



11 October 2019

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU:
PATENT ACT

Notifying Member	THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU
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Details of the notified legal text

Title	Patent Act
Subject matter	Industrial property (general); Patents (including plant variety protection)
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://www.dropbox.com/s/7g7i3pao9x87hgw/19_5167_00_e.pdf?dl=1 https://www.dropbox.com/s/6g76e15g2okhitw/19_5167_00_x.pdf?dl=1
Notification status	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/TPKM/P/8 , IP/N/1/TPKM/15
Brief description of the notified legal text	
A total of 17 articles were included in the amendments. The major points were as follows:	
1. Loosening restrictions for the division of invention and utility model patent applications after approval.	
2. The person who requests for invalidation action must submit reasons for such invalidation within three months, after the date of filing the said action.	
3. The period for making a post-grant amendment application to utility model patent and the application of substantive examination are specified.	
4. Term of design patent is extended from 12 years to 15 years.	
5. Patent files are preserved according to their categories and on a periodical basis.	
Language(s) of notified legal text	English, Chinese

Entry into force	1 November 2019
Other date	Adoption: 1 May 2019

Notification details

Submission date of notification	17 September 2019
Other information	<p>Patent applications are examined and patents granted under the Patents Act and the Patent Regulations by the Intellectual Property Office (TIPO), an administrative agency of the Ministry of Economic Affairs.</p> <p>Website: http://www.tipo.gov.tw/ Contact email address: ipogp@tipo.gov.tw</p>
Agency or authority responsible	Ministry of Economic Affairs

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.