

# **Report of the Subcommittee on Examination Quality Management, FY 2023**

**March 2024**

**Subcommittee on Examination Quality Management,  
Intellectual Property Committee,  
Industrial Structure Council**

The Industrial Structure Council is an official organization established under Article 7 of the Act for Establishment of the Ministry of Economy, Trade and Industry (METI). In response to consultations by METI, the Council conducts investigations and deliberations on important matters concerning METI's policy, with a particular focus on improving the economic strength of the private sector and promoting smooth international economic relations. The Council was established in January 2001, and its organizational framework was revised in June 2013.

< For more information, visit <https://www.meti.go.jp/english/committee/index.html> >

The "Japan Revitalization Strategy" (2014 revision), approved by the Cabinet on June 24, 2014, stipulates the initiative to achieve the fastest and highest quality examination in the world by introducing an objective quality management system involving external experts.

The Subcommittee on Examination Quality Management was established under the Intellectual Property Committee of the Industrial Structure Council in August 2014 to recommend improvements to the quality management of patent, design, and trademark examinations at the JPO through verifications and evaluations of the implementation system and the implementation status of quality management. The Subcommittee annually consolidates the results into a written report.

< For more information, visit <https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/index.html> >

The Subcommittee's report for FY 2023 (the fiscal year ended March 2024) was first published on the JPO website in its original Japanese version on March 29, 2024.

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# Introduction

Due to the globalization of the business and research activities of Japanese companies and other entities, and in order to enable their quick and easy acquisition of intellectual property rights in other countries, high-quality and internationally reliable examinations are required for the examination results of the Japan Patent Office (JPO) in acquiring intellectual property rights to be accepted in other countries. In addition, high-quality examinations by the JPO are necessary to increase the predictability of the business using the industrial property rights system and to avoid disputes. In particular, maintaining and improving the quality of the JPO's examinations is essential in a social context marked by the decline of the COVID-19 crisis and the return of economic activity.

In 2014, JPO created and published the "JPO's Quality Policy on Examination," which outlines the fundamental principles of quality management for patent, design, and trademark examinations, including "robust, broad, and valuable establishment of rights." At the same time, the JPO established a quality management system across all its departments for patent, design, and trademark examinations to conduct examinations based on the "Quality Policy" and has been continuously improving the system. In particular, in recent years, the JPO has been emphasizing active communication with various users, including applicants and third parties, to accurately grasp their needs and awareness of issues, and to promote effective measures that contribute to maintaining and improving the examination quality.

The Subcommittee on Examination Quality Management was established under the Intellectual Property Committee of the Industrial Structure Council in August 2014 to recommend improvements to the JPO's examination quality management by verifying and evaluating its implementation system and status. The JPO has incorporated the Subcommittee's objective evaluation and improvement recommendations into its measures to achieve internationally advanced quality management.

This report examines and evaluates the implementation system and status of the JPO's examination quality management in the fiscal year ended March 2024 (hereinafter "FY2023") and summarizes discussions on what needs to be improved.

## Meetings held in this fiscal year

### The First Subcommittee Meeting: February 19, 2024

#### Agenda

1. Proposed evaluation results of the implementation system and status of the JPO's examination quality management
2. Improvement recommendations proposed by the Subcommittee members regarding the implementation system and status of the JPO's examination quality management

### The Second Subcommittee Meeting: March 15-25, 2024

(deliberation by correspondence)

#### Agenda

1. Proposed report of the Subcommittee on Examination Quality Management, FY 2023

## **Members of the Subcommittee on Examination Quality Management**

- Titles omitted, listed in Japanese syllabary order -

ICHIKAWA Rumi	Patent Attorney, ATEN IP Attorneys
INOUE Wataru	Chief Editor, Nikkan Kogyo Shimbun, Ltd.
Chair: OSUGA Shigeru	Attorney at Law, Kitahama Partners
KIMIJIMA Yuko	Professor, Faculty of Law and Graduate School of Law, Keio University
SAWAI Shu	Patent Attorney, General Manager, Intellectual Property Department, Aeronext Inc.
SUZUKI Hiroko	Patent Attorney, Nakamura & Partners
TSUBAKI Michiko	Professor, Department of Management, School of Management, Tokyo University of Science
TOGAWA Nami	Patent Attorney, SEIWA PATENT & LAW
YAMANAKA Akitoshi	Vice President, Japan Intellectual Property Association

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# I. Overview of quality management measures at the JPO

The Japan Patent Office (JPO) implements its quality management system shown in Figure 1.

The Commissioner and the Deputy Commissioner are in charge of maintenance and implementation of the quality management system. For design matters, the Director-General of Patent and Design Examination Department joins them and for trademark matters, the Director-General of the Trademark and Customer Relations Department replaces the Deputy Commissioner.

The following quality management bodies work closely together and independently: bodies that conduct substantive examinations, bodies that plan measures, and bodies that monitor and analyze quality. They also follow the PDCA cycle to continuously improve the examination quality.

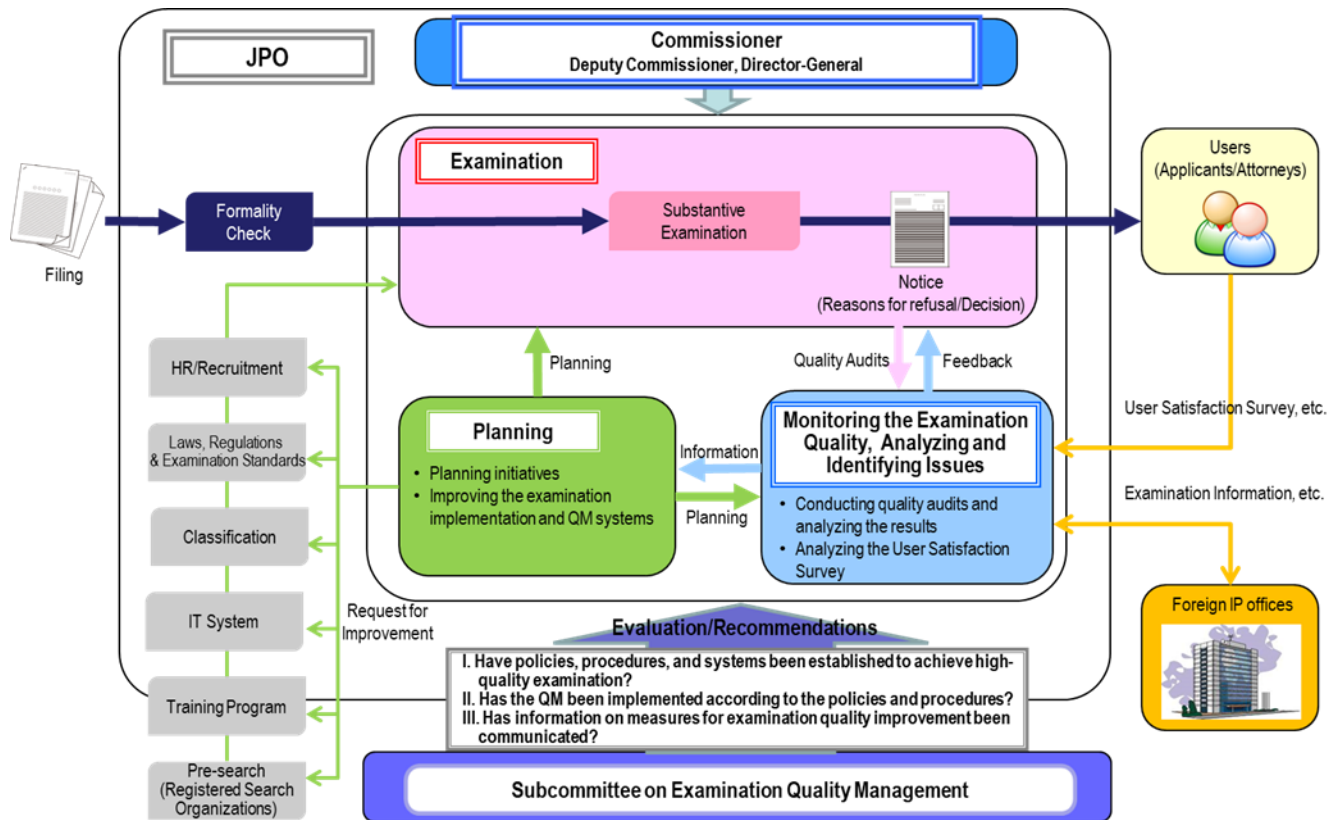


Figure 1: Overall picture of the quality management system at the JPO

The Subcommittee on Examination Quality Management (the Subcommittee) was established under the Intellectual Property Committee of the Industrial Structure Council in August 2014 to recommend improvements to the JPO's examination quality management by evaluating its implementation system and status. The JPO has incorporated the Subcommittee's evaluation and improvement recommendations into its PDCA cycle, which contributes to maintaining and improving the examination quality (Figure 2).

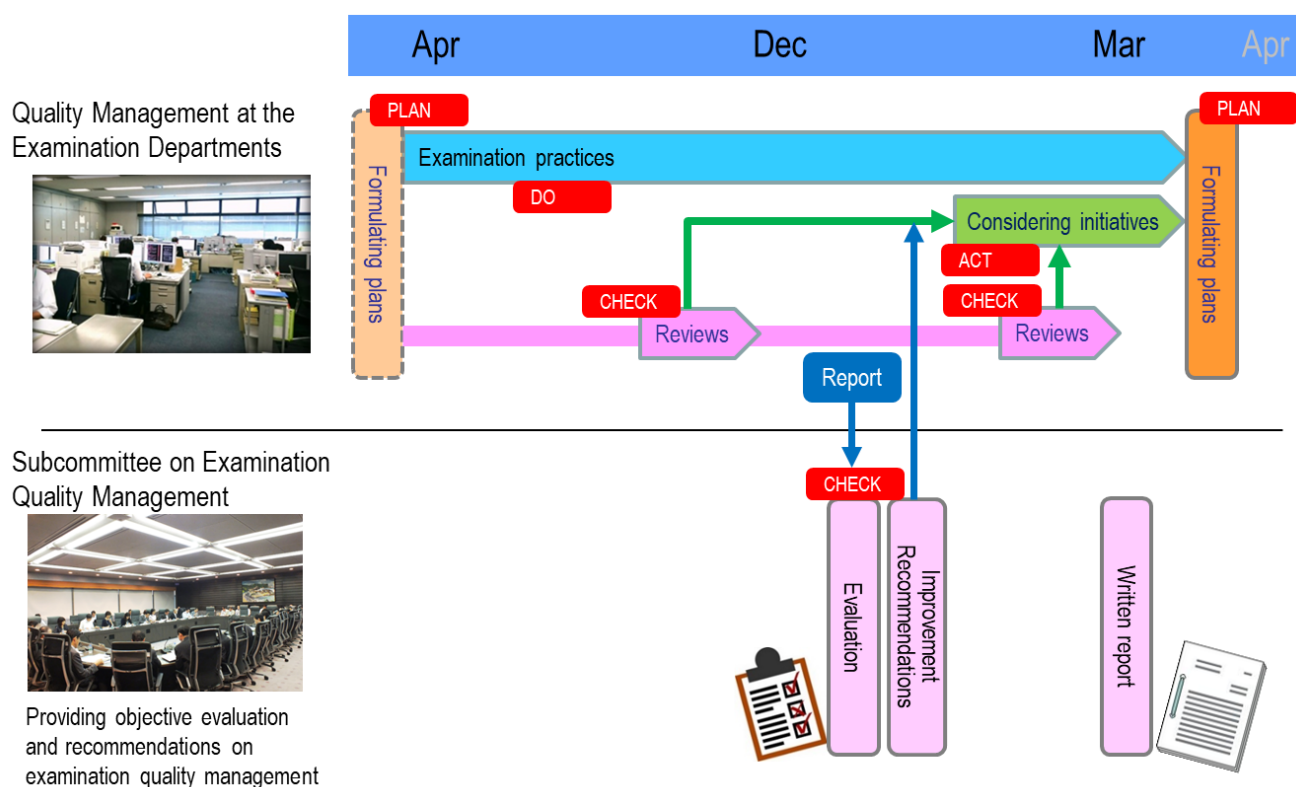


Figure 2: Relation between quality management within the JPO and the Subcommittee on Examination Quality Management

The JPO's quality management system has been documented into the Quality Management Manuals (Quality Manuals) for patent, design, and trademark examinations, which were published on the JPO website<sup>1</sup>.

Note 1: For details of the JPO's examination quality management and the Quality Manuals, see ["Examination Quality Management of the JPO."](#)



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

The Subcommittee evaluated the JPO's implementation system and status of the examination quality management based on the "Evaluation Items and Criteria Concerning Examination Quality Management" created in FY2014 (see [Appendix 1](#) at the end of this report).

The same evaluation items and criteria apply to patent, design and trademark examinations. For each item, the evaluation's "Objectives and Perspectives" are stated, and specific criteria are established on a 4-point scale: "Very Satisfactory," "Satisfactory," "Generally Achieved," and "Needs Improvement." For example, evaluation items (6) and (7) on quality improvement and verification measures would be "Satisfactory" if "the necessary measures are planned and implemented as planned and their objectives are achieved" and would be "Very Satisfactory" if, in addition, "they also have effects that contribute to further improvement in quality."

Prior to the Subcommittee's deliberation, the JPO provided the Subcommittee members with documents (Documents 1-1, 1-2, and 1-3, and Documents 2-1, 2-2, and 2-3)<sup>2</sup> summarizing the implementation status of the FY2022 improvement recommendations, as well as the outcomes and current status of each evaluation item. After receiving these documents, each member evaluated the JPO's implementation system and status of the quality management for patent, design, and trademark examinations based on the "Evaluation items and criteria concerning examination quality management" and deliberated to prepare the Subcommittee's official evaluation.

While the median of the members' ratings is used as the official rating of the Subcommittee, a rating that differs from the Subcommittee's rating by a minority of the members is also noted in this report.

The Subcommittee's evaluations are as follows (see [Appendix 2](#) at the end of this report for a list of the Subcommittee's evaluations).

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Note 2: Visit "[Agenda and List of Documents for the First Meeting of the Subcommittee on Examination Quality Management](#)" to access the Japanese documents.

**Patent**

## 1. Evaluation of patent examination quality management

### Evaluation item (1): Status of the creation of quality policies, quality manuals, and other documents

Evaluated as "Very Satisfactory."  
Last year, evaluated as "Very Satisfactory."

<Evaluations>

- The JPO has created and appropriately managed the "Quality Policy," the "Quality Manual," and other documents indicating specific procedures for quality management.
- The JPO has created and revised the Examination Criteria, the Examination Handbook, and the Interview Guidelines, clearly explaining the reasons for the revisions on the official website.

<Points to be improved>

- N/A

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

Evaluated as "Very Satisfactory."  
Last year, evaluated as "Very Satisfactory."

<Evaluations>

- The JPO has published and revised, as needed, the "Examination Guidelines for Patent and Utility Model" that specifies what is necessary and how patent examinations should be conducted. The "Quality Manual" details who should be responsible for maintaining and implementing quality management and the procedures involved.
- The JPO has developed a comprehensive quality management system and procedures based on the PDCA cycle concept.

<Points to be improved>

- N/A

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

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

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members gave "Satisfactory."

### <Evaluations>

- The JPO has made both the "Quality Policy" and the "Quality Manual" publicly available and easily accessible to users, including those overseas, and has also presented its measures through contacts with companies and others.
- The JPO has made the contents of the Quality Policy and the Quality Manual known to its staff by incorporating them into the content of its training programs.
- The quality tests at the JPO are used to adequately assess staff understanding. It is particularly commendable that the test includes common questions with case studies to make staff more aware of attitudes and key points when communicating with users. In addition, to ensure continuous retention of state-of-the-art knowledge, links to related materials are provided in all questions to encourage reference, while correct answers to all questions are required to pass the test.

### <Points to be improved>

- N/A

### Evaluation item (4): Examination implementation system

Evaluated as "Generally Achieved" while a minority of the members gave "Satisfactory."

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

### <Evaluations>

- Overall, the JPO has established an organizational structure that enables high-quality examination while efficiently conducting the required number of examination cases by strengthening the examination implementation system, utilizing prior art searches, and dealing with emerging technologies.
- The JPO was considered to meet its examiner staffing needs in terms of stopping the decrease in the number of examiners.
- It is commendable that the interactive prior art searches outsourced to registered search organizations have improved the efficiency and quality of examinations and contributed to the improved JPO's examination performance under the limited number of examiners.
- The JPO's outsourcing of prior art searches observed an increase in the proportion of foreign language patent literature searches, such as English, Chinese, Korean, and German.
- It is recognized that the JPO has increased its outsourced "supplementary" searches by up to 20% and has also enhanced its efforts towards sending all file wrappers electronically.
- It is commendable that the JPO has enhanced its system to achieve efficient and high-quality examination of AI-related inventions, including increasing the number of AI officers in the

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Team for Supporting AI Examinations.

- A project entitled "Collection of Existing Materials on the Examination Practices of the IP5 Offices on AI-Related Inventions" was launched, and the resulting comparative table compiling IP5 legal texts, examination guidelines, examination case studies, etc., was published on websites.
- It is commendable that the JPO has reduced the average total pendency and the average first action pendency.
- The JPO is working to facilitate communication between examiners and applicants, such as conducting online interviews for examinations.

<Points to be improved>

- The total number of patent examiners remained at 1,663, the same level as the previous year, and it cannot be said that the JPO has reached an internationally comparable level in terms of the number of examiners and the personnel deployment.
- The JPO is expected to continue to make efforts to have staff attend meetings of academic societies, etc., to deal with emerging technologies.
- The JPO is expected to achieve the government's target for "total pendency", along with training examiners and strengthening the consultation system for AI-related inventions.

### Evaluation item (5): Quality management system

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

<Evaluations>

- The JPO's quality management system is designed to function through the division of roles among Quality Management Officers, who are responsible for the general audits of all cases in the Examination Departments; Quality Management Officers, who conduct more specialized audits; the Internal Quality Management Committee, which analyzes and evaluates the results of quality audits; and the Quality Management Office, which is responsible for planning quality management measures. The establishment of such a good quality management system ensures the effectiveness of the PDCA cycle.
- The JPO has established quality management bodies that are independent in reality: the management, the examiners, the initiative planners, and the quality analyzers and evaluators. For example, written notices have been assigned to Quality Management Officers based on the major types of the notices, aiming for better audit practices. Overall, the organizational structure and personnel deployment have been established to enable quality management measures to be planned and implemented in an efficient and effective manner.
- The JPO conducts the User Satisfaction Survey annually to evaluate the quality of patent examination, and the results are fully analyzed and published. The Subcommittee on Examination Quality Management, composed of external experts, has been established to

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provide the JPO with evaluations and recommendations for improving the implementation and status of the quality management system.

<Points to be improved>

- N/A

### Evaluation item (6): Measures for quality improvement

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

<Evaluations>

- The JPO is working to improve quality by multiple layers of human review, such as checks before approval, approvals, and consultations among examiners, and by maintaining objective examination support materials, such as enhanced search guidelines and tools for searching foreign patent documents.
- It is commendable that the JPO met the government's annual targets for implementing agencies in terms of the user evaluation of communication related to the examination quality.
- To promote appropriate communication with users, the JPO has reminded examiners of points to note when conducting interviews and telephone conversations, and has considered measures to improve user satisfaction with communication.
- Regarding consultation among examiners, making the consultation mandatory is a good mechanism to ensure a minimum level of quality, especially for cases involving newly appointed examiners.
- Regarding PCT consultations, it is commendable that the number of cases conducted has increased since the previous fiscal year. It is also noteworthy that according to the check sheet used for the consultations, 90% of the cases responded that they had gained new knowledge and advice from the consultations.
- From the viewpoint of co-creation, the JPO is considering making the format of approval requests easy to understand by collecting the views and opinions of users and examiners.

<Points to be improved>

- Since searches of foreign patent documents and the drafting quality of notices of reasons for refusal and the like tend to cause inconsistencies among examiners, the JPO is expected to further strengthen its efforts to expand and enhance them to improve the consistency of examinations.
- As the maintenance of search guidelines and the sharing of knowledge in searches are extremely important, the JPO is expected to continue to do so in the future. The JPO is also expected to revise the format of approval requests for notices of reasons for refusal so that the text of such notices will be even easier for users to understand.

## 1. Evaluation of patent examination quality management

Patent
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- As users have raised the issue of and need for consistency in judgments among examiners the JPO is expected to continue its efforts, such as consultations among examiners, and to strive for uniform examinations so that there is no disparity in the harshness or leniency of judgments depending on the field of expertise.

**Evaluation item (7): Measures for quality verification**

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

## &lt;Evaluations&gt;

- Quality verification is conducted internally at the JPO through quality audits and externally through the User Satisfaction Survey and the exchange of opinions with users.
- It is commendable that the User Satisfaction Survey report is published externally, and the JPO attempts to understand and analyze the needs by conducting a follow-up survey of dissatisfied respondents to the User Satisfaction Survey.
- It is very impressive that the quality of foreign patent document searches, etc., is highly rated in the User Satisfaction Survey.
- The JPO is analyzing the difference between the User Satisfaction Survey evaluation and the examiners' perceptions from last year's questionnaire to identify examination quality issues and develop solutions.
- It is commendable that the number of contacts with companies has increased compared to the previous fiscal year and that the JPO is proactively exchanging opinions with users and other parties.
- The JPO accepts opinions through its website and provides feedback to the examiners in charge to improve the quality of the examination.

## &lt;Points to be improved&gt;

- The JPO is expected to continue its efforts to understand the needs of users by holding meetings to exchange opinions with company contacts, IP-related organizations, and agent organizations.

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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

## &lt;Evaluations&gt;

## 1. Evaluation of patent examination quality management

Patent
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- The JPO has appropriately analyzed the examination quality and identified issues from its current quality management system and quality management measures.
- Since all analyses of patent grants, of internal-external discrepancies, and of internal-internal discrepancies have identified the issues of missed searches, it is considered that the analysis and identification of issues by the JPO itself is appropriate.
- The JPO has conducted appropriate analysis and identification of issues for high quality examination. It is based, for example, on the analysis of quality audits and appeal/trial-related data that have identified "errors in recognition and judgment" and "missed searches" in the PCT, First Notice of Reasons for Refusal, Examiner's Decision of Refusal, and patent examination.
- As mentioned in the partial audit analysis, it is commendable that a drafting support tool for approval requests was effectively used to address the formality deficiencies.
- The JPO identified issues such as "consistency of judgments among examiners" as a result of the User Satisfaction Survey.

## &lt;Points to be improved&gt;

- As issues of missed searches have been identified, the JPO is expected to continue its efforts to improve the search capabilities of examiners and registered search organizations, develop search tools, and so on.
- Regarding the "consistency of judgments among examiners" identified as a priority issue in the User Satisfaction Survey, the JPO is expected to continue implementing measures to improve the consistency of judgments among examiners.
- Regarding the "communication with examiners in interviews and telephone conversations," the JPO is expected to continue to examine the identified issue of appropriate communication according to the Interview Guidelines.

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

Evaluated as "Satisfactory."

Last year, evaluated as "Satisfactory."

## &lt;Evaluations&gt;

- The JPO has worked on measures and improvements for each evaluation item.
- The JPO has continued appropriate management of the Quality Policy and the Quality Manual, as well as other documents indicating specific procedures for quality management, while making them available at all times.
- It is commendable that the JPO has strengthened its examination system for AI-related inventions, and further, that the JPO has prepared and published a comparative table compiling IP5 legal texts, examination guidelines, examination case studies, etc., in a project entitled "Collection of Existing Materials on the Examination Practices of the IP5 Offices on AI-Related Inventions."



## 1. Evaluation of patent examination quality management

Patent
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- It is recognized that the JPO has used the prior art search program to improve operational efficiency by expanding outsourced "supplementary" searches and electronic file wrappers.

## &lt;Points to be improved&gt;

- To strengthen Japan's industrial competitiveness, it is important to achieve high-quality patent examination in the field of emerging technologies. The JPO is thus expected to continue its efforts to improve the examination quality leading to enhanced industrial competitiveness, e.g., by responding to AI-related inventions and strengthening the "Survey of Technology Trends from Patent Application Information" for emerging technologies.
- The JPO is expected to continue to improve communication with users to enhance the examination quality.

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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

## &lt;Evaluations&gt;

- It is commendable that the JPO, as part of its quality management measures, has provided support that meets the needs of companies, including measures to support venture companies in patent examination and the Collective Examinations Supporting Business Strategy.
- It is considered valuable to have examiner consultations with examiners of overseas IP Offices as a forum for practical discussions on examination quality.
- Knowledge sharing within the JPO is actively conducted through consultations among examiners and by sharing knowledge via the JPO intranet and other means.
- It is commendable that the JPO has considered, from the viewpoint of co-creation, an easy-to-understand writing format for notices of reasons for refusal.
- The JPO held discussions on search styles to share knowledge of search styles within each technical field, as well as developed and enhanced search-related tools and familiarized examiners with the tools.
- It is commendable that the JPO has improved its quality management measures, e.g. by expanding the data provided and examining how the data can be used, with the aim of enhancing examination capabilities by using information such as quality-related statistics.

## &lt;Points to be improved&gt;

- With regard to "consistency of judgments among examiners," the JPO is expected not only to continue to implement measures to improve the examination quality by examiners as a whole and to increase the consistency of judgment among examiners, but also to conduct more in-depth studies on the use of tools such as search-related tools and a drafting support tool for approval requests.



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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

<Evaluations>

- The JPO continuously communicated information at home and abroad and established cooperative relationships with domestic and international organizations/groups through its website, opinion exchange meetings, international conferences, international cooperation on patent examination practices, and cooperation with foreign IP Offices.
- The JPO has disseminated information on its measures to improve examination quality through official documents such as reports of the Subcommittee on Examination Quality Management and reports on the User Satisfaction Survey, the JPO website, and METI press releases.
- It is commendable that the JPO has increased the number of company contacts based on the philosophy of co-creation of patent rights with users.
- The JPO has been disseminating information at opinion exchange meetings and international conferences. It is particularly impressive to see more and more of these news items on the banners at the top of the JPO website.
- It is commendable that the JPO is proactively providing support for the establishment of quality management systems in emerging countries.

<Points to be improved>

- The JPO is expected to continue to provide assistance to IP offices in emerging countries for staff training and the establishment of quality management systems.
- The JPO is expected to continue to disseminate information through the Patent Prosecution Highway (PPH) and the US-JP Collaborative Search Pilot Program.
- Since the results of the JPO's work have not received much support from the public and industry, the JPO is also expected to prioritize information dissemination.
- The JPO's "co-creation of patent rights" is a very good initiative in which examiners can deepen their understanding not only of technology but also of business by participating in the creation of patent rights from the perspective of government support for business. However, excessive involvement may lack fairness. The JPO is expected to help companies determine the permissible scope of their patent rights based on the current examination guidelines.

## Design

### 2. Evaluation of design examination quality management

#### Evaluation item (1): Status of the creation of quality policies, quality manuals, and other documents

Evaluated as "Very Satisfactory."

Last year, evaluated as "Very Satisfactory."

##### <Evaluations>

- The JPO has created, appropriately managed, and publicized at home and abroad the following: the Quality Policy, the Quality Manual, other documents indicating specific quality management procedures, the Design Examination Guidelines, the Design Examination Manual, and the Interview Guidelines.
- The JPO has created and published visual and video content for users of the Design System and other systems.

##### <Points to be improved>

- N/A

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

Evaluated as "Very Satisfactory."

Last year, evaluated as "Very Satisfactory."

##### <Evaluations>

- The JPO has established specific examination procedures in its Design Examination Guidelines, which are updated as necessary, and has also established a detailed quality management system and management procedures in its Quality Manual.

##### <Points to be improved>

- N/A

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

Evaluated as "Very Satisfactory" while a minority of the members gave "Satisfactory."

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

##### <Evaluations>

## Design

- The JPO has published the Quality Policy, the Quality Manual, and User Satisfaction Survey results both domestically and internationally and made them easily accessible to users, including overseas users, e.g., by presenting them at opinion exchange meetings with companies.
- The JPO has incorporated the contents of the Quality Policy and the Quality Manual into its training programs to familiarize its staff with them.

<Points to be improved>

- N/A

### Evaluation item (4): Examination implementation system

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

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

<Evaluations>

- The JPO maintained the same number of examiners as in the previous fiscal year and achieved the same level of first action pendency as in FY2013 through streamlining the examination process in terms of the digitized examination system under the circumstances that the subject for protection under the Design Act have expanded and become more complex.
- The JPO has established the necessary examination implementation system.

<Points to be improved>

- The total number of examiners at the JPO remains at the same level as the previous year. Compared to the US Patent and Trademark Office, the JPO handles about 4.3 times the volume of examinations, while the FA pendency is less than half that of the US (6.0 months), and the number of examinations processed per examiner is still very high. In addition, in light of changing circumstances, such as the expanded subject for protection under the amended Design Act, it is reasonable to expect new challenges that differ from those encountered in traditional examinations. Moreover, the limited number of examiners is also working on the examination of international design applications and quality improvement measures. Therefore, although the JPO has reviewed its personnel deployment and improved its examination implementation system, it cannot be said that its examination system and personnel deployments are well established compared to other countries with substantive examination systems.
- The JPO is expected to continue to strengthen its examination system.

### Evaluation item (5): Quality management system

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

Last year, evaluated as "Satisfactory" while a minority of the members

Design

gave "Very Satisfactory."

<Evaluations>

- The JPO has established a system that enables quality management similar to that of other countries with substantive examinations, including quality management measures within a limited organizational structure.
- The JPO has conducted the annual User Satisfaction Surveys, fully analyzed the results, and published them. The JPO has also obtained evaluations and improvement recommendations on the implementation system and status of quality management from the Subcommittee on Examination Quality Management, composed of external experts.

<Points to be improved>

- The number of Quality Management Officers (analysts) is quite small, with only three in charge of national applications and three in charge of Hague applications. The results of their audits form the basis for the identification of issues by the Quality Management Committee, and also support the planning of quality management. Therefore, the JPO is expected to examine ways to conduct efficient and high-quality audits by promoting mutual exchange of opinions, e.g., on audit methods, among those in charge.

**Evaluation item (6): Measures for quality improvement**

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

<Evaluations>

- The JPO is striving to improve the quality of examination by clarifying cases requiring consultations between examiners and approvers for national applications and by conducting consultations for all first action cases for Hague applications.
- The JPO has continuously planned and implemented quality improvement measures.
- The JPO is working to improve examination quality and efficiency by sharing knowledge among examiners, improving their skills through various training programs and participation in exhibitions, including those held overseas, collecting materials in response to amendments to the Design Act, and cooperating with overseas IP offices.
- The JPO is expanding online interview opportunities using Microsoft Teams, including for unpublished cases, while properly managing both in-person and online communications and continuing to accept email applications.
- The JPO has revised both the "Case Examples of Notices of Reasons for Refusal and Other Documents" and the "Case Examples of Decisions of Refusal and Other Documents" for examiners and the "Guide for Making Applications and Drawings for Design Registration," and plans to add reference examples of appeal decisions to the "Design Examination Manual." In addition, the JPO has continued the agile development of search support tools for examiners using "similar image search" technology since FY2021, and plans to release a formality

## Design

checking tool for drafting approval requests in FY2023.

### <Points to be improved>

- The JPO is expected to further strengthen the examiners' communication with users, which is a prerequisite for consultations, employing in-person and online interviews. Regarding the design of buildings, interiors, and graphic images based on the 2019 amendment, the JPO is also expected to continue to hold consultations among several examiners and study the issue in consultation with the Examination Standards Office.
- The JPO is expected to continue to develop search support tools for examiners using "similar image search" technology, as well as a drafting support tool for approval requests. In particular, since "similar image search" is considered to be an area with a high affinity for AI, along with natural language processing, the JPO is expected to explore ways to use AI for it. In such exploration, the JPO is also expected to consider which feature points AI will use to judge the similarity, as this is certain to cause a deviation from the examination standards.

### Evaluation item (7): Measures for quality verification

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

### <Evaluations>

- The JPO has conducted quality audits as planned and has achieved the objectives of its measures. In these quality audits, the JPO has devised methods to meet actual conditions, such as the timing of selection of target cases, the number of audits assigned to analysts, the number of audits conducted, and the method of providing feedback on the audits.
- The JPO makes systematic efforts to identify user needs through user satisfaction surveys and opinion exchange meetings with users such as companies and industry organizations, where the JPO side is led by a manager.
- The "Integrated List of Appeal Information" is prepared monthly and posted on the JPO intranet so that examiners can keep track of appeal trends in their areas of responsibility.

### <Points to be improved>

- With respect to the "description in notices of reasons for refusal, etc.," there are cases where it is difficult even for the representative to determine whether the reasons for refusal are resolved by the amendment. It is therefore considered that a more substantive dialog with the examiner at the time of the notice would increase user satisfaction.

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

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

Last year, evaluated as "Satisfactory" while a minority of the members

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gave "Generally Achieved."

### <Evaluations>

- The JPO analyzes on the basis of internal and external evaluations. As for internal evaluations, the JPO has steadily made efforts to address the discrepancies through comparative studies between the User Satisfaction Surveys and questionnaires to examiners, as well as by "quality audits of national and The Hague applications" and "analyzing applications with discrepancies in examination results between the JPO and foreign IP offices." As for external evaluations, there is an "analysis of individual evaluation items in the User Satisfaction Survey for FY2023," which identified issues to be addressed.
- The JPO is systematically taking the necessary measures to improve examination quality, as examination quality has been fully analyzed to identify issues. Based on the results of the User Satisfaction Survey, issues such as "consistency of judgments among examiners" and "description in decisions of refusal" have been identified as requiring attention. Various efforts are being made to further improve them, such as presenting the reasons for the decision in an easy-to-understand manner.
- The JPO continues to take advantage of opportunities such as opinion exchanges with companies and exhibitions to further improve the "level of expertise."

### <Points to be improved>

- From the quality audits of national applications, the issue of setting search ranges without excesses or shortcomings was identified, and from the User Satisfaction Survey, the issues of consistency of judgments among examiners and the description in decisions of refusal were identified. For addressing these issues at the JPO, consultations on individual applications between examiners and approvers are considered effective. However, the Quality Management Committee should further explore specific measures to address these issues and implement concrete actions based on the deliberations.
- While conducting a questionnaire survey of examiners, the JPO identified discrepancies between the examiners' self-evaluations and those of users by comparing the results with data from the User Satisfaction Survey. The JPO is expected to analyze the causes of this discrepancy, identify issues, and consider countermeasures.

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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

### <Evaluations>

- The JPO is fully prepared to respond to changes, such as revised laws and examination guidelines, and actively conducts consultations on individual applications. The JPO also focuses on training examiners and ensuring that they are thoroughly familiarized with the

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basics of quality management.

- The JPO has published explanatory videos on the official website and other media to familiarize the public with the amended Design Act promulgated on June 14, 2023, and the procedures for applying the exception to lack of novelty of designs, and has updated the "Special Site for the 2019 Amendments to the Design Act." Regarding the revision of the Examination Guidelines for Design, the JPO plans to hold internal training sessions, individual explanatory meetings for associations and companies, training sessions for examiners from emerging countries, and explanatory meetings for practitioners. The JPO also plans to revise the Examination Guidelines for Design in accordance with the amended Design Act and to publish a guidebook on image design protection.
- The JPO actively conducts consultations on individual applications.

<Points to be improved>

- Although the JPO currently assigns half of its Quality Management Officers to audit Hague applications, the JPO states that there are many procedural problems with Hague applications (as explained in the evaluation item (6)). When the JPO has sorted out to some extent how to handle Hague applications and is able to prepare a substantial manual to serve as examination guidelines, it might be necessary to review the entire quality management system, including an evaluation of the effectiveness of consultations with approvers on individual applications.

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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

<Evaluations>

- The JPO has fully implemented improvement measures to address various issues identified in the previous fiscal year and has been able to respond to changes in the work environment, including the need for regular teleworking following the COVID-19 crisis.
- The JPO organizes training programs, including technical training and visits to international exhibitions both in Japan and overseas, to improve the skills of examiners.
- The JPO facilitates communication between the five design offices to address discrepancies in examination results between the JPO and foreign IP offices.
- From the User Satisfaction Survey results, the JPO identified "description in notices of reasons for refusal, etc.," "description in decisions of refusal," and "consistency of judgments among examiners" as items to be addressed on a priority basis. From the internal audit results, the JPO identified the issues of "consistency of judgment among examiners," "description in decisions of refusal," and "level of expertise" in particular.
- The JPO met the government's annual targets for implementing agencies in terms of the User Satisfaction Survey results for FY2023.



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- The JPO has also appropriately maintained and revised examination-related documents and responded to the amendment of the Design Act regarding material maintenance and quality audits.
- It is commendable that the number of consultations between examiners and approvers at the JPO has decreased, as this shows that the accumulated knowledge from previous consultations is effective.

### <Points to be improved>

- For new designs subject to protection, such as graphic images, buildings, and interiors, the JPO is expected to continue to strengthen important measures such as improving the examination materials as a prerequisite for decision-making and holding consultations with multiple examiners on individual applications. These consultations also help establish criteria for judging similarity and creative difficulty.

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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

### <Evaluations>

- The JPO has disseminated information on its measures to improve examination quality through official documents such as reports of the Subcommittee on Examination Quality Management and reports on the User Satisfaction Survey, the JPO website, and METI press releases. The JPO is also recognized for its efforts to develop a continuous partnership by holding regular opinion exchange meetings with companies.
- The JPO continues to organize the Japan-China-Korea Design Forum and the China-Japan Design System Symposium, share information with overseas users, and establish partnerships with foreign IP Offices.

### <Points to be improved>

- Regarding opinion exchange meetings with companies, the JPO might as well consider holding such meetings specifically for companies in the field of new designs subject to protection (graphic images, buildings, and interiors). The JPO is also expected to continue to actively exchange opinions and collect information with foreign patent offices.



## Trademark

### 3. Evaluation of trademark examination quality management

#### Evaluation item (1): Status of the creation of quality policies, quality manuals, and other documents

Evaluated as "Very Satisfactory."

Last year, evaluated as "Very Satisfactory."

##### <Evaluations>

- The JPO has created and appropriately managed the "Quality Policy," the "Quality Manual," and other documents indicating specific procedures for quality management, as well as the "Examination Guidelines for Trademarks," the "Trademark Examination Manual" revised in April 2023, the "Outline of Trademark Examination Procedures," and the "Interview Guidelines" revised in August 2023.
- The JPO created and released the "Commentary on Classes of Goods and Services" for the International Classification of Goods and Services, 12th edition, version 2023, to help users state appropriate designated goods and services.
- The JPO has revised the "Trademark Examination Manual" according to the enforcement of the "Act of Partial Amendment of the Patent Act and Other Acts" and has appropriately managed the related documents.
- The JPO's addition of a footnote to the "Interview Guidelines" clarified that accepting one interview request does not mean that a subsequent interview can be refused, which was helpful for users.

##### <Points to be improved>

- N/A

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

Evaluated as "Very Satisfactory."

Last year, evaluated as "Very Satisfactory."

##### <Evaluations>

- The JPO has published and revised, as needed, the "Examination Guidelines for Trademarks," the "Trademark Examination Manual," and the "Outline of Trademark Examination Procedures," which specify what is necessary and how trademark examinations should be conducted. The "Quality Manual" details who should be responsible for maintaining and implementing quality management and the procedures involved.
- The "Quality Manual" details the procedures and who should be responsible for implementing quality management based on the PDCA cycle concept.
- The JPO improved communication between examiners and users by conducting Quality Tests for examiners in an e-learning format.

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<Points to be improved>

- N/A

### **Evaluation item (3): Publication of the fundamental principles and procedures of quality management to users of IP systems and dissemination of such information to staff**

Evaluated as "Very Satisfactory" while a minority of the members gave "Satisfactory."

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

<Evaluations>

- The JPO has made both the "Quality Policy" and the "Quality Manual" publicly available and easily accessible to users, including those overseas, has disseminated them through various means to all staff members involved in the examination, and has conducted regular training for staff.
- It is highly commendable that the JPO conducted the "Quality Test" for all examiners based on the results of the User Satisfaction Survey and with the aim of reaffirming the interview guidelines, particularly with regard to communication with users, where correct answers to all questions were required to pass the test, and further attention was given to questions with low correct answer rates to improve the basic attitude of examiners in communicating with users.
- JPO provides lectures on the contents and concepts of the "Quality Policy" and "Quality Manual" during training and briefing sessions for staff members. A questionnaire is given to all participants to confirm their understanding of the content of the lectures and to improve the training content.

<Points to be improved>

- N/A

### **Evaluation item (4): Examination implementation system**

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

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

<Evaluations>

- The JPO is working to maintain and strengthen its examination system by accumulating know-how and developing human resources for new types of trademarks.
- The JPO has increased the number of assistant examiners to handle the rise in both applications and unprocessed cases. The JPO has promoted the use of AI in prior figurative

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trademark searches and prior word trademark searches to enhance the efficiency of examination work, and is now approaching the stage of practical implementation. The JPO is using private-sector search organizations to conduct the Cross-sectional Research Project on Reasons for Trademark Refusal. It is commendable that these measures are shortening the time required to obtain trademark rights. In addition, the JPO has updated and published its Filing Support Guide to improve the efficiency of examination work.

- It is commendable that the JPO is reviewing its guidance system in response to the increase in assistant examiners and is working on effective deployment of personnel, as well as enhancing examiner development training (including training for 11 new staff members) and utilizing private sector search organizations.
- To strengthen its examination implementation system, the JPO has newly assigned a Chief Guidance Examiner to each examination division, whose role is to provide consultation and coordination services to both their own team of guidance examiners and those in other examination divisions. In addition, the JPO has made innovative efforts, such as making all Examination Divisions hot-desking and expanding the training content on teleworking support tools.

### <Points to be improved>

- To strengthen its examination implementation system, the JPO has been steadily taking measures, such as the introduction of hot-desking to all examination divisions as part of the improvement of the office environment. However, compared to other countries, its personnel deployment, including the number of examiners, seems insufficient.
- Given the current difficulties in securing examiners, further improvement in efficiency is required.
- From the next fiscal year, the JPO is expected to publish the results of the Chief Guidance Examiners' activities, such as the number of consultations and a summary of improvement results.
- The JPO is expected to consider the use of AI in the examination system and to examine whether image generation and processing technologies, including AI, will affect similar trademark searches and judgments.

### Evaluation item (5): Quality management system

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

Last year, evaluated as "Satisfactory."

### <Evaluations>

- The JPO conducts the User Satisfaction Survey annually to evaluate the quality of trademark examination, and the results are fully analyzed and published. The Subcommittee on Examination Quality Management, composed of external experts, has been established to provide the JPO with evaluations and recommendations for improving the implementation and status of the quality management system.

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- The JPO has established a commendable quality management system in which the PDCA cycle is practiced, with the following bodies functioning according to their respective roles: quality audits by experienced Quality Management Officers; the Quality Management Committee within the JPO for analysis and evaluation based on quality management results; and the Quality Management Team for planning measures related to quality management.
- The JPO has established quality management bodies that are independent in reality: the management, the examiners, the initiative planners, and the quality analyzers and evaluators. For example, written notices have been assigned to Quality Management Officers based on the major types of the notices, aiming for better audit practices. Overall, the organizational structure and personnel deployment have been established to enable quality management measures to be planned and implemented in an efficient and effective manner.

<Points to be improved>

- N/A

### Evaluation item (6): Measures for quality improvement

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

<Evaluations>

- The JPO is working to improve the quality of examinations through approval, checks before approval, knowledge sharing among examiners, increased interview examinations, the creation of a drafting guide for approval requests for trademark examinations, and the Quality Tests for all examiners.
- It is recognized that the JPO has made reasonable efforts to allow the submission of proposed amendments, etc., by email and to facilitate online interviews.
- It is commendable that the JPO has a 100% record of conducting interviews at the request of applicants.
- To timely alert examiners in 2023 of individual cases with defects in the dispositions made by examiners, the JPO compiled this information once a month and disseminated it to examiners. This is useful for ensuring the consistency of examinations.
- The JPO has continued its efforts to maintain and improve trademark examination quality, by identifying the priority issues, such as communication with trademark applicants and holders (e.g., through interviews and telephone contacts), opinion exchanges with users, and the improvement of the consistency of judgments.
- It is commendable that the JPO has met the government's annual target in terms of user evaluation of communication and that there has been a significant increase in communication via email compared to the previous year.
- The JPO continues to plan and implement the following necessary measures to improve quality, and has achieved its targets: approvals, use of check sheets for examiners, knowledge

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sharing through consultations among examiners and managers, development of systems to improve the quality of examinations, improvement of efficiency of examination work using AI technologies, standardization of examination practices, setting operational goals and evaluating examiners, improvement of interviews and telephone conversations, examination support by teams in charge of specific fields, collection and provision of quality-related information to examiners, sharing of case examples and analysis of factors in individual cases, maintenance and revision of examination-related documents, creation and maintenance of a drafting guide for approval requests for trademark examinations, conducting training to improve skills, provision of information on recent trends related to trademark examination practice.

- The JPO is conducting a survey of examiners to identify issues from the examiners' perspective regarding communication with users.

### <Points to be improved>

- The JPO is expected to further activate consultations, regardless of the increase or decrease in the number of applications. Even though there is a difference in the counting method, the large difference in the number of consultations between patents, designs, and trademarks may raise questions among users, so it would be better to also disclose the number of consultations actually conducted, rather than limit it to the number of mandatory consultations.
- The JPO's new empirical research project is expected to improve the efficiency of examination operations by verifying the effectiveness of AI technologies in conducting prior word trademark searches.
- The JPO conducted a questionnaire survey with examiners to identify issues from the examiners' perspective regarding communication with users. By conducting this survey, it is expected to more accurately identify issues from both the examiner and user perspectives.
- In the coming years, improving communication will be critical, not only through phone calls, but also through visual means such as online interviews and email.
- Since the reality of business transactions changes over time, the JPO is expected to try to prevent discrepancies among examiners in trademark examinations, especially in judgments on distinctiveness, by exchanging opinions with users, conducting questionnaires, and catching up with the latest information.
- Feedback to all examiners on individual cases should also be proactive in correcting errors while ensuring psychological safety.

### Evaluation item (7): Measures for quality verification

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

Last year, evaluated as "Satisfactory."

### <Evaluations>

- For quality verification, the JPO verified the validity of ex officio examinations and of identification and judgments through quality audits as per the planned number. The JPO also planned and implemented quality verification measures, such as understanding of the current

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state of its examination quality based on the User Satisfaction Survey and exchanges of opinions with users, and achieved objectives of these measures.

- The JPO has appropriately identified issues based on the User Satisfaction Survey, and it is highly commendable that the issues of "judgments on distinctiveness" and "consistency of judgments among examiners" have been identified as priority items to be addressed and have been shared within the examination departments, resulting in effects that contribute to maintaining and improving the examination quality.
- It is particularly commendable that the JPO conducted a follow-up survey with dissatisfied respondents regarding "communication with examiners in in-person interviews and over the phone" in order to consider quality improvement measures based on the User Satisfaction Survey results.
- The JPO has analyzed factors behind discrepancies in judgments between examinations and appeals/trials and has analyzed revocations in opposition cases from the previous fiscal year.
- In order to analyze and identify examination quality issues, the JPO surveyed examiners' perceptions through questionnaires in FY2023, analyzed discrepancies between the User Satisfaction Survey results and examiners' perceptions or self-evaluations, identified examination quality issues, and considered countermeasures.

### <Points to be improved>

- As for quality improvement measures, the JPO has conducted user satisfaction surveys and opinion exchanges with users to verify quality based on external opinions, in addition to internal quality verification measures such as quality audits. The JPO is expected to continue to examine these internal and external aspects from now on.
- The JPO conducted a follow-up survey in the form of interviews with dissatisfied respondents regarding "communication with examiners in in-person interviews and over the phone" to understand the individual cases and issues behind their negative responses. It would be better to clarify how the interview results will be used.
- Since it is important to visualize discrepancies between the examiner's side and the user's side, the JPO is expected to continue conducting questionnaire surveys on the examiner's perception. In some cases, especially in advanced fields, it can be challenging to determine the presence or absence of distinctiveness, leading to potential discrepancies in judgment between users and examiners. In such cases, a word that is already well known in the industry may be found to be distinctive and thus used exclusively by a particular user. Therefore, it is important to have a mechanism for resolving such differences in perception.

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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

Last year, evaluated as "Satisfactory."

### <Evaluations>

- In the current quality management system, the JPO adequately analyzed its examination quality and identified issues in various measures.



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- The JPO has undertaken examination quality measures and identified issues for each: analysis through internal reviews; approvals; quality audits; analysis of factors behind discrepancies in judgments between examinations and appeals/trials; analysis through case sharing and analysis of factors behind individual cases; analysis through user satisfaction surveys; and analysis through exchanges with users and opinions received on the website.
- Based on the analysis results of individual evaluation items of the User Satisfaction Survey, the JPO identified "judgments on distinctiveness" and "consistency of judgments among examiners" as priority items to be addressed and identified the issue of "the JPO needs to improve the consistency of judgments among examiners by conducting appropriate examinations in accordance with the fundamental examination policies, such as the Examination Guidelines for Trademarks, and by intensifying efforts such as opinion exchange with industry organizations and companies, as well as consultations among examiners."

### <Points to be improved>

- Since a significant portion of judgments on distinctiveness and on an applicant's intention to use a trademark relies on fact-identification, the JPO is expected to further develop a document that summarizes the points to be considered when an examiner decides what kind of materials are appropriate to collect in a limited time.
- Based on the User Satisfaction Survey results, the JPO identified priority items to be addressed and identified the issue of "the JPO needs to improve the consistency of judgments among examiners by conducting appropriate examinations in accordance with the fundamental examination policies, such as the Examination Guidelines for Trademarks, and by intensifying efforts such as opinion exchange with industry organizations and companies, as well as consultations among examiners." The JPO is expected to further explore ways to resolve the issues.

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

Evaluated as "Satisfactory."

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

### <Evaluations>

- Although its examination implementation system is not yet sufficient, the JPO has undertaken: recruiting new staff members; utilizing private-sector search organizations; reviewing the guidance system for assistant examiners according to the number of them; establishing an effective personnel deployment; improving training sessions for examiners; assigning Chief Guidance Examiners; introducing hot-desking to all examination divisions; exploring an effective examination implementation system and quality management system; and conducting a new empirical research project in FY2023 to verify the effectiveness of AI technologies in prior word trademark searches.
- The JPO has promoted applications that are not subject to reasons for refusal, resulting in more efficient examination work, by utilizing the report on the "Cross-Sectional Research

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Project on Reasons for Trademark Refusal" and by providing the Filing Support Guide and support tools for stating appropriate designated goods and services for applicants who are unfamiliar with trademark applications.

- The JPO has made necessary updates to documents indicating specific procedures for quality management and has continued appropriate management of both the Quality Policy and the Quality Manual.

<Points to be improved>

- The new empirical research project to verify the effectiveness of AI technologies in prior word trademark searches is expected to help improve the efficiency of examination work.

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

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

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

<Evaluations>

- The JPO has implemented measures to build user trust in email inquiries, including a commitment to responding on the same day.
- JPO is continuously improving its quality management measures by developing AI-based search tools and examining and resolving issues arising from user interviews and AI telephone responses by means of quality tests and examiner questionnaires.
- The JPO has improved its quality management measures by properly revising the Examiner's Check Sheet and the Trademark Examination Manual, providing a means for examiners to contact users by telephone, and expanding the web meeting service available for online interviews, which has led to an increase in the number of interview requests from users.
- User requests for interviews have increased from the previous year.
- In order to facilitate smoother communication regarding the means by which teleworking examiners can contact users by telephone, the JPO has reminded examiners of the operation of the same-day callback obligation in principle and is working to thoroughly implement the operation.
- In order to consider quality improvement measures based on the User Satisfaction Survey results, the JPO conducted a follow-up survey in the form of an email questionnaire or telephone interviews mainly with dissatisfied respondents regarding "communication with examiners in in-person interviews and over the phone" to understand the individual cases and issues behind their negative responses.

<Points to be improved>

- N/A



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

Evaluated as "Satisfactory" while a minority of the members gave "Very Satisfactory."

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

#### <Evaluations>

- The JPO continuously communicates information at home and abroad and actively establishes cooperative relations with domestic and foreign institutions and organizations through its official website, opinion exchanges with users, international meetings and conferences, the International Cooperation on Trademark Examination Practices, cooperation with foreign IP offices, and acceptance of training programs for foreign IP officers.
- The JPO participates in international meetings with patent offices in Korea, Taiwan, China, and Europe, as well as overseas seminars, symposia, and opinion exchange meetings to actively exchange opinions and disseminate information, including quality management measures.

#### <Points to be improved>

- The JPO is expected to promote Japan's advanced quality management measures at international conferences and other venues and to actively incorporate excellent measures from other countries in accordance with Japan's actual conditions.

**Patent**

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

The Subcommittee not only discussed the evaluations but also addressed areas for improvement in the implementation system and status of examination quality management as identified during the evaluation process.

The Subcommittee's improvement recommendations are summarized below (see [Appendix 3](#) at the end of this report):

#### 1. For quality management of patent examination

##### <Recommendation 1> [Evaluation items (1) and (4)]

The JPO is expected to maintain and improve the examination quality by ensuring that the number of examiners is at an internationally comparable level, improving the examination implementation system and work plan to adequately respond to emerging technologies, and further streamlining the examination work.

Major comments from the Subcommittee members:

- (a) The JPO is expected to improve the efficiency of its examination work by outsourcing searches and using various tools so that it can maintain the current quality of examination work while ensuring an internationally comparable number of examiners.
- (b) The JPO is expected to make efforts to enhance its examination implementation system, such as by assigning "specialist officers" for AI technologies, in order to cope with the anticipated advancement of AI technologies in the future.
- (c) Since emerging technologies that address current policy issues are expected to be filed as new patents or other forms of intellectual property in the future, the JPO is expected to develop a plan for the PDCA cycle of quality management, including the selection of topics for the "Survey of Technology Trends from Patent Application Information" and international conference agenda items.
- (d) The JPO is expected to consider reviewing the Quality Policy from the perspective of more efficient examination and ensuring quality in light of the current situation in Japan, including the use of DX and AI, as it will soon be 10 years since its establishment, although the Quality Policy itself is universal.

##### <Recommendation 2> [Evaluation items (4) and (6)]

The JPO is expected to promote the use of AI technologies in examination work, including prior art searches, while taking into account the characteristics of AI technologies, and to pursue the possibility of using new AI technologies.

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Major comments from the Subcommittee members:

- (a) As part of its work, the JPO is expected to conduct a comprehensive feasibility study on the introduction of generative AI to address staffing shortages and ensure consistency of judgments among examiners, provided that information security measures are in place.
- (b) When introducing AI into prior art searches, the JPO is expected to ensure reproducibility for reasonable accuracy by comparing the accuracy of search populations based on logical formulas that combine conventional patent classifications and keywords.
- (c) The JPO is expected to actively use AI in prior art searches and other tasks to improve the efficiency of examination work and to closely monitor any impact on examination standards in the future, including the situation in other countries.

### <Recommendation 3> [Evaluation items (5), (6), (7) and (11)]

The JPO is expected to take effective measures to address examination quality issues, such as consistency of judgments among examiners, and to effectively communicate the results of such measures to the outside world.

Major comments from the Subcommittee members:

- (a) The JPO is expected to accurately identify the cases where examiners' judgments were found to be inconsistent and to investigate the reasons for such inconsistencies. The JPO is then expected to consider more in-depth measures, including the utilization of tools such as AI and the expansion of quality-related data to be provided to examiners.
- (b) The JPO is expected to strengthen foreign literature searches to improve the consistency of examinations in Japan and abroad. The JPO is also expected to improve the consistency of judgments at the examination and appeal/trial stages.
- (c) The JPO is expected to perform quality management, analysis, verification, and other tasks in certain technical areas, such as emerging technical areas.
- (d) The JPO is expected to consider harmonization and standardization of quality management evaluation items with foreign patent offices.
- (e) Since the results of the JPO's work have not received much support from the public and industry, the JPO is also expected to prioritize information dissemination.

### <Recommendation 4> [Evaluation items (6) and (11)]

The JPO is expected to further enhance communication and deepen mutual understanding between users and examiners by actively conducting interviews during examinations and exchanging opinions with various users.

Major comments from the Subcommittee members:

- (a) While the JPO will continue to use online interviews, it may be possible to further enhance the

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use of interviews by conducting tours to deepen understanding of the technology, in addition to interviews, in specific technical areas or for the Collective Examinations Supporting Business Strategy.

- (b) The JPO is expected to improve communication between examiners and users during interviews or telephone conversations, with feedback from users. In addition, the JPO may consider providing hands-on training through role-playing, etc.
- (c) The JPO is expected to further support small and medium-sized enterprises and start-ups. For start-ups in particular, the JPO is also expected to strengthen its support based on an exchange of views with those involved in the ecosystem, such as investors in and supporters of start-ups.

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### 2. For quality management of design examination

#### <Recommendation 1> [Evaluation items (4), (5) and (6)]

The JPO is expected to maintain and improve the examination quality by ensuring that the number of examiners is at an internationally comparable level, working on training them, improving the examination implementation system, and further streamlining the examination and quality management work.

Major comments from the Subcommittee members:

- (a) The JPO is expected to strive to reach an internationally comparable level in terms of the number of examiners and to work on training them to further improve the examination quality.
- (b) The filings for the newly added subject for protection appear to have reached a steady state. If the JPO has not moved to a steady-state examination implementation system, it is expected to consider the need for such a move.
- (c) In response to future reforms of the Design System, the JPO is expected to maintain and improve its examination implementation system, clarify its procedures, and publicize and disseminate the procedures.
- (d) The JPO is expected to continue to develop search support tools for examiners using "similar image search" technology, as well as a drafting support tool for approval requests.
- (e) The department responsible for the Design System is expected to consider establishing its own effective quality management system and quality management procedures, rather than simply working alongside other departments, as it is assumed to have limited staff.

#### <Recommendation 2> [Evaluation items (4) and (5)]

The JPO is expected to promote the use of AI technologies in examination work, including prior design searches, while taking into account the characteristics of AI technologies, and to pursue the possibility of using new AI technologies.

Major comments from the Subcommittee members:

- (a) The JPO is expected to pursue the possibility of using AI in the examination process to improve its efficiency, allowing it to focus more on efforts to enhance the examination quality despite having limited staff.
- (b) The JPO is expected to consider the use of AI in the examination system and to examine whether image generation and processing technologies, including AI, will affect creator recognition, prior design searches, and judgments of creative difficulty.

## Design

### <Recommendation 3> [Evaluation items (6), (7), (8) and (11)]

The JPO is expected to take effective measures to address examination quality issues, such as consistency of judgments among examiners, and to effectively communicate the results of such measures to the outside world.

Major comments from the Subcommittee members:

- (a) The JPO has taken various measures to further improve the "consistency of judgments among examiners" and "description in decisions of refusal," but it is expected to give a presentation showing how much improvement has been made by each of these measures.
- (b) The JPO is expected to focus on in-depth investigation of the causes and countermeasures suggested by the analysis results for items that are not highly rated by users.
- (c) The JPO is expected to enhance quality management measures, such as quality audits in response to the examination of international design applications.
- (d) The JPO is expected to establish qualitative and quantitative targets and implement measures to address the issues identified by the FY2023 user satisfaction survey.
- (e) The JPO is expected to analyze the effect of actively conducting consultations on individual applications, that is, to conduct an evaluation by the examiners and analyze it.
- (f) The JPO is expected to disseminate information on its quality management measures both domestically and internationally and to collect further information on the quality management measures of foreign IP offices.

### <Recommendation 4> [Evaluation items (6), (7) and (11)]

The JPO is expected to actively conduct interview examinations and exchange opinions with various users in order to further enhance communication and deepen mutual understanding between users and examiners.

Major comments from the Subcommittee members:

- (a) The JPO is expected to enhance communication and mutual understanding with applicants, both face-to-face and online, so that highly satisfactory conclusions can be reached.
- (b) The JPO is expected to take measures to enable examiners to communicate smoothly even when they are teleworking.
- (c) The JPO is expected to exchange opinions with companies in order to gain a better understanding of the contents of applications and to improve the quality of applications.

## Trademark

### 3. For quality management of trademark examination

#### <Recommendation 1> [Evaluation items (4), (5), (7) and (11)]

The JPO is expected to keep working on securing the number of examiners, training them, analyzing and identifying examination quality issues, and implementing measures to enhance the overall quality.

Major comments from the Subcommittee members:

- (a) The JPO is expected to ensure a sufficient number of examiners and improve their training.
- (b) The JPO is expected to continue its past efforts in conducting user satisfaction surveys and examiner questionnaires and to take concrete measures by analyzing discrepancies between the users' evaluations and the examiners' perceptions and by understanding dissatisfactory points through the exchange of opinions with users.
- (c) The JPO is expected to improve the quality of its quality management and examination as well as the quality of information dissemination.

#### <Recommendation 2> [Evaluation items (4) and (6)]

The JPO is expected to promote the use of AI technologies in examination work, including prior trademark searches, to pursue efficiency in examination while taking into account the characteristics of AI technologies, and to pursue the possibility of using new AI technologies.

Major comments from the Subcommittee members:

- (a) The JPO is expected to improve the efficiency of examination work by proactively using an AI technology-based tool for prior figurative trademark searches and an AI tool for prior word trademark searches that is under development.
- (b) The JPO is expected to continue taking measures to improve the efficiency of examination, including examining the applicability of image generation and processing technologies, including AI, to see if they will affect similar trademark searches, and considering the possibility of using generative AI in the examination work.
- (c) The JPO is expected to consider the extent to which the use of AI technologies can help ensure consistency in judgments among examiners, which has been a long-standing issue.

#### <Recommendation 3> [Evaluation items (6) and (7)]

The JPO is expected to continue current measures to address users' issues and needs regarding consistency of judgments among examiners and judgments on distinctiveness, as well as to conduct examinations that are satisfactory to users.

## Trademark

Major comments from the Subcommittee members:

- (a) The JPO would need to continue current measures to address users' issues and needs regarding judgments on distinctiveness as well as consistency of judgments among examiners, such as judgments on similarity. In addition, it is expected to conduct examinations that are satisfactory to its users in accordance with the fundamental policy that examiners should conduct consistent examinations based on guidelines such as the Examination Guidelines for Trademarks.
- (b) It would be better for the JPO to disclose the number of consultations actually conducted in addition to the number of mandatory consultations, since the number of consultations is considered essential to ensuring the consistency of examinations.
- (c) The JPO is expected to actively exchange opinions with a wide range of users in order to ensure consistency of judgments on distinctiveness among examiners and to further improve the accuracy of the criteria for such judgments.

### <Recommendation 4> [Evaluation item (11)]

The JPO is expected to continue its measures to further facilitate communication with users.

Major comments from the Subcommittee members:

- (a) The JPO is expected to continue its measures to further facilitate communication with users, including online communication and telephone contact during remote work.
- (b) In recent JPO examinations, effective communication with examiners in response to notices, such as notices of reasons for refusal, has facilitated a precise understanding of the reasons for examination decisions, and thus the JPO is expected to continue its measures in this regard.



## IV. Conclusion

By evaluating the implementation system and status of quality management in FY2023, the Subcommittee confirmed that the evaluations and improvement recommendations made by the Subcommittee in FY2022 were reflected in the measures taken by the JPO.

In light of the above, the Subcommittee expects that the JPO will continue its efforts to improve examination quality by incorporating the evaluations and improvement recommendations for the implementation system and status of quality management as outlined in this report into the measures to be taken by the JPO. This would further improve the implementation of the examination quality management system and promote better cooperation with user applicants and their representative patent attorneys.

This FY2023 report shows trends in user evaluations of the examination quality (see [Appendix 4](#) at the end of this report). The Subcommittee further expects the JPO to continue its analysis and make use of the results in future examination-related measures to maintain and improve its examination quality and consistency, as analyzing and evaluating the current situation of examination quality and taking necessary measures are the basis of quality management.

## Appendixes

## Appendix 1: Table of evaluation items and criteria concerning examination quality management

Items	Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods and evaluation criteria				
			Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements	
I. Have policies, procedures, and systems been established to achieve high-quality examination?							
1. Have policies and procedures been established to achieve high-quality examination?							
(1)	Status of the creation of quality policies, quality manuals, and other documents	To evaluate whether quality policies stipulating the fundamental principles of quality management, quality manuals describing measures for improvement of examination quality management along with the roles of departments, divisions, and personnel, and other documents indicating specific procedures for the purpose of quality management have been appropriately created, and to confirm whether the code of conduct for the improvement of examination quality has been documented.	Quality policies and quality manuals, sample documents for specific procedures, etc.	Quality Policies, quality manuals, and documents indicating specific procedures have been created and have been appropriately managed.	Quality policies and quality manuals have been created, and documents indicating specific procedures have also been created.	Quality policies and quality manuals have been created.	Either quality policies or quality manuals have 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 methods, workflows, etc., for examination and quality management	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.
(3)	Publication of the fundamental principles and procedures of quality management to users of IP systems and dissemination of such information to staff	<ul style="list-style-type: none"><li>To evaluate whether the JPO's fundamental principles of examination quality management that the JPO has formulated as a goal, and other relevant measures have been clearly shown to users of IP systems, including overseas users, and to confirm whether examination quality is allowed to be evaluated in relation to such fundamental principles.</li><li>To evaluate whether the fundamental principles of examination quality management that the JPO has formulated as a goal have been sufficiently disseminated to and understood by staff, and to confirm whether staff is allowed to conduct their work in accordance with them.</li></ul>	The status of publication, the methods of access, the status of dissemination to staff and their understanding, etc.	The quality management policies and procedures have been published to the extent that they are easily accessible to users, including those overseas, and have been disseminated through various methods to all staff involved in the examination. In addition, staff receive regular training and have a good understanding of the training content.	The quality management policies and procedures have been published to the extent that they are easily accessible to national users and have been disseminated through various methods to all staff involved in the examination.	The quality management policies and procedures have been published and disseminated to all staff involved in the examination.	The quality management policies and procedures have not been published or disseminated to staff.

Items		Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods and evaluation criteria			
				Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
1. Have policies, procedures, and systems been established to achieve high-quality examination?							
2. Have systems been established to achieve high-quality examination?							
(4)	Examination implementation system	To evaluate the organizational structure responsible for examinations, including the number of examiners, and to confirm whether to establish the world's highest level of examination implementation system that can efficiently handle the required number of cases.	The examination implementation system, the examination implementation status, a comparison with other countries, etc.	While efficiently conducting the required number of examination cases, the JPO has established the world's highest level of organizational structure for examination and personnel deployment.	While efficiently conducting the required number of examination cases, the JPO has established an 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 an internationally comparable level of organizational structure for examination and personnel deployment.	The JPO has not established an internationally comparable level of organizational structure for examination and personnel deployment.
(5)	Quality management system	To evaluate the organizational structure responsible for quality management, including the number of staff in charge of quality management, and to confirm whether to establish the world's highest level of quality management system with efficiency and effectiveness.	The quality management system, a comparison with other countries, etc.	At the world's highest level, measures for the quality management system have been planned efficiently and effectively, and the organizational structure and personnel deployment to implement such measures have been established.	At the internationally comparable level, measures for the quality management system have been planned efficiently and effectively, and the organizational structure and personnel deployment to implement such measures have been established.	At the internationally comparable level, measures for the quality management system have been planned efficiently and effectively, and the organizational structure and personnel deployment to implement such measures have been generally established.	At the internationally comparable level, measures for the quality management system have neither been planned efficiently and effectively, nor have the organizational structure and personnel deployment to implement such measures been established.

Items	Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods and evaluation criteria				
			Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements	
II. Has the quality management been implemented according to the policies and procedures?							
1. Has the quality management been appropriately implemented?							
(6)	Measures for quality improvement	To evaluate whether measures necessary to improve examination quality have been planned, specifically how and to what extent such measures have been implemented according to the policies and procedures, and to confirm whether the objectives of the measures have been achieved.	The status of quality assurance checks on notices of reasons for refusal and the like, the status of examiner consultations, and quantitative data such as the number of interviews	Measures necessary for quality improvement have been planned and implemented as planned, and the objectives of the measures have been achieved, with effects that contribute to further quality improvement.	Measures necessary for quality improvement have been planned and implemented as planned, and the objectives of the measures have been achieved.	Measures necessary for quality improvement have been planned and implemented mostly as planned.	Measures necessary for quality improvement have not been planned or, if planned, have not been implemented as planned.
(7)	Measures for quality verification	To evaluate whether measures necessary to verify examination quality have been planned, specifically how and to what extent such measures have been implemented according to the policies and procedures, and to confirm whether the objectives of the measures have been achieved.	The status of measures, including quality audits (sampling checks), user satisfaction surveys, confirmation of discrepancies in judgments between the examination decision and the appeal/trial decision, quantitative data obtained from the results of such measures, etc.	Measures necessary to verify examination quality have been planned and implemented as planned, and the objectives of the measures have been achieved, with effects that contribute to further quality improvement.	Measures necessary to verify examination quality have been planned and implemented as planned, and the objectives of the measures have been achieved.	Measures necessary to verify examination quality have been planned and implemented mostly as planned.	Measures necessary to verify examination quality have not been planned or, if planned, have not been implemented as planned.
(8)	Examination quality analysis and identification of issues	To evaluate specifically how the quality of the examination has been analyzed and the issues that 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 analysis methods and results, identified issues, etc., concerning the quality of searches, that of judgments in examinations, and that of descriptive content in notices of reasons for refusal and the like	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.

Items		Objectives and perspectives	Examples for evaluation materials	Examples of evaluation methods and evaluation criteria			
				Very Satisfactory	Satisfactory	Generally Achieved	Requiring Improvements
II. Has the quality management been implemented according to the policies and procedures?							
2. Has continuous improvement been appropriately implemented?							
(9)	Status of improvement of the policies, procedures, and systems to achieve high-quality examination [evaluation items (1) to (5)]	To evaluate whether improvements have been made specifically to evaluation items (1) to (5) and to confirm that the status of the improvements has been appropriate.	The status of revising the Quality Manuals, the implementation system of examination, the quality management system, etc.	Sufficient improvements have been made to the policies, procedures, and systems at an excellent level.	Sufficient improvements have been made to the policies, procedures, and systems.	Improvements have been generally made to the policies, procedures, and systems.	No improvement has been made to the policies, procedures, and systems.
(10)	Status of improvement of quality management measures [evaluation items (6) to (8)]	To evaluate whether improvements have been made to evaluation items (6) to (8) and to confirm that the status of the improvements has been appropriate.	The correlative relationship between the analysis of examination quality or the identification of issues, the status of improvement in quality management measures, etc.	The improvement in quality management measures has been sufficiently made at an excellent level.	The improvement in quality management measures has been sufficiently made.	The improvement in quality management measures has been generally made.	No improvement in quality management measures has been made.
III. Has information on measures for examination quality improvement been communicated?							
(11)	Communication of information on measures for examination quality improvement	To evaluate whether information on measures for examination quality improvement has been appropriately communicated and to confirm whether the JPO's quality management has been well understood both inside and outside Japan, and efforts have been made to increase the JPO's presence in the field of examination quality management, and as a result, trust has been gained.	The status of communication of information on measures for examination quality improvement, the status of meetings with foreign IP offices and the like, as well as the dispatch and acceptance of examiners, the status of PPH usage, etc.	Information on measures for examination quality improvement has been ambitiously communicated both inside and outside Japan, and continuous cooperative relations with organizations and bodies inside and outside Japan have been built up.	Information on measures for examination quality improvement has been communicated both inside and outside Japan, and cooperative relations with organizations and bodies inside and outside Japan have been built up.	Information on measures for examination quality improvement has been communicated both inside and outside Japan.	No information on measures for examination quality improvement has been communicated outside Japan.

## Appendix 2: Table of evaluation results in FY2023

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

Evaluation item		Patent	Design	Trademark
(1)	Status of the 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 and procedures of quality management 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)	Measures for quality improvement	Satisfactory	Satisfactory	Satisfactory
(7)	Measures for quality verification	Satisfactory	Satisfactory	Satisfactory
(8)	Examination quality analysis and identification of issues	Satisfactory	Satisfactory	Satisfactory
(9)	Status of improvement of the policies, procedures, and systems to achieve high-quality examination [evaluation items (1) to (5)]	Satisfactory	Satisfactory	Satisfactory
(10)	Status of improvement of quality management measures [evaluation items (6) to (8)]	Satisfactory	Satisfactory	Satisfactory
(11)	Communication of information on initiatives for examination quality improvement	Satisfactory	Satisfactory	Satisfactory

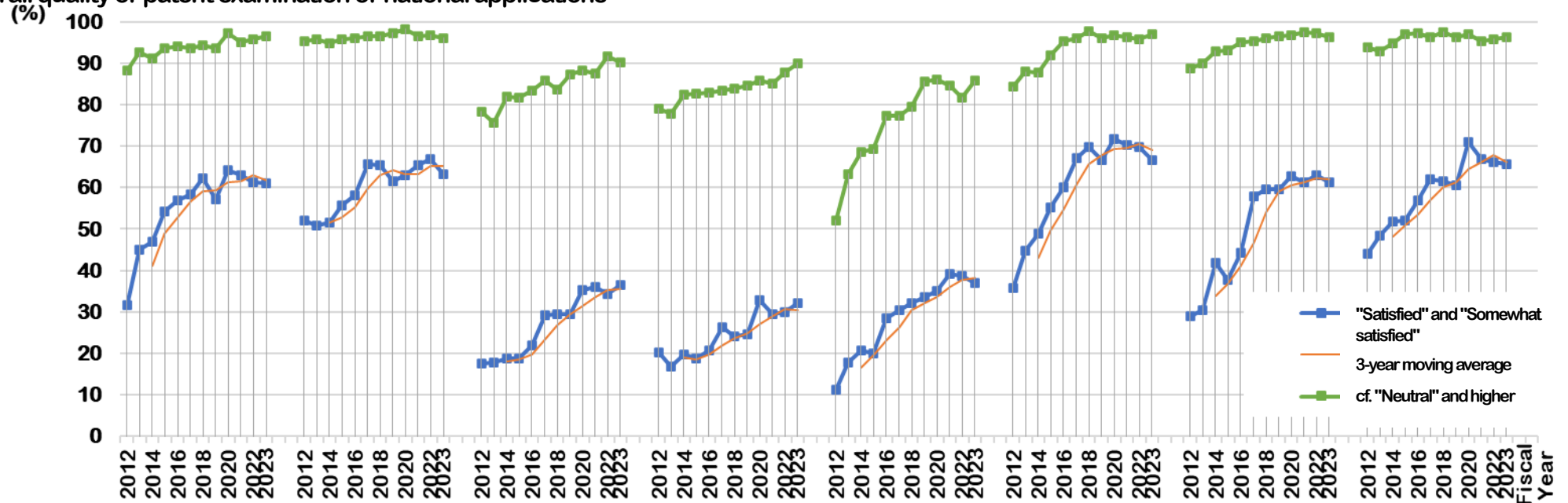
## Appendix 3: Table of recommendations made in FY2023

	Patent	Design	Trademark
<b>Recommendation 1</b>	The JPO is expected to maintain and improve the examination quality by ensuring that the number of examiners is at an internationally comparable level, improving the examination implementation system and work plan to adequately respond to emerging technologies, and further streamlining the examination work.	The JPO is expected to maintain and improve the examination quality by ensuring that the number of examiners is at an internationally comparable level, working on training them, improving the examination implementation system, and further streamlining the examination and quality management work.	The JPO is expected to keep working on securing the number of examiners, training them, analyzing and identifying examination quality issues, and implementing measures to enhance the overall quality.
<b>Recommendation 2</b>	The JPO is expected to promote the use of AI technologies in examination work, including prior art searches, while taking into account the characteristics of AI technologies, and to pursue the possibility of using new AI technologies.	The JPO is expected to promote the use of AI technologies in examination work, including prior design searches, while taking into account the characteristics of AI technologies, and to pursue the possibility of using new AI technologies.	The JPO is expected to promote the use of AI technologies in examination work, including prior trademark searches, to pursue efficiency in examination while taking into account the characteristics of AI technologies, and to pursue the possibility of using new AI technologies.
<b>Recommendation 3</b>	The JPO is expected to take effective measures to address examination quality issues, such as consistency of judgments among examiners, and to effectively communicate the results of such measures to the outside world.	The JPO is expected to take effective measures to address examination quality issues, such as consistency of judgments among examiners, and to effectively communicate the results of such measures to the outside world.	The JPO is expected to continue current measures to address users' issues and needs regarding consistency of judgments among examiners and judgments on distinctiveness, as well as to conduct examinations that are satisfactory to users.
<b>Recommendation 4</b>	The JPO is expected to further enhance communication and deepen mutual understanding between users and examiners by actively conducting interviews during examinations and exchanging opinions with various users.	The JPO is expected to actively conduct interview examinations and exchange opinions with various users in order to further enhance communication and deepen mutual understanding between users and examiners.	The JPO is expected to continue its measures to further facilitate communication with users.



## Appendix 4: Changes in percentages of "Satisfied" and "Somewhat satisfied" evaluations in the User Satisfaction Surveys

## 1. Overall quality of patent examination of national applications



Process	Overall	Searches			Judgment	Drafting notices or decisions		Communication
Evaluation Item	Patent examination quality	Searches of domestic patent literature	Searches of foreign patent literature	Searches of non-patent literature	Consistency of judgments	Clarity of descriptions in notices of reasons for refusal	Clarity of descriptions in decisions of refusal	Communication with examiners in interviews or by phone
% of Satisfied*	A	A	C	C	C	A	A	A
Changes**	C	B	C	B	C	C	C	C

\* Percentage of "Satisfied" and "Somewhat satisfied"

A: 60% and higher

B: 50% - 59%

C: below 50%

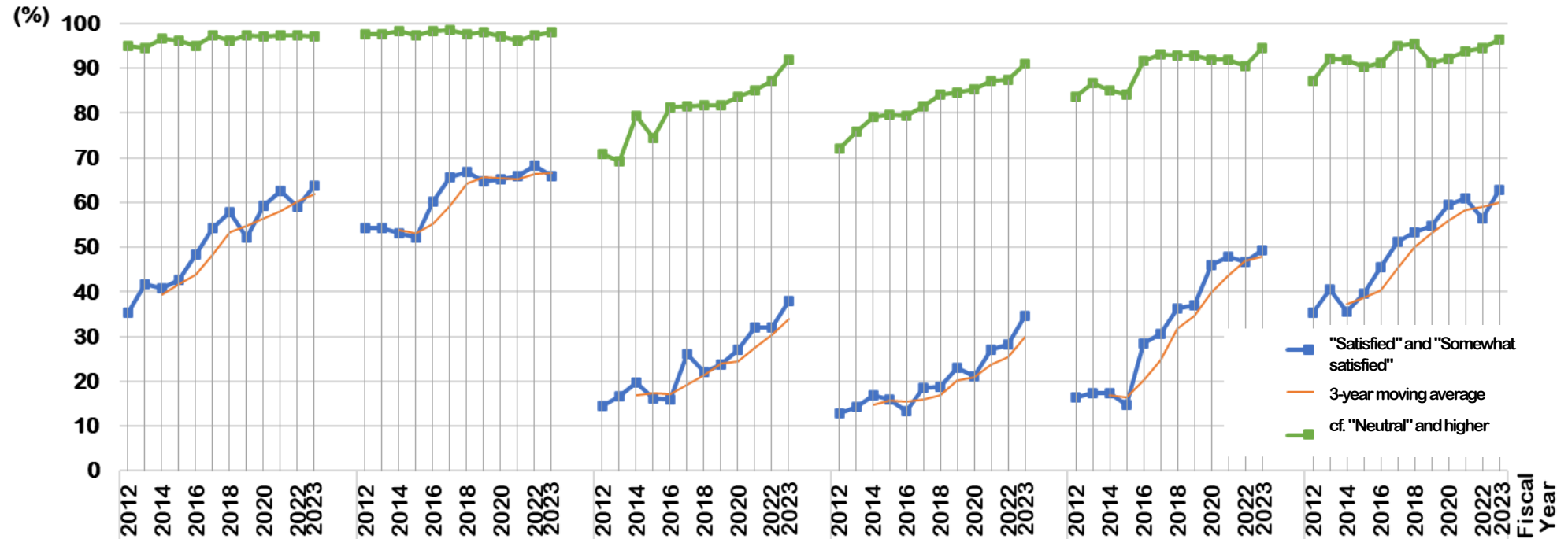
\*\* Changes in three-year moving averages

A: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in both FY2022 and FY2023.

B: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in either FY2022 or FY2023.

C: The amount of change in each year of the 3-year moving average is less than the average for the entire period in both FY2022 and FY2023.

## 2. Quality of searches for PCT international applications



Process	Overall	Searches			Judgment	Drafting reports
Evaluation Item	International search quality	Searches of domestic patent literature	Searches of foreign patent literature	Searches of non-patent literature	Consistency of judgments in international searches	Clarity of descriptions of opinions on novelty and inventive step
% of Satisfied*	A	A	C	C	C	A
Changes**	C	C	A	B	C	C

\* Percentage of "Satisfied" and "Somewhat satisfied"

A: 60% and higher

B: 50% - 59%

C: below 50%

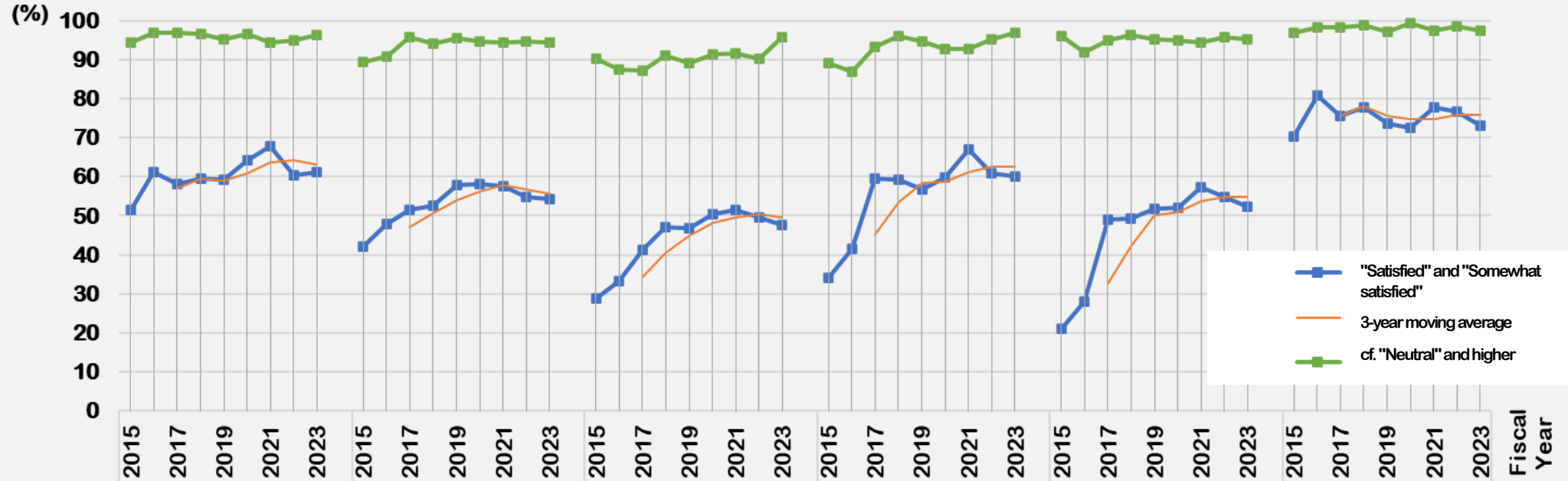
\*\* Changes in three-year moving averages

A: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in both FY2022 and FY2023.

B: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in either FY2022 or FY2023.

C: The amount of change in each year of the 3-year moving average is less than the average for the entire period in both FY2022 and FY2023.

## 3. Overall quality of design examination



Process	Overall	Searches	Judgment	Drafting notices or decisions		Communication
Evaluation Item	Design examination quality	Accuracy of prior design searches	Consistency of judgments	Clarity of descriptions in notices of reasons for refusal	Clarity of descriptions in decisions of refusal	Communication with examiners in interviews or by phone
% of Satisfied*	A	B	C	A	B	A
Changes**	C	C	C	C	C	A

\* Percentage of "Satisfied" and "Somewhat satisfied"

A: 60% and higher

B: 50% - 59%

C: below 50%

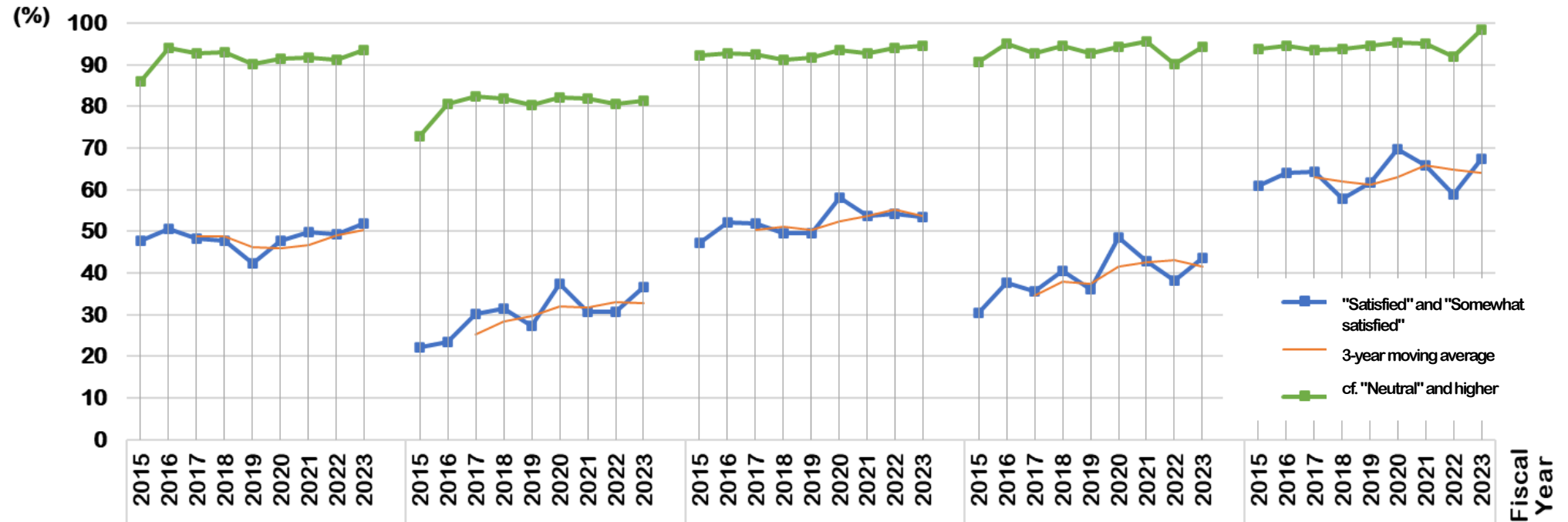
\*\* Changes in three-year moving averages

A: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in both FY2022 and FY2023.

B: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in either FY2022 or FY2023.

C: The amount of change in each year of the 3-year moving average is less than the average for the entire period in both FY2022 and FY2023.

## 4. Overall quality of trademark examination



Process	Overall	Judgment	Drafting notices or decisions		Communication
Evaluation Item	Trademark examination quality	Consistency of judgments among examiners	Do notices of reasons for refusal provide the required explanation?	Do decisions of refusal provide the required explanation?	Communication with examiners in interviews or by phone
% of Satisfied*	B	C	B	C	A
Changes**	A	C	B	C	C

\* Percentage of "Satisfied" and "Somewhat satisfied"

A: 60% and higher

B: 50% - 59%

C: below 50%

\* Changes in three-year moving averages

A: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in both FY2022 and FY2023.

B: The amount of change in each year of the 3-year moving average is greater than the average for the entire period in either FY2022 or FY2023.

C: The amount of change in each year of the 3-year moving average is less than the average for the entire period in both FY2022 and FY2023.