

刊 名：智慧財產權月刊  
刊期頻率：每月 1 日出刊  
出版機關：經濟部智慧財產局  
發 行 人：王美花  
總 編 輯：高佐良  
副總編輯：高佐良  
編審委員：  
黃文發、廖承威、周仕筠、  
林國塘、李淑美、張玉英、  
林清結、江瓊敏、黃振榮、  
吳佳穎、張仁平、高秀美  
胡秉倫、毛浩吉、陳慶平  
高佐良  
執行編輯：李楷元、劉宥妤、林佳芸

本局網址：<http://www.tipo.gov.tw>  
地 址：臺北市辛亥路 2 段  
185 號 3 樓  
徵稿信箱：[ipois2@tipo.gov.tw](mailto:ipois2@tipo.gov.tw)  
服務電話：(02) 23767170  
傳真號碼：(02) 27352656  
創刊年月：中華民國 88 年 1 月  
GPN：4810300224  
ISSN：2311-3987

|  |     |
|--|-----|
| 中文目錄   | 01  |
| 英文目錄   | 02  |
| 編者的話   | 03  |
| <b>本月專題—電腦軟體相關發明的保護與發展</b>                     |     |
| 電腦軟體專利標的適格性之測試法演進                              | 05  |
| —從歐洲觀察美國                                       |     |
| 趙慶冷  |     |
| 電腦軟體發明專利制度探討                                   | 48  |
| —我國與歐洲制度發展的演進                                  |     |
| 李清祺、馮聖原  |     |
| <b>論述</b>                                      |     |
| 由美國 CAFC 判決解析有關美國專利法<br>第 112 條第 (f) 項的申請與訴訟策略 | 92  |
| —以電腦軟體發明專利為中心                                  |     |
| 許立穎、林宥榆  |     |
| 智慧財產權園地  | 124 |
| 智慧財產權資訊  | 126 |
| 智慧財產局動態  | 128 |
| 智慧財產權統計  | 137 |
| 智慧財產權相關期刊論文索引                                  | 139 |
| 附錄   | 140 |

**Issue 201**  
**September 2015**

Intellectual Property Right Journal  
Published on the First of each month.  
Publishing Agency: TIPO, MOEA  
Publisher: Mei-Hua Wang  
Editor in Chief: Tso-Liang Kao  
Deputy Editor in Chief:  
Tso-Liang Kao  
Editing Committee:  
Wen-Fa Huang; Cheng-Wei Liao;  
Shi-Yun Zhou; Kuo-Tang Lin;  
Su-Mei Lee; Yuh-Ying Chang;  
Ching-Chieh Lin; Chiung-Min Chiang;  
Cheng-Rong Hwang; Chia-Ying Wu;  
Jen-Ping Chang; Hsiao-Mei Kao;  
Ping-Lun Hu; Hao-Chi Mao;  
Ching-Ping Chen; Tso-Liang Kao  
Executive Editor: Kai-Yuan Lee;  
Yu-Yu Liu; Chia-Yun Lin

TIPO URL: <http://www.tipo.gov.tw/>  
Address: 3F, 185 Hsinhai Rd. Sec.  
2, Taipei 106, Taiwan  
Please send all contributing articles to:  
[ipois2@tipo.gov.tw](mailto:ipois2@tipo.gov.tw)  
Phone: (02) 23767170  
Fax: (02) 27352656  
First Issue: January 1999

# **Intellectual Property Right Journal**

|   |            |
|---|------------|
| <b>Table of Content (Chinese)</b>   | <b>01</b>  |
| <b>Table of Content (English)</b>   | <b>02</b>  |
| <b>A Word from the Editor</b>   | <b>03</b>  |
| <b>Topic of the Month — The Protection and Development<br/>of the Computer Software Related Inventions</b>  |            |
| The Tests of Subject-matter Eligibility for<br>Computer-related Inventions--Learning from the<br>Changes of the EPO and the United States   | <b>05</b>  |
| <i>Ching-Ling Chao</i>  |            |
| A Detailed Study of the Invention Patent System<br>for Computer Software in Europe and Taiwan   | <b>48</b>  |
| <i>Ching-Chi Li; Sheng-Yuan Feng</i>  |            |
| <b>Papers &amp; Articles</b>  |            |
| The Analysis of Correctly Applying Patent and<br>Deciding Litigation Strategies Related to U.S.<br>Patent Law 35 U.S.C. § 112 (f) Based on<br>CAFC Cases: Focusing upon the Computer<br>Software Inventions | <b>92</b>  |
| <i>Lee-Ying Hsu; You-Yu Lin</i>   |            |
| <b>IPR Column</b>   | <b>124</b> |
| <b>IPR News</b>   | <b>126</b> |
| <b>What's New at TIPO</b>   | <b>128</b> |
| <b>IPR Statistics</b>   | <b>137</b> |
| <b>Published Journal Index</b>  | <b>139</b> |
| <b>Appendix</b>   | <b>140</b> |