



經濟部智慧財產局

INTELLECTUAL PROPERTY OFFICE

MINISTRY OF ECONOMIC AFFAIRS

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# Quarterly Report on Intellectual Property Rights Protection in Taiwan

*In hopes of enhancing patent cooperation, on October 30th 2019, Taiwan and Japan signed the MoUs on Patent Prosecution Highway (PPH) and on Design Patent Priority Document Exchange (PDX). Through the two cooperative programs, TIPO and the JPO will facilitate more efficient and convenient services for applicants. TIPO also hopes to support relevant domestic industries to further develop their international competitiveness and that more applicants could be benefited.*

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## Special Report

### Strengthening Patent Examination cooperation, Taiwan and Japan sign two MOUs

On October 30, 2019, the Taiwan-Japan Relations Association and the Japan-Taiwan Exchange Association signed the MoUs on Patent Prosecution Highway (PPH) and on Design Patent Priority Document Exchange (PDX). Through the two cooperative programs, TIPO and the JPO will facilitate more efficient and convenient services for applicants.

In May 2012, TIPO and the JPO launched the PPH pilot program, which was then modified to be PPH MOTTAINAI in 2014 and was extended for three years in 2017. As of the end of September 2019, TIPO had received 3,426 requests for expedited examination under the PPH Program, outnumbering other five ongoing PPH programs TIPO is currently partnering with. In addition, the pilot program remarkably sped up examination process, with first OA pendency averaging at 1.21 months and disposal at 3.77 months, respectively. In view of its excellent performance, TIPO and the JPO agreed that following the expiry of the pilot program, a permanent PPH program will replace it, starting on May 1, 2020. This permanent program is aimed at continuing to provide applicants with stable and convenient PPH services.

Moreover, Taiwan and Japan in 2013 signed an MoU on PDX to facilitate electronic exchange of priority documents for invention and utility model patent applications. Since its launch, the PDX has been widely used by respective applicants. To expand the current scope of electronic exchange, TIPO and the JPO have decided to incorporate design patent priority documents. Once implemented, it will save applicants' time on mailing paperwork, streamline cross-country application procedures, as well as make the exchange mechanism for priority documents more comprehensive. In the meantime, relevant IT systems on both ends are being developed and tested. The service is estimated to be officially launched in April 2021.

Taiwan and Japan have been in close bilateral economic and trade relations. Japan tops all the other foreign countries in the number of patent applications filed with TIPO. Last year (2018), that number stood at 14,169. Of these, the numbers of invention and design patent applications respectively stood at 12,871 and 1,224, both also topping other countries. On the other hand, the number of patent applications filed annually with the JPO by Taiwanese applicants is close to 3,000. Through the above two cooperative programs, TIPO hopes to support relevant domestic industries to further develop their international competitiveness and that more applicants could be benefited.

## Legislative Amendments

### 1. The Legislative Yuan passes the Trade Secret Act that introduces a confidentiality order for the investigation system

On December 31, 2019, Taiwan's Legislative Yuan passed the partial amendment to the Trade Secrets Act. This amendment introduces an "investigation confidentiality protective order" system to strengthen protection of trade secrets during investigation proceedings. A person who violates a confidentiality protective order shall be liable to imprisonment for a maximum of three years. The new law will prevent trade secret leak during investigation, increase corporations' willingness to file a lawsuit, and enable prosecutors to effectively and quickly conclude their investigations. This amendment also increases protection of foreigners' trade secrets, so as to attract foreign investment and boost business development. For example, an unrecognized foreign juristic person may file a complaint, initiate a private prosecution, or institute a civil lawsuit. Below are key points of the "investigation confidentiality protective order" system:

- I. A prosecutor may, if she/he deems it necessary, issue an investigation confidentiality protective order ex officio during the investigation.
- II. A person subject to a confidentiality protective order shall not use the investigation information for purposes other than the investigation, or disclose such information to any person not subject to a confidentiality order.
- III. An investigation confidentiality protective order shall be issued in writing or verbally, and a trade secret owner shall be afforded an opportunity to make observations. Procedures to cancel or change a confidentiality protective order, and the relation between a confidentiality protective order and a court order to preserve confidentiality, are also stipulated.
- IV. A person violating an investigation confidentiality protective order shall be liable to imprisonment for a period not exceeding three years, and/or a fine not exceeding NT\$1 million.

### 2. Amendments to the Patent Act, the Enforcement Rules of the Patent Act and the Regulations of Patent Fees entered into force on November 1, 2019

The amendments to the Patent Act released on May 1, 2019 entered into force on November 1, 2019. Consequently, amendments to the Enforcement Rules of the Patent Act and the Regulations of Patent Fees were also released on September 27, and became effective on November 1 as well. The key points of the amendments to the two auxiliary rules / regulations are as follows:

- I. Enforcement Rules of the Patent Act
  - i. Article 29 is deleted, since its content is now specified in Paragraphs 6 and 7, Article 34 of the Patent Act. (Article 29 was amended)
  - ii. Article 89-1 will stipulate the threshold for evaluating whether certain patent files are worthy of preservation, in conjunction with Paragraph 1, Article 143 of the Patent Act, which specifies that patent files deemed worth preserving by the Specific Patent Agency shall be permanently kept. (Article 89-1 was amended)
- II. Regulations of Patent Fees

Prior to the implementation of the amendments of the Patent Act, according to Article 118 of the Patent Act, in terms of post-grant amendment requests of utility model patents, substantive examination would be adopted during invalidation proceedings, while formality examination would be adopted in all other cases. Thus, according to Article 5 of the Regulations of Patent Fees, when it comes to post-grant amendment requests of utility model patents, an NT\$1,000 and an NT\$2,000 fee would respectively apply alongside formality examination and substantive examination. Based on Article 118 of the amended Patent Act, however, in terms of post-grant amendment requests of utility model patents, substantive examination shall be adopted under all circumstances. Thus, the amended Article 5 of the Regulations of Patent Fees stipulates that the fee for utility model patents is now a unified NT\$2,000. (Article 5 was amended)

### 3. TIPO inquires opinions from the public about the draft amendments to the Copyright Collective Management Organization Act at [join.gov.tw](http://join.gov.tw)

Since the Copyright Collective Management Organization Act (hereinafter referred to as the Copyright CMO Act) came into force on February 10, 2010, a few problems have been spotted in terms of CMO good governance and the supervision and assistance of authorities in charge. To facilitate the operations of Taiwan's CMO system, after drawing opinions from society, TIPO drafted amendments to parts of the Copyright CMO Act and published them on October 16, 2019 at [join.gov.tw](http://join.gov.tw), where members of the public may express their views about the amendments. The points of the amendments are as follows. Your comments are welcomed.

#### I. About new CMOs:

According to the amendments, when applying for an establishment permit, the applicant must present the meeting notes and autograph books of promoters, the truthful information of the economic rights holder and relevant data, and the opinions which the would-be CMO has acquired from the public. The standard for negative qualifications of CMO promoters was modified.

## II.About CMO good governance:

- i.Added the rule which stipulates that CMOs should provide relevant information of the creations of its members to the public and review such creations accordingly. Also, set limits on the term and successive term of board directors and supervisors, as well as their negative qualifications.
- ii.Added the rules about implementing internal management measures of CMOs and the compilation of their financial statements. Such statements should be checked and verified by accountants and be available online for the public. The CMOs' revenues should be deposited in specified accounts with financial institutions, so as to maintain the transparency of the CMOs' finances and to ensure the rights of their members.

## III.About the supervision and counseling of the specialized agency in charge:

- i.Added the circumstances in which the specialized agency in charge of copyright matters may order a CMO to report on its handling of operations within a specific deadline, and instruct the CMO to provide a plan for improving its finances within a specific deadline. Added the rules for the agency to discharge CMO personnel who violate the laws at its discretion, as a part of the agency's supervision.
- ii.Added illustrative provisions of the CMOs that are incapable of effectively performing collective management services, the rules for punishing CMOs and their representatives or staff members who violate the Copyright CMO Act, and the complementary measures for CMO dissolution by order.

For more information (in Mandarin), please visit:

<https://join.gov.tw/policies/detail/02b9c42d-1c4f-4471-8628-3da9c6e5be69>

## 4.Amended chapter on medical-related inventions in the Patent Examination Guidelines came into force on January 1, 2020

Amendments to Chapter 13, Part 2, of the Patent Examination Guidelines (hereinafter referred to as "the Guideline") on medical-related inventions were published on November 5, 2019 and they came into force on January 1, 2020. The amendments were made to catch up with the fast-changing medical industry and the many types of medical-related inventions filed in Taiwan. Relevant court rulings and examination guidelines in the UK, Europe and Japan were taken into account to make the amendments, and new cases were added as explanatory supplements. On the clarity of claims, in practice, disputes concerning the explanation and applicability of the claims are common. This issue was addressed in the amendments, too. Considering the latest technological developments in the medical industry and the application and examination practices concerning medical inventions in Taiwan, other contents of the Guideline were also reviewed. Finally, TIPO adjusted the frameworks of certain parts of the Guideline, specified relevant rules, and modified a few descriptions as fit, to make the Guideline more complete.

The points of the amendments are as follows:

- I. Adjusted the content which is not consistent with that of the relevant chapters in the Guideline.
  - 2.2.1.1 in Paragraph 3 "its immediate purpose is to obtain the diagnostic result of a disease" did not conform with what's written in Chapter 2 on definitions and general rules, and therefore it was modified.
- II.The content of 2.2.1 "Claims Which Include Therapeutic and Non-therapeutic Methods" was adjusted and supplemented.

For the method patent applications which may bring about therapeutic and non-therapeutic results, TIPO drew references from the UK's examination guidelines and adjusted and added relevant content, listing seven types of commonly seen therapeutic and non-therapeutic methods.
- III.Amended the rules for writing Swiss-type claims.
- IV.Drew references from case examples in JPO's guidelines and added explanatory notes on cases which "may not be supported by specifications."
- V. Five cases of novelty were added, respectively relating to new medical use, new dosage regimen, new modes of administration, specific groups of patients, intervals of administration and the order for taking different kinds of medicine.
- VI.A statement on the non-inventiveness of hydrates was added.
- VII.Five cases with inventive steps were added, including two cases of dosage, one case about specific types of patients, one case about the relevance of pharmacological action, and one case about treating diseases which have the same causative factors.
- VIII.Others, such as revising contents of some cases, deleting non-relevant information, adjusting the frameworks of certain chapters, and specifying relevant rules and modifying a few descriptions, were made.

For more information (in Mandarin), please visit:

<https://www.tipo.gov.tw/tw/cp-86-803013-9d310-1.html>

## 5.Revision to the referenced list of the designated goods/services in the trademark registration system

In conjunction with the modification to 11th edition of the Nice Classification, an international classification of goods and services, in terms of the list of the designated goods/services in trademark application cases, a total of 284 items were added, 17 items were deleted, and 22 items of groups/sub-groups and notes were revised.

The aforementioned amendments just came into force on January 1, 2020. The "list of the designated goods/services" in TIPO's electronic trademark registration system was also renewed.

We suggest those who apply to register their trademarks electronically on January 1, 2020 and after download the latest registration forms and examine them carefully. If there are discrepancies relating to the names of the designated goods/services between the lists delivered electronically and in the paper form, an NT\$300 fee waiver might not apply.

For more information (in Mandarin), please visit:

<https://www.tipo.gov.tw/tw/dl-253979-f69d52471cb047ffa912dcceb5e821c0.html>

## Latest News

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### 1.“Celebrate TIPO's 20th Anniversary” is publishing

TIPO is 20 years old!

In the past 20 years, in response to technological advancement and an ever-evolving global IP environment, TIPO has carried out various law amendments and actively collaborated with its international counterparts. It has also devoted to improving public services, such as enhancing examination efficacy, offering services online, and setting up local offices. After two decades of hard work and with generous support from society, TIPO has successfully brought Taiwan's IP system up to a global level.

In celebration of TIPO's glorious 20-year history, "Celebrating TIPO's 20th Anniversary," a special publication, has been released. All members of society are encouraged to browse it.

For more information (in Mandarin), please visit:

Download the PDF version of "Celebrating TIPO's 20th Anniversary" at: <https://www.tipo.gov.tw/tw/np-175-1.html>

The electronic version of "Celebrating TIPO's 20th Anniversary":

<https://pcm.tipo.gov.tw/PCM2010/PCM/ebook/special/mobile/index.html>

### 2.Guidebook for Trade Secret Protection 2.0

To help companies establish thorough mechanisms for protecting trade secrets, previously in 2013, TIPO already published the Guidebook for Trade Secret Protection. Six years have passed since then, and corporations have accumulated many

more experiences in this field. What's more, the guide needs a few amendments in order to catch up with the latest trends. TIPO therefore released the Guidebook for Trade Secret Protection 2.0 for companies to use. The points of the latest amendments are as follows:

- I. The implementation procedures of reasonable confidentiality measures being a main focus, the guide takes into account relevant court rulings to advise companies on how to set up such confidentiality measures.
- II. Included actual litigation practices and the strategies which companies may take to help judicial officials with judicial investigations.
- III. In the Q&A session, added notes for assessing trade secret protection, the timing for carrying out such protection, and the ways to fulfill relevant duties.

For more information (in Mandarin), please visit:

<https://www.tipo.gov.tw/tw/dl-254028-54154bdd6d20450099d6501258b531d0.html>

### **3. Feel free to utilize our Compilation of the Important Court Rulings on Trade Secret Cases**

Trade secret protection is becoming increasingly important. To assist businesses in catching up with Taiwan's relevant judicial practices and trends, TIPO studied the civil and criminal cases relating to trade secrets from January 1, 2011 to June 30, 2019 from the courts of all levels and drew references from the Intellectual Property Court. A total of 76 cases, 57 civil and 18 criminal, were selected for making excerpts. Such include the legal battle between Largan Precision Co. and Ability Opto-Electronics Technology Co., the dispute about a cleanroom suit patent between ASE Inc. and its supplier, and a case about trade secret protection for Dairen Chemical Corp. Based on topics such as the three elements of trade secret; the civil liability, criminal liability, and evidence-keeping procedures for trade secret infringement; and confidentiality orders, TIPO has also created a compilation of the important court rulings on trade secret cases in Taiwan. The content of the compiled cases is available in the section on trade secret protection at TIPO's website. All members of society are encouraged to utilize it.

For more information (in Mandarin), please visit:

<https://www.tipo.gov.tw/tw/cp-12-859444-73285-1.html>

### **4. TIPO publishes a study on AI patent applications in Taiwan and reasons for rejections**

After decades of development, artificial intelligence (AI) is ready to carry out tasks which could only be done by humans previously, such as playing chess and handwriting recognition. Researchers continue to develop applications and this shall comprehensively change the ways we work, learn, have fun, and interact with one another.

The study aimed to learn about the application circumstances of AI-related patents in Taiwan. It analyzed the much discussed tech trends among industries, the functions and types of the technologies in question, and the fields which they might apply to. Also, questions and suggestions on patent examination practices were reviewed. Applicants in the AI field are especially encouraged to utilize the results.

For more information (in Mandarin), please visit:

<https://www.tipo.gov.tw/tw/dl-253935-66daeddeddc741a19ef1af79b94e0d36.html>

### **5. The 2019 TIPO International Intellectual Property Litigation Conference was a success**

TIPO and Judicial Yuan, Taiwan Intellectual Property Training Academy, and the Center for Law, Technology and Ethics of National Taiwan University held the 2019 TIPO International Intellectual Property Litigation Conference on Patent Invalidation Litigation on November 8. IP experts from the United States, Germany, Japan and South Korea were invited to give lectures at the conference, and shared their observations of and experiences in patent and trademark invalidation procedures and practices from each country's perspectives. A total of 245 people were drawn to attend this highly informative event, and they all gained a clearer picture of patent and trademark invalidation procedures and practices in other countries through the insights shared by the participating lecturers, attorneys, and court judges. Such insights can well serve as references for law amendments in Taiwan in the near future, too. TIPO looks forward to building a mechanism which not only abides by the laws but also suits the industry's needs.

### **6. The 2019 Advanced Technologies and Music Licensing Trends Symposium was held**

On December 10, 2019, TIPO held the Advanced Technologies and Music Licensing Trends Symposium at its activity hall on 18F. At the symposium, experts from internationally renowned collective management organization – Japanese Society for Rights of Authors, Composers and Publishers (JASRAC) – shared their insights on the Music Modernization Act in the US and its influence on copyright management in multi-territorial licensing in the Asia-Pacific region, as well as music copyright administration using advanced technologies. The event aimed to help music professionals and fans of music to learn more about digital music licensing and management, as well as rights management of emerging technology applications by international collective management groups. A total of 118 members of the public attended the event.

### **7. The 2019 TIPO 20th Anniversary Celebrations and Seminar on the Copyright Act – the Past and the Future**

"The 2019 TIPO 20th Anniversary Celebrations and Seminar on the Copyright Act – the Past and the Future" was held on October 4 at the International Conferences Hall of Tsai Lecture Hall, National Taiwan University. Various scholars and experts, including attorney Yeh Chi-hsin, founder of Our Song Wu Po-tsang, IP Court Division-Chief Judge Tsai Hui-ju, attorney Lai Wen-Chi, associate professor Hsu Hsiao-fen, attorney Hsing Chiu-miao, associate professor Hu Hsin-lan, attorney Hsiao Hsiung-lin, and assistant professor Chang Chung-hsin were invited to give lectures for the occasion. The guests shared how the Copyright Act may respond and be applied to emerging technologies, cases of copyright litigation, and the past and future of copyright law amendments in EU, Japan, USA and Taiwan.

More than 300 representatives of public agencies, academic institutions and industry attended the event, and the lecturers were praised for their informative speeches. The audience also responded zealously. Other than introducing the evolutions of the Copyright Act to the public, the symposium successfully strengthened people's knowledge of copyright and related issues and made the copyright protection mechanism in Taiwan more complete. In all, the event helps to foster development of relevant industries.

### **8. The 2019 TIPO-CGPDTM Patent Examiner Exchange**

The 2nd TIPO-CGPDTM Patent Examiners Exchange took place from October 21 to 25, 2019 at the Taiwan Intellectual Property Office. With two assistant controllers from India's Office of the Controller General of Patents, Designs and Trade Marks attending the occasion, the participants exchanged their thoughts on the patent regimes and examination practices in Taiwan and India, as well as discussed a few cases.

The participants not only introduced their organizational structure, patent laws, patent regimes and examination practices, patent reexamination, invalidation and administrative remedies, but also discussed patent application cases in biomedical engineering, information communication technology, and computer implemented invention and software related inventions. A wide range of subjects includes search of prior art, scope of claims, specification formats, supplementary documents, requirements of accelerated examination, and patent eligibility were also covered. In addition, TIPO arranged visits to the Technology Transfer and Law Center of the Industrial Technology Research Institute and IC design industry for the Indian examiners to learn about ITRI's assistance to local firms in commercializing IPRs and the recent developments of Taiwan's IC design sector.

In 2018, TIPO sent patent examiners to India to exchange thoughts on the two sides' patent regimes and examination practices for the first time. Based on last year's achievements, this year, both sides had deep discussions on the administrative litigation regimes and examination practices on biomedical engineering, information communication technology, and computer science. The participants also shared opinions about the cases which they are interested in. The event was a success and both TIPO and the CGPDTM look forward to holding similar events in the future.

## 9.MOE sets up an email for reporting TANet-related IP infringement offences

The MOE has set up an email address (abuse@moe.edu.tw) for reporting TANet-related IP infringement offences. The Taiwan Book Publishers Association, a rights-holder group in Taiwan, has reported 2 times through the email in October and December, to ask the MOE to thwart access attempts through TANet to link to foreign infringing websites containing pirated textbooks. The MOE has responded and banned such access.

## Law Enforcement Results and Statistics

### The National Police Agency

#### 1.Law Enforcement Results

From October to December 2019, a total of 318 copyright infringement cases involving 363 suspects and worth NT\$ 1.86 billion; a total of 481 trademark infringement cases involving 563 suspects and worth NT\$ 938.05 million; and a total of 1 trade secret violation case involving 1 suspect and worth NT\$ 100,000, were recorded. In total, there were 800 IPR infringement cases involving 927 suspects, with the amount of money lost as a result reaching about NT\$ 2.79 billion. The abovementioned cases were later transferred to district prosecutors' offices for further investigation.

#### 2.Major Cases

The Criminal Investigation Brigade (CIBr) under the Second Special Police Corps discovered that a criminal group has been selling counterfeit goods on a webpage entitled "E.S. Whole Sale and Purchase Services." The group also allows non-specific members to place orders on the page. The group was even suspected of asking shipping companies to import on their behalf counterfeit goods such as 20 pairs of ADIDAS sneakers, as well as a total of 7,933 products with trademarks such as CHANEL, GUCCHI, MK, YSL and DIOR on them. The infringement incurred an NT\$58.67 million loss.

#### 3.International Exchange

- (1)On October 22, a Chanel manager responsible for protecting the brand online and Heng Ding Intellectual Property Agent Limited visited CIBr to discuss the fact that Chinese rogue sellers are now selling their counterfeit products to Taiwan through the infringing websites they have established in Europe and North America.
- (2)On November 19, the Content Overseas Distribution Association (CODA) and Taiwan OTT Association held an educational training with CIBr to strengthen police officers' ability of finding out counterfeit goods.
- (3)On November 27, React China and Heng Ding Intellectual Property Agent Limited held a professional training with CIBr, aiming to help law enforcement officers to learn to distinguish authentic goods from counterfeit goods, as well as the cracking down of trademark infringement. This shall enhance the knowledge needed for the officers to handle infringement cases more easily.
- (4)On December 25, Prada visited the CIBr and gave a briefing on the company's brand and trademark management.

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

Unit: case/person (Jan.-Dec. 2019)

Year	Total		Trademarks		Copyright		
	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of Cases	No. of Suspects	No. of CDs Confiscated
2019	3,774	4,410	2,000	2,364	1,774	2,046	134
2018	4,308	4,934	1,854	2,144	2,454	2,790	25,405
2019/2018 Percentage Change	-12.40	-10.62	7.87	10.26	-27.71	-26.67	-99.47

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

### Joint Optical Disk Enforcement Taskforce (JODE)

From January to December 2019, the Joint Optical Disk Enforcement Taskforce (JODE) of the Ministry of Economic Affairs has conducted a total of 255 inspections on OD factories, printing plate factories, and related facilities, 23 times less in comparison with the same period of time last year (278 times). The JODE also consulted law-abiding OD factories to establish an internal control and audit system and has carried out, during this period, 26 relevant documented audits in this regard. No major violation was found as a result.

#### JODE's Inspection Results

(Jan.-Dec. 2019)

	2018	2018	2019
		Jan.-Dec.	Jan.-Dec.
Number of Inspections	278	278	255
Audit/Consultation	30	30	26
Number of Cases Found Violating the Optical Disk Act	0	0	0
Number of Plants			
Manufacturing Plants	3	3	0
Closed			
Packaging Plants	0	0	0
Number of Cases Prosecuted	0	0	0
Number of Suspects Prosecuted	0	0	0
Number of Administrative Dispositions	0	0	0
Number of Machines Seized	0	0	0
Number of Illegal ODs (Pieces)	0	0	0

Source: The Joint Optical Disk Enforcement Taskforce (JODE), Ministry of Economic Affairs

### The Customs Administration

#### 1.Law Enforcement Results

- (1)The Customs Administration of the Ministry of Finance has been carrying out its duties regarding border protection 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. Results of the Customs Administration from October to December 2019 are listed as follows:

Oct.-Dec. 2019	Trademark Violations		Copyright Violations		False declaration of SID codes	False declaration of trademarks
	Exports	Imports	Exports	Imports		
No. of cases	0	38	0	0	5	47
No. of items	0	8,574	0	0	868	93,469

\* Here, "False Declaration of Trademarks" refers to failing to or untruthfully declared trademarks, as prescribed in paragraph 3, Article 17 of the Foreign Trade Act.  
Source: Customs Administration, Ministry of Finance

- (2)From October to December 2019, customs across Taiwan received a total of 17 requests for lodging advice on protecting trademark rights, 10 requests for extending the terms for advice on protecting trademark rights, and 78 requests for updating documents.

- (3)Taipei Custom: In October, a total of 200 counterfeit Dior sunglasses imported via express delivery were uncovered.  
 (4)Keelung Custom: In November, a total of 500 counterfeit REMAX data lines and a total of 600 WK data lines imported via sea freight were uncovered.  
 (5)Taipei Custom: In November, a total of 68 counterfeit APPLE AirPods imported via express delivery were uncovered.

## 2.International Exchanges

- (1)In November, the Customs Administration, Ministry of Finance and REACT, an international organization, held the “2019 Seminar on IPR Protection” together, leading the attendants to visit fashion brands, feel the real and counterfeit goods, and learn the skills for distinguishing them.  
 (2)As part of its efforts to continue exchange of information on counterfeiting with global counterparts, the Customs Administration from October to December provided 5 pieces of information for customs authorities of other countries.

## The Taiwan High Prosecutors Office (THPO)

### 1.Court Rulings

From October to December 2019, the District Prosecutors Offices in Taiwan have investigated and closed a total of 646 cases suspected of IPR infringement, involving 738 suspects. Among them, 270 suspects in 200 cases were indicted under ordinary procedures; 216 suspects in 208 cases had their cases heard in a summary judgment; 214 suspects in 202 cases were granted a deferred prosecution; and 38 suspects in 36 cases were not indicted on ex officio grounds. In total, 176 people were convicted guilty by the court during this period, resulting in a conviction rate of 90.26%.

In comparison with statistics from the same period of time last year, the number of suspects indicted (including those applied to have their cases heard in a summary judgment) in 2019 stood at 486, while that in 2018 reached 411, resulting in an 18.25% year-on-year increase. With regard to the number of suspects convicted, the figure stood at 196 in 2018, and 176 in 2019, representing a 10.20% year-on-year decrease.

### Status of adjudication of Taiwan District Courts on IPR infringement cases unit: person

Categories	Year	Results of Court Rulings													
		Total	Sentences								Exemption	Not Guilty	Not Prosecutable	Case Declined	Others
			Subtotal	Under 6 Months	6-12 Months	1-2 Year(s)	2-3 Years	Over 3 Years	Detention	Fines					
Total	Jan.-Dec. 2019	1,027	709	233	3	3	-	-	437	33	-	69	1	248	-
	Jan.-Dec. 2018	1,149	823	289	11	6	1	-	471	45	-	88	3	232	-
	YoY %	-10.62	-13.85	-19.38	-72.73	-50	-100	-	-7.22	-26.67	-	-21.59	-66.67	6.9	-

Source: Taiwan High Prosecutors' Office

## IPR Awareness Campaigns

### 1.1.National Policy Agency of the Ministry of the Interior conducts awareness campaigns on laws and regulations

In the fourth quarter of 2019, the Criminal Investigation Brigade (CIBr) under the Second Special Police Corps visited a total of 73 companies. The CIBr provided information relating to trade secret laws, assisted in examining confidentiality measures, and conducted 52 courses on trade secret laws.

### 2.MOFA advocates IPR protection

At Taiwan Today, an electronic newspaper, a total of 3 articles on Taiwan's IPR policies were published, in languages such as French and Spanish.

### 3.The Council of Indigenous Peoples holds IPR protection education campaigns

- (1)Under the “2019 Talent Cultivation Program for Protecting Traditional Intellectual Creations of Indigenous Peoples,” a total of 15 universities and colleges held lectures, regular courses, and credit courses in the first semester of a year. All work was completed by end of December.  
 (2)Under the “2019 Talent Cultivation Program for Protecting Traditional Intellectual Creations of Indigenous Peoples,” starting from October 24, two animations respectively entitled “School for Protecting Traditional Intellectual Creations” and “Respecting Traditional Intellectual Creations” were broadcasted on a digital video platform. Also, an advertisement entitled “Sustainable Uses” was released online on November 1 to promote respect for traditional intellectual creations of indigenous peoples – acquisition of licenses is necessary and appropriate uses, too.

### 4.MOE IPR protection education campaigns

“Workshop on Matchmaking Industry and Academia in the Cultural and Creative Sector and IP Practices” and “Forum on the Going-Global of the Cultural and Creative Sector and Related IP Issues” were held respectively on October 26 and November 15, in hopes of strengthening IPR-related knowledge in the field of law for students majoring in art and related subjects.

### 5.MOEA holds IPR protection education campaigns

- (1)IPR awareness lecture series  
 To strengthen the public's IPR awareness, TIPO in April began officially accepting registration for the 2019 IPR protection service group lecture series. Corporations, civil groups, and schools of all levels are eligible to register, and, once approved, on-site lectures on issues of interest (including patent, trademark, copyright, and trade secrets) along with consultation will be arranged free of charge. From October to December, 36 lectures had been organized.  
 (2)Copyright explanation events  
 On the popular copyright issues in recent years, TIPO on October 25 held explanation events on “copyright issues for online creations (such as home-made short videos)” in Kaohsiung as attended by 113 members of the public.  
 (3)The IPR on the Campus Task Force  
 From October to December 2019, the IPR on the Campus Task Force, a group composed of 172 seed instructors from 29 universities, visited 36 elementary, junior and senior high schools, as well as vocational schools, to promote the concept of IPR protection, by fun, lively group activities. A total of 2,803 students took part in these events. A subsequent survey shows that, more than 80 percent of the students learned that sound or video recording, digital scanning, and photocopying are all considered as “reproduction” prescribed in the Copyright Act. More than 90 percent of them said that they know that uploading newly released movies to the Internet with P2P software or photocopying an entire textbook in separate times (even if not in one go) has constituted an infringement of copyright.  
 (4)Internet copyright awareness activities  
 I.To quickly disseminate awareness information through the Internet, from October 31 to November 10 and on December 6, TIPO held the following two online promotional events as attended by more than 3,500 fans, “Copyright II – Maneuvering Your Rights” (an online Q&A / prize draw) and “Copyright III – Live Streaming on Copyright Cases by Lawyers.”  
 II.TIPO continued to operate the “Let's Support Original Works” fan page on Facebook, and produced a total of 11 awareness comics and videos on “fetching YouTube clips and uploading them to the Internet,” “questions about making cosplay costumes,” “ways to properly utilize campus-performing music,” and “creating and selling stickers copied from painting masterpieces.” From October to December, TIPO uploaded 61 messages, answered 9 questions on Internet copyright, and received 2,600 new fans at the fan page.