Critical Issues and Recent Development of Database and Internet Protection: Cases Study of Taiwan

Paul C.B. Liu, Ph.D.
Professor and Director
Graduate Institute of Technology and Innovation Management
Center for Technology Policy and Law
National Chengchi University
I. Reform of Copyright Administration
II. Copyright Law Amendment
III. Internet and Electronic Commerce
IV. International Organization / International Protection
V. Fair Use
VI. Court Decisions
Reform of Copyright Administration

- New Intellectual Property Office, Jan 26 ‘99
  - Drafting and Promulgation of Patent, Trademark, Copyright, Circuit Layout, Trade Secret and others
  - Copyright Registration and Cancellation, Royalty Rates, Compulsory Licensing of Intermediary Organization
  - Promotion, Mediation, Assessment in IP Disputes
  - International Cooperation of Information Exchange
Copyright Law Amendment, Jan21 1998

- Confirmity with TRIPs and Berne
  - Definition of Public Broadcast and Public Performance
  - Protection of Performance Right
  - Abolishment of Compulsory Translation
  - Pipeline Protection of Life +50

- New Changes
  - Employment Works and Work Made for Hire
  - Fair Use Scope
  - Completely Abolish the Registration System
  - Six Months Waiting Period for Music Compulsory License
Internet and Electronic Commerce

- NII
- Internet Law
- Digital Signature Law
- Internet / EC Issues
- Cable TV Law
- Telecommunication Law
Int’l Org and Int’l Protection

- Isolation of Int’l Organization
- APEC
- WTO
- Bio Lateral Agreement
- Section 301 of U.S. Trade Law
- Piracy and Counterfeiting
Fair Use

- The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- the nature of copyrighted work;
- the amount and substantiability of the portion used in relation to the copyrighted work as a whole; and
- the effect of the use upon the potential market for or value of the copyrighted work.