

法規名稱：MEMORANDUM OF UNDERSTANDING ON THE PATENT PROSECUTION HIGHWAY MOTTAINAI
BETWEEN THE TAIPEI MISSION IN KOREA AND THE KOREAN MISSION IN TAIPEI

簽訂日期：民國 104 年 06 月 15 日

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The Taipei Mission in Korea and the Korean Mission in Taipei
(hereinafter individually referred to as a “ Side ” , and
jointly as the “ Sides ”),

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 the growing need for patent
protection in the context of the globalization of the world
economy;

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

Desiring to promote international cooperation and enhance
leadership in cooperative worldwide efforts in the patent field;

Have reached the following understanding:

1. The two Sides will start a pilot program for the Patent
Prosecution Highway Mottainai (PPH-Mottainai) for the patent
applications filed with the Taiwan Intellectual Property
Office (TIPO) and the Korean Intellectual Property Office
(KIPO), hereinafter referred to as “ 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 accelerated examination for the corresponding application, provided that certain conditions are met. These conditions include, but are not limited to, the requirement that the claims of the two applications must have sufficient correspondence, and that the search and examination results of the OEE must be made available to the OLE.
3. The pilot program will commence on a date in 2015 jointly decided upon by the Offices after this Memorandum of Understanding (hereinafter referred to as the “ MOU ”) is signed. The duration of the pilot program will be five (5) years, which may be extended with the mutual written consent of the Sides.
 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 MOU will take effect upon its signature by both Sides and will remain in effect for a period of five years. Unless either Side gives the other Side notice in writing to terminate this MOU 90 days before the expiration of this period, the MOU will be automatically prolonged for another period of five years, and will thereafter be renewable according to the same procedure. ”

Signed in duplicate at Taipei, on the 15th of June, 2015, in the English language.

For the Taipei Mission
in Korea

SHIH Ting

For the Korean Mission
in Taipei

CHO Baek-sang

Representative

Representative