

## 台西專利審查高速公路(PPH MOTTAINAI)計畫

105年4月15日修正施行

PPH MOTTAINAI計畫為增強型之專利審查高速公路(PPH)計畫，其放寬了原本PPH的適用限制，將不限制僅有第一申請局(Office of First Filing，簡稱OFF)的檢索與審查結果才可為第二申請局(Office of Second Filing，簡稱OSF)所參考，即只要是相互簽訂PPH MOTTAINAI計畫之其中之一專利局先有審查結果，申請人均得以利用之，向另一局提出加速審查申請。

依據本計畫若有專利申請案，其在先審查專利局(Office of Earlier Examination，簡稱OEE)，即西班牙專利商標局(簡稱SPTO)已經有請求項經審查達到可核准者，申請人依據此計畫的簡易程序可提出PPH申請，使得後審查專利局(Office of Later Examination，簡稱OLE)，即我國智慧財產局(簡稱TIPO)的專利申請案得以進行加速審查。

TIPO和SPTO之PPH MOTTAINAI計畫於105年4月15日開始實施，並於108年4月14日截止。除非一方於計畫結束前至少2個月告知另一方終止此計畫，台西雙方將於3年期滿後自動延續實施。

### 一、在TIPO提出PPH加速審查

專利申請人向TIPO提出PPH加速審查，應填寫完整的PPH申請表格以及檢附相關文件。有關申請要件、應備文件及相關程序，請參閱以下說明，另亦可由TIPO網站- <http://www.tipo.gov.tw/pph> 取得相關申請表格。

### 二、申請要件

在TIPO提出PPH加速審查須具備以下要件：

(一)提出PPH申請之我國申請案及其西班牙對應申請案須具有相同之國際上第一次申請之申請日(earliest date)。例如，我國申請案可為：

1. 一專利申請案，其係依據我國專利法第28條主張西班牙申請案為優先權基礎案(例如附件1的圖A、B及C)，或
2. 一專利申請案，其係依據我國專利法第28條主張專利合作條約(簡稱PCT)申請案並指定西班牙為優先權基礎案，且該PCT申請案未曾主張優先權(例如附件1的圖D及E)，或

3. 一專利申請案，其係為西班牙申請案依據西班牙專利法所主張之優先權基礎案(例如附件1的圖F、G和H)，或
4. 一專利申請案，其係與西班牙申請案主張相同之優先權基礎案(例如附件1的圖I、J及K)。

當我國申請案中主張數個西班牙或PCT申請案作為優先權基礎案，或申請案屬於上述1.至4.申請案的分割案，亦屬適格之我國申請案。另應注意，PPH計畫於新型專利及設計專利申請案，不適用之。

**(二)西班牙對應申請案，至少應有一個或多個請求項，業由SPTO審查達到可核准之情形，所謂達到可核准之態樣。**

所謂請求項“審查達到可核准”，係指在最近一次審查意見書(簡稱OA)明確地指出可核准的請求項。

**(三)我國申請案於提出PPH申請時及後續修正，其所有請求項均必須充分對應到經SPTO審查達到可核准的一項或多項請求項。**

所謂充分對應，係指我國申請案之所有請求項必須與西班牙申請案範圍相同，或所申請之請求項範圍較西班牙申請案之請求項更為限縮。所謂範圍相同，係指請求項範圍完全相同或僅有翻譯文字差異；所謂所申請之請求項範圍更為限縮，係指將對應之西班牙申請案請求項進一步加入為說明書(及/或申請專利範圍)所支持之另外技術特徵，即作進一步限定之修正，此類請求項請儘量以附屬項形式請求。

當我國申請案與經SPTO審查達到可核准之請求項相較，增加新或不同之範疇(new/different category)請求項時，將不屬於有充分對應。例如：西班牙申請案請求項僅包含一物品的製造方法，如果我國申請案進一步包括利用該製造方法所製得之物品請求項，我國申請案將不被認為是充分對應。

**(四)我國申請案已經通知即將進行實體審查，且該案尚未發出首次審查意見通知函。**

### **三、應備文件**

發明專利 PPH 申請書 1 份及下列文件。PPH 申請書請見附件 2。

**(一) SPTO 所核發西班牙對應申請案之所有 OA 影本及翻譯本**

翻譯本可為中文或英文。原則上，TIPO可自SPTO Expedientes

Digitalizados系統<sup>1</sup>取得所有檔案文件，因此申請人無需檢送SPTO所核發西班牙對應申請案之所有OA影本。惟當TIPO無法自SPTO Expedientes Digitalizados系統取得所有OA影本時，得通知申請人檢送。然而，由於SPTO Expedientes Digitalizados系統並未提供翻譯功能，故申請人須檢送西班牙對應申請案之所有OA之翻譯本。

## **(二)經 SPTO 審查達到可核准之申請專利範圍影本及翻譯本**

經SPTO審查達到可核准之申請專利範圍，可能是修正時提出或申請時即提出者，亦可能是SPTO之專利公告本。

翻譯本可為中文或英文。原則上，TIPO可自SPTO Expedientes Digitalizados系統取得所有檔案文件，因此申請人無需檢送經SPTO審查達到可核准之申請專利範圍影本。惟當TIPO無法自SPTO Expedientes Digitalizados系統取得申請專利範圍影本時，得通知申請人檢送。然而，由於SPTO Expedientes Digitalizados系統並未提供翻譯功能，故申請人須檢送經SPTO審查達到可核准之申請專利範圍影本之翻譯本。

## **(三) SPTO 審查人員曾引用作為專利准、駁判斷依據之所有引證文獻**

若引證文獻屬專利文獻，原則上，TIPO可自行取得該專利文獻，申請人無需檢送；若引證文獻屬非專利文獻時，則申請人必須檢送。

引證文獻無需檢送中譯本。

## **(四)申請專利範圍對應表**

申請人必須檢送申請專利範圍對應表，說明我國申請案其申請專利範圍係充分對應於經SPTO審查達到可核准之申請專利範圍。

當我國申請案之申請專利範圍，尚須藉由修正才能充分對應於經SPTO審查達到可核准之申請專利範圍時，申請人應於提出PPH申請時同時修正其申請專利範圍，以符合充分對應之條件。

當申請專利範圍間是完全相同或僅有翻譯文字差異，申請人可於說明欄填“兩者內容相同”。當申請專利範圍間不僅是翻譯文字差異，申請人則必須於說明欄解釋各請求項的充分對應關係。申請專利範圍對應表請見附件3。

---

<sup>1</sup> <http://archivoenlinea.oepm.es/register/regviewer?lng=en>

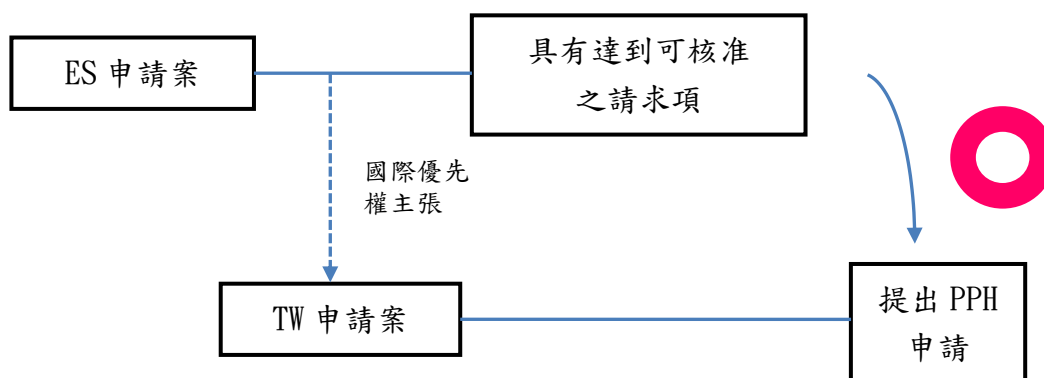
#### **四、TIPO PPH 計畫程序**

申請人首先必須填寫PPH審查申請書，且依據本計畫檢送相關文件。若符合申請要件，TIPO將會進一步處理相關加速審查程序。TIPO審查後倘認為該案不符PPH申請要件或文件不齊備時，會通知申請人補正。當申請案未符合本計畫要求時，該申請案將以正常程序進行審查。

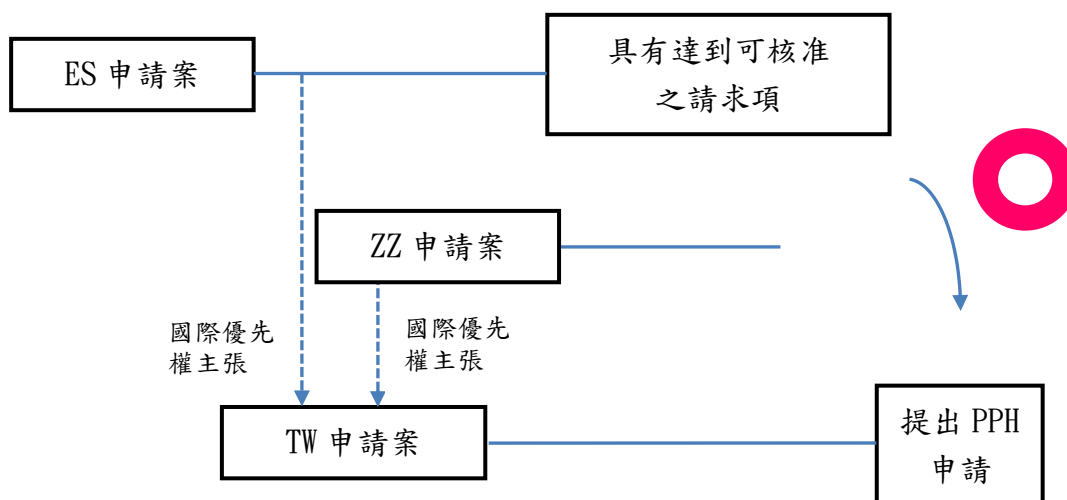
有關PPH申請案申請人於申請時及後續所提出之修正來文必須使用PPH計畫專用之修正申請書(見附件4)，至於其他審查相關文件，亦必須清楚載明係屬PPH申請案，以確保TIPO能夠迅速且正確地進行加速審查程序。

附件 1

A. 符合要件(一) 1. 的情形

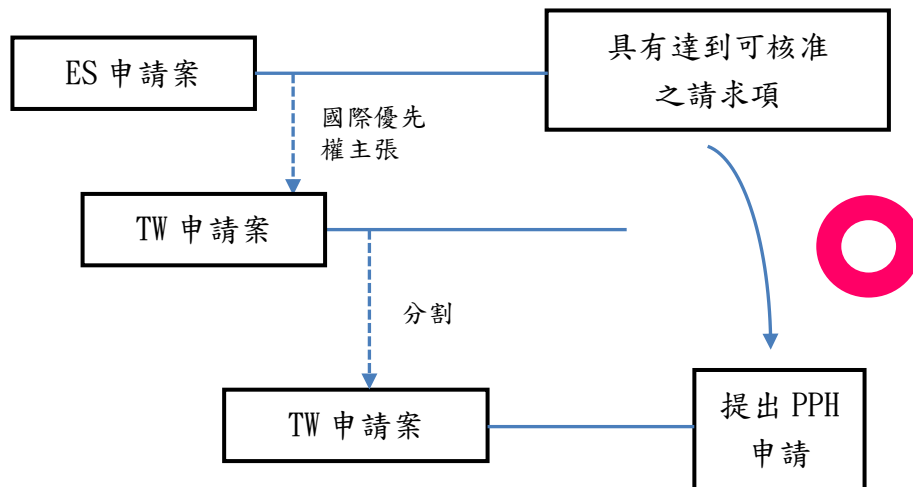


B. 符合要件(一) 1. 的情形

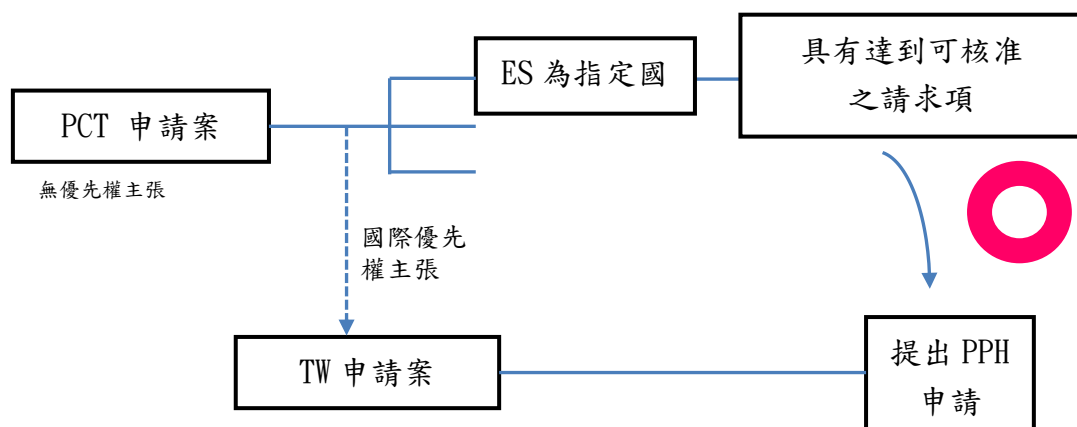


ZZ：任何專利局

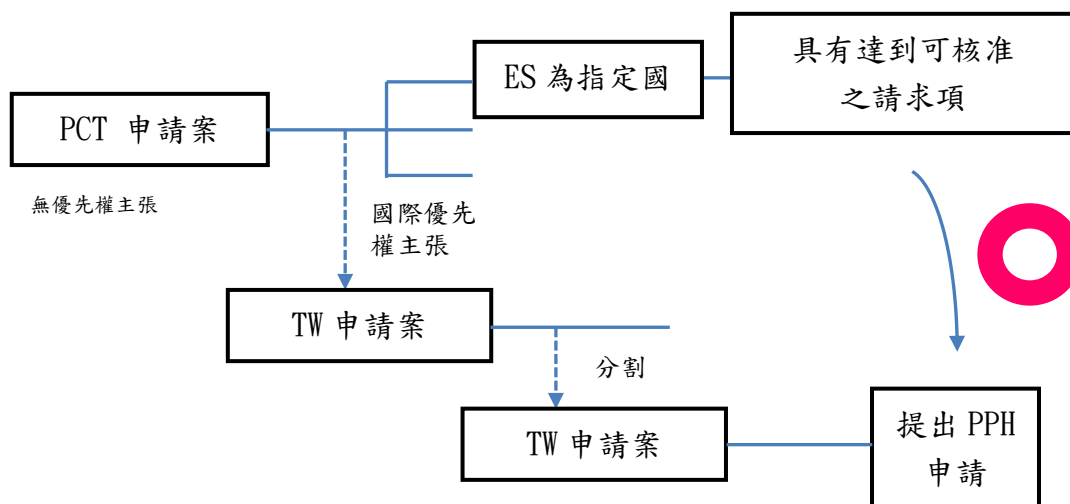
### C. 分割案符合要件(一) 1. 的情形



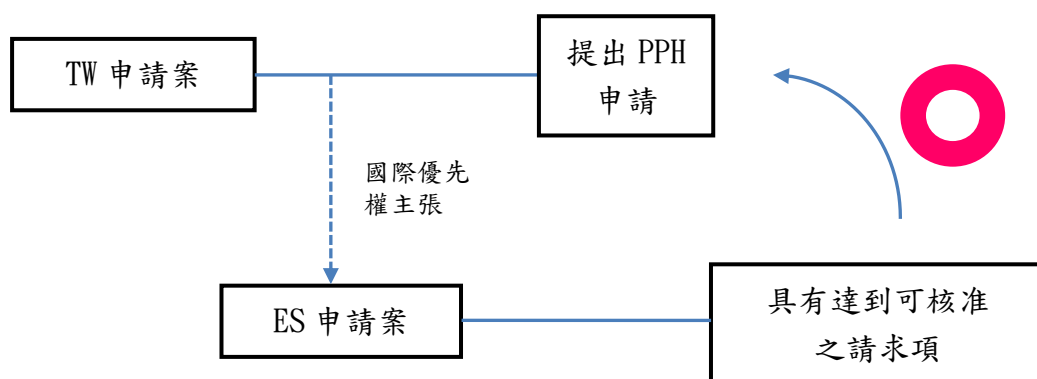
### D.符合要件(一)2.的情形



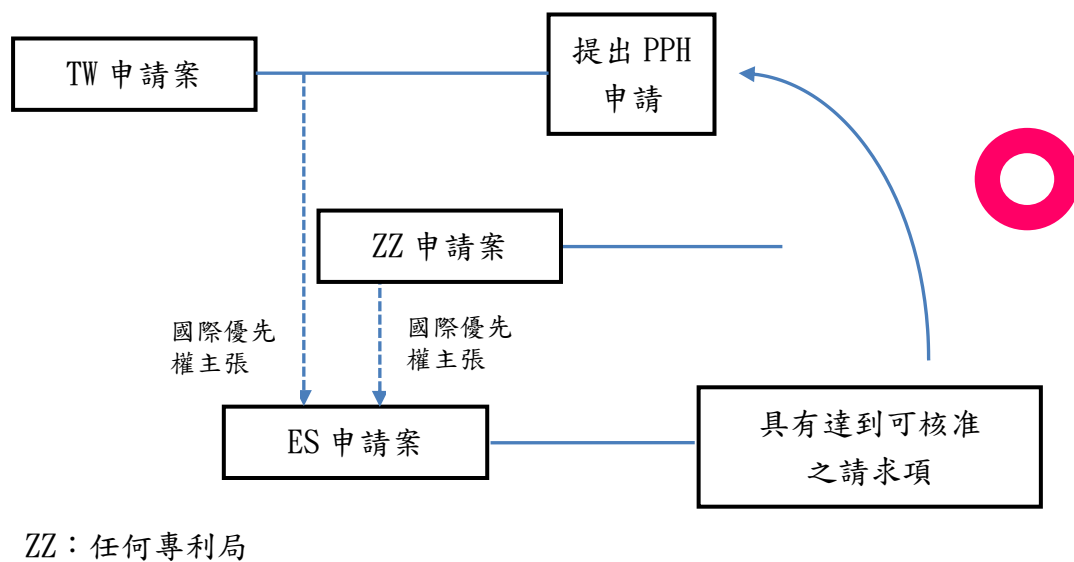
### E. 分割案符合要件(一) 2.的情形



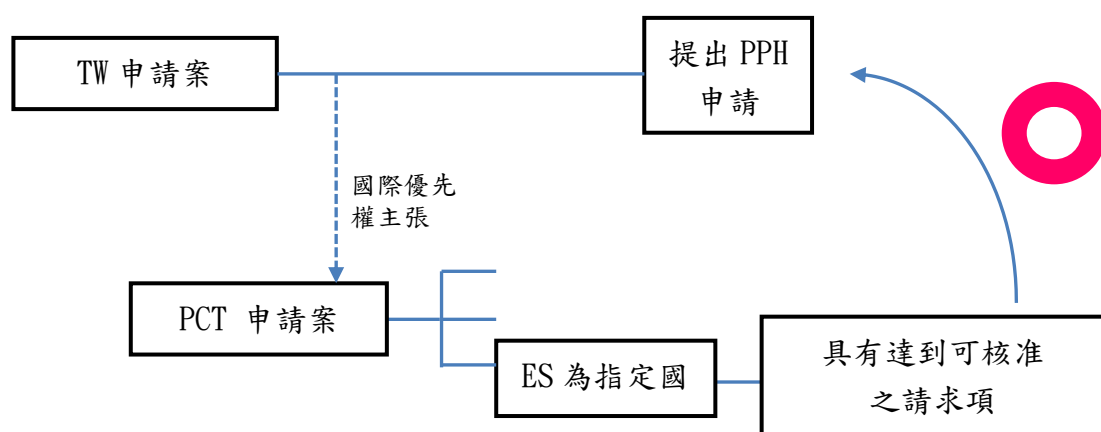
### F. 符合要件(一) 3.的情形



### G. 符合要件(一) 3.的情形

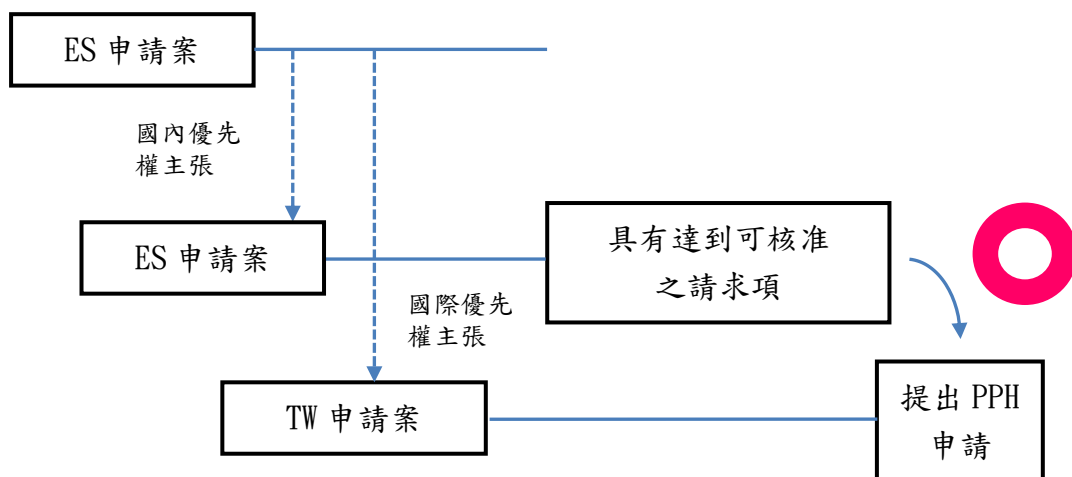


### H. 符合要件(一) 3.的情形

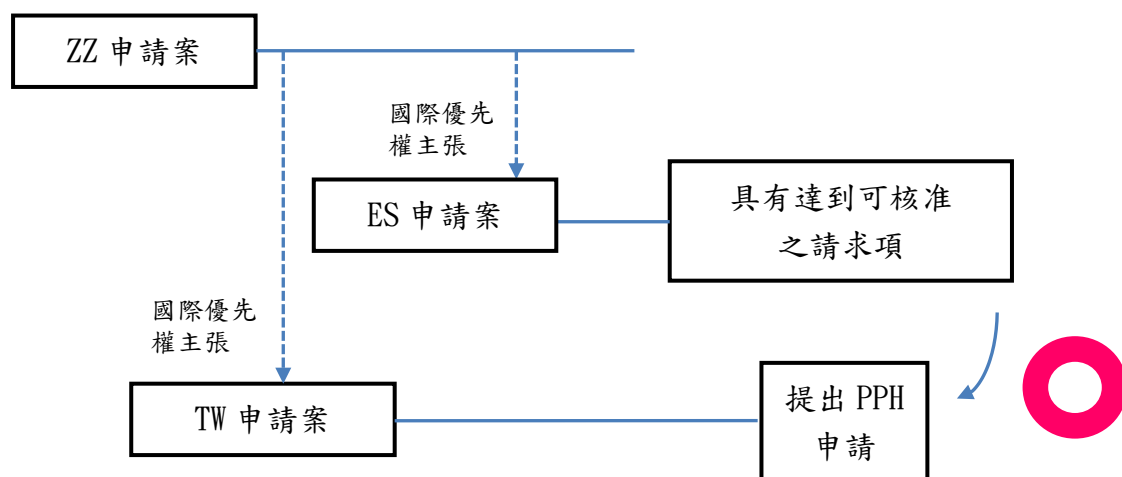




## I. 符合要件(一) 4.的情形

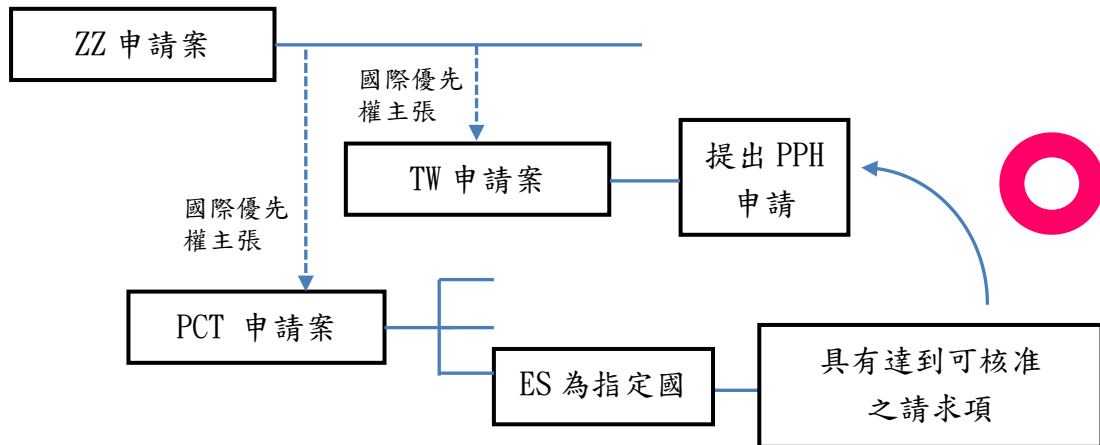


## J. 符合要件(一) 4.的情形



ZZ：除了 TIPO 及 SPTO 以外之任何專利局

### K.符合要件(一)4.的情形



ZZ：除了 TIPO 及 SPT0 以外之任何專利局

# 發明專利 PPH 審查申請書

(本申請書格式、順序，請勿任意更動，※記號部分請勿填寫)

申請案號： ※案 由：24714

☐ 一併申請 PPH 修正 ☐ 一併申請誤譯訂正

一、發明名稱：

二、申請人：(共 人) (多位申請人時，應將本欄位完整複製後依序填寫，姓名或名稱欄視身分種類填寫，不須填寫的部分可自行刪除)

國 籍： ☐中華民國 ☐大陸地區 (☐大陸、☐香港、☐澳門)

☐外國籍：\_\_\_\_\_

身分種類： ☐自然人 ☐法人、公司、機關、學校

ID：

姓名： 姓： 名：

Last  
name

First  
name

(簽章)

名稱： (中文)

(英文)

(簽章)

代表人：(中文)

(英文)

(簽章)

地址： (中文)

(英文)

聯絡電話及分機：

◎代理人：(多位代理人時，應將本欄位完整複製後依序填寫)

ID：

姓名：

(簽章)

證書字號：

地址：

聯絡電話及分機：

三、對應之☐美國☐日本☐西班牙☐韓國☐波蘭  
☐加拿大申請案：

【格式請依：申請案號、公開編號、公告編號 順序註記，惟如尚未取得公開編號或公告編號者，得不註記】

1.

四、附送書件:

( \* 個人資料保護注意事項：

申請人已詳閱申請須知所定個人資料保護注意事項，並已確認所檢附之說明書、申請專利範圍、圖式、修正說明書、修正理由書、申復書及其附件(除委任書外)，不包含應予保密之個人資料；其載有個人資料者，同意智慧財產局提供任何人以自動化或非自動化之方式閱覽、抄錄、攝影或影印。)

☐ 1、所有審查意見書影本(含中譯本或英譯本)。

1-1 ☐ 審查意見書請經由 USPTO Public PAIR 系統取得(台美 PPH)。

1-2 ☐ 審查意見書及英譯本請經由 JPO AIPN 系統取得(台日 PPH)。

1-3 ☐ 審查意見書請經由 SPTO Expedientes Digitalizados 系統取得(台西 PPH)。  
(勾選此項時，仍應檢附審查意見書之翻譯本)

1-4 ☐ 審查意見書及英譯本請經由 KIPO K-PION 系統取得(台韓 PPH)。

1-5 ☐ 審查意見書請經由 PPO Publication Server 系統取得(台波 PPH)。  
(勾選此項時，仍應檢附審查意見書之翻譯本)

1-6 ☐ 審查意見書請經由 CIPO Canadian Patents Database 系統取得(台加 PPH)。

文件名稱	日期
------	----


☐2、審查達到可核准之申請專利範圍影本(含中譯本或英譯本)。

2-1 ☐申請專利範圍請經由 USPTO Public PAIR 系統取得(台美 PPH)。

2-2 ☐申請專利範圍及英譯本請經由 JPO AIPN 系統取得(台日 PPH)。

2-3 ☐申請專利範圍請經由 SPTO Expedientes Digitalizados 系統取得(台西 PPH)。(勾選此項時，仍應檢附申請專利範圍之翻譯本)

2-4 ☐申請專利範圍及英譯本請經由 KIPO K-PION 系統取得(台韓 PPH)。

2-5 ☐申請專利範圍請經由 PPO Publication Server 系統取得(台波 PPH)。(勾選此項時，仍應檢附申請專利範圍之翻譯本)

2-6 ☐申請專利範圍請經由 CIPO Canadian Patents Database 系統取得(台加 PPH)。

文件名稱	日期

☐3、引用作為專利准、駁判斷依據之引證文獻。

(※☐引證文獻屬專利文獻無需檢送。)

☐4、申請專利範圍對應表。

☐5、其他有利於本局 PPH 審查之文件。(請敘明)

☐6、發明專利 PPH 修正申請書。(發明專利 PPH 修正申請書之一、二項基本資料，可註明「同發明專利 PPH 審查申請書」而不須重複填寫。)

☐7、專利誤譯訂正申請書。(專利誤譯訂正申請書之一、二項基本資料，可註明「同發明專利 PPH 審查申請書」而不須重複填寫。)

附件 3

申請專利範圍對應表

第 號申請案 申請專利範圍	對應之外國申請案經審查達 到可核准之申請專利範圍	對應我國申請案之 充分對應說明

## 發明專利 PPH 修正申請書

(本申請書格式、順序，請勿任意更動，※記號部分請勿填寫)

申請案號： ※案 由：24716

依據： 年 月 日（ ）智專 字第 號函辦理。

一、發明名稱：(中文/英文)

二、申請人：(共      人)(多位申請人時，應將本欄位完整複製後依序填寫，姓名或名稱欄視身分種類填寫，不須填寫的部分可自行刪除)

(第1 申請人)

國籍：☐中華民國 ☐大陸地區（☐大陸、☐香港、☐澳門）  
☐外國籍：\_\_\_\_\_

身分種類： ☐ 自然人 ☐ 法人、公司、機關、學校

ID :

姓名： 姓： 名：

(簽章)

名稱： (中文)

(簽章)

代表人：(中文)

(簽章)

地址： (中文)

聯絡電話及分機：

◎代理人：（多位代理人時，應將本欄位完整複製後依序填寫）

ID：

姓名： 姓： 名：

（簽章）

證書字號：

地址：

聯絡電話及分機：

### 三、修正事項：

（請於所勾選修正說明事項之後，敘明修正理由或說明，如字數過多者，請另以 A4 紙張直式橫書繕打，以附件標示並備具一式 1 份，俾利審查。）

☐說明書修正之頁數、段落編號及行數及修正理由：

☐申請專利範圍修正之請求項及修正理由：

（99 年 1 月 1 日起提出之發明申請案，請再填寫 \* 申請專利範圍請求項及規費之說明）

☐圖式修正之圖號及修正理由：

☐其他說明事項如附件：

### 四、附送書件：（不須填寫的部分可自行刪除）

（\* 個人資料保護注意事項：

申請人已詳閱申請須知所定個人資料保護注意事項，並已確認檢附之修正說明書、修正申請專利範圍、修正圖式、申復書及其附件(除委任書外)，不包含應予保密之個人資料；其載有個人資料者，同意智慧財產局提供任何人以自動化或非自動化之方式閱覽、抄錄、攝影或影印。)

☐1、本發明專利 PPH 修正申請書 1 份。

☐2、發明專利修正部分劃線之說明書或申請專利範圍修正頁 1 份。(請於每頁右上角註記送件申請修正之日期)

（如為刪除原說明書內容者，應劃線貫穿於刪除之文字上；如為增加說明書內容者，應劃線於新增文字下方。各次修正應劃線註記之部分，均以原說明書為基礎；申請專利範圍之請求項項次改變者，其後之項次均應調整）

☐3、發明專利修正後無劃線之說明書或申請專利範圍或圖式替換頁各 1 份。

☐4、委任書 1 份。



☐5、申復書一式 1 份。

☐6、申請專利範圍對應表 1 份。

☐7、其他：

## \* 申請專利範圍請求項及規費之說明：

(本欄位僅為 99 年 1 月 1 日起提出之發明專利申請案適用。)

(一) 申請案發給第一次審查意見通知前，提出本次修正申請專利範圍者：

☐本案已提出實體審查申請，本次僅修正請求項，未有新增或刪除請求項之情事，應繳規費不變。

☐本案已提出實體審查申請，本次有新增或刪除請求項者：

新增（     ）項，刪除（     ）項，修正後共計（     ）項。

本次應☐加收或☐退還規費共計新台幣（                      ）元整。

(二) 申請案發給第一次審查意見通知後，提出本次修正申請專利範圍者：

☐本次僅修正或刪除請求項，未有新增請求項之情事，應繳規費不變。

☐本次有新增請求項者：

新增（     ）項與修正前合計共（     ）項。

本次應加收規費共計新台幣（                      ）元整。

## **Procedures to file a request with the Taiwan Intellectual Property Office (TIPO) for Patent Prosecution Highway (PPH) Program between TIPO and the Spanish Patent and Trade Mark Office (SPTO)**

Amended and enacted on April 15, 2016

The Patent Prosecution Highway (PPH) MOTTAINAI program enables an applicant, whose claims have been determined to be allowable/patentable in the Office of Earlier Examination (OEE), SPTO, 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 program between TIPO and SPTO commence on April 15, 2016 and end on April 14, 2019. After three years, the program will be automatically implemented under the same conditions unless, at least two months before the end of the program, either Office gives the other one written notice of its intention to end the application of the program.

### **1. Request with TIPO for accelerated examination under PPH**

An applicant should file a request for accelerated examination under the PPH with TIPO by submitting a completed “Request for Acceleration Examination under TIPO-SPTO PPH Program” request form accompanied by the relevant supporting documents. The requirements for filing accelerated examination with TIPO under the PPH are given in paragraph 2. Relevant supporting documentations (paragraph 3) and procedure for accelerated examination under the PPH program at TIPO is discussed under paragraph 4. The PPH request form is available on TIPO’s web site, <http://www.tipo.gov.tw/pph>.

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

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

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

For example, the TW application may be either:

- (i) an application which has validly claimed priority under Taiwan’s Patent Act §28 to the ES application(s) (see Figures A, B and C in Annex 1), or
- (ii) an application which has validly claimed priority under Taiwan’s Patent Act §28 to the PCT application(s) entering without priority claim (see Figure D and

E in Annex 1), or

(iii) an application which provides the basis of a valid priority claim under Spain's National Law for the ES application(s) (see Figures F, G and H in Annex 1), or

(iv) an application which shares a common priority document with the ES applications(s) (see Figures I, J and K in Annex 1).

The TW application which has validly claimed priority to multiple ES or PCT applications, or which is a divisional application validly based on the originally filed application that is included in (i) to (iv) above, is also eligible.

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

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

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

**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 SPTO**

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 SPTO, or the claims on file are narrower in scope than the claims in SPTO. In this regard, a claim on file that is narrower in scope occurs when a SPTO 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 SPTO is not considered sufficiently corresponding. For example, where the SPTO 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 program:**

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 SPTO 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 SPTO’s office actions if these documents are provided via SPTO’s Expedientes Digitalizados system.<sup>1</sup> If these documents could not be obtained by TIPO examiner via the SPTO’s Expedientes Digitalizados system, the applicant may be notified and requested to provide the necessary documents. However, the translations of these documents must be submitted by the applicant because such translations are not provided via SPTO’s Expedientes Digitalizados system.

#### **b) A copy of the claims determined to be allowable/patentable by SPTO, and their translations**

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 SPTO when the documents are provided via SPTO’s Expedientes Digitalizados system. If these documents could not be obtained by TIPO examiner via the SPTO’s Expedientes Digitalizados system, the applicant may be notified and requested to provide the necessary documents. However, the translations of these documents must be submitted by the applicant because such translations are not provided via SPTO’s Expedientes Digitalizados system.

#### **c) Copies of the references cited by the SPTO examiner**

If the cited reference is a patent document, 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 program are sufficiently corresponding to the claims determined to be allowable/patentable by

---

<sup>1</sup> <http://archivoenlinea.oepm.es/register/regviewer?lng=en>

SPTO.

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

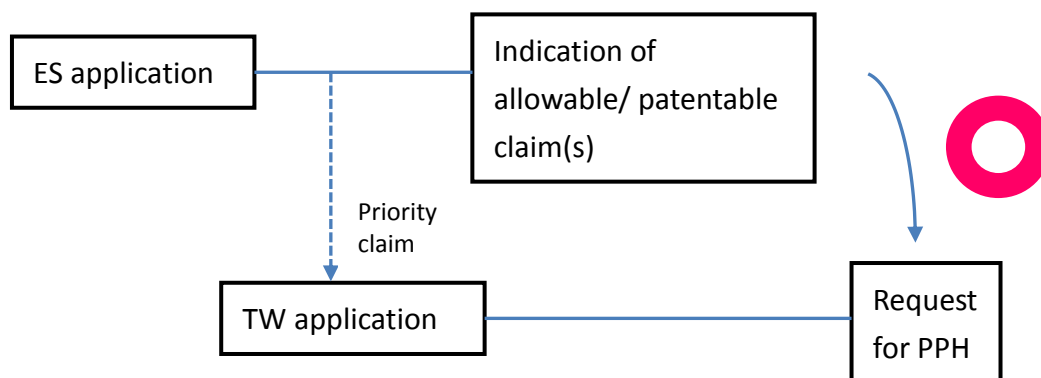
#### **4. Procedure for accelerated examination under the PPH Program at TIPO**

The applicant files a form requesting accelerated examination under the PPH program with TIPO, 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 program, 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.

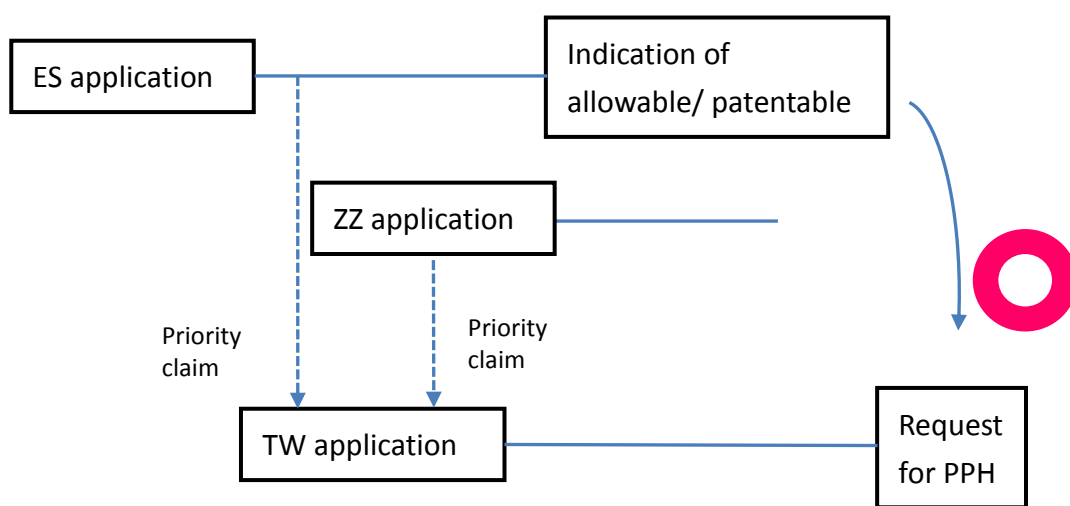
The applicant must use the “Amendment Request Form under the PPH Program” (Annex 4) to make amendments during and after the request for accelerated examination under the PPH program. Other relevant documents must also be specified in terms of their connection to the request for PPH to ensure prompt and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

## Annex 1

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

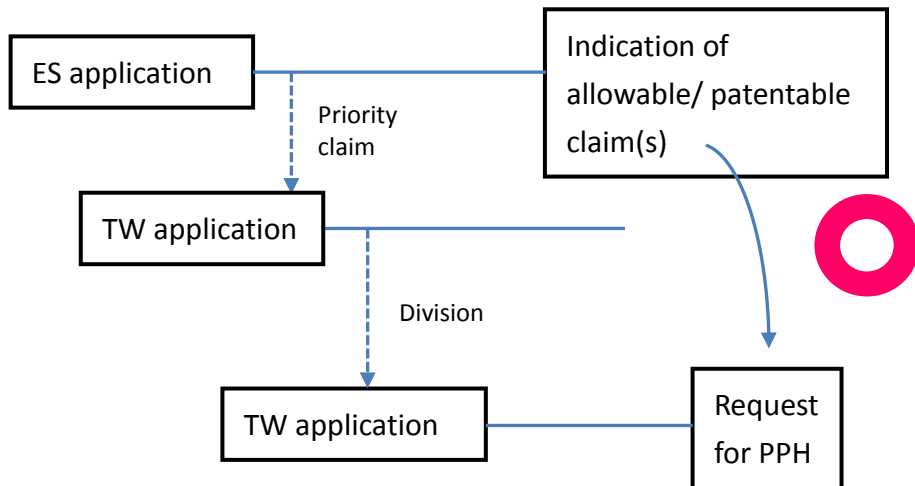


### B. A case meeting requirement (a)(i)

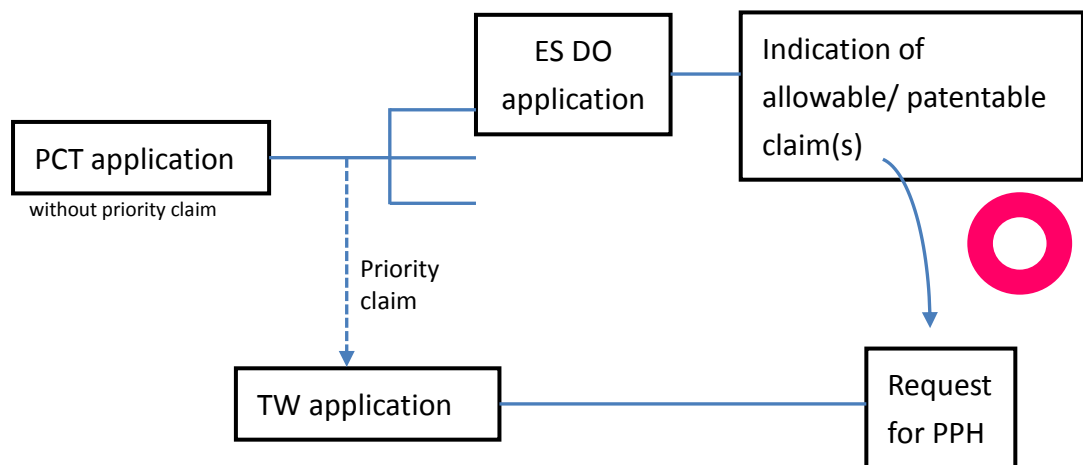


ZZ : any office

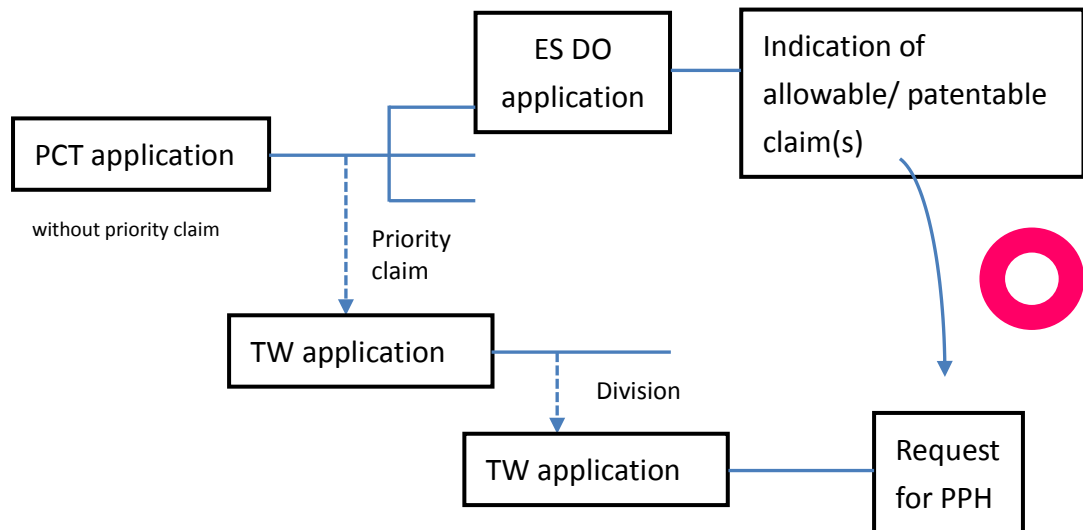
C. A case for divisional application meeting requirement (a)(i)



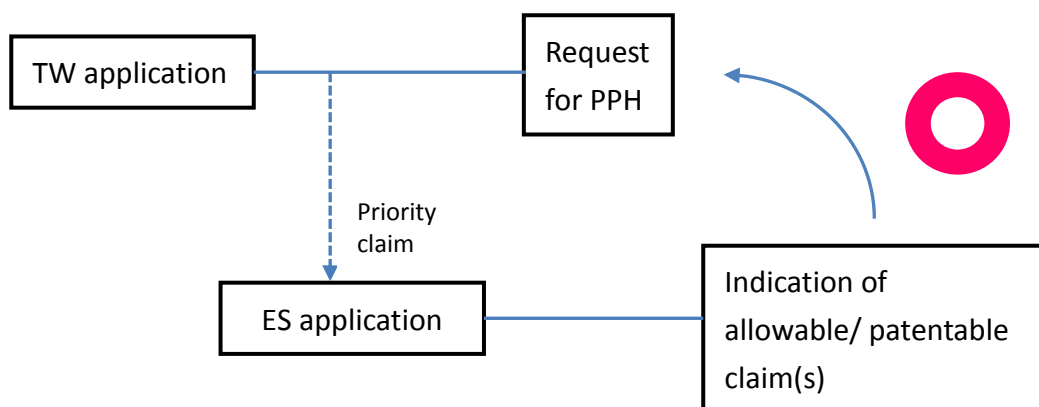
D. A case meeting requirement (a)(ii)



E. A case for divisional application meeting requirement (a)(ii)

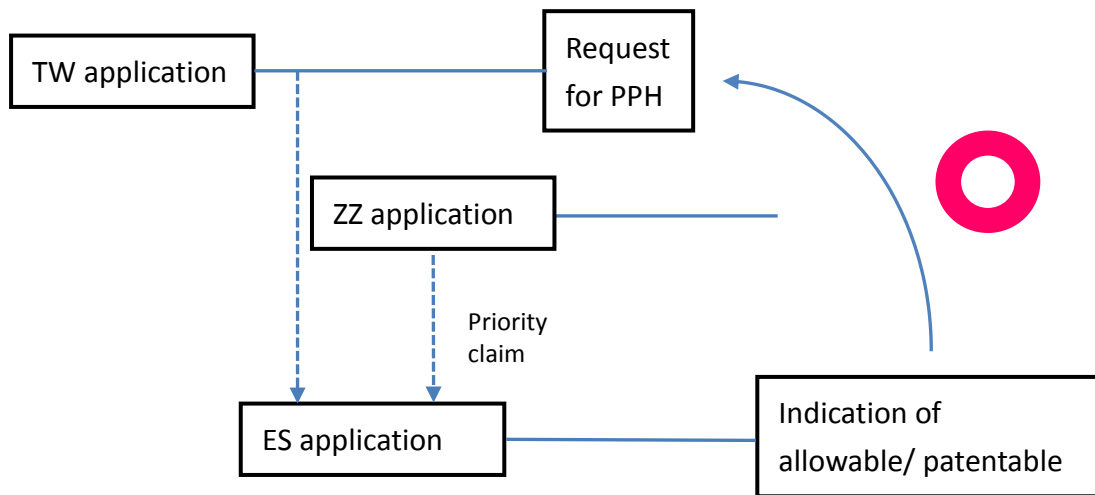


F. A case meeting requirement (a)(iii)



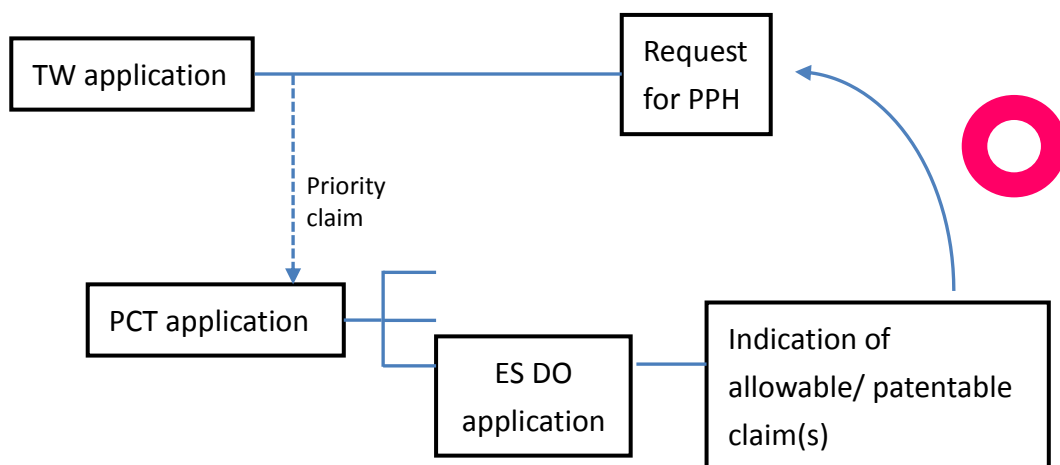


### G. A case meeting requirement (a)(iii)

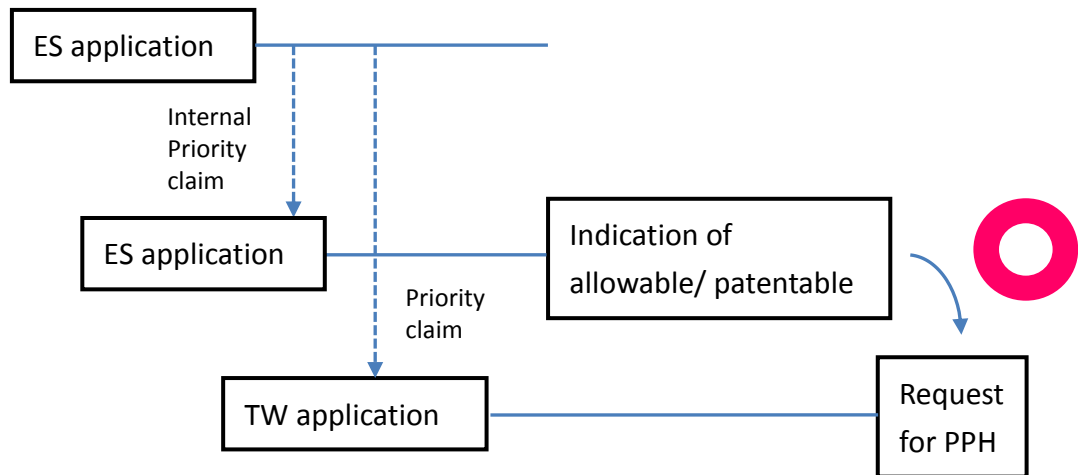


ZZ : any office

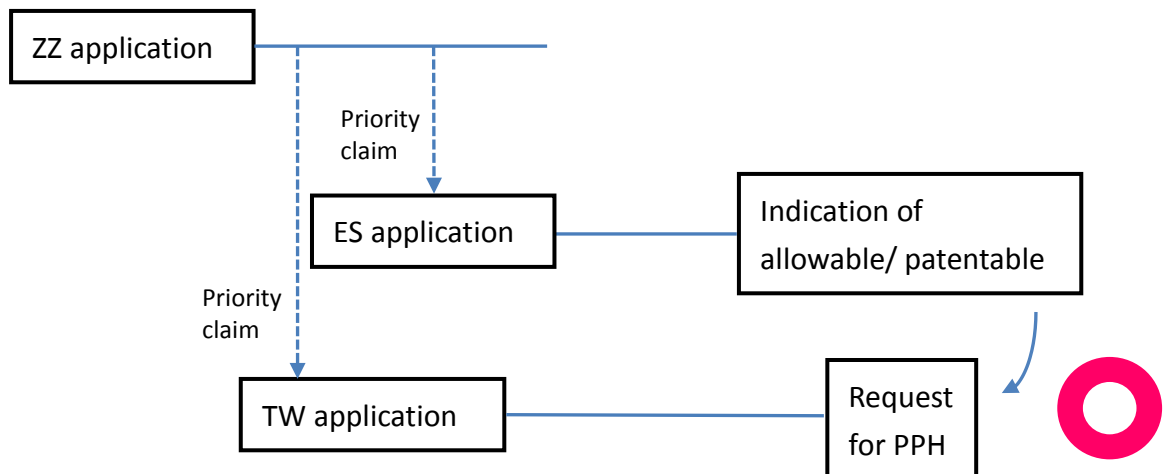
### H. A case meeting requirement (a)(iii)



I. A case meeting requirement (a)(iv)

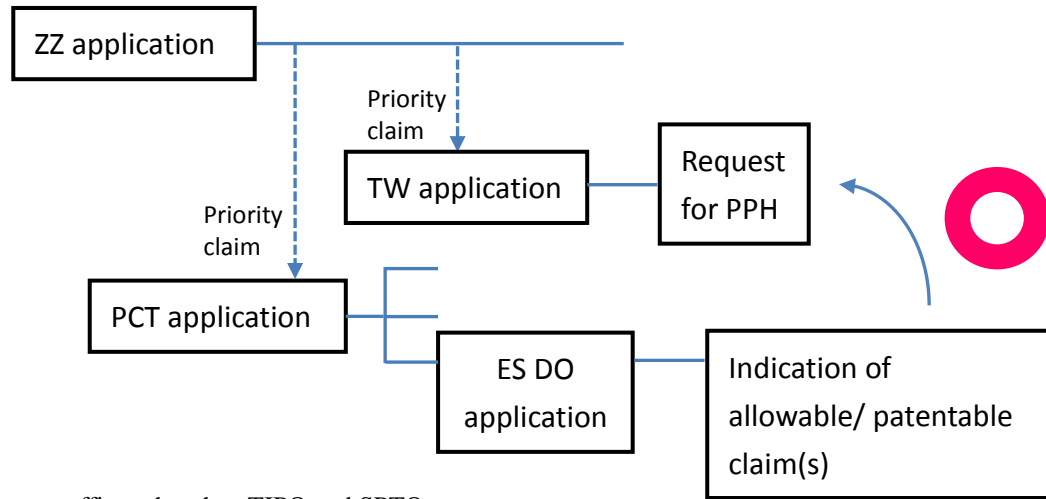


J. A case meeting requirement (a)(iv)



ZZ : any office other than TIPO and SPTO

# K. A case meeting requirement (a)(iv)



# 發明專利 PPH 審查申請書

Request for Accelerated Examination under the PPH Program

申請案號： Application number

※案 由：24714

☐ 一併申請 PPH 修正 ☐ 一併申請誤譯訂正

Amendment under PPH program / correction of translation errors at the same time

一、發明名稱： Title of the invention

二、申請人：(共 人) Applicant information

國 籍： ☐中華民國 ☐大陸地區 (☐大陸、☐香港、☐澳門)

Nationality R.O.C Mainland area Mainland Hong Kong Macau

☐外國籍：\_\_\_\_\_

Foreign nationality

身分種類： ☐自然人

Natural person

☐法人、公司、機關、學校

Juristic person, business entity,  
organization, school

ID：

姓名：

Name  
(natural person)

姓：

Last name in Chinese  
Last name

名：

First name in Chinese  
First name

(signature or seal) (簽章)

名稱： (中文) (Name of juristic person, business entity, organization or school in Chinese)

Name

(英文) (Name of juristic person, business entity, organization or school in English)

(簽章)

代表人：(中文) (Name of representative in Chinese)

Representative

(英文) (Name of representative in English)

(signature or seal)

(簽章)

地址： (中文) (Address in Chinese)

Address

(英文) (Address in English)

(signature or seal)

聯絡電話及分機：

Phone number and extension number

◎代理人： Patent attorney information

ID：

姓名：

Name

(簽章)

證書字號：

Certificate number

(signature or seal)

地址：

Address

聯絡電話及分機：

Phone number and extension number

三、對應之☐美國☐日本☐西班牙☐韓國☐波蘭  
☐加拿大申請案：

The corresponding application(s) is/are ☐US ☐JP ☐ES ☐KR ☐PL ☐CA  
application(s)

【格式請依：申請案號、公開編號、公告編號 順序註記，惟如尚未取得公開編號或公告編號者，得不註記】

1. **【Application number / Publication number / Patent number of the corresponding application(s)】**

四、附送書件: Attached documents

(\*Privacy Act Warning:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Please be aware that when you apply for a patent registration you are making a public record. Accordingly, all of the specification, scope of claim(s), drawing(s) and supporting explanation(s) and supplementary documentation(s) shall not contain confidential personal information. Any individual may directly or indirectly employ this information.)

☐1、所有審查意見書影本(含中譯本或英譯本)。

Check if copies of all office action(s) (which are relevant to substantial examination for patentability) issued for the corresponding application(s) (and translations of them) are attached or could be obtained from the dossier access system

1-1 ☐審查意見書請經由 USPTO Public PAIR 系統取得(台美 PPH)。

Check if TIPO is to obtain the documents from USPTO Public PAIR (TIPO-USPTO PPH)

1-2 ☐審查意見書及英譯本請經由 JPO AIPN 系統取得(台日 PPH)。

Check if TIPO is to obtain the documents from JPO AIPN system (TIPO-JPO PPH)

1-3 ☐審查意見書請經由 SPTO Expedientes Digitalizados 系統取得(台西 PPH)。

(勾選此項時，仍應檢附審查意見書之翻譯本)

Check if TIPO is to obtain the documents from SPTO Expedientes Digitalizados system (TIPO-SPTO PPH) (The translations of the documents have to be attached still.)

- 1-4 ☐ 審查意見書及英譯本請經由 KIPO K-PION 系統取得(台韓 PPH)。  
Check if TIPO is to obtain the documents from KIPO K-PION system (TIPO-KIPO PPH)

- 1-5 ☐ 審查意見書請經由 PPO Publication Server 系統取得(台波 PPH)。(勾選此項時，仍應檢附審查意見書之翻譯本)

Check if TIPO is to obtain the documents from PPO Publication Server system (TIPO-PPO PPH) (The translations of the documents have to be attached still.)

- 1-6 ☐ 審查意見書請經由 CIPO Canadian Patents Database 系統取得(台加 PPH)。

Check if TIPO is to obtain the documents from CIPO Canadian Patents Database (TIPO-CIPO PPH)

文件名稱	Document name	日期	Date

- ☐ 2、審查達到可核准之申請專利範圍影本(含中譯本或英譯本)。

Check if a copy of the claims determined to be allowable/patentable (and translations of them) is attached or could be obtained from the dossier access system

- 2-1 ☐ 申請專利範圍請經由 USPTO Public PAIR 系統取得(台美 PPH)

Check if TIPO is to obtain the documents from USPTO Public PAIR (TIPO-USPTO PPH)

- 2-2 ☐ 申請專利範圍及英譯本請經由 JPO AIPN 系統取得(台日 PPH)。

Check if TIPO is to obtain the documents from JPO AIPN system (TIPO-JPO PPH)

- 2-3 ☐ 申請專利範圍請經由 SPTO Expedientes Digitalizados 系統取得(台西 PPH)。(勾選此項時，仍應檢附申請專利範圍之翻譯本)

Check if TIPO is to obtain the documents from SPTO Expedientes Digitalizados system (TIPO-SPTO PPH) (The translations of the documents have to be attached still.)

- 2-4 ☐ 申請專利範圍及英譯本請經由 KIPO K-PION 系統取得(台韓 PPH)。

Check if TIPO is to obtain the documents from KIPO K-PION system (TIPO-KIPO PPH)

- 2-5 ☐ 申請專利範圍請經由 PPO Publication Server 系統取得(台波 PPH)。

(勾選此項時，仍應檢附申請專利範圍之翻譯本)

Check if TIPO is to obtain the documents from PPO Publication Server system (TIPO-PPO PPH) (The translations of the documents have to be attached still.)

- 2-6 ☐ 申請專利範圍請經由 CIPO Canadian Patents Database 系統取得(台加 PPH)

Check if TIPO is to obtain the documents from CIPO Canadian Patents Database (TIPO-CIPO PPH)

文件名稱	Document name	日期	Date

- ☐3、引用作為專利准、駁判斷依據之引證文獻。  
Check if copies of the references cited in the office action(s) are attached  
(※☐引證文獻屬專利文獻無需檢送。)  
Check if the cited references are patent documents; submission is not necessary
- ☐4、申請專利範圍對應表。  
Check if a claim correspondence table is attached
- ☐5、其他有利於本局 PPH 審查之文件。（請敘明）  
Check if other supporting documents are attached (please write down the name of documents)
- ☐6、發明專利 PPH 修正申請書。  
Check if an Amendment Request Form under the PPH Program is attached
- ☐7、專利誤譯訂正申請書。  
Check if an Request Form for correction of translation errors is attached

## 申請專利範圍對應表

## Claim Correspondence Table

第 號申請案 申請專利範圍 Claims in TW application	對應之外國申請案經審查達 到可核准之申請專利範圍 Patentable/Allowable claims in the corresponding application	對應我國申請案之 充分對應說明 Comments on the correspondence



# 發明專利PPH修正申請書

## Amendment Request Form under the PPH Program

申請案號： Application number

※案 由：24716

依據： 年 月 日 ( ) 智專 字第 號函辦理。  
When amendment is submitted according to notification from TIPO, write down the notification number and its date

一、發明名稱：(中文/英文) Title of the invention

二、申請人：(共 人) Applicant information

國 籍： ☐中華民國 ☐大陸地區 ( ☐大陸、☐香港、☐澳門)

Nationality R.O.C Mainland area Mainland Hong Kong Macau

☐外國籍：\_\_\_\_\_

Foreign nationality

身分種類： ☐自然人

Natural person

☐法人、公司、機關、學校

Juristic person, business entity, organization, school

ID：

姓名： 姓： Name Last name in Chinese

(natural person)

Last name

名： First name in Chinese

First name

(signature or seal) (簽章)

名稱： (中文) (Name of juristic person, business entity, organization or school in Chinese)

Name

(英文) (Name of juristic person, business entity, organization or school in English)

(簽章)

代表人：(中文) (Name of representative in Chinese)

Representative

(英文) (Name of representative in English)

(簽章)

地址： (中文) (Address in Chinese)

Address

(英文) (Address in English)

(signature or seal)

聯絡電話及分機：

Phone number and extension number

## ◎代理人 Patent attorney information

ID :

姓名： 姓：

Name Last name in Chinese

名：

First name in Chinese

(簽章)

證書字號：

Certificate number

地址：

Address

聯絡電話及分機：

Phone number and extension number

(signature or seal)

## 三、修正事項： Comments on amendment

Check to specify the nature and purpose of the amendment. If more space is needed, use separate A4 sheet(s), typed, left to right and prepare one copy.

☐ 說明書修正之頁數、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 claim(s).

☐ 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. (Patent applications filed after January 1, 2010 shall apply for scope of claims and application fee.)

☐ 圖式修正之圖號及修正理由：

Check to specify the drawing(s) and explanation(s)

☐ 其他說明事項如附件：

Check to specify supplementary documentation and appendices

## 四、附送書件： Attached documents

(Use only for filing attached documents relating to applications)

(\* Privacy Act Warning:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Please be aware that when you apply for a patent registration you are making a public record. Accordingly, all of the specification, scope of claim(s), drawing(s) and supporting explanation(s) and supplementary documentation(s) shall not contain confidential personal information. Any individual may directly or indirectly employ this information.)

☐ 1、發明專利 PPH 修正申請書 1 份。

Check to specify if one copy of request form for amendment are provided.

☐ 2、發明專利修正部分劃線之說明書或申請專利範圍修正頁 1 份。

Check to specify one copy of specification or scope of claim(s) with underlined portions of amendment. (Filing date appears in the upper right corner)

(Applicant must indicate the precise point where each amendment is made. The matter to be omitted by reissue must be shown by strike-through. The text of any added subject matter must be shown by underlining the added text. All underlined changes shall be made in comparison to the original patent. The numbering of patent claims preserved. The numbering of any claims added in the reexamination proceeding must follow the number of the highest numbered patent claim.)

☐ 3、發明專利修正後無劃線之說明書或申請專利範圍或圖式替換頁各 1 份。

。

Check to specify one copy if replacement sheet(s) of specification, claim(s) or drawing(s) that have no underlines are provided.

- ☐4、委任書 1 份。  
Check if Power of Attorney is attached
- ☐5、申復書一式 1 份。  
Check if one copy of response are attached
- ☐6、申請專利範圍對應表 1 份。  
Check if a claim correspondence table is attached
- ☐7、其他：  
Check if other documents are attached

## \* 申請專利範圍請求項及規費之說明：

### Explanation of claims and fee

(本欄位僅為 99 年 1 月 1 日起提出之發明專利申請案適用。)

(only for invention applications filed after January 1, 2010)

(一) 申請案發給第一次審查意見通知前，提出本次修正申請專利範圍者：

If first office action has not been issued, substantive examination fee shall be calculated in accordance with the amended claims:

- ☐ 本案已提出實體審查申請，本次僅修正請求項，未有新增或刪除請求項之情事，應繳規費不變。

Request for substantive examination has been made, but amended claims do not include newly added claims or deleted claims; fee unchanged

- ☐ 本案已提出實體審查申請，本次有新增或刪除請求項者：

Request for substantive examination has been made and the amended claims include newly added claims or deleted claims:

新增 ( ) 項，刪除 ( ) 項，修正後共計 ( ) 項。

Newly added \_\_\_ claims, deleted \_\_\_ claims, total \_\_\_ claims after amendment

本次應 ☐ 加收或 ☐ 退還規費共計新台幣 ( ) 元整。

NT \$ \_\_\_\_\_ ☐ added ☐ refunded

(二) 申請案發給第一次審查意見通知後，提出本次修正申請專利範圍者：

Where a first office action has been issued, substantive examination fee shall be calculated in accordance with the newly added claims and pending claims before first office action:

- ☐ 本次僅修正或刪除請求項，未有新增請求項之情事，應繳規費不變。

Amendment only amends or deletes claims and does not add any new claims; fee unchanged

- ☐ 本次有新增請求項者：

The amendment adds new claims:

新增 ( ) 項，修正後共計 ( ) 項。

Newly added \_\_\_ claims, total \_\_\_ claims after amendment

本次應加收規費共計新台幣 ( ) 元整。

NT \$ \_\_\_\_\_ added