

7. Textiles Such as a Woven Cloth Fabric

For so-called “textiles,” such as woven cloth fabrics, net fabrics, lace fabrics and synthetic resin fabrics, that are flat and thin (single-layered thin), applicants show the surface view and the back side view.

Additionally, since a shape or a pattern repeats continuously for most “textile” designs, when indicating such continuous shapes or patterns, applicants only prepare drawings for “the part that clearly shows the state of continuing or repeating continuously.” (Form No. 6 Note (13))

Please note that as for “the part that clearly shows the state of continuing or repeating continuously,” there are cases where it repeats continuously in a single direction alone (either vertically or horizontally), as well as cases where it repeats continuously in the four directions (both vertically and horizontally).

7.1 In cases where a pattern repeats continuously in a single direction alone (either vertically or horizontally)

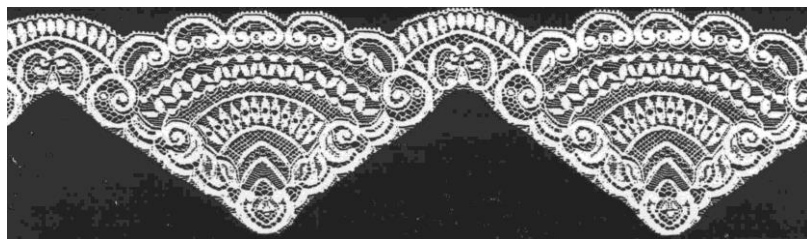
When showing a textile in which a pattern repeats continuously only in one direction, as is the case with “long-length articles” in which a shape or a pattern repeats continuously as mentioned in the previous section (6.2), it is sufficient to show the section that clearly shows the state of continuing or repeating continuously (at least 1.5 to 2 minimum units of the repeating pattern). As for drawings, since such articles are flat and thin, it is necessary to prepare the surface view and the back side view. Furthermore, in the column of “Description of the Design” in the application, applicants state, for example, “This design is continuous only from left to right in the surface view.”

<Fig. 3.7-1> Example of a textile that repeats continuously in a single direction

[Article to the Design] Narrow lace fabric

[Description of the Design] This design continues only horizontally in the surface view.

[Surface view]



(Note) The photograph above is a specimen substituted for drawings, which has been taken for being published in the Design Bulletin, and therefore, the formality thereof is different from that of a specimen substituted for drawings for the design application. Please note that the arrow and the statement “One unit” are inserted merely for explanation. So, please do not make such statement when preparing drawings to be attached to the application that will be actually filed with the JPO.

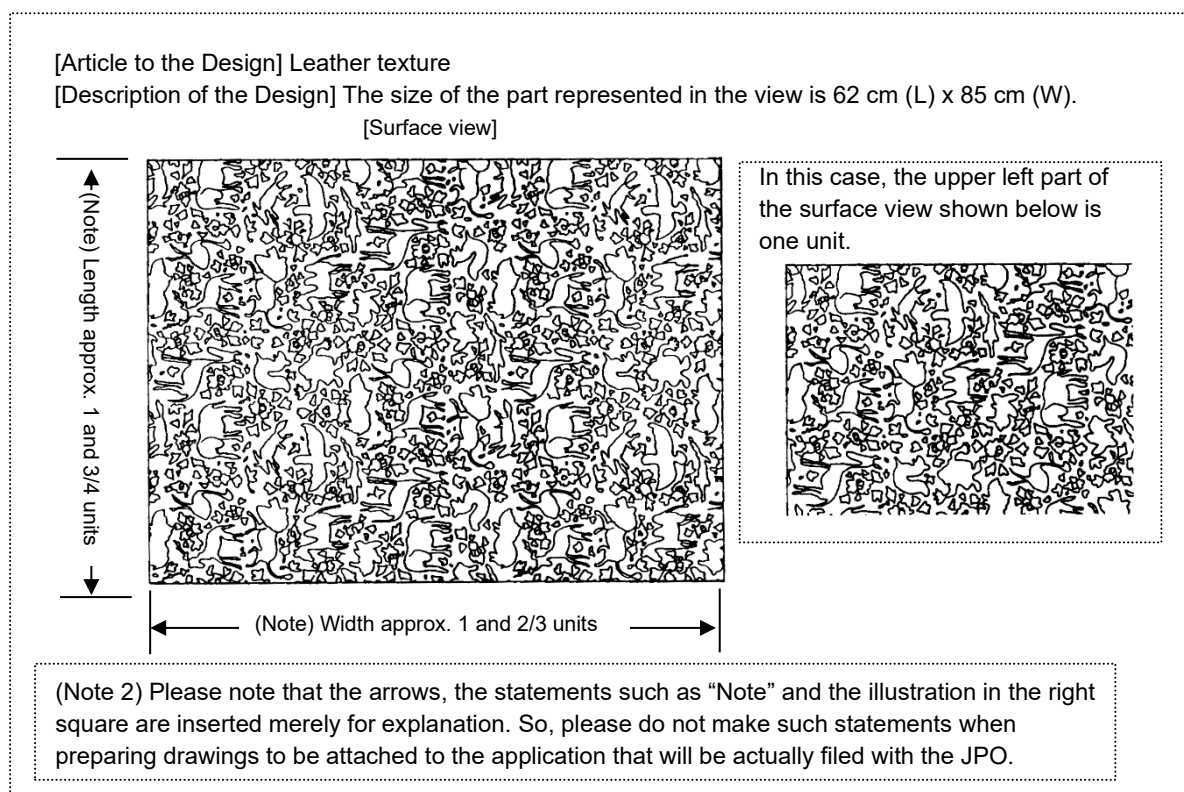
7.2 In cases where a pattern continues in the four directions (both vertically and horizontally)

As for the drawing for the design that repeats continuously in the four directions, as is the case where a pattern continues in a single direction alone (either vertically or horizontally) mentioned in the previous section (7.2), applicants prepare the drawing in a way that represents the scope within which the state where the pattern repeats continuously is understandably shown, not only in one direction but also in the direction of a right angle thereto. That is, it is necessary to represent, at least, 1.5 to 2 minimum units of the repeating pattern both vertically and horizontally. Please note that a unit includes a pattern or its background (the part in which there is no pattern).

It is not necessary to make a statement to the effect that the pattern continues both vertically and horizontally in the column of "Description of the Design". This is because it is natural to think a pattern in a textile continues in the four directions (both vertically and horizontally) due to the characteristics of "textile." Yet, in cases where it is not natural to think a pattern repeats continuously, applicants make a statement to the effect that it continues both vertically and horizontally.

In addition, in cases of submitting drawings, photographs substituted for drawings or specimens substituted for drawings attached to a design application, applicants state the size of the part that is represented in drawings, etc. (actual size of the part that is depicted, etc.) in the column of "Description of the Design". This is because it is important to know the size of the pattern in understanding the design of this kind of article and it is hard to presume the size of the pattern through partial depiction thereof.

< Fig. 3.7-2> Example of a textile in which a pattern continues in the four directions



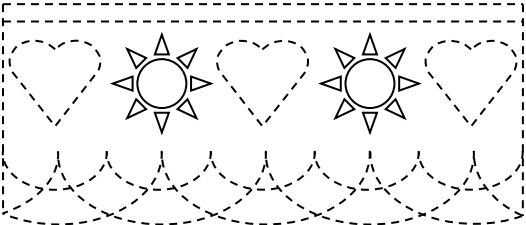
7.3 In cases where a design registration is requested for a part of a pattern which repeats continuously

In the case of so-called “textiles,” even if the part for which the design registration is requested is a part of a pattern unit that repeats continuously, as is the case for the whole design mentioned above in which the pattern repeats continuously, applicants indicate the part in a way that clearly shows the state in which the part for which the design registration is requested repeats continuously. (The method of drawing only the part that clearly shows the state in which the pattern repeats continuously (Form No. 6 Note (13)) aims to represent the design in the mode in which the pattern repeats continuously. Therefore, when using this method of drawing, applicants show the part in the state in which the pattern repeats continuously in a manner that this mode is clear.)

<Fig. 3.7-3> Example in which a pattern repeats continuously in a single direction

[Article to the Design] Narrow lace fabric
 [Description of the Design] This design continues only horizontally in the surface view. The part represented by solid lines is the part for which the design registration is requested as partial design. The size of the pattern represented in the drawing is 3 cm in width.

[Surface view]

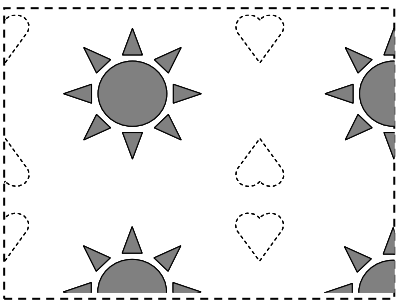


(Note) This is a mode where the part for which the design registration is requested is physically separated. However, since the same pattern repeats continuously in this mode, it is regarded that each of these parts mutually serves as having unity in form, and therefore, treated as one design. (see the Examination Guidelines for Design Part II Chapter2, 2.2)

<Fig. 3.7-4> Example of partial design in which a pattern repeats continuously in the four directions (both vertically and horizontally)

[Article to the Design] Woven cloth fabric
 [Description of the Design] The part represented by solid lines is the part for which the design registration is requested. The size of the represented pattern in the view is 35 cm in height and 50 cm in width.

[Surface view]



(Note) This is a mode where the part for which the design registration is requested is physically separated. However, since the same pattern repeats continuously in this mode, it is regarded that each of these parts mutually serves as having unity in form, and therefore, treated as one design. (see the Examination Guidelines for Design Part II Chapter2, 2.2)