



# Handbook for Trial and Appeal System in Japan

For appropriate acquisition and exercise of industrial property rights

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## **The Trial and Appeal System is a mechanism for developing Japanese industry in cooperation with intellectual property users**

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In recent years, the importance of "intellectual property (IP) strategy," a strategy to enhance business competitiveness, has gradually become recognized.

Even those, who know filing procedures before the Japan Patent Office (JPO) for acquisition of industrial property rights such as patents, utility models, designs, and trademarks, might not generally know what should be taken if the rights fail to be acquired or what determinations or actions can be taken to avail themselves of the benefits arising from the acquired rights.

The trial and appeal system is essential for developing business activities through appropriate acquisition and exercise of rights, and for protecting business from the rights of others.

The Trial and Appeal Department (TAD) of the JPO, which is responsible for the trial and appeal system in Japan, has a mission to endeavor to utilize industrial property rights effectively for developing Japanese industry under the trial and appeal system.





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# What can be done with the trial and appeal system?

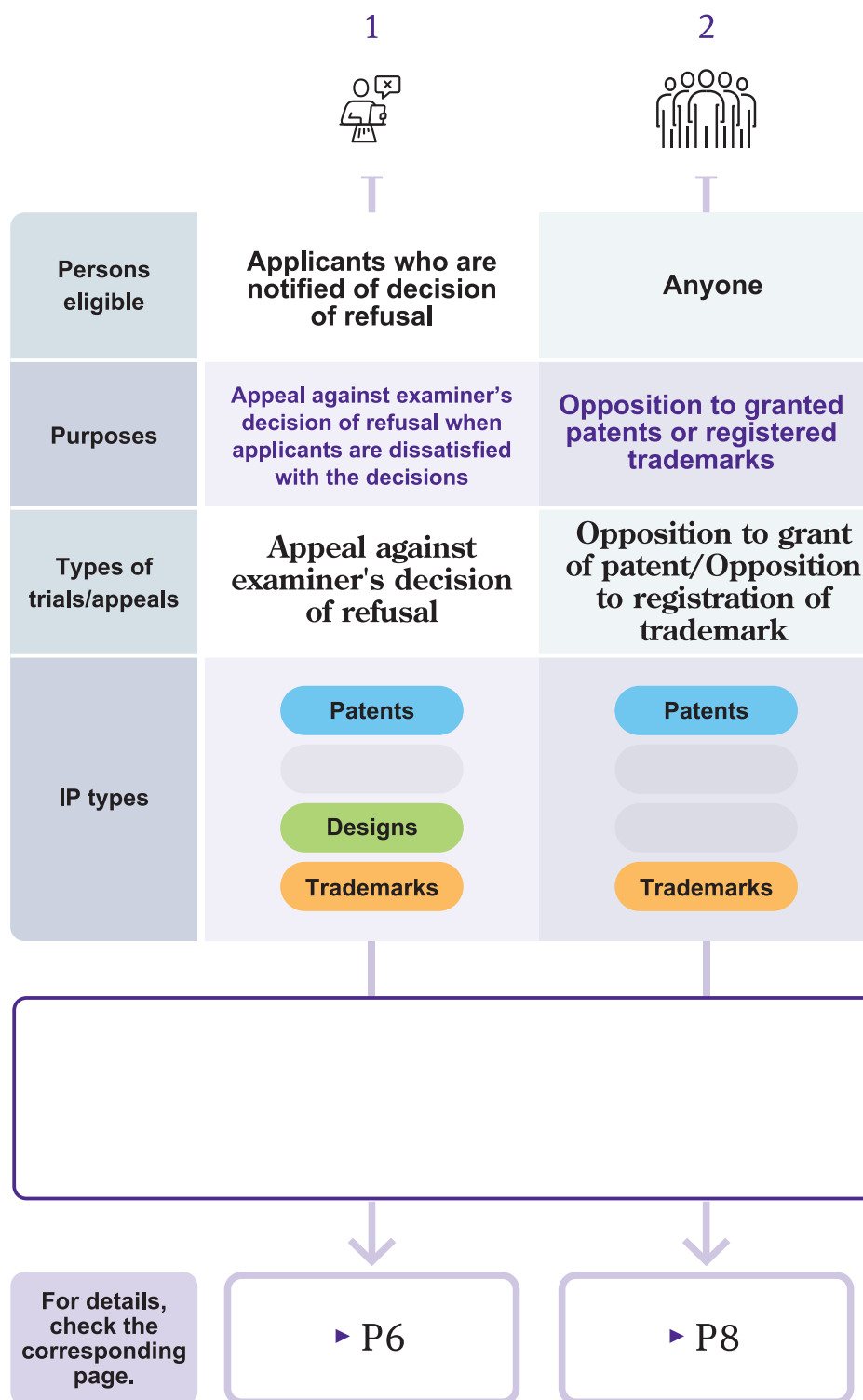
## The key to successful IP strategic planning is to know the "trial and appeal system"

The Trial and Appeal Department (TAD), one of the departments of the JPO, plays two major roles.

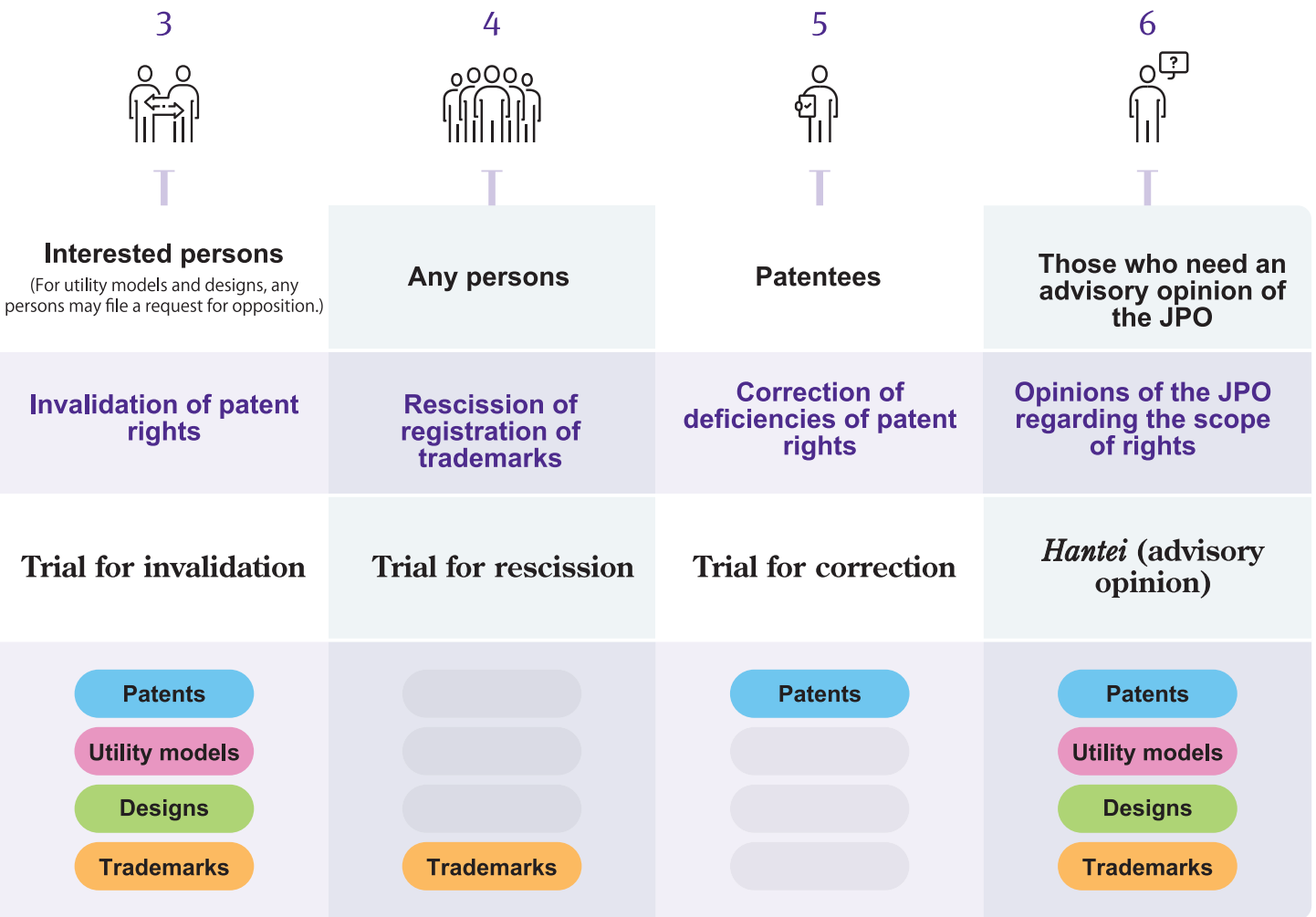
One is a role of "upper instance of examination" to determine the appropriateness of the examiner's decision of refusal. The other is a role of "reaching an early resolution of IP disputes" to review the validity of rights and contribute to IP dispute resolution.

What is aimed for, based on these roles, is that rights shall be appropriately granted and protected the way it's supposed to be.

The Trial and Appeal Department (TAD) makes final determinations regarding the validity of IP rights to facilitate an IP strategy for developing the Japanese industry.



Note: The trial and appeal system other than those described above includes an appeal against examiner's decision to dismiss amendment and an expert opinion by the commission of the court.



## Trial and Appeal Department (TAD), the Japan Patent Office

▶ P10

▶ P12

▶ P13

▶ P14

### Examples of interested persons

- Who received a warning letter related to infringement of the right
- Who are accused of infringement of the right
- Who have a similar right
- Who work or plan a business related to the right

### Examples of those who need an advisory opinion of the JPO

- Who want to know whether a product, etc. of others would infringe on the own right
- Who want to know whether the own product, etc. in working or planning would not infringe on the rights of others (who want to work them without any worry)



# Appeal against examiner's decision of refusal

IP types

Patents

Designs

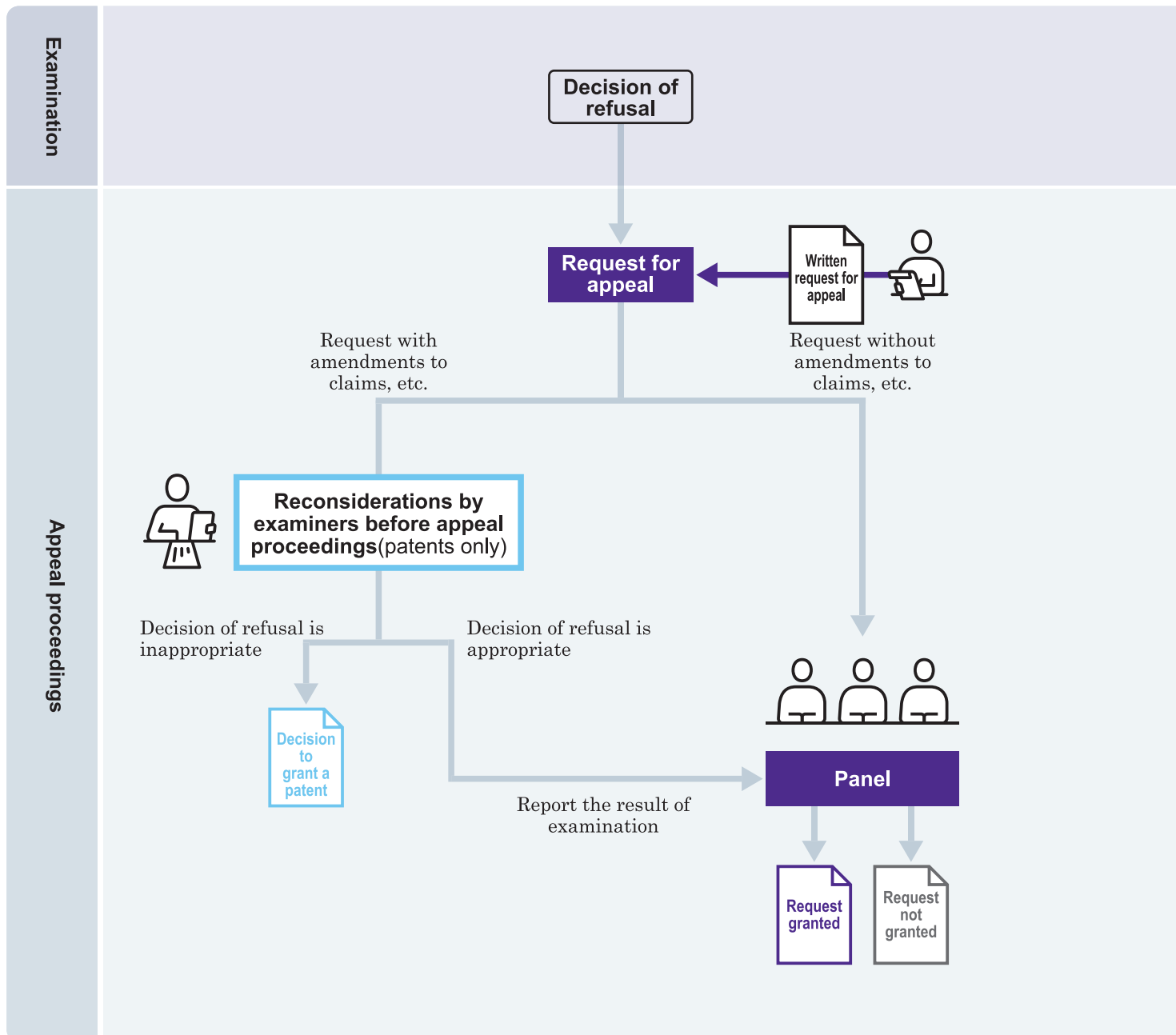
Trademarks

What can be done?

## Determine the appropriateness of the decision of refusal and whether a right can be granted

For dissatisfaction with the decision of refusal by the examiner, "appeal against examiner's decision of refusal" can be requested.

A panel consisting of administrative judges examines whether the decision of refusal is appropriate. If it is determined inappropriate, the Trial and Appeal Department (TAD) conducts an ex officio investigation with regard to presence or absence of other reasons for refusal, and determines whether the right can be granted.

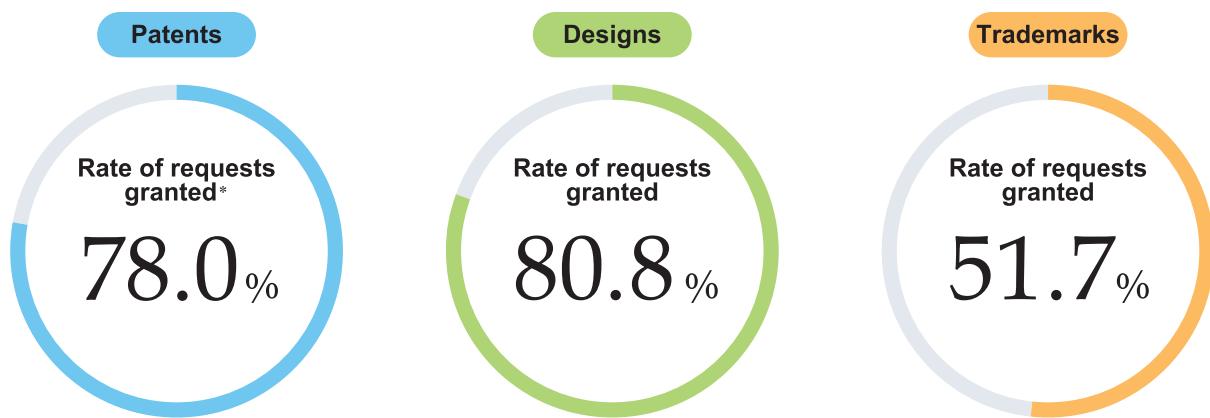




Point 1

## Approximately 70% of the requests are granted.

The rate of requests granted in patents (the rate of examiners' decisions of refusal revoked) has moderately increased since 2009 and reached 78.0% in 2023. The rate of requests granted in designs was 80.8% and that in trademarks was 51.7%.



\* Registrations based on reconsiderations by examiners before appeal proceedings are excluded

Point 2

## More than 80% of the appeal decisions is maintained

For dissatisfaction with the determination of the Trial and Appeal Department (TAD), the case may be further filed an action before the Intellectual Property (IP) High Court. In the revocation actions against decisions in appeals against the examiner's decision of refusal (patents), more than 80% of the appeal decisions have been recently maintained by the IP High Court. Appeal decisions for designs and trademarks are also maintained at a high rate.

**Rates of the Trial and Appeal Department (TAD) appeal decisions maintained by the IP High Court**

in revocation actions against the decisions of appeal against the examiner's decision of refusal (patents)

# Approximately 80%



# Opposition to grant of patent Opposition to registration of trademark

IP types

Patents

Trademarks

What can be done?

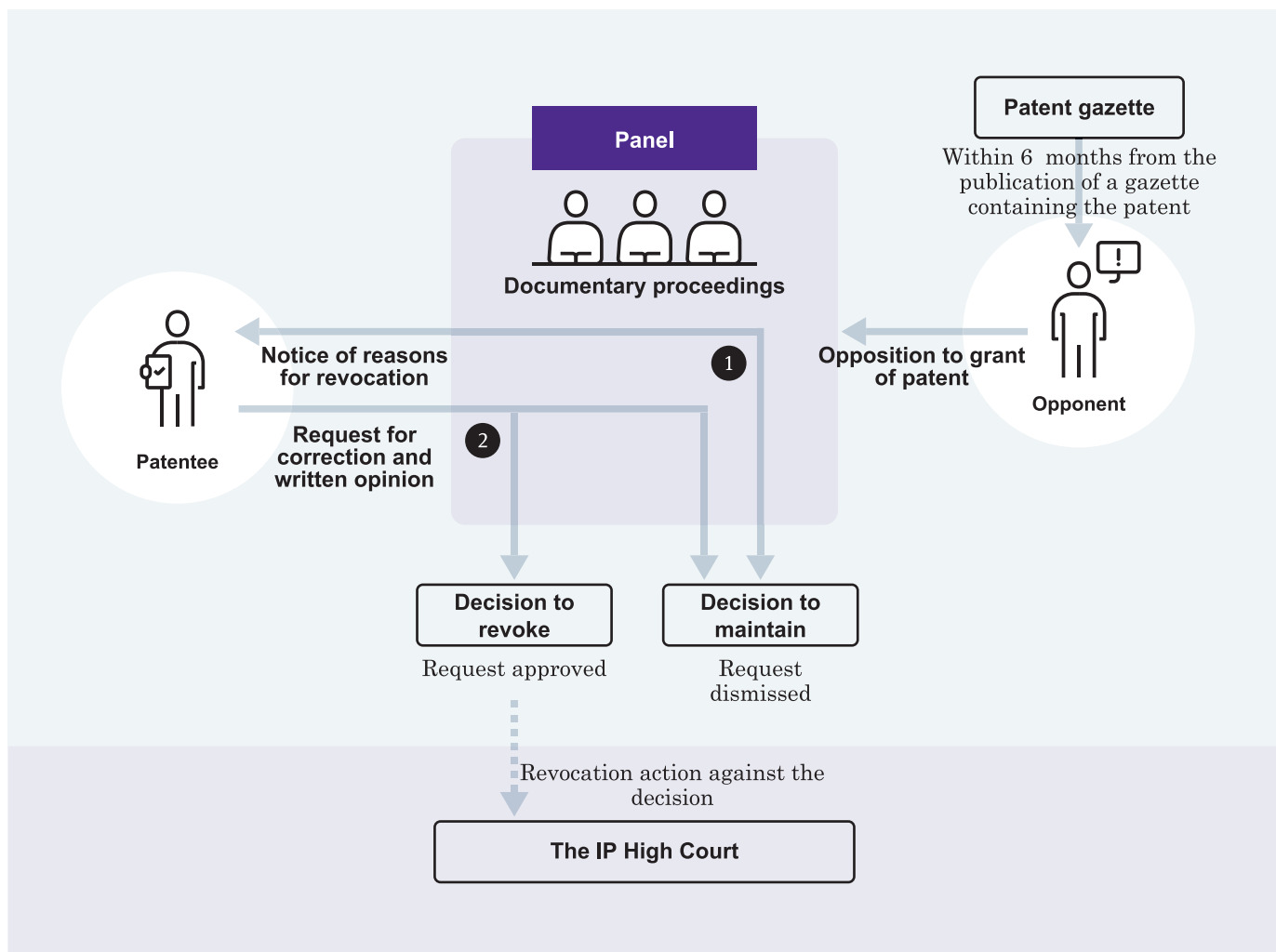
## A third party can file an opposition against a granted patent or a registered trademark

"Opposition" system allows the public to oppose to a grant of patent or registration of trademark within 6 months from the publication of a gazette containing the patent or within 2 months from the publication of a gazette containing the trademark.

If it is considered that there are deficiencies in the right acquired by others, anyone can file an opposition. A panel consisting of administrative judges first conducts an ex officio investigation as necessary and then examines the allegation and evidences of the opponnet whether "the right should be revoked."

Correcting deficiencies in the right acquired by others makes the right more reliable and leads to the prevention of disputes and smooth utilization of rights.

Case in Patent



\* In oppositions to registration of trademark, procedures and time limit may be different from those of a patent.



Point 1

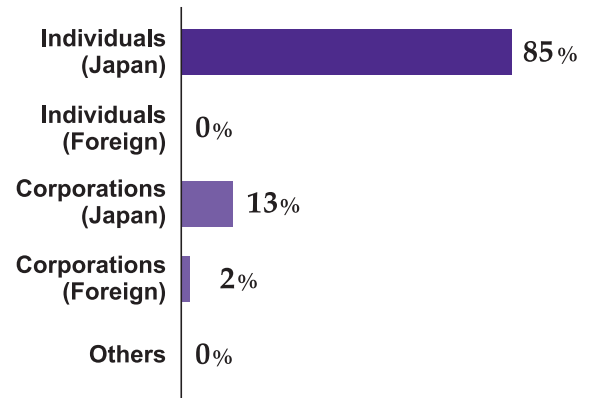
### Burden of procedures is minimum on opponents to eliminate obstacles of business activities

"Opposition to grant of patent" is basically conducted in documentary proceedings between the Trial and Appeal Department (TAD) and right holders so that the burden of the procedures is eased on opponents, thus it is easy to use for opponents.

In addition, even if a person is not an interested person in the case, he/she can file a request for opposition. Therefore, "opposition to grant of patent" is considered as a system appropriate for eliminating the third party's patent which would obstruct business activities with the minimum burden.

### Breakdown of Opponents

Cases filed between 2015 and 2023



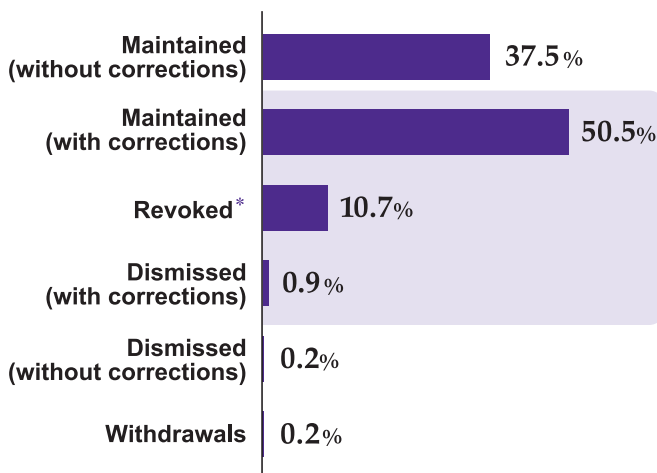
Point 2

### Some changes were made to approximately 60% of the opposed patents.

Some changes have been made to more than half of the opposed patents in "opposition to grant of patent" cases. There are quite a few cases where the opposed claims are deleted or significantly restricted. This proves that "opposition to grant of patent" leads to enhance reliability of the registered rights.

### Results of proceedings of opposition to grant of patent

Oppositions filed between April 2015 and December 2023: 8,820 cases



$$\begin{array}{r}
 \text{Maintained (with corrections)} \\
 \text{Revoked*} \\
 \text{Dismissed (with corrections)}
 \end{array}
 \begin{array}{r}
 + \\
 + \\
 +
 \end{array}
 \begin{array}{r}
 50.5\% \\
 10.7\% \\
 0.9\%
 \end{array}
 = 62.1\%$$

Some changes were made to 62.1% of the opposed patents.

\* Of cases in which requests for oppositions have been filed, pending opposition cases are excluded.

\* All or a part of the claims of the opposed patents



# Trial for invalidation

IP types

Patents

Utility models

Designs

Trademarks

What can be done?

## Invalidity of rights involving deficiencies shall have binding legal effectiveness as to third parties

If interested persons<sup>※1</sup> wish to invalidate the rights of patent, utility model, design, or trademark, that should not have been originally granted, with binding legal effectiveness as to third parties, they may file a request for "trial for invalidation."

"Trial for invalidation" is a system for resolution of a dispute between parties concerned regarding the validity of the rights. A panel consisting of administrative judges conducts ex officio investigation if necessary.

This system also gives both the parties an opportunity to fully allege their opinions, and enables the panel to draw allegations from the parties, that are difficult to fully make in writing, through oral proceedings. Furthermore, the Trial and Appeal Department (TAD) began "planned oral inquiries" in April 2020. Based on an agreed schedule, which is agreed by both the parties, they sort out the issues through multiple in-person meetings with the panel.

※1 For utility models and designs, any persons may file a request for opposition.



### Typical cases to utilize the systems

As a countermeasure against an allegation by the right holder

CASE

1

Receive a warning letter that alleges the infringement of the right

As soon as Company A began selling a new product, it received a warning letter from Company B stating that "your product infringes the right of Patent Registration No. xx, thus, we demand that you stop the sales, dispose your inventory, and compensate for damages. Without your sincere response, we may consider filing a lawsuit." Company A examined the content of Company B's patent right and then considered it as a conventionally known art. Therefore, Company A filed a request for trial for invalidation to avoid the suspension of the sale of the new product.

CASE

2

Accused of the infringement of the right

For Company A's product, Company B filed an infringement lawsuit with the District Court, stating that "your goods infringe the right of Design Registration No. xx, thus, we demand that you stop the sales, dispose your inventory, and compensate for damages." Company A examined the content of Company B's design right and then considered it as being similar to a conventionally known design. Therefore, Company A filed a request for trial for invalidation to proceed the litigation advantageously.

As a means to prevent an infringement lawsuit before it happens

CASE

3

A right related to the art used for the business of the company has already been acquired by the other company

It was found that the art used in Company A's product has a relation with Company B's patent. It is possible that a warning letter or a lawsuit for the infringement of the right will be filed by Company B in the near future. Company A examined the content of Company B's patent right, and then considered that there was a deficiencies in the description of the scope of the right. Therefore, Company A filed a request for trial for invalidation in advance to avoid a dispute with Company B.

CASE

4

A right related to the goods about to be used for the business of the company has already been acquired by the other company

When Company A has the famous mark with the trademark right in cosmetics and was about to use the mark for foods as well, it was found that Company B had acquired the trademark right in foods after Company A's mark became famous. It is possible that a warning letter, etc. will be filed if Company A began selling the foods with this mark attached. Considering that Company A's mark has already been famous, Company B's trademark right should not have been registered originally. Therefore, Company A filed a request for trial for invalidation in advance to avoid a dispute with Company B.

Point ①

## The difference between invalidity defense and trial for invalidation

In an infringement lawsuit, "invalidity defense" is defined as a defendant's allegation that "the right, on which the plaintiff based the request, should be invalidated." If this defense is approved, the plaintiff's request will be dismissed.

When patent invalidity defense is raised, the court that deals with the infringement lawsuit can also determine whether the patent, etc. that is going to be exercised has any reason for invalidation.

However, court decisions have only relative effects between the parties, and even if the court determines that the patent right, etc. has any reason for invalidation, invalidity of the said right itself shall not have binding legal effectiveness as to third parties. On the other hand, requests for "trial for invalidation" are concurrently filed in some infringement lawsuits. The Trial and Appeal Department (TAD) is supposed to give priority to and quickly examine "trial for invalidation" cases.

Trial decisions in "trial for invalidation" have not only relative effects between the parties but also binding legal effectiveness as to third parties.

### Invalidity defense in court

The validity of court decisions shall have binding legal effectiveness only to the parties concerned

### Trial for invalidation at the Trial and Appeal Department (TAD)

The validity of trial decisions shall have binding legal effectiveness as to third parties

### Invalidity defense in court

Determination of whether the right is valid or invalid

Court decisions first: 15 cases (in 2019~2023)

### Trial for invalidation at the Trial and Appeal Department (TAD)

Determination of whether the right is valid or invalid

Trial decisions first: 64 cases (in 2019~2023)

Point ②

## Reliability of trial decisions in trials for invalidation

Of cases in which determination of validity or invalidity was made, the concordance rate of conclusions between "trial for invalidation" at the Trial and Appeal Department (TAD) and infringement lawsuits in the District Courts is 85% for patents. In revocation actions against trial decisions in "trial for Invalidation," approximately 70% of the trial decisions were maintained by the IP High Court.



# Trial for rescission

IP types

- 
- 
- 
- Trademarks

What can be done?

## Registration of trademark that has not been used can be rescinded

A trademark that your company wants to use has already been registered by other company. However, it seems that the trademark has not been actually used by the other company. A measure that can be taken in such cases to use the trademark is "trial for rescission."

When the trademark has not been used for the designated goods or services for more than 3 consecutive years in Japan, registration of the trademark can be rescinded.

When a trial decision to rescind registration of the trademark becomes final and binding, the trademark right shall be deemed to have extinguished on the registration date of the request for the trial.

Point 1

### The demandant does not need to prove the fact of "nonuse"

Upon filing a request for "trial for rescission," use of the registered trademark has to be proved by the trademark holder (the demandee), thus, the demandant does not need to prove its use. If the demandant proves that "the use of the registered trademark during the period from 3 months prior to the filing of the request for a trial to the registration date of the filing of the request" occurred only after the demandee became aware of the fact that a request for a trial for rescission would be filed, it does not fall under the use of the registered trademark.

Point 2

### Requests for trial for rescission can be filed in various cases.

- |   |   |
|---|---|
| 1 | <p><b>Trial for rescission due to misuse of a registered trademark by a trademark holder or a licensee</b></p> <p>When a trademark has been misused, in a manner that it intentionally misleads as to the quality of goods and services, or intentionally confuses with goods and services pertaining to the business of another person.</p>                        |
| 2 | <p><b>Trial for rescission due to confusion about use as a result of transfer of a trademark right</b></p> <p>When a registered trademark is transferred to different right holders after registration, one uses it for the purpose of unfair competition and thereby causes confusion with the goods and services pertaining to the other's business.</p>          |
| 3 | <p><b>Trial for rescission due to unfair registration by representatives, etc.</b></p> <p>When an application is filed for trademark registration by representatives, etc. without any legitimate reason or consent of the overseas holder of the trademark right.*</p> <p><small>* Persons who can file a request for trial for rescission is limited.</small></p> |

# Trial for correction

IP types

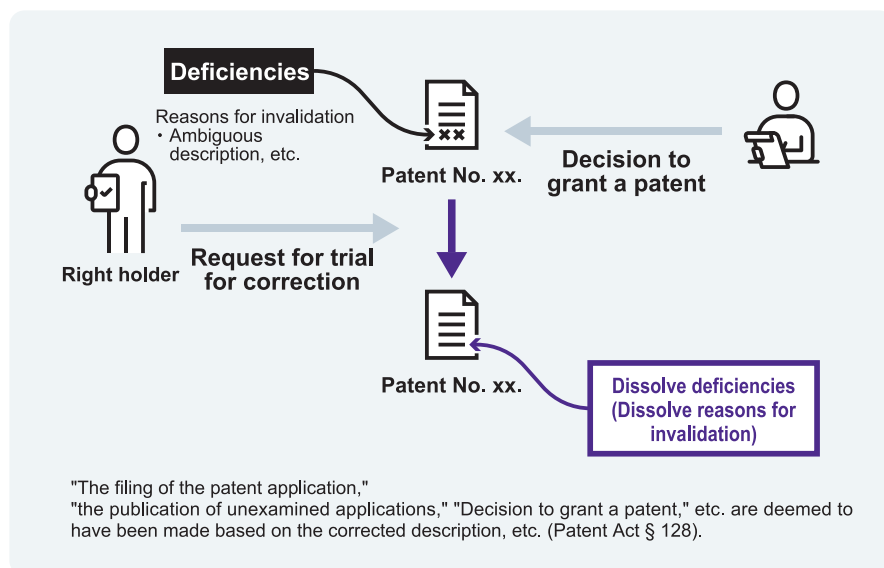
Patents

What can be done?

## Deficiencies of patent rights can be voluntarily corrected

If there are deficiencies in a part of a registered patent right and they need to be corrected, a patentee may file a request for "trial for correction." Thereby, this enables smooth exercise of rights.

If someone alleges invalidity of a patent or it is expected, this system is often used in order for patentees to dissolve reasons for invalidation.



Points

## A request for trial for correction can be filed for various purposes.

- 1 If someone alleges invalidity of a patent or it is expected, this system can be used so that a patentee can dissolve reasons for invalidation.
- 2 When exercising a patent right against others, it is possible to reduce a risk of making the patent invalid by a trial for invalidation filed by others, by reviewing one's own patent rights in advance and correcting deficiencies if any.
- 3 If a part of the patent right becomes unnecessary due to changes in the business environment, a trial for correction can reduce a maintenance fee of the patent right by deleting a part of the claims.



# Hantei (Advisory Opinion)

IP types

Patents

Utility models

Designs

Trademarks

What can be done?

## An official opinion of the Trial and Appeal Department (TAD) of the JPO on the scope of the right can be requested

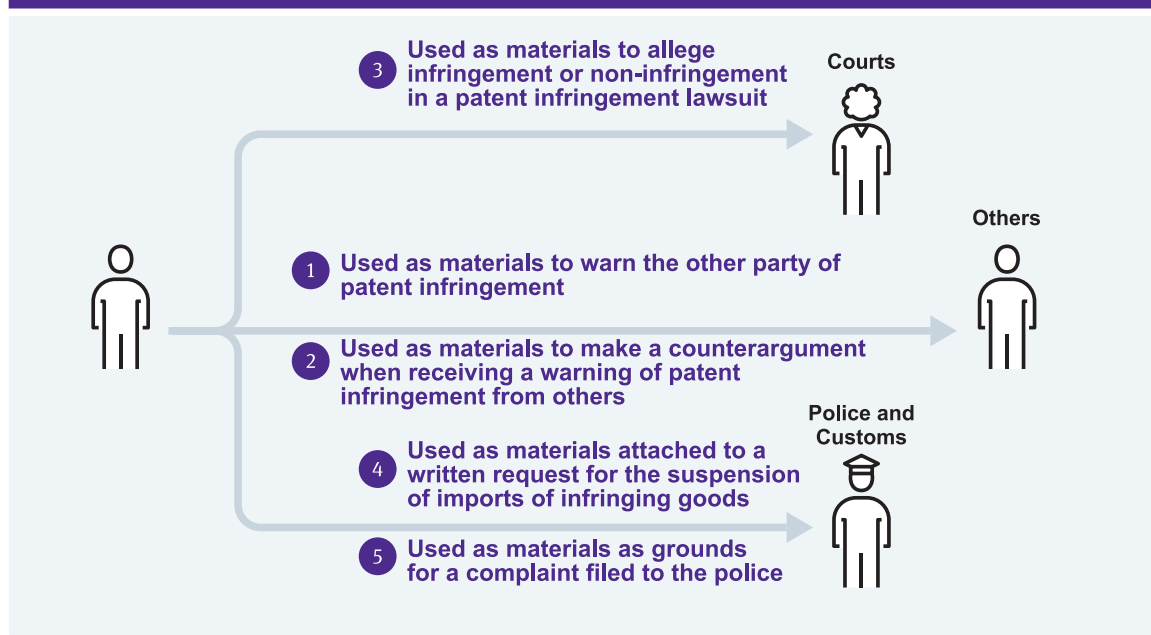
When a right holder wants to know whether the goods, etc. of others fall within the technical scope of his/her own patented invention, he/she can make a request for "Hantei" with the Trial and Appeal Department (TAD).

When any person other than a right holder, wants to manufacture products, etc. that are planned or in production only after ensuring that they do not infringe rights of others, he/she can make a request for "Hantei."

### Features of Hantei (Advisory Opinion)

Determination from a fair and neutral perspective	Come to a conclusion expeditiously (3 months at the shortest)	Inexpensive fee (40,000 yen)
Simple procedures (the same as the trial and appeal procedures)	One of administrative services (no legal binding force)	Sufficiently respected and authoritative determination in effect

### Examples of utilization of Hantei (Advisory Opinion)



## "Hantei (Advisory Opinion)" facilitates licensing negotiations

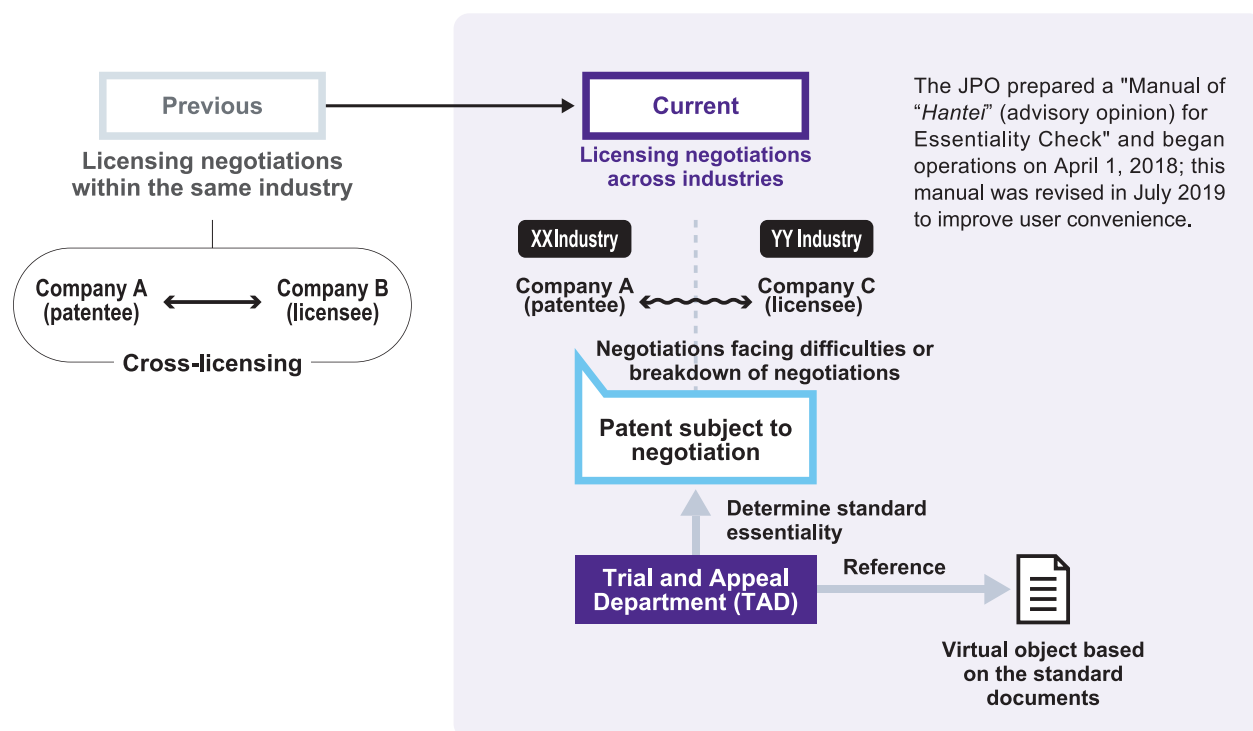
Companies in various industries and business conditions have begun utilizing the standard of the information and communication technology (ICT) field.

Under such circumstances, the conditions surrounding licensing negotiations have been significantly changed.

For example, it has become harder for companies to solve a problem through cross-licensing which used to take place in accordance with the custom practices within the same industry.

In particular, it is considered difficult to resolve disputes over the determination of whether a patent subject to licensing negotiation is a "Standard Essential Patents (SEP)" (a patent without which it is impossible to manufacture and supply products and services compliant with the specific standards) between the concerned parties belong to the different type of industries.

The JPO has contributed to facilitate licensing negotiations and to expeditiously resolve disputes by providing determination on standard essential patents from a fair and neutral perspective.



### Typical cases to utilize the systems

#### Licensing negotiations involving "Standard Essential Patents (SEPs)"

Company A (patentee) and Company C (licensee) have been negotiating a licensing agreement, however, they have many differences in opinions, and for that reason, it has become difficult to continue negotiation.

One of the issues is that "Company C's product compliant with the standard  $\alpha$  infringes Company A's patent which is a standard essential patent based on the standard  $\alpha$ ."

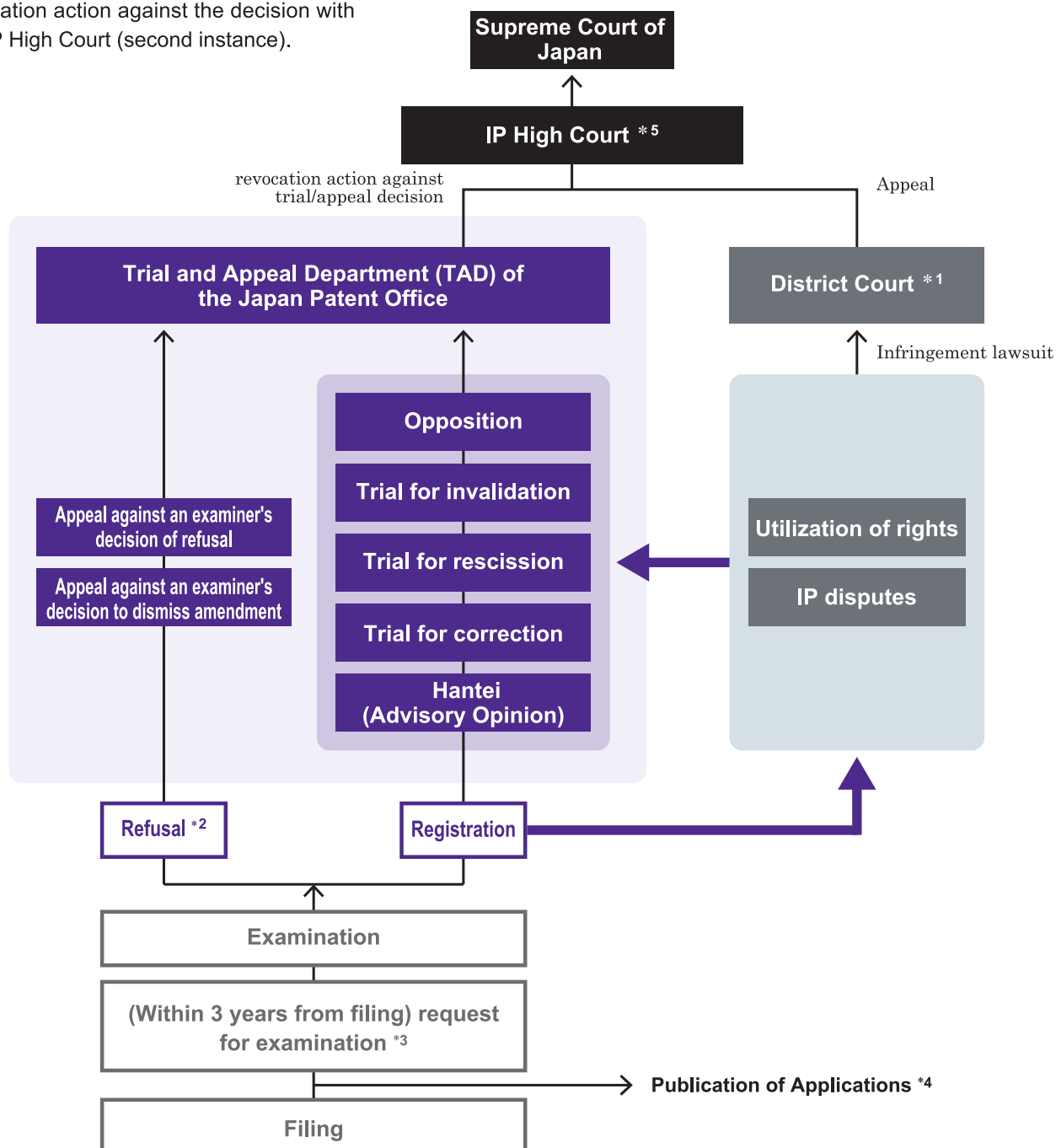
Company C would like to obtain a third party opinion from a fair and neutral perspective on the fact that Company A's subject patent is not a standard essential patent.

# What is the role of the Trial and Appeal Department (TAD)?

- **Quasi-judicial organization acting as the first instance**

Although the Trial and Appeal Department (TAD) is a department of JPO yet it can be said to be a "Quasi-judicial organization" acting as the first instance in IP disputes.

In the case where the party is not satisfied with the decision of the Trial and Appeal Department (TAD) or the District Court, the party may make a revocation action against the decision with the IP High Court (second instance).



\*1 the Tokyo District Court and the Osaka District Court for patents and utility models

\*2 In the case of patents, designs, and trademarks

\*3 In the case of patents

\*4 In the case of patents and trademarks

\*5 The Intellectual Property High Court handles actions for revocation of trial decisions and civil prosecution cases involving appeals of patents and utility models, as well as appeals of designs and trademarks that fall under the jurisdiction of the Tokyo High Court.

\* Another trial and appeal system includes commissioning of the provision of an expert opinion.



## ● Assigning administrative judges with advanced technical expertise

Trial and Appeal Department (TAD) is composed of Boards of Trial and Appeal responsible for proceedings, the Trial and Appeal Division responsible for any planning and support of proceedings, etc.

Boards of Trial and Appeal are divided into 38 boards according to types of rights such as patents, utility models, designs, and trademarks, and specialized fields such as business machinery, production machinery, pharmaceuticals, and electronic device. Administrative judges with advanced technical expertise are assigned to each section.

Although administrative judges are appointed from those with more than 5 year experiences as examiners, strict independence is ensured between the Examination Departments and the Trial and Appeal Department (TAD).



### Director-General of the Trial and Appeal Department (TAD)



(As of April 2022)

# How are proceedings conducted and trial/appeal decisions rendered?

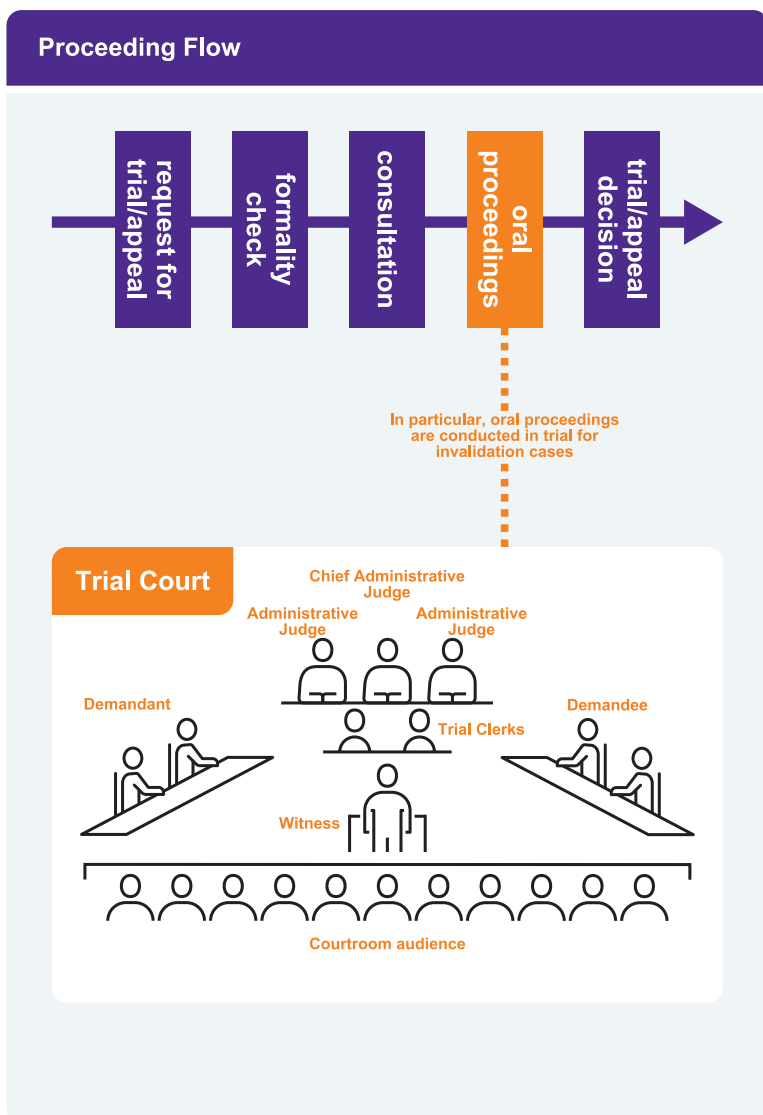
- **Proceedings conducted by a panel consisting of three or five administrative judges**

Three or five administrative judges examine a case in a trial/appeal. Once trial and appeal procedures are commenced by a request for trial or appeal, formality check and substantive determination are conducted by a panel.

In a trial for invalidation (→ P10), "oral proceedings" are conducted in principle to directly hear allegations of the parties concerned. The panel renders a trial decision after sufficient satisfaction of the panel is established.

- **Ex officio investigation conducted by the panel.**

Although proceedings are conducted based on evidence submitted by the parties concerned in principle, because the right has binding legal effectiveness as to third parties, ex officio investigation is also conducted by the panel utilizing the JPO's expertise as necessary.



**Main roles of administrative judges**

**Chief Administrative Judge**

Of the 3 or 5 administrative judges in the panel, one presides over proceedings and administrative business of the case as a chief administrative judge.

**Administrative Judges**

Those who have more than 5 years of experiences as examiners at the Japan Patent Office as well as completed a legal training course. Proceedings for patents, etc. are also conducted by administrative judges at the United States Patent and Trademark Office, European Patent Office, China National Intellectual Property Administration, Korean Intellectual Property Office, etc.

**Trial Clerks**

In addition to clerical work related to preparation and service of trial records in trial/appeal cases, other clerical work is undertaken by trial clerks at the order of the chief administrative judge. Those who have engaged in industrial property rights at the Japan Patent Office for more than 5 years as well as completed a legal training course.

# Efforts towards the improvement of reliability of trial and appeal decisions

Not only proceedings are strictly conducted on a daily basis, but also various efforts are made to improve reliability of trial and appeal decisions by the Trial and Appeal Department (TAD).



## • "Trial and Appeal Practitioner Study Group" aimed at improving administrative judges' skills

Study group consisting of practitioners inside and outside the JPO deliberates on trial/appeal and court decisions in actual cases considered to be important in the trial and appeal practice. The results of the study are consolidated into a report and widely disseminated. The results are utilized for trial and appeal practice, and an understanding of trial and appeal practice is shared with trial and appeal system users.



### Trial and Appeal Practitioner Study Group 2023

Subcommittees for 6 fields (4 fields for patents, 1 field for designs, and 1 field for trademarks) were established, and they deliberated on 7 themes (multiple cases per theme), 5 case trial/appeal and court decisions in actual cases (1–2 cases per subcommittee).

Participants: **50** practitioners participated in the study group (7–9 practitioners per subcommittee)

- Participants are selected from practitioners of the Japan IP Association, the Japan Patent Attorneys Association, the Japan Federation of Bar Associations, as well as chief administrative judge, Administrative Judges, and Consultants on Trial/Appeal Decisions and Court Judgements.
- Judges of the IP High Court and the Tokyo District Court participated as observers.

The results of the study are consolidated into a report (Japanese/English) and made available at the JPO website.



[https://www.jpo.go.jp/e/resources/shingikai/kenkyukai/sinposei\\_kentoukai.html](https://www.jpo.go.jp/e/resources/shingikai/kenkyukai/sinposei_kentoukai.html)

## • Analysis of trial/appeal and court decisions

Recent trial and appeal decisions and court decisions are reviewed and analyzed taking into account users' opinions, etc. Results of analysis are shared at meetings at the Trial and Appeal Department (TAD), etc. and utilized for proceedings.



# Communications with trial and appeal system users

The Trial and Appeal Department (TAD) makes much of the opinions of trial and appeal system users, such as corporate IP personnel, patent attorneys, and lawyers, with the aim of realizing a better trial and appeal system. The following explains dissemination of information by the Trial and Appeal Department (TAD) as well as exchange of opinions with the users.

- **“Exchange of opinions” to listen to the voice of users**

The Trial and Appeal Department (TAD) exchange opinions with a wide range of users, such as corporate IP personnel, patent attorneys, and lawyers, which may lead to the consideration on the future of trial policies and to the improvement of the systems. The exchange of opinions, for example, led to the revision of "Manual for Trial and Appeal Proceedings" that provides operations of the Trial and Appeal Department (TAD) (December 2023: Online Oral Proceedings; Elimination of the need for consent from non-exclusive licensees when correcting patent rights; etc.) and "Manual of “Hantei” (Advisory Opinion) for Essentiality Check” (July 2019).



Exchange of opinions with patent attorneys and lawyers nationwide



Exchange of opinions with JAFBIC (Japan Foods & Biotechnology Intellectual Property Rights Center)

- **"Judicial Symposium on Intellectual Property" to provide the latest information on the trial and appeal system**

Judicial Symposium on Intellectual Property (JSIP) is held annually with the aim of deepening understanding of each country's / region's trial and appeal system and IP judicial system. Every year, with the participation of legal professionals and administrative judges from Europe, the U.S., and Asian countries, it provides the latest information on IP judicial system of Japan as well as other countries / regions around the world through lectures and panel discussions. Recent years, the conference has been held in a hybrid format (i.e. held at the venue with simultaneous Internet streaming).



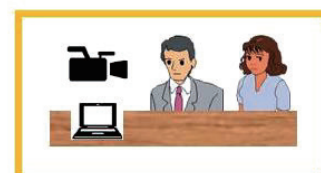
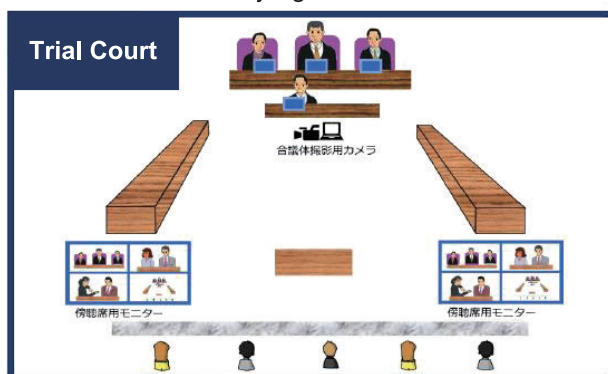
Judicial Symposium on Intellectual Property / TOKYO 2023  
The Asian countries  
(co-hosted with the Supreme Court of Japan, the IP High Court, the Ministry of Justice, the Japan Federation of Bar Associations, and the IP Lawyers Network Japan)

## ● Online Oral Proceedings

In accordance with the 2021 revision of the Patent Act, as of October 2021, the JPO has commenced online oral proceedings. In the oral proceedings for invalidation trials, etc., parties concerned, etc. can appear online (online appearance) at the discretion of a chief administrative judge.



Trial demandants participate remotely. (from a company's conference room of the trial demandants)



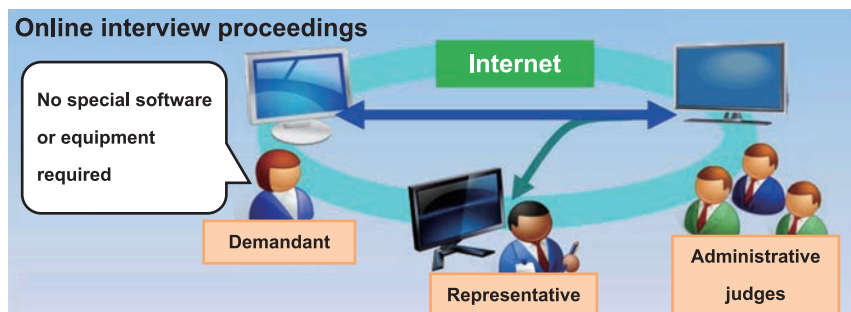
Right holders participate remotely. (from a company's conference room of the right holders)



[https://www.jpo.go.jp/e/system/trial\\_appeal/oral\\_proceedings.html](https://www.jpo.go.jp/e/system/trial_appeal/oral_proceedings.html)

## ● Online Interviews

The JPO introduces "online interview proceedings" using a web application. It becomes possible for a trial demandant, etc. to participate the interview using the demandant's own computer and communicate with the administrative judges.



<https://www.jpo.go.jp/e/system/patem/shinsa/junkai.html>

## ● Special Electronic Applications

As of January 2024, application documents to be submitted to the JPO that previously could not be submitted electronically can be submitted online using a new function of the online application software (Special electronic applications). In the trial and appeal proceedings, trial cases and trial-related proceedings, mainly other than ex parte cases, are subject to the special electronic applications. For the special electronic applications, an applicant is required to submit a cover letter (XML), an application document (PDF file) and attached documents (PDF file) as a complete set.



[https://www.jpo.go.jp/system/laws/sesaku/shinsei\\_digitalize.html](https://www.jpo.go.jp/system/laws/sesaku/shinsei_digitalize.html)  
(in Japanese)

# Dissemination of information overseas and international exchange

- **Cooperation with the Trial and Appeal Departments overseas**

For the purpose of promoting mutual understanding and exchange of information in the field of trials and appeals, Trial and Appeal Experts Meeting between JPO and CNIPA is held annually with the Reexamination and Invalidation Department of the Patent Office, CNIPA. In addition, opinions are exchanged regularly with the Trial and Appeal Board of the United States Patent and Trademark Office (PTAB of the USPTO) and that of the EPO's Boards of Appeal (EPO's BoA). In June 2024, the IP5 Trial and Appeal Boards High-Level Meeting was held with the participation of the Trial and Appeal departments/boards of the IP5 (Japan, the United States, Europe, China and Korea). Among major countries' patent offices, multilateral cooperation in the field of trials and appeals has also made progress.



Trial and Appeal Experts Meeting between JPO and CNIPA



Exchange of opinions with the PTAB of the USPTO



Exchange of opinions with the EPO's BoA

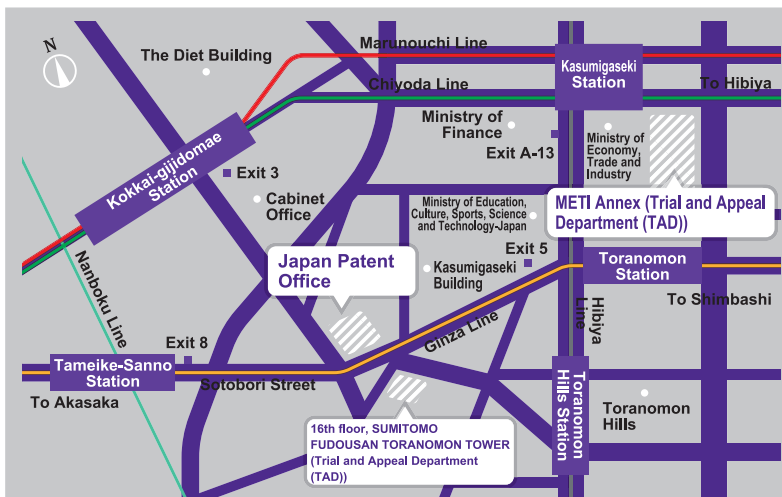


IP5 Trial and Appeal Boards High-Level Meeting

# Access, Contact Us

## • Access

Map around the JPO



Purpose of visit	Destination for each visit
To appear at or hear oral proceedings, etc.	Trial Court (JPO) ▶ JPO (16th floor)
	The First Trial Court / Second Trial Court ▶ METI Annex (1st floor)
To have an interview with administrative judges (Please check in advance the venue for interviews with administrative judges.)	▶ JPO (2nd to 7th floor), METI Annex (10th floor)
To submit documents related to revocation action against trial/ appeal decision (a preparatory document, a written description of evidence, a duplicate of Evidence A, etc.)	▶ METI Annex (10th floor)

## • Contact Us

Main phone number of the JPO | +81-3-3581-1101 Ext. 3613

Press buttons after instruction of the voice guidance

Note: Please see the JPO website for matters regarding examinations

## About a trial and appeal system logo

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With our mission to develop Japanese industry with our IP users, our logo was created to further disseminate the trial and appeal system.

The "profile" at the upper right represents administrative judges who are responsible for the trial and appeal system; "brainwaves" and the "magnifying glass" extending from it represent the work of administrative judges of "trial and appeal proceedings" and "ex officio investigation," respectively.

The "balance" symbolizes "early resolution of disputes," which is a role for the trial and appeal system to play.

The "circular frame" that includes all these elements represents that trial and appeal decisions have "binding legal effectiveness as to third parties."



<https://www.jpo.go.jp/e/index.html>