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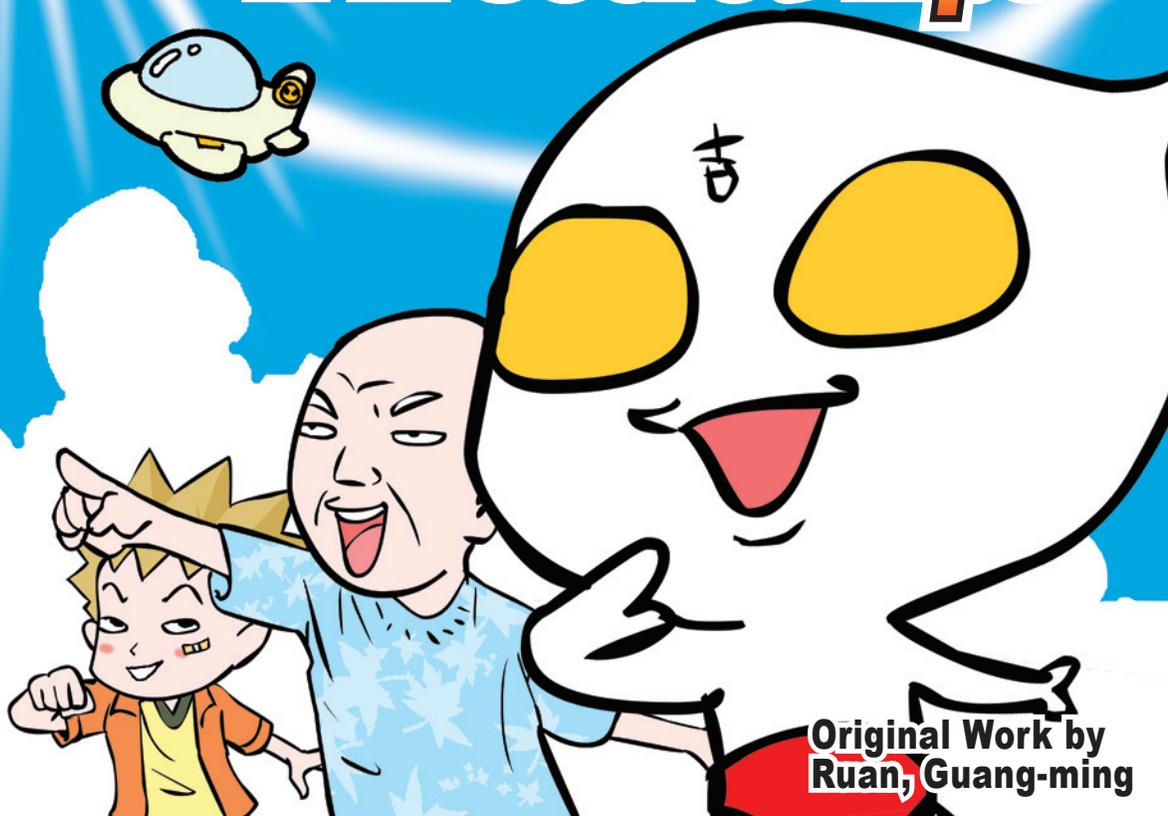


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BG's 2008

IPR Secret Tips



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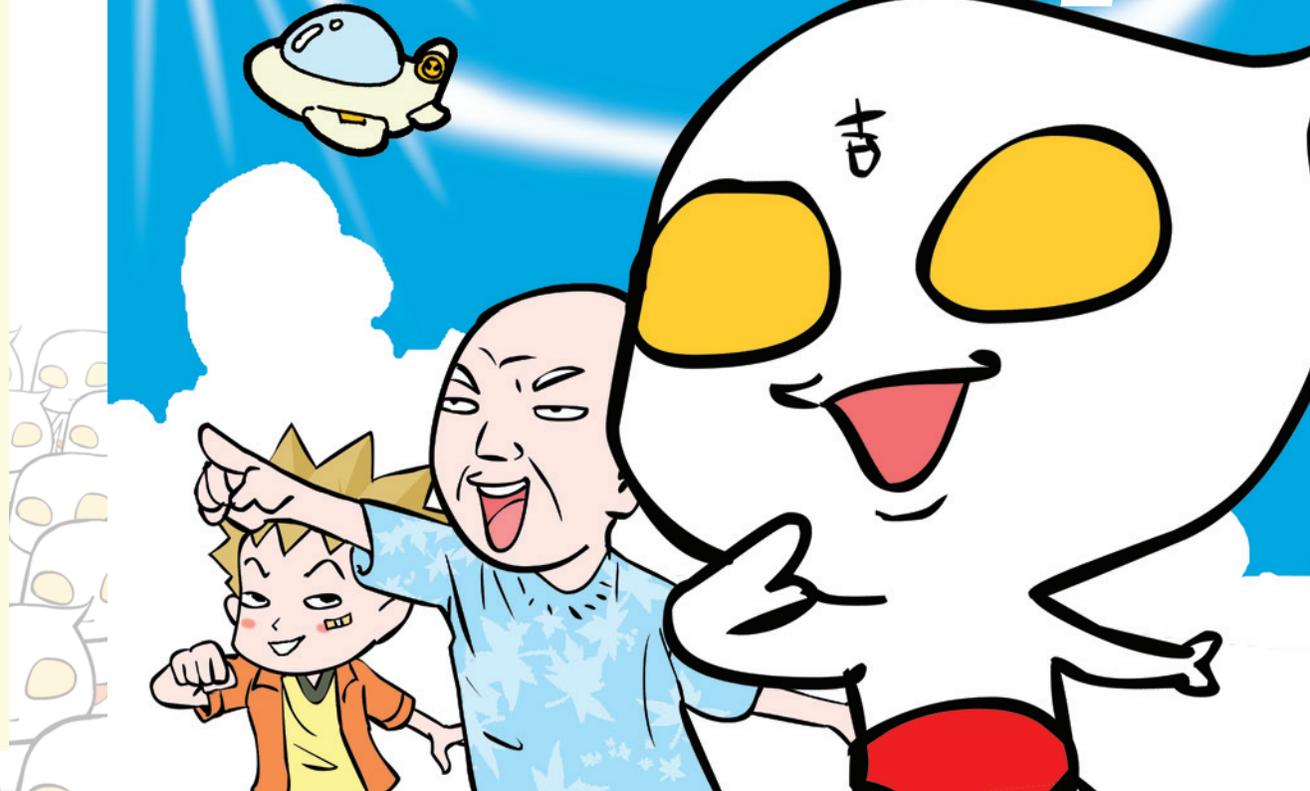


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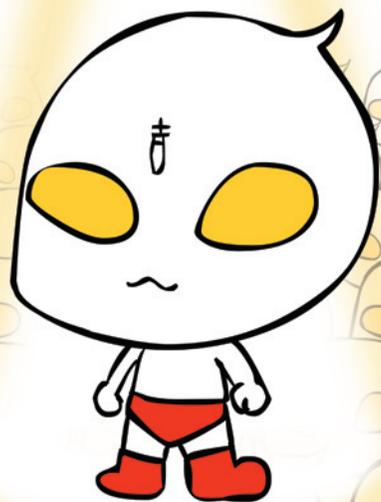
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BG's 2008 IPR Secret Tips



Message from the Director General

Characters	4
Prologue — Many Moons Ago...	6
Patent — Talking Piggy Bank	8
Patent — The Amazing Hairdryer Gun	10
Patent — BG Meets the Director General	12
Trademark — Detective Jones Spots the Real Thing ..	14
Trademark — Logo is NOT Lego	16
Trademark — ‘Flaming Hands’ Roast Chestnuts	18
Copyright — Burglar’s Boo-Boo	20
Copyright — Moon Festival Poster	22
Copyright — Mr. Fang’s Book Signing	24
Copyright — The Musical Wunderkind of Little Bean ..	26
Copyright — Spooky Copy Center	28
Copyright — BG’s Blog	30
Copyright — Domino Effect	32
Copyright — BG’s Stage Dreams	34
Copyright — Picasso at the National Palace Museum ..	36



Message from the Director General

IPR protection is an important part of our daily life. To continue with our effort of introducing basic IPR-related concepts and educating the public about the importance of IPR protection, this year, we once again commissioned Mr. Ruan, Guang-ming, an acclaimed comic book artist to illustrate the “BG’s IPR Secret Tips 2008”.

“BG’s IPR Secret Tips 2008” contains fifteen scenarios on IPR concerns relating to patents, trademarks and copyrights often faced in our day-to-day activities. Using the creative talents of Mr. Ruan, complicated, obscure laws and concepts are brought to life in comic form and made simple to understand and easy to remember.

It is our sincere hope that what is being presented here in this book can be applied by all readers into their daily lives.

Wang, Mei-hua
Director General
TIPO, MOEA
September 2008



Characters



BG

Alien who comes to Earth to steal IPR secrets but ends up stranded here



Lenny

Student, active and absent-minded



Mrs. L.

Lenny's Mom, a fashion designer



Mr. Chen

Teacher who enjoys teaching IPR concepts



Jenny

Lenny's classmate



Ken

Lenny's buddy

Prologue

Many Moons Ago...



Somewhere in a remote corner of the universe lies a planet by the name of Lajir. Since no concept of intellectual property rights had ever existed, the Lajirans counterfeited and plagiarized left and right, and eventually even all of their faces grew to look exactly alike!



1

Scenes such as these were often seen.....



2

And these....



3

To cure the planet of this ill once and for all, the ruler of Lajir sent BG, the planet's best and brightest young student, all the way to Taiwan to "borrow" its intellectual property rights secrets!



4

Alas, as BG was near ready to return to his home planet, his spaceship, parked in the red zone, was towed away.



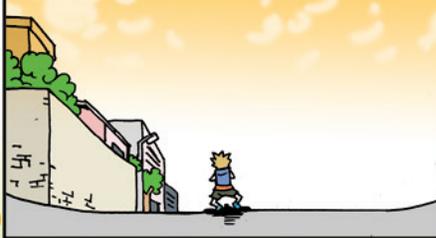
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After suffering many sad days of isolation, BG was finally given hope when he came upon a young boy named Lenny.



6

BG then began his quest for knowledge on Earth...



7

Woohoo! It's starting!

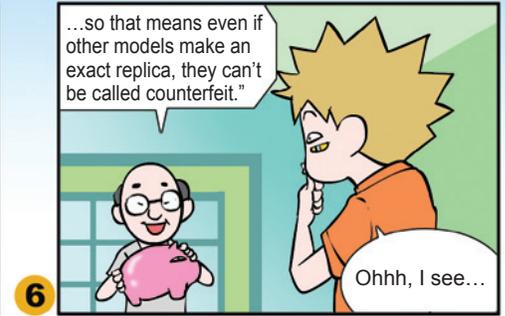
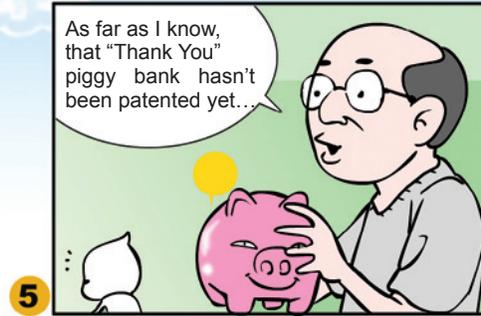
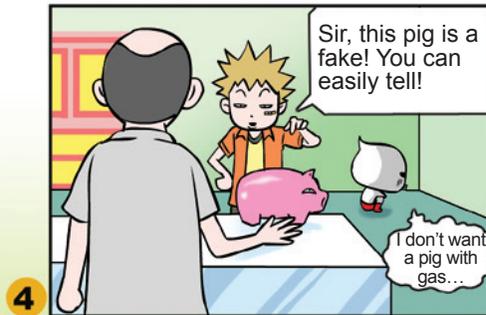
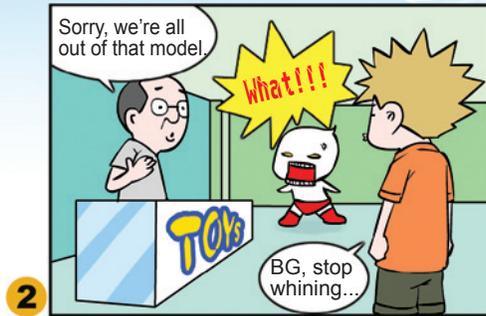


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Patent

Scenario 1

Talking Piggy Bank

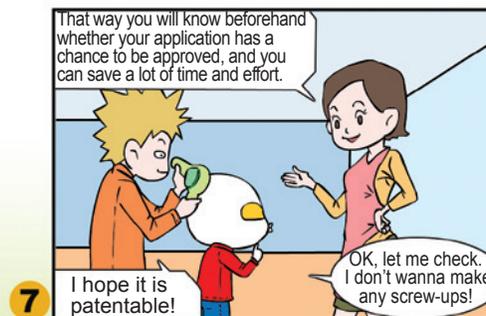
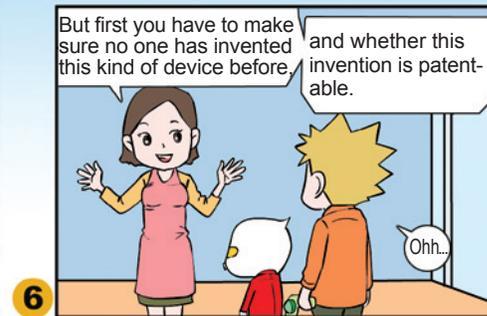
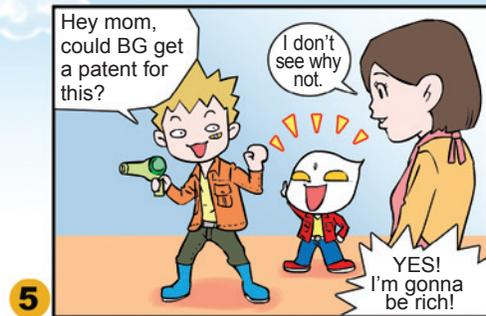
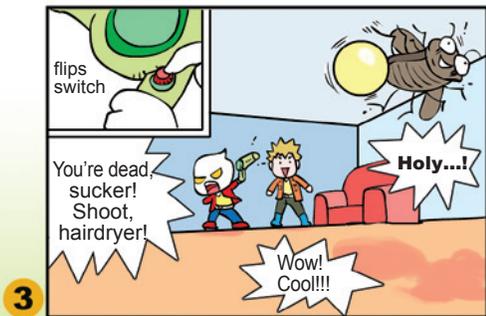


Tip: If you ever create a new, useful invention, it's important that you contact TIPO to apply for a patent at once! Once you obtain a patent, you may authorize others to use or market your new creation and receive royalties for it! Or if you wish, you can sell your patent directly for a reasonable price. However, if you try to make money without first applying for patent rights, your invention can be legally copied at anytime by anyone, and your exclusive rights will be forever lost!

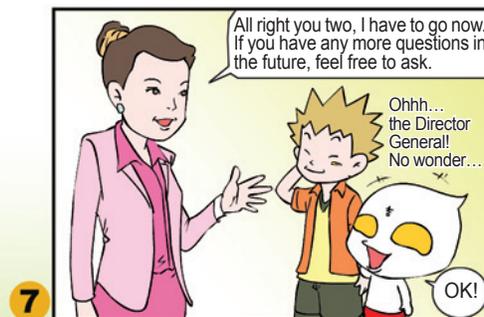
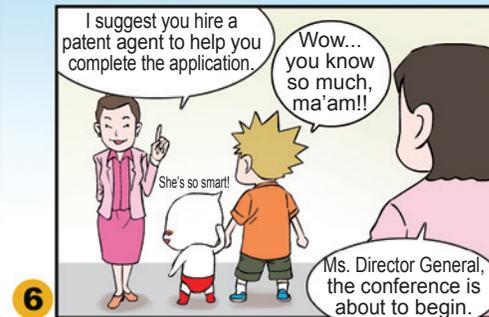
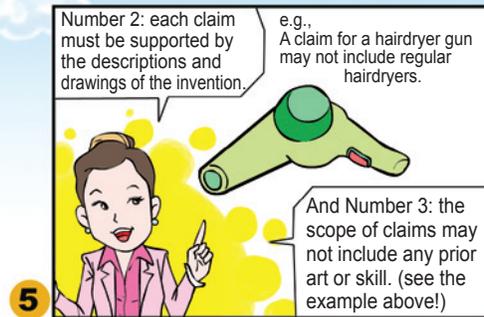
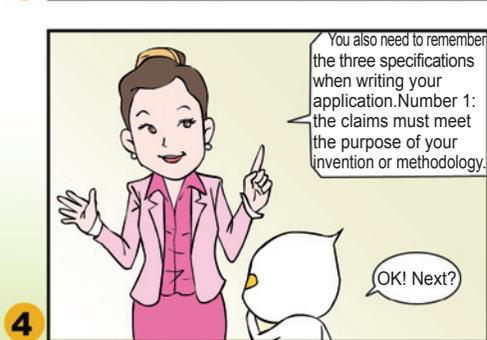
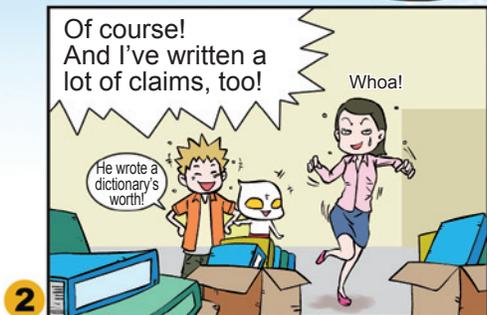
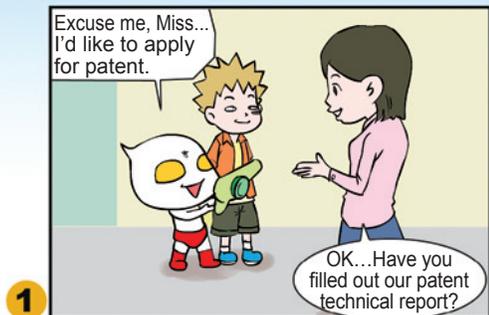
Patent

Scenario 2

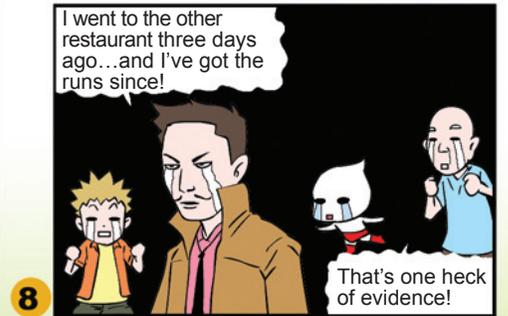
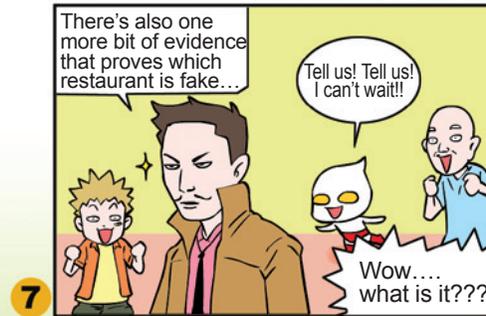
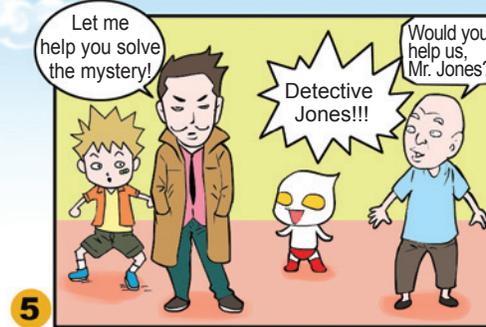
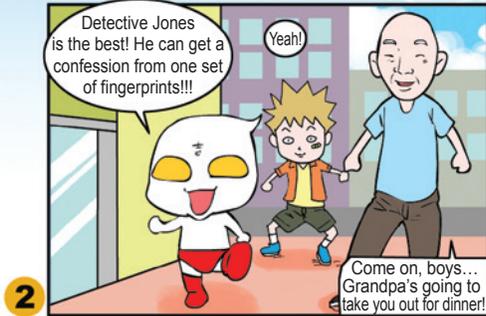
The Amazing Hairdryer Gun



Tip: When applying for patent, you must remember to include application fees and patent examination fees with your completed form. If the patent examination is successful, an additional certification fee and subsequent annuities must also be paid. If an application does not meet the requirements for patent, the application will be rejected or, if previously approved, revoked. Therefore, to avoid waste of time and money, patent applicants should thoroughly search all relevant databases and technical reports in Taiwan before submitting a completed application. This way, invention can be modified and patent scope can be amended in a timely manner to avoid unnecessary delays.

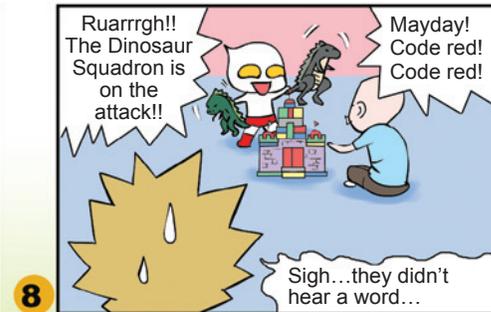
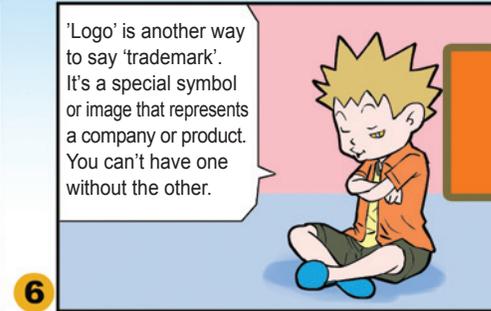
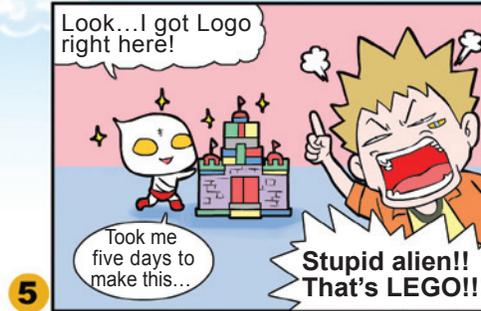
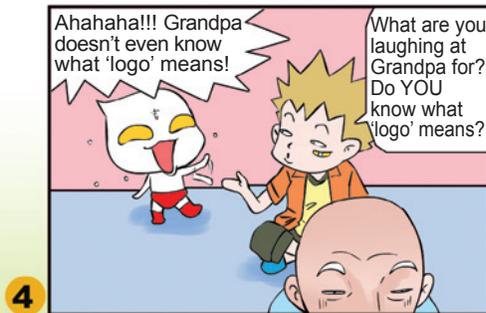


Tip: Since patent applications are very technical and complicated procedures, applicants will often seek the assistance of patent agents to handle this process. The more claims drafted in your application, the broader your scope of protection will be. However, the following three specifications must be followed for the application to be successful: 1) you must draft claims which fulfill the purpose of your invention; 2) all claims must be supported by the description and drawings of the invention, and; 3) the scope of claims may not contain prior art or skill.

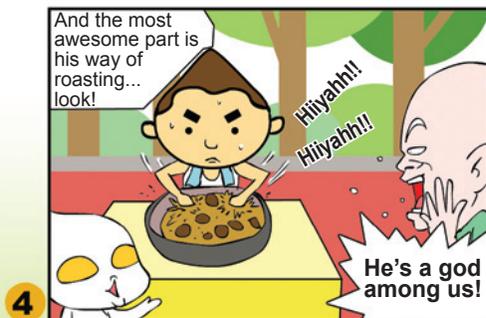


Tip: Just as fingerprints are unique representations of an individual, trademarks are also distinct marks which set apart individual goods or services from others. They are a type of intellectual property and are valuable tools used in advertisements, developed through considerable time, cost and effort. Only through the protection of trademarks can we feel safe in enjoying the best quality products and services.

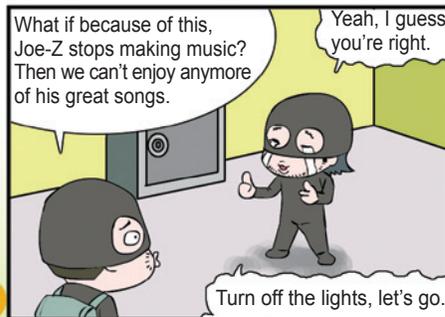
Logo is NOT Lego



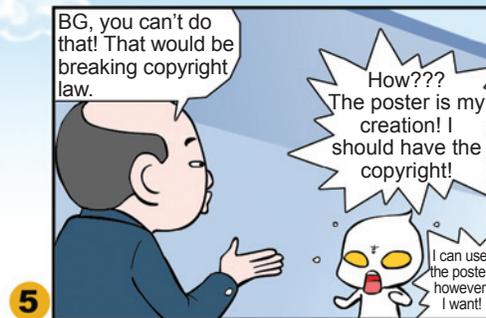
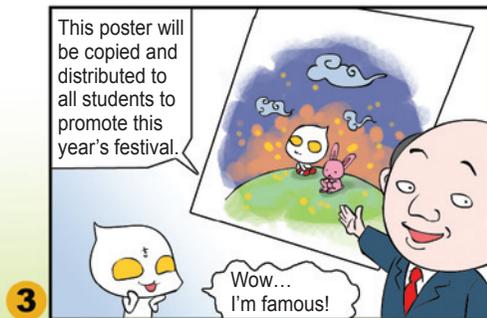
Tip: Trademarks are important bridge between consumers, industries, and the products they represent. Consumers can use trademarks to distinguish between different brands of a product; industries can use trademarks when advertising their products to increase visibility and sales; and the products themselves are helped by trademarks, as a trademark can signify and guarantee the quality and standard of a particular brand and help establish its reputation in the marketplace.



Tip: Creating a unique brand is the only established way to ensure sustainable business success. Trademark counterfeiting, on the other hand, not only prevents a company from establishing a positive image in the marketplace, but would also put the company's owner at risk of being fined or imprisoned. Unauthorized and intentional use of registered trademarks to sell the same or similar products may mislead or confuse consumers and is considered a basic form of trademark infringement.



Tip: Creative works such as poetry, essays, speeches, musical compositions and lyrics, stage performances, movies, cartoons, comic books, watercolor and oil paintings, maps, engineering plans, architecture, and computer programs are all forms of intangible property, and deserve the same protection by law as tangible property such as real estate and personal estate.



Tip: Once you complete any creative work, the copyright belongs to you. But there are cases in which you may choose to transfer all or part of this copyright to a third party in return for a suitable fee or royalties. But be aware: once this copyright is transferred away, these rights are permanently relinquished to the third party!



1

That's great! Mr. Fang from upstairs finally got his new book published...he's gonna be famous!

Fang Da-wen Book Signing

Seems like all his hard work has paid off.

2

There he is! He's over there.

Fang Da-wen Book Signing

OK, it's a deal then...I look forward to working with you!

3

Lenny! BG! What brings you here?

We came to congratulate you!

4

Mr. Fang, who was that man?

He's a producer.

He came to see me about a licensing agreement.

5

What's a 'licensing agreement'? You need a license to write a book?

No, no...

A licensing agreement is when a copyright holder allows his or her work to be used in other ways by other people.

6

Original Novels

Movies TV Shows Comic Books

For example, if someone wanted to use the story of my book to make a movie, he or she would have to get licensing from me first.

7

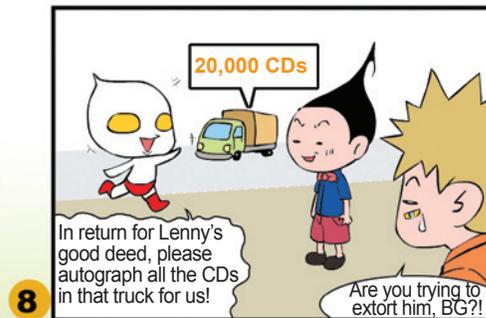
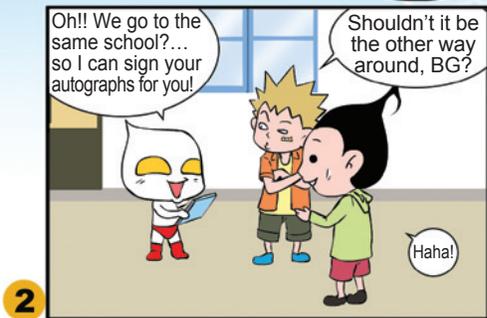
Really? So that means your book's gonna be made into a movie!!!

Excellent! Can I be in it??

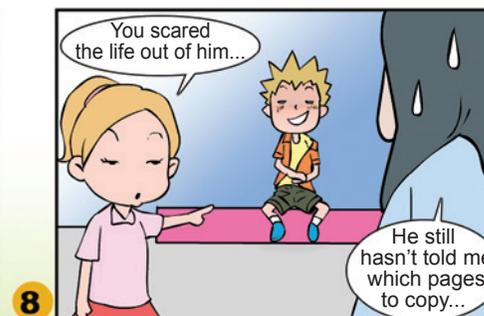
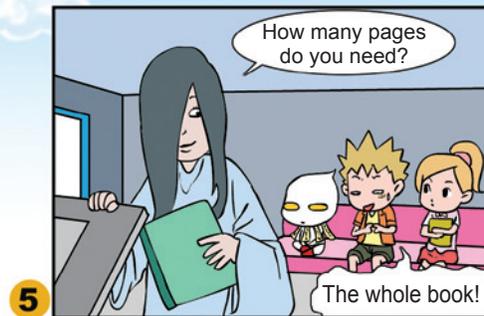
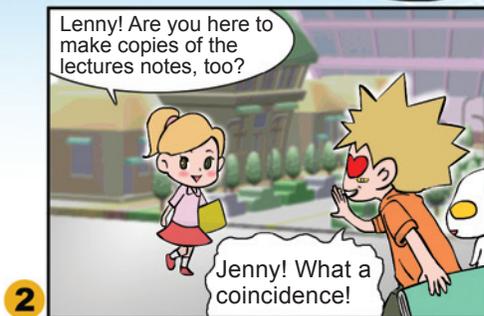
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But the main character of my book is a stray dog...

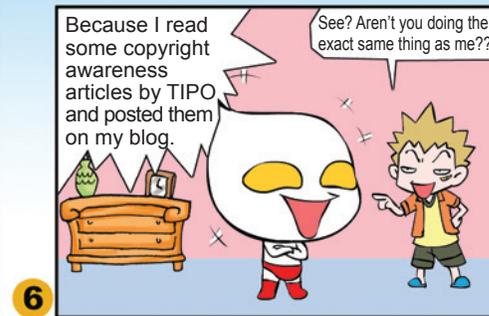
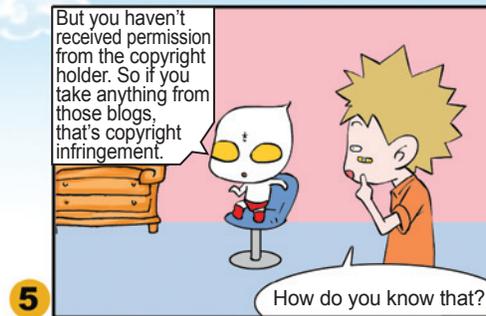
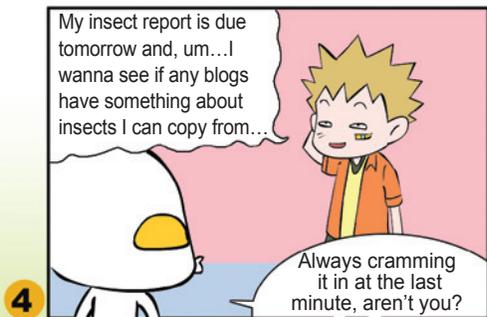
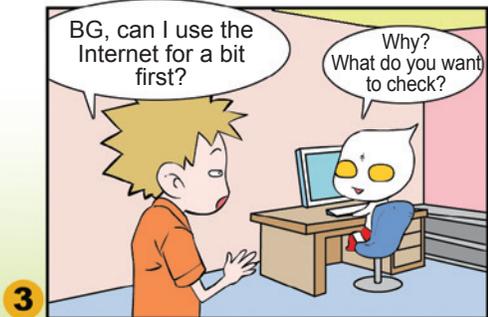
Tip: Your creations must be put into the open market in order to have any economic value. If you do not wish to transfer copyright, you may consider signing a licensing agreement with a third party in order to receive royalties once your works are sold, ensuring you compensation for your creative efforts!



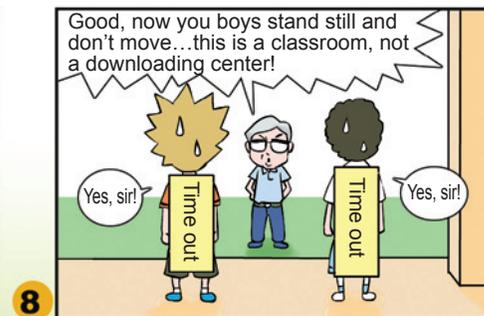
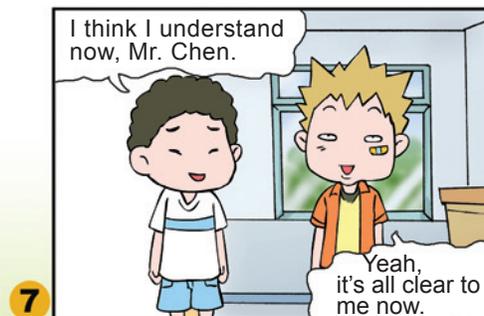
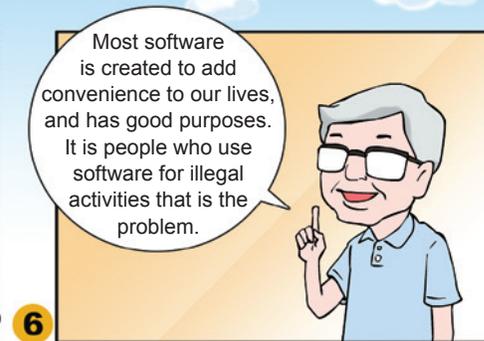
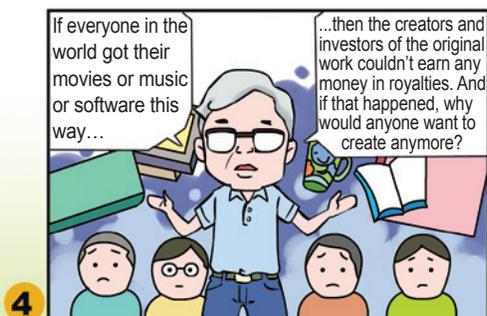
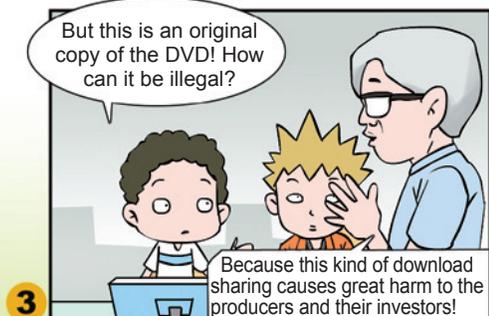
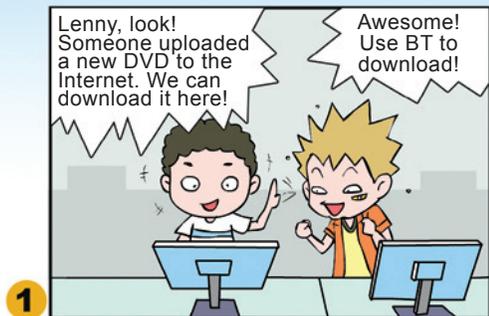
Tip: With the worldwide spread of the Internet and rising download speeds, pirated goods can now be produced and sold online more quickly and easily than ever. Once these goods enter the market, sales of original goods will be affected; the creators and investors of these original works therefore earn little in return for their hard work and input. Remember, no matter how insignificant the gain, selling pirated goods online is serious infringement!



Tip: Under "fair use" provisions of the Copyright Act, portions of textbooks may be legally photocopied without permission as long as these portions do not compose a large percentage of the entire book and could not be used to replace the original books in the marketplace. However, photocopying of the whole or majority of these textbooks would not meet the definition of "fair use", and would therefore be considered copyright infringement.



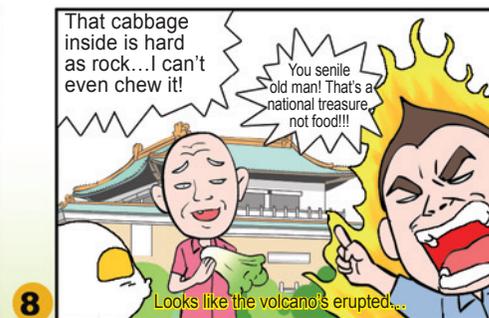
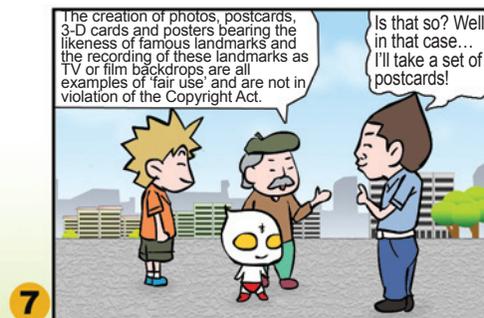
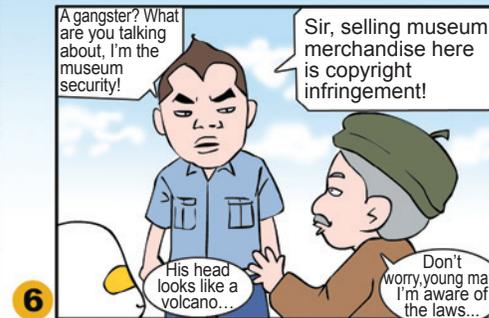
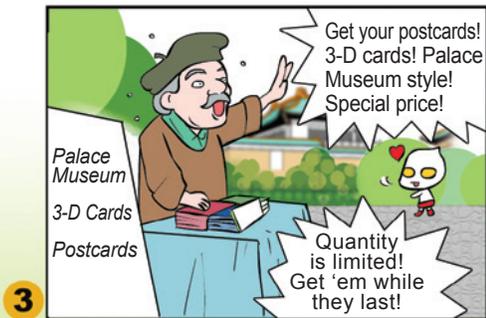
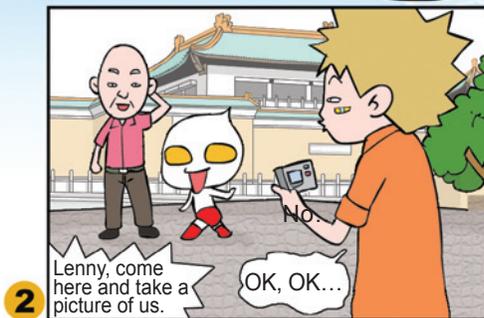
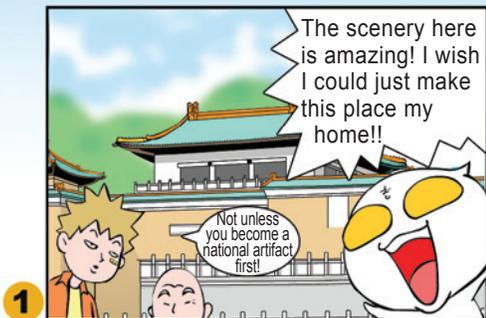
Tip: With the ease and speed of online information sharing, Internet users can now regularly enjoy original articles, music and videos produced by others on the Web. In order to preserve and guarantee the rights of these creative artists, Taiwan's Copyright Act states that creators of original works hold exclusive rights to post these works on blogs or website for public viewing, reading or listening. Those wishing to make use of these works must first obtain legal authorization from the right holder and adhere to the "user pay" and "authorized use" systems present in the marketplace.



Tip: Did you know that bit torrent and peer-to-peer (P2P) software is not in itself illegal? If proper authorization or permission is granted before using point-to-point communications such as these to download or share files, then these actions are not considered copyright infringement. However, unauthorized file-sharing is not only illegal, but severely cuts into movie ticket and music album sales. This creates a domino effect which ultimately harms consumers, as struggling movie and music industries will cut production and give the public less to enjoy in the future!



Tip: Taiwan's Copyright Act offers protection for 11 types of works: oral and literary works, musical works, dramatic and choreographic works, artistic works, photographic works, pictorial and graphical works, audiovisual works, sound recordings, architectural works, computer programs, and performances. Before using any of these works previously created by others, we must be sure our actions can be considered "fair use". If not, we must first obtain authorization from the copyright holder to avoid risk of prosecution.



Tip: Displaying architectural works (including photos and postcards) long-term in public outdoor venues such as sidewalks, parks, or outside buildings is not a violation of Copyright Act provided such items are not exact replicas, are not for long-term display, and proper identification of the building being replicated is easily visible.