

I. “Invention”

II. Eligibility for a Patent

III. Industrial Applicability

IV. Exercise

What is “Industry”?

“Industry” is interpreted in a broad sense, including mining, agriculture, fishery, transportation, telecommunications, etc., as well as manufacturing.

The following is a list of industrially inapplicable inventions.
In principle, an invention which does not correspond to any one of the following is considered as industrially applicable.

The Paris Convention Article 1

Industrial property shall be understood in the broadest sense and shall apply not only to industry and commerce proper, but likewise to agricultural and extractive industries and to all manufactured or natural products, for example, wines, grain, tobacco leaf, fruit, cattle, minerals, mineral waters, beer, flowers, and flour.

Industrially Inapplicable Inventions

1. Methods of surgery, therapy, or diagnosis of humans

- ✗ Methods for surgical treatment
- ✗ Method of disinfecting skin before injection
- ✗ Methods of preventing tooth decay or influenza
- A medical device
- A medicinal substance
- A method for controlling the operation of a medical device



Not eligible



Eligible

2. Commercially inapplicable inventions

- ✗ An invention applied only for personal use
(e. g., a method of smoking)
- ✗ An invention applied only for academic or
experimental purposes
- marketable or tradable subject matter is considered
commercially applicable



Not eligible

3. Practically inapplicable inventions

- ✗ a method for preventing an increase in ultraviolet
rays associated with the destruction of the ozone
layer by covering the whole earth's surface with an
ultraviolet ray-absorbing plastic film.



Not eligible