

法規名稱：MEMORANDUM OF UNDERSTANDING ON THE PATENT PROSECUTION HIGHWAY (PPH) MOTTAINAI BETWEEN THE TAIWAN INTELLECTUAL PROPERTY OFFICE (TIPO) AND THE SPANISH PATENT AND TRADEMARK OFFICE (SPTO)

簽訂日期：民國 102 年 09 月 20 日

生效日期：民國 102 年 09 月 20 日

The Taiwan Intellectual Property Office (TIPO) and the Spanish Patent and Trademark Office (SPTO), hereinafter referred to as “ the Offices ” ,

Recognizing the importance of patent protection in fostering technological innovation and economic development;

Taking into consideration the increasing necessity of coping with the ever-growing number of internationally filed patent applications, which have arisen from a growing need for patent protection in the context of globalization of the world economy;

Striving to ensure the benefits of expeditious, inexpensive and high-quality examination for applicants and the benefits of avoiding duplicative work and reducing the examination workload; and

Desirous of promoting inter-office cooperation and enhancing leadership in cooperative worldwide efforts in the patent field,

have reached an understanding on the following:

1. The Offices will start a pilot program of the Patent Prosecution Highway (PPH) Mottainai for the patent applications filed with the Offices.
2. The basic concept underlying the PPH-Mottainai is that where the office of earlier examination (OEE) has assessed the patentability of a patent application, the office of later examination (OLE) ensures that the applicant enjoys the benefit of an accelerated examination for the corresponding application, provided that certain conditions are met. One condition is that the claims of the two applications must have sufficient correspondence. Another condition is that the search and examination results of the OEE must be made available to the OLE.
3. The PPH-Mottainai Pilot Program will commence on October 1, 2013 and end on September 30, 2015. The pilot program may be extended with the mutual written consent of the Offices.
4. The Offices will prepare guidelines for the pilot program before the program starts. The guidelines will include the

conditions outlined in paragraph 2 as well as the requirements and procedures for participating in the pilot program.

5. This Memorandum of Understanding will come into effect on the date of signature by the Offices, and may be amended at any time with the mutual written consent of the Offices.

Signed at Madrid, in duplicate in the English language, on the 20 of September 2013.

Taiwan Intellectual Property Office	Spanish Patent and Trademark Office
-------------------------------------	-------------------------------------

Wang, Mei-hua	Patricia Garcia-Escudero Marquez
Director General	Director General