

17. Interior Designs

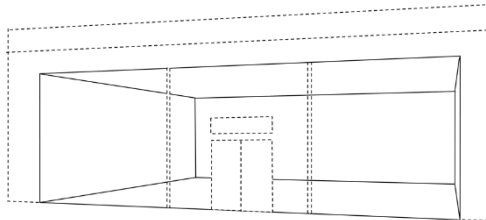
Where designs for articles, buildings or graphic images that constitute equipment and decorations inside a store, office and other facilities (hereinafter referred to as “interior”) create a coordinated aesthetic impression as a whole interior, an application for design registration may be filed as one design, and the applicant may obtain a design registration.

To obtain design registration as an interior design, the filed design must comply with the requirements (i) to (iii) below (for details, please see Part IV, Chapter 4 “Interior Design,” 6.1.1 “The subject matter constitutes a design” in the Examination Guidelines for Design).

- (i) The subject matter is inside a store, office or other facility
- (ii) The subject matter consists of multiple articles, buildings, or graphic images under the Design Act
- (iii) The subject matter creates a coordinated aesthetic impression as a whole interior

It should be noted that, as in the example below, if the only subject matter is the inside of a facility and does not include any other articles, etc., design registration as an interior design cannot be obtained as the subject matter does not comply with the requirement of (ii) above.

(Reference) Example of a design that is only for a facility and does not include any fixtures, etc. or graphic images



* Such a case may be eligible for design registration as a design for which design registration is requested for part of a building if it complies with the prescribed requirements.

17.1 Filing an application for each design (one application per design)

An application for design registration must be filed for each design (one application per design), and in principle, only one article, etc. may be included in each application. On the other hand, as an exception to this principle, Article 8-2 of the Design Act provides that, where an interior design consisting of multiple articles, etc. complies with the prescribed requirements, an application may be filed and obtained design registration as one design.

As described above, while multiple articles, etc. may be included in an interior design, there is no change to the fact that, in order to comply with the requirement of one application per design, the design consisting of these articles, etc. must be recognized as a single interior design.

Whether or not a design that has been filed as an interior design falls under a single interior design is determined from the following perspectives (i) and (ii).

- (i) Where two or more facilities are stated in the column of “Article to the Design” in the application

In this case, it will be determined that it contains two or more designs and does not comply with the requirement of one application per design.

<Examples of applications that are determined to be an application for design registration that contains two or more designs>

Example 1: “Interior of an office, interior of a school classroom”

Example 2: “Interior of a hotel guest room, and in addition, interior of a room in a hospital ward”

- (ii) Where several different spaces are represented in drawings, etc.

In this case, the application will be examined from the perspective of whether or not it is a single space. To be included in a single application as a single interior design, the design must, in principle, relate to a physically continuous single space which is not divided by walls, etc. that partition space. Therefore, if the design includes two or more physically divided spaces, it will be determined that it does not fall under a single interior design. However, where the walls, etc. that partition space are transparent or the spaces can otherwise be recognized as being visually continuous, the space will be treated as a single space.

If the design relates to a single space, like, for example, where a cafe area for rest, etc. is incidentally set up within an office space, there is no problem if it includes parts with multiple usages in its interior. In addition, even if a design includes two or more spaces, if the spaces have commonality in their usage, and if their shape, etc. is also recognized as having been created in an integrated manner, the design will be treated as a single interior design.

<Example of a design that is determined to be a single interior design>

Example: “Interior of an office” where workspaces and a cafe for talking business are located in the same space

However, if they are physically separate, such as the cafe for talking business on the first floor and the workspaces on the second floor, and if they have not been created in an integrated manner as a single space, the design will not fall under a single interior design.

<Examples of designs that are determined not to fall under a single interior design>

Example 1: “Interior of a hotel guest room” and “interior of a hotel lobby” located in separate spaces

Example 2: “Interior of a station building” and “interior of a railway carriage”

17.2 Points to be noted in making statements in the application

To clarify that the application is for an interior design, applicants state “interior of ○○” or “interior for ○○” in the column of “Article to the Design.” In this case, given that facilities have a variety of interiors, applicants state “○○” in such a way as to indicate the usage of the actual interior space shown in the drawings.

In addition, for interiors with multiple usages within a single space, as in the example below, applicants state the primary usage of the interior in the column of “Article to the Design” and include an explanation of each specific usage of the interior in the column of “Description of Article to the Design.” If there is no primary-secondary relationship between each usage, the usage of the facility itself can be stated in the column of “Article to the Design,” and each specific usage of the interior can be explained in the column of “Description of Article to the Design.”

Example: “Article to the Design” Interior of an office

“Description of Article to the Design” In addition to an office workspace, a cafe will be set up in the same space to be used by workers for taking breaks and holding meetings, etc.

In addition to the above, points to be noted regarding statements in “Description of Article to the Design” and “Description of the Design” are the same as in ordinary applications for design registration.

17.3 Points to be noted in making statements in drawings

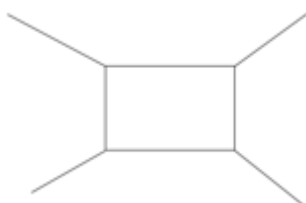
Interior design is a provision established to protect aesthetic impression that includes the arrangement of multiple articles, etc., while allowing them to be registered as a single design. For this reason, drawings, etc. show the state in which articles, etc. that constitute the interior design are arranged inside the facility. In addition, where necessary, such as when the shape, etc. of each article, etc. for which the design registration is requested is unclear when the articles, etc. are left arranged inside the facility, applicants also depict the building, article or graphic image that constitutes the interior design separately.

There are two ways to depict the inside of a facility: (1) The method of representing from a perspective outside the facility (interior), and (2) The method of representing from a perspective inside the facility. Including cases where (1) and (2) are combined, applicants indicate the function, usage and shape, etc. of the design for which the design registration is requested so that they can be concretely specified from the content represented in drawings, including the arrangement of articles, etc. inside the facility. The scope not shown in drawings is treated as parts other than the part for which the design registration is requested, and if it is possible to concretely specify the function and usage and shape, etc. of the (partial) design for which the design registration is requested by making a comprehensive determination of the application and drawings attached to the application, the design in the application for design registration is treated as a specific design for examination purposes.

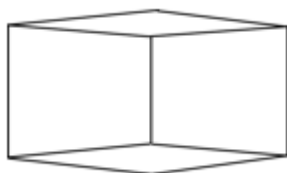
Perspective drawing method may also be used to represent the design.

Examples of perspective drawing method

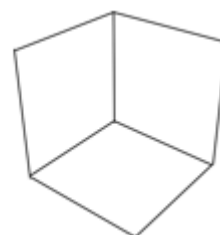
One-point perspective



Two-point perspective



Three-point perspective



<Fig. 3.17-1> Example of statements and drawings using perspective drawing method

[Article to the Design] Interior for a restaurant

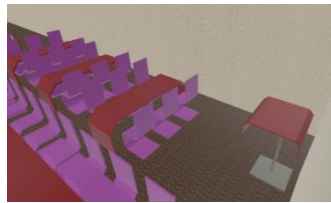
[Description of Article to the Design] This restaurant consists of a dining space and a kitchen, with a partially open partition built between them.

[Description of the Design] The arrows in the reference top view indicate the position and direction of the perspectives in each perspective view, with the numbers 1–9 at the starting points corresponding to the number of each perspective view. The green color in the top view is the background for clarifying the overall shape.

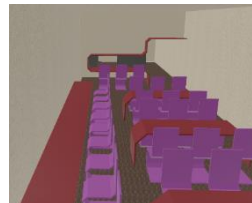
[Perspective view 1]



[Perspective view 2]



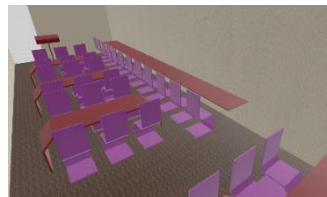
[Perspective view 3]



[Perspective view 4]



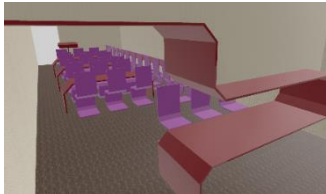
[Perspective view 5]



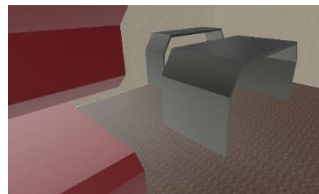
[Perspective view 6]



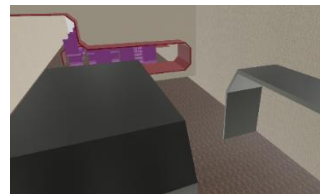
[Perspective view 7]



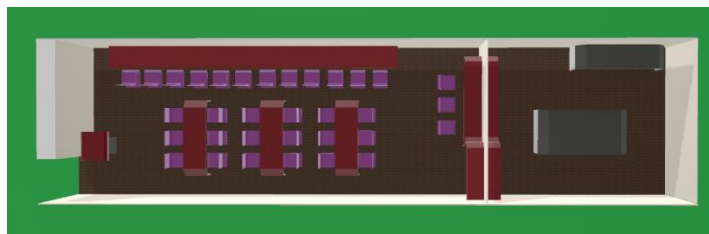
[Perspective view 8]



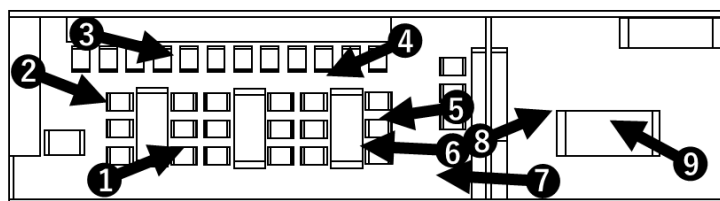
[Perspective view 9]



[Top view]



[Reference top view]



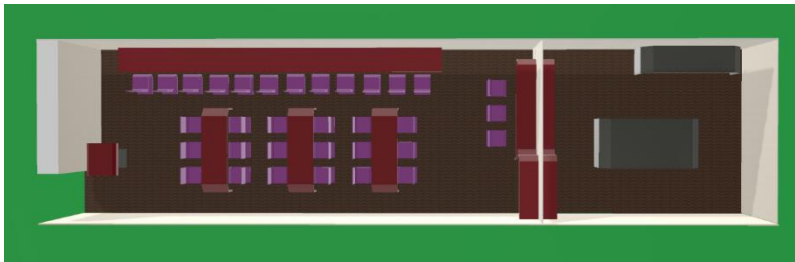
<Fig. 3.17-2> Example of a representation with the front wall and ceiling omitted

[Article to the Design] Interior of a restaurant

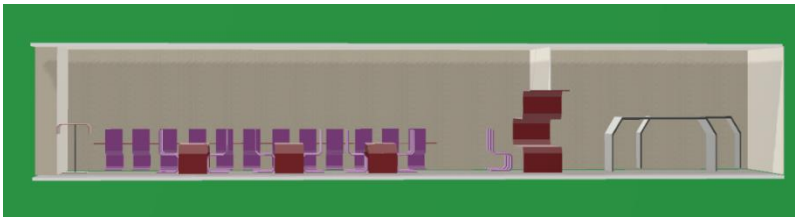
[Description of Article to the Design] This restaurant consists of a dining space and a kitchen, with a partially open partition built between them.

[Description of the Design] The green color in the top view with the ceiling omitted and in the front view, rear view, right side view and left side view with the front wall omitted is the background for clarifying the overall shape of the space.

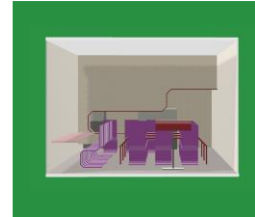
[Top view with the ceiling omitted]



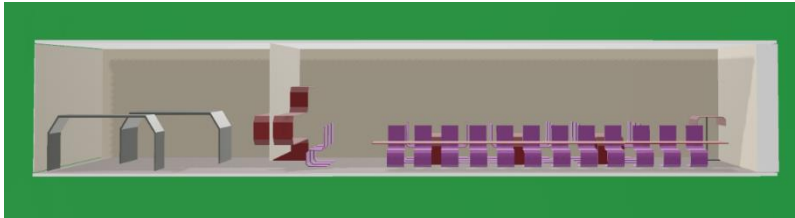
[Front view with the front wall omitted]



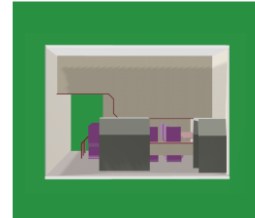
[Left side view with the front wall omitted]



[Rear view with the front wall omitted]



[Right side view with the front wall omitted]



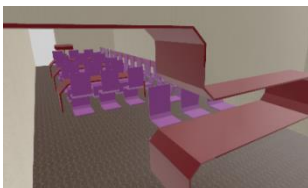
[Perspective view from the dining space side 1]



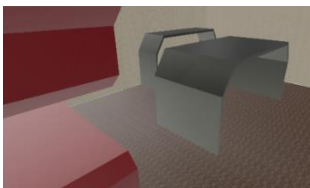
[Perspective view from the dining space side 2]



[Perspective view from the kitchen side 1]



[Perspective view from the kitchen side 2]

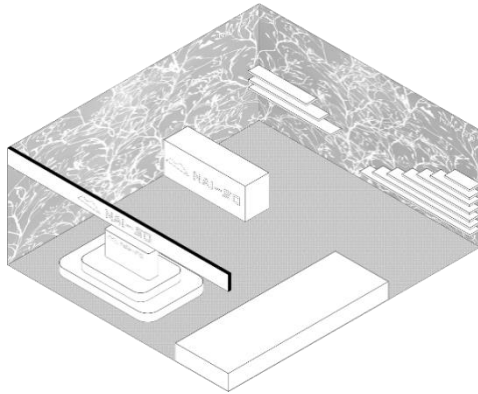


<Fig. 3.17-3> Example of statements and drawings using isometric drawing method and orthographic projection method

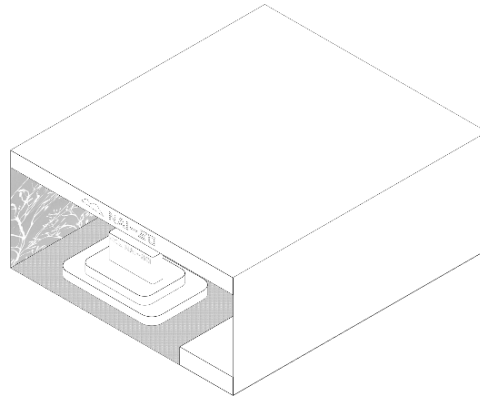
[Article to the Design] Interior of an outdoor goods store

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

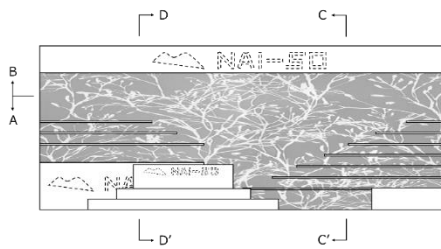
[Perspective view with the right wall and ceiling omitted]



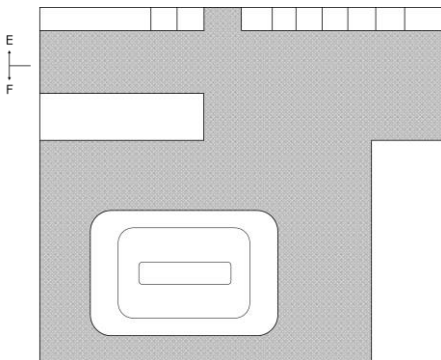
[Perspective view]



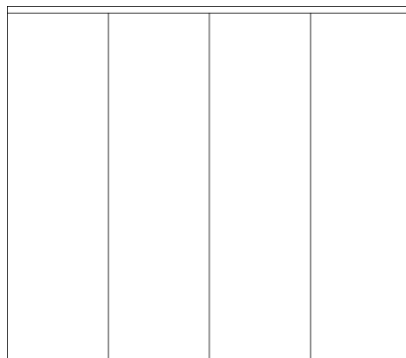
[Front view]



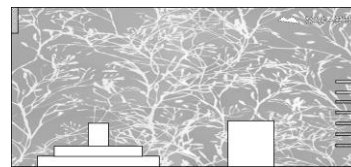
[A-A' line top view]



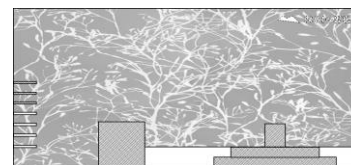
[B-B' line sectional view]



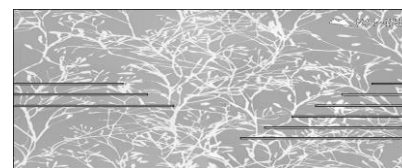
[C-C' line sectional view]



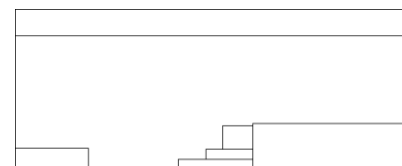
[D-D' line sectional view]



[E-E' line sectional view]



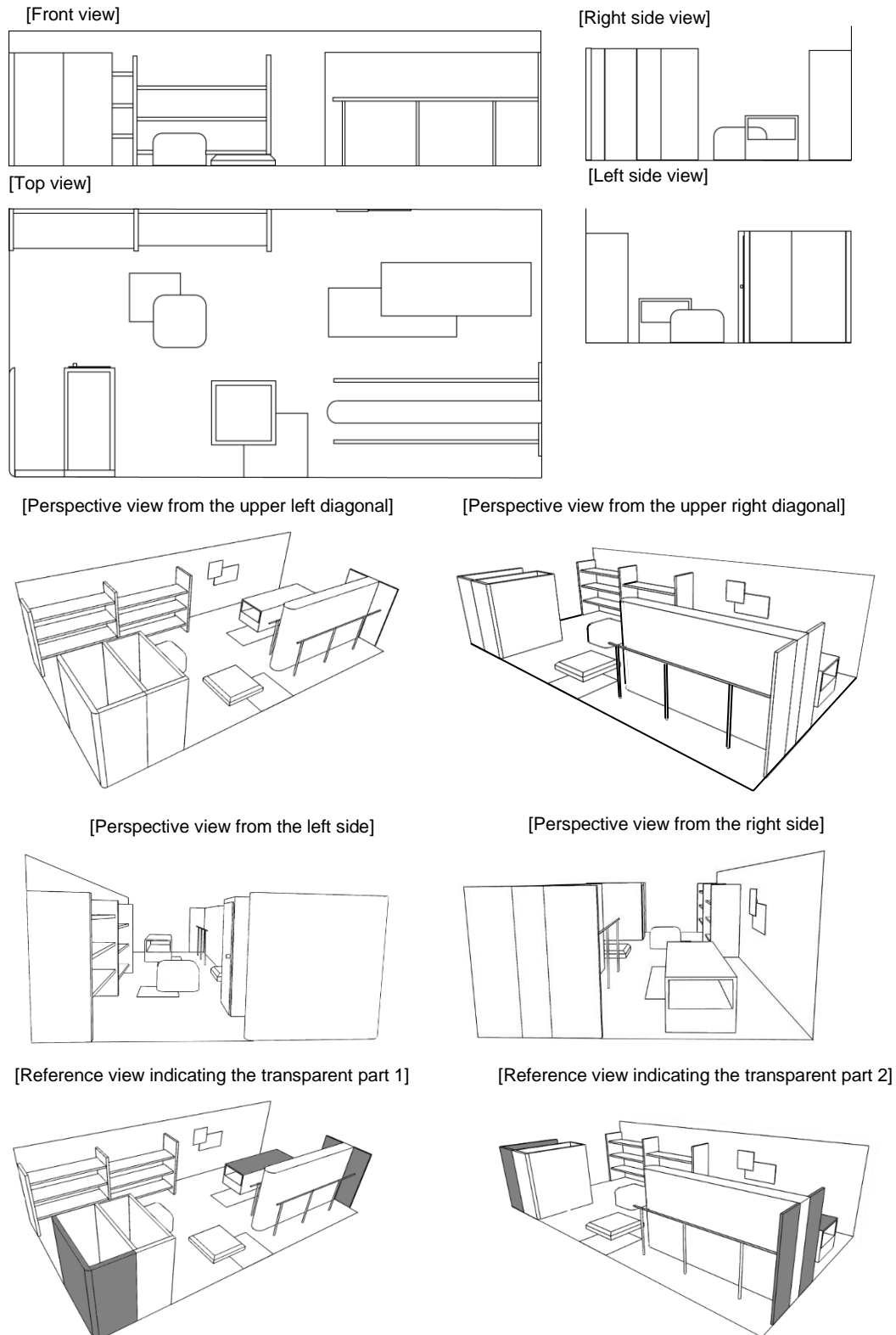
[F-F' line sectional view]



<Fig. 3.17-4> Example of statements and drawings using perspective drawing method and orthographic projection method

[Article to the Design] Interior of an apparel store

[Description of the Design] In the reference view indicating the transparent part 1 and the reference view indicating the transparent part 2, the part colored in gray is transparent.



17.4 Feature statements

It is recommended that a feature statement be submitted for interior designs. Since a feature statement includes the features of the design as described by the applicant themselves, as reference information during the examination, it helps in understanding the applicant's subjective creative intent and in deciding an accurate scope for the search. Furthermore, if the design is registered, having the features of the design published in the Design Bulletin can serve to inform third parties about the subjective intent of the applicant with regard to creation of the registered design, such as what are its features and what was the intent in creating the design.

Submission of a feature statement is not obligatory, but it is a voluntary procedure whereby a person requesting a design registration or an applicant for design registration may choose to submit the statement. A feature statement may only be submitted when submitting an application (except for the application of the multiple designs in an application) or while the case is pending in examination, trial or retrial. Feature statements are prepared using the form specified in Form No. 9 of the Ordinance for Enforcement of the Design Act (for details, please see Part II "Intermediate Procedures," 7. "Feature Statement" in the Guidelines for the Procedures of Filing an Application for Design Registration).

(Reference) Example of preparing a feature statement at the same time as filing an application via the online procedure

The screenshot shows a web-based application form for design registration in Japan. The form is titled '特微記載書' (Feature Statement). It contains various fields for applicant information, filing details, and design features. Three callout boxes provide additional instructions:

- Callout 1 (Application Number):**
 - In [Application Number], record the application number, such as "Design Application No. ○○○○-○○○○○."
 - If the application number has not been notified, replace the column of [Application Number] with [Filing Date] and record "Application for design registration filed on Reiwa year/month/date." Establish a [Reference Number] field and record the reference number stated on the application.
- Callout 2 (Feature of the Design):**
 - In the column of [Feature of the Design], record as follows the features of the design for which the design registration is requested or the design in an application for design registration:
 - Record the features of the design plainly and clearly.
 - Record the features of the design concisely, keeping the number of characters to 1,000 or fewer.
 - Record only characters. Views, tables, etc. cannot be recorded.
- Callout 3 (Explanation View):**
 - In the column of [Explanation View], views for explaining the features of the design for which the design registration is requested or the design in an application for design registration may be recorded as follows (optional):
 - Views may not run to multiple pages.
 - Views may not exceed width 150 mm, length 113 mm. If recording multiple figures, the total size including all figures must also not exceed width 150 mm, length 113 mm.

The form fields include:

- 【書類名】 特微記載書
- 【整理番号】 A-3-A
- 【提出日】 令和○○年○○月○○日
- 【あて先】 特許庁長官殿
- 【事件の表示】
- 【出願番号】 意願○○○○-○○○○○○
- 【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
- 【意匠の特徴】 ここに意匠の特徴の内容を記録します。(テキストデータのみ)
- 【説明図】 イメージ

Furthermore, although the features of a design are to be included in a feature statement (Article 6 of the Ordinance for Enforcement of the Design Act), a feature statement cannot be submitted at the same time as filing an international application for design registration based on the Geneva Act of the Hague Agreement. Therefore, even if a statement on the features of the design is included in the column of "Description" (treated as equivalent to the column of "Description of the Design" and the column of "Description of Article to the Design" in applications for design registration in Japan), provided that it is not a statement corresponding to a particular reason for refusal, like one that makes the design unclear for example, it will not be regarded as an object of reason for refusal. In addition, as far as ordinary applications filed in Japan are concerned, similarly, cases where a statement on the features of the design is included in the column of "Description of the Design" will also be treated the same.