TIPLO News

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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

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TIPLO Attorneys-at-Law

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01 64,000 counterfeit battle spinning tops seized worth more than TWD10 million in infringing value

On June 30, 2026, the First Corp of the Third Special Police Corps acted on a big data analysis to crack down an illegal activity, in which the illegal operator attempted to smuggle into Taiwan a large quantity of counterfeit battle spinning tops by concealing them in a shipping container. Following inspection, the police preliminarily estimated the seized goods to have a market value exceeding TWD10 million. This case has been referred to relevant authorities for disposition in accordance with the Copyright Act and the Customs Anti-Smuggling Act.

According to the police investigation, the illegal operator targeted the upsurge of battle spinning tops market and sought to smuggle a large quantity of counterfeit items by falsely declaring them as "toys" at low cost and them sell them at high prices to gain extortionate profits. Through long-term analysis and screening high-risk shipping containers, the police identified a suspicious container imported from China by the operator, Chen, and conducted on-site inspection in Wugu District, New Taipei City. After opening and inspecting the container, the police sighted stacks of counterfeit battle spinning tops similar to the branded spinning tops distributed by Funbox Toys, the Taiwanese agent for the said branded spinning tops. The shipment included a number of popular models currently on the market. An inventory of the seized items revealed that there were a total of 128 boxes containing around 64,000 battle spinning tops found and seized, an exceptionally large quantity. In order to evade customs inspection and customs duties, the said illegal operator, Chen, employed a deceptive declaration scheme by accurately declaring only 13 of the 128 boxes, while the remaining 115 boxes (including about 57,500 spinning tops) were completely omitted from the declaration, in an attempt to smuggle them into Taiwan. Based on the prevailing retail prices, the estimated value of the seized items exceeds TWD10 million.

The police stated that they notified and requested the relevant copyright holder to conduct authentication on the seized items. The authentication result indicated that the entire shipment was confirmed to be unauthorized counterfeit goods. The relevant copyright holder indicated that it will pursue relevant legal liabilities. The case will be referred to the relevant authorities for disposition on suspicion of violations of the Copyright Act and the Customs Anti-Smuggling Act. The police will also continue investigation to determine whether the shipment was connected to any other smuggling operations. (Released 2026.07.03)

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02 Pilot Program for Accelerated Examination of Invention Patent Applications Filed by Female Applicants extended for one year from July 1, 2026

TIPO announced on June 26, 2026 that the "Pilot Program for Accelerated Examination of Invention Patent Applications Filed by Female Applicants", which was initially launched on July 1, 2025 and originally expired on June 30, 2026, will be extended for another year. Since the launch of this program, women applicants participating in this program have received examination results in an average period of 44.2 days from filing a request under this program, which reflects the effectiveness of this program. In order to encourage women to engage in innovation and invention and

to help them obtain patent protection more promptly, TIPO has, after assessing its examination capacity, amended this program to extend the trial period through June 30, 2027.

The eligibility and requirements of this program are summarized as follows. This program applies to the applications filed solely by natural persons, and the applicant, or at least one of the applicants, must be a woman who is also the inventor or one of the inventors. In addition, the request for participating in this program must be filed on TIPO's e-filing system within the period between the service of TIPO's notice that substantive examination is about to commence and before the service of the first office action. Upon review and confirmation that the requirements are met, TIPO will issue the first office action or a decision to grant the patent within six months from the date of request being filed.

This revised program only adjusts and extends the pilot period, while all other provisions thereof remain unchanged. Details of the "Pilot Program for Accelerated Examination of Invention Patent Applications Filed by Female Applicants" and "Q&As on the Pilot Program for Accelerated Examination of Invention Patent Applications Filed by Female Applicants" are available on TIPO's website. (Released 2026.06.26)
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03 Well-known local A-Sha Restaurant's trademark battle ends in settlement

The iconic long-established Taiwanese restaurant, A-Sha Restaurant, has finally resolved its five-year family trademark battle, with both sides jointly announcing a settlement agreement to operate their businesses separately.

The founder of A-Sha Restaurant, WU Jin-Xia, had gradually transferred her management right when she retired in 2009. The right to operate the brick-and-mortar restaurant and relevant trademark rights were transferred to WU Rong-Tsan, the son of the founder's second youngest brother, while the restaurant is currently run by WU Chien-Hao, the third-generation family member. The right to run the business of online shopping and frozen-food delivery operations, along with the related trademarks were transferred to WU Ching-Rong, the daughter of the founder's fifth-youngest brother.

For the purpose of pandemic-driven transformation, WU Chien-Hao, who is responsible for brick-and-mortar store operation, allegedly breached the family agreement when he shifted to online sales by using names, such as, "A-Sha" and "A-Sha Restaurant" to market home-delivery products and online shopping services and in media interviews, which rendered him allegedly liable for trademark infringement. For this, WU Ching-Rong, who oversees the online business, subsequently filed a trademark infringement lawsuit against WU Chien-Hao, and the lawsuit extended for five years.

To prevent the trademark battle from escalating further, both sides ultimately reached a settlement on this family trademark dispute and jointly announced their agreement to operate their businesses separately. Under this agreement, WU Chien-Hao, representing the brick-and-mortar restaurant, may use the restaurant name, "Xunzhen A-Sha Restaurant" (Chinese: 尋真阿霞飯店) and provide relevant information on the

Internet within the agreed-upon scope, while WU Ching-Rong will continue running the restaurant's exclusive official online shopping platform, "A-Sha Restaurant Online Shopping". (Released 2026.07.06)

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