



## Newsletter

JUN 30, 2024 NO.20240630-E1

### 2023 Taiwan Patent Filing and Processing Data

The following tables are made based on 2022 official data published by Taiwan Intellectual Property Office (TIPO).

#### 2023 Patent New Filing Cases

Type	Invention	Utility Model	Design	Total
Domestic Applicant	19,634 (↑1.2%)	13,309 (↓2.6%)	3,437 (↑0.8%)	36380 (↑0.3)
Foreign Applicant	31,220 (↑1.2%)	1,157 (↑16.5%)	3,850 (↑2.8)	36,227 (↑1.8)
Subtotal	50,854 (↑+1.2%)	14,466 (↓1.4%)	7,287 (↑1.9%)	Total 72,607 (↑0.8%)

#### 2023 Patent-related Cases

Re-examination	6,664 (↑19%)
Invalidation	360 (↓19.7%)
Assignment	4,287 (↓36.5%)
Licensing	66 (↓86.4%)
Appeal	216 (↑8.3%)
Administrative Suit	74 (↓12.2%)

#### 2023 Invention Patent Cases

Applications requesting substantive examination	44,406
Allowed cases at primary examination	43,863
Rate of allowance at primary examination	77.1%
Average time until first office action at primary examination	8.9 months
Average disposal time at primary examination	14.4 months
Applications requesting re-examination	7,195
Average time until first office action at re-examination	10.1 months
Average disposal time at re-examination	13.1 months

(Request of substantive examination must be filed by invention patent applications at the time of filing or within three years after filing.)

#### 2023 Utility Model Patent Cases

Utility model cases after disposal	14,317
Average examination duration	2.8 months
Applications requesting Technical	787

Evaluation Report	
Average time to complete Technical Evaluation Report	6.1 months

(Formality examination is conducted for utility model applications only.)

### 2023 Design Patent Cases

Allowed cases at primary examination	6,268
Rate of allowance at primary examination	87.5%
Average time until first office action at primary examination	5.5 months
Average disposal time at primary examination	6.6 months

(Automatic examination is conducted for design patent cases.)

### 2023 AEP and PPH Cases (For Invention Patent Applications Only)

	AEP	PPH
Number of cases	415	Total 879, including 430 PPH cases from China, Taiwan, Japan, and 402 cases from Taiwan and USA
Average time until first office action	Base 1: 48.6 days; Base 2: 60.3 days; Base 3: 90.4 days, and Base 4: 64.8 days	Japan and Taiwan PPH: 45.6 days; Taiwan and USA PPH: 46.4 days
Average disposal time	Base 1: 140.5 days; Base 2: 257.1 days; Base 3: 235.1 days; Base 4: 219.4 days	Japan and Taiwan PPH: 127; Taiwan and USA PPH: 146.3 days

#### Remarks:

\* AEP refers to Accelerated Examination Program. The Applicant can file AEP request according to one of the following bases:

Base 1 – for invention that has a corresponding foreign patent application allowed after the substantive examination by a foreign patent office

Base 2 – for invention that has a corresponding foreign application pending before USPTO, JPO or EPO, but official action and search report have been issued

Base 3 – for invention required for commercial practice

Base 4 – for invention related to green technologies

\* PPH refers to Patent Prosecution Highway program. Currently there are PPH bilateral agreement between TIPO and USPTO, JPO, KIPO, SPTO, PPO and CIPO, respectively.

### 2023 Positive Examination of Invention Patent Applications For New Venture Industries

Acceptance of applications	35 (↑150%)
Average processing period	70.2 days

2023 Accelerated Examination Of Design Patent Applications

Applications accepted (the accelerated examination mechanism for self-design patents was launched on September 1, 2023 and ended on December 31, 2023)	3 (2 cases for start-ups, 1 case received the German Red Dot Design Award)
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2023 Patent Invalidation Cases

Examination Results	Invention	Utility Model	Design	Total
Sustained	41	87	9	137
Partially Sustained	21	36	-	57
Rejected	101	99	7	207

2023 Patent Appeal Cases

Sustained	Partially Sustained	Rejected	Other (withdrawn)	Success Rate
3	1	232	0	1.2%

(Based on statistics provided by the Petition Review Committee)

2023 Patent Administrative Suits

Withdrawn	Plaintiff Won	Plaintiff Lost	Partially Sustained	Dismissal Ruling	Settlement	Other	Success Rate
3	10	52	4	1	0	0	20.0%

(Based on statistics provided by the Intellectual Property Court)