

## THE DILEMMA IN DEFINING THE MEANING OF “USE” IN PATENT INFRINGEMENT

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### ABSTRACT

Modern society relies heavily on computer technology. However, we have been casually tossing bits of personal information out into the world for decades, like Frederick S. Lane had said “If everyone throws a single soda can out of the car window, it does not take no long for a highway to look pretty hideous.”

Since a computer cannot operate without software, it is no wonder that intellectual property protection of software is crucial not only for the software industry, but for other businesses as well.

In our information age, the protection of data is tremendously important because data is rampantly collected via the internet and evaluated by companies for commercial purposes. Even the world’s leading corporations are accused of breaching consumers’ data privacy. Thus, should we define the term “use” in privacy same as in patent infringement? In this article, I will introduce some decisions in American and Taiwanese courts about this.

**KEYWORD:** Use, Patent Infringement, Personal Information Protection Act