

法規名稱：MEMORANDUM BETWEEN THE ASSOCIATION OF EAST ASIAN RELATIONS AND THE INTERCHANGE ASSOCIATION FOR THE MUTUAL COOPERATION IN THE FIELD OF DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

簽訂日期：民國 103 年 11 月 20 日

生效日期：民國 103 年 11 月 20 日

THE ASSOCIATION OF EAST ASIAN RELATIONS and THE INTERCHANGE ASSOCIATION (hereinafter individually referred to as the “ Side ” or collectively as the “ Sides ”), in regard to paragraphs 3(1) and 3(7) of the Arrangement between the Association of East Asian Relations and the Interchange Association for the Establishment of the Respective Overseas Offices on 26 December 1972, reaffirming the need for patent protection as a key element for fostering technological innovation and accelerating economic development; noting the increasing necessity to adequately cope with the ever-growing number of internationally filed patent applications as a result of the significant demand for patent protection in the context of globalization of the world economy; acknowledging the importance of ensuring high quality, expeditious, and inexpensive patent protection for applicants filing their applications to each other; recognizing that the mutual recognition of the deposit of microorganisms for the purposes of patent procedure will benefit both applicants and industries; and desiring to further enhance their significant role in cooperative efforts to be made worldwide in the field of patents; will cooperate with each other in order to obtain the necessary consent from the relevant authorities with regard to the following matters:

- 1.(a) The deposit of a microorganism with any depositary institution designated by the relevant authority of each Side will be recognized for the purposes of any procedure relating to a patent application or a patent by the relevant authority of the other Side.

Note: For the purposes of this Memorandum, the term “microorganisms” may be deemed by a Side to be synonymous with the term “biological material”.

- (b) The recognition referred to in subparagraph (a) will include the recognition of the fact and date of the deposit as indicated by the said depositary institution as well as the recognition of the fact that what is furnished as a sample is a sample of the deposited microorganism.
- (c) A copy of the receipt of the deposit referred to in subparagraph (a), issued by the said depositary institution may be required by the relevant authority of the latter Side.
- 2.The recognition referred to in subparagraph 1(a) will begin in 2015 promptly after all necessary arrangements are finalized.
- 3.The documents for the implementation of the recognition referred to in subparagraph 1(a) will be finalized before the start of the recognition referred to in subparagraph 1(a).
- 4.This Memorandum and the documents for the implementation referred to in paragraph 3 will be reviewed regularly and can be modified by mutual consent upon request by either Side.
- 5.This Memorandum has been made in the English language.

IN WITNESS WHEREOF, the representative of the Association of East Asian Relations and the representative of the Interchange Association signed this Memorandum in Taipei, on November 20, 2014.

FOR THE
ASSOCIATION OF
EAST ASIAN
RELATIONS:

FOR THE
INTERCHANGE
ASSOCIATION:

LEE Chia-chin
Chairman

OHASHI Mitsuo
Chairman