



# NEWSLETTER

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## Taiwan Simplified Procedure for Requesting Patent Annuity Reduction

According to the Taiwan Patent Act and related regulations, no annuity fees are required for a pending patent application. Upon receipt of a Notice of Allowance, the issue fee and at least the first annuity fee must be paid within three months. Then a patent right is granted upon publication. Patent annuity fees are calculated from the publication date, and subsequent annuity fees must be paid before their due dates. Patentees who are foreign schools or domestic/foreign small and medium-sized enterprises (SME) may file a request with the Taiwan Intellectual Property Office (TIPO) for the reduction or exemption of patent annuity fees. The reduced annuity fees are applied from the first to six years for an invention, utility model, and design patents that meet the conditions for reduction or exemption. **The annuity fee can be reduced by NT\$800 per year for the first through third annuities, and by NT\$1200 per year for the fourth through sixth annuities.** During this period (1st ~ 6th annuities), the Patentee is required to file a reduction request annually when paying each reduced annuity fee.

To ease the process, **effective January 1, 2026**, the TIPO has implemented a simplified procedure for requesting patent annuity reduction. Patentees need to submit **a one-time written application requesting the patent annuity reduction (covering the first through sixth annuities)**, instead of filing a reduction request annually. Simultaneous payment of the annuity fees up to six years is not required when filing the request. Therefore, a qualified Patentee can make good use of this simplified procedure by filing a single annuity reduction request, to avoid annual filings and enjoy the benefits of reduced fees up to the sixth years.

After the TIPO approves the annuity reduction request, the Patentee will be notified that the request has been completed, and **no annual request is required**, provided the Patentee's eligibility continues to be met in subsequent years. The TIPO will also record the annuity reduction approval in its computer system, enabling payment of the reduced annuity fee directly during the reduction period.

**When a patent has two or more Patentees, all patentees must satisfy the eligibility requirements for annuity fee reduction. For a Patentee who has two or more patents, a separate annuity reduction request must be filed for each patent.** If a Patentee no longer meets the eligibility requirements for an

annuity fee reduction (for example, due to assignment of the patent to a new owner), the Patentee has to inform the TIPO and pay the regular (standard) annuity fee, in order to prevent loss of patent rights.

Under the TIPO "Regulations for Reduction and Exemption of Patent Annuities," the following are the reduced official fees for a granted patent:

Patent Types	Year of Annuity	Standard Official Fee (Regular Fee)	Reduced Official Fee (for qualified Patentee)
Invention Patent	1st to 3rd year, each year	NT\$2500	<b>NT\$1700</b>
	4th to 6th year, each year	NT\$5000	<b>NT\$3800</b>
Utility Model Patent	1st to 3rd year, each year	NT\$2500	<b>NT\$1700</b>
	4th to 6th year, each year	NT\$4000	<b>NT\$2800</b>
Design Patent	1st to 3rd year, each year	NT\$800	<b>NT\$0</b>
	4th to 6th year, each year	NT\$2000	<b>NT\$800</b>

The above Regulations provides that the TIPO may automatically reduce the patent annuity fees for domestic and foreign individuals or domestic schools, but foreign schools<sup>I)</sup>, domestic or foreign SMEs<sup>II)</sup> must submit a written application for patent annuity reduction.

- I) Foreign schools must be schools recognized by the Ministry of Education of Taiwan.
- II) The current criteria for recognizing a domestic/foreign SME shall refer to a legally registered company having either 1) paid-in capital of less than NT\$100 million (approximately US\$3.33 million), or 2) less than 200 regular employees.

In principle, a request for patent annuity reduction does not require supporting documentation. However, if deemed necessary, the TIPO will notify the Patentee to submit relevant proof of eligibility. Furthermore, the Patentee may appoint an agent (other than the original agent recorded in the TIPO for a granted patent) to file an annuity reduction request, accompanied by a duly signed Power of Attorney. ※