

Legalizing Community Resources — Experiences Learned from Implementing the Indigenous Traditional Intellectual Creations Protection Act (ITICPA)

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Abstract

The indigenous societies in Taiwan have passed through the era which used to assert them as barbaric and uncivilized 'Others', and were officially de-colonized with promulgation of certain legislation such as the Indigenous Fundamental Law. However, they can still not formalize their customary laws, which are prerequisite to their entitlement of community resources, such as indigenous traditional knowledge and cultural expression. In December 2007, a *sui generis* regime to the civil law intellectual property regulations, the Indigenous Traditional Cultural Expression Protection Act (ITCEPA), was promulgated. ITCEPA was the very first law in Taiwan to substantiate diversified modes of indigenous cultural expression, such as songs, dance, weaving, dyeing, ceremonies, and even witchcraft as community resources entitled to the tribal unit. When certified and registered, these collective rights will be legalized retrospectively. Any established acquisition and exploitation of the resources by non-indigenous peoples will be revoked, no matter in what form (copyright, or trade mark). Yet to implement the ITCEPA, a tribal units' based decision making process and management plan are needed, since the *sui generis* rights are entitled to the community only. But with extended prewar Japanese colonial rule, and the consequent encroachment of Christian missionaries and mainstream political institutions over their communities, primitive tribal leadership barely survived. This article will show how twelve indigenous Taiwanese tribes have attempted to reestablish and re-integrate their political organizations and decision making processes.

Keywords: Indigenous rights, intellectual property, copyright law

The indigenous community in Taiwan and the protection of their resources

Taiwan is an inherent multi-ethnic nation-state, yet it did not adopt formal multiculturalism until the year 2000, when the 1949 Constitution was amended. Assimilating the indigenous peoples into mainstream society has constantly been followed by successive rulers over the island before then. Japanese authority and the post-War Kuomintang (KMT) regime stuck with the same strategy. Aside from fierce suppression waging armed force, academic disciplines such as anthropology or museology are also employed to officially characterize aboriginality as a symbol of under-civilization and subordination. Since aboriginality was de-contextualized as exotic and deviant social behavior carried on by a group of marginal 'Others' (Hu, 2004; 2005), compulsory assimilation became requisite. Police powers then were heavily used to civilize the savage compatriots through education and sanitization, and finally large scale migration and isolation was applied. The result is, with no surprise, the dissolution of indigenous polity and, most important, their community resources.

The waking of indigenous rights in Taiwan was at about the same time as the democratization movement of the 1980's. Through the process of liberation from the KMT's dictatorship, re-habitation of oppressed sectors such as the domestic petty-bourgeoisie stimulated that of the indigenous communities. Blocs of indigenous representatives were elected to public office, and strived to congregate a new constitutional moment. In 2000, an Amendment to the Constitution which symbolized an epoch of indigenous renaissance was inaugurated. Article 10(10) avows Taiwan as a multicultural nation-State: "the State affirms multiculturalism, and positively assures the development of language and culture of the indigenous peoples." Then, an innovative, ground-breaking Indigenous Fundamental Act was later adopted to substantiate the above Amendment in 2005.¹

One can perceive the Fundamental Act as a semi-treaty based constitutional rewrite (Huang, 2009). Pursuant to the act, the central government is obliged to respect the will of indigenous peoples in terms of their status and future development, while coordinating with civil society, and eventually lead to an autonomous entity (Article 4).² The substantive aspects reflecting these prospects will be to regain control over their traditional knowledge and intellectual cultural creations. Under Article 13³ and Article 20⁴ of the Fundamental Act, the central government is commissioned to adopt laws to protect the indigenous entitlement of their land and natural resources, together with traditional bio-diversity knowledge and intellectual creations, and to promote

1 The Indigenous Fundamental Act was promulgated on February 05, 2005, and includes 35 articles.

2 The Indigenous Fundamental Act, Article 4: "The government shall guarantee the equal status and development of self-governance of indigenous peoples and implement indigenous peoples' autonomy in accordance with the will of indigenous peoples. The relevant issues shall be stipulated by laws."

3 The Indigenous Fundamental Act, Article 13: "The government shall protect indigenous peoples' traditional biological diversity knowledge and intellectual creations, and promote the development thereof. The related issues shall be provided for by the laws."

4 The Indigenous Fundamental Act, Article 20:"

(1)The government recognizes indigenous peoples' rights to land and natural resources.

(2)The government shall establish an indigenous peoples' land investigation and management committee to investigate and manage indigenous peoples' land. The organization and other related matters of the committee shall be stipulated by law.

(3)The restoration, acquisition, disposal, plan, management and utilization of the land and sea area owned or occupied by indigenous peoples or indigenous persons shall be regulated by laws."

their future development. Furthermore, while conducting research in the areas subject to indigenous title, the government or private parties are obliged to consult indigenous peoples and obtain their consent or participation, and share with them benefits generated from land development, resource utilization, ecology conservation and academic research derived from Article 21(1)⁵.

The above articles have provided themselves as a guideline for the exploitation of indigenous cultural heritage and nature resources, though specific and workable regulations are still needed to provide a due course of actions, either in transactions or in the courts, which, however, proves to be a difficult task. According to the Fundamental Act, nominally at least six laws covering different aspects are requisite to substantiate the admitted rights. Only half of them have been enacted.

The ITICPA and its major features: The aim of the ITICPA

The traditional cultural creations of indigenous peoples, including their music, dance, songs, graphics and folk art and other objective cultural expressions, had long been regarded as *res nullius* due to their incompatibility with the necessary conditions for Intellectual Property (IP) protection (Lucas-Schloetter, 2008: 383-393; UNESCO & WIPO, 1985:par.3). Copyrightable expression, for example, is required to fulfill the condition of containing the minimum creativity or originality (Farley, 1997: 9-11; Gervais, 2003). Yet most of the indigenous traditional cultural expressions are bound to fully replicate the traditional elements inherited from generation to generation, even if the sheer creativity or deviant could not, or in most cases, is not allowed to be generated.

The individual nature of private property is another hurdle to recognize indigenous IP. Under Article 18 of the Copyright Act of Taiwan:

“[t]he protection of moral rights of an author who has died or been extinguished shall be deemed to be the same as when the author was living or in existence and shall not be infringed upon by any person.”

The author needs to be an individual person endowed with moral rights. Authors such as a group or community, such as indigenous tribes, cannot enjoy their moral right over traditional intellectual creations as a whole, yet for them the individual member is not allowed to claim the rights.

The limited duration of civil law IP also casts doubt on its applicability over indigenous intellectual creations. Article 30 of the Copyright Act of Taiwan indicates that the IP:

“[e]ndure for the life of the author and fifty years after the author's death. Where a work is first publicly released between the fortieth and fiftieth years after the author's death, the economic rights shall endure for a term of ten years beginning from the time of the first public release.”

Since most of the indigenous traditional intellectual works have no traceable date of

⁵ The Indigenous Fundamental Act, Article 21(1):” The government or private party shall consult indigenous peoples and obtain their consent or participation, and share with indigenous peoples benefits generated from land development, resource utilization, ecology conservation and academic research in indigenous people’s regions.”

public release, or have to trace back to time immemorial, their duration of protection will instantly expire if applied. Not to mention a common essence of current living, the indigenous traditional intellectual creations can never expire unless all of the peoples are extinguished.

On 7th December 2007, the Indigenous Traditional Intellectual Creations Protection Act (hereinafter ITICPA) made its way through the Legislative Yuan (the House of Congress) as an answer to the above Article 13 of the Indigenous Fundamental Act. With the ITICPA as a formal law of the State, the indigenous traditional intellectual creations are no longer left in the plight of no protection (Huang, 2010).

The subjects protected under the ITICPA

The traditional intellectual creations protected under the ITICPA include subject matter such as traditional religious ceremony, music, dance, songs, sculptures, weave and dye, graphics, wardrobes, and folk art. An open-end, catch-all clause is also introduced to the Article so all other expressions of cultural activities of the indigenous peoples can be protected once they are certified and registered (Article 3).

Unlike the copyright laws, to receive protection from the ITICPA, the creations need to be certified and registered through the administrative agency, *i.e.*, the Indigenous Peoples Council of the Executive Yuan (Article 4⁶, 5⁷, 6⁸). Once the certification process is completed, the indigenous peoples and tribes registered will be entitled to proclaim the exclusive right over the registered creations (Article 7), *i.e.*, a unique form of community resources. The exclusive rights include the right to stop and prevent any false attribution, distorting, mutilating, modifying, or otherwise changing the content, form, or name of the work that damages the author's reputation, and to litigate against any above activities that infringe the registered context (Article 10).

All the *sui generis* rights protected under the ITICPA shall take effect retrospectively, which means there will be no vested rights for the current civil law IP which may contain indigenous intellectual creations registered. Trademarks or copyright-protected works exploiting the *sui generis* rights without lawful licensing will be declared void, notwithstanding its legality while admitted. This is a typical application of general theory of inter-temporal law, *i.e.*, a necessary result of transformative justice (Huang, 2010). Current practice adopted by the IP Bureau of the Ministry of Economy actually complies with the above reasoning. A consultation process will be a prerequisite before issuing any indigenous related trade-mark.

6 ITICPA, Article 4: "Intellectual creations shall be recognized by and registered with the competent authority so as to be protected by the Act. The criteria for recognizing intellectual creations mentioned in the previous paragraph shall be determined by the competent authority."

7 ITICPA, Article 5: "The competent authority shall recruit (assign) personnel of related institutions, specialists, scholars and aboriginal representatives to undertake the recognition of intellectual creations in addition to any matters stipulated in other regulations. At least 50% of these personnel shall be drawn from aboriginal representatives."

8 ITICPA, Article 6: "(1)The applicant for any intellectual creation shall provide a written application, a specification, necessary graphics, images and related documents or provide audio-visual creations in order to apply for registration with the competent authority.(2)The applicant mentioned in the previous paragraph is limited to aboriginal groups or tribes and a representative shall be elected to take care of all matters arising. The regulations of electing representatives shall be determined by the competent authority."

The rights entitled to the indigenous peoples under the ITICPA is not individual property, but collective in nature (Huang, 2010:24-26). Therefore, they are rights parallel to civil law IP (copyrights, patents and trade-marks). The latter may still be entitled to individual members of the tribe or ethnic unit registering the *sui generis* rights. Such a special character of the community resources is also evidenced by Article 22 of the ITICPA: “The provision of ITICPA shall not affect the rights of the exclusive right owner of the intellectual creation and the third party derived from other laws.”

The applicant of this *sui generis* right, according to the ITICPA, will be limited to the (official) indigenous ethnic groups or tribes (Article 6(2))⁹, although they may eventually be found not as the proprietor, or have to be co-entitled with other non-applicant ethnic groups or tribes, which is a decision made by the reviewing board. Experience learned from mootings shows no such surprises have ever happened, since it is a consensus-oriented community property.

The entitlement of rights under the ITICPA

Provided under scrutiny no specific ethnic group or tribe is the legitimate proprietor, then the right shall be entitled to the indigenous peoples of Taiwan as a whole, and take effect immediately after the date of registration (Article 7(3)). *I.e.*, no subject matter will be characterized as *res nullius* or public domain, even if it cannot be found attached to any ethnic group or tribe, and the proprietors entitled will include the applicants, non-applicant indigenous ethnic groups or tribes, and the indigenous peoples of Taiwan as a whole. When pursuing the rights through the courts, an official representative of the proprietor, instead of an individual member, will have the exclusive *locus standi*.

Given its nature as collective rights, the rights entitled under the ITICPA can only be exercised, unless provided by laws or contracts otherwise, by the registered indigenous ethnic groups or tribes, or indigenous peoples as a whole exclusively. The rights include to exploit and usufruct the propriety rights, and moral rights to a due attribution (Article 14 (3)). An individual member of the proprietor, however, is free to exploit and usufruct the registered intellectual creations (Article 14 (4)), which makes the collective rights subject solely to the customary rules applied by the proprietor, and eventually legalize the community resources. One may therefore conclude that the ITICPA is a leverage to prevent the false exploitation of indigenous traditional intellectual creations by non-indigenous users. With the compulsory discourse¹⁰, the proprietors can assure that all the utilization will be conducted through authentic cultural discourses.

Implementation of the ITICPA - the prerequisites

Though it substantiates the *sui generis* rights recognized by the Indigenous Fundamental Act, the ITICPA *per se* can only provide minimum and very general

9 According to Taiwan's indigenous ethnic policy, only the indigenous peoples or tribes officially recognized by the government have official status. There are many tribes still struggling for recognition from the government. See Shieh (2008).

10 According to Article 1 of the ITICPA, the legislative purpose of the Act is: “In order to protect the traditional intellectual creations of indigenous peoples, and to promote the cultural development of indigenous peoples, this Act is set forth according to Article 13 of the Indigenous Fundamental Act.”

conditions to the processing and certification of them. Since there are 14 indigenous ethnic groups officially recognized in Taiwan, the abundance of their cultural diversity and ethnic significance make it barely possible to provide regulations for each of them respectively. Yet while implementing the rights, these general regulations need to be translated into some workable models. Noting this technical requirement, four articles of the ITICPA authorize its administrative agency to promulgate bylaws, which covers the process of electing the representative of the applicant and proprietor to be (bylaws No.1), the procedure for the certification, registration and revocation of the *sui generis* rights (bylaws No.3), the standard of certification (bylaws No.2) and the management of funds generated from licensing (bylaws No.4) (Huang, 2010).

Taking the aforementioned open-ended and catch-all clause covering “all other expression of cultural activities of the indigenous peoples” in Article 3 of the ITICPA as an example, there is no rigid definition over the indigenous traditional intellectual creations in any article of the ITICAP. The certification committee needs a guideline to follow before it can admit any right and entitle it to the legitimate proprietor, such as for how long shall the intellectual creation exist and be possessed by the applicant, and with what conditions shall it be recognized and certified.

As a group right, the applicant of certification and its proprietor will be limited to the (official) indigenous ethnic groups or tribes. Yet before the ethnic groups or tribes can be recognized as legal persons, a natural person representative of the applicant or proprietor is needed to file application and litigation. Then who shall be eligible, and through which process who is to be elected as the representative? The bylaw is supposed to provide an answer.

Currently the second and refined drafts of the four bylaws are completed and being withheld by the Indigenous Peoples Council for further review. The following is a brief introduction of its drafting principles. On the process of electing the representative of the applicant and proprietor to be, the draft bylaw chooses not to provide respective conditions for each indigenous ethnic groups or tribe, of which the governing structure of polity may be highly different, instead leaving it to be regulated by the customary laws the polity has long applied. The only compulsory restriction is the representative must be the member of the applicant, so to prevent the intervention from outsiders such as IP brokers (bylaws No.1).

As to the definition of the protected intellectual creations, the draft defines the indigenous peoples as a group of people who identify themselves as an organized single polity with inner coherence. The shared common languages and customs which form an indivisible foundation to such coherence could be traced back to time immemorial, but within a lineal timeframe. Therefore, any rights entitled to the polity as a whole is of the nature of continuity. The right protected under the ITICPA then must be an existing right blended with such a significance carried and applied by the applicant. Its context is allowed to evolve along with the technical development, provided the above indigenous significance is not extinguished (bylaws No.2). With this definition, subjects used to be conceived as public domain could be protected under the ITICPA, such as linguistic structure and grammar, names of certain indigenous ethnic groups or tribes, and common symbols which possess the above characteristics.

The authentication of cultural representation: lessons learned from the moot program

To accelerate the preparation period psychologically, the Indigenous Peoples Council has launched a semi-experimental program as the “Demonstrative Application Program on the Exclusive Rights of Indigenous Traditional Intellectual Creations” since 2012, so to further assure (to itself and other Authorities) the feasibility and practicability of the draft bylaws and the overall infrastructure which may in the near future undertake the true operation of the ITICPA.¹¹

The demonstrative program allows 14 local indigenous NGOs to voluntarily represent indigenous ethnic groups, tribes or sub-sections within their jurisdiction to undergo a moot application procedure. The chosen NGOs represent 12 official indigenous ethnic groups, including the Sakizaya, the Seediq (two teams), the Truku, the Tsao, the Shao, the Bunun, the Kavalan, the Dayan, the Tao, the Amis, the Rukei and the Paiwan (two teams).

Under the program, the NGOs will undertake the responsibility, under traditional customary law or current legal procedure, to re-assemble the tribal congress or assembly and obtain their consensus over issues such as choosing the traditional intellectual creations recognized as the most representative, yet severely-threatened or exploited. In the meantime, a historic and cultural review over the origin and preservation of the targets, namely the history, exploitation taboos, and cultural implication of the expressions, together with field investigation such as procurement of oral evidence from elders, will all be conducted by the NGOs. At the final stage, the 14 NGOs will follow the application procedures under bylaw No.3 to file for certification and registration with the gathered references. Since it is a moot application procedure, the *sui generis* rights will not be entitled with any tribes, yet the applications and the registered propriety under the moot program will be officially acknowledged by the Indigenous Peoples Council retrospectively, once the bylaws are approved.

Throughout the program, certain authenticity issues never conceived either by mainstream anthropologists or regulation drafters are revealed. Taking the ITICPA itself as an example, the Act provides that only the (official) indigenous ethnic groups and tribes can be the legitimate applicants and proprietors. However, the moot practice proves that to certain indigenous polity, this is not a true statement. Among the moot application team, one NGO from the official Paiwanian indigenous ethnic group vowed to represent not the official ethnic group or tribe as a whole, but their own noble-caste family (the Pakedjavai Family). The 12 glass beads (the Muljimuljidan, the Luseqnaqadaw, the Kurakurau, etc.), traditional home and the sacred songs they applied for protection belong solely to the noble family and the tribal head due to this unique Paiwanian caste system, which is largely followed by the ethnic group nowadays. Only the entitled caste families can legitimately utilize (including, if necessary, licensing out) those creations.

A similar situation could be found with another moot team from the Tsao ethnic group

¹¹ The author and the co-author are currently the Project Manager and Chief Investigator of this semi-experimental program. See the program website at: <http://ctm-indigenous.vm.nthu.edu.tw/>.

in Chia Yi County. The applicant applied for protection over their famous tribal worship rituals Mayasvi and Miyapo. Both rituals are popularly known and documented by anthropologists as enjoined by all of the tribal members. Yet through the consensus assembly, it is decided that only the two major tribes (Hosa) possess the legitimacy to their narrations and representations, including interpreting the meanings, taboos and due process of the ritual. Therefore, if certified, the objects will be entitled to the tribes only, not the whole official tribe.

Notwithstanding the impact of the ITICPA over the reconstruction of indigenous cultural integrity, and even the prospect of political autonomy through the above moot applications, or eventually if the Indigenous Peoples Council will continue to subsidize such a *sui generis* rights management, the process allows, for the first time in history, for indigenous peoples to actively participate as a subject with the establishment of a practical set of authentic cultural representation, which is a core to the community resources. In the meantime, the collection and construction of the history, taboos, and cultural implication of the target expressions motivated by the indigenous politics themselves also help to pave ways for a more equal and balanced discourse between the indigenous peoples and non-indigenous community.

A Tentative Conclusion: authentication of indigenoussness in research and archive disciplines as a necessary consequence of legalizing the community resources

Before the introduction of the ITICPA, the Copyrights Act of Taiwan and its bylaws were the only applicable regime, creating certain legal difficulties for the archive program. To prevent itself from the risks of infringement of rights, the program tends to archive objects whose copyright protection has expired, or have fallen into the public domain before any due diligence could be completed. Many indigenous related objects were among these preferable targets, since the dates of their creation are since time unmemorable, or the proprietor is unknown.

However, the above strategy was forced to change after the adoption of the ITICPA. According to its Article 3, the protected indigenous intellectual creations are very comprehensive, which include the traditional religious ceremonies, music, dance, songs, sculptures, weaving, patterns, clothing, folk crafts or any other expression of the cultural achievements of indigenous peoples. Fulfillment of the authentication and registration process under Article 4 with the competent authority are the conditions to vindicate the rights. The official ethnic groups, tribes, the sub-sections of them, e.g., family groups as mentioned above, and the whole indigenous people then will become the proprietor of the moral right, which includes the right to publicly release the work, to be nominated, and to prohibit others from distorting, mutilating, modifying, or otherwise changing the content, form, or name of the work¹². Property rights are also granted to exclusively use and profit from the registered objects¹³. The above rights

12 ITICPA, Article 10(2):"The owner of an exclusive right to use intellectual creations enjoys the following moral rights of intellectual creations:

1. the moral right to publicly release the work.
2. the moral right to indicate the name of the exclusive user.
3. the moral right to prohibit others from distorting, mutilating, modifying, or otherwise

changing the content, form, or name of the work, thereby violating the author's reputation."

13 ITICPA, Article 10 (3):"The owner of the exclusive right to use intellectual creations shall

are neither transferrable nor subject to any pledge or taking and will be protected for goods. At the first glance most of the archived indigenous contents are candidates to the *sui generis* regime.

Propriety under the ITICPA is collective in nature (Huang, 2005:32-37), *i.e.*, an inherent community resource. Proprietors are ethnic groups, tribes, family groups, or the whole indigenous people instead. Therefore, the legitimate means of procurement such as acquiring prior informed consents from their individual member who physically possess the objects, or through a sales transfer, will no longer validate the assessment. Authorization is needed from the registered legitimate proprietors if the archives would be publicly released, either through exhibition in museums or virtual libraries. There is no specific formality requirement for the necessary authorization, yet one can imagine a prior informed consent obtained through comprehensive and diligent discourse will be the bottom-line before any bylaws or model form is issued by the Authority.

An instant example of the above turnover could be found in its business application. In 2009, glamorous female indigenous singer Chang Hui-mei (Amei) issued a new album titled 'Amit'. The album tagged itself as a unique charm because it includes three songs derived and modified from traditional Puyumen rhythms. Even though the ITICPA was implemented at the time, the record company still managed to seek for a semi-collective authorization from the council of the tribe in which the singer grew up (Chen, Wei-Jen, 2009). There was no information about the terms and conditions of the authorization though.

The above incident evidences the intrinsic difference between copyright and the *sui generis* rights under the ITICPA. A prior consent to access is requisite not only from the individual possessor, but the community unit the former belongs to. Certainly, it is not very clear with which unit the archivists will negotiate the consent, since the political institutions of these potential proprietors vary all the time, due to current indigenous self-government policy.

Workable data collections and a user-friendly interface both symbol the versatility of an archive. A competent archivist needs to retain the ability to design a resilient metadata, which incorporate both original context and historical lineage. However, when applying the said qualifications to the indigenous related archive, one may encounter two major issues. The first one is to provide a publicly accessible interface to equally publicly release the contents, which requires authorizations from the *sui generis* moral rights proprietors. The second is to categorize and make functional the archived indigenous contents, which could have touched the thin red line as "distorting, mutilating, modifying, or otherwise changing the content, form, or name of the work, thereby violating the author's reputation (ITICPA, Article 10)". A "notice to the website viewers" standard-clause containing key languages of the ITICPA, *e.g.* the moral and property rights are entitled exclusively with certain ethnic groups or tribes, and authorization is requisite in case of utilization, is designed as a dialogue box located at the front page of the archive site, so to substitute every individual licensing (Huang, 2011:60-64). Only when the viewer reads through and clicks the

exclusively use and profit from the property rights of such intellectual creations on behalf of specific ethnic groups, tribes or the entire indigenous peoples, unless otherwise stipulated by law or agreement, and shall exercise the rights mentioned in the previous paragraph."

agreement below can they access the archive contents¹⁴. Viewers' IP will at the same time be located by the webmaster, so to monitor any possible infringement.

As to the relief for the second concern, the archivists are advised to consult with proprietors over the adequate ways of handling any culturally sensitive contents, before constructing the metadata. If a taboo or restricted ritual or lyric is archived, a comprehensive discourse over the adequacy and formality of public release should be conducted beforehand (Huang, 2011:66-68). The proprietor will have the right to request instant removal of any content from the site if they found the exhibition poses a threat to their cultural integration.

As mentioned above, social application of the archive contents is a planned and indivisible phase of the program. Licensing and transferal of the archive contents are always conceived as the necessary means to implement the application. However, under the ITICPA, the archiving institutions are not proprietors of the possessed indigenous archive contents, which are not transferable, even if the transferred portion is only an edited copy, or images which might still be part of the exclusive rights of the entitled ethnic groups or tribes. Currently, archivists have started to prepare a revised version of model licensing clauses to cope with the challenge (Huang, 2011:64-66). In the meantime, they are urged to actively consult with related ethnic groups, tribes and experts, and to initiate a comprehensive discourse over issues such as public release, ways of nomination, mode of application and benefit sharing schemes, although sometimes the tribes may not be the proprietor, or a collective consensus is not obtainable through established mechanisms.

14 See the website of the Digital Music Archive Project for Taiwanese Indigenous People: <http://archive.music.ntnu.edu.tw/abmusic/index.html>. (Project investigator: Prof. Chien Shan-Hua (錢善華), college of music, National Taiwan Normal University)

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