

[Execution of Documents by Taiwan Patent or Trademark Applicant]

In Taiwan, an applicant must execute the required documents for filing a patent/trademark application or its related matter by signing or affixing a stamp seal the documents. For a domestic juristic applicant, they are required to add a juridical seal on the executed documents. A foreign juristic applicant will only need its representative or authorized person to sign the documents.

The applicant, especially a foreign applicant who does not have a residence in Taiwan, may have to appoint an agent to file a patent/trademark application or its any other related matter. Hence, if an applicant has executed a power of attorney for the agent to handle their patent/trademark application, the applicant is not needed to sign the application themselves. In this case, the applicant's signature or seal on the power of attorney will serve as the basis for the TIPO (Taiwan Intellectual Property Office) to examine the authentication or valid execution of the document for matter such as the transfer of rights, which may affect the interest of the applicant or right owner during prosecution or grant of a patent/trademark case.

Particularly, when filing a recordal of patent/trademark assignment or license, TIPO requires that the signature/seal of the applicant or rightful owner on the assignment or license document, must be identical to the signature/seal recorded on file. If TIPO finds any inconsistency of execution, an office action will be issued for the applicant to respond with one of the following options:

1. Filing the original signature or seal as recorded on file
2. Requesting a change in the signature or seal as recorded on file, with a document or an affidavit attesting the change
3. Declaring or attesting that the execution is the genuine signature of (or has been authorized by) the applicant or right owner, by submitting an affidavit

In the case of a granted patent/trademark, an individual applicant will also need to provide an identification document (e.g. a photocopy of passport, if the applicant is a foreigner) with option 2 or 3.