

“The Industrial Property Rights System in Japan”
Chapter 2. The Patent System and Utility Model System

Utility Model System

We would now like to explain about the Utility Model System.

The purpose of the Utility Model Law is to contribute to the development of industry in the same way as the Patent Law by promoting the protection and utilization of devices relating to the shape or structure of items or a combination of items.

To facilitate an applicant's prompt acquisition of a patent, there is no system of request for examination regarding applications for utility model registration. There is only a conventional formality check.

Because the right is granted without examination and abuse of that right could hinder industrial development, stricter responsibility and care is required in the exercise of the right.

The Report of Utility Model Technical Opinion evaluates the validity of the application.

Japan Patent Office examiners carry out an assessment of the novelty, inventive step, and so on, of a utility model application and report the results to the applicant.

A holder of a utility model right may not exercise that right unless he or she has given warning regarding the Report of Utility Model Technical Opinion.

End of Chapter 2