Content

Title：	Implementation Regulations for Suspension of Release of Goods Infringing on Copyright or Plate Rights by Customs Authorities Ch
Date：	2005.01.27
Legislative：	1.Promulgated by Ministry of the Interior and Ministry of Finance on June 8, 1998 per Letter No. Tai-(87)-Nai-Chu-Tze 8704665 & Tai-Tzai-Kuan-Tze 870378351. 2.Amended and promulgated by Ministry of Economic Affairs and Ministry of Finance on March 20, 2002 per Letter No. Ging-Zhi-Tze 09104604140 & Tai-Tzai-Kuan-Tze 0910550154. 3.Amended and promulgated by Ministry of Economic Affairs and Ministry of Finance on January 27, 2005 per Letter No. Ging-Zhi-Tze 09304609880 & Tai-Tzai-Kuan-Tze 09305506800.
Content：	Article 1 These rules are prescribed in accordance with Article 90ter of the Copyright Act (hereinafter referred to as "the Act"). Article 2 The copyright owner or the plate rights owner who applies, in accordance with paragraph 1 of Article 90bis of the Act, for suspension of release of the imported or exported goods that are suspected of infringing on his/her copyright or plate rights shall post a bond in an amount equivalent to the customs authorities-valued landed cost of imported goods or the F.O.B. price of exported goods to serve as a security for the party whose goods are subject to the suspension of release. In addition, the application shall be submitted in writing to customs authorities at the port where the goods are to be imported or exported indicating therein the following items: 1.He/she is the owner of the said copyright or plate rights; 2.Descriptions which may sufficiently identify the infringing goods; and 3.The fact of infringement. The matters as set forth in Items 1 and 3 of the preceding Paragraph shall be expressly explained. The term "bond" in the first paragraph, could be substitute by the followings： 1.Government Bond; 2.Bank Time Certificates; 3.Credit Co-operative Association Time Certificates;

4.General Trust Receipt issued by investment & trust companies with more then one year tenure and
5.Lending institution margin.
The bonds Listed in the first to fourth item of the preceding Paragraph should be pledged at
Customs authorities.

Article 3
Where an application for suspension of release, after examination, complies with paragraph 2 of
Article 90bis and the preceding Article, customs authorities shall forthwith proceed with the
suspension.
Where an application for suspension of release needs to be made up, customs authorities shall
immediately notify the applicant to make up the requirements. Before the application has been made
up, any of the customs clearance procedures shall not be affected.

Article 4
（deleted）

Article 5
In applying for inspection of goods, which are detained pursuant to Paragraph 4 of Article 90bis of
the Act, the applicant or the party whose goods are subject to the suspension shall apply, in writing,
to customs authorities at the port where the goods are to be imported or exported.
The inspection as referred to in the preceding Paragraph shall be performed in the manner and at the
time and place as appointed by customs authorities.
While arranging the appointment as set forth in the preceding Paragraph, customs authorities are
careful not to impair the protection of the confidential information of the detained goods.

Article 6
Where the detained goods have been given a final judgment from the court, which determined that
the said commodities have infringed copyright or plate-right, customs authorities may, upon the
written request of the applicant, notify him/her of the quantity of the detained goods, and the
names/appellations and addresses of their consignor, importer, and consignee.

Article 7
These regulations shall come into force from the date of promulgation.

Data Source：Ministry of Economic Affairs R.O.C.(Taiwan) Laws and Regulations Retrieving System