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New IPO head lays out ambitious plans

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TAIPEI, Taiwan -- As Taiwan has moved up the value chain from being simply a manufacturer to an innovator, protecting Intellectual Property Rights (IPR) and improving the environment for IP protection has slowly been moving up the list of priority issues for the Taiwan government.

Taiwan is not there yet, according to Wang Mei-Hua, recently promoted to Director General of the Ministry of Economic Affairs' (MOEA) Intellectual Property Office (IPO), but it is striving to create an IP environment that meets international standards, for the

benefit of both local and foreign enterprises.

Speaking at a special luncheon arranged by the European Chamber of Commerce's (ECCT) IPR committee, just two days into her new job, Mme. Wang spoke about plans in the works for 2008.

While organizational details are still being worked out, Taiwan's IP court is set to go into operation by July 2008. The IPO will appoint 10 of the most qualified technical officials from its office to be dispatched to the IP court to assist with the slew of complicated IP cases expected to be heard by the court when it opens for business.

The IPO is also hard at work drafting amendments to improve IP legislation, while also working to improve the quality of the patent application process. One area of particular concern to European rights holders, such as luxury goods brands, is a loophole in the current laws, which allows defendants in infringement cases to reclaim counterfeit goods if they, themselves, end up not being indicted.

Under amendments to Article 83 of the Intellectual Property Rights act proposed by the IPO, there will no longer be a need to prove that a crime has been committed. Plaintiffs will simply need to prove that there has been an infringement of the trademark to allow prosecutors to seize and hold counterfeited goods.

This would be a considerable improvement for luxury goods and fashion brands, who have long complained about the release of such goods to former defendants who might then sell them.

Another area that the IPO under Mme. Wang will be putting under the microscope is trademark and trade dress protection. While the illegitimate use of famous brand names such as the Chanel love hotels or dental clinics may raise no more than a chuckle for the man on the street, the affected brands do not find this kind of imitation flattering at all.

And to hear the opinions of affected parties as to how to improve law enforcement to stamp out

trademark and trade dress violations, the IPO will be arranging a seminar in conjunction with the European Economic and Trade Office (The European Union's official representative in Taiwan) and the ECCT in the near future.

While Mme. Wang has her work cut out for her, she expressed confidence that with her experience and excellent relations with all relevant stakeholders in the government, judiciary and the business community will help her make a difference.

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