

(2) Prompt examinations in response to diverse needs

"Prompt and precise examination" is an imperative duty of patent administration based on the substantive examination principle. It is important that administration ensure the precision and promptness of examination.

Above all, production technology in technical fields undergoing rapid change in terms of technological innovation and model changes as well as the industrially feasible technology of small, medium and venture enterprises which need to quickly recoup their R&D investment require especially early patent granting. On the other hand, there is the view that, as regards basic inventions taking many years to develop for practical application as well as drug inventions that can be marketed only after clinical tests and subsequent approval examinations, setting the scope of each right based on confirmed technological trends and industrial trends assures effective protection. Under these circumstances, the need for promptness is actually diversified.

For this reason, the JPO took the radical expansion plan of accelerated examination in July 2000 to respond as much as possible to the needs of applicants. Prior to this, in April 2000, the JPO instituted coordinated examination of related applications in order to cater to requests for precise and quick examination of a group of applications technically related to each other (related applications). Furthermore, to respond to the diverse needs of applicants, efforts are being made to further intensify examination preparedness such as the continuous increase in the number of examiners and the expansion of outsourcing.

① Radical expansion of accelerated examination

For the purposes of allowing early use of R&D results and supporting global economic activities, etc., the JPO has been carrying out accelerated examination to respond to the need of applicants to acquire rights early.

A) Expanding the objects of accelerated examination applications

To ensure that small and medium enterprises (SMEs) and venture enterprises of limited means can compete, as well as to ensure that the research results of universities and public research institutes can be more actively used in society, the objects of accelerated examination applications was expanded in July 2000 to include applications from universities, public research institutes and SMEs, in addition to

applications concerning working-related and overseas-related technology. The below applications are included in the expanded range.

- i. An application in which an applicant or a person who has been granted a working license has exploited the invention (working-related application)
- ii. An application for an invention that has been filed not to the JPO but also to other offices(overseas-related application)
- iii. An application in which an applicant is a university, a junior college, a public research institute or an approved TLO or an authorized TLO
- iv. An application in which an applicant is a SME or an individual

B) Simplifying the procedures

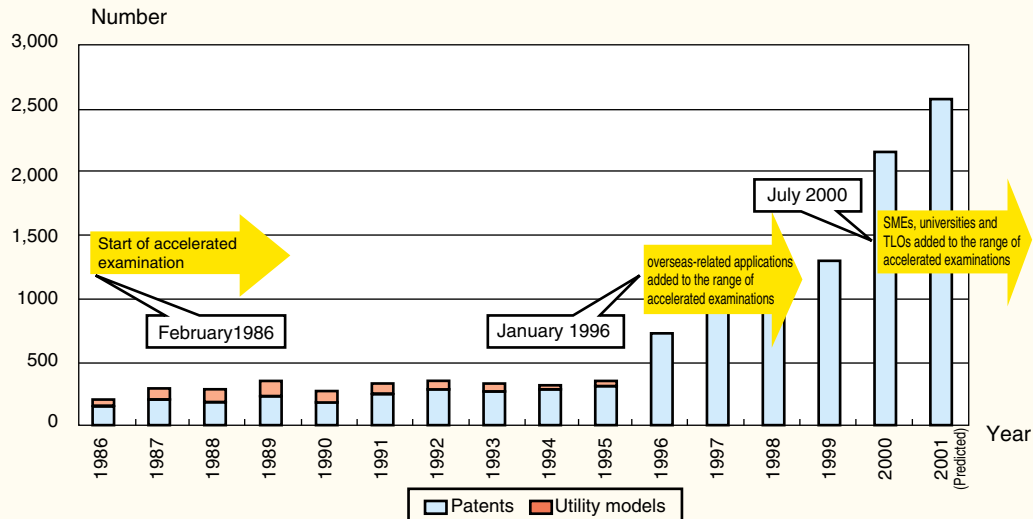
In addition to expanding the objects of accelerated examination applications, the procedures were drastically simplified as described below.

- i. On working related applications, a detailed description about the working situation that was required in the past can be omitted.
- ii. On overseas-related application, the indication of evidence (e.g. submission of copies of filing documents) that was required in the past can be omitted.
- iii. If prior arts or related arts are appropriately disclosed in the specification, an additional investigation or comparison explanation about them can be omitted.

C) Requests for accelerated examination

Accelerated examination started in 1986. Since then the number of requests for accelerated examinations has steadily increased due in part to past expansions of the objects of accelerated examination. With the recent expansion in the objects of accelerated examination applications and the recent simplifying the procedures, it is anticipated that requests for accelerated examination will increase further.

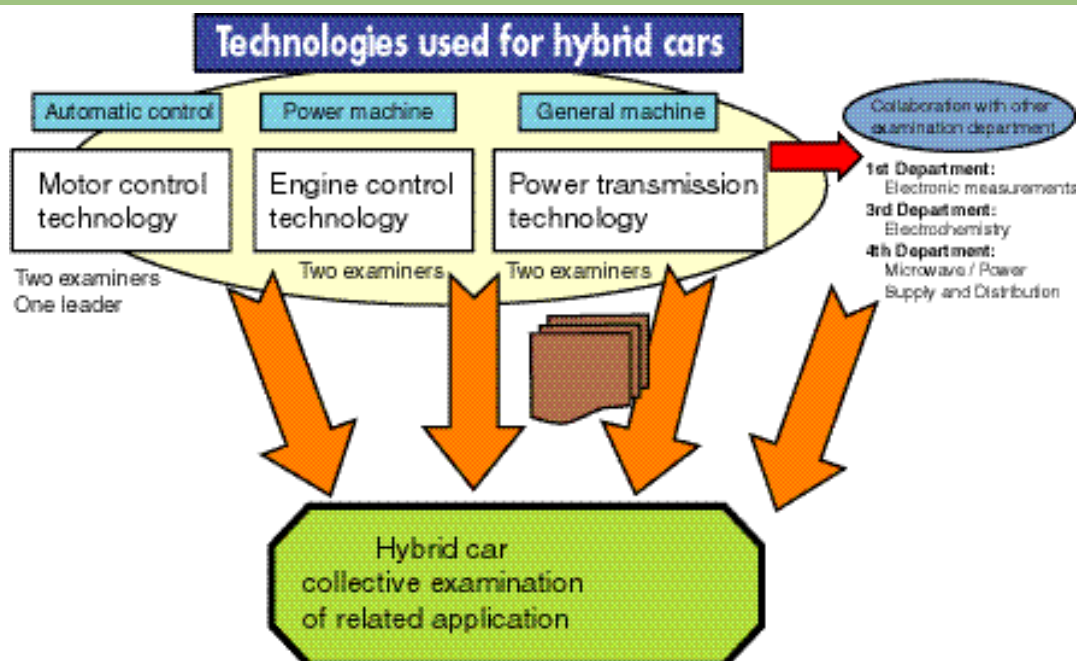
Number of explanation of circumstances concerning accelerated examination



②Promotion of coordinated examination of related applications

Collective examination is being actively promoted for groups of applications closely related technically (related applications). Group applications include application groups of composite technology and the like, those relating to identical products, as well as a series of applications by the same inventor. This specific examination by unified examination standard is being promoted precisely and in response to demand.

Example of collective examination of applications



③ Execution of circuit examination

Circuit examination, in which examiners visit outlying areas to conduct examinations by interview with SME applicants who have less opportunity to meet examiners for this purpose, has been carried out since FY 1996. In 2000, 1,140 circuit examinations were carried out in 20 prefectures.