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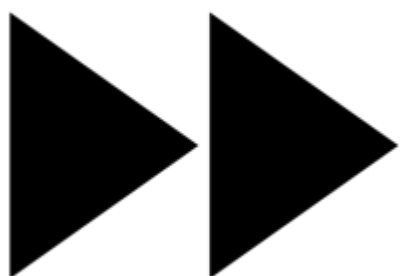


TOPTEAM Newsletter July 2020

Dear Sir or Madam,

We would like to inform you that the TIPO has announced a new fast-track mechanism, in effect on May 1, to accelerate trademark examination process. Details are as follows.

If you have any inquiries regarding this matter or want clarification, we would be pleased to answer any questions that you have and hope you find the articles informative and helpful!



Speeding up the Trademark Examination in Taiwan

“Fast-Track mechanism” Hit the Road

on May 1, 2020

To further support the rapid growth in trademark applications, Taiwan's IP office announced a new fast-track mechanism, in effect on May 1, to accelerate trademark examination process. Applicants may secure their rights one and half months earlier if their applications meet five criteria, including submitting by e-filing, not non-traditional trademarks, using eATM or designated bank account for fee payment, etc.

In 2019, there were 86,794 trademark applications in Taiwan, covering 111,681 classes. That hit a record high in 19 years. Along with the rapidly growing of trademark applications in recent years, applicants reflect that the current examination pendency would sometimes delay their trademark use in promoting business and planning layout.

Under this circumstance, the Taiwan Intellectual Property Office (TIPO) has referred to foreign Fast-Track mechanisms, such as the "FAST TRACK" established by EU Trademark Office (EUIPO) and the "特許迅速審査制度" established by Japan's Patent Office (JPO), and implemented a new "Fast-Track mechanism" for trademark applications from May 1, 2020, to speed up the examination process and also encourage applicants to utilize TIPO's e-filing system.



Trademark applications that meet the following five criteria are eligible for the “Fast-Track cases”:

1. using the E-filing system (excluding paper filing applications);
2. filing for only traditional plain trademarks (excluding non-traditional trademarks, certification marks, collective membership marks and collective trademarks);
3. all descriptions of designated goods or services conforming to those listed in e-filing system (excluding terms created by oneself.);
4. fee paid via online payment (Three payment methods are available: paid through a designated bank account, via e-ATM, or paid by an electronic payment sheet in printout form); and
5. power of attorney submitted if there is a local trademark agent appointed.

The present examination pendency of a regular trademark application averagely takes 5 to 5.5 months after filing. The “Fast-Track case” is estimated to take around 3.5 to 4 months. Applicants with “Fast-Track cases” would expect to know whether their cases can be registered about 1.5 months earlier.

In addition, an up to 20 percent discount will be given to “Fast-Track cases” because the TIPO offers that to any e-filing application with all its descriptions conforming to those listed in e-filing system. Therefore, this type of applications is not only time-efficient but also cost-saving.

If applicants wish to obtain their trademark protection earlier, the new time-efficient and cost-saving “Fast-Track mechanism” is highly recommended. If you have any inquiries about the application procedures or you need any assistance in planning the designated goods/services for your trademark, please contact us at mailroom@top-team.com.tw.

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