# 14. 智慧財產法院受理刑事第二審案件裁判結果－按年別及罪名別分

單位：件；人

| 年別及罪名別 Year and Crime Type | 終結件數 Cases closed | 被告人數 | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 合計 Total | 上訴駁回 Appeals dismissed | | | | | | | | | | | | | |
| | | | 科刑 Individuals Sentenced | | | | | | | | | | | | 免除其刑 Penalty released | 無罪 Acquitted |
| | | | 有期徒刑 Timed imprisonment | | | | | | | | | | 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 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 | | | | | |
| 民國 94 年 2005 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 民國 95 年 2006 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 民國 96 年 2007 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 民國 97 年 2008 | 91 | 142 | 17 | 4 | 1 | - | - | - | - | - | - | 1 | 1 | - | 20 |
| 民國 98 年 2009 | 265 | 378 | 24 | 12 | 1 | - | - | - | - | - | - | 6 | 3 | - | 103 |
| 民國 99 年 2010 | 257 | 384 | 27 | 19 | 7 | - | 2 | - | - | - | - | 8 | 5 | - | 79 |
| 民國 100 年 2011 | 275 | 407 | 53 | 19 | 2 | 5 | - | - | - | - | - | 7 | 2 | - | 118 |
| 民國 101 年 2012 | 226 | 326 | 45 | 16 | 2 | - | - | - | - | - | - | 5 | 7 | - | 86 |
| 民國 102 年 2013 | 219 | 323 | 52 | 18 | 1 | - | - | - | - | - | - | 7 | 7 | - | 73 |
| **民國 103 年 2014** | **182** | **263** | **35** | **5** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **7** | **7** | **-** | **75** |
| **普通刑法計 Subtotal of general criminal law** | **14** | **20** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **1** | **-** | **-** | **3** |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 偽造仿造商標商號罪 Crime of trademark or tradename counterfeiting | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 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 | 13 | 19 | 1 | - | - | - | - | - | - | - | - | 1 | - | - | 2 |

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

Unit: case; individual

| Defendants | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | 撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment | | | | | | | | | | | | | |
| 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 |
| | | | 有刑徒刑 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 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 | | | | | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 11 | 3 | 9 | 11 | 6 | - | 1 | - | - | - | - | - | - | - | - | 1 |
| 2 | 9 | - | 31 | 11 | 8 | 1 | - | 1 | - | - | - | 2 | 1 | - | 1 | |
| - | 15 | 5 | 36 | 3 | 7 | 1 | 1 | - | - | - | - | - | - | - | 3 | |
| - | 6 | - | 27 | 10 | 2 | 2 | - | 2 | - | - | - | 1 | 2 | - | 1 | |
| - | 8 | - | 25 | 9 | 2 | 2 | - | - | - | - | - | 2 | 2 | - | 1 | |
| - | 22 | - | 26 | 12 | 2 | - | - | - | - | - | - | - | 3 | - | 1 | |
| **1** | **14** | **-** | **11** | **2** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **3** | **1** | **-** | **5** | |
| **-** | **1** | **-** | **-** | **2** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **2** | |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 1 | - | - | 2 | - | - | - | - | - | - | - | - | - | - | - | 2 |

# 14. 智慧財產法院受理刑事第二審案件裁判結果－按年別及罪名別分(續一)

單位：人

| 年別及罪名別<br>Year and Crime Type | 被告人數 Defendants | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty | | | | | | | | | | | 免除其刑 | 無罪 |
| | 科刑 Individuals Sentenced | | | | | | | | | | | | |
| | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 | 罰金 | | |
| | 六月以下<br>6 or less than 6 months | 逾六月至一年以下<br>Over 6 months to 1 year | 逾一年至二年以下<br>Over 1 year to 2 years | 逾二年至三年以下<br>Over 2 years to 3 years | 逾三年至五年以下<br>Over 3 years to 5 years | 逾五年至七年以下<br>Over 5 years to 7 years | 逾七年至十年以下<br>Over 7 years to 10 years | 逾十年至十五年以下<br>Over 10 years to 15 years | 逾十五年<br>Over 15 years | Deten-tion | Punitive fine | Penalty released | Acquitted |
| 民國94年 2005 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 民國95年 2006 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 民國96年 2007 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 民國97年 2008 | 8 | 4 | 3 | - | - | - | - | - | - | - | 1 | - | 7 |
| 民國98年 2009 | 25 | 24 | 4 | - | 3 | - | - | - | - | 3 | 4 | - | 15 |
| 民國99年 2010 | 21 | 19 | 1 | - | 1 | 1 | - | - | - | 3 | 2 | - | 11 |
| 民國100年 2011 | 32 | 10 | 5 | - | 2 | 1 | - | - | - | - | 3 | - | 15 |
| 民國101年 2012 | 30 | 23 | 5 | 1 | 2 | - | - | - | - | - | - | - | 16 |
| 民國102年 2013 | 19 | 6 | - | - | - | 2 | - | - | - | 2 | 1 | - | 15 |
| **民國103年 2014** | **22** | **6** | **-** | **-** | **1** | **-** | **-** | **-** | **-** | **3** | **2** | **-** | **19** |
| **普通刑法計<br>Subtotal of general criminal law** | **2** | **2** | **-** | **-** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** |
| 妨害農工商罪<br>Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 偽造仿造商標商號罪<br>Crime of trademark or tradename counterfeiting | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 販賣陳列輸入偽造仿造商標商號之貨物罪<br>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<br>Crime of falsifying an indication on goods, or trafficking, displaying or importing such goods | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 妨害秘密罪<br>Offenses relating to protection of secrets | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 洩漏業務上知悉工商祕密<br>Disclosing a trade secret known in business | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 洩漏職務上工商祕密<br>Disclosing a trade secret known on official duty | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | 2 | 2 | - | - | 1 | - | - | - | - | - | - | - | - |

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

Unit: individual

| Defendants | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 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 | | | | | | |
| 有刑徒刑 Timed imprisonments | | | | | | | | | | 拘役 | 罰金 | | | | | | | |
| 六月以下<br>6 or less than 6 months | 逾六月至一年以下<br>Over 6 months to 1 year | 逾一年至二年以下<br>Over 1 year to 2 years | 逾二年至三年以下<br>Over 2 years to 3 years | 逾三年至五年以下<br>Over 3 years to 5 years | 逾五年至七年以下<br>Over 5 years to 7 years | 逾七年至十年以下<br>Over 7 years to 10 years | 逾十年至十五年以下<br>Over 10 years to 15 years | 逾十五年<br>Over 15 years | | Deten-tion | Punitive fine | Penalty released | Revoca-tion of previous judgment by new judgment but of exemp-tion from prosecu-tion | Revoca-tion of previous judgment by new judgment but of non-entertain-ent | Revocation of previous judgment by new judgment but of wrong jurisdic-tion | Revoca-tion of previous judgment and returned back to original court | With-drawn | Other |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | 3 | - | - | - | - | - | - | - | | - | - | - | - | 1 | - | 3 | 14 | 12 | |
| 8 | 3 | - | - | 1 | 1 | - | - | - | | 2 | 2 | - | - | 6 | - | 21 | 40 | - | |
| 17 | 10 | 10 | 1 | 2 | - | - | - | - | | 2 | - | - | 1 | 3 | - | 24 | 31 | 6 | |
| 13 | 11 | 6 | - | 1 | - | - | - | - | | 5 | 3 | - | - | 1 | - | 2 | 35 | 3 | |
| 7 | 3 | 1 | 1 | - | - | - | - | - | | 3 | 3 | - | - | 4 | - | 9 | 6 | - | |
| 9 | 7 | 3 | - | - | - | - | - | - | | 3 | 4 | - | - | 3 | - | 5 | 17 | 3 | |
| **13** | **4** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | | **2** | **2** | **-** | **-** | **4** | **2** | **2** | **14** | **1** | |
| **1** | **1** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | | **-** | **-** | **-** | **-** | **-** | **1** | **-** | **2** | **-** | |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | | - | - | - | - | - | - | - | - | - | - |
| 1 | 1 | - | - | - | - | - | - | - | | - | - | - | - | - | 1 | - | 2 | - | |

## 14. 智慧財產法院受理刑事第二審案件裁判結果－按年別及罪名別分(續二)

(保安處分、緩刑、從刑、累犯及得易科罰金人數)

單位：人

| 年別及罪名別<br>Year and Crime Type | 保安處分人數 Number of persons of rehabilitative measures | | | | | 緩刑人數 Number of persons suspended of punishment | | |
|---|---|---|---|---|---|---|---|---|
| | 合計<br>Total | 監護<br>Guardian | 強制工作<br>Compulsory work | 保護管束<br>Probation | 驅逐出境<br>Expel from the country | 六月以下有期徒刑<br>Timed imprison-ments of 6 or less than 6 months | 逾六月有期徒刑<br>Timed imprison-ments more than 6 months | 拘役罰金<br>Detention or punitive fine |
| 民國94年 2005 | - | - | - | - | - | - | - | - |
| 民國95年 2006 | - | - | - | - | - | - | - | - |
| 民國96年 2007 | - | - | - | - | - | - | - | - |
| 民國97年 2008 | - | - | - | - | - | 5 | 10 | 1 |
| 民國98年 2009 | 11 | - | - | 11 | - | 24 | 23 | 4 |
| 民國99年 2010 | 5 | - | - | 5 | - | 37 | 30 | 5 |
| 民國100年 2011 | 9 | - | - | 9 | - | 46 | 21 | 8 |
| 民國101年 2012 | 10 | - | - | 10 | - | 34 | 29 | 4 |
| 民國102年 2013 | 3 | - | - | 3 | - | 32 | 12 | 4 |
| **民國103年 2014** | **3** | **-** | **-** | **3** | **-** | **15** | **5** | **3** |
| **普通刑法計<br>Subtotal of general criminal law** | **-** | **-** | **-** | **-** | **-** | **1** | **3** | **1** |
| 妨害農工商罪<br>Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - |
| 偽造仿造商標商號罪<br>Crime of trademark or tradename counterfeiting | - | - | - | - | - | - | - | - |
| 販賣陳列輸入偽造仿造商標商號之貨物罪<br>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<br>Crime of falsifying an indication on goods, or trafficking, displaying or importing such goods | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - |
| 妨害秘密罪<br>Offenses relating to protection of secrets | - | - | - | - | - | - | - | - |
| 洩漏業務上知悉工商祕密<br>Disclosing a trade secret known in business | - | - | - | - | - | - | - | - |
| 洩漏職務上工商祕密<br>Disclosing a trade secret known on official duty | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | 1 | 3 | 1 |

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

Unit: individual

| 從刑 Accessory penalties | | | | 累犯人數 Number of recidivists | 得易科罰金人數 Number of persons whose penalties may be commuted to fines | |
|---|---|---|---|---|---|---|
| 褫奪公權人數 Number of persons deprived of civil rights | 沒收件數 Number of confiscation cases | 沒收並追徵、追繳或抵償件數 Number of confiscation and payment | 追徵、追繳或抵償件數 Number of payment | | 六月以下有期徒刑 Timed imprisonments of 6 or less than 6 months | 拘役 Detention |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | 39 | 2 | - | 9 | 32 | 1 |
| - | 108 | 3 | - | 20 | 74 | 13 |
| - | 124 | 3 | - | 16 | 83 | 13 |
| - | 125 | 1 | - | 28 | 112 | 14 |
| - | 107 | 1 | - | 26 | 89 | 10 |
| - | 86 | - | - | 18 | 104 | 13 |
| **-** | **58** | **-** | **-** | **13** | **77** | **15** |
| **-** | **8** | **-** | **-** | **1** | **6** | **1** |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | 8 | - | - | 1 | 6 | 1 |

# 14. 智慧財產法院受理刑事第二審案件裁判結果－按年別及罪名別分(續三)

單位：件；人

| 年別及罪名別<br>Year and Crime Type | 終結件數<br>Cases closed | 被告人數 | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 合計<br>Total | 上訴駁回 Appeals dismissed | | | | | | | | | | | | 免除其刑<br>Penalty released | 無罪<br>Acquitted |
| | | | 科刑 Individuals Sentenced | | | | | | | | | | | | | |
| | | | 有期徒刑 Timed imprisonment | | | | | | | | | | 拘役<br>Detention | 罰金<br>Punitive fine | | |
| | | | 六月以下<br>6 or less than 6 months | 逾六月至一年以下<br>Over 6 months to 1 year | 逾一年至二年以下<br>Over 1 year to 2 years | 逾二年至三年以下<br>Over 2 years 3 years | 逾三年至五年以下<br>Over 3 years to 5 years | 逾五年至七年以下<br>Over 5 years to 7 years | 逾七年至十年以下<br>Over 7 years to 10 years | 逾十年至十五年以下<br>Over 10 years to 15 years | 逾十五年<br>Over 15 years | | | | | |
| **特別刑事法計**<br>**Subtotal of special criminal law** | **168** | **243** | **34** | **5** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **6** | **7** | **-** | **72** |
| 違反著作權法<br>Violation of the copyright law | 104 | 159 | 28 | 5 | - | - | - | - | - | - | - | 2 | 7 | - | 39 |
| 違法重製罪<br>Offence of unlawful reproduction | 67 | 107 | 15 | 5 | - | - | - | - | - | - | - | 1 | 5 | - | 23 |
| 移轉所有權或公開陳列持有侵害著作權<br>Infringement of copyright by means of transfer of ownership, public display or possession | 16 | 20 | 4 | - | - | - | - | - | - | - | - | - | - | - | 5 |
| 公開上映或改作出租侵害著作財產權<br>Infringement of copyright by means of public presentation, adaptation, or renting | 20 | 31 | 9 | - | - | - | - | - | - | - | - | 1 | 2 | - | 10 |
| 侵害著作權或違法將重製物銷售國外<br>Infringement of copyright or unlawful sale of reproduced articles abroad | 1 | 1 | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 侵害著作權犯罪之常業犯<br>Offense of occupational infringement of copyright | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法重製銷售受保護之外國著作翻譯<br>Unlawful reproduction or sale of foreign works or translations under protection | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法利用他人著作罪<br>Offense of unlawful use of another person's work of authorship | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 虛偽記載登記罪<br>Offense of false entry or registration | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反商標法<br>Violation of the trademark law | 52 | 66 | 4 | - | - | - | - | - | - | - | - | 4 | - | - | 29 |
| 侵害他人商標罪<br>Offense of trademark infringement | 19 | 22 | 2 | - | - | - | - | - | - | - | - | - | - | - | 9 |
| 販賣陳列輸出入仿冒商標罪<br>Offense of sale, display, importation or exportation of counterfeit trademark | 33 | 44 | 2 | - | - | - | - | - | - | - | - | 4 | - | - | 20 |
| 惡意使用他人商標文字罪<br>Offense of malicious use of another person's trademarked words | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反公平交易法<br>Violation of the fair trade act | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 仿冒或販賣運送輸出入仿冒商品罪<br>Crime of counterfeiting or of selling, trafficking in, importing or exporting | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 脅迫利誘獲取產銷技術機密罪<br>Crime of obtaining a secret in manufacturing or marketing by duress or inducement | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | 12 | 18 | 2 | - | - | - | - | - | - | - | - | - | - | - | 4 |
| 併案裁判<br>Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

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

Unit: case; individual

| Defendants | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | 撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment | | | | | | | | | | | | | |
| 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 |
| | | | 有刑徒刑 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 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 | | | | | |
| **1** | **13** | **-** | **11** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **3** | **1** | **-** | **3** |
| - | 12 | - | 8 | - | - | - | - | - | - | - | - | - | - | - | 3 |
| - | 12 | - | 5 | - | - | - | - | - | - | - | - | - | - | - | 2 |
| - | - | - | 3 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | 1 | - | 3 | - | - | - | - | - | - | - | - | 3 | - | - | - |
| - | - | - | 3 | - | - | - | - | - | - | - | - | 1 | - | - | - |
| 1 | 1 | - | - | - | - | - | - | - | - | - | - | 2 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

# 14. 智慧財產法院受理刑事第二審案件裁判結果－按年別及罪名別分(續四)

單位：人

| 年別及罪名別<br>Year and Crime Type | 被告人數 Defendants | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty | | | | | | | | | | | | |
| | 科刑 Individuals Sentenced | | | | | | | | | | | 免除其刑 | 無罪 |
| | 有期徒刑 Timed imprisonments | | | | | | | | | 拘役 | 罰金 | | |
| | 六月以下<br>6 or less than 6 months | 逾六月至一年以下<br>Over 6 months to 1 year | 逾一年至二年以下<br>Over 1 year to 2 years | 逾二年至三年以下<br>Over 2 years 3 years | 逾三年至五年以下<br>Over 3 years to 5 years | 逾五年至七年以下<br>Over 5 years to 7 years | 逾七年至十年以下<br>Over 7 years to 10 years | 逾十年至十五年以下<br>Over 10 years to 15 years | 逾十五年<br>Over 15 years | Deten-tion | Punitive fine | Penalty released | Acquitted |
| **特別刑事法計**<br>**Subtotal of special criminal law** | **20** | **4** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **3** | **2** | **-** | **19** |
| 違反著作權法<br>Violation of the copyright law | 12 | 3 | - | - | - | - | - | - | - | - | 2 | - | 11 |
| 違法重製罪<br>Offence of unlawful reproduction | 6 | 2 | - | - | - | - | - | - | - | - | 1 | - | 10 |
| 移轉所有權或公開陳列持有侵害著作權<br>Infringement of copyright by means of transfer of ownership, public display or possession | 3 | 1 | - | - | - | - | - | - | - | - | 1 | - | - |
| 公開上映或改作出租侵害著作財產權<br>Infringement of copyright by means of public presentation, adaptation, or renting | 3 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 侵害著作權或違法將重製物銷售國外<br>Infringement of copyright or unlawful sale of reproduced articles abroad | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 侵害著作權犯罪之常業犯<br>Offense of occupational infringement of copyright | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法重製銷售受保護之外國著作翻譯<br>Unlawful reproduction or sale of foreign works or translations under protection | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違法利用他人著作罪<br>Offense of unlawful use of another person's work of authorship | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 虛偽記載登記罪<br>Offense of false entry or registration | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反商標法<br>Violation of the trademark law | 4 | - | - | - | - | - | - | - | - | 3 | - | - | 3 |
| 侵害他人商標罪<br>Offense of trademark infringement | 3 | - | - | - | - | - | - | - | - | - | - | - | 1 |
| 販賣陳列輸出入仿冒商標罪<br>Offense of sale, display, importation or exportation of counterfeit trademark | 1 | - | - | - | - | - | - | - | - | 3 | - | - | 2 |
| 惡意使用他人商標文字罪<br>Offense of malicious use of another person's trademarked words | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 違反公平交易法<br>Violation of the fair trade act | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 仿冒或販賣運送輸出入仿冒商品罪<br>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<br>Crime of obtaining a secret in manufacturing or marketing by duress or inducement | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 其他<br>Other | 4 | 1 | - | - | - | - | - | - | - | - | - | - | 5 |
| 併案裁判<br>Consolidated judgments | - | - | - | - | - | - | - | - | - | - | - | - | - |

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

Unit: individual

| Defendants | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 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 | | | | | | |
| 有刑徒刑 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 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 returned back to original court | Withdrawn | Other |
| **12** | **3** | **-** | **-** | **-** | **-** | **-** | **-** | **-** | **2** | **2** | **-** | **-** | **4** | **1** | **2** | **12** | **1** |
| 10 | 3 | - | - | - | - | - | - | - | - | 2 | - | - | 4 | 1 | 1 | 6 | - |
| 7 | 3 | - | - | - | - | - | - | - | - | 1 | - | - | 4 | - | 1 | 4 | - |
| 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 2 | - |
| 2 | - | - | - | - | - | - | - | - | - | 1 | - | - | - | 1 | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| 2 | - | - | - | - | - | - | - | - | 2 | - | - | - | - | - | 1 | 6 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 3 | - |
| 2 | - | - | - | - | - | - | - | - | 2 | - | - | - | - | - | 1 | 3 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

## 14. 智慧財產法院受理刑事第二審案件裁判結果－按年別及罪名別分(續完)

(保安處分、緩刑、從刑、累犯及得易科罰金人數)

單位：人

| 年別及罪名別<br>Year and Crime Type | 保安處分人數 Number of persons of rehabilitative measures | | | | | 緩刑人數 Number of persons suspended of punishment | | |
|---|---|---|---|---|---|---|---|---|
| | 合計<br>Total | 監護<br>Guardian | 強制工作<br>Compulsory work | 保護管束<br>Probation | 驅逐出境<br>Expel from the country | 六月以下有期徒刑<br>Timed imprison-ments of 6 or less than 6 months | 逾六月有期徒刑<br>Timed imprison-ments more than 6 months | 拘役罰金<br>Detention or punitive fine |
| **特別刑事法計**<br>**Subtotal of special criminal law** | **3** | **-** | **-** | **3** | **-** | **14** | **2** | **2** |
| 違反著作權法<br>Violation of the copyright law | 2 | - | - | 2 | - | 10 | 2 | - |
| 違法重製罪<br>Offence of unlawful reproduction | - | - | - | - | - | 6 | 2 | - |
| 移轉所有權或公開陳列持有侵害著作權<br>Infringement of copyright by means of transfer of ownership, public display or possession | 1 | - | - | 1 | - | 2 | - | - |
| 公開上映或改作出租侵害著作財產權<br>Infringement of copyright by means of public presentation, adaptation, or renting | 1 | - | - | 1 | - | 2 | - | - |
| 侵害著作權或違法將重製物銷售國外<br>Infringement of copyright or unlawful sale of reproduced articles abroad | - | - | - | - | - | - | - | - |
| 侵害著作權犯罪之常業犯<br>Offense of occupational infringement of copyright | - | - | - | - | - | - | - | - |
| 違法重製銷售受保護之外國著作翻譯<br>Unlawful reproduction or sale of foreign works or translations under protection | - | - | - | - | - | - | - | - |
| 違法利用他人著作罪<br>Offense of unlawful use of another person's work of authorship | - | - | - | - | - | - | - | - |
| 虛偽記載登記罪<br>Offense of false entry or registration | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - |
| 違反商標法<br>Violation of the trademark law | 1 | - | - | 1 | - | 2 | - | 2 |
| 侵害他人商標罪<br>Offense of trademark infringement | - | - | - | - | - | - | - | - |
| 販賣陳列輸出入仿冒商標罪<br>Offense of sale, display, importation or exportation of counterfeit trademark | 1 | - | - | 1 | - | 2 | - | 2 |
| 惡意使用他人商標文字罪<br>Offense of malicious use of another person's trademarked words | - | - | - | - | - | - | - | - |
| 違反公平交易法<br>Violation of the fair trade act | - | - | - | - | - | - | - | - |
| 仿冒或販賣運送輸出入仿冒商品罪<br>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<br>Crime of obtaining a secret in manufacturing or marketing by duress or inducement | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | - | - | - |
| 其他<br>Other | - | - | - | - | - | 2 | - | - |
| 併案裁判<br>Consolidated judgments | - | - | - | - | - | - | - | - |

## 14. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the Intellectual Property Court – by Year and Crime Type (Cont. End)

Unit: individual

| 從刑 Accessory penalties | | | | 累犯人數 Number of recidivists | 得易科罰金人數 Number of persons whose penalties may be commuted to fines | |
|---|---|---|---|---|---|---|
| 褫奪公權人數 Number of persons deprived of civil rights | 沒收件數 Number of confiscation cases | 沒收並追徵、追繳或抵償件數 Number of confiscation and payment | 追徵、追繳或抵償件數 Number of payment | | 六月以下有期徒刑 Timed imprisonments of 6 or less than 6 months | 拘役 Detention |
| **-** | **50** | **-** | **-** | **12** | **71** | **14** |
| - | 25 | - | - | 8 | 58 | 2 |
| - | 14 | - | - | 4 | 33 | 1 |
| - | 8 | - | - | 2 | 11 | - |
| - | 3 | - | - | 2 | 14 | 1 |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | 20 | - | - | 2 | 13 | 12 |
| - | 7 | - | - | 2 | 8 | 1 |
| - | 13 | - | - | - | 5 | 11 |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | - | - | - | - | - | - |
| - | 5 | - | - | 2 | - | - |
| - | - | - | - | - | - | - |