

Note: When any ambiguity of interpretation is found in this provisional translation, the Japanese text shall prevail.

Contents

Part IX Extension of Patent Term

1. Overview	1 -
2. Application for Registration of Extension of Patent Term (an application for extension registration)	2 -
2.1 Applicant	2 -
2.2 Filing period for the application	2 -
2.3 Patent right eligible for the application	3 -
2.4 Information which should be included in a request of the application	3 -
2.5 Information which should be included in materials stating a reason for extension	5 -
2.6 Effects of the application.....	8 -
2.7 Publication of patent gazette.....	8 -
3. Examination of Application for Registration of Extension	9 -
3.1 Determination on requirements pertaining to examination of an application for registration of extension	9 -
3.1.1 Where the disposition designated by Cabinet Order under Article 67(2) is not deemed to have been necessary to obtain for the working of the patented invention (Article 67ter(1))	9 -
3.1.2 Where a patentee, an exclusive licensee or a non-exclusive licensee of the patent right has not obtained a disposition designated by Cabinet Order under Article 67(2) (Article 67ter(1)(ii))	15 -
3.1.3 Where the period for which the extension is requested exceeds the period during which the patented invention was unable to be worked (Article 67ter(1)(iii))	15 -
3.1.4 Where the person filing the application is not the patentee (Article 67ter(1)(iv)).....	18 -
3.1.5 Where the application does not meet the requirements under Article 67bis(4) (Article 67ter(1)(v))	18 -
3.2 Procedures of examination for the application for registration of extension.....	18 -
3.2.1 Notice of a reason for refusal	18 -

3.2.2	Response by the applicant	19
3.2.3	Decision of refusal	19
3.2.4	Decision of registration	19

<Relevant Provisions>