I. Overview

II. First Action (FA)

III. Second Action (SA)
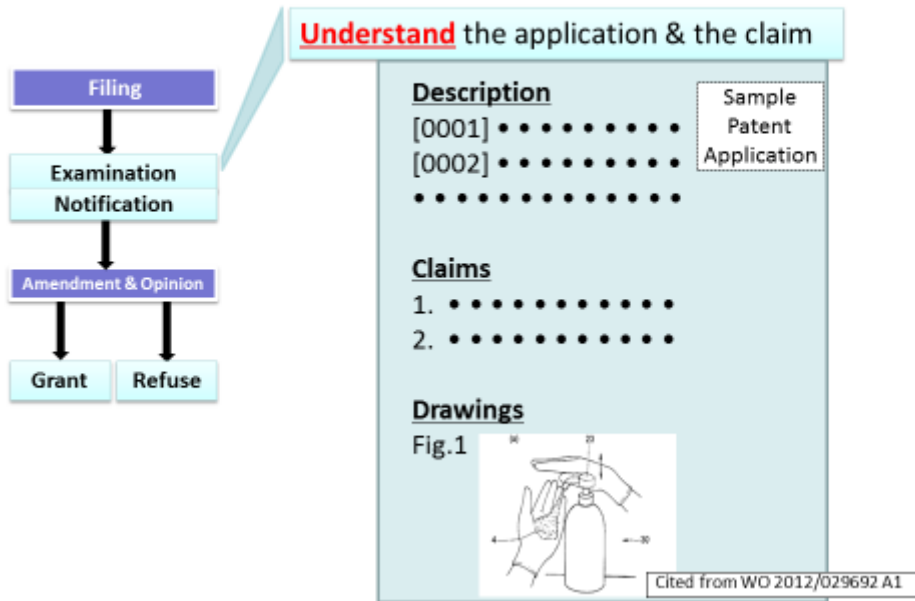
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Next, let me explain First Action.

II. First Action (FA)

A. Flow of FA 1/2

Understand the application & the claim

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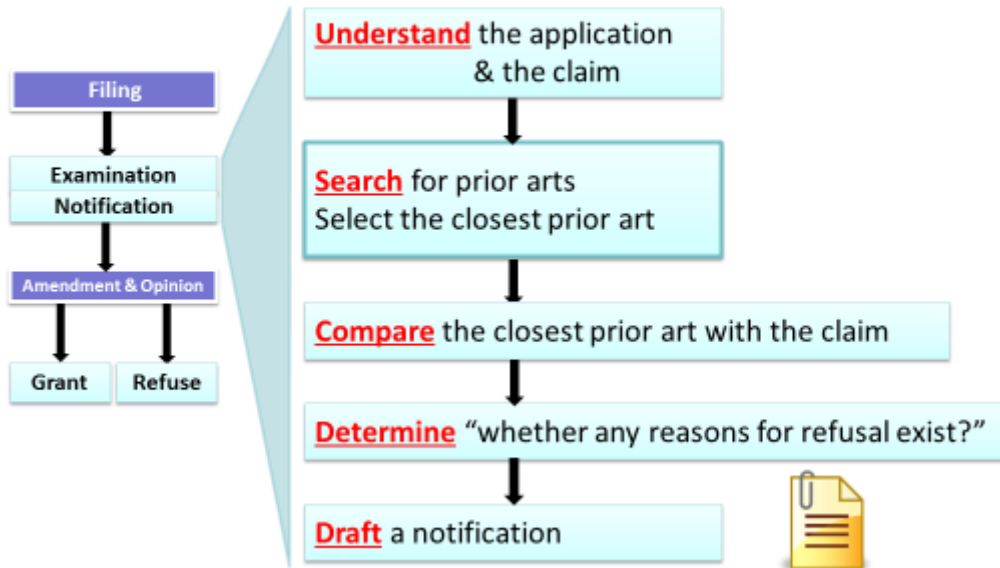Now, let's look at the FA examination procedure.

First, examiners must understand the content of the present application.

The patent application consists of claims, descriptions and drawings.

Examiners must read these parts carefully, and understand what is being claimed as a patent right by the applicant.

II. First Action (FA)

A. Flow of FA 2/2

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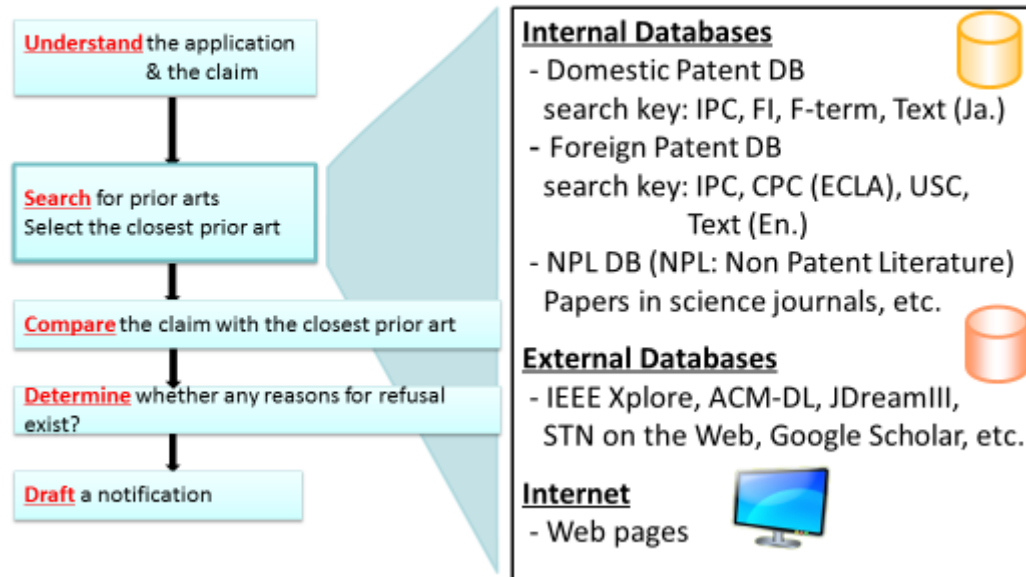Now, let's take a look at the details of the FA procedures.

First, examiners must understand the content of the application and the claimed invention that is written in the claim.

Next, they must search for prior arts using specific databases, and retrieve the prior art that is the closest to the claimed invention. Next, they compare the closest prior art with the claim, and judge whether or not there exists any reason for refusal.

Finally, examiners draft a notification.

II. First Action (FA)

B. Flow of FA - Search DB in JPO -

Understand the application & the claim

Search for prior arts
Select the closest prior art

Compare the claim with the closest prior art

Determine whether any reasons for refusal exist?

Draft a notification

Internal Databases
- Domestic Patent DB
  search key: IPC, FI, F-term, Text (Ja.)
- Foreign Patent DB
  search key: IPC, CPC (ECLA), USC, Text (En.)
- NPL DB (NPL: Non Patent Literature)
  Papers in science journals, etc.

External Databases
- IEEE Xplore, ACM-DL, JDreamIII, STN on the Web, Google Scholar, etc.

Internet
- Web pages

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For your information, I would now like to show you the actual databases that the JPO uses for prior art searches.

First, there are Internal Databases that have been developed and maintained by the JPO. These databases include three different databases: one for domestic patents, another for foreign patents, and a third for NPL, or Non Patent Literature.

For the domestic patent database, examiners use FI, F-term, keyword, and full-text as search keys. The keyword and the full-text are used in Japanese.

For the foreign patent database, examiners mainly use IPC, CPC, and full-text. The full-text is used in English.

The NPL database accumulates non patent literature such as science journal papers, computer software manuals, or technological books.

Second, there are External Databases.

The JPO has a contract with many external databases such as IEEE Xplore or ACM Digital Library in the computer area, and STN on the Web in the chemical field.

JDreamIII is a Japanese commercial database that includes science journals in Japan and many foreign countries.

Finally, there is the Internet, which examiners can also use in order to find related prior arts.

In Japan, examiners can cite a web document or a web page as a prior art in notification.