

Report of the Subcommittee on Examination
Quality Management, FY 2019

March 2020

Subcommittee on Examination Quality Management
Intellectual Property Committee
Industrial Structure Council

Introduction

Globalization of business and R&D activities by Japanese companies has necessitated examination results produced by the Japan Patent Office to be highly evaluated from abroad, leading to one of the most efficient IP rights attainment processes in the world. It has also become necessary to improve predictability of businesses utilizing the industrial property rights system to help prevent disputes. In order to satisfy these needs, it is crucial to maintain and improve examination quality on which industrial property rights are based.

In response to these new requirements, the JPO formulated and announced its *Quality Policy* for "robust, broad, and valuable establishment of rights" in FY 2014. Based on this policy, the JPO established a quality management system across all examinations departments to allow patent, design and trademark examinations to be conducted in compliance with the *Quality Policy*. To make the system work effectively and achieve maintenance and improvement of examination quality, it is important to effectively operate a PDCA cycle, which is a quality management method adopted by the JPO as its internal initiative for examination quality improvement and to continue improvement activities.

The Subcommittee on Examination Quality Management was established under the Intellectual Property Committee of the Industrial Structure Council in August 2014 to make recommendations for improvements of the JPO's quality management by verifying and evaluating its implementation system and status. The JPO has incorporated objective evaluations and improvement recommendations by the Committee into its quality efforts, aiming to realize the world's leading quality management.

This report examines and evaluates the implementation system and status of the Office's examination quality management in FY 2019 and summarizes discussions on what needs to be improved.

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

The First Subcommittee Meeting (written discussion): January 28 to February 13, 2020

Agenda

1. Proposed evaluation results of the implementation system and status of the Office's examination quality management
2. Proposed improvement recommendations regarding the implementation system and status of the Office's examination quality management

The Second Subcommittee Meeting (written discussion): March 11 to 19, 2020

Agenda

1. Report of the Subcommittee on Examination Quality Management, FY 2019

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

Chairperson	Toshiaki Imura	Attorney, YUASA and HARA
	Yuriko Inoue	Professor of Law, Graduate School of Law (Business Law Department), Hitotsubashi University
	Wataru Inoue	Economic News Editor, The Nikkan Kogyo Shimbun, Ltd.
	Sumiko Ohara	Patent Attorney, ITOH International Patent Office
	Kenji Kondo	Vice President, International Association for the Protection of Intellectual Property of Japan
	Yuji Toda	President, Japan Intellectual Property Association
	Takeshi Nakajo	Professor, Faculty of Science and Engineering, Chuo University
	Keiko Honda	Patent Attorney, Honda International Patent and Trademark Office
	Tomoko Watanabe	Patent Attorney, Watanabe Tomoko International Patent Office

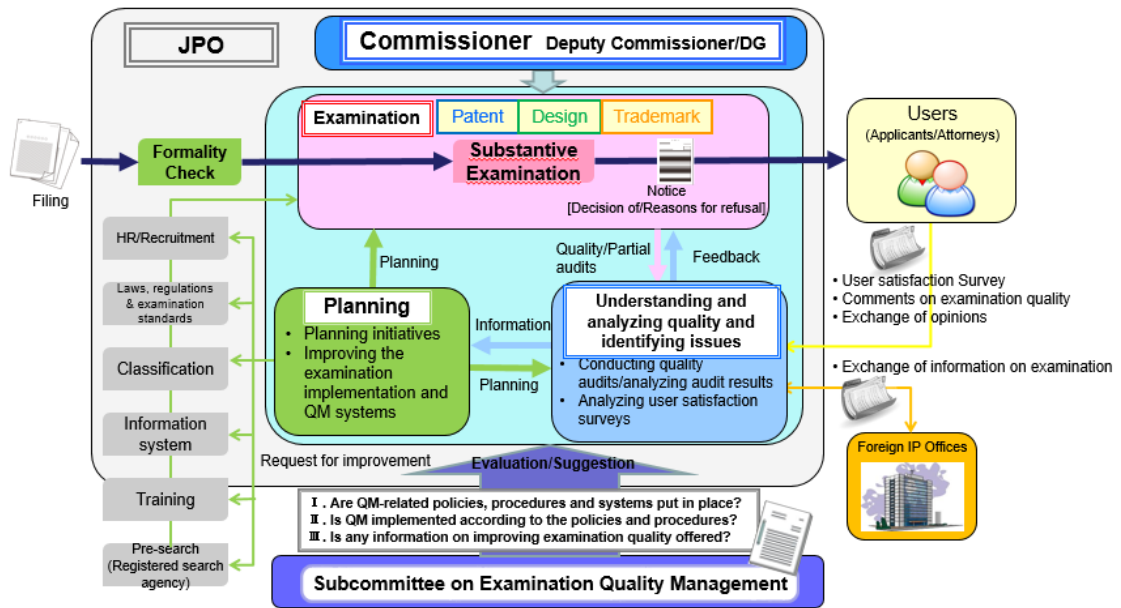
(Titles omitted; listed in the Japanese syllabary order)

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I . Overview of quality management initiatives at the JPO

The Japan Patent Office (JPO) implemented its quality management system shown below.



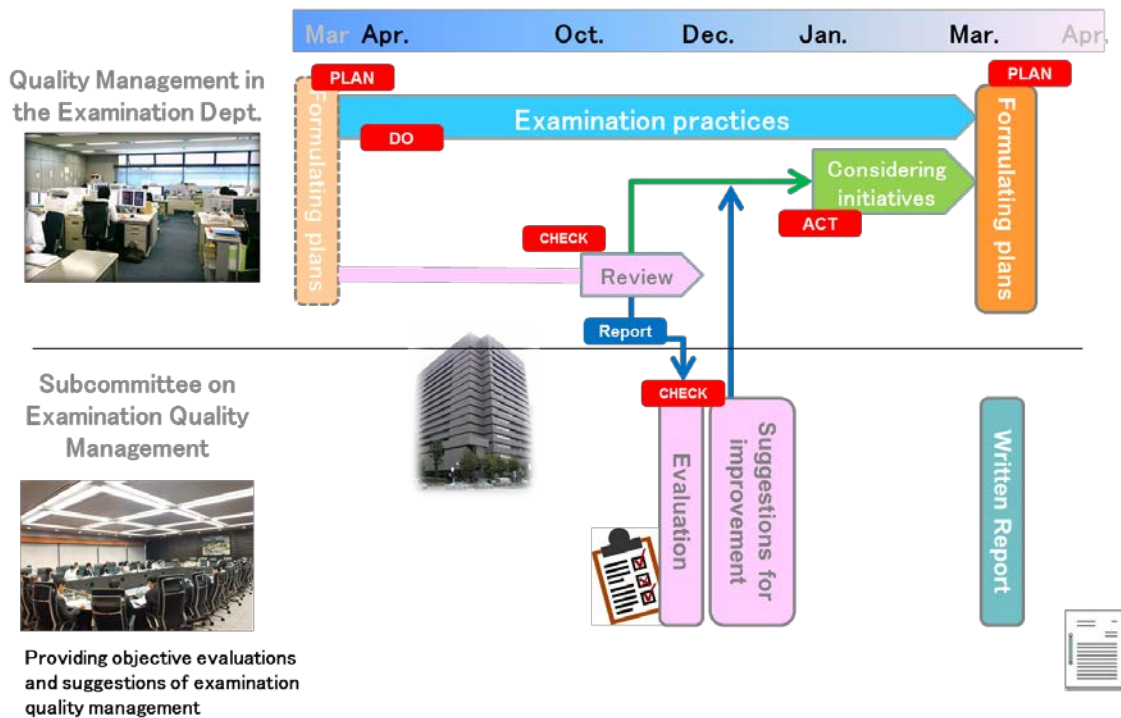
Overall quality management system at the JPO

The Commissioner and the Deputy Commissioner are in charge of maintenance and implementation of the quality management system (the Director General of the Trademark and Customer Relations Department is responsible for trademark matters rather than the Deputy Commissioner). The following departments work closely together, while maintaining separation of their own duties, to conduct quality management: the Examination Divisions that carry out 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 the Office's examination quality.

The Subcommittee on Examination Quality Management (the Subcommittee) was established under the Intellectual Property Committee of the Industrial Structure Council to make recommendations for improvements

to quality management at the JPO through verifications and evaluations of the implementation system and status of quality management.

As shown below, the JPO follows an internal PDCA cycle in its examination quality management process for continuous improvement. Concurrently, the Subcommittee evaluates the implementation system and status of quality management and makes improvement recommendations. The evaluations and recommendations will be reflected in the Office’s internal PDCA cycle, which will contribute to improvement in the overall examination quality.



Relationship between the internal quality management and the Subcommittee

The JPO’s quality management system has been documented into the Quality Management Manuals (Quality Manuals) for patent, design, and trademark examinations and published on the JPO website¹.

¹ For details of the JPO’s examination quality management and the Quality Manuals, see <https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/index.html>

II. Evaluation of the implementation system and status of quality management

The Subcommittee evaluates the JPO's implementation system and status using the eleven evaluation items listed in [Appendix 1](#) at the end of this report. These items are based on quality management reports by the JPO and include perspectives, such as "Have policies and procedures been established to achieve high-quality examination?", "Have structures been established to achieve high-quality examination?", "Has quality management been appropriately implemented?", "Has continuous improvement been appropriately implemented?" and "Has information on initiatives for examination quality improvement been communicated?"

The same evaluation items and criteria apply to patent, design and trademark examinations. Each item is evaluated on a 4-point scale ("Very Satisfactory," "Satisfactory," "Generally Achieved," and "Needs Improvement") with objectives and perspectives specified in [Appendix 1](#). The evaluation items (6) and (7) regarding quality management initiatives, for example, would be "Satisfactory" when "necessary initiatives are planned, implemented as planned and achieved their objectives" and "Very Satisfactory" when "the initiatives produce effects that would contribute to further improvement in quality."

As in previous fiscal years, the JPO presented the following documents to the Subcommittee members for evaluation: Documents 1-1, 1-2 and 1-3, which summarized major initiatives by the Office based on the improvement recommendations (see Appendix 2 of the last Subcommittee in the last fiscal year) and Documents 2-1, 2-2 and 2-3, which showed this fiscal year's outcomes and status of examination quality management in each evaluation

item.² Based on these documents, each Subcommittee member evaluated on a 4-point scale the implementation system and status of the JPO's quality management in this fiscal year, according to the evaluation items and criteria.

While the median value of the scores given by the Subcommittee members was used as an official evaluation as in previous fiscal years, any evaluation by a minority of the members showing different results is also described in this report. The Subcommittee's evaluations are as follows (for a list of the Subcommittee's evaluations, see Appendix 2).

² For details of each document, see "Agenda and List of Documents" for the first Subcommittee meeting on Examination Quality Management (Japanese version only):
https://www.jpo.go.jp/resources/shingikai/sangvo-kouzou/shousai/hinshitu_shoi/r01-01-shiryou.html

1. Evaluation of patent examination quality management

Evaluation item (1): Status of creation of Quality Policies, Quality Manuals, and other documents

This item was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory." Last year, it was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory."

< Evaluations >

- The Quality Policy, the Quality Manual and other documents indicating specific procedures for quality management were created and they are appropriately managed.
- Documents are properly managed to allow users to look at records and details of revisions to the Quality Manual. A table was created to compare related documents with the four Acts and users thereby can see where each document is positioned and compare details with other jurisdictions.
- Briefings were held for all examiners to conduct appropriate examinations of AI-related inventions in each technical field as case examples pertinent to AI-related technologies were added to the Examination Handbook in FY 2018.

< Points to be improved >

- Reconsideration is necessary to determine where the list of documents and the table to compare related documents with the four Acts are posted on the JPO website. They are currently on the Quality Management page, which makes it difficult for public users to find them.
- Objectives for Q (Quality) should be set as those for D (Delivery) have been decided.
- It is expected not only that case examples will be updated, but also that briefings will be enhanced for examiners to discuss and identify further issues.
- Instead of abstract purposes, a more concrete policy is anticipated that serves as a driving force for improvement activities as this policy typically

consists of priority issues (purposes), objectives (goals) and means (measures) (JIS Q 9023).

- The Policy should be reviewed in terms of whether it has been developed into concrete objectives and helps share issues and challenges in workplaces and stimulates improvement activities.

Evaluation item (2): Clarity of procedures for examination and quality management

This item was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.” Last year, it was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.”

< Evaluations >

- The Examination Guidelines for Patent and Utility Model stipulate what should be done and how it should be done in patent examinations.
- The Quality Manual clearly describes who should be responsible for establishing and implementing a quality management system, as well as what are the procedures of and who should be in charge of quality management.

< Points to be improved >

- “Clear procedures” means not only to set out procedures but also to improve and revise them to bridge the gap between goals and outcomes, the basis of which is clear and reasonable enough to achieve targeted outcomes. The JPO has not assessed how many sets of such procedures it has and how appropriately improvement and revision activities have been conducted to make the basis reasonable.

Evaluation item (3): Publication of the fundamental principles of quality management, etc. to users of IP systems and dissemination of such information to staff

This item was evaluated as “Very Satisfactory,” while a minority of the

members gave "Satisfactory." Last year, it was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory."

<Evaluations>

- Both the Quality Policy and the Quality Manual are accessible to users inside and outside Japan and all the staff members involved in examination are made fully aware of the Policy and the Manual through multiple measures.
- Examiners have been encouraged to foster their understanding of quality management through regular training sessions for staff members.
- The JPO proactively contacts user companies, domestic and abroad, to introduce quality-related measures, while publishing its policy.

<Points to be improved>

- The JPO is expected to contact more user companies abroad when communicating with its users.
- It is expected that progress will be made in setting up a training system by rank and area and a capability evaluation system (No documentation available showing any progress).
- It is hoped that group discussions in briefings and training sessions will be opportunities for examiners to exchange information, which will help make such discussions and exchange of information common practice.

Evaluation item (4): Examination implementation system

This item was evaluated as "Generally Achieved," while a minority of the members gave "Satisfactory." Last year, it was evaluated as "Generally Achieved," while a minority of the members gave "Satisfactory."

<Evaluations>

- Initiatives for enhancing the examination system and efficiency, enhanced training to handle advanced technologies, including IoT-related inventions, and utilization of prior art search business helps establish an

II. Evaluation of the implementation system and status of quality management

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organizational and staffing structure that can realize high-quality examination while still allowing examiners to achieve their quota efficiency.

- Various efforts have been undertaken to enhance the examination implementation system, such as continued consultations with examiners in charge who are well versed with AI- and IoT-related technologies, sharing search guidelines of each technical field and provision of the CPC scheme to registered search organizations.
- It is highly recognized that the JPO maintains the world's highest level in terms of the average time to grant a patent.

<Points to be improved>

- The JPO's organizational and staffing structure can be improved to an internationally comparable level.
- Only a limited number of examiners are responsible for prior art searches and quality initiatives. This indicates that the JPO's organizational and staffing structure is not as efficient in comparison with international standards. There are concerns over feasibility of maintaining and further improving examination quality in the future.
- The examination implementation system depends on whether a system is put in place to achieve objectives of resultant QCD. Reviews have been conducted in terms of D, but no analysis has been performed on the relationship between D and how the system was put in place, allowing evaluation of results only. In addition, no reviews have been executed in terms of Q (or no documentation available showing results of any reviews that may have been carried out).

Evaluation item (5): Quality management system

This item was evaluated as "Satisfactory," while a minority of the members gave "Needs Improvement." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Very Satisfactory."

<Evaluations>

- The JPO established an organizational structure of examination quality management, which independently positioned persons in charge, persons conducting examinations, persons planning and making proposals for initiatives, and persons analyzing and evaluating the quality of examinations. For example, written notices were assigned to 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 for making initiatives proposals for quality management in an efficient and effective manner at an internationally comparable level.
- The JPO established a system and utilizes tools to conduct appropriate audits.

<Points to be improved>

- It is desirable that the JPO compares and examines its quality management system with other Offices' and considers what the world's highest level of quality management system to be achieved should be like.
- While promoting QCD improvements, the Office needs to review its improvement activities from a perspective of whether the degree of improvement is sufficient to achieve the goal.
- The Subcommittee asks the Office to check the number of improvement activities done by each workplace and the percentage of staff participating in the activities. Then the Office will review its quality management system from a perspective of whether the number and the percentage are sufficient to achieve the goal.

Evaluation item (6): Initiatives for quality improvement

This item was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory." Last year, it was evaluated as "Very Satisfactory" or "Satisfactory."

<Evaluations>

- The Office has been implementing initiatives necessary to improve examination quality since last fiscal year, such as approvals, checks on drafted notices before approval, consultations, interviews and telephone contact, enhanced searches of foreign patent documents, provision of drafting support tools and quality-related information, and provision and maintenance of search indexes. The Office also led some initiatives including introduction of the IoT-related subclass G16Y.
- Consultations are more practical with the help of case examples to make consultations effective and efficient. In the examples, examiners can choose PCT applications to be consulted and limit claims to be consulted in an application, to address issues on consistency of judgements among examiners.
- The Office created and informed examiners of a reference material “Key points for and case examples of examination on inventive step” to ensure that the examiners check the examination guidelines reiteratively.
- The Office has been implementing initiatives to promote improvement of examination quality through active participation by examiners. It also analyzed consistency issues and enhanced consultations as initiatives.
- It is highly recognized that the Office analyzed and identified consistency of judgements on inventive step as the biggest issue of all consistency issues among examiners and was able to enhance consultations as initiatives to address this issue.

<Points to be improved>

- It is desirable that prior art search projects are utilized in foreign patent literature searches effectively and efficiently.
- The JPO is expected to implement further quality measures using AI technologies and communication tools other than telephone.
- It is hoped that the Office will expand its improvement activities for judgement on inventive step from individual to the overall applications by analyzing consultation results and identifying issues.

- Regarding AI- and IoT-related inventions, registered search organizations should also conduct searches across technical fields as examiners do in their practices.
- The JPO is expected to continue to improve consistency of judgements on inventive step.
- The Office should clearly record as much of what was agreed on in interviews as possible. There are some cases where applicants are not satisfied with refusal without any sufficient explanation after hearing an examiner's preliminary judgement of patent grant in an interview.

Evaluation item (7): Initiatives for quality verification

This item was evaluated as "Satisfactory," while a minority of the members gave "Very Satisfactory." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved."

<Evaluations>

- The JPO continues to implement initiatives for quality verification as planned from last year to help in achieving objectives. The initiatives include verifications of searches in quality audits, of identifications and judgments, and of formality matters of notices in partial audits, as well as examination quality assessments through its user satisfaction survey and exchanges of opinions with users.
- The JPO published a report of this fiscal year's user satisfaction survey with added questions on consistency of judgements and other items earlier than usual in September and promptly shared the task to improve consistency of judgements on inventive step, resulting in effects that contribute to quality improvement.
- In response to comments that there are some cases where patents granted in Japan were refused in other countries, the Office started a research project this fiscal year, regarding discrepancies in judgements on inventive step between the US and Japan and between the UK and Japan.

< Points to be improved >

- The JPO is expected to pattern-classify issues revealed in quality audits and the user satisfaction survey, match each type with mechanisms, such as verifications and audits, that ensure quality in examination processes, and identify what has not been sufficiently covered (e.g. utilization of QA networks).
- It is commendable that the user satisfaction survey covered more applications by small-scale applicants. However, it is desirable that even more small-scale applicants will be covered in the future as it is difficult to collect their opinions. More PCT applications need to be covered as well, in view of an increase in the number filed and the significance they have.
- The JPO is expected to improve examination quality by comparing its actual examination outcomes with those carried out by the EPO, the USPTO and the CNIPA to verify the examination quality in such areas as Industry 4.0 technologies.

Evaluation item (8): Examination quality analysis and identification of issues

This item was evaluated as "Satisfactory," while a minority of the members gave "Very Satisfactory." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved" or "Very Satisfactory."

< Evaluations >

- The JPO has sufficiently analyzed its examination quality and identified issues since last fiscal year, using several means to acquire information.
- In the research project regarding discrepancies in judgements on inventive step between the USPTO and the JPO and between the EPO and the JPO, a committee of external experts studied examinations considered to be appropriate for eight model applications. The members of the committee identified what to keep in mind in examinations by showing some cases where they thought that reasons for refusal should have been

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issued due to clarity and appropriateness issues in the scopes of the patents.

- The Office enhanced its user satisfaction survey and exchanges of opinions with its users, in which they focused especially on consistency of judgements among examiners and on discrepancies in examination outcomes between the USPTO/EPO and the JPO to identify specific issues.
- The Office identified issues based on outcomes of quality assessment initiatives and improved analysis methods by, for example, trying CS portfolio analyses.

<Points to be improved >

- The Office is expected to determine, based on the analyses, weaknesses of its initiatives and what needs to be done for improvement in the next fiscal year. They only identified what went well and abstract issues, so were unable to narrow down the issues to more specific areas.
- The Office is also expected to continue to exchange opinions with its users on examination quality, as well as to identify and analyze cases with some issues.

Evaluation item (9): Status of improvement of policies, procedures, and structures to achieve high-quality examination [evaluation items (1) to (5)]

This item was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved."

<Evaluations >

- The JPO requires its staff members to fully understand the basics of quality management by enhancing its training and confirm their understanding to help improve policies, procedures and structures sufficiently.

- The Office conducts cross-sectional examinations of recently increasing AI- and IoT-related applications, including continued consultations with examiners in charge who are well-acquainted with such technologies.
- Identified issues have been resolved and improvements have been made for development of a relevant quality management system.

<Points to be improved>

- It is desired that the JPO will further enhance its examination implementation system while improving its policies, procedures and structures continuously.
- Although measures have been enhanced by the Office to maintain the examination system and train examiners, they are believed to be somewhat inadequate when compared with those from other Offices.
- Further improvement will be needed to quality audit results of ISRs and patent grants. Examinations cannot be regarded as satisfactory to users when there are issues with search results, which affect judgements on patentability.
- There is no description in any document of how all the improvements progressed. It is advised that the JPO intends to document improvement measures implemented in line with a QC story, a style of reporting improvements and improvement procedures.

Evaluation item (10): Status of improvement of quality management initiatives
[evaluation items (6) to (8)]

This item was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved.”

<Evaluations>

- The JPO made more than enough efforts to improve its quality management initiatives. Such efforts include the reference material “Key points for and case examples of examination on inventive step” and the

research project regarding discrepancies in judgements on inventive step between the US and Japan and between the UK and Japan to address users' issues and needs related to judgements on inventive step, as well as an earlier summary of the user satisfaction survey and an earlier cycle of quality verification than usual.

- A PDCA cycle functions well, in which issues are identified from many different angles and results thereof lead to initiatives for quality improvement and verification.
- The JPO performed an early analysis of the user satisfaction survey and took relevant improvement measures to respond to increases in Chinese patent literature and in AI- and IoT-related applications.

<Points to be improved >

- Although the JPO took new initiatives to address issues including those related to consistency, the FY 2019 User Satisfaction Survey Report did not show an improvement in user satisfaction from the previous fiscal year.
- Only results of the improvement efforts are documented. The Office needs to document how processes were improved as well.

Evaluation item (11): Communication of information on initiatives for examination quality improvement

This item was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.”

<Evaluations >

- The JPO established continuous cooperative relations with domestic and overseas users and overseas IP offices by communicating information on examination quality improvement to the former through exchanges of opinions as well as to the latter through international gatherings and dispatch/acceptance of examiners.

- The Office has also been active in communicating information on examination cases of Industry 4.0 technologies, such as AI-related inventions.
- It is particularly commendable that the JPO provides training for staff members of IP offices in many emerging countries as an initiative to contribute to improvement in international examination quality.
- The Office communicates information on examination quality improvement on its website, as well as through exchanging opinions with companies and IP-related organizations.

<Points to be improved>

- Sufficient efforts to communicate information could depend on whether the Office builds credibility and achieves joint quality initiatives.
- The Subcommittee suggests that the JPO studies how its presence is impacted by its quality initiatives in order to enhance the communication of information. The study includes whether the Office's credibility was improved by promotion of its quality efforts.
- The JPO is expected to continue to send information about its quality initiatives and to encourage other IP Offices to improve their examination quality.
- The JPO is also expected to further enhance communication of information to overseas users, including companies as well as representative organizations.
- It is desirable that the JPO will interview more overseas companies especially on comparison of examination quality and services with other Offices and on their expectations for the JPO. This will allow the Office to obtain and analyze information for higher-quality examination and services for overseas users and to implement initiatives.
- The Office is expected to hold seminars overseas focusing on cases where discrepancies arose in judgements between the JPO and other Offices, so that users could develop their understanding of how the JPO made judgements.

- It is preferred that the JPO proactively sends out information on its various initiatives both inside and outside Japan.

2. Evaluation of design examination quality management

Evaluation item (1): Status of creation of Quality Policies, Quality Manuals, and other documents

This item was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.” Last year, it was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.”

< Evaluations >

- The Quality Policy, the Quality Manual and other documents indicating specific procedures for quality management were created and they are appropriately managed.
- The JPO appropriately informed relevant parties of the revisions of the Design Act and the Design Examination Guidelines.
- A table was created to compare related documents with the four Acts and users thereby can see where each document is positioned and compare details with other jurisdictions.

< Points to be improved >

- Instead of abstract purposes, a more concrete policy is expected that serves as a driving force for improvement activities as a policy consists of priority issues (purposes), objectives (goals) and means (measures) (JIS Q 9023).
- The Policy should be reviewed in terms of whether it has been developed into concrete objectives and helps share issues and challenges in workplaces and stimulate improvement activities.

Evaluation item (2): Clarity of procedures for examination and quality management

This item was evaluated as “Very Satisfactory,” while a minority of the

members gave "Satisfactory." Last year, it was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory."

< Evaluations >

- The Examination Guidelines for Design stipulate what should be done and how it should be done in design examinations and are revised as needed. The Quality Manual clearly describes who should be responsible for establishing and implementing a quality management system, as well as what are the procedures of and who are in charge of quality management.
- The Examination Guidelines clarifies the procedures and the Quality Manual presents a system to implement a PDCA cycle for quality improvement.

< Points to be improved >

- "Clear procedures" means not only to set out procedures but also to improve and revise them to bridge the gap between goals and outcomes, the basis of which is clear and reasonable enough to achieve targeted outcomes. The JPO has not assessed how many sets of such procedures it has and how appropriately improvement and revision activities have been conducted to make the basis reasonable.

Evaluation item (3): Publication of the fundamental principles of quality management, etc. to users of IP systems and dissemination of such information to staff

This item was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory." Last year, it was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory."

< Evaluations >

- Both the Quality Policy and the Quality Manual are published to the extent that users both inside and outside Japan have easy access to them.

- The JPO informs its staff members of the fundamental principles through its intranet as well as training and checks how much they understand. It also publishes and disseminates them to its users appropriately.

<Points to be improved>

- The JPO is also expected to share views directly with overseas users, including representative organizations, more frequently.
- It is expected that progress will be made in setting up a training system by rank and area and a capability evaluation system (No documented progress is available).

Evaluation item (4): Examination implementation system

This item was evaluated as “Generally Achieved,” while a minority of the members gave “Needs Improvement” or “Satisfactory.” Last year, it was evaluated as “Generally Achieved,” while a minority of the members gave “Satisfactory” or “Very Satisfactory.”

<Evaluations>

- The Office provides various training sessions to gain a better understanding of the latest technology and design trends.
- In the current organizational and staffing structure, the number of first actions issued have been almost identical to that of filing applications over the past few years. The time from filing to a first action was as early as 6.1 months on average in 2018 and the level remained unchanged in the first half of 2019.

<Points to be improved>

- Examiners at the JPO currently process far more examinations than their counterparts at the USPTO do on a per capita basis; moreover, only a limited number of them are responsible for international design applications and quality initiatives. This indicates that the JPO’s organizational and staffing structure is not as large as other IP Offices with a substantive examination system.

- The JPO is expected to continue to review its examination system and staffing structure. In the long term, it is desirable that the Office will consider implementing an AI-based examination system.
- The revised Design Act, the revised Examination Guidelines and other related matters will likely result in growing examiners' workload and it is therefore important to maintain and enhance the examination implementation system. Nevertheless, the JPO has not taken any proactive approach for improvement.
- The JPO should increase the number of examiners to handle applications expected to increase after the Design Act is revised.
- It is desirable that the JPO will increase the number of examiners and implement a support system for examination to respond to the revision of the Design Act in FY 2019. Under the support system, the Office will hire researchers who are familiar with such areas covered in the revised Act as buildings, interiors and graphic images and it will hold training sessions and workshops for each of the areas.
- Evaluation of an examination implementation system is based on whether the system is put in place to achieve objectives of resultant QCD. External reviews have been done from perspectives of P and D, but no objectives have been shown. No evaluation has not been undertaken either based on how far the objectives were achieved and no analysis has been conducted on the relationship between D and how the system was put in place, allowing evaluation of results only. In addition, no reviews have been conducted in terms of Q (or no documentation available showing that reviews have been conducted).

Evaluation item (5): Quality management system

This item was evaluated as "Satisfactory," while a minority of the members gave "Needs Improvement." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved" or "Very Satisfactory."

< Evaluations >

- The JPO has been developing a quality management system equivalent to that in other countries with a substantive examination system by implementing quality management initiatives. In one of the initiatives, three examiners are assigned to develop plans for quality management (as well as to carry out examinations), one of whom serves as an executive officer to analyze and assess quality audits.
- In FY 2019, the Office started full quality audits of international design applications with more Quality Management Officers. This means that the system is well-developed for both national and The Hague applications.
- The JPO has been developing a quality management system in a limited organizational structure.

< Points to be improved >

- The JPO has not considered whether its existing quality management system is sufficient to handle the revisions of the Design Act and the Examination Guidelines, The Hague applications and other various issues.
- It is desirable that the JPO considers what should be “the world’s highest level of examination implementation system,” comparing its own with other Offices’.
- Improvement has been shown in the JPO’s QCD, but it needs to be reviewed in terms of whether the degree of improvement is sufficient for its target.
- The Subcommittee asks the Office to check the number of improvement activities done by each workplace and the percentage of staff participating in the activities. Then, the Office will review its quality management system from the perspective of whether the number and the percentage are sufficient to achieve the goal.

Evaluation item (6): Initiatives for quality improvement

This item was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved” or “Very Satisfactory.” Last year, it was evaluated

as "Satisfactory," while a minority of the members gave "Generally Achieved" or "Very Satisfactory."

< Evaluations >

- Quality improvement initiatives (e.g. consultations on national applications and feedback thereof) continue to be implemented. Consultations have also been carried out for all examinations of international design applications to facilitate sharing opinions and knowledge among examiners.
- The JPO communicates with its applicants proactively to achieve implementing office goals, which helped increase mutual understanding.
- Examiners enhance their expertise by taking the initiative to visit companies and to attend exhibitions, academic conferences, symposia and seminars to collect design-related information in their assigned fields.
- The JPO is undertaking quality initiatives to handle the revisions of the Design Act and the Examination Guidelines, The Hague applications and other various issues. The Office has also taken appropriate measures to acquire expertise as the revised Design Act helped identify the importance of understanding trends in designs and business.
- The JPO is appropriately conducting improvement activities for examination quality, including consultations on applications; enhancement of quality audits; and development, revision and collection of examination-related documents. It can be expected that the Office will upgrade its system for the revised Design Act before it becomes effective.

< Points to be improved >

- The JPO needs to discuss the future role of its examination implementation and quality management systems with the expectation that examiners will shoulder more burden due to the revised Design Act, the revised Examination Guidelines and other related matters.
- The JPO should conduct consistent examinations of applications to be covered in the revised Act.

- The Subcommittee asks the JPO to continue to consider initiatives that reflect the revised Act, for maintenance and improvement of the examination implementation system, clarity of the procedures and publication.
- The Subcommittee also asks the JPO to continuously work on collecting examination materials to respond to the revised Act.
- It is desired that a mechanism is built for examiners to share online information useful for examinations, including design trends and information to acquire expertise in addition to examination materials.
- The Subcommittee asks the JPO for greater use of examiner exchange programs to avoid discrepancies in examination and improve consistency of judgements among examiners.
- The Subcommittee also asks the JPO to fully inform relevant parties of the revised Design Act to be effective in 2020 and the accompanying revision of the Examination Guidelines by holding as many briefing sessions as possible as these revisions will have a significant impact. E-learning is worth considering to overcome time and location constraints.
- The JPO is expected to ensure its examination quality and consistency through consultations by enhancing training for examiners to acquire basic knowledge of the Examination Guidelines and of each design area in response to the 2019 revised Design Act.
- It is desired that, in response to the 2019 revised Design Act, briefing sessions will be more frequent and easier for new users to understand.
- The JPO is expected to provide information on the revised Examination Guidelines and its examination practice in a timely manner, according to the current status of applications in the newly covered areas and examinations thereof, after the revised Act becomes effective.
- The Subcommittee asks the JPO to classify its quality initiatives into the following categories: a) good result - good process, b) good result - poor process, c) poor result - good process and d) poor result - poor process. The Office needs to analyze what was insufficient in planning the

initiatives to achieve results in the cases of b) and c) and why it was not able to conduct its initiatives as planned in the cases of b) and d).

Evaluation item (7): Initiatives for quality verification

This item was evaluated as “Satisfactory.” Last year, it was evaluated as “Satisfactory.”

< Evaluations >

- The JPO verified the validity of searches through quality audits and of identification and judgments, all of which were required for verification of quality, as planned in terms of the number of cases. It also achieved objectives of its initiatives.
- The Office started full quality audits of international design applications in FY 2019 by increasing the number of audits to 32.
- The Office added to its user satisfaction survey a question regarding comparison with other Offices and conducted verification initiatives. The survey results showed a significant improvement in evaluation of international design applications.
- Verification initiatives have been conducted appropriately despite limited human resources because they handle the revisions of the Design Act and the Examination Guidelines, The Hague applications and other various issues.

< Points to be improved >

- The JPO is expected to pattern-classify issues revealed in quality audits and the user satisfaction survey, match each type with mechanisms, such as verifications and audits, to ensure quality in examination processes, and identify what has not been sufficiently covered (e.g. utilization of QA networks).
- The JPO is expected to be proactive in dialogues with representative organizations on intellectual property in foreign countries.

Evaluation item (8): Examination quality analysis and identification of issues

This item was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved.”

< Evaluations >

- In the current quality management system, the JPO analyzes its examination quality and identifies issues in various initiatives.
- The analyses and identification of issues have been appropriately conducted despite limited human resources due to the heavy workload from working on the revisions of the Design Act and Examination Guidelines, The Hague applications and various other issues.
- The JPO announced the Design Examination Guidelines with relaxed requirements for applications and drawings and is also working on revising the Guidelines according to the Design Act revised on the basis of user needs.
- Initiatives for quality evaluation have steadily been implemented and issues have been identified on the basis of the results thereof. Analysis methods have also been improved through an attempt to conduct CS portfolio analyses, for example. The identified issues have specifically narrowed down to those to be addressed in the future in the examination process.

< Points to be improved >

- The JPO is expected to understand issues and needs of not only companies but also representative organizations abroad.

Evaluation item (9): Status of improvement of policies, procedures, and structures to achieve high-quality examination [evaluation items (1) to (5)]

This item was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved.”

< Evaluations >

- The JPO sufficiently informs its users of the revised Design Examination Guidelines in April, 2019, the revised Design Act promulgated in May, 2019 and the accompanying revision of the Guidelines.
- The JPO holds briefings for design examiners to make them fully aware of the revised Examination Guidelines. It also provides training opportunities for them to fully understand the basics of quality management.
- The Office implements initiatives to improve its policies, procedures and structures sufficiently. In one of the initiatives, three examiners are assigned to develop plans for quality management (as well as to carry out examinations), one of whom serves as an executive officer to analyze and assess quality audits. It also hired more Quality Management Officers to conduct full-fledged audits of international design applications.
- The Office documents and revises quality management procedures in detail so that all concerned can be informed.

< Points to be improved >

- The Office makes every effort to raise awareness of the revised Design Act. However, improvements are needed to allow everyone who wishes to participate in the briefing sessions to do so.
- There are concerns that the overall workforce shortage has not been overcome even after the Office secured human resources for quality management and put the system in place.
- There is no description in any document of how all the improvements progressed. It is advisable that the JPO documents implemented improvement measures that are in line with a QC story, a style of reporting improvements and improvement procedures.

Evaluation item (10): Status of improvement of quality management initiatives
[evaluation items (6) to (8)]

This item was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved” or “Very Satisfactory.” Last year, it was evaluated

as “Satisfactory.”

< Evaluations >

- Improvement was sufficiently made in quality management initiatives based on issues identified through the last FY’s analysis.
- The JPO appropriately analyzed its examination quality and identified issues in various initiatives despite limited human resources.

< Points to be improved >

- The Subcommittee asks the JPO to continuously work on verifying and analyzing its examination implementation system and identifying issues, in response to the revised Act. The Subcommittee also asks the Office for greater use of examiner exchange programs to avoid discrepancies in examination and improve consistency of judgements among examiners.
- Only results of the improvement efforts are documented. The Office needs to document how processes were improved as well.
- It is expected that the Office will collect documents to upgrade its system for the revised Design Act and conduct appropriate examinations of applications to be covered in the revised Act.

Evaluation item (11): Communication of information on initiatives for examination quality improvement

This item was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved” or “Very Satisfactory.”

< Evaluations >

- The JPO established a continuous cooperative relationship with its domestic users by communicating information on examination quality improvement and holding regular meetings to exchange opinions. The Office also conducts cooperative research projects on quality

management and other initiatives in ID5 meetings to collect and communicate information continuously.

- The JPO appropriately implements such initiatives despite limited human resources.
- The Office develops mutual understanding of examination practices by exchanging information and comparing examination outcomes of The Hague applications with countries that have an examination system.

< Points to be improved >

- Sufficient efforts to communicate information could depend on whether the Office builds credibility and achieves joint quality initiatives.
- The JPO is expected to communicate information it collects from other countries.
- It is expected that the Office takes the initiative to help international users broaden their understanding of quality related information.
- The Subcommittee suggests that the JPO studies how its presence is impacted by its quality initiatives in order to enhance the communication of information. The study includes whether the Office's credibility was improved by promotion of its quality efforts.
- The JPO is expected to take advantage of the revisions to create more opportunities to exchange opinions with overseas users, including representative organizations.
- It is desirable that the JPO proactively sends out information on its various initiatives both inside and outside Japan.
- The Subcommittee suggests that the JPO show what both inside and outside Japan users feel that the JPO excels in over other Offices.

3. Evaluation of trademark examination quality management

Evaluation item (1): Status of creation of Quality Policies, Quality Manuals, and other documents

This item was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.” Last year, it was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory."

<Evaluations>

- The Quality Policy, the Quality Manual and other documents indicating specific procedures for quality management were created and they are appropriately managed.

<Points to be improved>

- Rather than abstract purposes, a more concrete policy is expected that serves as a driving force for improvement activities as a policy consists of priority issues (purposes), objectives (goals) and means (measures) (JIS Q 9023).
- The Policy should be reviewed in terms of whether it has been developed into concrete objectives and helps share issues and challenges in workplaces and stimulates improvement activities.

Evaluation item (2): Clarity of procedures for examination and quality management

This item was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.” Last year, it was evaluated as "Very Satisfactory," while a minority of the members gave "Satisfactory."

<Evaluations>

- The JPO publishes and revises as needed the Examination Guidelines for Trademarks and the Examination Manual for Trademarks that stipulates what is necessary and how trademark examinations should be conducted,

as well as the Outline of Trademark Examination Procedures that provide the basic policy and procedures of examinations.

- The Office created the Quality Manual and clearly describes the procedures and provides information of quality management administration.

<Points to be improved>

- “Clear procedures” means not only to set out procedures but also to improve and revise them to bridge the gap between goals and outcomes, the basis of which is clear and reasonable enough to achieve targeted outcomes. The JPO has not assessed how many sets of such procedures it has and how appropriately improvement and revision activities have been conducted to make the basis reasonable.

Evaluation item (3): Publication of the fundamental principles of quality management, etc. to users of IP systems and dissemination of such information to staff

This item was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.” Last year, it was evaluated as “Very Satisfactory,” while a minority of the members gave “Satisfactory.”

<Evaluations>

- Both the Quality Policy and the Quality Manual are published to the extent that users both inside and outside Japan can easily access them.
- The JPO informs its staff members of the fundamental principles through its intranet as well as training based on examiners’ experiences and ranks. This information is also published to users appropriately.
- The Office introduces its Quality Policy and other quality-related documents as well as its quality initiatives when exchanging opinions with companies and other organizations.
- The Office also provides training courses for staff members and checks the comprehension level of what they have learned.

<Points to be improved>

- It is desirable that the JPO will present its initiatives to overseas users.
- It is expected that progress will be made in setting up a training system by rank and area and a capability evaluation system (or documentation unavailability showing progress).

Evaluation item (4): Examination implementation system

This item was evaluated as “Generally Achieved,” while a minority of the members gave “Needs Improvement” or “Satisfactory.” Last year, it was evaluated as “Generally Achieved,” while a minority of the members gave “Satisfactory.”

<Evaluations>

- The JPO has been working on developing a system to maintain its examination quality with a limited number of examiners while an increasing number of trademark applications. The Subcommittee commends the Office especially for its effort to investigate the potential use of AI technologies by developing protocols to assist searches of prior figurative marks and unclear goods and services in the newly-created office to promote trademark examination.
- The Office added four examiners and promoted automation and efficiency through better surroundings to focus on examinations. This is due to a surge in the number of applications and resulted in an increased number of applications examined, which is highly commendable.
- The JPO has been making efforts to establish the world’s highest level of examination implementation system in addition to increasing trademark examiners to handle the surge in applications. It also handles examinations of non-traditional trademarks and basically keeps its system at an internationally comparable level by taking measures to respond to the rise in the number of applications.

<Points to be improved>

- The Office added four examiners due to an increase in the number of applications, only to generally achieve its examination system requirements in terms of the number of examiners.
- There is a concern that first actions take longer because the actual number of examiners is decreasing despite more applications being filed. It is advised that the Office immediately increase the number of examiners to make its system effective and efficient.
- Regarding establishment of an internationally comparable level of organizational and staffing structure for examinations, the JPO is expected to continue working on making the system virtually more user-friendly while taking into consideration any circumstances specific to Japan.
- Evaluation of an examination implementation system is based on whether the system is put in place to achieve objectives of resultant QCD. Trends over time have been analyzed from the perspective of D, but no objectives have been shown. No evaluation was conducted based on how far the objectives were achieved and no analysis has been performed of the relationship between D and how the system was put in place, allowing evaluation of results only. In addition, no reviews were conducted in terms of Q (or no documentation showing reviews were conducted).

Evaluation item (5): Quality management system

This item was evaluated as “Satisfactory,” while a minority of the members gave “Needs Improvement” or “Very Satisfactory.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.”

<Evaluations>

- The JPO established an organizational structure of examination quality management, which independently positioned persons in charge, persons conducting examinations, persons planning and making proposals for initiatives, and persons analyzing and evaluating the quality of examinations. For example, written notices were assigned to 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 quality management initiatives in an efficient and effective manner at an internationally comparable level.

- The JPO developed a system in which it can implement quality management as other Offices do at an internationally comparable level.

<Points to be improved>

- The Subcommittee asks the JPO to consider what should be “the world’s highest level of examination implementation system,” comparing its own with other Offices’.
- Improvement has been shown in the JPO’s QCD, but it needs to be reviewed in terms of whether the degree of improvement is sufficient for its target. The degree of improvement is determined by how vigorously improvement activities are carried out (e.g. how many improvement activities are done in each workplace) and how far the full participation has been achieved (e.g. what percentage of the entire staff is participating in the activities). Therefore, it needs to be reviewed whether the activity level and the degree of full participation are sufficient for the target.

Evaluation item (6): Initiatives for quality improvement

This item was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.” Last year, it was evaluated as “Satisfactory,” while a minority of the members gave “Generally Achieved” or “Very Satisfactory.”

<Evaluations>

- The JPO has been implementing initiatives necessary for quality improvement as planned since last year (e.g. approvals, consultations, participation of the entire staff, target setting and evaluations of examiners, interviews or telephone contact, collection and provision of quality-related information, training exercises and seminars) and

achieved objectives of the initiatives. In FY 2019, the Office promoted quality improvement and efficiency in examination by creating tools to simply retrieve and show valid information for examination as an initiative that contributes to further quality improvement.

- In order to deal with applications in the areas of IT, management and marketing, in which many new technical terms are created, the JPO formed new teams of examiners for these specific areas. Each team provides support such as consultation for examiners as well as collection and sharing of information on the aforementioned areas.
- The Office performs improvement activities proactively for each process based on its quality management system.

<Points to be improved >

- It is expected that similar group codes of goods and services including those in the new areas will be assigned in an appropriate range.
- The JPO is expected to continue working on development and verification of AI-based support tools for examination for future practical use.
- The JPO is also expected to take measures to broadly share new technical terms and other information in the areas of expertise on its website and other media, as well as to make flexible judgements in line with changing social conditions by exchanging opinions and information with applicants and third parties.
- It is desirable that the Office continues its active support for applicants who have not assigned their representatives to do so in order to increase accessibility to the basic knowledge.

Evaluation item (7): Initiatives for quality verification

This item was evaluated as “Satisfactory” while a minority of the members gave “Generally Achieved.” Last year, it was evaluated as “Satisfactory.”

<Evaluations >

- The JPO verified the validity of searches through quality audits and of identification and judgments, all of which were required for verification of quality, as planned in terms of the number of cases and also conducted examination quality assessments through user satisfaction surveys and exchanges of opinions with users, achieving objectives of these initiatives. It published a report of this fiscal year's user satisfaction survey in September, earlier than usual, and promptly shared the analysis findings, resulting in effects that contribute to quality improvement.
- It is commendable that the Office added to its user satisfaction survey a question regarding comparison with other Offices and free comment sections to collect a wide range of opinions.
- The Office continues quality audits, the user satisfaction survey and factor analyses of discrepancies in judgments between examinations and appeals/trials and improves them as appropriate.

< Points to be improved >

- The JPO is expected to pattern-classify issues revealed in quality audits and the user satisfaction survey, match each type with mechanisms, such as verifications and audits, to ensure quality in examination processes, and identify what has not been sufficiently covered (e.g. utilization of QA networks).
- The Office identified issues regarding judgments on distinctiveness in its user satisfaction survey. However, it only partially took initiatives for the issues this fiscal year even after publishing the survey report.
- The Subcommittee asks the JPO to consider publishing key effects of quality improvement, if possible, with figures and grounds.

Evaluation item (8): Examination quality analysis and identification of issues

This item was evaluated as "Satisfactory," while a minority of the members gave "Very Satisfactory." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Very Satisfactory."

<Evaluations>

- It is commendable that the Office added to its user satisfaction survey a question regarding comparison with other Offices from users' points of view and free comment sections to collect a wide range of opinions.
- The JPO analyzes its examination quality and identifies issues in a process from examination (consultation) to appeals/trials from multilateral points of view to comprehensively analyze the trademark examination quality and identify issues.
- Initiatives for quality evaluation have been steadily implemented and issues identified on the basis of the results thereof. Analysis methods have also been improved through an attempt to conduct CS portfolio analyses, for example. The identified issues were specifically narrowed down to those to be addressed in the future on the examination process.

<Points to be improved>

- It is desirable that the Office takes more concrete initiatives to improve consistency of judgements among examiners.
- The JPO needs to identify issues in and enhance communication with its users by continuing its active support for applicants who have not assigned their representatives to do so.

Evaluation item (9): Status of improvement of policies, procedures, and structures to achieve high-quality examination [evaluation items (1) to (5)]

This item was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved." Last year, it was evaluated as "Satisfactory," while a minority of the members gave "Generally Achieved."

<Evaluations>

- Although the JPO's examination implementation system may not be as adequate as the other Offices', the JPO added four examiners and promoted automation and efficiency through better surroundings to focus

on examinations. This is due to a surge in the number of applications and resulted in an increased number of applications examined.

- The Office improves its policies, procedures and structures sufficiently by promoting further disposal of the entire trademark examination. The efforts include setting up an office under the Trademark Division to develop plans and proposals related to operation and promotion for efficient trademark examination and launching a project to demonstrate possible use of private-sector search organizations, in which search results of trademark applications will be used in examination.
- Improvement initiatives are appropriately implemented for a stronger and more efficient examination implementation system.

< Points to be improved >

- While the JPO constantly improves its policies, procedures and structures, it is desired that the Office will further enhance its examination implementation system by hiring fixed-term examiners in the coming fiscal year.
- It is desirable that the Office will continue to keep its examination implementation system equal to the other Offices' although standards of their systems are not clear. The JPO is also expected to continuously consider and take comprehensive measures for the examination period prolonged by the increasing number of applications while balancing the trade-off between the issue and maintenance/improvement of examination quality.
- There is no description in any document of how all the improvements progressed. It would be advisable that the JPO will document improvement measures implemented in line with a QC story, a style of reporting improvements and improvement procedures.

Evaluation item (10): Status of improvement of quality management initiatives [evaluation items (6) to (8)]

This item was evaluated as "Satisfactory," while a minority of the members

gave “Generally Achieved” or “Very Satisfactory.” Last year, it was evaluated as “Satisfactory.”

<Evaluations>

- The JPO sufficiently improves its quality management initiatives by creating new tools to promote improvement and efficiency of its examination quality, forming teams to handle applications in specific areas and reviewing evaluation items of the user satisfaction survey to collect more specific feedback from users.
- The Office delivered tangible improvement to each of the following evaluation items: initiatives for improvement, initiatives for verification and quality analysis and identification of issues.
- The tangible improvement to the evaluation items has been made by the appropriate sharing of information, building a system to facilitate retrieving and browsing information, and creating new teams to handle applications in specific areas for examination support.

<Points to be improved>

- Documents need to show more clearly how quality analysis and identification of issues correspond to initiatives to improve quality management.
- The JPO is expected to show more specific and objective grounds for evaluation of improvement outcomes and to analyze reasons for the lower overall evaluation of the user satisfaction survey (as well as the lower evaluation of an individual item: judgements on distinctiveness) along with attributes of the respondents in order to take measures against it.
- Only results of the improvement efforts are documented. The Office needs to document how processes were improved as well.

Evaluation item (11): Communication of information on initiatives for examination quality improvement

This item was evaluated as “Satisfactory,” while a minority of the members gave “Very Satisfactory.” Last year, it was evaluated as “Very Satisfactory” or

“Satisfactory,” while a minority of the members gave “Generally Achieved.”

< Evaluations >

- The JPO established continuous cooperative relations with domestic and overseas users and overseas IP offices by communicating information on examination quality improvement to the former through exchanges of opinions as well as to the latter through international gatherings and dispatch/acceptance of examiners.
- The JPO leads a quality management project in the TM5 meeting and holds user sessions on the subjects of quality management and experts groups so that participants can exchange information.
- It is commendable that the JPO established a good track record of communicating information to foreign Offices and users.

< Points to be improved >

- The JPO is expected to continue to send information about its quality initiatives and to encourage other IP Offices to improve quality of trademark examination.
- The Office is also expected to publish significant discrepancies, if any, in issues presented by foreign Offices and the JPO in some form and to keep receiving feedback on outcomes of these issues.
- Sufficient efforts to communicate information could depend on whether the Office builds credibility and achieves joint quality initiatives.
- When the Office revises only its examination practice, the revision does not seem to be fully informed. The Subcommittee therefore expects the Office to inform revisions of its examination practice as widely as possible.

- III. Improvement recommendations for the implementation system and status of quality management
 - 1. Improvement recommendations for quality management of patent examination

III. Improvement recommendations for the implementation system and status of quality management

The Subcommittee discussed not only evaluations, but also matters expected to be improved concerning the implementation system and status of quality management, which were revealed through the evaluation process.

Improvement recommendations by the Subcommittee are summarized as follows (see [Appendix 3](#) for a table of recommendations).

1. Improvement recommendations for quality management of patent examination

< 1 Better use of prior art search projects and complete searches >

[Evaluation items (4) and (6)]

The JPO is expected to conduct complete searches, as well as to use prior art search projects more effectively, to appropriately handle issues discovered in quality audits and technologies which require foreign literature or interdisciplinary searches.

Major comments from Subcommittee members:

- (a) It is expected that the required number of the prior art search projects will be used efficiently and effectively.
- (b) As for outsourcing of foreign literature searches, the JPO should find organizations which can conduct searches of Chinese and Korean patent documents.
- (c) Registered search organizations should conduct interdisciplinary searches for AI- and IoT-related inventions as examiners do in examinations.
- (d) Further improvement will be needed to quality audit results of ISRs and patent grants. Examinations cannot be regarded as satisfactory to users when there are issues with search results, which affect judgements on patentability.
- (e) The JPO is expected to take further quality measures (e.g. using AI technologies).

- III. Improvement recommendations for the implementation system and status of quality management
 - 1. Improvement recommendations for quality management of patent examination

<2 Securing the internationally comparable number of examiners >

[Evaluation item (4)]

The JPO is expected to secure the internationally comparable number of examiners to maintain and improve its examination quality.

Major comments from Subcommittee members:

- (a) There is room for improvement in the allocation of personnel by international standards.
- (b) Only a limited number of examiners are responsible for prior art searches and quality initiatives. This indicates that the JPO's organizational and staffing structure is somewhat less sufficient as the international standards. There are concerns over feasibility of maintaining and further improving examination quality in the future.

<3 Enhancing discussions and information exchange among examiners >

[Evaluation item (6)]

The JPO is expected to enhance discussions and information exchange among examiners and their participation in improvement activities, which will contribute to better examination quality.

Major comments from Subcommittee members:

- (a) It is hoped that group discussions in briefings and training sessions will be opportunities for examiners to exchange information, which will help make such discussions and exchange of information common practice.
- (b) The Subcommittee asks the Office to check the number of improvement activities accomplished by each workplace and the percentage of the staff participating in the activities and then to review its quality management system from a perspective of whether the number and the percentage are determined to be sufficient to achieve the desired outcome.

- III. Improvement recommendations for the implementation system and status of quality management
 - 1. Improvement recommendations for quality management of patent examination

< 4 Better consistency of judgements among examiners > [Evaluation items (6) to (8)]

The JPO is expected to analyze challenges in its examination procedures and conduct highly consistent examinations in order to address users' issues and needs related to judgements on inventive step.

Major comments from Subcommittee members:

- (a) The JPO needs to proceed examination satisfactory to its users by appropriately addressing their issues and needs related to consistency of judgements and judgements on inventive step based on its basic principle of unified examination according to the examination guidelines and other guidance, as well as by maintaining its current initiatives.
- (b) The JPO needs to continue to seek consistency of judgements on inventive step.
- (c) The Office is expected to continue to exchange opinions with its users on examination quality, as well as to identify and analyze cases with some issues.
- (d) Further improvement will be needed to quality audit results of ISRs and patent grants.
- (e) The JPO is expected to improve examination quality by comparing its actual examination outcomes with those from the EPO, the USPTO and the CNIPA to verify the examination quality in such areas as Industry 4.0 technologies.
- (f) It is desired that the Office will expand its improvement activities for judgements on inventive step from individual to all applications by analyzing consultation results and identifying issues.

< 5 Enhancing communication with users > [Evaluation items (6) to (8)]

The JPO is expected to identify issues in interviews and telephone contact and enhance communication with its users.

Major comments from Subcommittee members:

III. Improvement recommendations for the implementation system and status of quality management

1. Improvement recommendations for quality management of patent examination

- (a) The JPO needs to identify issues in communication with its users and enhance communication by introducing video interviews and other initiatives.
- (b) The Office should clearly record as much of what was agreed on in interviews as possible. There are some cases where applicants are not satisfied with refusal without any sufficient explanation after hearing an examiner's preliminary conviction of patent grant in an interview.
- (c) The JPO is expected to take further measures using non-telephone communication tools, such as video interviews.

< 6 Effective communication of information on quality initiatives >

[Evaluation item (11)]

The JPO is expected to effectively communicate information on its quality initiatives to gain higher credibility of its judgements from its domestic and international users and foreign Offices.

Major comments from Subcommittee members:

- (a) It is suggested that the JPO studies how its presence is impacted by its quality initiatives in order to enhance the communication of information. The study includes whether the Office's credibility was improved by promotion of its quality efforts.
- (b) It is desirable that the JPO will interview more overseas companies especially on comparison of examination quality and services with other Offices and on their expectations for the JPO. This will allow the Office to obtain and analyze information for higher-quality examination and services for overseas users and to implement initiatives.
- (c) The JPO is expected to continue to send information about its quality initiatives and to encourage other IP Offices to improve their examination quality.
- (d) The Office is expected to hold seminars overseas focusing on cases where discrepancies arise in judgements between the JPO and other Offices, so that users can develop their understanding of how the JPO makes judgements.

III. Improvement recommendations for the implementation system and status of quality management

1.Improvement recommendations for quality management of patent examination

- (e) The JPO is also expected to further enhance communication of information to overseas users, including companies as well as representative organizations
- (f) It is preferable that the JPO proactively sends out information on various initiatives both domestically and internationally.

- III. Improvement recommendations for the implementation system and status of quality management
 - 2.Improvement recommendations for quality management of design examination

2. Improvement recommendations for quality management of design examination

<1 Maintenance and improvement of examination quality after the revised Design Act> [Evaluation item (6)]

The JPO is expected to discuss the future role of its examination implementation and quality management systems (including examiner training and collection of related documents) for quality maintenance and improvement to handle design applications after the revised Design Act takes effect.

Major comments from Subcommittee members:

- (a) The JPO needs to discuss the future role of its examination implementation and quality management systems with the expectation that examiners will shoulder more burden due to the revised Design Act, the revised Examination Guidelines and other related matters.
- (b) The JPO should conduct consistent examinations of applications to be covered in the revised Act.
- (c) The Subcommittee asks the JPO to continue to consider initiatives that reflect the revised Act, for maintenance and improvement of the current examination implementation system, clarity of the procedures and publication.
- (d) The JPO is expected to ensure its examination quality and consistency through consultations by enhancing training for examiners to acquire basic knowledge of the Examination Guidelines and of designs in the newly-covered areas in response to the 2019 revised Design Act.
- (e) The Subcommittee also asks the JPO to continuously work on collecting examination materials to respond to the revised Act.
- (f) It is desired that a mechanism will be built for examiners to share online information which is useful for examination, including design trends and information to acquire expertise in addition to examination materials.

- III. Improvement recommendations for the implementation system and status of quality management
 - 2.Improvement recommendations for quality management of design examination

<2 Notification of changes in the design system and revisions of the examination guidelines among others to examiners and system users >

[Evaluation item (6)]

The JPO is expected to thoroughly inform examiners of changes in the design system and revisions of the examination guidelines among others and implement effective initiatives to inform system users of the changes and revisions.

Major comments from Subcommittee members:

- (a) The Subcommittee asks the JPO to continue to consider initiatives that reflect the revised Design Act for maintenance and improvement of the examination implementation system, clarity of the procedures and publication.
- (b) The JPO is expected to ensure examination quality and consistency through consultations by enhancing training for examiners to acquire basic knowledge of the Examination Guidelines and of each design area in response to the 2019 revised Design Act.
- (c) The Subcommittee also asks the JPO to thoroughly disseminate the revised Design Act information to be effective in 2020 and the accompanying revision of the Examination Guidelines by holding as many briefing sessions as possible as these revisions have a significant impact. E-learning is worth considering to overcome time and location constraints.
- (d) It is desired that, in response to the 2019 revised Design Act, briefing sessions will be more frequent and easier for new users to understand.
- (e) The JPO is expected to provide information on the revised Examination Guidelines and its examination practice in a timely manner, according to the current status of applications in the newly covered areas and examinations thereof, even after the revised Act takes effect.

- III. Improvement recommendations for the implementation system and status of quality management
 - 2.Improvement recommendations for quality management of design examination

<3 Securing the internationally comparable number of examiners>

[Evaluation item (4)]

The JPO is expected to secure an internationally comparable number of examiners to maintain and improve its examination quality.

Major comments from Subcommittee members:

- (a) Examiners at the JPO currently process considerably more examinations than their USPTO counterparts on a per capita basis; moreover, only a limited number of examiners are responsible for international design applications and quality initiatives. This indicates that the JPO's organizational and staffing structure is not as sufficient as other IP Offices with a substantive examination system.
- (b) The revised Design Act, the revised Examination Guidelines and other related matters will likely result in increasing examiners' workload and it is therefore important to maintain and enhance the examination implementation system. Nevertheless, the JPO has not taken any proactive approach or action.
- (c) Examiners at the JPO currently process 2.8 times the number of examinations compared with their USPTO counterparts do on a per capita basis, which means that the JPO's organizational and staffing structure is not sufficient enough to cope with the expected increase in applications predicted to occur after the Design Act is revised.
- (d) It is desirable that the JPO increase the number of examiners and implement a support system for examination to respond to the revision of the Design Act in FY 2019. Under the support system, the Office will hire researchers who are familiar with such areas covered in the revised Act as buildings, interiors and graphic images and will hold training sessions and workshops for each of the areas.

<4 Better consistency of judgements among examiners> [Evaluation item (6)]

- III. Improvement recommendations for the implementation system and status of quality management
 - 2.Improvement recommendations for quality management of design examination

The JPO is expected to analyze challenges in its examination procedures and conduct highly consistent examinations in order to address users' issues and needs related to judgements on inventive step.

Major comments from Subcommittee members:

- (a) The Subcommittee asks the JPO for greater use of examiner exchange programs to avoid discrepancies in examination and improve consistency of judgements among examiners.
- (b) The JPO is expected to ensure its examination quality and consistency through consultations by enhancing training for examiners to acquire basic knowledge of the Examination Guidelines and of each design area in response to the 2019 revised Design Act.

- III. Improvement recommendations for the implementation system and status of quality management
 - 2.Improvement recommendations for quality management of design examination

<5 Continuous communication of information on quality initiatives>

[Evaluation item (11)]

The JPO is expected to effectively communicate information on its quality initiatives to gain higher credibility of its judgements from its domestic and international users and foreign Offices.

Major comments from Subcommittee members:

- (a) The Subcommittee suggests that the JPO studies how its presence is impacted by quality initiatives in order to enhance communication of information. The study includes whether the Office's credibility was improved by promotion of its quality efforts.
- (b) It is desired that the JPO proactively sends out information on various initiatives both domestically and internationally.
- (c) The JPO is expected to continue to send information about its quality initiatives and to encourage other IP Offices to improve examination quality.
- (d) The JPO is expected to take advantage of the revisions to create more opportunities to exchange opinions with overseas users, including representative organizations.
- (e) The Subcommittee suggests that the JPO domestically and internationally demonstrates what users think and feel regarding areas where the JPO excels or outperforms other Offices.

- III. Improvement recommendations for the implementation system and status of quality management
 - 3.Improvement recommendations for quality management of trademark examination

3. Improvement recommendations for quality management of trademark examination

<1 Maintenance and further improvement of the examination system >

[Evaluation items (4) and (9)]

The JPO is expected to secure an appropriate number of examiners and provide them with enhanced training in order to maintain and improve examination quality, while addressing the issue of prolonged examination period.

Major comments from Subcommittee members:

- (a) There is a concern that first actions take longer because the actual number of examiners is decreasing despite more applications being filed. It is desired that the Office immediately increase the number of examiners to a level that allows improved system effectiveness.
- (b) Regarding establishment of an internationally comparable level of organizational and staffing structure for examination, the JPO is expected to keep working on making the system virtually more user-friendly while taking into consideration any circumstances specific to Japan.
- (c) The JPO is also expected to continuously consider and take comprehensive measures for the examination period prolonged by the increasing number of applications while balancing the trade-off between the issue and maintenance/improvement of examination quality.
- (d) It is desired that the Office continues to take various initiatives to support examination and hire additional examiners to handle the increased number of applications.
- (e) It is desired that the Office further enhances its examination implementation system by hiring fixed-term examiners in the coming fiscal year.
- (f) The JPO is expected to secure the appropriate number of examiners and provide them with enhanced training.

- III. Improvement recommendations for the implementation system and status of quality management
 - 3.Improvement recommendations for quality management of trademark examination

<2 Better consistency of judgements among examiners> [Evaluation items (6) to (8)]

The JPO is expected to analyze challenges in its examination procedures and conduct highly consistent examinations in order to address users' issues and needs related to consistency of judgements.

Major comments from Subcommittee members:

- (a) The JPO must progress toward an examination satisfactory to its users by appropriately addressing their issues and needs related to consistency of judgements and judgements on distinctiveness based on its basic principle of unified examination according to the examination guidelines and other guidance, as well as by maintaining its current initiatives.
- (b) The JPO needs to conduct unified examinations by continuing to pursue initiatives for consistency of judgements among examiners on distinctiveness.
- (c) The JPO is expected to continue pursuit of initiatives to bridge examination gaps among examiners by promoting their understanding of the Trademark Examination Guidelines and other means.
- (d) It is desired that the Office take more concrete initiatives to improve consistency of judgements among examiners.
- (e) The Office is expected to continue to exchange opinions with its users on examination quality, as well as to identify, analyze and improve cases with some issues.

<3 Enhancing communication with users> [Evaluation items (6) to (8)]

The JPO is expected to identify issues in interviews and telephone contact to enhance communication with its users.

Major comments from Subcommittee members:

- (a) The JPO needs to identify issues in and enhance communication with its users by continuing its active support for applicants who have not assigned their representatives to do so.

- III. Improvement recommendations for the implementation system and status of quality management
 - 3.Improvement recommendations for quality management of trademark examination

- (b) It is desirable that the Office will increase accessibility to the basic knowledge in its support for applicants to assign their representatives.
- (c) The Office should clearly record as much of what was agreed on in interviews as possible.

- III. Improvement recommendations for the implementation system and status of quality management
 - 3.Improvement recommendations for quality management of trademark examination

< 4 Effective communication of information on quality initiatives >

[Evaluation item (11)]

The JPO is expected to effectively communicate information on its quality initiatives to gain higher credibility of its judgements from its domestic and international users and foreign Offices.

Major comments from Subcommittee members:

- (a) The Subcommittee suggests that the JPO studies how its presence is impacted by its quality initiatives in order to enhance the communication of information. The study includes whether the Office's credibility was improved by promotion of its quality efforts.
- (b) Sufficient efforts to communicate information could depend on whether the Office builds credibility and achieves joint quality initiatives.
- (c) The JPO is expected to continue to disseminate information about its quality initiatives and to encourage other IP Offices to improve quality of trademark examination.
- (d) The Office is also expected to publish significant discrepancies, if any, in issues presented by foreign Offices and the JPO in some form and to continue to collect feedback on the outcomes of these issues.
- (e) When the Office only revises its examination practice, the revision does not seem to be adequately disseminated. The Subcommittee therefore expects the Office to announce revisions of its examination practice as widely as possible.
- (f) It is preferable that the JPO proactively sends out information on various initiatives both domestically and internationally.

IV. Conclusion

It was confirmed through verifications and evaluations of the quality management implementation system and status in FY 2019 that evaluations and improvement recommendations provided by the Subcommittee in FY 2018 were reflected in the initiatives undertaken by the JPO.

It was also confirmed that examination quality at the JPO remained high by international standards, that the initiatives for building trust relationships with overseas IP offices had been promoted, and that there were an increasing number of opportunities to communicate with industrial property rights system users.

In light of these points, this Subcommittee expects that the JPO will continue its efforts to improve examination quality through evaluations and improvement recommendations concerning the quality management implementation system and status as outlined in this report being reflected in the initiatives to be implemented within the JPO. This would result in further enhancing the implementation of the examination quality management system and promote improved cooperation between user applicants and their representative patent attorneys.

The Subcommittee also expects that the JPO will contribute to global activities by users of the industrial property rights system through proactive communication of its high-quality examination results to overseas IP offices and continue to interact with them in the area of quality management.

Appendices

(Appendix 1) Evaluation Items and Criteria Concerning Examination Quality Management

*Created in the Subcommittee meetings in FY 2014

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?							
(1)	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.
(2)	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	
(3)	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"> 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. 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. 	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.
1. Have policies, procedures, and structures been established to achieve high-quality examination?							
2. Have structures been established to achieve high-quality examination?							
(4)	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' 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.

Items	Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
(5) 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 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 generally established.	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 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?						
(6) 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 been planned and implemented mostly as planned.	Initiatives necessary for the improvement of quality have not been planned, or even if planned, they have not been implemented as planned.
(7) 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.

Items	Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods/ evaluation criteria			
			Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
(8) 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?						
2. Has continuous improvement been appropriately implemented?						
(9) Status of improvement of policies, procedures, and structures to achieve high-quality examination [evaluation items (1) to (5)]	To evaluate whether improvement has been specifically made on evaluation items (1) to (5), 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.
(10) Status of improvement of quality management initiatives [evaluation items (6) to (8)]	To evaluate whether improvement has been made on evaluation items (6) to (8), 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
(11) 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.

(Appendix 2) Table of evaluation results in FY 2019

*Each item is evaluated on a 4-point scale: "Very Satisfactory," "Satisfactory," "Generally Achieved," and "Needs Improvement."

Evaluation item		Patent	Design	Trademark
(1)	Status of creation of Quality Policies, Quality Manuals, and other documents	Very Satisfactory	Very Satisfactory	Very Satisfactory
(2)	Clarity of procedures for examination and quality management	Very Satisfactory	Very Satisfactory	Very Satisfactory
(3)	Publication of the fundamental principles of quality management, etc. to users of IP systems and dissemination of such information to staff	Very Satisfactory	Very Satisfactory	Very Satisfactory
(4)	Examination implementation system	Generally Achieved	Generally Achieved	Generally Achieved
(5)	Quality management system	Satisfactory	Satisfactory	Satisfactory
(6)	Initiatives for quality improvement	Very Satisfactory	Satisfactory	Satisfactory
(7)	Initiatives for quality verification	Satisfactory	Satisfactory	Satisfactory
(8)	Examination quality analysis and identification of issues	Satisfactory	Satisfactory	Satisfactory
(9)	Status of improvement of policies, procedures, and structures to achieve high-quality examination [evaluation items (1) to (5)]	Satisfactory	Satisfactory	Satisfactory
(10)	Status of improvement of quality management initiatives [evaluation items (6) to (8)]	Satisfactory	Satisfactory	Satisfactory
(11)	Communication of information on initiatives for examination quality improvement	Satisfactory	Satisfactory	Satisfactory

(Appendix 3) Table of improvement recommendations in FY 2019

	Patent	Design	Trademark
Examination quality and examination implementation system	<1> The JPO is expected to conduct complete searches, as well as to use prior art search projects more effectively to appropriately handle issues discovered in quality audits and technologies which require foreign literature or interdisciplinary searches.	<1> The JPO is expected to discuss the future role of its examination implementation and quality management systems (including examiner training and collection of related documents) for quality maintenance and improvement to handle design applications after the revised Design Act enters into force.	
		<2> The JPO is expected to thoroughly inform examiners of changes in the design system and revisions of the examination guidelines among others and implement effective initiatives to inform system users of the changes and revisions.	
	<2> The JPO is expected to secure an internationally comparable number of examiners to maintain and improve examination quality.	<3> The JPO is expected to secure an internationally comparable number of examiners to maintain and improve examination quality.	<1> The JPO is expected to secure the appropriate number of examiners and provide enhanced training for them in order to maintain and improve examination quality, while addressing an issue of the prolonged examination period.
Consistency of judgements	<3>The JPO is expected to enhance discussions and information exchange among examiners and their participation in improvement activities, which will contribute to better examination quality.		
	<4> The JPO is expected to analyze challenges in its examination procedures and conduct highly consistent examinations in order to address users' issues and needs related to judgements on inventive step.	<4> The JPO is expected to analyze challenges in its examination procedures and conduct highly consistent examinations in order to address users' issues and needs related to judgements on inventive step.	<2> The JPO is expected to analyze challenges in its examination procedures and conduct highly consistent examinations in order to address users' issues and needs related to consistency of judgements.
Communication	<5> The JPO is expected to identify issues in interviews and telephone contact and enhance communication with its users.		<3> The JPO is expected to identify issues in interviews and telephone contact and enhance communication with its users.
Effective communication of information	<6> The JPO is expected to effectively communicate information on its quality initiatives to gain higher credibility of its judgements from its domestic and international users and foreign Offices.	<5> The JPO is expected to effectively communicate information on its quality initiatives to gain higher credibility of its judgements from its domestic and international users and foreign Offices.	<4> The JPO is expected to effectively communicate information on its quality initiatives to gain higher credibility of its judgements from its domestic and international users and foreign Offices.