

Collective Interview for Relevant Invention Patent Applications Program

Enacted on September 28, 2012

Amended on May 10, 2013

1. Purpose

An interview is a face-to-face dialogue between the patent applicant and the examiner. There are times during the prosecution of a patent application where a discussion with the examiner may be useful for the applicant could explain the invention to the examiner and receive feedback directly. However, the interview is traditionally held after an office action is issued and on the basis of one case at a time. In order to improve examination efficiency, TIPO launched a pilot program “the Collective Interview for Relevant Interview Patent Applications program (Collective Interview Program, CIP)” on June 13, 2011. Evaluation of the program shows that participants have experienced several benefits including: effectively advancing prosecution of a group of invention patent applications, enhanced understanding before issuance of an office action, having chances for the applicant(s) to file amendment after the interview, and expedited allowance of an application due to the enhanced communication. It is therefore the Collective Interview Program became permanent on September 28, 2012. Decreasing requirement for the Collective Interview Program was amended and commenced on May 10, 2013.

2. Definitions of Terms

- (a) Relevant Invention Patent Applications: It refers to invention patent applications with the same related technical subject(s).
- (b) Collective Interview: It refers to interview(s) conducted at the same time as well as at the same place for the aforementioned applications.

3. Requirements

There are five requirements for requesting examination under the Collective Interview Program. These are:

- (a) The applications are invention patent applications which meet the definition of Relevant Invention Patent Applications.
- (b) The applications are filed by the same applicant(s) who has been notified that the substantive examination for the applications will begin shortly. And TIPO has not issued office actions on the applications.

- (c) The applications have been laid-open prior to filing for the Collective Interview Program; if not, the applicant(s) must request the applications be published early pursuant to Article 37 Paragraph 2 of the Patent Act.
- (d) None of the applications is the earlier application of Article 30 of the Patent Act.
- (e) The number of applications in each request for examination under the Collective Interview Program shall be in the range of 2 to 10 cases in principle.

4. Documents to be submitted

- (a) The request form (required) (as shown in Annex 1)
- (b) List of relevant applications (required) (as shown in Annex 2)
- (c) Table describing the correlations between the applications (required) (as shown in Annex 3)
- (d) A power of attorney (optional) (for empowering attorneys on another's behalf of all the relevant applications)
For instance, if the relevant applications are represented by different attorneys or are without attorneys in some cases, a Power of Attorney shall be submitted.
- (e) Other documents (optional)
For instance, "prior art search reports", "related patent or non-patent literature" (in photocopy form), "examination reports/office actions of foreign patent offices" and other examination-supporting documents which facilitate the examination process may be submitted.

5. Procedures

- (a) The applicant(s) must complete a request form and submit all necessary documents in the aforementioned paragraph 4. If the documents are deficient, the applicant(s) will be notified accordingly to perfect the request within a specific time. If the deficiency is not perfect within the time limit, the applications will await action in their regular turn and the notification will not be made again by TIPO.
- (b) If some or all of the applications not satisfy the requirements (a)-(d) in the aforementioned paragraph 3, the applicant(s) will be notified accordingly by telephone that the applications will await action in their regular turn. If the number of the applications in a request not meet the requirements (e) in the aforementioned paragraph 3, the applicant(s) will be notified accordingly by telephone that some applications are screened out based on the merits of technical considerations.

- (c) If the requirements are met and documents are submitted, TIPO will contact the applicant(s) within 1 month to arrange the collective interview. A written notification detailed the time and place of the collective interview will be provided to the applicant(s) prior to the interview.
- (d) During the collective interview, the applicant(s) shall provide an introduction to the technologies of the applications, specify the scope of claims, and provide reasons showing the claims to be patentable respectively.
- (e) In principle, office actions will be issued within 3 month after the collective interview or, if the applicant(s) provide a proposed amendment during the collective interview, office actions will be issued within 3 month after the amendment is submitted to TIPO.

6. Additional information

- (a) The collective interview is conducted based on the request made by the applicant(s) and TIPO will, ex officio, notify the applicant(s) accordingly pursuant to Rule 2 of the Operational Procedures for Patent Interviews of TIPO.
- (b) The applicant(s) may request for withdraw an application after the collective interview. However, the fees of substantive examination will not be refunded.

7. Remarks

- (a) Matters not mentioned herein shall be regulated by “Operational Procedures for Patent Interviews of the Intellectual Property Office, Ministry of Economic Affairs”.
- (b) TIPO may amend or terminate this program if the volume of participation exceeds a manageable level or for any other reason.