

TAIWAN

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA)

2026 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Special 301 Recommendation: IIPA recommends that Taiwan remain on the Watch List in 2026.¹

Executive Summary: Although the Government of Taiwan took positive steps in 2019 to improve its digital marketplace for legitimate content, including outlawing piracy devices (PDs) and apps, over the last six years Taiwan has failed to remedy other legislative and enforcement deficiencies. Taiwan has thus reemerged as a regional haven for digital piracy, making it a less viable market for the creative industries. Unfortunately, online piracy continues to worsen. While some recent criminal enforcement actions led to positive outcomes in the past, case pendency is growing and offshore piracy sites accessible in Taiwan still operate freely and without fear of deterrent penalties. Rights holders did succeed in 2025 in obtaining relief through the courts by the issuance of orders to disable access in Taiwan to eight *Yogurt TV* domains and 14 domains associated with the notorious *KissKH* piracy syndicate.² However, to stem persistent piracy, the Government of Taiwan must increase the use of its existing mechanisms that ensure Internet service providers (ISPs) can impose effective relief to remove infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights holders' applications to appropriate authorities, including piracy sites and services hosted outside Taiwan.

Additionally, Taiwan's 2013 Copyright Act remains outdated, raising questions regarding Taiwan's existing international obligations and its ability to meet international best practices. Taiwan should also refrain from imposing any new market access barriers, including those impacting the audiovisual industry and over-the-top (OTT) services. Finally, at a minimum, Taiwan should ensure its copyright protection and enforcement framework complies with its obligations under the World Trade Organization (WTO) TRIPS Agreement, including providing expeditious remedies that constitute a deterrent to further infringement, and ensuring the scope of any exceptions and limitations under its Copyright Act are narrowly tailored and specific.

PRIORITY ACTIONS REQUESTED IN 2026

Enforcement

- Ensure criminal authorities investigate and prosecute more online piracy cases and seek deterrent-level punishment against commercial piracy operations.
- Confirm existing laws ensure ISPs can impose effective relief to remove infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights holders' applications to appropriate authorities, including those sites outside Taiwan or where the operator is unknown.

Legal Reforms

- Enact legislation to address the gaps under the amended Copyright Act to provide effective relief for copyright infringement.
- Ensure the adequacy of civil remedies by enhancing Article 88 of the Copyright Act to remove the restrictive language on calculating damages.
- Remove current exceptions and refrain from introducing new exceptions that are broader than the limits of the three-step test.
- Address shortcomings in amendments to the Collective Management Organization (CMO) Act.

¹ For more details on Taiwan's Special 301 history, see previous years' reports at <https://www.iipa.org/reports/reports-by-country>. For the history of Taiwan's Special 301 placement, see <https://www.iipa.org/files/uploads/2026/01/Appendix-C-FINAL-2026.pdf>.

² Additionally, the Taiwan piracy ecosystem was dealt a blow when the top piracy domain, *gimyf.jai*, was globally suspended (out of a site blocking action in India).

- Comply with the requirements of the World Intellectual Property Organization (WIPO) Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) (collectively, the WIPO Internet Treaties) irrespective of formal accession.
- Ensure that any potential OTT regulations or any regulations on intermediary platforms do not disincentivize foreign investment.

Market Access

- Eliminate market access barriers to U.S. audiovisual content, including investment, the basic cable rate cap, and discriminatory television content quotas.

ENFORCEMENT

Online and mobile device piracy in Taiwan increased in 2025. Domestic and foreign-based websites, apps, OTT platforms, and other online services that provide illegal content continue to undermine the ability of rights holders and legitimate services to distribute copyrighted content and see their investments reach full potential in Taiwan. Forum sites and bulletin boards often link to downloads hosted on cyberlockers, which are also widely used in Taiwan. For instance, there were over 21.5 million visits to cyberlockers *Mega.nz* from Taiwan from January 2025 to October 2025, and over 6.1 million visits to *Rapidgator.net* during the same period. *Baidu Pan* is also heavily used to share infringing content. Stream ripping is one of the key piracy threats to the recorded music industry worldwide and the piracy method was also very popular in Taiwan.³ In recent reports, the music industry cites that Taiwanese enforcement agencies take significantly fewer actions against music piracy, in part because many piracy websites are hosted outside Taiwan. Streaming sites like *gimy*, *movieffm*, and *777TV* remain key piracy concerns in Taiwan.

The proliferation of PDs also remains a problem in Taiwan, and enforcement against PD operators is insufficient.⁴ For example, streaming devices that run with proprietary infringing apps enable unauthorized access to live channels and video-on-demand (VOD) content and are readily available online and in physical marketplaces.⁵ Additionally, the need for enhanced enforcement measures is now more crucial following the emergence of new means of infringement via mobile apps, including those with built-in karaoke capability imported from China or created in Taiwan. These apps allow consumers to access and download content from a cloud database located overseas, with the app providing access to a vast amount of unauthorized karaoke audiovisual content. Rights holders of such karaoke audiovisual content in Taiwan have consequently suffered significant losses because of this issue. Given these significant and growing piracy challenges in Taiwan, IIPA and its members strongly encourage Taiwan to take the priority actions identified below.

- **Ensure criminal authorities investigate and prosecute more online piracy cases and seek deterrent-level punishment against commercial piracy operations.**

The past few years have seen several criminal piracy enforcement cases conclude with meaningful penalties, but these have been insufficient in stemming growing piracy concerns. For example, in September 2023, the Taiwan Police seized over 1000 *SVICLOUD* piracy devices and arrested seven suspects working in the piracy operation. In

³ The most popular stream-ripping site was backupmp3.com which allows the unlicensed downloads of audio and video content from YouTube. In the last 12 months (November 2024 to October 2025) the site received over 99% of its traffic from Taiwan with the site receiving over to 20 million visits from Taiwan during this time.

⁴ Piracy Devices (PDs) refer to media boxes, set-top boxes, or other devices and their corresponding apps and services. Mostly originating from China, PDs are available throughout Taiwan, including at so-called “3C” shops, and via online retailers, and facilitate unauthorized streaming of motion pictures and television content through apps that direct users to pirated content. These devices often contain, or can connect to, a hard disk to store the downloaded content and may have an SD card slot, which helps novices connect to foreign piracy sites. More than 30 different brands of such devices are now available in the marketplaces in Taiwan. Manufacturers of popular PDs in Taiwan include *Unblock Tech*, *EVPAD*, and *SVI Cloud*.

⁵ Infringing CDs and USB drives containing unauthorized copies of Taiwanese sound recordings (often together with Chinese and international repertoire) are commonly sold on online stores, including via Chinese e-Commerce platforms such as *Pinduoduo* and *Taobao* as well as Taiwanese local e-Commerce platforms such as *Shopee*, *Ruten* and *Yahoo*.

February 2024, after more than three years since a criminal referral was brought against the piracy service *gimy* in December 2020, the Taipei District Court sentenced its primary operator to 26 months in prison, the site's programmer to 22 months, and two of its operators to 18 and 12 months, though the Court did not seize the operators' gains. However, despite the conviction against the operators of *gimy*, the court also did not seize the domains, which allowed the piracy service to remain operational. IIPA hopes to see the Taiwanese Courts recognize that domain seizures are crucial and necessary to the permanent takedown of notorious piracy streaming services in Taiwan. However, although *gimyTV's* main domain, *gimy.ai*, and related sites, such as *gimy.tube* and *gimy.is* were blocked, new domains remain operational as of this report.

Enforcement authorities have also recently been more proactive in combating piracy websites when the operations have a clear nexus to Taiwan. For example, in April 2023, the Taoyuan District Court sentenced two operators of the piracy website *8maple* (domains including *8drama.com*; *8maple.ru*; *fenglin.to*; *eyny.tv*) to 18 months in prison and confiscated illicit gains of approximately US\$1,946,000. Unfortunately, similar enforcement efforts are not undertaken when piracy operators or operations are located overseas.

While these actions and penalties should certainly be commended, the Government of Taiwan should take the following steps to improve the scale and efficiency of processes to deter the widespread and commercial-scale piracy taking place in Taiwan:

- Reduce the timeline for criminal processes; at present, the processes are lengthy, which means that piracy websites can continue operating while cases go through the courts (including appeals).
- Mitigate or remove entirely burdensome procedural requirements, which introduce unnecessary complexity and delays to an already lengthy criminal referral process. For example, notarized and legalized powers of attorney continue to be required for the filing of each individual criminal referral and in each court, meaning the same power of attorney used in the first instance trial court is not sufficient when the same case goes on appeal. Taiwan does not apply the best practice of abolishing reliance on apostilles, which adds unnecessary time to enforcement.
- Prioritize content piracy cases, including those involving PDs and apps. Enforcement authorities (including the Intellectual Property Rights (IPR) Investigation Corps in the Criminal Investigation Bureau (CIB), the Telecommunication Police Brigade (TPB), and the Criminal Investigation Brigade (CIBr)) should employ the amended laws to their maximum extent to seek deterrent-level punishment against commercial piracy operations.
- Take deterrent action against persons who facilitate stream ripping (i.e., the app developer or website operator) which infringe on the reproduction or making available rights and often unlawfully circumvent technological protection measures (TPMs). This can be challenging as many of these persons are unknown or not located in Taiwan.
- Consistently implement Articles 87 and 93 of the Copyright Act that provide a clear legal basis for enforcement against the dissemination of piracy apps and the manufacture and trafficking of PDs and piracy apps, as well as against resellers of devices that do not have piracy software or apps pre-loaded (but that are well equipped by the manufacturer or by middleware providers to install illicit software or apps), as implementation continues to be lacking and inconsistent.
- Seek unsuspended sentences (not probationary) to maximize the deterrent effect of prison terms.

Unless the Government of Taiwan takes these steps to address piracy sites and services, Taiwan will continue to become an outlier in Asia, as more governments in the region (and elsewhere in the world) are taking active steps to address rampant and evolving online and mobile piracy.

- **Confirm existing laws ensure ISPs can impose effective relief to remove infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights**

holders' applications to appropriate authorities, including those hosted outside of Taiwan or where the operator is unknown.

Taiwan's consumers often obtain pirated content from overseas websites. Unfortunately, Taiwan's legal framework to address overseas infringements remains inadequate. Taiwan's legal system does offer a mechanism for the Taiwan Network Information Center (TWNIC) to order ISPs to disable access to structurally infringing websites on a no-fault basis. This "Response Policy Zone" (RPZ) mechanism is not limited to copyright (or other IP) infringement thus, various rights holders have employed it in the past few years, and to date, 91 piracy domains have been blocked as a result. Unfortunately, this existing mechanism still falls short. First, an investigation report must be filed with the Criminal Investigation Bureau for each site (which may span multiple domains), and the bureau then reviews the matter and passes it along to prosecutors. Prosecutors then seek an order at court for the RPZ to be deployed to seize the instruments of infringement, in this case, the domains, so that violations of copyright will cease pending further investigation. Rights holders have used the RPZ to block domains on various occasions with positive effect, and a further benefit of RPZ blocking is that many ISPs deploy a landing page to inform users of the court action and help them migrate to legitimate alternatives.⁶

While the Taiwan government (both the courts and the Executive Yuan) has indicated to rights holders that the RPZ process constitutes an effective mechanism and has encouraged rights holders to make broader usage of it, the RPZ may not be the ideal permanent solution. First, the current remedy available to disable access to such sites (i) can only be initiated via a criminal process, which can lead to delays (and the onward criminal process can be incredibly lengthy); (ii) is entirely discretionary and the duration for which access is disabled is dependent on a number of factors and may be shortened if the criminal investigation is halted; and (iii) even when implemented, access is disabled only in relation to the specific defendant domains identified, i.e., there has been to date no dynamic impact. In discussions between Taiwanese government officials, rights holders, and ISPs, ISPs indicated that they are generally sympathetic to the need to better address the growing illicit behavior on platforms, the platforms maintained the position that they will not act unless directed by the government or ordered by courts. The courts have indicated a test case could be brought under the current laws, and might result in a site blocking order, however, there are limitations on how long such an order could remain in place if a defendant cannot be located in Taiwan.

Therefore, that rights holders need a remedy, either by fully implementing and streamlining existing legislation or by passing additional legislation, to ensure ISPs can impose effective relief to remove infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights holders' applications to appropriate authorities, including those hosted outside of Taiwan or where the operator is unknown.

LEGAL REFORMS

- **Enact legislation to address the gaps under the amended Copyright Act to provide effective relief for copyright infringement.**

There have been no relevant reforms or proposals to Taiwan's Copyright Act (since 2013) capable of improving copyright protection and enforcement. The legislative proposals that have been tabled by the government in recent years and those that have been enacted (various Copyright amendment bills and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Implementation Law) actually lean in the opposite direction.⁷ Such proposals include reducing the scope of substantive copyright protection and undermining certain aspects of criminal copyright liability. Thus, there have been no recent signs that the government is serious about

⁶ For example, in March 2021, eight domains associated with the *gimy* piracy syndicate were blocked, in September 2025, eight domains in the *Yogurt TV* criminal case were blocked, and in October 2025, fourteen *KissKH* piracy domains were blocked.

⁷ The Copyright Amendments passed in May 2022 are part of Taiwan's effort to join the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) free trade agreement. The Amendments will come into force if Taiwan joins the CPTPP.

tackling online copyright infringements and improving the situation for the creative industries in Taiwan. Nonetheless, Taiwan should pass meaningful copyright amendments that include the following:

- ensure the ISP liability framework incentivizes intermediaries to act against online piracy and that safe harbors apply only to passive and neutral intermediaries that do not contribute to infringing activities; such intermediaries should fulfill certain conditions, including adoption of a repeat infringer policy, with a requirement for marketplaces and encouragement for all ISPs to institute “know your business customer” (KYBC) policies; and that, upon obtaining knowledge of infringement (including a notice) or otherwise becoming aware of circumstances of which the infringement is apparent, intermediaries should promptly take steps to limit, stop, and prevent further infringement, including expeditious takedown of infringing content and other measures demonstrated effective in preventing or restraining infringement;
- expressly include IP infringement as a basis for mechanisms that ensure ISPs can impose effective relief to remove infringement, including, where applicable, to disrupt or disable access to structurally infringing websites on a no-fault basis, upon rights holders' applications to appropriate authorities, including those hosted outside of Taiwan or where the operator is unknown;
- clarify that the list of acts setting out “an infringement of copyright” is non-exhaustive to allow the provision to be applied to modern types of infringement, such as stream ripping;
- revise Article 87 to remove the condition that violators must “receive benefit” from their actions, since in some cases the “benefit” may be indirect and difficult to prove. Currently, the requirement to prove the offender’s knowledge that the broadcast or transmitted content infringed copyright may make this provision unenforceable when the content is licensed to broadcast or transmit in a specific territory but then broadcasted or transmitted beyond the licensed territory;
- classify all criminal copyright infringement, including Internet piracy, as “public crimes” (that is, a crime capable of ex officio enforcement), which would be an effective deterrent and would benefit all rights holders, including those who cannot afford to pursue civil enforcement actions;
- extend the term of protection for copyrighted works, including sound recordings and audiovisual works, in line with the international trend, i.e., to 70 years after the death of the author, or in cases in which term is calculated based on publication, to the term of 95 years, but in any case, no less than 70 years;
- clarify that it is a criminal offense to engage in unauthorized camcording of motion pictures in movie theaters or of live musical performances;⁸
- ensure sound recordings are treated the same as literary, musical, and dramatic or choreographic works, including but not limited to providing producers and performers exclusive (rather than mere remuneration) rights for public performance and retransmissions of sound recordings;
- ensure future amendments do not reduce criminal liability standards (e.g., requiring participation in CMOs as a prerequisite for criminal enforcement, limiting infringement to a “whole” work requirement, setting a high minimum damage threshold, exempting a broad range of uses of copyright works from criminal liability, and removing the minimum prison sentence of six months for making and distributing infringing copies);⁹ and

⁸ The music industry reports that infringement through camcording live concerts is increasing.

⁹ The draft mandates that rights holders participate in a CMO to benefit from criminal enforcement against some infringing re-broadcasts or public communications, which impinges on the contractual freedom of creators and raises serious questions of TRIPS compliance. Parallel imports should not be decriminalized, because the government needs appropriate means to address the fact that many piratical imports are labeled as legitimate goods, which undermines Taiwan’s legitimate marketplace. Also, the exemptions from criminal liability set forth in Article 37 are too broad, covering, for example, exploitation of digitized karaoke machines or jukeboxes, which contain reproductions of musical works for public performance and re-transmission.

- ensure the three-step test explicitly applies to all exceptions and limitations, including exceptions and limitations enacted if Taiwan joins the CPTPP.
- **Ensure the adequacy of civil remedies by enhancing Article 88 of the Copyright Act to remove the restrictive language on calculating damages.**

Civil damages in Taiwan for copyright infringement are currently inadequate. Article 88 of the Copyright Act includes restrictive language on calculating damages and limits damages to roughly US\$31,787 in cases where actual damages cannot be clearly determined. Due to the nature of most copyright piracy in a digital context, actual damages cannot typically be clearly determined, which is why the United States has deterrent-level statutory damages. Article 88 should be enhanced by removing the limits and restrictive language. Additionally, the damage threshold is far too high and does not address goods that have a low market price. The damage threshold should be applied on a per infringement basis and reconsideration of a reasonable minimum damage threshold is needed.

- **Address shortcomings in amendments to the CMO Act.**

In 2022, Taiwan amended its CMO Act. The Act still presents shortcomings, however, that affect the establishment of new CMOs and their governance. For example, Article 4 includes the obligation for half of the promoters of a new CMO to be residents in Taiwan and creates obstacles for rights holders' associations and current members of a CMO to be promoters of a new CMO. Moreover, Article 15 creates term limits for management-level positions and internal controls that are difficult to apply to CMOs in which a reduced number of rights holders hold significant shares of the market. Additionally, Article 6-1 prevents a current member of a CMO from being a promoter of a new CMO. This generates an obstacle to the creation of a competing CMO for the same category of rights, as rights holders that are not satisfied with the service being provided by the incumbent CMO would have to leave said CMO before applying for a permit for a new CMO.

Taiwan should also consider amending the CMO Act to address the practical issue of royalty rate setting by CMOs. Article 24(1) requires CMOs to consider “[t]he result of consultations with the users, and the users' suggestions,” but is effectively only reported to the copyright authority (TIPO) after a general public consultation period, rather than being open for dispute and/or review by TIPO prior to its publication. There is a need to ensure greater engagement between CMOs and their users prior to the publication of any new rates. For example, Article 24 could be amended to require TIPO review and approve any changes to CMO royalty rates rather than having them automatically take effect at the end of the 30-day announcement period. Until these concerns are remedied, there is little opportunity for free-market licensing negotiations between rights holders and users of collectively managed music rights.

- **Comply with the requirements of the WIPO Internet Treaties irrespective of formal accession.**

While it may be politically impossible for Taiwan to officially join the WIPO Internet Treaties, Taiwan should nonetheless adopt a legal framework that provides adequate and effective protections for creative works in the Internet age, including meeting the requirements of the treaties, which provide the global minimum standard of protection for copyrighted works online.

- **Ensure that any potential OTT regulations or any regulations on intermediary platforms do not disincentivize foreign investment.**

The National Communications Commission (NCC) continues to actively consider a draft “legal framework” for the revised Internet Audiovisual Services Act (IAVSA) initially raised in 2020. The “framework” for the IAVSA would obligate foreign OTT and VOD service providers to register with the NCC, appoint a local agent, comply with a content regulation system that is potentially inconsistent with international standards, and potentially disclose sensitive

commercial information. The draft also proposes local content obligations and associated penalties for noncompliance. The full revised draft of the IAVSA (based on the framework) has not been publicly released.

Unfortunately, some local stakeholders have pointed to the significant problem of piracy originating outside of Taiwan (as discussed above) to advocate for local registration requirements. Local registration requirements would discriminate against legitimate services and be ineffective against the problem of illicit piracy services located outside of Taiwan that target the Taiwanese market. As noted above, there are other remedies that would effectively address this problem.

Additionally, a Digital Intermediary Services Act (DISA) put forward by the NCC, which focuses on regulating platform accountability, illegal content, transparency, and disclosing business information and service terms to protect users' rights, was met with widespread disapproval from stakeholders and was shelved in September 2022. The issues of greatest concern were the breadth of definitions, remedies proposed with respect to certain intermediaries (particularly with respect to online content regulation), and disclosure of sensitive commercial information. To date, the draft remains shelved, although IIPA understands the DISA itself remains under active consideration.

MARKET ACCESS

- **Eliminate market access barriers to U.S. audiovisual content, including investment, the basic cable rate cap, and discriminatory television content quotas.**

The Cable Radio and Television Law limits foreign direct investment (FDI) in a domestic cable television service to 20% of the operator's total issued shares. FDI in satellite television broadcasting services is also restricted to no more than 50%. In 1990, Taiwan set a rate cap for cable TV service of NT600 (US\$20) per month per household, which has never been adjusted to keep up with inflation. Other restrictions on television services include a mandatory carriage requirement of 90 -100 channels in the basic cable package and, for all Internet Protocol TV (IPTV) offerings above the basic level cable TV services, only *à la carte* pricing is allowed. Such investment restrictions and rigid regulations of retail cable rates by the central and local government have hindered the development of the cable TV industry, satellite operators, and content providers, resulting in at least one major channel provider announcing their exit from the market in 2023.

In January 2017, the NCC issued regulations that included significant local content requirements that limit the broadcasting of U.S. audiovisual content on terrestrial and satellite television.¹⁰ These discriminatory conditions limit consumer choice, undermine the growth of the pay-TV sector in Taiwan, restrict U.S. exports, and should be repealed.

¹⁰ The Administrative Regulation for the Terrestrial TV Stations Broadcasting Local Production Programs and the Administrative Regulation for the Satellite TV Channels Broadcasting Local Production Programs require terrestrial TV stations to broadcast at least 50% of locally produced dramas between 8 pm and 10 pm and local satellite TV channels to broadcast at least 25% of locally produced children's programs between 5 pm and 7 pm and at least 25% of locally produced drama, documentaries, and variety programs between 8 pm and 10 pm. These regulations require 40% of these locally produced programs to be new productions. Furthermore, cable TV services must broadcast at least 20% of local programming.