Content

Title：	Act of the Organization of Intellectual Property Office, Ministry of Economic Affairs Ch
Date：	2011.12.28
Legislative：	1. Entry into force January 26, 1999 as published by the Executive Yuan pursuant to Directive Ref. No. Tai-87-Ching-60938 2. On February 2, 2000, the amended provision of Article 19 and the enactment of Article 16-1 were promulgated by the President. 3. On July 17, 2002, the amended provisions of Article 2, Article 7, Article 16 and Article 17 were promulgated by the President. 4. On December 28, 2011, the amended provisions of Article 7, Article 16 and Article 17 were promulgated by the President.
Content：	Article 1 This Statute is enacted in accordance with Article 8 of the Law of Organization of the Ministry of Economic Affairs. Article 2 The Intellectual Property Office under the Ministry of Economic Affairs (hereinafter referred to as "the Office") shall be in charge of the following matters: 1.Matters in connection with research, drafting and execution of policies, laws, regulations, and systems governing patent right, right to exclusive use of trademarks, copyright, integrated circuit layout, trade secret and other intellectual property rights; 2. Matters in connection with the patent examination, re-examination, opposition, cancellation, revocation and extinguishment as well as the management of patent rights; 3. Matters in connection with examination of application for trademark registration, opposition, invalidation, cancellation and renewal cases, and administration of the right to exclusive use of trademarks; 4. Matters in connection with copyright registration and cancellation, determination of royalty rates for licensed use of copyrights, compulsory licensing of copyrights, and establishment approval, assistance and guidance, and supervision of the operation of copyright intermediary organization, inspection of copyright documentation for exporting audio-visual works and OEMCDs.; 5. Matters in connection with registration and management of integrated circuit layout; 6. Publicity of the concept of intellectual property rights, mediation, assessment and assistance in raid action with regard to intellectual property rights infringement cases; 7. Matters in connection with information collection, gazette publishing, public reading, consulting services, publicizing, international cooperation arrangement, information exchange and relevant coordination, with respect to intellectual property rights and associated information; and 8. Other matters in connection with intellectual property rights. Article 3 Under the Office, there shall be seven (7) individual operational departments and a legal affairs division to take charge of and to carry out the duties set forth in the preceding Article respectively. Operational sections may be set up under each department. Article 4 The Office shall have a Secretariat to take charge of the matters in connection with research,

development and evaluation, secretarial activities, official seal control, cashier's operation, general affairs, meeting arrangement, public relations, public service and other matters not falling under the scope of other operational departments and division. Operational sections may be set up under the secretariat.

Article 5

The Office shall have an Information Division to take charge of matters in connection with the planning, development and management of information related activities. Operational sections may be set up under this division.

Article 6

The Office shall have one (1) Director General, with ranking of Grade 13 of Selected Appointment Official, who shall be in charge of the overall operations of the Office; and two (2) Deputy Directors General, with ranking of Grade 12 of Selected Appointment Official, who shall assist the Director General in the management of the operation of the Office.

Article 7

Other officials and staff personnel of the Office shall include：one（1）Chief of Staff and seven（7）
Directors, with ranking of Grade 11 of Selected Appointment Official; three（3）Researchers, with ranking from Grade 10 through Grade 11 of Selected Appointment Official; seven（7）Deputy Directors, with ranking of Grade10 of Selected Appointment Official; three（3）Heads of Division, forty-one to fifty-three（41-53） Senior Patent Examiners, thirteen to fifteen（13-15）Senior Trademark Examiners and six（6）Senior Specialists, with ranking from Grade 9 of Recommended Appointment Official through Grade 10 of Selected Appointment Official; forty to forty-two（40-42）Section Chiefs, with ranking of Grade 9 of Recommended Appointment Official, among which thirteen（13）Section Chiefs shall be acted concurrently by Senior Patent Examiners or Patent
Examiners, and five（5）Section Chiefs shall be acted concurrently by Senior Trademark Examiners
or Trademark Examiners; six to eight（6-8）Secretaries, six（6）Senior Technical Specialists, one hundred and twenty-one to one hundred and thirty-three（121-133）Patent Examiners, thirty-nine to
forty-three（39-43）Trademark Examiners, ten（10）Supervisors, and two（2）Analysts, with ranking
from Grade 8 through Grade 9 of Recommended Appointment Official, among which two（2）Secretaries, two（2）Senior Technical Specialistsand three（3）Supervisors may be with ranking of
Grade 10 of Selected Appointment Official; eight to ten（8-10）Editors, with ranking from Grade 7
through Grade 9 of Recommended Appointment Official; twenty-eight to thirty（28-30）Specialists,
with ranking from Grade 7 through Grade 8 of Recommended Appointment Official; two hundred and thirty-two to two hundred and thirty-four（232-234） Assistant Patent Examiners, twenty-seven
（27）Assistant Trademark Examiners, two to four（2-4）Administrators and two to four（2-4）
Programmers, with ranking from Grade 6 through Grade 8 of Recommended Appointment Official; one hundred and seven to one hundred and eleven（107-111）Desk Officers and twenty（20）Associate Technical Specialists, with ranking of Grade 5 of Designated Appointment Official or with ranking from Grade 6 through Grade 7 of Recommended Appointment Official; three（3）

Assistant Programmers, three（3）Assistant Administrators and six（6）Assistant Technical Specialists,
with ranking from Grade 4 through Grade 5 of Designated Appointment Official, among which one (1) Assistant Programmers, one（1）Assistant Administrators and three（3）Assistant Technical Specialists may be with ranking of Grade 6 of Recommended Appointment Official; nineteen to twenty-one（19-21） Deputy Desk Officers, with ranking from Grade 3 through Grade 5 of Designated Appointment Official; four to six（4-6） Junior Desk Officers, with ranking from Grade 1 through Grade 3 of Designated Appointment Official.
Senior Patent Examiners, Senior Trademark Examiners, Patent Examiners, Trademark Examiners, Assistant Patent Examiners and Assistant Trademark Examiners as mentioned in the preceding Paragraph shall be selected and appointed to individuals that fulfill the respective qualification requirements as set out in the Patent Examination Officer Qualification Statute and Trademark Examination Officer Qualification Statute.

Article 8

The Office shall have a Personnel Division headed by one Head of Division whose ranking shall be from Grade 9 of Recommended Appointment Official through Grade 10 of Selected Appointment Official. This Division shall handle the matters related to the personnel management. Other working personnel required by this Division may be appointed according to the quota of appropriate personnel as specified in this Statute.

Article 9

The Office shall have an Accounting Division headed by one Head of Division whose ranking shall be from Grade 9 of Recommended Appointment Official through Grade 10 of Selected Appointment
Official. This Division shall handle the matters related to annual accounting, routine accounting and statistic operations. Other working personnel required by this Division may be appointed according to the quota of appropriate personnel as specified in this Statute.

Article 10

The Office shall have an Anti-Corruption Division headed by one Head of Division whose ranking shall be from Grade 9 of Recommended Appointment Official through Grade 10 of Selected Appointment Official. This Division shall handle the matters related to prevention of corruptive conduct of the government employees of this Office. Other working personnel required by this Division may be appointed according to the quota of appropriate personnel as specified in this Statute.

Article 11

The Office shall have an Integrated Circuit Layout Assessment and Mediation Committee and a Copyright Examination and Mediation Committee to handle the matters specified in Article 36 of the Integrated Circuit Layout Protection Act and in Article 82 of the Copyright Law respectively.
The members of the two Committees set forth in the preceding Paragraph shall be retained or engaged for part-time position by the Director-General of the Office from the representatives of relevant government authorities, scholars and/or experts in the related fields, and/or from the chiefs/heads of appropriate units under the Office. Other working personnel as required by those Committees may be appointed according to the quota of appropriate personnel specified in this Statute.

Article 12

In order to meet its operational requirements, the Office may set up different committees, with the working personnel required to be appointed in accordance with the quota of appropriate personnel specified in this Statute.

Article 13

In order to meet its special operational requirements, the Office may invite, with no pay, relevant scholars and experts to act as consultants or advisors to the Office.

Article 14

The Office may, contingent upon operational requirement(s), set up branch office(s) in appropriate district(s), with the working personnel required to be appointed in accordance with the quota of appropriate personnel specified in this Statute.

Article 15

With regard to the personnel whose job titles and position ranks are specified respectively in Article 6 through Article 10 of this Statute, appointment of appropriate personnel to fulfill the different organizational positions shall be considered in accordance with Article 8 of the Law for Appointment of Public Functionaries and the provisions of relevant laws and regulations and be effected by making reference to the applicable categories of personal specialties.

Article 16

The Office may, in order to meetits operational requirements, initiate employment of professional personnel in accordance with the provisions of the Statute for the Employees.

Article 16-1

The employees, as stated in the preceding Article, who are in charge of patent/trademark examination, shall fulfill the qualifications prescribed by the Executive Yuan.

Article 17

The Office may, in order to meet its requirements for patent examination, initiate employment of scholars and experts in related fields to be part-time patent examiners.

Article 18

The implementing by-laws of the Office shall be drawn up and submitted to the Ministry of Economic Affairs for its approval.

Article 19

The enforcement date of this Statute shall be determined by the Executive Yuan.

The revised provisions of this Statute shall become effective from the date of promulgation.

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