



TAIWAN INTELLECTUAL PROPERTY OFFICE,
MINISTRY OF ECONOMIC AFFAIRS

Quarterly Report

on Intellectual Property Rights Protection in Taiwan

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Contents

Special Reports	2
Latest News	4
Law Enforcement Results and Statistics	13
International Exchange and Cooperation	18
IPR Awareness Campaigns	19

The 2024 Taiwan-Japan Intellectual Property Symposium: A Resounding Success!

The 2024 Taiwan-Japan Intellectual Property Symposium, a collaborative effort of the organizers Taiwan-Japan Relations Association and Japan-Taiwan Exchange Association, in partnership with Taiwan Intellectual Property Office (TIPO), opened on February 2, 2024 (Friday) at the NTU College of Law Tsai Lecture Hall. Remarks were delivered by distinguished guests including Taiwan-Japan Relations Association Deputy Secretary-General Ching-Hung Lin, Japan-Taiwan Exchange Association Deputy Representative Dr. Takashi Hattori, Taiwan Intellectual Property Office (TIPO) Director-General Dr. Cheng-Wei Liao. And also, Japan Patent Office (JPO) Director-General of Policy Planning and Coordination Department, Mr. Mikiharu Shimizu made some closing remarks which summarized the main points of the symposium.

Speakers invited to the symposium included Director Masashi Omine from JPO Design Registration System Planning Office, Chief Judge Huei-Ju Tsai from the IP and Commercial Court, Senior Patent Examiner Ming-Feng Hsu from TIPO Patent Administration & Planning Division, and IP Lawyer Kaoru Kuroda from Abe, Ikubo & Katayama. Topics covered the protection of digital designs under the Japanese Design Act, the relationship between the metaverse and design patents, case studies of the utilization of design patent rights in Japan, and judicial practices of design patents in Taiwan.

The 2024 symposium garnered over 140 participants from the industry, government, and academia, who engaged in extensive exchange with experts from

both Taiwan and Japan. By providing detailed information on regulations and relevant practices, TIPO hopes to facilitate better public understanding for the design patent regime and judicial practices of Taiwan and Japan. TIPO also hopes that it will serve as a reference for Taiwanese companies when applying for design patents and setting up patent portfolios in Japan.

1. TIPO Announces Top 100 Patent Rankings for 2023

TIPO has released the statistics for patent applications and grants in 2023. Among residents, TSMC led across the board for all patent categories (invention, utility model, and design) with 1,956 applications – taking the top spot for the eighth consecutive year. Among non-resident applicants, Samsung came in with 978 applications – an unprecedented lead for the company. Both Samsung and TSMC set new records. In terms of patent grants, TSMC led with 1,040 patents among Taiwanese applicants, while Applied Materials USA led foreign applicants with 591 patents.

TSMC has held first place among applicants for all three patent categories since 2016, with a 28% increase in 2023 to 1,956 applications (all invention patents). Alongside MediaTek and Nanya Tech, all three companies broke their own records for number of patent applications. MediaTek ranked number second for all three types of patent applications with 544, and Nanya Tech came in fifth with 373. Inventec (330), at number six, reached a 10-year high with an increase of 14%. Delta Electronics (270), at number ten, reached a 15-year high with a 32% increase.

Samsung (978) led among non-resident patent applicants with a 45% increase, followed by Applied Materials (USA) with 779 applications and Qualcomm (USA) with 639 applications. Tokyo Electron Limited (Japan) ranked fourth with 555 applications, Coupang (South Korea) ranked sixth with 454 applications, ASML (Netherlands) ranked seventh with 309 applications, and Lam Research (USA) ranked tenth with 264 applications. All the above (TEL, Coupang, ASML, Netherlands), along with Samsung, set new records for patent applications across all three types.

TIPO's Top 100 Patent Applicants of 2023 (Mandarin):

<https://topic.tipo.gov.tw/patents-tw/dl-285792-3138bde1abbf42e894815be004806f1a.html>

2. TIPO Releases the State of Patent and Trademark Applications in 2023

In 2023, TIPO received 72,607 patent applications, an increase of 1% from the previous year. Among these, invention patents reached an 11-year high with 50,854 applications (up 1%), and design patents reversed trajectory by rising 2% to 7,287 applications. Trademark registration applications decreased 3% to a total of 91,535. Average first-action pendency for invention patents was 8.9 months, and 6.2 months for trademarks.

Among resident applicants, invention patent applications increased by 1% to 19,634, primarily due to a 4% increase in corporate applications. Utility model patent applications decreased by 3% to 13,309, while design patent applications broke a six-year decline, increasing by 1% to 3,437. The turnaround was driven by an increase in applications from schools and individuals.

Non-resident applicants set a new record with 31,220 invention patent applications (up 1%), 1,157 utility model patents (up 17%), and 3,850 design patents (up 3%).

Trademark registration applications in Taiwan decreased by 3% to 91,535 (114,680 classes, down 6%), returning to pre-pandemic levels of 2019. Among domestic corporations, Uni-President led with 583 applications for the fourth consecutive year, followed by Taishin Bank (454), and Che Tai International (163). Among foreign corporations, Tencent Holdings from the Cayman Islands led with 118 applications, followed by International Foodstuffs (93) from the UAE, and then L'Oreal (90) from France.

For non-resident applicants, Class 9 (Computers and Technology Products) had the most applications with 3,910.

TIPO Releases State of Patent and Trademark Applications in 2023 (Mandarin):

<https://www.tipo.gov.tw/tw/dl-285791-d47026917da6408bada545ded5a36e6b.html>

3. Amendments to the Positive Patent Examination Pilot Program for Startups

TIPO introduced the Positive Patent Examination Pilot Program for Startups in 2022 (hereinafter referred to as “the Program”). The grant rate was 84.6% in 2022 and has since been raised to 100% in 2023. The average disposal time from the application date of this Program to the notification of examination results in 2022 and 2023 was 70.1 days and 71.6 days, respectively. This is significantly shorter than the disposal time for general invention patent applications, demonstrating that the advisory services provided under the Program effectively enhance the patent application efficiency for startups.

TIPO recognizes that many startups derive patent applications from the research outcomes transferred from other persons, and that the eligibility requirements of the current program hinder patent acquisition for such startups. Therefore, TIPO has decided to renew the program from January 1, 2024 with relaxed requirements for eligibility. Previously, applicants must establish a startup before the initial patent application in order to qualify. Now, startups may qualify as an applicant under the new revisions as long as it holds the right to apply for the invention patent. TIPO aims to expedite the patent application process for more startup companies through these revisions.

Amendments to the Positive Patent Examination Pilot Program for Startups (Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-930526-2704f-1.html>

4. New Addition to Open Data from TIPO: “Trademark Image Library”!

To support government policies on open data and ensure IP information is acce-

-ssible to the public, TIPO has launched a new service this year (2024). Available starting today, the “Trademark Image Library” allows the public to download both images and metadata. Embedded texts in the images also provide users with logos and related case documents. The service facilitates IP information collection and analysis and also empowers users to leverage the information for innovation and R&D.

Features:

- I. Trademarks are categorized by year of application and available in annual ZIP files containing image libraries of trademark applications.
- II. The “Trademark Image Library” also offers API services, i.e., users can access the trademark images they are looking for by searching the application number and update time.

How to use the “Trademark Image Library” (Mandarin):

<https://www.tipo.gov.tw/tw/dl-285717-9c2749b7b16f46bc9bd6ddcfe3b10f7e.html>

Trademark Image Library: <https://cloud.tipo.gov.tw/S220/opdata/detail/TmarkPics>

5. Interview Series on Outstanding Female Leaders in the Field of IP in Taiwan is Now Featured on the TIPO Website!

For insights into the career development of female IP professionals in Taiwan, TIPO produced a series of interviews entitled “Outstanding Female Leaders in the Field of IP in Taiwan.” The series is honored nine outstanding women, including Economic Minister Mei-Hua Wang, Chief Judge Huei-Ju (Grace) Tsai from the IP and Commercial Court, Professor Su-Hua Lee from the NTU College of LAW, Attorney Grace Shao from Baker & McKenzie, and Attorney Joyce I. Ho from Tsar & Tsai Law Firm.

The *Outstanding Female Leaders in the Field of IP in Taiwan* interview series is now featured on TIPO’s official website (in the gender equality section). Thr-

-ough this series of interviews, we hope to inspire women to breakthrough gender barriers and chase their dreams, as well as to encourage more women to begin a career in IP.

The *Outstanding Female Leaders in the Field of IP in Taiwan* Interview Series (Mandarin): <https://www.tipo.gov.tw/tw/lp-1002-1.html>

6. TIPO’s AI Chatbot “Tipo” Goes Live on Dec. 5!

TIPO is proud to introduce “Tipo,” our new AI chatbot, which went live on December 5. Tipo provides 24/7, real-time patent consultation services to meet the needs of creators, who need quick and immediate answers.

Since establishing the online service center in August 2011, TIPO has been offering consultations to the public for electronic applications, online payments, and patent application procedures. TIPO fields almost 40,000 calls annually, demonstrating its unwavering commitment and service.

TIPO AI Chatbot Tipo Link (Mandarin) : <https://topic.tipo.gov.tw/patents-tw/>

7. TIPO Releases Taiwan-Japan Concordance of Similar Group Codes (corresponding to NCL12-2024)

TIPO has updated the Taiwan-Japan Concordance of Similar Group Codes (NCL12-2024) in accordance with WIPO’s revisions of the Nice Agreement on the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification, 12th Edition–Version 2024). The latest version is available for public reference.

Taiwan-Japan Concordance of Similar Group Codes (NCL12-2024):

<https://www.tipo.gov.tw/tw/dl-285494-e1531bef03134166bfd43097e5219ee9.html>

8. Announcing Updates to the Trademark Classification for Goods and Services

TIPO has made adjustments to the designated goods/services names in trademark applications in response to the latest (12th) edition of the " Nice Classification " (2024). A total of 422 items have been added, 56 items deleted. An additional 15 modifications have been made to class/subclass names or annotations, as well as 25 corrections.

The aforementioned changes shall take effect on January 1, 2024. The list of designated goods/services categories and names will be updated on the online trademark filing system as well (for an official timeline of website updates, please refer to the TIPO Information Management Office.)

Applicants wishing to use the fast-track mechanism on the online trademark filing system after January 1, 2024 are advised to download the latest updates. This ensures consistency between the designated goods/services names stated in the application and the content in the electronic filing system, avoiding discrepancies that could jeopardize eligibility for the fast-track mechanism, as well as associated fee reductions.

Updates (Mandarin):

<https://www.tipo.gov.tw/tw/dl-285603-9f059ffcbe6b44669dd275d44485c33d.html>

9. New Website for TIPO's "Patent & Trademark Open Data Downloads"!

To support the government's cloud policies and provide better services, TIPO launched a download section on the "IP Info Cloud Services" in August 2022 for the public to access open patent and trademark data. Starting from December 18, 2023, TIPO has changed the link for the "Patent & Trademark Open Data Downloads" website (new website: <https://cloud.tipo.gov.tw/S220/opdata>) to strengthen information security and protection.

10. TIPO Supports Net Zero Emissions by 2050 with Analysis on Wind Energy Technologies

On April 22, 2021, Taiwan announced that it will be joining the world in striving for net zero emissions by 2050 and actively facilitating energy transition. To help Taiwan manufacturers strategize and develop patent portfolio relating to manufacturing technologies of wind turbine blades and castings, TIPO analyzed manufacturing technologies for wind turbine blades and castings and, subsequently, compiled two reports: Patent Analysis on Wind Turbine Blades and Patent Analysis on Wind Turbine Castings. The analyses and reports can give wind power businesses in Taiwan insight into the latest patent trends for related technologies around the world, serving as reference to said businesses when developing frontier technologies.

In recent years, TIPO has actively sought to serve industries and provide customized support. In 2023, TIPO was able to complete the two aforementioned patent analysis reports that can assist local industries with patent portfolio strategies and development and strengthen their competitiveness internationally.

Patent Analysis on Wind Turbine Blades & Patent Analysis on Wind Turbine Castings (Mandarin): <https://www.tipo.gov.tw/tw/cp-938-930417-a3690-1.html>

11. Incredible Potential for Taiwan's ICT Industry as Countries Embrace Smart Cockpit Trend

To offer Taiwan manufacturers insight into development trends of smart cockpit technologies, TIPO has compiled the *Patent Trend Analysis on Critical Technologies of Smart Cockpit Systems for Vehicles*.

Patents relating to smart cockpit technologies are on the rise. However, related technologies are not currently subject to any uniform standards, meaning that inventions that can offer personalized, smart, and immersive experiences may be applied to smart cockpits for vehicles. TIPO has noticed that ICT businesses, in addition to traditional auto manufacturers and automotive parts suppliers,

have also been filing patents for specific technologies to move into the market. The coming few years present incredible opportunities for Taiwan's ICT companies to seize the market of smart cockpit systems. TIPO is looking forward to working with the academia and industries and building a thriving auto industry together.

Patent Trend Analysis on Critical Technologies of Smart Cockpit Systems for Vehicles (Mandarin): <https://www.tipo.gov.tw/tw/cp-85-931691-4b8cb-1.html>

12. Ministry of Education's TANet Report Portal

The Ministry of Education (MOE) has established a mechanism to report suspected copyright infringement on college and university campuses. Hyperlinks directing to copyright-infringing foreign textbook websites can be reported through the dedicated TANet (Taiwan Academic Network) portal (abuse@moe.edu.tw). One case of infringement was reported this quarter.

13. Implementation Overview of the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples by the Council of Indigenous Peoples

Since the implementation of the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples in 2015, up until December 2023, a total of 150 applications for exclusive rights have been processed. These applications were consolidated into 120 cases, of which 105 (88%) have been deliberated, 13 (11%) were withdrawn, and 2 (1%) were rejected. Among the 105 cases that have been deliberated, exclusive rights were granted in 95 (90%), 2 (2%) required corrections and were re-examined, and 8 (8%) were denied approval.

Additionally, the Council of Indigenous Peoples has commissioned law firms with expertise in intellectual property and traditional intellectual creations of indigenous peoples to provide legal consultations for indigenous individuals

and the public related to the application of the Protection Act. These services also include offering legal opinions and litigation remedies needed by indigenous communities or tribes. This quarter, a total of eight legal consultation sessions regarding the protection of traditional intellectual creations of indigenous peoples were provided to various agencies and the public, amounting to 585 minutes (9.75 hours), and four legal opinions were issued.

Law Enforcement Results and Statistics

The National Police Agency of the Ministry of the Interior

Law Enforcement

Between January and March of 2024, a total of 201 cases involving 246 persons were investigated for violation of the Copyright Act, a total of 254 cases (330 persons) for violation of the Trademark Act, and 6 cases (8 persons) for violation of the Trade Secrets Act. A total of 584 cases involving 461 persons were investigated for various types of infringement. All the aforementioned persons were referred to the district prosecutors offices for further investigation in accordance with the law.

Statistics for IP Infringement Cases by the National Police Agency, NPA

Unit : case/person

Year	Total		Trademark		Copyright			Trade Secrets	
	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of CDs Confiscated	No. of Cases	No. of Suspects
2024 Jan.-Mar.	461	584	254	330	201	246	0	6	8
2023 Jan.-Mar.	878	1,213	510	657	362	549	0	6	7
Percentage Change %	-47.49%	-51.85%	-50.20%	-49.77%	-44.48%	-55.19%	-	0	14.29%

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

Taiwan High Prosecutors Office (THPO)

Law Enforcement

1. According to the data from all prosecutors offices, a total of 391 suspects were involved in 324 concluded cases of IPR infringement between January and March, of which 160 persons involved in 105 cases were prosecuted according to regular procedures, 115 persons involved in 108 cases were granted summary judgment, 101 persons across 97 cases received deferred prosecution, and 15 persons across 14 cases were not prosecuted nor punished by the court's sua sponte motion. 178 persons were convicted by the courts between January and March, for a conviction rate of 92.71%.
2. A comparison to the same period in 2024 reveals the following regarding the number of prosecutions (including those who requested summary judgement) and convictions for cases of IPR infringement: 275 persons were prosecuted between January and March this year, marking a decrease of 24 persons (8.03%) compared to 299 persons in the same period in 2023; 178 persons were convicted between January and March, marking an decrease of 49 persons (21.59%) compared to 227 persons in the same period in 2023.

Statistics for Final Court Decisions on IP Cases Brought by Various District Prosecutors Offices

單位：人 Unit: Person

Categories	Year	Results of Court Rulings												
		Total	Sentence							Sentence Remitted	Acquitted	Not to Prosecuted	Case Rejected	Others
			Subtotal	Under 6 Months	6-12 Months	1-2 Year(s)	Over 2 Years	Detention	Fines					
Total	2024 Jan.-Mar	240	178	48	0	1	1	118	10	0	14	2	46	0
	2023 Jan.-Mar	309	227	79	2	1	0	140	5	0	28	1	52	1
	Percent Change %	-22.33%	-21.59%	-39.24%	-100%	0%	-	-15.71%	100%	-	-50%	100%	-11.54%	-100%

Source: Taiwan Prosecutors Office

3. As the methods used to pirate textbooks continue to change, copyrights violations via digital and online methods are starting to emerge. The Working Group Meeting on the Coordination and Supervision of Investigations Relating to Intellectual Property Rights held by the Taiwan High Prosecutors Office on November 24, 2020 gathered prosecutors, police, and investigators and asked them to further the investigation into these copyright violations, including but not limited to photocopy shops around university campuses or hard copy textbooks. In the first half of the year, 3 businesses and 3 individuals were apprehended, resulting in the seizure of 1 USB drive, 12 MP3 tutorial videos, 109 MP3 audio files, and 3 pirated books.

The Customs Administration

Law Enforcement Results

1. The Customs Administration of the Ministry of Finance has implemented various border protection measures in accordance with the Regulations Governing Customs Measures in Protecting the Rights and Interests of Trademark and the Operational Directions for Customs Authorities in Implementing Measures for Protecting the Rights and Interests of Patent and Copyright. A total of 52,946 infringing items were seized from 90 import cases suspected of trademark infringement and 1 export case suspected of copyright infringement between January and March.
2. Between January and March, the Customs Administration received 35 requests for advice protection on trademark rights, 16 request for extending the terms for advice protection on trademark rights, 47 requests for updating/supplementing documents and other matters, adding up to a total of 98 requests.
3. The Taipei Customs intercepted 6 counterfeit bags bearing the logo “CHANEL” and “LV,” and 204 counterfeit children’s watches bearing the trademark logo “Melody” and “POMPOM-PURI” via air express consignments (imports). All aforementioned items have been seized.
4. The Keelung Customs intercepted 40 counterfeit sneakers bearing the trademark logo “NIKE,” and 1,000 counterfeit cigarettes bearing the trademark logo “Manchester” via marine express consignments (imports). All aforementioned items have been seized.

Ministry of Justice Investigation Bureau

Law Enforcement

In Q1, the Investigation Bureau referred a total of 20 cases of IP violations to district prosecutors offices for further investigation, including 2 cases involving 16 persons for violation of the Copyright Act, 8 cases (9 persons) for violation of the Trademark Act, and 10 cases (18 persons) for the Trade Secrets Act.

International Exchange and Cooperation

The Customs Administration

The Customs Administration continues to exchange information on cases of counterfeiting with its global counterparts. A total of 2 ounterfeiting reports were made in Q1 of 2024.

IPR Awareness Campaigns

1. Ministry of Justice

The Judicial Yuan organized the IPR Theory & Practice Seminars in the first quarter to enhance the intellectual property expertise of judges and related judicial personnel. This initiative aims to keep pace with the rapid developments in the field of intellectual property and to ensure that litigation adjudication aligns with legal regulations and trends in international practices.

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

The Second Special Police Corps visited manufacturers this quarter, providing information on trade secrets related laws and regulations and assisted in reviewing trade secrets protection methods. They held 13 lectures to promote the Trade Secrets Act and related laws, which saw 1,630 participants.

3. The Customs Administration

In an effort to strengthen the knowledge of companies whose operations involve customs and borders measures and IP protection regulations, the Taipei Customs raised awareness among bonded operators in February. The first customs clearance seminar and promotion of enterprise service integrity platform were held on March 26. The Taichung Customs organized a customs broker seminar on February 27, and the Keelung Customs held the first seminar in 2023 for customs brokers in March 28.

4. Ministry of Foreign Affairs

MOFA published four articles on the implementation of IPR protection in Taiwan on the New Southbound Policy Portal and Taiwan Today:

- (1) Taiwan's ICT Industry Welcomes Endless Possibilities with the Rise of Smart Cockpit Technology Worldwide (Mandarin):
https://www.moea.gov.tw/Mns/populace/news/News.aspx?kind=1&menu_id=40&news_id=113511
- (2) Taiwan is an Island of Creativity at the 2024 Angoulême Festival (French):
<https://taiwaninfo.nat.gov.tw/news.php?unit=62&post=247805>
- (3) AIoT: ITRI and ARM (Semiconductor IP Company) Establishes the ITRI-ARM System Ready Verification Center (French):
<https://taiwaninfo.nat.gov.tw/news.php?unit=65,66&post=250194>
- (4) Festival Series Mania: Taiwan Creative Content Agency strengthens cooperation with its French partners (French):
<https://taiwaninfo.nat.gov.tw/news.php?unit=62&post=250329>

5. Council of Indigenous Peoples

The Council of Indigenous Peoples conducted individual consultation visits from February 5 to 7 and February 19 to 20 in Wutai Township, Sandimen Township, National Pingtung University, Pingtung City, and Kulaljuc Township of Pingtung County. These consultations involved 20 individuals discussing the challenges faced with applications related to the traditional intellectual creations of indigenous peoples. The sessions aimed to explore common cultural issues within specific indigenous cases and to promote the protection of traditional intellectual creations. These efforts are part of ongoing initiatives to safeguard the traditional intellectual creativity of indigenous communities.

6. Ministry of Education

The Ministry of Education hosted the 2024 National Conference for University Presidents in Taiwan from January 25 to 26, urging all universities to continue promoting initiatives to protect intellectual property rights on campuses. In February, the ministry issued a directive to all public and private universities reminding students to use authorized text-

-books, including second-hand books, and to refrain from illegally photocopying, downloading, or uploading books and instructional materials to avoid infringing on others' copyright. The directive also aims to reinforce the correct understanding of copyright among students through public education efforts. Additionally, the ministry has been promoting a pamphlet on copyrights for college professors provided by TIPO, encouraging faculty to refer to it to improve their understanding of copyright.

7. TIPO

To strengthen the public's understanding of intellectual property rights, TIPO's IPR Expert Service Group Seminar series for this year began accepting registrations at the end of March. The seminars, designed for professionals, are open to registration from businesses, civil groups, and educational institutions at all levels, tailored to the intellectual property concerns of the registrants. For this year, the applicants are responsible for covering the costs of speaker fees and travel expenses, and on-site consultation services are also provided.

Additionally, the office has utilized electronic media to promote copyright awareness. During March, we engaged 198 domestic radio stations to air our 30-second advertisement in Mandarin, Taiwanese, and Hakka, titled "Prohibited Downloads of Online Music, Videos, and Articles." The Da'an District Office has also been commissioned to display messages on their LED ticker at the entrance and public service areas, advising the public against using others' images for online sales. From March 15 to April 15, our "Copyrights for Online Livestreaming" 30-second animated public service announcement was broadcasted on the smart panels at 56 bus stations under the Taipei City Public Transportation Office.