# 13.智慧財產及商業法院智慧財產法庭刑事第二審更審案件裁判結果—按年及罪名別分

**13. Results of Judgments and Rulings of Criminal Appeals Cases of the Third Instance Remanded or Assigned for New Trial Terminated by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Year and Crime Type**

單位：件；人 (Unit: case; individual)

| 年及罪名別 Year & Crime Type | 終結件數 Cases closed | 被告人數 Number of defendants | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 合計 Total | 上訴駁回 Appeals dismissed | 撤銷改判 Revocation of previous judgment | | | | | | | 通緝 Wanted by the law | 撤回 With-drawn | 其他 Other |
| | | | | 小計 Subtotal | 維持原刑期 New judgment but with same period of imprison-ment | 減免或無罪 New judgment but with reduced penalty or not guilty | 加重 New judgment but with increased penalty | 免訴 Not prosec-utable | 不受理 Case decline-ed | 其他 Other | | | |
| 民國102年2013 | 13 | 14 | 2 | 12 | 2 | 6 | 3 | - | - | 1 | - | - | - |
| 民國103年2014 | 5 | 7 | 1 | 5 | - | 5 | - | - | - | - | - | - | 1 |
| 民國104年2015 | 4 | 6 | - | 6 | 2 | 4 | - | - | - | - | - | - | - |
| 民國105年2016 | 9 | 11 | 3 | 5 | - | 4 | - | - | - | 1 | - | 3 | - |
| 民國106年2017 | 1 | 1 | - | 1 | - | 1 | - | - | - | - | - | - | - |
| 民國107年2018 | 4 | 5 | - | 5 | 1 | 3 | - | - | - | 1 | - | - | - |
| 民國108年2019 | 2 | 2 | 1 | 1 | - | - | - | - | - | 1 | - | - | - |
| 民國109年2020 | 5 | 8 | 1 | 6 | - | 3 | 1 | - | 2 | - | - | 1 | - |
| 民國110年2021 | 8 | 14 | 1 | 13 | - | - | 11 | - | 2 | - | - | - | - |
| **民國111年2022** | **8** | **28** | **15** | **13** | **2** | **7** | **2** | **-** | **2** | **-** | **-** | **-** | **-** |
| **普通刑法計 Subtotal of general criminal law** | **3** | **19** | **15** | **4** | **-** | **-** | **2** | **-** | **2** | **-** | **-** | **-** | **-** |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 偽造仿造商標商號罪 Crime of trademark or tradename counterfeiting | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 販賣陳列輸入偽造仿造商標商號之貨物罪 Crime of trafficking, displaying or importing goods with a counterfeit trademark or tradename | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 對商品為虛偽標記與販賣陳列輸入該商品罪 Crime of falsifying an indication on goods, or trafficking, displaying or importing such goods | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 妨害秘密罪 Offenses relating to protection of secrets | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 洩漏業務上知悉工商祕密 Disclosing a trade secret known in business | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 洩漏職務上工商祕密 Disclosing a trade secret known on official duty | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | 3 | 19 | 15 | 4 | - | - | 2 | - | 2 | - | - | - | - |

# 13.智慧財產及商業法院智慧財產法庭刑事第二審更審案件裁判結果—按年及罪名別分（續完）

**13. Results of Judgments and Rulings of Criminal Appeal Cases of the Third Instance Remanded or Assigned for New Trial Terminated by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Year and Crime Type (Cont. End)**

單位：件；人 (Unit: case; individual)

| 年及罪名別 Year & Crime Type | 終結件數 Cases closed | 被告人數 Number of defendants | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 合計 Total | 上訴駁回 Appeals dismissed | 撤銷改判 Revocation of previous judgment | | | | | | | 通緝 Wanted by the law | 撤回 With-drawn | 其他 Other |
| | | | | 小計 Subtotal | 維持原刑期 New judgment but with same period of imprison-ment | 減免或無罪 New judgment but with reduced penalty or not guilty | 加重 New judgment but with increased penalty | 免訴 Not prosec-utable | 不受理 Case decline-ed | 其他 Other | | | |
| **特別刑事法計 Subtotal of special criminal law** | **5** | **9** | **-** | **9** | **2** | **7** | **-** | **-** | **-** | **-** | **-** | **-** | **-** |
| 違反著作權法 Violation of the copyright law | 1 | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - |
| 違法重製罪 Offence of unlawful reproduction | 1 | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - |
| 移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法利用他人著作罪 Offense of unlawful use of another person's work of authorship | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 虛偽記載登記罪 Offense of false entry or registration | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反商標法 Violation of the trademark law | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 侵害他人商標罪 Offense of trademark infringement | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反公平交易法 Violation of the fair trade act | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 仿冒或販賣運送輸出入仿冒商品罪 Crime of counterfeiting or of selling, trafficking in, importing or exporting counterfeit goods | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 脅迫利誘獲取產銷技術機密罪 Crime of obtaining a secret in manufacturing or marketing by duress or inducement | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | 4 | 8 | - | 8 | 1 | 7 | - | - | - | - | - | - | - |
| 併案裁判 Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - |