

Report of the Subcommittee on Examination Quality  
Management (FY2017)

April, 2018

Subcommittee on Examination Quality Management

Intellectual Property Committee

Industrial Structure Council

## Introduction

The subcommittee was established under the Intellectual Property Committee of the Industrial Structure Council in August 2014 in order to make recommendations for improvements of quality management concerning examinations of patents, designs, and trademarks in the JPO through verifications and evaluations of the implementation system/ the implementation status of quality management; for example, the Subcommittee verifies and evaluates whether or not policies and procedures of quality management including quality manual policies or other necessary manuals have been properly formulated, whether or not the quality management system has been properly established, and whether or not quality management has been properly implemented in compliance with the formulated policies and procedures.

With the globalization of business and R&D activities by Japanese companies, it is required that examination results produced by the JPO be highly evaluated abroad as well, and contributed to smoothly obtaining IP rights. It is also required to improve predictability of businesses utilizing the industrial property rights system so as to prevent unnecessary disputes. In order to satisfy these needs, it is crucial to maintain and improve the level of quality of examinations, which industrial property rights are based on.

In responding to such circumstances, the JPO formulated and announced its "Quality Policy" for "robust, broad, and valuable establishment of rights" in FY2014. Based on this, the JPO has constructed the quality management system across the examination departments so that patent, design and trademark examinations may be conducted in compliance with the Quality Policy. In order for the quality management system to work effectively for maintaining and improving the quality of examinations, it is important to effectively operate a PDCA cycle, which is a quality management method that the JPO has adopted as its internal initiative for examination quality improvement, and thereby to continuously improve the quality of examinations.

Aiming to realize the world's leading quality management by reflecting objective evaluations and improvement recommendations from external experts on such internal efforts of the JPO, the Subcommittee verified and evaluated the implementation system/ the implementation status of the quality management conducted by the JPO in FY2017, based on the quality management report provided by the JPO, according to the evaluation items and criteria established for examination quality management in FY2014, and then

considered on what needed to be improved.

Subcommittee on Examination Quality Management  
Intellectual Property Committee under Industrial Structure Council  
Past Meetings

1st Subcommittee Meeting            January 15, 2018

Agenda:

1. Members' evaluations of the implementation system and implementation status of examination quality management and improvement recommendations
2. Report of the results of the user satisfaction survey of FY2017 concerning examination quality

2nd Subcommittee Meeting            March 23, 2018

Agenda:

1. Confirmation of the FY2017 Report of the Subcommittee on Examination Quality Management (Draft)
2. Introduction of the JPO's initiatives for examination quality management (draft) in FY2018 on the basis of improvement recommendations made by the Subcommittee on Examination Quality Management

**Subcommittee on Examination Quality Management under the Intellectual  
Property Committee of the Industrial Structure Council**

List of Members

Chairperson	Hidetaka Aizawa	Professor, Hitotsubashi ICS, Hitotsubashi University
	Setsuko Asami	Professor, Graduate School of Innovation Studies, Tokyo University of Science
	Toshiaki Iimura	Attorney, YUASA and HARA
	Wataru Inoue	Economic News Editor, The Nikkan Kogyo Shimbun, Ltd.
	Sumiko Ohara	Patent Attorney, ITOH International Patent Office
	Harumi Kojo	Attorney, Sakurazaka Law Offices
	Kenji Kondo	President, Japan Intellectual Property Association
	Kenichi Nagasawa	President, International Association for the Protection of Intellectual Property
	Takeshi Nakajo	Advisor, The Japanese Society for Quality Control / Professor, Chuo University
	Keiko Honda	Patent Attorney, Honda International Patent and Trademark Office
	Tomoko Watanabe	Patent Attorney, Watanabe Tomoko International Patent Office

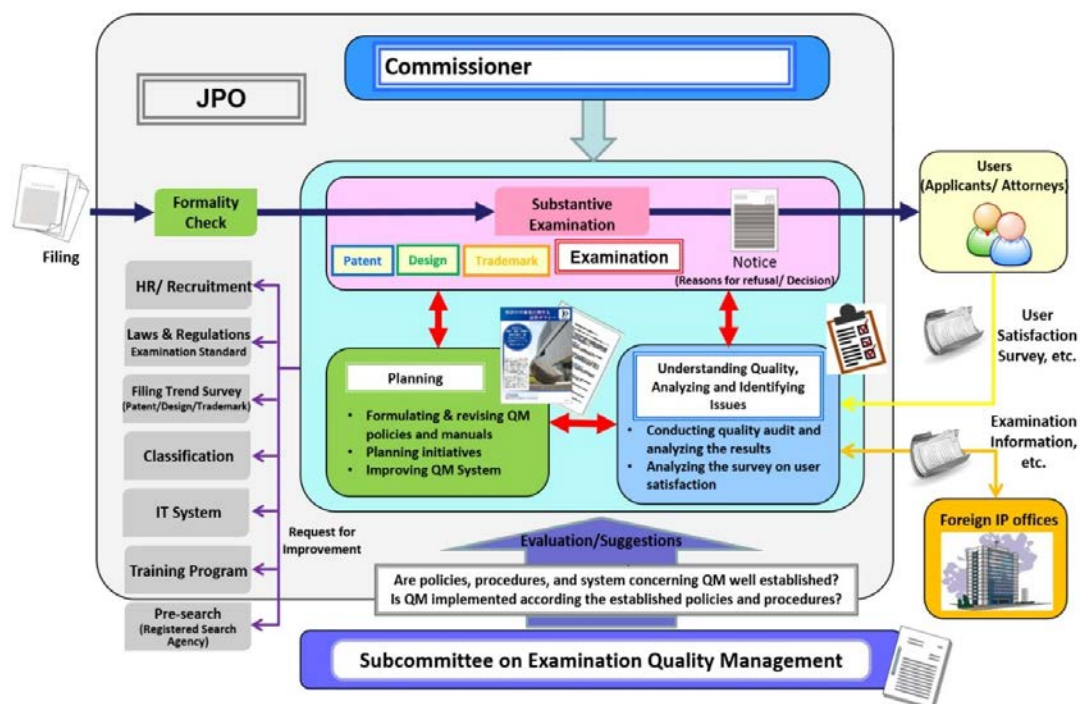
(Titles omitted; listed in Japanese syllabary order)

## Table of Contents

<b>I. Implementation Status of Initiatives for Examination Quality Management .....</b>	<b>1</b>
<b>1. Patents .....</b>	<b>3</b>
<b>2. Designs.....</b>	<b>10</b>
<b>3. Trademarks .....</b>	<b>16</b>
<b>II. Evaluation Results Concerning Implementation Systems/Implementation Status in Quality Management.....</b>	<b>24</b>
<b>1. Patents .....</b>	<b>26</b>
<b>2. Designs.....</b>	<b>30</b>
<b>3. Trademarks .....</b>	<b>34</b>
<b>III. Recommendations for Improvement in Implementation System/Implementation Status of Quality Management.....</b>	<b>40</b>
<b>1. Patents .....</b>	<b>40</b>
<b>2. Designs.....</b>	<b>41</b>
<b>3. Trademarks .....</b>	<b>42</b>
<b>IV. Conclusion.....</b>	<b>45</b>
(Appendix) Evaluation Items and Criteria Concerning Examination Quality Management .....	i

## I. Implementation Status of Initiatives for Examination Quality Management

The Japan Patent Office (JPO) has constructed the quality management system shown below and has managed quality control.

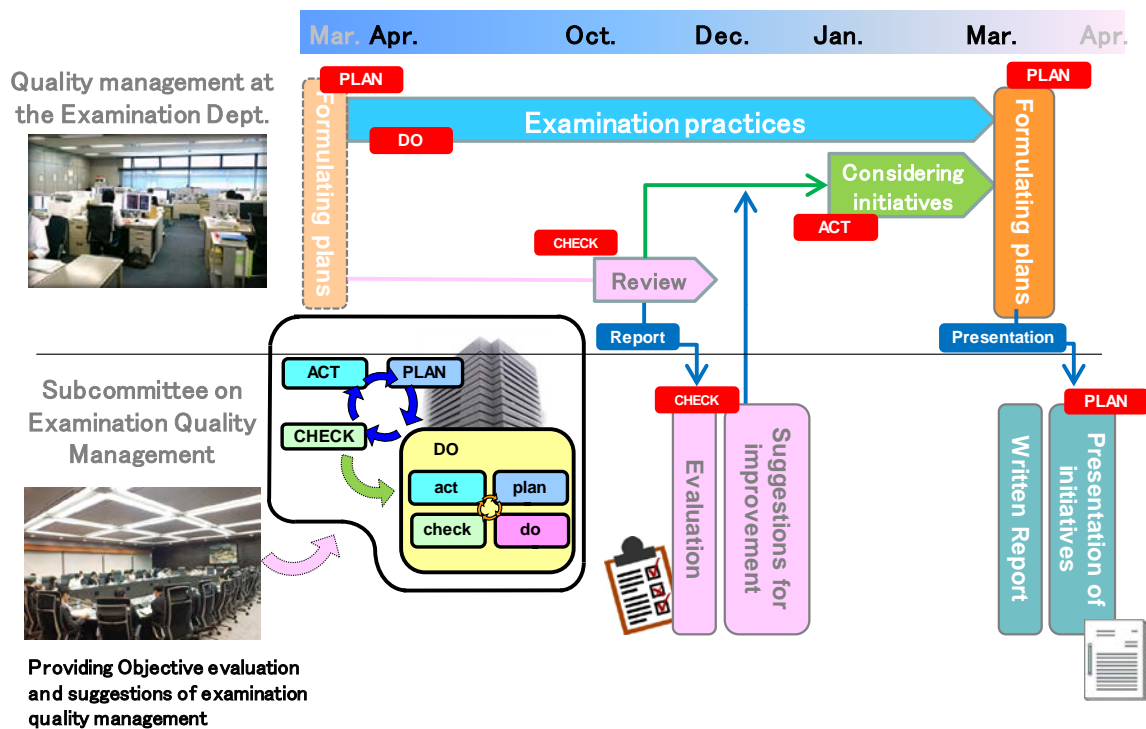


### Overview of the Quality Management System of the JPO

Commissioner and Deputy Commissioner are in charge of the maintenance and implementation of the quality management system (Director General of the Trademark and Customer Relations Department is responsible for trademark matters, instead of Deputy Commissioner). Quality management is carried out by the Examination Divisions that conduct substantive examination, the Policy Planning and Coordination Department that plans policies and makes proposals for quality management initiatives, and the Quality Management Office that assesses and analyzes quality all working collaboratively while maintaining separation of their own duties.

The Subcommittee on Examination Quality Management under the Intellectual Property Committee of the Industrial Structure Council (hereinafter, the "Subcommittee") was established under the Intellectual Property Committee of the Industrial Structure Council in order to make recommendations for improvements of quality management in the JPO through verifications and evaluations of the implementation system and implementation status of quality management.

As shown below, the JPO makes self-regulatory efforts for continuous improvement of examination quality by following a PDCA cycle in performing its examination quality management. At the same time, the Subcommittee makes evaluations and recommendations for improvement in the implementation system and implementation status of quality management in the JPO. Such evaluations and recommendations are reflected in the internal PDCA cycle of the JPO, which will contribute to further improvement in examination quality.



### Relationship between the JPO's Internal Quality Management and the Subcommittee on Examination Quality Management

The quality management system of the JPO has been documented into the Quality Management Manuals for Patent Examination, Design Examination, and Trademark Examination (Quality Manuals), and published on the website of the JPO.

The major initiatives implemented by the JPO based on the improvement recommendations<sup>1</sup> made by the Subcommittee in FY2016 under such quality management system and the results thereof are as follows.

<sup>1</sup> See pages 32 to 34 in the Report of the Subcommittee on Examination Quality Management (FY2016) ([https://www.jpo.go.jp/shiryoutoushin/shingikai/pdf/hinshitsukanri\\_report\\_h28.pdf](https://www.jpo.go.jp/shiryoutoushin/shingikai/pdf/hinshitsukanri_report_h28.pdf)).



## **1. Patents**

### **Recommendations for Evaluation item (a): Status of creation of documents**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the positioning of each document in the whole documentation system and the correlations among the documents.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, a list that indicates the positioning of each document in the whole documentation system and the correlations among the documents was created.

The results of the initiatives mentioned above are as follows.

- ✓ The list mentioned above will be placed in the Quality Manual after being disseminated to examiners on the webpages concerning quality management on the intranet of the JPO.

### **Recommendations for Evaluation items (d) and (e): Examination implementation system and quality management system**

- Continue improving the system and infrastructure for supporting the efficiency and quality improvement of examinations.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The examination implementation system for efficient and appropriate patent examinations was ensured.
- ✓ The necessary human resources for quality management were secured to continuously improve examination quality.
- ✓ The system for selecting cases subject to quality audit was remodeled to make it easy to select cases subject to quality audit and broaden cases subject to random selection for quality audit.

The results of the initiatives mentioned above are as follows.

- ✓ Thirty-seven permanent examiners and 107 fixed-term examiners were newly employed to improve and enhance the examination implementation system.
- ✓ The number of Quality Management Officers was increased compared to the last fiscal year, and 99 Quality Management Officers were secured to improve and enhance the quality management system.

- ✓ The system for selecting cases subject to audit was integrated into the existing case management and drafting system, which made it easy to select cases subject to quality audit and broadened cases subject to random selection.
- Continue the initiatives for achieving examinations of the world's utmost quality, results of which are utilized in examinations conducted by overseas IP offices, in an appropriate and timely manner.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ When drafting documents for domestic applications, detailed information concerning presented cited documents was prepared and communicated through one portal dossier, etc. in order to provide domestic and overseas applicants and the examiners of overseas IP offices with the high-quality search and examination results produced by the JPO.
- ✓ Efforts were made to expand the Patent Prosecution Highway (PPH) for the purpose of supporting prompt obtainment of rights overseas using the examination results produced by the JPO. The PPH is a framework for making applications that have been determined to be patentable by the first IP office (IP office with which the applicant first filed a patent application) be subject to accelerated examination at the second IP office through simple procedures based on the applicants' application.
- ✓ The Patent Prosecution Highway Plus (PPH Plus) was started to enable the applicant of an application for which a patent has been granted in Japan to promptly obtain rights with the same content as that of the corresponding Japanese application on the basis of the examination results produced by the JPO by filing an application with the prescribed IP office. The JPO supported the confirmation of whether the claims in the application filed with the prescribed IP office with which the applicant applies for the PPH Plus and those in the corresponding Japanese application sufficiently correspond to each other. If the prescribed IP office determines that the requirements for applying for the PPH Plus are fulfilled based on the results, a patent is granted at an early date (within two months) without going through substantial examination.
- ✓ The Collaborative Search Pilot Program was resumed based on a new practice. Under the Program, Japanese and U.S. patent examiners conduct search for an invention for which a patent application was filed in both Japan and the United States, respectively, and share their examination results and opinions, and after that, the patent examiners of both offices send the first examination result to the applicant, etc., respectively, at an early date and at the same time.

The results of the initiatives mentioned above are as follows.

- ✓ It became possible to communicate high-quality search and examination results produced by the JPO to domestic and overseas applicants and the examiners of overseas IP offices in a further accurate and easy-to-understand manner.
  - ✓ The utilization of the results of prior art document searches and examinations produced by the JPO were promoted in Brazil, New Zealand, Chile, and Peru owing to conclusion of the PPH with these countries, which made it possible to obtain patents at an earlier date.
  - ✓ As a result of the start of the PPH Plus with Brunei, the utilization of the examination results produced by the JPO was promoted, which made it possible for applicants to obtain patents that are the same as those registered in Japan overseas at an early date.
  - ✓ The initiatives for the Collaborative Search Pilot Program make it possible to share the examination results and opinions of the Japanese and U.S. IP offices concerning inventions for which a patent application was filed in both Japan and the United States before sending the first examination result. Therefore, it became possible to improve examination quality.
- Involve all staff members engaged in examination work in the improvement and assurance of examination quality.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ In order to promote understanding of quality management, staff members subject to training exercises and seminars and the content thereof were enhanced, and the quality test was implemented on all the patent examiners to confirm knowledge necessary for examination practices.
- ✓ The "Best Examiner Team of the Year" was selected for the purpose of granting an award to the Examination Division, etc. that implements excellent initiatives for the efficiency and quality improvement of searches while conducting examinations in a planned way.

The results of the initiatives mentioned above are as follows.

- ✓ Training exercises and seminars for mid-career examiners and those for learning quality audit practices were newly established, thereby having attempted to increase the awareness of quality management. Moreover, the quality test also made it possible for persons who have newly become subject thereto in the middle of a fiscal year due to transfer, etc. to acquire knowledge necessary for examination practices and engage in practices more smoothly.
- ✓ Regarding the Best Examiner Team of the Year, initiatives for the efficiency and quality improvement of searches implemented by the examination departments, WGs,

etc. were invited in December, and award-winning initiatives were announced in February. The award-winning initiatives will be disseminated through recommendation of their implementation and utilization in the future, and further examination quality improvement can be expected.

### **Recommendations for Evaluation item (f): Initiatives for quality improvement**

- Enhance prior art searches including searches for foreign patent documents and non-patent documents through sharing knowledge on searches such as new classifications and improving search environment.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Search guidelines summarizing the minimum scope needed to be searched and points of concern, etc. were prepared for each technical field.
- ✓ A trial of prior art search using the Chinese and Korean document translation and search system was started to enhance prior art search for foreign patent documents conducted by registered search organizations.
- ✓ Explanations about the Cooperative Patent Classification (CPC) were enhanced in practical training concerning search for foreign patent documents to improve the ability to search foreign documents.
- ✓ New classification items were established in April 2017 by subdividing patent documents on IoT-related technology by usage, including healthcare and manufacturing business.
- ✓ Consultations were held with examiners in charge who are acquainted with IoT-related technology in examinations on IoT-related technology.
- ✓ Seminars for examiners were held on the cases concerning IoT-related technology, etc. that were added to the Examination Handbook in FY2016 to disseminate them.

The results of the initiatives mentioned above are as follows.

- ✓ The search guidelines are under preparation for each technical field. It became possible to share the minimum necessary knowledge and ways of thinking for search in the relevant technical field among examiners in charge of the same technical field, which enabled examiners in charge of a new field to conduct steady searches at an early date.
- ✓ The usefulness of the Chinese and Korean document translation and search system was considered through trial prior art search using said system by registered search organizations (109 cases in FY2017).
- ✓ The examiners' understanding of the Cooperative Patent Classification (CPC) was increased through practical training concerning search for foreign patent documents,

which enabled more accurate and efficient search.

- ✓ It became possible to select IoT-related technology by usage, which made it possible to search IoT-related technology used for interested usage more simply.
- ✓ For IoT-related technology, efforts were made for consistent examinations and improvement of the accuracy of patent classification (ZIT) through holding consultations and seminars (accumulated number of IoT-related consultations: 891 (as of the end of February 2018)).
- Promote initiatives for assuring and verifying appropriateness of examinations, specifically of searches, in the course of approval and consultations.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Consultations concerning PCT applications were promoted for the purpose of improving quality in terms of search, etc. for PCT applications, and the number of consultations was increased. In addition, appropriateness of search, including the scope and content, etc. of search conducted by examiners, was also checked on the occasion of consultations concerning the PCT.
- ✓ Quality Management Officers checked the propriety of searches and judgments and the clarity of drafts upon request of managerial staff, in addition to quality audit based on random selection.

The results of the initiatives mentioned above are as follows.

- ✓ As a result of initiatives for consultations concerning PCT applications mentioned above, 6,899 consultations were held (as of the end of February 2018). In these consultations, Consultants checked the propriety, etc. of the scope of searches conducted by examiners in charge, and provided examiners in charge with information about the overall quality of searches, such as lack of search and know-how on searches.
- ✓ Quality Management Officers checked various cases based on the issues for each examination department and Examination Division to promote quality improvement (5,817 (as of the end of February 2018)). Furthermore, Quality Management Officers provided examiners in charge with information about overall examination quality, including searches and judgments through feedback of the check results.

#### **Recommendations for Evaluation item (g): Initiatives for quality verification**

- Broaden the range of respondents in the user satisfaction survey so as to understand users' needs more accurately.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The number of respondents who are "small-scale applicants" was increased in the user satisfaction survey of this fiscal year.
- ✓ As the "goals to be achieved by the JPO" in this fiscal year, the goal for user evaluation concerning communication was set as "the percentage of higher evaluations being 60% or more" and the goal for the number of on-site interview examinations and television interview examinations with SMEs, etc. located in rural areas was set as "700 or more," with the aim of realizing prompt examination and quality improvement at the same time, thereby attempting to correctly understand users' needs.
- ✓ In addition to the user satisfaction survey, hearings, exchange of opinions, and other opportunities were utilized to understand users' needs which individual SMEs have.
- ✓ The English version of the opinion acceptance form for quality improvement was established on the JPO website to understand the needs of overseas users.

The results of the initiatives mentioned above are as follows.

- ✓ It became possible to better understand users' needs of domestic companies for which the number of domestic applications is less than 50 owing to an increase in respondents who are "small-scale applicants."
- ✓ The results of user evaluation of initiatives for communication in this fiscal year will be made clear through the user satisfaction survey of FY2018. Incidentally, in the user satisfaction survey of FY2017, the percentage of higher user evaluations concerning communication (evaluations of 4 and 5 on a scale of 1 to 5) was 62.1%. Moreover, the number of on-site interview examinations and television interview examinations was 1,392 as of the end of February 2018.
- ✓ It was difficult to correctly understand the needs of SMEs because questionnaires mainly for large companies for which the number of domestic applications is 50 or more are used in the user satisfaction survey. However, the needs of various users could be understood through exchange of opinions with SMEs and other companies as well as industry organizations and other entities.
- ✓ It became possible to further understand the needs of overseas users as a result of establishing the English version of the opinion acceptance form for quality improvement on the JPO website.

**Recommendations for Evaluation item (h): Examination quality analysis and identification of issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality

management and the results obtained from the initiatives.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Quality Management Officers summarized issues understood in units of technology and information needed to be shared, etc. in a report based on the results obtained through quality audit, etc. and fed them back to Examination Divisions.
- ✓ In the user satisfaction survey of this fiscal year, how users evaluate the prior art search results produced by the JPO in comparison with those produced by overseas IP offices was verified by questions about the frequency of presentation of more appropriate cited documents by overseas IP offices.

The results of the initiatives mentioned above are as follows.

- ✓ Issues and information including the perspective of maintaining and improving search quality in units of technology were shared within Examination Divisions every half year through feedback of reports prepared by Quality Management Officers to Examination Divisions, which promoted further continuous improvement.
- ✓ The current state and users' needs concerning the degree to which the search and examination results produced by the JPO are utilized at overseas IP offices were understood through analysis of answers to questions about the frequency of presentation of more appropriate cited documents by overseas IP offices in the user satisfaction survey.

**Recommendations of Evaluation item (k): Communication of information on initiatives for examination quality improvement**

- Increase the reliability of the quality of patent examinations at the JPO through actively communicating, to domestic and overseas users and overseas IP offices including those in emerging countries, the JPO's initiatives for maintaining and improving examination quality, and providing opportunities to listen to their opinions on the initiatives, for example.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The JPO's initiatives for maintaining and improving examination quality were communicated to overseas IP offices including those in emerging countries through international meetings, consultations among examiners, guidance on examination practice, and other opportunities.
- ✓ Exchanges of opinions were conducted between companies/industry organizations/other entities and the JPO Commissioner/Deputy Commissioner/examination divisions (about 360 exchanges (as of the end of February 2018)). Initiatives for maintaining and improving examination quality were

introduced in the exchanges of opinions.

- ✓ Training exercises and seminars for the personnel of emerging countries and ASEAN countries were provided, including seminars for the personnel engaged in management and quality management methods at IP offices in emerging countries.

The results of the initiatives mentioned above are as follows.

- ✓ Information on the JPO's quality management system was communicated at the IP5 WG3 Quality Management Meeting. In addition, a report on quality management for substantive examination of PCT applications in Japan was prepared in advance of the PCT/MIA Quality Subgroup Meeting. The understanding of the JPO's initiatives for maintaining and improving examination quality among the personnel of overseas IP offices was increased through these opportunities.
- ✓ The reliability of the quality, etc. of patent examinations at the JPO could be increased by introducing the JPO's initiatives for maintaining and improving examination quality to the examiners of the IP offices in China, Taiwan, Thailand, and other countries (when dispatching or accepting examiners), the President of the Brazilian Patent and Trademark Office (when visiting the JPO), and other concerned persons.
- ✓ The reliability of examinations in Japan was increased through active exchange of opinions with system users.
- ✓ It was confirmed from the state of provision of training exercises and seminars to the personnel of IP offices in emerging countries and ASEAN countries and questionnaire results that the JPO's initiatives for maintaining and improving examination quality attracted a great deal of interest, and communication of information on the initiatives contributed to increasing the reliability of the quality of examinations in Japan.

## **2. Designs**

### **Recommendations for Evaluation item (a): Status of creation of documents**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicate the positioning of each document in the whole documentation system and the correlations among the documents.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, a list that



indicates the positioning of each document in the whole documentation system and the correlations among the documents was created.

The results of the initiatives mentioned above are as follows.

- ✓ The list mentioned above will be placed in the Quality Manual after being disseminated to examiners on the webpages concerning quality management on the intranet of the JPO.

### **Recommendations for Evaluation items (d) and (e): Examination implementation system and quality management system**

- Secure the necessary number of examiners for the examination implementation system that allows efficient and appropriate examinations.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ An examination implementation system that allows efficient and appropriate examinations was secured.

The results of the initiatives mentioned above are as follows.

- ✓ Two examiners were newly employed this fiscal year to improve and enhance the examination system.
  
- Continue improving the system and infrastructure for supporting the efficiency and quality improvement of examinations

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The necessary human resources for quality management were secured to continuously improve examination quality.

The results of the initiatives mentioned above are as follows.

- ✓ Two Quality Management Officers were secured for the trial quality audit of international applications for design registration (hereinafter referred to as "Hague applications").
  
- Involve all staff members engaged in examination work in the improvement and assurance of examination quality.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ If any matter needed to be disseminated to examiners was discovered as a result of quality audit, it was disseminated to design examiners.
- ✓ The "Best Examiner Team of the Year" was selected for the purpose of granting an

award to the Examination Division, etc. that implements excellent initiatives for the efficiency and quality improvement of searches while conducting examinations in a planned way.

The results of the initiatives mentioned above are as follows.

- ✓ The results of quality audit was reported at the meeting of the Design Examination Quality Management Committee. In this meeting, the important matters to examine, which should be disseminated to the examiners, were reviewed. These matters were reported at the meeting in the Design Division. After that, the report was placed on the webpages concerning quality management on the intranet of the JPO so that design examiners can easily confirm the content thereof.
- ✓ Regarding the Best Examiner Team of the Year, initiatives for the efficiency and quality improvement of searches implemented by the examination departments, WGs, etc. were invited in December, and award-winning initiatives were announced in February. The award-winning initiatives will be disseminated through recommendation of their implementation and utilization in the future, and further examination quality improvement can be expected.

#### **Recommendations for Evaluation item (f): Initiatives for quality improvement**

- Strengthen information sharing among examiners for improving and guaranteeing examination quality.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Initiatives for involving staff members were implemented, including training exercises and seminars for examiners and other concerned persons and introduction of voluntary initiatives that contribute to examination quality improvement implemented by Examination Divisions, etc.
- ✓ Information sharing among examiners was promoted so that examiners would appropriately conduct examinations based on prior design searches, laws and regulations, and the Examination Guidelines and other guidelines.

The results of the initiatives mentioned above are as follows.

- ✓ Information sharing was efficiently conducted by starting training exercises and seminars for transferred examiners this fiscal year in addition to training exercises and seminars for all examiners concerning the importance of examination quality and the fundamental principles, etc. of quality management.
- ✓ Efforts were made to improve and make consistent examination quality through opening of a board for information sharing concerning drafting for Hague

applications in the Examination Divisions and sharing of draft documents for Hague applications.

- Enhance communication with applicants through on-site interview examinations or other means for improving and securing examination quality.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ As the "goals to be achieved by the JPO" in this fiscal year, the goal for user evaluation concerning communication was set as "the percentage of higher evaluations being 60% or more" and the goal for the number of on-site interview examinations and television interview examinations with SMEs, etc. located in rural areas was set as "70 or more," with the aim of realizing prompt examination and quality improvement at the same time.

The results of the initiatives mentioned above are as follows.

- ✓ Examiners came to communicate with each other in consideration of improvement of communication quality.
- ✓ In the user satisfaction survey of FY 2017, the percentage of higher user evaluations concerning communication (evaluations of 4 and 5 on a scale of 1 to 5) was 75.6%. In addition, the number of on-site interview examinations and television interview examinations was 74 (as of the end of February 2018).

#### **Recommendations for Evaluation item (g): Initiatives for quality verification**

- Enhance initiatives for quality management, such as quality audit corresponding to examinations of Hague applications.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The trial quality audit of Hague applications was started.

The results of the initiatives mentioned above are as follows.

- ✓ Issues in relation to the selection conditions, audit items, number of audited cases, period, and audit system, etc. when auditing Hague applications became clear.

- Consideration for the operation for efficient audit practices by means of operation of a new quality audit system.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Applications subject to quality audit was selected and managed by utilizing a quality audit system that started operating this fiscal year.

- ✓ Multicycle quality audit was conducted by shortening the audit period and narrowing down the number of cases.

The results of the initiatives mentioned above are as follows.

- ✓ It became possible to conduct quality audit on approved cases waiting for sending out, and the freedom of quality audit could be expanded, for example, in terms of the timing of quality audit and selection of examiners subject to audit.
- ✓ Quality audit concerning the scope of search and that concerning judgments in examinations had been conducted on different cases in the past, but it became possible to conduct these kinds of audit on the same applications at the same time.
- ✓ The trial quality audit was conducted on 160 domestic cases and 10 Hague cases by six Quality Management Officers this fiscal year.

- Enhance the user satisfaction survey to understand users' needs correctly.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The user satisfaction survey was conducted by reducing the load on respondents through review of questions and timing of collection while maintaining continuity with the survey of the last fiscal year and by using questionnaires to which necessary modifications were made to understand users' needs more accurately.
- ✓ In conducting the user satisfaction survey, the number of SMEs, etc. to which the questionnaires are sent was increased.
- ✓ The English version of the opinion acceptance form for quality improvement was established on the JPO's website to understand the needs of overseas users.

The results of the initiatives mentioned above are as follows.

- ✓ In the user satisfaction survey of this fiscal year, response rates improved from the previous fiscal year for both of the two types of questionnaires<sup>2</sup> that were used.
- ✓ Regarding the level of satisfaction with the overall quality of examinations, the number of evaluations of 4 and 5 on a scale of 1 to 5 slightly decreased from the previous fiscal year, but the level of satisfaction improved from the previous fiscal year regarding five items<sup>3</sup> out of the seven individual items.

---

<sup>2</sup> The two types are as follows: a questionnaire on the quality of overall design examinations and a questionnaire on the quality of design examinations on specific applications.

<sup>3</sup> The five items were as follows: statements in a notice of reasons for refusal and other documents, statements in an examiner's decision of refusal, consistency of judgments, prior design search, and international application for design registration.

- ✓ The establishment of the English version of the opinion acceptance form for quality improvement on the JPO's website made it possible to better understand the needs of overseas users.

#### **Recommendations for Evaluation item (h): Examination quality analysis and identification of issues**

- Conduct continuous improvement while evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The Design Examination Quality Management Committee clarified issues with daily initiatives for quality management, including the results of quality audit, and considered relevant measures.

The results of the initiatives mentioned above are as follows.

- ✓ Regarding Hague applications, drafting was made more efficient and errors were reduced by holding consultations with approvers for all applications and by preparing and accordingly modifying the drafting check sheet for Hague applications.
- ✓ Examinations on design applications containing images were made more efficient and consistent by integrating the statements in notifications indicating the scope of search and reflecting them on the drafting system.
- ✓ Relevant knowledge was shared and accumulated by establishing a board for the sharing of draft documents and information concerning drafting on the intranet in the Examination Divisions.

#### **Recommendations of Evaluation item (k): Communication of information on initiatives for examination quality improvement**

- Increase reliability of the quality of design examinations at the JPO through, for example, actively communicating to domestic and overseas users and overseas IP offices including those in emerging countries, regarding JPO's initiatives for maintaining and improving examination quality.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Information on quality management was communicated through international meetings or other occasions to increase the reliability of examinations in Japan and disseminate high-quality examinations to overseas IP offices including those in emerging countries.
- ✓ Exchanges of opinions with companies were conducted at the level of the JPO's top officials and managerial staff in the Examination Divisions.

- ✓ Exchanges of opinions were conducted with industry organizations.
- ✓ The JPO's initiatives for quality management of design examinations were introduced at the Industrial Design 5 Forum (ID5), and information was actively communicated to overseas IP offices.
- ✓ The exchange of information on quality management was taken as an agenda at the JPO-SIPO Design Experts' Meeting and the JIPO-KIPO Design Experts' Meeting to actively share information among the offices.

The results of the initiatives mentioned above are as follows.

- ✓ Users' opinions could be directly listened to from various directions through active exchange of opinions with system users. In addition, the reliability of examinations in Japan was increased.
- ✓ The exchange of information on quality management was taken as a new agenda at the JPO-SIPO Design Experts' Meeting and the JIPO-KIPO Design Experts' Meeting, and information was actively shared among the offices. Thereby, information on their quality management systems and audit methods were shared among the offices.
- ✓ The JPO/IPR Training Course on Substantive Examinations of Designs (November 8 to 21, Tokyo) was implemented as acceptance of overseas examiners.

### **3. Trademarks**

#### **Recommendations for Evaluation item (a): Status of creation of documents**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Manual, and other guidelines, create a list or other materials that indicates the positioning of each document in the whole documentation system and the correlations among the documents.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, a list that indicates the positioning of each document in the whole documentation system and the correlations among the documents was created and placed on the web pages concerning quality management on the intranet of the JPO.

The results of the initiatives mentioned above are as follows.

- ✓ The documents to be referred to in the examination process were clarified through understanding of the positioning of each of the examination-related document and the correlation among the documents, which enabled efficient examinations.

### **Recommendations for Evaluation item (b): Clarity of procedures**

- Review the Examination Guidelines for Trademarks on the basis of users' needs.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ On the basis of users' needs and changes in social conditions, 1) the Trademark Examination Manual was created concerning marks with historical, cultural, or traditional values and 2) the Manual was revised along with the review of operation of the main paragraph of Article 3, paragraph (1) of the Trademark Act.
- ✓ With significant review of the Examination Guidelines for Trademarks in FY 2016, seminars for practitioners were held at 15 locations nationwide to increase users' understanding.
- ✓ Exchanges of opinions were actively conducted with user organizations to understand users' needs and identify issues (record in this fiscal year: 86 cases)

The results of the initiatives mentioned above are as follows.

- ✓ Regarding impression of the revised Examination Guidelines for Trademarks, the score of "improving" accounted for 50.4% in the user satisfaction survey of FY2017.
- ✓ Users' needs and issues with the current examination practices were understood through regular exchanges of opinions with user organizations, leading to improvement of examination practices in the future.

### **Recommendations for Evaluation items (d) and (e): Examination implementation system and quality management system**

- Employ an appropriate number of examiners and enhance development of examiners.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The examination system was secured for efficient and appropriate trademark examinations.
- ✓ Examiners were developed through provision of training exercises and seminars by rank based on the FY 2017 training plan.

The results of the initiatives mentioned above are as follows.

- ✓ Eight examiners were newly employed for improving and enhancing the examination implementation system.
- ✓ A way for examiners with years of experience to be reemployed was introduced so that they can continue working on examination (seven examiners were reemployed this fiscal year).
- ✓ In the user satisfaction survey of FY2017, the level of satisfaction with "content of

statements in a notice of reasons for refusal" and "content of statements in a written amendment instruction" improved from the previous fiscal year, with an increase in the number of evaluations of 4 and 5 on a scale of 1 to 5.

- Enhance the examination implementation system and quality management system regarding examination of non-traditional trademarks.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Examiners dedicated to examination of non-traditional trademarks were assigned to each Examination Division for enhancing the examination implementation system regarding examination of non-traditional trademarks.
- ✓ Regarding examination of non-traditional trademarks, the Examination Manual was enhanced concerning "motion trademarks," "hologram trademarks," "color trademarks," "sound trademarks," and "position trademarks," and part of the content thereof was reflected on the Examination Manual and published.
- ✓ The cases of examinations of non-traditional trademarks were accumulated, and information on the cases that may attract public attention was shared among examiners, for example, through consultations among examiners including managerial staff.

The results of the initiatives mentioned above are as follows.

- ✓ The examinations of non-traditional trademarks could be promoted through enhancing the examination implementation system and improving the Examination Manual (the number of processed cases this fiscal year: 138 registrations of establishment and 175 first actions (as of the end of February 2018)).
- ✓ In the user satisfaction survey of FY2017, the level of satisfaction with "consistency with the Guidelines and the Manual" and "consistency among examiners" improved from the previous fiscal year, with an increase in the number of evaluations of 4 and 5 on a scale of 1 to 5.

- Steadily perform examination according to the Examination Guidelines for Trademarks

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The establishment of knowledge was promoted through provision of training exercises and seminars by rank and provision of lectures concerning the Examination Guidelines for Trademarks based on the FY2017 training plan.
- ✓ Consultations were held among examiners, including managerial staff, to increase consistency of judgments regarding the cases that are highly likely to attract public



attention and the cases which require careful judgment.

The results of the initiatives mentioned above are as follows.

- ✓ In the user satisfaction survey of FY2017, the level of satisfaction with "consistency with the Guidelines and the Manual" and "consistency among examiners" improved from the previous fiscal year, with an increase in the number of evaluations of 4 and 5 on a scale of 1 to 5.
- Promote consultations on important cases and share information on rulings and external opinions (including those from mass media).

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Consultations were held among examiners, including managerial staff, to increase consistency of judgments regarding cases that are highly likely to attract public attention and cases which require careful judgment.
- ✓ The examination departments and the Trial and Appeal Department held meetings concerning processing policy and exchanged opinions with each department based on feedback memos for individual cases.
- ✓ Information, etc. taken up in newspapers or by mass media, etc. was placed on the intranet of the JPO on the same day to share it among the trademark examination departments.

The results of the initiatives mentioned above are as follows.

- ✓ In the user satisfaction survey of FY2017, the level of satisfaction with "consistency among examiners" and "consistency with the Guidelines and the Manual" improved from the previous fiscal year, with an increase in the number of evaluations of 4 and 5 on a scale of 1 to 5.
- ✓ Appropriate information sharing could be promoted among examiners.
- Continue system development for supporting the efficiency and quality improvement of examinations.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The Examination Promotion Planning Section was established in the Trademark Division as a department that promotes planning and making proposals for the processing and promotion of examinations from the perspective of increasing the efficiency of trademark examinations.
- ✓ An actual condition survey on the load of examination works was conducted for the purpose of specifically understanding works that place load on examinations, in

considering initiatives for increasing the efficiency of examinations toward alleviation of the load of examination processing.

- ✓ Empirical research projects were conducted regarding the sophistication and increase in efficiency of works by utilizing artificial intelligence (AI) techniques in relation to prior figure trademark search and checks of unclear goods and services.

The results of the initiatives mentioned above are as follows.

- ✓ Specifically understanding works that place load on trademark examinations makes it possible to consider system development for supporting the efficiency and quality improvement of examinations in the future.
- Involve all staff members engaged in examination works for the improvement and assurance of examination quality.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Efforts were made to improve communication (notices, telephone services, etc.) to trademark applicants and holders of trademark rights. Specifically, active support for obtaining rights was provided to applicants who had no representative appointed by sending a written amendment instruction or other documents and providing telephone contact, etc. for applications for which no response was made after a notice of reasons for refusal was issued without immediately issuing an examiner's decision of refusal.

The results of the initiatives mentioned above are as follows.

- ✓ In the user satisfaction survey of FY2017, the level of satisfaction with "communication with examiners" improved from the previous fiscal year, with an increase in the number of evaluations of 4 and 5 on a scale of 1 to 5.

### **Recommendations for Evaluation item (g): Initiatives for quality verification**

- Discuss operation for efficient audit practices by means of operation of a quality audit system

The major initiatives for the recommendation mentioned above are as follows.

- ✓ Paperless quality audit was conducted by means of operation of a new system that provides functions for detailed setting of selection conditions for a case to be audited. Incidentally, the quality audit system and guidelines were reviewed before new operation.

The results of the initiatives mentioned above are as follows.

- ✓ The transparency and reliability of the results of quality audit increased due to the

change in the execution method of quality audit.

- ✓ The systemization of quality audit enabled quality audit to be conducted before notices are sent out to applicants for all cases subject to audit, and efficiency in quality audit could be further increased.
- Broaden the range of respondents surveyed in the user satisfaction survey so as to understand users' needs correctly.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The user satisfaction survey was conducted on 420 respondents in total, consisting of respondents who rank in the top 400 (360 domestic applicants and 40 overseas applicants) in terms of the number of applications for trademark registration filed in FY2017 and 20 respondents selected from SMEs and individuals that ranked high in terms of the number of applications for trademark registration, and the survey results were tallied and analyzed.
- ✓ The English version of the opinion acceptance form for quality improvement was established on the JPO website to understand the needs of overseas users.

The results of the initiatives mentioned above are as follows.

- ✓ The broadening of the range of respondents surveyed in the user satisfaction survey made it possible to extract not only the opinions of large companies but also those of SMEs and individuals.
- ✓ The establishment of the English version of the opinion acceptance form for quality improvement on the JPO website made it possible to further understand the needs of overseas users.

### **Recommendations for Evaluation item (h): Examination quality analysis and identification of issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The relation between the initiatives implemented by the JPO in relation to improvement recommendations concerning quality management presented by the members of the Subcommittee on Examination Quality Management at the Subcommittee meeting and the results obtained from the initiatives were evaluated.

The results of the initiatives mentioned above are as follows.

- ✓ The relation between the initiatives implemented by the JPO in relation to improvement recommendations concerning quality management presented by the members of the Subcommittee on Examination Quality Management at the Subcommittee meeting and the results obtained from the initiatives could be evaluated.
- ✓ The percentage of nonconformance decreased in the quality audit in FY2017.

**Recommendations of Evaluation item (k): Communication of information on initiatives for examination quality improvement**

- Increase the reliability of the quality of patent examinations at the JPO through actively communicating, to domestic and overseas users and overseas IP offices including those in emerging countries, the JPO's initiatives for maintaining and improving examination quality, and providing opportunities to listen to their opinions on the initiatives, for example.

The major initiatives for the recommendation mentioned above are as follows.

- ✓ The JPO made a proposal for launching a project concerning quality management at a meeting of the Five Trademark Offices (TM5), and promoted sharing of information on quality management initiatives of the five offices.
- ✓ The JPO's initiatives for maintaining and improving examination quality were communicated to overseas IP offices including those in emerging countries through international meetings, examiner exchange program, and other opportunities.
- ✓ The JPO's initiatives for examination quality management were introduced, and related information was actively communicated to overseas user organizations, etc.

The results of the initiatives mentioned above are as follows.

- ✓ The JPO made a proposal for launching a project concerning quality management at a meeting of the Five Trademark Offices (TM5), and the five offices agreed to share information on quality management initiatives of the five offices in the future. Thereby, the five offices could create shared understanding of their quality management systems among one another.
- ✓ The JPO's initiatives for examination quality management were introduced by utilizing opportunities for exchanges between two offices (the JPO and an overseas IP office, including the EPO, the KIPO, and the TIPO), dispatch of experts to overseas IP offices, and other kinds of acceptance of trainees (Argentina, Brazil, Colombia, Georgia, India, Kazakhstan, Mexico, Philippines, etc.), and discussions were held on the quality management initiatives of these offices. Thereby, the JPO and overseas IP offices could create shared understanding of their quality

management systems among one another.

- ✓ The reliability of examinations in Japan was increased by introducing the JPO's initiatives for examination quality management at the International Trademark Association (INTA) Annual Meeting and the American Intellectual Property Law Association (AIPLA) Annual Meeting and actively communicating related information to overseas user organizations, etc.

## **II. Evaluation Results Concerning Implementation Systems/Implementation Status in Quality Management**

Evaluation was conducted according to the Evaluation Items and Criteria Concerning Examination Quality Management (See Appendix at the end of the report) formulated by the Subcommittee in FY2014.

As evaluation criteria for each evaluation item, a scale of 1 to 4 ("Very Satisfactory," "Satisfactory," "Generally Achieved," and "Requiring Improvement") was adopted so that it allow appropriate evaluations without unnecessary complexity. In addition, because examination processes are common among patents, designs, and trademarks, common evaluation criteria for assessing the implementation systems/implementation status in quality management are used among them.

For each evaluation criterion, the objectives and aspects of evaluation for each evaluation item were clarified, and the actions, status, and other items to be achieved at each stage were specifically defined.

In particular, evaluation items (f) and (g) were evaluated as "Very Satisfactory" only in the case where both of the conditions "initiatives necessary for the improvement of quality had been planned and implemented as planned, and their objectives had been achieved" and "it was recognized to have effects that would contribute to further improvement of quality" were achieved.

In addition, evaluation item (h) was evaluated as "Very Satisfactory" only in the case where both of the conditions "analysis of examination quality and identification of issues had been conducted sufficiently" and "identification of issues had been conducted from a comprehensive perspective" were achieved.

Furthermore, evaluation items (i) and (j) were evaluated as "Very Satisfactory" only in the case where the condition that improvement in "policies, procedures, and structures" as well as "quality management initiatives" had been made "at an excellent level" was achieved, instead of "sufficiently been made."

Before the deliberation by the Subcommittee, the JPO provided its members with materials outlining the outcomes and status of the implementation of examination quality management on patents, designs, and trademarks, respectively, regarding the eleven evaluation criteria (Handouts 2 to 4 of the first meeting of FY2017). Points that were unclear regarding the outcomes and status of implementation in the handouts, if any, were followed-up in the Q&A session with the JPO on the same day as the deliberation. Upon request from the Subcommittee members, a visit to the sites where examination or quality

management is performed in the JPO was available.

The Subcommittee members evaluated each evaluation item on a scale of 1 to 4 according to the evaluation criteria, based on, for example, descriptions of the handouts mentioned above. Subsequently, the Subcommittee deliberated to compile an official evaluation of the Subcommittee based on each member's evaluation and the results of the Q&A session.

The median value of the scores given by the Subcommittee's members was used as a Subcommittee's official evaluation. However, different evaluations by some members from the official Subcommittee's evaluations were, if any, also described in association with the evaluation criteria.

The Subcommittee's evaluation results are summarized as follows.

## **1. Patents**

### **Evaluation item (a) (Status of creation of the Quality Policy, Quality Manual, and other documents)**

The Quality Policy, the Quality Manual, and other documents indicating specific procedures for quality management were created and appropriately managed, and example cases indicating patent eligibility and judgments concerning involvement of an inventive step were added to the Examination Handbook and other documents regarding IoT-related technology. Thus, this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because review of the basic idea for improvement of quality management was not clarified though the Quality Policy, the Quality Manual, and other documents were created.

### **Evaluation item (b) (Clarity of procedures for examinations and quality management)**

The necessary procedures for examinations, items needed to be implemented, and other matters are appropriately indicated. For example, the Examination Guidelines for Patent and Utility Model stipulate what needed to be done in patent examinations and the specific procedures therefor and that the Quality Manual clearly describes who should be responsible for establishing and implementing the quality management system, and the procedures and the persons in charge of the implementation of quality management. Thus, this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because it could not be said that review for improvement of quality management was made clear though efforts to clarify the procedures were made by the Examination Guidelines for Patent and Utility Model, the Quality Manual, and other documents, it was unclear which activity was the basis for the revision of the documents, and the quality needed to be consequently assured in each process stipulated in these documents and evaluation indexes thereof were not clarified.

### **Evaluation item (c) (Publication of the fundamental principles of quality management etc. to users of IP systems and dissemination of such information to the staff)**

The Quality Policy and the Quality Manual were published so that users including overseas users can easily access them. They were also disseminated to all of the staff members who engaged in examination through multiple ways. Training exercises and seminars for the staff were provided on a regular basis. Examiners were confirmed and checked on whether they have knowledge concerning laws and the Examination



Guidelines, knowledge concerning prior art search practice, knowledge related to interview examinations, and other basic knowledge necessary for examination practices through the quality test, and if an examiner was found to lack any of such knowledge, the examiner was made to acquire the relevant knowledge. Accordingly, this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because it was impossible to judge how those that needed to receive training exercises and seminars were stipulated and what percentage of them were provided with the training exercises and seminars, the effect of training exercises and seminars could not be judged as the results of the questionnaire survey after the training exercises and seminars and the results of ability evaluation in works (by a supervisor or auditor), etc. were not indicated, and it was unclear how ability was evaluated based on the state of actual works.

In addition, other members gave an evaluation of "Generally Achieved" because they considered that further efforts were required for dissemination to concerned persons although the Quality Policy and the Quality Manual had been published.

#### **Evaluation item (d) (Examination implementation system)**

An organizational and staffing structure that can realize high-quality examinations while allowing examiners to achieve their quota efficiency was established as a result of initiatives for enhancing the examination implementation system, including expansion of prior art search operations, and increasing the efficiency in examination, and contributions were made to sharing of information on examination results with overseas IP offices and utilization of the Patent Prosecution Highway Plus. Thus, this item was evaluated as "Satisfactory."

However, many members gave an evaluation of "Generally Achieved" because it could not be said that an organizational and staffing structure of an internationally comparable level had been established as prior art searches and initiatives for quality improvement were implemented with a limited number of examiners. On the other hand, other members gave an evaluation of "Very Satisfactory" because a structure for appropriate and prompt examinations was sufficiently secured and also implemented.

#### **Evaluation item (e) (Quality management system)**

The JPO established an organizational structure of examination quality management, in which persons in charge, persons conducting examinations, persons planning and making proposals for initiatives, and persons analyzing and evaluating the quality of examinations were all independently positioned. For example, written notices were assigned to the Quality Management Officers based on the major types of the notice,

aiming for better audit practices. Overall, an organizational and staffing structure was established in order to enable planning and making proposals for initiatives for quality management in an efficient and effective manner so that quality management initiatives are conducted at an internationally comparable level. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because a necessary management system was developed by increasing the number of researchers engaged in quality management, the quality audit system was improved accordingly, and a staffing structure and guidance system for preventing quality deterioration were aimed at and management was thoroughly conducted while listening to the opinions, etc. of persons outside.

#### **Evaluation item (f) (Initiatives for quality improvement)**

Initiatives necessary for quality improvement (approval, checking drafted notices before approval, consultations, setting targets for each examiner and evaluations on his/her achievements, interviews or telephone contact, enhancement of searches of foreign patent documents, collection and provision of quality-related information, training exercises and seminars, evaluations and guidance on prior art searches conducted by registered search organizations, and provision and maintenance of search indexes) were continuously implemented as planned. As an initiative that would contribute to further improvement of quality, efforts were made to enhance communication with users in order to obtain conclusions with which users are highly satisfied by utilizing on-site interview examinations, television interview examinations, and other opportunities. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because returned cases were accumulated and fed back, it was recognized that more energy was contributed to on-site interviews and telephone contact than last year, for example, by utilizing the place of the INPIT-KANSAI, further initiatives for enhancing prior art searches by the Chinese and Korean document translation and search system were recognized, and excellent initiatives were granted an award and creative measures for quality improvement were recognized.

#### **Evaluation item (g) (Initiatives for quality verification)**

The comprehensive quality verification of examinations was steadily implemented through internal initiatives for verification by quality audit and other methods and initiatives for verification utilizing external opinions through the user satisfaction survey. Verification of the validity of searches as well as the validity of identification and

judgments through quality audit and verification of formality matters of notices through partial audit, which were both required for verification of quality, were conducted as planned in terms of the number of cases, and the objectives of each initiative were achieved. Questions about the frequency of presentation of more appropriate cited documents by IP offices in the United States, Europe, China, South Korea, and other countries and regions in the last one year were added to the user satisfaction survey in order to understand the strengths and weaknesses of the JPO compared to other IP offices from the perspective of utilization of examination results. Thus, this item was evaluated as "Satisfactory."

**Evaluation item (h) (Examination quality analysis and identification of issues)**

Identification and analysis of issues were conducted sufficiently on the basis of the current state of examination quality, users' needs, the volume of examination works in the future, and trends of system revisions, which were analyzed by utilizing multiple means for information acquisition. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because initiatives for quality evaluation were steadily implemented and the issues were identified on the basis of the results thereof, improvement in the method of analysis including an attempt to conduct CS portfolio analysis was made, and issues were narrowed down from a comprehensive perspective and the issues to be addressed in the future on the examination process were specifically narrowed down.

**Evaluation item (i) (Status of improvement of policies, procedures, and structures to achieve high-quality examinations (evaluation items from (a) to (e)))**

The Examination Handbook for Patent and Utility Model was revised and the revision was thoroughly disseminated to the staff members to realize high-quality examinations though the examination implementation system could not be considered sufficient compared to those in other countries. In addition, the basics of quality management were disseminated to the staff members more thoroughly than before, and then it was checked whether they understood them well; and the policies, procedures, and structures were sufficiently improved. Thus, this item was evaluated as "Satisfactory."

**Evaluation item (j) (Status of improvement of quality management initiatives (evaluation items from (f) to (h)))**

Initiatives for quality management were improved, including enhancement of functions of drafting support tools, provision of quality information, and improvement in the method of providing the managerial staff in the examination departments with the audit

results, in response to the issues identified through the analysis in the previous fiscal year. Thus, this item was evaluated as "Satisfactory."

**Evaluation item (k) (Communication of information on initiatives for examination quality improvement)**

Information on examination quality improvement was communicated to domestic and overseas users through exchanges of opinions as well as to overseas IP offices through international gatherings and dispatch/acceptance of examiners. Furthermore, continuous cooperative relations with other IP offices were built. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because information was communicated to overseas users through meetings for exchanges of opinions and other opportunities and cooperative relations were built with them.

**2. Designs**

**Evaluation item (a) (Status of creation of the Quality Policy, Quality Manual, and other documents)**

The Quality Policy, the Quality Manual, and other documents indicating specific procedures for quality management were created and appropriately managed, and thus this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because review of the basic idea for improvement of quality management was not clarified or because a quality assurance system chart or a document system chart was not clearly displayed in the Quality Manual, and in creating a list that indicates the positioning of each of the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines in the whole documentation system and the correlations among them, a description that is comprehensible when comparing the four laws was desirable, particularly, for publishing it to users.

**Evaluation item (b) (Clarity of procedures for examinations and quality management)**

It was recognized that the Examination Guidelines for Design stipulated what needed to be done in the examination process and the specific procedures. Meanwhile, the Quality Manual clearly described establishing and improving the quality management system, its implementation, and who was responsible for quality management. It also described the procedures for quality management. Thus, this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because review for

improvement of quality management could not be considered clear or because they expected that which activity (identification of the issue, analysis of factors, planning and implementation of initiatives, and confirmation of effects) was the basis for each revision would be clarified and that the quality needed to be consequently assured in each process stipulated in these documents and evaluation indexes therefor would be clarified.

**Evaluation item (c) (Publication of the fundamental principles of quality management etc. to users of IP systems and dissemination of such information to the staff)**

The Quality Policy and the Quality Manual were published so that users, including overseas users, could easily access to them. They were also disseminated through the webpages containing quality management information on the intranet of the JPO, in addition to conventional methods, to all of the staff members who engaged in examination. Not only that, training exercises and seminars for staff were provided on a regular basis. In addition to these, training exercises and seminars on the importance of examination quality and the fundamental principles of quality management were continued to be provided from the previous fiscal year for all of the design examiners, and training exercises and seminars were also provided especially for transferred staff members. Then, their understanding of the content of lectures was tested after each training exercise and seminar. Thus, this item was evaluated as "Very Satisfactory."

However, many members also gave an evaluation of "Satisfactory" because dissemination to concerned persons was insufficient. In addition, some members gave an evaluation of "Generally Achieved" because the reason for selecting those subject to training exercises and seminars and the percentage of those who received it were not sufficiently clear and the method of ability evaluation based on the results of the questionnaire survey after the training exercises and seminars and the state of actual works was unclear.

**Evaluation item (d) (Examination implementation system)**

Regarding examinations processed, under the current organizational and staffing structure, it was recognized that the number of issuing first actions had been almost identical to that of filing applications over these past few years. Moreover, an average period from filing an application to sending a notice of first action reached as short as 6.1 months in 2016, remaining the same in the first half of 2016. However, the number of examinations per examiner was greater in Japan than in the U.S., and what is more, the limited number of design examiners conducted examinations of Hague applications, as well as worked on initiatives for quality improvement. So, it fell short of saying that the

organizational and staffing structure for examinations was well established, compared with other IP offices where the substantive examination was adopted. Thus, this item was evaluated as "Generally Achieved."

On the other hand, some members gave an evaluation of "Satisfactory" because examinations were smoothly carried forward with a limited number of examiners.

#### **Evaluation item (e) (Quality management system)**

The role of a coordinator for planning (one officer) was established in the Design Division that plans and makes proposals for quality management. The coordinator for planning served as an executive officer and analyzed and evaluated the quality audit. Initiatives for quality management were implemented despite the limited human resources within the organization, and quality management equivalent to that in other countries where substantive examination is adopted was established at the JPO. Furthermore, implementation of audit on Hague applications was started this fiscal year, and the system therefor was established by securing Quality Management Officers for that purpose. Thus, this item was evaluated as "Satisfactory."

However, some members gave an evaluation of "Generally Achieved" because enhancement of the quality management system was not sufficient though it had been progressing.

#### **Evaluation item (f) (Initiatives for quality improvement)**

Initiatives necessary for quality improvement (e.g., consultations on national applications and their feedback, consultations on all Hague applications) continued to be implemented from the previous fiscal year as planned. As an initiative that would contribute to further quality improvement, the Examination Guidelines for Design was revised, and draft documents of all cases of Hague applications were double-checked for formality flaws. Thus, this item was evaluated as "Satisfactory."

However, some members gave an evaluation of "Generally Achieved" because it was desirable that specific goals for examination quality and the method of evaluating it would be clarified.

#### **Evaluation item (g) (Initiatives for quality verification)**

Verification of the validity of judgments and notices drafted by examiners through quality audit, which was required for the verification of quality, was conducted as planned. A system was also established to allow quality audit to be conducted on approved cases pending send-out, and it became possible to select cases with a lot of flexibility. Furthermore, a trial quality audit on Hague applications was started. Regarding the user

satisfaction survey, survey items were considered and the range of respondents surveyed was broadened. The response rate also increased from the previous fiscal year. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because the examination items for quality assurance, including actually conducted examinations, were verified and creative measures for further quality improvement were promoted.

**Evaluation item (h) (Examination quality analysis and identification of issues)**

It was recognized that analyses of examination quality were conducted inside and outside the JPO, and identification of issues was conducted sufficiently. Thus, this item was evaluated as "Satisfactory."

However, some members gave an evaluation of "Generally Achieved" because the evaluation method was not considered to be clear.

**Evaluation item (i) (Status of improvement of policies, procedures, and structures to achieve high-quality examinations (evaluation items from (a) to (e)))**

The basics of quality management continued, from the previous fiscal year, to be sufficiently disseminated to staff members by, for example, providing lectures for all design examiners and providing training exercises and seminars for transferred staff members. In addition, the policies, procedures, and structure were sufficiently improved by, for example, assigning an officer dedicated to planning and making proposals for quality management as an executive officer who analyzed and evaluated the quality audit. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because activities for realizing rational and prompt examinations were continued and the results thereof were actually acquired.

**Evaluation item (j) (Status of improvement of quality management initiatives (evaluation items from (f) to (h)))**

Initiatives for quality management were improved in response to the issues identified in FY2015. Specifically, efforts were made on improvements such as a review of the implementation system of the user satisfaction survey, establishment of a system for quality audit, and implementation of a double-check of draft documents for Hague applications. Thus, this item was evaluated as "Satisfactory."

**Evaluation item (k) (Communication of information on initiatives for examination quality improvement)**

Information on examination quality improvement was communicated to domestic users and opinions were exchanged regularly through meetings with users. In this way, continuous cooperative relations were built and maintained. Moreover, information continued to be provided to overseas IP offices at international gatherings such as the Industrial Design 5 Forum (ID5) and the Meeting of the Joint Experts Group for Design (Japan, China and Korea), and through dispatch/acceptance of examiners. In this way, cooperative relations with other countries including emerging countries were built and maintained. Thus, this item was evaluated as "Satisfactory."

On the other hand, many members gave an evaluation of "Very Satisfactory" because exchange of information was actively conducted among the JPO, the SIPO, and the KIPO through holding the JPO-SIPO and JPO-KIPO Design Experts' Meetings. However, other members gave an evaluation of "Generally Achieved" because strengthening of communication of information to users was desirable.

### **3. Trademarks**

#### **Evaluation item (a) (Status of creation of the Quality Policy, Quality Manual, and other documents)**

The Quality Policy, the Quality Manual, and other documents indicating specific procedures for quality management were created and appropriately managed, and thus this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because review of the basic idea for improvement of quality management was not made clear though the basic ideas of the Quality Policy and the Quality Manual could be understood.

#### **Evaluation item (b) (Clarity of procedures for examinations and quality management)**

It was recognized that the Examination Manual for Trademarks and the Outline of Trademark Examination Procedure stipulated what needed to be done in the examination process and the specific procedures. Meanwhile, the Quality Manual clearly described establishing and improving the quality management system, its implementation and who was responsible for quality management. It also described the procedures for quality management. Therefore, this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because review for improvement of quality management could not be considered clear though efforts for clarification were made through the Examination Guidelines for Trademarks, the Quality Manual, and other documents.



**Evaluation item (c) (Publication of the fundamental principles of quality management etc. to users of IP systems and dissemination of such information to the staff)**

The Quality Policy and the Quality Manual were published so that users, including overseas users, could easily access to them. They were also disseminated through multiple methods to all staff members who engaged in examination. In addition, training exercises and seminars for staff were provided on a regular basis. Furthermore, lectures on the importance of examination quality and the fundamental principles of quality management were newly provided for all trademark examiners, and their understanding on the content of the lectures was tested after each program. Thus, this item was evaluated as "Very Satisfactory."

However, some members gave an evaluation of "Satisfactory" because training exercises and seminars for staff were provided on a regular basis and their understanding was tested but the effects thereof could not be judged. In addition, other members gave an evaluation of "Generally Achieved" because further efforts are required for dissemination to concerned persons.

**Evaluation item (d) (Examination implementation system)**

High-quality and efficient examinations were realized while efficiently conducting the required number of examination cases, for example, by assigning an officer dedicated to examination of non-traditional trademarks to each Examination Division, in order to enhance the examination implementation system regarding non-traditional trademarks. However, examinations and initiatives for quality improvement were implemented with a limited number of examiners. Thus, this item was evaluated as "Generally Achieved" from the perspective of establishing an internationally comparable level of organizational and staffing structure for examination.

On the other hand, some members gave an evaluation of "Satisfactory" because staff members were assigned for enhancing the examination implementation system and initiatives, including promotion of review of the dedicated examination team system, could be taken while non-traditional trademarks were attracting a high level of social interest and quality management regarding their examination results was especially important.

**Evaluation item (e) (Quality management system)**

The JPO established an organizational structure of examination quality management, in which persons in charge, persons conducting examinations, persons planning and

making proposals for initiatives, and persons analyzing and evaluating the quality of examinations were all independently positioned. The organizational and staffing structure was established in order to enable planning and making proposals for initiatives for quality management in an efficient and effective manner so that quality management initiatives can be conducted at an internationally comparable level. In addition, the JPO established the Examination Promotion Planning Section in the Trademark Division as a department that promotes planning and making proposals for increasing efficiency in examinations in order to deal with examinations of trademark applications that have been increasing in recent years. Thus, this item was evaluated as "Satisfactory."

#### **Evaluation item (f) (Initiatives for quality improvement)**

Initiatives necessary for quality improvement (approval, consultations, setting targets for each examiner and evaluations on his/her achievements, interviews or telephone contact, collection and provision of quality-related information, training exercises and seminars, improvement of the examination implementation system, etc.), which started in the previous fiscal year, were continuously implemented as planned. As an initiative that would contribute to further improvement of quality, communication with users was further improved, for example, by providing active support for obtainment of rights by sending a written amendment instruction or other documents and providing telephone contact, etc. for applications for which no response was made after a notice of reasons for refusal was issued without immediately issuing an examiner's decision of refusal in order to obtain conclusions with which users are highly satisfied. The goals for the initiatives were respectively achieved. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because the organizational structure for quality improvement was continuously improved and efforts were made to promote active communication with concerned persons.

However, other members gave an evaluation of "Generally Achieved" because continuous efforts for initiatives for improvement were recognized but they fell short of "Satisfactory."

#### **Evaluation item (g) (Initiatives for quality verification)**

Regarding quality audit, audit was conducted more efficiently, including realization of paperless audit through operation of a new system that provides functions for detailed setting of selection conditions for a case to be audited. In addition, regarding the user satisfaction survey, initiatives for verification of examination quality were implemented as planned. For example, the range of respondents surveyed was broadened (20

respondents selected from SMEs and individuals were added), and survey results were tallied and analyzed. The goals for the initiatives were achieved, respectively. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because the user satisfaction survey was actively conducted as part of initiatives for quality improvement and the results were utilized as the basic data for verification, a mechanism for verifying and analyzing registered cases, refused cases, and opposed cases and sharing the results thereof was established, it was recognized that the system for listening to users' opinions was further strengthened through the user satisfaction survey conducted by broadening the range of respondents surveyed compared to the previous fiscal year, and active initiatives for verification utilizing users' opinions on examinations, including holding of meetings for exchanges of opinions for quality verification and acceptance of opinions on the webpages, were recognized.

#### **Evaluation item (h) (Examination quality analysis and identification of issues)**

Under the current quality management system, analysis of examination quality and identification of issues were conducted in each of initiatives. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because specific issues were identified through analysis of factors for discrepancy in judgments from the user satisfaction survey and rulings, initiatives for quality evaluation were steadily implemented and issues were identified on the basis of the results thereof, and furthermore, issues to be addressed related to the examination process were specifically narrowed down through identification of issues from a comprehensive perspective.

#### **Evaluation item (i) (Status of improvement of policies, procedures, and structures to achieve high-quality examinations (evaluation items from (a) to (e)))**

The examination implementation system could not be considered sufficient compared to those in other countries. However, the policies, procedures, and structures were sufficiently improved. For example, a department that promotes planning and making proposals for increasing efficiency while maintaining examination quality (Examination Promotion Planning Section) was newly established to deal with examinations of trademark applications that have been increasing in recent years. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because the existing verification system was continued and, consequently, items to be considered in the short- and mid-term were steadily improved.

However, other members gave an evaluation of "Generally Achieved" because securing of more examiners was desirable though efforts for improving examination quality and active initiatives for increasing efficiency were recognized with a limited number of examiners and initiatives for planning and making proposals for increasing efficiency in examinations were started with establishment of the Examination Promotion Planning Section, but it was questionable whether they were considered sufficient from the perspective of establishing an examination implementation system and staffing structure of an internationally comparable level in consideration of the recent increasing trend of the number of applications.

**Evaluation item (j) (Status of improvement of quality management initiatives (evaluation items from (f) to (h)))**

Efforts were made to further improve communication with users in response to the issues identified through the analysis in the previous fiscal year, and initiatives for quality management were sufficiently improved, including review of the method of implementing quality audit and the user satisfaction survey. Thus, this item was evaluated as "Satisfactory."

On the other hand, some members gave an evaluation of "Very Satisfactory" because activities toward further quality improvement were promoted through enhancement of the management system, which led to outcomes, and initiatives for quality management regarding the issues identified through the results of the user satisfaction survey were improved so that communication with users would be further actively promoted.

**Evaluation item (k) (Communication of information on initiatives for examination quality improvement)**

Information on examination quality improvement was communicated to domestic and overseas users through exchanges of opinions as well as to overseas IP offices through international gatherings and dispatch/acceptance of examiners. Furthermore, continuous cooperative relations with other IP offices were built and maintained. Thus, this item was evaluated as "Satisfactory."

Some members gave an evaluation of "Very Satisfactory" because information was communicated to domestic users through exchanges of opinions with companies and industry organizations and other measures, as well as to overseas IP offices through international gatherings and dispatch/acceptance of examiners. Furthermore, continuous cooperative relations with other IP offices were built and maintained.

However, other members gave an evaluation of "Generally Achieved" because it was recognized that efforts for communicating information were made with a limited number of examiners but continuous efforts were desirable.

### **III. Recommendations for Improvement in Implementation System/Implementation Status of Quality Management**

In parallel with evaluations concerning the implementation system/implementation status in quality management, the Subcommittee also deliberated on the matters expected to be improved concerning the implementation system/implementation status of quality management, which had been revealed through the evaluation process.

Improvement recommendations by the Subcommittee are summarized as follows.

#### **1. Patents**

##### **(1) Recommendations for Evaluation item (a): Status of creation of documents**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the positioning of each document in the whole documentation system and the correlations among the documents and enables comparison among the four laws.

##### **(2) Recommendations for Evaluation items (d) and (e): Examination implementation system and quality management system**

- Promote enhancement of the examination implementation system and the quality management system so that rights, including those for new technology such as the fourth industrial revolution-related technology, are established appropriately for users (applicants and third parties).

##### **(3) Recommendations for Evaluation item (f): Initiatives for quality improvement**

- Promote the sharing of search know-how among examiners for further maintaining and improving the quality of searches and enhance prior art search through improvement of the search environment for searching foreign documents, etc. more efficiently.
- Steadily conduct high-quality examinations trusted by domestic and overseas users by promoting initiatives for quality assurance as well as continuously analyzing issues concerning consistency of judgments among examiners, etc.
- Continue enhancing communication with users on the telephone, in interviews, etc. and continue initiatives for effectively supporting local SMEs and other users to obtain patent rights, such as communication of information on on-site interview examinations and television interview examinations.

**(4) Recommendations for Evaluation item (g): Initiatives for quality verification**

- Understand the wide-ranging needs of users, including overseas users and small-scale users, through exchanges of opinions, the user satisfaction survey, and other means.

**(5) Recommendations for Evaluation item (h): Examination quality analysis and identification of issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.

**(6) Recommendations of Evaluation item (k): Communication of information on initiatives for examination quality improvement**

- Continue considering easy-to-understand provision of information on initiatives for quality management and collecting information on initiatives for quality management at overseas IP offices in actively communicating information on the JPO's initiatives for examination quality to domestic and overseas users and overseas IP offices.

**2. Designs**

**(1) Recommendations for Evaluation item (a): Status of creation of documents**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the positioning of each document in the whole documentation system and the correlations among the documents and enables comparison among the four laws.

**(2) Recommendations for Evaluation items (d) and (e): Examination implementation system and quality management system**

- Promote enhancement of the examination implementation system and the quality management system to realize an examination implementation system that allows efficient and appropriate examinations.

**(3) Recommendations for Evaluation item (f): Initiatives for quality improvement**

- Improve the examination system to further maintain and improve examination quality.
- Steadily conduct high-quality examinations trusted by domestic and overseas users

by promoting initiatives for quality improvement as well as analyzing issues concerning the level of expert knowledge of design examiners in the user satisfaction survey.

- Continue enhancing communication with users on the telephone, in interviews, etc. and continue initiatives for effectively supporting local SMEs and other users to obtain design rights, such as communication of information on on-site interview examinations and television interview examinations.

**(4) Recommendations for Evaluation item (g): Initiatives for quality verification**

- Promote enhancement of initiatives for quality management, including quality audit corresponding to examinations of Hague applications.
- Understand the wide-ranging needs of users, including overseas users and small-scale users, through exchanges of opinions, the user satisfaction survey, and other means, to hear users' opinions more accurately.

**(5) Recommendations for Evaluation item (h): Examination quality analysis and identification of issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.

**(6) Recommendations of Evaluation item (k): Communication of information on initiatives for examination quality improvement**

- Continue considering easy-to-understand provision of information on initiatives for quality management and collecting information on initiatives for quality management at overseas IP offices in actively communicating information on the JPO's initiatives for examination quality to domestic and overseas users and overseas IP offices.

### **3. Trademarks**

**(1) Recommendations for Evaluation item (a): Status of creation of documents**

- For related documents such as the Quality Policy, the Quality Manual, the Examination Guidelines, the Examination Handbook, and other guidelines, create a list or other materials that indicates the positioning of each document in the whole documentation system and the correlations among the documents and enables



comparison among the four laws.

**(2) Recommendations for Evaluation items (d): Examination implementation system**

- Employ an appropriate number of examiners and enhance development of examiners.
- Enhance the examination implementation system regarding examination of non-traditional trademarks and thoroughly implement examination practices.
- Establish a sufficient examination implementation system capable of internationalization amid changes in the international business environment, in particular, rapid changes in the environment for business with Asian countries.

**(3) Recommendations for Evaluation item (f): Initiatives for quality improvement**

- Improve the system for improvement of examination quality.
- Review the Examination Guidelines for Trademarks (including other examination materials) on the basis of changes in social conditions and users' needs.
- Secure the appropriateness of examinations through feedback of rulings.
- Confirm consistency of judgments concerning the distinctiveness and similarity of trademarks.
- Introduce an AI technology-based method of increasing efficiency in examinations after sufficient accuracy verification of the utilization of AI that is considered effective through pattern analysis, etc.
- Confirm the effects of training exercises and seminars for examiners.

**(4) Recommendations for Evaluation item (h): Examination quality analysis and identification of issues**

- Conduct continuous improvement while ensuring that the PDCA cycle is effectively functioning through evaluating the relation between the initiatives for quality management and the results obtained from the initiatives.
- Identify specific issues for improving consistency with rulings and consistency among examiners as specific initiatives for improvement as a result of the user satisfaction survey and consider and implement specific improvement initiatives.

**(5) Recommendations of Evaluation item (k): Communication of information on initiatives for examination quality improvement**

- Continue considering easy-to-understand provision of information on initiatives for quality management and collecting information on initiatives for quality management at overseas IP offices in actively communicating information on the JPO's initiatives

for examination quality to domestic and overseas users and overseas IP offices.

#### **IV. Conclusion**

Through verifications and evaluations on the implementation system of the quality management and its status in FY2017, it was confirmed that evaluation results and improvement recommendations provided by the Subcommittee in FY2016 were reflected in the initiatives within the JPO.

In addition, it was confirmed that examination quality at the JPO remained at an internationally high level, and the initiatives for building trust relations with overseas IP offices had been promoted. Furthermore, it was also confirmed that opportunities to communicate with users of the industrial property rights system had been increased.

In light of these points, this Subcommittee expects that the JPO will continue its efforts to improve the quality of examination, through evaluation results and improvement recommendations concerning the implementation system of quality management and its status as outlined in this report being reflected in the initiatives to be implemented within the JPO, which would result in further enhancement of the implementation system of examination quality management, promoting cooperation between applicants serving as users and patent attorneys serving as representatives.

In addition, the Subcommittee also expects that the JPO will contribute to global activities of users of the industrial property right system through actively communicating its high-quality examination results to overseas IP offices, and continuing to interact with them in the area of quality management.

# Appendix

(Appendix) Evaluation Items and Criteria Concerning Examination Quality Management

Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria				
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements	
I. Have policies, procedures, and structures been established to achieve high-quality examination?							
(1) Have policies and procedures been established to achieve high-quality examination?							
(a)	Status of creation of Quality Policies, Quality Manuals, and other documents	To evaluate whether the Quality Policies stipulating the fundamental principles of quality management, the Quality Manuals describing initiatives for improvement of examination quality management along with the roles of departments/divisions and the personnel, and other documents indicating specific procedures for the purpose of quality management have been properly created, and to confirm whether Code of Conduct for the improvement of examination quality has been documented.	The Quality Policies and the Quality Manuals, sample documents of specific procedures, etc.	The Quality Policies, the Quality Manuals, and documents indicating specific procedures have been created and have been appropriately managed.	The Quality Policies and the Quality Manuals have been created, and documents indicating specific procedures have also been created.	The Quality Policies and the Quality Manuals have been created.	Either the Quality Policies or the Quality Manual has been created.
(b)	Clarity of procedures for examination and quality management	To evaluate whether it is clearly stipulated who is to do what, and when, regarding examination and quality management, and to confirm whether specific procedures for the improvement of examination quality have been defined.	The procedural method and the flow for examination, quality management, etc.	The procedures and responsible persons for examination and quality management have been made sufficiently clear.	The procedures and responsible persons for examination and quality management have been made clear.	The procedures and responsible persons for examination and quality management have been generally made clear.	The procedures and responsible persons for examination and quality management have not been made clear.

Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements
(c) Publication of the fundamental principles of quality management, etc. to users of IP systems and dissemination of such information to staff	<ul style="list-style-type: none"> <li>To evaluate whether the fundamental principles of examination quality management that the JPO has formulated as a goal, and other relevant initiatives have been clearly shown to users of IP systems, including overseas users, and to confirm whether examination quality is allowed to be evaluated in relation to such fundamental principles.</li> <li>To evaluate whether the fundamental principles of examination quality management that the JPO has formulated as a goal have been sufficiently disseminated to and understood by staff, and to confirm whether staff is allowed to conduct their works in accordance with them.</li> </ul>	The status of publication, the methods of access, the status of dissemination to staff and their understanding, etc.	Policies and procedures on quality management have been published to the degree that users, including overseas users, can easily access, and have been disseminated through multiple methods to all staff members who engage in examination. Also, trainings have been provided regularly for staff, and the staff has well understood the content of the trainings.	Policies and procedures on quality management have been published to the degree that national users can easily access, and have been disseminated through multiple methods to all staff members who engage in examination.	Policies and procedures on quality management have been published and disseminated to all staff members who engage in examination.	Policies and procedures on quality management have not been published or disseminated to staff.
I. Have policies, procedures, and structures been established to achieve high-quality examination?						
(2) Have structures been established to achieve high-quality examination?						

Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements
(d) Examination implementation system	To evaluate the form of organization that is in charge of examination, the number of examiners, etc., and to confirm whether or not to establish the world's highest level of implementation system of examination, while efficiently conducting the required number of examination cases.	The implementation system and the implementation status of examination, a comparison with other countries, etc.	While efficiently conducting the required number of examination cases, the JPO has established the world's highest level of organizational structure for examination and personnel deployment.	While efficiently conducting the required number of examination cases, the JPO has established internationally comparable level of organizational structure for examination and personnel deployment.	While efficiently conducting the required number of examination cases, the JPO has generally established internationally comparable level of organizational structure for examination and personnel deployment.	The JPO has not established internationally comparable level of organizational structure for examination and personnel deployment.
(e) Quality management system	To evaluate the form of organization that is in charge of quality management, the number of staff responsible for quality management, etc., and to confirm whether or not to establish the efficient and effective, as well as the world's highest level of quality management system.	The quality management system, a comparison with other countries, etc.	At the world's highest level, initiatives for the quality management system have been efficiently and effectively planned, as well as the organizational structure and personnel deployment to implement such initiatives have been established.	At the internationally comparable level, initiatives for the quality management system have been efficiently and effectively planned, as well as the organizational structure and personnel deployment to implement such initiatives have been	At the internationally comparable level, initiatives for the quality management system have been efficiently and effectively planned, as well as the organizational structure and personnel deployment to implement	At the internationally comparable level, initiatives for the quality management system neither have been efficiently and effectively planned, nor have the organizational structure and personnel deployment

Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements
				established.	such initiatives have been generally established.	to implement such initiatives been established.
II. Has the quality management been implemented according to policies and procedures?						
(1) Has the quality management been appropriately implemented?						
(f)	Initiatives for quality improvement	To evaluate whether initiatives necessary for the improvement of examination quality have been planned, and specifically how and to what degree such initiatives have been implemented according to policies and procedures, and confirm whether the objectives of the initiatives have been achieved.	The status of checks of notices of reasons for refusal, etc. for quality assurance, the status of examiner consultations, quantitative data such as the number of interviews, etc.	Initiatives necessary for the improvement of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved, having effects that contribute to further improvement of quality.	Initiatives necessary for the improvement of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved.	Initiatives necessary for the improvement of quality have not been planned, or even if planned, they have not been implemented as planned.



Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements
(g) Initiatives for quality verification	To evaluate whether initiatives necessary for the verification of examination quality have been planned, and specifically how and to what degree such initiatives have been implemented according to policies and procedures, and to confirm whether the objectives of such initiatives have been achieved.	The status of initiatives, including quality audits (sampling checks), user satisfaction surveys, and confirming discrepancy in judgment between examination decision and appeal/trial decision, quantitative data obtained from the results of such initiatives, etc.	Initiatives necessary for the verification of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved, having effects that contribute to further improvement of quality.	Initiatives necessary for the verification of quality have been planned and implemented as planned, and the objectives of the initiatives have been achieved.	Initiatives necessary for the verification of quality have been planned and implemented mostly as planned.	Initiatives necessary for the verification of quality have not been planned, or even if planned, they have not been implemented as planned.
(h) Examination quality analysis and identification of issues	To evaluate specifically how examination quality has been analyzed and what kind of issues have been identified based on the results of the analysis, and to confirm whether the methods of analysis and the identification of issues have been appropriate.	The methods and results of analysis, and identified issues, etc. concerning quality of searches, quality of judgements in examinations, quality of descriptive content in notices of reasons for refusal, etc.	Analysis of examination quality and identification of issues have been conducted sufficiently and from a comprehensive perspective.	Analysis of examination quality and identification of issues have been conducted sufficiently.	Analysis of examination quality and identification of issues have been generally conducted.	Analysis of examination quality and identification of issues have not been conducted.
II. Has the quality management been implemented according to policies and procedures?						

Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements
(2) Has continuous improvement been appropriately implemented?						
(i) Status of improvement of policies, procedures, and structures to achieve high-quality examination (evaluation items from (a) to (e))	To evaluate whether improvement has been specifically made on evaluation items from (a) to (e), and to confirm whether the status of improvement has been appropriate.	The status of revising the Quality Manuals, the implementation system of examination, the quality management system, etc.	Improvement in policies, procedures, and structures has been sufficiently made at an excellent level.	Improvement in policies, procedures, and structures has been sufficiently made.	Improvements in policies, procedures, and systems have been generally made.	Improvement in policies, procedures, and structures has not been made.
(j) Status of improvement of quality management initiatives (evaluation items from (f) to (h))	To evaluate whether improvement has been made on evaluation items from (f) to (h), and to confirm whether the status of improvement has been appropriate.	The correlative relationship between analysis of examination quality/ identification of issues, and the improvement status of quality management initiatives	Improvement in quality management initiatives has been sufficiently conducted at an excellent level.	Improvement in quality management initiatives has been sufficiently conducted.	Improvement in quality management initiatives has been generally conducted.	Improvement in quality management initiatives has not been conducted.
III. Has information on initiatives for examination quality improvement been communicated?						

Items	Objectives and Perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very satisfactory	Satisfactory	Generally achieved	Requiring Improvements
(k) Communication of information on initiatives for examination quality improvement	To evaluate whether information on initiatives for examination quality improvement has been appropriately communicated, and to confirm whether the JPO's quality management has been well understood inside and outside Japan, efforts have been made to increase the presence of the JPO in the field of quality management, and as a result the trust has been gained.	The status of communication of information on initiatives for examination quality improvement, the status of meetings with overseas IP offices, etc. and the dispatch and acceptance of examiners, the status of PPH usage, etc.	Information on initiatives for examination quality improvement has been ambitiously communicated inside and outside Japan, and continuous cooperative relations with organizations and bodies inside and outside Japan have been built up.	Information on initiatives for examination quality improvement has been communicated inside and outside Japan, and cooperative relations with organizations and bodies inside and outside Japan have been built up.	Information on initiatives for examination quality improvement has been communicated inside and outside Japan.	Information on initiatives for examination quality improvement has not been communicated outside Japan.