

Anatomy of a Trademark Dispute

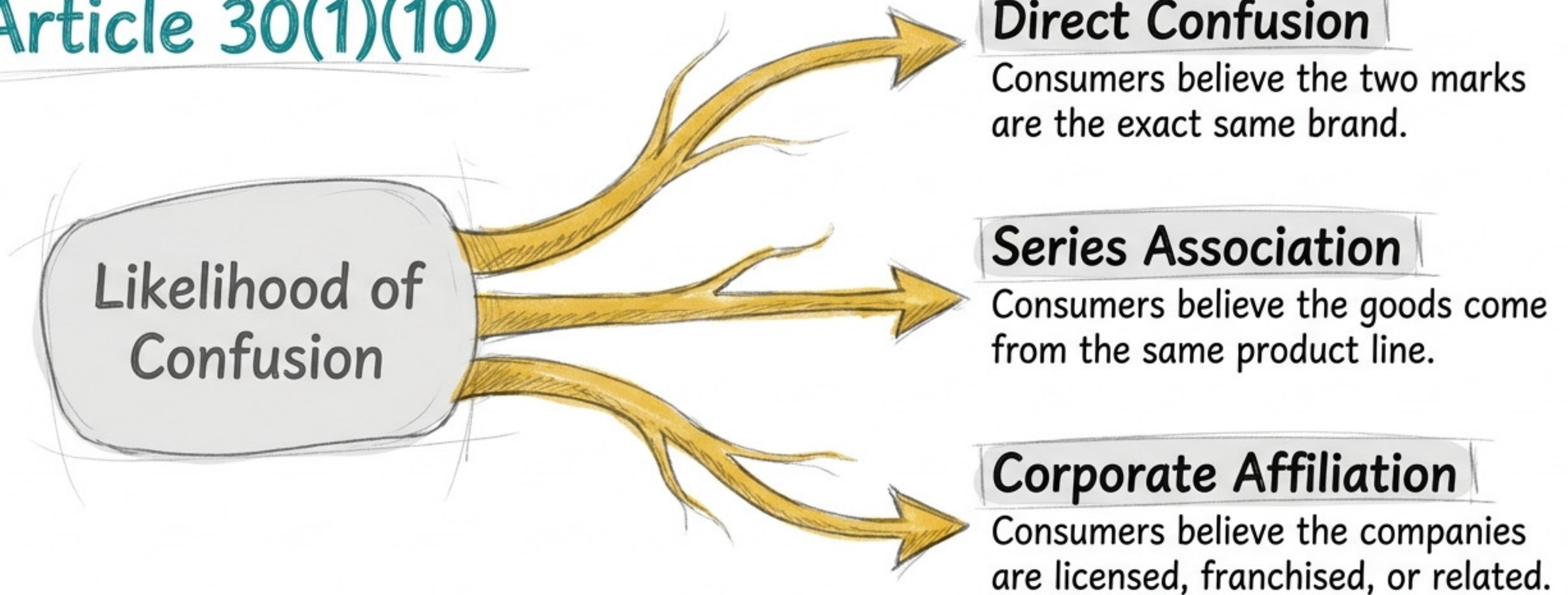
Analyzing the 'Likelihood of Confusion' Test

Source: Intellectual Property and
Commercial Court

Case: Administrative Judgment
Year 113, Xing-Shang-Geng-1 No. 1

Date: December 3, 2024

The Legal Issue: Article 30(1)(10)



The court doesn't just ask "Are they identical?"—it asks "Will the public assume a connection?"

Exhibit A vs. Exhibit B

The Disputed Trademark



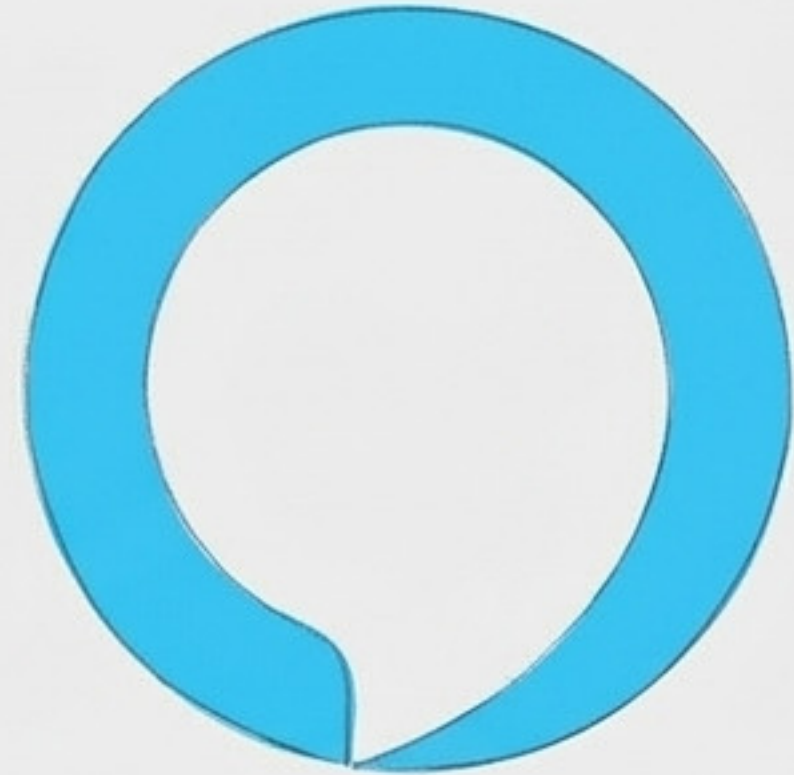
Registration No. 02035098

Filing Date: July 19, 2019

Designated Goods: Class 9 (Computer hardware, handheld computers, mobile apps)



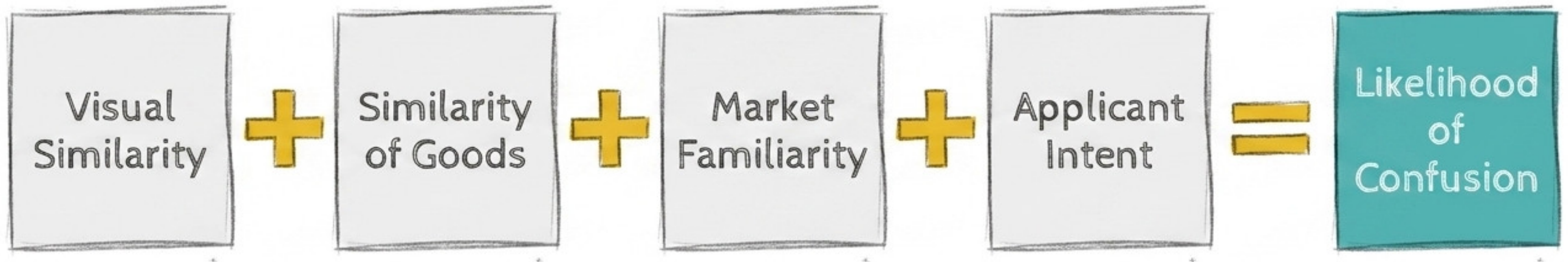
The Cited Trademark



Registration No. 01885349 ("Amazon Alexa")

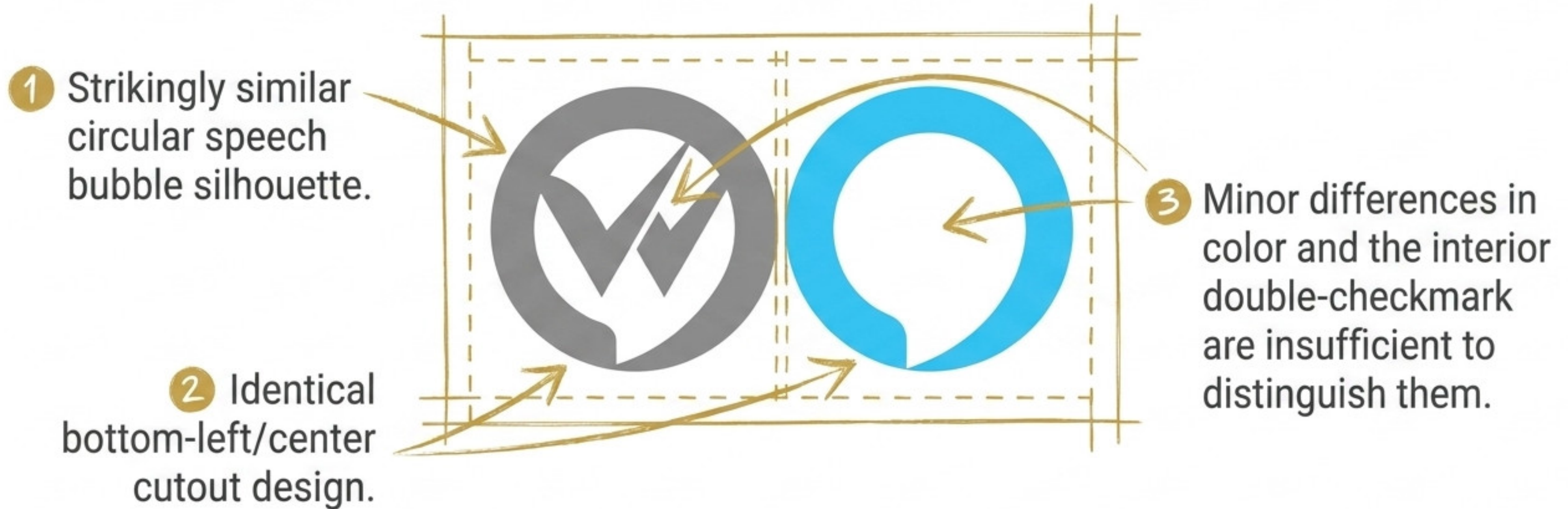
Designated Goods: Class 9 (Voice recognition software, wireless communication devices, app platforms)

The Court's Analytical Framework



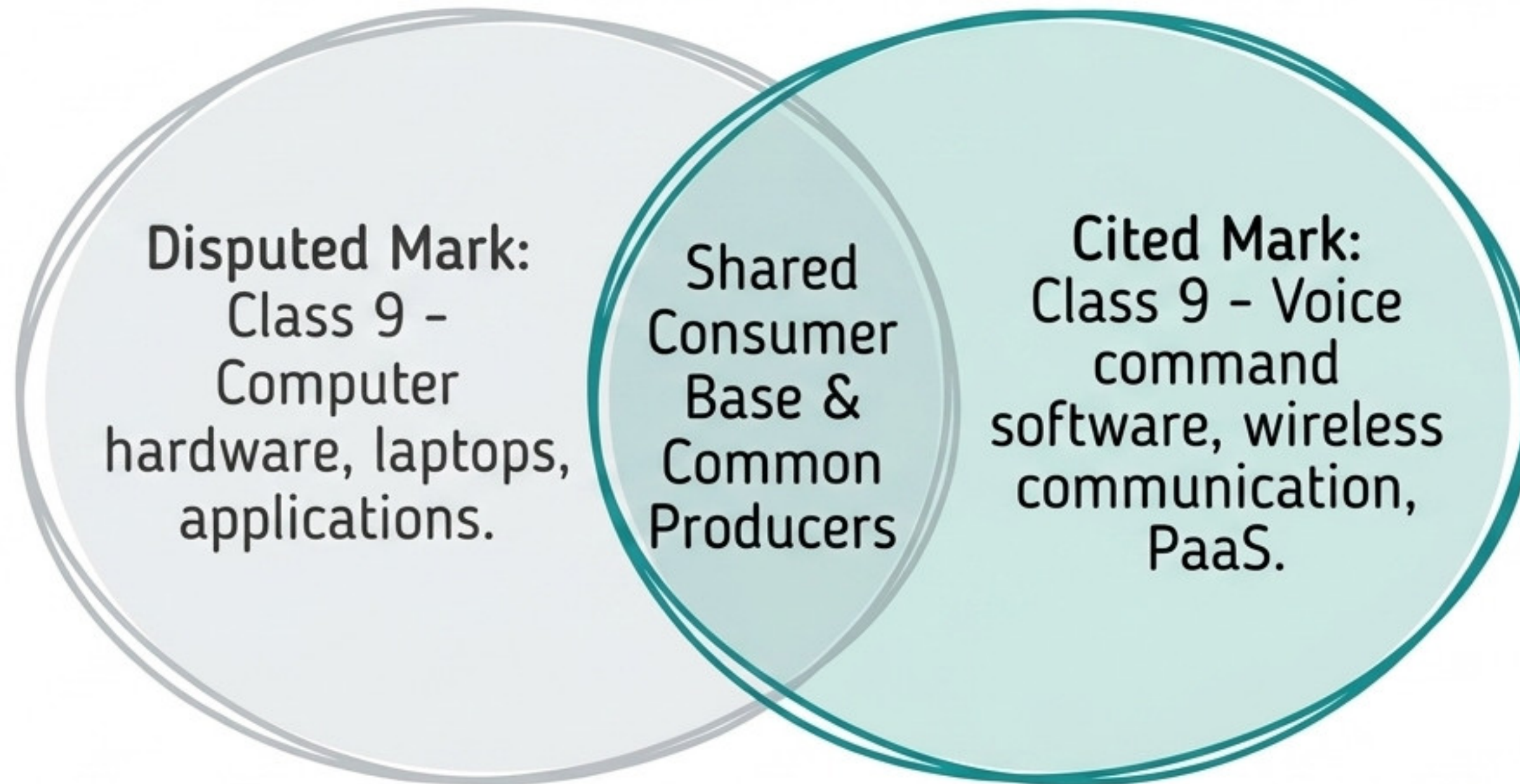
The court weighs these interwoven factors to determine the overall risk to the consumer.

Factor 1: Visual Similarity



Court's Conclusion: High degree of similarity. Consumers observing them at different times and places would easily associate them as a series.

Factor 2: Similarity of Goods & Services



Key Insight: The court ruled that rights are based on registered categories, not just actual current use. Because both target tech consumers with overlapping functions, they are “highly similar.”

Factor 3: Distinctiveness & Market Familiarity

Nov 6, 2014



Amazon Alexa smart assistant launches globally.

2017 - 2020



Heavy Taiwan media coverage & continuous marketing of the Alexa app.

July 19, 2019



Disputed Trademark application filed.

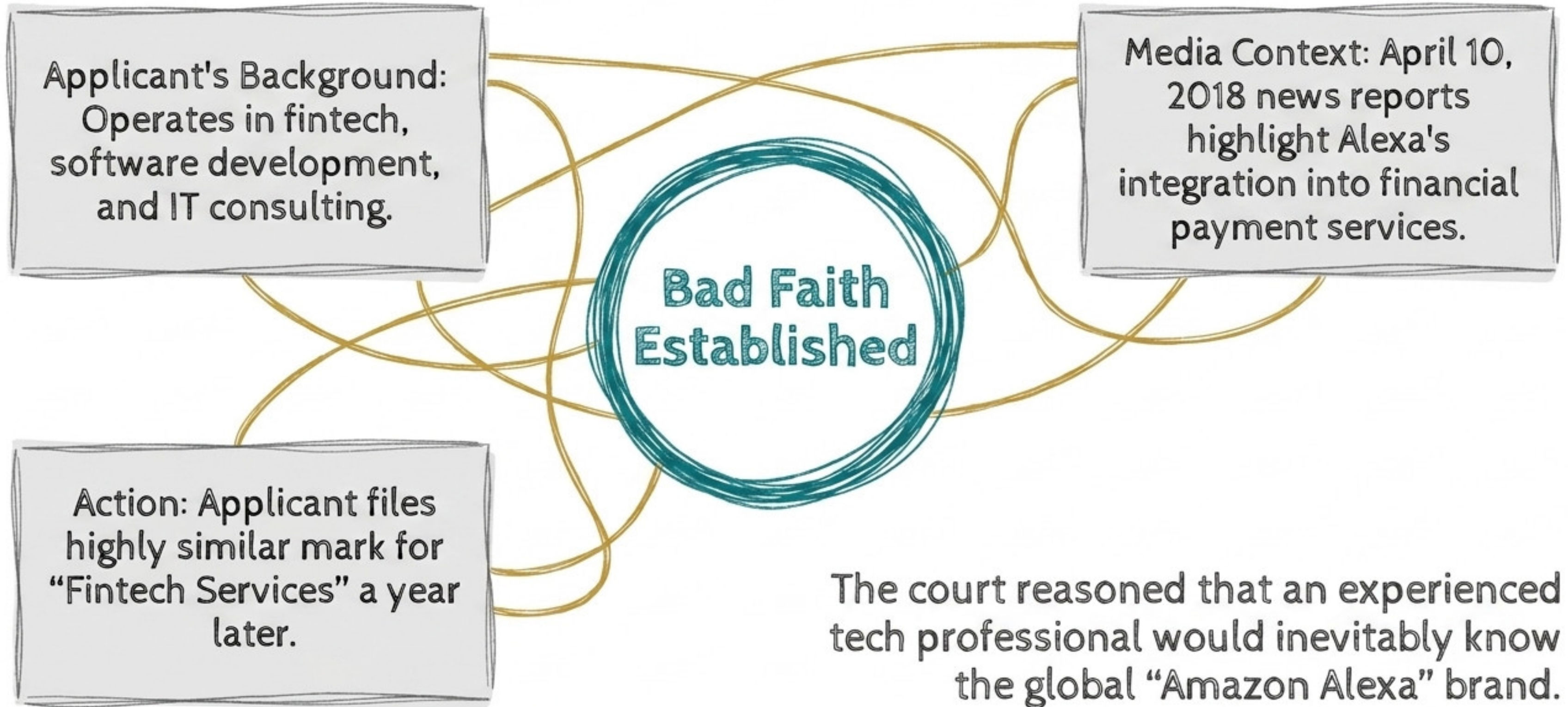
Cited Mark: High familiarity, backed by Wikipedia entries, news reports, and Google search evidence.

Disputed Mark: Only one undated promotional flyer provided. Lacks market recognition.



Result: The established mark receives broader legal protection.

Factor 4: Intent & Bad Faith



The Final Judgment



High similarity in visual design.



Highly similar designated goods (Class 9).



Cited mark is highly distinct and familiar to consumers.



Disputed application lacked good faith.



Likelihood of Confusion Confirmed.

The opposition is sustained. The registration of the Disputed Trademark is officially revoked. The appeal is dismissed.