

Lai, Yi-An, 'Chinese Taiwan Intellectual Property Office (TIPO) Speeds up Medical Research', page 10.

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'Chinese Taiwan Intellectual Property Office (TIPO) Speeds up Medical Research'

As Covid-19 spreads around the world and many countries engage research and development for test reagents, medicines and vaccines, issues of intellectual property rights have been pushed to the fore. Recently, the Taiwanese saying 'Taiwan can help, Taiwan is helping' has reflected the determination to show international solidarity in the fight against Coronavirus by sharing knowledge of how the epidemic was successfully controlled in Taiwan. The Taiwan Intellectual Property Office (TIPO) and the Ministry of the Interior (MOI), Ministry of Economic Affairs (MOEA), Industrial Technology Research Institute (ITRI) recently established a 'National IP Team' to accelerate the creation of new technologies to combat the virus. In a brief period of time it has initiated some strategies for analysing and keeping track of Covid-19-related patents.²

I. MOEA lead a National Mask Team and TIPO provided assistance for patent analysis for the mask manufacturing industry³

In response to the pandemic Taiwan's Ministry of Economic Affairs collaborated with machine tool manufacturers to establish the National Mask Production Team. The team would work to raise the quantity of face masks and also enhance their production. TIPO also publishes information on the overall global status of mask production machines and related technologies so the team's reference so they can avoid infringing patent rights. TIPO will provide a patent analysis services when the team needs their assistance. Currently, some twenty countries have enquired with regard to importing Taiwan-made hardware for manufacturing face masks. Furthermore, as the supply of masks is now sufficient to meet basic domestic consumer demand, the government will allow manufacturers to sell and export abroad to help other countries. Taiwan's Industrial Technology Research Institute (ITRI), Textile Industry Research Institute Foundation, and Precision Machinery Research Development Center (PMC) have collaborated with the prominent health care producers in a 'Mask Industry Factory Export Alliance'. This has helped integrate supply chains and exports to the EU and USA are planned.⁴

II. Ventilator team: ITRI and the industrial community collaborated to develop a ventilator⁵

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² <https://www.tipo.gov.tw/tw/cp-87-875526-a20c9-1.html>.

³ <https://www.tipo.gov.tw/tw/cp-853-875532-0f3ee-1.html>.

⁴ <https://www.chinatimes.com/newspapers/20200702000220-260202?chdtv>.

⁵ ITRI Unveils Taiwan's First Medical Grade Ventilator Prototype Highlighting "Taiwan Helps, ITRI Helps" Spirit
<https://www.glo-benewswire.com/news-release/2020/05/08/2030159/0/en/ITRI-Un-veils-Taiwan-s-First-Medical-Grade-Ventilator-Prototype.html>.

Lai, Yi-An, 'Chinese Taiwan Intellectual Property Office (TIPO) Speeds up Medical Research', page 10.

Following the national team for masks, MOEA actively organised a national team of respirators, which also expand the visibility of Taiwanese industry in the cutting-edge medical equipment sector. The result has been a medical grade ventilator prototype that is expected to go into trial production by the end of October.

III. Publishing worldwide anti-coronavirus patents and technologies with a user-friendly searchable database⁶

TIPO has set up a 'Fighting Covid-19 area' within its Global Patent Search System (GPSS). With one single click technologies related to fourteen anti-Coronavirus industries, such as protective equipment, test reagents and vaccines, can be searched and show up in GPSS system. In addition, for registered GPSS members search conditions can include preferred technologies and the system will automatically show the latest patents. Member can also use statistical analyses, charts and other valuable services that let the industry quickly grasp key information on the development of global epidemic prevention technology. Following this information, pharmaceutical manufacturers could identify the patent situation and plan a market strategy. They could prepare licensing and design without having to over worry about patent infringements. Therefore, the future development or invention of new anti-Covid-19 medicines can be smooth and efficient and be marketed as soon as possible for the benefit of people all over the world.

IV. Service lines pertaining to anti-coronavirus trademarks

Some goods and sanitary items, like hypochlorous acid water and antibacterial dry-cleaning hand agents, have come into very high demand and present new business opportunities. Therefore, TIPO has compiled a list of classifications of 'epidemic prevention goods and services' for trademark applicants. Simultaneously, the consultation hotline service has been opened where TIPO staff can assist how to conduct searches, provide analysis of the possibility of IP registration, help businesses to quickly swiftly and reduce marketing risks. Official trademark application fees have also been halved during the pandemic for online submissions.

V. Extending certain patent and trademark-related deadlines

If patent and trademark applications are delayed due to the pandemic and the statutory period for other procedures, such as payments for certificate or annual patent fees, requests for substantial examinations, reexamination or similar. In general, cases will be determined within the statutory or designated period and with leniency to ensure the rights and interests.⁷

⁶ <https://www.tipo.gov.tw/tw/cp-853-874498-cb73d-1.html>.

⁷ 1. The Legal period is defined accordingly:

(1) in accordance with Article 17 Paragraph, 2 of the Patent Act and Article 12 of the Enforcement Rules of the Patent Act or Article 8 Paragraph 2 of the Trademark Act and Article 9 of the Enforcement Rules of the Trademark Act, the applicant who apply for restoration shall explain the cause of the Covid-19 epidemic situation is When TIPO considers that it is necessary, it

Lai, Yi-An, 'Chinese Taiwan Intellectual Property Office (TIPO) Speeds up Medical Research', page 10.

VI. Smart consultancy services at home and E-submission

Members of the public can access a professional volunteer consulting service from home. Patent and trademark applications during the epidemic period will also be received electronically during the pandemic.

will extend the original specified period for another month; however, the appropriate time of more than one month may be extended depending on the specific case. Due to the delay in the legal period and attach the relevant certification documents to apply for the original status.

(2) If the applicant appoints Trademark/Patent Attorney, which is affected by the Covid-19 epidemic and thus the applicant delays the statutory period, then the agent may present relevant evidence. In general, TIPO would be lenient in light of the specific circumstances of the case. 2. The Specified period is defined accordingly:

(1) If the applicant delays the Specified period due to the Covid-19 epidemic, the relevant actions can still be corrected before the punishment by the TIPO; if the applicant believes that the original Specified period is necessary for an extension due to the impact of the epidemic.

(2) When the applicant applies for the extension of the Specified period due to the Covid-19 epidemic: the extension of the Specified period will be based on the current review criteria and other practical regulations and the applicant is requested show the credible evidence and ground of the failure of comply the deadline.