



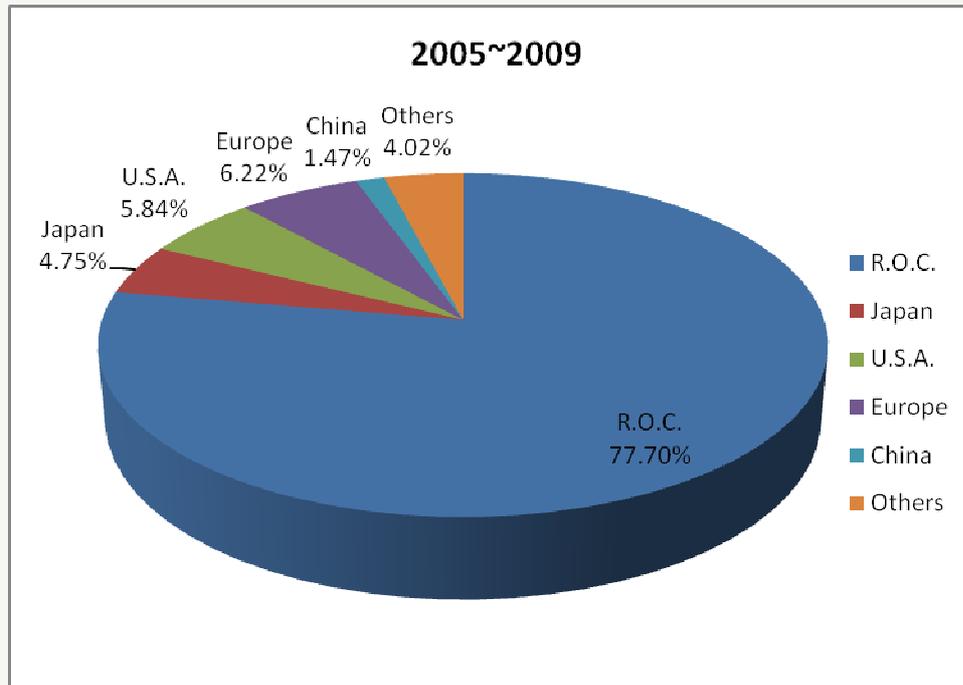
Usage of Registered Trademarks Comprising “Organic” Wordings Must Conform to the APCA

The TIPO announced on its website on January 14, 2010 that the usage of the registered trademarks containing the word “organic” in Chinese (有機) or in any other foreign languages must conform to the regulations of the Agricultural Production and Certification Act (APCA). According to Article 5-I of the APCA, agricultural products and their processed products shall not be sold under the term of “organic” unless the cultivation, processing, packaging and distribution of such products and processed products are certified in accordance with the organic regulations prescribed by the Council of Agriculture (COA). Furthermore, imported agricultural products and their processed products shall be certified by certification bodies that are accredited by the national or international organic accreditation institutes/organizations recognized by the COA (For detailed information about these institutes/organizations, please refer to <http://www.afa.gov.tw/Public/organicAgriculture/2010114112127055.pdf>), and shall be reviewed by the COA before they can be sold under the term of “organic”. (Article 6-I of the aforementioned Act) In addition, if the agricultural product operator labels an organic agricultural product and its processed product as “organic” in Chinese or in any other foreign languages without certification in accordance with Article 5-I or without passing the review in accordance with Article 6-I, or uses other misleading expressions, a fine in an amount of no less than NTD60,000 but no more than NTD300,000 shall be imposed per violation.

A Trademark containing the word “organic” in Chinese (有機) or in any other foreign languages shall not be granted for registration, even if the applicant disclaims any exclusive rights to use said word. However, if documents evidencing that the designated goods/services bearing the “organic” wording are certified as organic by certification bodies and passed the review of the COA are available, said restriction will then be not applicable. If the foregoing evidence is not obtainable or the submitted evidence is not adoptable, the “organic” wording must be deleted from the specimen of the trademark. If the applicant does not agree to the deletion, the trademark application will either be objected to or the TIPO will delete it ex officio.

The TIPO further stated that when practicing a trademark causes likelihood to mislead the public with respect to the nature, quality or place of origin of the goods or services designated by the trademark, the TIPO shall, ex officio or upon an application, revoke the said registration.

Statistical Table for the Number of Cases of Trademark Applications Filed By the Major Countries in the Past Five Years



Years	R.O.C.	Japan	U.S.A.	Europe	China	Others	Total
2005	50,263	2,868	3,709	3,876	561	2,303	63,580
2006	51,107	2,980	3,912	3,788	896	2,774	65,457
2007	47,371	2,810	4,112	4,175	957	2,686	62,111
2008	45,876	3,223	3,596	4,139	957	2,329	60,120
2009	47,009	2,874	2,833	3,373	1,186	2,411	59,686
Total	241,626	14,755	18,162	19,351	4,557	12,503	310,954

Based on the TIPO's statistics, the number of cases of trademark applications filed by the applicants in Japan, the United States and Europe decreased in 2009. The decrease was because of the economic difficulties that the industries worldwide are facing. Though economic recovery can be seen in near future, grueling challenges still lie ahead for many countries recovering from the global financial storm.

Facing the beginning of the New Year, we should be filled with joys, hope and new aspects.

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24hrs. Guarantee

eSky guarantees that trademark applications be filed and filing reports be provided by email **within 24 hours** counting from the time of receipt of filing instructions, if the following conditions are fulfilled. In case filing reports are not provided on time, a discount of **10 percent** off our service fee for single class application/the first class of multi-class application will be offered.



1. A clear specimen of trademark is provided.
2. A list of designated goods/services for filing including the international class in which the goods/services are classified is provided.
3. The number of goods/services per class is less than 20.
4. Applicant's full name and address are provided. (If said information in Chinese (Kanji or Kanja) is available, please provide it simultaneously.)
5. No review of the registrability of goods/services and no amendment suggestions thereof are required.
6. No review of the registrability of trademark and no suggestions thereof are required.
7. The trademark is a traditional mark. (In other words, three-dimensional trademarks, sound trademarks, scent trademarks, color trademarks, collective trademarks, certification marks, etc. are not suitable for this 24 hrs. Guarantee program.)
8. Filing instructions are received between Mondays and 10:30 a.m. Fridays (Taiwan local time), national holidays excluded.

Anniversary Celebration of eSky Special Discount Provided from March

Time flies. One year has passed. eSky is now celebrating its anniversary. To share its joy and happiness as well as to appreciate all the supports it got in 2009, eSky decided to offer a special discount of **10 percent** off its service fee for the first class of every new trademark application. This discount is provided from March to end of May, 2010. If any detailed information is required, please contact eSky directly.