

法規名稱：AGREEMENT ON THE MUTUAL GRANTING OF PATENT PRIORITY RIGHT BETWEEN THE TAIPEI REPRESENTATIVE OFFICE IN THE NETHERLANDS AND THE NETHERLANDS TRADE AND INVESTMENT OFFICE

簽訂日期：民國 90 年 11 月 12 日

生效日期：民國 90 年 12 月 17 日

In the light of the importance of international co-operation on intellectual property in supporting the development of industry, technology and the economy.

the Taipei Representative Office in the Netherlands
and

the Netherlands Trade and Investment Office

Hereinafter referred to as "the parties"

hereby establish the agreement set out below:

Article 1

Each of the parties shall accept that a natural or juridical person of either territory represented by each party who has, in accordance with the Declarations referred to in Article 2, duly filed in their territory on or after the date on which this Agreement takes effect an application for a patent of invention or for a utility model, shall enjoy on a reciprocal basis, for the purposes of filing in the territory represented by the other Party, a right of priority based on such laws and regulations of the place in which the second filings are made. The right of priority claimed in an application for a patent of invention filed in the territory represented by one party may be based on the filing in the territory represented by the other party of an application for a utility model patent, and vice versa.

Article 2

- 1.This Agreement shall be completed by the Exchange of Declarations which are annexed to the Agreement and which constitute an integral part thereof.
- 2.This Agreement shall take effect on the date on which both Declarations have been published.
- 3.This Agreement shall remain in force until terminated by either



party upon six months written notice to the other party.
In witness whereof, the undersigned, being duly authorized, have signed this agreement.
Done in duplicate, in the Chinese, Dutch and English languages, all three texts being equally authentic. In case of any divergence in interpretation, the English version shall prevail.

For the Taipei Representative
office in the Netherlands

For the Netherlands Trade
and Investment Office

Shin, Ker-Min

Siebe K.Schuur

Shin, Ker-Min
Representative
12-Nov.-2001

Siebe K.Schuur
Representative

Declaration

The Intellectual Property Office in Taipei hereby declares in accordance with article 24 of the Patent Law of the territory in which it is established:

Any natural or juridical person of the territory represented by the Netherlands Trade and Investment Office who has duly filed an application for a patent of a utility model, on or after the date of effect of the Agreement, with the Industrial Property Office in The Hague, or its successor in title, shall enjoy, for the purpose of filing an application for a patent or a utility model with the Intellectual Property Office in Taipei, a right of priority during a period of twelve months.

However, the date of priority claimed by an applicant should not be prior to the date of effect of the Agreement.

In dealing with claims for a priority right as mentioned in the foregoing paragraph, the Intellectual Property Office in Taipei and any other competent authority in its territory shall act in accordance with article 4 of the Paris Convention for the Protection of Industrial Property.

This Declaration will be published on 11 December 2001
For the Intellectual Property
office in Taipei

Chen Ming-Bang

Director General

Date:12-Nov-2001

Declaration

The industrial Property Office in The Hauge hereby declares in accordance with article 9 of the patent Act 1995 of the territory in which it is established:

Any natural or juridical person of the territory represented by the Taipei Representative Office in the Netherlands, who has duly filed an application for a patent or a utility model, on or after the date of effect of the Agreement, with the Intellectual Property office in Taipei, or its successor in title, shall enjoy, for the purpose of filing an application for a patent or a utility model with the Industrial Property Office in The Hague, a right of priority during a period of twelve months.

However, the date of priority claimed by an applicant should not be prior to the date of effect of the agreement.

In dealing with claims for a priority right as mentioned in the foregoing paragraph, the industrial Property Office and other competent authorities in the Netherlands shall act in accordance with article 4 of the Paris Convention for the Protection of Industrial Property.

This Declaration will be published on 17 December 2001

For the Industrial Property
Office in the Hague

Berger

Rob Berger

President

date:12-11-01