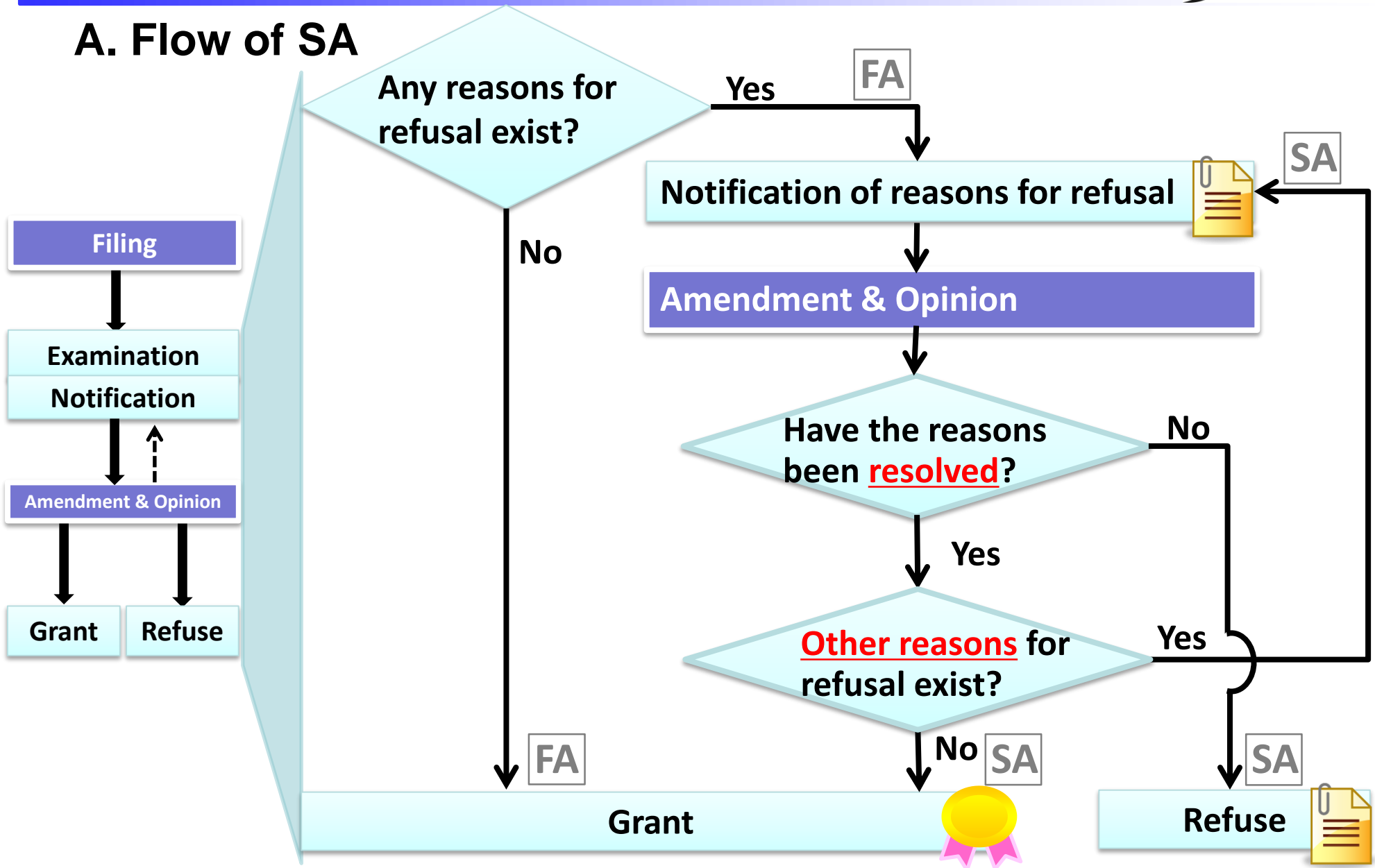


- I. Overview
- II. First Action (FA)
- III. Second Action (SA)

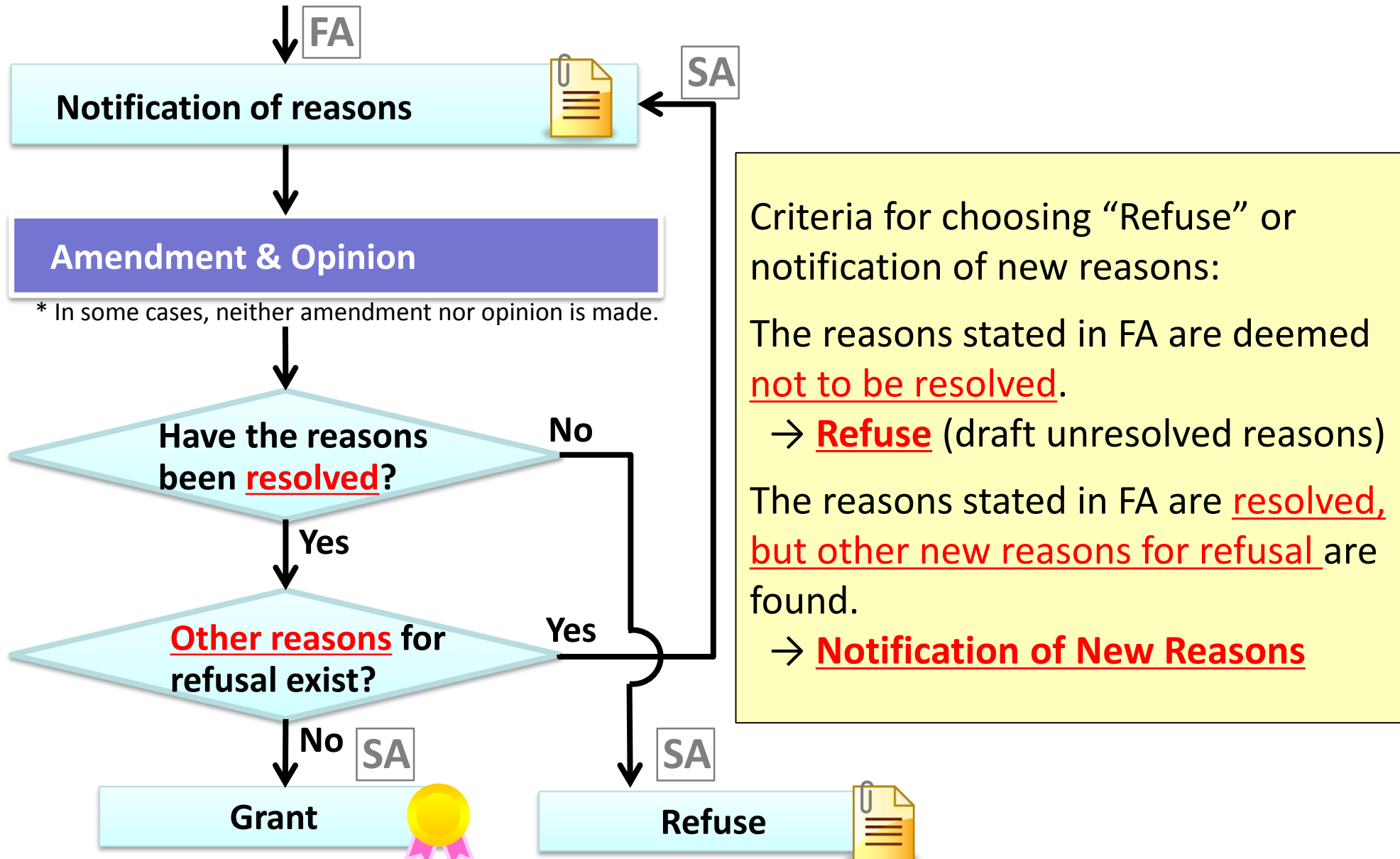
III. Second Action (SA)

A. Flow of SA



III. Second Action (SA)

B. Criteria for “Final Decision or Another Notification” (JP)



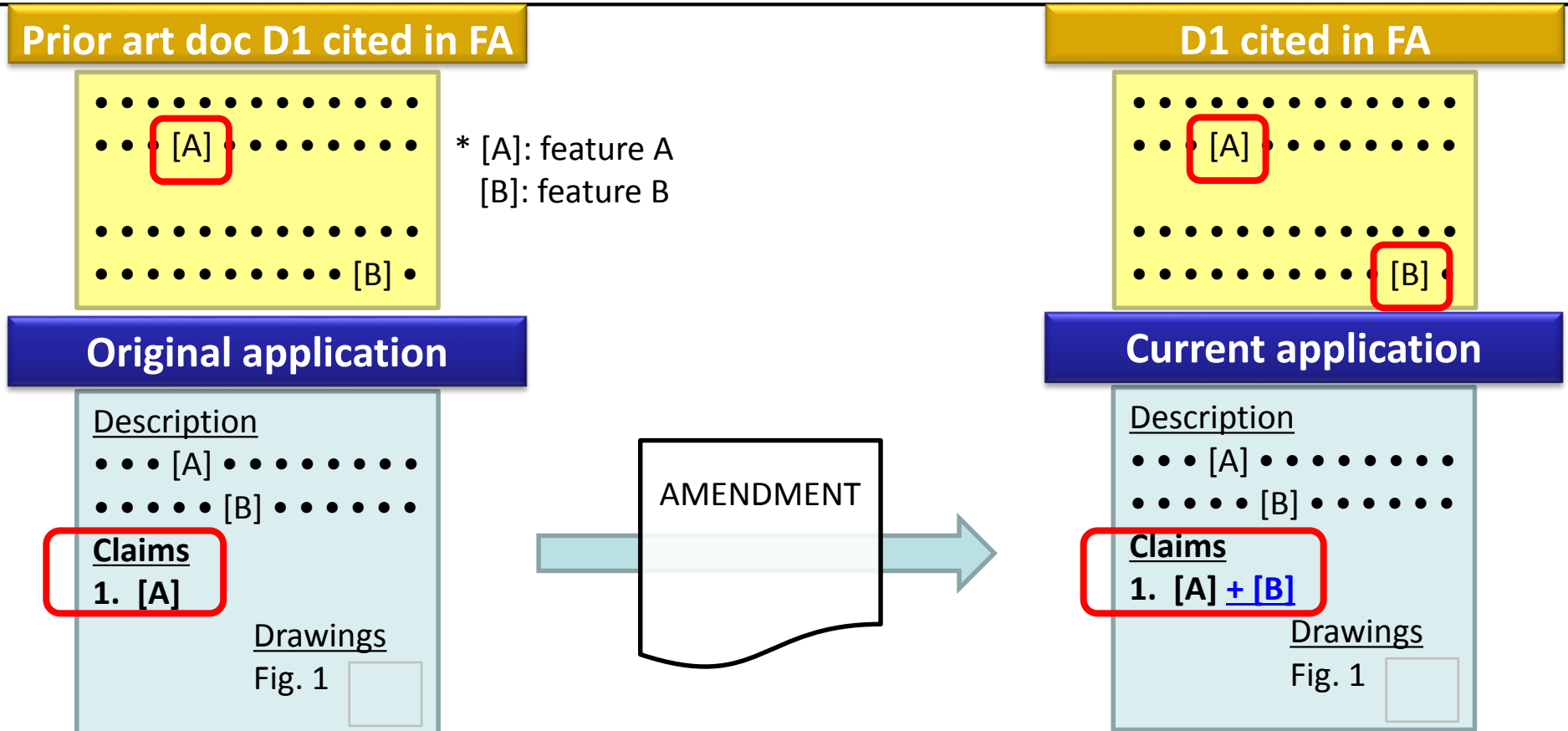
C. Examples of “Refuse” or “Notification of New Reasons”

- Amended part of a claim is mentioned in the prior art document cited in FA
 - Addition of a well-known art to a claim
 - Addition of a commonly used art to a claim
 - The reasons are deemed not to be resolved
 - **Refuse**
-
- Against the amended claim, a new prior art document is found other than the well-known art and the commonly used art
 - Amendment made the claim or description unclear
 - Amendment added a new matter to the claim or description
 - The reasons stated in FA are resolved, but other new reasons for refusal are found
 - **Notification of New Reasons for Refusal**

III. Second Action (SA)

D. Examples of “Refuse” 1/2

- Amended part of a claim is mentioned in the prior art document cited in FA



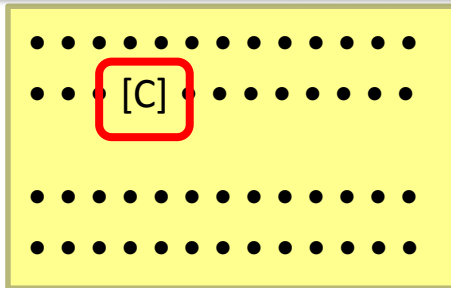
→ The reasons are deemed not to be resolved
→ **Refuse**

III. Second Action (SA)

D. Examples of “Refuse” 2/2

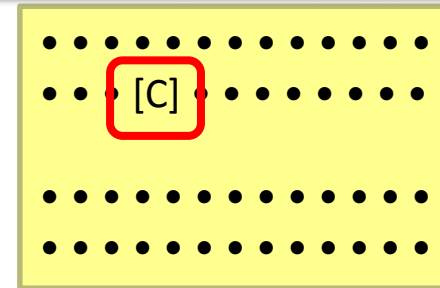
- Addition of a well-known art to a claim
- Addition of a commonly used art to a claim

Prior art doc D1 cited in FA



* [C]: feature C

D1 cited in FA



Original application

Description

- [C] • [well-known art] •
- [commonly used art] • •

Claims

1. [C]

Drawings

Fig. 1



AMENDMENT

Current application

Description

- [C] • [well-known art] •
- [commonly used art] • •

Claims

1. [C] + [well-known art]

Drawings

Fig. 1



or

Description

- [C] • [well-known art] •
- [commonly used art] • •

Claims

1. [C] + [commonly used art]

Drawings

Fig. 1

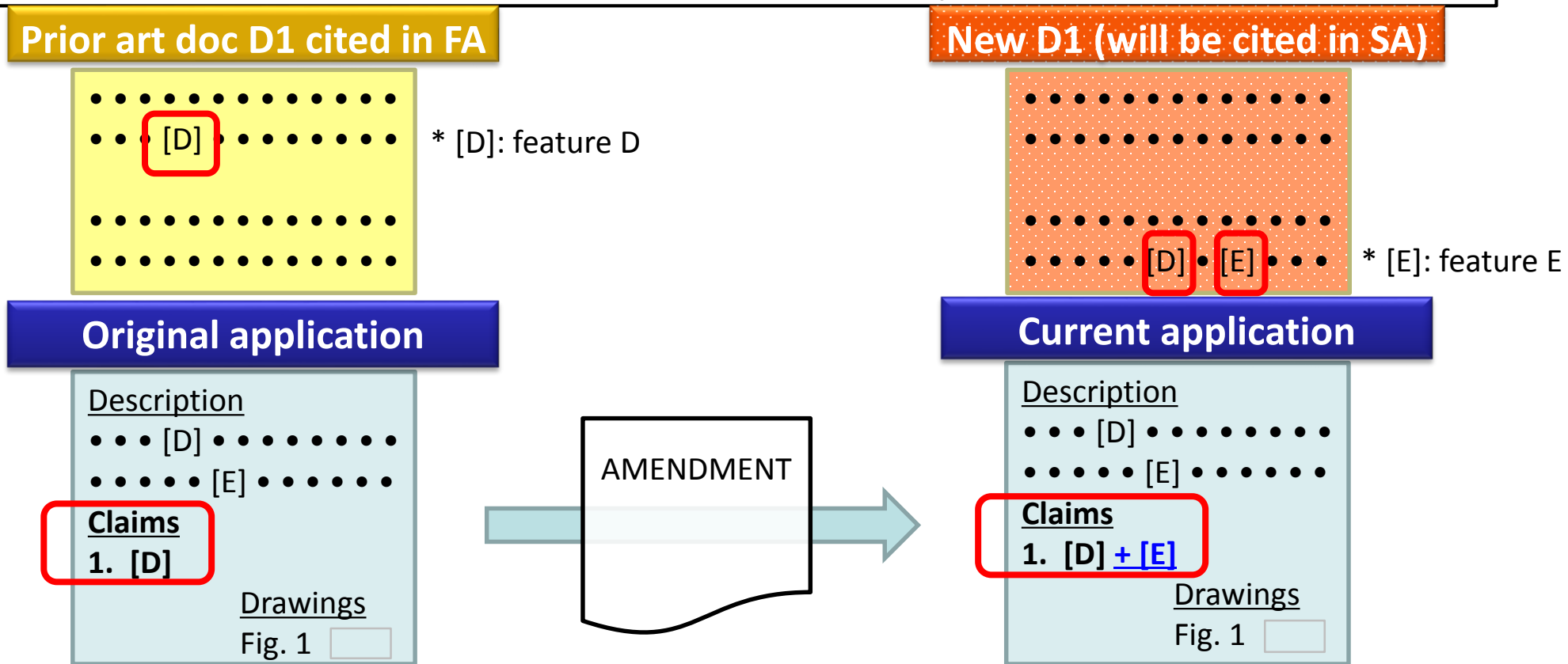


→ The reasons are deemed not to be resolved
→ **Refuse**

III. Second Action (SA)

E. Examples of “Notification of New Reasons for Refusal” 1/2

- Against the amended claim, a new prior art document is found other than the well-known art and the commonly used art



- The reasons stated in FA are resolved, but
other new reasons for refusal are found
- Notification of New Reasons for Refusal

III. Second Action (SA)

E. Examples of “Notification of New Reasons for Refusal” 2/2

- Amendment made the claim or description unclear
- Amendment added a new matter to the claim or description

Prior art doc D1 cited in FA

.....
• • • [F] • • •
.....
.....

* [F]: feature F

D1 cited in FA

.....
• • • [F] • • •
.....
.....

Original application

Description

• • • [F] • • •
• • • • • [G] • • • • •

Claims

1. [F]

Drawings

Fig. 1

* [G]: feature G

AMENDMENT

Current application

Description

• • • [F] • • •
• • • • • [G] • • • • •

Claims

1. [F] + unclear [G]

Drawings

Fig. 1

or

Description

• • • [F] • • •
• • • • • [G] • • • • •

Claims

1. [F] + [new matter]

Drawings

Fig. 1

- The reasons stated in FA are resolved, but
other new reasons for refusal are found
→ Notification of New Reasons for Refusal

F. Points to consider

- Opportunity for amendment

The applicant's opportunity for amendment may not be unreasonably limited.

- Suggestion of amendment

In a notice of reasons for refusal, the examiner may suggest an amendment, which enables applicants to easily respond and thus contributes to prompt and precise examination.

- Communication

When it is considered to contribute to prompt and precise examination, examiners could communicate with the applicant through an interview, by telephone, or by facsimile.