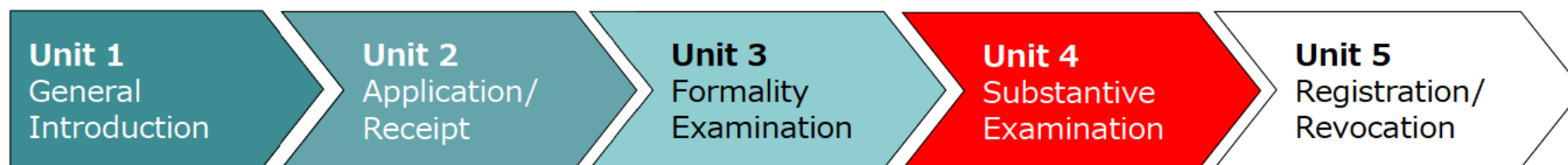


IP Office's Business Process

Substantive Examination



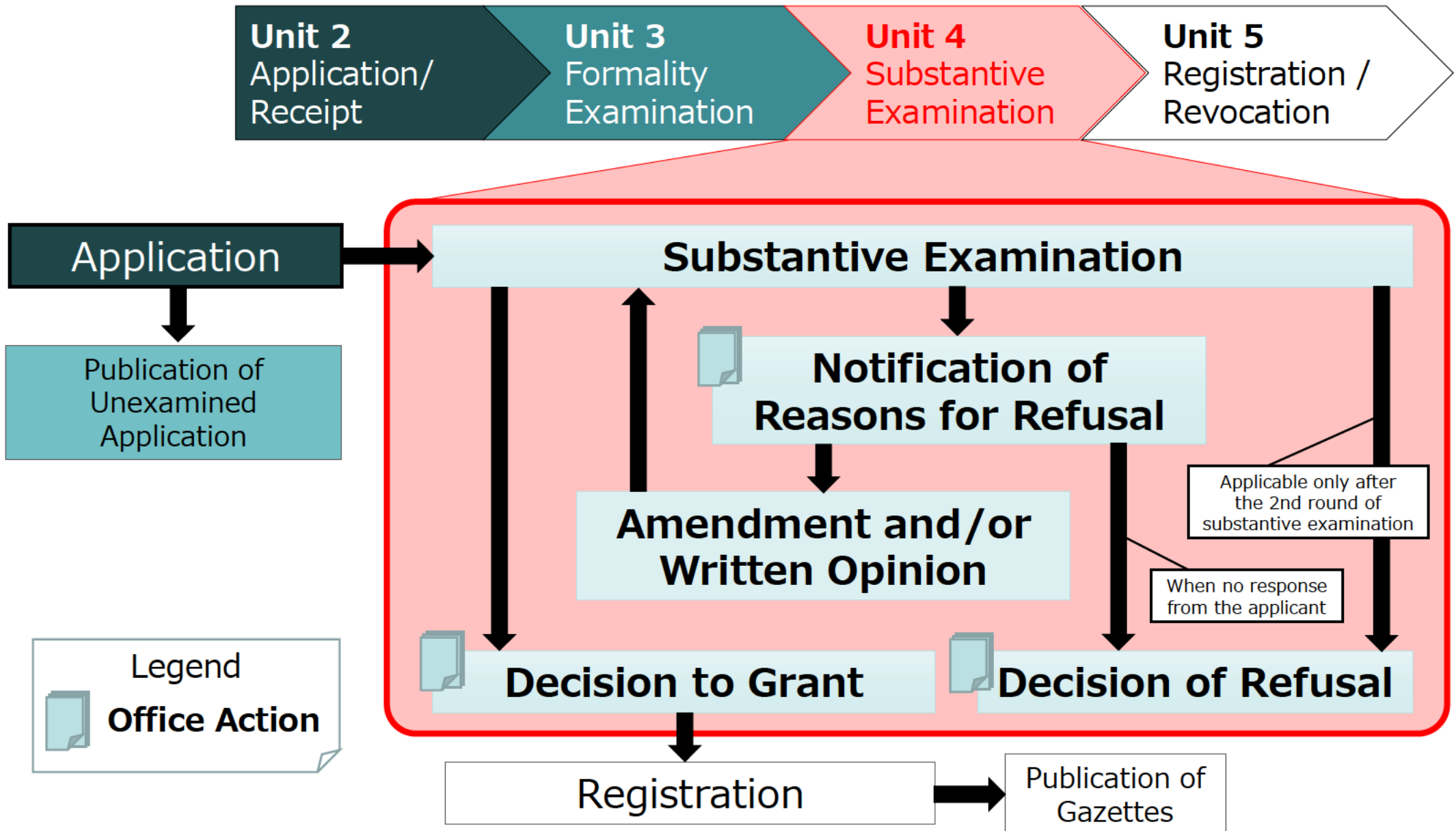
Japan Patent Office

Table of Contents

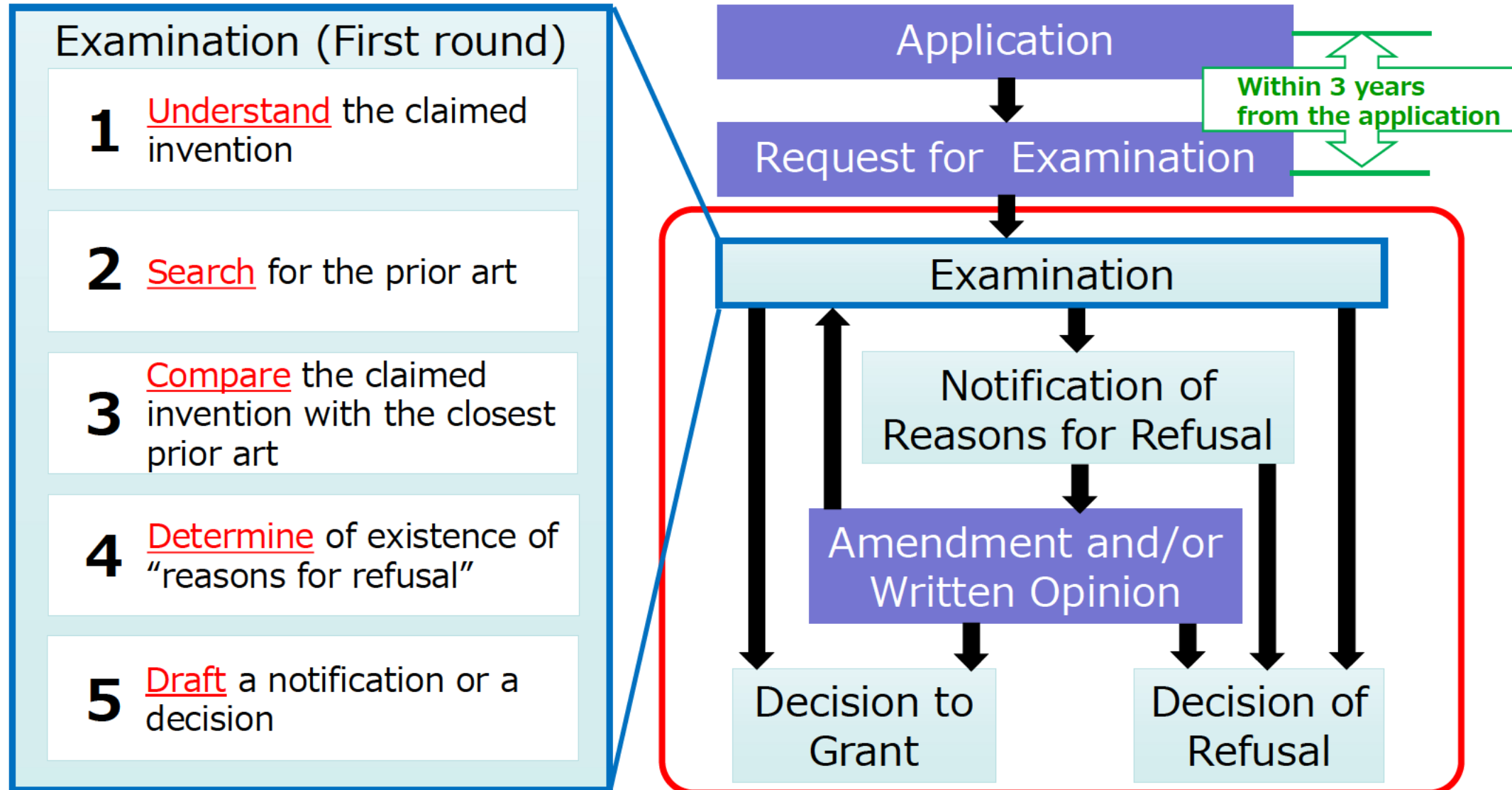
- Overview of Substantive Examination
- Management of Substantive Examination at JPO
 - Manpower/Training
 - IT Support
 - Outsourcing
 - Quality Management System

Substantive Examination

- Overview Flowchart of Substantive Examination



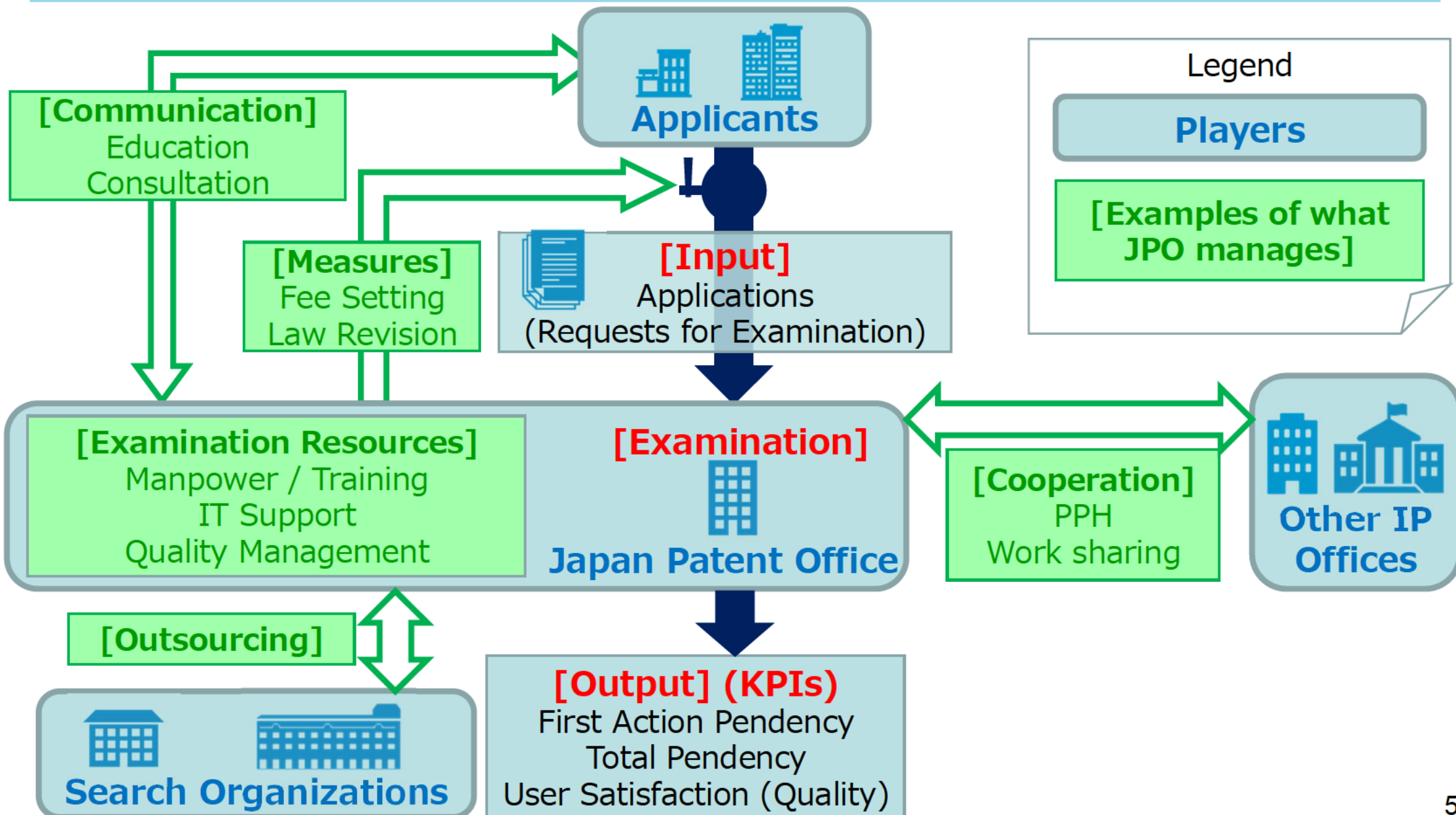
- Patent Examination in JPO (as an example of a concrete flow)



“Reasons for refusal”: Incompliance with the requirements of unity of invention, the requirements of description and claims, or the requirements for amendments; lack of novelty or inventive step; etc.

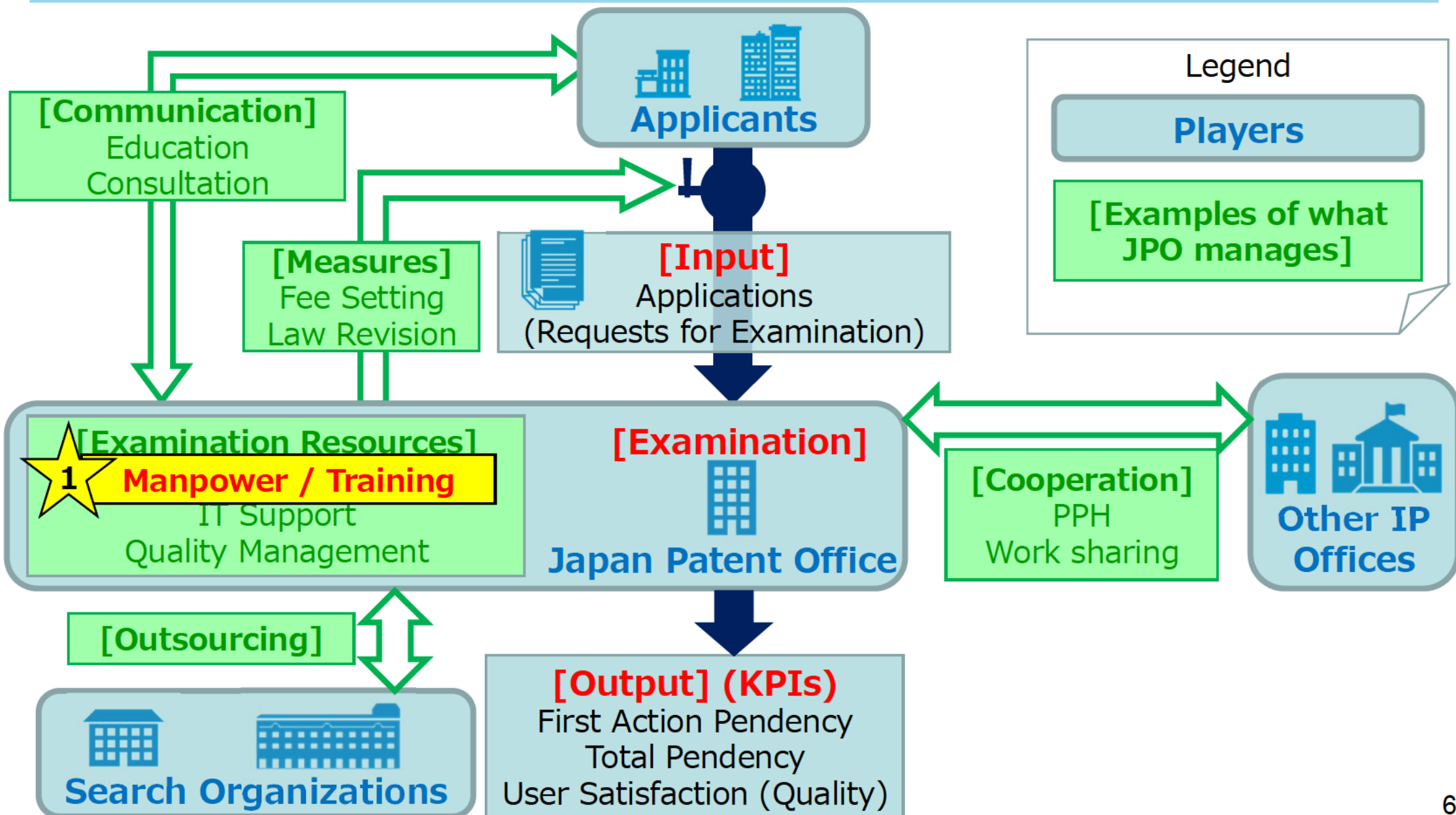
Substantive Examination

- Management of Substantive Examination at JPO



Substantive Examination

- Manpower / Training

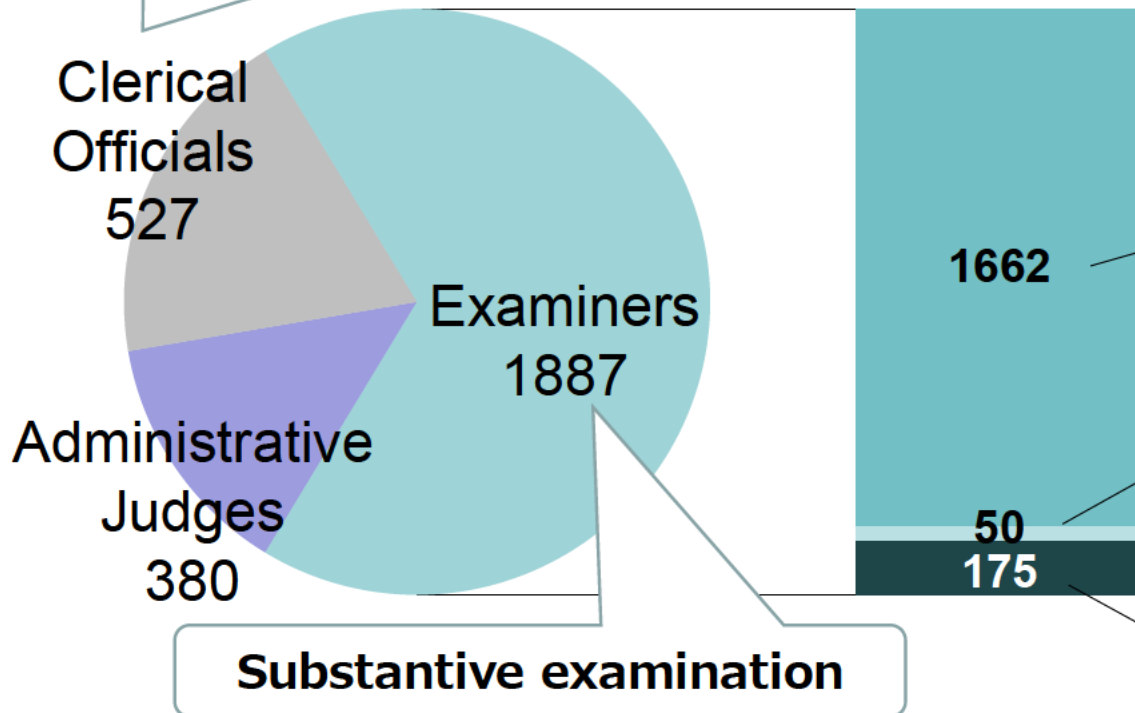


Substantive Examination

- [Manpower] Personnel Composition of the JPO

Total: 2794 people (FY2022)

Receipt, Formality examination,
Publication, Registration, etc.

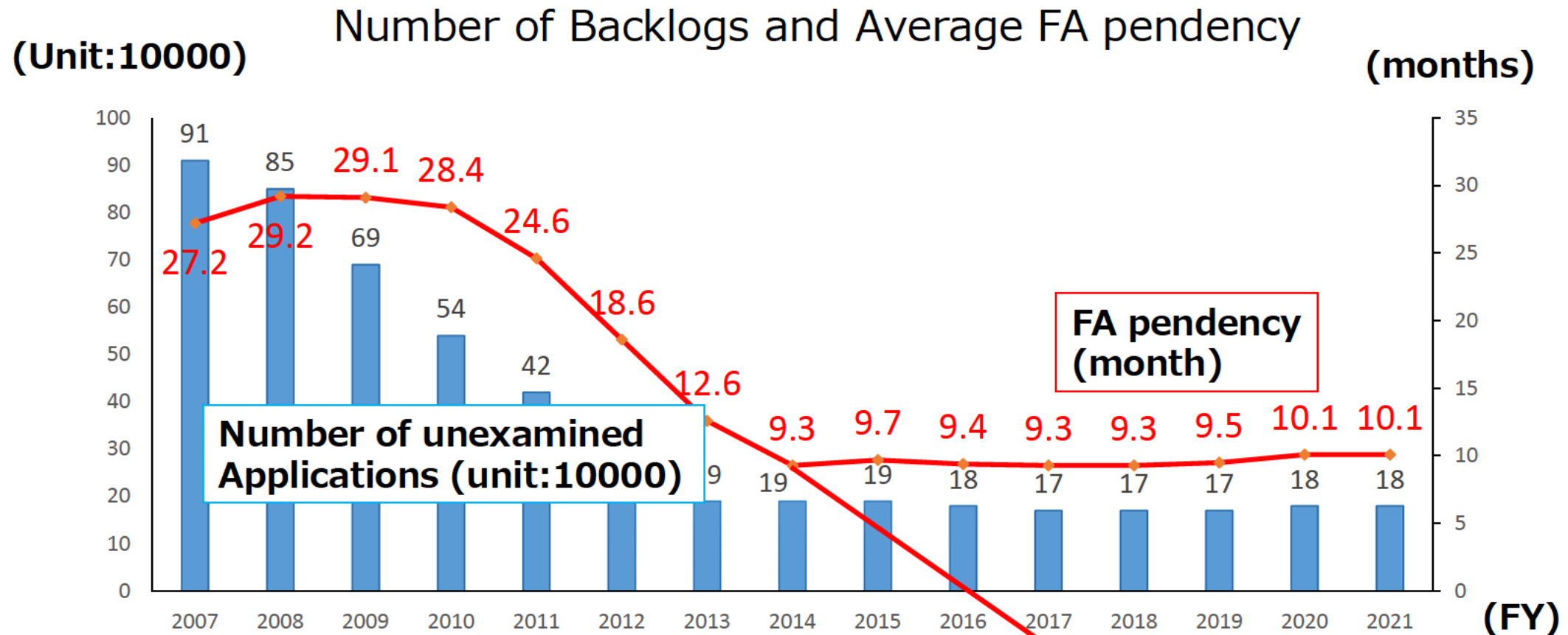


The numbers of office actions in 2021

Law	First Action	Decision to Grant
Patent	232,070	172,996
Design	31,959	27,773
Trademark	213,224	185,415

Substantive Examination

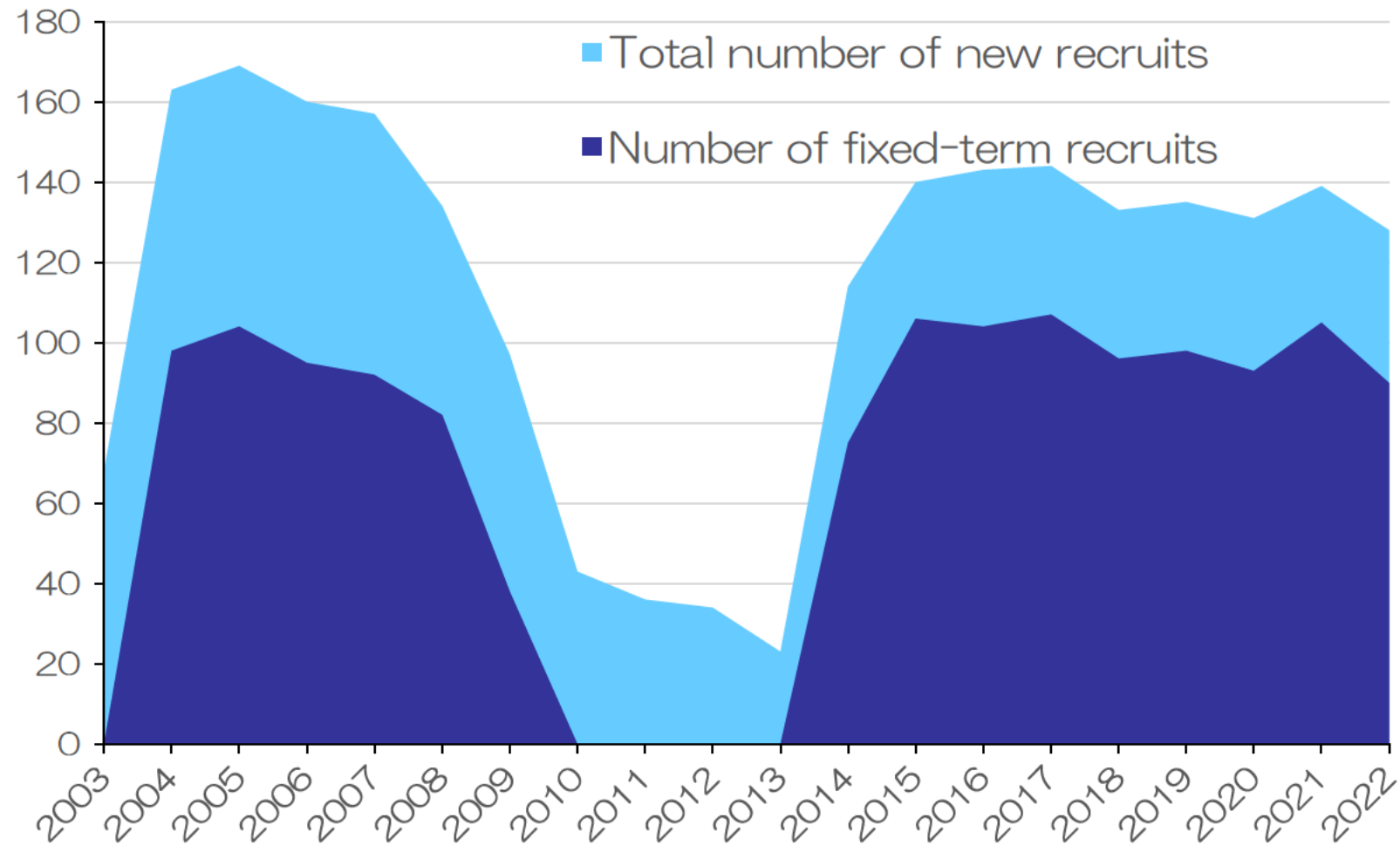
- JPO's efforts to shorten FA pendency



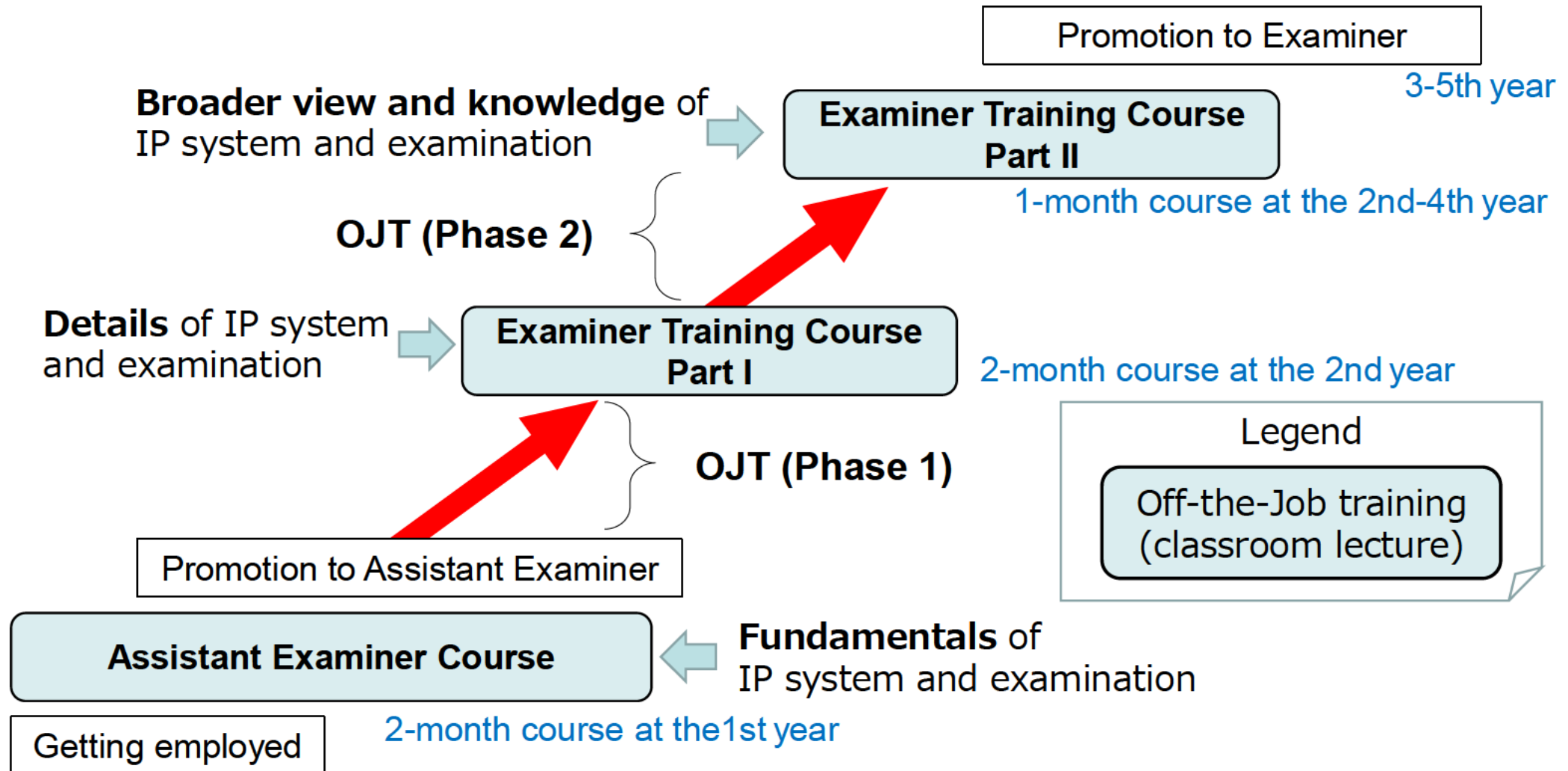
The JPO achieved its long-term goal, FA11 (*), in March 2014!

(*) Making First Action (FA) pendency less than 11 months at the end of March 2014

- [Manpower] Recruitment of Examiners

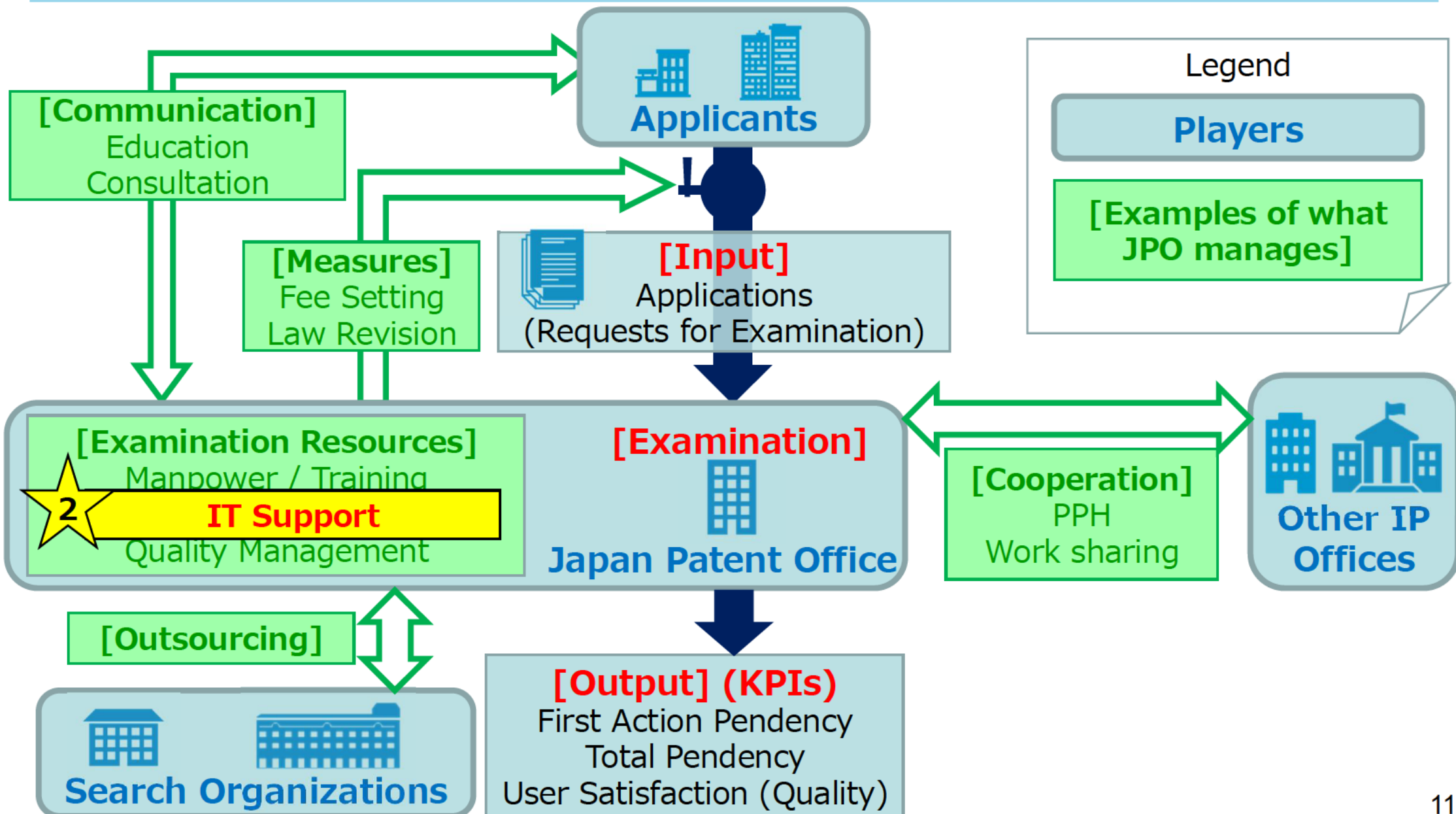


- [Training] Roadmap for competent examiners of the JPO



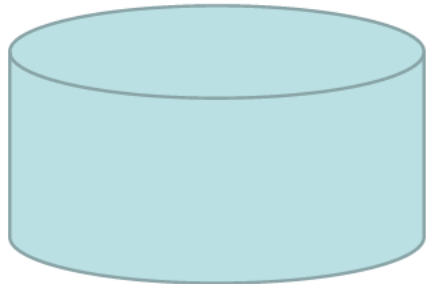
Substantive Examination

- IT Support

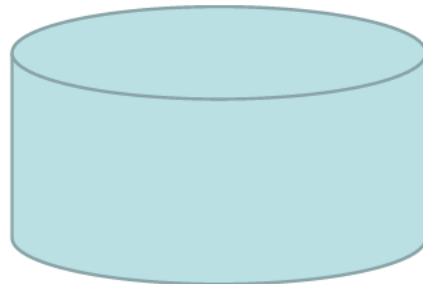


- Overview of JPO's IT system for substantive examination

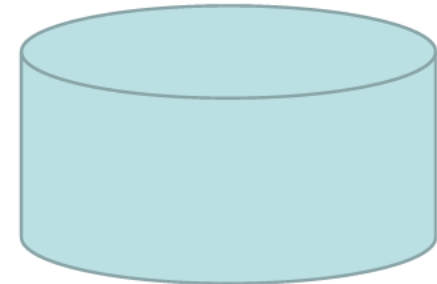
Systems for Patent Examination



DB for file histories

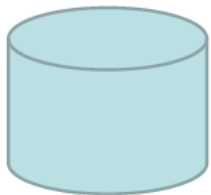


System for drafting
& approval

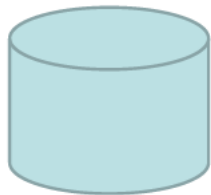


Search System

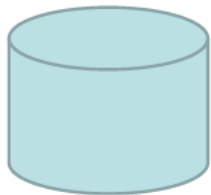
Systems for Design Examination



DB for file
histories

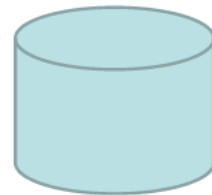


System for
drafting &
approval

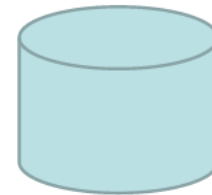


Search
System

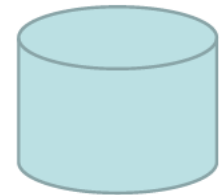
Systems for Trademark Examination



DB for file
histories



System for
drafting &
approval

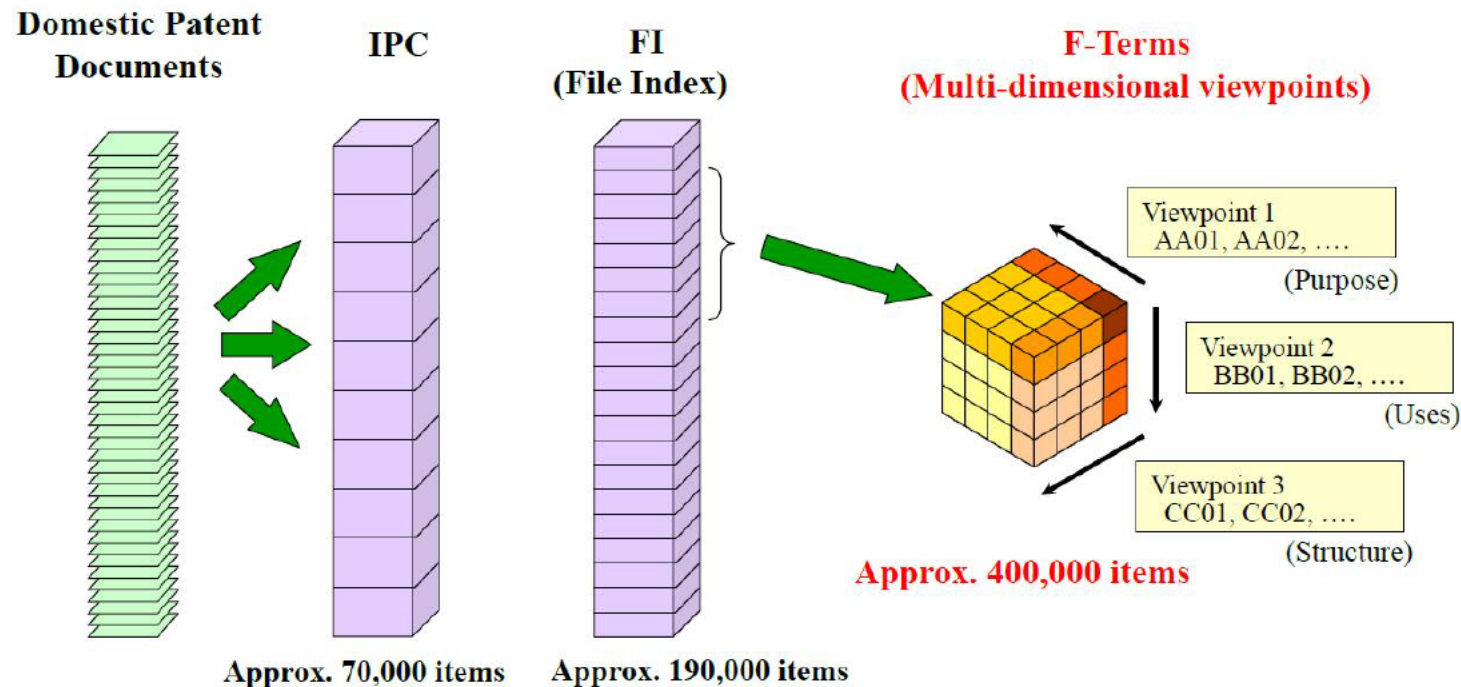


Search
System

Each system has been developed not only because of legal reason,
but also for improvement of productivity

- Examples of System Development to improve productivity at JPO

- F-term Search System (1990s -)**



- Full Text Search System (2000s -)**

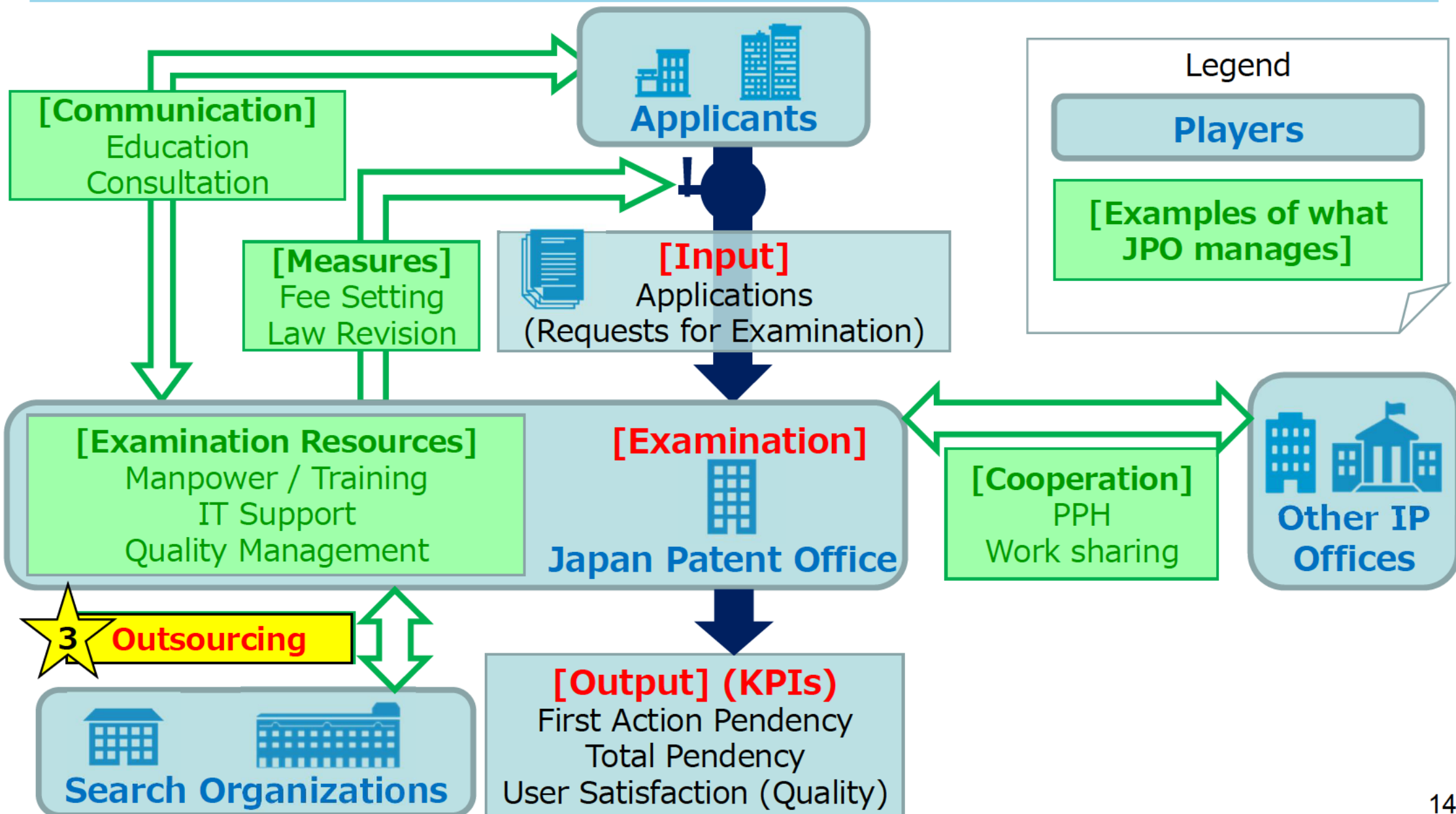
Gradually expanded the coverage of text data for old patent documents.

Expanded available operators (only "AND" & "OR" → plus "NOT" & proximity operators)

- Next Generation (Now developing)**

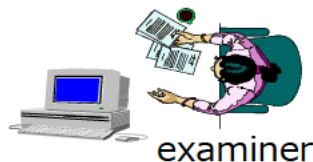
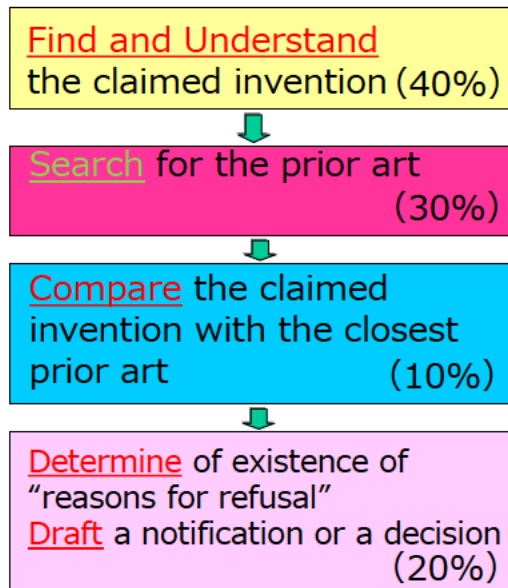
Substantive Examination

- Outsourcing

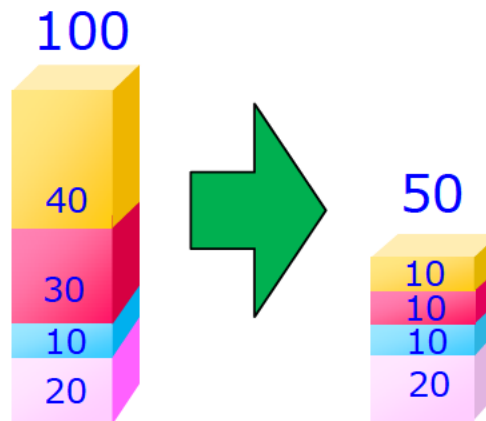


● An Example of Outsourcing (Prior Art Search in Patent Examination)

Examination without outsourcing

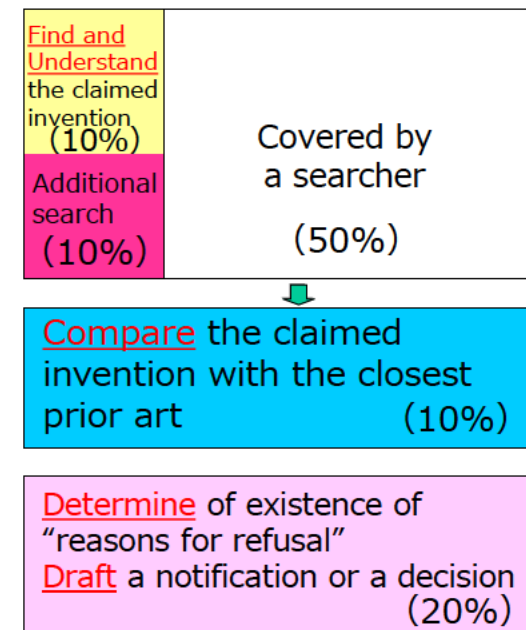


Reduce examiners' workload by 50%



In accordance with the law, search organizations must be registered and all searchers must be qualified,

Examination with outsourcing

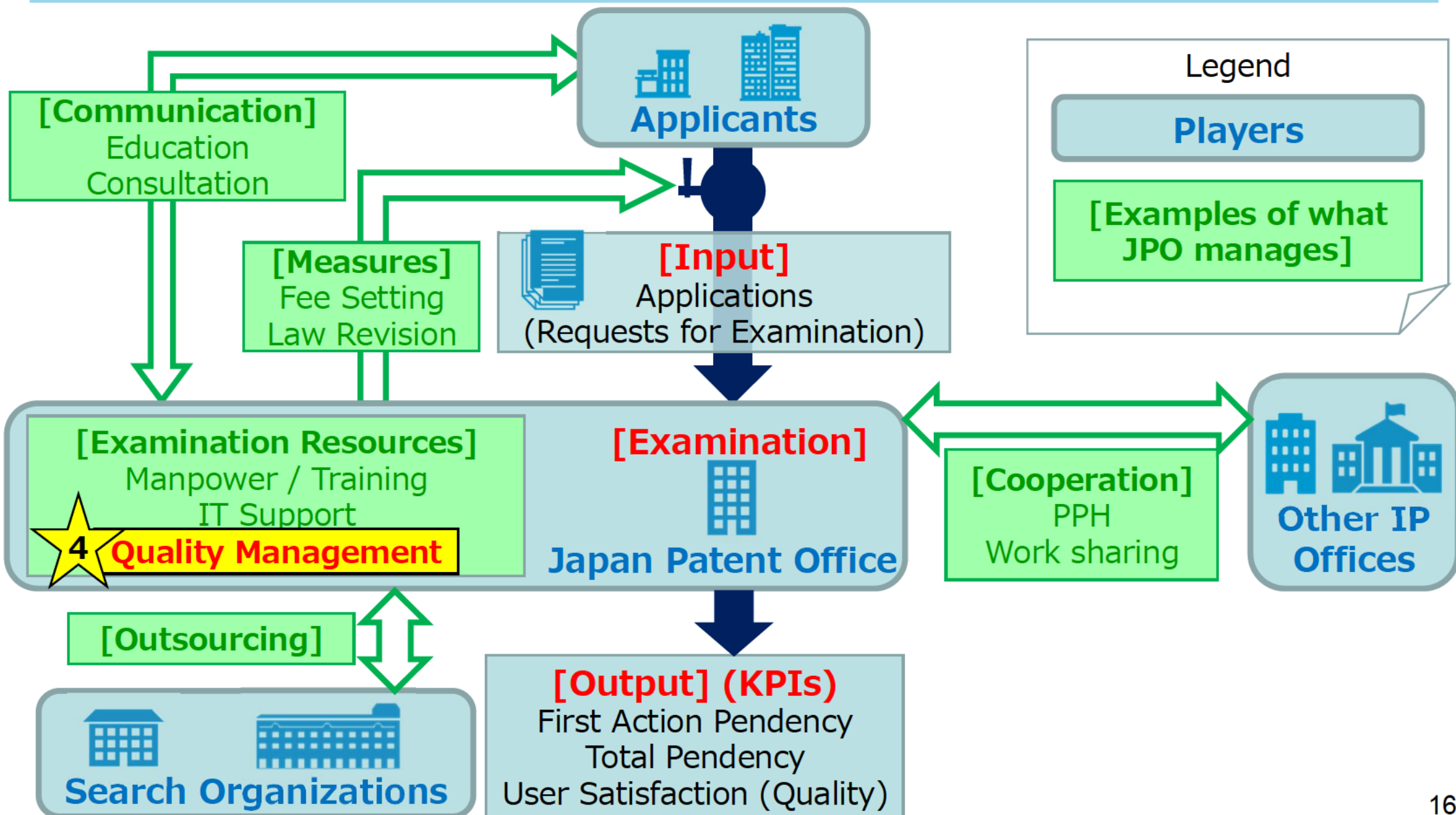


Report by dialogue

The searcher explains the claimed invention, specification, his/her search strategy, and found prior arts, etc. face-to-face with the examiner.

Substantive Examination

- Quality Management



Substantive Examination

- Guidelines as Criteria for Judgement & basis of Quality Management

- Basis of **fair, transparent** and **consistent** examination
- Similar nature to PCT International Search and Preliminary Examination Guidelines
- Open to public

Patent and Utility Model

Examination Guidelines

Examination Guidelines for
Patent and Utility Model in Japan
(Provisional Translation)

Examination Handbook

Examination Handbook
for Patent and Utility Model

Design

Examination Guidelines for Design
(Provisional translation)

Examination Guidelines

Examination Manual

意匠審査便覧

平成30年7月28日
特許庁審判第一課設計課
意匠審査基準室

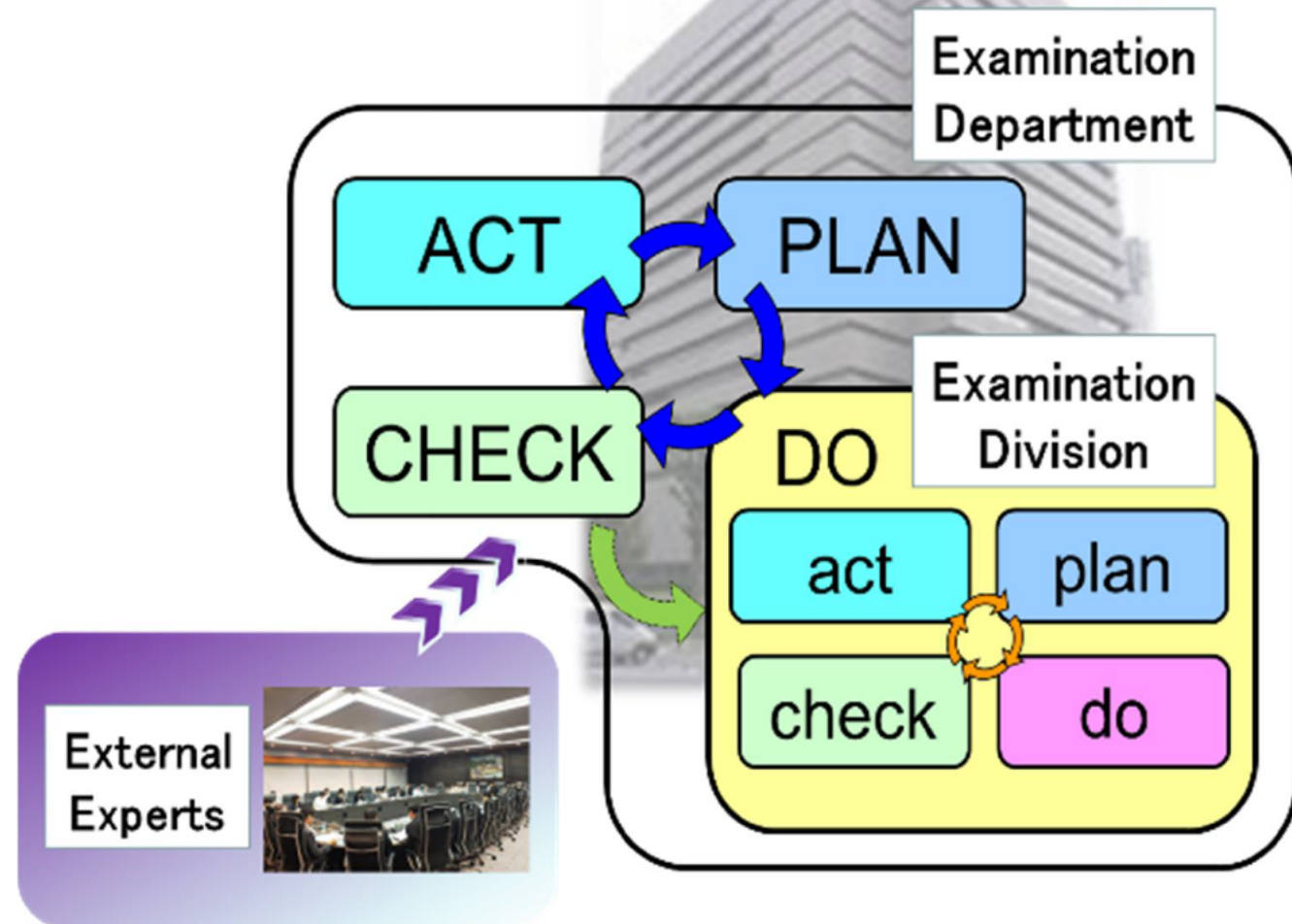
Trademark

Examination Guidelines

Examination Manual

Provided only in Japanese

- Quality Management System in JPO



Substantive Examination

- Example Activity for Quality Management in JPO

- **The Quality Management Office** compiles a report on "**User Satisfaction Survey**" every year.

Examination
Department

- **Quality Management Officers** conduct "**Quality Audits**(*)".

(*) Randomly selected notices and decisions are audited by a full examination process, including search and determination of "reasons of refusal".

ACT

PLAN

CHECK

DO

Examination
Division

act

plan

check

do

- **Directors check & approve** all notices and decisions.
- Experienced and **assigned examiners check** some drafts before a director's approval.

External
Experts



- **The committee evaluates** quality management in JPO every year.

Substantive Examination

- Summary and conclusion

