

Part I Basics of How to Represent the Design in the Application

Designs protected under the Design Act are the shapes, patterns or colors, or any combination thereof (hereinafter referred to as “shape, etc.”) of an article, the shape, etc. of a building, or a graphic image, which creates an aesthetic impression through the eye. When filing an application for design registration, the design for which design registration is requested is represented by the application and the drawings, etc. attached to the application.

The kind of design for which protection is sought is stated in the column of “Article to the Design” in the application. If the design for which protection is sought cannot be recognized from the statement alone, applicants state the purpose of use or the method of use, etc. in the column of “Description of Article to the Design.” In addition, where necessary, applicants include reference views indicating the state of use in the attached drawings, etc. These basics are the same whether the design for which design registration is requested is an article, building or graphic image. It also applies to designs for a set of articles and interior designs.

The shape, etc. of the design for which design registration is requested is represented by drawings attached to the application. It can also be represented by photographs, specimens or models instead of drawings. In addition, if the shape, etc. requires explanation (e.g. if all or part of the shape, etc. is transparent; if the shape, etc. changes; or if size needs to be stated), applicants include the necessary explanation in the column of “Description of the Design.” If some of the views are omitted, such as, if they are identical or a mirror image to of another view, applicants include a statement to that effect in the column of “Description of the Design.”

Basics and points to be noted regarding how to make such statements will be explained as follows.

