

Procedures to file a request with the Taiwan Intellectual Property Office (TIPO) for Patent Prosecution Highway (PPH) Pilot Program between TIPO and the National Institute of Industrial Property (INPI)

Enacted on July 1, 2025

The Patent Prosecution Highway (PPH) MOTTAINAI pilot program enables an application, whose claims have been determined to be allowable/patentable in the Office of Earlier Examination (OEE), INPI, to undergo an accelerated examination under the PPH in the Office of Later Examination (OLE), TIPO, with a simple procedure according to a request from an applicant.

The PPH MOTTAINAI pilot program between TIPO and INPI will commence on July 1, 2025 and end on June 30, 2027. After two years, the pilot program will be automatically implemented on a full-time basis under the same conditions unless, before the end of the pilot program, either Office gives the other one written notice of its intention to end the application of the pilot program. Either Office may also terminate the PPH pilot program early if the volume of participation exceeds a manageable level, or for any other reason.

1. Request for accelerated examination under the PPH at TIPO

An applicant should file a request for accelerated examination under the PPH by submitting a completed request form accompanied by the relevant supporting documents. The requirements for filing accelerated examination under the PPH are given in paragraph 2. Relevant supporting documents and procedure for accelerated examination under the PPH are discussed under paragraphs 3 and 4. The PPH request form is available on TIPO's web site, <https://www.tipo.gov.tw/tw/patents/485.html>.

2. Requirements for requesting accelerated examination under the PPH at TIPO

There are four requirements for requesting accelerated examination under the PPH at TIPO. These are:

a) Both the TIPO application on which PPH is requested and the INPI application(s) forming the basis of the PPH request shall have the same earliest date (whether this be a priority date or a filing date).

For example, the TIPO application requesting PPH must meet one of the following conditions:

- (i) an application which has validly claimed priority under Taiwan's Patent Act §28 to the INPI application(s) (see Figures A, B, C and D in Annex 1), or
- (ii) an application which provides the basis of a valid priority claim under the Frances's National Law for the INPI application(s) (see Figures E and F in Annex 1), or
- (iii) an application which shares a common priority document with the INPI application(s) (see Figures G in Annex 1).

The PPH is not applicable to utility model applications and design applications.

b) At least one corresponding INPI application has one or more of those claims that have been determined to be allowable/patentable by the INPI.

Claims are "determined to be allowable/patentable" when a INPI examiner clearly identifies the claims to be allowable/patentable in the latest office action, even if the application has not been granted for patent.

The office action may be either:

- (i) Preliminary search report (attached to written opinion)
- (ii) Written opinion
- (iii) "B" publication of the granted patent

- (iv) Search report (attached to "B" publication)
- (v) Draft Rejection Decision
- (vi) Rejection Decision
- (vii) Decision after Opposition procedure

The French names for these notifications are, respectively:

- (i) Rapport de recherche préliminaire
- (ii) Opinion écrite
- (iii) Publication « B » du brevet délivré
- (iv) Rapport de recherche
- (v) Projet de décision de rejet
- (vi) Décision de rejet
- (vii) Décision statuant sur l'opposition

c) All claims on file, as originally filed or as amended, for accelerated examination under the PPH must sufficiently correspond to one or more claims indicated as allowable in INPI.

Claims shall be considered sufficiently corresponding where, accounting for differences in translations and claim format, the claims on file are of the same or similar scope as the claims in INPI, or the claims on file are narrower in scope than the claims in INPI. In this regard, a claim on file that is narrower in scope occurs when a INPI claim is amended to be further limited by an additional technical feature that is supported in the specification (and/or claims). When possible, the claim on file should be presented in dependent form.

A claim in TIPO that introduces a new/different category of claims to those claims indicated as allowable in the INPI is not considered sufficiently corresponding. For example, where the INPI claims only contain claims to a process of manufacturing a product, then the claims in TIPO would not be considered sufficiently corresponding if the TIPO claims introduce product claims that are dependent on the corresponding process claims.

d) The applicant has been notified that a substantive examination will begin shortly; and TIPO has not issued a first examination report on the application.

3. Documents to be submitted for accelerated examination under the PPH at TIPO:

Documents (a) to (d) below should be submitted by attaching to “Request for Accelerated Examination under the PPH Program”. The request form is in Annex 2.

a) A copy of all office action(s) relating to the corresponding INPI application(s) and translations of them if they are not in English

The translated copy could either be in Chinese or English. The applicant does not have to submit a copy of INPI office actions if these documents are provided via the DATA INPI¹. If these documents could not be obtained by TIPO examiner via the DATA INPI, the applicant may be notified and requested to provide the necessary documents.

b) A copy of the claims determined to be allowable/patentable by INPI, and their translations if they are not in English

The translated copy could either be in Chinese or English. The applicant does not have to submit a copy of claims indicated to be allowable/patentable by INPI when the documents are provided via the DATA INPI. If these documents could not be obtained by TIPO examiner via the DATA INPI,

¹ <https://data.inpi.fr/>

the applicant may be notified and requested to provide the necessary documents.

c) Copies of the references cited by the INPI examiner

If the cited references are patent documents, submission is not necessary, as they are usually available to TIPO. If TIPO could not access these relevant patent documents, the applicant must then submit these documents at the request of TIPO. If the cited reference is a non-patent literature, the applicant has to submit it.

A translation of the references is not required.

d) A claim correspondence table

The applicant must submit a claim correspondence table which explains the claims of the TIPO application for accelerated examination under the PPH are sufficiently corresponding to the claims determined to be allowable/patentable by INPI.

If the claims on file do not sufficiently correspond to one or more claims determined to be allowable/patentable by INPI, but the applicant would like to amend the claims to sufficiently correspond to the allowable/patentable claims in the INPI application(s), the applicant should amend the claims to fully comply with the corresponding terms at the same time as the request for expedited examination under the PPH program. The claim correspondence table is given in Annex 3.

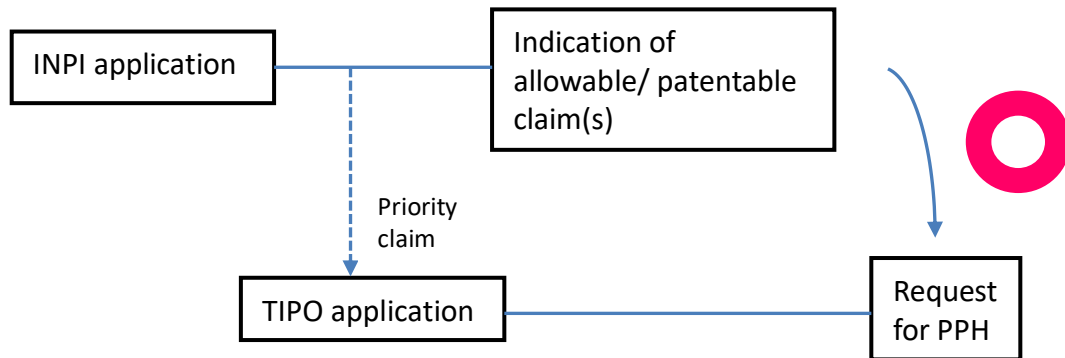
4. Procedure for accelerated examination under the PPH at TIPO

The applicant files a form requesting accelerated examination under the PPH, including relevant supporting documents. If the requirements are met, TIPO will conduct the accelerated examination. If the application does not qualify for participation in the PPH, the applicant will be notified accordingly and given opportunity to perfect the request. If not perfected, the applicant will be notified and the application will await action in its regular turn.

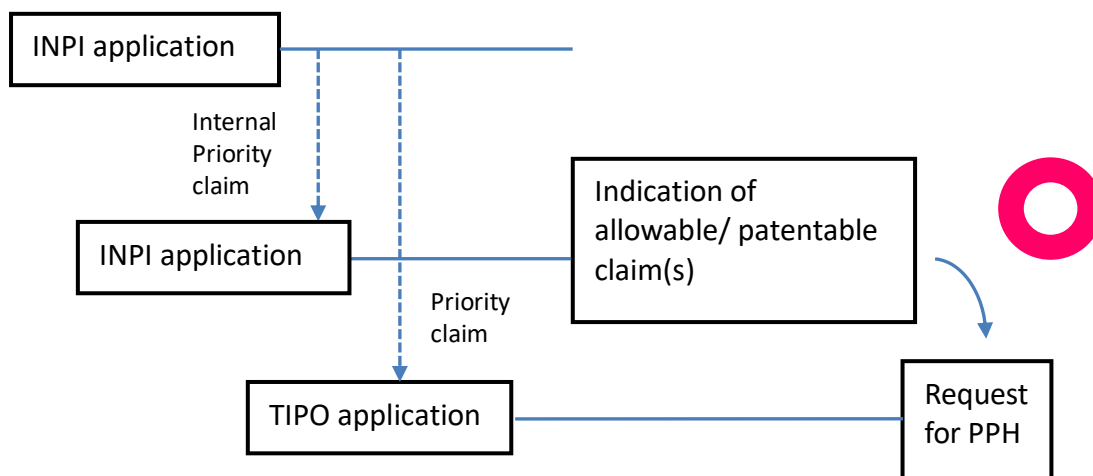
The applicant must use the “Amendment Request Form under the PPH Program” (Annex 4) to make amendments during and after the request for expedited examination under the PPH. Other relevant documents must also be specified in terms of their connection to the request for PPH to ensure prompt and proper processing by TIPO.

Annex 1

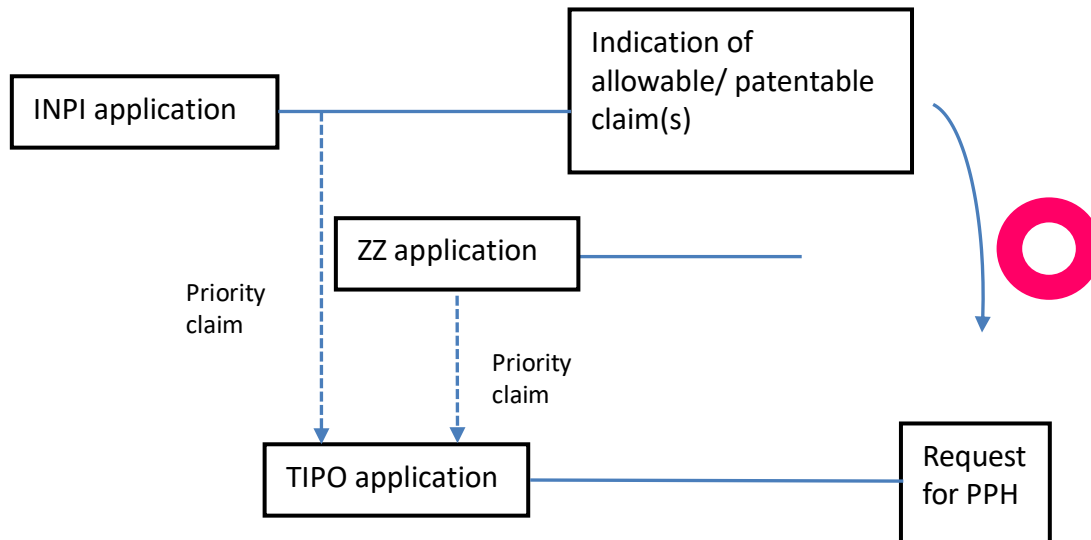
A. A case meeting requirement (a)(i)



B. A case meeting requirement (a)(i)

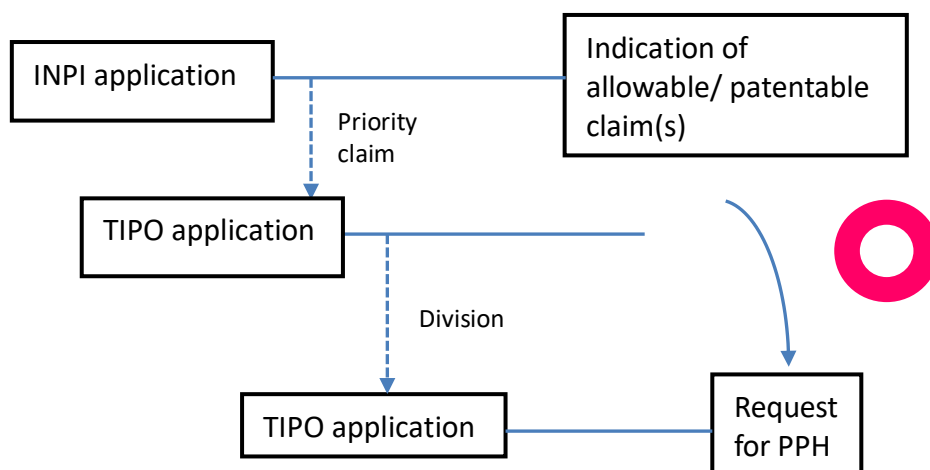


C. A case meeting requirement (a)(i)

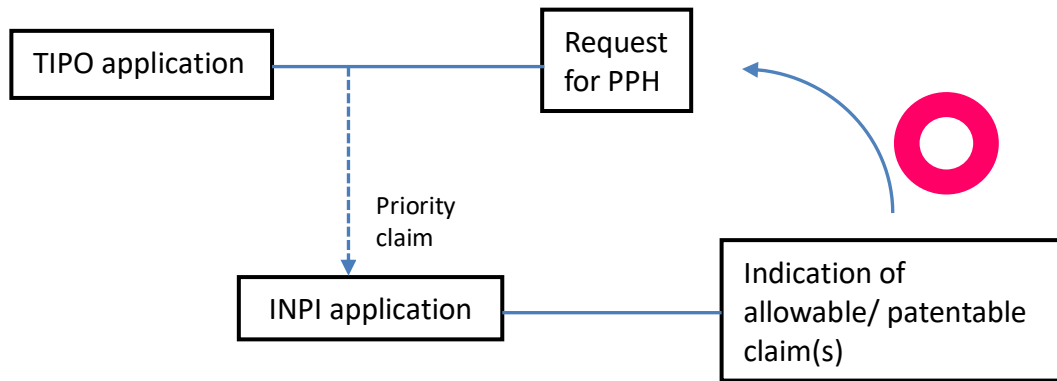


ZZ : any office

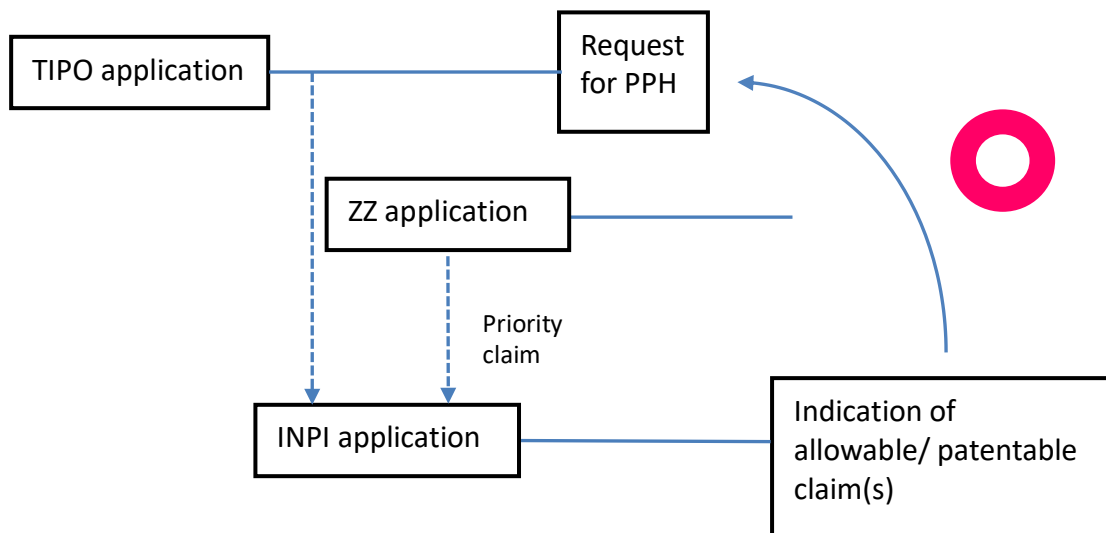
D. A case for divisional application meeting requirement (a)(i)



E. A case meeting requirement (a)(ii)

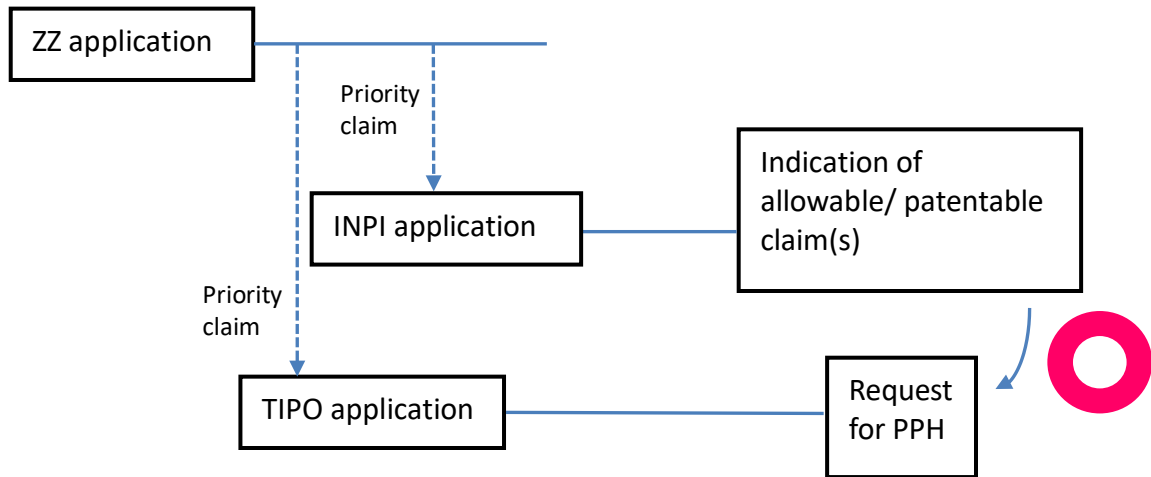


F. A case meeting requirement (a)(ii)



ZZ : any office

G. A case meeting requirement (a)(iii)



ZZ : any office other than TIPO and INPI

【發明專利 PPH 審查申請書—中英對照】

Request for Accelerated Examination under the PPH Program (in Chinese/English bilingual format)

【案由】 24714
【一併申請 PPH 修正】 是/否 Amendment under PPH program at the same time Yes/No
【一併申請誤譯訂正】 是/否 Correction of translation errors at the same time Yes/No
【申請案號】 Application number
【事務所或申請人案件編號】 Attorney docket number

【中文發明名稱】 Title of the invention in Chinese
【英文發明名稱】 Title of the invention in English

【申請人1】 Applicant information
 【國籍】 Nationality
 【中文姓名】 Name in Chinese (natural person)
 【英文姓名】 Name in English (natural person)
 【中文名稱】 Name of juristic person, business entity, organization or school in Chinese
 【英文名稱】 Name of juristic person, business entity, organization or school in English

【代理人1】 Patent attorney information
 【中文姓名】 Name in Chinese

【對應之外國申請案1】 The corresponding application(s) is/are ☐US ☐JP ☐ES ☐KR ☐PL ☐CA
 ☐FR application(s)

【國家名稱】 US 美國/JP 日本/ES 西班牙/KR 南韓/PL 波蘭/CA 加拿大/ FR
法國

 【申請案號】 Application number
 【公開編號】 Publication number
 【公告編號】 Patent number

【繳費資訊】 Fee information
 【繳費金額】 Total fee
 【收據抬頭】 Receipt title

【備註】 Notes

【附送書件】 Attached documents

【基本資料表】 General information table

【外國核發之所有審查意見書】 The copies of all office action(s) (which are relevant to substantial examination for patentability) issued for the corresponding application(s)

【外國核發之所有審查意見書中譯本或英譯本】 The copies of Chinese or English translation of all office action(s) issued for the corresponding application(s)

【外國審查達到可核准之申請專利範圍】 A copy of the claims determined to be allowable/patentable

【外國審查達到可核准之申請專利範圍中譯本或英譯本】 The copy of Chinese or English translation of the claims determined to be allowable/patentable

【對應之外國專利公開資訊查詢系統可取得之審查意見書文件名稱及日期清單】

Check if copies of all office action(s) issued for the corresponding application(s) could be obtained from the dossier access (please write down the name and date of documents)

【對應之外國專利公開資訊查詢系統可取得之申請專利範圍文件名稱及日期清單】

Check if a copy of the claims determined to be allowable/patentable could be obtained from the dossier access (please write down the name and date of documents)

【引用作為專利准駁判斷依據之非專利文獻】 The copies of references cited in the office action(s)

【申請專利範圍對應表】 Claim Correspondence Table

【發明專利 PPH 修正申請書】 Amendment Request Form under the PPH Program

【專利誤譯訂正申請書】 Request Form for correction of translation errors

【修正後之發明摘要】 A copy of the amendments to the abstract

【修正後之發明說明書】 A copy of the amendments to the specification

【修正後之序列表】 A copy of the amendments to the sequence listing

【修正後之發明申請專利範圍】 A copy of the amendments to the claim(s)

【修正後之發明圖式】 A copy of the amendments to the drawing(s)

【訂正後無劃線之發明摘要】 The replacement sheet(s) of not underlined abstract for correction of translation errors

【訂正後無劃線之發明說明書】 The replacement sheet(s) of not underlined specification for correction of translation errors

【訂正後無劃線之序列表】 The replacement sheet(s) of not underlined sequence listing for correction of translation errors

【訂正後無劃線之發明申請專利範圍】 The replacement sheet(s) of not underlined claim(s) for correction of translation errors

【訂正後無劃線之發明圖式】 The replacement sheet(s) of not underlined drawing(s) for correction of translation errors

【訂正後修正無劃線之發明摘要】 The replacement sheet(s) of not underlined abstract of amendment after correction of translation errors

【訂正後修正無劃線之發明說明書】 The replacement sheet(s) of not underlined specification of amendment after correction of translation errors

【訂正後修正無劃線之序列表】 The replacement sheet(s) of not underlined sequence listing of amendment after correction of translation errors

【訂正後修正無劃線之發明申請專利範圍】The replacement sheet(s) of not underlined claim(s) of amendment after correction of translation errors

【訂正後修正無劃線之發明圖式】The replacement sheet(s) of not underlined drawing(s) of amendment after correction of translation errors

【修正部分劃線之發明摘要】A copy of abstract with underlined partial amendment

【修正部分劃線之發明說明書】A copy of specification with underlined partial amendment

【修正部分劃線之序列表】A copy of sequence listing with underlined partial amendment

【修正部分劃線之發明申請專利範圍】A copy of claim(s) with underlined partial amendment

【訂正部分劃線之發明摘要】A copy of abstract with underlined partial correction of translation errors

【訂正部分劃線之發明說明書】A copy of specification with underlined partial correction of translation errors

【訂正部分劃線之序列表】A copy of sequence listing with underlined partial correction of translation errors

【訂正部分劃線之發明申請專利範圍】A copy of claim(s) with underlined partial correction of translation errors

【其他】Others

【文件描述】Document description

【文件檔名】Document name

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【基本資料】 General information

【個人資料】 Personal information

【申請人】 Name of applicant

【國籍】 Nationality

【身分種類】 自然人/法人公司機關學校/商號行號工廠

natural person/ juristic person, organization or school/ business entity

【應受送達人】 是 A person to whom the service of notice is attempted/ Yes

【ID】

【中文姓名】 Name in Chinese

【英文姓名】 Name in English

【中文名稱】 Name of juristic person, business entity, organization or school in Chinese

【英文名稱】 Name of juristic person, business entity, organization or school in English

【居住國】 Country of residence

【郵遞區號】 Postal code

【中文地址】 Address in Chinese

【英文地址】 Address in English

【代表人中文姓名】 Name of representative in Chinese

【代表人英文姓名】 Name of representative in English

【電話】 Phone number

【傳真】 Fax number

【手機】 Cell phone number

【E-mail】

【法定代理人 ID】 ID of legal representative

【法定代理人中文姓名】 Name of legal representative in Chinese

【代理人】 Patent attorney information

【證書字號】 Certificate number

【ID】

【中文姓名】 Name in Chinese

【郵遞區號】 Postal code

【中文地址】 Address in Chinese

【電話】 Phone number

【傳真】 Fax number

【手機】 Cell phone number

【E-mail】

【送達代收人】 Appointed collecting agent

【ID】

【中文姓名】 Name in Chinese

【郵遞區號】 Postal code

【中文地址】 Address in Chinese

【電話】 Phone number

【授權轉帳用戶】 Automatic transfer authorization

【扣繳帳號末5碼】 Last 5 digits of transfer account

【用戶 ID】 User ID

Annex 3 (English translation added)

Claim Correspondence Table

Claim Correspondence Table

[illegible]

【發明專利 PPH 修正申請書—中英對照】

Amendment Request Form under the PPH Program (in Chinese/English bilingual format)

【案由】 24716
【申請案號】 Application number
【事務所或申請人案件編號】 Attorney docket number

【辦理依據】 When amendment is submitted according to notification from TIPO, write down the notification number and its date

【發文日期】 YYYY/MM/DD Notification date
【智專字】
【發文號】 Notification number

【中文發明名稱】 Title of the invention in Chinese
【英文發明名稱】 Title of the invention in English

【申請人1】 Applicant information
【國籍】 Nationality
【中文姓名】 Name in Chinese (natural person)
【英文姓名】 Name in English (natural person)
【中文名稱】 Name of juristic person, business entity, organization or school in Chinese
【英文名稱】 Name of juristic person, business entity, organization or school in English

【代理人1】 Patent attorney information
【中文姓名】 Name in Chinese

【修正事項】 Comments on amendment
【說明書修正之頁數及段落編號及行數及修正理由】

Check to specify the inserted new page(s) of specification with respect to the numbering of page(s), section(s) and explanation(s) of amendment.

【申請專利範圍修正之項號及修正理由】

Check to specify the claim(s) and explanation(s) of amendment

【圖式修正之圖號或圖式名稱及修正理由】

Check to specify the drawing(s) or the name(s) thereof and explanation(s) of amendment

【其他說明事項】 Check to specify supplementary documentation and appendices

【同時辦理事項】 Same request for other amendments

【變更申請人之地址】 是 Change of address of applicant / Yes

- 【變更申請人之代理人】 是 Change of patent attorney / Yes
- 【變更申請人之代表人】 是 Change of representative of applicant / Yes
- 【變更申請人之姓名或名稱】 是 Change of name of applicant / Yes
- 【變更申請人之國籍】 是 Change of nationality of applicant / Yes

【本次修正申請專利範圍-應繳規費不變者】 是

Request for amendment of claims; fee unchanged Yes

【本次修正申請專利範圍-應繳規費有變動者】 是

Request for amendment of claims; fee changed Yes

【原請求項項數】 Number of original claims

【新增請求項項數】 Number of newly added claims

【刪除請求項項數】 Number of deleted claims

【修正後之請求項總項數】 Total number of claims after amendment

【本次應加收規費】 Total fee newly incurred

【本次應退還規費】 Total fee refunded

【繳費資訊】 Fee information

【繳費金額】 Total fee

【收據抬頭】 Receipt title

【備註】 Notes

【附送書件】 Attached documents

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【申請專利範圍對應表】 Concordance Table of Patent Claims

【委任書】 Power of Attorney

【申復書】 Response

【其他】 Others

【文件描述】 Document description

【文件檔名】 Document name

【本申請書所檢送之PDF檔或影像檔與原本或正本相同】 The PDF document or image filed in the patent application is the same as the original

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【申請人】 Name of applicant

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【身分種類】 自然人/法人公司機關學校/商號行號工廠

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【英文姓名】 Name in English

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【中文地址】 Address in Chinese

【英文地址】 Address in English

【代表人中文姓名】 Name of representative in Chinese

【代表人英文姓名】 Name of representative in English

【電話】 Phone number

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【手機】 Cell phone number

【E-mail】

【法定代理人 ID】 ID of legal representative

【法定代理人中文姓名】 Name of legal representative in Chinese

【代理人】 Patent attorney information

【證書字號】 Certificate number

【ID】

【中文姓名】 Name in Chinese

【郵遞區號】 Postal code

【中文地址】 Address in Chinese

【電話】 Phone number

【傳真】 Fax number

【手機】 Cell phone number

【E-mail】

【送達代收人】 Appointed collecting agent

【ID】

【中文姓名】 Name in Chinese

【郵遞區號】 Postal code

【中文地址】 Address in Chinese

【電話】 Phone number

【授權轉帳用戶】 Automatic transfer authorization

【扣繳帳號末5碼】 Last 5 digits of transfer account

【用戶 ID】 User ID

【收據種類】 電子/紙本 Electronic receipt/ Paper receipt