Prior Art Search
- Entry level -

Japan Patent Office

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Let's begin our prior art search lecture.

I. Basics of Prior Art Search
II. Search Strategy
III. Search Tool - J-PlatPat
IV. Search Tool - PATENTSCOPE

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Here is the outline of this lecture.

1. Basics of Prior Art Search

2. Search Strategy

3. Search tool – J-PlatPat

4. Search tool – PATENTSCOPE

I.   **Basics of Prior Art Search**

II.   Search Strategy

III. Search Tool - J-PlatPat

IV.   Search Tool - PATENTSCOPE

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First, let me explain the basics of Prior Art Search.

A. Backgrounds - 1/3

In Japan,

an Examiner shall, as the administrative agency,
determine whether a patent shall be granted or rejected
for the examined patent applications according to the
given regulatory requirements to decide granting or
rejecting a patent

(Japanese Patent Act Articles 47, 49, 50, and 51)

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Why do examiners have to conduct prior art searches?

One of the answers is that the law suggests it.

For example, articles 47, 49, 50, and 51 of the Japanese Patent act say that an examiner, as the administrative agency, shall determine whether a patent shall be granted or rejected according to the stated regulatory requirements for granting or rejecting a patent.

JPO
JAPAN PATENT OFFICE

A. Backgrounds - 2/3

Among regulatory requirements for patent, those closely related to a prior-art document search are

1) Novelty
2) Inventive step
3) Conflicting applications

Examiners normally need to conduct a **prior-art-search** to identify that the examined patent applications are in conformity with those requirements.

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Among the regulatory requirements for patents, the following items are closely related to prior-art document searches:
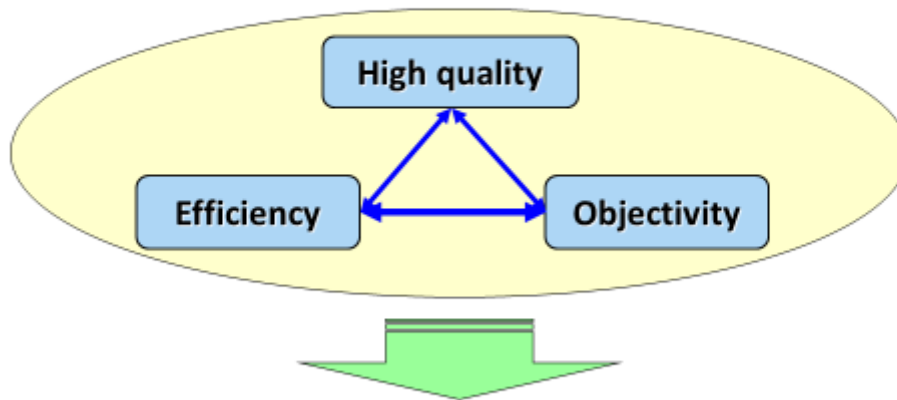
Firstly, Novelty.

Secondly, Inventive step.

Thirdly, Conflicting applications.

Examiners normally need to conduct a prior-art-search to identify whether the examined patent applications are in conformity with these requirements.

A. Backgrounds - 3/3

Three elements for an ideal search

High quality

Efficiency   Objectivity

Establishment of search strategies is necessary

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The next topic is that of ideal searches.

This slide shows the three elements for an ideal search.

   First: High quality.

   Second: Efficiency.

   Third: Objectivity.

To conduct prior art searches that satisfy these three elements, we need to establish search strategies.