

## 14. In the Case of a Design Including a Graphic Image on a Screen

As a result of the 2019 revision of the Design Act, the definition of a design under the Design Act (Article 2, paragraph (1) of the Design Act) now includes “graphic images” separated from the article.

In addition, designs including a graphic image on a part of an article, which had been eligible for design registration in the past, continue to be eligible for design registration, and designs including a graphic image on a part of a building are now eligible for design registration in the same way as for articles.

Accordingly, since the date of enforcement of the Revised Design Act of 2019, there have mainly been two ways of obtaining design registration for designs including a graphic image.

- (1) Method for obtaining protection as a graphic image design (graphic image itself, separated from an article)  
(Hereinafter such a design is referred to as a “**graphic image design**.”)
- (2) Method for obtaining protection as a design including a graphic image on a part of an article or building  
(Hereinafter such a design is referred to as a “**design including a graphic image on a part of an article, etc.**”)

Hereinafter, when referring collectively to (1) and (2) above, they are referred to as a “design including a graphic image.” Furthermore, since this Chapter contains statements about both (1) and (2) above, for the sake of readability, etc., they are indicated using shading and borders, respectively.

(1) above is unconcerned with what the graphic image is displayed on or whether the graphic image is recorded on the article, etc.; whereas (2) above protects the graphic image as a part of the article or building. Given this, there are differences in how statements are made in an application and how drawings are prepared when filing an application.

An application for design registration for a design including a graphic image cannot obtain design registration unless it can be recognized which of (1) or (2) above the design for which design registration is requested falls under, and unless its shape, etc. is found to be specific, based on statements in the application and drawings attached to the application.

Therefore, when filing an application for a design including a graphic image, applicants make statements in the application and prepare drawings attached to the application in the manner below so that the design for which the design registration is requested is clear.

As described below, items included in an application and the method for representing drawings differ when requesting design registration for a **graphic image design** and when requesting design registration for a **design including a graphic image on a part of an article, etc.**

(Reference) Comparison of matters to be stated in the application and drawings of an application for design registration for a “graphic image design” and a “design including a graphic image on a part of an article, etc.”

Columns, etc. for statement in the application	Graphic image design	Design including a graphic image on a part of an article, etc.
Column of [Article to the Design]	State the usage of the graphic image.	State the name of the article or the usage of the building.
Column of [Description of Article to the Design]	Where necessary, provide a description of the usage of the graphic image. There is no need to state the relationship to the device, etc. on which the graphic image is displayed.	In addition to a description of the usage of the graphic image, the relationship to the function of the article or building on which the graphic image is displayed needs to be stated.
Drawings	Only depict the graphic image (Do not depict the device, etc.).	Depict the shape, etc. of the entire article or building.

## 14.1 Basics of filing an application for a design including a graphic image

### (1) Basics of filing an application for a **graphic image design**

Regarding **graphic image designs**, which became subject to protection under the Design Act following the 2019 revision of the Design Act, an application may be filed and design registration obtained for the graphic image itself, without specifying the article or building on which the graphic image is displayed. However, not all graphic images are eligible for protection under the Design Act. The only graphic images that may be granted design registration are those provided for use in the operation of the device or those displayed as a result of the device performing its function.

Therefore, a graphic image or video (so-called “content”), which is created with the actual content of the graphic image or video as the focus of expression—such as the graphic image of a television program, a movie, the graphic image of a game which is displayed by operating the game software, or a scenic photograph—will continue to be treated as not constituting a design.

Following are examples of statements in an application and drawings, etc. for a **graphic image design** and a description of each item.

<Fig. 3.14-1> Example of a design including a graphic image

<Example of a flat and thin **graphic image design**>

[Graphic image view]



[Article to the Design] Graphic image displaying medical measurement results

[Description of Article to the Design] This graphic image is for displaying data from a medical measuring instrument attached to a subject person. It displays an electrocardiogram, heart rate, blood pressure and other data. By changing the color of the border around each measurement value according to set conditions, the user can intuitively ascertain the measurement situation even from a distance.

\* For the convenience of explanation, other matters to be stated in the application are omitted.

<Example of a three-dimensional **graphic image design**>

[Front graphic image view]

[Rear graphic image view]

[Reference perspective graphic image view]

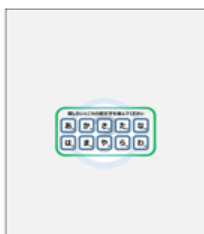
[Left-side graphic image view]

[Perspective graphic image view]



[Development graphic image view]

[Reference development graphic image view]



[Article to the Design] Graphic image for a directory

[Description of Article to the Design] This graphic image is for a directory used in an aquarium. It displays information according to the Japanese character selected. As represented in the [front graphic image view], [rear graphic image view], [right-side graphic image view], [left-side graphic image view], and [perspective graphic image view], it is cylindrical in shape. The [development graphic image view] represents the graphic image after it has been expanded out.

[Description of the Design] The area where red hatching has been applied in the [reference perspective graphic image view] and [reference development graphic image view] is transparent.

\* For the convenience of explanation, other matters to be stated in the application are omitted.

<Example of a **graphic image design** for which the design registration is requested for a part of the graphic image>



[Graphic image view]

[Article to the Design] Graphic image for an icon

[Description of Article to the Design] This is a graphic image for an icon for starting up and operating software that provides tourist information.

[Description of the Design] The areas depicted by broken lines are not the parts for which the design registration is requested, and the area depicted by solid lines is the part for which the design registration is requested.

(i) Statements in the column of “Article to the Design”

When filing an application for design registration for a **graphic image design**, applicants state the specific usage of the graphic image in the column of “Article to the Design.” Since in a **graphic image design**, the graphic image is independent from the article or building, etc. on which it is displayed, in order to avoid confusion with an application where design registration is requested for a design including a graphic image on a part of an article, etc., if requesting design registration as a **graphic image design**, in the column of “Article to the Design,” do not state the name of the article, etc. on which the graphic image is displayed (for example: computer with ○○ function).

<Examples of statement>

Graphic image for displaying information, graphic image for content viewing operations, graphic image for trading, graphic image for learning, graphic image for setting sound volume, graphic image for inputting numerical values, graphic image for an indicator, graphic image for a toggle button, graphic image for a scroll bar, graphic image for a check box, graphic image for a tool bar, graphic image for a drop-down list, graphic image for a text box, graphic image for a progress bar, graphic image for an icon, graphic image for a tab, etc.

(ii) Statements in the column of “Description of Article to the Design”

If the usage of the graphic image is not clear from statements in the column of “Article to the Design” alone, applicants state the function and usage of the entire graphic image or of each element that constitutes the graphic image. However, when doing so, it is preferred that the usage, purpose of use or state of use, etc. of the graphic image be explained in a brief and clear manner to help in understanding the graphic image for which design registration is requested. Care should be taken to avoid long sentences like those under “Detailed Explanation of the Invention” in a patent description. In addition, using registered trademarks in the description is not preferred.

Views and tables, etc. are not allowed to be included in the “Description of Article to the Design.” If it is difficult to describe the state of use, etc. using only words, it can be represented by using such views as “Reference views indicating the state of use” in the drawings, etc. attached to the application.

(iii) Column of “Description of the Design” in the application

Applicants make a statement in this column where necessary in the following cases.

- For graphic images that change, where design registration is requested for the graphic image as it appears before, during and after the said change
- Where views are included in which either black or white has been omitted, or where all or part of the graphic image is transparent
- Where some views depicting the graphic image have been replaced with other views that are identical to or a mirror image of those views

- Where design registration is requested for part of a graphic image, and where the part for which the design registration is requested cannot be specified from statements in the drawings alone
- Where views omit the continuous state of a design with a continuous shape, etc. or where some views have been omitted, and where the design cannot be clearly shown merely by indicating the drawings, etc.

For details on what statements should be included in each case, please see Part I, 1.3 “The column of “Description of Design”.”

(iv) Points to be noted in making statements in drawings, etc.

In drawings, do not depict the equipment that displays the graphic image. Using “graphic image view” or “... graphic image view,” only represent the graphic image for which design registration is requested.

Applicants include the entire graphic image in views. If design registration is requested for a part of a graphic image, applicants depict it in a differentiating manner in the drawings, for example, depict the part for which the design registration is requested using solid lines and depict other parts using broken lines. If it is difficult to clearly identify the part for which the design registration is requested from the differentiated depiction in the drawings alone, applicants include statements to specify the part for which the design registration is requested in the column of “Description of the Design” in the application.

If the graphic image for which design registration is requested is flat and thin, applicants use “graphic image view” for the indication of the view. Furthermore, if the graphic image for which design registration is requested is three-dimensional, applicants use “... graphic image views,” such as “front graphic image view” and “right-side graphic image view.”

In addition, if design registration is requested for a **graphic image design**, do not use “front view,” “right side view” or other indications of view that are used for articles, etc. because it would be unclear whether design registration is requested for a **graphic image design** or a design including a graphic image on a part of an article, etc.

Furthermore, if the graphic image changes, use “graphic image view showing the changed state,” etc., and take care to avoid using the same indication of the view for multiple views.

(2) Basics of filing an application for a design including a graphic image on a part of an article, etc.

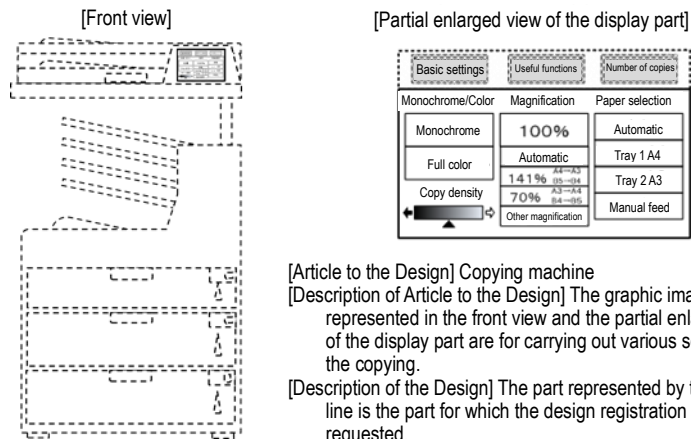
A design including a graphic image on a part of an article, etc. refers to a design in which the graphic image displayed on the display part of a specific article or building is the object of protection under the Design Act as a part of that article or building.

In order for a graphic image displayed on the display part of an article or building to be recognized as part of that article or building, the graphic image must be provided for use in the operation of the article or building in order to enable the article or building to perform its functions or must be for making necessary indications for performing the functions of the article or building.

Following are examples of applications filed for a design including a graphic image on a part of an article, etc., and description of items included in the application.

<Fig. 3.14-2> Example of statements and drawings for a design including a graphic image on a part of an article, etc.

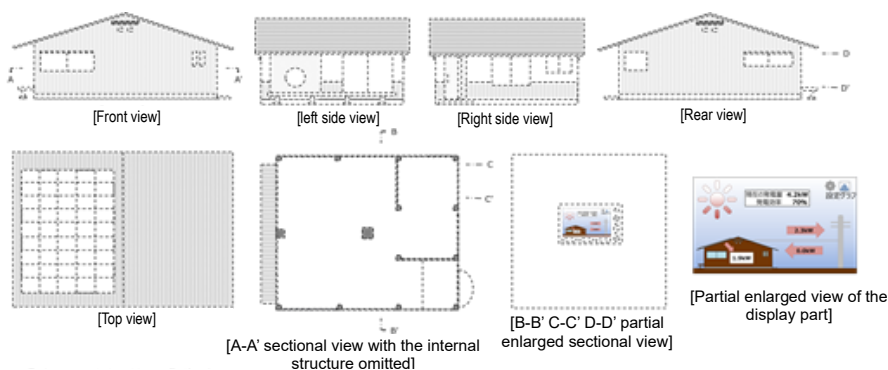
<Example of a design including a graphic image on a part of an article, etc.>



[Article to the Design] Copying machine  
 [Description of Article to the Design] The graphic images represented in the front view and the partial enlarged view of the display part are for carrying out various settings for the copying.  
 [Description of the Design] The part represented by the solid line is the part for which the design registration is requested.

\* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.

< Example of a design including a graphic image on a part of a building>



[Article to the Design] House  
 [Description of Article to the Design] The part for which the design registration is requested is the graphic image for operation for displaying the amount of electricity generated from solar panels installed on the roof as well as the amount of electricity transmitted and received, and for operating the switch to sell electricity to the grid.  
 [Description of the Design] The part represented by the solid line is the part for which the design registration is requested.

\* For the convenience of explanation, other matters to be stated in the application are omitted.

(i) Column of “Article to the Design” in the application

When filing an application for design registration for a design including a graphic image on a part of an article, etc., applicants state the name of the article or the usage of the building in the column of “Article to the Design.” In the case of a design including a graphic image on a part of an article, etc., since design registration is requested as part of an article or building, in order to avoid confusion with an application where design registration is requested for a **graphic image design**, do not state the usage of the graphic image in the column of “Article to the Design.”

(ii) Column of “Description of Article to the Design” in the application

In order to represent that the displayed graphic image is provided for use in the operation of the article or building in order to enable the article or building to perform its functions, or is for making necessary indications for performing the functions of the article or building, in the column of “Description of Article to the Design,” applicants state what kind of function the graphic image for operation is for or what kind of functions are the necessary indications intended to perform. In addition, if the function and usage of the article or building on which the graphic image is displayed is not clear from statements in the column of “Article to the Design” in the application alone, applicants explain the usage, purpose of use or state of use, etc. of the article or building in a brief and clear manner to help in understanding the design. When doing so, long sentences like those under “Detailed Explanation of the Invention” in a patent description should be avoided.

In addition, using registered trademarks in the description is not preferred.

Also, views and tables, etc. are not allowed to be included in the “Description of Article to the Design.”

(iii) Column of “Description of the Design” in the application

Applicants make a statement in this column where necessary in the following cases.

- Where design registration is requested for part of a graphic image, and where the part for which the design registration is requested cannot be specified from statements in the drawings alone
- Where the displayed graphic image changes, and where design registration is requested for the graphic image as it appears before, during and after the said change
- Where views are included in which either black or white has been omitted
- Where all or part of the article, building or graphic image is transparent
- Where some views have been replaced with other views that are identical to or a mirror image of those views
- Where views omit the continuous state of a design with a continuous shape, etc.
- Where some views have been omitted, and where the design cannot be clearly shown merely by indicating the drawings

For details on what statements should be included in each case, please see Part I, 1.3 “The column of “Description of Design”.”

(iv) Drawings attached to the application

In principle, drawings represent the entire article or building for which the design registration is requested. The Revised Design Act of 2006 previously allowed for the protection of graphic images displayed on articles that are used with the article for which the design registration is requested in an integrated manner. Under the Revised Design Act of 2019, such graphic images are now protected as **graphic image designs** or designs for a set of articles comprised of an article and a graphic image. If the article for which the design registration is requested does not have any parts for which design registration is requested, and if the only part for which the design registration is requested is a graphic image that is displayed on an article that is used with the article for which the design registration is requested in an integrated manner, file an application as a **graphic image design**. If the part for which the design registration is requested is included in both the article for which the design registration is requested and a graphic image that is displayed on an article that is used with the first article in an integrated manner, file an application as a design for a set of articles consisting of a **graphic image design** and an article design.

In addition, if design registration is requested for a part of an article or building, including a graphic image part, applicants depict it in a differentiating manner in the drawings, for example, depict the part for which the design registration is requested using solid lines and depict other parts using broken lines. If it is difficult to clearly identify the part for which the design registration is requested from the differentiated depiction in the drawings alone, applicants include statements to specify the part for which the design registration is requested in the column of “Description of the Design” in the application.

If design registration is requested for a design including a graphic image on a part of an article, etc., do not use “graphic image view,” “right-side graphic image view” or other indications of view that are used for **graphic image designs**, because if a design including a graphic image on a part of an article, etc. was represented with a “graphic image view,” “right-side graphic image view” or other indications of view that are used for **graphic image designs**, it would be unclear whether design registration is requested for a design including a graphic image on a part of an article, etc. or a **graphic image design**.

Furthermore, if the displayed graphic image changes, and if design registration is requested for the graphic image as it appears before, during and after the said change, use “○○ view showing the changed state,” etc., and take care to avoid using the same indication of the view for multiple views.

(3) Design for a set of articles whose constituent elements include a design including a graphic image

A design including a graphic image can be a constituent element of a design for a set of articles, whether it is a **graphic image design** or a design including a graphic image on a part of an article, etc.



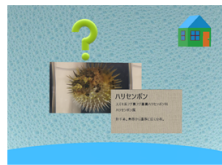
Designs for a set of articles that includes a **graphic image design** are: a design for a set of articles consisting of multiple **graphic image designs**; a design for a set of articles consisting of a **graphic image design** and an article design; a design for a set of articles consisting of a **graphic image design** and a building design; and a design for a set of articles consisting of a **graphic image design**, a building and an article. Furthermore, the terms “article design” and “building design” as used here could also include designs including a graphic image on a part of an article, etc.

Regarding designs for a set of articles consisting of a design including a graphic image on a part of an article, etc. and an article design, or designs for a set of articles consisting of a design including a graphic image on a part of an article, etc. and a building design, file the application in the same manner as for a design for a set of articles consisting of an article and a building, while also displaying the graphic image on the display part of the article, etc.

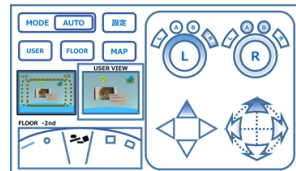
Regarding designs for a set of articles that includes a **graphic image design**, following are examples of applications filed for a design for a set of articles consisting of multiple **graphic image designs**, a design for a set of articles consisting of a **graphic image design** and an article design, and a design for a set of articles consisting of a **graphic image design** and a building design, as well as descriptions of items included in the applications.

<Fig. 3.14-3> Examples of statements for a design for a set of articles including a graphic image

<Example of a design for a set of articles consisting of multiple **graphic image designs**>



[Graphic image view 1]



[Graphic image view 2]

[Article to the Design] A set of graphic images

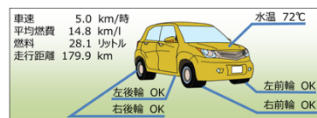
[Description of Article to the Design] The graphic image shown in graphic image view 1 is a "graphic image for displaying information for a virtual space." It is a graphic image for displaying a variety of information for viewing in a virtual space simulating an underwater environment. By operating a handheld controller, commentary is displayed in front of graphic images of marine life. The graphic image shown in graphic image view 2 is an operational graphic image for managing the displayed information. Information—such as the status of displayed graphic images, the operation status and movement of the user's controller, and the graphic image for displaying information for the virtual space—is displayed, and the user can operate the settings, etc.

\* For the convenience of explanation, other statements in the application and any other views are omitted.

<Example of a design for a set of articles consisting of a **graphic image design** and an article design>



[Perspective view]



[Graphic image view]

[Article to the Design] A set of transportation equipment

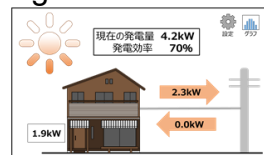
[Description of Article to the Design] The design in this application for design registration is a set of transportation equipment consisting of a passenger car and a graphic image for displaying passenger car information as shown in the graphic image view. The graphic image shown in the graphic image view indicates passenger car information such as water temperature and tire pressure.

\* For the convenience of explanation, other statements in the application and any other views are omitted.

<Example of a design for a set of articles consisting of a **graphic image design** and a building design>



[Front view]



[Graphic image view]

[Article to the Design] A set of buildings

[Description of Article to the Design] The design in this application for design registration is a set of buildings consisting of a house with solar panels and a graphic image for displaying power generation. The graphic image shown in the graphic image view indicates the amount of power generated, power generation efficiency, the amount of consumption, and the state of power sold to the grid from the solar panels installed on the house.

\* For the convenience of explanation, other statements in the application and any other views are omitted.

(i) Column of “Article to the Design” in the application

When filing an application for design registration for a design for a set of articles, in the column of “Article to the Design,” applicants state the set of articles listed in the Appended Table of the Ordinance for Enforcement of the Design Act (for the Appended Table of the Ordinance for Enforcement of the Design Act, see 16. “Design for a Set of Articles”).

If the subject matter constituting a design for a set of articles includes a building (including a design including a graphic image on a part of a building), in the column of “Article to the Design,” applicants state “a set of buildings.” If the subject matter constituting a set of articles does not include a building but does include an article (including a design including a graphic image on a part of an article, etc.), applicants state the set of articles to which that article belongs in the column of “Article to the Design.” If the subject matter comprises only multiple **graphic image designs**, applicants state “a set of graphic images” in the column of “Article to the Design.”

(ii) Column of “Description of Article to the Design” in the application

If the subject matter constituting a set of articles includes **graphic image designs**, applicants state the details shown in (1)(ii) for each **graphic image design**. If the subject matter constituting a set of articles includes designs including a graphic image on a part of an article, etc., state the details shown in (2)(ii) for each design including a graphic image on a part of an article, etc.

(iii) Column of “Description of the Design” in the application

Applicants make a statement in this column where necessary in the following cases.

- Where design registration is requested for part of a graphic image, and where the part for which the design registration is requested cannot be specified from statements in the drawings alone
- Where the displayed graphic image changes, and where design registration is requested for the graphic image as it appears before, during and after the said change
- Where views are included in which either black or white has been omitted
- Where all or part of the article, building or graphic image is transparent
- Where some views have been replaced with other views that are identical to or a mirror image of those views
- Where views omit the continuous state of a design with a continuous shape, etc.
- Where some views have been omitted, and where the design cannot be clearly shown by the drawings alone

For details on what statements should be included in each case, please see Part I, 1.3 “The column of “Description of Design”.”

(iv) Drawings attached to the application

If the design for a set of articles can be sufficiently represented by showing the individual shapes, etc. of each subject matter constituting the set of articles, applicants depict each subject matter constituting the set of articles, one after the other.

If the “design for a set of articles” shows a sense of unity when all articles, etc. are combined, in addition to depicting each article, etc. constituting the set of articles, applicants prepare views necessary to sufficiently represent the shape, etc. when all constituent articles, etc. are combined.

In this case, if the subject matter constituting a set of articles includes **graphic image designs**, applicants show each **graphic image design** based on the details shown in (1)(iv). In addition, if the subject matter constituting a set of articles includes designs including a graphic image on a part of an article, etc., applicants show each design including a graphic image on a part of an article, etc. based on the details shown in (2)(iv).

(4) Interior design whose constituent elements include a design including a graphic image

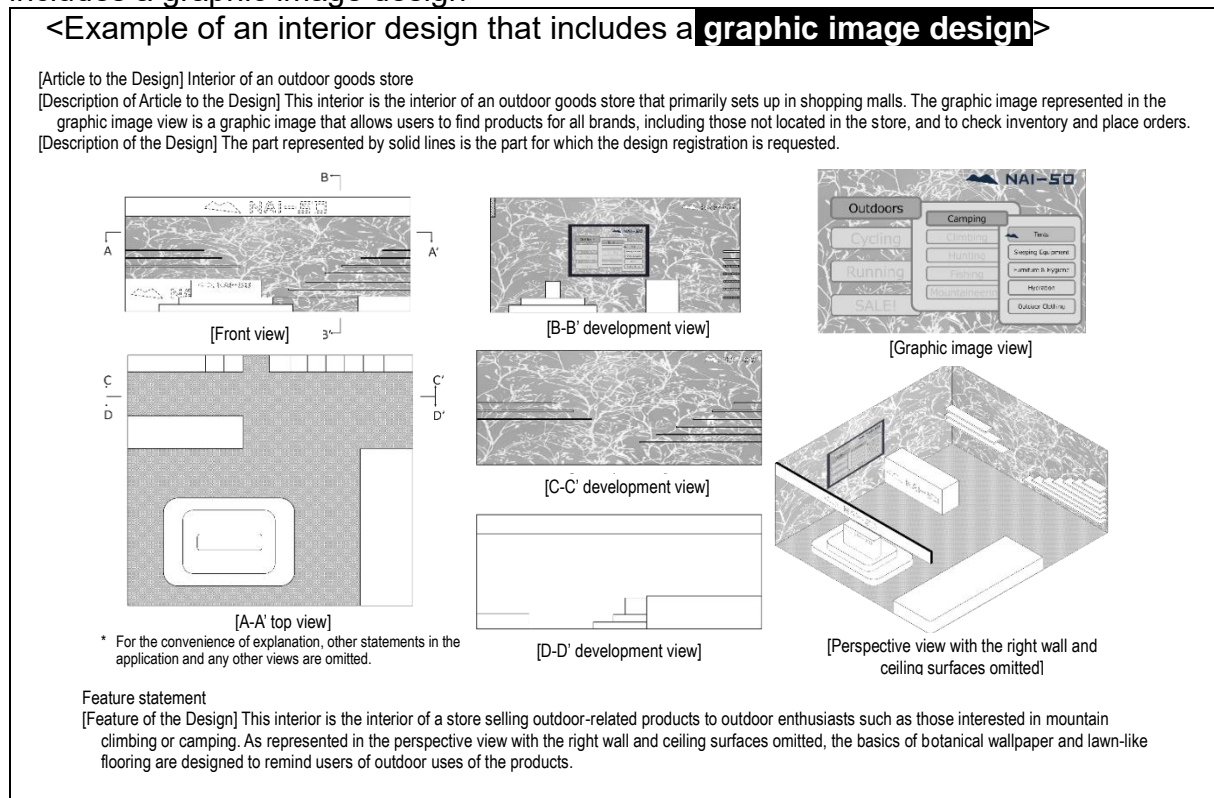
A design including a graphic image can be a constituent element of an interior design, whether it is a **graphic image design** or a design including a graphic image on a part of an article, etc.

Possible types of interior design that includes a **graphic image design** are cases where the **graphic image design** is displayed inside a facility and cases where an article design or building design that constitutes the interior of a facility is a design including a graphic image on a part of an article, etc.

Since the arrangement of fixtures, etc. is also included in the creation of interior design, if the interior is to be coordinated as a whole, including the arrangement of **graphic image designs**, applicants show the **graphic image designs** in graphic image views while also showing the arrangement of **graphic image designs** in the interior design. If, an article or building that constitutes the interior design is a design including a graphic image on a part of an article, etc., applicants prepare an application and drawings in the same manner as for an ordinary interior design, while also displaying the graphic image on the display part of the article, etc.

Following are examples of applications filed for an interior design that includes a **graphic image design**, and descriptions of items included in the application.

<Fig. 3.14-4> Example of statements and drawings for an interior design that includes a graphic image design



(i) Column of “Article to the Design” in the application

When filing an application for design registration for an interior design, applicants state the usage of the interior in the column of “Article to the Design” using the expression “interior for ○○” or “interior of ○○.”

(ii) Column of “Description of Article to the Design” in the application

If the subject matter constituting an interior design includes **graphic image designs**, applicants state the details shown in (1)(ii) for each **graphic image design**. If the subject matter constituting an interior design includes **designs** including a graphic image on a part of an article, etc., applicants state the details shown in (2)(ii) for each **design including a graphic image on a part of an article, etc.**

(iii) Column of “Description of the Design” in the application

Applicants make a statement in this column where necessary in the following cases.

- Where design registration is requested for part of a graphic image, and where the part for which the design registration is requested cannot be specified from statements in the drawings alone
- Where the displayed graphic image changes, and where design registration is requested for the graphic image as it appears before, during and after the said change

- Where views are included in which either black or white has been omitted
- Where all or part of the article, building or graphic image is transparent
- Where some views have been replaced with other views that are identical to or a mirror image of those views
- Where views omit the continuous state of a design with a continuous shape, etc.
- Where some views have been omitted, and where the design cannot be clearly shown by the drawings alone

For details on what statements should be included in each case, please see Part I, 1.3 “The column of “Description of Design”.”

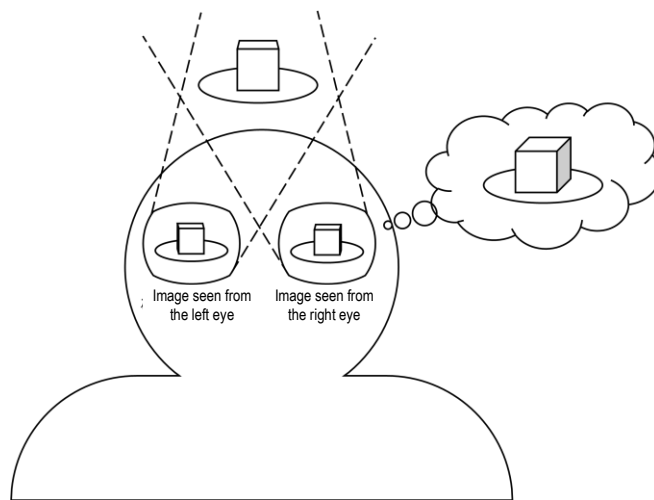
(iv) Drawings attached to the application

Since the arrangement of fixtures, etc. is also included in the creation of the interior design, if a sense of unity is observed for the interior as a whole, including the arrangement of **graphic image designs**, applicants show the arrangement of **graphic image designs** in the interior design, and represent each **graphic image design** based on the details shown in (1)(iv). If a **design** including a graphic image on a part of an article, etc. is included in part of an article or building that constitutes the interior design, applicants file the application in the same manner as for an ordinary interior design, while also displaying the graphic image on the display part of the article, etc.

## 14.2 Representation in drawings according to graphic image characteristics

### (1) Virtual 3D and virtual reality (VR) graphic images

VR technology is a technology that stimulates a user's five senses to make them perceive artificial environments, cyberspace and so on as real. With recent improvements in the capacity of computers to process information, it is now possible to make users perceive objects in a virtual space as three dimensional by computing the image visible in their right eye and left eye in real time based on the three-dimensional shape of a virtual object in virtual space and the user's viewpoint, and by showing the image for the right eye only to the right eye and the image for the left eye only to the left eye.



Technologies for this purpose include a method of using a separate display device for the left and right eyes (so-called VR goggles) to display the images, a method of taking the combined right-eye image and left-eye image and dividing it into an image for the right eye and an image for the left eye by passing it through a polarizing filter, and a method of using glasses synchronized with the switching of images while alternately displaying images for the right eye and images for the left eye. The actual image displayed on the display device, etc. differs depending on which technology is used.

In the design system, when filing an application for a design that includes such a VR image, the method of expression differs depending on whether the graphic image for which design registration is requested is a **graphic image design** or a design including a graphic image on a part of an article, etc.

In other words, in the case of a **graphic image design**, since the graphic image for which design registration is requested is the graphic image itself, separated from the display technology and the display device, applicants show it by showing the virtual space and the viewpoint, etc.

On the other hand, if the graphic image for which design registration is requested in a design including a graphic image on a part of an article, etc. is a VR graphic image, applicants depict it in the state actually displayed on the display part, and if necessary for understanding the design, depict the graphic image, etc. visible to the user.

There are also so-called mixed reality and augmented reality technologies that apply VR technologies to combine a graphic image with real scenery, but since these could be described as a graphic image in a virtual space that is partially transparent or translucent, applicants depict it in the same manner as for VR while representing the part combined with real scenery, etc. as a transparent or translucent part.

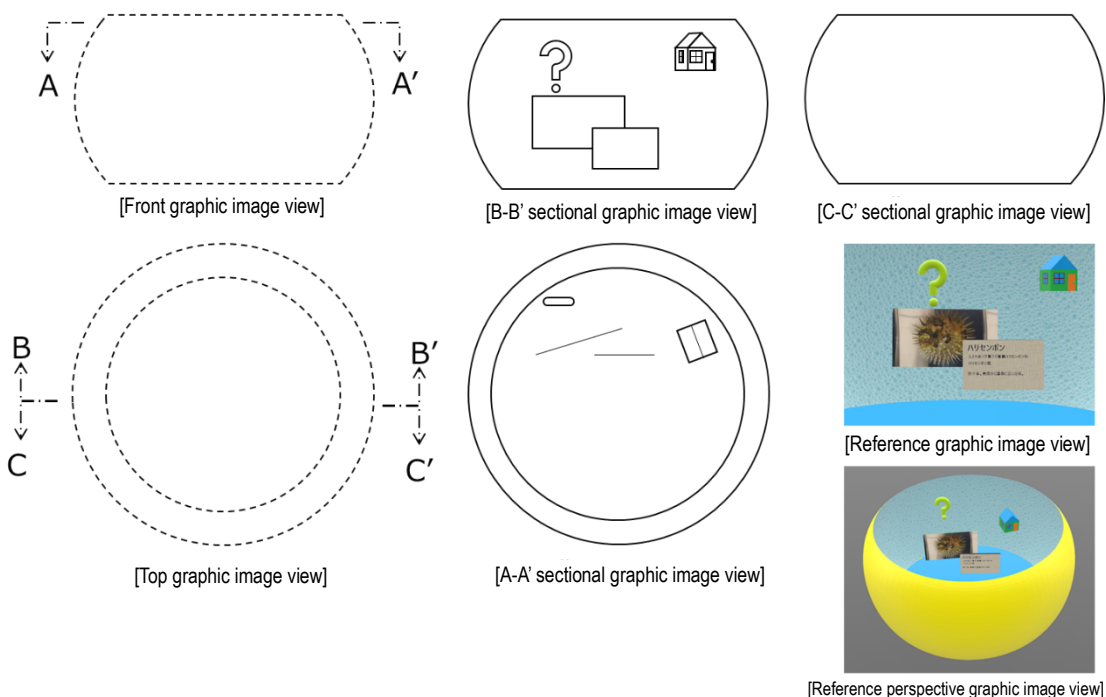
<Fig. 3.14-5> Example of how to depict a graphic image in a virtual space

<Example of a **graphic image design** that is a virtual space>

[Article to the Design] Graphic image for displaying information for a virtual space

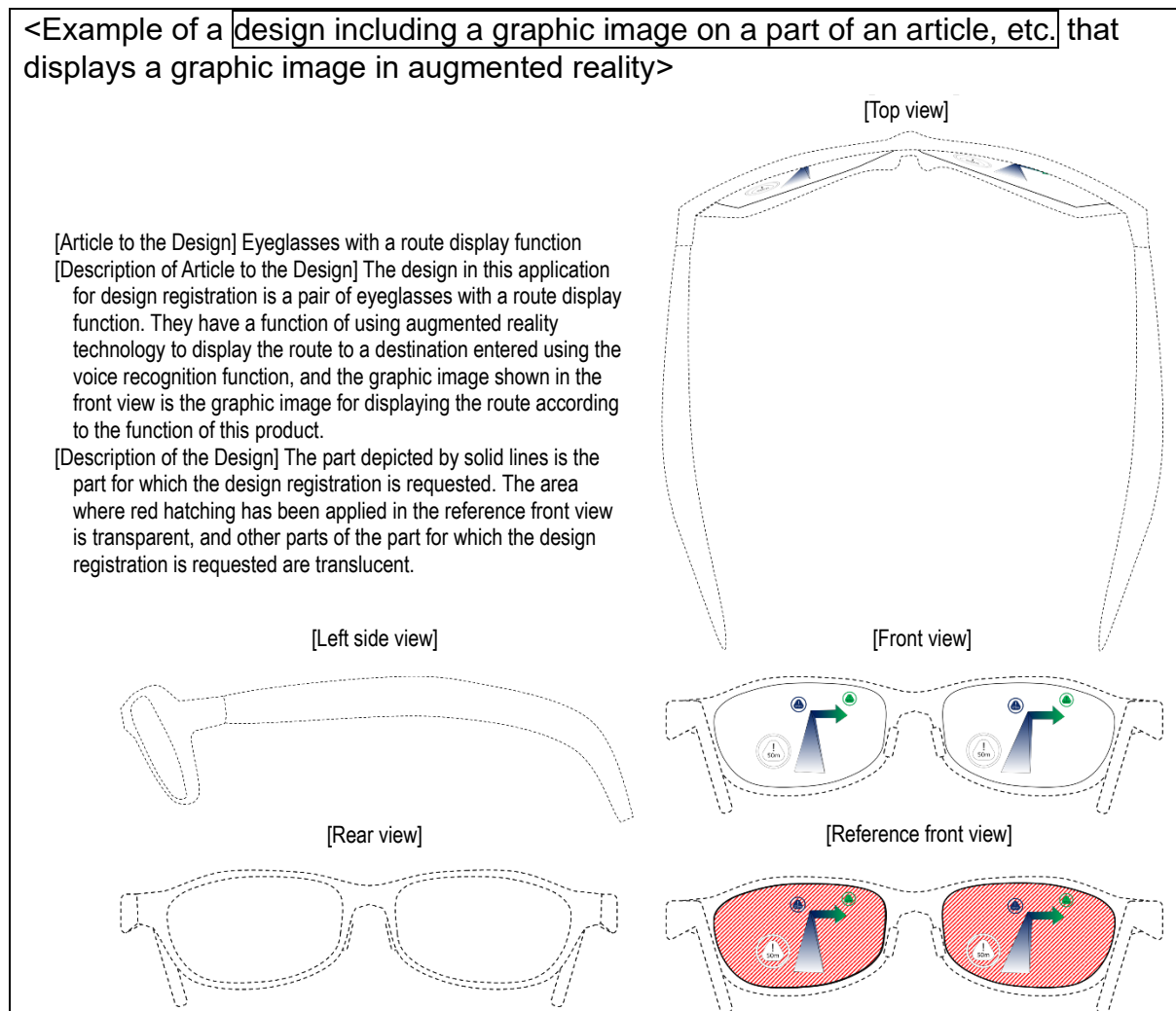
[Description of Article to the Design] The graphic image is an application graphic image for confirming a variety of information in a virtual space simulating an underwater environment. Clicking or gazing at one of the icons arranged in the space will display an explanation. Clicking the home icon at the top right of the B-B' sectional graphic image view returns the user to the top screen, and clicking the "?" icon at the top left allows the user to view additional information.

[Description of the Design] The part depicted by solid lines is the part for which the design registration is requested.





<Fig. 3.14-6> Example of how to depict a graphic image in augmented reality



## (2) Graphic images that change

In the case of a design including a graphic image, in principle, one design is represented by a single graphic image. Therefore, if multiple graphic images are included in a single application, it will not be found to be an application for design registration filed for each design as provided in Article 7 of the Design Act.

However, where it can be determined from the content of statements in the application and drawings attached to the application that multiple graphic images satisfy both of the following requirements, these multiple graphic images can be found to be one design as a graphic image that changes.

- (i) The graphic images are those provided for use in the operation carried out in order to perform the same function or graphic images for making necessary indications for performing the same function (hereinafter referred to as “graphic images for the same function”).
- (ii) There is relevance in shape, etc. based on commonality in figures, etc. in the graphic images before and after the change.

(Note) In the case of a design including three or more graphic images, determination on relevance in shape, etc. is made for two graphic images: ones immediately before and after the change. In addition, if the part for which the design registration is requested is part of a graphic image, determination on the presence or absence of relevance in shape, etc. is made for the part for which the design registration is requested in the graphic images immediately before and after the change.

i) Points to be noted when making a statement in an application and preparing drawings

(i) Column of "Description of Article to the Design"

Applicants state that the multiple graphic images are graphic images for the same function of the article.

(ii) Column of "Description of the Design"

If the drawings alone cannot sufficiently represent the changing order or the changing mode, applicants include statements to specify these in the column of "Description of the Design."

(iii) Drawings

- a) Graphic images before and after the change need to be represented. In this case, first, applicants show the view or graphic image view containing the graphic image at the starting point of the change, and then show the graphic images immediately before and after the change (each of which has to have relevance in shape, etc.).
- b) In principle, multiple graphic images which show the changing mode are represented in the order the change develops. When doing so, applicants describe the changing mode of the views by providing explanation in the abovementioned "Description of the Design", attaching indications of the view and numbers or codes for identifying those views, such as, for example, "graphic image view showing the changed state 1," "graphic image view showing the changed state 2" and "front view showing the changed state 1."

ii) Categories of relevance in shape, etc.

(i) Movement of a figure, etc.

Where a figure, etc. continuously moves, expands, shrinks, rotates or changes in color within the graphic image on a screen, while hardly changing its own shape

- (ii) Increase or decrease of the same figure, etc.  
Where the same figure, etc. increases or decreases (appears, disappears) continuously within the graphic image on a screen
- (iii) Change of the layout within the graphic image on a screen  
Where the direction or the aspect ratio of the arrangement of figures, etc. changes according to the status of use of the device; where the figures, etc. change their arrangement within the graphic image on a screen, while hardly changing their own shapes
- (iv) Gradual change of the graphic image on a screen or figure, etc. itself  
Where a new graphic image gradually appears on a screen while a part of the graphic image before the transition still remains, and the transition to the new graphic image eventually completes; where the shape, etc. of the figure, etc. differs at the beginning and the end of the change, but by disclosing the graphic image in the midst of the change, the figure, etc. is found to change gradually
- (v) Continuous use of a common motif  
Where a common motif comprised of the same figure, etc. is continuously used in the header part or the background of the graphic image on a screen
- (vi) Development of an additional figure, etc.  
Where a new figure, etc. appears within or disappears from the graphic image on a screen in conjunction with the operation (for example, development of a pull-down menu, sub-menu or sub-window, or appearance or disappearance of a pop-up indication in relation to an icon, etc.)

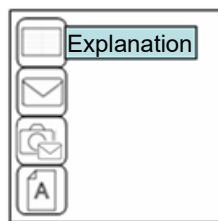
i. Where plural graphic images on a screen are found to be one design  
 <Fig. 3.14-7> Example of movement of a figure, etc.

[Article to the Design] Graphic image for operating email functions

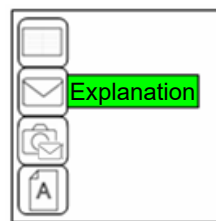
[Description of Article to the Design]

The graphic images represented in the graphic image view and the graphic image view showing the state after the change can be used for enabling performance of the email functions of the mobile phone. As shown in the graphic image view and the graphic image view showing the state after the change, when one of the figures, etc. for operation is selected, the explanation for such figure, etc. for operation also moves in conjunction with it.

[Graphic image view]



[Graphic image view showing the state after the change]



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

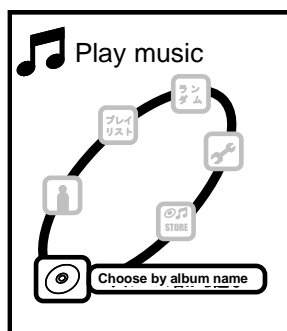
<Fig. 3.14-8> Example of rotation of a figure, etc.

[Article to the Design] Graphic image for controlling music playback

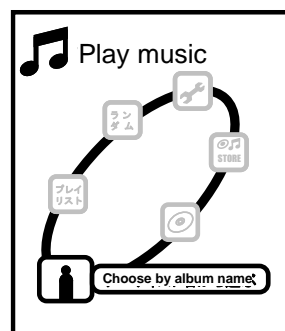
[Description of Article to the Design]

The graphic images represented in the graphic image view and the graphic image view showing the state after the change are used for selecting the information based on which playback should start in order to enable performance of the music playback function of the mobile phone. As shown in the graphic image view and the graphic image view showing the state after the change, when one of the figures, etc. for operation is selected, the explanation for such figure, etc. for operation also changes in conjunction with it.

[Graphic image view]

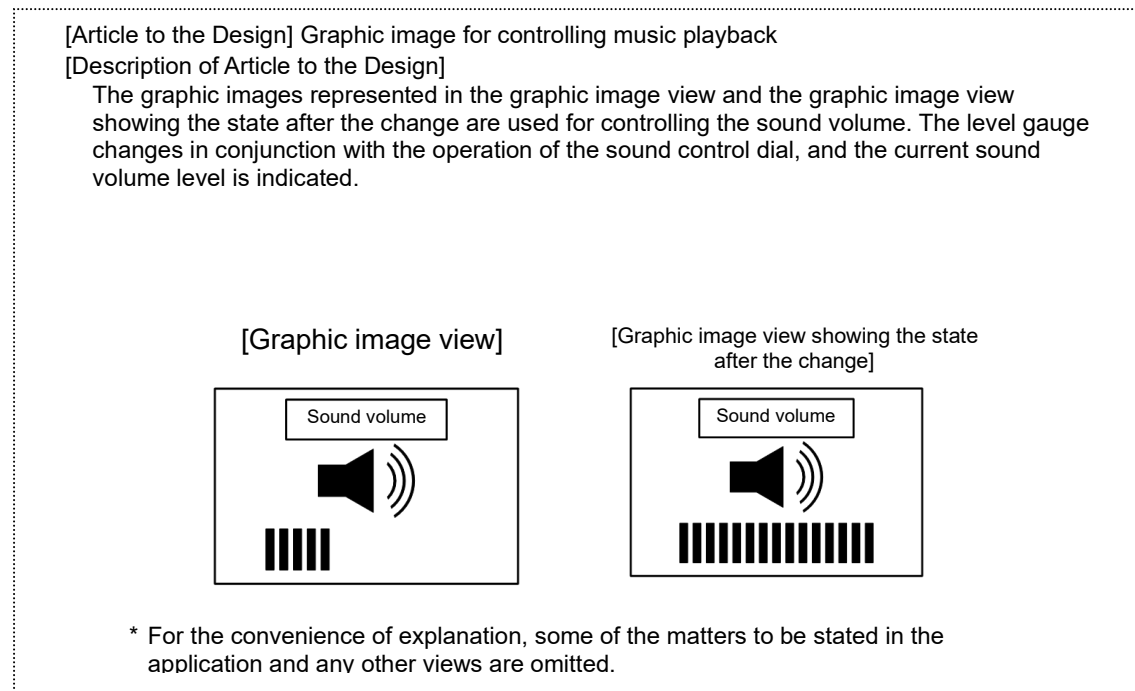


[Graphic image view showing the state after the change]

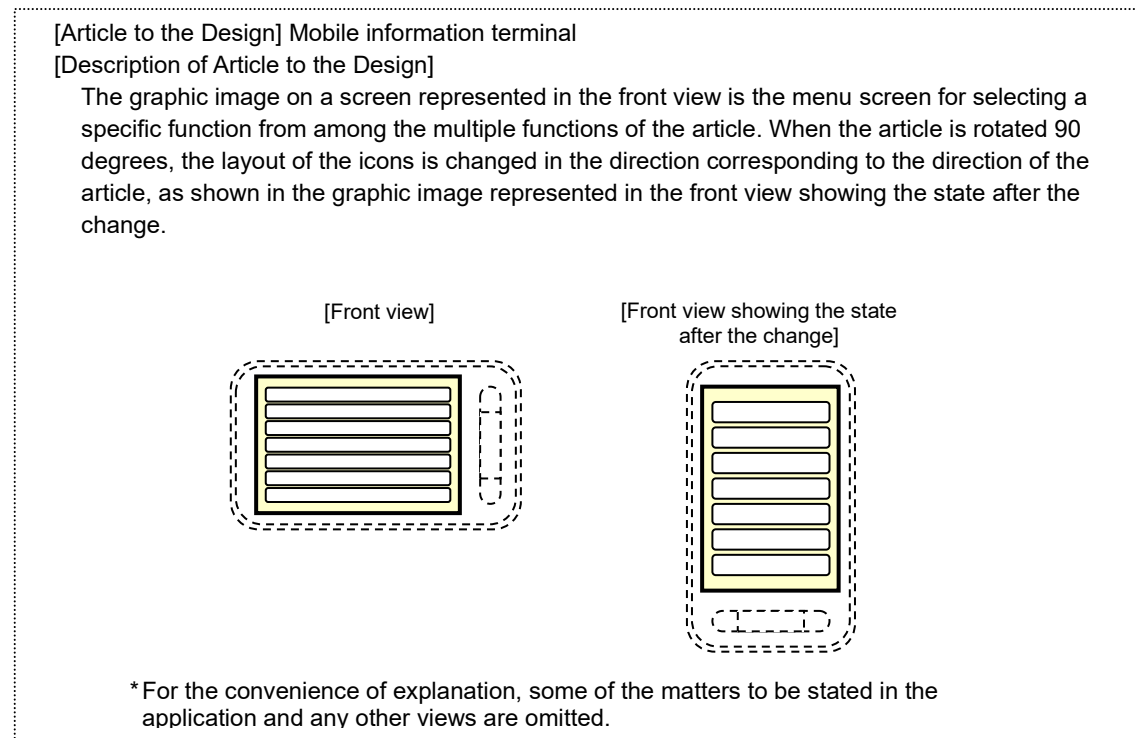


\* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

<Fig. 3.14-9> Example of an increase or decrease of the same figure, etc.



<Fig. 3.14-10> Example of a change of the layout within the graphic image on a screen



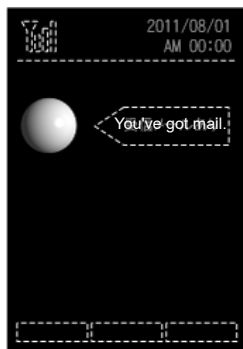
<Fig. 3.14-11> Example of a gradual change in the figure, etc. itself

[Article to the Design] Graphic images for email operation

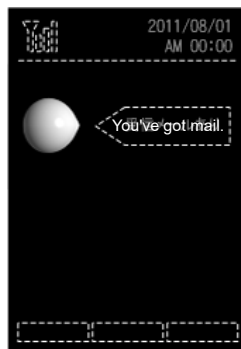
[Description of Article to the Design]

The graphic images represented in graphic image views 1 to 6 are graphic images for email operation. The icon, which is the part for which the design registration is requested, is for informing the user of receipt of an email. When the icon is selected, an email opening screen is activated. The icon rotates vertically and continues to gradually change in the order of graphic image view from 1 to 6 and then from 6 to 1 and repeats this process until the email is opened.

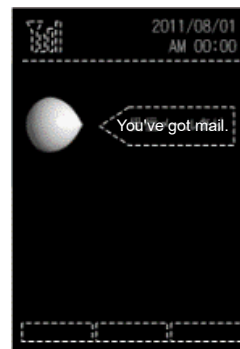
[Graphic image view 1]



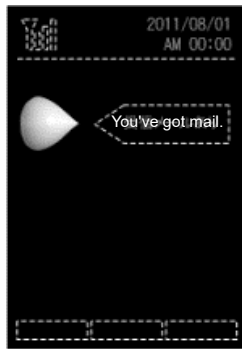
[Graphic image view 2]



[Graphic image view 3]



[Graphic image view 4]



[Graphic image view 5]



[Graphic image view 6]



\* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

It is found that the series of graphic images are for the email function. Also, because the forms of the figure, etc. (icon), which is the part for which the design registration is requested, displayed in the graphic images immediately before and after the change show commonality, it is found that the graphic images have relevance in form.

As in this example, determination on graphic images for the same function is made based on the entire graphic image, and determination on relevance in form is made based on the part for which the design registration is requested.

<Fig. 3.14-12> Example of continuous use of a common motif

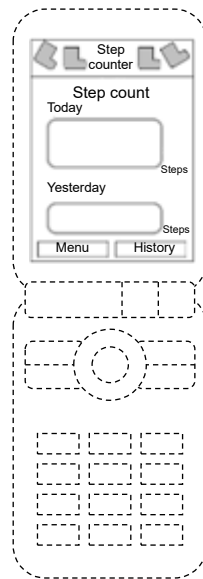
[Article to the Design] Mobile phone

[Description of Article to the Design]

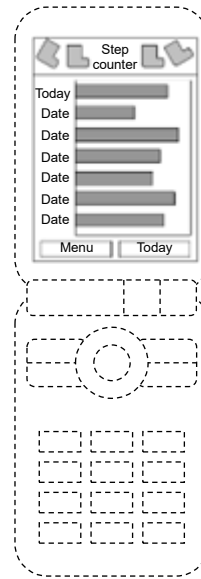
The article is a mobile phone having step count measurement and indication functions.

By selecting the history button in the front view, a past step count record can be displayed in a graph. The graphic images on a screen represented in the front view and the front view showing the changed state are graphic images for the step count indication function.

[Front view]



[Front view showing the changed state]



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

The graphic images in the front view and the front view showing the changed state are both those for the step count indication function, and because the forms of the motifs in the header part and the operation buttons at the bottom show commonality, it is found that the graphic images have relevance in form.

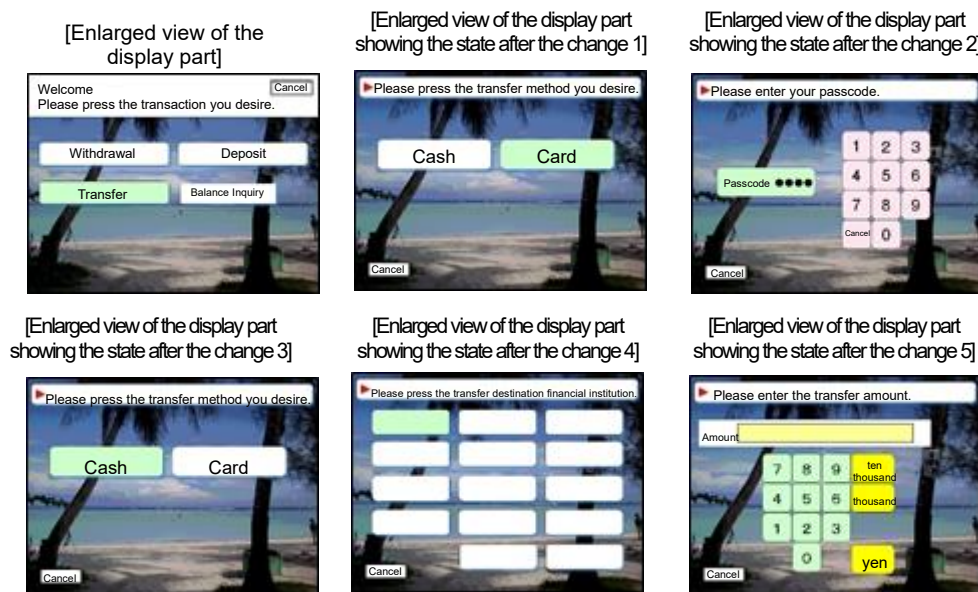
<Fig. 3.14-13> Example of continuous use of a common motif

[Article to the Design] Automated teller machine

The respective graphic images are used for setting the transfer destination and inputting the transfer amount for the money transfer function.

[Description of the Design]

When making a transfer by using a card, the graphic image on a screen makes a transition in sequence from [Enlarged View of the Display Part] to [Enlarged View of the Display Part Showing the State after the Change 1], [Enlarged View of the Display Part Showing the State after the Change 2], [Enlarged View of the Display Part Showing the State after the Change 4], and [Enlarged View of the Display Part Showing the State after the Change 5]. When making a transfer by cash, the graphic image on a screen makes a transition in sequence from [Enlarged View of the Display Part] to [Enlarged View of the Display Part Showing the State after the Change 3], [Enlarged View of the Display Part Showing the State after the Change 4], and [Enlarged View of the Display Part Showing the State after the Change 5].



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

If the graphic images are those for the same function of the article, and relevance in form can be found in the graphic images before and after the change, they are found to be one design even if the graphic image branches to different graphic images as in this example, or in other cases with combined modes of change, such as where the graphic image returns to the previous one.

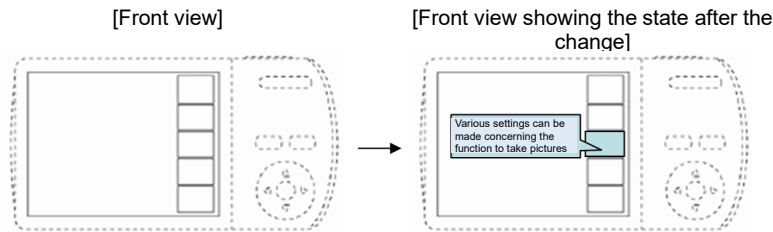


<Fig. 3.14-14> Example of development of an additional figure, etc.

[Article to the Design] Digital camera

[Description of Article to the Design]

The graphic image on a screen represented in the front view is used in the operation to start up or set up the camera for the function to take pictures. As shown in the front view showing the state after the change, when a certain time period passes while in a state of designating a figure, etc. for operation, an explanation in a speech balloon is displayed with regard to the contents that can be set by the figure, etc. for operation.



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

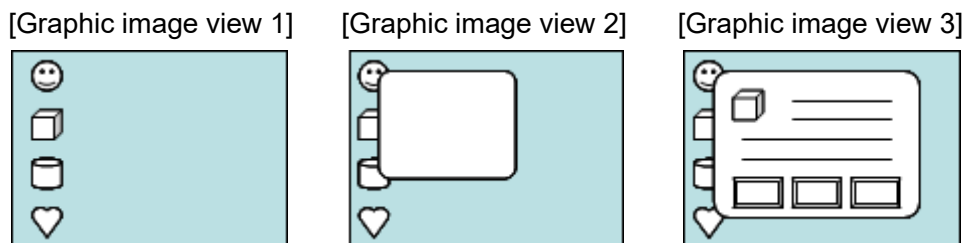
The graphic images in [Front View] and [Front View Showing the State after the Change] are graphic images for the function to take pictures, and because the five figures for operation vertically arranged in a row on the far-right within the graphic images are in common, it is found that the graphic images have relevance in form

<Fig. 3.14-15> Example of development of an additional figure, etc.

[Article to the Design] Graphic image for initial settings

[Description of Article to the Design]

The graphic images represented in graphic image views 1 to 3 are used for carrying out the initial settings of a portable information terminal. Whichever icon is selected in graphic image view 1, a pop-up window appears, and the graphic image changes from graphic image view 2 to 3. The pop-up window displays an explanation for the function of the selected icon along with an execution button and other buttons.



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

The graphic images are graphic images for operation used for the initial settings, and because the four icons in the far-left in the graphic image view 1 and the graphic image view 2 are in common, and the icons and the outer shapes of the pop-up windows in the graphic image view 2 and graphic image view 3 are in common, relevance in form is found in both sets of graphic images before and after the change.

ii. Where plural graphic images on a screen are not found to be one design

<Fig. 3.14-16> Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions

[Article to the Design] Graphic image for controlling a mobile phone

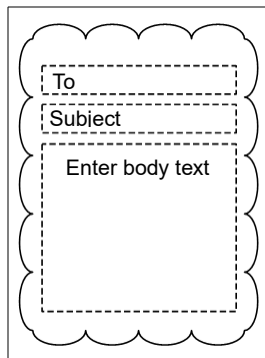
[Description of Article to the Design]

The graphic image displayed on the display part is used for the input operation for writing emails. The graphic image represented in the graphic image view showing the state after the change is a graphic image used for the calculator function. Calculations are carried out by selecting buttons.

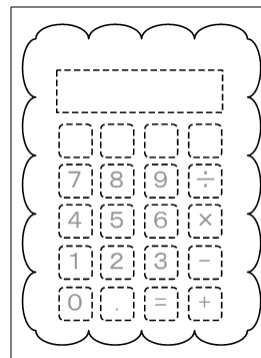
[Description of the Design]

The part depicted in solid lines is the part for which the design registration is requested.

[Graphic image view]



[Graphic image view showing the state after the change]



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

Relevance in form can be found in the forms of the part for which the design registration is requested (the shape of the cloud-shape frame) in the two views. However, while the graphic image on a screen showing the state before the change is a graphic image for the email function, the graphic image showing the state after the change is a graphic image for the calculator function, and they are not found to be graphic images for the same function of the article.

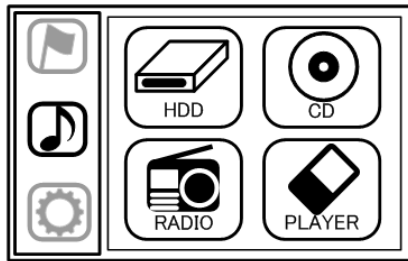
<Fig. 3.14-17> Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions

[Article to the Design] Graphic image for displaying route guidance

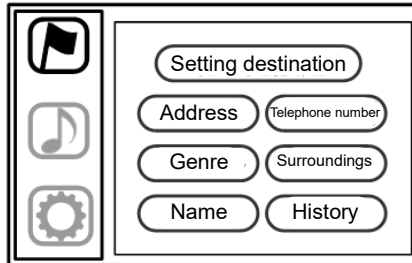
[Description of Article to the Design]

The graphic image represented in the graphic image view is for the operation to select the source of music to be played. By selecting the flag icon in the left-side menu, the graphic image changes to a graphic image for setting the destination for route guidance, as shown in the graphic image represented in the graphic image view showing the state after the change.

[Graphic image view]



[Graphic image view showing the state after the change]



\* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

While the graphic image on a screen showing the state before the change is a graphic image for the music playing function, the graphic image showing the state after the change is a graphic image for the route guidance function, and they are not found to be graphic images for the same function of the article.

<Fig. 3.14-18> Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions

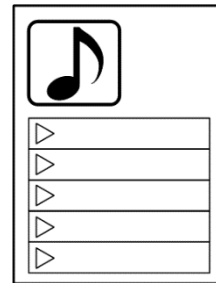
[Article to the Design] Graphic image for controlling a portable information terminal  
[Description of Article to the Design]

The graphic image view is a menu screen. When the music icon is selected, the graphic image changes to graphic image view showing the state after the change 1, and the menu for the music playback function appears. When the email icon is selected, the graphic image changes to graphic image view showing the state after the change 2, and the menu for the email function appears. When the search icon is selected, the graphic image changes to graphic image view showing the state after the change 3, and the menu for the search function appears.

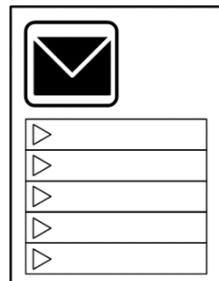
[Graphic image view]



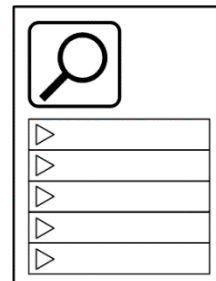
[Graphic image view showing the state after the change 1]



[Graphic image view showing the state after the change 2]



[Graphic image view showing the state after the change 3]



\* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

This example covers the following three designs: a design that changes from [graphic image view] to [graphic image view showing the state after the change 1] where the musical note motifs in the graphic images for the music playback function show commonality; a design that changes from [graphic image view] to [graphic image view showing the state after the change 2] where the email motifs in the graphic images for the email function show commonality; and a design that changes from [graphic image view] to [graphic image view showing the state after the change 3] where the magnifying glass motifs in the graphic images for the search function show commonality.

<Fig. 3.14-19> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

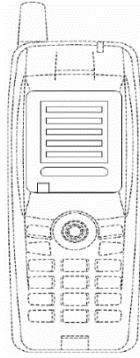
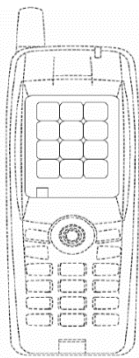
[Article to the Design] Mobile phone

[Description of Article to the Design]

The graphic images on a screen represented in the front view and the front view showing the state after the change are used in the operation to select the method for selecting the call designation. By pressing the lowermost button in the right-hand row in the front view, the graphic image changes into a list display, as shown in the front view showing the state after the change.

[Front view]

[Front view showing the state after the change]



\* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

<Fig. 3.14-20> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

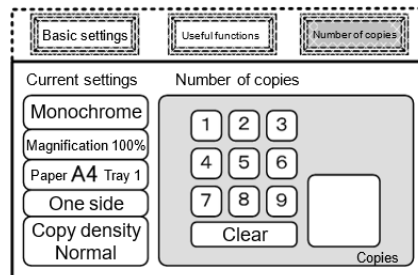
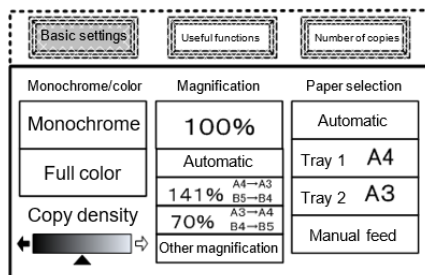
[Article to the Design] Graphic image for controlling the copying function

[Description of Article to the Design]

The graphic images represented in the graphic image view and the graphic image view showing the changed state are for carrying out various settings for copying.

[Graphic image view]

[Graphic image view showing the state after the change]



\* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

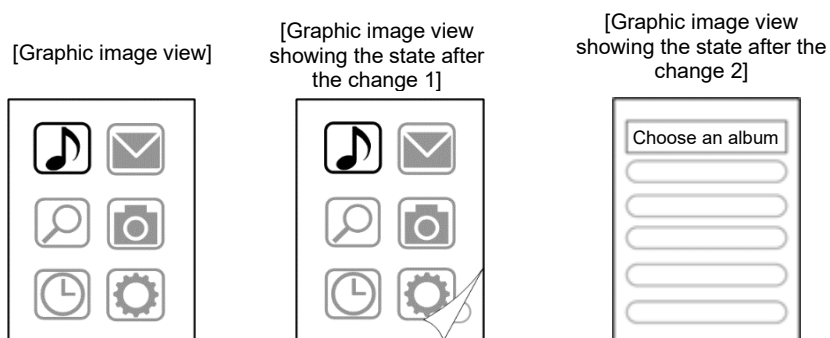
With regard to the part for which design registration is requested, the graphic images on a screen before and after the change have no common elements and lack coordination, and are found to have no relevance in form.

<Fig. 3.14-21> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

[Article to the Design] Graphic image for controlling a portable information terminal

[Description of Article to the Design]

The graphic image represented in the graphic image view is a graphic image related to the music playback function. Graphic image view showing the state after the change 1 and graphic image view showing the state after the change 2 represent the change that occurs when the music playback icon is selected from the menu screen, and the album selection screen appears as if turning a page from the bottom right of the menu screen. The graphic image represented in graphic image view showing the state after the change 2 is for carrying out the operation to select the album to be played.



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

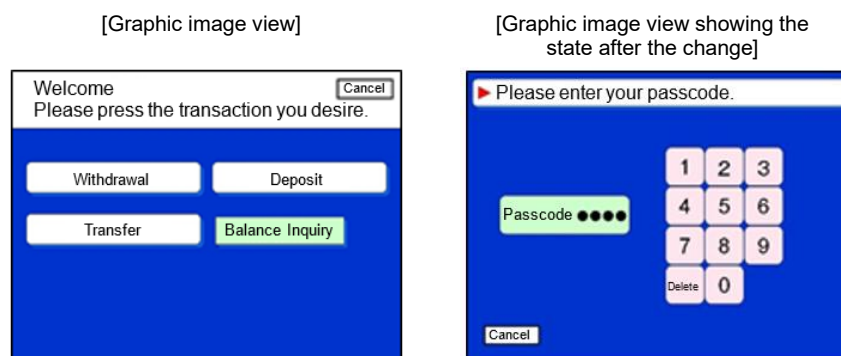
The series of graphic images are for the same function, and [graphic image view] and [graphic image view showing the state after the change 1] are found to have relevance in form. However, [graphic image view showing the state after the change 1] and [graphic image view showing the state after the change 2] are found to have no relevance in form, since there is hardly any commonality in the figures, etc. This example covers the following two designs: the graphic image represented in [graphic image view] and [graphic image view showing the state after the change 1]; and the graphic image represented in [graphic image view showing the state after the change 2]. Since relevance in form is determined based on the graphic images before and after the change, in order for a series of graphic images that change gradually to be found to be one design, the graphic image in the midst of the change needs to be disclosed.

<Fig. 3.14-22> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

[Article to the Design] Graphic image for automatic teller machine operations

[Description of Article to the Design]

The graphic image displayed on the display part is used for making a balance inquiry. By selecting the balance inquiry button, the graphic image makes a transition to the screen for entering the passcode.



\*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

In this example, no relevance in form can be found in the graphic images before and after the change, since there is no commonality in figures, etc. Although blue color is used in the background of both graphic images, relevance in form cannot be found for mere use of consistent colors.

(3) Where the design cannot be fully understood unless represented together with articles other than the design for which the design registration is requested

If design registration is being requested for a **graphic image design**, basically only graphic images are represented in drawings. However, where the design cannot be fully understood unless represented together with articles other than the design for which the design registration is requested, showing the design together with articles extraneous to the design is permitted. Nevertheless, in such cases, the design for which design registration is requested needs to be able to be specified, for example, by stating the method for specifying the design for which design registration is requested in the column of "Description of the Design" in the application, or by depicting the part for which the design registration is requested using solid lines and depicting other parts using broken lines in the drawings attached to the application.

Designs including a graphic image on a part of an article, etc. may similarly be represented together with articles extraneous to the design.

<Fig. 3.14-23> Example representing an article other than the design for which design registration is requested

<Example showing a **graphic image design** together with an article other than the design for which design registration is requested>



[Article to the Design] Graphic image for selecting functions

[Description of Article to the Design] This graphic image is a graphic image for operation for launching multiple related software. By sliding the graphic image, icons for launching different software will be displayed.

[Description of the Design] The smartwatch indicated by broken lines in the graphic image view is an article other than the design for which design registration is requested.

[Graphic image view]

(i) Column of “Article to the Design” in the application

If design registration is being requested for a **graphic image design**, in the column of “Article to the Design,” applicants include a statement like “graphic image for ○○” in accordance with the design for which design registration is requested (see 13.1(1)(i)). If design registration is being requested for a design including a graphic image on a part of an article, etc., in the column of “Article to the Design,” applicants include a statement consistent with the article, etc. for which the design registration is requested (see 13.1(1)(ii)).

(ii) Column of “Description of the Design” in the application

Applicants state the matters described in 14.1(1)(iii) If design registration is being requested for **graphic image design**, and state the matters described in 13.1(2)(iii) if design registration is being requested for a design including a graphic image on a part of an article, etc. In addition, if the design for which design registration is requested cannot be specified by the drawings alone, applicants state how the design is specified. Furthermore, even if the design for which design registration is requested can be specified by the drawings alone, the method for specifying the design may be stated in order to make the design for which design registration is requested even clearer.



(iii) Drawings

Applicants clearly specify the design for which design registration is requested, for example, by depicting the design for which design registration is requested using solid lines and depicting other parts using broken lines. In particular, for names of parts of an article, etc. or a component and so on, sometimes different words can mean the same thing or the same word can mean different things depending on who or which company uses them. Therefore, even if the design for which design registration is requested can be specified from statements in the column of "Description of the Design" alone, it may be made even clearer by depicting the design for which design registration is requested in drawings in a manner which differentiates it from the other parts.

(4) In the case of a liquid crystal display panel (where figurative segments are arranged in fixed positions)

Liquid crystal display panels are a component incorporated into various articles as display parts. They are generally board-shaped, and use electric currents to display figurative segments arranged in fixed positions (figurative segment display method). Liquid crystal display panels do not include those panels in which the entire display part is composed of a large number of pixels and which is capable of displaying various figures, etc. (dot matrix display method).

A liquid crystal display panel becomes capable of passing electric current by being incorporated into the display part of various types of articles, and only displays figures, etc. by passing electric current. In most liquid crystal display panels, it is not possible to distinguish between the figurative segment parts and other parts when no electric current passes. Therefore, as a component, a liquid crystal display panel does not actually show figures, etc. externally. However, in the figurative segment display method, since segment parts are arranged in fixed positions as figurative parts that change by passage of electric current, taking this characteristic into consideration, the figurative segment parts displayed on a liquid crystal display panel are treated as an element that constitutes the design.

Statements in the application and drawings should be as follows.

i) Statement in the application

(i) Column of "Article to the Design"

The fact that the article is a liquid crystal display panel must be clearly stated, such as "liquid crystal display panel for yy."

(ii) Column of "Description of the Design"

a) In order to help in understanding what kind of figures, etc. are displayed by passage of electric current, an explanation of the figures, etc. that appear by passage of electric current should be stated as needed.

However, in the case where the mode of the figures, etc. that appear by passage of electric current is clearly understandable from the purpose of use, general mode, "Reference View Indicating the State of Use", etc. of the article incorporating the liquid crystal display panel, the statement in the column of "Description of the Design" is unnecessary.

- b) In the case where there are any non-translucent figurative parts, etc. that are printed, etc., an explanation as to which parts are such parts should be stated.

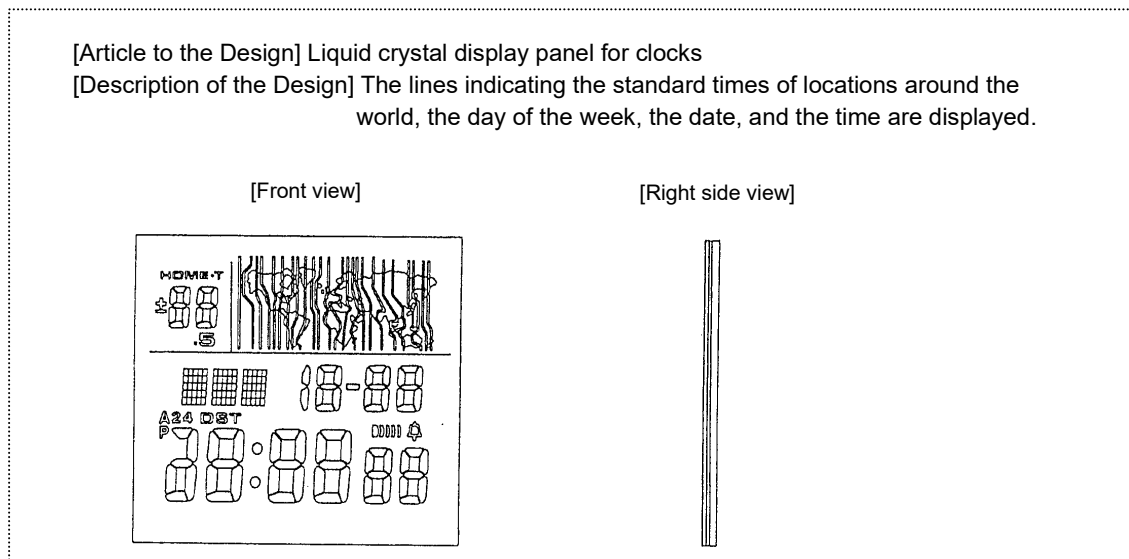
However, if such parts can be clearly distinguished by "Reference View Indicating yy", the statement of an explanation is unnecessary.

## ii) Drawings

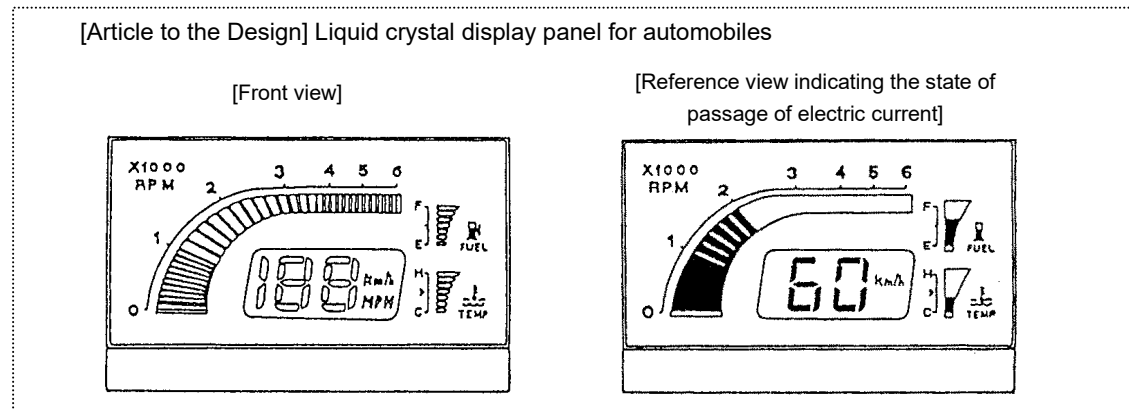
- (i) All figurative segment parts and non-translucent figurative parts, etc. that are printed, etc. should be depicted.
- (ii) The outlines of the figurative segment parts and non-translucent figurative parts, etc. that are printed, etc. should be depicted as in the case of shape lines.
- (iii) Since individual figures and patterns, etc. that appear due to passage of electric current do not appear unless they are incorporated into an article and electric current is passed, do not depict them in a manner that differentiates them. Where necessary, applicants depict them as a reference view ("reference view representing the state of passage of electric current").
- (iv) In cases where there are not only figurative segment parts, but also non-translucent figurative parts, etc. that are printed, etc., their distinction should be clearly indicated by "Reference View Indicating yy".

However, if such parts can be clearly distinguished by statements in the column of "Description of the Design" alone, the indication is not required.

<Fig. 3.14-24> Example of views representing all segment parts  
(All outlines of the figurative segment parts should be depicted by solid lines.)

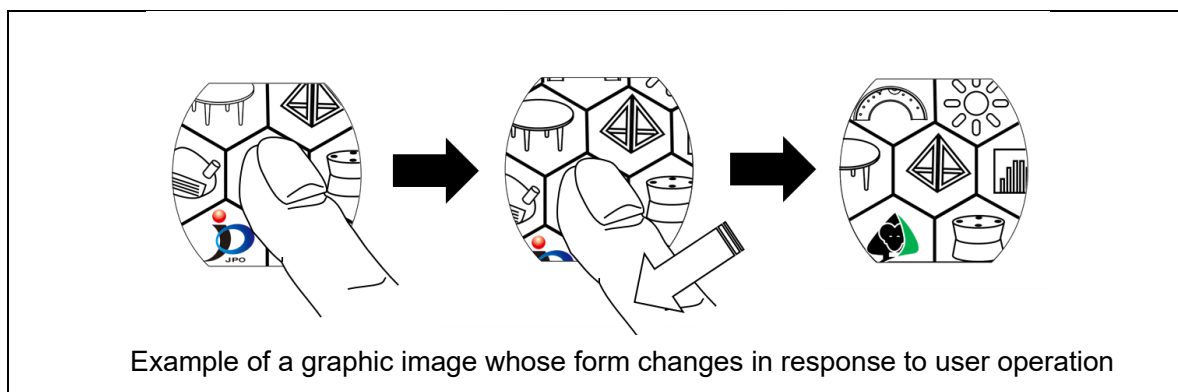


<Fig. 3.14-25> Example of a view with an additional reference view indicating the state of passage of electric current (Figures, etc. that appear in the state of passage of electric current should be represented in “Reference View Indicating the State of Passage of Electric Current”).



#### (5) Graphic image development views

Often, graphic images displayed on an article, etc. cannot be displayed in their entirety at a time due to physical limitations of the display screen. Users have to scroll through them to see the whole graphic image. In such cases, visual characteristics can be observed not only in each state displaying the part of graphic image within the limited range, but also in the entire graphic image consisting of those parts which are displayed by scrolling, etc.

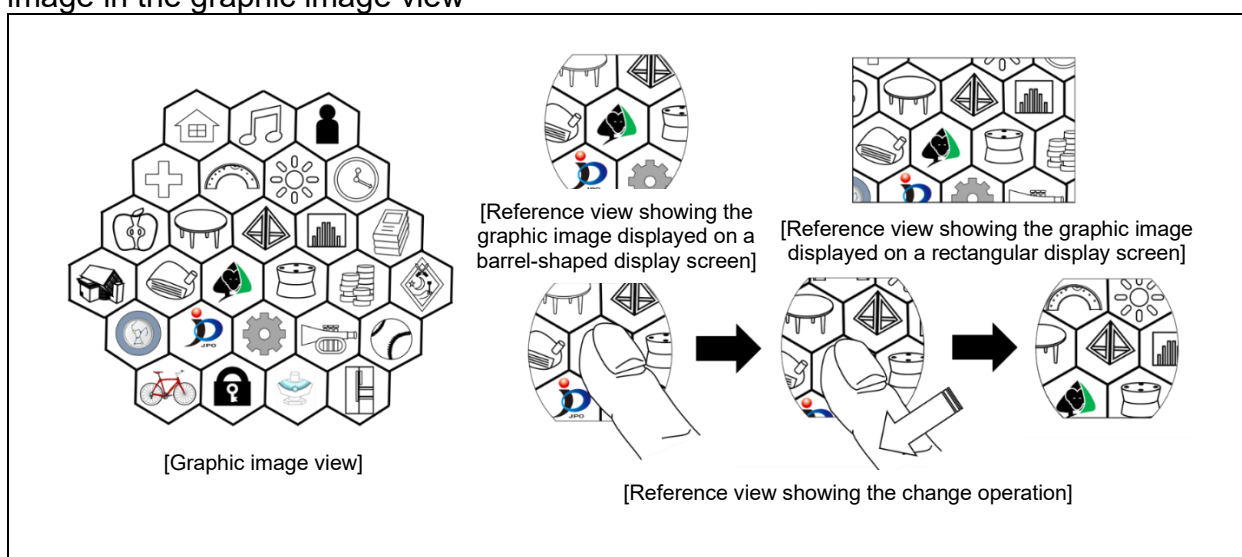


Following are other methods of expression for drawings in cases of a design including a graphic image which has such visual characteristics.

i) Designs that have features of the shape, etc. of the entire graphic image

In this case, applicants show the entire graphic image in the graphic image view, and where necessary, add reference views showing the graphic image displayed on the display device. It must be noted that, in this case, the shape of the display part, such as barrel-shape or rectangular, and the individual graphic images displayed on it are not the subject of design registration.

<Fig. 3.14-26> Example of statements and drawings showing the entire graphic image in the graphic image view



ii) Designs that feature the shape, etc. of individual graphic images displayed

In this case, applicants depict drawings for each graphic image displayed, and where necessary, also depict the entire sequence of graphic images as a reference development graphic image view. In addition, in order to be recognized as a graphic image that changes, they must be for the same function and there must be relevance in shape, etc. (Part IV, Chapter 1, 5.2.4 “Graphic images that change” in the Examination Guidelines for Design). It must be noted that graphic image parts that do not appear in the graphic image view and graphic image views showing the state after the change (graphic image parts that only appear in the reference development graphic image view) are not the subject of design registration.

<Fig. 3.14-27> Example of statements and drawings in development graphic image views

