# 28.智慧財產及商業法院商業法庭商業訴訟涉外事件終結情形—按年及主要爭議類型分

## 28. State of Closed Cases of the Commercial Court Cases Involving Foreign Elements in the Intellectual Property and Commercial Court – by Year and Litigation Type

單位：件；人；%
Unit: case; individual; %

| 年及主要爭議類型（商業事件審理法第 2 條）<br>Year & Litigation type (Article 2 of the Commercial Case Adjudication Act) | 終結情形 State of closed cases | | | | | | | | | | | | 原告國籍 Nationality of plaintiff | | | | | | | 被告國籍 Nationality of defendant | | | | | | | 年及主要爭議類型（商業事件審理法第 2 條）<br>Year & Litigation type (Article 2 of the Commercial Case Adjudication Act) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 合計<br>Total | 撤回<br>With-drawn | 判決 Judgment | | | | 和解 Conciliation | | 裁定駁回<br>Ruling of dismiss | 移送管轄<br>Transfer of jurisd-iction | 調解成立<br>Media-tion sus-tained | 其他<br>Other | 合計<br>Total | 開曼群島<br>Cayman Islands | 中國大陸<br>China | 香港<br>Hong Kong | 美國<br>United States of America | 日本<br>Japan | 其他<br>Other | 合計<br>Total | 香港<br>Hong Kong | 開曼群島<br>Cayman Islands | 美國<br>United States of America | 百慕達<br>Bermuda | 中國大陸<br>China | 其他<br>Other | |
| | | | 計<br>Subtotal | 勝訴<br>Winning a suit | 敗訴<br>Losing a suit | 勝敗互見<br>Partly winning a suit and partly losing a suit | 件數<br>Cases | 百分比<br>Percenta-ge | | | | | | | | | | | | | | | | | | |
| 民國 110 年 2021 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 民國 110 年 2021 |
| 民國 111 年 2022 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 民國 111 年 2022 |
| **民國 112 年 2023** | **6** | **-** | **4** | **1** | **3** | **-** | **1** | **16.67** | **-** | **1** | **-** | **-** | **1** | **1** | **-** | **-** | **-** | **-** | **-** | **8** | **3** | **3** | **1** | **1** | **-** | **-** | **民國 112 年 2023** |
| 民事上權利義務之爭議標的金額或價額逾 1 億元計<br>Civil disputes that the value(or amount) of claims over 100,000,000 dollars | 1 | - | - | - | - | - | - | - | - | 1 | - | - | 1 | 1 | - | - | - | - | - | 3 | 3 | - | - | - | - | - | 民事上權利義務之爭議標的金額或價額逾 1 億元計<br>Civil disputes that the value(or amount) of claims over 100,000,000 dollars |
| 公司負責人執行業務（§2第2項第1款）<br>Business operation by the responsible person of the company(Subparagraph 1, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 公司負責人執行業務（§2第2項第1款）<br>Business operation by the responsible person of the company(Subparagraph 1, Paragraph 2 of Article 2) |
| 證券交易法（§2第2項第2款第1目）<br>The Securities and Exchange Act(Item 1, Subparagraph 2, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 證券交易法（§2第2項第2款第1目）<br>The Securities and Exchange Act(Item 1, Subparagraph 2, Paragraph 2 of Article 2) |
| 期貨交易法（§2第2項第2款第2目）<br>The Futures Trading Act(Item 2, Subparagraph 2, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 期貨交易法（§2第2項第2款第2目）<br>The Futures Trading Act(Item 2, Subparagraph 2, Paragraph 2 of Article 2) |
| 證券投資信託及顧問法（§2第2項第2款第3目）<br>The Securities Investment Trust and Consulting Act(Item 3, Subparagraph 2, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 證券投資信託及顧問法（§2第2項第2款第3目）<br>The Securities Investment Trust and Consulting Act(Item 3, Subparagraph 2, Paragraph 2 of Article 2) |
| 不動產證券化條例（§2第2項第2款第4目）<br>The Real Estate Securitization Act(Item 4, Subparagraph 2, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 不動產證券化條例（§2第2項第2款第4目）<br>The Real Estate Securitization Act(Item 4, Subparagraph 2, Paragraph 2 of Article 2) |
| 金融資產證券化條例（§2第2項第2款第5目）<br>The Financial Asset Securitization Act(Item 5, Subparagraph 2, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 金融資產證券化條例（§2第2項第2款第5目）<br>The Financial Asset Securitization Act(Item 5, Subparagraph 2, Paragraph 2 of Article 2) |
| 雙方書面合意由商業法院管轄（§2第2項第6款）<br>Under the jurisdiction of the commercial court by written mutual consent(Subparagraph 6, Paragraph 2 of Article 2) | 1 | - | - | - | - | - | - | - | - | 1 | - | - | 1 | 1 | - | - | - | - | - | 3 | 3 | - | - | - | - | - | 雙方書面合意由商業法院管轄（§2第2項第6款）<br>Under the jurisdiction of the commercial court by written mutual consent(Subparagraph 6, Paragraph 2 of Article 2) |

說明：和解百分比指和解件數占民事第一審終結事件之百分比。

Note: Conciliation percentage is the ratio of the number of Conciliation cases to the number of civil cases terminated in the first instance.

# 28.智慧財產及商業法院商業法庭商業訴訟涉外事件終結情形—按年及主要爭議類型分(續)

## 28. State of Closed Cases of the Commercial Court Cases Involving Foreign Elements in the Intellectual Property and Commercial Court – by Year and Litigation Type (Cont.)

單位：件；人；%
Unit: case; individual; %

| 年及主要爭議類型（商業事件審理法第 2 條）<br>Year & Litigation type (Article 2 of the Commercial Case Adjudication Act) | 終結情形 State of closed cases | | | | | | | | | | | | 原告國籍 Nationality of plaintiff | | | | | | | 被告國籍 Nationality of defendant | | | | | | | 年及主要爭議類型（商業事件審理法第 2 條）<br>Year & Litigation type (Article 2 of the Commercial Case Adjudication Act) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 合計<br>Total | 撤回<br>With-drawn | 判決 Judgment | | | | 和解 Conciliation | | 裁定駁回<br>Ruling of dismiss | 移送管轄<br>Transfer of jurisd-iction | 調解成立<br>Media-tion sus-tained | 其他<br>Other | 合計<br>Total | 開曼群島<br>Cayman Islands | 中國大陸<br>China | 香港<br>Hong Kong | 美國<br>United States of America | 日本<br>Japan | 其他<br>Other | 合計<br>Total | 香港<br>Hong Kong | 開曼群島<br>Cayman Islands | 美國<br>United States of America | 百慕達<br>Bermuda | 中國大陸<br>China | 其他<br>Other | |
| | | | 計<br>Subtotal | 勝訴<br>Winning a suit | 敗訴<br>Losing a suit | 勝敗互見<br>Partly winning a suit and partly losing a suit | 件數<br>Cases | 百分比<br>Percenta-ge | | | | | | | | | | | | | | | | | | |
| 其他爭議事件<br>Other cases in dispute | 5 | - | 4 | 1 | 3 | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 5 | - | 3 | 1 | 1 | - | - | 其他爭議事件<br>Other cases in dispute |
| 公開發行股票公司股東權利爭議事件，或訴請解任公司董事或監察人事件（§2第2項第3款）<br>Disputed cases concerning civil rights and obligations arising between shareholders of publicly traded companies exercising shareholder rights based on their shareholder status and petitioning the court to remove the company's directors or supervisors (Subparagraph 3, Paragraph 2 of Article 2) | 4 | - | 3 | - | 3 | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 4 | - | 3 | 1 | - | - | - | 公開發行股票公司股東權利爭議事件，或訴請解任公司董事或監察人事件（§2第2項第3款）<br>Disputed cases concerning civil rights and obligations arising between shareholders of publicly traded companies exercising shareholder rights based on their shareholder status and petitioning the court to remove the company's directors or supervisors (Subparagraph 3, Paragraph 2 of Article 2) |
| 公開發行股票公司股東會或董事會決議效力之爭議事件。（§2第2項第4款）<br>Disputes over the effectiveness of the resolutions of the shareholders, or boards of directors meetings of publicly traded companies (Subparagraph 4, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 公開發行股票公司股東會或董事會決議效力之爭議事件。（§2第2項第4款）<br>Disputes over the effectiveness of the resolutions of the shareholders, or boards of directors meetings of publicly traded companies (Subparagraph 4, Paragraph 2 of Article 2) |
| 非公開發行股票公司股東會或董事會決議效力之爭議事件（§2第2項第5款）<br>Disputes over the effectiveness of the resolutions of the shareholders, or boards of directors meetings of non-publicly traded companies (Subparagraph 5, Paragraph 2 of Article 2) | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 非公開發行股票公司股東會或董事會決議效力之爭議事件（§2第2項第5款）<br>Disputes over the effectiveness of the resolutions of the shareholders, or boards of directors meetings of non-publicly traded companies (Subparagraph 5, Paragraph 2 of Article 2) |
| 其他依法律規定或經司法院指定之商業訴訟事件（§2 第 2 項第 7 款）<br>Other commercial litigation cases that fall under the jurisdiction of a commercial court pursuant to other laws, or as designated by the Judicial Yuan(Subparagraph 7, Paragraph 2 of Article 2) | 1 | - | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - | - | 1 | - | - | 其他依法律規定或經司法院指定之商業訴訟事件（§2 第 2 項第 7 款）<br>Other commercial litigation cases that fall under the jurisdiction of a commercial court pursuant to other laws, or as designated by the Judicial Yuan(Subparagraph 7, Paragraph 2 of Article 2) |