



Please rest assured that Taiwan IPO and our firm have been maintaining normal operation as the coronavirus pandemic spreads throughout the world.

When faced with the severe global health crisis triggered by the pandemic, please take good care of your health and stay healthy.

## **TIPLO News**

**NOVEMBER 2021 (E264)**

*This news mail distributed in Japanese and English from time to time provides updates on the development of law in Taiwan with focus on intellectual property rights law. For more information about the status of intellectual property right protection and practice in Taiwan, please visit our website [www.tiplo.com.tw](http://www.tiplo.com.tw)*

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### **E211027Y1**

#### **01 Industry Collaborative Patent Interview Pilot Program takes effect as of November 1, 2021**

For enabling patent examiners to promptly grasp the technical content of the patent applications for advanced technologies and for enhancing patent examination efficiency and quality and also for satisfying applicants' needs for prompt patent granting to avail their patent portfolio building, Taiwan IPO formulated the Industry Collaborative Patent Interview Pilot Program and announced that the trial implementation of this program began from November 1, 2021 for one year. Taiwan IPO will evaluate the result of trial implementation and decide whether to renew or terminate this program after the trial period.

1. Applicants eligible for the program: The applicants of patent applications for inventions pertaining to advanced technology who have been notified by Taiwan IPO of a substantive examination but have not received office action or a written decision of patent examination.

2. Scope of advanced technologies: Advanced technologies under this program refer to stem cell regenerative medicine, medical care informatics, micro-LED display, quantum dots solar cells, neural network, quantum information, quantum computer, 3nm semiconductor manufacturing process, sophistication of chip packaging probe, twisted bilayer grapheme, third-generation semiconductor materials, artificial intelligence, Internet of Things, big data, blockchain, 3D printing, 5G mobile communication technology, and any other technologies decided individually by patent examiners. Please refer to Taiwan IPO's website for details of this program through the link <https://www.tipo.gov.tw/tw/cp-85-897801-406fd-1.html> (Released 2021.10.27)

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### **E211013Y1**

#### **02 Taiwan Supreme Court dismissed Phoenix Silicon's appeal for patent infringement case against Integrated Service Technology**

In September 2019, Phoenix Silicon International Corporation (hereinafter referred to as "Phoenix Silicon") filed a lawsuit with the Taiwan IP Court, alleging that Integrated Service Technology (hereinafter referred to as "IST") infringed upon its No. I588880 patent titled "manufacturing process of wafer thinning". In June 2020, the IP Court rendered a judgment finding Phoenix Silicon's patent invalid in the first instance proceedings, against which Phoenix Silicon filed an appeal. In May 2021, the IP Court adjudicated on this case to affirm the invalidity of Phoenix Silicon's patent in the second instance proceedings. Hence, this case was brought to the Supreme Court upon Phoenix Silicon's appeal

The Supreme Court dismissed Phoenix Silicon's appeal on the ground that Phoenix Silicon failed to appeal this case in accordance with legal procedure. Also, the Supreme Court again sustained and affirmed the IP Court's second-instance decision that Phoenix Silicon's No. I588880 patent lacks inventive step, and thus, should be held invalid on the grounds that the patent can be easily made by a person having ordinary skill in the art and Phoenix Silicon had admitted its patent as prior art during the second instance proceedings. With entry of the Supreme Court judgment, this case has been finalized and Phoenix Silicon shall file no more appeal. (Released 2021.10.13)

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**E211006Y1**

**E211006Y2**

**03 Statistics on Taiwanese patent and trademark applications received by IP5 and TM5 in 2020**

COVID-19 pandemic has been raging around the world to wreak dreadful havoc on global economic activities and consumption. Spread of the pandemic triggers and speeds up the digital transformation of the industries in many countries and causes the five major patent and trademark offices to elevate with full blast the competitive advantages and IP strategic positioning of their respective countries (regions). As revealed in the 2020 statistics released by the USPTO, JPO, EPO/EUIPO, KIPO, and CNIPA, except for CNIPA and KIPO, the other three offices had received fewer invention patent applications throughout 2020, while there had been an overall increase in the number of design patent applications. Trademark registration applications also saw their growth except at JPO.

According to the latest statistics provided by the WIPO, the average expenditures in research and development around the world grew by 8.5% in 2019. Taiwan's Taipei-Hsinchu clusters of innovation had been the 44<sup>th</sup> major applicants of PCT applications for the period from 2015 through 2019 and is the 28<sup>th</sup> clusters of science and technology in 2021 around the world. Taiwanese applicants filed their patent and trademark applications mostly in the US and China. The creative and innovative capacity and strength of Taiwan cannot be underestimated.

In 2020, even though the US and China are still the major target countries for Taiwanese applicants' invention patent portfolio building, the numbers of patent applications filed at USPTO and CNIPA were 1.8% and 3.5% down to 19,241 cases and 10,766 cases, respectively. However, Taiwanese applicants had filed their design patent applications in the US, Europe, and China with most applications in the number of 1,326 cases filed at CNIPA, marking a decrease at 19% instead. Contrary to the descending number of applications filed in China, there had been a total of 1,205 design patent applications filed by Taiwanese applicants at USPTO, and 617 at EPO, which represents 7.5% and 18.0% rise, respectively.

Analyzed by categories of Taiwanese trademark applications filed at TM5 offices, most applications for 2,142 categories were filed at the USPTO, followed by those filed for 1,355 categories at the EPO. In terms of the number of applications, CNIPA received a total of 14,441 applications from Taiwanese applicants, while JPO received 884 applications (without statistics by category). Also, there was a 26.8% dive in the number of trademark applications filed by Taiwanese applicants at CNIPA but a 6.9% rise at USPTO.

Please click the link below to access Taiwan IPO's latest "Statistics on Patent and Trademark Applications and Approvals in the USA, Japan, the EU, South Korea, and China" (in Mandarin) at <https://www.tipo.gov.tw/tw/cp-174-219414-a1c98-1.html>. (Released 2021.10.06)

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**E211026Y5**

**E211026Z5**

**04 Taiwan MOEA takes home 7 R&D 100 Awards for 2021**

The Ministry of Economic Affairs held a press conference at the Regent Taipei Hotel on October 26, 2021 to announce and share the success of the four research

institutions under its supervision recognized by the 2021 R&D 100 Awards. The award-winning research institutions that have bagged seven R&D awards by six innovations are the Industrial Technology Research Institute (ITRI), the Institute for Information Industry (III), the Metal Industries Research & Development Center (MIRDC), and the Taiwan Textile Research Institute (TTRI), ranking second in the world and first in Asia and being of equal standing with the world-leading research organizations, such as, MIT Lincoln Laboratory, Oak Ridge National Laboratory, University of Tokyo, and Corning Inc..

The six winning technologies are the “3D Printing Biomimetic Materials and Structures for Tissue Integration” (BioMS-Ti), the “Ubiquitous Water Wand” (UWAW), and the “Software-defined Augmented Robot Joint” (SARJ) developed by ITRI, the “Continuous Type Heat Treatment System Equipment for Micro Parts” (CTHT) enabled by MIRDC, the “RFID Yarn: Overcomer for 5 Major Durability Test” by TTRI, and the “Misinformation join-fighting mechanism enabled by AI forensics technology” by III. This innovation of III also won bronze for Corporate Social Responsibility, a special recognition awarded by the R&D Award.

With the MOEA’s sustained support through technology development programs, research institutions of Taiwan have been receiving international awards and have won a total of 66 awards over the past 14 years at this annual event, which manifests that Taiwan’s innovative force has been recognized worldwide. What’s more important is that these winning technologies have been transferred to the industries with more than 90% of them transferred to international or domestic manufacturers. Furthermore, the technology development programs supported by the MOEA has been bringing in considerable industrial benefits and value and leading Taiwan’s industry to demonstrating its investment energy and thus generating innovative vitality. (Released 2021.10.26)

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**E211019Y5**

**E211019Z5**

### **05 MOHW of Taiwan join hands with Roche, Merck to launch Precision Cancer Medicine and Biobank Consortium**

To make good use of Taiwan’s exclusive biobank and to boom Taiwan’s precision medicine, the Ministry of Health and Welfare and the National Health Research Institutes of Taiwan join hands with Roche, Merck, and Chugai Pharma Taiwan. Ltd. to officially launch the Cancer Precision Medicine and Biobank Consortium Collaboration Program on October 18, 2021. With the assistance of the National Biobank Consortium of Taiwan and from nationwide hospitals, Roche will provide 2,000 samples of overall gene tests valued at more than TWD2 hundred million and also collaborate with Merck and Chugai Pharma Taiwan. Ltd. to provide the targeted medication tailored specifically for the patients under this program according to the results of their gene tests. Under this program, 2,000 patients will receive genetic tests for cancer, and the results of testing will be used for the medical development, which establishes an initiative example of large-scale partnership between Taiwan Biobank and international pharmaceuticals.

Established and launched in 2019, the National Biobank Consortium of Taiwan has recruited 30 biobanks in Taiwan and 511,000 participants to date. Under this program, the unformatted significant medical data has been transformed to structured data to be utilized by the medical industry and made accessible to the industry, academia, and medical communities in terms of their respective needs. (Released 2021.10.19)

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## *Taiwan High-Tech News*

**E211026Y5**

### **01 Smart energy network in Taiwan to take a step ahead**

#### **Taiwan's Gogoro, Taipower, Enel X partner up to make Taiwan's power grid smarter**

On October 26, 2021, the Taiwan-based electric scooter maker and global technology leader in battery swapping ecosystems, Gogoro announced that it is teaming up with the state-run Taiwan Power Company ("Taipower") to develop the vehicle-to-grid (V2G) technology, by which the energy stored in the electric vehicle batteries at Gogoro's battery swapping stations can be transferred back to Taipower's power grid to establish the world's first bidirectional charging system via Gogoro's battery swap stations.

Another Taiwan-based company, Enel X also works with Gogoro to aggregate distributed energy resources, integrate battery swapping facilities, and also to provide assistance and support in Taipower's power swapping platform. Technical collaboration by and among the three companies will actualize more effective energy management and make power grid in Taiwan smarter.

Horace Luke, Gogoro's chief executive office said that the smart batteries Gogoro has at its stations will be able to generate 1.3 GWh by the end of 2021. Gogoro's technical partnership with Taipower and Enel X will not only smooth out the temporary spikes in electricity demand but also make battery swapping platform the indispensable energy storage facility of electricity grid.

With more effective ways to distribute and utilize energy, Gogoro Network is to transform the densely-populated urban city into a smart one through the world's largest battery swapping station, to forge the unprecedented smart energy network, and ultimately to establish a model that successfully accomplishes effective management and balance of energy network. (Released 2021.10.26)

**E211014Y5**

### **02 TSMC to build new plant in Japan to produce 22-nanometer and 28-nanometer wafers in 2024**

A deal for TSMC (Taiwan Semiconductor Manufacturing Company Limited) to build a plant for wafer production in Japan has been finalized. Construction of the plant in Japan is scheduled to begin in 2022 with an initial plan for 22/28-nanometer processes technology and with mass production targeted to begin in 2024.

TSMC and Sony Semiconductor Solutions Corporation ("SSS") jointly announced on November 9, 2021 that TSMC will establish a subsidiary, Japan Advanced Semiconductor Manufacturing Inc. ("JASM") in the Japanese prefecture, Kumamoto, to provide foundry service with the initial technology of 22/28-nanometer processes to meet the strong demand for special technologies around the world. This deal has been fully supported by the Japanese government and SSS will hold minor stake in the subsidiary. (Released 2021.10.14)



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