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| Title： | Operational Directions of Priority Document Exchange by Means of Electronic Communication Between Taiwan Intellectual Property Office and Korean Intellectual Property Office Ch |
| Date： | 2023.06.30 |
| Legislative： | 1.Promulgated on December 25, 2015; entered into force on January 1, 2016.<br>2.Amended on June 30, 2023, entered into force on July 1, 2023 |

Content：

1. In the implementation of the provision set forth in Paragraph 3, Article 26 of the Enforcement Rules of the Patent Act, these Operational Directions are formulated to strengthen cooperation between Taiwan and Korea, to provide convenience for applicants to claim priority, and to enhance examination efficiency.

2. The Patent Priority Document Exchange (PDX) Program refers to obtaining of patent priority document by means of electronic exchange between the Taiwan Intellectual Property Office (hereinafter referred to as "TIPO") and the Korean Intellectual Property Office (hereinafter referred to as "KIPO") in the form of mutual cooperation.

3. The terms used in these Operational Directions are defined as follows:
(1) Office of First Filing (OFF): the office where an applicant first files a patent application that serves as the basis for a priority claim.
(2) Office of Second Filing (OSF): the office where the applicant, following the first application at the OFF, files a subsequent patent application in respect of the same creation and claims priority on the basis of the first application at the OFF.

4. Operational procedures for TIPO as the OFF:
(1) The applicant that first files a patent application at TIPO and intends to file a subsequent patent application at KIPO with a priority claim may file a request to TIPO for electronic exchange of priority document.
(2) The applicant that makes the request referred to in the preceding subparagraph shall be deemed to have agreed that the filing information relating to that application is to be electronically provided to KIPO and used as priority document.
(3) The applicant that subsequently files a patent application at KIPO and claims priority on the basis of the TIPO application may provide a statement that a request for electronic exchange of priority document has been made to TIPO in place of the priority document in paper form.
(4) After receipt of the statement provided by the applicant pursuant to the preceding subparagraph, KIPO will proceed with its operational procedures.
(5) After receipt of a list of the claimed priority from KIPO, TIPO will verify the 2 filing date, application number, patent type and the request made by the applicant pursuant to Subparagraph 1. Once completed, the office will then produce the priority document in digital form, encrypt it and send it to KIPO via regular postal service or the Internet.

5. Operational procedures for TIPO as the OSF:
(1) The applicant that claims priority on the basis of a KIPO application at TIPO and requests for electronic exchange of priority document shall be deemed to have provided the priority document within the stipulated time period.
(2) After receipt of the request from the applicant referred to in the preceding subparagraph, TIPO will make a list of the claimed priority and send it to KIPO via regular postal service or the Internet.
(3) After receipt of the list of the claimed priority from TIPO, KIPO will proceed with its operational procedures.

6. If the accurate priority document cannot be obtained in compliance with these Operational Directions, TIPO will employ the following remedies:
(1) If the Internet server error, system malfunction, delivery inaccuracy and other factors not attributable to the applicant result in the failure of exchange, TIPO or KIPO shall proceed with re-delivery of the document. Once completed, the applicant shall be deemed to have provided the priority document within the stipulated time period.
(2) If accountable for factors such as providing erroneous information about the first-filed patent application that result in the failure of exchange, the applicant shall, after receipt of such notification from TIPO, provide accurate information or priority document in paper form within two (2) months. The applicant that fails to do so within the specified time period shall be deemed not to have provided the priority document.

7. Applications filed prior to the implementation date of these Operational Directions may also be processed in accordance therewith.