

# **Report of the Subcommittee on Examination Quality Management, FY 2024**

**March 2025**

**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. The council carries out investigations and deliberations of important matters concerning METI's policy, particularly with regard to improving the economic strength of the private sector and promoting smooth international economic relations, in response to consultation by the Minister of Economy, Trade and Industry. The Industrial Structure 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/policy/economy/industrial\\_council/index.html](https://www.meti.go.jp/english/policy/economy/industrial_council/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 2024 (the fiscal year ended March 2025) was first published on the JPO website in its original Japanese version on March 31, 2025.

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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. Especially in today's society, it is essential to maintain and improve the quality of JPO examinations, as globalization and digitalization have made the exploitation of intellectual property a key element of a company's competitive edge.

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 understand 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 2025 (hereinafter "FY2024") and summarizes discussions on what needs to be improved.

## **Meetings held in this fiscal year**

### The First Subcommittee Meeting: February 12, 2025

#### 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
3. Setting JPO targets as a part of the government's annual targets for implementing agencies in FY 2025

### The Second Subcommittee Meeting: March 14-24, 2025

(deliberation by correspondence)

#### Agenda

1. Proposed report of the Subcommittee on Examination Quality Management, FY 2024

## Members of the Subcommittee on Examination Quality Management

- Titles omitted, listed in Japanese syllabary order -

	ICHIKAWA Rumi	Patent Attorney, ATEN IP Attorneys
	INOUE Wataru	Chair of the Editorial Board, Nikkan Kogyo Shimbun, Ltd.
	SAWAI Shu	Patent Attorney, IP Advisor, TopoLogic Inc.
Chair	TSUBAKI Michiko	Professor, Department of Management, School of Management, Tokyo University of Science
	SHOJI Tamotsu	Advisor Attorney, TMI Associates
	TOKUNAGA Yayoi	Patent Attorney, Toto Momo Trade Mark Professionals
	NAKAYAMA Mariko	Patent Attorney, Nishimura & Asahi (Gaikokuho Kyodo Jigyo)
	MIZUKATA Katsuya	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 initiatives, and bodies that monitor and analyze quality. They also follow the PDCA cycle to continuously improve the examination quality.

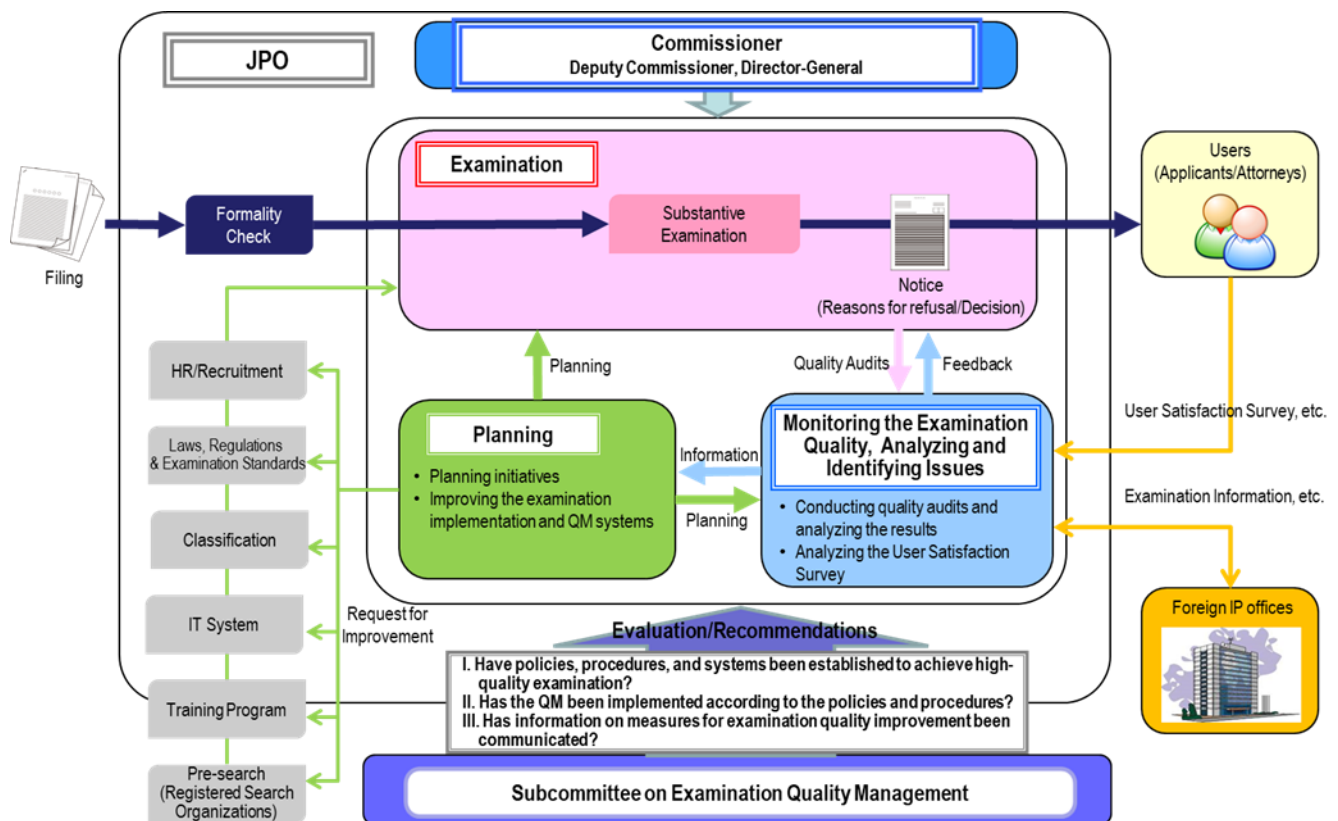


Figure 1: Overall picture of the quality management system at the JPO

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).

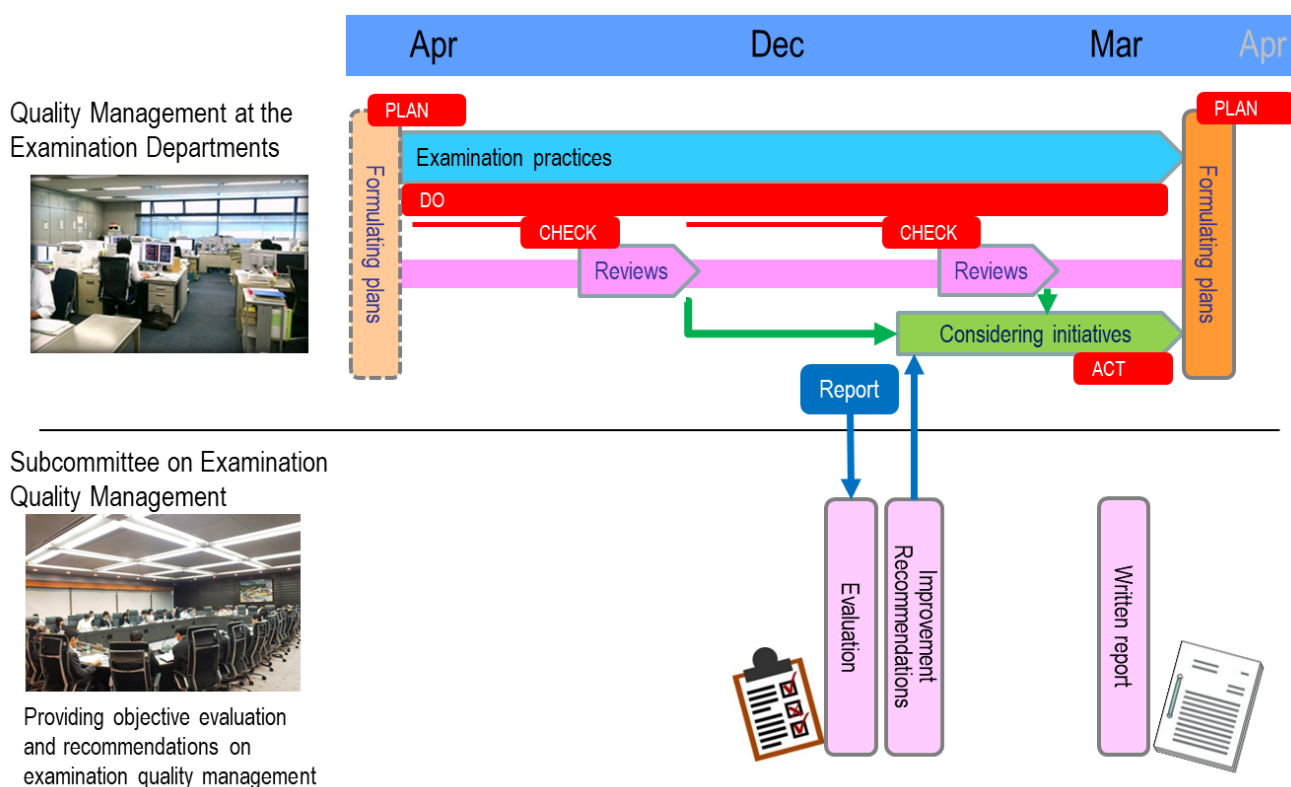


Figure 2: Relation between quality management within the JPO and the Subcommittee on Examination Quality Management

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 (Document 1, Documents 2-1, 2-2, and 2-3)<sup>2</sup> summarizing the implementation status of the FY2023 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 regarding 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." while a minority of the members gave "Generally Achieved."

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 revised and appropriately managed the Examination Criteria, the Examination Handbook, and the "Handbook for PCT International Search and Preliminary Examination in the Japan Patent Office" in accordance with amendments to laws and regulations or their implementation adjustments.
- The JPO has reviewed the Quality Policy and the Quality Manual and considered the need for their revision.

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

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

Last year, evaluated as "Very Satisfactory."

#### <Evaluations>

- The "Examination Guidelines for Patent and Utility Model" specifies what is necessary and how patent examinations should be conducted.
- The "Quality Manual" details specific procedures for quality management and the people responsible for them, as well as each step of the PDCA cycle for implementing continuous improvement.

### 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."

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

## 1. Evaluation of patent examination quality management

Patent
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## &lt;Evaluations&gt;

- 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 the exchange of opinions with users.
- The JPO has made the contents of the Quality Policy and the Quality Manual known to all staff involved in examinations through training programs, quality tests, and other means.

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

Evaluated as "Satisfactory" or "Generally Achieved."

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

## &lt;Evaluations&gt;

- Despite the staffing constraints, overall, the JPO has established an organizational structure that enables high-quality examination while efficiently conducting the required number of examination cases by utilizing search outsourcing, dealing with cutting-edge technologies, and reorganizing the Examination Divisions.
- It is commendable that the JPO has established AI Advisors to strengthen the examination system for AI-related inventions in cooperation with the JPO experts on AI-related examination. In addition, users can benefit from adding and publicizing new hypothetical cases related to AI technologies to the Examination Handbook.
- It is commendable that the JPO selected technologies that are expected to develop further and conducted the "Survey of Technology Trends from Patent Application Information."
- In the course of training, the examiners actively participate in domestic and international conferences and seminars.
- It is commendable that the examination time for the first action or patent right acquisition is the shortest in the world among the five offices in FY 2023, i.e., the establishment of a system to notify examination results earlier than any other country.
- It is commendable that the JPO has studied the feasibility of using generative AI in the examination procedures.
- The JPO's outsourcing of prior art searches observed an increase in the proportion of foreign language patent literature searches.
- The appropriate allocation of cases has been achieved through reorganizing the Examination Divisions and transferring technical responsibilities.

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

- Although the JPO has secured the same number of examiners as in the previous year, it cannot be said that the JPO has reached an internationally comparable level in terms of personnel deployment.
- When using the prior art search program, it is critical to prioritize foreign language patent

## 1. Evaluation of patent examination quality management

**Patent**

literature searches, especially in cutting-edge fields where relying solely on searches conducted in Japan may not be sufficient.

- With the shortening of examination periods, the JPO is increasingly issuing examination results ahead of foreign patent offices. Accordingly, a foreign patent office may discover strong foreign literature during its examination. This shortening may be one of the reasons for internal-external discrepancies (i.e., examination results between the JPO and foreign patent offices) and insufficient searches being pointed out.
- The JPO is expected to promptly assess the current situation and respond accordingly to keep up with cutting-edge technologies.

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

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 established independent quality management bodies including management, examiners, initiative planners, and quality analyzers and evaluators.
- The JPO has established an organizational structure and personnel deployment that enable efficient and effective planning and implementation of quality management measures at an internationally comparable level.
- The JPO has established the Quality Management Office, which is responsible for planning quality-related initiatives, and the Quality Management Committee, which is responsible for analysis and evaluation, independently of each other. The Quality Management Office has established an internationally comparable quality management system by increasing the number of researchers and investigating the possibility of using generative AI in quality management operations.

#### <Points to be improved>

- The JPO may not have eliminated variances in the quality of examinations by examiners. The JPO is expected to conduct examinations in accordance with the purpose of the Patent Act. This involves ensuring that every examiner comprehends the Act's aim of contributing to the development of industry, standardizing examination procedures, and analyzing information from relevant application cases.

Patent

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

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 planned and implemented measures to improve the quality of examination, such as approval/check before approval, consultations, foreign patent literature searches, and the provision of drafting support tools and quality-related information. It also successfully achieved objectives of these measures.
- Aiming to change the examiners' search styles, the JPO conducted research on searches in each technical area and provided statistical information and training videos on searches.
- In addition to decisions to grant patents, Expert Quality Management Officers also prioritize reviewing certain types of draft notices that have a relatively high percentage of deficiencies in the search results identified by each Examination Division.
- It is commendable that the JPO piloted a user survey on interview and telephone responses regarding communications and successfully achieved its goals regarding user satisfaction with communications.
- The JPO promotes voluntary consultations among examiners by actively holding "consultations," in which examiners exchange views with each other, by appointing an examiner-in-charge in each Examination Division who actively participates in consultations with other Examination Divisions, and by preparing a collection of tips to encourage and facilitate consultations.

<Points to be improved>

- It is concerned that there is a lack of face-to-face, open exchange of information among examiners compared to the past. Since such information exchange is highly effective in sharing technical knowledge, judgment criteria, and other know-how, the JPO is expected to actively engage in such exchange and conduct examination practices with a comprehension of the purpose of the Patent Act, which is to contribute to the development of industry.

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

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 continuously monitors the current status of examination quality by verifying the validity of searches and examiners' identifications and judgments through quality audits, as

## Patent

well as by conducting user satisfaction surveys, exchanging opinions with users, and receiving opinions on its website.

- The JPO feeds back the results of the User Satisfaction Surveys and opinions received through its website to the relevant Examination Divisions and examiners.
- The JPO planned and implemented quality verification measures by analyzing internal-external discrepancies (i.e., examination results between the JPO and foreign patent offices) and internal-internal discrepancies (i.e., searches and examination results between the JPO's international and national phases). The JPO successfully achieved the objectives of these measures.

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

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

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

#### <Evaluations>

- While the JPO has appropriately analyzed the examination quality and identified issues within its current quality management system and measures, it has also implemented measures to address the identified issues.
- By analyzing the results of approval and check before approval, the JPO has identified an issue with improving search quality and has been promoting efforts such as changing examiners' search styles.
- An analysis of the consultation records shows that nearly half of the cases were selected due to difficulties in setting search policies or issues with comparison and judgment. In view of this, the JPO is promoting efforts to encourage and facilitate consultations.
- The results of the quality audit shows that there were many errors related to the "Last Notice of Reasons for Refusal"; the JPO conducted a review of approval requests for such notices on a trial basis.
- The JPO identified an issue of the consistency of judgments among examiners as a result of the User Satisfaction Survey. It then developed a data tool to visualize the consistency status and analyzed individual cases.

#### <Points to be improved>

- The JPO is expected to continue its efforts to improve the consistency of judgments among examiners.
- There are still cases of "missed searches." Especially in the case of patent families, relevant literature is discovered through searches and examinations conducted abroad but was not found during examination in Japan. As a user, it is desirable to avoid instability of rights due to the discovery of new literature after the grant of rights in Japan. It is commendable that this issue was clearly highlighted. Thus, the JPO is expected to prioritize addressing this issue.

Patent

**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 "Generally Achieved" or "Very Satisfactory."  
Last year, evaluated as "Satisfactory."

<Evaluations>

- The JPO has continued appropriate management of the Quality Policy, the Quality Manual, and documents indicating specific procedures for quality management, such as the Examination Guidelines, while revising or reviewing them as necessary.
- The JPO is working to improve the efficiency of its examination implementation system by diversifying outsourcing programs, reorganizing the Examination Divisions and transferring their technical responsibilities, and studying the feasibility of using generative AI.
- The JPO is making improvements by establishing a system to deal with AI-related inventions and increasing the number of researchers in the Quality Management Office.

**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 promotes voluntary consultations among examiners and encourages active discussion and information sharing, resulting in an increase in the number of consultations.
- The JPO strives to enhance its quality improvement measures by pursuing efficient search styles, innovating in drafting approval requests, and using a questionnaire to improve the quality of interviews and telephone responses.

**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 "Very Satisfactory."

## Patent

### <Evaluations>

- The JPO strives to improve its quality presence and build a relationship of mutual trust by disseminating information on quality management on its website, exchanging opinions with a wide range of users, and participating in various international meetings.
- The JPO provided training and supported the establishment of quality management systems in emerging countries as part of its international examination cooperation.
- In cooperation with overseas patent offices, the JPO disseminated information through the Advanced Industrial Property Network, the One Portal Dossier, and the Patent Prosecution Highway.

### <Points to be improved>

- In order to increase Japan's influence in the Global South, it is crucial for the JPO to collaborate with these nations and brief them on the value of managing and exploiting intellectual property.



## 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 and appropriately managed 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 published on its website a provisional translation of the "15th edition of the Locarno Classification" and a concordance table with the "Japanese Design Classification," as well as an English-language guide for overseas users.

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

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

Last year, evaluated as "Very Satisfactory."

##### <Evaluations>

- The JPO specifies what is necessary and how design examinations should be conducted in the "Design Examination Guidelines," which are updated as necessary, and has adequately clarified its quality management system and management procedures in the "Quality Manual" and other documents.

#### 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 published the "Quality Policy" and the "Quality Manual" to make them easily accessible to users, including overseas users. It has presented its quality management measures, the "Quality Policy," and other documents at opinion exchange meetings with companies.

## Design

- The JPO has incorporated the contents of the Quality Policy and the Quality Manual into its training programs to familiarize its staff with them, in addition to posting them on the intranet.

### 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" or "Very Satisfactory."

#### <Evaluations>

- The JPO has achieved a high level of examination by streamlining the process through digitization and batch examination, as well as by improving examiners' skills through training to acquire expertise and visits to exhibitions.

#### <Points to be improved>

- The number of examinations processed per examiner at the JPO is still very high compared to the US Patent and Trademark Office, which conducts substantive examinations. Although the JPO has been working on securing examiners, it cannot be said that its examination system and personnel deployment are well established, as the limited number of examiners are also working on the examination of international design applications and quality improvement measures. Furthermore, a growing number of applications is anticipated, including those corresponding to the expanded subject matter of protection under the amended Design Act and those from foreign applicants. Thus, the JPO is expected to further 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 gave "Very Satisfactory."

#### <Evaluations>

- The number of Quality Management Officers responsible for auditing national and Hague applications has been increased to include those with experience in the Trial and Appeal Department, ensuring that appropriate quality management can be implemented.

## Design

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

Evaluated as "Satisfactory."

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

#### <Evaluations>

- Examiners consult with approvers on national and Hague cases. For Hague cases, the content of the consultation is compiled in a database for sharing information so as to improve the quality of examinations and the consistency of judgments.
- The JPO actively and continuously plans and implements various quality improvement measures. It has revised the Design Examination Guidelines and other documents, promoted the exchange of opinions and knowledge sharing among examiners, provided search support tools for examiners using "similar image search" technology and a formality checking tool for drafting approval requests. It has also promoted the enhancement of examiners' expertise by conducting training on drafting English notices and technical topics, encouraging participation in exhibitions, and exchanging opinions with companies.
- Users gave the JPO positive feedback for their communication efforts, which included implementing on-site and online interviews and updating the Interview Guidelines.

#### <Points to be improved>

- Although the JPO ensures the examination quality of Hague applications by, in principle, subjecting all cases other than applications for immediate registration to consultation, the number of cases is increasing so rapidly that the JPO should continue to examine whether the system can ensure the same level of quality in the future.

### 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."

#### <Evaluations>

- For quality verification of the examination of national and Hague applications, the JPO conducted quality audits as planned to verify the validity of searches and the validity of identifications and judgments and accurately analyzed the quality of examinations and identified issues. In addition, the JPO increased the number of Quality Management Officers with experience in management positions in the Trial and Appeal Department and provided opportunities for mutual consultation among Quality Management Officers, which enabled them to conduct high-quality and efficient audits.
- The JPO planned and implemented necessary measures for quality verification, such as conducting the User Satisfaction Surveys to understand various user needs, exchanging opinions with companies and industry associations, and facilitating communication between

## Design

the Design Division and the Design Examination Division and the Trial and Appeal Department.

### <Points to be improved>

- Regarding the User Satisfaction Survey, it is difficult to understand what issues have been identified as a result of the analysis, although efforts are being made to understand various user needs, including overseas users and SMEs, and the percentage of positive ratings in the overall evaluation has improved by 0.8 points from 96.2% to 97.0%.
- The results of the User Satisfaction Survey show a general trend of improvement. The key question here is to what extent "consistency of judgments among examiners" should be sought. Just as in patent examination procedures, it may be necessary to take steps to eliminate attributional variation. This could involve using generative AI to allow for standardized primary judgments, which are essential for achieving consistency in the examination process.

### 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" or "Very Satisfactory."

### <Evaluations>

- The JPO has thoroughly analyzed and identified issues related to audit results, internal-external discrepancies in examination results of Hague applications (i.e., between the JPO and foreign IP offices), appeal/trial-related data, and the User Satisfaction Surveys. It has developed a system to address the issues, such as informing examiners of relevant precautions for drafting approval requests.

### <Points to be improved>

- Regarding the issue of "consistency of draft notices" identified through the User Satisfaction Survey, the JPO should continue to closely monitor the extent to which the level of examination result notices can be improved by informing examiners of relevant precautions for drafting approval requests.

### 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."

## Design

### <Evaluations>

- The JPO has made the design system well known to users by preparing and publishing the "Guidebook on Application for Design Registration of Images Used in Virtual Environments" and the English version of the Guidebook for overseas users, and by preparing and publishing an explanatory video for users on the amended Design Act.
- The JPO has made efforts to improve quality management by fully informing design examiners about the basics of quality management through training and other means. Additionally, the JPO has increased the number of Quality Management Officers with experience in management positions in the Trial and Appeal Department.

### <Points to be improved>

- The JPO is expected to properly organize and maintain this large amount of information so that users can easily and smoothly access it, as the JPO has developed many guides and explanations of the amended Design Act and the design system.

### **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 sufficiently improved its quality management measures, including expanded support for online interviews, to address the issues identified in last year's analysis.
- The JPO increased the number of consultations on individual applications between examiners and approvers, successfully achieving an 88% positive rating in user satisfaction with communication, surpassing the official target of 70%.

### <Points to be improved>

- The JPO is expected to fulfill the measures identified as necessary from the User Satisfaction Survey.

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

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

## Design

### <Evaluations>

- The JPO has disseminated information on its measures to improve examination quality at home and abroad by publishing these measures on its website, exchanging opinions with companies and industry associations, and communicating with overseas users, including foreign patent offices. The JPO has also established ongoing partnerships with them.

### <Points to be improved>

- Regarding communication, especially information exchange with foreign patent offices, information on design registration practices is indispensable for the protection and utilization of product design rights, which are becoming increasingly important, particularly when entering the global and Japanese markets. Therefore, the JPO is expected to continue to make efforts in such communication to ensure the stability of design rights among countries.
- Recently, through the exchange of information with foreign patent offices, there have been more and more opportunities to learn about the activities of the "Korean Patent Office" in the field of examination cooperation with the patent offices of other countries. The JPO is expected to effectively communicate the high level of Japanese examination capability and quality management measures internationally, as well as enhance the JPO's presence at 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.
- The JPO made timely revisions to the "Examination Guidelines for Trademarks" and the "Trademark Examination Manual" in February and March 2024. Those revisions were in connection with the amendments to the Trademark Act and related regulations. Those amendments were to relax registration requirements for trademarks that include the name of another person and to introduce the Consent System for trademarks.
- The JPO published the "Commentary on Classes of Goods and Services for the International Classification of Goods and Services, 12th edition, version 2025" in January 2025 to help users state the appropriate designated goods and services.

##### <Points to be improved>

- For the Consent System, the JPO is expected to develop examination-related documents based on the revised "Examination Guidelines for Trademarks" and "Trademark Examination Manual" and to establish a system that can expedite the examinations and respond to user needs.

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

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

Last year, evaluated as "Very Satisfactory."

##### <Evaluations>

- The "Quality Manual" details specific procedures for quality management and the people responsible for them, as well as each step of the PDCA cycle.
- The "Examination Guidelines for Trademarks," the "Trademark Examination Manual," and the "Outline of Trademark Examination Procedures" detail what is necessary and how trademark examinations should be conducted.

## Trademark

### 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.
- The JPO has disseminated quality-related documents, including the "Quality Policy" and the "Quality Manual," to the entire Examination Department via the intranet.
- The JPO has conducted lectures on the contents and concepts of the "Quality Policy" and the "Quality Manual" in training programs for its staff members. The JPO has also conducted the "Quality Test" for all examiners to confirm their understanding of the basic principles of quality management.

#### <Points to be improved>

- It is commendable that the JPO has made the basic principles of quality management and other information publicly available on its website. However, some of the information is stored in deep layers and is not easily accessible, so there is room for further improvement in making it known to the public.
- The JPO is expected to conduct regular training sessions, similar to the "Quality Test," to assess the understanding of the basic principles of quality management and to share the results within the JPO for further improvement and maintenance of quality in the future.

### 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" or "Very Satisfactory."

#### <Evaluations>

- The JPO is working to strengthen its examination implementation system so that the examination processing time will not increase again. It is commendable that the situation is steadily improving.
- The JPO is working to strengthen its examination implementation system by hiring 10 new staff members, utilizing private sector search organizations, and assigning a Chief Guidance Examiner to each Examination Division, who provides consultation and coordination services to both its own team's Guidance Examiners and those in other Examination Divisions.



## Trademark

- In addition to computerizing business operations and developing teleworking support tools to enable examiners to choose flexible and diverse work styles, the JPO has implemented hot-desking in all Examination Divisions as part of its efforts to improve the office environment.
- It is commendable that the JPO has organized an "Assistant Examiner Meeting" to encourage assistant examiners to improve their skills in examination practice and administrative matters.
- The JPO has offered examiners a short-term training program for sending them to private companies or other organizations to improve their qualifications by providing them with on-site experience to understand the actual conditions and needs of the industrial world.

### <Points to be improved>

- From the perspective of establishing an internationally comparable level of organizational structure for examination and personnel deployment, the evaluation remains "Generally Achieved," as the number of examinations processed per examiner at the JPO is still high compared to the United States.
- The JPO is expected to acquire the necessary staff to achieve a reasonable examination processing time while maintaining the quality of examination.
- The JPO should conduct a review of the content and effectiveness of the short-term training program for sending examiners to companies and consider the extent to which the program has contributed to improving the quality of examinations.

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

Evaluated as "Satisfactory."

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

### <Evaluations>

- 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.
- The JPO has established its organizational structure and personnel deployment to enable quality management measures to be planned and implemented in an efficient and effective manner at an internationally comparable level. For example, written notices have been assigned to Quality Management Officers based on the major types of the notices, aiming for better audit practices.

### <Points to be improved>

- There is room for further improvement in the JPO's quality management system to achieve consistency of judgments among examiners and to improve the descriptions of the reasons for refusal.

## Trademark

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

Evaluated as "Satisfactory."

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

#### <Evaluations>

- The JPO has continued implementing the necessary quality improvement measures as planned and has successfully achieved the objectives of these measures, which include approvals, consultations, evaluation of operational goals and examiners, collection and provision of quality-related information, and training.
- It is commendable that, in addition to mandatory consultations, non-mandatory consultations were held with managers, including Chief Guidance Examiners, and that the JPO disclosed the number of such consultations.
- It is commendable that there has been an increase in both the quantity and quality of communications with applicants and agents, as well as meeting the needs of users.
- The JPO has conducted empirical research projects to verify the effectiveness of AI technologies not only in "prior figurative trademark searches" but also in "prior word trademark searches," aiming to the use of AI technologies to enhance the efficiency of examination work.
- The "Quality Test" for all examiners has been expanded in terms of content, e.g., to include questions on "examination criteria" and "basic principles of quality management" in addition to the previous questions on "communication with users."

#### <Points to be improved>

- The JPO is expected to continue its efforts in knowledge sharing and discussion through consultations for the sake of consistency of judgments among examiners.
- This fiscal year, the JPO has started disclosing the number of non-mandatory consultations held with managers, including Chief Guidance Examiners. It is preferable to continue disclosing such numbers along with year-over-year comparisons from now on.
- To improve the efficiency of examination work and the consistency of judgments among examiners, the JPO is expected to accelerate the implementation of AI-assisted technologies for examination.

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

Evaluated as "Satisfactory."

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

#### <Evaluations>

## Trademark

- 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 the current status of its examination quality based on the User Satisfaction Survey and exchange of opinions with users, and successfully achieved the objectives of these measures.
- The JPO has published reports of the User Satisfaction Survey and has followed up with unsatisfied respondents to exchange opinions.
- In cases of appeals against decisions of refusal, the JPO has analyzed the factors behind discrepancies in judgment, if any, between the examinations and the appeals.
- The JPO surveyed examiners' perceptions of examination quality through questionnaires. The results were used to analyze discrepancies between the User Satisfaction Survey results and examiners' perceptions or self-evaluations, identify new examination quality issues, and consider possible countermeasures.
- It is commendable that the JPO has taken measures to understand industry trends and needs, such as holding opinion exchange meetings with various user organizations, in addition to improving the quality of examinations.

### <Points to be improved>

- It would be preferable if the JPO could specify how it intends to explicitly address the issues of "judgments on distinctiveness" and "consistency with the appeals/trials," which were identified as priority issues based on the User Satisfaction Survey.
- It would be preferable if the JPO could explicitly state how it intends to use the information on industry needs for examinations or industry trends obtained through opinion exchange meetings.
- The JPO should consider the following criteria for evaluating quality management: making judgments in accordance with the Examination Guidelines and the Examination Manual; making judgments based on sound reasoning and procedures without logical leaps; and adequately justifying and explaining reasons and grounds for judgments.
- The JPO has planned measures necessary to improve examination quality and has implemented them in accordance with the policies and procedures. It would be preferable for the JPO to take measures to re-evaluate the adequacy of the plan itself.

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

Evaluated as "Satisfactory."

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

### <Evaluations>

- In the current quality management system, the JPO has adequately analyzed its examination quality and has identified issues through various measures.
- Based on the analysis results of individual evaluation items of the User Satisfaction Survey,

## Trademark

the JPO has identified priority items to be addressed as "judgments on distinctiveness," "consistency with appeals/trials," and "consistency of judgments among examiners." It is recognized that the JPO has adequately identified issues in the examination procedures.

- The JPO has identified the need to improve the consistency of judgments among examiners by strengthening measures such as exchanging opinions with industry associations and companies and consultations among examiners. In addition, the JPO is sharing information on such issue within the Examination Departments to enhance common understanding, aiming to achieve effects that will contribute to maintaining and improving examination quality.

### <Points to be improved>

- The JPO may be able to expand the range of users subject to hearings and other procedures to ensure that it never overlooks user opinions about the examination.
- Regarding discrepancies in judgments between examinations and appeals/trials, it is recognized that there may be discrepancies in judgments on distinctiveness with respect to the factual determination of the evidence on which the judgments are based, as well as in judgments on similarity with respect to the determination of the trademark dissection or the extraction of primary parts of trademarks. Therefore, the JPO is expected to thoroughly implement operational practices such as focusing on confirming these points during the approval process.
- The JPO is expected to clearly indicate how issues identified in the Check step of the PDCA cycle are reflected in the Act step and the extent to which they have been improved.

### **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."

### <Evaluations>

- The JPO has taken measures to strengthen its examination implementation system such as hiring new staff members, utilizing private sector search organizations, reviewing the guidance system for assistant examiners based on their numbers, establishing an effective personnel deployment, improving training sessions for examiners, and assigning Chief Guidance Examiners.
- To improve the efficiency of trademark examination work, the JPO has planned to provide its examiners with the results of an empirical research project in FY2023 to verify the effectiveness of AI technologies in prior word trademark searches.
- The JPO has improved quality management measures to address issues. This has been made in an appropriate manner.

## Trademark

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

Evaluated as "Satisfactory."

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

#### <Evaluations>

- The JPO has updated the Examination Guidelines and the Examination Manual to reflect the relaxed registration requirements for trademarks that include the name of another person and the introduction of the Consent System for trademarks.
- The JPO has made all examiners aware of the procedure: as a rule, they should respond to email inquiries on the same day and return telephone inquiries immediately during telework.
- The JPO has maintained and improved examiners' fundamental approach in their responses by conducting Quality Tests for all examiners in an e-learning format.
- The JPO conducted follow-up surveys for those who were unsatisfied with "communication with examiners" in the User Satisfaction Survey, requesting them to identify specific instances and issues behind their negative responses.

#### <Points to be improved>

- The JPO is expected to provide users with information regarding the availability of telephone contact with teleworking examiners and how receipt of emailed inquiries will be acknowledged.

### 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 "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.

#### <Points to be improved>

- The JPO is expected to make its quality management measures known to users in an easily understandable and visible manner.

## Trademark

- If each country improves the quality of substantive examination of trademarks, users whose main market is overseas will be able to further reduce their trademark risks overseas. The JPO is therefore expected to promote more international cooperation.

**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)]

With the aim of achieving higher quality examinations, the JPO is expected to secure personnel at an internationally comparable level, develop an examination system for increasingly complex and sophisticated cutting-edge technologies, and further improve operational efficiency through the use of AI technologies and other means.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- With the aim of achieving higher quality examinations, the JPO needs to secure a number of examiners at an internationally comparable level.
- The JPO needs to further improve operational efficiency by outsourcing searches and effectively using various tools and AI technologies.
- It is crucial for the JPO to prioritize the use of generative AI in operations to enhance efficiency and consistency.
- The JPO is expected to continue to study the establishment of examination standards and systems to ensure appropriate examination of patent applications, including those involving AI-related inventions, which are increasingly complex and sophisticated.

##### <Recommendation 2> [Evaluation items (6), (7), and (8)]

The JPO is expected to improve the consistency of prior art search quality and judgment criteria in each technical field by promoting active information exchange among examiners through consultations, identifying issues based on advanced analysis, and keeping examiners informed.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

1. For quality management of patent examination

**Patent**

- It is suggested that the JPO should take measures to address the blurring and errors in examiners' judgments that may occur as a result of reorganizing the Examination Divisions and transferring their technical responsibilities among the divisions.
- The JPO needs to continue to identify and analyze various issues to improve the consistency of judgments among examiners and to further improve the efficiency and quality of prior art searches.
- As factors affecting the consistency of judgments on inventive step, errors in judgments and differences in judgments among examiners are considered besides missed searches. It is therefore suggested that the JPO include the results of analysis of "missed searches" and "errors" in the quality-related information to be provided to examiners.
- It is desirable to provide ample opportunity for face-to-face, open exchange of information among examiners. Since such information exchange is highly effective in sharing technical knowledge, judgment criteria, and other know-how, the JPO is expected to actively engage in such exchange and conduct examination practices with a comprehension of the purpose of the Patent Act, which is to contribute to the development of industry.
- The JPO needs to provide more detailed insight and clearer feedback on the continued high level of dissatisfaction with "consistency of judgment." Various factors may contribute to what the complaints of lack of consistency are based on.

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

With regard to the quality of notices of reasons for refusal, the JPO is expected to eliminate defects by expanding its checking system and analyzing the causes.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- The error of stating the "final notice of reasons for refusal" was pointed out particularly frequently and causes severe restrictions on amendments, which is disadvantageous to the users. The JPO is requested to ensure that examiners apply it correctly.
- The error of stating the "final notice of reasons for refusal" is not a particularly prominent issue these days but has existed for a long time. The JPO is therefore expected to fully analyze the cause of the error.

**<Recommendation 4> [Evaluation items (2), (6), (7), and (11)]**

The JPO is expected to work to enhance confidence in the quality of examination by continuing to identify various user needs through exchanging opinions and other means and to provide support tailored to those needs, as well as by clearly communicating to users that the quality management system based on the PDCA cycle is functioning properly.

The following are the major comments from the Subcommittee members on which the above recommendations were based:



## Patent

- By active opinion exchanges and other means with various users, the JPO needs to further promote the identification of new user needs and the co-creation of patent rights with users. It also needs to demonstrate that these efforts are effective.
- It is crucial for the JPO to demonstrate that research on searches and other measures resulted in resolving identified issues such as missed or insufficient searches. These issues were identified through analysis and issue identification, including any analysis of approvals, checks before approval, consultation records, quality audits, internal-external discrepancies (i.e., examination results between the JPO and foreign patent offices), and internal-internal discrepancies (i.e., searches and examination results between the JPO's international and national phases).
- With regard to support tailored to the needs of companies, the JPO is expected to continue to provide the Push-type Assistance Service for Startups and the Collective Examinations for IP Portfolio Supporting Business Strategy so that examiners can gain a deeper understanding of the business strategies and technical backgrounds that are the prerequisites for such support.

## Design

### 2. For quality management of design examination

#### <Recommendation 1> [Evaluation items (1), (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.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- In response to reforms of the Design System, the JPO is expected to make efforts to maintain and improve its examination implementation system, clarify its procedures, and disseminate the procedures in a clear and understandable manner.
- The JPO is expected to ensure the number of examiners and enhance their training. With regard to enhancing the training of appointed examiners, visualizing the results of such enhancement is desirable.

#### <Recommendation 2> [Evaluation item (6)]

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 the use of new AI technologies.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- It may be necessary to take steps to eliminate attributional variation. This could involve using generative AI to allow for standardized primary judgments, which are essential for achieving consistency in the examination process.
- To enhance the appropriateness and efficiency of design examination, the JPO is expected to actively promote the possible use of generative AI in quality management procedures, including utilizing a "similar image search" function offered by AI technologies.

#### <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.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

## Design

- The JPO is expected to make efforts to further improve the consistency of judgment among examiners by analyzing not only individual cases but also the root causes of specific cases and issues collected through the User Satisfaction Surveys and other means, and by feeding the analysis back into the examination procedures.
- It is difficult to understand what issues have been identified as a result of the JPO's examination quality analysis. This means that it is difficult to understand how you moved from the Check step to the Act step without more clarity on what issues had been identified and how they were addressed.
- The JPO has a system whereby all documents related to notices of reasons for refusal and the like prepared by examiners are reviewed by approvers, and those requiring correction are returned to the examiners. However, it is difficult for outsiders to evaluate how effective the system is.
- The JPO is expected to enhance quality verification measures, such as quality audits and analyzing internal-external discrepancies (i.e., examination results between the JPO and foreign IP offices) in response to the examination of international design applications. The JPO is also expected to demonstrate how such verification measures are related to quality improvement measures.
- The JPO is expected to disseminate information on its quality management measures internationally and to collect further information on the quality management measures of foreign IP offices.

### <Recommendation 4> [Evaluation items (1), (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.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- The JPO is expected to enhance communication and mutual understanding with applicants, both face-to-face and online.
- The JPO is expected to demonstrate how the measures to enhance communication with applicants are related to the results of the User Satisfaction Surveys.

## Trademark

### 3. For quality management of trademark examination

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

The JPO is expected to keep working on securing the number of examiners and training them, and to implement measures to improve the efficiency of examination work and the consistency of judgments among examiners through the use of AI technologies and other means.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- The JPO is expected to ensure a sufficient number of examiners and improve their training.
- To improve the efficiency of examination work and the consistency of judgments among examiners, the JPO is expected to accelerate the implementation of AI-assisted technologies for examination.
- The JPO is expected to prioritize the use of AI technologies for word mark searches.

#### <Recommendation 2> [Evaluation items (1), (7), and (8)]

The JPO is expected to understand user needs and awareness of issues through exchanging opinions and other means, to analyze and identify issues based on the needs and awareness accurately, and to present specific measures to address them.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- The JPO may be able to expand the range of users subject to hearings and other procedures to ensure that it never overlooks user opinions about the examination.
- It would be preferable if the JPO could explicitly state how it intends to use the information on industry needs for examinations or industry trends obtained through opinion exchange meetings.
- It would be preferable if the JPO could specify how it intends to explicitly address the issues of "judgments on distinctiveness" and "consistency with the appeals/trials," which were identified as priority issues based on the User Satisfaction Survey.
- For the Consent System, the JPO is expected to develop examination-related documents and establish a system that can expedite the examinations and respond to user needs.

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

The JPO is expected to conduct examinations that satisfy its users by accurately addressing user needs and awareness of issues regarding the consistency of judgments among examiners.

## Trademark

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- The JPO would need to continue current measures to address user needs and awareness of issues regarding consistency of judgments among examiners, consistency with the appeals/trials, and judgments on distinctiveness. In addition, it is expected to conduct examinations that satisfy its users in accordance with the fundamental policy that examiners should conduct consistent examinations based on guidelines such as the Examination Guidelines for Trademarks.
- The JPO is expected to make further efforts for improvement, such as consultations among examiners and managers and the Quality Tests to ensure consistency with examination criteria and examples of acceptance in past examinations.
- The JPO is strongly encouraged to provide sufficient justifications and reasons for judgments in notices of reasons for refusal and the like.

### <Recommendation 4> [Evaluation items (10) and (11)]

The JPO is expected to continue its measures for further facilitating communication with users and to further disseminate information on quality management measures.

The following are the major comments from the Subcommittee members on which the above recommendations were based:

- The JPO is expected to provide users with information regarding the availability of telephone contact with teleworking examiners and how receipt of emailed inquiries will be acknowledged.
- The JPO is expected to make its quality management measures known to users in an easily understandable and visible manner.

## **IV. Conclusion**

By evaluating the implementation system and status of quality management in FY2024, the Subcommittee confirmed that the evaluations and improvement recommendations made by the Subcommittee in FY2023 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.

## 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 FY2024

\*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	Satisfactory or 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 FY2024

	Patent	Design	Trademark
<b>Recommendation 1</b>	With the aim of achieving higher quality examinations, the JPO is expected to secure personnel at an internationally comparable level, develop an examination system for increasingly complex and sophisticated cutting-edge technologies, and further improve operational efficiency through the use of AI technologies and other means.	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 and training them, and to implement measures to improve the efficiency of examination work and the consistency of judgments among examiners through the use of AI technologies and other means.
<b>Recommendation 2</b>	The JPO is expected to improve the consistency of prior art search quality and judgment criteria in each technical field by promoting active information exchange among examiners through consultations, identifying issues based on advanced analysis, and keeping examiners informed.	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 the use of new AI technologies.	The JPO is expected to understand user needs and awareness of issues through exchanging opinions and other means, to analyze and identify issues based on the needs and awareness accurately, and to present specific measures to address them.
<b>Recommendation 3</b>	With regard to the quality of notices of reasons for refusal, the JPO is expected to eliminate defects by expanding its checking system and analyzing the causes.	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 conduct examinations that satisfy its users by accurately addressing user needs and awareness of issues regarding the consistency of judgments among examiners.
<b>Recommendation 4</b>	The JPO is expected to work to enhance confidence in the quality of examination by continuing to identify various user needs through exchanging opinions and other means and to provide support tailored to those needs, as well as by clearly communicating to users that the quality management system based on the PDCA cycle is functioning properly.	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 for further facilitating communication with users and to further disseminate information on quality management measures.