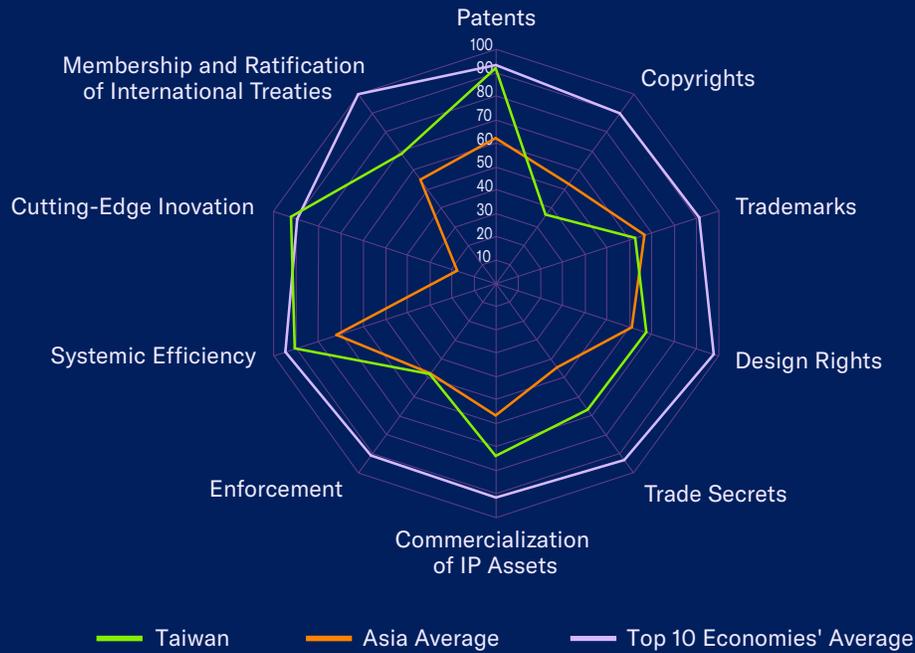
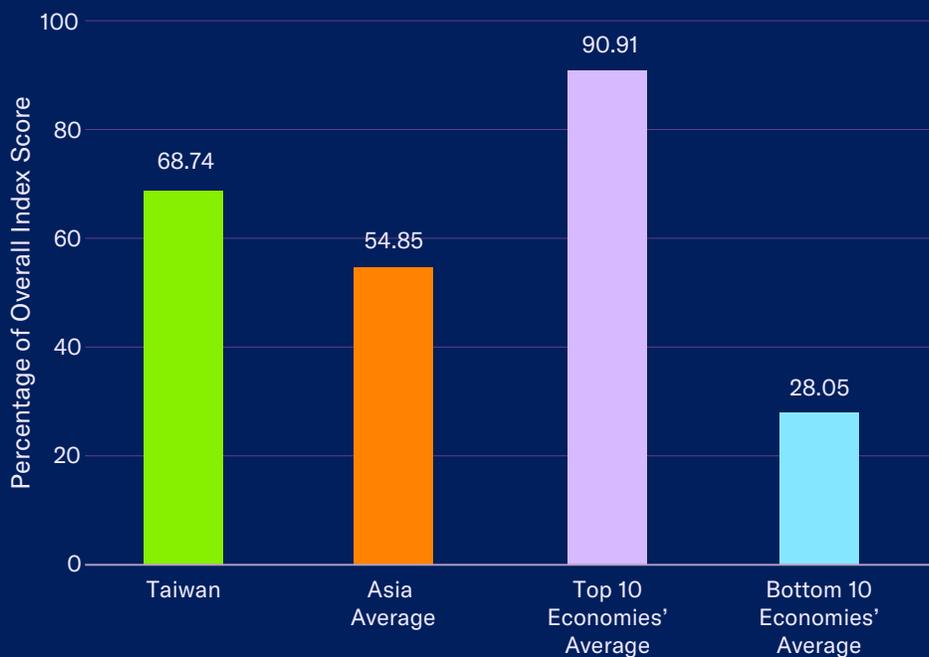




Category Scores



Overall Score in Comparison





Key Areas of Strength

- TIPO offers support for SMEs developing IP assets through fast-track examination procedure and expanded technical assistance
- Patent framework in line with international standards
- Pharmaceutical linkage regime strengthens protection and enforcement of biopharmaceutical IP rights
- 2020 Amendments to trade secrets law improved IP environment
- Term of protection for industrial design rights extended from 12 to 15 years
- TIPO offers support for SMEs developing IP assets through fast-track examination procedure and expanded technical assistance
- A 10-year exclusivity period for designated orphan drugs has been in place since 2000
- Though facing political hurdles to becoming a contracting party, Taiwan has in many cases implemented the provisions of several international IP treaties

Key Areas of Weakness

- Important gaps in digital copyright regime not addressed by the 2022 Copyright Act amendments
- New Copyright Act introduces unprecedentedly broad exceptions regime relating to educational, personal-use and non-profit copyright exceptions
- Relatively high rates of online piracy and physical counterfeiting

Indicator	Score	Indicator	Score
Category 1: Patents Rights and Limitations		8.25	
1. Term of protection	1.00	29. Direct Government intervention in setting licensing terms	0.50
2. Patentability requirements	1.00	30. IP as an economic asset	0.75
3. Patentability of CII	1.00	31. Tax incentives for the creation of IP assets	0.67
4. Plant variety protection	1.00	Category 7: Enforcement	
5. Pharmaceutical-related enforcement	1.00	3.35	
6. Legislative criteria and active use of compulsory licensing	1.00	32. Physical counterfeiting rates	0.44
7. Pharmaceutical patent term restoration	1.00	33. Software piracy rates	0.66
8. Membership of a Patent Prosecution Highway	0.50	34. Civil and procedural remedies	0.50
9. Patent Opposition	0.75	35. Pre-established damages	0.25
Category 2: Copyrights and Limitations		2.53	
10. Term of protection	0.53	36. Criminal standards	0.25
11. Exclusive rights	0.25	37. Effective border measures	0.50
12. Expeditious legal remedies disabling access to infringing content online	0.25	38. Transparency and public reporting by Customs	0.75
13. Cooperative action against online piracy	0.25	Category 8: Systemic Efficiency	
14. Limitations and exceptions	0.50	4.50	
15. TPM and DRM	0.50	39. Coordination of IP rights enforcement	0.75
16. Government use of licensed software	0.25	40. Consultation with stakeholders during IP policy formation	1.00
Category 3: Trademarks Rights and Limitations		2.50	
17. Term of protection	1.00	41. Educational campaigns and awareness raising	1.00
18. Protection of well-known marks	0.50	42. Targeted incentives for the creation and use of IP assets for SMEs	1.00
19. Exclusive rights, trademarks	0.50	43. IP-intensive industries, national economic impact analysis	0.75
20. Frameworks against online sale of counterfeit goods	0.50	Category 9: Cutting-Edge Innovation	
Category 4: Design Rights and Limitations		2.75	
21. Industrial Design Term of Protection	0.60	44. IP incentives for orphan medicinal product development	1.00
22. Exclusive rights, industrial design rights	0.75	45. IP incentives for orphan medicinal product development, term of protection	1.00
Category 5: Trade Secrets and the Protection of Confidential Information		1.35	
23. Protection of trade secrets (Civil Remedies)	0.75	46. Restrictions on the effective use of existing IP incentives for orphan medicinal product development	0.75
24. Protection of trade secrets (Criminal Sanctions)	0.75	Category 10: Membership and Ratification of International Treaties	
25. Regulatory data protection term	0.50	3.75	
Category 6: Commercialization of IP Assets		4.42	
26. Barriers to market access	1.00	47. WIPO Internet Treaties	0.75
27. Barriers to technology transfer	0.75	48. Singapore Treaty on the Law of Trademarks and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	0.50
28. Registration and disclosure requirements of licensing deals	0.75	49. Patent Law Treaty and Patent Cooperation Treaty	0.50
		50. Membership of the International Convention for the Protection of New Varieties of Plants, act of 1991	1.00
		51. Membership of the Convention on Cybercrime, 2001	0.50
		52. The Hague Agreement Concerning the International Registration of Industrial Designs	0.50
		53. Post-TRIPS FTA	0.00

Total Score: 35.40

Spotlight on the National IP Environment

Past Editions versus Current Score

Taiwan's overall score remains unchanged at 35.40 out of 51.50 indicators.

Patent Rights and Limitations

5. Pharmaceutical-related patent enforcement and resolution mechanism:

The Taiwanese authorities first announced a patent linkage system in 2017, and it came into effect in 2019. This system covers both chemical and biological products and allows rights holders to record their patent information in a list maintained by Taiwan's Food and Drug Administration (TFDA). In conjunction with sanitary registration, follow-on manufacturers must declare that their product does not infringe any listed patent and notify the patent holder.

As noted in the Index at the time, the introduction of this linkage system was a positive development, and Taiwan's score increased on this indicator. However, since the introduction of the linkage mechanism, there has been some uncertainty about what constitutes a 'new' medicine. Specifically, the TFDA has taken the view that changes to a product's dosage or strength do not qualify as 'new' and, consequently, are not eligible for inclusion in the mechanism. This view has been challenged in several lawsuits by rights holders whose products have been removed from the TFDA's linkage registration system.

As noted last year, the 2023 and 2024 verdicts in a handful of these court cases were not consistent. Consequently, there is continued uncertainty for rights holders and innovators in Taiwan. This is regrettable for Taiwan's national IP environment and innovation ecosystem, as changes in the form and application of a known biopharmaceutical substance are among the most important forms of medical innovation. At the time of the research, the Taiwanese Government had

not proposed any legislative changes or broader definitions of what constitutes a new drug under the Pharmaceutical Affairs Act. The Index will continue to monitor these developments in 2026.

7. Patent term restoration for pharmaceutical products:

A positive feature of Taiwan's national IP environment is Section 53 of the Patent Act, which provides a clear, unambiguous five-year maximum patent term restoration period for biopharmaceuticals or agrochemicals. As noted in previous editions of the Index, rights holders continue to report that, since 2018, uncertainty surrounds how current regulatory practices recognize and assess the period of exclusivity to be restored. Specifically, the current Patent Examination Guidelines no longer align with international best practices. The Index will continue to monitor these developments in 2026.

8. Membership of a Patent Prosecution Highway (PPH):

As noted throughout the Index, the Taiwan Intellectual Property Office (TIPO) actively pursues PPH agreements worldwide. Until this year, the Office had signed PPH agreements with six jurisdictions and IP offices in the United States, Japan, Spain, South Korea, Poland, and Canada. In 2025, TIPO announced the conclusion of another PPH with the French national IP office. PPH initiatives and increased cooperation between IP offices are among the most tangible ways to improve and harmonize the administration and functioning of the international IP system, benefiting inventors and rights holders. The Index recognizes and applauds Taiwan's continued strong efforts to engage in these international initiatives. The signing of additional PPH agreements, or Taiwan's joining the Global Patent Prosecution Highway, would result in Taiwan achieving the maximum score of 1.00 on this indicator. The Index will continue to monitor these developments in 2026.