

Taiwan Patent Official Fees Reduction Rules

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1. Definitions / Requirements

According to the Regulations for Reduction and Exemption of Patent Annuities, A patentee who is a natural person, domestic or foreign school, domestic or foreign small and medium enterprise may apply for reduction of the patent annuities.

Notice:

- (1). A patentee who is a foreign school, domestic or foreign small and medium enterprise may apply in writing for reduction of the patent annuity. *If the patent attorney/agent entrusted to pay the annuity fees is not the patent attorney/agent of record for the patent, the patent owner shall execute a special power of attorney to empower the newly-hired attorney/agent to file the fee reduction request.*
- (2). The Specific Patent Agency may reduce the patent annuity for patentee who is a natural person or domestic school.
- (3). The Specific Patent Agency may, when it deems necessary, notify the patentee to submit relevant document(s) of proof.
- (4). A patentee who is a natural person with no capital for patent annuity may apply in writing on a yearly basis to the Specific Patent Agency for annuity exemption.

Explanation:

- The “small and medium enterprise” referred to in the Regulations shall mean an enterprise that meets the standards set forth in the Small and Medium Enterprise Definition Standards^{Note #1}; the same shall apply to those that are foreign enterprises.
- The “domestic school” referred to in the Regulations shall mean a public or registered private school.
- The “foreign school” referred to in the Regulations shall mean a foreign school recognized by the Ministry of Education.

2. Fee Reduction

- (1). For those who meet the requirements of Item #1(1) or #1(2) above, the reduction in patent annuities is as follows:
 - 1st - 3rd year:
 - For [Utility] or [Utility Model] : NT\$800 deducted per year.
 - For [Design] or [Derivative Design]: No renewal fees to be paid.
 - 4th - 6th year: NT\$1,200 deducted per year.
- (2). For those who meet the requirements of Item #1(4) above, such patentees are exempt from patent annuities.

Note #1 Standards for Identifying Small and Medium-sized Enterprises:

Article 2

The term "SME" as used in the Standards shall mean an enterprise which has

- company registration or business registration in compliance with law requirements and
- either paid-in capital of no more than NT\$100 million or less than 200 regular employees.

Article 5

The number of “regular employees” as used in the Standards shall be the average monthly number of insured persons enrolled during the latest 12 months with the Bureau of Labor Insurance, Ministry of Labor.

Article 6

An enterprise shall be deemed to be a SME if any of the following is applicable:

- (1) In the case of a SME which has received guidance for expansion, where after expansion the size of the enterprise exceeds the standards listed in Article 2, such enterprise shall continue to be deemed to be a SME for two years immediately after the date of expansion.
- (2) In the case of a SME which has received guidance for merger, where after the merger the size of the enterprise exceeds the standards listed in Article 2, such enterprise shall continue to be deemed to be a SME for three years immediately after the date of the merger.
- (3) Where a guidance agency, guidance system or relevant agency undertakes the provision of collective guidance for SMEs in a given industry, if some of the enterprises exceed the standards listed in Article 2, and if the guidance agency, guidance system or relevant agency determines that there is good reason for providing joint guidance, such enterprises shall be deemed to be SMEs during the period of collective guidance.

Those who meet the above conditions do not need to attach additional supporting documents. If there is any doubt from TIPO, your company will be asked by letter to submit relevant document(s) of proof.

Remarks :

- (1) The information above was collected on [July 22, 2020](#). In the event of any patent law changes in the said country, the new amendments shall prevail.
- (2) We are not responsible for verifying the client’s fee reduction qualification status and will follow the client's instructions to process the patent renewals payment. In case of any changes of client’s fee reduction qualification status, please inform us for processing in order to comply with the payment regulations of the patent laws of various countries.
- (3) We do not assume any legal liability in case of the case abandoned, payment failed or any other rights losses or damages caused due to the above mentioned client's instructions or incorrect data.