



January to March 2021 Quarterly Report on Intellectual Property Rights Protection in Taiwan

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Website: <http://www.tipo.gov.tw>

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Special Reports

Promoting the Taiwan–Japan Patent Dossier Information Exchange Service—Two Offices, One Platform

On November 30, 2018, Taiwan and Japan signed an MOU on the exchange of patent dossier information. The agreement paved the way for TIPO and JPO to jointly create a one-stop platform with real-time, high-quality, and comprehensive patent documents. Such a platform will make it easier for patent examiners to learn from one another’s examination practices, thereby improving examination quality and speed. It will also ensure greater uniformity when it comes to the granting of patents in Taiwan and Japan. In the long run, this should improve the quality and stability of patent rights granted by both countries.

After over two years of joint efforts by TIPO and JPO, from formulating technical specifications, confirming the security mechanism, establishing the IT system, to the connection test between both parties before the launch, the platform finally opened to the public in both Taiwan and Japan on January 12 this year (2021).

The Taiwan–Japan Patent Dossier Information Exchange service provides published patent application archives, including information on the patent families of invention patent and utility model patent in Taiwan and Japan, examination documents, IPC classification, and citations. For extra convenience, users can choose from four different query methods:

- i. Query by domestic application number, publication number, or patent number.
- ii. Query by Japanese application number, publication number, or patent

number.

- iii. Query by international DOCDB number.
- iv. Accessing the information via the query result page of the “File Wrapper Search System”

Taiwan–Japan Patent Dossier Information Exchange Service (Mandarin):

https://tiponet.tipo.gov.tw/S093_WEBP/outer/outer4001pub

Instructions for Taiwan–Japan Patent Dossier Information Exchange Service (Mandarin):

<https://www.tipo.gov.tw/tw/dl-276606-9815587a3c8849f2a2abb8b523f64c9f.html>

File Wrapper Search System:

https://tiponet.tipo.gov.tw/S092_OUT/out?lang=en_US

Upcoming Registration for 2021 Taiwan Innotech Expo—A Feast of Asian Innovation

The 2021 Taiwan Innotech Expo will take place from October 14 to 16 in Hall 1 of the Taipei World Trade Center. With approximately 500 exhibitors’ booths, this year’s event is set to feature around 1,200 patented technological innovations. The expo is Taiwan’s most iconic R&D platform, attracting more than 50,000 visitors annually.

This year, the exhibition area will comprise five sections: an invention competition, patented products, associated services,

outstanding innovation, and the *Three Major Themed Pavilions*. The invention competition will be further divided into three separate themes: *Taiwan Invents*, *The World Invents*, and *Schools Invent*. In addition to participants from the private and research sectors, independent inventors will also be invited to present their innovative creations. Every year, close to 600 Taiwanese and international entries contend for a prize.

By holding the event, TIPO hopes to uncover the world's most original and promising inventions, the creators of which will be vying for a host of awards. The registration period for this year will run from April 20 through June 30, while those who register before April 30 can enjoy an early-bird discount. The competition is open to all, and anyone taking part will be in the running for the highest accolade: the prestigious Platinum Medal. The registration period for the *patented products* and *associated services* sections is the same as that for the competition; we therefore welcome and encourage past competition winners and service companies to join in on the action and make this event that much more special.

2021 Taiwan Innotech Expo

<https://www.inventaipai.com.tw/>

[Legal Amendments](#)

1. Judicial Yuan Publicizes *Precautionary Matters for District Courts on Handling Trade Secret Cases* and Amends *Guidelines for Courts Handling Cases Concerning*

Confidentiality Preservation Orders and Investigation Confidentiality Protective Orders

Considering that trade secrets have high economic value and shall be well-protected from leaking, the Judicial Yuan promulgated “Precautionary Matters for District Courts on Handling Trade Secret Cases” on January 28. Furthermore, to protect the trade secrets held by one party or a third party in litigation as well as the litigation rights for the other parties to obtain case files needed for offense and defense, the Judicial Yuan promulgated “Guidelines for Courts Handling Cases Concerning Confidentiality Preservation Orders and Investigation Confidentiality Protective Orders.” Aforementioned guidelines corresponded to the “Investigation Confidentiality Protective Orders”, which were newly added to the Trade Secrets Act Article 14-1 to 14-4, with mainly focusing on amending the submission of documents and evidence, inspection of case files, and investigation measures.

The implementation of the above two rules will enhance judicial professionalism and the efficiency of the courts in handling trade secret cases as well as protect trade secrets contained in the case files.

2. TIPO Publishes Amendments to the “Program for Hearing Patent Invalidation Cases” in English

For the “Program for Hearing Patent Invalidation Cases” to proceed smoothly and to prevent continuous submission of litigant documents that change the reason(s) for the allegation or

combination of the evidence—which may lead to disputes during the hearing process—TIPO has decided to modify Point 4 of the program. This provision concerns the rule for the continuous submission of documents after the announcement of an invalidation hearing. The change is designed to enhance the effectiveness in making decision on invalidation cases and to fully embrace the spirit of Articles 73 and 74 of the Patent Act.

The amendments to the “Program for Hearing Patent Invalidation Cases” took effect on February 8, 2021.

“Program for Hearing Patent Invalidation Cases”

<https://www.tipo.gov.tw/en/dl-277860-90ce902be12f431cabe2b4d89be942d8.html>

3. TIPO announces amendments to Article 3 of the *Regulations Governing Application for Approval of License of Works of Unknown Owner of Copyrights and Royalties for Use Thereof*

On March 11, 2021, TIPO announced amendments to Article 3 of the *Regulations Governing Application for Approval of License of Works of Unknown Owner of Copyrights and Royalties for Use Thereof*. Key changes are as follows:

- i. The addition of the option to place an announcement on the TIPO website as a means of publicly searching for the economic rights holder of a work
- ii. The reduction of the mandatory waiting period following the publicizing of the search (from 30 days to just 10)
- iii. The exemption from the requirement to provide the name of the

work to be exploited in cases where the name is unknown (This change is designed to facilitate the use of orphan works.)

The term “orphan work” refers to any work that is copyright-protected but whose author is unknown or uncontactable. As for the regulations in question, these were introduced to implement Article 24 of the Development of the Cultural and Creative Industries Act. Their purpose was to put in place a mechanism whereby anyone could apply to TIPO for a license to use an orphan work. However, applicants subsequently identified a number of inconveniences and issues inherent in this system. They pointed out that the mandatory waiting period following the publicizing of the search for the economic rights holder was inordinately long, while the options for conducting a public search were too limited. It was also noted that, in certain cases, it was impossible to provide the name of an orphan work as it could not be found.

It is for all of the above reasons that the new amendments were introduced. Drawing on provisions found in the South Korean and Japanese systems, the latest changes have made the application process faster and more convenient, which should hopefully help spur the growth of Taiwan’s cultural and creative sector. If you would like to know more about how to apply for the use of orphan works, please refer to TIPO’s web page on “Licensing of Works of Unknown Owner.”

Licensing of Works of Unknown Owner (Mandarin webpage)

<https://topic.tipo.gov.tw/copyright-tw/lp-460-301-xCat-20.htm>

[1](#)

Article of the Regulations Governing Application for Approval of License of Works of Unknown Owner of Copyrights and Royalties for Use Thereof

<https://www.tipo.gov.tw/en/dl-278087-05ac04cf15714654adafa5d8b308d56c.html>

Latest News

1. TIPO Statistic Report : Patent and Trademark Application in 2020

In 2020, overall patent applications decreased by 3% to 72,238 cases. Of these, invention (46,664) and design patent applications (8,019) decreased by 3% and 9%, while utility model patent applications (17,555) remained stable. For trademark applications, 94,089 cases (covering 119,660 classes) were filed—the highest number recorded since TIPO’s founding in 1999. As to examination efficiency, the average disposal pendency was 13.9 months and 6.5 months for invention patent applications and trademark applications respectively, allowing applicants to benefit from a fast and effective examination service.

i. Resident invention applications highest since 2014 with industry and school sector boost

Invention patent applications (19,012) filed by residents hit their highest level since 2014. This was due to a 1% rise in the number of applications by corporations, with those filed by SMEs alone experiencing an impressive 17% increase. Meanwhile, applications by

schools saw a surge of 16%. Utility model applications (16,445) also rose slightly by 0.2% (Fig. 2, Fig. 3) from last year. Invention, utility model, and design patent applications were all down for non-residents, dropping to 27,652 cases, 1,110 cases, and 4,072 cases respectively.

ii. Japan claims top spot for non-resident patent applications

A breakdown by applicant nationality shows that Japan continued to top the list with 13,247 overall applications, followed by the US (7,358) and mainland China (3,761), while Germany (1,165) moved to fifth place. Japan also led in the number of invention and design patent applications, and mainland China surpassed other countries when it came to utility model applications.

iii. Trademark applications reach record high with a surge in resident applications

As for trademarks, the number of applications (94,089) hit its highest level since TIPO's founding in 1999. This was mainly due to a 17% increase in resident applications (72,170), while those by non-residents (21,919) fell.

Among the top 5 trademark-filing countries (regions), mainland China (4,575 cases) took the lead, followed by Japan (4,013 cases) and the US (3,814 cases). Applications filed by the US were up 5%, while those by mainland China and Japan were down from last year.

iv. Resident filings under top 5 Nice classes achieve two-digit increase, while Class 5 reports the strongest growth in non-resident filings

With regard to resident trademark applications, class 35 (advertisements and business operation) topped the list with 13,230 classes. Applications filed under the top 5 classes saw an increase of

13%-29% (Fig. 8). Among resident applicants, UNI-PRESIDENT ranked first with 749 classes, followed by WOWPRIME (284 classes) and EASYCARD CORPORATION (183 classes).

Regarding non-resident trademark applications, class 9 (computer and technology products) led with 4,389 classes, while class 5 (pharmaceuticals) recorded the strongest growth with 3%. Among non-resident applicants, HUAWEI led with 121 classes, followed by SHISEIDO (114 classes) and KAO (96 classes).

v. Invention patent and trademark application pendency remain stable

TIPO went at full throttle to step up examination efficiency. As a result, the average disposal pendency was less than 14 months for invention patent applications. For trademark applications, it dropped to 6.5 months—a record low since 2009. Pending applications for both invention patent and trademark applications were maintained at about 49,000 cases to help businesses quickly obtain IP rights and begin developing portfolios.

TIPO Statistic Report: Patent and Trademark Applications in 2020

<https://www.tipo.gov.tw/en/dl-277850-bc5451caea1c4aed81e6788ad304dd01.html>

2. Top 100 Patent Applicants in 2020

According to TIPO's 2020 Statistical Rankings for Patent Applications and Grants, TSMC was the top domestic applicant for invention, utility model, and design patents in 2020, with 1,096 applications filed. The company has held on to its lead for

the fifth consecutive year now. As for foreign applicants, Qualcomm reclaimed the top spot, having filed a total of 720 applications in 2020. With respect to the number of patents granted for all three patent types, TSMC led the pack for domestic applications (680 patents granted), and Advanced New Technology was the most successful foreign applicant (588 patents granted). Applications by domestic schools and colleges of the top 100 went up by 24%.

i. TSMC is top domestic applicant for fifth year in a row.

As regards domestic applicants, TSMC has consistently filed the most applications since 2016. In 2020, that number once again exceeded 1,000. The company was followed in second and third place by Acer (523 cases) and AU Optronics (466 cases). Realtek Semiconductor (420 cases) and Compal (209 cases) each filed their highest number of applications ever, coming in fourth and ninth, respectively. Inventec ranked seventh, filing 236 applications (up 27%), and HON HAI was in 8th place with 231 applications (up 16%).

ii. Eight banks among top 100 domestic applicants – Land Bank of Taiwan takes lead; Hua Nan Bank applies for most invention patents.

There were eight banks among the top 100 domestic patent applicants in 2020. Collectively, these banks filed 736 applications (up 18%), continuing a three-year growth streak. Filing the most patent applications was Land Bank of Taiwan (133 cases), while Hua Nan Bank was the top applicant for invention patent applications (43 cases). The total number of invention patent applications filed by the eight banks was 224, marking an increase of 8% compared to the previous year.

iii. National Cheng Kung University claims first place in college rankings for invention patent applications; National Taiwan University, National Tsing Hua University, and National Chiao Tung University all record double-digit growth.

Twenty-seven colleges were among the top 100 domestic applicants for patents of any type. The Taipei City University of Science and Technology ranked first with 181 applications, of which most were for utility models (174 cases). This ensured the university a place among the top ten of all domestic applicants. Meanwhile, the most invention patent applications were filed by National Cheng Kung University (109 cases), followed by National Tsing Hua University (102 cases), National Chiao Tung University (86 cases), and National Taiwan University (82 cases) – increases ranged from 10% to 64%.

iv. Industrial Technology Research Institute takes crown for invention patent applications filed by research centers.

Five research centers were also among the top 100 domestic applicants for patents of any type. Placing fifth in the overall rankings was the Industrial Technology Research Institute with 352 applications, comfortably outperforming any other research center. Behind it was the Metal Industries Research & Development Centre (97 cases).

v. Qualcomm reclaims top spot among foreign patent applicants.

As for the top ten foreign applicants, Qualcomm moved back into pole position, with its number of patent applications increasing by 24% to reach 720 cases. Altogether, there were three semiconductor equipment manufacturers in the top ten: Applied Materials (652 cases) and Tokyo Electron (460 cases)

came in second and fourth, respectively, and Disco (291 cases; sixth place) filed its highest number of applications in ten years. Computer memory manufacturer Kioxia ranked fifth with 338 cases, and Ford Global Technologies (243 cases) also entered the list.

3. Analysis of Trends in Trademark Applications Filed in 2020

Every year, the WIPO IP Statistics Data Center publishes its report on World Intellectual Property Indicators (WIPI). Last year, for the first time ever, TIPO used the statistical techniques employed in compiling the WIPI report to devise its own weighted calculation methods. It then applied these methods to domestic data on resident trademark applications filed between 2010 and 2019. By taking the Nice Classes under which these trademark applications were filed and grouping them into ten major industry sectors, TIPO was able to show how different domestic industries have developed over the past decade in terms of trademark application trends. This has also allowed for direct comparison with corresponding data from other countries featured in the WIPI reports. On the back of this well-received audit, TIPO conducted a similar analysis this year, whose focus was on trademark applications filed between 2016 and 2020. This provided an even more up-to-date picture of shifts in trademark application trends within different industries. The results are as follows:

In the past 5 years, the number of trademark applications by case and by class in Taiwan has continued to grow year on year and, in 2019, it surpassed 110,000 classes for the first time. In 2020,

it was almost 120,000 classes. From 2016 to 2019, the proportion of applications (by class) filed by foreign applicants fluctuated slightly between 34.8% and 37%. However, since 2019, the number of applications (by class) filed by foreign applicants has shown a negative growth, standing at only 30% in 2020, which represents a fall of 3.91% compared with the previous year. This decrease is offset by a growth of 10.69% for domestic applicants, which brings the overall growth rate for the year to 6.78%.

In terms of industry categories, in the past five years, the top three in which Taiwan has received trademark applications are: “Agricultural Foodstuffs,” “Health and Medical Affairs,” and “Business and Finance.” For resident applications, the top three categories are “Agricultural Foodstuffs,” “Business and Finance,” and “Health and Medical Affairs.” The top three categories for foreign applicants have been “Technical Research,” “Health and Medical Affairs,” and “Agricultural Foodstuffs.”

In terms of the nationality of applicants over the past 5 years, the top three countries (regions) for filing have been Japan, the United States, and mainland China, with the number of foreign trademark applications filed from these three countries (regions) accounting for more than half of all foreign trademark applications. As it stands, those for Japanese trademark applications are: “Health and Medical Affairs,” “Technology Research,” and “Fashion Apparel & Accessories.” Foreign trademark applications from the U.S. have primarily been in “Technology Research,” “Health and Medical Affairs,” and

“Leisure Equipment,” and from mainland Chinese are “Technology Research,” “Health and Medical Affairs,” and “Agricultural Foodstuffs.” The top industries in developed countries such as Germany, the U.S., and Japan are “Technology Research” and “Recreation and Education.” This shows that the foundation of technologies in developed countries is still solid and, at the same time, also emphasizes the strength of cultural and spiritual industries. Furthermore, in 2019, Japan surpassed other countries when it came to “Technology Research,” with the percentage of its applications filed under that category exceeding 25%.

Looking at the distribution of trademark applications in 2020, we can see that there were no changes in terms of industry categories where domestic applications were concerned. Also, and perhaps due to the Covid-19 pandemic, consumer habits have turned to domestic consumption. Therefore, resident trademark applications were still being actively filed. As for the sharp decline in applications (by class) filed by foreign applicants, whether this has been caused by the global pandemic, and whether trends in other countries (regions) have followed a similar pattern, needs to be further examined when the WIPI 2021 report comes out.

Analysis of Trademark Applications Filed 2106-2020
(Mandarin)

<https://www.tipo.gov.tw/tw/dl-277827-fc1f5564508c4080bbbbd9aaeb79df7a.html>

4. TIPO Holds “Public Hearing on Draft Amendments to the Patent Act and the Trademark Act”

To facilitate a better patent and trademark legal remedy system that is in line with international practices, TIPO has proposed draft amendments to both the Patent Act and the Trademark Act. These were announced on December 30, 2020, and January 7, 2021, respectively. The proposed changes were devised with reference to the legal systems of other countries such as Japan, the United States, and Germany. To protect the right to legal remedy and improve its effectiveness, the amendments obligate TIPO to set up a Patent and Trademark Trial and Appeal Board and strengthen its review procedures. This will allow for review decisions to be appealed to court directly, without having to first go through an administrative appeal via the Petitions and Appeals Committee, MOEA. Also, the appeal procedure shall no longer follow the administrative litigation process, but will instead take the form of civil litigation.

To collect the public’s feedback on the amendments, TIPO held three public hearings in Taipei, Kaohsiung, and Taichung on January 19, 25, and 29, respectively. A total of 341 patent attorneys, lawyers, and intellectual property practitioners attended the public hearings. Many valuable opinions were put forward during the meetings, which TIPO will take into consideration.

Draft Amendments to the Patent Act (Mandarin):

<https://www.tipo.gov.tw/tw/cp-86-884440-8199b-1.html>

Draft Amendments to the Trademark Act (Mandarin):

<https://www.tipo.gov.tw/tw/cp-85-884499-aa760-1.html>

5. TIPO to Mark 2021 World Intellectual Property Day With IPR Symposium for SMEs

April 26 is World Intellectual Property Day. Since 2001, countries all over the world have been marking this day by organizing special events around a general theme set by the World Intellectual Property Organization (WIPO). The events are aimed at raising awareness of how IPR can drive innovation and support creativity. WIPO's theme for 2021 is "IP & SMEs: Taking your ideas to market."

In celebration, TIPO is teaming up with the Small and Medium Enterprise Administration (SMEA) to organize a symposium entitled "Intellectual Property Rights and SMEs: When Creativity Enters the Market, Dreams are Realized." Small and medium-sized enterprises from all over Taiwan will be invited to take part in the symposium on April 26, where they will have the opportunity to discuss a variety of issues pertaining to intellectual property rights, i.e., patents, trademarks, copyright, and trade secrets. The SMEA has also asked industry experts to give talks on how SMEs can enter a market and thrive. TIPO hopes that, through the symposium, SMEs will gain a better understanding of intellectual property rights, allowing them to boost their competitiveness.

6. TIPO Holds the Seminars on Increasing Patent Capacity and

Values in 2021.

In order to strengthen SMEs' patent knowledge and to improve the quality of patent applications, TIPO provides the Seminars on Increasing Patent Capacity and Values. The assigned lecturers by TIPO will customize the seminars to suit SMEs' needs regarding patent regime, application strategies, or examination practices. The aim here is to help companies expand their patent knowledge and enhance their patent portfolio, which in turn strengthens corporate competitiveness.

TIPO will consider the number of patent applications filed by each enterprise when determining an order of priority, after which it will get in touch to plan classes. The seminar service will be available from April to October, with lectures taking place during working hours (between Monday and Friday) and lasting a total of three hours each. The venue and all necessary equipment should be provided by the enterprises themselves. In all, 35 sessions are set to be scheduled.

7. TIPA's IP Professional Courses

To enhance the professional competence of intellectual property practitioners, TIPO has entrusted the Taiwan Intellectual Property Training Academy (TIPA) from the Graduate Institute of Interdisciplinary Legal Studies, College of Law, National Taiwan University, to provide training courses for intellectual property professionals. The registration process has already begun, and the classes will start in March. We welcome attendance from people in any industry.

The classes offered this year will focus on professional needs, and the course contents will be brought even further in line with those areas covered by the certification exams. As for the lectures, these will be given by professionals from the world of academia, industry, and government, all of whom possess ample experience and theoretical knowledge. Whether the goal is to enter the field of IP, gain a first-hand understanding of IP practices and principles, or just take up further studies, these courses will greatly enhance participants' professional ability regarding intellectual property.

8. TIPO Completes Patent Portfolio Analysis of High-End Printed Circuit Boards and 5G Small Cells

To assist domestic enterprises in building their patent portfolio and effectively seizing business opportunities, TIPO commissioned the Patent Search Center to conduct an industry patent analysis, and completed two analysis reports in 2020, namely the “Patent Portfolio Analysis of High-End Printed Circuit Boards” and the “Patent Portfolio Analysis of 5G Small Cells.” The full reports in Chinese can be downloaded via the link on the Patent Search Center's website.

Summary Report of Patent Portfolio Analysis of High-End Printed Circuit Boards (Mandarin):

<https://www.tipo.gov.tw/tw/dl-276638-17301fe8a8694baf99780b9c9f5890fb.html>

Summary Report of Patent Portfolio Analysis of 5G Small Cells (Mandarin):

<https://www.tipo.gov.tw/tw/dl-276639-b2d27f06c694421fb2392ed4660088ae.html>

Latest Announcements from the Official Website of the Patent Search Center (Mandarin):

https://www.psc.org.tw/TC/news_inner.aspx?cid=60&cchk=da6e0208-aa5c-4621-9dc9-036d5fa5b553&id=141&chk=1421affd-8943-475a-a6dd-639ed128af7c¶m=pn%3d1

9. Ministry of Education's Dedicated Email Service for TANet

The Ministry of Education has established a mechanism for reporting suspected cases of intellectual property infringement in colleges and universities. In addition, it provides the Taiwan Academic Network (TANet) with a dedicated email service (abuse@moe.edu.tw) that allows right holders to report links to foreign textbook piracy websites on the network. Four reports were made in this quarter and TANet's access to the piracy websites was blocked accordingly following confirmation from the Ministry

10. Council of Indigenous Peoples Implements *Protection Act for the Traditional Intellectual Creations of Indigenous Peoples*

Since the Protection Act for the Traditional Intellectual Creations of Indigenous Peoples took effect in 2015, the Council of Indigenous Peoples has so far received 148 applications for grant of exclusive

rights, which then were merged into 120 applications. Except that 7 applications were withdrawn and 5 applications were dismissed, 80 applications were concluded in total. Among these 80 concluded applications, 76 applications were approved for grant of exclusive rights, whereas 4 applications were not approved. Thus, the proportion of concluded applications reached 74%.

Law Enforcement Results and Statistics

The National Police Agency of the Ministry of the Interior

Law Enforcement Results

From January to March 2021, a total of 412 copyright infringement cases involving 596 suspects were recorded. 490 trademark infringement cases involving 604 suspects were also recorded, as were 4 trade secret violation cases involving 8 suspects. In all, there were 906 cases involving 1,208 suspects. The cases were subsequently referred to district procurators offices for further investigation.

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

Unit : case/person

| Year | Total | | Trademark | | Copyright | | | Trade Secret | |
|------------------------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|------------------------|--------------|-----------------|
| | 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 |
| 2021 Jan.-Mar. | 906 | 1,208 | 490 | 604 | 412 | 596 | 0 | 4 | 8 |
| 2020 Jan.-Mar. | 845 | 1,002 | 477 | 553 | 364 | 437 | 43 | 4 | 12 |
| 增減率% Percentage Change | 7.22% | 20.56% | 2.73% | 9.22% | 13.19% | 36.38% | -100.00% | 0.00% | -33.33% |

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

Taiwan High Prosecutors Office (THPO)

Law Enforcement Results

- From January to March 2021, District Prosecutors Offices investigated and closed a total of 603 cases of IPR infringement, involving 669 suspects. Among these, 153 suspects from 116 cases were indicted under a regular proceeding; 207 suspects from 196 cases were requested a motion for summary judgment; 260 suspects from 246 cases were granted deferred prosecutions; and 49 suspects from 45 cases were not prosecuted on ex officio grounds. In total, 256 suspects were convicted during the said period, resulting in a conviction rate of 91.76%.
- Comparing these statistics with those of the same period last year (2020), we find that the number of suspects indicted (including those who had their cases decided using a summary proceeding) in 2021 stood at 360, which is the same as the same period last year. The

number of suspects convicted was 256, which is lower (13 suspects, 4.83%) than the same period last year.

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

Unit: person

| Area of infringement | Year | Results of Court Rulings | | | | | | | | | | | | |
|----------------------|-------------------|--------------------------|----------|----------------|-------------|-------------|----------------|-----------|---------|----------|-----------|-------------------|-------------|--------|
| | | Total | Sentence | | | | | | | Remitted | Acquitted | Not to Prosecuted | Turned down | Others |
| | | | Subtotal | Under 6 Months | 6-12 Months | 1-2 Year(s) | Over 2 year(s) | Detention | Fines | | | | | |
| Total | Jan.-Mar. 2021 | 341 | 256 | 96 | 0 | 1 | - | 155 | 4 | - | 23 | 4 | 58 | - |
| | Jan.-Mar. 2020 | 347 | 269 | 90 | 4 | 7 | - | 153 | 15 | - | 24 | 5 | 49 | - |
| | Percentage Change | -1.73% | -4.83% | 6.67% | -100.00% | -85.71% | - | 1.31% | -73.33% | - | -4.17% | -20.00% | 18.37% | - |

Source: Taiwan High Prosecutors Office

- In response of the evolving of digital textbook piracy, at “The Working Group Meeting on the Coordination and Supervision of Investigations Relating to Intellectual Property Rights” held by the Taiwan High Prosecutors office in November 2020, the law enforcement agencies were asked to make an effort in this regard and extend their investigation areas, including but not limited to the photocopy shops around colleges and universities as well as not limiting to hard copy textbooks. In Q1 2021, 8 suspects from 4 cases was discovered; textbooks, host computers, USB drivers, CD-ROMs and hard copies of quiz questions were sized as well.

The Customs Administration

Law Enforcement Result

1. The Customs Administration 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”. From January to March, 66 cases of imported goods accused of trademark infringement were discovered and 4,907 infringing items were seized.
2. From January to March, the Customs Administration received 12 applications from trademark owners for advice protection; 35 requests for extending the terms for advice protection, and 120 requests for updating/supplementing documents and other matters, adding up to a total of 167 applications.
3. In January, Taipei Customs intercepted 7 express delivery imports of counterfeit handbags bearing Louis Vuitton’s trademarks, and 232 counterfeit pairs of shoes and trousers bearing NIKE or Adidas’s trademarks. The items in question have all been seized.
4. In January, Keelung Customs intercepted 338 standard shipping imports of counterfeit thermos bottles bearing THERMOS’s trademarks, 58 counterfeit jackets bearing The North Face’s trademarks and a total of 16 counterfeit bags

bearing Hermes, CHANEL, Longchamp or Gucci's trademarks. The items in question have all been seized.

Ministry of Justice Investigation Bureau

Law Enforcement Result

In Q1 2021, 30 suspects in 11 cases were busted for IPR infringements. They were all sent to district procurators offices for investigation. Among them, 5 suspects from 2 cases, 2 suspects from 2 cases, 23 suspects from 7 cases were busted for copyright infringement, trademark infringement and trade secrets violation respectively.

International Exchange and Cooperation

The Customs Administration

- (1) The Customs Administration continues to exchange information on counterfeiting cases with its global counterparts. From January to March 2021, it provided customs authorities in other countries with leads on 12 different counterfeiting cases.
- (2) On January 21, Director of the Economic Affairs Department of the Japan–Taiwan Exchange Association's Taipei Office, Tomohiro Nakane, visited the Customs Administration in an effort to strengthen exchange and cooperation on the business of intellectual property rights protection between the two sides.

IPR Awareness Campaigns

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

In Q1 2021, the Second Special Police Corps visited 45 companies. In addition to providing information related to trade secret protection, they assisted in examining confidentiality measures and also conducted 45 courses on the Trade Secrets Act.

2. The Customs Administration

Keelung Customs held seminars in February and March to promote border-related measures as well as IPR related laws and regulations for relevant Customs brokers.

3. Ministry of Justice Investigation Bureau

As trade secret infringement cases are incorporated into one of its tasks for fighting against corporate corruption, the Investigation Bureau proactively work with the enterprises and establish partnerships with them. In Q1, officers from the Investigation Bureau were sent or invited to various industry and commerce organizations and corporate groups to exchange experiences with the business owners, managers, legal personnel, auditors and employees. Actual cases were used to remind participants of trade secret protection. A total of 45 sessions were conducted; 72 enterprises and 2,424 participants joined in.

4. Intellectual Property Branch, Taiwan High Prosecutors Office

In order to enhance the awareness of trade secret protection and maintain the competitiveness of high-tech industries, the Intellectual Property Branch - Taiwan High Prosecutors Office, Hsinchu District Prosecutors Office and the Allied Association for Science Park Industries jointly organized the "Symposium on Trade Secrets" on March 12 and exchanged opinions with the participants.

The prosecutors conducted the seminars on the "Determination of Criminal Charges against Former Employees for Trade Secret Infringement and Their Advantages and Disadvantage" and "Trade Secret Protection and Crisis Management". The Symposium was well received and participants engaged enthusiastically.

5. Council of Indigenous Peoples

- (1) 26 universities and colleges approved by "Indigenous Peoples Traditional Intellectual and Creations Talent Cultivation Plan for the Academic Year 2020" (the plan is from September 1, 2020 to June 30, 2021) have provided serial lectures, intensive courses or credit courses in the second semester beginning in February. It hopes to strengthen the cognition of protection act for the traditional intellectual creations of indigenous peoples for university and college students.
- (2) The Council of Indigenous People and Taitung Lanyu Township Office jointly organized the public communication campaign on March 6 to deliver a lecture regarding the Traditional Intellectual Creations of Indigenous Peoples Common Fund Management

Committee and its authorizing practices. In addition, The Council of Indigenous People participated in the seminar held by Hualien Xiulin Township Office to give a lecture on the protection for the traditional intellectual creations of indigenous peoples.

These two lectures helped to enhance the awareness of protection and practices for the traditional intellectual creations of indigenous peoples as well as applying them to promote related activities for indigenous people, applicants applying for traditional intellectual creations as well as those who promote the protection act for the traditional intellectual creations of indigenous peoples.

6. Ministry of Education

To continue enhancing copyright awareness on campus, the Ministry of Education in February asked all public and private universities and colleges to enhance the promotion of "Guide to Copyright Basics for Teachers" produced by TIPO as well as reminding students of using genuine textbooks (including second-hand books) as opposed to copying, scanning or downloading written works or materials without authorization.

7. TIPO

TIPO collaborated on the “Executive Yuan Startup Base” project with the Small and Medium Enterprise Administration (SMEA). The first public communication campaign on IPR protection was held at the Taiwan Startup Hub on March 18, focusing on two main topics of “The

Concept of Trademark Protection” and “Guidelines for Filing Trademark Applications”. More than 80 participated in both on-site and online. Lecturers also assisted on-site participants to evaluate their trademark applications. TIPO hopes that this series of campaigns will help startups establish the correct concept of protecting their intellectual property rights.