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The key revisions of the amendment include the steps in determining unity of invention and clearly stipulated that, in principle, at least ONE independent claim (usually independent claim 1) as well as claims dependent on the independent claim shall be searched and examined if an application doesn't meet the unity of invention requirement.

For more information, please visit (Chinese): <https://www.tipo.gov.tw/ct.asp?xItem=689777&ctNode=7127&mp=1>



TIPO amended the Examination Guidelines on Biology-related Invention Patent Applications which entered into force on January 1, 2019

To align with the status of development of Taiwan's biotech industry, TIPO amended the Examination Guidelines on Biology-related Invention Patent Applications which entered into force on January 1, 2019. It is aimed to assist applicants in making determination of inventive step of invention patent applications much clearer and easily.

This amendment focuses on rearranging the structure of certain chapters, revising specific types and discourse of inventive step, as well as adding sample cases.

For more information, please visit (Chinese): <https://www.tipo.gov.tw/ct.asp?xItem=688737&ctNode=7127&mp=1>



Changes made to the designated names of goods and services for trademark registration, as well as cross index references

The 11th edition of the Nice Classification of Goods and Services added 485 items and deleted 119 items as well as amended 40 groups, subgroups or notes in total. These changes entered into force on January 1, 2019. The database of the classification and designated names of goods and services established in TIPO's electronic filing system would be updated simultaneously.

Thus, starting from January 1, 2019, those who apply to register trademarks through TIPO's electronic filing system should download the latest version. If the designated names of the goods and services listed in an application form do not conform to those in the electronic filing system, the NT\$300 application fee deduction will not be applied.



TIPO completes analytical reports on IPR regimes in Southeast Asian and South Asian countries

To assist businesses in learning more about the IPR regimes and practices in the major countries listed in the New Southbound Policy, TIPO recently collected information on the IPR regimes, practices, registration, and related procedures in question of six countries – the Philippines, Malaysia, Indonesia, India, Vietnam and Thailand. TIPO has also written two analytical reports, "Trademark Systems and Developments in Southeast Asian Countries" and "Patent Systems and Developments in Southeast Asian Countries," for companies to take further references when setting their southbound IP strategies.

The aforementioned information and reports have been released on the "IPR Protection in Southeast Asian and South Asian Countries" of the TIPO website. All members of the public are cordially invited to browse the documents.

For more information, please visit (Chinese): <https://www.tipo.gov.tw/lp.asp?ctNode=7867&CtUnit=3894&BaseDSD=7&mp=1>



TIPO releases patent and trademark statistics and Top 100 patent applicants in 2018

In 2018, TIPO received 47,429 applications for invention patents, an annual increase of 3% and a second-year consecutive growth; 8,082 applications for design patents, which are just about the same from last year, and 17,910 for utility models, making a drop of 8%.

By citizenship of applicants, Taiwanese nationals filed 39,278 applications, marking a 4% year-on-year decrease; while foreigners filed 34,143 ones, a 4% increase compared to the previous year.

As to Taiwanese nationals, there were 18,365 applications for invention patents, marking a 1% increase. Also, there were 4,252 applications and 16,661 applications for design patents and utility patents, representing a 1% and a 9% decrease respectively. Japan topped the list with 14,169 applications, followed by the US (7,345) and mainland China (3,506).

Among the top 100 patent corporate applications, the Taiwan Semiconductor Manufacturing Co. has topped the list for three years. The number of its applications has been growing since 2015, breaking a record-high in 2018. AU Optronics Corp. secures the second place with 586 applications. As to foreign companies, Qualcomm championed with 1,011 applications. This is not only a 67% year-on-year increase for the company but also marks the most significant growth among the top 10 patent corporate applicants. Alibaba Group Holding Limited withdrew to the second place with 599 applications.

Looking at the structure of the top 100 patent applicants, corporates provide the main momentum in R&D. The numbers of applications for invention patents, utility patents, and design patents have all increased, at 2%, 7%, and 53% annually. As to academia, their numbers of applications for invention and design patents have also grown, at 5% and 26% annually, although that of utility patents decreased by 2%. For research institutions, the application numbers for invention patents decreased by 5%.

In terms of trademarks, TIPO received 84,816 applications, marking a 1% year-on-year increase – the highest in 18 years. Taiwanese nationals filed 59,840 applications, just 2% less than the previous year. Foreign nationals filed 24,976 applications, 11% more than the previous year. The three main countries of application are: mainland China (5,770 applications, 19% more than the previous year) which steadily remains at the top, Japan (4,728 applications, 21% more than the previous year), and the US (4,187 applications, 14% more than the previous year).

In addition, TIPO has acquired significant results in accelerated examination. On average, it took 9 months for an applicant to receive an Office Action (OA) and 14 months to receive examination results of an invention patent case in 2018. As to trademarks, the time periods were respectively 5 months and 7 months. Both the numbers of invention patent and trademark applications pendency were lowered to roughly 46,000. This shows that TIPO has effectively assisted applicants and companies in their patent portfolio layouts.



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Please contact us if you have any suggestion or question about our monthly news. We will make corrections or write back to you as soon as possible.

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