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

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| **Notifying Member** | | **The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu** |
| **Details of the notified legal text** | | |
| **Title** | | Patent Act |
| **Subject matter** | | Industrial property (general); Patents (including plant variety protection) |
| **Nature of notification** | | [X] Main dedicated intellectual property law or regulation  [  ] Other law or regulation |
| **Link to legal text[[1]](#endnote-1)** | | <https://www.dropbox.com/s/7g7i3pao9x87hjw/19_5167_00_e.pdf?dl=1> <https://www.dropbox.com/s/6g76e15g2okhitw/19_5167_00_x.pdf?dl=1> |
| **Notification status** | | [  ] First notification  [  ] Amendment or revision to notified legal text  [X] Replacement or consolidation of notified legal text(s) |
| **Previous notification(s) referred to** | | [IP/N/1/TPKM/P/8, IP/N/1/TPKM/15](https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?FullTextHash=1&MetaCollection=WTO&SymbolList=%22IP/N/1/TPKM/P/8%22+OR+%22IP/N/1/TPKM/15%22) |
| **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** | 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.  Website: <http://www.tipo.gov.tw/>  Contact email address: [ipogp@tipo.gov.tw](mailto:ipogp@tipo.gov.tw) | |
| **Agency or authority responsible** | Ministry of Economic Affairs | |

1. 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. [↑](#endnote-ref-1)