

Taiwan (TW) Coverage

Patent Office Details

Intellectual Property Office
185 Hsin-hai Road, Sec 2., 3F
Taipei, 106213
Taiwan, R.O.C.

Web: <https://www.tipo.gov.tw/>

Official gazette: Patent Gazette of Taiwan

Kinds of Protection

Patents of Invention	Granted for a term of 20 years from submission date
Extensions	Extensions of up to 5 years in cases where loss can be shown (additional Government certificate of approval required to manufacture pharmaceutical or agricultural chemicals, from 23.01.1994 onwards)
Utility Models	Protection for maximum of 10 years from date of filing
Design Patents	Granted for a term of 12 years from date of filing

Convention & Treaty Membership

Although Taiwan is not a member of any convention, it has adopted the 12-month priority system found in the Paris Convention and Taiwanese nationals may use mainland China's membership in the Paris Convention to claim priority in foreign countries.

Filing for Patents

Inventions that are novel, and have a utilization value in industry, are patentable.

Applications may be made, in Chinese, by the inventor or his heir or assignee. Foreigners may apply on a reciprocity basis. Applicants not resident in Taiwan must appoint a local agent. There is a law amendment (October 2001) for relaxing the reciprocity requirements for claiming priority. According to the 2001 law amendment, the first to file and one application principle applies. A domestic priority claim practice is introduced. Also a patent application is laid open for public access 18 months from the day following the date of patent filing. For applications filed after 26.10.2001, applications will be published within 18 months from filing. In addition, within three years from the day following the patent filing date, the applicant may file a request with the patent authority for a substantive examination. Such a request cannot be withdrawn. Where no such request has been made within the statutory period, the patent application shall be deemed as having been withdrawn.

Applications are examined as to industrial applicability, novelty and ambiguity.

Applications may claim priority abroad only by reciprocal agreements. Australia, Germany, USA, Japan, Switzerland, France, Liechtenstein and the UK (from 24.05.2000) have either an agreement or the exchange of letters for the mutual granting of patent priority right with the Republic of China. Their nationals can claim priority for their Republic of China application based on certain priority documents.

The decision to grant a patent will be published in the patent gazette. Provisional protection dates from this publication. The applicant may seek the postponement of publication for up to six months.

DWPI Coverage

Kind		DWPI Start Dates
A	Examined patent application (Old Law) (to July 2004)	1 January 1993
A	Unexamined patent application (New Law)	1 August 2004
B1	Examined patent application (New Law)	1 August 2004
U	Utility Model	1 August 2004
U1	Utility Model (to July 2004)	1 January 1998

DWPI Data elements	Notes
✓ Bibliographic data	
✓ English value-add title and abstract	
✓ Original title and abstract	Title from 2008 onwards. Abstract from 200907 onwards (Abstracts are available for Utility Models only when published by the Patent Office)
✓ Claims	
✓ Manual Codes	Chemical (CPI) and Electrical (EPI)

Numeration

Kind Code – A

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
<i>Published up to 1 August 2004</i>			
NNNNNN	TWNNNNNN	TW NNNNNN	TWNNNNNN
314455	TW314455	TW 314455	TW314455
<i>Published from 1 August 2004 onwards</i>			
YYYYNNNNNN	TWYYYYNNNNNN	TW YYYYNNNNNN	TWYYYYNNNNNN
2011014242	TW201114242	TW 201114242	TW2011014242

Application Numbers*			
Original Data	Derwent Innovation	Dialog	STN
NNNNNN	TWYYYYNNNNNNA	TW YYYYNNNNNN	TWYYYY-NNNNNN
134309	TW2009134309A	TW 2009134309	TW2009-134309

*Full coverage of application numbers commenced from DWPI update 199216

YYYY 4 digit year
 NNNNNN 6 digit serial number
 nnnnnnn 7 digit serial number

Kind Code – B1

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
INNNNNN	TWINNNNNN	TW NNNNNN	TWNNNNNNB
I310551	TWI310551	TW 310551	TW310551B

Application Numbers			
Original Data	Derwent Innovation	Dialog	STN
YYYYINNNNNN	TWYYYYNNNNNNA	TW YYYYNNNNNN	TWYYYY-NNNNNN
2001I122322	TW2002122322A	TW 2002122322	TW2002-122322

YYYY 4 digits representing the year of application
 NNNNNN 6 digit serial number
 nnnnnnn 7 digit serial number
 I denotes patent

Kind Code – U (published from August 2004)

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
MNNNNNN	TWMNNNNNN	TW NNNNNN	TWNNNNNNU
M339172	TWM339172	TW 339172	TW339172U

Application Numbers			
Original Data	Derwent Innovation	Dialog	STN
YYYYMNNNNNN	TWYYYYNNNNNNU	TW YYYYNNNNNN	TWYYYY-NNNNNNU
2007M216592	TW2007216592U	TW 2007216592	TW1995-216279U

YYYY 4 digits representing the year of application
 NNNNNN 6 digit serial number
 M denotes utility model

Utility models published up to July 2004 (Kind Code – U1 on Dialog)

Publication Numbers			
Original Data	Derwent Innovation	Dialog	STN
NNNNNN	TWNNNNNN	TW NNNNNN	TWNNNNNNU
331150	TW331150	TW 331150	TW331150U

Application Numbers			
Original Data	Derwent Innovation	Dialog	STN
YYYYNNNNNN	TWYYYYNNNNNNU	TW YYYYNNNNNN	TWYYYY-NNNNNNU
2007216760	TW1995216760U	TW 1995216760	TW1995-216760U

YYYY 4 digits representing the year of application
 NNNNNN 6 digit serial number