



NEWSLETTER

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2024 Taiwan Patent Filing and Processing Data

Patent data from 2024 published by the Taiwan Intellectual Property Office (TIPO) are compiled into the following tables.

2024 New Patent Filing Cases

Type	Invention	Utility Model	Design	Total number of Applications
Domestic Applicant	19,586 (↓0.2%)	13,341 (↑0.2%)	3,338 (↓2.9%)	36,265 (↓0.3)
Foreign Applicant	31,237 (↑0.05%)	1,218 (↑5.3%)	4,022 (↑4.5)	36,477 (↑0.7)
Subtotal	50,823 (↓0.1%)	14,559 (↑0.6%)	7,360 (↑1.0%)	Grand Total 72,742 (↑0.2%)

2024 Patent-related Cases

Re-examination	6,696 (↑0.5%)
Invalidation	393 (↑9.2%)
Assignment	4,525 (↑5.6%)
Licensing	74 (↑12.1%)
Appeal	207 (↓4.2%)
Administrative Suit	68 (↓8.1%)

2024 Invention Patent Cases

Applications requesting substantive examination	45,847 cases
Cases disposed at primary examination stage	45,445 cases
Percentage of allowed cases in primary examination stage	78.1%
Average time for issuing first office action in primary examination stage	8.4 months
Average disposal time in primary examination stage	14.2 months
Cases disposed in re-examination stage	7,139 cases
Average time for issuing first office action in re-examination stage	8.6 months
Average disposal time in re-examination stage	11.7 months

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

2024 Utility Model Patent Cases

Utility model cases disposed	15,943 cases
Average disposal time	2.4 months
Applications requesting Utility Model Technical Evaluation Report	705 cases
Average completion time for Utility Model Technical Evaluation Report	5.7 months

(Utility model application is conducted by formality examination only.)

2024 Design Patent Cases

Applications allowed in primary examination stage	6,609 cases
Percentage of allowance in primary examination stage	88.1%
Average time for issuing first office action in primary examination stage	5.6 months
Average disposal time in primary examination stage	6.6 months

(Design application is conducted by automatic examination ex officio.)

2024 AEP and PPH Cases for Invention Patent Applications

	AEP	PPH
Number of cases	391 (226 for Base 1; 12 for Base 2; 106 for Base 3; 47 for Base 4)	944 (453 for Japan-Taiwan PPH; and 466 for USA-Taiwan PPH)
Average time until first office action	48.8 days for Base 1; 40.7 days for Base 2; 74.8 days for Base 3; 60.5 days for Base 4	41.3 days for Japan-Taiwan PPH; 42.9 days for USA-Taiwan PPH
Average disposal time	147.6 days for Base 1; 192.1 days for Base 2; 213.2 days for Base 3; 202.2 days for Base 4	118.7 for Japan-Taiwan PPH; 143.2 days for USA-Taiwan PPH

Remarks:

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

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

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

Base 3 – an invention application required for commercial practice

Base 4 – an invention application 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.

2024 Positive Examination of Invention Patent Applications for Start-up Industries

Applications received for the positive examination	66 cases (↑88.6%)
Average processing time	70.2 days

2024 Accelerated Re-Examination of Invention Patent Applications (abbreviated as AEPRé and enforced as from September 1, 2024)

Applications received AEPRé	14 cases
Applications finished for AEPRé	10 cases
Average processing time	15 days

Remarks:

For an invention patent application rejected in the primary examination phase, merely due to part of the claims not being patentable, if the Applicant files a request for re-examination by deleting the rejected claims (or filing divisional application) or by rewriting the non-rejected dependent claims into independent claims, then TIPO may issue a first office action or decision on the re-examination application within six months.

2024 Patent Invalidation Cases

Examination results	Invention	Utility Model	Design	Total
Sustained	48	86	14	148
Partially sustained	12	32	-	44
Rejected	88	88	8	184

2024 Patent Appeal Cases

Sustained	Partially Sustained	Rejected	Other	Success Rate
6	0	153	5	3.7%

(Based on statistics provided by the Appeal Review Committee)

2024 Patent Administrative Suits

Withdrawn	Plaintiff Won	Plaintiff Lost	Partially Sustained	Dismissal Ruling	Settlement	Other	Success Rate
18	10	47	4	2	1	0	17.1%

(Based on statistics provided by the Intellectual Property and Commercial Court, IPCC)