

I. “Invention”

II. Eligibility for a Patent

III. Industrial Applicability

IV. Exercise

What is “invention”?

JPO Guidelines, Part III, Chapter 1

Article 2(1) of the Patent Act defines "invention" as "the highly advanced creation of technical ideas utilizing the laws of nature". An invention which does not comply with this definition shall not be patented. An invention for which a patent is sought shall be industrially applicable even if the patent complies with this definition, since the purpose of the Patent Act is the development of industry (Article 1). The main paragraph of Article 29(1) of the Patent Act provides the two following points as the patentability requirements:

- (i) A statutory "invention" (hereinafter, referred to as "eligibility for a patent" in this chapter)
- (ii) (ii) An "industrially applicable invention" (hereinafter, referred to as "industrial applicability" in this chapter)