UPSC

TAIWAN NEWSLETTER

UNION PATENT SERVICE CENTER

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PROCESSING TIME FOR TAIWAN PATENT APPLICATION

The Taiwan Intellectual Property Office (TIPO) recently updated the time schedule for processing various patent matters on May 19, 2020. The standard processing time for invention, utility model and design patent applications are listed as follows.

Invention Patent Application in Primary Examination Stage

No.	Technical Field	Average time for first office action	Processing Time
1	Human Necessities	15 months	20 months
2	Civil and Building Construction	16 months	22 months
3	Mechanical Engineering	16 months	22 months
4	Transporting, Molding	16 months	22 months
5	Communication	18 months	24 months
6	Measuring, Lighting and Storage	12 months	20 months
7	Organic, Inorganic Chemistry, Metallurgy, Metal Surface Treatment, Plating	12 months	20 months
8	Textiles and Flexible Materials, Paper Making and Articles thereof	16 months	22 months
9	Medical Engineering	16 months	22 months
10	Data and Information	15 months	22 months
11	Semiconductor	12 months	20 months
12	Electric Power, Basic Electronics and Electrical Elements	12 months	20 months
13	E-Commerce, Financial Technology	18 months	24 months
14	Photonics and Liquid Crystal Display	12 months	18 months
15	Biotechnology, Medicines, Agricultural Pharmaceuticals, Food Industry	18 months	24 months

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Invention Patent Application in Re-Examination Stage

No.	Technical Field	Average time for first office action	Processing Time
1	Electrical Engineering	18 months	24 months
2	Mechanics, Human Necessities	14 months	18 months
3	Chemical Engineering	18 months	24 months
4	Biotechnology, Medicines	22 months	28 months

Utility Model and Design Patent Application

	Average time for first office action	Processing Time
Utility Model Patent Application	4 months	5 months
Design Patent Application in Primary Examination Stage	6 months	10 months
Design Patent Application in Re-Examination Stage	6 months	12 months

The above processing times do not include the time period for notification of outstanding documents or filing responses. In Taiwan, substantive examination will be conducted for invention and design applications, while utility model applications undergo a formality examination only. A request for substantive examination must be filed at the time of filing an invention application or within three years from its filing date. TIPO will automatically carry out substantive examination for a design application upon formality requirements are met.

Per TIPO's practice in recent years, the examination of a patent application was processed in a shorter period of time than the standard time schedule, and about 70% of patent applications were allowed in the primary examination stage. Notably, 75.4% of the invention applications and 86.4% of the design applications were allowed in 2019 during primary examination, and their average processing times are as follows:

Primary examination in 2019	Average first office action pendency	Average dsposal pendency
Invention Patent Application	8.4 months	13.6 months
Design Patent Application	6.2 months	7.5 months