

# 地方檢察署智慧財產權案件偵查收結情形（109年2月份）

## Affirmed IP Infringement Cases by Prosecutors' Office ( Feb 2020)

單位:件

| 類別<br>Area of<br>Infringement | 新收<br>件數<br>New cases | 終結情形件數 Proceeding results |                                                   |                                                       |                                    |                                      |                                   |               |              | 終結罪名 Types of offenses  |                        |                                    |              | 被告身份 Defendant      |               |                 |              |
|-------------------------------|-----------------------|---------------------------|---------------------------------------------------|-------------------------------------------------------|------------------------------------|--------------------------------------|-----------------------------------|---------------|--------------|-------------------------|------------------------|------------------------------------|--------------|---------------------|---------------|-----------------|--------------|
|                               |                       | 總計<br>Total               | 通常程序起訴<br>Indictment                              |                                                       | 聲請簡易<br>判決處刑<br>Summary<br>offense | 緩起訴<br>處分<br>Suspended<br>indictment | 不起訴處分<br>No indictment            |               | 其他<br>Others | 違反<br>著作權法<br>Copyright | 違反<br>商標法<br>Trademark | 違反<br>營業秘<br>密法<br>Trade<br>secret | 其他<br>Others | 製造商<br>Manufacturer | 經銷商<br>Dealer | 零售商<br>Retailer | 其他<br>Others |
|                               |                       |                           | 具體<br>求刑<br>Concrete<br>actions for<br>punishment | 未具體求<br>刑 No<br>concrete<br>actions for<br>punishment |                                    |                                      | 依職權<br>According to<br>incumbency | 一般<br>General |              |                         |                        |                                    |              |                     |               |                 |              |
| 本國案件<br>ROC                   | 313                   | 324                       | -                                                 | 25                                                    | 16                                 | 4                                    | 1                                 | 237           | 41           | 261                     | 37                     | 18                                 | 8            | 27                  | 1             | 110             | 186          |
| 涉大陸地區案件<br>China              | 6                     | 8                         | -                                                 | 5                                                     | 1                                  | -                                    | -                                 | 2             | -            | 2                       | 2                      | 4                                  | -            | 1                   | 1             | 1               | 5            |
| 涉美案件<br>USA                   | 45                    | 50                        | -                                                 | 2                                                     | 13                                 | 5                                    | 1                                 | 25            | 4            | 13                      | 36                     | -                                  | 1            | 4                   | 1             | 25              | 20           |
| 涉歐案件<br>Europe                | 105                   | 111                       | -                                                 | 15                                                    | 30                                 | 21                                   | 6                                 | 21            | 18           | 5                       | 106                    | -                                  | -            | 2                   | 2             | 84              | 23           |
| 涉日案件<br>Japan                 | 34                    | 48                        | -                                                 | 3                                                     | 7                                  | 22                                   | 2                                 | 5             | 9            | 11                      | 37                     | -                                  | -            | 5                   | -             | 26              | 17           |
| 涉其他國案件<br>Other countries     | 39                    | 10                        | -                                                 | 1                                                     | -                                  | 1                                    | 1                                 | 5             | 2            | 8                       | 2                      | -                                  | -            | -                   | -             | 4               | 6            |
| 本月合計<br>Total                 | 542                   | 551                       | -                                                 | 51                                                    | 67                                 | 53                                   | 11                                | 295           | 74           | 300                     | 220                    | 22                                 | 9            | 39                  | 5             | 250             | 257          |
| 109年1-2月<br>Jan-Feb 2020      | 1,155                 | 943                       | -                                                 | 83                                                    | 113                                | 103                                  | 17                                | 484           | 143          | 501                     | 384                    | 35                                 | 23           | 71                  | 13            | 451             | 408          |
| 108年1-2月<br>Jan-Feb 2019      | 1,089                 | 908                       | -                                                 | 75                                                    | 84                                 | 81                                   | 29                                | 501           | 138          | 536                     | 320                    | 18                                 | 34           | 64                  | 17            | 364             | 463          |
| 增減率<br>Percentage change      | 6.06%                 | 3.85%                     | 0.00%                                             | 10.67%                                                | 34.52%                             | 27.16%                               | -41.38%                           | -3.39%        | 3.62%        | -6.53%                  | 20.00%                 | 94.44%                             | -32.35%      | 10.94%              | -23.53%       | 23.90%          | -11.88%      |
| 109年1-2月<br>月平均               | 578                   | 472                       | 0                                                 | 42                                                    | 57                                 | 52                                   | 9                                 | 242           | 72           | 251                     | 192                    | 18                                 | 12           | 36                  | 7             | 226             | 204          |
| 107年1-2月<br>月平均               | 545                   | 454                       | 0                                                 | 38                                                    | 42                                 | 41                                   | 15                                | 251           | 69           | 268                     | 160                    | 9                                  | 17           | 32                  | 9             | 182             | 232          |
| 107年全年<br>月平均                 | 526                   | 543                       | 0                                                 | 53                                                    | 56                                 | 54                                   | 13                                | 287           | 81           | 316                     | 201                    | 11                                 | 15           | 43                  | 5             | 234             | 261          |

資料來源：臺灣高等檢察署

Source: Prosecutors' Office of the Taiwan High Court