

# Intellectual Property Taiwan 2010

Transforming Your IP Strategies to Maximize Value and Escalate Strategic Advantages in the Global Marketplace

20th & 21st April 2010 | Grand Hyatt Taipei, Taiwan

## OUR DISTINGUISHED CHAIRPERSON



**Elizabeth Chien-Hale**  
Director & Founder, Institute for Intellectual Property in Asia

## OUR ESTEEMED KEYNOTE SPEAKER



**Dr. Cheng-Wei Liao**  
Deputy Director of Patent Division I, TIPO, MOEA

## OUR EMINENT SPEAKERS



**Sung-Mei Hsiung**  
Judge, IP Court Taiwan



**Shu-Jen Kuo**  
Director of Legal Affairs Department, Fair Trade Commission, Taiwan



**Dr. Oliver Lutze**  
Head of Intellectual Property Rights, Bayer (China) Ltd.



**Glenn W. Rhodes**  
Partner, Howrey LLP



**Dr. Peterson Tien**  
Vice President & General Counsel, Chimei Innolux Corporation



**James Li**  
Country Manager, Intellectual Property and Standards, Philips Taiwan



**Douglas S. Weinstein**  
Partner, Finnegan



**Dr. Richard Thurston**  
Vice President & General Counsel, TSMC

### PLUS

- **Christopher M. Neumeyer**  
Director of Legal Department, Lite-On Technology Corporation
- **Tracy Li**  
General Counsel, Quanta Computer Inc.
- **Prof. Jerry G. Fong**  
Professor of Law, Director, Graduate Institute of Intellectual Property, College of Commerce, National Chengchi University
- **Vincent Hong**  
General Counsel, Asustek Computer Inc.
- **Nancy Ku**  
Senior Representative, Taiwan Intellectual Property System (TIPS), Science & Technology Law Center, III
- **Richard Chung-Chiang Chu**  
Legal Director, Pfizer Taiwan
- **Philip K Yu**  
Lead IP Counsel – Greater China, DuPont China Holding Co. Ltd.
- **Jack H.C. Wang**  
Judge, IP Court Taiwan

## BENEFITS OF ATTENDING THIS CONFERENCE

- Review with recent developments in IP regimes in Taiwan, China, the US and their consequences for businesses
- Identify strategic cost control, risk reduction and value-enhancing measures for your businesses
- Develop effective strategies for resolving IP disputes and managing complex litigations
- Assess the potential risks and rewards of patent pools and cross-licensing arrangements
- Gain practical insights to optimize IP value and increase competitive advantage in the global marketplace

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# AGENDA

## Day 1: 20 April 2010

- 08.30 Registration and Coffee
- 09.00 Chairman's Opening Address
- 09.10 Keynote Speech: Introductions of Draft Amendments to Patent Act and Accelerated Examination Program
- Basis for the Draft Patent Act
  - Summary of the Draft Patent Act
  - Introduction to Issues in the Draft Act
  - New Measure for Accelerated Examination Program
- Dr. Cheng-Wei Liao**, Deputy Director of Patent Division I, TIPO, MOEA
- 09.50 State of the Court, Needs and Challenges of the Future
- Reviewing the impacts of IP court on Taiwan's IP environment
  - Implementation of new procedural and substantive laws
  - Analysis of recent infringements and decisions from the court
  - Collaboration with judiciaries across the regions
  - Preparing for future challenges
- Sung-Mei Hsiung**, Judge, IP Court Taiwan
- 10.30 Morning Networking Coffee Break
- 10.50 Competition and IPR Issue: Putting the Fair Trade/Antitrust Law into Perspective
- The relationship between antitrust law and IPR
  - Antitrust issue regarding patent licensing practices
  - Competition concerns on IP holders issuing IP infringement warning letter
  - Antitrust – IP Guidelines of Taiwan Fair Trade Commission
- Shu-Jen Kuo**, Director of Legal Affairs Department, Fair Trade Commission, Taiwan
- 11.30 e-Discovery and IP Litigation Readiness: Are Taiwanese Companies Ready?
- What is e-discovery and why is it important
  - Understanding the risk and cost involved in e-discovery practice
  - e-Discovery disasters: Lessons learned from recent high-profile litigation involving e-Discovery
  - Minimizing e-Discovery risks: What companies can do to protect themselves
- Glenn W. Rhodes**, Partner, Howrey LLP
- 12.15 Lunch & Networking Break
- 13.30 Managing Inventions in a Company: From First Discovery to a Strong, Enforceable Patent
- Liaising with the R&D departments/incentivising innovation
  - Securing ownership in the invention
  - Drafting the priority application - do it right from the start
  - From first filing to grant: important timelines
- Dr. Oliver Lutze**, Head of Intellectual Property Rights, Bayer (China) Ltd.
- 14.10 Trade Secret Protection in a Global Economy
- Trade Secrets - A technology company's most important IP assets
  - When not to patent an innovation
  - Internal measures to protect confidentiality and proprietary nature of trade secrets
  - The litigation option - when and how to use
- Dr. Richard Thurston**, VP and General Counsel, Taiwan Semiconductor Manufacturing Company, Ltd.
- 14.50 Afternoon Networking Coffee Break
- 15.10 Patent Pool and Cross-Licensing in Hi-Tech Industry and Its Relevance to Taiwan Market
- What is Patent Pool?
  - Why Patent Pool & Cross-Licensing is Important to Hi-Tech Industry?
  - The Problems with Patent Pools.
  - Why Patent Pool & Cross-Licensing is Relevant to Taiwan Market?
  - Why Taiwan Hi-Tech Companies Need to Utilize Patent Pool and Cross-Licensing?
- Prof. Jerry G. Fong**, Professor of Law, Director, Graduate Institute of Intellectual Property, College of Commerce, National Chengchi University
- 15.50 Cohesive Strategy for Today's IP Department: Managing People, Procedures, Cost and External Relations
- Understanding and accommodating the dynamic IP environment with pertinent resources
  - Tactics to create awareness and foster support for IP initiatives in your organization
  - Proven framework for centralized IP management and execution
  - Exploring new methods to regain control of IP spend
  - Managing external counsel and controlling cost
  - Dealing with stakeholders' expectations and interest
- Panelists:
- Dr. Richard Thurston**, VP and General Counsel, Taiwan Semiconductor Manufacturing Company, Ltd.  
**James Li**, Country Manager, Intellectual Property and Standards, Philips Taiwan  
**Philip K Yu**, Lead IP Counsel – Greater China, DuPont China Holding Co. Ltd.  
**Nancy Ku**, Senior Representative, Taiwan Intellectual Property System (TIPS), Science & Technology Law Center, III
- 16.45 Closing Remarks

# AGENDA

## Day 2: 21 April 2010

09.00 Registration and Coffee

09.30 Chairman's Opening Address

09.40 Utilizing IP Assets to Enhance Competitive Edge for Hi-tech Businesses: Strategies, Tactics and Implementation

- Implementing strategic IP management system for continuous business growth in the global market
- Formulating IP strategies with the focus on competitors
- Taking proactive actions for effective risk management through seamless team works
- Handling IP challenges effectively: some tips on preparing for licensing negotiation, lawsuits or other actions
- Reshaping IP strategies and management system in response to new developments

**Dr. Peterson Tien**, Vice President & General Counsel, Chimei Innolux Corporation

10.20 IP Valuation: Effectively Appraising the Value for the Intangible Assets

- Key considerations for accurate IP evaluation
- A brief introduction to the different types of common IP valuation methods
- Valuation practices for high-tech industry
- Mitigating risk and avoiding common pitfalls

**Douglas S. Weinstein**, Partner, Finnegan

11.00 Morning Networking Coffee Break

11.30 Forum Shopping in Different Views: A Workable Strategy for IP Litigation? (Panel Discussion)

- Analyzing the implications of IP legislations reform on litigation across different jurisdictions
- Evaluating the significance of recent decisions and developing trends in IP litigation
- Different strategies for different types of IP lawsuits
- Recognition and enforcement of a court decision in a separate jurisdiction
- Working with foreign legal professionals and dealing with the cost issues

Panelists:

**Tracy Li**, General Counsel, Quanta Computer Inc.

**Vincent Hong**, General Counsel, Asustek Computer Inc.

12.10 Lunch & Networking Break

13.30 IP Strategy: Building Blocks and Observations

- Building an IP portfolio
- Protecting confidential information
- Freedom to operate
- Enforcement of IP
- Monitoring of competitive activity
- Other methods of IP exploitation
- Brand strategy

**Philip K Yu**, Lead IP Counsel – Greater China, DuPont China Holding Co. Ltd.

14.10 Anti-counterfeiting Practices in the Pharmaceutical Industry

- Counterfeit medicine in Taiwan – overview
- Legal analysis
- Progress since 2004
- Conclusion – an integrated approach

**Richard Chung-Chiang Chu**, Legal Director, Pfizer Taiwan

14.50 Afternoon Networking Coffee Break

15.10 Best Practices: Policies and Procedures for Handling IP Disputes and Litigations

- Evaluating demand for severity and potential liability
- Responding appropriately and effectively
- Collaborating with internal departments and external advisors
- Exploring potential strategies for resolution

**Christopher M. Neumeyer**, Director of Legal Department, Lite-On Technology Corporation

15.50 IP Counsel: Managing the Future Visions and Challenges

- Facing challenges and risk of regulation change
- Fostering innovation and ensuring patent quality and enforceability
- Developing a global IP management strategy and creating brand value
- Benefiting from the IP investment opportunities

Panelists:

**Elizabeth Chien- Hale**, Director, Institute for Intellectual Property in Asia

**Dr. Cheng-Wei Liao**, Deputy Director of Patent Division I, TIPO, MOEA

**Jack H.C. Wang**, Judge, IP Court Taiwan

17.00 End of Conference

# 台灣智慧產權 2010

變革您的智慧產權戰略，以實現價值最大化和提升在全球市場的戰略優勢

2010年 4月 20 - 21日

台北君悅大飯店

## 大會主席



錢德純  
行政董事，亞太知識產權協會

## 大會主講人



廖承威博士  
專利一組副組長，經濟部智慧財產局

## 知名演講嘉賓



熊誦梅  
法官，台灣智慧財產法院



郭淑貞  
法務處處長，行政院公平交易委員會



Dr. Oliver Lutze  
智慧產權部主管，拜耳（大中華區）



Glenn W. Rhodes  
合夥人，寰睿外國法事務律師事務所



田正人  
副總暨法務長，奇美電子股份有限公司



李俊杰  
知識產權及標準部總經理，台灣飛利浦



Douglas S. Weinstein  
合夥人，飛翰外國法事務律師事務所



Dr. Richard Thurston  
副總裁和法務長，台灣積體電路製造股份有限公司

### PLUS

- Christopher M. Neumeyer  
法務部主管，光寶科技股份有限公司
- 李秋華  
處長，廣達電腦股份有限公司
- Philip K Yu  
首席知識產權法律顧問 - 大中國區，杜邦中國集團有限公司
- 洪崇仁  
法務長，華碩電腦股份有限公司

- 古心怡  
高級代表，台灣智慧財產管理規範(TIPS)，資訊工業策進會科技法律中心
- 諸仲強  
法務處處長，輝瑞大藥廠股份有限公司
- 馮震宇  
國立政治大學智慧財產研究所所長，國立政治大學法學院法律系暨商學院智慧財產研究所特聘教授
- 汪漢卿  
法官，台灣智慧財產法院

## 出席這次論壇的好處

- 檢討知識產權制度在台灣，中國，美國的最新發展及其對企業的影響
- 確定為您的企業控制成本，降低風險和增值的措施
- 制定有效的戰略，解決智慧產權糾紛和管理複雜的訴訟
- 評估專利集管和交互授權的潛在風險和回報
- 獲得優化智慧產權價值的實際見解以增加在全球市場的競爭優勢

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## 參會對象

- 智慧產權主管/經理
- 法務部主管/經理/總顧問
- 授權經理
- 智慧產權律師
- 監管單位

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# 議程表

## 第一天議程 2010年4月20日

08. 30	登記
09. 00	主席致開幕詞
09. 10	<b>專題演講：專利法修正暨發明專利加速審查介紹</b> <ul style="list-style-type: none"><li>▪ 修法緣由</li><li>▪ 專利法修正概況</li><li>▪ 專利法修正議題介紹</li><li>▪ 發明專利加速審查新措施</li></ul> <b>廖承威博士</b> ，專利一組副組長，經濟部智慧財產局
09. 50	<b>台灣智慧財產法院：迎接周年慶及展望未來</b> <ul style="list-style-type: none"><li>▪ 審查台灣智權法院對智慧產權環境的影響</li><li>▪ 實施新的程序和法規</li><li>▪ 分析最近的侵權案和法院判決</li><li>▪ 與其他地區法院之間的合作</li><li>▪ 準備迎接未來的挑戰</li></ul> <b>熊誦梅</b> ，法官，台灣智慧財產法院
10. 30	茶歇
10. 50	<b>智慧產權與競爭的問題：透視公平交易/反壟斷法</b> <ul style="list-style-type: none"><li>▪ 詳述公平貿易政策和智慧產權制度</li><li>▪ 調查涉及智慧產權的壟斷行為</li><li>▪ 垂直整合和有關智慧產權持有人授權的做法</li><li>▪ 涉及智慧產權授權的橫向整合</li></ul> <b>郭淑貞</b> ，法務處處長，行政院公平交易委員會
11. 30	<b>電子搜證和智慧產權訴訟審前準備：台灣企業準備好了嗎？</b> <ul style="list-style-type: none"><li>▪ 什麼是電子搜證？為什麼它很重要？</li><li>▪ 了解電子搜證所涉及的風險和成本</li><li>▪ 電子搜證的失敗：從近期訴訟經驗中吸取教訓</li><li>▪ 減低電子搜證的風險：企業應該如何自我保護？</li></ul> <b>Glenn W. Rhodes</b> ，合夥人，寰睿外國法事務律師事務所
12. 15	午餐
13. 30	<b>管理公司的發明：開發一個好品質及可實施的專利</b> <ul style="list-style-type: none"><li>▪ 與研發部門聯係和激勵創新</li><li>▪ 確保發明的所有權</li><li>▪ 起草優先權申請—確定對的開始</li><li>▪ 從專利申請到授予：重要的時間段</li></ul> <b>Dr. Oliver Lutze</b> ，智慧產權部主管，拜耳（大中華區）
14. 10	<b>全球經濟與營業秘密保護</b> <ul style="list-style-type: none"><li>▪ 營業秘密 – 高科技公司最重要的智慧財產</li><li>▪ 申請專利的創新</li><li>▪ 保護營業秘密及資訊保密的方法</li><li>▪ 訴訟的選擇 – 何時及如何使用訴訟</li></ul> <b>Dr. Richard Thurston</b> ，副總裁和法務長，台灣積體電路製造股份有限公司
14. 50	茶歇
15. 10	<b>高科技產業中專利池、交互授權與台灣市場的關聯性</b> <ul style="list-style-type: none"><li>▪ 何謂專利池？</li><li>▪ 為何專利池和交互授權對高科技產業具有重要性？</li><li>▪ 專利池面臨的問題。</li><li>▪ 為何專利池與交互授權與台灣市場有關？</li><li>▪ 為何台灣的高科技產業需要利用到專利池和交互授權？</li></ul> <b>馮震宇</b> ，國立政治大學智慧財產研究所所長，國立政治大學法學院法律系暨商學院智慧財產研究所合聘教授，國立政治大學
15. 50	<b>管理現今智慧產權部的結合戰略：管理人才、程序、成本和對外關係</b> <ul style="list-style-type: none"><li>▪ 理解和適當運用相關資源應對多變的智慧財產權環境</li><li>▪ 如何促進職員對智慧產權的認知和支持的策略</li><li>▪ 智慧產權集中管理和執行的成功架構</li><li>▪ 探索控制智慧產權開支的新方法</li><li>▪ 管理外聘的法律顧問和控制成本</li><li>▪ 處理股東及相關單位的期望和利益</li></ul> 座談嘉賓： <b>Dr. Richard Thurston</b> ，副總裁和法務長，台灣積體電路製造股份有限公司 <b>李俊杰</b> ，知識產權及標準部總經理，台灣飛利浦 <b>Philip K Yu</b> ，首席知識產權法律顧問 – 大中國區，杜邦中國集團有限公司 <b>古心怡</b> ，高級代表，台灣智慧財產管理規範(TIPS)，資訊工業策進會科技法律中心
16. 45	主席致辭
17. 00	第一天會議結束

# 議程表

## 第二天議程 2010年4月21日

09.00 登記

09.30 主席幕詞

09.40 高新技術企業如何利用智慧產權資產增強競爭優勢：戰略、戰術和執行情況

- 實施智慧產權戰略管理體系以持續在全球市場的業務增長
- 制定著重於競爭對手的智慧產權戰略
- 通過無間的小組工作以積極行動，有效地管理風險
- 有效地處理智慧產權的挑戰：一些準備談判訴訟或採取其他行動的提示
- 對新的發展重整智慧產權戰略和管理制度

田正人，副總暨法務長，奇美電子股份有限公司

10.20 智慧產權評價：為無形資產有效評價

- 準確評估智慧產權的關鍵因素
- 簡要介紹不同的智慧產權估值方法
- 高科技行業的估值法
- 降低風險並避免常見陷阱

Douglas S. Weinstein, 合夥人，飛翰外國法事務律師事務所

11.00 茶歇

11.30 挑選法院的不同看法：是否智慧產權訴訟可行的策略？

- 淺析智慧產權法改革對各管轄訴訟案件的影響
- 評論近期主要案件的判決和智慧產權訴訟的發展趨勢
- 對不同類型智慧產權訴訟的不同策略的應用
- 判決認可及在不同管轄執行法院的判決
- 處理與外國法務事務所合作和費用的問題

座談嘉賓：

李秋華，處長，廣達電腦股份有限公司

洪崇仁，法務長，華碩電腦股份有限公司

12.10 午餐

13.30 智慧產權戰略：構建模塊和觀察

- 建立智慧產權組合
- 保護機密信息
- 自由運作
- 智慧產權執法
- 監測競爭活動
- 其他利用智慧產權方法
- 品牌戰略

Philip K Yu, 首席知識產權法律顧問 - 大中國區，杜邦中國集團有限公司

14.10 製藥工業防偽的戰略

- 偽禁藥問題：概況
- 法律分析
- 2004年以來進展
- 結論：整合策略

諸仲強，法務處處長，輝瑞大藥廠股份有限公司

14.50 茶歇

15.10 最佳實踐：處理智慧產權糾紛和訴訟的政策和程序

- 確定侵權糾紛的可能性
- 建立和執行務實的回應程序
- 與各部門和外部諮詢專家合作
- 成本管理及探討非訴訟程式的可能性
- 避免常見的陷阱

Christopher M. Neumeyer, 法務部主管，光寶科技股份有限公司

15.50 智慧產權經理：管理未來的目標和挑戰

- 面對監管法規轉變的挑戰和風險
- 促進創新同時確保專利質量和可執行
- 開發一個全球性的智慧產權管理戰略並創造品牌價值
- 受惠於各種智慧產權的投資機遇

座談嘉賓：

錢德純，行政董事，亞太知識產權協會

廖承威博士，專利一組副組長，經濟部智慧財產局

汪漢卿，法官，台灣智慧財產法院

17.00 會議結束

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