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Title A Comparison Study of Trademark Protectable Subject Matter and Remedies Under TRIPs, NAFTA and Taiwan"s Trademark Law (2003)
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Keyword
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Abstract
This study compare about “Trademark Protectable Subject Matter”, “Border Measures” and “ Remedies Measures” under TRIPs, NAFTA, U.S.-Singapore FTA, U.S.-Chile FTA, U.S.-Australia FTA and Taiwan’s Trademark Law (2003). Studies led to the following framework:

Chapter I “Introduction”, include motive, objective, method, scope and framework.

Chapter II “Literature discuss”, include about internal and external books, Doctor and Master thesis, journal and newspaper.

Chapter III “About America negotiation standpoint and free trade agreement policy analysis of TRIPs : Focus on Trademark Law”, include about America negotiation standpoint and free trade agreement policy analysis of TRIPs, America Trademark Law legislate and amendments history.

Chapter IV “Compare TRIPs, NAFTA, U.S.-Singapore FTA, U.S.-Chile FTA, U.S.-Australia FTA and Taiwan’s Trademark Law (2003) about Trademark Protectable Subject Matter”, include trademark device, three-dimensional marks, sound marks and scent marks, well-known trademark, geographical indications and service marks.

Chapter V “Compare TRIPs, NAFTA, U.S.-Singapore FTA, U.S.-Chile FTA, U.S.-Australia FTA and Taiwan’s Trademark Law (2003) about Trademark Registration Procedure and Other Exceptions Regulations”, include trademark registration procedure, trademark registered important document, term of protection, trademark right, exceptions, licensing and assignment, and other requirements.

Chapter VI “Compare TRIPs, NAFTA, U.S.-Singapore FTA, U.S.-Chile FTA, U.S.-Australia FTA and Taiwan’s Trademark Law (2003) about Border Measure” , the chapter separate two sections, the first section about “Right Holder Application” , include suspension of release by customs authorities, application, security or equivalent assurance, notice of suspension, duration of suspension, indemnification of the importer and of the owner of the goods, right of inspection and information. The second section about “Customs Authorities Ex Officio Action”, include Ex Officio Action and remedies. On the side, about border measure exception, include De Minimis Imports.

Chapter VII “Conclusions and Recommendations”

Keyword: WTO, TRIPs, FTA, NAFTA, Trademark Protectable Subject Metter, Trademark Law, Border Measure, Remedies

Advisory Committee Yih , Jiann-Ming - advisor

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