



Overview of Taiwan Intellectual Property Office

Taiwan Intellectual Property Office

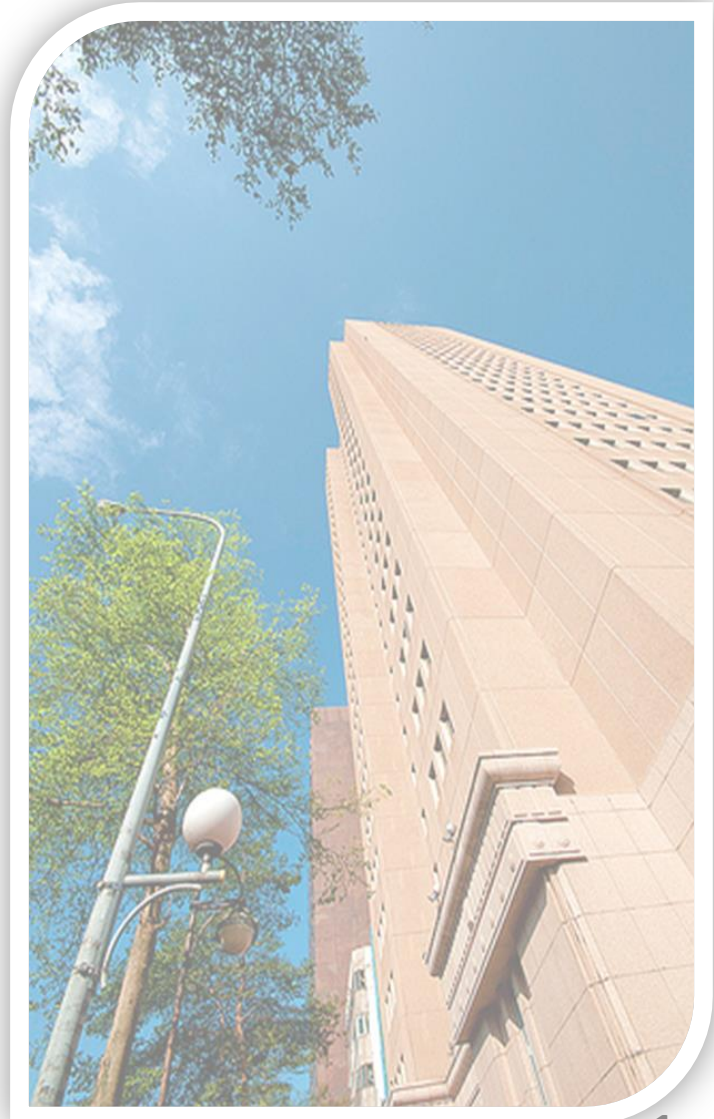
Mar. 2024

TIPO at a glance

- It was established in 1999 as an agency that combines patent, trademark, copyright, IC layout, and trade secret authorities
- An administrative agency under the Ministry of Economic Affairs (MOEA)

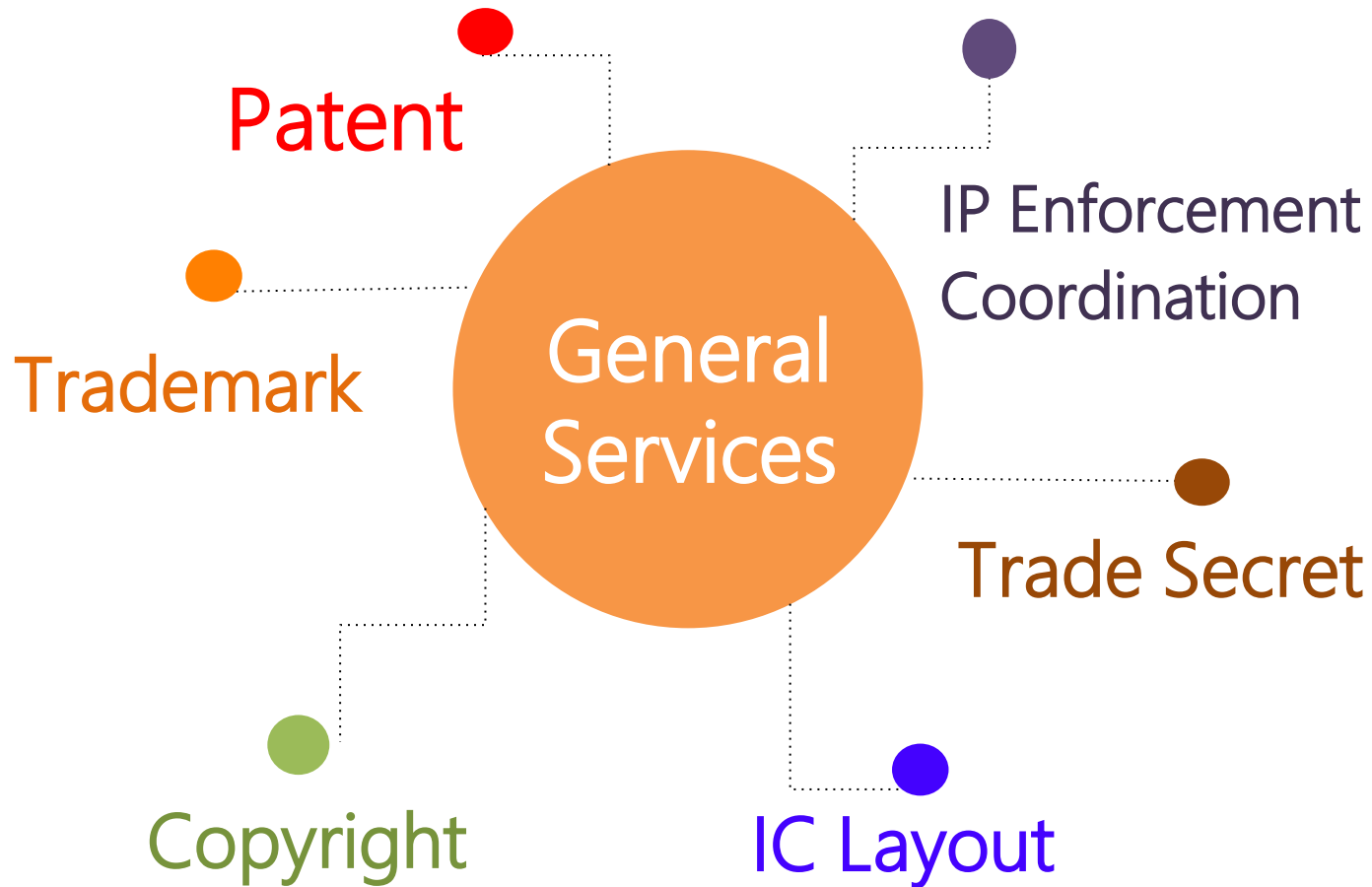
Responsible for

- IP policy formulation
- IP law drafting
- inter-agency enforcement coordination



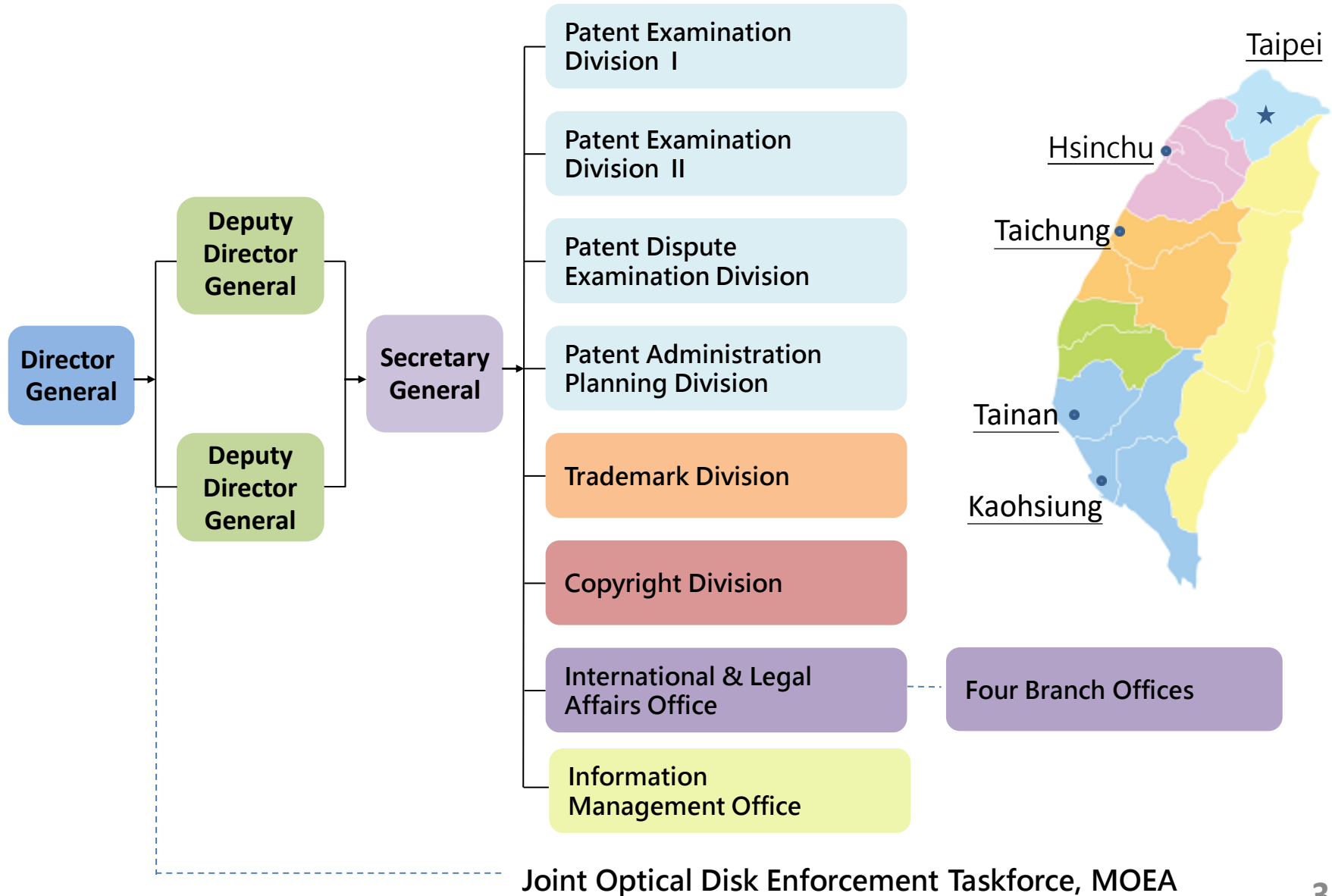


TIPO at a Glance





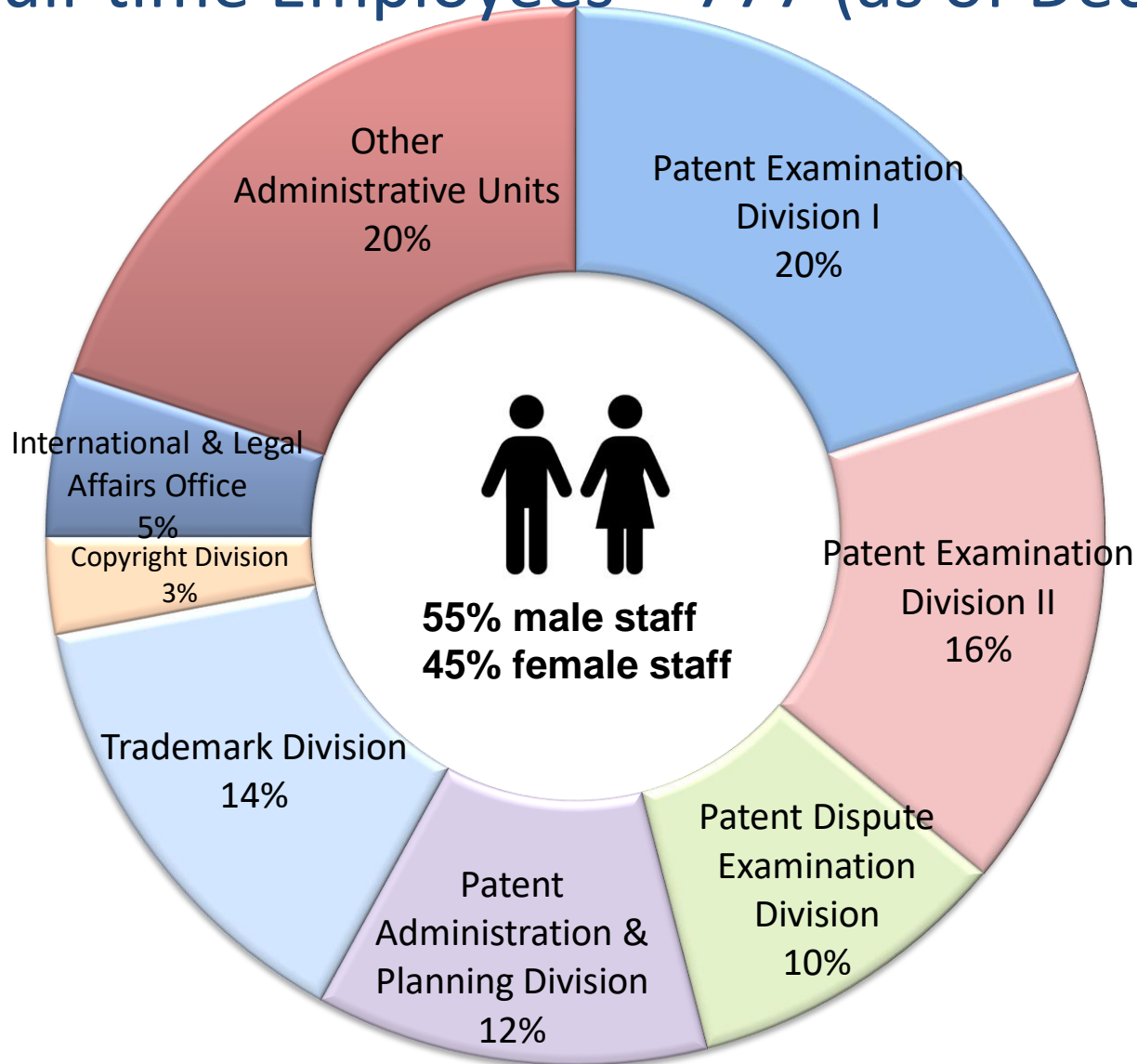
Organization Structure





Human Resources

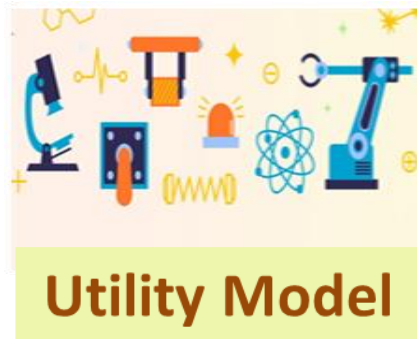
Full-time Employees – 777 (as of Dec. 2023)



Patent System



Application laid-open (early disclosure)
Request for substantive examination
Term of right: 20 years



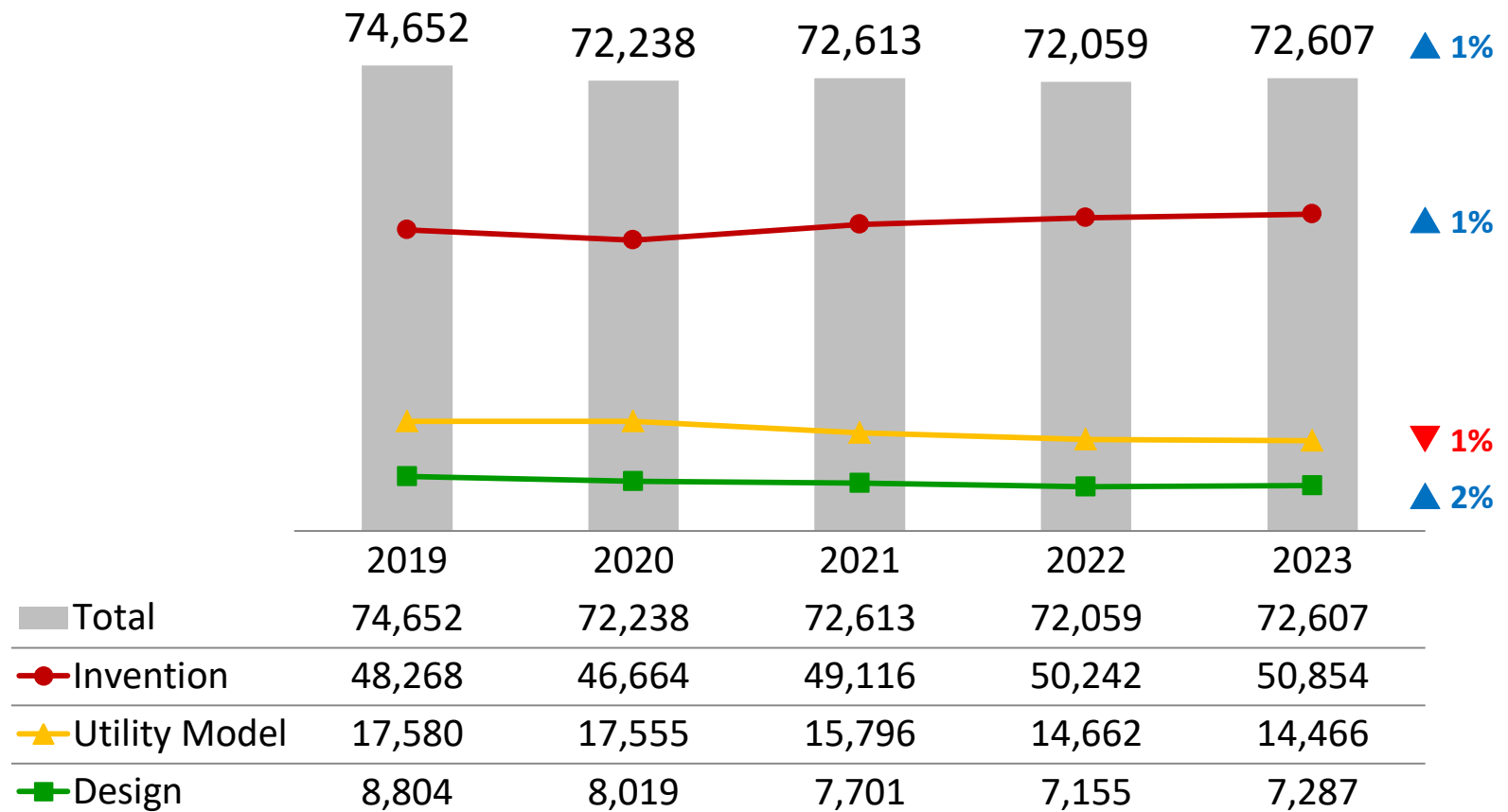
Formality examination
Technical evaluation report
Term of right: 10 years



Substantive examination
Term of right: 15 years



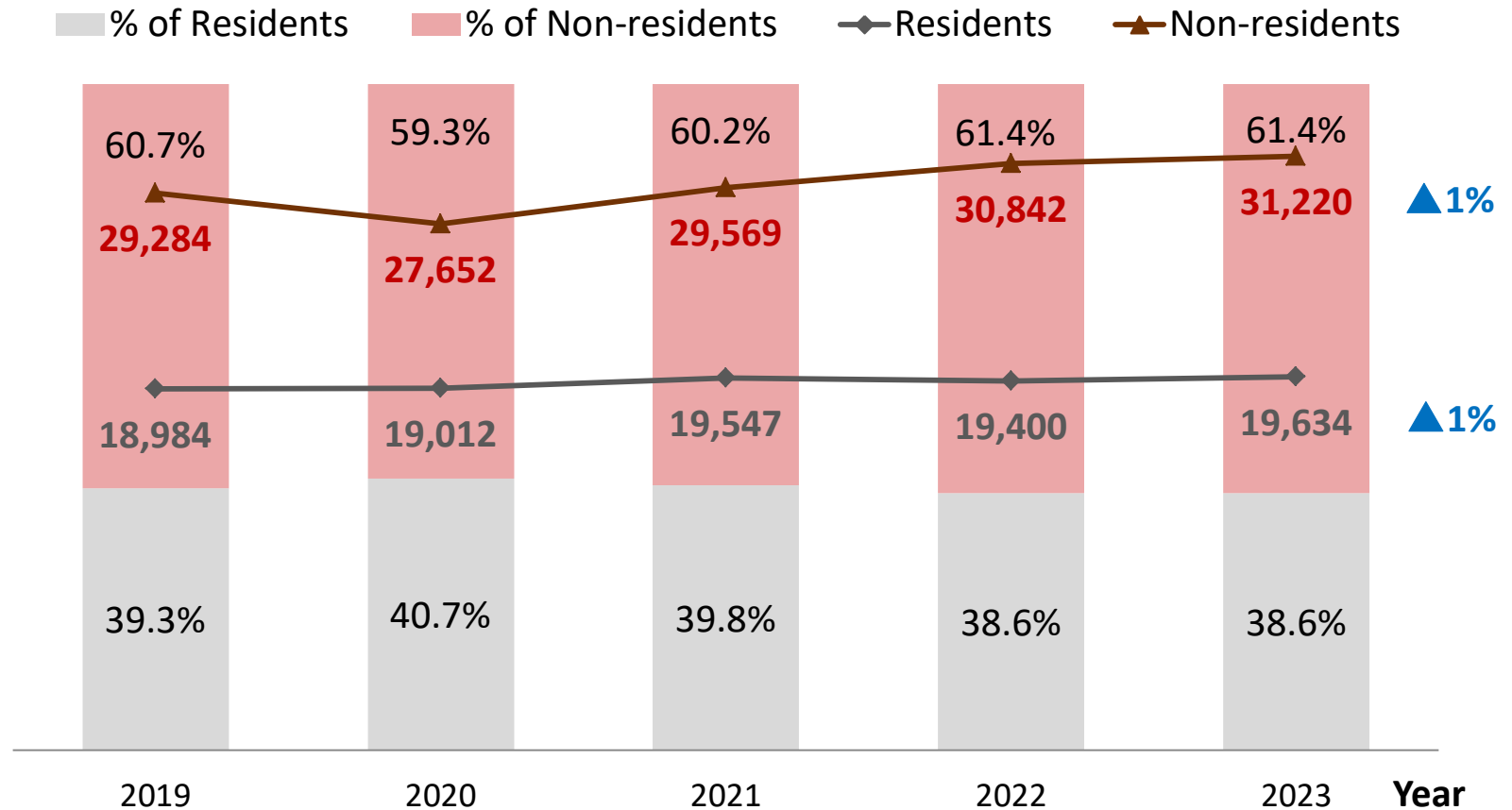
Patent Applications Over the Past 5 Years



In 2023, TIPO received a total of 72,607 patent applications, marking an 1% increase compared to 2022. Of these, invention grew by 1%, reaching a new high in 11 years. However, utility model patent applications decreased by 1%, while design patents experienced a positive turnaround, growing by 2%.



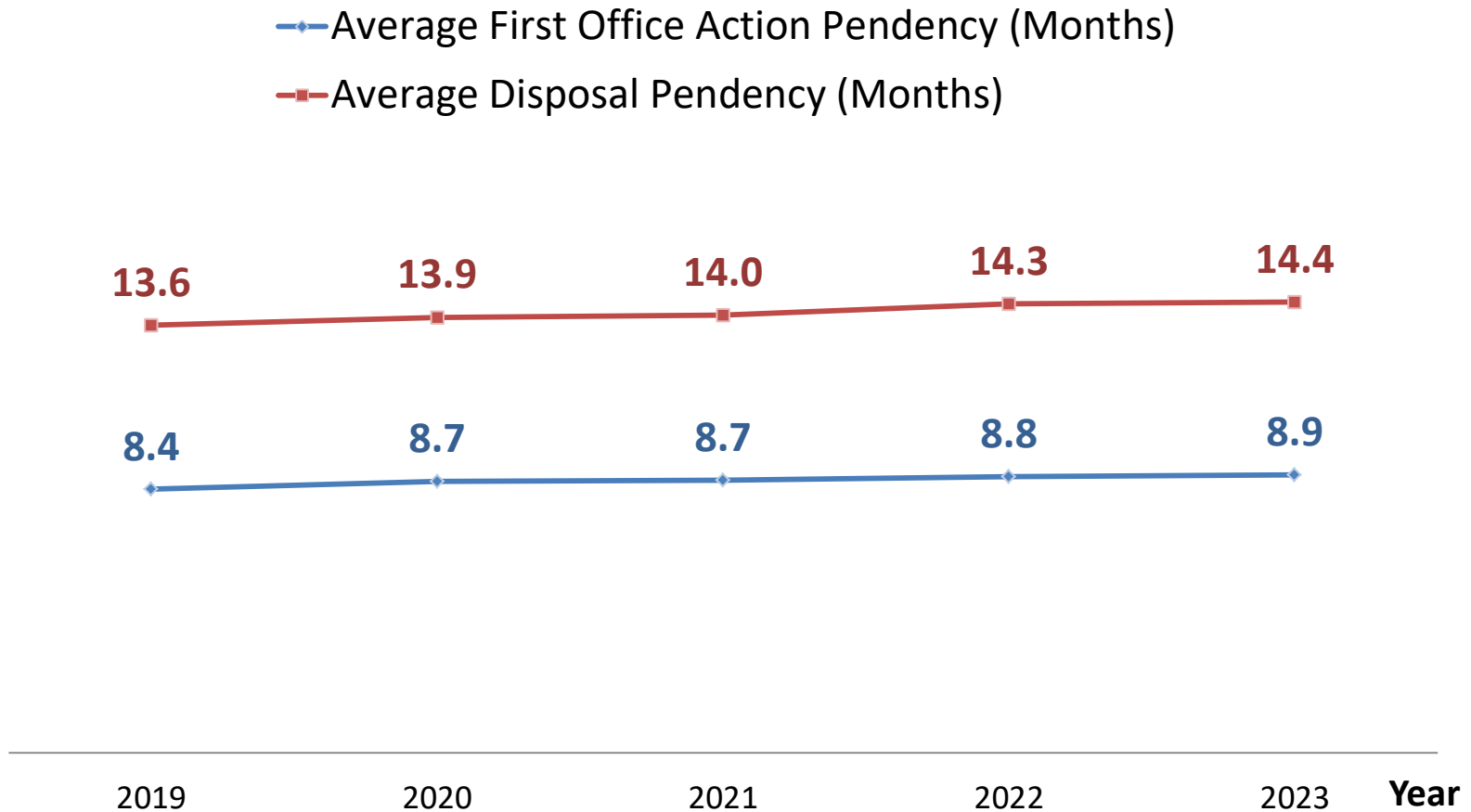
Invention Patent Applications



- In 2023, 50,854 invention patent applications were filed, hitting an 11-year high. This is due to the increase in both resident and non-resident patent applications.
- Over the past 5 years, the ratio of invention patent applications filed by residents to non-residents was approximately 4:6.



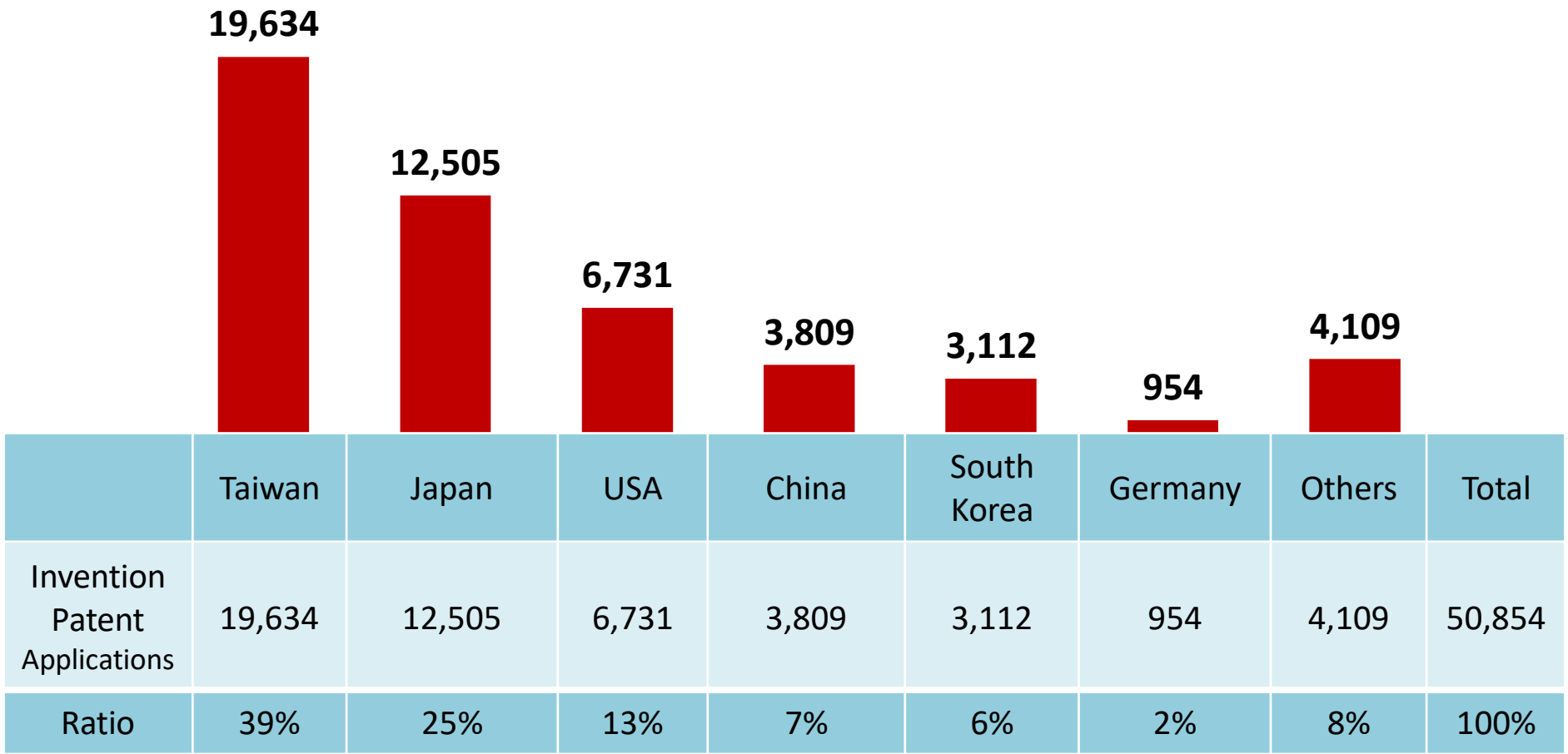
Pendency for Invention Patent Applications



Over the past 5 years, the average first office action pendency and disposal pendency remained stable around 9 and 15 months respectively.

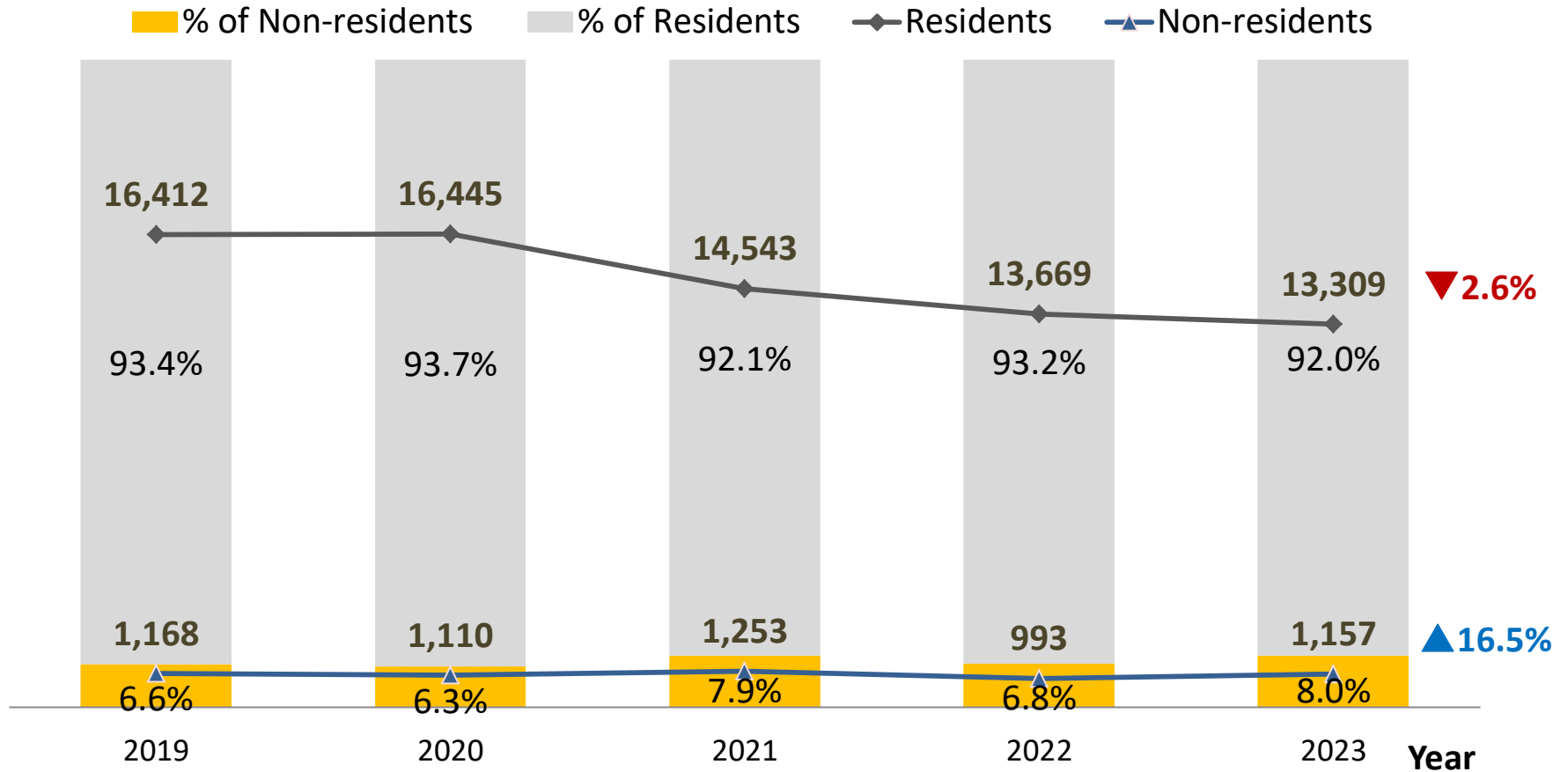


Invention Patent Applications by Nationality in 2023





Utility Model Patent Applications

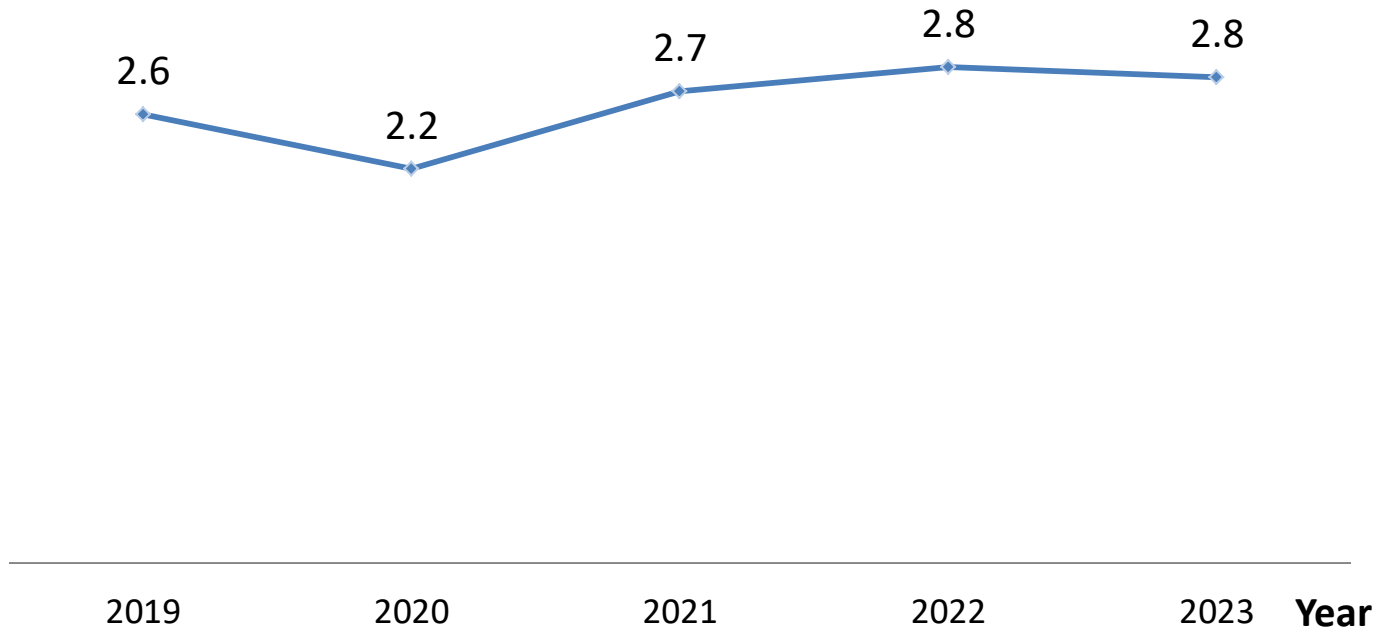


Over the past 5 years, resident applications accounted for over 90% of all utility model patent applications.



Disposal Pendency for Utility Model Patent Applications

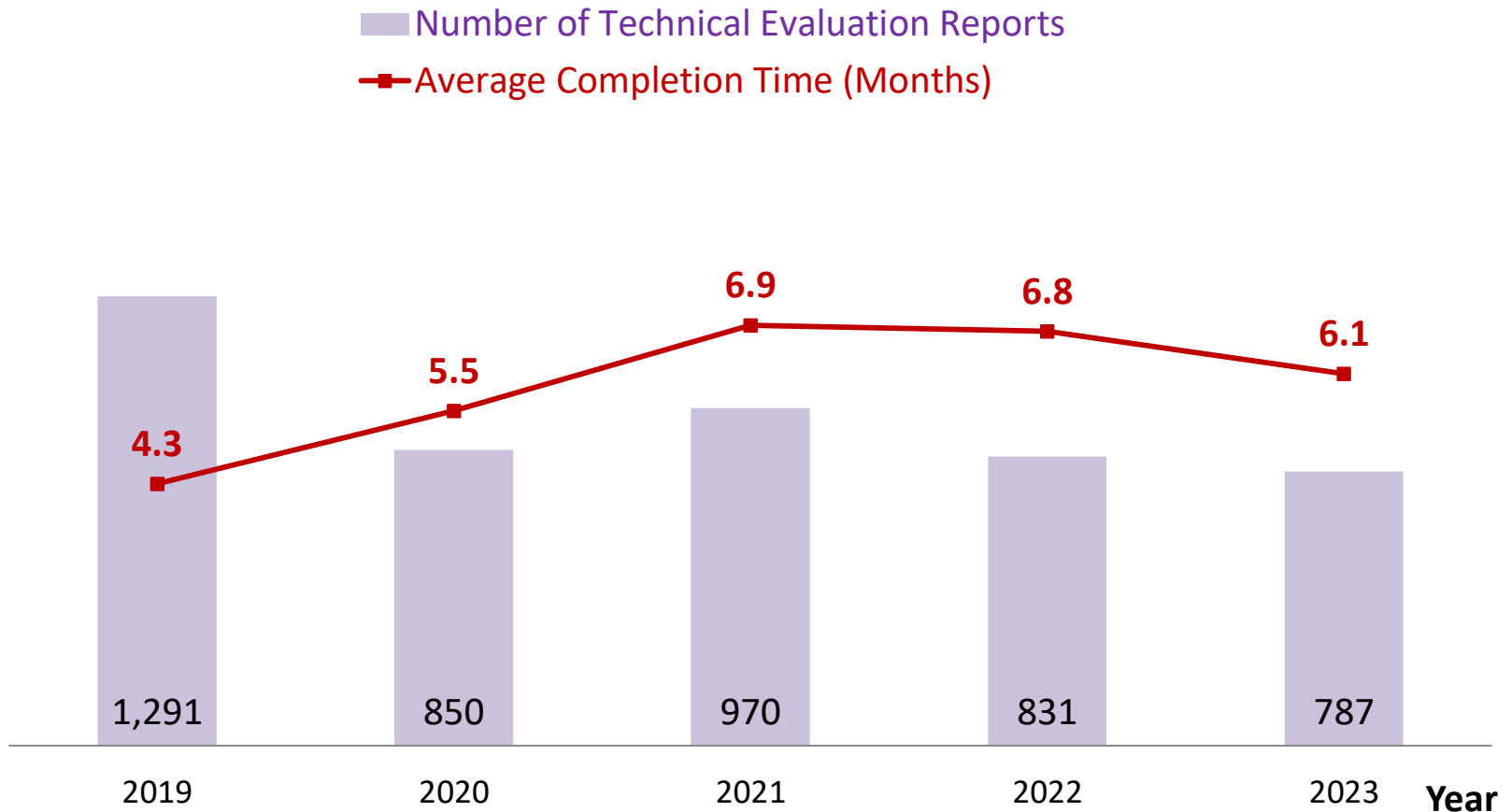
Average Disposal Pendency for Utility Model Patent Applications (Months)



The average disposal pendency for utility model patents was 2.8 months in 2023, allowing applicants to obtain utility model patents quickly.



Technical Evaluation Reports for Utility Model Patent

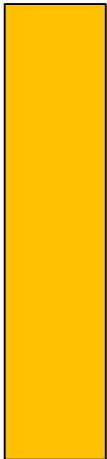


A total of 787 technical evaluation reports for utility model patents were completed in 2023, with an average completion time of 6.1 months.



Utility Model Patent Applications by Nationality in 2023

13,309



724



93



92



62



45



141



Taiwan

China

USA

Hong
Kong

Japan

Singapore

Others

Total

Utility
Model
Patent
Applications

13,309

724

93

92

62

45

141

14,466

Ratio

92.0%

5.0%

0.7%

0.6%

0.4%

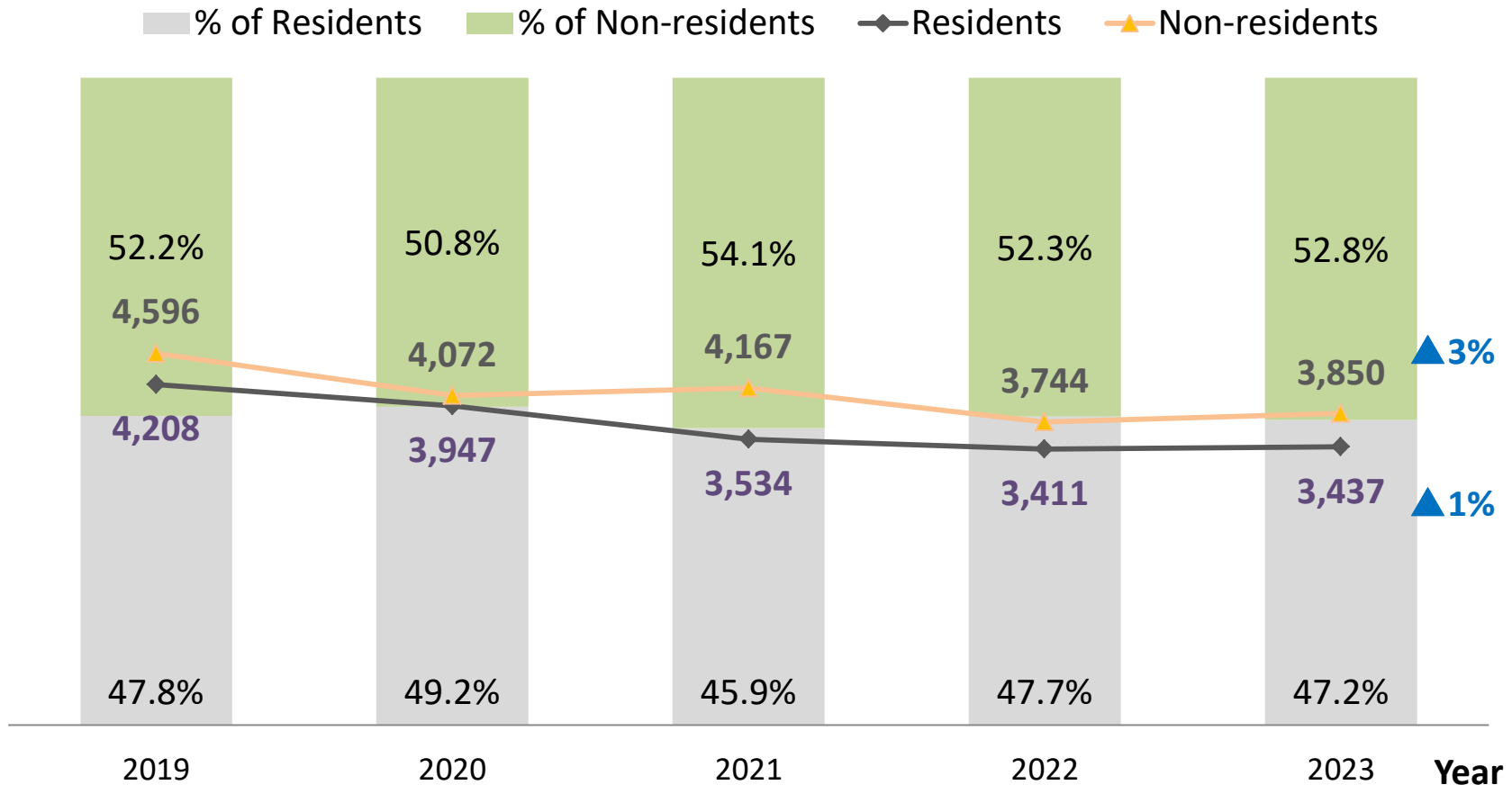
0.3%

1.0%

100%



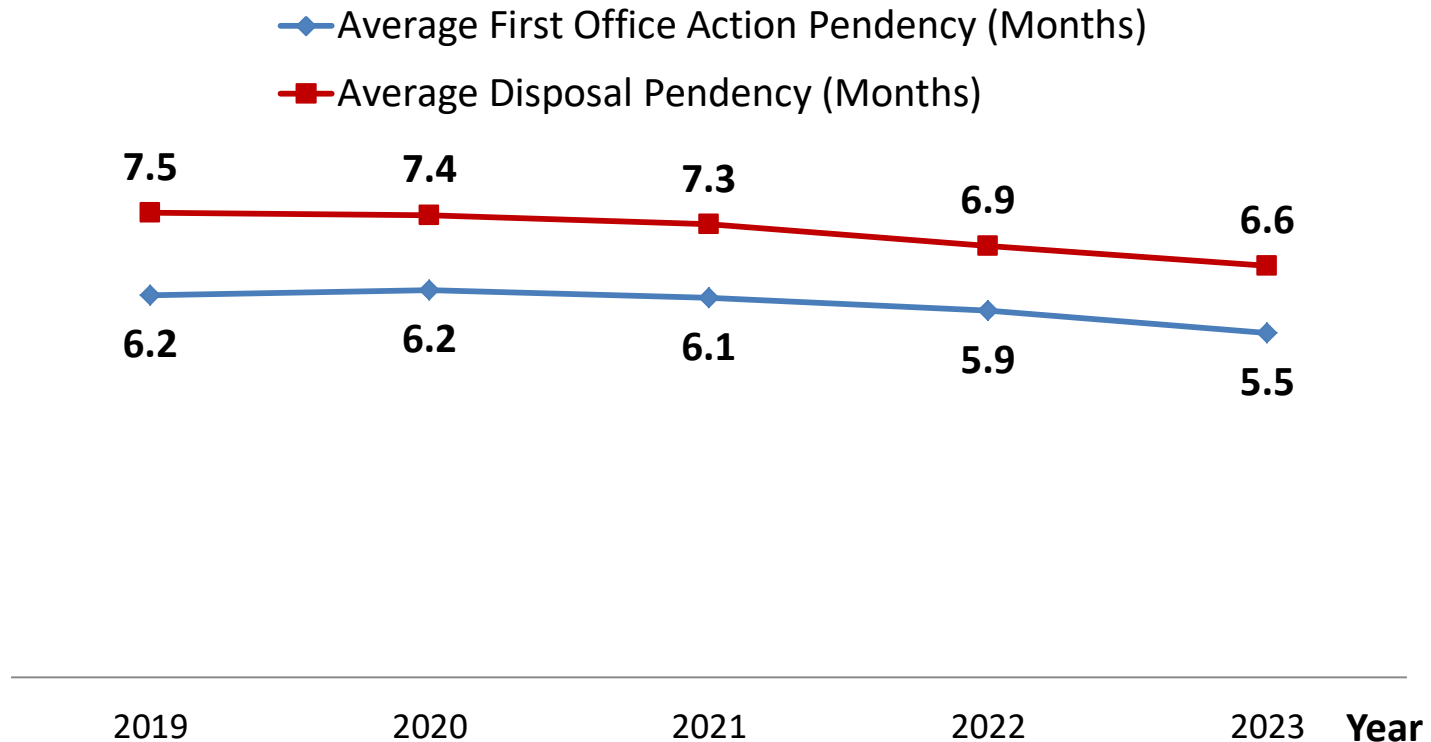
Design Patent Applications



In 2023, resident applications accounted for about 47% of all design patent applications.



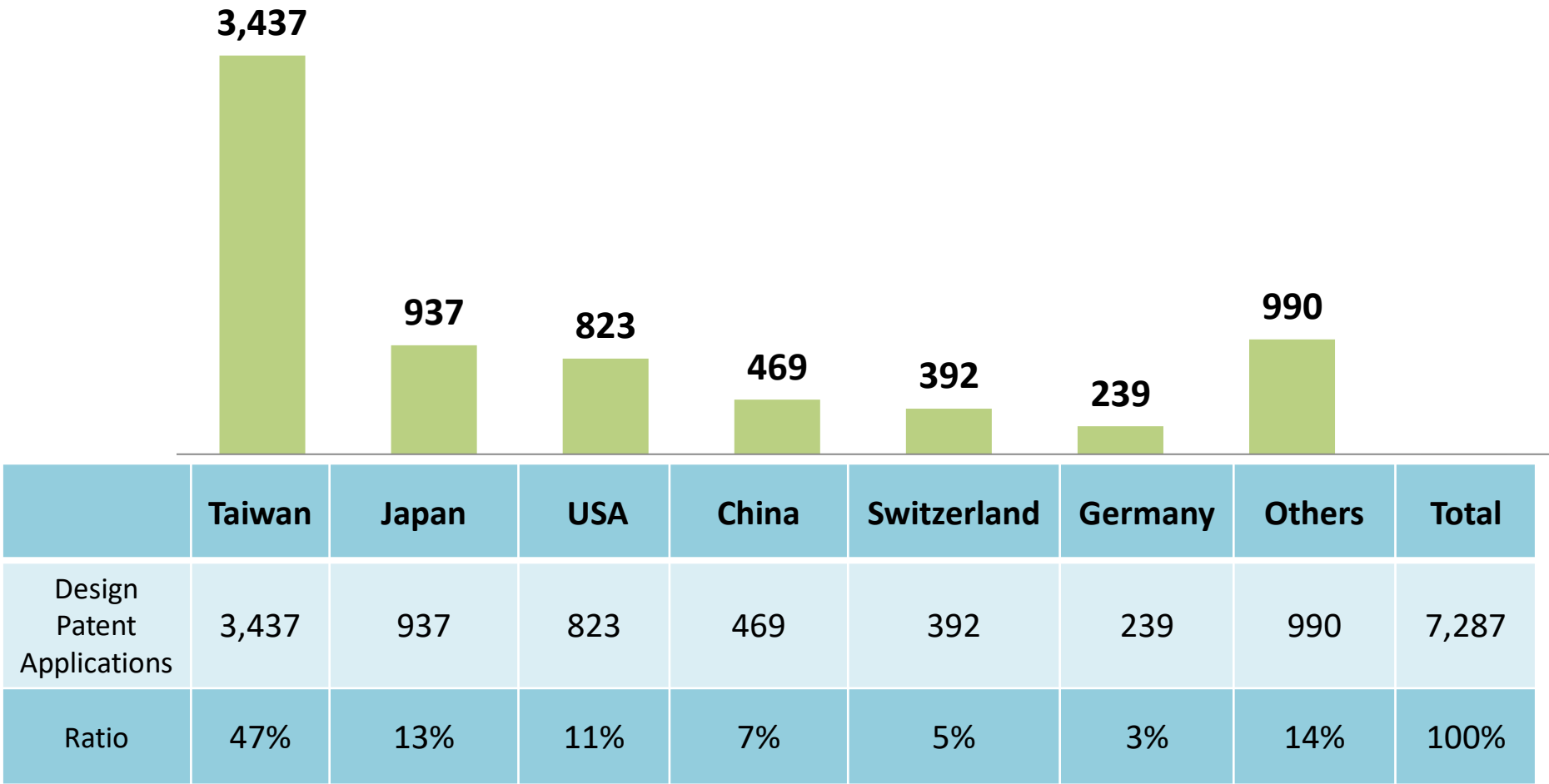
Pendency of Design Patent Applications



In 2023, the average first office action pendency for design patents was 5.5 months, and the average disposal pendency was 6.6 months – hitting 5-year low.



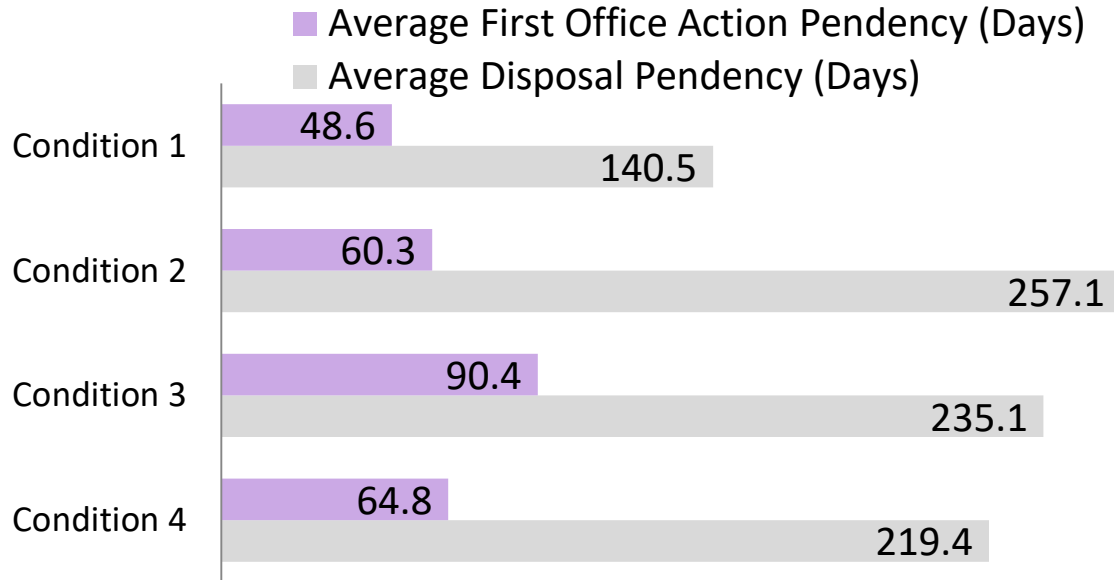
Design Patent Applications by Nationality in 2023





Accelerated Examination Program (AEP)








Pendency for Processing AEP Requests as of Dec. 2023



- **Accelerated examination program request can be filed under any of the following conditions:**
 - The application's corresponding foreign application has been granted patent right by a foreign patent authority through substantive examination .
 - The EPO, JPO, or USPTO has issued an OA and a search report during substantive examination but yet to approve the application's corresponding foreign application.
 - An accelerated examination is essential to the invention patent's commercial exploitation.
 - The inventions are related to green technology.
- **All patent applications under AEP must be laid-open. An AEP application fee of TWD \$4,000 is charged for requests made under Conditions 3 and 4 from January 1, 2014.**

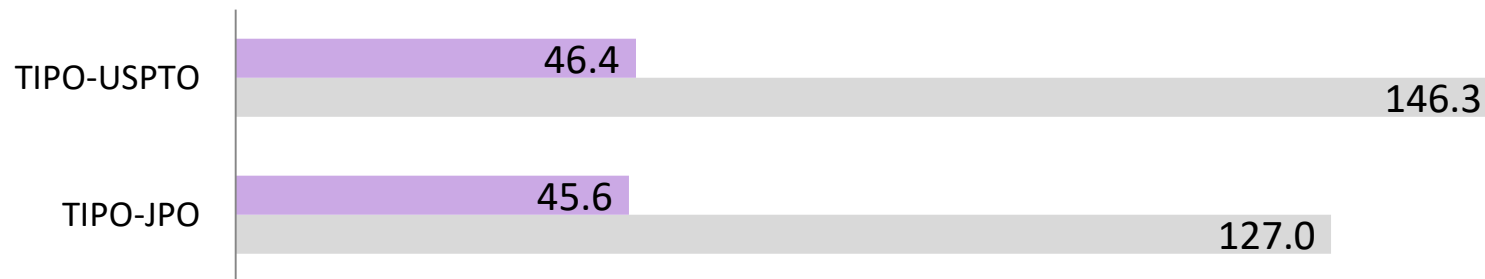


Patent Prosecution Highway (PPH) Program

PPH Program	PPH Requests by Nationality								Total
								Others	
TIPO-USPTO	33	251	16	0	27	0	4	71	402
TIPO-JPO	0	1	423	0	0	0	0	6	430
TIPO-SPTO	0	0	0	0	0	0	0	0	0
TIPO-KIPO	0	0	1	0	28	0	0	5	34
TIPO-PPO	0	0	0	0	0	0	0	0	0
TIPO-CIPO	0	0	0	0	0	0	0	0	0
Subtotal	33	252	440	0	55	0	4	82	866

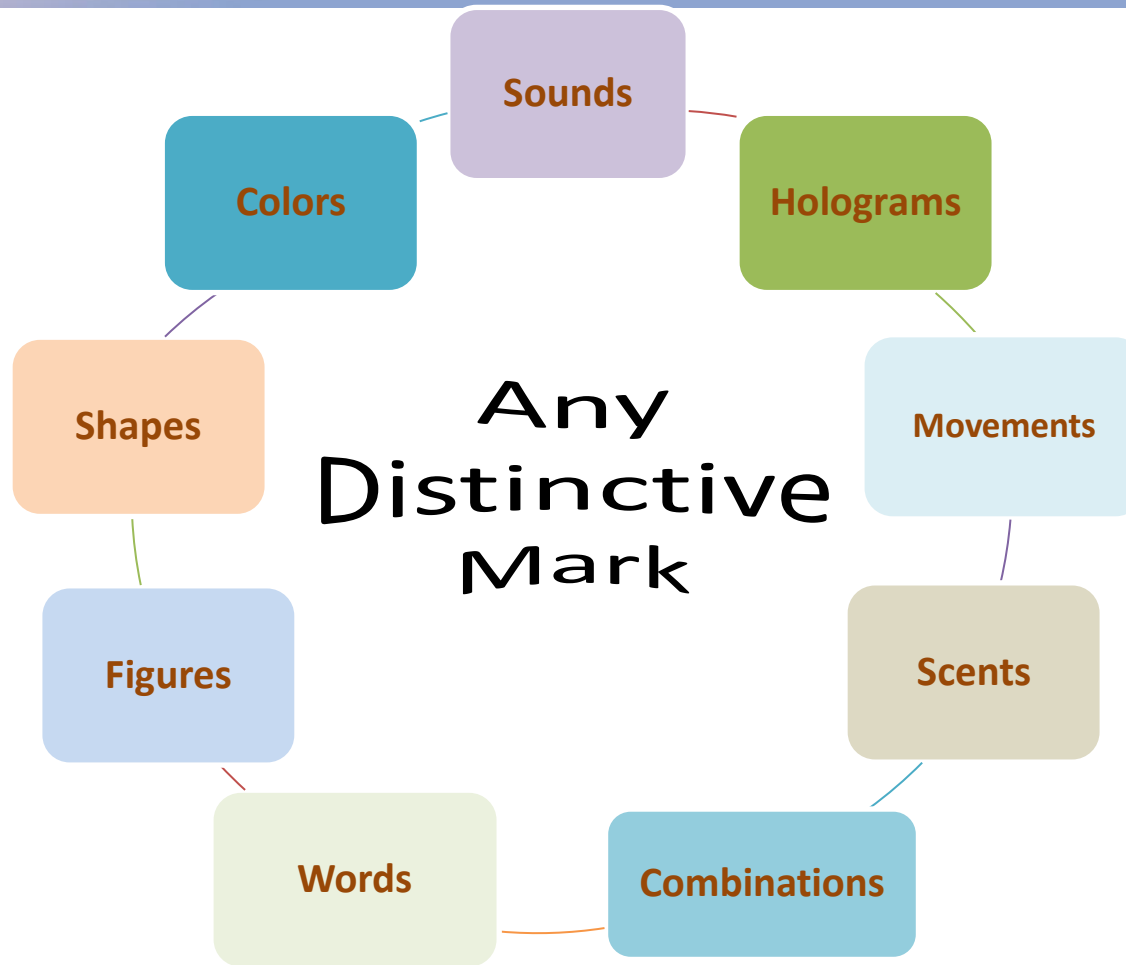
Pendency for Processing PPH Requests as of Dec. 2023

■ Average First Office Action Pendency (Days)
 ■ Average Disposal Pendency (Days)





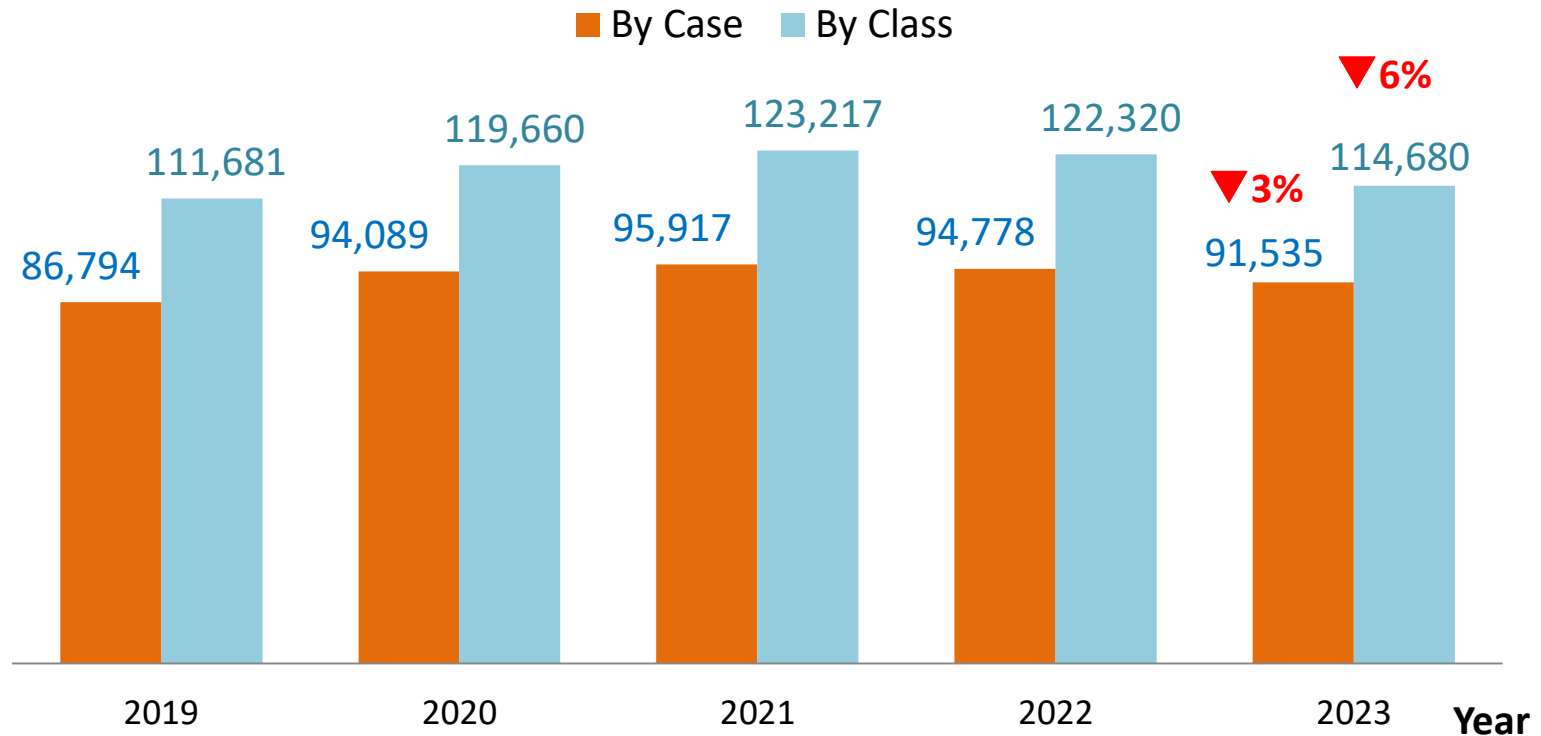
Signs Eligible for TM Registration



Any sign capable of indicating the source of the goods or services and distinguishing them from those of others may be protected by registration as a trademark, e.g., hologram, motion, and scent marks.



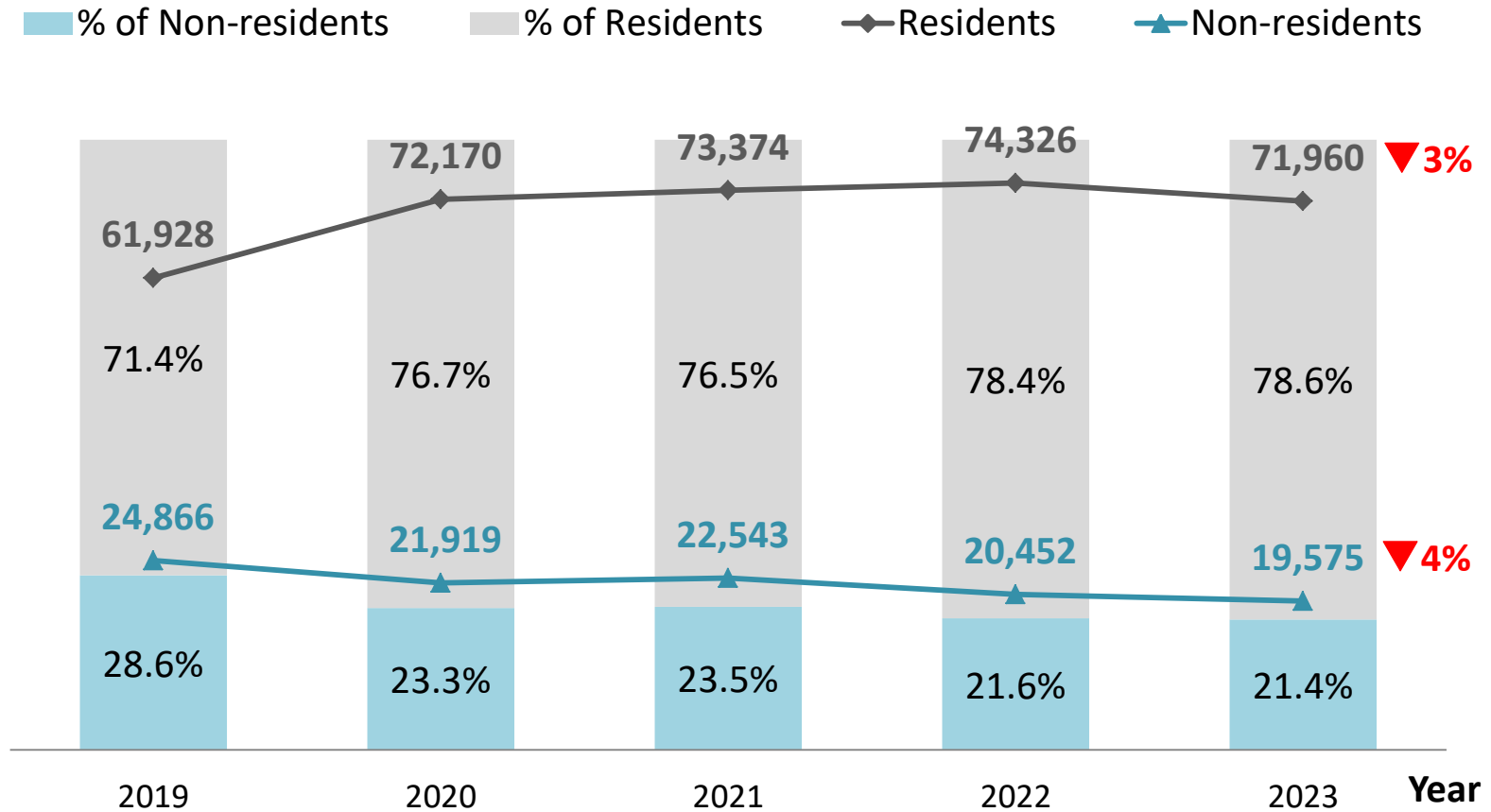
Trademark Applications



In 2023, the number of trademark applications decreased by 3% to 91,535 cases (covering 114,680 classes, -6%).



Trademark Applications

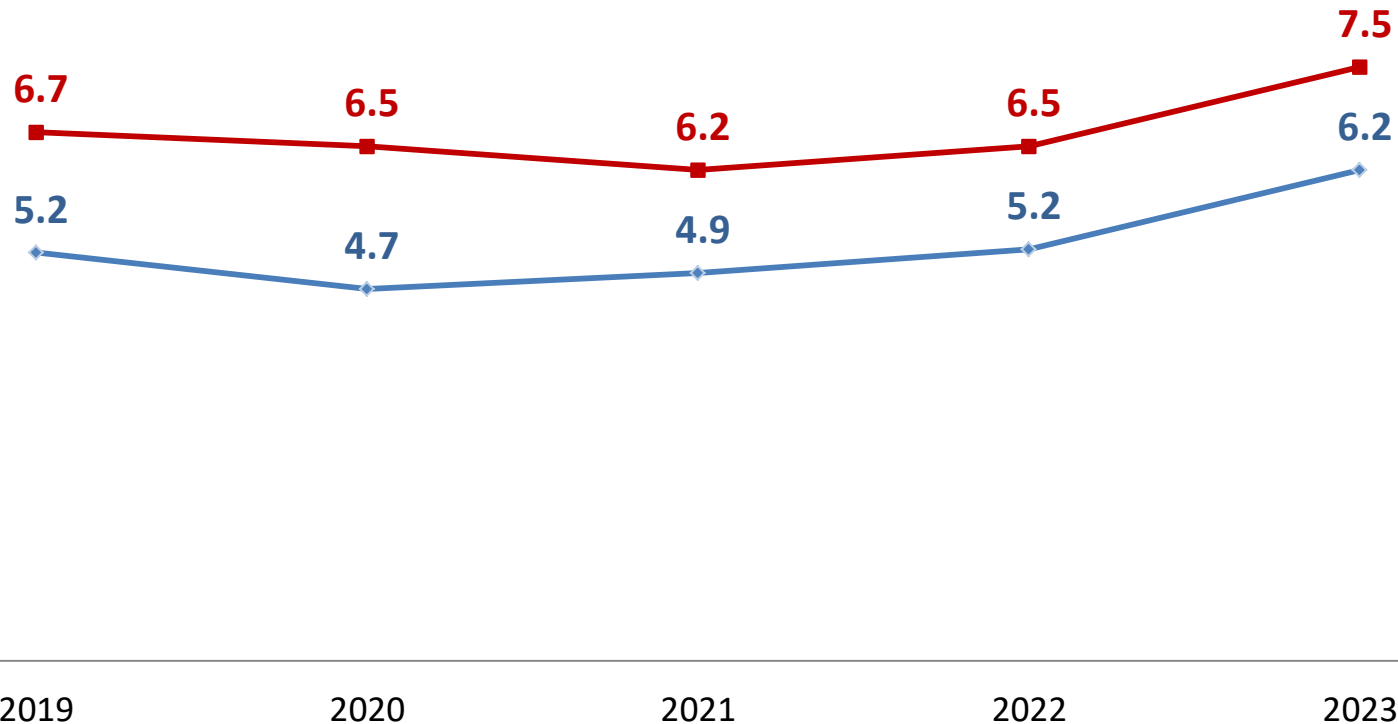


Over the past 5 years, the percentage of trademark applications filed by residents rose to 78.6% in 2023, hitting a 5-year high. However, there was a 3% and 4% decrease in resident and non-resident applications respectively in 2023.



Pendency of Trademark Applications

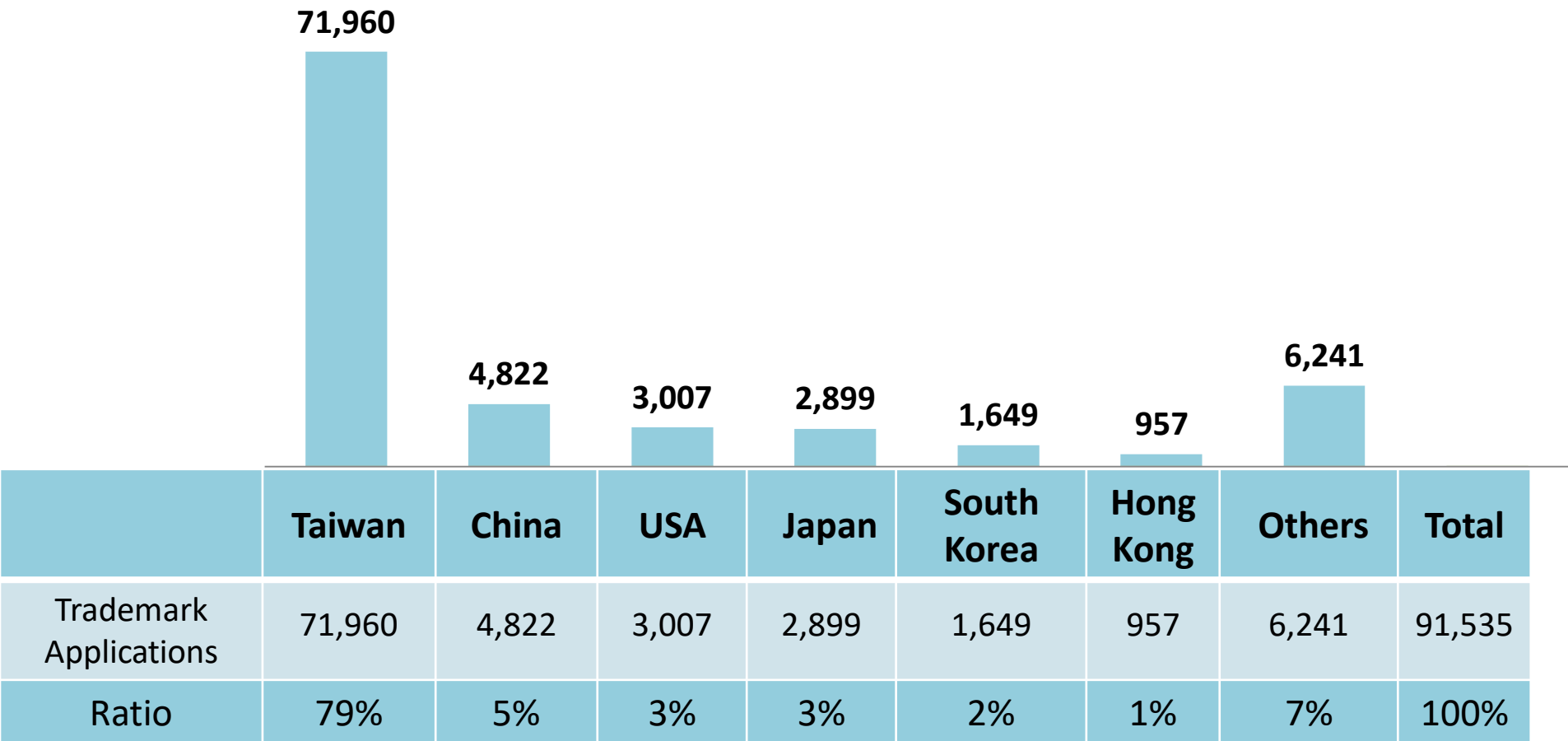
—◆— Average First Office Action Pendency (Months) —■— Average Disposal Pendency (Months)



The average first office action pendency rose by 1.0 month to 6.2 months due to 8-year surges in trademark applications and limited manpower.



Trademark Applications by Nationality in 2023



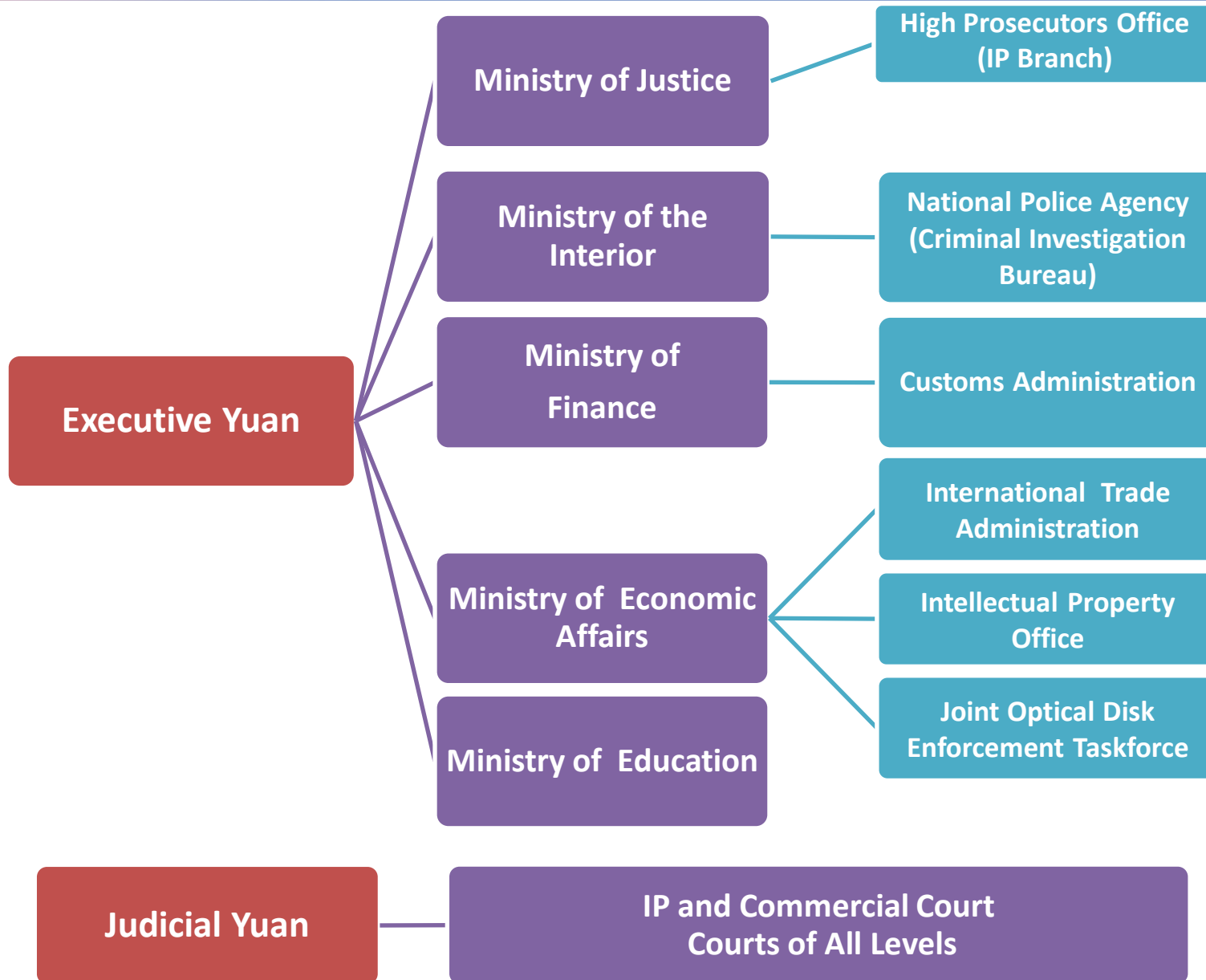


IPR Action Plan (2024-2026)

- **The 3-year IPR Action Plan was launched in 2003 and subsequently formulated in 2006, 2009, 2012, 2015, 2018, 2021, and 2024.**
- **The main objectives of the Action Plan(2024-2026) include:**
 - Strengthen industry research and development capabilities and intellectual property rights management
 - Optimize legal framework for intellectual property rights to safeguard industry innovation achievements
 - Effectively crackdown on counterfeit and pirated goods while reinforcing the protection of trade secrets
 - Implement border controls effectively
 - Enhance online copyright protection mechanisms and facilitate lawful use
 - Strengthen education and promotional efforts to enhance awareness of intellectual property protection among campuses and the public
 - Improve the professional competence of law enforcement personnel to build efficient law enforcement teams
 - Strengthen international exchange and cooperation as well as the protection of intellectual property rights overseas



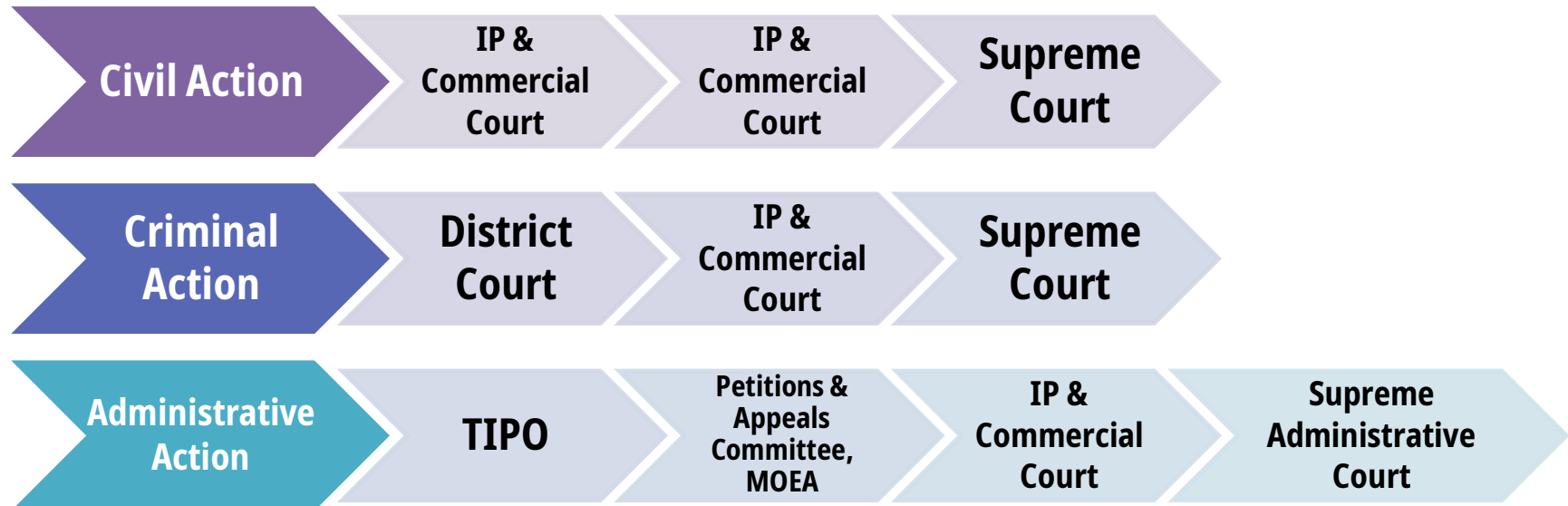
IPR Protection Network



- **Intellectual Property and Commercial Court**

- IP Court (IPC) was merged with the Commercial Court and restructured into the Intellectual Property and Commercial Court on July 1, 2021.
- 12 technical examination officers assist judges in ascertaining technical facts

- **Litigation Procedures**



International Cooperation

Continuous exchange and cooperation with European Union countries



UNITED KINGDOM

- IP dialogue
- Mutual recognition of biomaterial deposit



SPAIN

- PPH



INDIA

- Examiner exchange
- MOU on IPR cooperation



PHILIPPINES

- Examiner exchange
- MOU on IP cooperation



POLAND

- PPH



Canada

- PPH
- IP Dialogue



UNITED STATES

- IP dialogue
- PPH
- PDX (Expected to be implemented in Dec. 2024)
- Examiner exchange



SOUTH KOREA

- IP dialogue
- Examiner exchange
- PPH and PDX
- Mutual recognition of biomaterial deposit



JAPAN

- IP dialogue
- Examiner exchange
- PPH and PDX
- Mutual recognition of biomaterial deposit



CHINA

- Coordination assistance mechanism
- Examiner exchange

Continuous cooperation and exchange with South-East and South Asian countries based on the New Southbound Policy



Patent Prosecution Highway(PPH) Program

- First Action Pendency: 46.5 days
- Disposal Pendency: 136.3 days (as of Dec. 2023)

U.S. Since SEP 1, 2011

JAPAN Since MAY 1, 2012

SPAIN Since OCT 1, 2013

KOREA Since JULY 1, 2015

POLAND Since AUG 1, 2017

CANADA Since FEB 1, 2018

Examiner Exchange

UNITED STATES

- Patent examiner exchange
- Trademark examiner exchange

JAPAN

- Patent examiner exchange
- Trademark examiner exchange

INDIA

- Patent examiner exchange

SOUTH KOREA

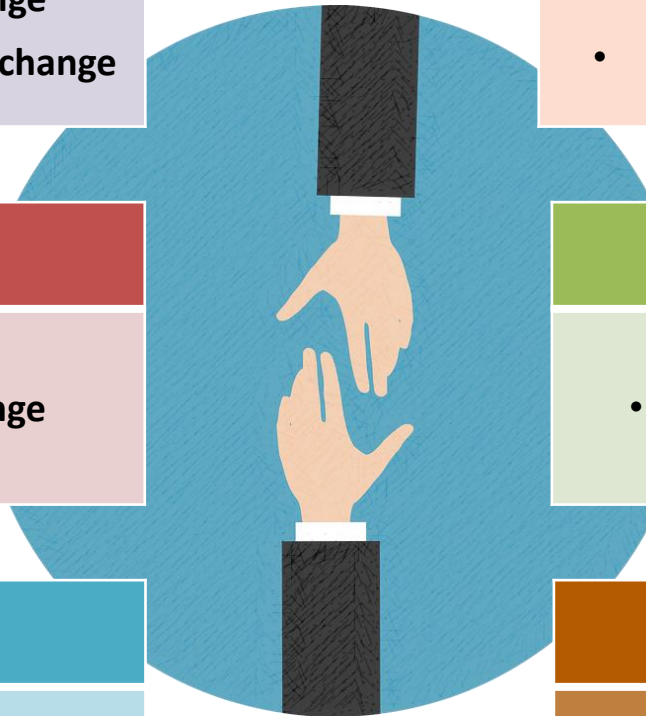
- Patent examiner exchange

PHILIPPINES

- Patent examiner exchange
- Trademark examiner exchange

CHINA

- Patent examiner exchange
- Trademark examiner exchange





Cross-Strait Exchanges & Cooperation

Cross-Strait Agreement on IPR Protection & Cooperation (2010)

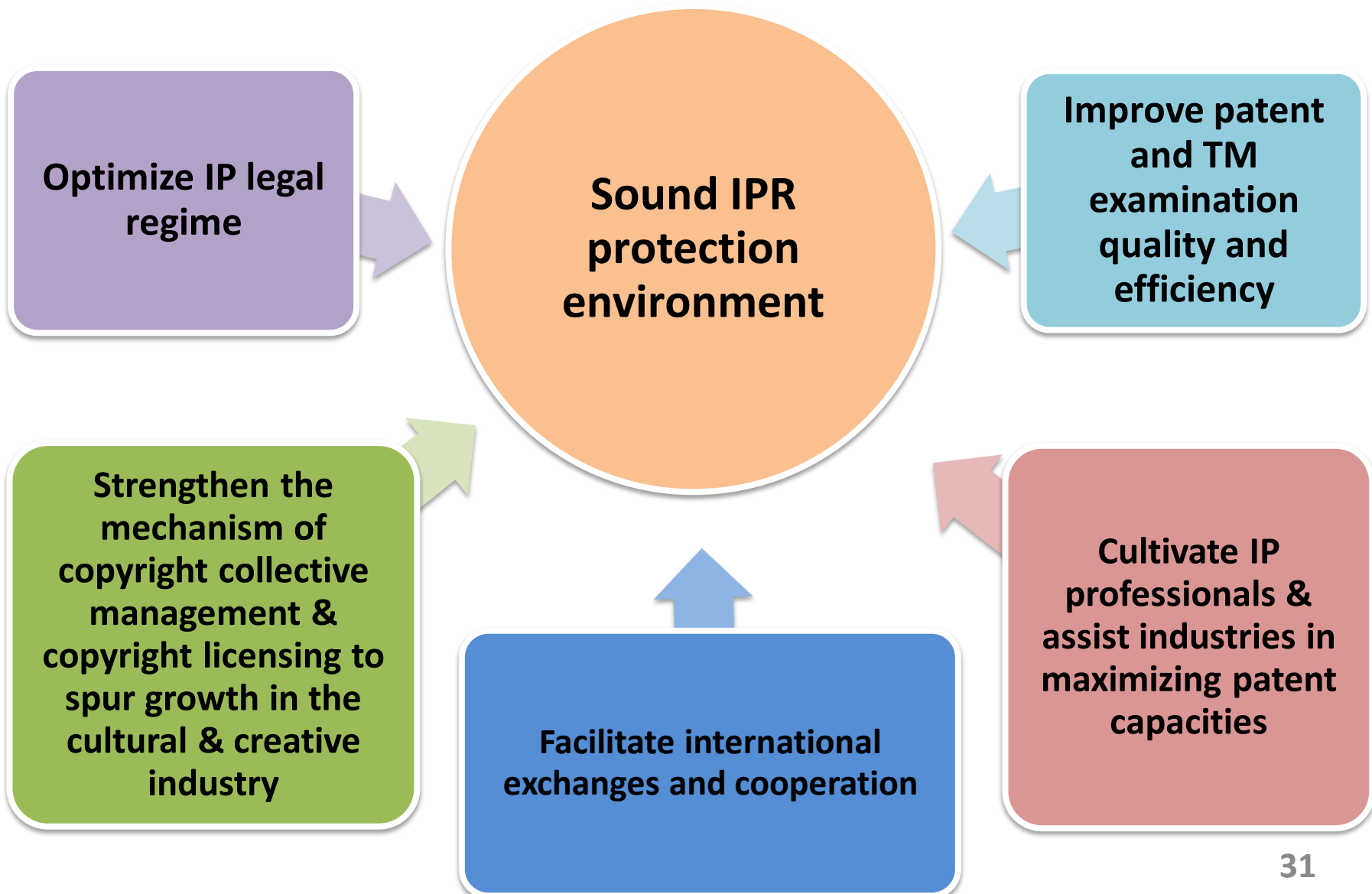
**Mutual recognition of
priority rights**

**Copyright
authentication**

**Mutual acceptance of
plant variety right
applications; expanding
scopes of protection**

**Communication
platform &
coordination assistance
mechanism**

Future Prospects



Thank you !

