# 12.智慧財產及商業法院智慧財產法庭受理刑事上訴案件裁判結果—按年及罪名別分

**12. Results of Judgments and Rulings of Criminal Appeals Cases of the Intellectual Property Courts in 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103年 2014 | 177 | 256 | 143 | 99 | 22 | 48 | 21 | - | 4 | 4 | - | 14 | - |
| 民國104年 2015 | 172 | 258 | 148 | 100 | 21 | 47 | 14 | - | 4 | 14 | - | 10 | - |
| 民國105年 2016 | 143 | 239 | 135 | 77 | 20 | 24 | 15 | - | 7 | 11 | - | 23 | 4 |
| 民國106年 2017 | 135 | 208 | 115 | 84 | 27 | 31 | 17 | - | 1 | 8 | - | 7 | 2 |
| 民國107年 2018 | 143 | 214 | 140 | 69 | 17 | 21 | 26 | - | - | 5 | - | 5 | - |
| 民國108年 2019 | 142 | 226 | 117 | 98 | 19 | 35 | 33 | - | - | 11 | - | 9 | 2 |
| 民國109年 2020 | 125 | 193 | 106 | 69 | 12 | 32 | 19 | - | 4 | 2 | - | 6 | 12 |
| 民國110年 2021 | 132 | 179 | 111 | 62 | 10 | 27 | 19 | - | 2 | 4 | - | 2 | 4 |
| 民國111年 2022 | 83 | 127 | 49 | 63 | 12 | 34 | 13 | - | 2 | 2 | - | 14 | 1 |
| **民國112年 2023** | **101** | **176** | **83** | **69** | **24** | **31** | **7** | **-** | **3** | **4** | **-** | **9** | **15** |
| **普通刑法計 Subtotal of general criminal law** | **26** | **52** | **22** | **14** | **2** | **9** | **1** | **-** | **2** | **-** | **-** | **3** | **13** |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | 1 | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - |
| 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 | 1 | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 妨害秘密罪 Offenses relating to protection of secrets | 3 | 6 | 5 | 1 | - | 1 | - | - | - | - | - | - | - |
| 洩漏業務上知悉工商祕密 Disclosing a trade secret known in business | 3 | 5 | 5 | - | - | - | - | - | - | - | - | - | - |
| 洩漏職務上工商祕密 Disclosing a trade secret known on official duty | - | 1 | - | 1 | - | 1 | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他 Other | 22 | 45 | 17 | 12 | 1 | 8 | 1 | - | 2 | - | - | 3 | 13 |

## 12.智慧財產及商業法院智慧財產法庭受理刑事上訴案件裁判結果—按年及罪名別分 (續)

**12. Results of Judgments and Rulings of Criminal Appeals Cases of the Intellectual Property Courts in the Intellectual Property and Commercial Court – by Year and Crime Type (Cont.)**

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** | **75** | **124** | **61** | **55** | **22** | **22** | **6** | **-** | **1** | **4** | **-** | **6** | **2** |
| 違反著作權法 Violation of the copyright law | 37 | 61 | 27 | 33 | 14 | 12 | 3 | - | - | 4 | - | 1 | - |
| 違法重製罪 Offence of unlawful reproduction | 18 | 34 | 10 | 24 | 11 | 9 | 1 | - | - | 3 | - | - | - |
| 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 | 5 | 8 | 6 | 2 | 2 | - | - | - | - | - | - | - | - |
| 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 | 11 | 7 | 1 | 3 | 2 | - | - | 1 | - | 1 | - |
| 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 | 29 | 40 | 26 | 11 | 1 | 6 | 3 | - | 1 | - | - | 3 | - |
| 侵害他人商標罪 Offense of trademark infringement | 12 | 19 | 15 | 4 | - | 1 | 2 | - | 1 | - | - | - | - |
| 販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark | 17 | 21 | 11 | 7 | 1 | 5 | 1 | - | - | - | - | 3 | - |
| 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 | 9 | 23 | 8 | 11 | 7 | 4 | - | - | - | - | - | 2 | 2 |
| 併案裁判 Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - |