



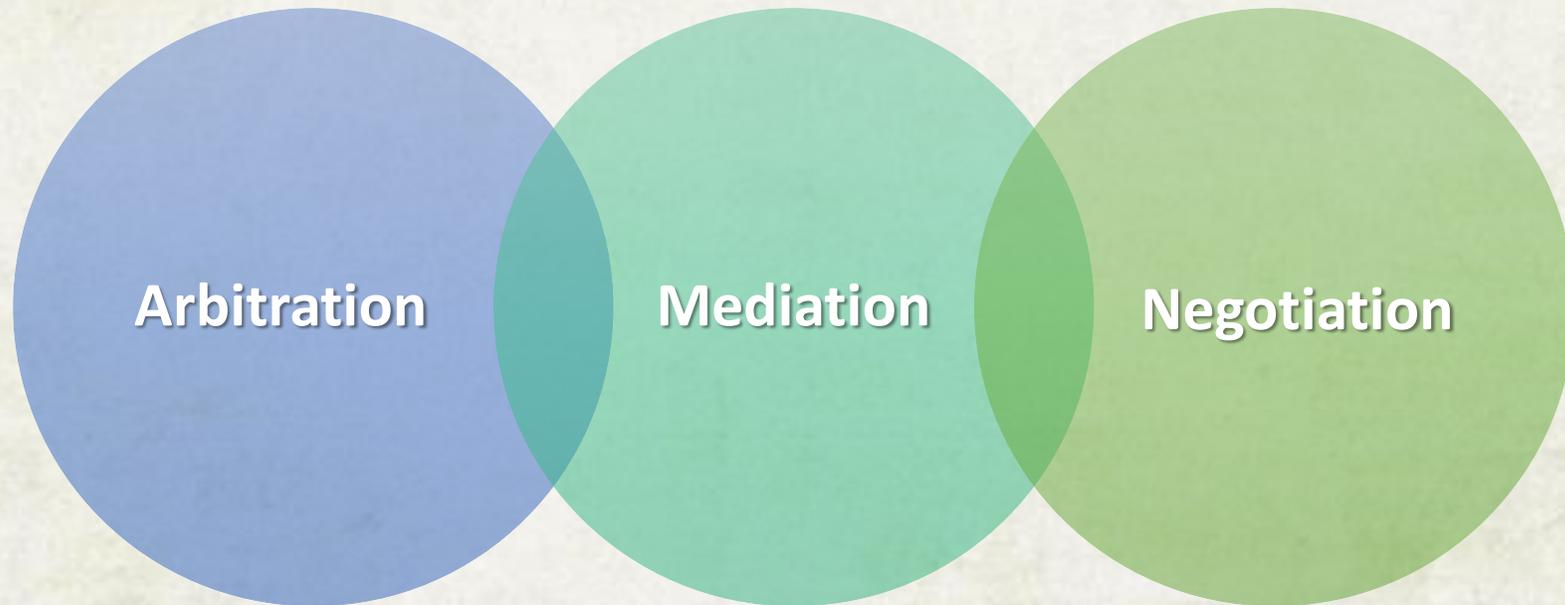
Results on APEC Project IPEG 01 2020T
The Potential for Use of Alternative Dispute
Resolution (ADR) in the Field of IPR

Chinese Taipei

APEC IPEG 14 - 15 February 2022

What is ADR?

ADR stands for “**Alternative Dispute Resolution,**” which is the process of resolving disputes by any means other than via adjudication.



Growing Awareness of IPR

An increasing number of market participants today understand the importance of IPR protection. Many of them have existing patents, trademarks, copyrights, trade secrets, or other types of IPR themselves.

Dealing with IPR Infringement

- ***Filing a lawsuit***

- In reality, it is a potentially difficult decision to make - especially for IPR holders with limited resources.
- Concerns may include:
 - The duration and cost of a lawsuit is often considerable
 - Maintaining existing business relationships
 - Avoiding public knowledge of disputes
 - Securing trade secrets

On the Other Hand...

Market participants may feel immense pressure when they receive a cease-and-desist letter from an IPR holder, especially if they lack sufficient funds to cover the cost of litigation.

The Potential Value of ADR for IPR Disputes

- Better protection for the rights of IPR holders
- Provide effective and economically feasible resolutions to IPR disputes for market participants at a disadvantage, such as women, youths, and MSMEs.

Project Overview

Project Title and Number	IPEG 01 2020T – The Potential for Use of Alternative Dispute Resolution (ADR) in the Field of IPR
Fund Source	Trade and Investment Liberalization and Facilitation Special Account (TILF)
Co-sponsoring Economies	Canada; Japan; Thailand; the United States
Time Span	January 2021 - December 2021
Main Outputs	<ol style="list-style-type: none">1. Hold a 1.5-day international workshop2. Complete a workshop report
Expected Outcomes	<ol style="list-style-type: none">1. Workshop participants will acquire a more accurate and comprehensive understanding of ADR in the field of IPR2. More IPR disputes are resolved through ADR

Workshop Recap

Indicators	Planned	Actual	Details or notes
Economies in Attendance	10	10	Australia; Canada; Hong Kong, China; Mexico; New Zealand; Peru; Singapore; Chinese Taipei; Thailand; Viet Nam
Participants (M/F)	60/40	81/73	154 participants in total
Participants from Travel-Eligible Economies (M/F)	6/4	9/6	<ul style="list-style-type: none">• 15 participants in total• 2 speakers are from travel-eligible economies as well
Speakers Engaged (M/F)	5/5	5/8	13 speakers (including moderators and panelists) from the Philippines, Singapore, Chinese Taipei, Thailand, and the United States

Recommendations from the Workshop

1. ADR is suitable for most IPR disputes
2. Successful resolution is always a possibility (“Never say never”)
3. Different kinds of dispute resolution can be used in a hybrid way
4. The government should promote the use of ADR and there are currently many ways to do so
5. Lawyers should always consider the client’s interests and prepare them for ADR
6. It is beneficial to educate the public about ADR at an early date



**Thank you for your support,
and we wish you all the best**

