

## TAIWAN TO IMPLEMENT “FAST TRACK” EXAMINATION SYSTEM FOR TRADEMARK APPLICATION FILED ON OR AFTER MAY 1, 2020

According to Taiwan Intellectual Property Office (TIPO), there were 86,794 new filings for trademark registration in 2019. Among them were 71% filed by domestic applicants and 29% filed by foreign applicants. The average time for rendering a decision was 6.7 months, and the average time for issuing a first office action was 5.2 months. Due to rapid changes in the market, many applicants have experienced some pressure to commercialize new products in a shorter period of time, and often hope to quickly register a trademark for protection of brands or logos.

In order to meet the needs of applicants, TIPO has scheduled to launch a fast track trial of trademark examination starting from May 1, 2020. Under this new system, if a new application for trademark registration is filed on/after May 1, 2020 and has met the conditions and requirements of “fast track” examination, a first examination opinion letter by TIPO could be issued within 3.5 to 4 months after filing the new application. This means that the examination period for a “fast-track” trademark application would be 1.5 to 2 months faster than the normal examination period.

The following table shows the conditions and requirements for a “fast-track” trademark application examination, in comparison to the normal examination process.

	Fast track examination	Normal examination
Filing route	Electronic filing	Electronic filing or paper filing
Type of trademark	Two-dimensional trademark	Two-dimensional trademark, non-traditional trademark (three dimensional mark, sound, color, etc.), certification trademark, collective trademark, collective mark
Power of attorney (simply signed)	A power of attorney has to be filed within 20 days for foreign applicant after filing the trademark application	A power of attorney may be filed within two months for foreign applicant after filing the trademark application
Goods/services	The names of all designated goods/services must be the same as the reference names of those items in the list provided by TIPO’s electronic filing system; if any one of the goods does not match said items in the list, then the application will not be examined under fast track system	If the names of all designated goods/services are not the same as the reference names provided in e-filing system, or the names are too broad/vague, the applicant will receive an office action requesting the deletion or amendment, or an explanation thereto

The official fees for filing a “fast-track” trademark application are the same as that of an electronic filing application. For a new trademark application, the standard official fee is NT\$3000 (for 20 items of goods in one class) but it will be reduced by NT\$300 if the application is electronically filed. Furthermore, a reduction fee of NT\$300 for one class can be applied if the names of all designated goods/services are same as the reference names in the TIPO’s electronic filing system. Since there is no additional official fee for filing a “fast-track” trademark application, the applicant is encouraged to file a new trademark application using the fast-track system, provided that the goods/services have the same names in the list of TIPO’s electronic filing system.

### 聯合專利商標事務所 UNION PATENT SERVICE CENTER

#### TAIPEI OFFICE

11th F., 346 Nanking E. Road, Sec. 3, Taipei 105, TAIWAN  
TEL : (886-2) 2721-1306  
FAX : (886-2) 2752-1800 ; 2711-5984  
E-mail : upsc@unionpatent.com.tw  
URL : www.unionpatent.com.tw

#### TOKYO OFFICE

9th Floor 1-28-1-901 Higashi-Ikebukuro, Toshima-ku, Tokyo  
TEL : 03-3988-7421  
FAX : 03-3988-3491 ; 03-3988-7424  
E-mail : upsc@unionpatent.co.jp  
URL : www.unionpatent.co.jp

#### HONG KONG OFFICE

Units E-F, 20th Floor, Neich Tower, 128 Gloucester Road, Hong Kong  
TEL : (852)2511-1348  
FAX : (852)2511-6737 ; 2507-4697  
E-mail : upsc@unionpatent.com.hk  
URL : www.unionpatent.com.hk