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| Title： | Operational Directions Governing the Mutual Cooperation between Taiwan Intellectual Property Office and United Kingdom Intellectual Property Office in the Field of Deposit of Biological Material for the Purposes of Patent Procedure Ch |
| Date： | 2017.12.04 |
| Legislative： | Promulgated on December 4, 2017; entered into force retroactively on December 1, 2017. |
| Content： | 1. These Operational Directions (hereinafter referred to as “the Directions”) are formulated to strengthen cooperative ties between Taiwan and the United Kingdom, to reduce the burden of applicants having to repeat the process of making a deposit, to implement the provisions set forth in Paragraph 5, Article 27 of the Patent Act, and to carry out the terms stated in the Memorandum of Understanding between the Taiwan Intellectual Property Office and the United Kingdom Intellectual Property Office for the Mutual Cooperation in the Field of Deposit of Biological Material for the Purposes of Patent Procedure.<br><br>2. In the event an applicant files a patent application in the Republic of China and deposits biological material in a depository located in the United Kingdom and designated by the United Kingdom Intellectual Property Office (hereinafter referred to as “UKIPO”), such deposit shall be governed by the laws and regulations of the United Kingdom. However, persons qualified for requesting to be furnished a sample and the grounds for requesting to be furnished a sample shall be governed by Paragraph 1 of Article 13 and Paragraph 1 of Article 14 of the Regulations for the Deposit of Biological Material for Patent Application.<br>In the event an applicant files a patent application to the UKIPO and deposits biological material in the depository located in the Republic of China and designated by the Taiwan Intellectual Property Office, Ministry of Economic Affairs (hereinafter referred to as “TIPO”), such deposit shall be governed by the Regulations for the Deposit of |

Biological Material for Patent
Application. However, persons qualified for requesting to be furnished a sample and the grounds
for requesting to be furnished a sample shall be governed by the laws and regulations of the
United Kingdom.
The depository located in the United Kingdom and designated by the UKIPO referred to in
Paragraph 1 shall mean a depository that is in line with relevant laws and regulations of the
United Kingdom and meets the following requirements:
(1) it carries out the functions of receiving, accepting and storing biological material and the
furnishing of samples of such biological material, whether generally or of a specific type; and
(2) it conducts its affairs relating to the carrying out of functions mentioned above in an objective
and impartial manner.
The depository located in the Republic of China and designated by TIPO referred to in Paragraph
2 shall mean the Food Industry Research and Development Institute (FIRDI).

3. Through this mutual cooperation between TIPO and UKIPO, the deposit of biological material
made for the purposes of patent procedure at a designated depository by one side shall be
recognized for the purposes of patent procedure by the specific patent agency of the other side.
The scope of the recognition referred to in the preceding paragraph shall include the fact and date
of the deposit as provided by the designated depository and what is furnished as a sample is a
sample of the deposited biological material.
With respect to a deposit made pursuant to Paragraph 1, a copy of the certificate of the deposit
issued by the designated depository, the name of the designated depository, the accession number,
and a description of the characteristics of the biological material may be required by the relevant
specific agency of the other side.

4. Where the request of deposit of biological material has been filed prior to the implementation of
the Directions and the relevant patent application for invention is filed to the relevant specific

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| | agency after such implementation, the Directions may also apply. |
| Attachments： | Governing_the_Mutual_Cooperation_between_TIPO_and_UKIPO20171.pdf |

Data Source：Ministry of Economic Affairs R.O.C.(Taiwan) Laws and Regulations Retrieving System