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Tobacco and drug trademarks cannot sponsor television programmes

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Intellectual Property, Taiwan

Right holders often promote their marks, products and services by advertising through electronic media or online.

Under local laws and regulations in Taiwan, although it is possible to promote products or services by using trademarks on television (TV) ads, companies are forbidden from sponsoring TV programmes and demonstrating their trademarks or trademarked products between the programming.

The National Communications Commission (NCC) regulates TV sponsorship and has stipulated its rules in the National Communications Commission Temporary Directions of Sponsorship in TV Programmes and the Directions on Distinction of Programmes and Commercials of the National Communications Commission. According to the directions, tobacco and drug companies are strictly prohibited from sponsoring TV programmes, and the use of any trademarks to promote tobacco or drugs is forbidden. However, alcohol products can sponsor TV programmes under certain restrictive conditions.

Accordingly, rights holders should pay attention to the relevant NCC directions when planning on promoting their trademarks or trademarked products through TV sponsorship.

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