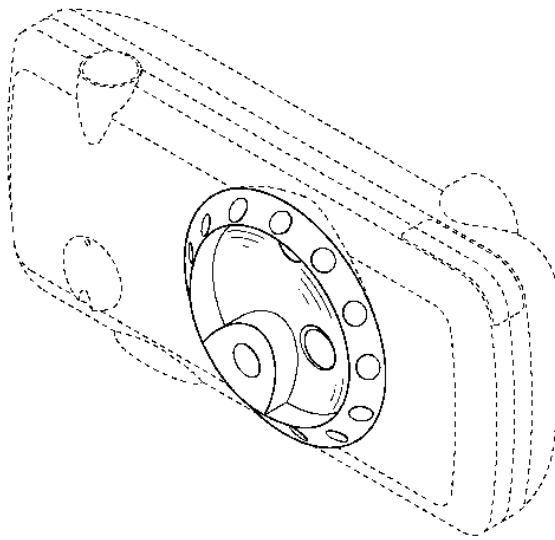


Part II How to Represent a Design for which the Design Registration is Requested for a Part of an Article, etc.

When design registration is requested for the shape, etc. of a part of an article, etc., representations such as statements in the application and drawings are, in principle, the same as for a whole design. There are also, however, some unique rules.

Following is an explanation about those unique rules for making statements and points to be noted.



1. Statement in the Application

1.1 The column of “Partial Design”

The column of “Partial Design” in the application is no longer required for applications filed on or after May 1, 2019.

1.2 The column of “Article to the Design”

Applicants state the article to the design as a whole of the article, etc., or the usage of the building or graphic image to the design in the column of “Article to the Design.” Therefore, when creating a camera, for example, if applicants want to request design registration for the grip part, they state “camera.” Be careful not to state “the grip part of the camera” instead.

The rules for making statements about the article to the design as a whole of the article, etc., or the usage of the building or graphic image to the design are the same as for a whole design.

1.3 The column of “Description of Article to the Design”

The usage and function of “the part for which the design registration is requested” shall be important elements based upon which a judgment is made. Therefore, in cases where it is difficult to help understand the usage and function of “the part for which the design registration is requested” through drawings alone, applicants give an explanation of the usage and function of said part (It is possible to give a clear explanation through reference views instead of stated explanation).

In cases where the purpose of use, state of use, etc. of the article, building or graphic image is unclear from statements in the column of “Article to the Design” alone, as is the case for a whole design, applicants include an explanation which can help in understanding the article etc., such as the purpose of use or state of use of the article etc.

1.4 The column of “Description of the Design”

In addition to what needs to be stated for a whole design, applicants state how “the part for which the design registration is requested” has been specified (see Part I, 1.3 The column of “Description of Design”).

- (1) How to state the method of specifying “the part for which the design registration is requested”
 - (i) Where the part for which the design registration is requested cannot be specified from statements in the drawings alone, applicants state how the part has been specified in the column of “Description of the Design” (Form No. 6 Note (12)). In cases of, for example, drawing “the part for which the design registration is requested” with solid lines and “any other part” with broken lines, the statement in the column of “Description of the Design” shall be that “The part represented by a solid line is the part for which the design registration is requested”. When drawing the boundary between “the part for which the design registration is requested” and “any other part” with dash-dotted lines, applicants make a statement to the effect that “The dash-dotted line is the one that indicates only the boundary line between the part for which the design registration is requested and any other part.” Likewise, in the case of distinguishing “the part for which the design registration is requested” from “any other part” by coloring, applicants make a statement to the effect that, for example, “Any part other than the part colored in xx (which is a single color that is not included in the design in the application) is the part for which the design registration is requested.”
 - (ii) As for a specimen or a model, applicants make a statement to the effect that, for example, “Any part other than the part painted over in black is the part for which the design registration is requested,” according to the rule on how to represent “the part for which the design registration is requested” in the case of a specimen or a model. (Form No. 8 Note (3)).
 - (iii) As for photographs substituted for drawings, applicants make a statement to the effect that, for example, “Any part other than the part painted over in black is the part for which the design registration is requested,” according to the rule on how to represent “the part for which the design registration is requested” in the case of a photographed object.

【書類名】	意匠登録願
【整理番号】	19-A-3-AN
【提出日】	令和〇〇年〇〇月〇〇日
【あて先】	特許庁長官 殿
【意匠に係る物品】	デジタルカメラ
【意匠の創作をした者】	
【住所又は居所】	東京都千代田区霞が関3-3-2
【氏名】	意匠 一郎
【意匠登録出願人】	
【識別番号】	000000003
【住所又は居所】	東京都千代田区霞が関3-3-3
【氏名又は名称】	意匠株式会社
【代理人】	
【識別番号】	100000023
【住所又は居所】	東京都千代田区霞が関3-3-4
【弁理士】	
【氏名又は名称】	代理 一郎
【電話番号】	03-3123-4567
【手数料の表示】	
【予納台帳番号】	012345
【納付金額】	16000
【提出物件の目録】	
【物件名】	図面1
【意匠に係る物品の説明】	この物品は、正面右寄りにスイッチ機構部が設けられ、保護カバーを回動させて使用する。
【意匠の説明】	実線で表した部分が、意匠登録を受けようとする部分である。
【書類名】	図面

← State how to specify the part for which design registration is requested

2. The Depiction in Drawings

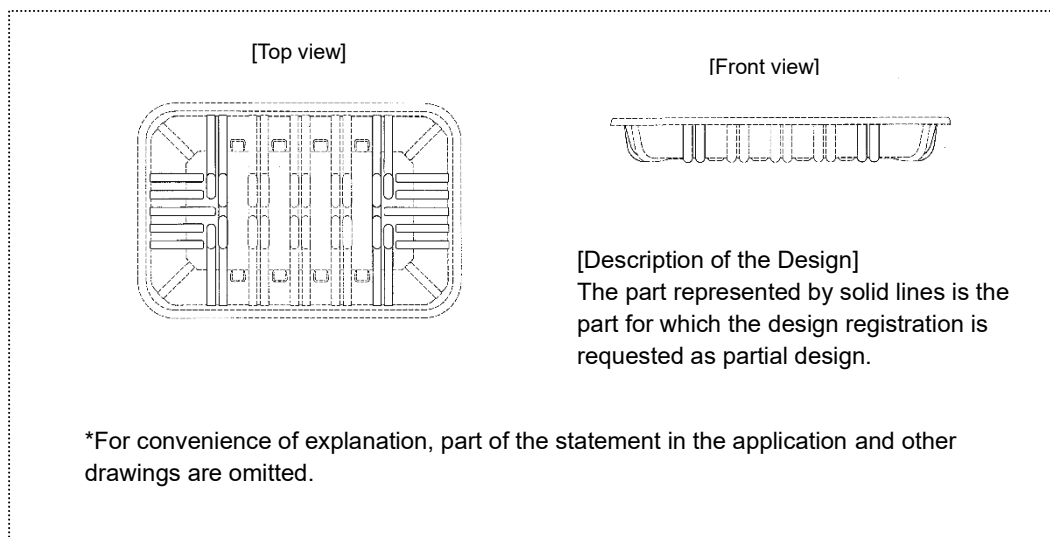
2.1 How to specify “the part for which the design registration is requested”

It is necessary to make it clear which part of the entire article, etc. is “the part for which the design registration is requested.” In order to do that, “the part for which the design registration is requested” should be drawn with solid lines, and “any other parts” should be drawn with broken lines. It is also possible to specify “the part for which the design registration is requested” by distinguishing “the part for which the design registration is requested” from “any other parts” by coloring, etc. Please note that the basic rules on how to depict each shape, etc. is the same as is mentioned in the previous chapter (Part I Basics of How to Represent the Design in the Application).

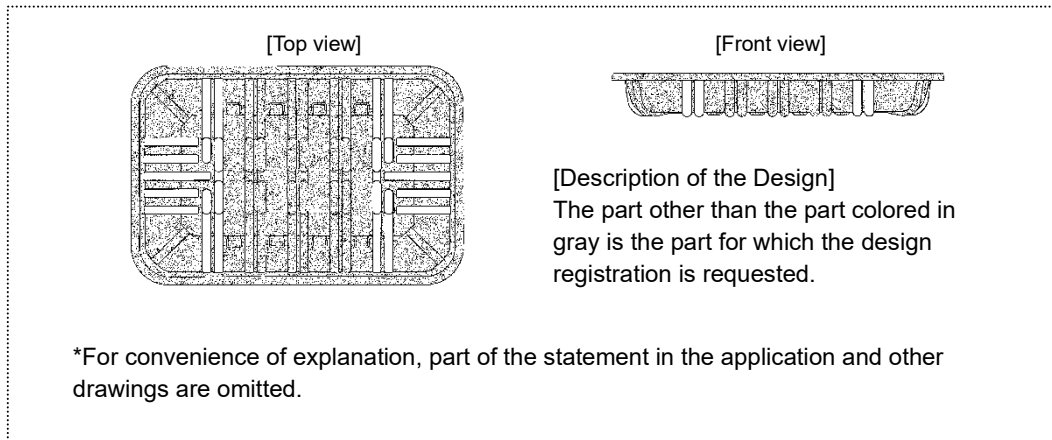
[Points to be noted in specifying the part]

- (i) Specifying “the part for which the design registration is requested” using “reference views” alone is not permitted.
- (ii) It is not allowed to specify “the part for which the design registration is requested” by surrounding the part by, for example, an indication line or a bold line.
- (iii) In cases where specifying “the part for which the design registration is requested” by distinguishing “the part for which the design registration is requested” from “any other parts” by coloring, etc., “any other parts” must be painted over in a single color that are not included in the design in the application. Please note that in cases where “the part for which the design registration is requested” is colored, the color itself is included in “the part for which the design registration is requested.”

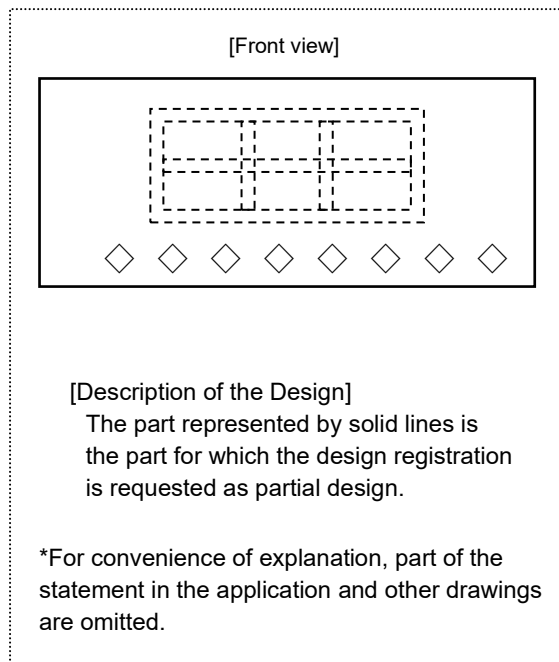
<Fig. 2.2-1> Example of distinguishing the parts by solid lines and broken lines



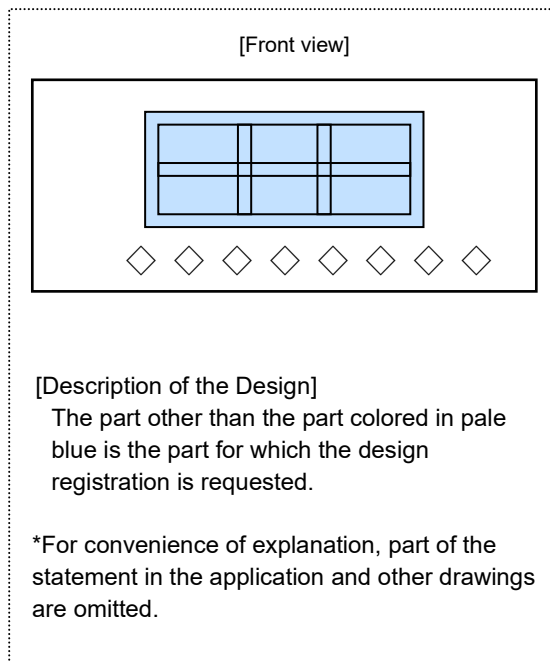
<Fig. 2.2-2> Example of coloring “any other parts” in gray



<Fig. 2.2-3>
Example of distinguishing parts by solid lines and broken lines



<Fig. 2.2-4>
Example of coloring “any other parts”

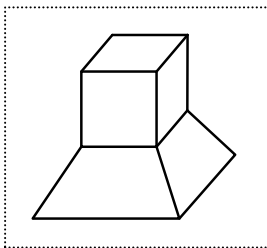


2.2 How to depict drawings specifically and points to be noted

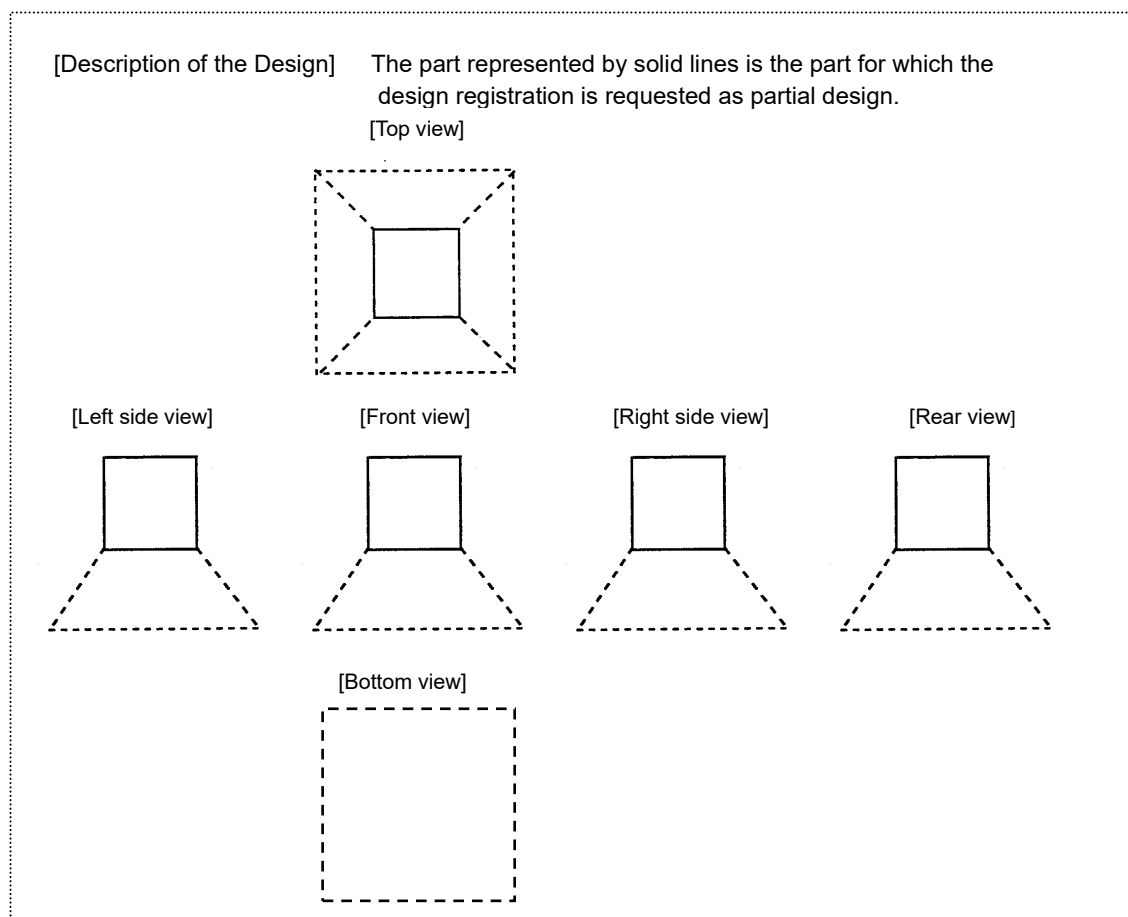
(1) How to depict “six views”

As for the three-dimensional shape in Figure 2.2-5, if the figure includes both the part for which the design registration is requested and other parts, applicants specify the part for which the design registration is requested, for example, by drawing the part for which the design registration is requested with solid lines and the other parts with broken lines, as shown in Figure 2.2-6.

<Fig. 2.2-5> Example of 3D shape



<Fig. 2.2-6> Example of how to state in “Description of the Design” and how to depict drawings



(2) How to depict “Sectional view”

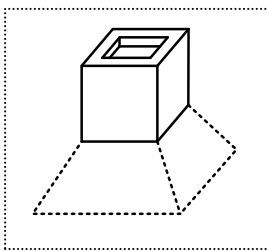
(i) General rules on how to depict “Sectional view”

A sectional view needs to be depicted in the same way that “the part for which the design registration is requested” is depicted to be distinguished from “any other parts” when you prepare six views.

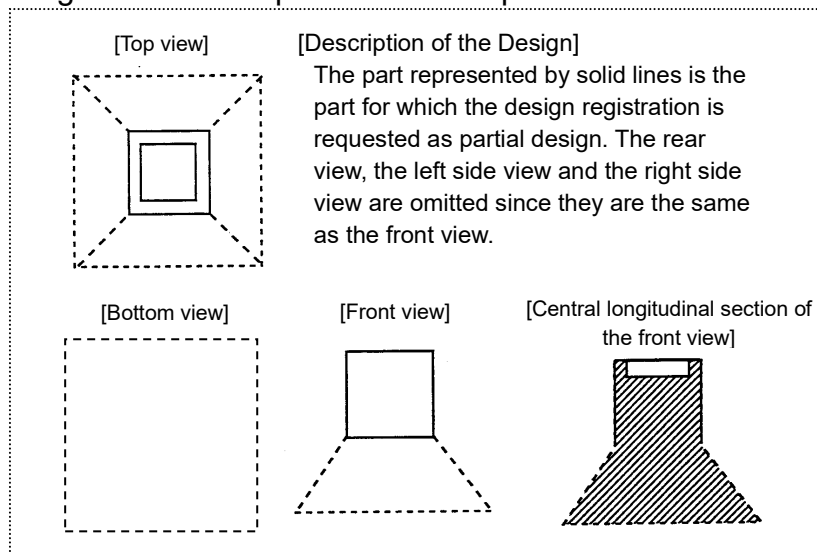
For example, in the case of a three-dimensional shape in Figure 2.2-7, only “the part for which the design registration is requested” is depicted with solid lines (it is not necessary to differentiate hatchings showing the cross section between the part and any other parts), as shown in the “Central longitudinal section of the front view” of Figure 2.2-8.

<Fig. 2.2-7>

Example of 3-D shape



<Fig. 2.2-8> Example of how to depict “Sectional view”



(ii) A sectional view that is necessary to specify the scope and the shape, etc. of “the part for which the design registration is requested”

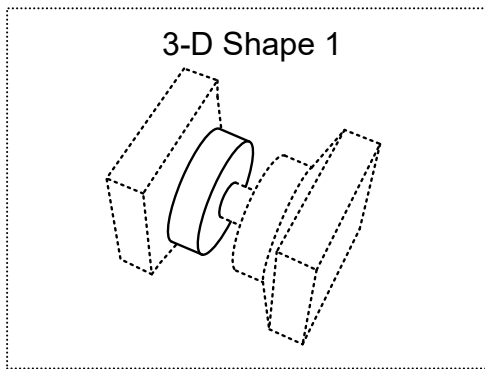
In cases where six views are not enough to specify the shape, etc. and the scope of “the part for which the design registration is requested,” applicants specify it by submitting a sectional view.

For example, in cases of preparing drawings in which the part represented by solid lines in the Three-Dimensional Shape 1 in Figure 2.2-9 is “the part for which the design registration is requested,” six views (Figure 2.2-10) alone cannot specify the shape, etc. of Three-Dimensional Shape 1 since several modes (Figure 2.2-11) can be possibly thought of.

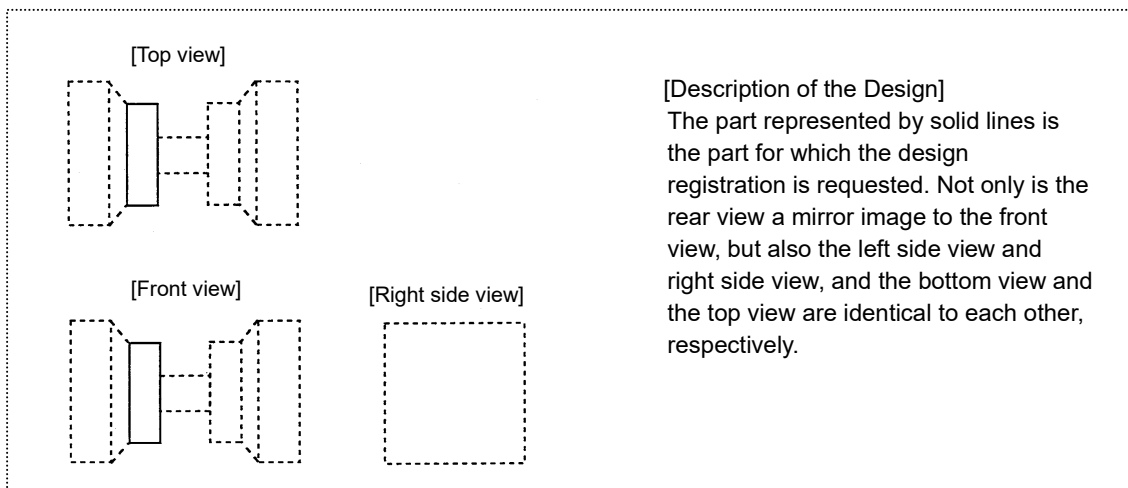
In such cases as this, as shown in Figure 2.2-12, applicants specify the scope and the shape, etc. of “the part for which the design registration is requested” by submitting two types of sectional view.

Please note that when using sectional views to specify “the part for which the design registration is requested,” applicants state in the column of “Description of the Design” that, for example, “The part for which design registration is requested is specified by various views, including sectional views.”

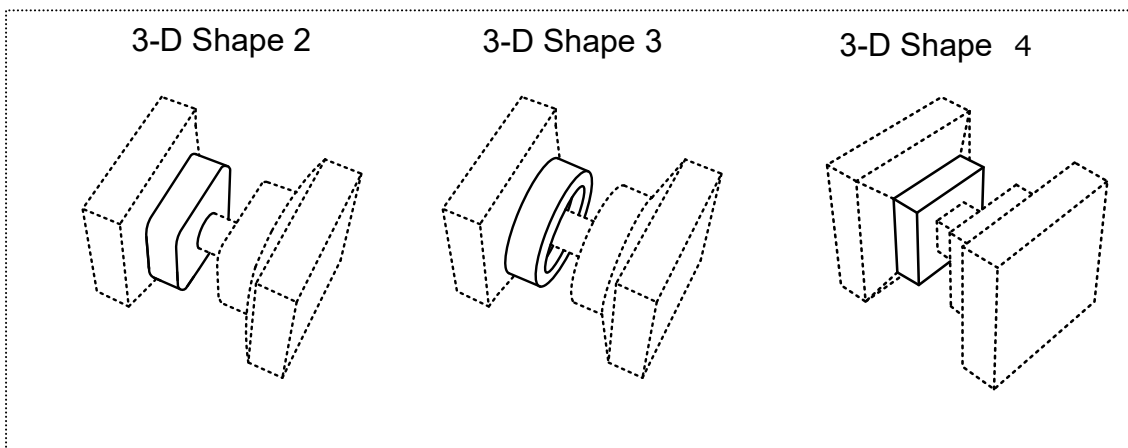
<Fig. 2.2-9> Example of 3-D shape



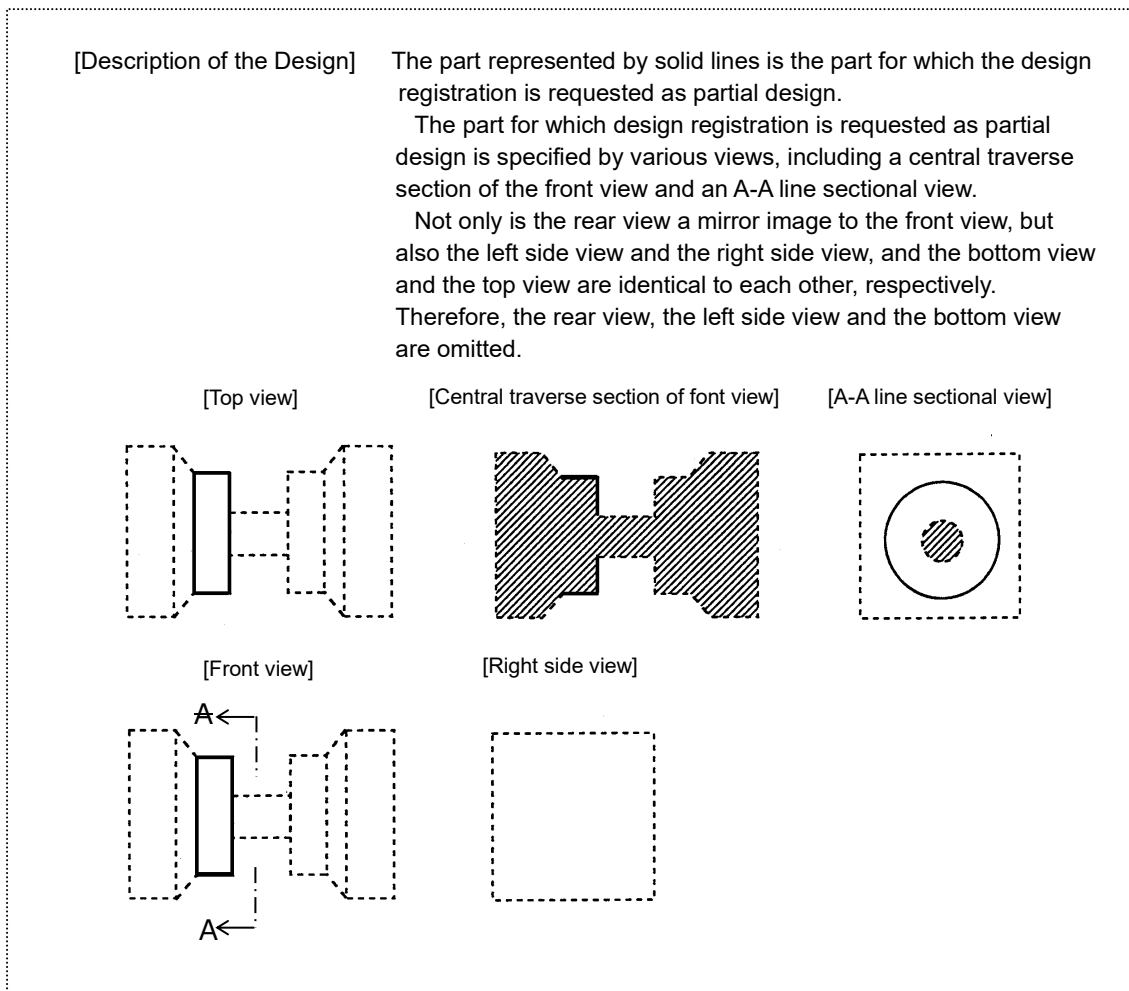
<Fig. 2.2-10> Drawing without sectional views



<Fig. 2.2-11> Possible Modes of partial design based on the drawing above



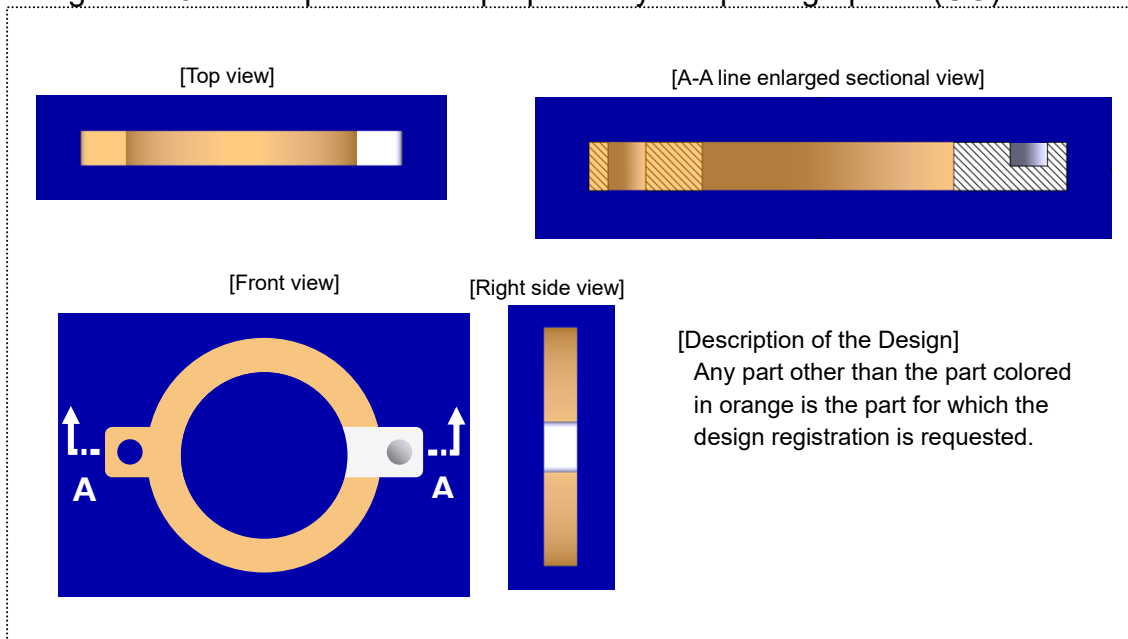
<Fig. 2.2-12> Drawings that can specify the scope and the shape, etc. of “the part for which the design registration is requested”



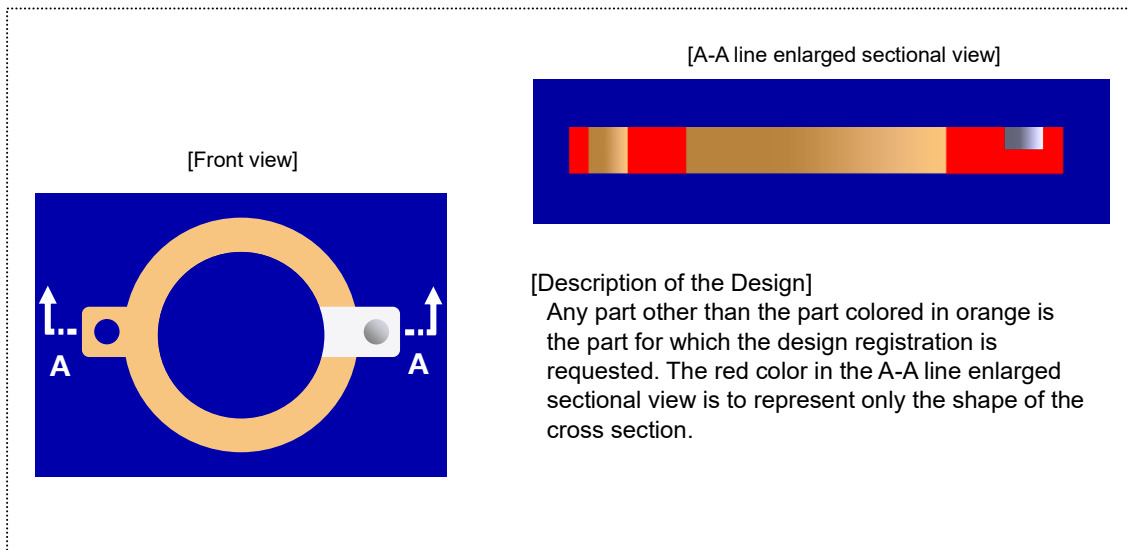
(iii) “Sectional View” prepared by computer graphics (CG)

Oblique parallel lines of approximately 0.2-mm thickness must be drawn on the cross section (e.g. the thick part) as in the case of regular views (Form No. 6 Note (5) & (16)) (Figure 2.2-13). When representing cross section by coloring, applicants paint over in a single color, which is neither a color that is used to specify the part for which design registration is requested nor a color that constitutes the design in the application. In addition, applicants make a statement to the effect, in the column of “Description of the Design”, that the part represented in the color only shows the shape of cross section (Figure 2.2-14).

<Fig. 2.2-13> Example of views prepared by computer graphics (CG)



<Fig. 2.2-14> Example of views prepared by computer graphics (CG) (when representing the shape of cross section by coloring)



(3) The boundary between “the part for which the design registration is requested” and “any other parts”

In cases of representing “the part for which the design registration is requested” by solid lines, since “the part for which the design registration is requested” is a closed area, if the outline of the area is identical to the shape line (e.g. the ridge line of the corner part), “the part for which the design registration is requested” can be specified by drawing the entire outline thereof with solid lines.

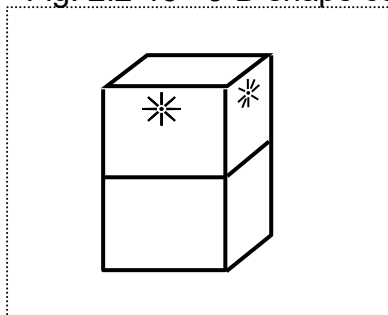
However, in cases where drawing a boundary between “the part for which the design registration is requested” and “any other parts” on a plane surface, applicants represent it as follows:

(i) In cases where a boundary between “the part for which the design registration is requested” and “any other parts” is the one in which different materials (or member) are connected.

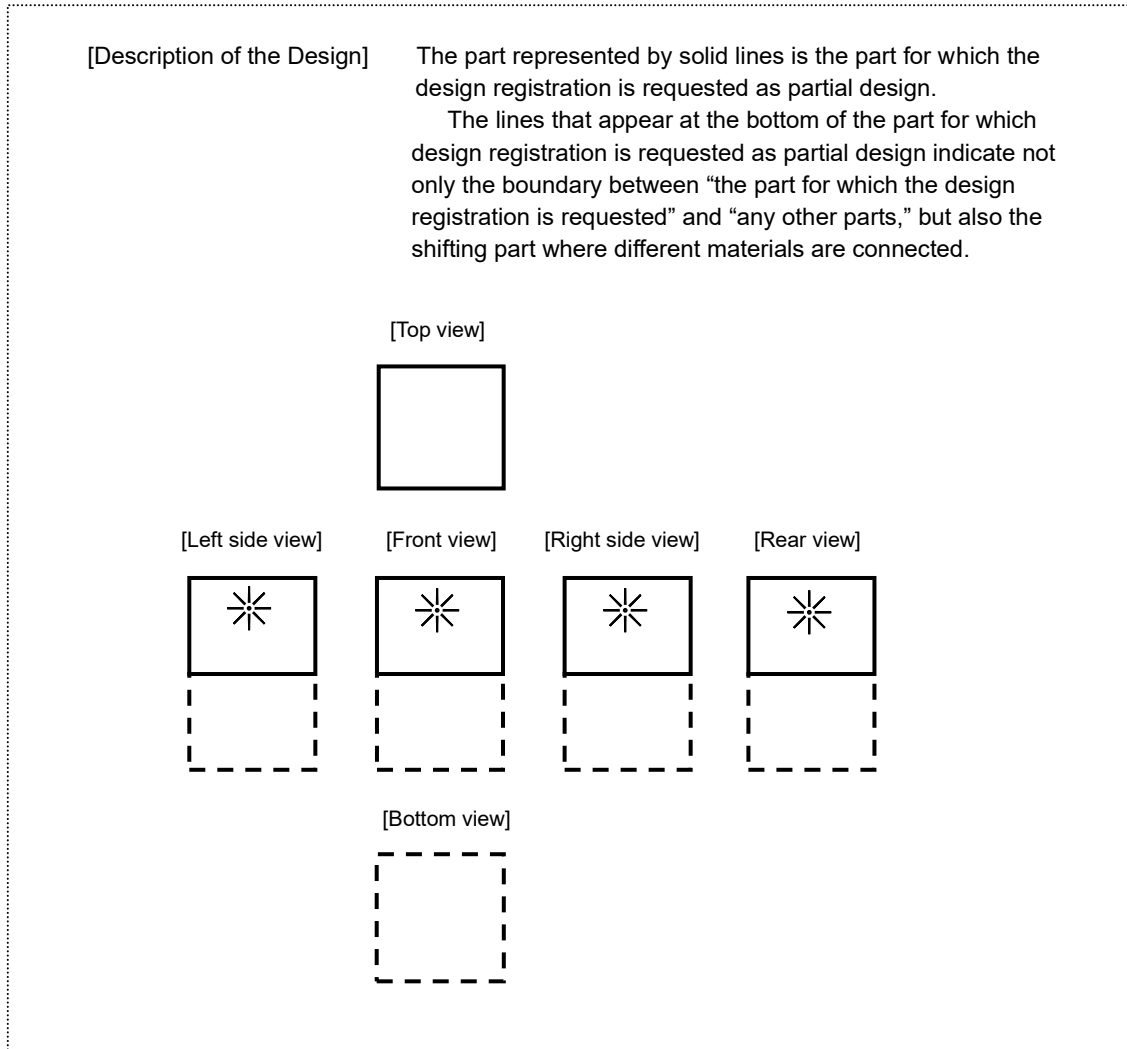
a) Making a statement to that effect in the column of “Description of the Design”.

For example, in the three-dimensional shape of Figure 2.2-15, when applying an application for design registration concerning the upper part specified by the solid lines that appear at the shifting part, as the boundary line, where different materials (or member) are connected, on the flat part of the peripheral surface, applicants prepare drawings as shown in Figure 2.2-16 on the next page.

<Fig. 2.2-15> 3-D shape composed of different materials



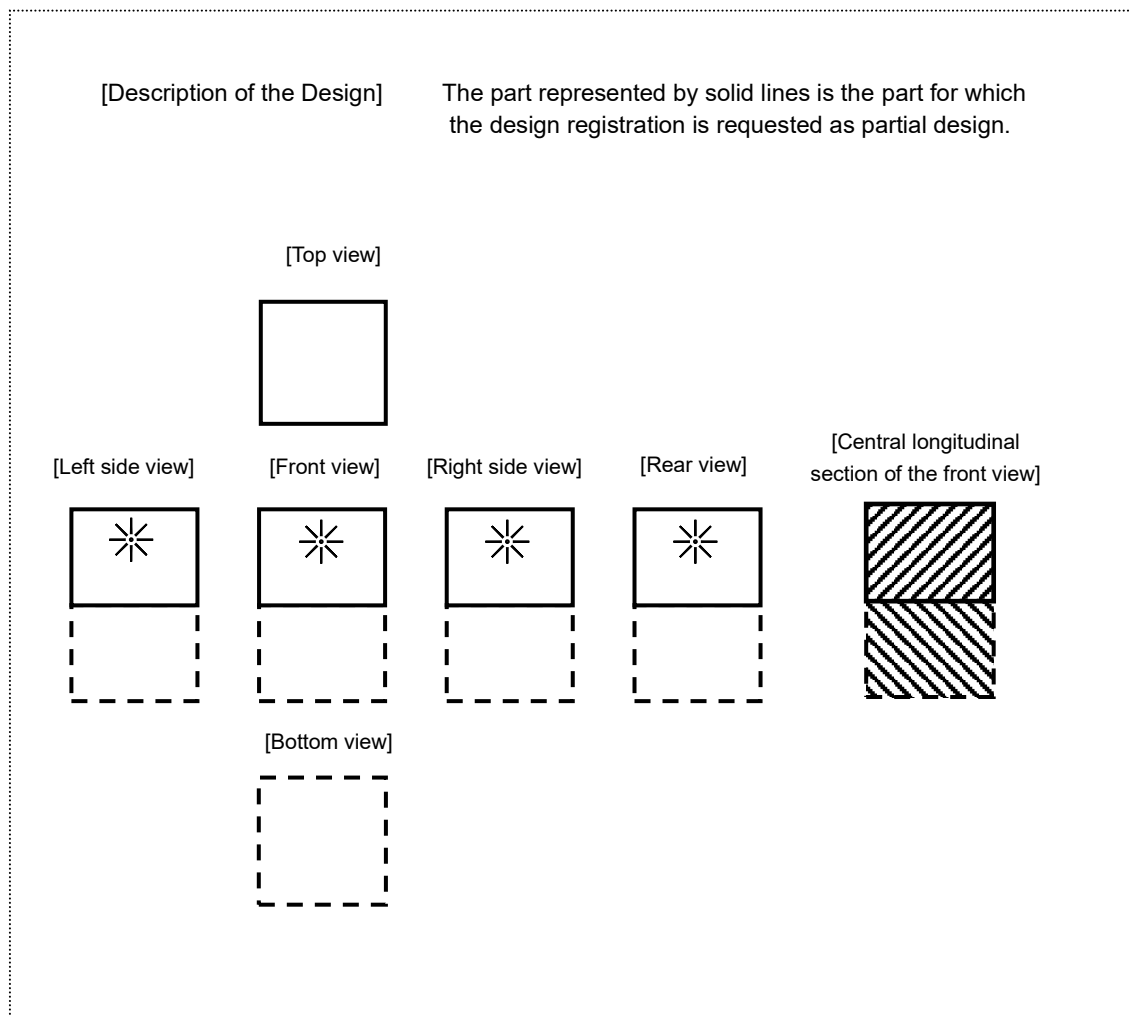
<Fig. 2.2-16> Example of a statement to the effect that the part where different materials are connected is the boundary, in the column of “Description of the Design”



b) Utilizing “Sectional view”

In cases where the boundary between “the part for which the design registration is requested” and “any other parts” is the one at which different materials (or member) are connected, “the part for which the design registration is requested” can be specified by indicating the boundary at which different materials are connected in a sectional view. The direction of hatching (oblique parallel line drawn in a sectional view) must be shifted at which different materials (or member) are connected to show it as the boundary.

<Fig. 2.2-17> Example of representing the part where different materials are connected as the boundary in a sectional view



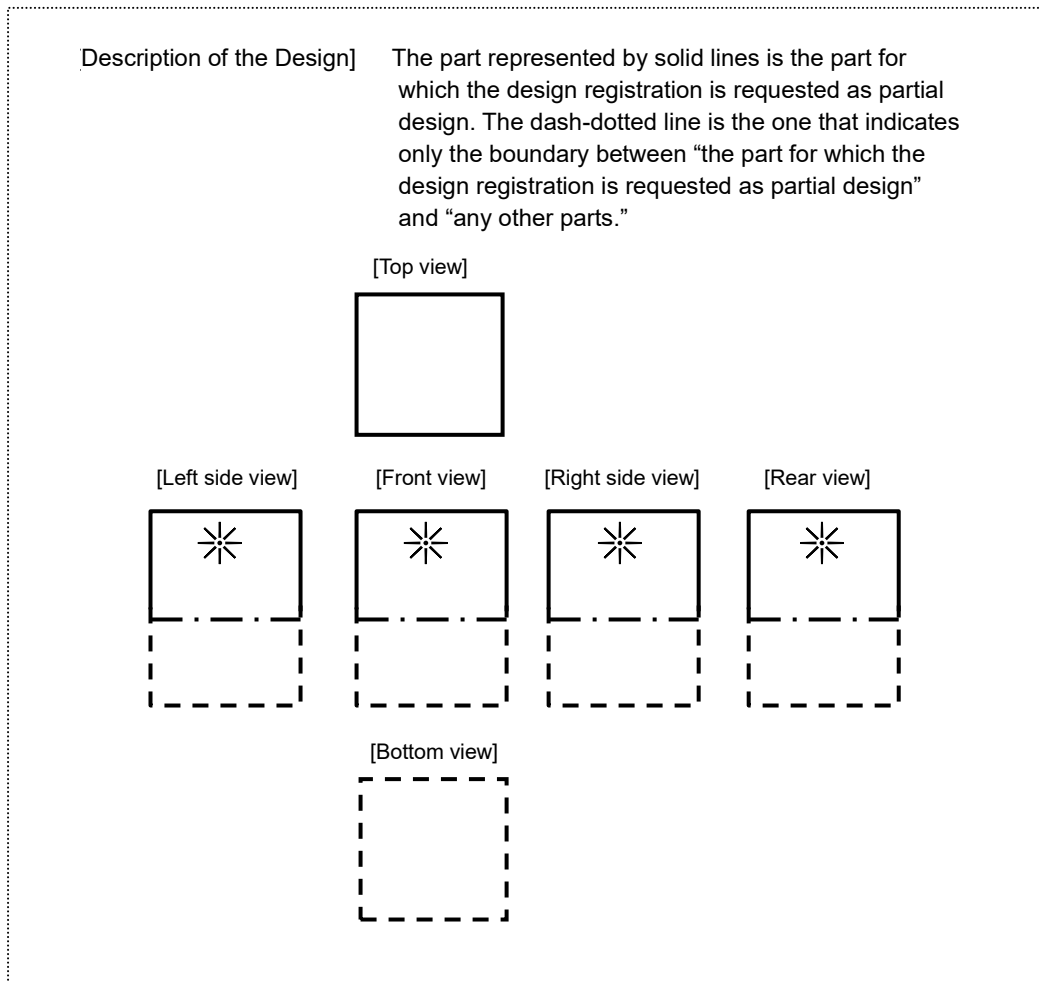
(ii) In cases where there is no boundary between “the part for which the design registration is requested” and “any other parts.”

In cases where there is no such boundary as the one at which different materials, etc. are connected as mentioned above, in the area where the boundary between “the part for which the design registration is requested” and “any other parts” needs to be established, the boundary can be represented by dash-dotted lines, etc., drawn as “the line indicating the boundary.”

Additionally, in the column of “Description of the Design”, applicants make a statement to the effect that “The dash-dotted line is the one that indicates only the boundary between the part for which the design registration is requested and any other parts.”

a) In cases of making the boundary on the round-shaped part

<Fig. 2.2-18> Example of representing “the line indicating the boundary” on the round-shaped part

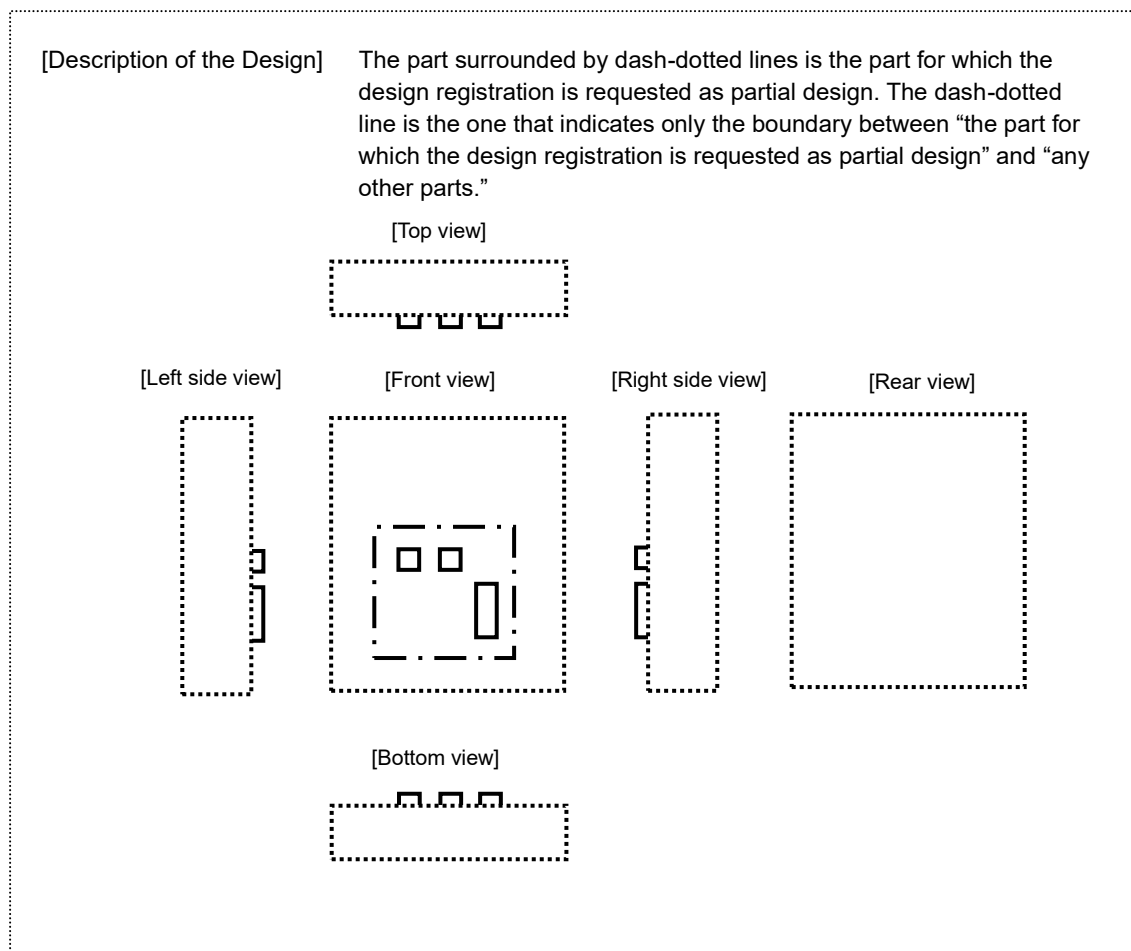


b) In cases of making the boundary on a flat part

Where design registration is requested for a part that includes three protrusions, applicants can specify the part by preparing views as shown in Figure 2.2-19.

In such a case as this, applicants state in the column of “Description of the Design” that, for example, “The part surrounded by dash-dotted lines is the part for which the design registration is requested. The dash-dotted line is the one that indicates only the boundary between the part for which the design registration is requested and any other parts.”

<Fig. 2.2-19> Example of representing “the line indicating the boundary” on the flat part



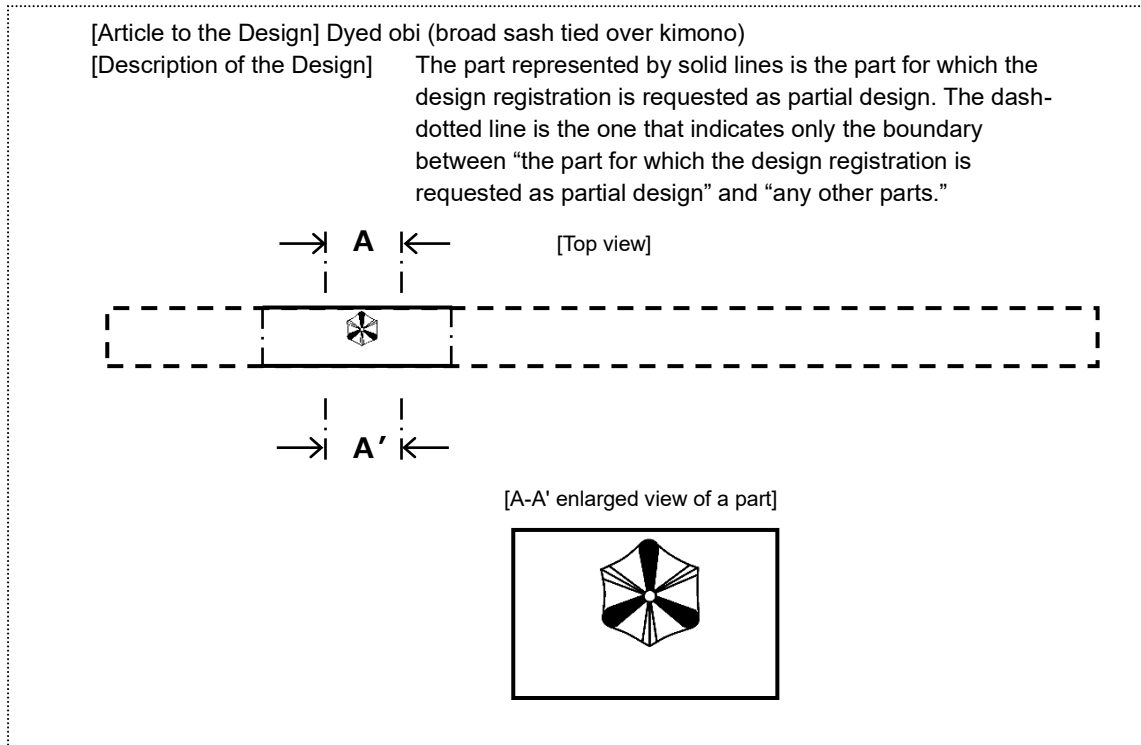
(iii) Cases where “the line indicating the boundary” is unclear

In cases where there is no “line indicating the boundary” depicted, it is impossible to specify “the part for which the design registration is requested” since the scope thereof is unclear. Even if the “line indicating the boundary” is drawn with a broken line that is also used to represent “any other parts,” it is still unclear which is “the line indicating the boundary.” This means failing to specify “the part for which the design registration is requested.”

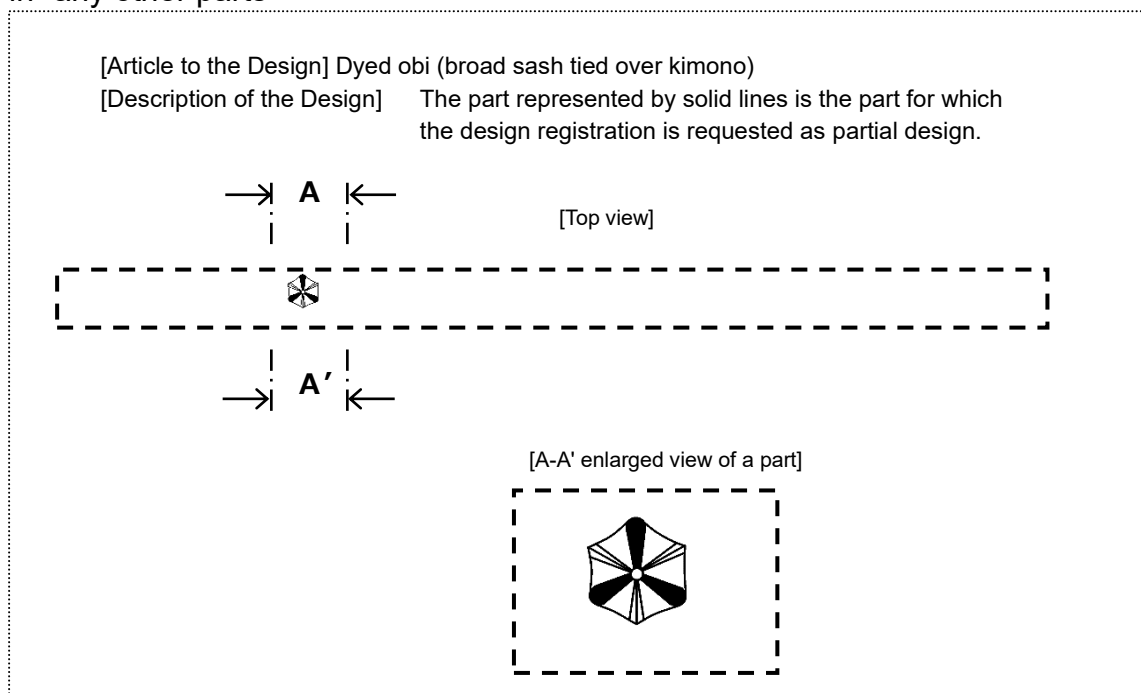
(4) "Enlarged view"

Applicants submit enlarged views where six views alone cannot represent the details sufficiently.

<Fig. 2.2-20> In cases where the marginal rim of enlarged view of a part is included in "the part for which the design registration is requested"



<Fig. 2.2-21> In cases where the marginal rim of enlarged view of a part is included in "any other parts"

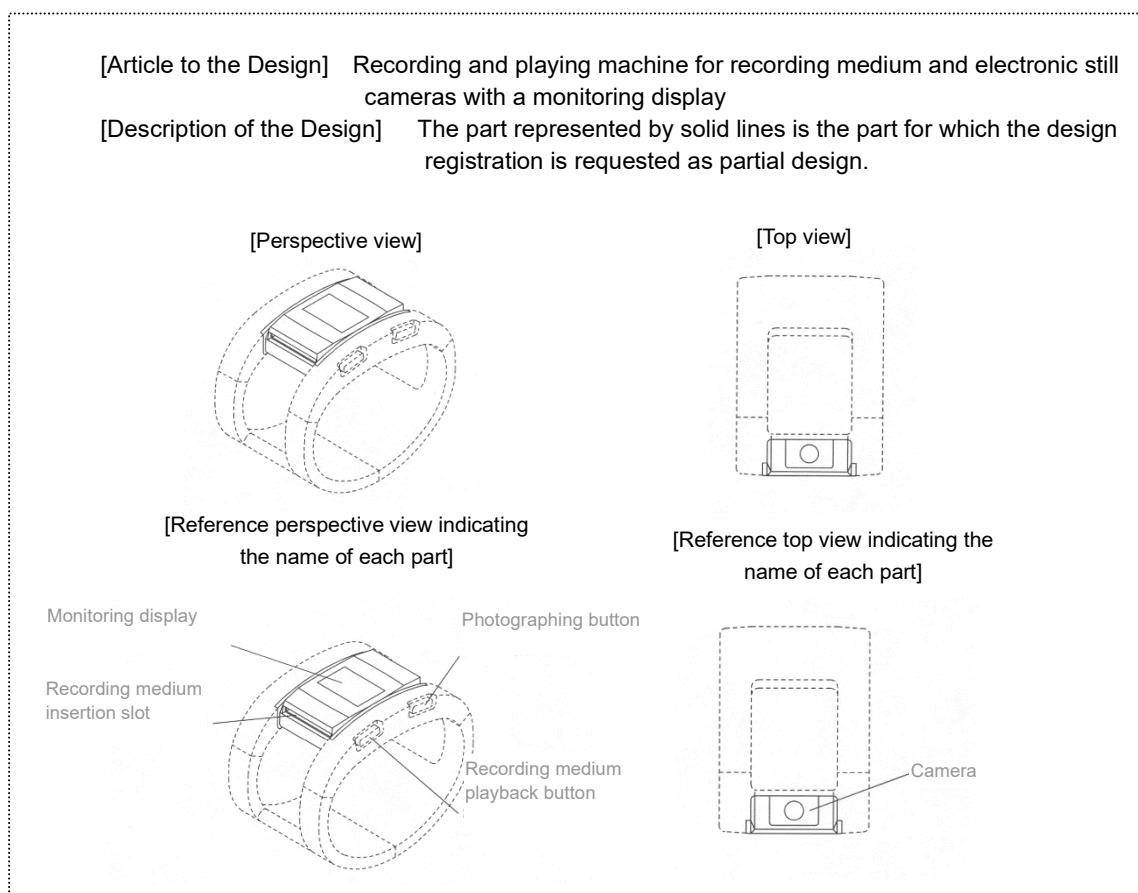


(5) “Reference view explaining the operative part”, etc.

What is especially different from whole designs is that applicants clarify the usage and function of “the part for which the design registration is requested” (see Part III, Chapter 1, 3. “The subject matter is a specific design” in the Examination Guidelines for Design).

Therefore, if the usage and function of “the part for which the design registration is requested” cannot be easily understood based on the ordinary skill in the art, applicants clarify the usage and function of the part by statements in the column of “Description of Article to the Design” as well as the “reference view explaining the operative part,” the “reference view indicating the name of each part” and other views.

<Fig. 2.2-22> Example of “Reference view indicating the name of each part”

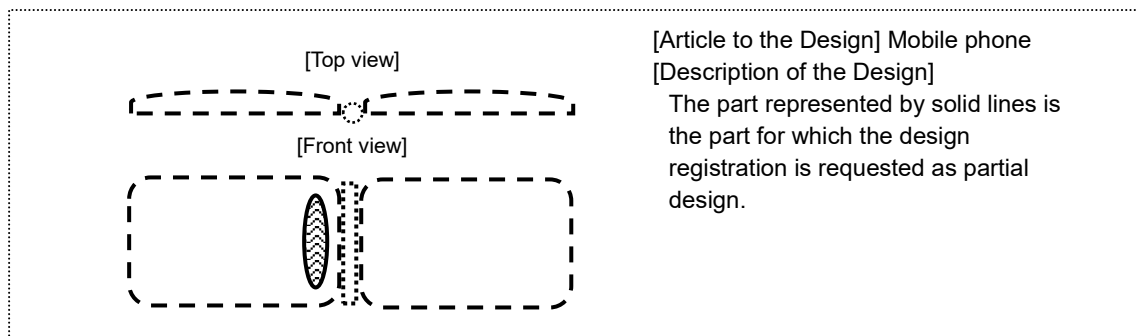


(6) “Any other parts”

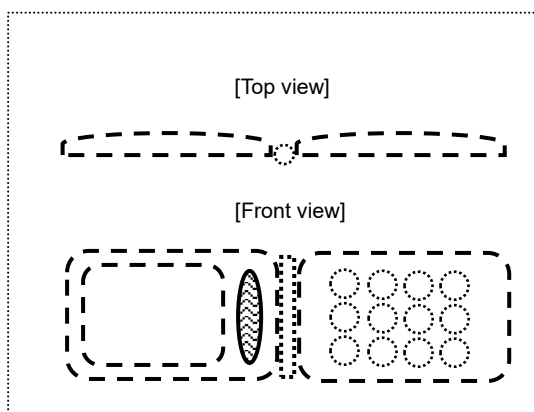
Applicants indicate “any other parts” so that the position, size and scope of “the part for which the design registration is requested” relative to the entire article, etc. can be specified (see Part III, Chapter 1, 3.3 “Examples where the design for which the design registration is requested for a part of an article, etc. is determined to be a specific design” in the Examination Guidelines for Design).

For example, in Figure 2.2-23 below, the “Article to the Design” is a “mobile phone,” and “the part for which the design registration is requested” is the speaker part (the vertically long part depicted by a solid line). In this view (Figure 2.2-23), it is not possible to specify where the speaker part, which is “the part for which the design registration is requested,” is shown in relation to each part of the “mobile phone,” that is, the article. Therefore, in order to specify the position of “the part for which the design registration is requested,” which has the function of a speaker, applicants show the shape, etc. of each of the “other parts” to the extent indicated in the following two figures, Figure 2.2-24 and Figure 2.2-25.

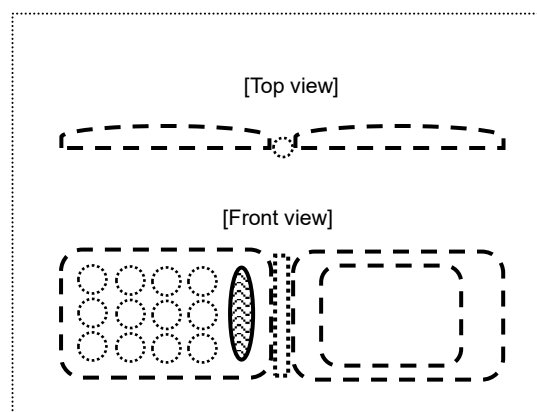
<Fig. 2.2-23> Example of omitting “any other parts” excessively



<Fig. 2.2-24> Example depicting “any other parts” to the extent their position can be identified



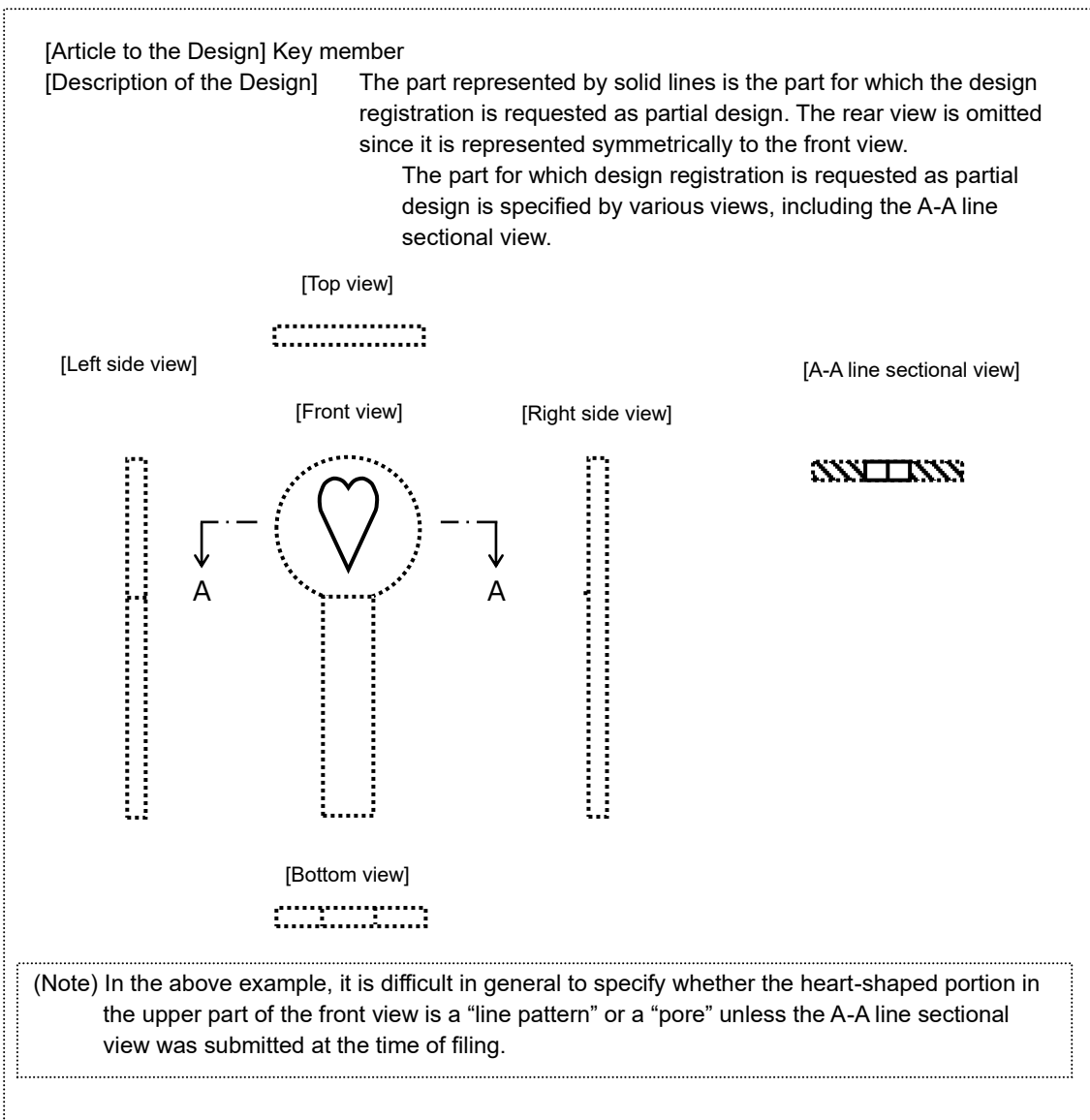
<Fig. 2.2-25> Example depicting “any other parts” to the extent their position can be identified



(7) In cases where the pore portion of an article is requested as partial design

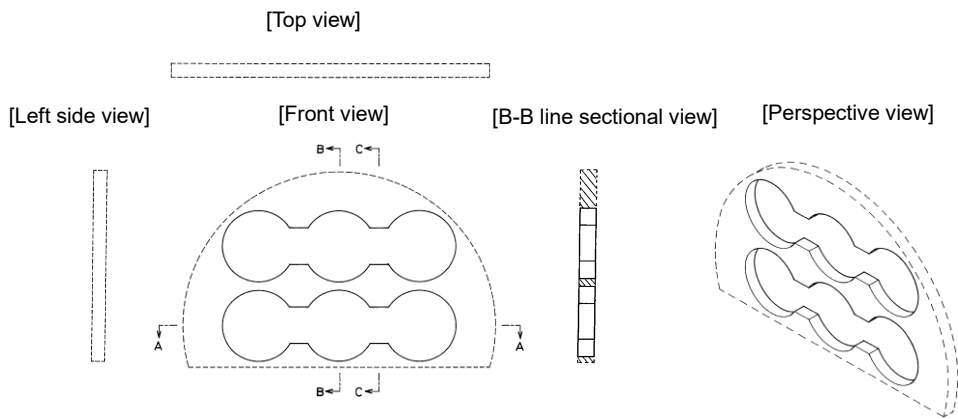
The “pore” or the “cutout portion” itself is not an appearance of an article since it is a space. However, it is possible to represent the shape, etc. of the “pore” or the “cutout portion” if the wall surrounding the “pore” or the “cutout portion” is requested as “the part for which the design registration is requested.”

<Fig. 2.2-26> Example where “the part for which the design registration is requested” is shown clearly in a sectional view



<Fig. 2.2-27> Example where “the part for which the design registration is requested” is shown clearly in a perspective view

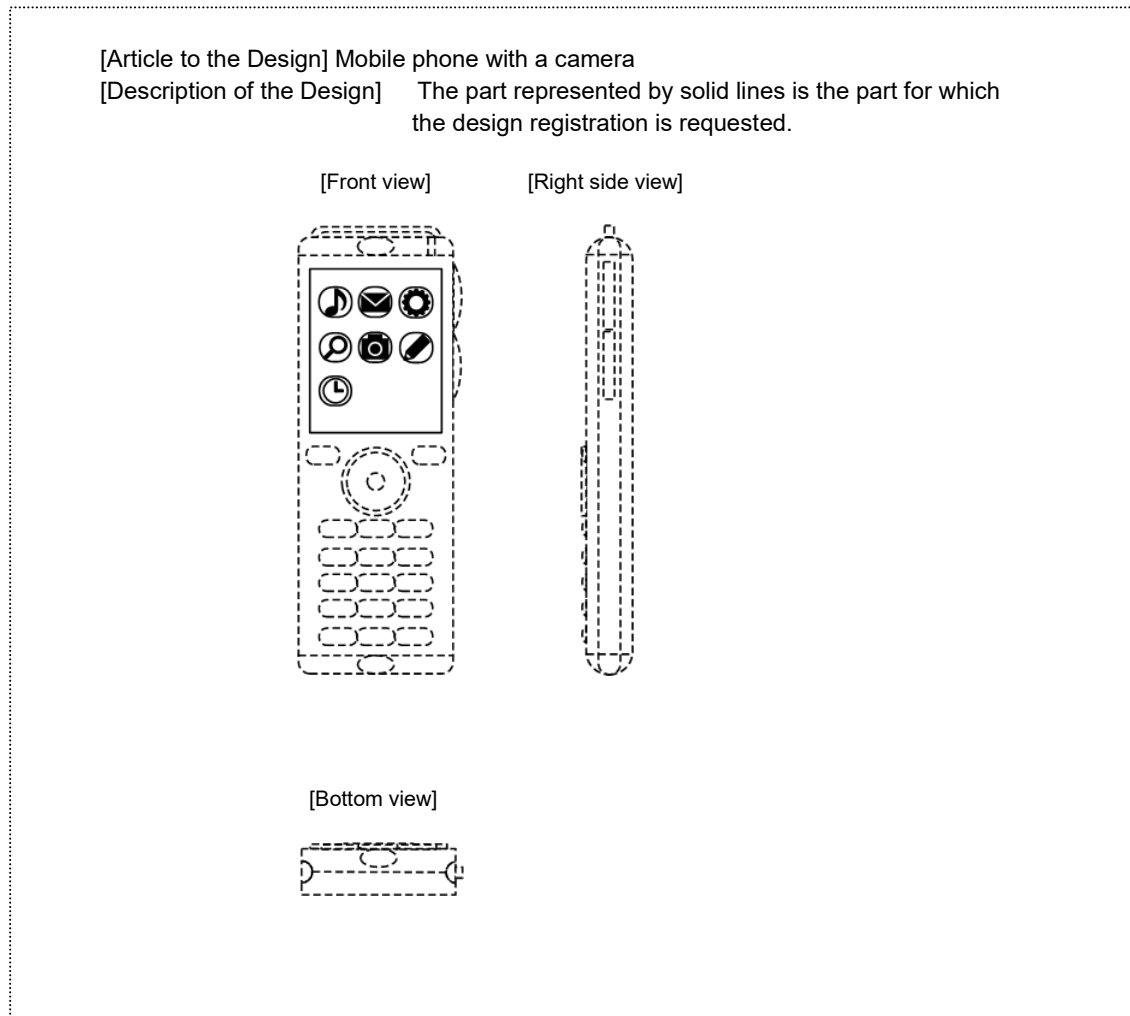
[Article to the Design] Inner tube holder for storing cables
[Description of the Design] The part represented by solid lines is the part for which the design registration is requested as partial design.



(8) In cases of views in which only “any other parts” appear

Where design registration is requested for part of an article, etc., it is not necessary to prepare a view showing only “any other parts” other than “the part for which the design registration is requested,” as long as the “usage and function of the part for which the design registration is requested,” the “position, size and scope of the part for which the design registration is requested” and the “shape, etc. of the part for which the design registration is requested” are clear.

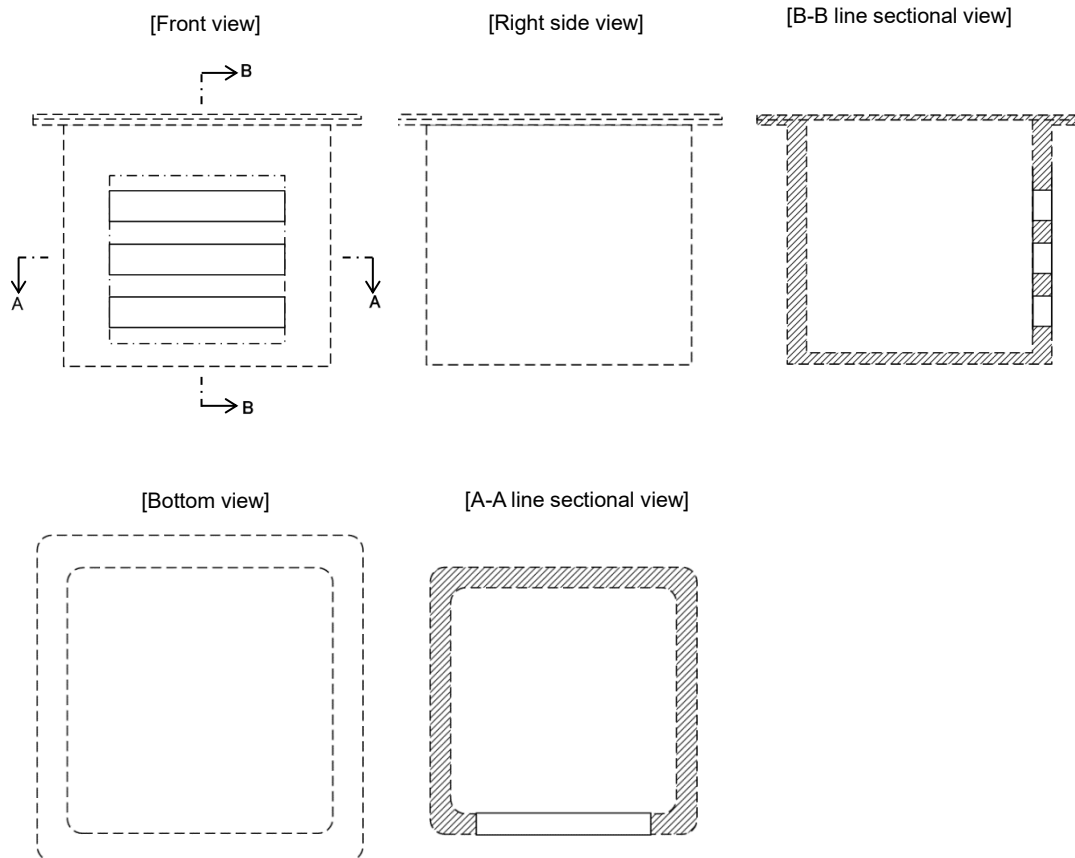
<Fig. 2.2-28> Example of omitting some views in which only “any other parts” appear



<Fig. 2.2-29> Example of omitting some views in which only “any other parts” appear

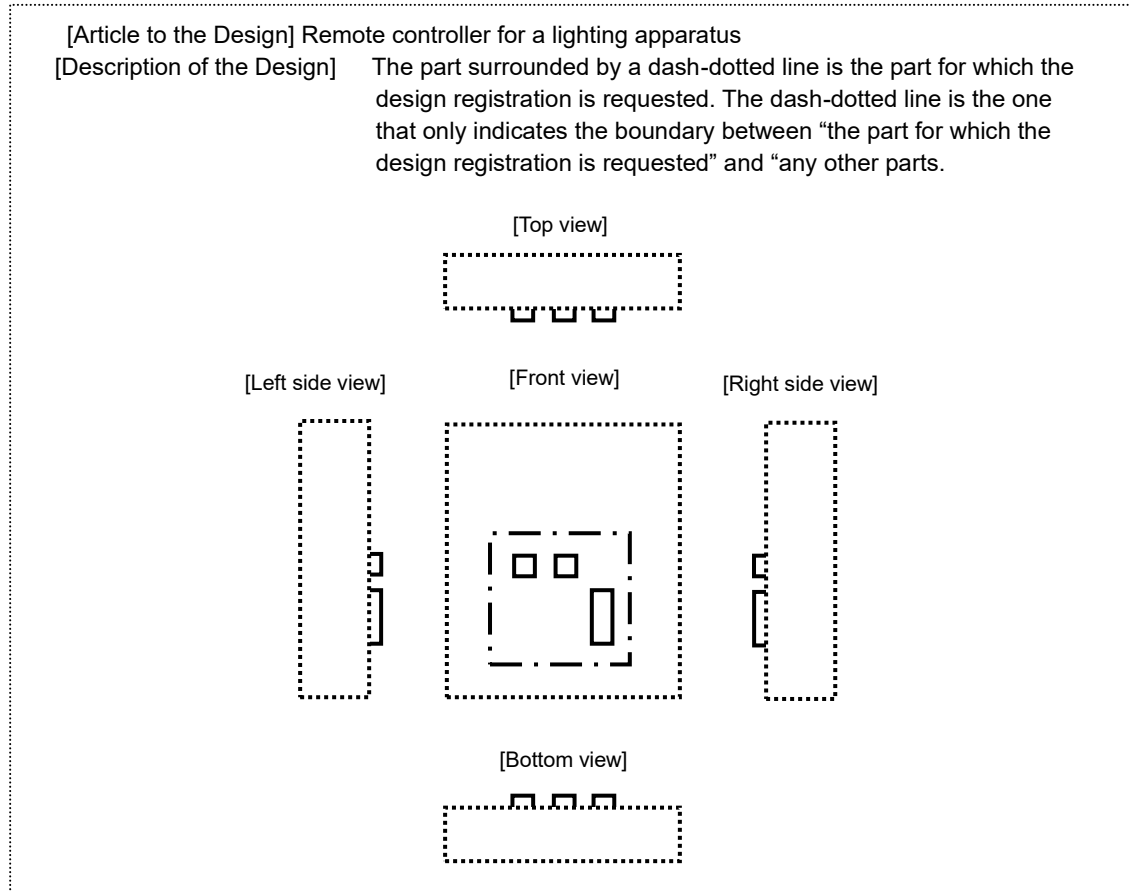
[Article to the design] Packaging container

[Description of the Design] The part represented by solid lines is the part for which the design registration is requested. The part for which design registration is requested is specified by the sectional view. The dash-dotted line is the one that indicates only the boundary between “the part for which the design registration is requested” and “any other parts.”

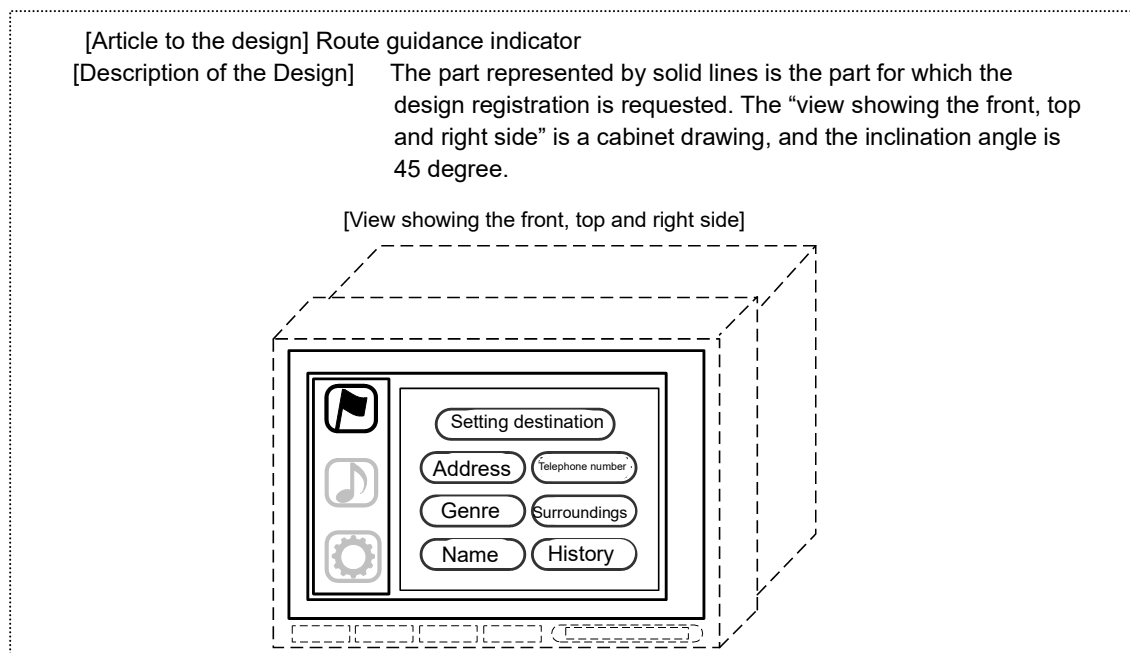


This is an appropriate example of specifying the scope and the shape, etc. of “the part for which the design registration is requested.” Please note that as shown here, there may be cases where a sectional view is needed in specifying the part for which the design registration is requested.

<Fig. 2.2-30> Example of omitting some views in which only “any other parts” appear




<Fig. 2.2-31> Example of omitting some views in which only “any other parts” appear



<Fig. 2.2-32> Inappropriate example (where position, size and scope cannot be specified)

[Article to the Design] Mobile phone with a camera
 [Description of the Design] The part represented by solid lines is the part for which the design registration is requested.

[View representing the display part]

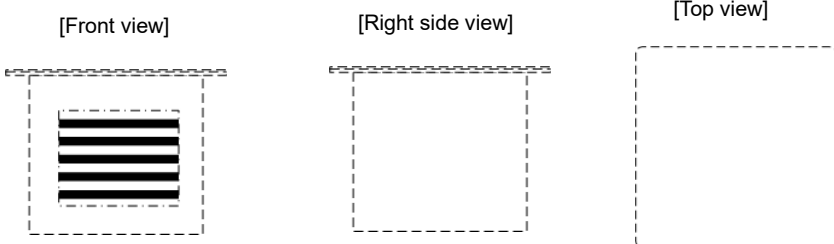


(Note) In cases where the part for which the design registration is requested is the graphic image displayed on the display part of the article itself, if all of “any other parts” are omitted, it is impossible to specify the form of the part for which the design registration is requested, or the position, size and scope of the part for which the design registration is requested in the entire article, and therefore, such omission shall not be allowed.

<Fig. 2.2-33> Inappropriate example (where the design cannot be specified)

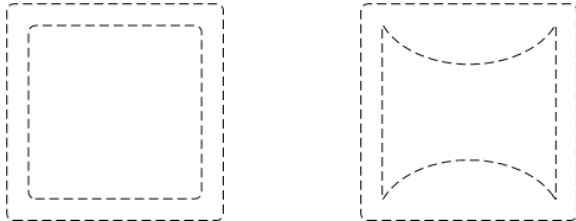
[Article to the design] Packaging container
 [Description of the Design] The part represented by solid lines is the part for which the design registration is requested. Said part is a pattern. The dash-dotted line is the one that only indicates the boundary between “the part for which the design registration is requested” and “any other parts”.

[Front view] [Right side view] [Top view]



(Note) In this example, the minimum requirements are met by submitting three types of views. However, the container has the top flange. So, if the bottom view is omitted, it is impossible to specify the form of the part for which the design registration is requested. It can be understood that the part represented by solid lines shows a pattern. However, since it is not clear whether it is a pattern on a flat surface or a pattern on a curved surface, it is impossible to specify this as one design.

[Examples of the bottom view that can be assumed based on the three views above]



It should be noted that if an amendment is made by adding the bottom view later on, it means clarifying the form of the part for which the design registration is requested, which was not clear at the time of filing, as well as the position, size and scope of the part for which the design registration is requested in the whole article, and therefore, such amendment shall be dismissed.

2.3 In cases where submitting “models” or “specimens”

In cases of models or specimens, applicants distinguish “the part for which the design registration is requested” from “any other parts” by painting over any parts other than the part for which design registration is requested in black, gray or the like (Form No. 8 Note (3)). In doing so, please make sure that the color will not be deteriorated over the course of time.

Additionally, applicants make a statement to the effect that the part other than the painted part is “the part for which the design registration is requested.” (Form No. 8 Note (3))

2.4 In cases where submitting “photographs substituted for drawings”

In the case of photographs substituted for drawings, applicants show “the part for which the design registration is requested” and “any other parts” such as by coloring the part which is not “the part for which the design registration is requested.”

In the column of “Description of the Design” in the application, applicants state the method by which “the part for which the design registration is requested” has been specified.