

Example 2-2 (Sale of products embodying the design by commissioning a third party)  
A case where the creator transfers the right to obtain a design registration, the successor publishes the design by selling at the department store, and the successor files application for design registration.

## Certificate for the Application of Provisions on Exception to Lack of Novelty of Design

### 1. Facts of Publication

#### (i) Date of Sale

May 5, 2021

#### (ii) Name and Place of Sale

7th floor, ISHOU Department Store Main Building (Address: \*\*\*, \*\*-ku, Tokyo  
\*\*\*\*\*, JAPAN)

#### (iii) Person(s) Who Published the Design

ISHOU Department Store Co., Ltd. (Address: \*\*\*, \*\*-ku, Tokyo \*\*\*\*\*, JAPAN)

#### (iv) Contents of the Design Sold

Salesperson of ISHOU Department Store Co., Ltd. sold chair that was created by  
Hanako ISHOU at the 7th floor, ISHOU Department Store Main Building.

A photograph of the Chair

### 2. Facts of Succession to the Right to Obtain a Design Registration

Case of Person in Person in (ii)  $\neq$  Person in (iv)

#### (i) Creator(s) of the design published

Hanako ISHOU (Address: \*\*\*, \*\*-ku, Tokyo \*\*\*\*\*, JAPAN)

#### (ii) Person(s) having the right to obtain a design registration at the time of the act causing the publication of the design (Right holder(s) at the time of the act)

ISHOU Furniture Co., Ltd. (Address: \*\*\*, \*\*-ku, Tokyo \*\*\*\*\*, JAPAN)

#### (iii) Applicant(s) requesting a design registration (the person(s) stated in the application)

ISHOU Furniture Co., Ltd.

#### (iv) Person(s) who published the design

ISHOU Department Store Co., Ltd. (Address: \*\*\*, \*\*-ku, Tokyo \*\*\*\*\*, JAPAN)

#### (v) Succession to the right to obtain a design registration

The design published through the act of publication as stated in the Facts of Publication was created by Hanako ISHOU. The right to obtain the design registration for the design was transferred to ISHOU Furniture Co., Ltd. before the publication on March 19, 2021. ISHOU Furniture Co., Ltd. had retained a right

to obtain a design registration when requesting ISHOU Department Store Co., Ltd. to sell the chair on 日付 (at the time of the act causing the publication of the design). ISHOU Furniture Co., Ltd. filed an application for design registration on July 3, 2021.

- (vi) Relationship between the right holder(s) at the time of the act and the person(s) who published the design. (State that the person(s) who published the design made the publication of the design as a result of the act of the right holder(s) at the time of the act.)

ISHOU Furniture Co., Ltd. requested ISHOU Department Store Co., Ltd. to sell the chair that was created by Hanako ISHOU as stated in the Facts of Publication.

I hereby certify that the matters stated above are true and correct.

July 10, 2021

Jiro ISHOU, Chief Executive Officer, ISHOU Furniture Co., Ltd.

\* No certificate stamp or signature required