

Design System

The Design Law, Article 1

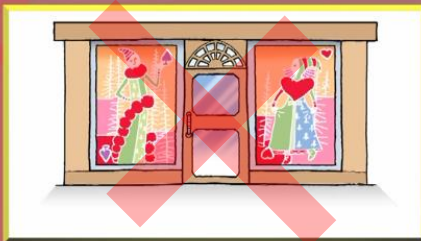
The purpose of this Law is,
through promoting the protection and the utilization
of designs, to encourage creation of designs,
and thereby to contribute to the development of industry.

Subject of Protection of the Design Right
under the Design Law

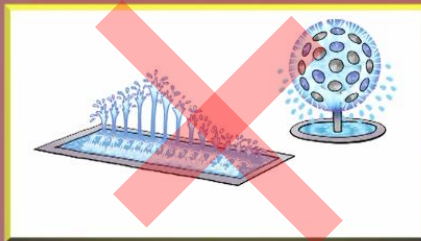
- Shapes
- Pattern
- Color

Items regarded as “articles”

Disregarded cases



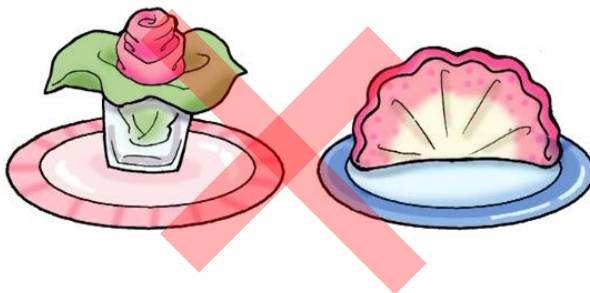
Shop window displays



Fountain

A design consisting solely of a shape
that is inseparable from an article

Disregarded cases



Flowers made from folded napkins

Visible articles

Articles that create a visually aesthetic impression

Disregarded cases



One grain of powder,
or a particle that is
invisible unless enlarged



Articles whose major purpose is functional
(do not create a visually aesthetic impression)
General screws and bolts

Requirements for Registrability

Industrially applicable
(Design Law: Article 3, Paragraph 1, Main paragraph)

Disregarded cases



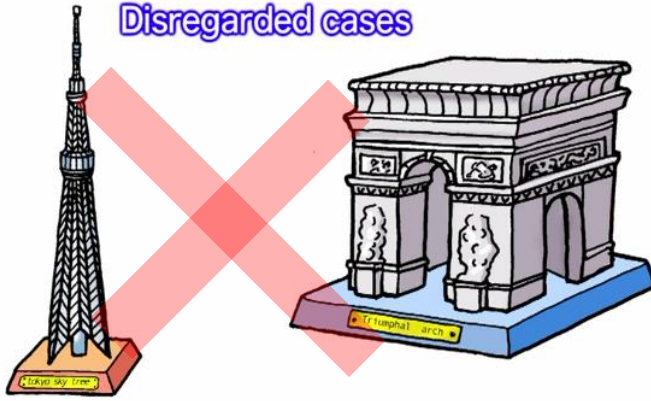
Natural objects such as a foliage plant
(even if the same kind of plant is used,
it's impossible to produce an identical shape.)

Novelty
(Design Law: Article 3, Paragraph 1)

- A design that is identical with or similar to part of a design described in the statement in another application, nor publicly known in Japan or a foreign country.
- Publications containing the design have not been published.
- Electronic information about the design has not been published on the Internet.

Creativity
(Design Law: Article 3, Paragraph 2)

Disregarded cases



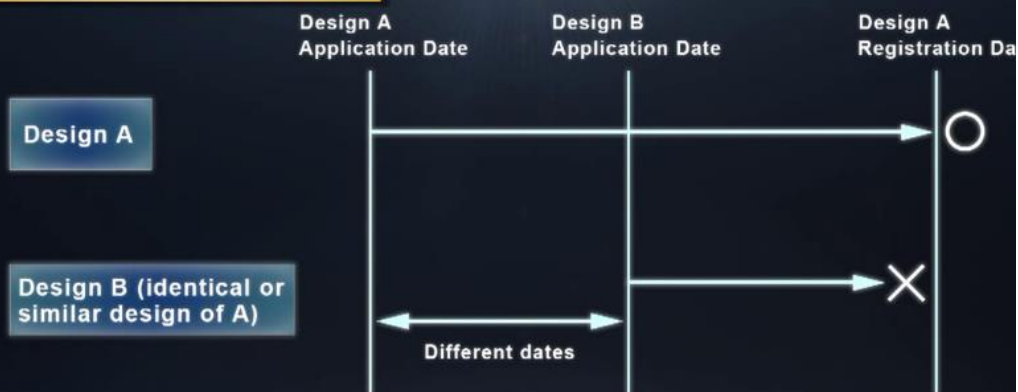
e.g. Ornamental motif on Tokyo Skytree, or The Arc de Triomphe

Does not contravene public order or morality
(Design Law: Article 5)

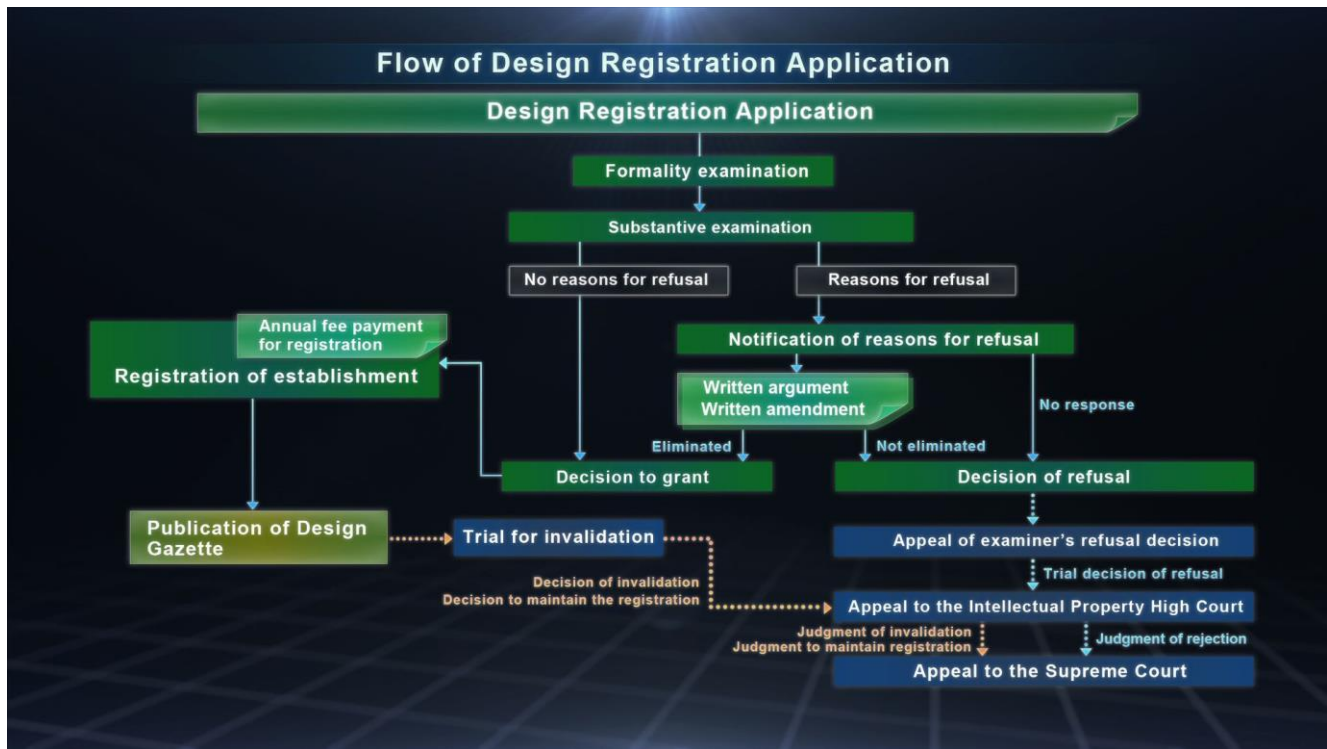
Disregarded cases



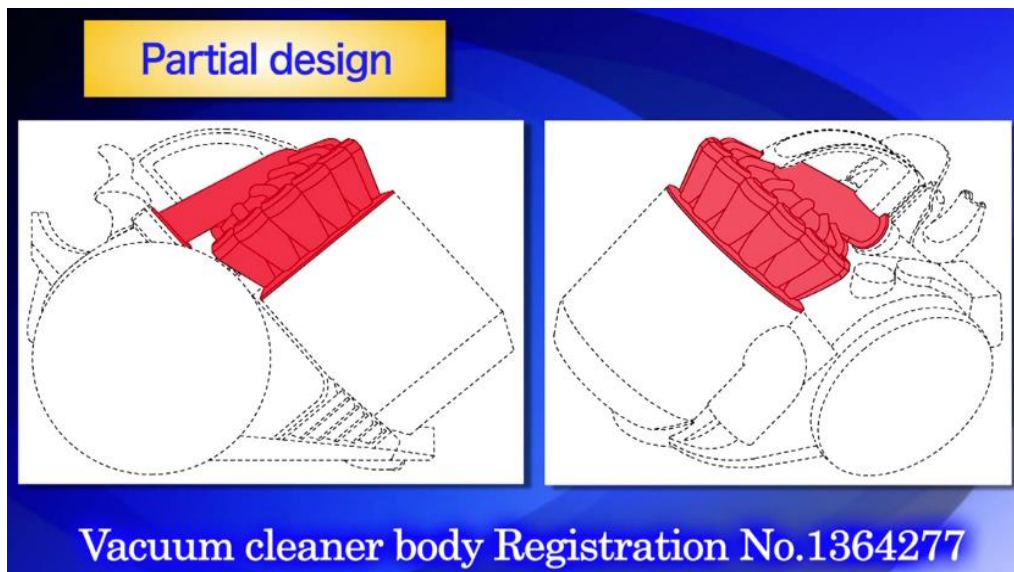
Prior application
(Design Law: Article 9)



One application per design
(Design Law: Article 7)



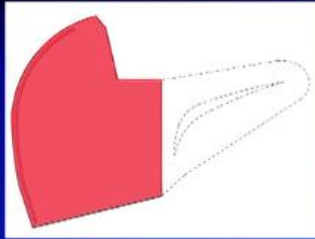
Special Design Registration



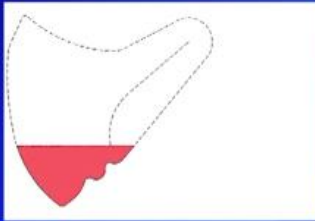
It is possible to protect a right with a partial design not against the goods in their entirety, but against the partially imitated article that has been infringed.

Partial design
Registration No.

1307215



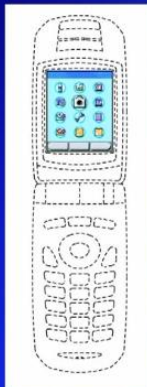
1286492



1325221

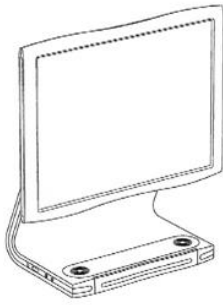


Graphic image on a screen

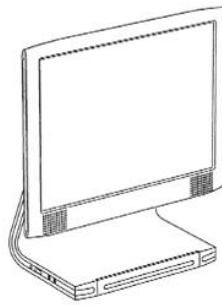


Walkie-talkie Registration No.1207282

Related design



Principal design
Registration No.1075393

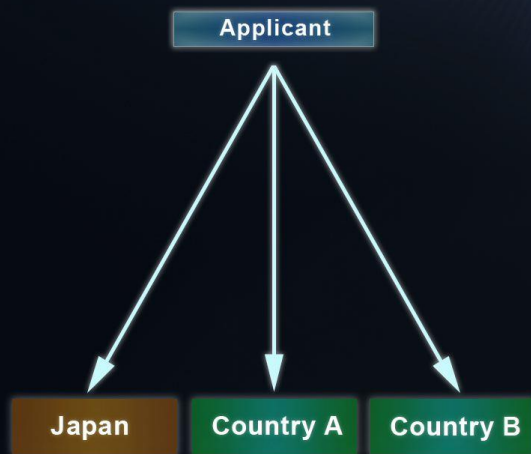


Related design
Registration No.1075674

Secret design

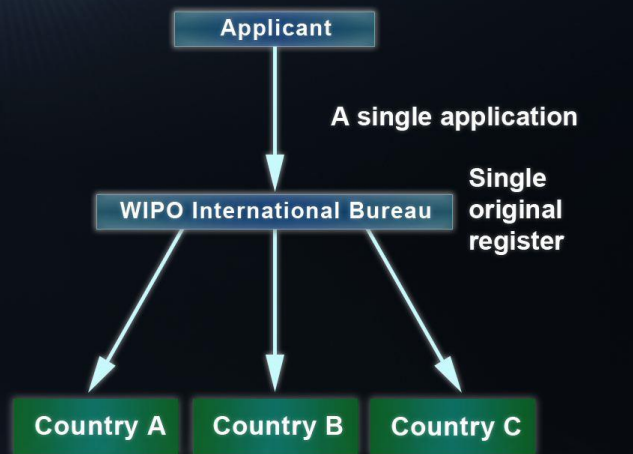
The Hague Agreement

Current Procedures



Language in each country
Procedure for each country

Procedures under the Hague Agreement



The right in more than
one contracting country