



Implementation of Priority Document Exchange (PDX)

Program between TIPO and JPO

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On November 5, 2013, the Association of East Asian Relations and Interchange Association Japan signed a memorandum of understanding “Priority Document Exchange” (PDX) program. This program enables electronic transmission of priority documents between TIPO and JPO, which is not only paper-free but also saves time and money for the applicant. The PDX Program is enforced as of November 18, 2013, by TIPO and JPO.

Under the TIPO agreement with the JPO the PDX, the applicant that has first filed an invention patent or utility model with TIPO (Office of First Filing, OFF) may request access code with the office and use it to replace paper priority documents and claim priority to the TIPO application at the JPO (Office of Second Filing, OSF). Similarly, the applicant that claims priority to the JPO application at TIPO and provides the JPO-issued access code to TIPO within 16 months after the earliest priority is claimed may be deemed to have provided the priority documents.

In addition, the program is applicable to applications claiming priority within 16 months prior to its official implementation. The applicant can look up the access code via the TIPONet. To encourage this online procedure, TIPO does not require any fees.

Under the PDX, both offices can directly transmit and obtain electronic priority documents of applications filed bilaterally without wasting time and money on producing their paper version. In turn, this simplified, cross-country request



procedure can help the applicant to economize on postage. Moreover, the PDX would enable synchronization of patent-family information by allowing patent examiners to quickly access and review online priority documents from both offices, thereby enhancing examination and administrative efficiency.

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE INTERCHANGE ASSOCIATION
AND
THE ASSOCIATION OF EAST ASIAN RELATIONS
FOR THE MUTUAL COOPERATION IN THE FIELD OF
PRIORITY DOCUMENT EXCHANGE

THE INTERCHANGE ASSOCIATION and THE ASSOCIATION OF EASTASIAN RELATIONS (hereinafter individually referred to as “Side”), having regard to paragraphs 3(1) and 3(7) of the Arrangement between the Interchange Association and the Association of East Asian Relations for the Establishment of the Respective Overseas Offices of 26 December 1972, reaffirming the need for patent protection as a key element for fostering technological innovation and accelerating economic development, noting the increasing necessity to adequately cope with the ever-growing number of internationally filed patent applications resulting from a significant demand for patent protection in the context of globalization of the world economy, acknowledging the importance of ensuring high quality, expeditious and inexpensive patent protection for applicants filing their applications for each other, recognizing the electronic exchange of certified copies of patent applications that serve as the basis for a claim for priority under article 2(1) of Annex 1C of the Marrakesh Agreement Establishing the World Trade Organization (hereinafter referred to as “priority documents”) will benefit applicants by reducing the cost of ordering certified copies of priority documents and providing priority documents to the relevant authority of the second filing in a more timely manner, desiring to further enhance their significant role in cooperative efforts to be made worldwide in the field of patents, will cooperate with each other in order to obtain necessary consent from the relevant authorities with regard to the matters as follows:

1. “Priority Document eXchange” (hereinafter referred to as “PDX”) will be



- commenced. The basic concept of the PDX is the electronic transfer between the relevant authorities of both sides of priority documents in patents and utility models applications.
2. PDX will begin in 2013 promptly after all necessary arrangements for it are finalized.
 3. The documents for the implementation of PDX will be finalized before the start of the PDX.
 4. This Memorandum of Understanding and the documents for the implementation of PDX will be reviewed regularly and can be modified by mutual consent upon request by either Side.
 5. This Memorandum of Understanding shall enter into force on the date of signature.
 6. This Memorandum of Understanding has been made in the English language. The representative of the Interchange Association and the representative of the Association of East Asian Relations signed this Memorandum of Understanding in Taipei, on November 5 2013.

FOR THE INTERCHANGE

FOR THE ASSOCIATION OF EAST

ASSOCIATION:

ASIAN RELATIONS: