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

中華民國 112 年 (2023)

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										拘役 Detention	罰金 Punitive fine	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										拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	
			有期徒刑 Timed imprisonments																	有期徒刑 Timed imprisonments													
			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	**105**	**182**	**25**	**1**	**2**	**-**	**-**	**-**	**-**	**-**	**-**	**5**	**2**	**-**	**42**	**3**	**3**	**-**	**14**	**3**	**2**	**-**	**-**	**-**	**-**	**-**	**-**	**1**	**-**	**8**	**合計 Total**
普通刑法計 Subtotal of general criminal law	**28**	**55**	**10**	**1**	**2**	**-**	**-**	**-**	**-**	**-**	**-**	**2**	**-**	**-**	**7**	**-**	**-**	**-**	**1**	**2**	**2**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**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	3	6	2	-	-	-	-	-	-	-	-	2	-	-	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	3	5	2	-	-	-	-	-	-	-	-	2	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	24	48	8	1	2	-	-	-	-	-	-	-	-	-	6	-	-	-	-	2	2	-	-	-	-	-	-	-	-	-	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

中 華 民 國 112 年 (2023)

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													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	
	科刑 Individuals sentenced										免除其刑	無罪		科刑 Individuals sentenced										免除其刑							
	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					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											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	
合計 Total	19	5	2	-	-	-	-	-	-	1	1	-	3	3	1	-	-	-	-	-	-	-	4	1	-	-	3	-	4	9	15	**合計 Total**
普通刑法計 Subtotal of general criminal law	6	-	1	-	-	-	-	-	-	-	-	-	2	-	1	-	-	-	-	-	-	-	-	-	-	-	2	-	-	3	13	**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	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	5	-	1	-	-	-	-	-	-	-	-	-	2	-	1	-	-	-	-	-	-	-	-	-	-	-	2	-	-	3	13	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)

中華民國 112 年 (2023)

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	**2**	**-**	**-**	**2**	**-**	**37**	**6**	**6**	**-**	**27**	**-**	**-**	**4**	**57**	**10**	**合計 Total**
普通刑法計 Subtotal of general criminal law	**2**	**-**	**-**	**2**	**-**	**12**	**4**	**-**	**-**	**10**	**-**	**-**	**3**	**14**	**2**	**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	-	-	-	-	-	1	-	-	-	-	-	-	-	3	2	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	-	-	-	-	-	-	-	-	-	-	-	-	-	2	2	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	-	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	2	-	-	2	-	11	4	-	-	9	-	-	2	10	-	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)

中華民國 112 年 (2023)

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									拘役 Detention	罰金 Punitive fine	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									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	
			有期徒刑 Timed imprisonments																有期徒刑 Timed imprisonments												
			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	77	127	15	-	-	-	-	-	-	-	-	3	2	-	35	3	3	-	13	1	-	-	-	-	-	-	-	1	-	8	**特別刑事法計 Subtotal of special criminal law**
違反著作權法 Violation of the copyright law	39	64	7	-	-	-	-	-	-	-	-	1	2	-	16	1	-	-	11	1	-	-	-	-	-	-	-	1	-	2	違反著作權法 Violation of the copyright law
違法重製罪 Offence of unlawful reproduction	19	35	1	-	-	-	-	-	-	-	-	-	1	-	7	1	-	-	8	1	-	-	-	-	-	-	-	1	-	2	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	5	8	1	-	-	-	-	-	-	-	-	-	-	-	5	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	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	15	21	5	-	-	-	-	-	-	-	-	1	1	-	4	-	-	-	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	29	40	5	-	-	-	-	-	-	-	-	2	-	-	17	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	違反商標法 Violation of the trademark law
侵害他人商標罪 Offense of trademark infringement	12	19	2	-	-	-	-	-	-	-	-	-	-	-	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	17	21	3	-	-	-	-	-	-	-	-	2	-	-	4	2	-	-	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 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	9	23	3	-	-	-	-	-	-	-	-	-	-	-	2	-	3	-	1	-	-	-	-	-	-	-	-	-	-	6	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)

中華民國 112 年 (2023)

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												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	13	5	1	-	-	-	-	-	-	1	1	-	1	3	-	-	-	-	-	-	-	-	4	1	-	-	1	-	4	6	2	**特別刑事法計 Subtotal of special criminal law**
違反著作權法 Violation of the copyright law	5	4	1	-	-	-	-	-	-	1	1	-	-	1	-	-	-	-	-	-	-	-	3	1	-	-	-	-	4	1	-	違反著作權法 Violation of the copyright law
違法重製罪 Offence of unlawful reproduction	4	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	3	-	-	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	1	-	-	-	-	1	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	5	-	-	-	-	-	-	-	-	-	-	-	-	1	2	-	-	-	-	-	-	-	1	-	-	-	1	-	-	3	-	違反商標法 Violation of the trademark law
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-	-	-	1	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	5	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	2	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: individual

中華民國 112 年 (2023)

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			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	**-**	**-**	**-**	**-**	**-**	**25**	**2**	**6**	**-**	**17**	**-**	**-**	**1**	**43**	**8**	**特別刑事法計 Subtotal of special criminal law**
違反著作權法 Violation of the copyright law	-	-	-	-	-	15	1	5	-	6	-	-	1	24	5	違反著作權法 Violation of the copyright law
違法重製罪 Offence of unlawful reproduction	-	-	-	-	-	8	1	1	-	5	-	-	1	13	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	-	-	-	-	-	2	-	-	-	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
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	-	-	-	-	-	5	-	4	-	-	-	-	-	8	4	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	-	-	-	-	-	6	-	1	-	7	-	-	-	13	3	違反商標法 Violation of the trademark law
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	1	-	-	-	1	-	-	-	3	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	-	-	-	-	-	5	-	1	-	6	-	-	-	10	2	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	-	-	-	-	-	4	1	-	-	4	-	-	-	6	-	其他 Other
併案裁判 Consolidated judgments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	併案裁判 Consolidated judgments