# 15.智慧財產及商業法院智慧財產法庭刑事第二審案件裁判結果—按罪名別分

## 15. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Crime Type

單位：件；人
Unit: case; individual

| 罪名別 Crime Type | 終結件數 Cases closed | 被告人數 Number of defendants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 罪名別 Crime Type |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 合計 Total | 上訴駁回 Appeals dismissed | | | | | | | | | | | | | | | | | 撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment | | | | | | | | | | | | | |
| | | | 科刑 Individuals sentenced | | | | | | | | | | 免除其刑 Penalty released | 無罪 Acquitted | 免訴 Not prose-cutable | 不受理 Case declined | 其他 Other | | 科刑 Individuals sentenced | | | | | | | | | | 免除其刑 Penalty released | 無罪 Acquitted | | |
| | | | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 Detention | 罰金 Punitive fine | | | | | | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 Detention | 罰金 Punitive fine | | | |
| | | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | | | | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | | |
| **合計 Total** | **91** | **155** | **24** | **3** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **12** | **2** | **-** | **20** | **-** | **1** | **1** | **9** | **1** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **2** | **1** | **-** | **-** | **合計 Total** |
| **普通刑法計 Subtotal of general criminal law** | **19** | **42** | **13** | **2** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **6** | **-** | **-** | **3** | **-** | **1** | **1** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **普通刑法計 Subtotal of general criminal law** |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | 1 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | 1 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 妨害秘密罪 Offenses relating to protection of secrets | 2 | 2 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | 1 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | 洩漏職務上工商祕密 Disclosing a trade secret known on official duty |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 其他 Other | 16 | 39 | 11 | 2 | - | - | - | - | - | - | - | 6 | - | - | 3 | - | 1 | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |

# 15.智慧財產及商業法院智慧財產法庭刑事第二審案件裁判結果—按罪名別分(續一)

## 15. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Crime Type (Cont. 1)

單位：人
Unit: individual

| 罪名別 Crime Type | 被告人數 Number of defendants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 罪名別 Crime Type |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty | | | | | | | | | | | | | | 撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty | | | | | | | | | | | | | | | | | |
| | 科刑 Individuals sentenced | | | | | | | | | | | 免除其刑 | 無罪 | | 科刑 Individuals sentenced | | | | | | | | | | | 免除其刑 | 撤銷改判免訴 | 撤銷改判不受理 | 撤銷改判管轄錯誤 | 撤銷改判發回原審法院 | 撤回 | 其他 | |
| | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 | 罰金 | | | | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 | 罰金 | | | | | | | |
| | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | Detention | Punitive fine | Penalty released | Acquitted | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | Detention | Punitive fine | Penalty released | Revocation of previous judgment by new judgment but of exemption from prosecution | Revocation of previous judgment by new judgment but of non-entertainment | Revocation of previous judgment by new judgment but of wrong jurisdiction | Revocation of previous judgment and referred back to original court | With-drawn | Other | |
| **合計 Total** | 11 | 9 | 8 | - | 1 | 2 | - | - | - | - | 6 | - | 4 | 6 | 1 | 4 | 3 | - | - | - | - | - | 1 | - | - | - | 4 | - | 2 | 14 | 1 | **合計 Total** |
| **普通刑法計 Subtotal of general criminal law** | 3 | 1 | 2 | - | - | - | - | - | - | - | - | - | - | 3 | 1 | 1 | 1 | - | - | - | - | - | - | - | - | - | 2 | - | - | 1 | - | **普通刑法計 Subtotal of general criminal law** |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 妨害秘密罪 Offenses relating to protection of secrets | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 洩漏職務上工商祕密 Disclosing a trade secret known on official duty |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 其他 Other | 3 | 1 | 2 | - | - | - | - | - | - | - | - | - | - | 3 | 1 | 1 | 1 | - | - | - | - | - | - | - | - | - | 2 | - | - | 1 | - | 其他 Other |

# 15.智慧財產及商業法院智慧財產法庭刑事第二審案件裁判結果—按罪名別分(續二)

## (保安處分、緩刑、從刑、累犯及得易科罰金人數)

## 15. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Crime Type (Cont. 2)

(Number of persons of rehabilitative measures,suspended of punishment,accessory punishment,recidivists,whose penalties may be commuted to fines and Number of defendants)

單位：人
Unit: individual

| 罪名別 Crime Type | 保安處分人數 Number of persons of rehabilitative measures | | | | | 緩刑人數 Number of persons suspended of punishment | | | 褫奪公權人數 | 沒收件數 | 沒收並追徵、追繳或抵償件數 | 追徵、追繳或抵償件數 | 累犯人數 | 得易科罰金人數 Number of persons whose penalties may be commuted to fines | | 罪名別 Crime Type |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 合計 Total | 監護 Guardian | 強制工作 Compulsory work | 保護管束 Probation | 驅逐出境 Expel from the country | 六月以下有期徒刑 Timed imprison-ments of 6 or less than 6 months | 逾六月有期徒刑 Timed imprison-ments more than 6 months | 拘役罰金 Detention or punitive fine | Number of persons deprived of civil rights | Number of confiscation cases | Number of confiscation and payment | Number of payment | Number of recidivists | 六月以下有期徒刑 Timed imprison-ments of 6 or less than 6 months | 拘役 Detention | |
| **合計 Total** | **15** | **-** | **-** | **15** | **-** | **14** | **18** | **7** | **-** | **40** | **-** | **-** | **7** | **51** | **15** | **合計 Total** |
| **普通刑法計 Subtotal of general criminal law** | **1** | **-** | **-** | **1** | **-** | **3** | **4** | **-** | **-** | **8** | **-** | **-** | **2** | **22** | **6** | **普通刑法計 Subtotal of general criminal law** |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 妨害秘密罪 Offenses relating to protection of secrets | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 洩漏職務上工商祕密 Disclosing a trade secret known on official duty |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 其他 Other | 1 | - | - | 1 | - | 3 | 4 | - | - | 8 | - | - | 2 | 20 | 6 | 其他 Other |

# 15.智慧財產及商業法院智慧財產法庭刑事第二審案件裁判結果—按罪名別分(續三)

## 15. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Crime Type (Cont. 3)

單位：件；人
Unit: case; individual

| 罪名別 Crime Type | 終結件數 Cases closed | 被告人數 Number of defendants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 罪名別 Crime Type |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 合計 Total | 上訴駁回 Appeals dismissed | | | | | | | | | | | | | | | | | 撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment | | | | | | | | | | | | |
| | | | 科刑 Individuals sentenced | | | | | | | | | | 免除其刑 Penalty released | 無罪 Acquitted | 免訴 Not prose-cutable | 不受理 Case declined | 其他 Other | 科刑 Individuals sentenced | | | | | | | | | | 免除其刑 Penalty released | 無罪 Acquitted | |
| | | | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 Detention | 罰金 Punitive fine | | | | | 有期徒刑 Timed imprisonments | | | | | | | | 拘役 Detention | 罰金 Punitive fine | | | |
| | | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | | | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | | | | | |
| **特別刑事法計 Subtotal of special criminal law** | **72** | **113** | **11** | **1** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **6** | **2** | **-** | **17** | **-** | **-** | **-** | **8** | **1** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **2** | **1** | **-** | **-** | **特別刑事法計 Subtotal of special criminal law** |
| 違反著作權法 Violation of the copyright law | 36 | 51 | 5 | 1 | - | - | - | - | - | - | - | 4 | 2 | - | 6 | - | - | - | 2 | 1 | - | - | - | - | - | - | - | 2 | 1 | - | - | 違反著作權法 Violation of the copyright law |
| 違法重製罪 Offence of unlawful reproduction | 16 | 26 | - | 1 | - | - | - | - | - | - | - | - | - | - | 5 | - | - | - | 2 | 1 | - | - | - | - | - | - | - | 1 | 1 | - | - | 違法重製罪 Offence of unlawful reproduction |
| 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 | 6 | 6 | 3 | - | - | - | - | - | - | - | - | - | - | - | 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 | 14 | 19 | 2 | - | - | - | - | - | - | - | - | 4 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 虛偽記載登記罪 Offense of false entry or registration |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 違反商標法 Violation of the trademark law | 19 | 27 | 5 | - | - | - | - | - | - | - | - | 1 | - | - | 8 | - | - | - | 6 | - | - | - | - | - | - | - | - | - | - | - | - | 違反商標法 Violation of the trademark law |
| 侵害他人商標罪 Offense of trademark infringement | 6 | 12 | - | - | - | - | - | - | - | - | - | - | - | - | 4 | - | - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - | 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 | 13 | 15 | 5 | - | - | - | - | - | - | - | - | 1 | - | - | 4 | - | - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 |
| 其他 Other | 17 | 35 | 1 | - | 1 | - | - | - | - | - | - | 1 | - | - | 3 | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 併案裁判 Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 併案裁判 Consolidated judgments |

# 15.智慧財產及商業法院智慧財產法庭刑事第二審案件裁判結果—按罪名別分(續四)

## 15. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Crime Type (Cont. 4)

單位：人
Unit: individual

| 罪名別 Crime Type | 被告人數 Number of defendants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 罪名別 Crime Type |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty | | | | | | | | | | | | | | 撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty | | | | | | | | | | | | | | | | |
| | 科刑 Individuals sentenced | | | | | | | | | | | 免除其刑 | 無罪 | | 科刑 Individuals sentenced | | | | | | | | | | | 免除其刑 | 撤銷改判免訴 | 撤銷改判不受理 | 撤銷改判管轄錯誤 | 撤銷改判發回原審法院 | 撤回 | 其他 | |
| | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 | 罰金 | | | | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 | 罰金 | | | | | | | |
| | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | Detention | Punitive fine | Penalty released | Acquitted | | 六月以下 6 or less than 6 months | 逾六月至一年以下 Over 6 months to 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years | 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年至十五年以下 Over 10 years to 15 years | 逾十五年 Over 15 years | Detention | Punitive fine | Penalty released | Revocation of previous judgment by new judgment but of exemption from prosecution | Revocation of previous judgment by new judgment but of non-entertainment | Revocation of previous judgment by new judgment but of wrong jurisdiction | Revocation of previous judgment and referred back to original court | Withdrawn | Other | |
| **特別刑事法計 Subtotal of special criminal law** | 8 | 8 | 6 | - | 1 | 2 | - | - | - | - | 6 | - | 4 | 3 | - | 3 | 2 | - | - | - | - | - | 1 | - | - | - | 2 | - | 2 | 13 | 1 | **特別刑事法計 Subtotal of special criminal law** |
| 違反著作權法 Violation of the copyright law | 3 | 1 | - | - | - | - | - | - | - | - | 2 | - | 3 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - | 2 | 11 | 1 | 違反著作權法 Violation of the copyright law |
| 違法重製罪 Offence of unlawful reproduction | 1 | 1 | - | - | - | - | - | - | - | - | 1 | - | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - | - | 8 | - | 違法重製罪 Offence of unlawful reproduction |
| 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 | 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 | 1 | - | - | - | - | - | - | - | - | - | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 | 3 | 1 | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 虛偽記載登記罪 Offense of false entry or registration |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 違反商標法 Violation of the trademark law | 2 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | 1 | 違反商標法 Violation of the trademark law |
| 侵害他人商標罪 Offense of trademark infringement | 2 | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 |
| 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 |
| 其他 Other | 3 | 6 | 5 | - | 1 | 2 | - | - | - | - | 4 | - | 1 | - | - | 3 | 2 | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | 其他 Other |
| 併案裁判 Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 併案裁判 Consolidated judgments |

# 15.智慧財產及商業法院智慧財產法庭刑事第二審案件裁判結果—按罪名別分(續完)

**(保安處分、緩刑、從刑、累犯及得易科罰金人數)**

**15. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Courts of the Intellectual Property and Commercial Court – by Crime Type (Cont. End)**

**(Number of persons of rehabilitative measures,suspended of punishment,accessory punishment,recidivists,whose penalties may be commuted to fines and Number of defendants)**

單位：人
Unit: individua

| 罪名別 Crime Type | 保安處分人數 Number of persons of rehabilitative measures | | | | | 緩刑人數 Number of persons suspended of punishment | | | 褫奪公權人數 | 沒收件數 | 沒收並追徵、追繳或抵償件數 | 追徵、追繳或抵償件數 | 累犯人數 | 得易科罰金人數 Number of persons whose penalties may be commuted to fines | | 罪名別 Crime Type |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 合計 Total | 監護 Guardian | 強制工作 Compulsory work | 保護管束 Probation | 驅逐出境 Expel from the country | 六月以下有期徒刑 Timed imprison-ments of 6 or less than 6 months | 逾六月有期徒刑 Timed imprison-ments more than 6 months | 拘役罰金 Detention or punitive fine | Number of persons deprived of civil rights | Number of confiscation cases | Number of confiscation and payment | Number of payment | Number of recidivists | 六月以下有期徒刑 Timed imprison-ments of 6 or less than 6 months | 拘役 Detention | |
| **特別刑事法計 Subtotal of special criminal law** | **14** | **-** | **-** | **14** | **-** | **11** | **14** | **7** | **-** | **32** | **-** | **-** | **5** | **29** | **9** | **特別刑事法計 Subtotal of special criminal law** |
| 違反著作權法 Violation of the copyright law | 1 | - | - | 1 | - | 4 | 1 | 3 | - | 7 | - | - | - | 12 | 6 | 違反著作權法 Violation of the copyright law |
| 違法重製罪 Offence of unlawful reproduction | - | - | - | - | - | - | 1 | - | - | 4 | - | - | - | 3 | 1 | 違法重製罪 Offence of unlawful reproduction |
| 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 | 1 | - | - | 1 | - | 2 | - | - | - | 3 | - | - | - | 5 | - | 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 | - | - | - | - | - | 2 | - | 3 | - | - | - | - | - | 4 | 5 | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 虛偽記載登記罪 Offense of false entry or registration |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其他 Other |
| 違反商標法 Violation of the trademark law | 7 | - | - | 7 | - | 6 | 2 | 1 | - | 11 | - | - | 1 | 14 | 2 | 違反商標法 Violation of the trademark law |
| 侵害他人商標罪 Offense of trademark infringement | 6 | - | - | 6 | - | 4 | 2 | - | - | 1 | - | - | - | 5 | 1 | 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 | 1 | - | - | 1 | - | 2 | - | 1 | - | 10 | - | - | 1 | 9 | 1 | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 |
| 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 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 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 |
| 其他 Other | 6 | - | - | 6 | - | 1 | 11 | 3 | - | 14 | - | - | 4 | 3 | 1 | 其他 Other |
| 併案裁判 Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 併案裁判 Consolidated judgments |