1,550	3.00	2,391	4.63	314	0.61	37,560	72.68
2008	51,909	32,202	62.04	708	1.36	86	0.17	259	0.50	33,255	64.07
2009	46,654	27,825	59.64	20	0.04	92	0.20	478	1.02	28,415	60.91

Date : 2010/2/2

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.

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
2008	37	37
2009	30	27

Trademark Cases Filed & Disposed

A. General Statistics of Trademark Cases (1985-2009)

Item Year	Application	Registration	Approval	Rejection
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
2008	59,568	49,500	—	7,811
2009	59,669	48,075	—	7,728

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 (2000-2009)

1. Statistics of Applications

Year	Application		Opposition	Invalidation	Revocation
	By case	By class			
2000	88,002	—	1,871	511	206
2001	59,158	—	2,051	439	268
2002	61,729	—	2,081	577	256
2003	65,907	—	1,762	644	317
2004	61,667	72,650	1,536	440	288
2005	63,580	76,838	1,562	537	368
2006	65,101	79,767	1,637	493	453
2007	61,454	76,332	1,195	438	357
2008	59,568	75,033	1,192	363	358
2009	59,669	74,177	1,033	389	354

Year	Renewal	License	Assignment	Alteration
2000	19,402	2,300	8,872	7,561
2001	15,284	2,549	6,935	8,650
2002	17,896	3,215	8,607	8,059
2003	21,996	2,593	11,477	8,611
2004	21,559	2,056	7,796	5,451
2005	22,534	1,980	9,255	7,416
2006	26,155	1,864	9,418	8,461
2007	26,394	1,800	10,866	10,179
2008	29,954	1,413	8,971	9,595
2009	30,386	1,432	8,925	8,703

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 2000 on.

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

Item Year	Sustained	Denied	Others
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
2008	705	282	268
2009	753	295	256

Note: 1. The chart reflects the number of cases disposed each year.

2. The item "Others" includes rejection because of formal deficiency, withdrawal, and other type of rejection.

3. Trademark Invalidation

Item Year	Sustained	Denied	Others
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
2008	241	94	76
2009	295	149	107

Note: 1. The chart reflects the number of cases disposed each year.

2. The item "Others" includes rejection because of formal deficiency, withdrawal, application for identifying the scope of designated goods or services, and other type of rejection.

4. Trademark Revocation (Cancellation)

Item Year	Sustained	Denied	Others
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
2008	226	43	53
2009	248	62	76

Note: 1. The chart reflects the number of cases disposed each year.

2. The item "Others" includes rejection because of formal deficiency, withdrawal, and other type of rejection.

3. Beginning from November 28, 2003, "disciplinary cancellation" has been changed to "revocation."

5. Statistics of Trademark Administrative Remedy Filed and Cancelled

Item 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
2000	1,099	123	11.19	351	18	5.13	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
2008	1,016	87	8.56	—	—	—	386	30	7.77	1,402	117	8.35
2009	996	78	7.83	—	—	—	337	30	8.90	1,333	108	8.10

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.

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

Item Year	Residents	Non-Residents
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
2008	45,876	14,244
2009	47,009	12,677

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)

Item Year	Residents	Non-Residents
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
2008	37,220	12,280
2009	35,650	12,425

C. Statistics of Trademarks by Class and Nationality

1. Trademark Applications and Registrations by Class (2007-2009)

Class	Application			Registration		
	2007	2008	2009	2007	2008	2009
Total	76,247	74,949	74,077	62,164	61,163	62,627
1	1,248	1,247	1,128	985	1,062	1,007
2	333	361	296	262	269	330
3	4,765	4,366	4,614	4,200	3,398	3,441
4	485	496	499	408	354	426
5	5,356	5,327	5,330	4,530	4,150	4,063
6	940	950	855	916	752	824
7	1,776	1,643	1,348	1,468	1,533	1,597
8	525	506	527	435	426	514
9	6,265	6,140	5,634	4,930	5,326	5,574
10	1,123	1,025	1,049	1,027	827	916
11	1,589	1,673	1,749	1,280	1,357	1,540
12	1,415	1,721	1,558	1,195	1,245	1,511
13	57	69	43	78	37	73
14	1,266	1,239	1,046	1,050	1,023	1,124
15	142	107	118	108	93	110
16	2,413	2,406	2,457	1,923	1,994	2,257
17	561	566	414	502	486	523
18	1,922	1,957	2,087	1,677	1,496	1,641
19	471	514	446	380	390	434
20	1,111	1,037	1,036	1,083	874	912
21	1,306	1,172	1,324	1,024	1,088	1,127
22	166	142	116	160	122	134
23	119	97	76	108	90	95
24	890	842	783	852	740	728
25	5,111	5,152	5,043	4,101	3,698	4,166
26	402	347	351	296	320	332
27	135	134	122	141	105	136
28	1,575	1,515	1,574	1,374	1,302	1,460
29	2,361	2,442	2,744	1,960	1,771	1,875
30	4,564	4,447	5,015	3,507	3,349	3,301
31	836	909	970	723	689	753
32	1,963	1,639	1,651	1,462	1,336	1,192
33	821	818	790	789	537	586
34	307	352	269	258	252	307
35	6,550	6,756	6,942	5,206	5,791	5,592
36	1,212	1,260	923	866	1,038	923
37	1,096	993	851	821	897	789
38	1,002	966	864	690	811	834
39	619	674	577	547	561	564
40	532	416	395	413	432	396
41	2,889	2,896	2,777	2,286	2,535	2,441
42	2,509	2,298	2,074	1,806	2,058	1,896
43	3,999	3,734	4,013	3,035	3,180	2,800
44	1,131	1,050	1,043	1,034	987	889
45	389	548	556	268	382	494

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

2. Trademark Applications by Nationality in 2009 (By case)

Nationality	Application	Percentage	Nationality	Application	Percentage
TAIWAN, REPUBLIC OF CHINA	47,009	78.76	KUWAIT	20	0.03
JAPAN	2,874	4.82	NORWAY	19	0.03
UNITED STATES OF AMERICA	2,833	4.75	SAUDI ARABIA	19	0.03
CHINA	1,186	1.99	BRAZIL	18	0.03
GERMANY	634	1.06	MALTA	18	0.03
SWITZERLAND	622	1.04	MONACO	16	0.03
FRANCE	552	0.92	TURKEY	15	0.03
HONG KONG	463	0.78	SAMOA	15	0.03
UNITED KINGDOM	442	0.74	MAURITIUS	14	0.02
REPUBLIC OF KOREA	414	0.69	NETHERLANDS ANTILLES	12	0.02
ITALY	278	0.47	POLAND	12	0.02
BRITISH VIRGIN ISLANDS	237	0.40	RUSSIAN FEDERATION	12	0.02
NETHERLANDS	203	0.34	ARGENTINA	11	0.02
CAYMAN ISLANDS	194	0.33	CHILE	11	0.02
SINGAPORE	167	0.28	BELIZE	10	0.02
AUSTRALIA	138	0.23	COLOMBIA	10	0.02
MALAYSIA	138	0.23	ISRAEL	10	0.02
SPAIN	128	0.21	PHILIPPINES	10	0.02
SWEDEN	95	0.16	PORTUGAL	9	0.02
CANADA	89	0.15	UNITED ARAB EMIRATES	8	0.01
FINLAND	54	0.09	BULGARIA	8	0.01
THAILAND	53	0.09	GREECE	8	0.01
BELGIUM	52	0.09	ICELAND	8	0.01
DENMARK	52	0.09	LIECHTENSTEIN	8	0.01
AUSTRIA	48	0.08	VIETNAM	8	0.01
IRELAND	46	0.08	HUNGARY	6	0.01
LUXEMBOURG	43	0.07	SYRIAN ARAB REPUBLIC	6	0.01
SOUTH AFRICA	35	0.06	OTHERS	133	0.22
INDONESIA	31	0.05			
INDIA	26	0.04			
NEW ZEALAND	26	0.04			
MACAO	25	0.04			
MEXICO	25	0.04			
BERMUDA	20	0.03			
	Subtotal			Ratio	
Residents	47,009			78.76%	
Non-Residents	12,677			21.24%	
Total	59,686			100.00%	

Note: 1. 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.

2. Countries with fewer than five applications are listed as "OTHERS."

3. Trademark Registrations by Nationality in 2009 (By case)

Nationality	Registration	Percentage	Nationality	Registration	Percentage
TAIWAN, REPUBLIC OF CHINA	35,650	74.15	INDIA	15	0.03
UNITED STATES OF AMERICA	3,025	6.29	VIETNAM	15	0.03
JAPAN	2,769	5.76	BAHAMAS	13	0.03
CHINA	840	1.75	MAURITIUS	13	0.03
GERMANY	812	1.69	PHILIPPINES	12	0.02
SWITZERLAND	648	1.35	PANAMA	10	0.02
FRANCE	577	1.20	TURKEY	10	0.02
HONG KONG	413	0.86	HUNGARY	9	0.02
UNITED KINGDOM	393	0.82	CZECH REPUBLIC	8	0.02
ITALY	341	0.71	PORTUGAL	8	0.02
REPUBLIC OF KOREA	319	0.66	BELIZE	7	0.01
BRITISH VIRGIN ISLANDS	242	0.50	GREECE	6	0.01
NETHERLANDS	197	0.41	MONACO	6	0.01
SINGAPORE	191	0.40	OTHERS	65	0.14
SWEDEN	183	0.38			
CAYMAN ISLANDS	122	0.25			
AUSTRALIA	115	0.24			
CANADA	108	0.22			
SPAIN	89	0.19			
MALAYSIA	78	0.16			
BELGIUM	60	0.12			
THAILAND	50	0.10			
LUXEMBOURG	49	0.10			
AUSTRIA	44	0.09			
DENMARK	42	0.09			
FINLAND	39	0.08			
IRELAND	37	0.08			
ICELAND	34	0.07			
NEW ZEALAND	34	0.07			
RUSSIAN FEDERATION	31	0.07			
SAMOA	31	0.07			
UNITED ARAB EMIRATES	28	0.06			
BERMUDA	28	0.06			
MEXICO	27	0.06			
BRAZIL	26	0.05			
MACAO	24	0.05			
CHILE	23	0.05			
ISRAEL	23	0.05			
SOUTH AFRICA	23	0.05			
LIECHTENSTEIN	21	0.04			
POLAND	21	0.04			
NORWAY	20	0.04			
INDONESIA	19	0.04			
SAUDI ARABIA	17	0.04			
BULGARIA	15	0.03			
	Subtotal			Ratio	
Residents	35,650			74.15%	
Non-Residents	12,425			25.85%	
Total	48,075			100.00%	

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

D. Statistics for Certification Mark and Collective Membership Mark

Item 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
2008	41	40	42	35
2009	43	27	57	41

II. Calendar of Events

Jan.

- 1** TIPO's new "Invention Patent Accelerated Examination Plan" (AEP) went into effect. Under AEP system, 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, are eligible for expedited examination services. In most such cases, TIPO examiners will send out a notice of examination results no more than six months after receipt of all documents.
- 17** The Office of the United States Trade Representative (USTR) released the 2008 Special 301 Out-of-Cycle Review Report, in which Taiwan was removed from the USTR's Watch List of governments with inadequate IPR policies and measures.
- 19** TIPO hosted the 2008 Year-in-Review Press Conference, where hosts provided a recap of achievements from the previous 12 months. These achievements included draft amendments to the Patent Act, promulgation of the Patent Attorney Act, improvements in patent examinations, and progress in international cooperation and cross-strait exchange. TIPO's new "Triple E Plan" – a broad policy objective for 2009 focusing on "examination," "excellence," and "enforcement," – was also introduced at the conference.



Feb.

- 4** TIPO produced the "Well-Known Trademark Directory and Case Study," which compiled cases involving well-known trademarks decided by the courts, Fair Trade Commission, Taiwan Network Information Center (TWNIC) and TIPO from 2003 to 2008.
- 6** Four public hearings were held on February 6, 10, 18, and 25 to present a draft amendment to the Patent Act. Opinions were solicited from a wide array of sources on major components of the amendment, such as invention patent requirements, application procedures, examinations and re-examinations, invalidation actions and provisions relating to pharmaceutical patents.
- 20** TIPO published "Case Analysis of Foreign Trademark Court Decisions," a compilation of notable court decisions from the U.S., UK, EU, Australia and the PRC from 2002-2008. The cases included in the report examine the following eight key trademark-related issues: trademark distinctiveness; dilution of well-known trademarks; defenses to infringement claims; cross-strait trademark disputes; registration of geographical name trademarks; Internet infringement; border control measures; and distinction between unfair competition and trademark infringement.
- 23-26** A TIPO delegation led by Deputy Director General Margaret Chen attended the 28th APEC/IPEG conference and seminar in Singapore. The delegation presented reports entitled "Challenges and Solutions for Copyright Collective Management in Chinese Taipei," "Accelerated Examination Program in Chinese Taipei," "Chinese Taipei E-filing System," and "IPR Protection and Awareness in Chinese Taipei" and exchanged opinions with fellow foreign delegates on other issues.
- 26** Representatives from Italian-based patent management company Sisvel visited TIPO to meet with Deputy Director General Cheng, Chih-hua regarding counterfeiting and copyright licensing issues. The two sides also discussed the need to provide stricter enforcement of patent rights and fair competition practices.

Mar.

- 3** TIPO sent a delegation to Geneva, Switzerland for the WTO/TRIPS council meeting and special meeting on March 3-5. Discussed at the meetings were a number of issues from the Doha Development Round, including notification of legislation, patent issues relating to the Convention on Biological Diversity (CBD), wider protection for wine or spirits geographical indications (GI), and a proposed multilateral system for GI notification and registration.
- 12** TIPO promulgated the Patent Attorney Prevocational Training Guidelines, containing a total of 13 articles.
- 18** TIPO held a series of seminars across Taiwan at which key Trademark Act regulations were introduced. The seminars focused on two areas of the Trademark Act: proper usage of registered trademarks and examination guidelines for determining trademark distinctiveness. The seminars, organized at the request of trademark-related industries, were held on March 18, 19, 24, 25 and 27 in Taichung, Hsinchu, Tainan and Kaohsiung and attracted a total of 377 participants.
- 24** The year's first digital video conference of the Taiwan-European Union IPR Working Group was held, with both sides discussing recent IPR developments in Taiwan. These issues included progress of the new IP Court and IP Prosecutors Office, IPR legislative amendments, trademark protection, geographical indications (GI), IPR protection and enforcement, Taiwan-EU bilateral partnerships and information sharing, and cross-strait IPR exchange.



Apr.

- 1** Mr. Eric Altbach of the Office of the United States Trade Representative (USTR) visited TIPO to meet with Director General Wang, Mei-hua about issues in Taiwan relating to IPR protection, patent examination and compulsory licensing.
- 8** The Legislative Yuan Economics Committee completed its review of the ISP Bill, an amendment to the Copyright Act outlining the limits of ISP liabilities, before submitting the bill to the Legislative Yuan for Third Reading, which subsequently passed on April 21.
- 15** An amendment to “Guidelines for Substantive Examination of Invention Patent” regarding patent term extensions was approved and entered into force.
- 22** A total of 493 spectators and participants attended two seminars entitled “Ambiguous Copyright Issues in Government Offices and State-Owned Businesses” and “Proper Use of Licensed Software/Freeware in Government Offices, Schools and State-Owned Businesses” in Taipei.
- 22** In celebration of World IP Day, TIPO held the “Creative Industry and Intellectual Property Symposium,” inviting experts from industry, academia and research institutes to discuss cultural creativity and IPR-related topics. TIPO also held a program to celebrate 2009 World IP Day on April 25 at the National Dr. Sun Yat-sen Memorial Hall, which included a display of authentic and counterfeit agricultural products, medicines, liquors and clothing. Experts were also on hand to give presentations on counterfeit identification techniques and relate little-known facts about the influence counterfeiting has on our daily lives.
- 29** Vice Commissioner of the PRC State Intellectual Property Office (SIPO) Yang, Tie-jun attended a meeting at TIPO with Director General Wang, Mei-hua to discuss patent-related issues such as e-filing and prior art search procedures.
- 30** American Institute in Taiwan (AIT) Deputy Director Robert. S. Wang visited TIPO Director General Wang, Mei-hua to discuss recent Patent Act amendment progress and current issues involving ISP liabilities and campus IPR protection.



May

- 13** An amendment to the Copyright Act regarding Internet service provider (ISP) liabilities was officially signed into law by the Presidential Office. The new bill includes the insertion of a Chapter 6 and Paragraphs 4-12 to Article 90. An amendment was also made to Article 3 of the Act. Under the provisions of the new bill, ISPs who, after receiving a report of infringing activity, lawfully follow notice/takedown procedures may be exempt from risk of being charged with infringement.
- 13** The MOEA State-owned Enterprise Commission and TIPO teamed up to host two IP training seminars for Taiwan's five state-owned enterprises on May 13-15 and May 20-22. A total of 107 officials from the CPC (petroleum) Corporation, Taiwan Power Company, Taiwan Water Supply Corporation, Taiwan Sugar Corporation, and Aerospace Industrial Development Corporation attended the seminars.
- 13** As part of the 2009 cross-strait IPR exchange program, a delegation from the PRC paid a visit to TIPO to meet with DG Wang Mei-hua and exchange opinions on IPR issues of mutual interest.
- 22** A six-person delegation from the European Patent Office (EPO) led by EPO patent attorney Jérôme Collin visited TIPO and participated in a symposium on patent-related issues.
- 22** Intellectual Property Corporation of Malaysia (MyIPO) DG Kamel Mohamad visited Taiwan on May 22-24 and met with MOEA Deputy Minister Lin, Sheng-chung, IP Court President Kao, Hsiow-jen, and TIPO DG Wang, Mei-hua to discuss cooperation between the TIPO and MyIPO on IPR issues.
- 25** A four-person delegation led by Helena König, Far East Director of the European Commission Directorate-General for Trade, and Guy Ledoux, Director of the European Economic and Trade Office, visited TIPO to meet with Deputy DG Margaret Chen and exchange opinions on the recent progress of the Taiwan-EU IPR Working Group.
- 26** TIPO continued its series of public hearings on the draft amendment to the Patent Act in order to solicit public comments on pending issues from the previous hearing session and on other clauses to be amended in the Act.



Jun.

- 1 TIPO DG Wang, Mei-hua was in Hong Kong from June 1-5 to meet with officials from the Intellectual Property Department of Hong Kong (HK IP), Hong Kong Intellectual Property Society, Commerce and Economic Development Bureau, Constitutional and Mainland Affairs Bureau, Legislative Council, Department of Justice, Central Policy Unit, Chinese University of Hong Kong, Hong Kong Science and Technology Park, Federation of Hong Kong Industries, Hong Kong customs offices, and other regional IP organizations and associations.
- 3 Chapter 10 of the "Guidelines for Substantive Examination of Invention Patent" regarding pharmaceutical patents was published and entered into force.
- 8 TIPO sent a delegation to attend the WTO/TRIPS meeting and special meeting on June 8-10.
- 9 TIPO held five briefing meetings on patent examination guidelines and standards in northern, central and southern Taiwan from June 9 to June 17. The meetings included a review of a recent amendment to invention patent guidelines regarding patent term extensions and examination criteria for pharmaceutical-related patents. A total audience of 171 attended the five meetings.
- 15 Through the General Chamber of Commerce of the Republic of China, the Cross-Strait Trademark Forum was held in Taipei, where experiences were exchanged between representatives from trademark administration agencies in Taiwan and the PRC. The two sides also agreed to establish a permanent mechanism for mutually-beneficial communication between cross-strait industries.
- 18 A delegation from TIPO was sent to attend the interim review meeting for the 33rd Japan-Taiwan Economic Conference to discuss IPR issues of mutual concern.
- 18 TIPO Deputy DG Cheng, Chih-hua was in Fuzhou, Fujian Province, PRC on June 18-21 to attend a symposium on cross-strait and regional IPR exchange and strategies. Deputy DG Cheng also made a speech entitled "Recent IPR Developments in Taiwan" during his trip.
- 18 Representatives from a variety of industries, including the book and photocopying, restaurant and KTV/karaoke, hotel, beauty, and tour bus industries were invited along with hospital and medical clinic representatives and other small business owners to a TIPO briefing meeting on copyright intermediary groups and intermediary licensing. An audience of 147 guests heard from TIPO officials about licensing regulations and the copyright collective management system.
- 18 To help improve knowledge of copyright regulations among Taiwan's law enforcement officials and prevent avoidable disputes caused by improper copyright investigation procedures, TIPO joined forces with the National Police Agency (NPA) to organize three economic police training seminars for police agencies throughout Taiwan. The seminars were held on June 18, June 24 and June 25 at police departments in Taoyuan County, Changhua County and Taipei City.

Jul.

- 6** A series of forums to educate the public on current TIPO policies and measures was held on July 6, July 8, July 21 and July 22 in Taipei, Hsinchu, Tainan and Kaohsiung. Topics addressed by TIPO officials included trademark affairs and practical aspects of the draft amendment to the Patent Act. TIPO officials also took questions and heard opinions from audience members on each issue. A total of 324 guests attended the four meetings.
- 6** A series of orientation meetings introducing several recent TIPO services to the public was held on July 6, July 8, July 21 and July 22 in Taipei, Hsinchu, Tainan and Kaohsiung. TIPO officials outlined the new “Taiwan Patent Search,” “Chinese-English Technical Patent Glossary” and “Patent and Trademark e-Filing” services at the four meetings, which attracted a total of 327 participants.
- 15** Appearing at the TIPO-hosted Symposium on Contributory Patent Infringement, patent experts from Germany, Japan and the U.S. spoke about current legislation and standard judicial practices with regards to contributory infringement in their respective countries. The knowledge gained at the seminar would be used by TIPO as reference during its examination of contributory infringement law in Taiwan.
- 26** A Taiwan delegation led by TIPO Deputy DG Margaret Chen and officials from the IP Court, Directorate General of Customs (DGOC) and TIPO’s Copyright Division travelled to Singapore to attend the 29th APEC/IPEG meeting and symposium on July 26-August 1.
- 29** A total of 230 spectators and participants attended two seminars entitled “Ambiguous Copyright Issues in Government Offices and State-Owned Businesses” and “Proper Use of Licensed Software/Freeware in Government Offices, Schools and State-Owned Businesses” at National Chung Hsing University in Taichung.
- 29** The winners of the 2009 Invention and Creation Awards were chosen at the competition’s final selection meeting. In the Invention Award category, 6 gold medals and 18 silver medals were awarded; in the Creation Award category, a total of 6 gold-medal winners and 20 silver-medal winners were announced. Six winning entries were also chosen for the Contribution Award.
- 30** Amendments to “Guidelines for Substantive Examination of Invention Patent” and Chapter 1 of “Guidelines for Formality Examination of Utility Model Patent” were approved and entered into force.

Aug.

- 3** A draft amendment to the Patent Act was submitted to the Ministry of Economic Affairs for review. The draft contained 162 articles in total.
- 7** The Patent Attorney Disciplinary Regulations, containing a total of 16 articles, was drafted and promulgated.





- 18** TIPO announced that all patent or trademark applications delayed by Typhoon Morakot of Aug. 8 would be eligible to apply for reinstatement.
- 18** The Opinion Exchange for Industries of the 2009 Cross-Strait Copyright Forum was held on August 18, 20, 21 and 24, where industry representatives gathered to discuss copyright-related concerns for Taiwanese businessmen based in the PRC. The views expressed at the forum were collected as a reference for future cross-strait exchange.
- 20** An award ceremony and press conference was held to announce the winners of the 2009 Invention and Creation Awards. A total of 50 winning creations and 6 companies were recognized for their successful efforts to meet an intricate variety of lifestyle needs, such as energy saving, carbon reduction, disaster prevention, environmental protection, emotional management, and language learning.
- 20** A briefing meeting on copyright intermediary groups and intermediary licensing was held by TIPO, featuring representatives from a variety of industries, including the book and photocopying, restaurant and KTV/karaoke, hotel, beauty, and tour bus industries, along with hospital and medical clinic representatives and other small business owners. These guests were invited to the meeting to hear from TIPO officials about licensing regulations and the copyright collective management system. The meeting received enthusiastic participation and proved to be an effective format for spreading awareness of copyright laws in Taiwan.
- 26** Representatives from industry, government, academia and research were invited to a seminar to collectively discuss with TIPO an upcoming amendment to the Patent Act. The views expressed would be used by TIPO in efforts to ensure a sound legal framework for the amendment.
- 27** TIPO hosted a symposium on difficulties facing Taiwanese nationals when applying for patent or trademark in Japan and the PRC. Representatives from Taiwanese industry were in attendance to air their patent, trademark and copyright-related concerns for the benefit of TIPO officials in attendance. The forum was an effective venue for consultation and exchange between private and public sectors toward solving disputes and protecting the rights of Taiwanese nationals when conducting business abroad.
- 29** An award ceremony was held to recognize the winners of the 2009 Hong Kong and Taiwan "My Video" Competition, a cross-region creative short film contest to help promote respect for IPR and encourage creativity in our culture. The annual event was once again organized by the Hong Kong Intellectual Property Society and the Taiwan Foundation Against Copyright Theft (TFACT), with guidance from the Hong Kong Intellectual Property Department and TIPO. A gold, silver and bronze medal were awarded along with two honorable mentions in each of the three categories - college/university, senior/vocational high school and open category. Additional awards included a "Most Popular Award," presented to the video receiving the most online votes, and an "Intellectual Eye Award," given to the lucky winner of a draw held among web users who voted for the winner of the "Most Popular Award."



Sep.

- 3** A draft amendment to the Patent Act was submitted to the Executive Yuan for review; the draft was then re-submitted on October 20 due to a cabinet restructuring.
- 6** TIPO Director General Wang, Mei-hua was invited to Japan to give two presentations for the Interchange Association (Japan) introducing Taiwan's recent and pending amendments to the Trademark Act and Patent Act and the current state of patent affairs at TIPO. During her five-day visit, DG Wang also met with various IP-related offices and institutions to exchange experiences and opinions with Japanese leaders in the IP field.
- 8** TIPO and the International Confederation of Societies of Authors and Composers (CISAC) co-hosted the 2009 International Symposium on Copyright Collective Management Practices in Taipei. Guest speakers from Hungary, Japan, Australia, Canada and Hong Kong were invited to the event to share expert knowledge about collective copyright management organization practices in their respective countries.
- 17** A draft amendment of the Copyright Intermediary Organization Regulations passed examination in the 3162nd session of the Executive Yuan Council before being submitted to the Legislative Yuan for further review on September 22. An earlier draft submitted to the Legislative Yuan on April 2008 was accordingly withdrawn.
- 22** A total of 333 participants attended the 2009 International Symposium on Patent Litigation and Trial System. Guest speakers Dr. Ryu Takabayashi, Faculty of Law professor at Waseda University in Japan, and Misao Shimizu, Presiding Judge of the Tokyo District Court, were on hand to give two presentations: "System and Practices of Japanese Patent Invalidation Trials and Correction Trials," and "Practices and Case Study on Patent Invalidation Defense in Patent Infringement Suits in Japan." Patent experts from Singapore and Korea were also invited to the symposium to participate in roundtable discussions and Q&A sessions with academic and judicial experts from Taiwan. Panelists discussed different aspects of the current patent system and patent practices in Taiwan, including patent litigation procedures and upcoming amendments to the Patent Act.
- 23** A total of 150 spectators and participants attended two seminars entitled "Ambiguous Copyright Issues in Government Offices and State-Owned Businesses" and "Proper Use of Licensed Software/Freeware in Government Offices, Schools and State-Owned Businesses" in Kaohsiung.
- 23** A delegation of CEOs from high-tech industries in Fujian Province, PRC visited Taipei to exchange IP management experiences with TIPO officials and gain a better understanding of patent prosecution in Taiwan.
- 24** The 2009 Taipei International Invention Show and Technomart was held on September 24-27. The three themes of this year's show were "smart life," "biotech and medicare," and "green future." A total of nearly 2,000 inventions and creations were exhibited at the show, which consisted of 895 booths representing 16 countries and regions worldwide. In total, a record high of approximately 85,000 people (a 6.6% increase from the previous year) attended the four-day show.

Oct.

- 1 TIPO announced the addition of a new electronic application form for submitting supplementary patent documents, to begin service on January 1, 2010.
- 6 Voting was completed for the 2009 TIPONet Creative Music Contest, with the list of winners announced on November 10. The competition was organized for the purpose of encouraging music lovers to channel their creativity into and support originally music while educating the public on copyright licensing concepts.
- 14 The 2009 Trademark International Symposium in Taipei – Trademark Use was held on October 14-15. Judges and trademark agency officials from France, Germany, Japan, and the U.S. participated in the symposium, which attracted an audience of approximately 200. Through insightful discussion and experience exchange, the event allowed participants and audience members to become more familiar with the unique trademark laws of countries around the globe and provided a strong foundation on which to develop similar international interactions in the future.
- 15 A total of 115 spectators and participants attended a seminar entitled “Ambiguous Copyright Issues in Government Offices and State-Owned Businesses.” The purpose of the seminar was to clarify potentially confusing laws governing the use of copyrighted work in offices, while also educating employees on proper copyright protection concepts.
- 19 The final selection meeting was held for the 2009 Copyright Awareness Poster Design Competition. A total of 16 winning designs were chosen.
- 19 TIPO joined together with the European Economic and Trade Office in Taipei and the Executive Yuan, Council of Agriculture to host the 2009 Taiwan-EU Geographical Indications (GI) and Trademark Symposium on October 19-20. The symposium also included a food tasting event to display and introduce some of the more popular products protected by GIs in Taiwan.
- 20 The Taiwan-EU IPR Working Group held its second digital video conference of 2009. At the DVC, both sides discussed recent Taiwan proposals along with several other issues pertaining to bilateral Taiwan-EU partnerships.
- 21 The 2009 Taiwan-EU Design Patent Experts Conference was held in Taipei. The event was jointly hosted by the European Commission Directorate-General of Trade and TIPO and was an important opportunity for experience exchange between Taiwan and the EU.
- 26 UK lawyer Craig Thomson travelled to Taiwan for a series of talks on examination guidelines for pharmaceutical and plant patents. Thomson introduced key regulations, court decisions and past cases as part of an analysis of UK-IPO guidelines for pharmaceutical invention patents, along with supplementary protection certificate (SPC) guidelines for pharmaceutical and plant-related patents.
- 27 Ms. Louisa B. Simpson, the new executive director of the American Library Association, accompanied Ms. Liu Chia-ying, Chairperson of the Taiwan Book Publishers Association, in a visit to TIPO.
- 28 A public hearing was convened by TIPO to introduce and collect opinions on a revised system for collecting patent fees. Under the proposed system, different patent fees would be collected based on the number of claims included in each application, while annuity fees would also be reduced.



Nov.

- 3** The MOEA Department of Industrial Technology and TIPO co-hosted the 2009 MOEA Industrial Technology Award Ceremony, in which Premier Wu, Den-yih and MOEA Minister Shih, Yen-shiang gave speeches and presented awards to enterprise winners and individual inventors. A total of 56 national invention awards were conferred in 2009.
- 12** AIT official Mr. Matthew O'Connor visited TIPO Deputy Director General Margaret Chen to exchange views and express U.S. positions on a number of IPR issues.
- 12** Mr. Raimund Lutz, President of the (German) Federal Patent Court, visited TIPO for a discussion with TIPO patent examiners, trademark examiners and legal officers.
- 17** Regulations Governing the Exemption of Liability for Internet Service Providers was drafted and promulgated.
- 19** The Patent Attorney Disciplinary Committee was established. The Committee is composed of representatives from the Ministry of Justice and Ministry of Economic Affairs, as well as patent attorneys, scholars and impartial persons with professional knowledge. TIPO Director General Wang Mei-hua acts as the chairperson of the Committee.
- 26** TIPO representatives were in Tokyo, Japan on November 26-27 to attend the 34th Japan-Taiwan Economic and Trade Conference.
- 26** Mr. Joe Welch and Mr. Matthew Cheatham, members of the Taiwanese Chamber of Commerce of Washington D. C., joined Mr. Shih Yu-lin, Legal Director of the Taiwan Foundation Against Copyright Theft (TFACT, formerly MPA), in a meeting with MOEA Deputy Minister Liang, Kuo-hsin and TIPO Deputy Director General Margaret Chen. The two sides exchanged views on collaboration between ISPs and right holders and other related legislation.
- 30** In concurrence with the amendments of the Patent Act, Enforcement Rules of Patent Act, and Patent Examination Guidelines and Practical Operations, TIPO completed training materials, manuals, and standard operating procedures for procedural examination of patents.
- 30** A draft amendment to the Copyright Act was submitted to the MOEA for review. The draft contained 109 articles, in which 79 articles were revised, 16 articles added, and 6 articles deleted.
- 30** TIPO participated in a four-session Cross-Strait Copyright Forum held on November 30-December 1. The four sessions were entitled "Cross-Strait Copyright Seminar," "Commercial Copyright Protection Form," "Opinion Exchange of Cross-Strait Copyright Collective Management Organizations," and "Cross-Straight IPR Authorities Interaction Forum." About 400 people attended the forum, which was a continuation of a series begun in 2008 in Chengdu, Sichuan Province. It is hoped that with a good interactive mechanism in place, Taiwan and Mainland China would collaborate more effectively in the field of copyright protection, which, in turn, will help enhance the development of Taiwan's creative industries.



- 3** A draft amendment to the Patent Act was passed in the 3173rd Inter-Agency Meeting of the Executive Yuan and was submitted to the Legislative Yuan for review on December 11. The draft contained 162 articles, in which 108 articles were revised, 39 articles added and 15 articles deleted.
- 10** A USTR delegation visited TIPO to exchange views on Taiwan-U.S. IPR cooperation and discuss issues such as campus IPR protection, amendments to copyright law (including regulations for ISPs and copyright intermediary organizations), and future collaborations.
- 22** TIPO held two workshops on its new Accelerated Examination Program for invention patents and simplified patent examination operations. A total of 198 people attended.
- 22** A delegation led by Mr. Sakai Kenji, Chairperson of Intellectual Property Committee, Japanese Chamber of Commerce and Industry, visited TIPO and gave a brief presentation on the history of the Japan Intellectual Property Committee and exchanged views on IPR protection.
- 28** TIPO promulgated an amendment to Regulations of Patent Fees. The key areas of the amendment are as follows: charges of application fees for substantive examination of patent invention will be based on the number of claims where a fee will be charged for each claim beyond the first 10 claims; invention patent applications withdrawn before the notice of the first review opinion are eligible for refund; and some annual patent fees are reduced. The amendment will take effect on January 1, 2010.
- 28** The draft amendment of Article 53 of the Copyright Act passed review by the Legislative Yuan Economic Committee. The amendment introduces new clauses for “the learning disabled” and “others having handicaps in perceiving visual or audio expressions” into the scope of reasonable use by the visually or hearing impaired. According to the amended article, audio books may be produced based on publicly released works for use by people with handicaps in perceiving video or audio expressions.
- 29** AIT Economic Attaché Mr. Matthew O'Connor and Mr. Hank Li visited TIPO to pay a year-end courtesy call and discuss the legislative progress of amendments to the Collective Management Organization Act, Article 53 of the Copyright Act, and the Patent Act, while also discussing the status of campus IPR protection efforts and management of ISP other than campus use of TANet.

III. Research Projects and Annual Publications

Research Projects

NO.	Title	Research Organization/ Researcher
1	US Copyright Law Studies(2009)	Sun Yuan-chian
2	A Study on Copyright Laws and Judgments of Japan	Huang Ming-jie
3	Analysis of the Most Up-date Trend on the Internet Copyright Issues	Law Office of Chen & Partners
4	A Study on Extended Collective License System	Department (School) of Law, Soochow University
5	Plan for the Cultivation and Training of IPR Professionals 2009	National Taiwan University
6	A Study on the Copyright System in Digital Convergence Environment	IS-Law
7	A Study on Cross-Strait IPR Issues – How to Protect the IPR of Taiwanese Businesses In Mainland China	Chinese National Federation of Industries
8	Deposit of Patented Biomaterials	Food Industry Research and Development Institute
9	International Legislative Trends on Fair Use of Copyright Law	Hsiao Hsiung-lin
10	A Study of Multi-offenses in Criminal Copyright Cases	National Chung Hsing University
11	Rights of Rebroadcasting in Copyright Act of Taiwan	Chang Yi-yung

Books and Reports

No.	Title	Publishing Date
1	Patent Application Strategy and International Practices	2009/01
2	How to Write and Read A Patent	2009/01
3	Determination of New Design Infringement	2009/01
4	Patent Licensing Practices	2009/01
5	Selected U.S. Patent Litigation Cases	2009/01
6	International Copyright Convention and Development Trends	2009/01
7	International Patent Convention and Development Trends	2009/01
8	International Trademark Convention and Development Trends	2009/01
9	Intellectual Property Cases Trial Law	2009/01
10	Patent Agreement	2009/01
11	Patent Application Procedure and Requirements (Advanced)	2009/01
12	Foreign Trademark Ruling Cases and Analysis	2009/01
13	Compilation of IPR Law and Regulations	2009/04
14	BG's 2008 IPR Secret Tips	2009/07
15	Everyday Copyright	2009/09
16	Patent Examination Criteria	2009/10

Periodicals

NO.	Title	Publishing Date
1	Patent Gazette (Paper)	Every 10 days
2	Patent Gazette (Optical Disc)	Every 10 days
3	Trademark Gazette (Paper/Optical Disc)	Semi-monthly
4	Patent Application Publication Gazette (Paper)	Semi-monthly
5	Patent Application Publication Gazette (Optical Disc)	Semi-monthly
6	IPR Monthly	Monthly
7	TIPO Annual Report 2009 (Chinese Edition)	Annually
8	TIPO Annual Report 2009 (English Edition)	Annually

Annual Report 2009

Intellectual Property Office, MOEA, Taiwan

Publishing date: August 2010

Editor	Intellectual Property Office, MOEA		
Publisher	Intellectual Property Office, MOEA		
Address	3F, No.185, Sec. 2, Xinhai Rd., Daan Dist., Taipei City 106, Taiwan (R.O.C.)		
Tel	886-2-27380007		
TIPO website	http://www.tipo.gov.tw		
Sales locations	Intellectual Property Office, MOEA	3F, No.185, Sec. 2, Xinhai Rd., Daan Dist, Taipei City 106, Taiwan (R.O.C.)	886-2-27380007
	TIPO Branch Office in Hsinchu	5F, No.68, Beida Rd., East Dist., Hsinchu City 300, Taiwan (R.O.C.)	886-3-5350235
	TIPO Branch Office in Taichung	7F, No.503, Sec. 2, Liming Rd., Nantun Dist, Taichung City 408, Taiwan (R.O.C.)	886-4-22513761
	TIPO Branch Office in Tainan	11F, No.6, Sec. 2, Yonghua Rd., Anping Dist., Tainan City 708, Taiwan (R.O.C.)	886-6-2982811
	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 (ROC)	886-4-22210237
	Government Publications Bookstore	1F, No.209, Songjiang Rd., Zhongshan Dist., Taipei City 104, Taiwan (R.O.C.)	886-2-25180207
Designation	Candysign Ltd.		
Price	NT\$170		



The Annual Report 2009 of TIPO is licensed under a Creative Commons

“Attribution-No Derivatives-Non-Commercial” 2.0 Taiwan license.

ISSN : 1680-5569

GPN : 2009-001-299



3F, No. 185, Sec. 2, Xinhai Road, Daan District, Taipei City 10637, Taiwan, R.O.C.

TEL: 886-2-2738-0007 | FAX: 886-2-2377-9875

MOEA website: www.moea.gov.tw | TIPO website: www.tipo.gov.tw

ISSN: 1680-5569

GPN: 2009-001-299

PRICE: NTS170