

**[ “Intellectual Property Court” renamed as “Intellectual Property and Commercial Court” (IPCC) after merger by incorporating commercial court on July 1, 2021 ]**

The Taiwan government promulgated the “Commercial Case Adjudication Act” on January 15, 2020 in a recent effort to establish a prompt, appropriate and professional trial procedure for handling major civil commercial disputes. This act sets up a special commercial court for major commercial disputes to maintain a healthy enterprise governance environment and to promote economic developments in Taiwan. On the same day, “Intellectual Property and Commercial Court Organization Act” was also amended and promulgated to incorporate the newly established “Commercial Court.” The original Intellectual Property Court established on July 1, 2008 was thus renamed “**Intellectual Property and Commercial Court**” (IPCC) as from July 1, 2021.

The jurisdiction of the Commercial Court includes commercial litigation cases and commercial non-litigation cases. Commercial litigation cases under the jurisdiction of the newly established IPCC include the price or value of the claim equal to or more than one hundred million NTD (about US\$ 3.5 million) and major commercial disputes involving public listing corporations. Overall, the court oversees cases that may cause great impacts on the trade market and investors’ rights and interests.

The Commercial Court, being a high court, adopts a “two-level and two-instance” system to adjudicate major commercial cases with specialized judges and commercial investigators. Per the new “Commercial Case Adjudication Act,” the Court adopts mandatory legal representation by Attorneys and mandatory mediation procedure. The Court may request both parties to formulate a trial plan and introduces a system that allows a party to request the opposing party to make specific explanations relating to the fact or evidence. In addition, the Court may select expertise witness and give orders for confidentiality preservation.

For this Commercial Court, although it adjudicates trial of fact and trial of law, the appellate trial court, the Supreme Court, deals with trial of law only.

The original Intellectual Property Court follows the “Intellectual Property Case Adjudication Act” of 2014 for intellectual property litigation cases. Now, the “Intellectual Property and Commercial Court” contains three IP trial courts and one commercial trial court. The IP trial court has twelve judges and twelve IP investigators, whereas the commerce court has seven judges.

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