

Example 3-5 (Brochure distributed by a third party)

Case of a design published in a brochure (printed publication) distributed by a third party

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

1. Facts of Publication

(i) Date of issue

May 5, 2021

(ii) Printed publication (Title of the publication, volume number, issue number, corresponding page, publishing office or publisher, etc.)

Page 15 of “New Products for May 2021” by ISHOU Electronics Co., Ltd.

(iii) Person(s) who published the Design

ISHOU Electronics Sales Co., Ltd.

(iv) Contents of the design published

ISHOU Electronics Sales Co., Ltd. made the publication of the electric fan created by Saburo HIMITSU on page 15 of the brochure.

Attach the original or copy of the
above page containing the design
(electric fan) and the imprint.

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

(i) Creator(s) of the design published

Saburo HIMITSU (Address: ***, **-shi, Saitama *****, 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 Electronics Co., Ltd. (Address: ***, **-ku, Tokyo *****, JAPAN)

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

ISHOU Electronics Co., Ltd.

(iv) Person(s) who published the design

ISHOU Electronics Sales Co., Ltd. (Address: ***, **-shi, Saitama *****, 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 Saburo HIMITSU. Immediately after the fan was created and before the design was published, the right to obtain a design registration for the design was transferred to ISHOU Electronics Co., Ltd. on March 19, 2021. ISHOU Electronics Co., Ltd. had the right to obtain a design registration at the time

when the design was published. ISHOU Electronics 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 persons who published the design made the publication of the design as a result of the act of the right holder at the time of the act)

With regard to the electric fan which was created by Saburo HIMITSU and for which the right to obtain a design registration was transferred to Design Electric Co., Ltd., Design Electric Co., Ltd. requested Design Electric Sales Co., Ltd. to print and distribute the brochures as well as to sell the products. Accordingly, Design Electric Sales Co., Ltd. made the publication of the electric fan as stated in the Facts of Publication.

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

July 10, 2021

Saburo ISHOU, Chief Executive Officer, ISHOU Electronics Co., Ltd.

* No certificate stamp or signature required