Guide for Making Applications and Drawings for Design Registration

(Provisional translation)

March 2021

Japan Patent Office

Preface

When filing an application for design registration, the applicant needs to submit an application stating necessary matters as well as drawings, etc. representing the design for which the design registration is requested, according to laws and regulations.

The Japan Patent Office (JPO) released guidelines in 1991 explaining how to make such applications and drawings, etc. and in 2008, the guidelines were consolidated into a handbook and published as the “Guide for Making Applications and Drawings for Design Registration.” The JPO has since reviewed and enhanced the contents of the Guide in response to the partial revision of the Examination Guidelines for Design in 2016, the partial revision of the Examination Guidelines for Design in 2017, and the partial revision of the Examination Guidelines for Design in 2019.

As a result of buildings and graphic images being recently added to subject to protection following revision of the Design Act in 2019, new statements corresponding to those revisions have been added and related statements have been reviewed. In addition, as a consequence of the recent revision, the JPO has published “Examples of the Article, etc. to the Design” as an appendix to this Guide to serve as a guideline for making statements in applications when filing an application.

This Guide has been designed to describe a basic outline and typical examples of how to prepare applications and drawings for design registration, but not to mandate that applications and drawings, etc. be made exactly as described in this Guide.

For details on requirements for registration, please see the “Examination Guidelines for Design,” and for the prescribed forms, etc. required for the procedures, please see the “Guidelines for the Procedures of Filing an Application for Design Registration.”

We hope that this Guide will be of help in preparing applications and drawings, etc. when filing an application for design registration.

March 2021
Design Examination Standards Office,
Design Division,
Patent and Design Examination Department
(Physics, Optics, Social Infrastructure and Design),
Japan Patent Office

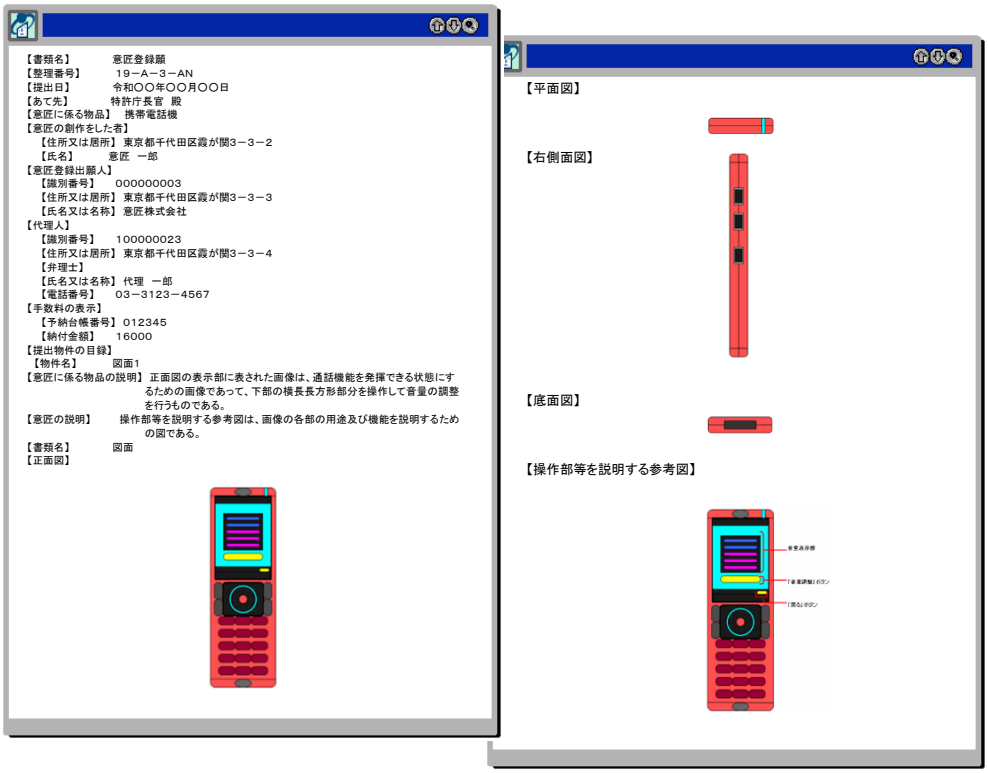
Part I Basics of How to Represent the Design in the Application

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

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

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

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



1. Basics of the Statement in the Application

1.1 The column of “Article to the Design”

(1) The article to the design, the usage of the building or graphic image to the design

When filing an application for design registration, the usage of the article to the design or the building or graphic image to the design needs to be stated in the column of “Article to the Design” in the application (Article 6, paragraph (1), item (3) of the Design Act, Form No. 2 of the Ordinance for Enforcement of the Design Act).

In addition, the usage of the article to the design or the building or graphic image to the design is to be stated clearly in the column of “Article to the Design” as provided by an Ordinance of the Ministry of Economy, Trade and Industry (see Article 7 of the Design Act, Article 7 of the Ordinance for Enforcement of the Design Act, Part II chapter 2 3. “Determination of clarity of the usage and function of an article, etc. to the design” of the Examination Guidelines for Design). Please see (2) if a design registration for a design for a set of articles is requested, or (3) if a design registration for an interior design is requested.

If the purpose of use or state of use, etc. of the article, building or graphic image for which design registration is requested is unclear from statements in the column of “Article to the Design” alone, applicants state an explanation that can help in understanding the article, building or graphic image, such as the purpose of use or state of use, etc. of the article, building or graphic image, in the column of “Description of Article to the Design” (Form No. 2 Note (39) of the Ordinance for Enforcement of the Design Act). Furthermore, such statement is not necessary if the article, etc. to the design is already in common use as a general term at the time of filing, and the purpose of use and the state of use, etc. are clear. Please see (4) for further details.

(Note) The “Ordinance for Enforcement of the Design Act” can be accessed to the portal site run by the Ministry of Internal Affairs and Communications through the JPO's website. Home → Systems/Procedures → Laws and Guidelines → Jurisdictional Laws and Regulations (Japanese only) → Laws and Regulations [link to external site: e-Gov search of laws and regulations, Administrative Management Bureau, Ministry of Internal Affairs and Communications]

Examination Guidelines for Design can be accessed on the JPO website. Home → Systems/Procedures → Laws and Policies → Laws and Guidelines →Guidelines → Designs → Examination Guidelines for Design

<reference> Examples of the Article etc. to the Design (Excerpt)

(omitted)

17 MUSICAL INSTRUMENTS		Related Japanese Classification for Industrial Design
Keyboard Instruments	(Articles, etc. to the design)	
	Piano	E4-5
	Electric piano	
	Electronic piano	
	Piano music stand	
	Piano pedal	
	Piano cover	
	Organ	
	Electric organ	
	Electronic organ	
	Organ music stand	
	Accordion	
Wind Instruments, etc.	Trumpet	E4-4
	Clarinet	
	Recorder	
	Flute	
	Harmonica	
	Wind instrument with a keyboard	

(omitted)

(2) Examples of statements where a design registration for a design for a set of articles is requested

If a design registration is requested for a design for a set of articles, applicants select the set of articles listed in the Appended Table of the Ordinance for Enforcement of the Design Act which corresponds to the design for a set of articles for which design registration is requested, and state this in the column of “Article to the Design.”

In the case of a building that is a combination of multiple buildings, or in the case of a design for a set of articles that is a combination of a building and an article and/or a graphic image, applicants state “a set of buildings” in the column of “Article to the Design.” In the case of a design for a set of articles that is a combination of an article and a graphic image, applicants state in the column of “Article to the Design,” the set of articles in the Appended Table which corresponds to the article. In the case of a design for a set of articles that is a combination of multiple graphic images, applicants state “a set of graphic images” in the column of “Article to the Design.”

Method for selecting the design for a set of articles to include in the column of “Article to the Design”

	Article	Building	Graphic image
Article	A set of ○○ (select from Appended Table 2, prioritizing the main article)		
Building	A set of buildings (prioritize the building)	A set of buildings	
Graphic image	A set of ○○ (select from Appended Table 2, prioritizing the article)	A set of buildings (prioritize the building)	A set of graphic images

* In the case of a design for a set of articles that is a combination of articles, buildings and graphic images, select “a set of buildings.”

(3) Examples of statements where a design registration for an interior design is requested

If a design registration is requested for an interior design, to clarify the usage of the actual interior space represented in the drawings attached to the application, applicants state “interior of ○○” or “interior for ○○” in the column of “Article to the Design.”

Please note that if the facility includes spaces for a variety of different usages, merely indicating the name of the facility may not be enough to clarify the usage of the interior space represented in the drawings attached to the application. For example, since hotels are generally comprised of various spaces, the statement “interior of a hotel” alone would not identify specifically whether it is the interior of the hotel lobby, the interior of a guest room or the interior of a restaurant. Therefore, in such cases, applicants include a clear statement of the specific usage of the interior, such as “interior of a hotel ○○.”

In addition, if a design registration is requested for an interior with multiple usages, applicants state the primary usage of the interior (or the overall usage of the interior if there is no primary-secondary relationship among usages) in the column of “Article to the Design,” and include an explanation of each specific usage in the column of “Description of Article to the Design.”

For example: “Article to the Design” Interior of a training room at a fitness center
“Description of Article to the Design” The design for which design registration is requested is the interior of a training room in a fitness center with an attached cafe and laundromat.

Furthermore, if there is no primary-secondary relationship between each usage, applicants state the usage of the facility itself in the column of “Article to the Design,” and explain each specific usage of the interior in the column of “Description of Article to the Design.”

(4) Examples of statements in the column of “Article to the Design”

(i) When referring to “Examples of the Article, etc. to the Design”

In the “Examples of the Article, etc. to the Design,” which were published as an appendix to this Guide, under “Articles, etc. to the Design,” approximately 2,400 examples are listed for the article to the design or the usage of the building or graphic image to the design. They can be used as a guideline when considering including statements in the column of “Article to the Design” (see Appendix: Examples of the Article, etc. to the Design).

(ii) When referring to “an article or articles covered in this classification” in the Japanese Design Classification

In the Japanese Design Classification, under “an article or articles covered in this classification,” approximately 7,000 articles, etc. are listed, including those that were used as statements in the column of “Article to the Design” for design registrations from the past. They can be used as a reference when considering including statements in the column of “Article to the Design.”

(iii) When the general term of an article, etc. is stated in the column of “Article to the Design”

For example, in an application for design registration concerning a string instrument called “alto saxophone,” the statement in the column of “Article to the Design” and “Description of Article to the Design” shall be as follows.

In the “Examples of the Article, etc. to the Design,” under “Articles, etc. to the Design,” only trumpet, clarinet, recorder, flute, harmonica and wind instrument with a keyboard are listed as examples of wind instruments, etc. (see Appendix: Examples of the Article, etc. to the Design).

From these examples of the article, etc. to the design, it is clear that “musical instruments” and “wind instruments, etc.” are not appropriate because they are generic terms.

In addition, from the examples of statements under “Articles, etc. to the Design,” such as trumpet and clarinet, it is clear that there is no need to further

limit usage in statements in the column of “Article to the Design” such as to “alto saxophone” or “bass saxophone.”

Given the above, it is sufficient to state “saxophone” in the column of “Article to the Design.” As for “Description of Article to the Design,” since the term “saxophone” is already generally recognized, there is no need to state the purpose of use, etc.

(iv) In the case of a multi-functional article

If the article is a multi-functional article, in many cases, it is not listed in “Examples of the Article, etc. to the Design” under “Article, etc. to the Design.” If the term is not generally recognized and there is no applicable article in the Japanese Design Classification under “an article or articles covered in this classification,” a new statement will need to be considered.

In doing so, it is appropriate to use an expression that indicates all the functions of the multi-functional article (functions that can be contained in an individual article), such as “xx with yy.” As for the order of the words, the primary shape or function must precede the other. Likewise in the case of an article that contains three or more functions, the most primary shape or function must precede the others, such as “xx with zz and yy.” However, such expressions as “xx and zz and yy” and “xx with zz with yy” are not appropriate.

<Appropriate examples>
A tape recorder with a radio receiver
A television receiver with a radio receiver and a tape recorder
A ball point pen with a sharp pencil and a marking pen

<Inappropriate examples>
A radio receiver and a tape recorder
A radio receiver that also serves as a radio receiver and that also serves as a television receiver

However, in cases where all or part of the multiple functions are novel and so forth, it may be sometimes more appropriate to use a new name that simply indicates a combination of multiple functions, not “xx with yy,” as a “Article to the Design”

Please note that in the case of multi-functional articles as well, applicants need to give an explanation about, for example, how to use the article in the column of “Description of Article to the Design” of an application, and depict, for example, a view showing the state of use, or a reference view showing the state of use in the drawings. Especially, in cases where all or part of the multiple functions are novel, such statements and depiction of views are needed.

(v) In the case of a complex building

In many cases, large-scale buildings are used for various purposes, for example, commercial facilities on the lower floors and offices, apartments or a hotel on the upper floors of the same building. In such cases, applicants state “complex building” in the column of “Article to the Design” in the application, and

describe specific usages in the column of “Description of Article to the Design” in the application.

For example: “Article to the Design” Complex building
“Description of Article to the Design” The lower floors of this building will be used for shops and the upper floors will be used for accommodation.

(vi) Examples of inappropriate expressions as statements in the column of “Article to the Design”

Please note that inappropriate expressions as statements in the column of “Article to the Design” can be a reason for refusal.

<Examples of inappropriate expressions as statements in the column of the “Article to the Design”>

(i) Expressions in the filed design where the usage and function of the article, etc. to the design are unclear

(a) An expression that is not used as a general term in Japanese (or in English in the case of an international application for design registration) in the art of the design

(Examples: An expression in a language other than Japanese (or English in the case of an international application for design registration), an abbreviated name that is not yet recognized widely as a general term, an expression with a proper noun, such as a trademark or product name, etc.

However, in the case of an expression in Japanese, even if it includes an alphabetic abbreviation (e.g. “LED,” “DVD,” etc.), as long as it is used as a general term, such expressions are treated as reasonable.)

(b) An expression in which the usage and function can in no way be identified

(Examples: “Article,” “thing”)

(See Part II, Chapter 2 “Filing an Application for Each Design,” 3.2 “Examples where the usage and function of the article, etc. to the design are unclear” in the Examination Guidelines for Design)

(ii) Not regarded as an application for design registration filed for each design due to containing two or more designs

Where two or more articles etc. are stated in parallel in the column of “Article to the Design”

(Example: Cases where “trumpet, clarinet, recorder” are stated side by side)

(See Part II chapter 2 “Filing an Application for Each Design,” 2. “Determination on whether or not the application for design registration has been filed for each design” of the Examination Guidelines for Design)

(Note) The “Examination Guidelines for Design” can be accessed on the JPO website:https://www.jpo.go.jp/e/system/laws/rule/guideline/design/shinsa_kijun/index.html

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

(1) Where the purpose of use or state of use, etc. of the article, building or graphic image is unclear from statements in the column of “Article to the Design” alone

If the purpose of use or state of use, etc. of the article, building or graphic image is unclear from statements in the column of “Article to the Design” alone, applicants state an explanation which can help in understanding the article, building or graphic image, such as the purpose of use or state of use, etc. of the article, building or graphic image, in the column of “Description of Article to the Design” (Form No. 2 Note (39)). Novel articles, etc. and multi-functional articles fall under this category.

Where filing an application for design registration for a graphic image, if the usage of that graphic image is unclear from statements in the column of “Article to the Design” alone, applicants state an explanation indicating that the graphic image is categorized as either those provided for use in the operation of the device or those displayed as a result of the device performing its function in the column of “Description of Article to the Design” (Form No. 2 Note (40)).

Where filing an application for design registration for a design including a graphic image on a part of an article or building, which is provided for use in the operation of the article or building, applicants state the description of the functions and the operations of the said article or building to the graphic image in the column of “Description of Article to the Design” (Form No. 2 Note (41)).

Note that where it has been already used as a general term at the time of filing, and the purpose of use and the state of use have been clearly recognized, such statement is not necessary.

(2) In the case of an article, etc. exemplified under “Articles, etc. to the Design” in “Examples of the Article, etc. to the Design”

Even if an article, building or graphic image is listed under “Articles, etc. to the Design” in “Examples of the Article, etc. to the Design,” if it is impossible to understand how to use the article, etc. for its extremely novel shape, etc. or other reasons, applicants include an explanation of how to use the article, building or graphic image in the column of “Description of Article to the Design.” Please note that, even in such cases, not including an explanation can be a reason for refusal as the article, building or graphic image is unclear.

In addition, for an article, building or graphic image that is not commonly known, such as specialized equipment, applicants state its purpose of use and state of use, etc.

(3) Points to be noted in making a statement

(i) Simplicity

It is preferred that the statement in the column of “Description of Article to the Design” explains the purpose of use and state of use, etc. in a brief and clear manner to help in understanding the article, building or graphic image. Applicants should avoid long sentences like those under “Detailed Explanation of the Invention” in a patent description.

(ii) It is not preferred to use trademark names for the explanation of the article.

(iii) It is not allowed to use drawings and tables. (Form No. 2 Note (45))

1.3 The column of “Description of Design”

(1) Matters to be stated

(i) If understanding the material or size of an article is necessary for recognizing the design, applicants state the material or size of the article. (Article 6, paragraph (3) of the Design Act, Form No. 2 Note (42))

(ii) Applicants state the following matters related to specification of the shape, etc.

a) If the shape, etc. is changeable, and if design registration is requested for the shape, etc. as it appears before, during and after the said change, applicants include a statement to that effect and an explanation of the said function. (Article 6, paragraph (4) of the Design Act, Form No. 2 Note (42))

b) If views are included in which either black or white has been omitted, applicants include a statement to that effect. (Article 6, paragraph (5), (6) of the Design Act, Form No. 2 Note (43))

c) If all or part of the shape, etc. is transparent, applicants include a statement to that effect. (Article 6, paragraph (7) of the Design Act, Form No. 2 Note (42))

d) If a line, dot or any other mark (shade) for specifying the shape, etc. of a three-dimensional surface is indicated in a figure, applicants include a statement to that effect and state which mark specifies the shape, etc. (Form No. 6 Note (7))

e) If a view contained in the drawings is replaced with another view which is identical to or a mirror image of it, applicants include a statement to that effect (e.g. “The rear view is identical to the front view”). (Form No. 6 Note (8), (10))

If only “mirror image” is stated, it will be determined that there is either horizontal or vertical line symmetry. Therefore, if the shape has symmetry other than line symmetry, applicants state specifically what kind of symmetrical shape it is.

f) Applicants state whether views are prepared by the isometric projection method or the oblique projection method. If the views are prepared by the oblique projection method, they need to state the distinction of cabinet drawings or cavalier drawings, and the inclination angle. (Form No. 6 Note (9))

g) If design registration is requested for part of an article, etc., and if the part for which the design registration is requested cannot be specified from the

drawings alone, applicants state the method on how to specify that part. (Form No. 6 Note (12))

h) If views omit the continuous state of a design with a continuous shape, etc., applicants include a statement to that effect. (Form No. 6 Note (13))

i) If some views have been omitted, and if the design cannot be clearly shown by the drawings alone, applicants include a statement to the effect that depiction of a part of the article, etc. has been omitted, or state the dimensions of the omitted part on the drawings. (Form No. 6 Note (14))

(2) Points to be noted in making a statement

(i) Such a statement that does not specify the design as shown in the following examples will be the reason for refusal.

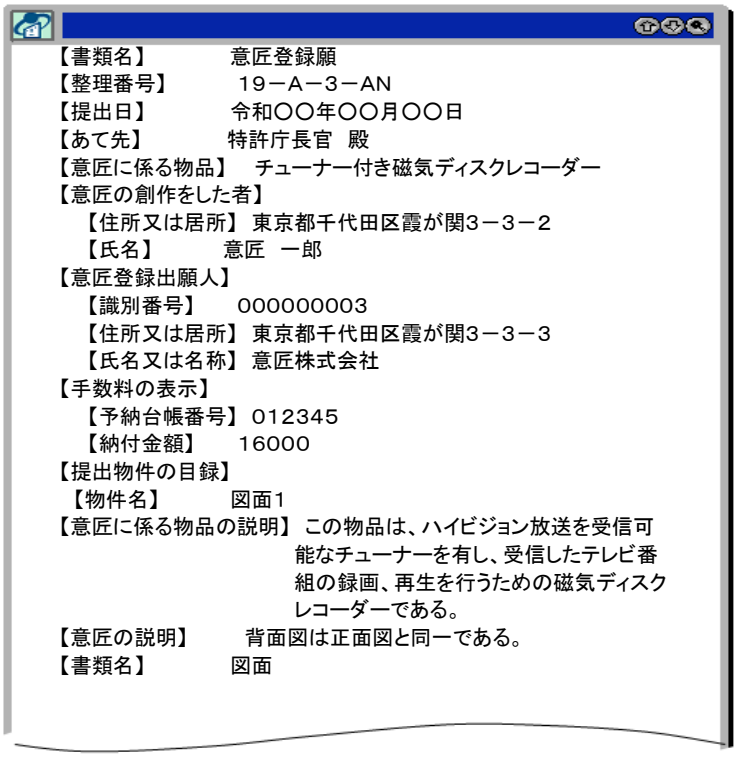
a) Examples in which drawings and explanations are not consistent

- While there is no color painted in the drawing, there is a statement such as “the design in the application is in the color of yellow green.”
- While there is no pattern represented in the drawing, there is a statement such as “the surface of the design in the application is a grain pattern.”

b) Examples in which a design is not specified as one shape, etc.

- While the drawing represents the spherical shape, there is a statement such as “the design in the application may be egg-shaped or spindle-shaped.”
- While the drawing contains the color of red, there is a statement such as “the design in the application may be colored orange instead of red.
- In the case of the design for “handbag,” there is a statement of listing multiple materials such as “the material is soft vinyl or stainless steel,” which may cause to recall multiple different designs from a common viewpoint in the art of the design, as a result of which, the application is regarded as being filed for multiple designs.
- The statement that may cause to recall multiple designs which are remarkably different from each other because the size shows a wider ranging values that are beyond the scope of common sense in the art of the design, such as “The height ranges from 10 cm to 1 m,” as a result of which application is regarded as being filed for multiple designs.

(ii) It is not allowed to use drawings and tables. (Form No. 2 Note (45))



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【意匠に係る物品】　チューナー付き磁気ディスクレコーダー
【意匠の創作をした者】
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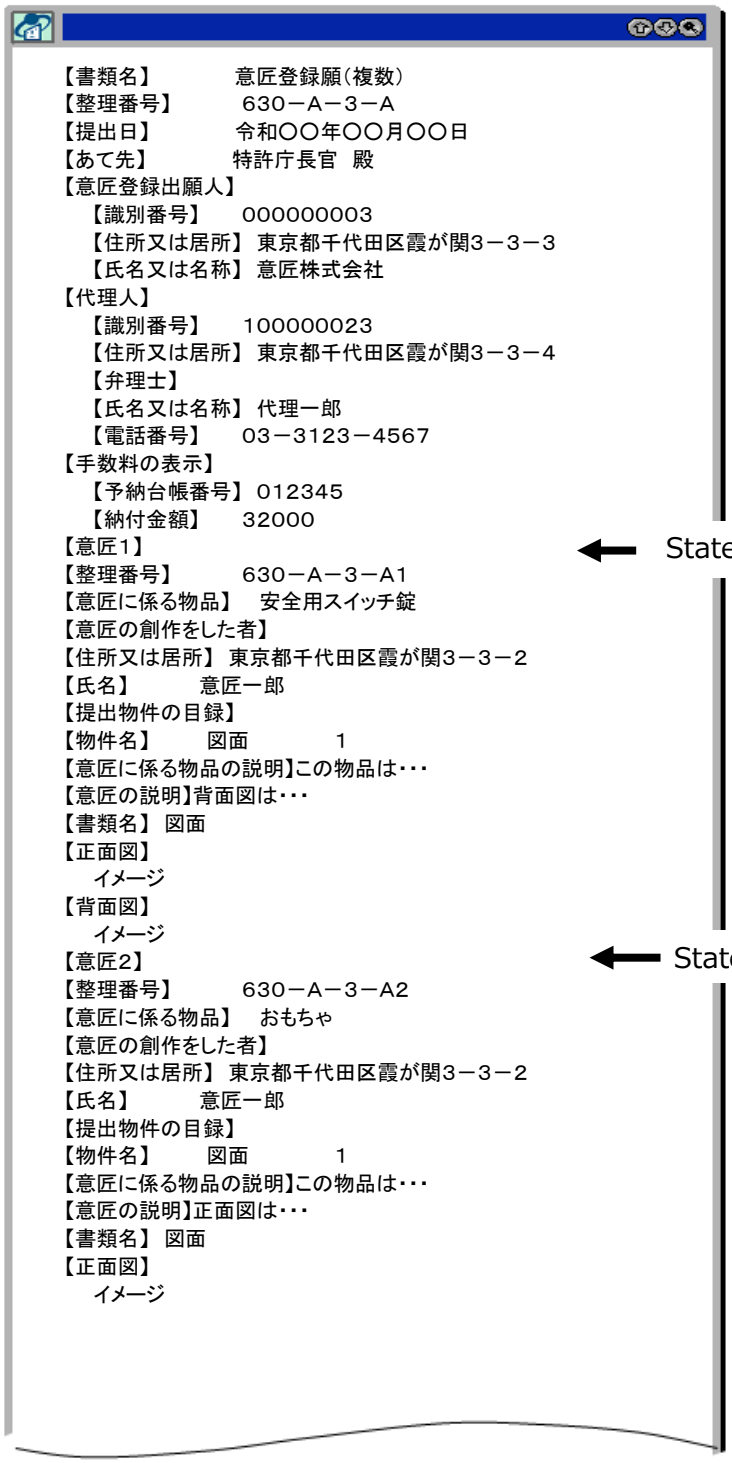
　【物件名】　　図面1
【意匠に係る物品の説明】この物品は、ハイビジョン放送を受信可能なチューナーを有し、受信したテレビ番組の録画、再生を行うための磁気ディスクレコーダーである。
【意匠の説明】　背面図は正面図と同一である。
【書類名】　　図面

1.4 The column of the “Design Number”

As for the procedure for filing multiple designs in a single application, if two or more but not more than 100 of applicant’s own applications for design registration are submitted together in a single application, applicants provide a column for design numbers and list the designs included in the multiple-design single-application procedure, sequentially numbering them in the order in which they are listed, such as “Design 1” and “Design 2.”



2. Basics of the Depiction in Drawings

Many of the articles, etc. that shall be subject to the protection under the Design Act are in the shape, etc. of a three-dimensional. However, when filing an application for design registration concerning a three-dimensional shape, etc., applicants represent it in drawings depicted on a two-dimensional plane, and so on. In other words, the object of a design right is not a real three-dimensional object, but a three-dimensional shape, etc. depicted on such two-dimensional drawings. Therefore, the drawing methods are defined in details so that the third party may also correctly understand the shape, etc., which is the object of the right.

Thus, applicants depict drawings, etc. according to the formulated drawing methods so that the shape, etc., which is the object of a design right, may be understood correctly. It is also necessary to depict necessary drawings (for example, six views, perspective view, sectional view, partial enlarged view, etc. hereinafter referred to as “necessary views”) so that the entire shape, etc., which is the object of a design right, may be understood as being specified for design registration.

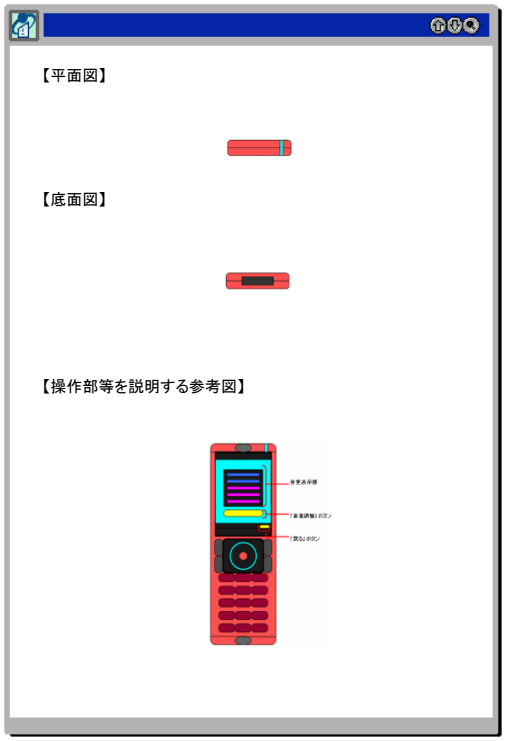
Where applicants list perspective view or front view at the top of the attached drawings, it will make easier for third parties to understand the design.

In addition, views which include elements other than the design, such as lines or arrows, etc. which indicate the name of parts for describing the shapes, etc. or the state of use can also help in understanding of the design.

These views, to which elements that do not constitute the design are added as reference in order to help the understanding of the design should be indicated as “Reference view of yy” and treated as “reference view” , which means they will be treated differently from the necessary views that depict only constituents of the design in the application.

Therefore, the reference views should be listed at the end, that is, after the necessary views.

The basics of how to depict drawings will be explained below.



A. Drawings necessary for specifying the shape, etc.

2A.1 Types of drawing formulated in the form and basic points to be noted

(1) The types of drawings necessary for specifying the shape, etc.

(i) In the case of a design with a three-dimensional shape, etc., it can be represented using the orthographic projection method. Of the front view, rear view, left side view, right side view, top view and bottom view, applicants depict enough views—prepared at the same scale—to clearly show the design for which the design registration is requested. (Form No. 6 Note (8))

(ii) In the case of a design with a three-dimensional shape, etc., views represented using the isometric projection method or oblique projection method may be substituted for all or part of the above views. (Form No. 6 Note (9))

(iii) In the case of a design with a flat and thin shape, etc., it can be represented using a surface view and back side view. Of the surface view and back side view, applicants depict enough views—prepared at the same scale—to clearly show the design for which the design registration is requested. (Form No. 6 Note (10))

(iv) In the case of a “graphic image” design as provided in Article 2, paragraph (1) of the Design Act—that is, if design registration is requested for a graphic image itself, separated from the article or building— applicants depict enough views to clearly show the design for which the design registration is requested, using “graphic image views” if the graphic image is flat and thin, or “... graphic image views” if the graphic image is three-dimensional. (Form No. 6 Note (11))

(v) In cases where the drawings mentioned above are not sufficient to represent the shape, etc., other types of drawings such as a sectional view, an enlarged view, a perspective view and others are able to be added (These drawings can also be regarded as necessary drawings). (Form No. 6 Note (15))

(vi) It is also possible to submit a photograph, a model or a specimen that represent the design, instead of drawings.

Please see Part II with regard to a design in which a part of an article etc. is requested for design registration, and to Part III with regard to how to depict drawings when omitting depiction of a part of the article etc. with a continuous shape (omitting the middle part).

(2) Points to be noted in preparing drawings

(i) The thickness of a solid line or a broken line must be approximately 0.4 mm, and that of an oblique parallel line or a chain line that shows cross section must be approximately 0.2 mm. (Form No. 6 Note (5))

(ii) Each view (the front view, the rear view, the reference view) must be depicted in the 150 mm (W) x 113 mm (H) rectangular. (Form No. 6 Note (6))

(iii) A figure (excluding a reference view) does not contain a centerline, baseline, horizontal line, fine line or shading to express shadows, indication line, code or character to explain the contents, nor any other line, code or character which does not constitute the design. (Form No.6 Note (7)) (As for “shades,” please see “2A. 5(8) “Shades” specifying the surface shape of a three-dimensional object”)

For example, a hidden-line seen in engineering drawings (a broken line that represents the internal or back-side shape which is not outwardly visible) does not be contained in a necessary view.

(iv) When preparing drawings for an article whose front and rear, and whose top and bottom are not interchangeable on a regular use basis, applicants depict a drawing of the article seen from such direction.

(v) Part of the views can be replaced with photographs. In such cases, however, even black and white photographs show shading of each part of an article. Due to this, the photographs may not be consistent with the views that depict the shape alone, which may cause to regard the design as being not specified. Therefore, applicants need to pay attention to ensure consistency between photographs and drawings.

Please note that a view is not prepared by combining a lined drawing and a photograph (see “C. Photographs substituted for drawings”).

(vi) If a design relating to clothes or personal ornaments, etc. cannot be sufficiently represented unless it is depicted in a state in which it is worn on subject matter other than the design for which the design registration is requested, the subject matter other than the design for which the design registration is requested may be depicted. In such cases, applicants ensure that the design for which design registration is requested can be clearly recognized from other subject matter by including an explanation of the subject matter other than the design for which the design registration is requested in “Description of the Design” or by differentiating parts using solid lines and broken lines in drawings. (Form No. 6 Note (23))

(vii) As for the necessary views such as six views, perspective view, sectional view, etc. applicants should list the view which best represents the design(for example, perspective view, front view, enlarged view of the part for which the design registration is requested) at the top of the attached drawings of the application, and list the reference views which help the understanding of the design and have elements that do not constitute the design (for example, reference view indicating the part of transparent, reference view of the state of use, etc.) after the necessary views.

2A.2 Preparing drawings by the orthographic projection method

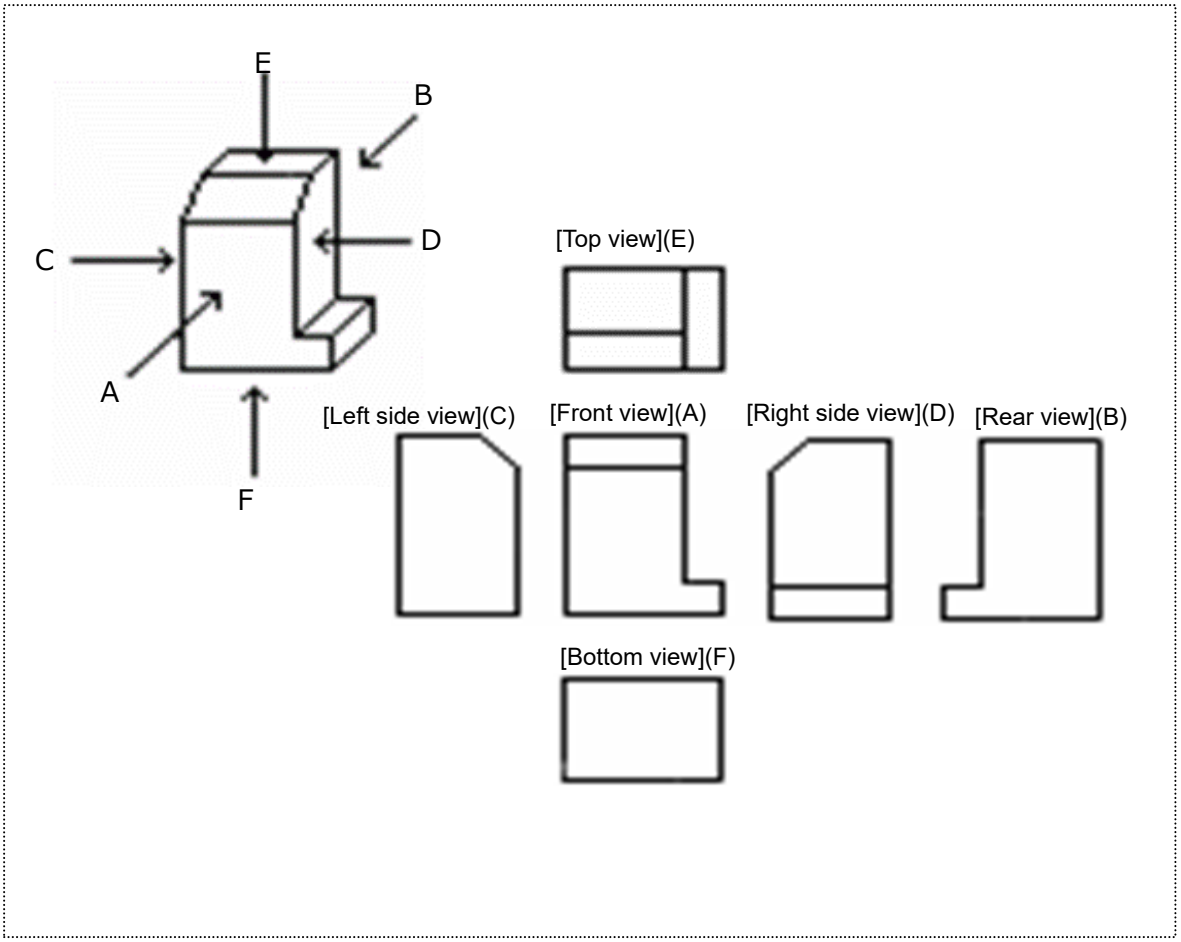
Through the orthographic projection method, the shape, etc. of a three-dimensional shape is depicted by projecting six surfaces, each of which is orthogonal to its neighboring surface, onto the two dimensional plane, as the front view, the rear view, the left side view, the right side view, the top view and the bottom view. It is the same as the orthographic projection prescribed in “Technical Drawings” of the Japanese Industrial Standards (JIS), except that JIS’s “Technical Drawings” must not contain hidden lines. As shown in Figure 1.2-1, shape lines, patterns, colors seen on each surface are depicted as part of each view.

(1) Points to be noted when preparing drawings by the orthographic projection method

(i) Each view must be prepared at the same scale.

(ii) A view that is identical to or a mirror image of another view contained in the drawing may be substituted for the view contained in the drawing. In such cases, in the column of “Description of the Design,” applicants state which view the view is identical to or a mirror image of, for example, “The rear view is a mirror image of the front view.”

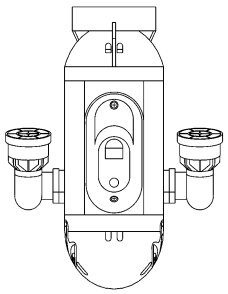
<Fig. 1.2-1> Example of depicting each surface of a three-dimensional object by the orthographic projection method



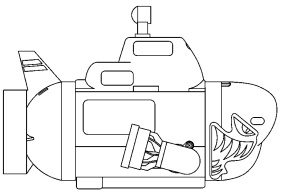
<Fig. 1.2-2> Preparing drawings by the orthographic projection method

[Article to the Design] Radio controlled toy

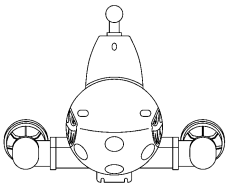
[Top view]



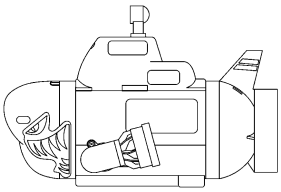
[Left side view]



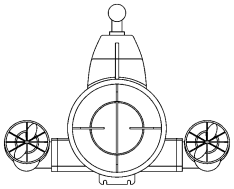
[Front view]



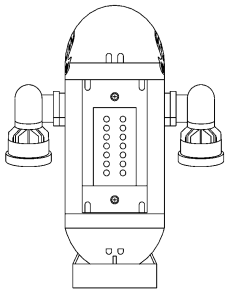
[Right side view]



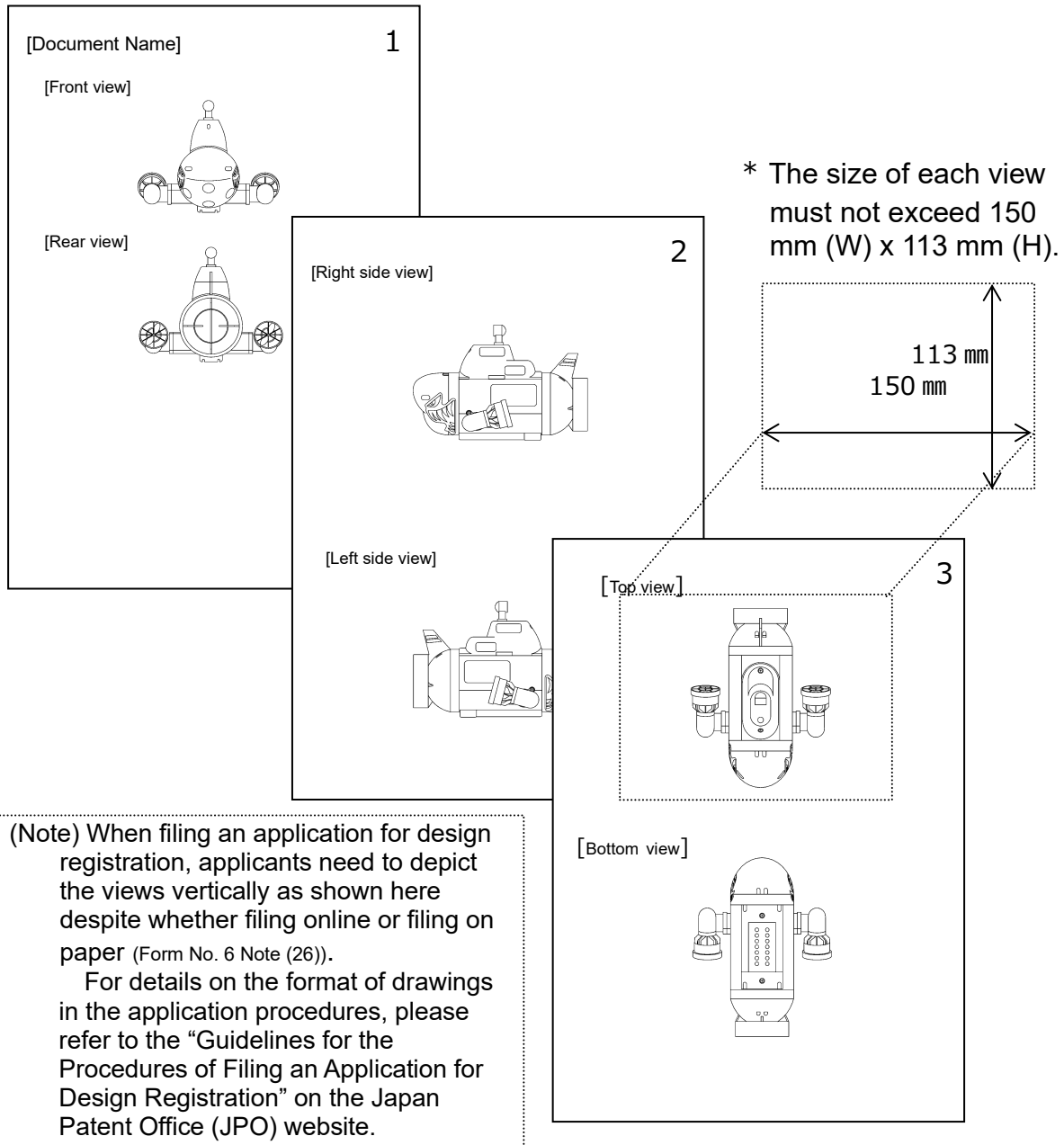
[Rear view]



[Bottom view]



<Fig. 1.2-3> Example of how to depict drawings to be attached to the application



(Note) When filing an application for design registration, applicants need to depict the views vertically as shown here despite whether filing online or filing on paper (Form No. 6 Note (26)).

For details on the format of drawings in the application procedures, please refer to the “Guidelines for the Procedures of Filing an Application for Design Registration” on the Japan Patent Office (JPO) website.

Home → Systems/Procedures → Laws and Guidelines → Examination Guidelines → Designs → Guidelines for the Procedures of Filing an Application for Design Registration (Japanese)

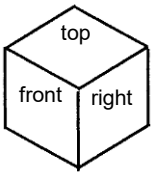
2A.3 Preparing drawings by the isometric projection method and the oblique projection method

The isometric projection method and the oblique projection method are the drawing methods that enable for depicting the contents, in one view, corresponding to three views that are prepared at the same scale by the orthographic projection method.

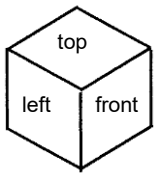
As shown below, three surfaces out of six surfaces are displayed in one view, and therefore, there are eight ways to display them. By choosing two out of such eight types of views, applicants can describe the whole six surfaces. For example, if you choose two views such as “View showing the front, top and right side” and “View showing the rear, bottom and left side”, the whole six surfaces can be represented.

<Fig. 1.2-4> Types of views showing three surfaces (when representing a cube shape)

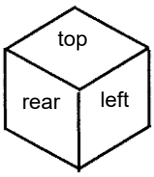
[View showing the front, top and right side]



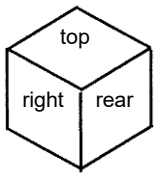
[View showing the front, left side and top]



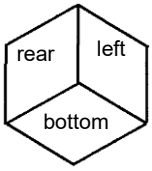
[View showing the rear, left side and top]



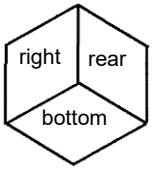
[View showing the rear, top and right side]



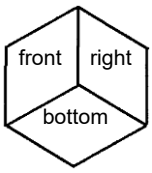
[View showing the rear, bottom and left side]



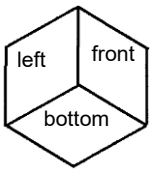
[View showing the rear, right side and bottom]



[View showing the front, right side and bottom]

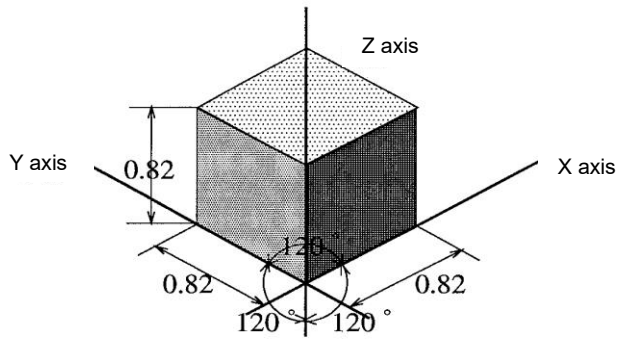


[View showing the front, bottom and left side]



(1) Isometric projection method

<Fig. 1.2-5> Example of how to depict a drawing by the isometric projection method



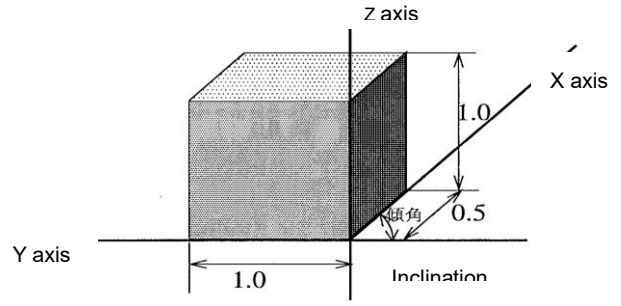
In the drawing depicted by the isometric projection method, the angle between any of the three coordinate axes that are actually orthogonal to each other shall be 120 degrees.

The ratio of the height, width and depth of the cub shape represented in the view is the same as those of the actual cub shape.

(2) Oblique projection method

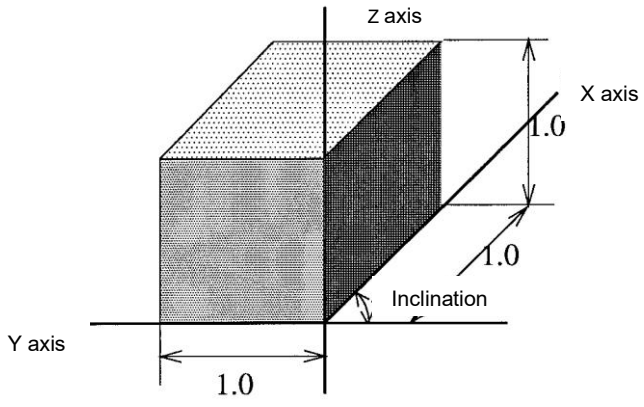
As for the oblique projection method, no drawings other than a cabinet drawing and a cavalier drawing, in which a ratio of width, height and depth is objectively defined, is accepted as drawings that can be attached to the application for design registration.

<Fig. 1.2-6> Example of how to depict a cabinet drawing



The ratio of width, height and depth is 1:1:1/2.
The angle is not specifically defined, but the 45 degree is most commonly adopted.

<Fig. 1.2-7> Example of how to depict a cavalier drawing



The ratio of width, height and depth is 1:1:1.
The angle is not specifically defined, but the 45 degree is most commonly adopted.

(3) Points to be noted in using the isometric projection method and the oblique projection method

(i) Applicants depict enough views to clearly show the design for which the design registration is requested. It does not matter if the same surface is represented in multiple views.

(ii) Applicants state the indication of the view, which is corresponding to that represented by the orthographic projection method. For example, in cases where the view corresponds to the front view, the top view and the right side view represented by the orthographic projection method, the statement must be “View showing the front, top and right side”. (Form No. 6 Note (9))

(iii) In cases where the view is represented by the oblique projection method, applicants state, in the “Description of the Design” of the application, whether it is a cabinet drawing or a cavalier drawing along with the statement of angles in each view. (Form No. 6 Note (9))

(iv) In cases where the view is represented by the isometric projection method, it is not necessary to state the name of projection method. If there is no statement of the projection method, it is regarded that the view has been prepared by the isometric projection method.

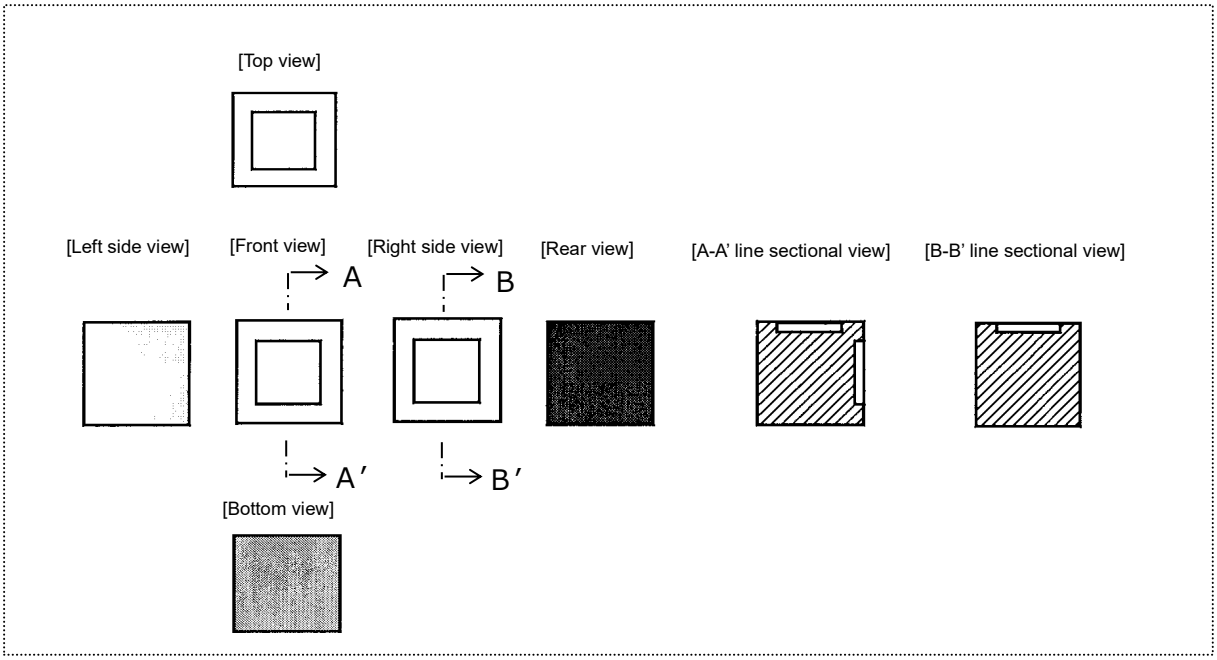
(4) Points to be noted in the combine use of the orthographic projection method and other methods

(i) Applicants depict enough views to clearly show the design for which the design registration is requested. It does not matter if the same surface is represented in multiple views (for example, when “front view” is represented using the orthographic projection method and “view showing the front, top and right side” is represented using the isometric projection method).

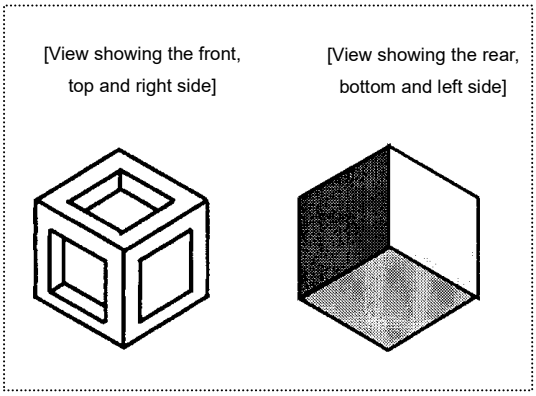
(ii) Applicants depict all views at the same scale.

(5) Examples of the statement in the views by various methods

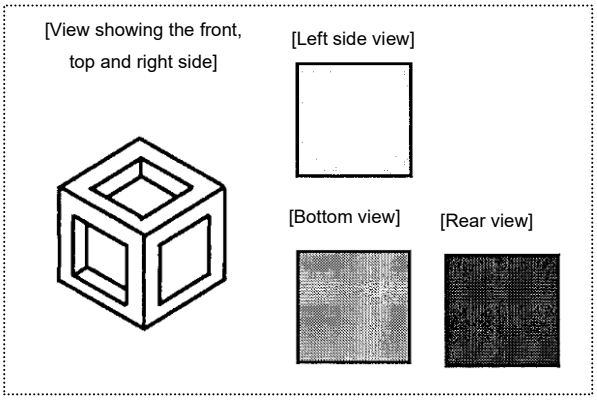
<Fig. 1.2-8> Example of how to depict a drawing by the orthographic projection method



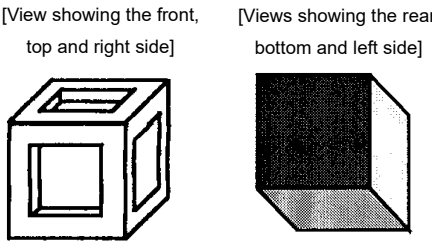
<Fig. 1.2-9> Example of views by the isometric projection method



<Fig. 1.2-10> Example of the combine use of the orthographic projection method and the isometric projection method

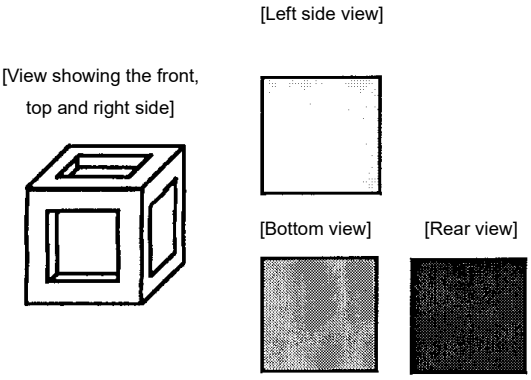


<Fig. 1.2-11>
Example of cabinet drawings



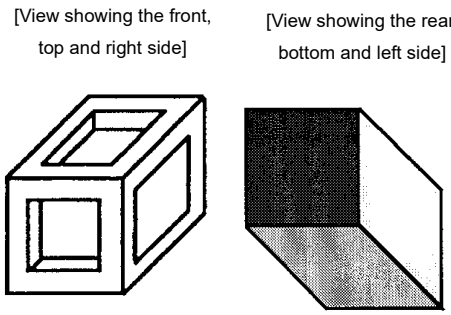
[Description of the Design]
The view showing the front, top and right side and the view showing the rear, bottom and left side are cabinet drawings with an inclination angle of 45 degrees.

<Fig. 1.2-12> Example of the combine use of the orthographic projection method and cabinet drawings



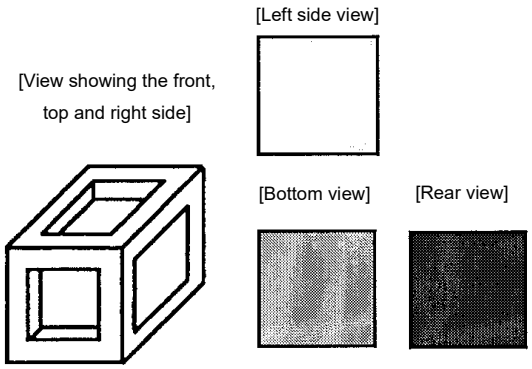
[Description of the Design]
The view showing the front, top and right side is a cabinet drawing with an inclination angle of 45 degrees.

<Fig. 1.2-13>
Example of cavalier drawings



[Description of the Design]
The view showing the front, top and right side and the view showing the rear, bottom and left side are cavalier drawings with an inclination angle of 45 degrees.

<Fig. 1.2-14> Example of the combine use of the orthographic projection method and cavalier drawings



[Description of the Design]
The view showing the front, top and right side is a cavalier drawing with an inclination angle of 45 degrees.

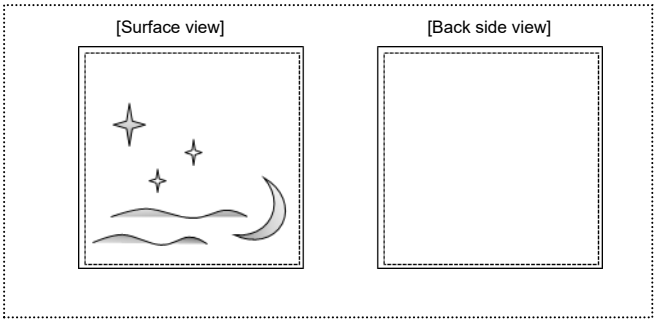
2A.4 Preparing drawings for a flat and thin shape, etc. (sheet-like shape, etc.)

In the case of a design with a flat and thin subject matter (sheet-like shape, etc.), it can be represented using a surface view and back side view each prepared at the same scale. (Form No.6 Note(10))

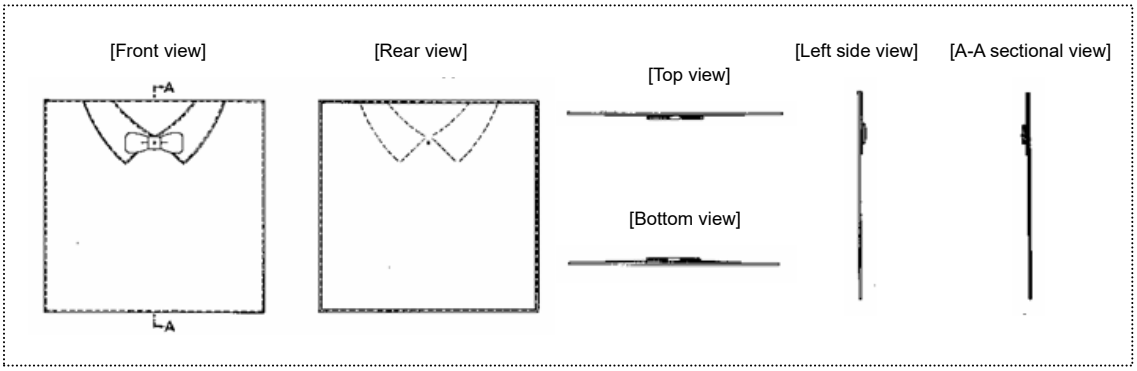
Please note that articles that fall under the category of a flat and thin shape, etc. are limited to single-layered and very thin articles such as woven cloth fabric or handkerchief.

If an article is not single-layered, applicants represent it as a three-dimensional object even though it has hardly any thickness such as an envelope.

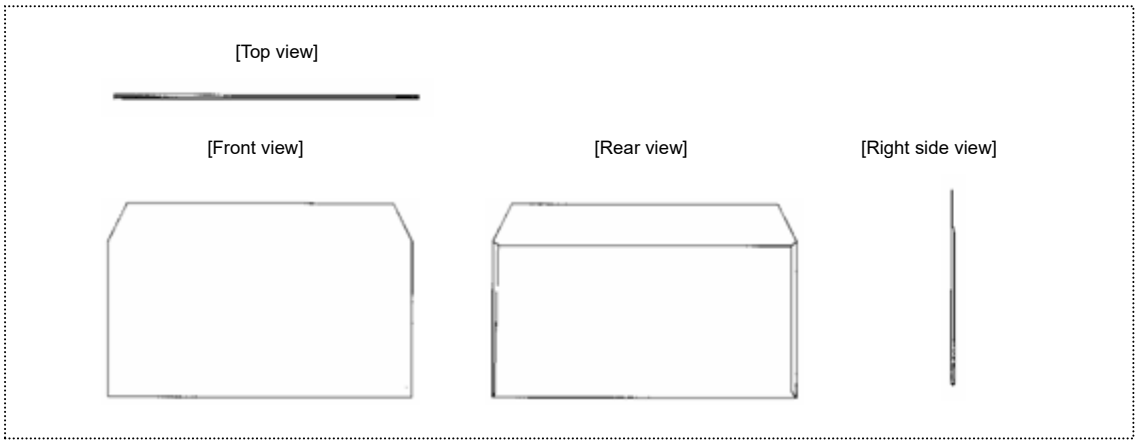
<Fig. 1.2-15> Example of a flat and thin handkerchief



<Fig. 1.2-16> Example of non-single-layered handkerchief



<Fig. 1.2-17> Example of envelope



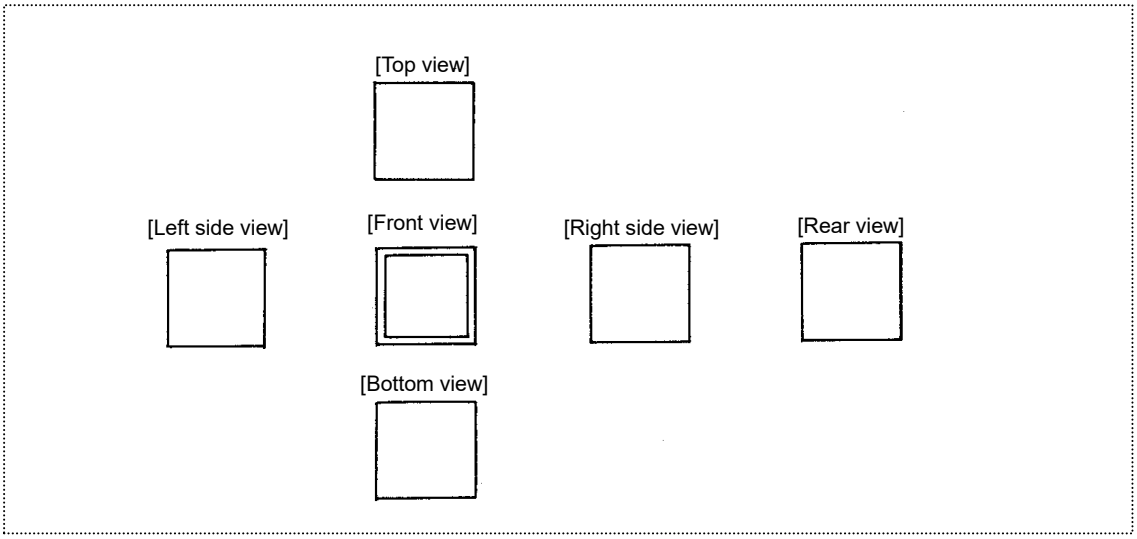
2A.5 Preparing other drawings

There are cases where views prepared by any of the methods mentioned above are not sufficient to represent the shape, etc. of the design due to, for example, having bumps on the surface.

For example, from the six views in Figure 1.2-18, a variety of shape, etc. as shown in Figure 1.2-19 can be possibly thought of. Therefore, the six views alone do not sufficiently represent the specific shape, etc. in this case. Thus, applicants depict the specific shape, etc. in a sufficient manner by adding a development view, a sectional view, an end elevational view of the cut part, an enlarged view, a perspective view, etc., properly selecting them to suitably represent the shape, etc. of the design in the application. (Form No. 6 Note (15))

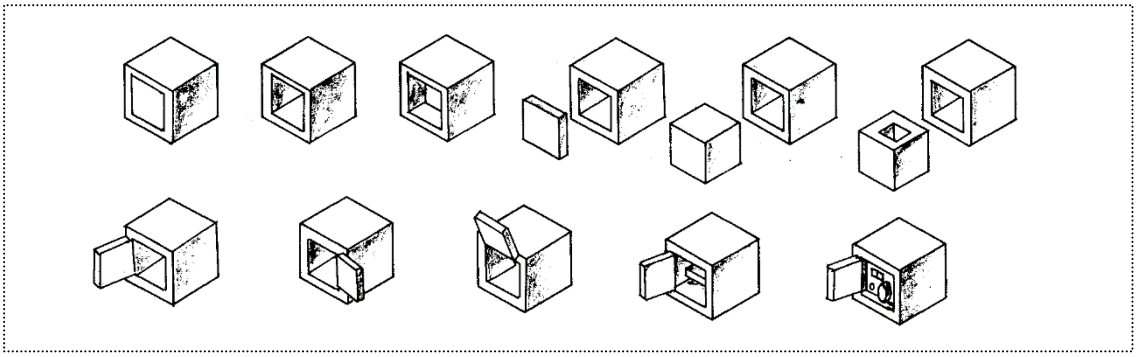
The added Drawings that represent the design sufficiently are regarded as necessary drawings for representing the specific shape, etc.

<Fig. 1.2-18> Example of the drawing containing six views alone



<Fig. 1.2-19> Examples of the shape, etc. that can be possibly thought of from the above drawing

(Not considering the nature of the article in this drawing, but purely thinking the possible shape, etc. of the article, a variety of shapes, etc. can be possibly thought of)



(1) “Development view of a pattern”

There are cases where it is difficult to accurately represent patterns on the curved surface through six views. In such cases, if the curved surface can be seen in a development view of its peripheral surface, such as a cylinder shape or a cone shape, applicants represent the pattern utilizing the “Development view of a pattern”.

[Points to be noted in preparing development views of a pattern]

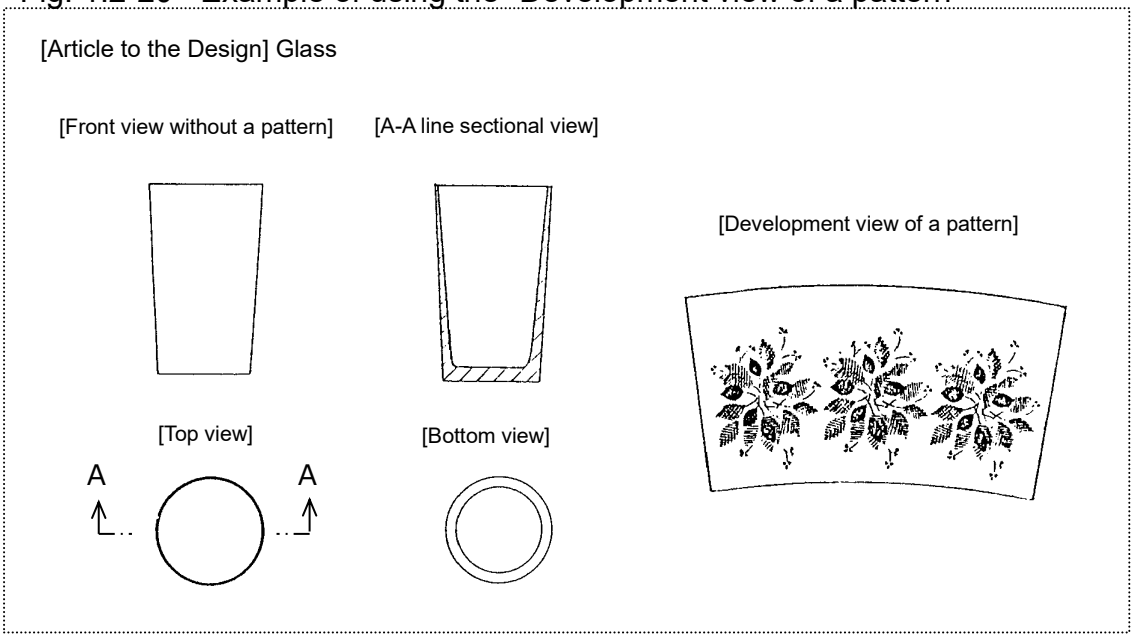
(i) The development view mentioned here refers not to a view that represents the state in which a fold-flat box is unfolded onto the two-dimensional plane, but to a special view prepared for representing patterns alone, as if being printed on transfer paper. Therefore, if there are bumps on the surface where the pattern is, applicants cannot represent the design using the “Development view of patterns” as necessary drawings.

(ii) As in the example of a “glass” below, drawings which combine the “Development view of a pattern” with views that show only shape with the pattern omitted may be used such as in cases where the design can be represented more accurately than if the pattern is shown in the six views.

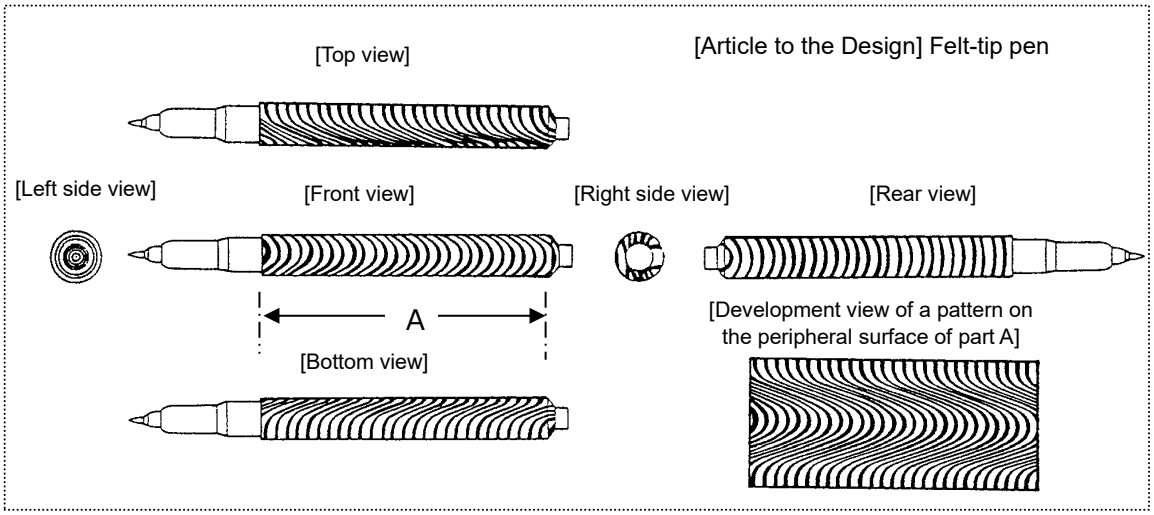
(iii) The “Development view of a pattern” must be depicted, in principle, in a manner that the whole peripheral surface is seen in the flat.

(iv) In cases where the six views contain a pattern and the “Development view of a pattern” is also added, it is acceptable to depict part of the peripheral surface as the “Development view of a pattern”, as seen in the example of “felt-tip pen” below.

<Fig. 1.2-20> Example of using the “Development view of a pattern”



<Fig. 1.2-21> Example of using the “Development view of a pattern”



(2) “Sectional view”

Applicants use a sectional view to represent a bumpy mode of the outer surface accurately. In the example of “speaker box” on the next page, six views alone cannot clearly represent the constitution of the space between the top and the bottom clearly. However, a sectional view can clearly represent what a set of six views cannot.

[Points to be noted in preparing sectional views]

(i) In cases where a sectional view cannot represent the whole of the bumpy shape, etc., applicants depict multiple kinds of sectional views, including a longitudinal sectional view, a traverse sectional view, sectional views representing different parts, etc.

(ii) In order to indicate which part of the article is shown in the sectional view, applicants draw a chain line of approximately 0.2-mm thickness at the cut part in one of the six views, put codes at both ends of the chain line, and use an arrow to show the direction in which the cross section is depicted. When doing so, the chain line, etc. must not touch the figure. (Form No. 6 Notes (5, 16))

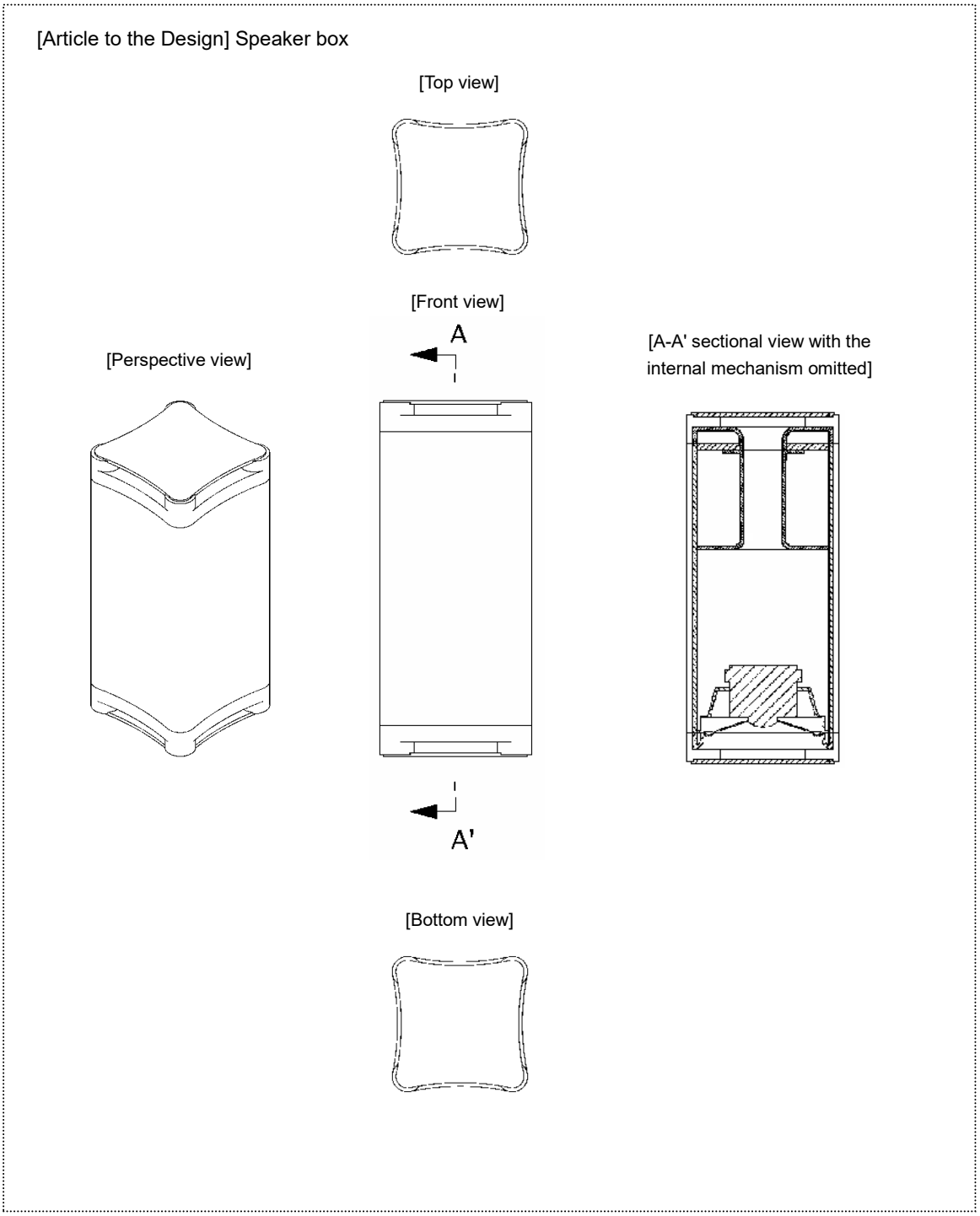
(iii) Draw a 0.2-mm oblique parallel line on the surface of cross section (thick surface, etc.) (Form No. 6 Note (16))

(iv) Since the design is the shape, etc. of outer appearance of an article, the internal shape, etc. can be omitted if it is not necessary to represent the internal mechanism itself. In such cases, the indication of the view should be “Sectional view with the internal mechanism omitted (or “indicating the outline of the internal mechanism”)”.

(v) Applicants draw the outer appearance that will be seen from the direction of depicting the cross section (Assuming that you cut the article and you see it with the cross section facing you, you need to draw the outer appearance seen from

that point). (In the example of sectional view of “speaker box”, the outline of the four ridge parts of the square pole with round edge type, etc. are drawn as an outer appearance that is seen from the direction of depicting the cross section.

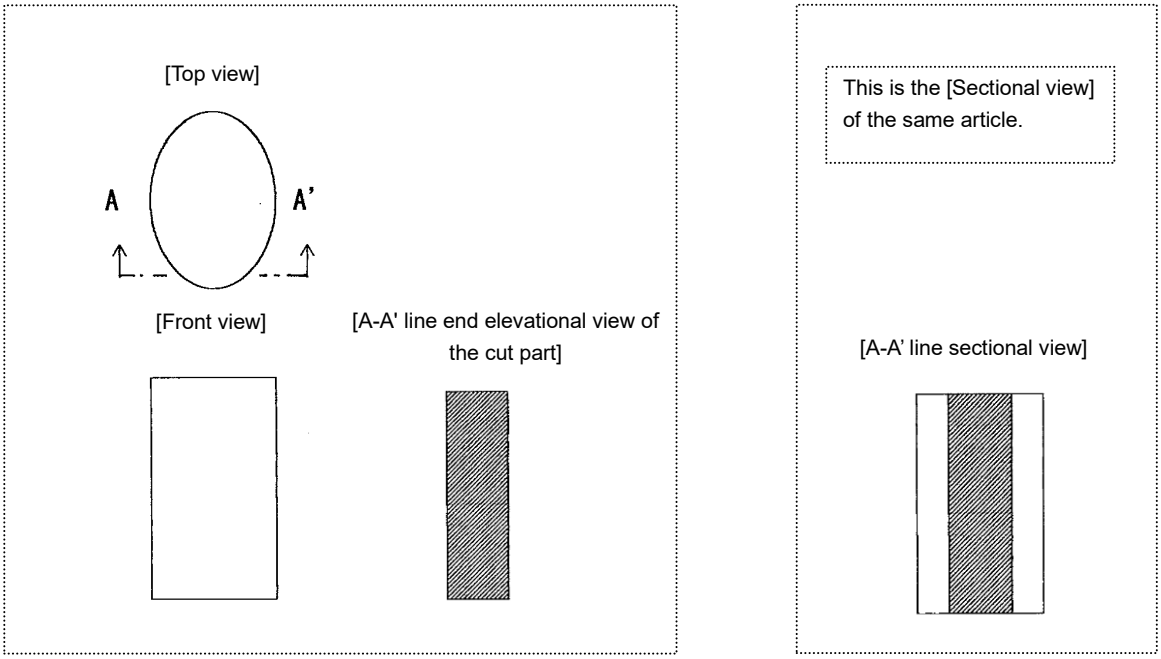
<Fig. 1.2-22> Example of how to depict “Sectional view”



(3) “End elevational view of the cut part”

A sectional view must be drawn in a way that the shape, etc. which is seen behind the cross section is also included. On the other hand, in an end elevational view of the cut part, the shape, etc. of the cross section alone is drawn, which will reduce the labor for preparing drawings. Therefore, when it is sufficient to represent the shape, etc. of the cross section alone, applicants use an end elevational view of the cut part.

<Fig. 1.2-23> Example of how to depict “End elevational view of the cut part”



(4) “Combined sectional view” and others

In addition to “Sectional view” and “End elevational view of the cut part” mentioned above, it is possible to represent the shape, etc. of the bumpy surface, etc. using “Combined sectional view”, “Combined end elevational view of the cut part”, “Half sectional view”, “Perspective sectional view”, and “Partially-trimmed perspective sectional view”. These views represent cross sections that are cut in more than one directions. Therefore, there may be cases where the cut parts need to be depicted along a broken line. In such cases, the view that represents the cross section must be added as a reference view. Please note that as for how to depict chain lines, arrows and codes that indicate the direction of the cut part and cross section, how to depict cross sections, etc., the same rule shall apply as when depicting “Sectional view” mentioned above.

<1> “Combined sectional view” and “Combined end elevational view of the cut part”

[Points to be noted in preparing combined sectional views, etc.]

(i) These views are made by combining multiple sectional views or end elevational views that were cut along different planes, creating one sectional view or end elevational view.

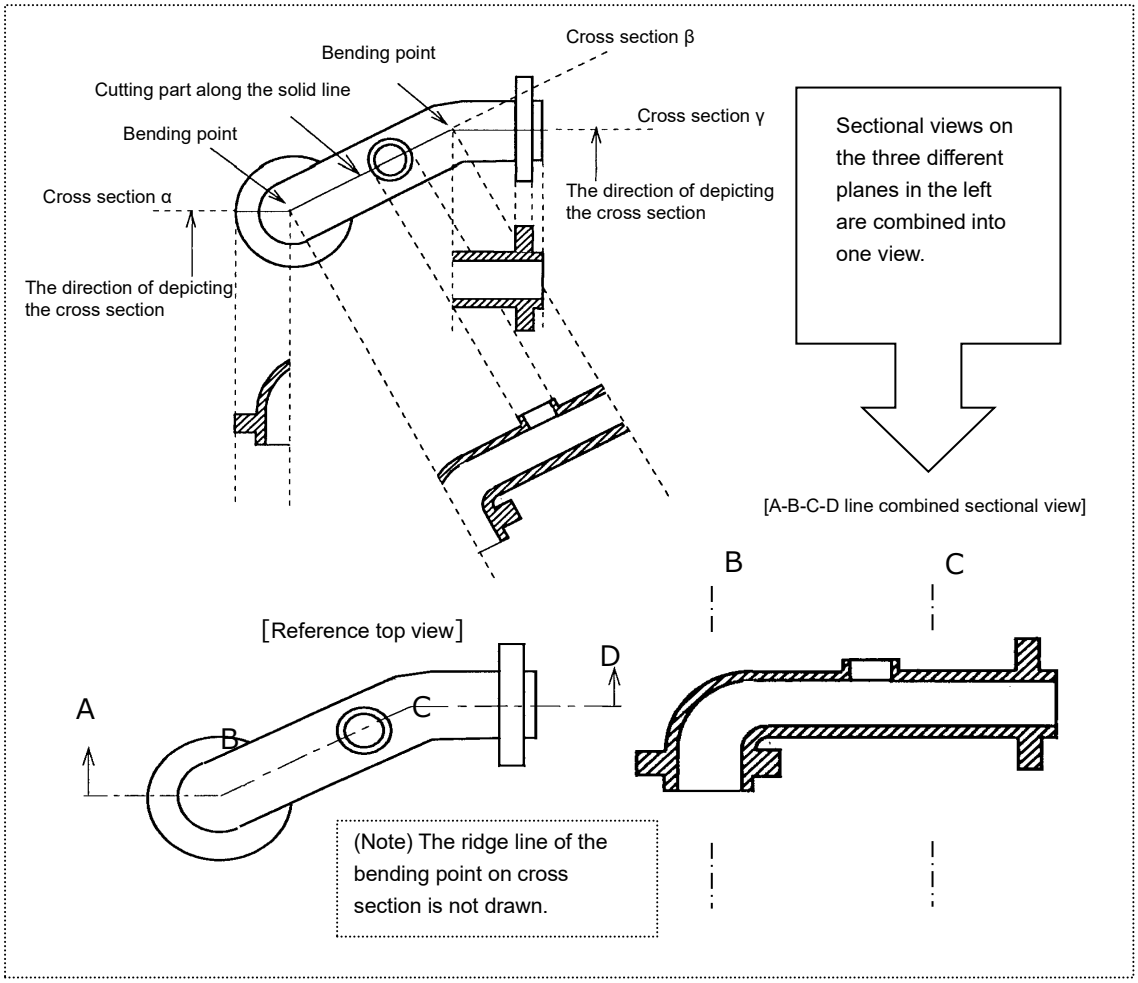
(ii) When cutting the object on the center plane along the curved shape, the cut part is shown by depicting a broken chain line (Figure 1.2-24). When cutting the article along the mutually paralleled planes, the chain lines that indicate the cut part need to be connected at an arbitrary point (Figure 1.2-25). In either case, since chain lines are drawn in the views, this is represented in a “reference view” indicating the cut part. (Lines, etc. that do not constitute the design cannot be drawn in the six views or other views (Form No. 6 Note (7)).)

(iii) At the point where a broken chain line indicating the cut part is bended, codes need to be put. Including codes that are put at both ends of the broken chain line, all codes need to be different.

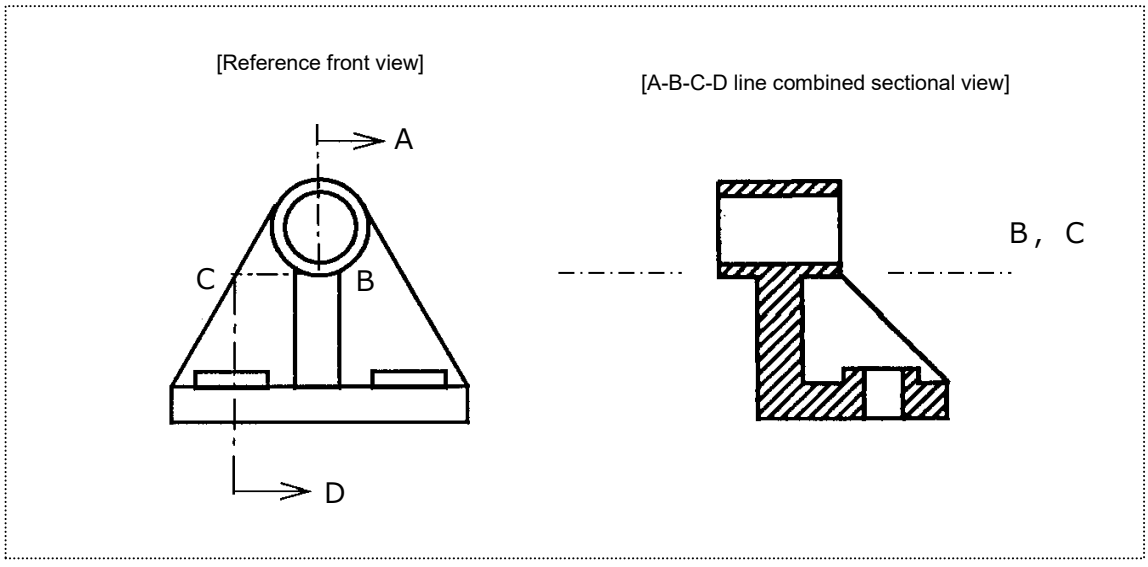
(iv) A cross section represented in a sectional view must be drawn as a shape, etc. seen from a right angle against the cross section.

(v) The same code as that for the bending point on the cut part is also used on the “combined sectional view,” etc.

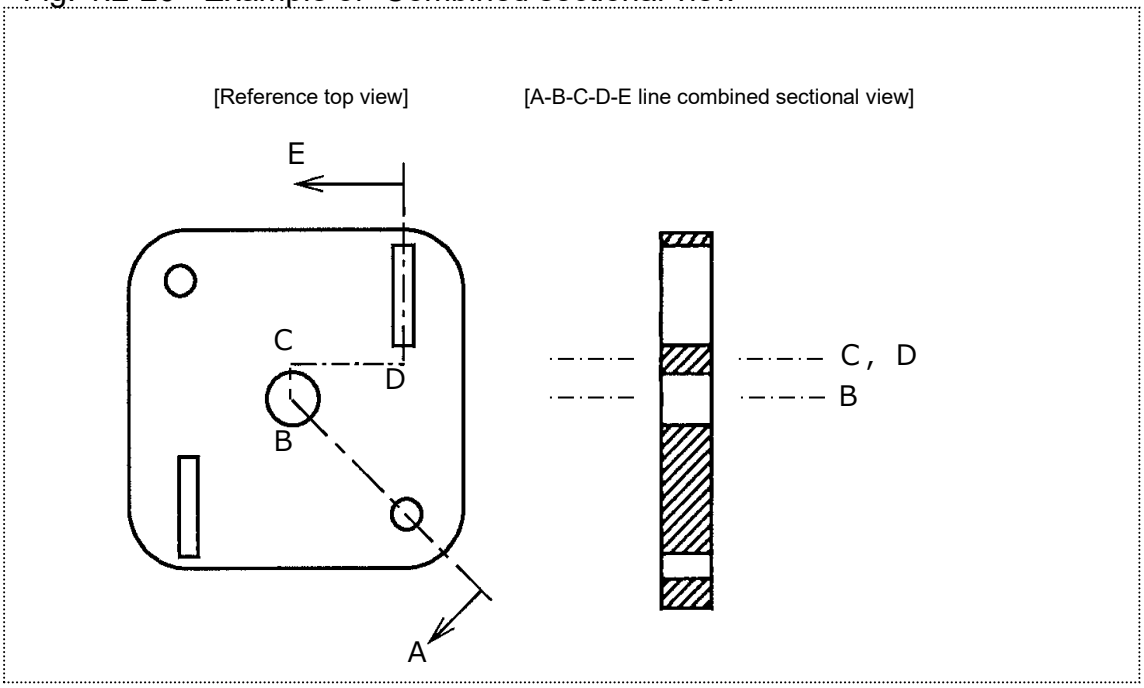
<Fig.1.2-24> Example of how to depict “Combined sectional views” with a detailed explanation



<Fig. 1.2-25> Example of how to depict “Combined Sectional view”



<Fig. 1.2-26> Example of “Combined sectional view”



<2> “Half sectional view”

A half sectional view represents a quarter of the whole. Along the cross sections of a rotor or a three-dimensional shape equivalent thereto, which are mutually at a right angle at the axis of rotation, a quarter of the object is cut out, and one of the two cross sections are represented as a sectional view.

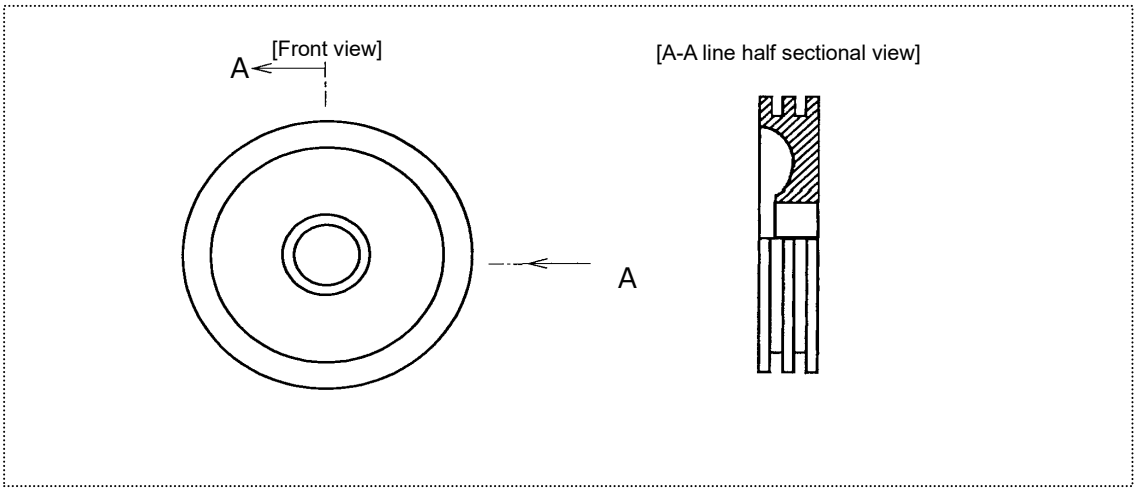
[Points to be noted in preparing half sectional views]

(i) Since the cut part does not need to be included in the drawing, it is allowed to indicate the cut part in one of the six views (Please note that the chain line that indicates the cut part must not touch the figure).

(ii) Codes need to be put at the cut part, but not at the bending point. Please put codes at both ends of a dash-dotted line, and furthermore, applicants put an arrow at each end to show the direction of the cross section. Please note that the same codes can be put at both ends of a dash-dotted line.

(iii) A sectional view must be drawn as seen from a right angle against the cross section.

<Fig. 1.2-27> Example of how to depict “Half sectional view”



<3> “Half sectional perspective view”

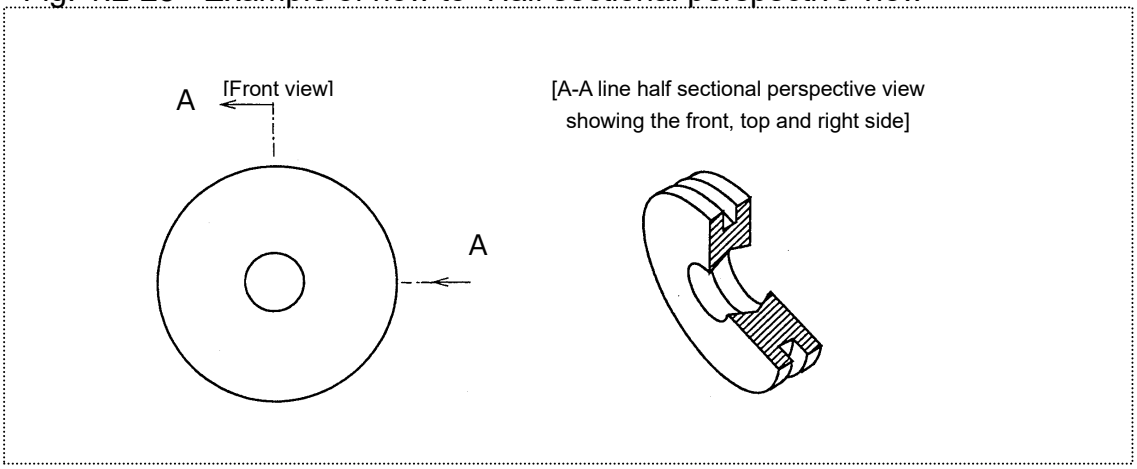
The half sectional perspective view is a perspective view showing a quarter of the whole. Along the cross sections of a rotor or a three-dimensional shape equivalent thereto, which are mutually at a right angle at the axis of rotation, a quarter of the object is cut out, and the object in such state is drawn in a perspective view.

[Points to be noted in preparing half sectional perspective views]

(i) In cases where a half sectional perspective view is prepared as a necessary drawing to specify the shape, etc., the “Indication of the view” of the “Half sectional perspective view”, which is an explanation of the type of the view, must be stated in the same way as in views depicted by the isometric projection method or the oblique projection method. Please note that a sectional view cannot be replaced with six views.

(ii) The cut part must be indicated in the same way as in half sectional views.

<Fig. 1.2-28> Example of how to “Half sectional perspective view”



(5) “Enlarged view” and “Enlarged view of a part”

In cases where the figure is too small to represent the shape, etc of the article clearly at the scale at which six views and others are prepared, an enlarged view can be used to enlarge the whole figure at the same proportion.

In cases where part of the figure is too small to represent the shape, etc of the part clearly at the scale at which six views and others are prepared, an enlarged view of a part can be used to enlarge the part.

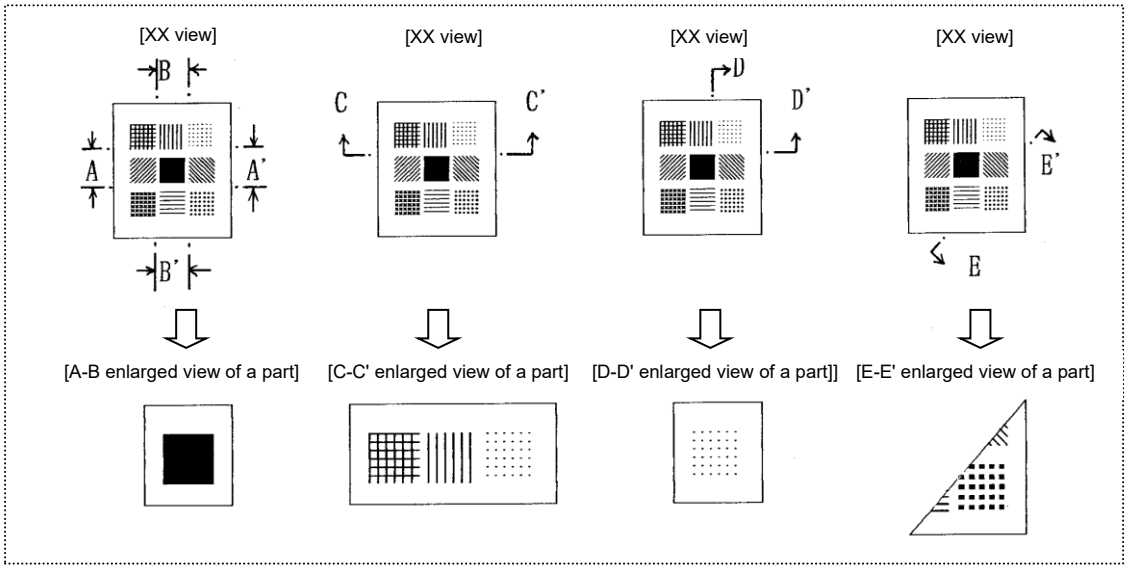
[Points to be noted in preparing enlarged views of a part]

(i) The part on which the enlarged view of the part is based is indicated on the original view of the part (any one of the six views). In such cases, an indication line drawn in a dash-dotted line of approximately 0.2-mm thickness is used to indicate the enlarged part. Indication lines must not be depicted within the figure. In addition, arrows are placed at the ends of dash-dotted lines to show the direction in which the enlarged view of the part is depicted, and codes are also put there. (Form No. 6 Notes (5, 17))

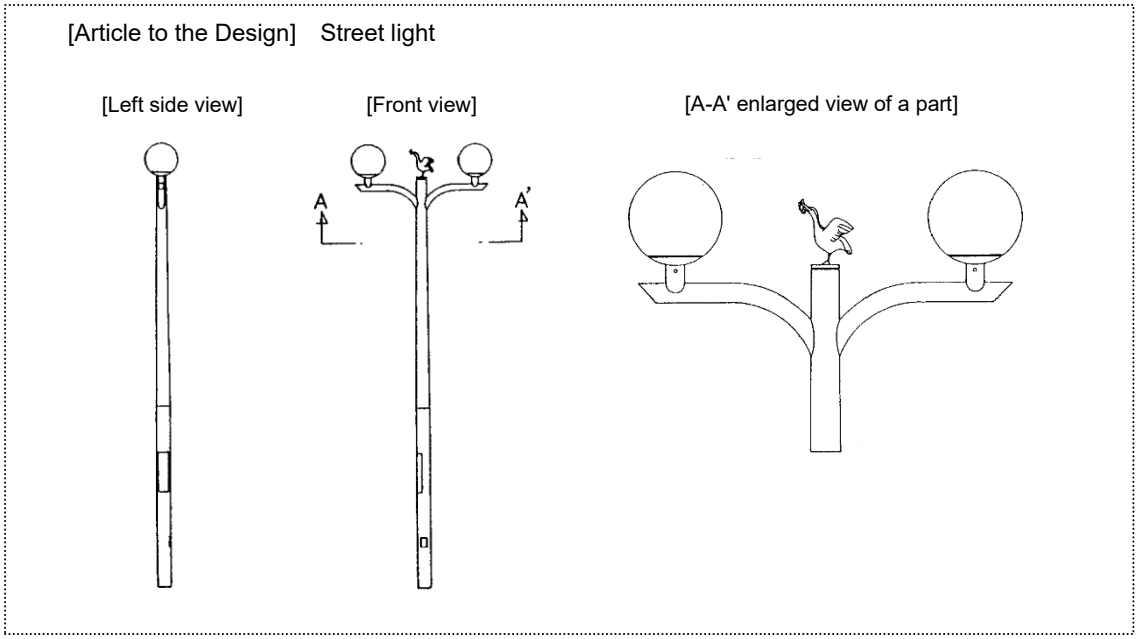
(ii) It is necessary to enlarge the figure without changing its aspect ratio (proportion) in the original drawing. However, in cases where the original drawing is so small that it is difficult to represent the shape, etc. of the part accurately, it is impossible to completely match the original shape, etc. with the partially enlarged form. In such cases, if the part in the original view, which is corresponding to the shape, etc. in the enlarged view of a part, is depicted in a manner that it is overall consistent with the shape, etc. in the enlarged view of a part, it shall not be regarded as inconsistent.

(iii) The peripheral line of the area separated by an indication line needs to be drawn with solid lines to represent the shape, etc. as if it were actually cut out.

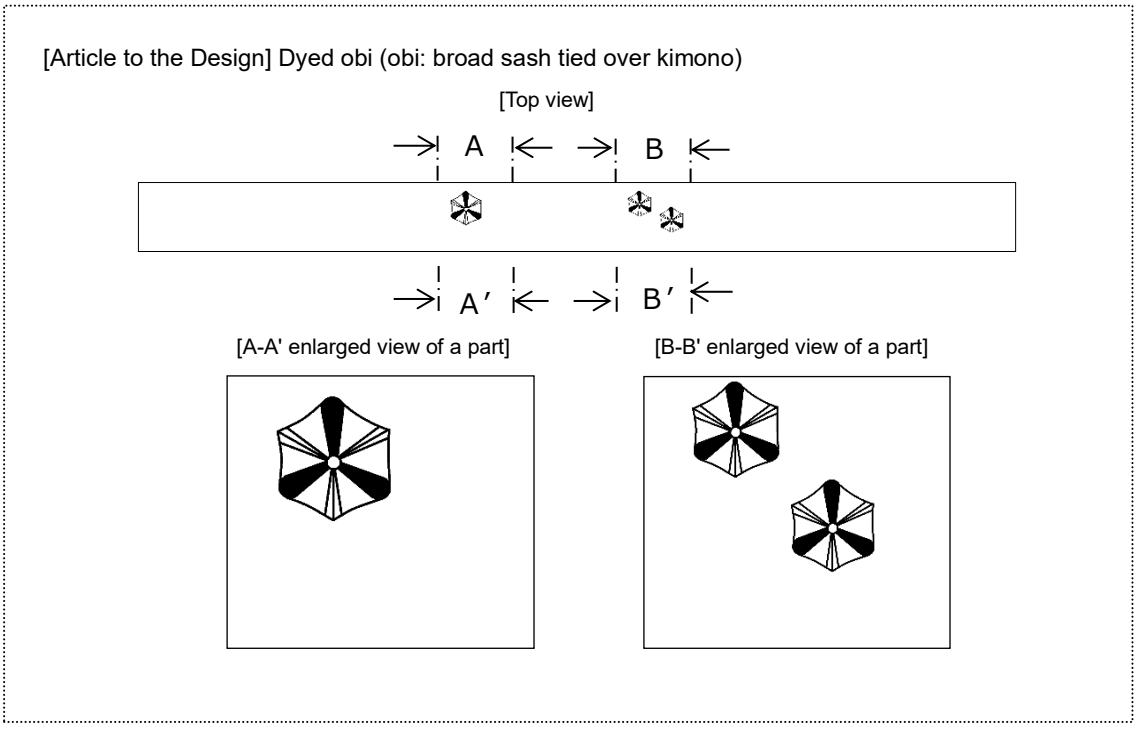
<Fig. 1.2-29> Example of how to cut out the part and how to put indication lines



<Fig. 1.2-30> Example of how to “Enlarged view of a part” (Street light)



<Fig. 1.2-31> Example of how to depict “Enlarged view of a part”



(6) “Perspective view” (excluding isometric projection drawings, cabinet drawings, cavalier drawings)

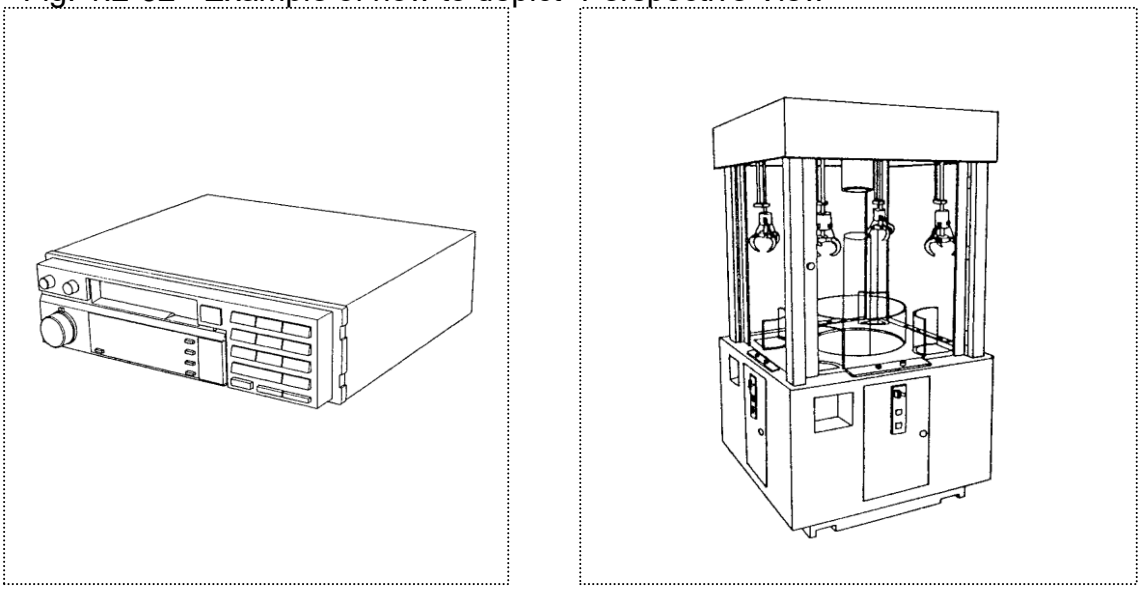
A perspective view simply refers to a general view representing the shape, etc. that can be viewed from an oblique angle. Isometric projection drawings, cabinet drawings and cavalier drawings, which are mentioned above, are all included in a category of perspective views. The “six views” can be replaced with these three types of drawings, but not with other perspective views. However, since perspective views other than these three types of drawings have no rules about skew angle, applicants can freely depict drawings according to the nature of the article, so they are appropriate for identifying the design. They are particularly effective in representing bumpy surfaces, and are necessary when the six views, etc. cannot represent a bumpy surface sufficiently. Although other perspective views have the shortcoming of not being able to represent shape, etc. as accurately as the six views can, their advantage is that they can represent form similar to how an object appears to the human eye. Thus, other perspective views are useful for representing the gist of the design.

[Points to be noted in preparing other perspective views]

(i) In cases of preparing perspective views for drawings of an application for design registration, applicants need to represent the shape, etc. as is seen when observing the six surfaces of the article that are represented by the orthographic projection method as a set of six views, from an oblique angle.

(ii) Applicants need to be as consistent as possible with the shape, etc. represented by the six views. Even if the main aim of a perspective view is to represent the bumpy part of a surface, if the whole of the perspective view is not consistent with the six views, it may not be possible to represent the uneven mode of the shape, etc. represented by the six views, and consequently, the shape, etc. may be unclear.

<Fig. 1.2-32> Example of how to depict “Perspective View”



(7) Drawings of an article that has an opening or separable part, or the shape, etc. of which is changeable

[Points to be noted in preparing views of an article having an opening part, etc.]

(see “Part III, 2. Articles Having an Opening/Closing Member” for more specific information about how to depict views of this type of articles)

(i) When showing the shape, etc. of an article having an opening part with the opening part remaining open, if showing the article in a separated state (the shape, etc. of each separated part), applicants add necessary views showing the shape, etc., such as “perspective view with the door open,” “male member front view,” and “female member front view.”

(ii) In cases where the shape, etc. is changeable, when filing an application for design registration for the shape, etc. as it appears before, during and after the said change, applicants specify the mode of change by adding views such as “perspective view during the change,” “perspective view after the change” and “front view when electricity is turned on.”

(8) “Shades” specifying the surface shape of a three-dimensional object

As for the shape, etc. of, for example, a three-dimensional shape having unevenness on a round surface, there may be cases where multiple sectional views are needed if you try to represent the unevenness in a sectional view. One of the drawing methods to handle such a case is to depict “shades” in the drawing. “Shades” are to be depicted as part of a figure representing a three-dimensional shape, and are different from “shadows.”

[Points to be noted in depicting “shades”]

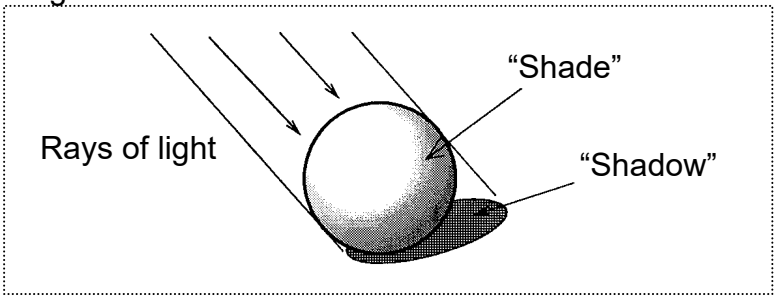
(i) “Shades” are depicted by lines, dots and other marks. (Form No. 6 Note (7))

(ii) When depicting “shades,” applicants make a statement to that effect and a statement as to which lines, dots, etc. constitute the “shades” in the column of “Description of the Design” (see Figure 1.2-34 and Figure 1.2-35) (Form No. 6 Note (7)). However, such statements may be omitted if it is obvious that the lines, dots, etc. are depicted for the purpose of specifying the shape even without such explanation, in the light of nature and use/function of each part of the article to the design (see Figure 1.2-36 and Figure 1.2-37). If a pattern shown in a figure is difficult to be distinguished from lines, dots, etc. that represent shades, it is recommended to provide an explanation that it is a pattern in the column of “Description of the Design” (see Figure 1.2-38).

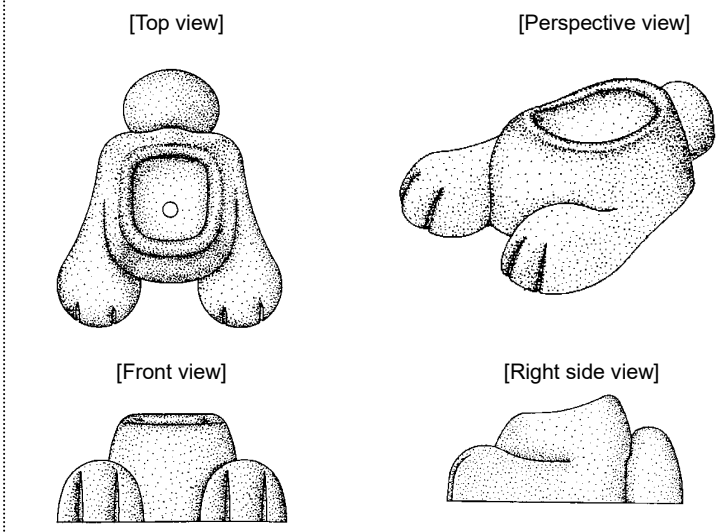
(iii) To depict lines, dots or other marks that represent “shades,” it is desirable to imitate the light and dark areas, as closely as possible, that are observed when you actually see the three-dimensional shape. For example, as the light and dark areas that are seen when parallel rays are irradiated on an article obliquely downward from the upper left to the lower right at a 45-degree angle, the applicant needs to draw lines, dots, etc. in a sparse or dense manner to have “shades” in the drawing.

(iv) In order to be distinguished from shape lines, lines that represent “shades” need to be thinner than the lines of the shape, and dots that represent “shades” need to be smaller in radius than the width of the lines of the shape. Please note that if the lines of the shape and “shading” cannot be distinguished from each other, the shape, etc. may be regarded as unclear.

<Fig. 1.2-33> Differences between “shades” and “shadows”

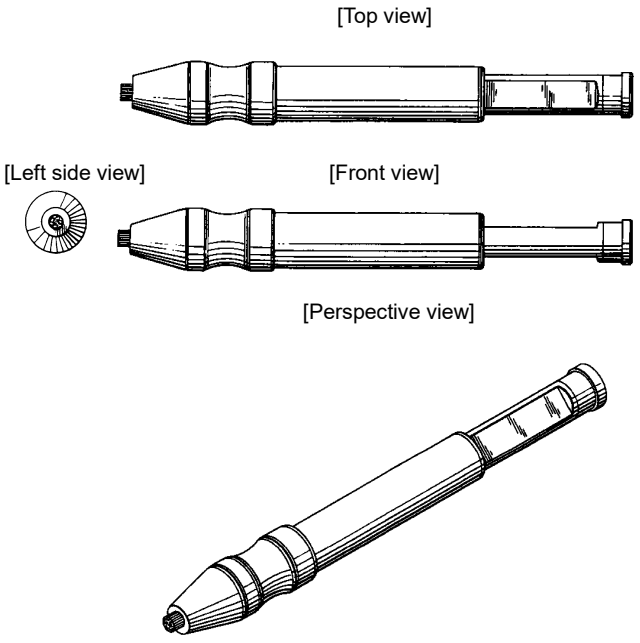


<Fig. 1.2-34> Example of a statement in “Description of the Design” when representing “shades” by dots



[Description of the Design]
The dots represented on the entire surface of each part are all for specifying the surface shape of the three-dimensional object.

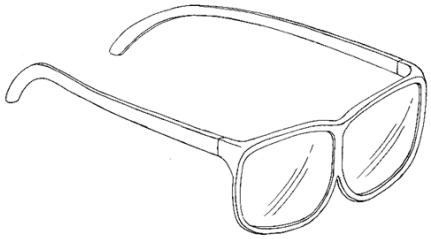
<Fig. 1.2-35> Example of a statement in “Description of the Design” when representing “shades” by lines



[Description of the Design]
The following are all for specifying the surface shape of the three-dimensional object: the approximately horizontal and parallel fine lines that are represented in the approximately lower half part of the front view and the top view; the vertical and parallel fine lines that are represented in the approximately middle, left and right parts of the cylinder of smaller radius in the right portion; the radial fine lines that are represented in the approximately right half part of the left side view; the vertical and parallel fine lines that are represented in the approximately middle of the right side view; and the circular fine lines that are represented near the periphery edge section.

<Fig. 1.2-36> Example where it is clear that the line, dot, etc. is for specifying shape even without a statement in the “Description of the Design”

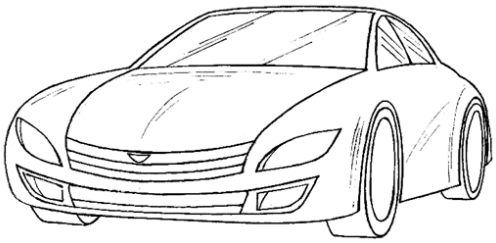
[Article to the Design] Glasses



* When considering the nature of the “glasses” article, given that placing a line pattern, etc. in the center of a lens is not ordinary, the design can be identified even without an explanation about the line specifying the shape.

<Fig. 1.2-37> Example where it is clear that the line, dot, etc. is for specifying shape even without a statement in the “Description of the Design”

[Article to the Design] Passenger vehicle



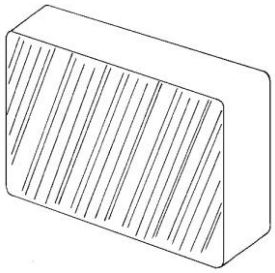
* When considering the nature of the “passenger car” article, given that placing a line pattern, etc. on the body or windows is not ordinary, the design can be identified even without an explanation about the line specifying the shape.

<Fig. 1.2-38> Example where it is not clear that the line, dot, etc. is for specifying shape without an explanation in the “Description of the Design”

[Article to the Design] Soap

[Description of the Design]
The fine lines that are represented on the front side in the view showing the front, top and right side are all for specifying the surface shape of the three-dimensional object.

[View showing the front, top and right side]



* When considering the nature of the article “Soap,” it is not possible to identify whether the lines represent a pattern or the surface shape of the three-dimensional object, without an explanation.

(9) Drawings prepared using computer graphics

Although drawings prepared using computer graphics (CG) represent the shape, etc. of the design as if it were a photograph, they are actually drawings that have been manually prepared. Thus, a document that contains such drawings shall be regarded as “drawings.” As such, it is necessary, in principle, to prepare CG drawings according to the prescribed form of drawing.

[Points to be noted in preparing views using computer graphics (CG)]

(i) Views that do not contain the lines of the shape are accepted.

(ii) Views that do not contain the lines of the shape need to have a colored background where necessary. As the color of the background, applicants use a single color that is not used in the design in the application, and also make a statement to the effect that the single color represents the background in the column of “Description of the Design” (Figure 1.2-41). However, such statement is unnecessary if it is obvious that the color represents the background even without such explanation (Figure 1.2-40).

(iii) When a brightness change is represented as “shading” in drawings, it is necessary to make a statement to the effect that such brightness change is “shading” in the column of “Description of the Design” of the application (Figure 1.2-42). However, such statement is unnecessary if it is obvious that such brightness change is “shading” even without such explanation.

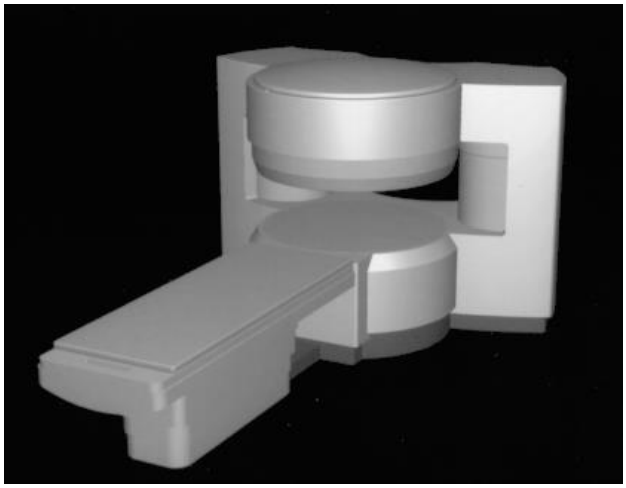
(iv) When making it clear which part of the design has what color in a drawing that depicts a design having colors with “shading” represented, applicants add the “Front view without shading”, etc. (Figure 1.2-43).

(v) When preparing drawings using photographic data taken by a digital camera (e.g. by trimming a part of the photograph and adding it to a line drawing), such views are treated as “drawings,” as in the case of CG.

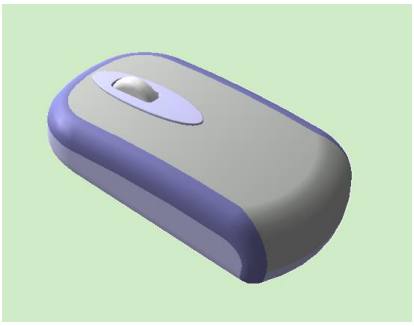
However, in cases of manipulating photographic data taken by a digital camera by erasing elements that do not constitute the design, or calibrating colors, such views are regarded as “photographs.”

(vi) When sectional views are needed, oblique parallel lines of approximately 0.2-mm thickness must be drawn in the cross section (e.g. the thick surface) as in the case of regular views (Form No. 6 Notes (5) and (16)) (Figure 1.2-44). If an applicant wishes to color the cross section, applicants use a single color that is not used in the design in the application and make a statement to the effect that such colored part represents only the shape of the cross section in the column of “Description of the Design” (Figure 1.2-45).

<Fig. 1.2-39> Example of how to depict the drawing using CG



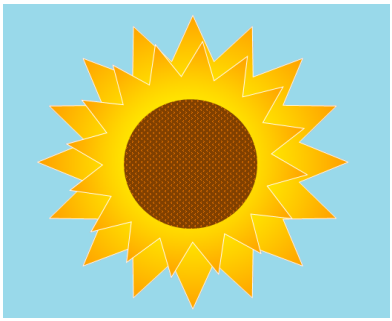
<Fig. 1.2-40> Example for which it is obvious that the color represents the background even without the statement in “Description of the Design”



[Article to the Design] Mouse for computer

<Fig. 1.2-41> Example where it is unclear whether the color represents the background without the statement in “Description of the Design”

[Surface view]



[Description of the Design]
The pale blue color represented in the surrounding part in the surface view is the background for making the surface shape clear.

[Article to the Design] Decorative sticker

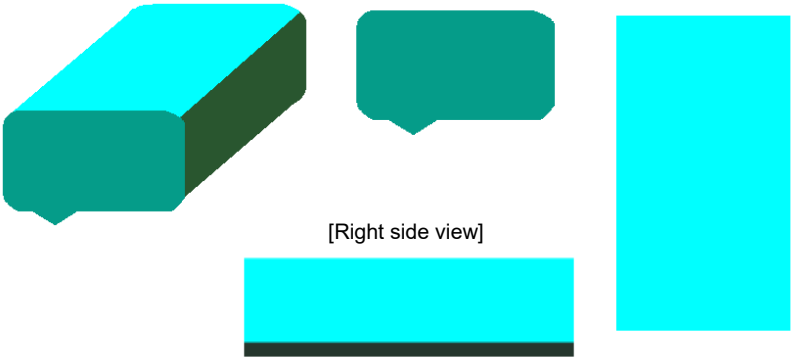
* It is unclear, whether the “Decorative sticker” is only the sunflower part or the whole drawing including the pale blue part.

<Fig. 1.2-42> Example where it is not obvious whether a brightness change represents “shades” without the statement in “Description of the Design”

[Perspective view]

[Front view]

[Top view]

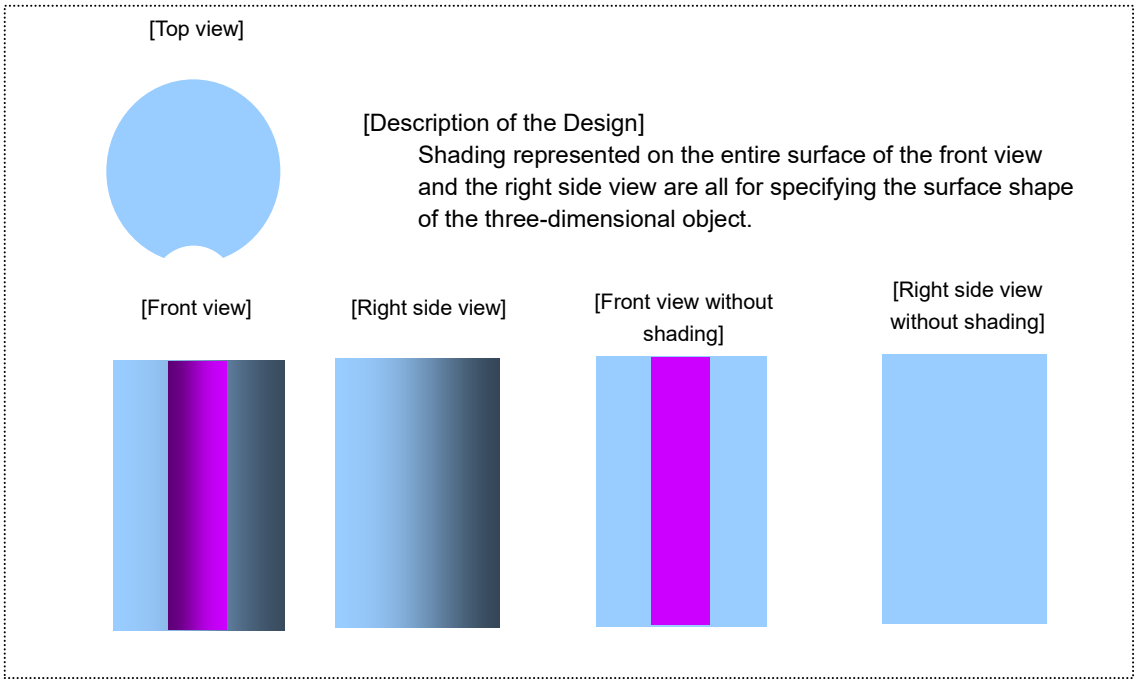


[Right side view]

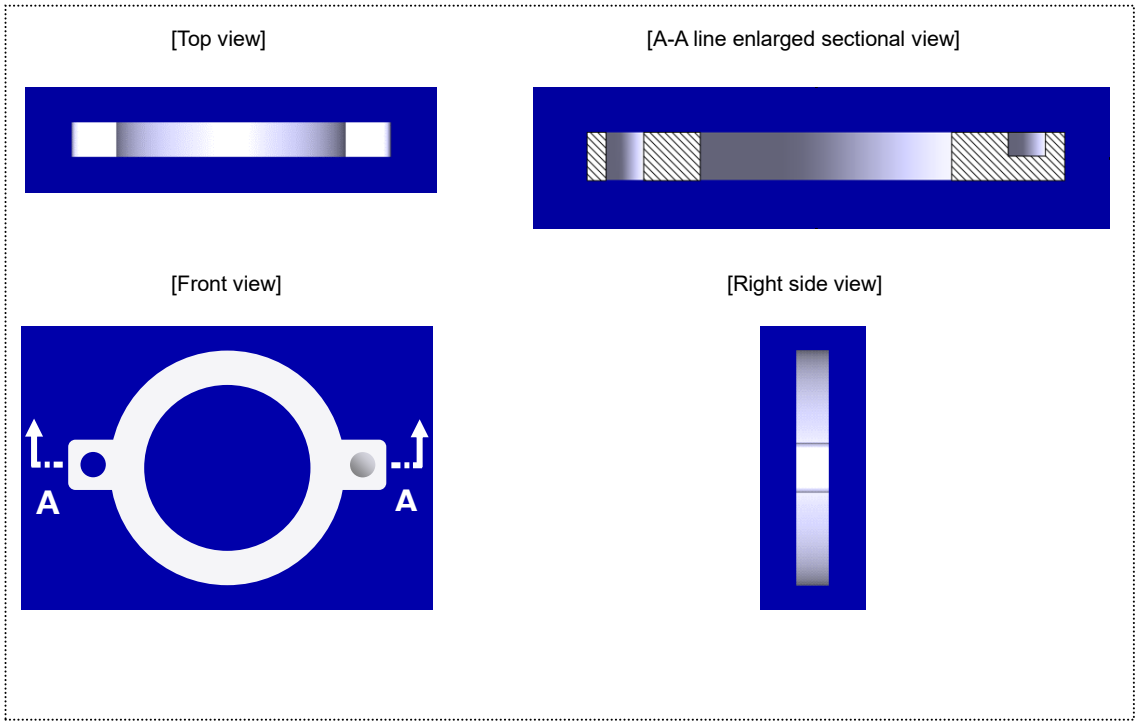
[Description of the Design]
Shading represented on the entire surface of the front view, the top view, the right side view, and the perspective view are all for specifying the surface shape of the three-dimensional object.

[Article to the Design] Eraser

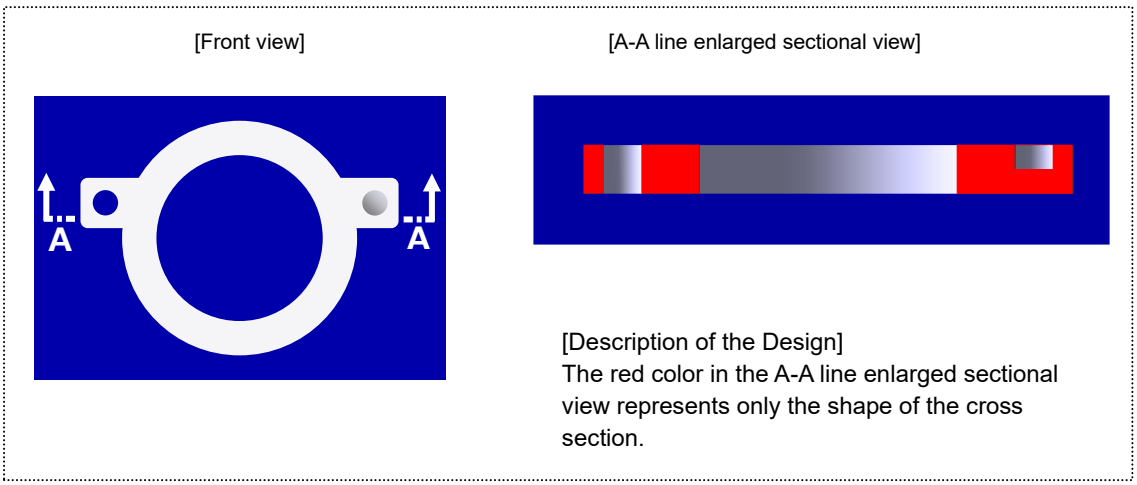
<Fig. 1.2-43> When making it clear which part has what color



<Fig. 1.2-44> Example of how to depict a sectional view using CG



<Fig. 1.2-45> Example of how to depict a sectional view using CG (in cases where the shape of the cross section is represented in color)



As for a sectional view prepared using CG for an application for design registration for a part of an article, etc., see Part II Chapter 2.2 (2)(iii) “Sectional View” prepared using computer graphics (CG).

B . Drawings for helping in understanding the design and drawings that represent the transparent part (reference views)

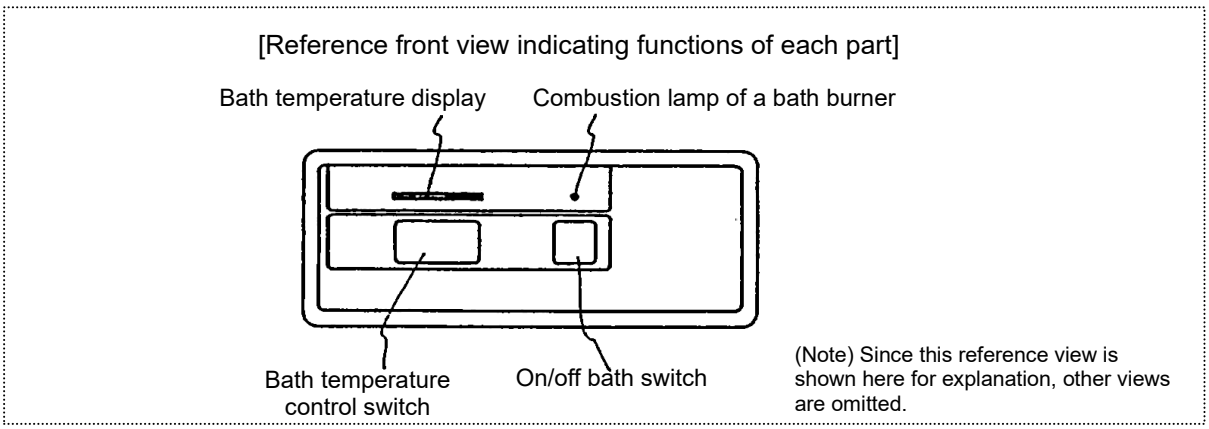
In cases where it is necessary to use additional views supplementarily in addition to the “six views” and others in order to explain the article or to indicate the transparent part, please add reference views (Form No. 6 Note (15)). The reference views include views that indicate functions, etc. of each part, views that indicate the purpose and method of use of an article, and views that indicate the transparent part or translucent part. Since these reference views are not for representing the actual shape, etc. of the design in the application for design registration, figures can contain centerlines, baselines, horizontal lines, fine lines or shadings to express shadows, indication lines, codes, or characters that are used for explaining the content, or any other lines, codes or characters that do not constitute the design (Form No. 6 Note (7)). Using a view that represents only the shape, etc. of the design in the application as a reference view is not appropriate.

However, the views represented as reference views are used as the basis for finding the design in the application, to help in understanding the material, size, the part that is transparent, the purpose of use, the state of use, etc. of the article to the design. On the other hand, in cases where reference views show a shape, a pattern or a color different from those shown in the six views and the other required drawings, the different elements themselves are not considered to serve as the basis for finding the shape, etc. of the design in the application (see Part II, Chapter 1 of the Examination Guidelines for Design).

2B.1 Reference views indicating functions, etc. of each part

Reference views that represent functions, etc. of each part are used to represent the specific constitution of each part or the method of use of an article. This type of reference view is, in general, depicted by adding indication lines, characters, codes, etc. to a view which corresponds to any of the six views, etc. It is sufficient if it can be understood which part of the shape, etc. represented in the six views, etc. is depicted in the reference view.

<Fig. 1.2-46> Example of how to depict “Reference view indicating functions of each part”



2B.2 Reference views indicating the state of use

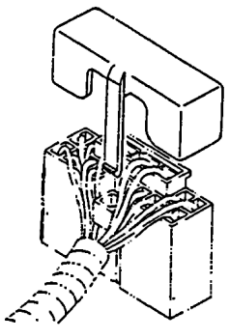
In cases where conventional knowledge does not help in understanding the purpose and method of use of the article, which makes it impossible to understand the design, an applicant needs to state an explanation that helps understand the design in the column of “Description of Article to the Design”, including the purpose, the method and the state of use. In addition to that, “Reference view showing the state of use”, etc. need to be added, where necessary. Since “Reference view showing the state of use”, etc. have no restrictions on how they can be depicted, it is possible to include things other than the article to the design (e.g. in cases of filing an application for design registration concerning components of an article, the view in which the whole article is depicted with the components incorporated thereinto can be submitted as “Reference view representing the state of use”).

<Fig. 1.2-47> Example of how to depict “Reference view representing the state of use”

[Article to the Design] Rear end cap for electrical connectors

[Description of Article to the Design] This article is a cap to be put on the rear end of a housing for an electrical connector, and to be fixed by a pair of locking pieces. Electric wires drawn out from the housing are bent within this article, and pulled out from the cutout part of this article.

[Reference perspective view representing the state of use]



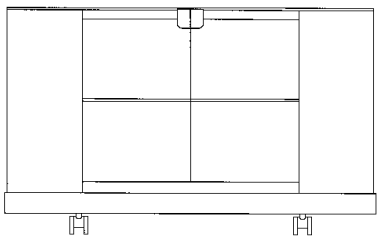
2B.3 Reference views representing the transparent part

In cases where a part of the shape, etc. has transparency or translucency, and the statement of the “Description of the Design” is not sufficient to make it understood where the transparent part is positioned, it is necessary to clearly show it by adding “Reference view indicating the transparent part” to six views, etc. In the case of representing the transparent part as it is, the figure tends to be more complicated than that of the article without the transparent part, which makes it difficult to represent the shape, etc. accurately. Thus, it is useful to add “Reference view indicating the transparent part” even though the statement about the transparent part in “Description of the Design” is clear enough to understand which part of the article is the transparent part (see “Part III, 4. Articles Having Transparent or Translucent Part” for more specific information about how to depict views of articles having transparent part, etc.).

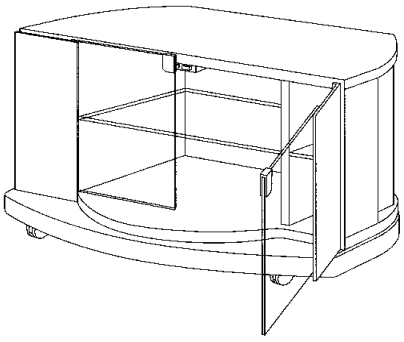
<Fig. 1.2-48> Example of how to depict “Reference view indicating the transparent part”

[Article to the Design] Television rack

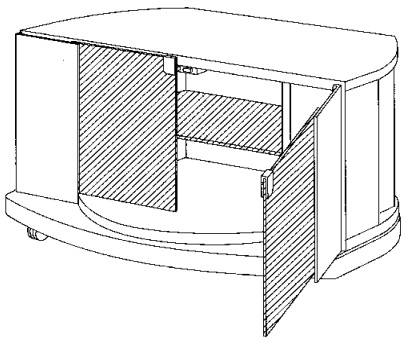
[Front view]



[Perspective view with the cabinet door open]



[Reference view indicating the transparent part]



C. Photographs substituted for drawings

Applicants can file an application for design registration, attaching photographs instead of drawings that depict views. When submitting photographs, the method of representing the shape, etc. is the same as when submitting drawings. In other words, each of the six views is replaced with a photograph of a surface taken from the same angle as the surface represented in the view.

[Points to be noted in taking photographs substituted for drawings]

(i) Care must be taken not to include the background, shadows that are not shade, images reflected on the mirror surface and other elements that do not constitute the design.

(ii) In cases where it is difficult to distinguish “shade” that appears on bumpy surfaces (see “2A. 5 (8) “Shades” specifying the surface shape of a three-dimensional object”) from patterns, applicants include a statement about the distinction in the column of “Description of the Design.”

(iii) To avoid including the background or the surface of the table where the object is put as patterns, etc., applicants need to carefully set up a photographic stage so that patterns, etc. that do not constitute the design may not be shot, by covering the background or the table with the same color material such as a white or black cloth.

(iv) Please be careful for not photographing by the perspective drawing method, where the front of the object becomes larger and the other end of the object becomes smaller.

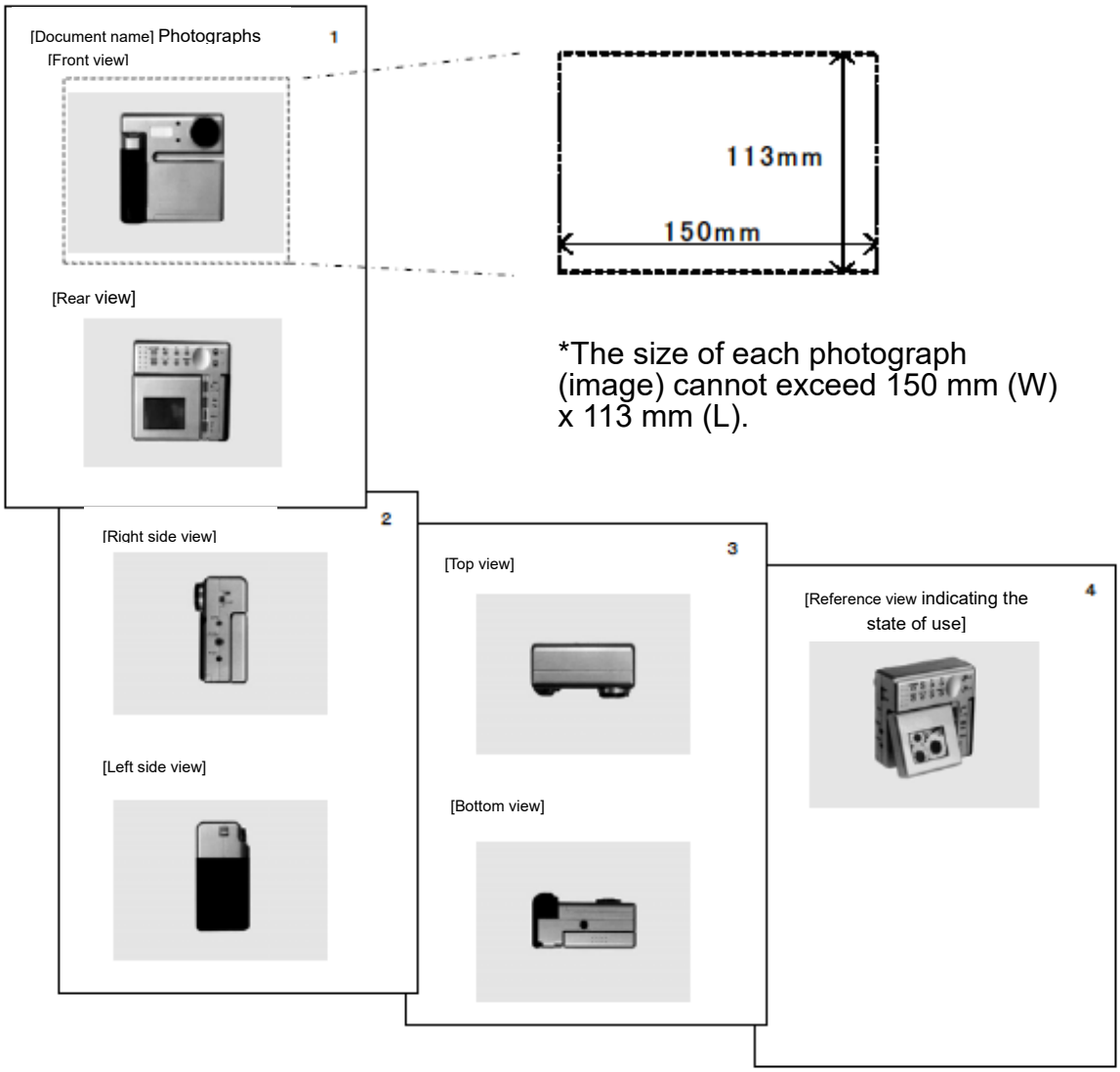
(v) Digital photographs that have been manipulated, such as clearing the shape, etc., eliminating what does not constitute the design, can also be accepted as photographs (Please note that the shape, etc. represented by the manipulated photograph data is regarded as the design in the application).

(vi) It is possible to combine photographs and views. In such cases, applicants need to make sure that photographs and drawings are consistent with each other. For example, in cases where, while photographs represent shading related to the gist of the design, drawings represent only the shape, it shall be regarded that the specified shape, etc. is not represented since photographs

and drawings are not consistent with each other. Please note that photographs and drawings must be separated in the application, and the “Document Name” should be “Photographs” and “Drawings,” respectively.

(vii) It is not allowed to incorporate drawn lines into photographs to claim it one photograph. Please note that a drawing created by computer graphics (CG) with photographic data partially incorporated thereinto shall be deemed as a drawing. (see “2A. 5 (9) Drawings prepared using computer graphics”)

<Fig. 1.2-49> Example of attaching photographs

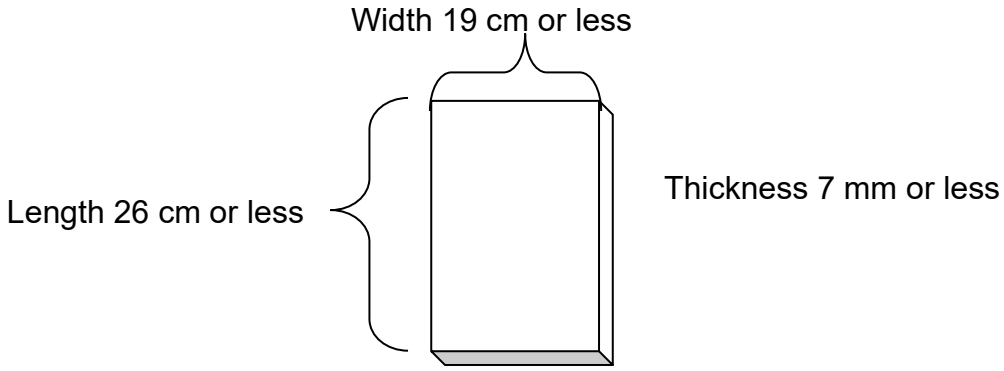


D. Specimens and models

For some types of articles, applicants may file an application for design registration attaching specimens or models, instead of drawings that depict views. Specimens or models that can be submitted to represent the design shall be limited to those which falls within the scope prescribed by Ordinance for Enforcement in terms of materials, the size and other elements. Please note that the submitted specimens and models are treated as replacement of the drawings and they are **not** returnable.

[Limitations of specimens and models submitted as a replacement of drawings]
(see Article 5 of the Ordinance for Enforcement of the Design Act).

(i) The size must not be more than length 26 cm x width 19 cm x thickness 7 mm. Specimens or models that are larger than this size cannot be submitted.



However, when using a thin cloth or paper as a specimen or model, applicants can submit it if both length and width are 1 m or less, and if it can be put into the prescribed bag of 7 mm thickness by being folded.

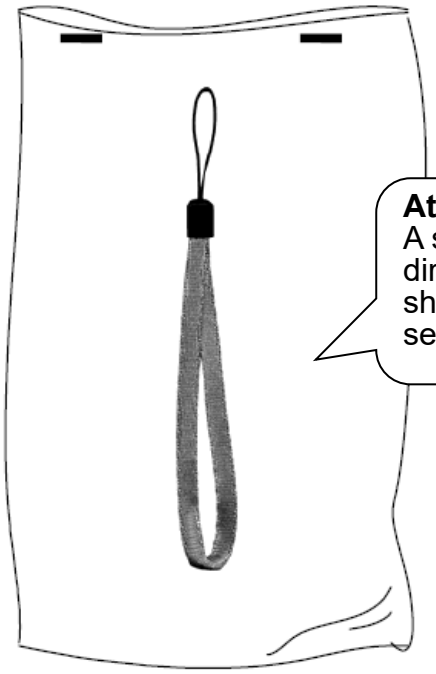
(ii) Specimens and models must be hardly broken, and must not easily change in shape or quality.
For example, things that can be easily chipped, those that are susceptible to natural deterioration, natural discoloration, natural resolution, and those that will be rotten cannot be submitted (e.g. fragile glass products or food).

(iii) Specimens and models must not be difficult to handle or preserve.
For example, things that have a sharp needle or blade, which causes the danger in handling, or those that may break the containing bag cannot be submitted (e.g. sewing needles or blades).

(Note) Please put a specimen or model into a strong, hard-to-tear bag, and desirably, if possible, put it directly into a transparent bag so that it may be seen (there may be possibility that the content of the design for which the design registration is requested may be deemed as unclear, please do not put a specimen or model into a sealed bag, box or others before putting it into the prescribed bag).

(Example)

[Document Name] Specimens



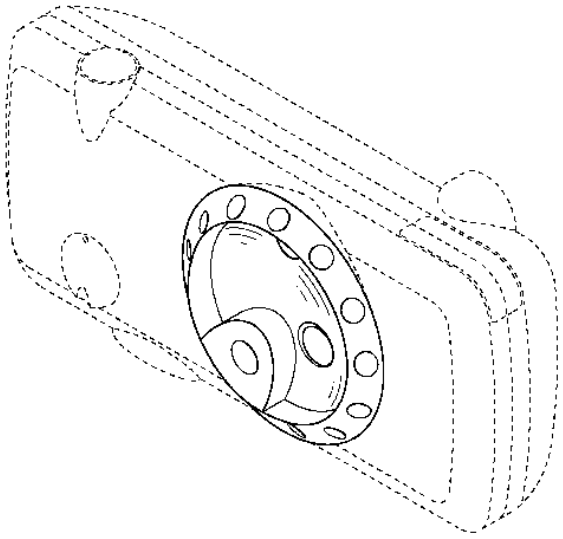
Attention!
A specimen or model must be put directly into the prescribed bag as shown here, without being put into a sealed bag or box.

Name of Applicant for Design Registration	XY	Application Number	
Article to the Design	Strap for mobile phone	Filing Date	

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

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

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



1. Statement in the Application

1.1 The column of “Partial Design”

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

1.2 The column of “Article to the Design”

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

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

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

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

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

1.4 The column of “Description of the Design”

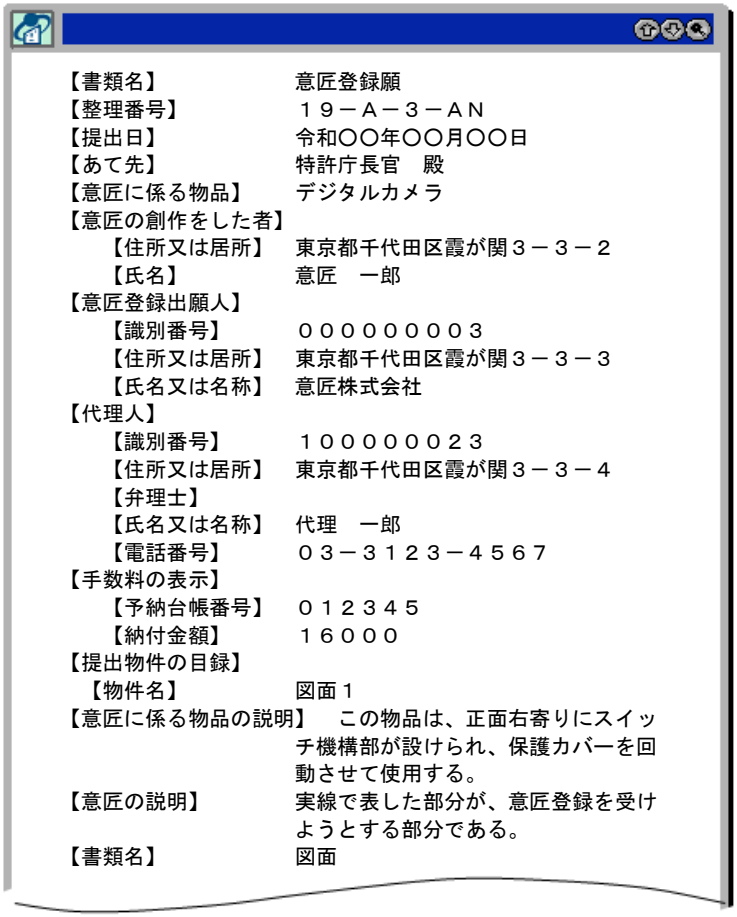
In addition to what needs to be stated for a whole design, applicants state how “the part for which the design registration is requested” has been specified (see Part I, 1.3 The column of “Description of Design”).

(1) How to state the method of specifying “the part for which the design registration is requested”

(i) Where the part for which the design registration is requested cannot be specified from statements in the drawings alone, applicants state how the part has been specified in the column of “Description of the Design” (Form No. 6 Note (12)). In cases of, for example, drawing “the part for which the design registration is requested” with solid lines and “any other part” with broken lines, the statement in the column of “Description of the Design” shall be that “The part represented by a solid line is the part for which the design registration is requested”. When drawing the boundary between “the part for which the design registration is requested” and “any other part” with dash-dotted lines, applicants make a statement to the effect that “The dash-dotted line is the one that indicates only the boundary line between the part for which the design registration is requested and any other part.” Likewise, in the case of distinguishing “the part for which the design registration is requested” from “any other part” by coloring, applicants make a statement to the effect that, for example, “Any part other than the part colored in xx (which is a single color that is not included in the design in the application) is the part for which the design registration is requested.”

(ii) As for a specimen or a model, applicants make a statement to the effect that, for example, “Any part other than the part painted over in black is the part for which the design registration is requested,” according to the rule on how to represent “the part for which the design registration is requested” in the case of a specimen or a model. (Form No. 8 Note (3)).

(iii) As for photographs substituted for drawings, applicants make a statement to the effect that, for example, “Any part other than the part painted over in black is the part for which the design registration is requested,” according to the rule on how to represent “the part for which the design registration is requested” in the case of a photographed object.



【書類名】　意匠登録願
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【提出日】　令和〇〇年〇〇月〇〇日
【あて先】　特許庁長官　殿
【意匠に係る物品】　デジタルカメラ
【意匠の創作をした者】
　【住所又は居所】　東京都千代田区霞が関３－３－２
　【氏名】　意匠　一郎
【意匠登録出願人】
　【識別番号】　０００００００００３
　【住所又は居所】　東京都千代田区霞が関３－３－３
　【氏名又は名称】　意匠株式会社
【代理人】
　【識別番号】　１００００００２３
　【住所又は居所】　東京都千代田区霞が関３－３－４
　【弁理士】
　【氏名又は名称】　代理　一郎
　【電話番号】　０３－３１２３－４５６７
【手数料の表示】
　【予納台帳番号】　０１２３４５
　【納付金額】　１６０００
【提出物件の目録】
　【物件名】　図面１
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【書類名】　図面

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

2. The Depiction in Drawings

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

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

[Points to be noted in specifying the part]

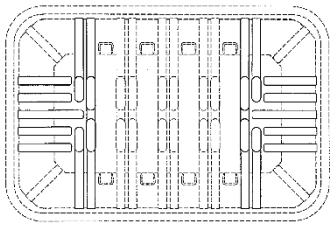
(i) Specifying “the part for which the design registration is requested” using “reference views” alone is not permitted.

(ii) It is not allowed to specify “the part for which the design registration is requested” by surrounding the part by, for example, an indication line or a bold line.

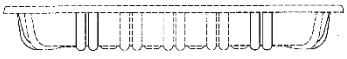
(iii) In cases where specifying “the part for which the design registration is requested” by distinguishing “the part for which the design registration is requested” from “any other parts” by coloring, etc., “any other parts” must be painted over in a single color that are not included in the design in the application. Please note that in cases where “the part for which the design registration is requested” is colored, the color itself is included in “the part for which the design registration is requested.”

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

[Top view]



[Front view]

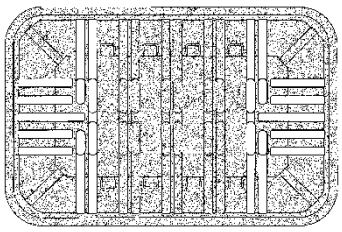


[Description of the Design]
The part represented by solid lines is the part for which the design registration is requested as partial design.

*For convenience of explanation, part of the statement in the application and other drawings are omitted.

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

[Top view]



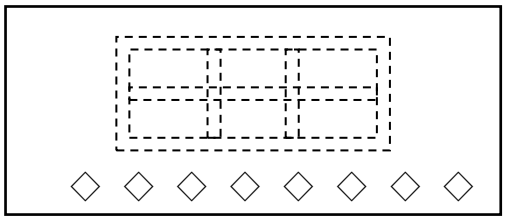
[Front view]

[Description of the Design]
The part other than the part colored in gray is the part for which the design registration is requested.

*For convenience of explanation, part of the statement in the application and other drawings are omitted.

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

[Front view]

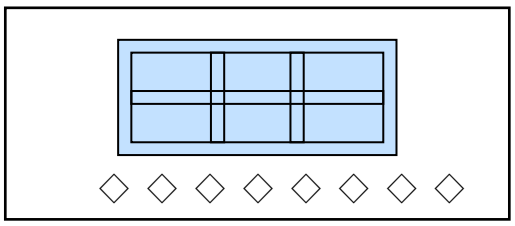


[Description of the Design]
The part represented by solid lines is the part for which the design registration is requested as partial design.

*For convenience of explanation, part of the statement in the application and other drawings are omitted.

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

[Front view]



[Description of the Design]
The part other than the part colored in pale blue is the part for which the design registration is requested.

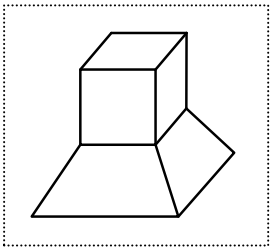
*For convenience of explanation, part of the statement in the application and other drawings are omitted.

2.2 How to depict drawings specifically and points to be noted

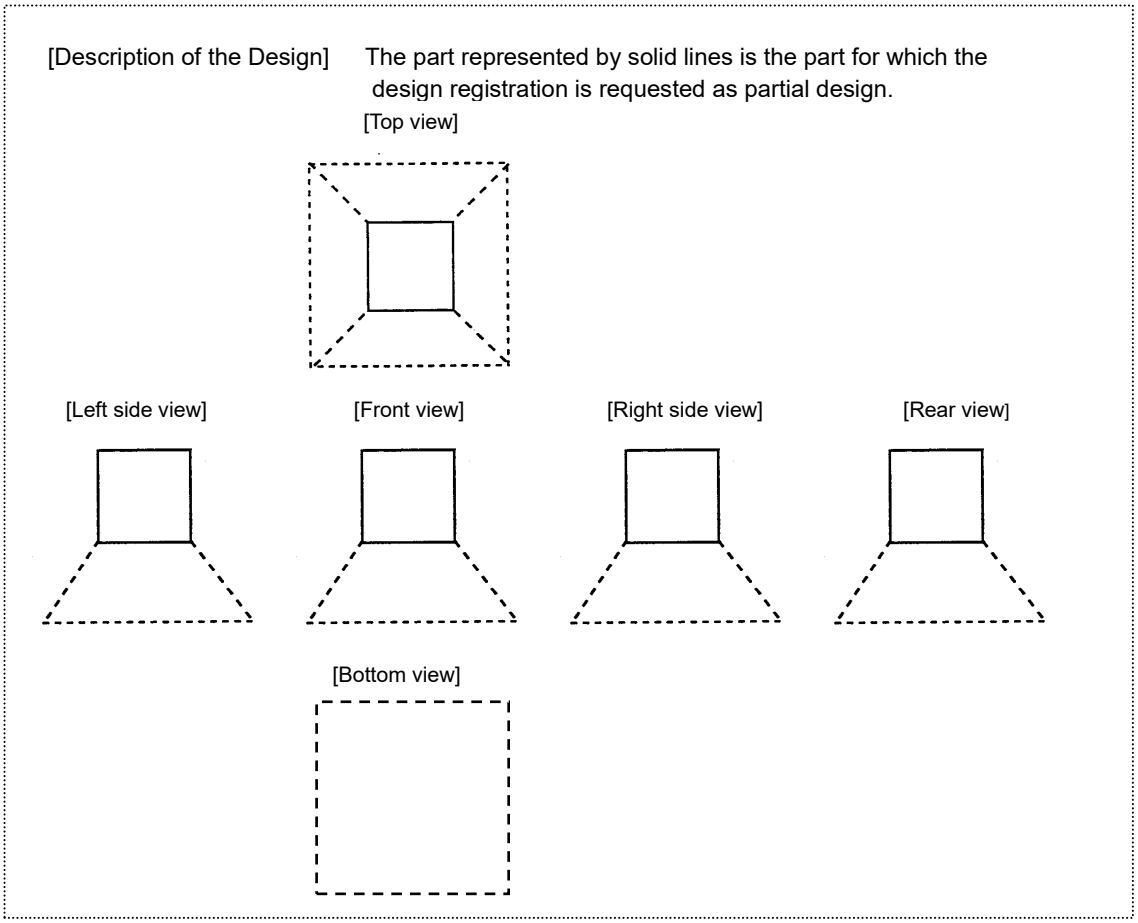
(1) How to depict “six views”

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

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



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



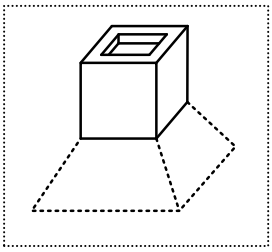
(2) How to depict “Sectional view”

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

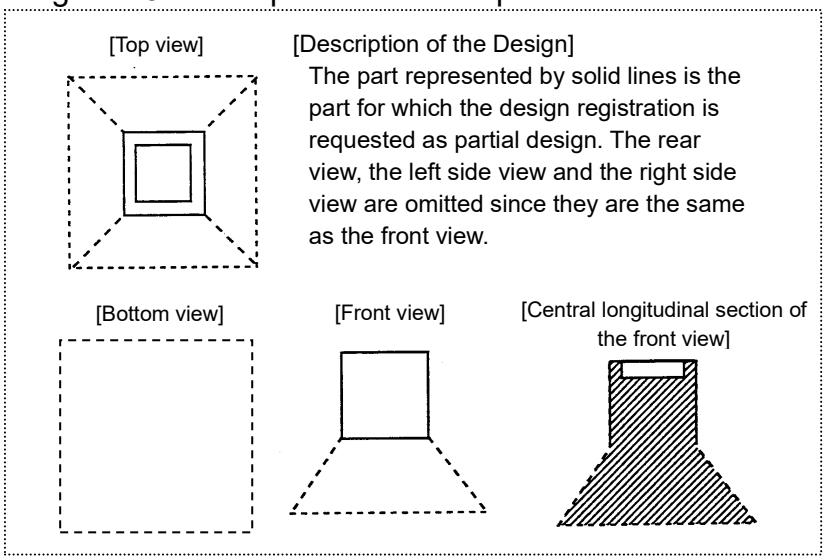
A sectional view needs to be depicted in the same way that “the part for which the design registration is requested” is depicted to be distinguished from “any other parts” when you prepare six views.

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

<Fig. 2.2-7>
Example of 3-D shape



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



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

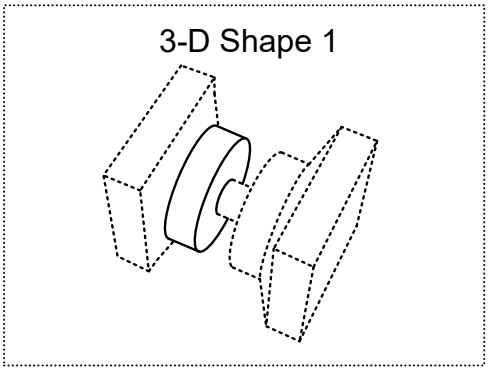
In cases where six views are not enough to specify the shape, etc. and the scope of “the part for which the design registration is requested,” applicants specify it by submitting a sectional view.

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

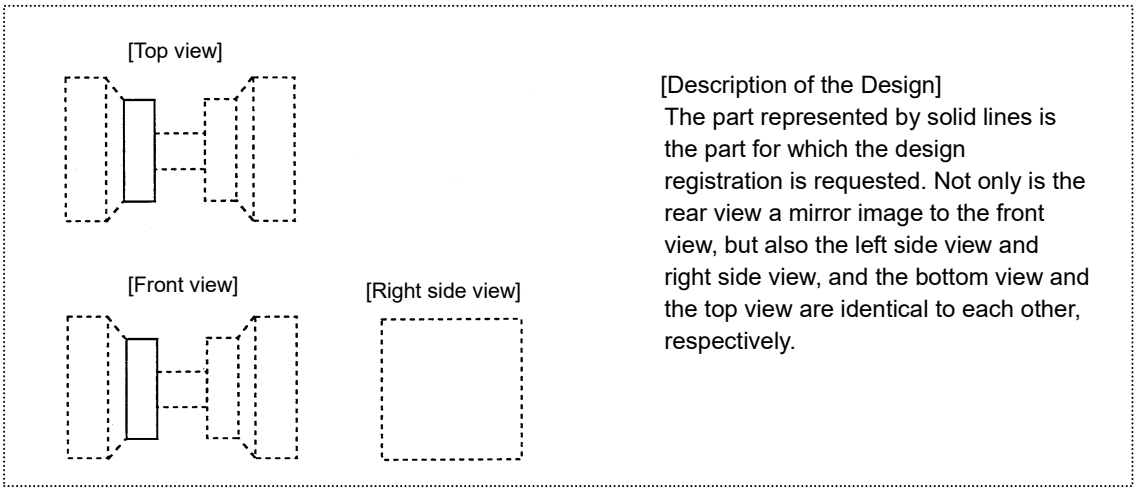
In such cases as this, as shown in Figure 2.2-12, applicants specify the scope and the shape, etc. of “the part for which the design registration is requested” by submitting two types of sectional view.

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

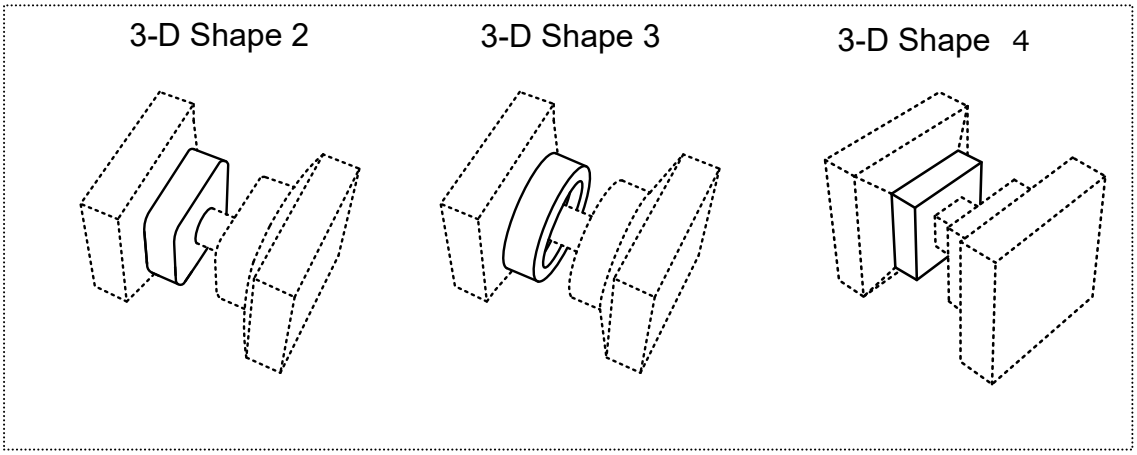
<Fig. 2.2-9> Example of 3-D shape



<Fig. 2.2-10> Drawing without sectional views



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

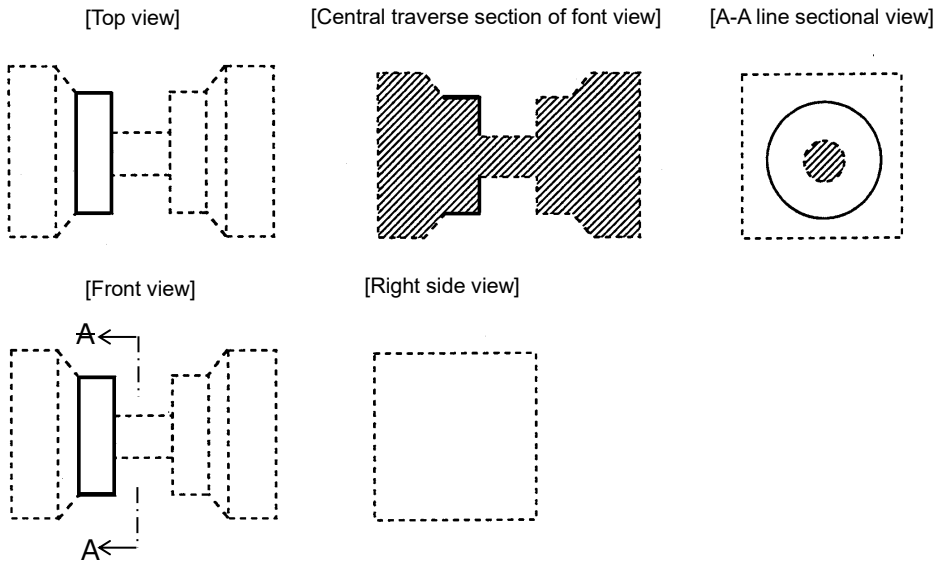


<Fig. 2.2-12> Drawings that can specify the scope and the shape, etc. of “the part for which the design registration is requested”

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

The part for which design registration is requested as partial design is specified by various views, including a central traverse section of the front view and an A-A line sectional view.

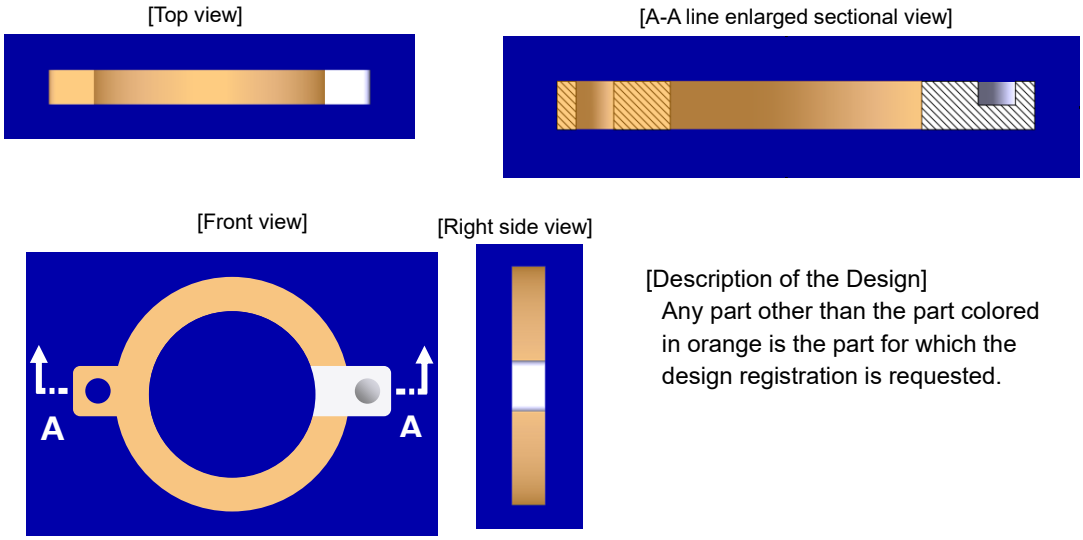
Not only is the rear view a mirror image to the front view, but also the left side view and the right side view, and the bottom view and the top view are identical to each other, respectively. Therefore, the rear view, the left side view and the bottom view are omitted.



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

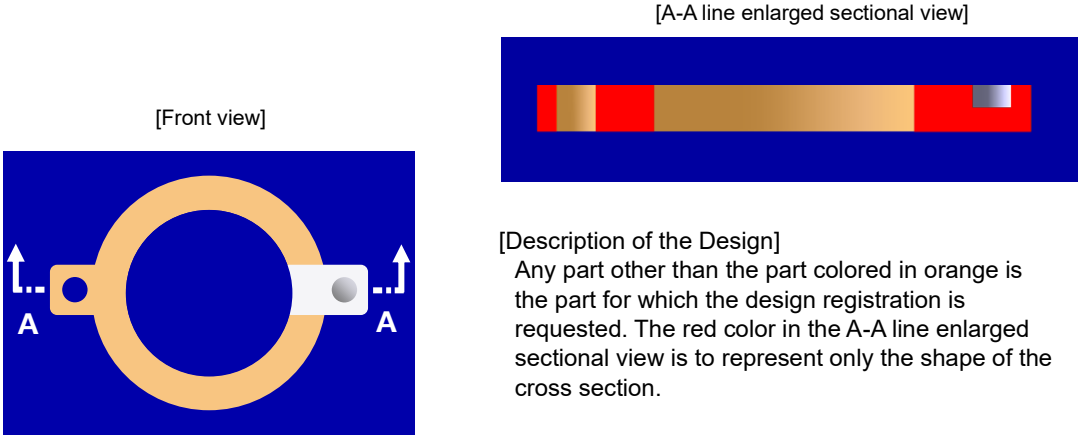
Oblique parallel lines of approximately 0.2-mm thickness must be drawn on the cross section (e.g. the thick part) as in the case of regular views (Form No. 6 Note (5) & (16)) (Figure 2.2-13). When representing cross section by coloring, applicants paint over in a single color, which is neither a color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

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



[Description of the Design]
Any part other than the part colored in orange is the part for which the design registration is requested.

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



[Description of the Design]
Any part other than the part colored in orange is the part for which the design registration is requested. The red color in the A-A line enlarged sectional view is to represent only the shape of the cross section.

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

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

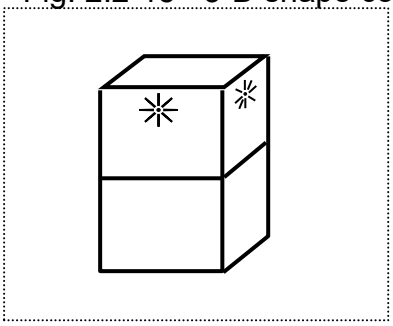
However, in cases where drawing a boundary between “the part for which the design registration is requested” and “any other parts” on a plane surface, applicants represent it as follows:

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

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

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

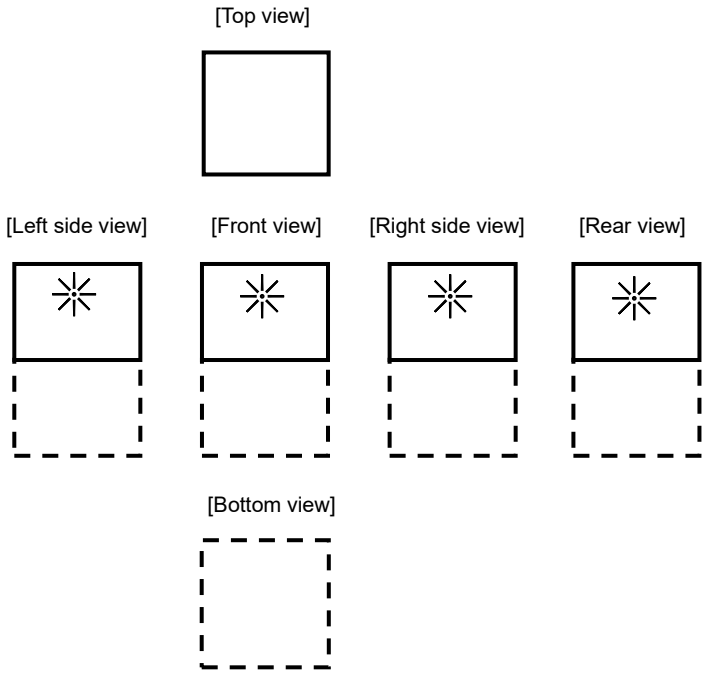
<Fig. 2.2-15> 3-D shape composed of different materials



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

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

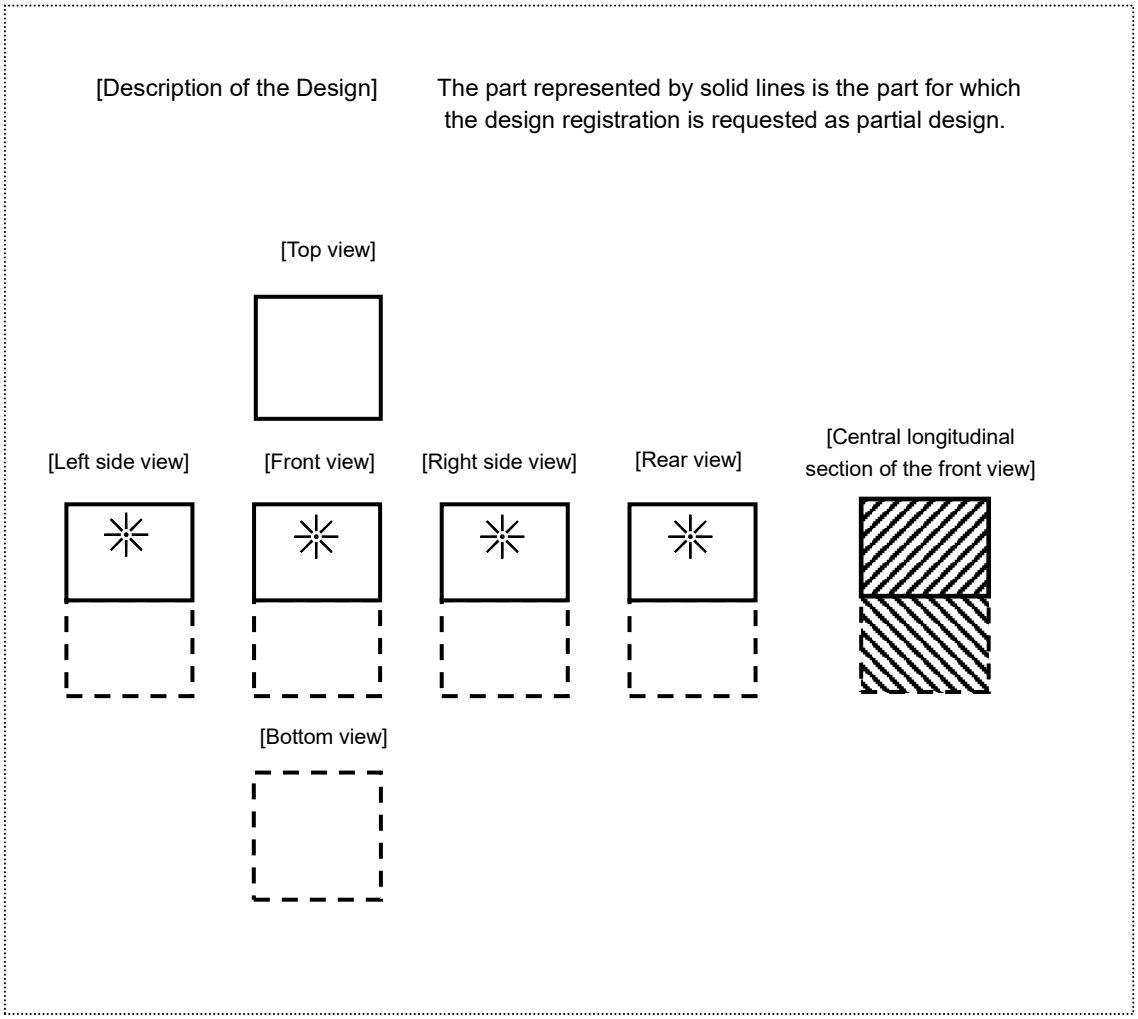
The lines that appear at the bottom of the part for which design registration is requested as partial design indicate not only the boundary between “the part for which the design registration is requested” and “any other parts,” but also the shifting part where different materials are connected.



b) Utilizing “Sectional view”

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

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



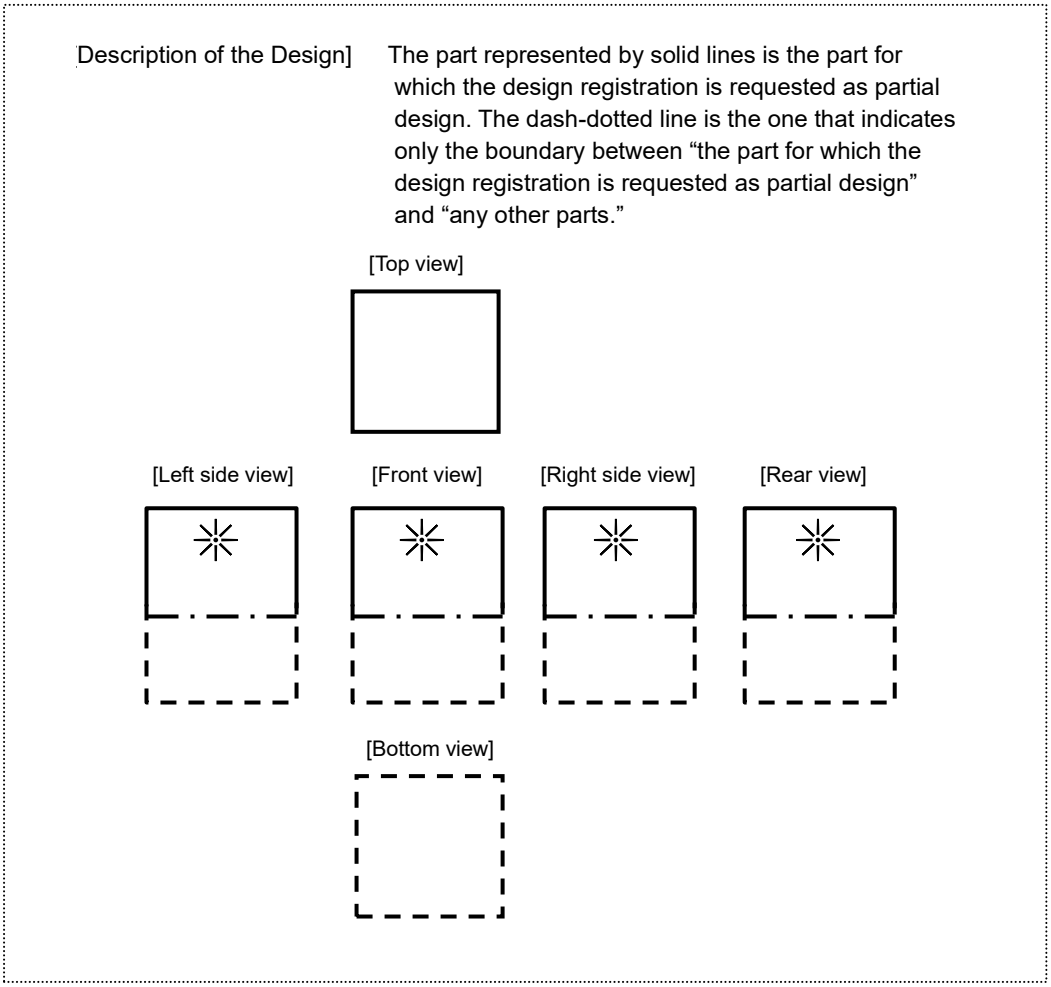
(ii) In cases where there is no boundary between “the part for which the design registration is requested” and “any other parts.”

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

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

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

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

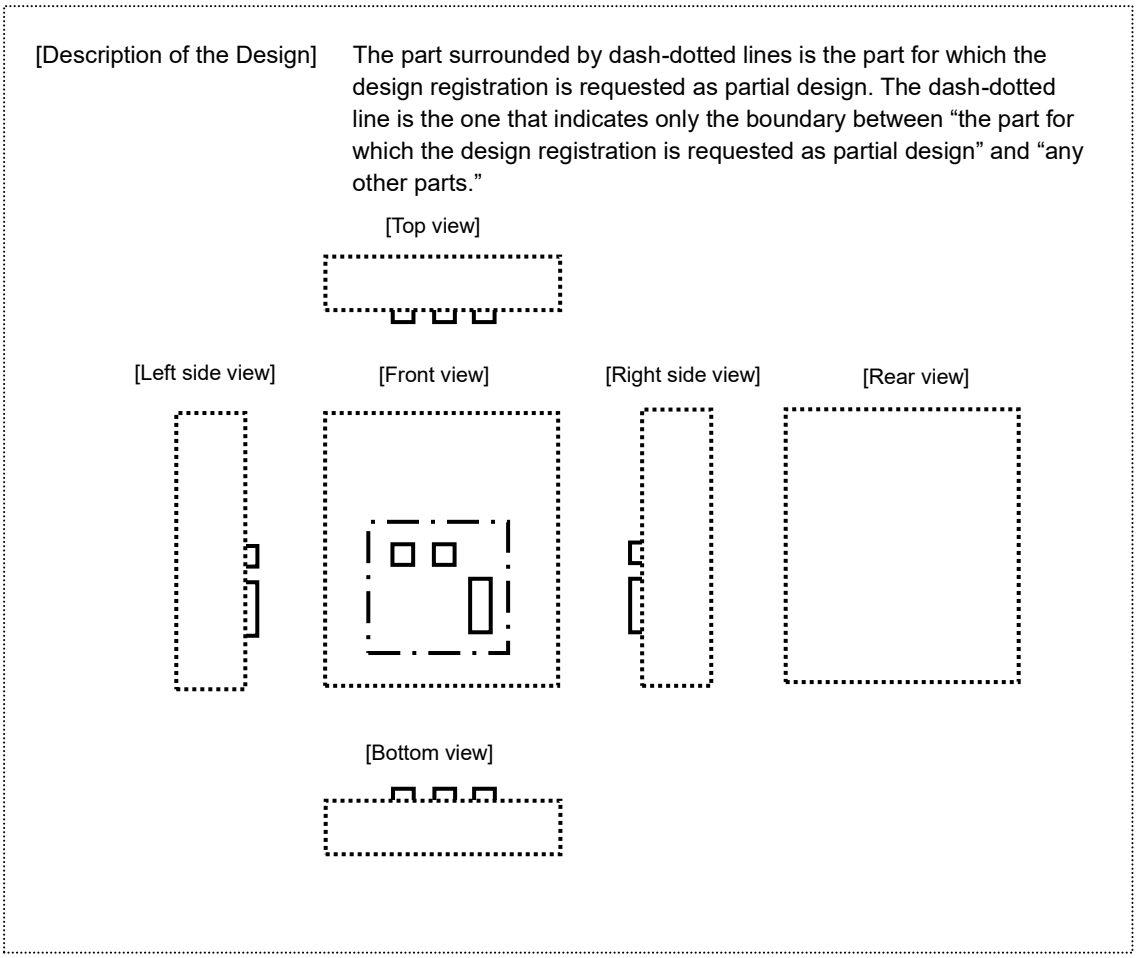


b) In cases of making the boundary on a flat part

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

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

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



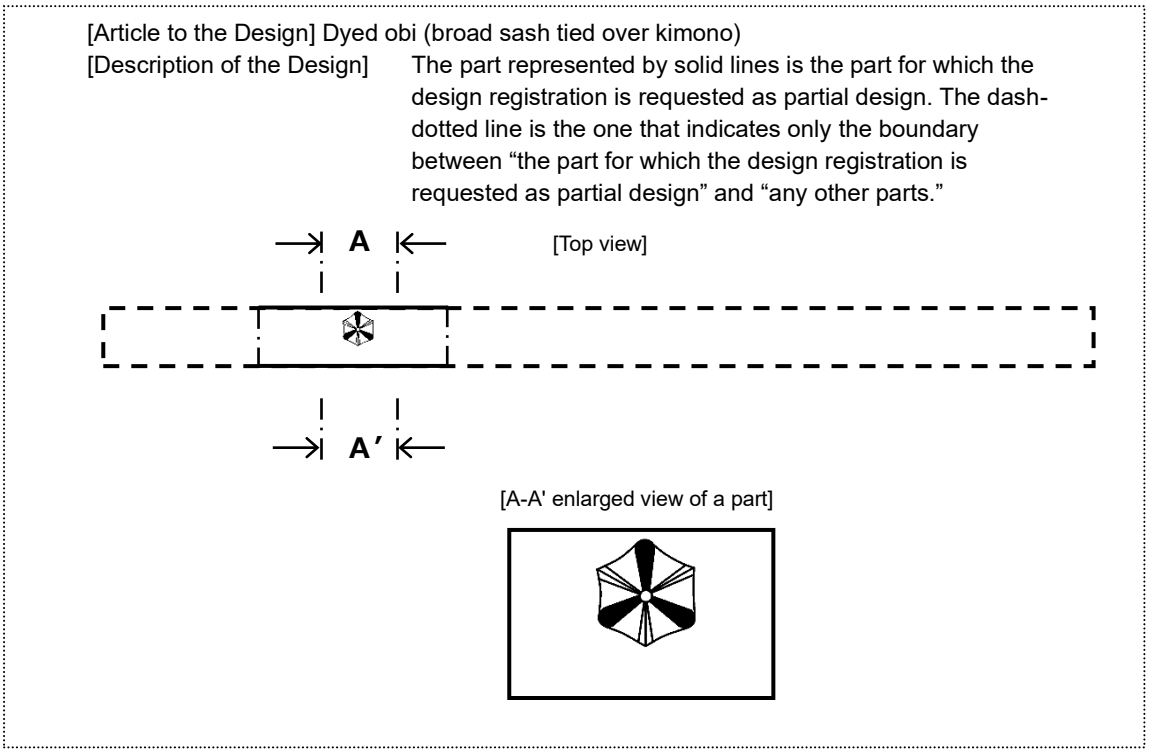
(iii) Cases where “the line indicating the boundary” is unclear

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

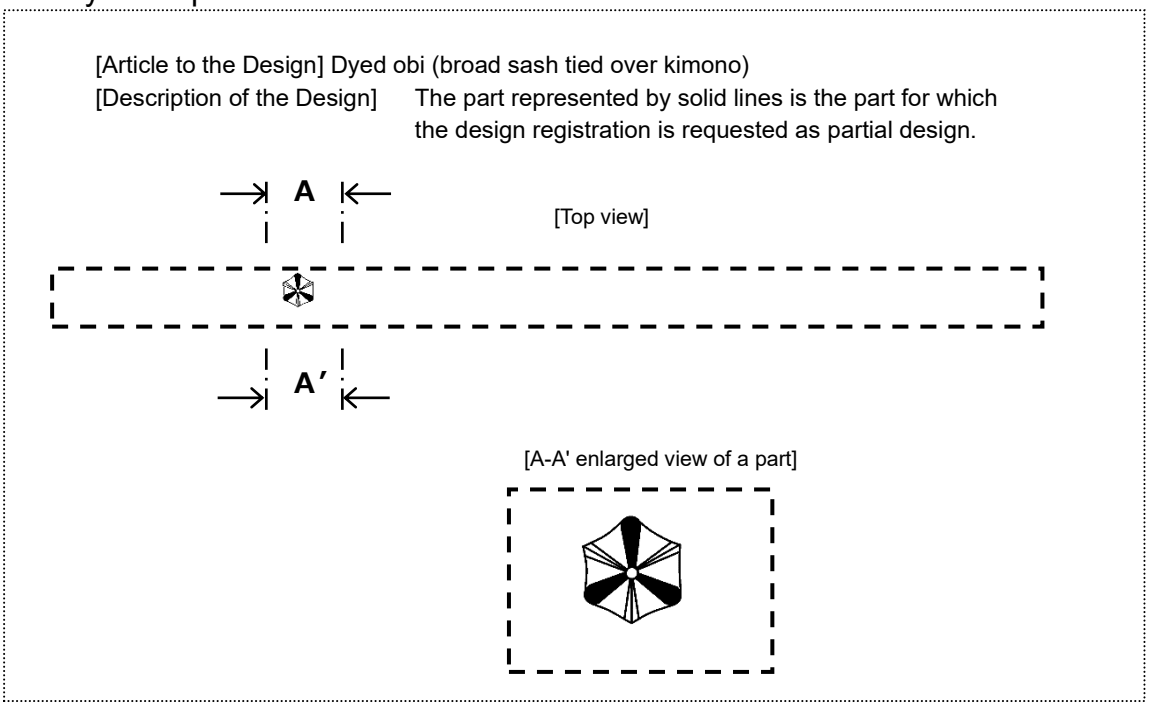
(4) “Enlarged view”

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

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



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



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

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

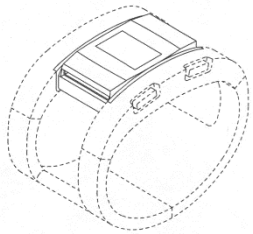
Therefore, if the usage and function of “the part for which the design registration is requested” cannot be easily understood based on the ordinary skill in the art, applicants clarify the usage and function of the part by statements in the column of “Description of Article to the Design” as well as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

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

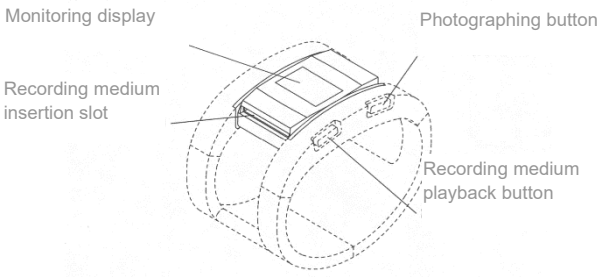
[Article to the Design] Recording and playing machine for recording medium and electronic still cameras with a monitoring display

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

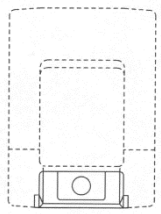
[Perspective view]



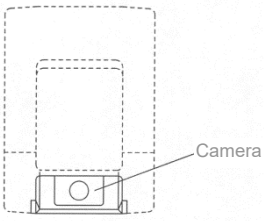
[Reference perspective view indicating the name of each part]



[Top view]



[Reference top view indicating the name of each part]

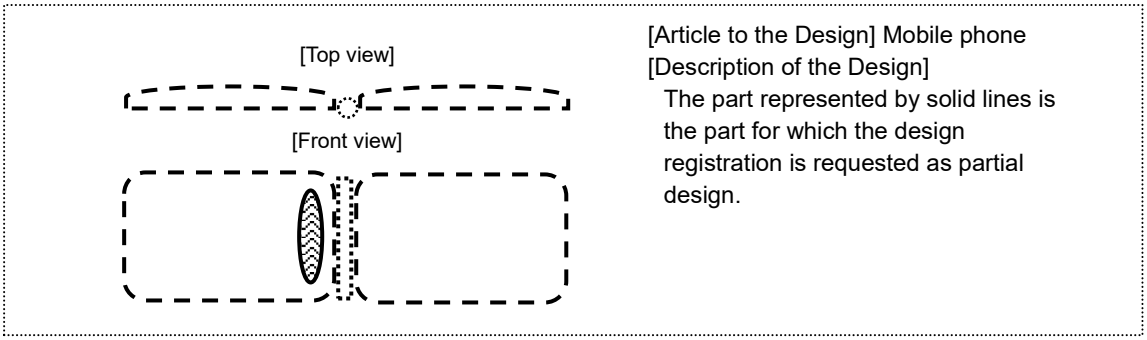


(6) “Any other parts”

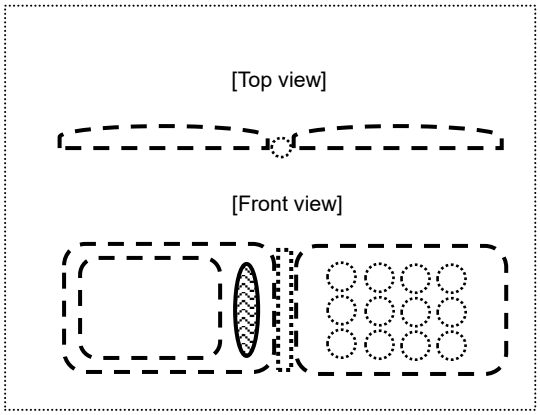
Applicants indicate “any other parts” so that the position, size and scope of “the part for which the design registration is requested” relative to the entire article, etc. can be specified (see Part III, Chapter 1, 3.3 “Examples where the design for which the design registration is requested for a part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

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

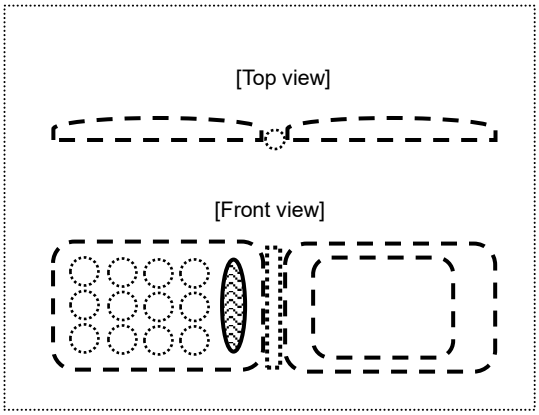
<Fig. 2.2-23> Example of omitting “any other parts” excessively



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



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



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

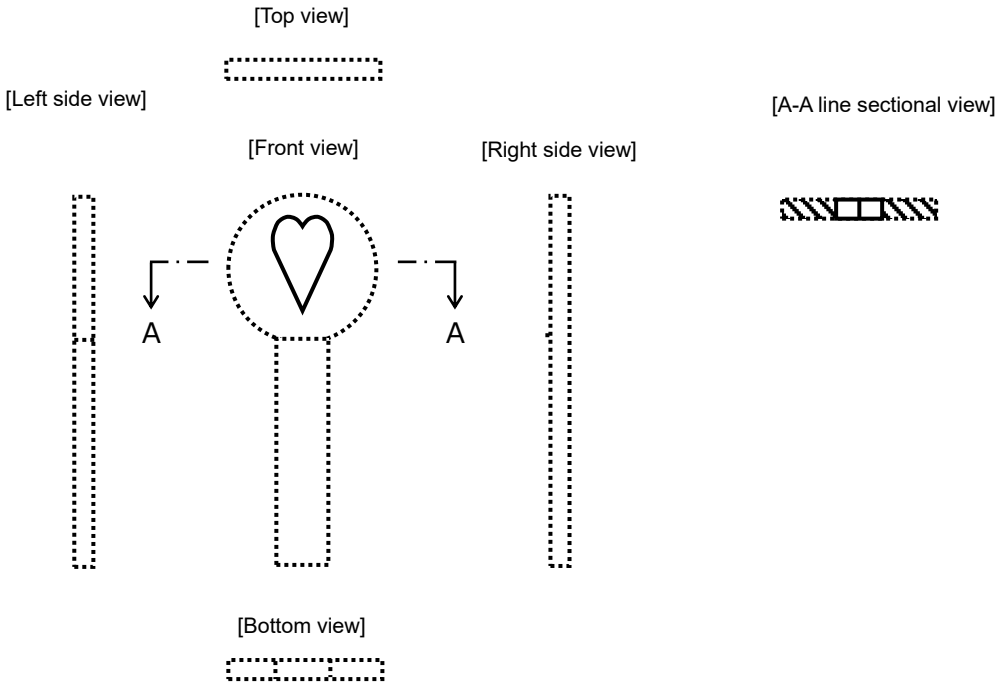
The “pore” or the “cutout portion” itself is not an appearance of an article since it is a space. However, it is possible to represent the shape, etc. of the “pore” or the “cutout portion” if the wall surrounding the “pore” or the “cutout portion” is requested as “the part for which the design registration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

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

[Article to the Design] Key member

[Description of the Design] The part represented by solid lines is the part for which the design registration is requested as partial design. The rear view is omitted since it is represented symmetrically to the front view.

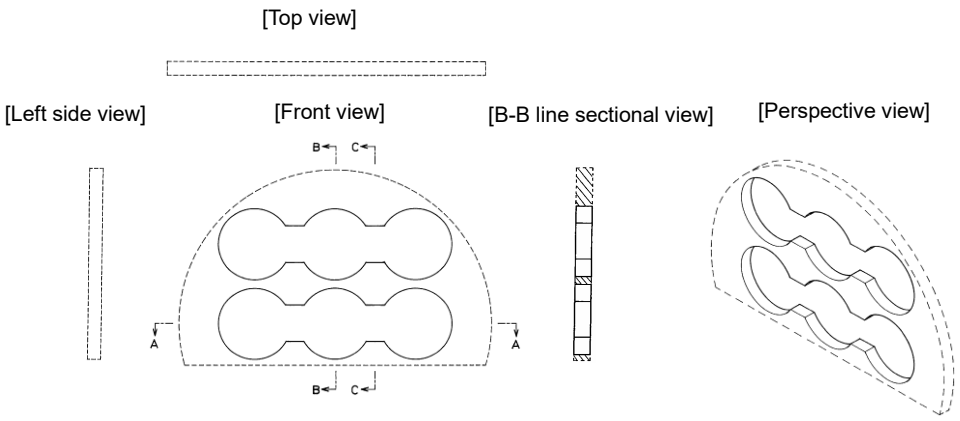
The part for which design registration is requested as partial design is specified by various views, including the A-A line sectional view.



(Note) In the above example, it is difficult in general to specify whether the heart-shaped portion in the upper part of the front view is a “line pattern” or a “pore” unless the A-A line sectional view was submitted at the time of filing.

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

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



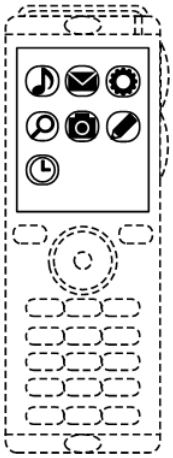
(8) In cases of views in which only “any other parts” appear

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

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

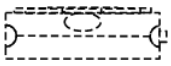
[Article to the Design] Mobile phone with a camera
[Description of the Design] The part represented by solid lines is the part for which the design registration is requested.

[Front view]



[Right side view]

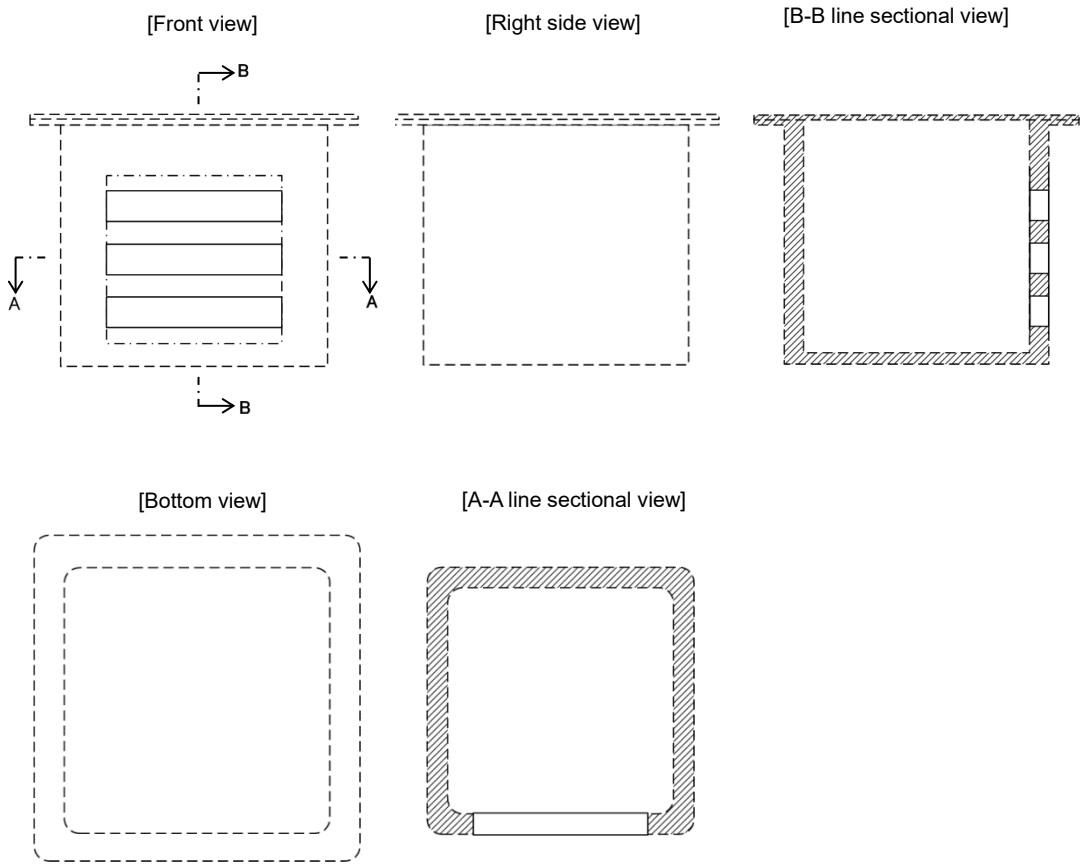
[Bottom view]



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

[Article to the design] Packaging container

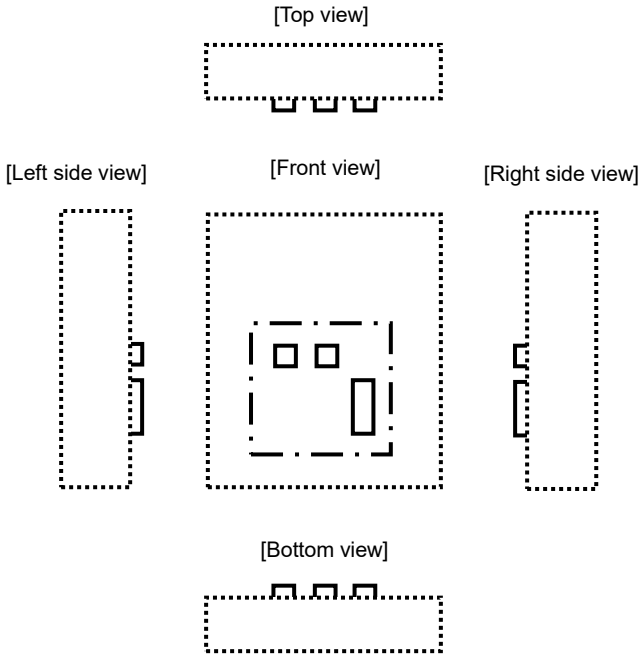
[Description of the Design] The part represented by solid lines is the part for which the design registration is requested. The part for which design registration is requested is specified by the sectional view. The dash-dotted line is the one that indicates only the boundary between “the part for which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



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

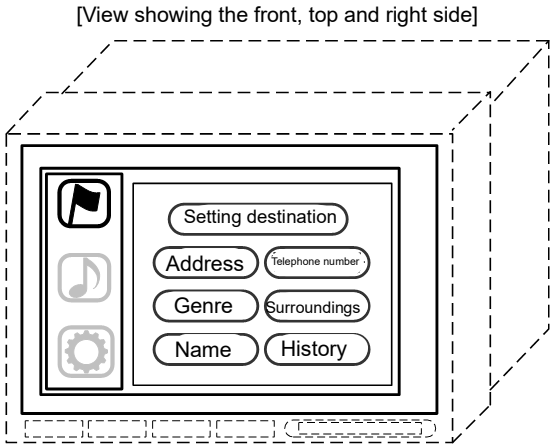
<Fig. 2.2-30> Example of omitting some views in which only “any other parts” appear

[Article to the Design] Remote controller for a lighting apparatus
[Description of the Design] The part surrounded by a dash-dotted line is the part for which the design registration is requested. The dash-dotted line is the one that only indicates the boundary between “the part for which the design registration is requested” and “any other parts.



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

[Article to the design] Route guidance indicator
[Description of the Design] The part represented by solid lines is the part for which the design registration is requested. The “view showing the front, top and right side” is a cabinet drawing, and the inclination angle is 45 degree.



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

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

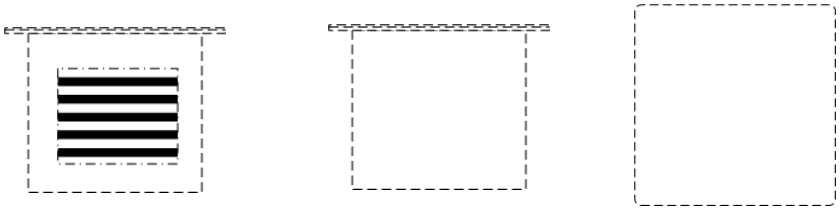
[View representing the display part]

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

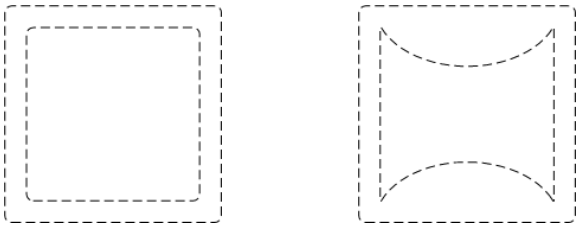
<Fig. 2.2-33> Inappropriate example (where the design cannot be specified)

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

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



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



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

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

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

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

2.4 In cases where submitting “photographs substituted for drawings”

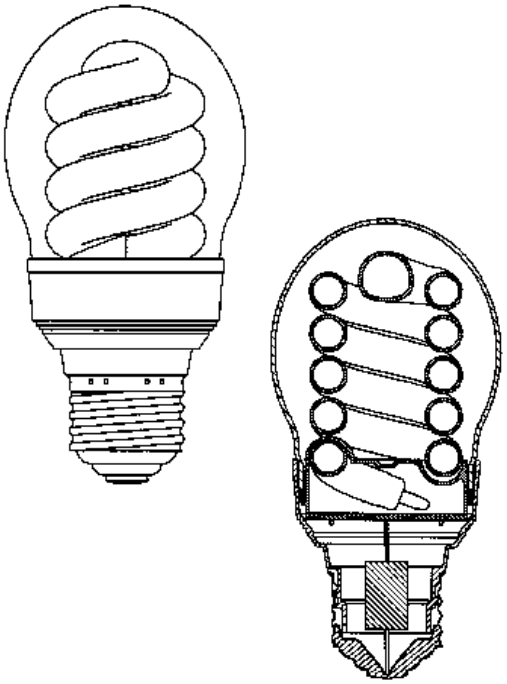
In the case of photographs substituted for drawings, applicants show “the part for which the design registration is requested” and “any other parts” such as by coloring the part which is not “the part for which the design registration is requested.”

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

Part III How to Represent the Shape, etc. by Features

In the application for design registration, a wide ranging shape, etc. of a wide ranging articles, etc. can be requested. Therefore, there are some cases where the rules described in “Basics of the Statement in Applications” and “Basics of the Statement in Drawings” in Part I do not specifically explain how to represent them. In addition, Part I does not mention the special method of fully representing a design under the constraint of the prescribed format, such as the size of the drawing.

Here in Part III, it will be explained how to represent the design of special shape, etc. for which basic rules do not provide enough information, and therefore, it is difficult to figure out how to represent them.



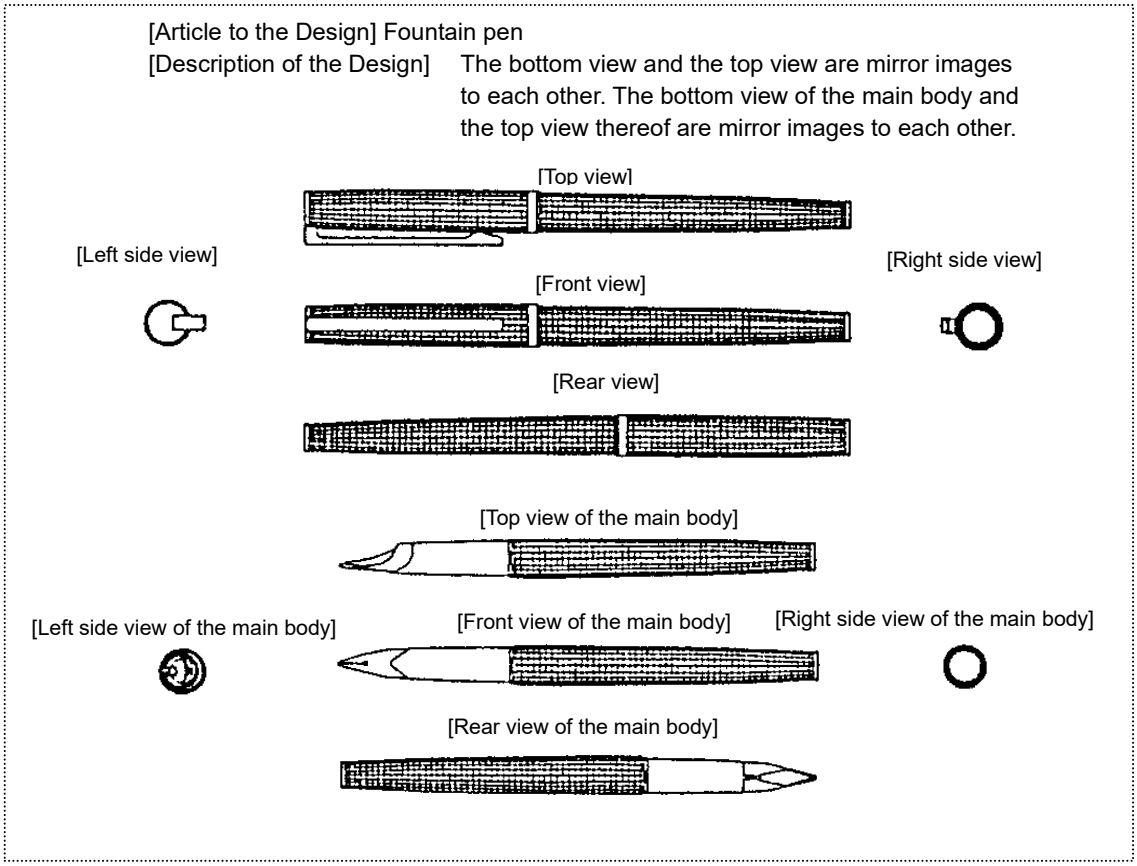
1. Articles Having a Separable Part

If a part or the whole of the design can be separated into its constituent parts such as a “fountain pen” or a “packaging bottle” composed of a body and a cap, or a “buckle” composed of a pair of male and female parts and if the design cannot be sufficiently represented in a state where those parts are combined, in addition to a view of the parts combined, applicants also include views of the constituent parts.
(Form No. 6 Note (19))

1.1 Designs composed of a main body and a cover

As for designs composed of a body and a cap, etc., if it is necessary to clarify the shape, etc. of each constituent part—that is, a body and a cap, etc.— applicants show the shape, etc. of the hidden parts of the body exposed after the cap is removed, in addition to views of the cap removed with the hidden parts exposed.

<Fig. 3.1-1> Example of the drawing representing the entire shape, etc. and the main body with a cover removed from the main body

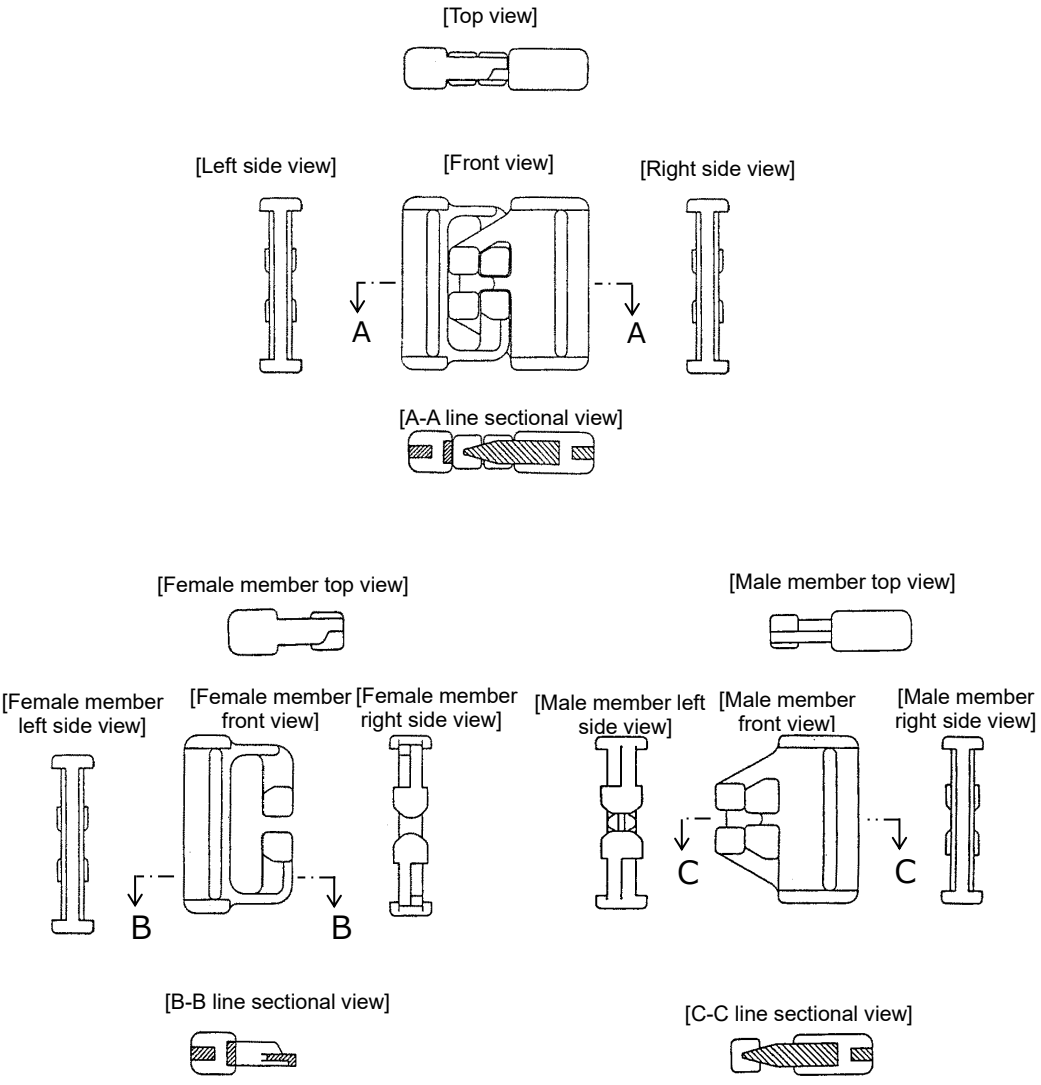


1.2 Designs having a pair of male and female members

As for designs composed of a pair of male and female members interlocked—such as a “buckle,” a “clothes hook” or a “furniture lock”—if the shape, etc. of each male and female member need to be clarified, in addition to views of the members interlocked, applicants also include views of each male and female member.

<Fig. 3.1-2> Example of the drawings representing a pair of male and female members

[Article to the Design] Buckle
[Description of the Design] The rear views and the front views of male and female members, as well as the bottom views and the top views thereof are mirror images to each other, respectively.



2. Articles Having an Opening/Closing Member

There is a design having an opening and closing member, including a door or a cover using the hinge structure, or a design having a part that freely inclines forward and backward, due to which the mode is changeable, such as the closing state and an opening state, or a standing state and a falling state, depending on the structure of the article In cases where those changeable states also need to be clearly shown, applicants prepare six views, etc. of the main state, the state which is chosen, considering the state of use of the article to the design or important aspects in creating the design, from one of the changeable states of the design such as the closing state or the opening state and add views necessary to clarify the mode of the other state so that the entire mode of the main state would be clearly represented.

In addition, if protection is requested only for the shape, etc. of the external appearance of the design with the cover closed, applicants only need to show the shape, etc. of the external appearance.

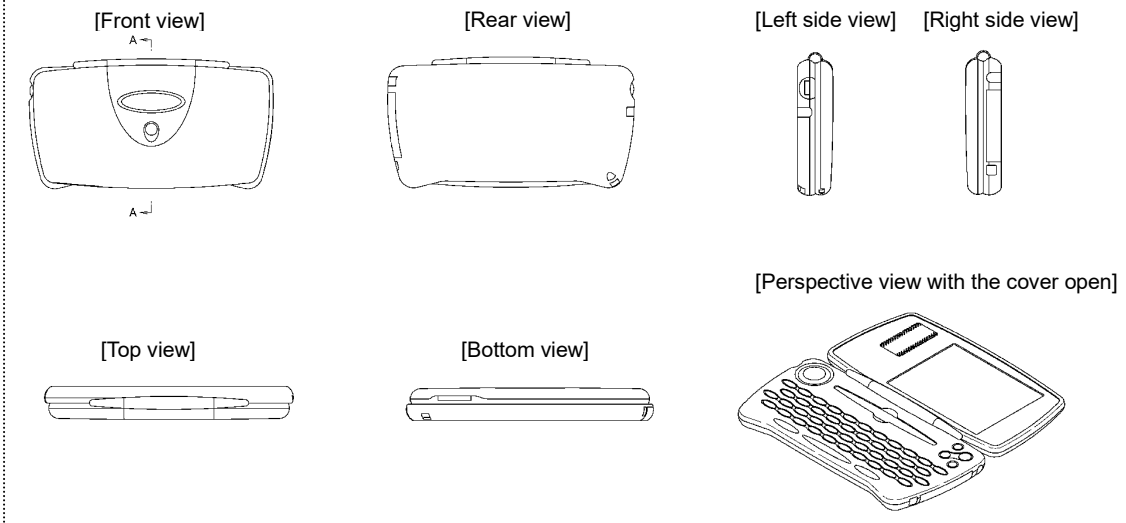
2.1 Where both of the opening or closing state of door or cover can be the main state

In cases where there is no need to choose either of the opening or closing state of door or cover as the main state, either one can be the main state.

For example, in the case of the design shown in Figure 3.2-1, the state in which the cover is closed also has its own unique features. Therefore, the closing state should be represented as the basic state through six views, and the opening state should be represented by a perspective view. Applicants also prepare necessary views in order to clearly indicate the mode of the non-basic state.

<Fig. 3.2-1>

[Article to the Design] Portable electronic computer



2.2 Where the state in which the cover is closed is the main state

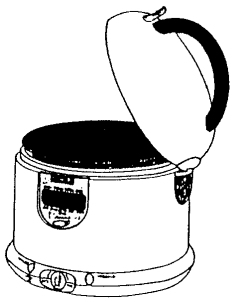
For designs that have a door or lid—such as a “toaster oven,” an “electric rice cooker,” or “storage shelves”—whose closed state is regarded as the main state based on the state of use, etc., applicants illustrate the shape, etc. of the closed state of the door, etc. in the basic six views, etc.

As for the mode of the door, etc. opening and closing, and the mode of the open state, applicants add “perspective view of the open state,” “sectional view” and other views in order to clarify the shape, etc. of such modes.

<Fig. 3.2-2>

[Article to the Design] Electric rice cooker

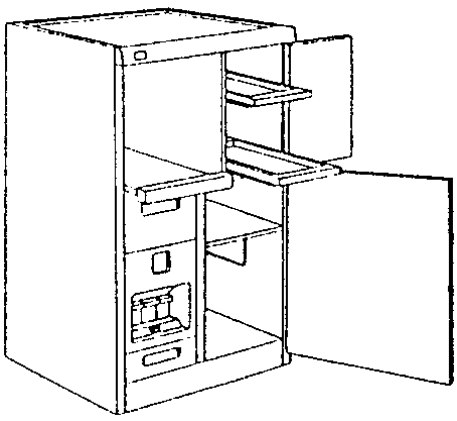
[Perspective view with the cover open]



<Fig. 3.2-3>

[Article to the Design]Storage shelf with measuring rice dispenser

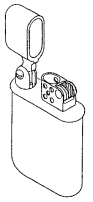
[Perspective view with the door open]



<Fig. 3.2-4>

[Article to the Design] Lighter

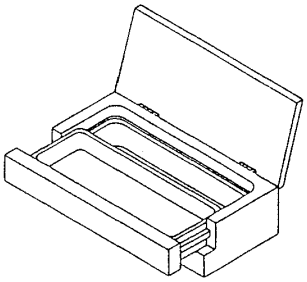
[Perspective view with the cover open]



<Fig. 3.2-5>

[Article to the Design] Jewel box

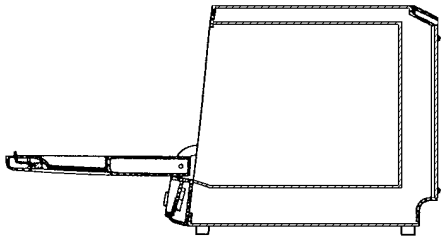
[Perspective view with the cover open and the drawer drawn]



<Fig. 3.2-6>

[Article to the Design] Microwave oven

[B-B' line sectional view with the internal mechanism omitted



3. Articles Having a Movable Constituent Part

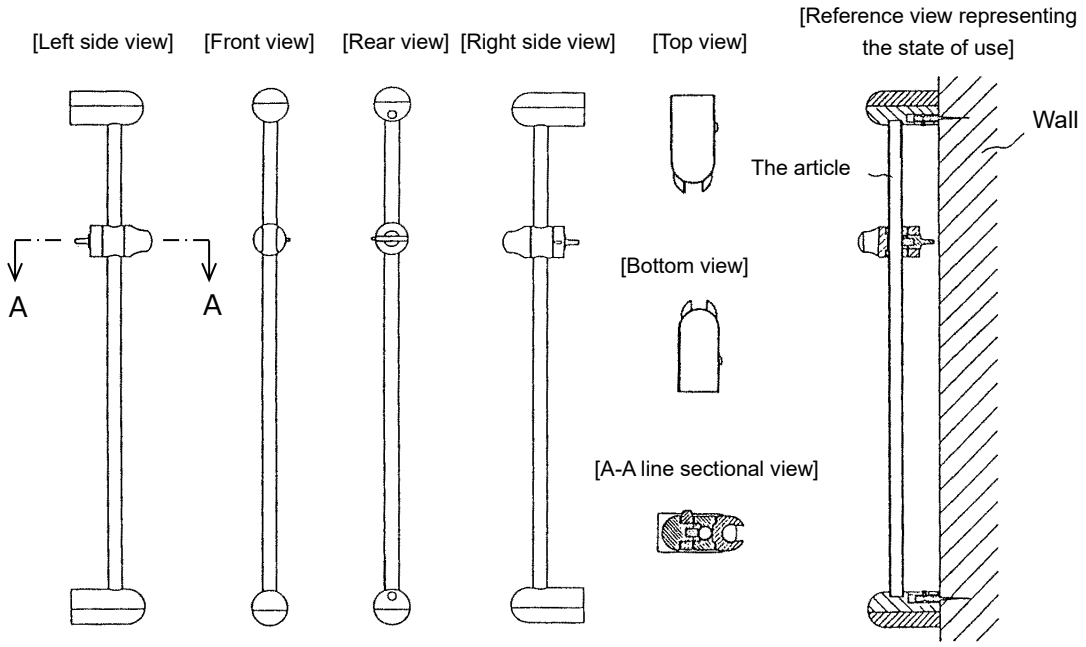
3.1 Structure having a movable part

In cases where it is necessary to clarify the state in which the entire shape, etc. of an article changes when a part of it moves, applicants include an explanation regarding the scope of the moving part, the direction in which the moving part goes, and how it moves in the column of “Description of the Design” of the application. In addition, applicants show the shape, etc. during and after the moving in drawings so that it can be understood, except for the cases where such moving is very common in the field of the article.

For example, in the case of the design of “shower head holder” in Figure 3.3-1, it is possible to understand the structure having a movable part not only through the statement in the column of “Description of the Design“ of the application and six views but also through a A-A line sectional view and a reference view representing the state of use. Through these, it is clarified that, in this design, the locking tool can slide vertically within the scope of the round bar.

<Fig. 3.3-1> Example of how to represent an article having a moving part

[Article to the Design] Shower head holder
[Description of the Design] In the drawing, the left semicircle drawn by hatching in the A-A line sectional view is a knob, and when turning the knob, the locking tool around the center of this article can slide vertically.



3.2 Where the shape, etc. are changeable by the expansion and contraction of the whole or part of an article

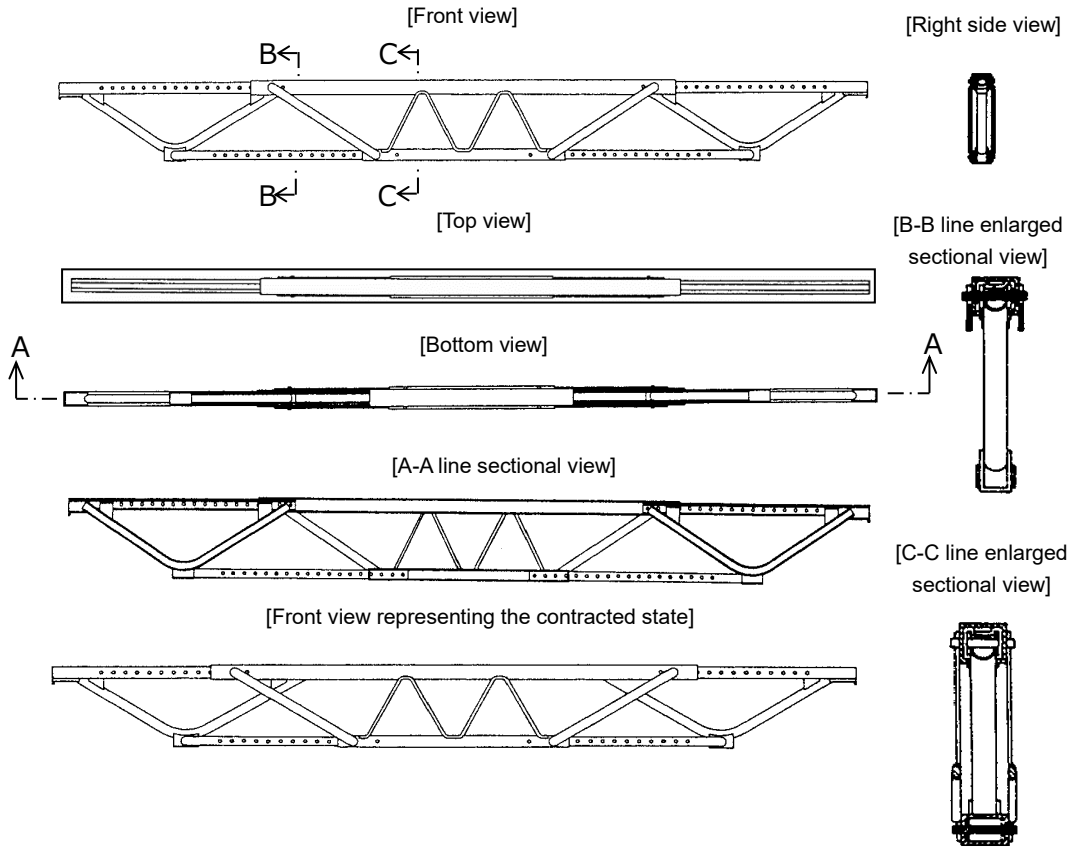
In cases where it is necessary to clarify the state in which the shape, etc. of an article changes when all or a part of it expands or contracts, applicants include an explanation regarding the scope of the expanding/contracting part, and the direction to which the part moves in the column of “Description of the Design” of the application. In addition, applicants show the shape, etc. during and after the expansion/contraction in drawings so that it can be understood, except for the cases where the specific mode of such expansion/contradiction is very common in the field of the article.

For example, in the case of a design of a “supporting beam for concrete mold” in Figure 3.3-2, the mode of expansion/contraction and the different shape, etc. before and after the expansion/contraction are clarified through statements in the column of “Description of the Design” of the application and the “front view representing the contracted state” which is submitted in addition to six views.

<Fig. 3.3-2> Example of how to depict an article having an expanding/contracting part

[Article to the Design] Supporting beam for concrete mold

[Description of the Design] This article is composed of the main body with the sliding poles attached to the both sides thereof. As shown in the front view representing the contracted state, the length of the article can be adjusted from 400 cm to 330 cm by inserting screws into the length-adjusting holes drilled in the main body and the sliding poles. The rear view is identical to the front view, and the left side view is identical to the right side view.



4. Articles Having Transparent or Translucent Part

4.1 Difference between “being transparent” and “having translucency”

(i) “Being transparent,” in general, refers to the characteristics of the state in which things can be seen through the substance that is extremely high in the transmissivity of light.

Design Act has acknowledged “being transparent” as a constituent element since its establishment, and stipulates that “if the whole or part of the article to the design is transparent,” applicants make a statement to that effect in the column of “Description of the Design” of the application. (Design Act Article 6(7))

(ii) In design applications, “having translucency” refers to having a feature of transmitting light as in the case with “being transparent.” However, “having translucency” refers to the state in which things are hard to be recognized or cannot be recognized at all through the material, unlike “being transparent,” since the transmitted light diffuses or the material is low in the transmissivity of light. Material such as ground glass or milky plastic falls under such category.

In cases where the article cannot be understood without an explanation of the material, such as the case where a lighting equipment cannot be understood as it is without an explanation that the part thereof transmits the light inside, applicants make a statement to the effect that the material “has translucency” in the column of “Description of the Design” of the application.

4.2 Points to be noted when making a statement in the column of “Description of the Design” of the application

(i) Since the materials of “being transparent” and “having translucency” are visually different as mentioned above, applicants state clearly which category the article falls under. Even if the material is very high in the transmissivity of light, if the shape that is seen through the material is not clear, such case falls under the category of “having translucency.” In the case of “having translucency,” if you want to make it clear specifically how much things can be seen through the material, it is necessary to represent the state through photograph(s).

It should be noted that “transparent object” and “transparent material” are the same in meaning as “being transparent,” and that “translucent material” and “having translucency” can be used interchangeably.

(ii) The terms such as “colored transparency” or “being transparent in color” must not be used since it is understood that the unspecified color is part of constituent elements of the design, which will result in failing to specify the design in the application. In cases of including specific colors as part of

constituent elements, it is necessary to represent them in the drawing, not making a statement in “Description of the Design”.

(iii) There are some cases where applicants can omit the statement of “being transparent” in “Description of the Design”.

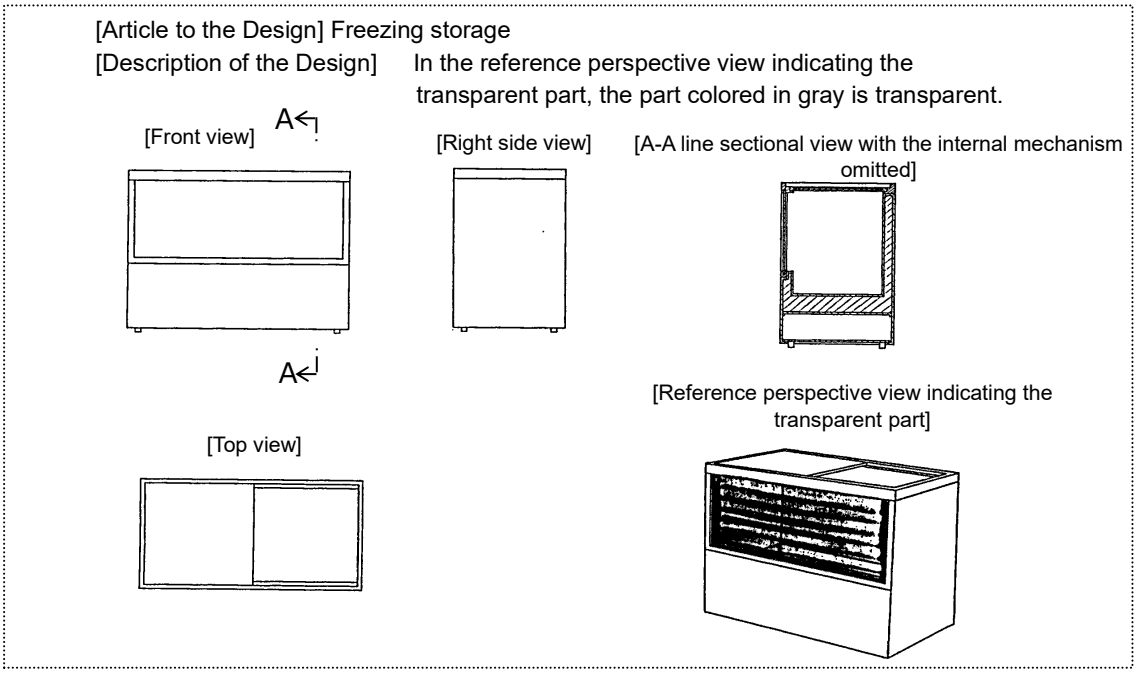
a) Where photographs substituted for drawings can show clearly that it is transparent.

b) Where it can be obviously recognized as being transparent due to the nature of the article (e.g. the cover part made of glass to protect the display part of meters, the lens part of spectacles), and the shape, etc. is represented as it is seen in the drawing.

4.3 How to specify the transparent part using reference views

It is sufficient to give an explanation in the application that the article is transparent. However, in cases where part of the article is transparent, and giving an explanation is not sufficient to specify where the transparent part is positioned, it is necessary to make it clear by both stating in the column of “Description of the Design” and depicting a reference view representing the transparent part. The view indicating the transparent part needs to be distinguished from the other part by being painted over in gray. However, since such view includes an element that does not constitute the design, six views cannot be used for that purpose. Therefore, applicants use reference views.

<Fig. 3.4-1> Example of adding a reference view representing the transparent part



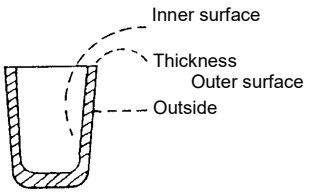
4.4 How to prepare drawings of the transparent design

A transparent part, through which things behind it can be seen, may need special techniques of representation, such as the one concerning how to illustrate parts that can be seen through. Those parts should be represented as follows.

(i) The transparent design, in principle, needs to be represented as it is seen, including the things that can be seen through.

(ii) According to Form 6 Note (27), the guidelines for preparing the drawing when the whole or part of the article is transparent are shown as follows. If the article falls under any of such modes, applicants follow the points below.

(a) Where the outside is colorless and without any patterns, the see-through part will be depicted as it is.
(b) Where any one of the outer surface, inner surface or thickness of the outside has a pattern or color, the pattern or color on the rear surface and the bottom surface will not be depicted, and only the pattern or color on the front surface or the top surface will be depicted.
(c) Where any two or more of the outer surface, inner surface or thickness of the outside or the inner part surrounded by the outside have a shape, pattern or color, the shape, pattern or color of each such part will be depicted.



According to the points, for example, electric lamps falls under the category (a), and therefore, the see-through part needs to be depicted as it is. Please note that the thickness must be represented not through six views but a sectional view.

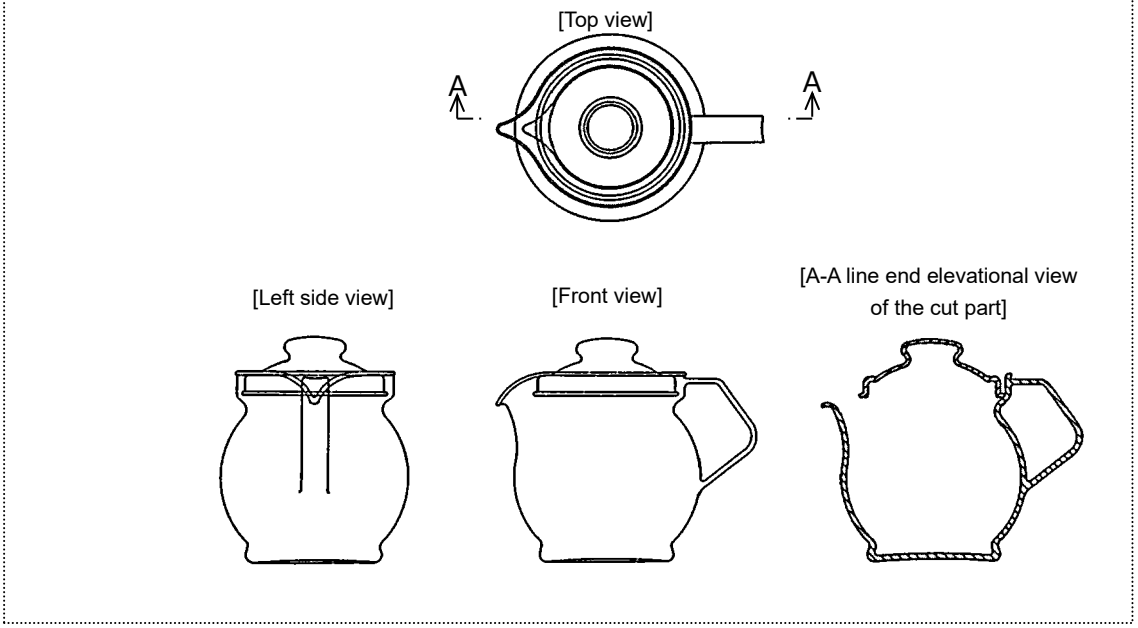
(iii) Following the above-mentioned guidelines, in cases where if depicting the object as it is seen will make it, in turn, difficult to clearly represent the design due to, for example, the lines of shapes are overlapped, applicants may adopt the method by which the design can be easily understood, along with making a statement in the column of “Description of the Design”. For example, in cases where the whole of an article is transparent, applicants can represent the article as an opaque object and state in the column of “Description of the Design” that “The whole of this article is transparent.” Please note, however, that when applicants adopt the method by which the design can be easily understood, if the shape, etc. that ought to be seen through is not represented

in sectional views, etc. in an understandable manner, the shape, etc. shall be regarded as unclear.

(iv) When you try to depict the transparent part as it is, the shape, etc. behind the article actually may be seen as twisted due to optical refraction. However, in preparing the drawing, applicants depict the object assuming that there is no light refraction, except for the case where the article has a lens-shaped transparent part due to which it is intended to represent that the object behind the article is seen as twisted (It should be noted that when submitting photographs, applicants file an application with unprocessed photographs).

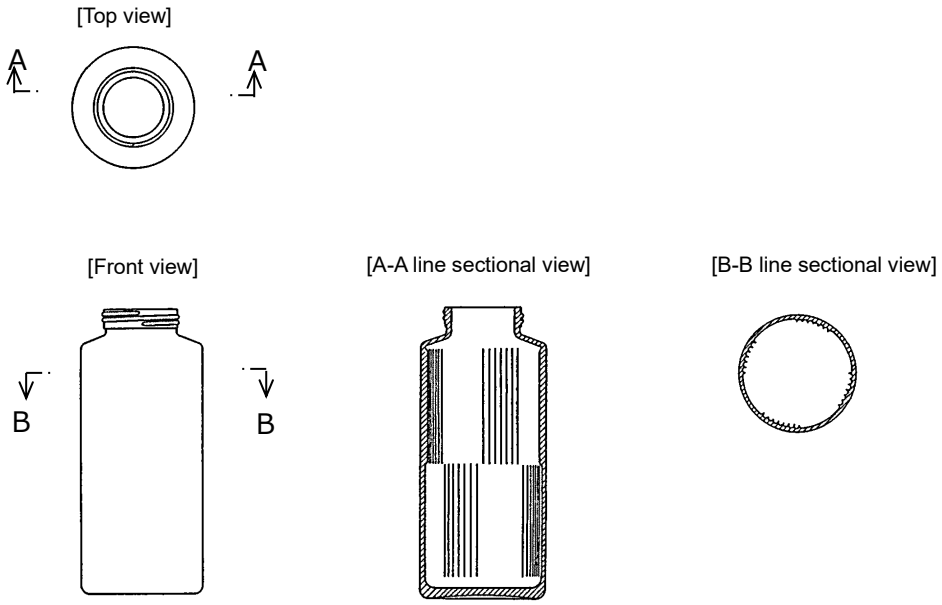
<Fig.3.4-2> Example of depicting a transparent article as a transparent object

[Article to the Design] Tea pot
[Description of the Design] The whole of this article is transparent.



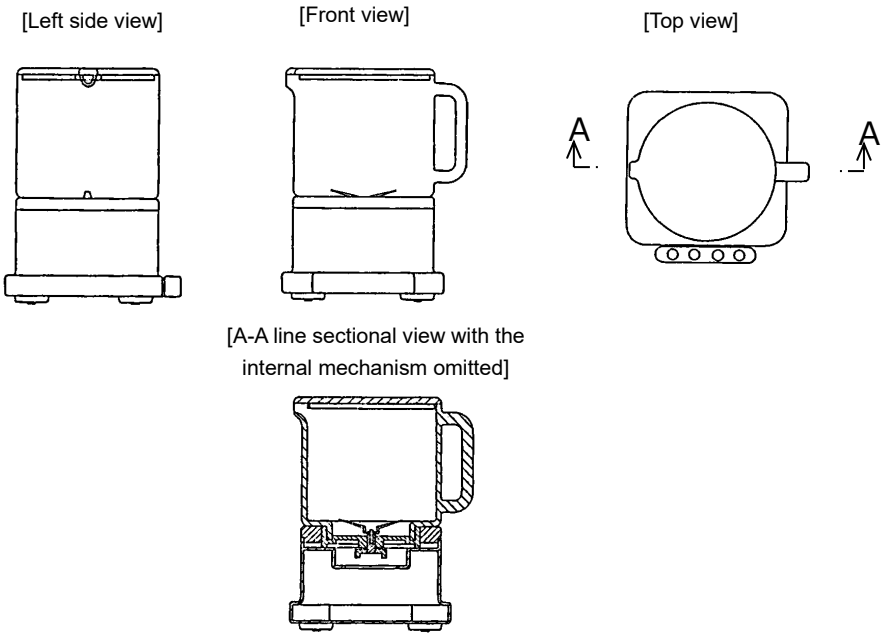
<Fig. 3.4-3> Example of depicting a transparent article as an opaque object

[Article to the Design] Food and beverage storage bottle
[Description of the Design] This article is transparent.



< Fig. 3.4-4> Example of specifying the transparent part in “Description of the Design”

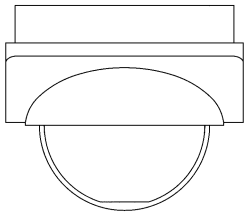
[Article to the Design] Mixer
[Description of the Design] The bottle part of this article is transparent, except for the cover part.



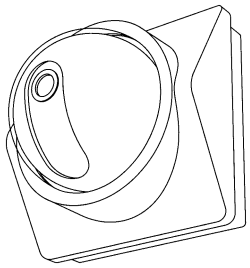
< Fig. 3.4-5> Example of the drawing depicting the inner shape through the transparent part

[Article to the Design] TV camera for surveillance
[Description of the Design] The part depicted by an oblique parallel line is being transparent in the reference view.

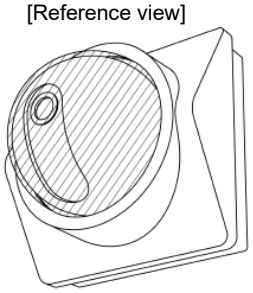
[Top view]



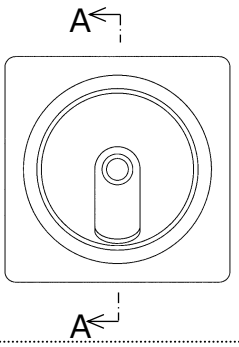
[Perspective view]



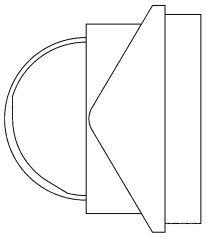
[Reference view]



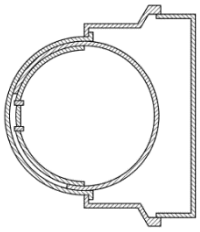
[Front view]



[Right side view]



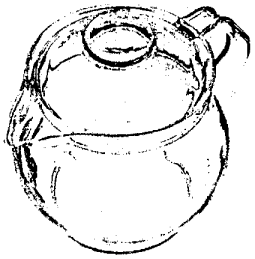
[A-A line reference end elevational view with the internal mechanism omitted]



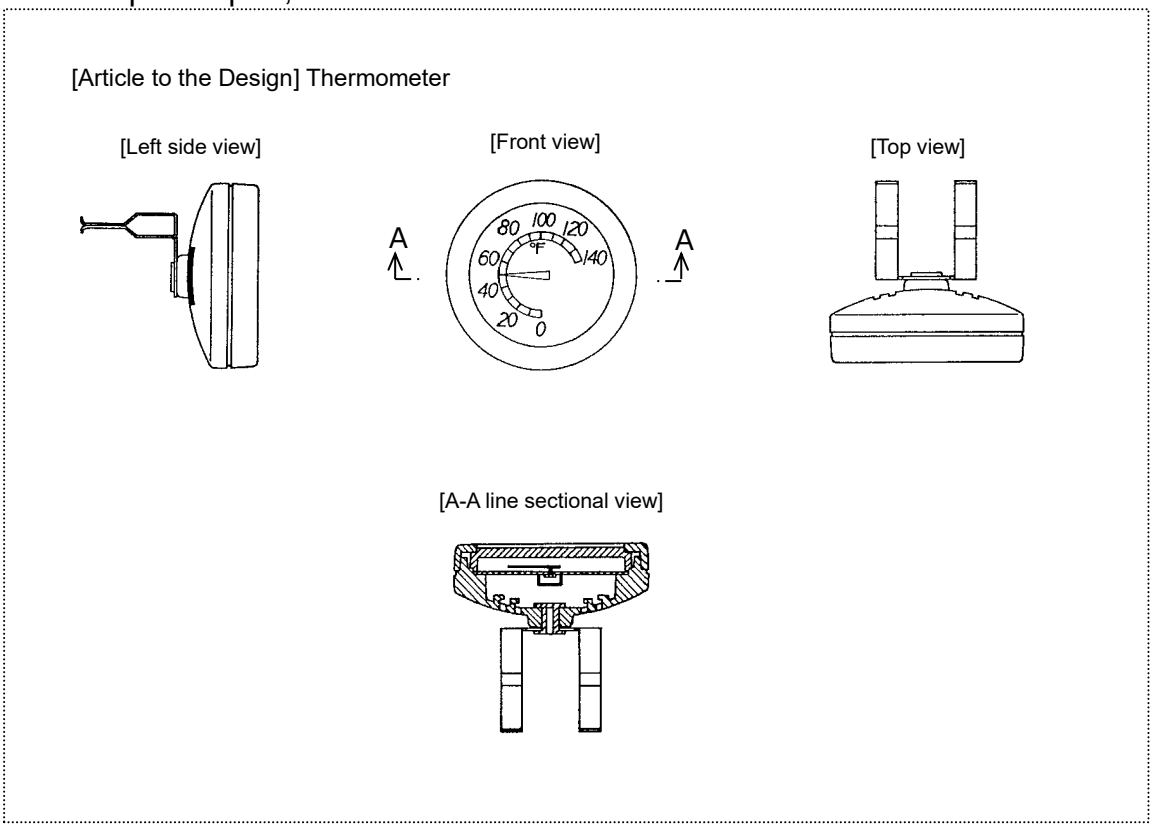
<Fig. 3.4-6> Example of a photograph substituted for a drawing

[Article to the Design] Tea pot

[Perspective view]



<Fig. 3.4-7> Example of the drawing depicting the article for which an explanation of the transparent part, etc. can be omitted



4.5 How to prepare drawings of articles having translucency

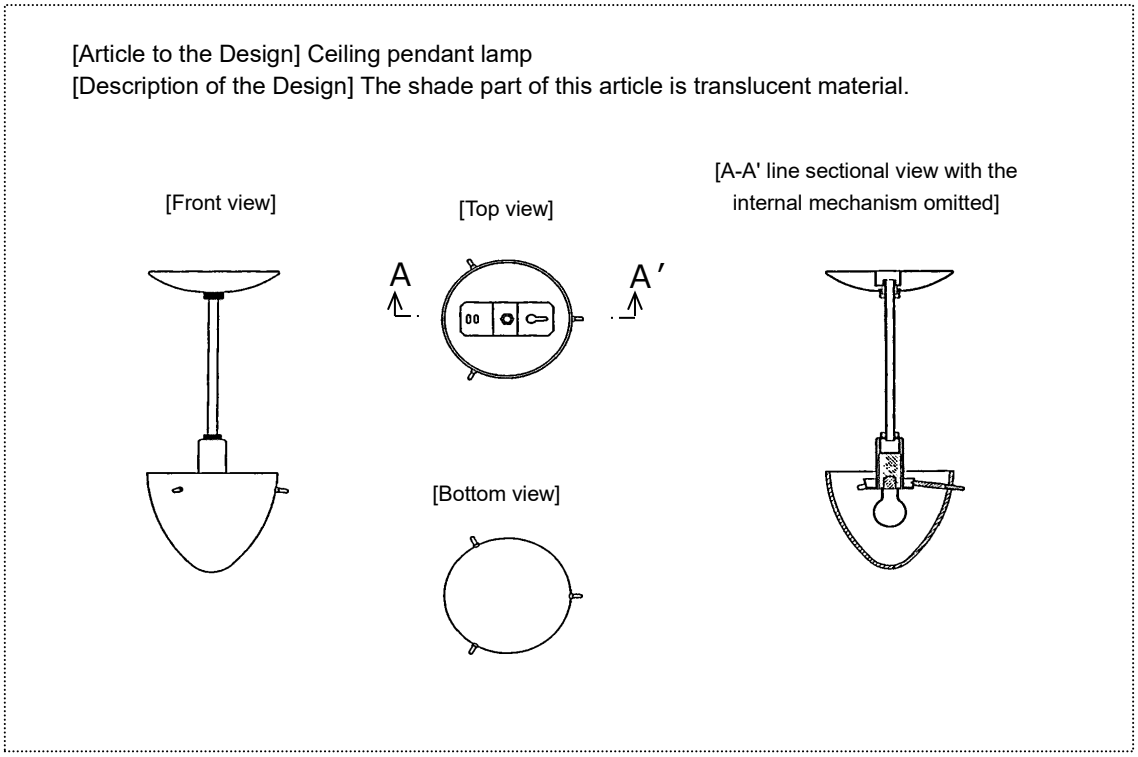
(i) Since the part “having translucency” cannot be seen through like a part having transparency can, applicants draw the object as being opaque.

(ii) In cases where the statement of “having translucency” is needed in the column of “Description of the Design” in order to make the article understood, applicants give an explanation which part of the article “has translucency” and so on.

(iii) In cases where it is necessary to depict a section of a part “having translucency,” applicants indicate it in the same way as for representing “transparency.”

(iv) In cases where constituent elements of a design include a mode where transparency is so high that a shape, etc. on the other side can be seen to some extent, since such a mode cannot be represented specifically through drawings, applicants show it using photographs, etc.

< Fig. 3.4-8> Example of the drawing depicting an article having translucent part



4.6 How to represent lighting parts

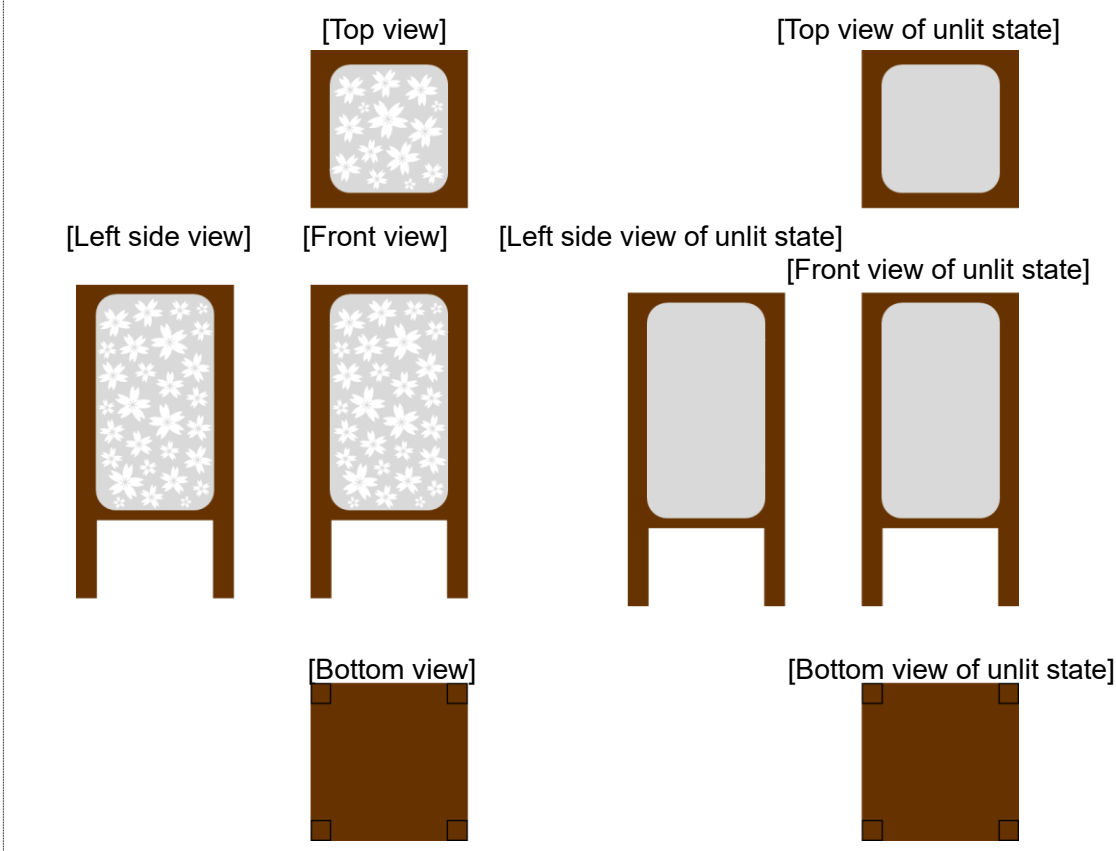
(i) If an article, etc. has a lighting part (Note), and a pattern or color appears on the article, etc. itself by turning on the lighting part of the said article, etc., the pattern or color can also be shown in drawings.

(ii) The change in pattern or color between the state when the lighting part is turned on and when it is turned off can also be represented by including views showing the state when the light is turned off.

(Note) For example, articles to illuminate the surroundings, such as indoor or outdoor lighting fixtures and vehicular lamps, etc., and articles, etc. that have a lamp section for warning displays or power indicators as part of the article.

<Fig. 3.4-9> Example of drawings for an article with a lighting part

[Article to the Design] A lamp with a paper shade



* For the convenience of explanation, other views are omitted.

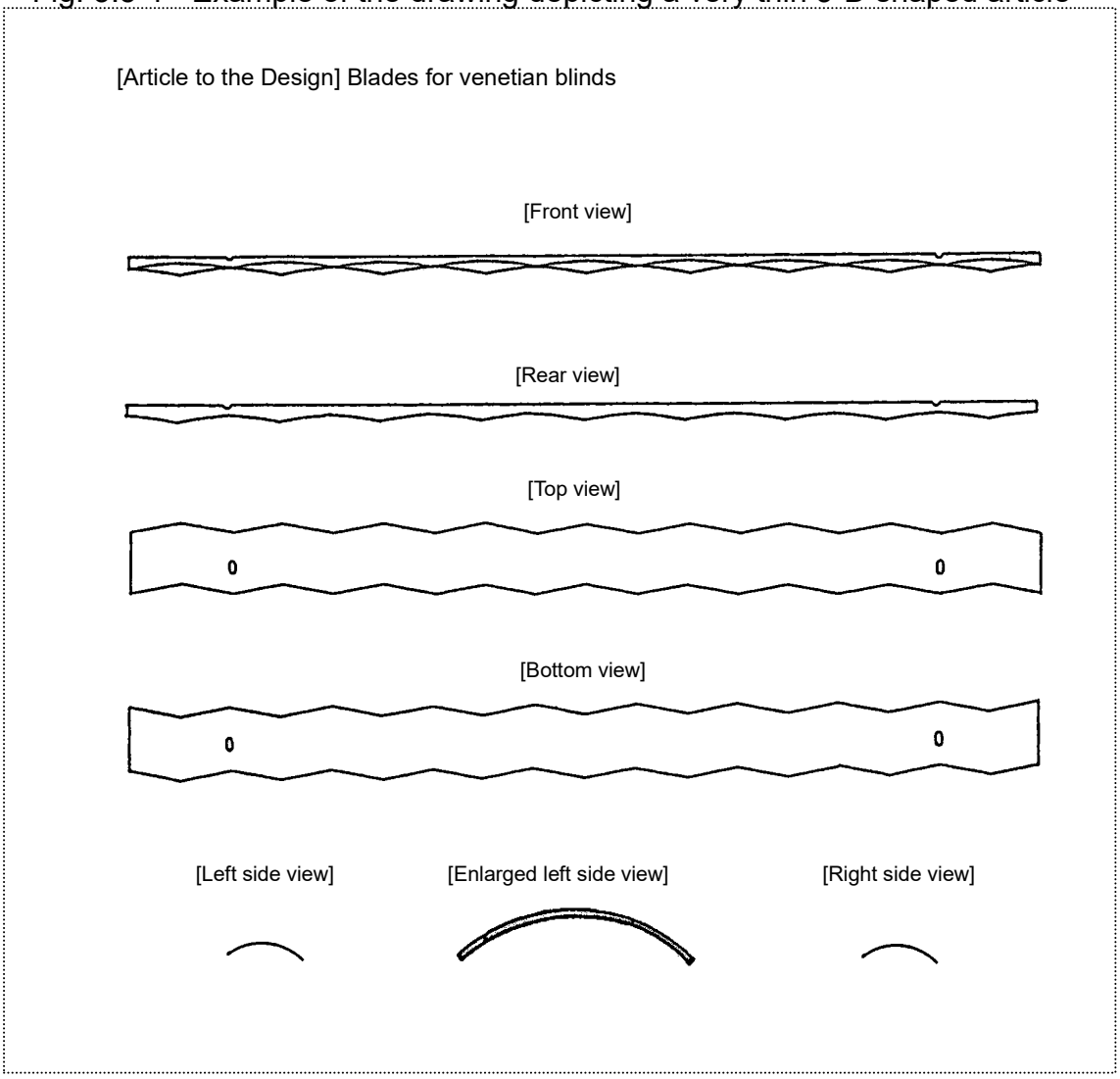
5. 3-D Shaped Article with a Very Thin Thickness

Articles made of thin materials, such as paper bags or clothes, and articles whose thickness is extremely thin in terms of the ratio to the entire shape, etc., such as plates for construction, are treated as three-dimensional shapes, but there may be cases where it is difficult to represent the thickness accurately within the limited space for the drawing.

As for views representing thickness, in cases where the space between two lines representing the thickness is too narrow to see the gap between the lines, or the design is extremely distorted by depicting the space thicker than is actually assumed, this part may have to be represented by a single line.

However, in such cases, it is necessary to clarify the thickness or the constitution of design, etc. by adding an “enlarged view.”

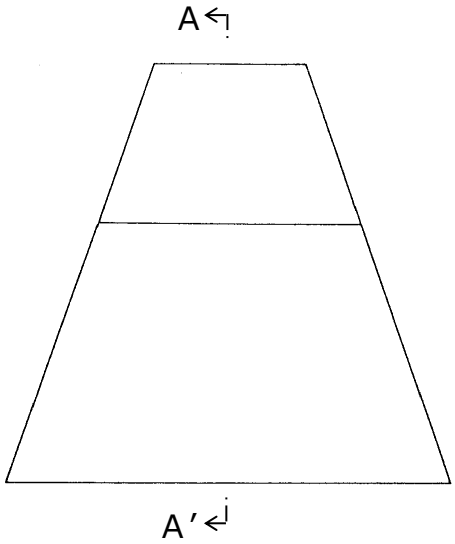
< Fig. 3.5-1> Example of the drawing depicting a very thin 3-D shaped article



< Fig. 3.5-2> Example of the drawing depicting a very thin 3-D shaped article

[Article to the Design] Packaging bag
[Description of the Design] This article is made of transparent film such as cellophane. The left side view and the right side view are mirror images to each other.

[Front view]



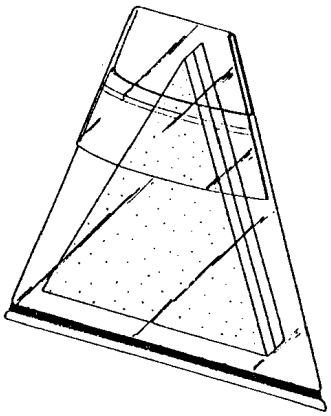
[Right side view]

[A-A' line sectional view]

[Top view]

[Bottom view]

[Reference view representing the state of use]



6. Long-length Articles

In cases of representing the article that is raw material or member, etc., such as a rod, a wire rod, a plate and a pipe with a continuous shape or a pattern repeats continuously in a single direction alone (vertically or horizontally) (hereinafter referred to as “long-length article”), applicants prepare the drawing only for “the part that clearly shows the state of continuing or repeating continuously.” (Form No. 6 Note (13)). This is because these are raw materials or members, made as long-length articles so that they can be used by cutting the ends, and therefore, regarded as special articles whose length or end shape are not be taken into consideration when finding the gist of design. Therefore, the article whose ends have been processed does not fall under this category.

It should be noted that as for “the part that clearly shows the state of continuing or repeating continuously,” the case of simply continuing and the case of repeating continuously are different from each other. Therefore, it is necessary to represent them according to the rules as follows.

6.1 In cases where a shape or a pattern simply continues

(i) In the drawing, the longitudinal direction side needs to be represented in the front view with a proper length.

(ii) The both end parts need to be represented by solid lines as if the longitudinal direction side were cut linearly at a right angle.

(iii) As such, determining the scope of depicting the article, it is necessary to represent it as if that scope of the article were an actual three-dimensional shape using the same drawing methods and following the same rules as are used for a regular three-dimensional shape.

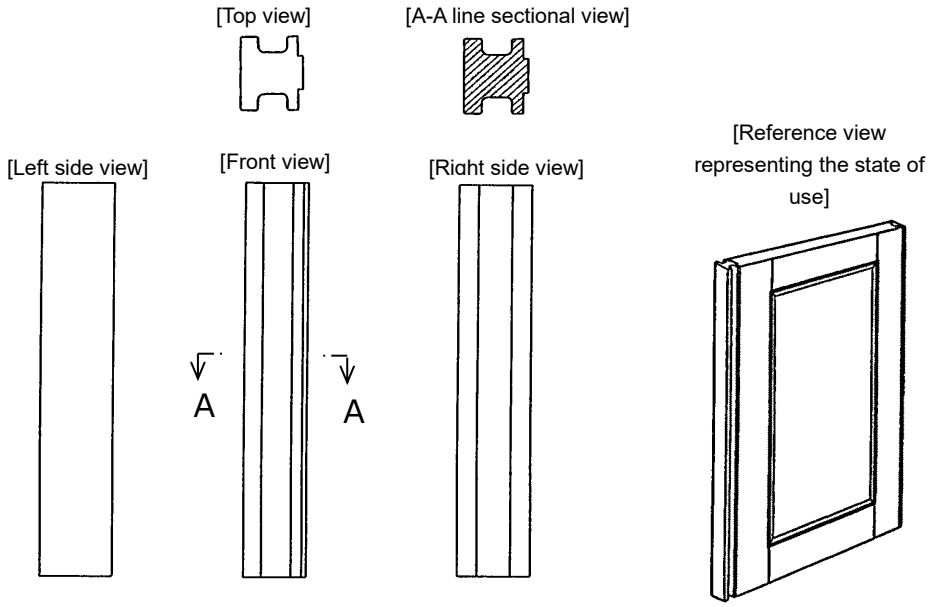
(iv) Applicants give an explanation to the effect that, for example, “This design continues horizontally alone in the front view” In the column of “Description of the Design”.

< Fig. 3.6-1> Example of the drawing depicting the long-length article

[Article to the Design] Wire
[Description of the Design] This article continues horizontally alone in the front view.

< Fig. 3.6-2> Example of the drawing depicting the long-length article

[Article to the Design] Edge member of sliding door
[Description of the Design] This article continues vertically alone in the front view.



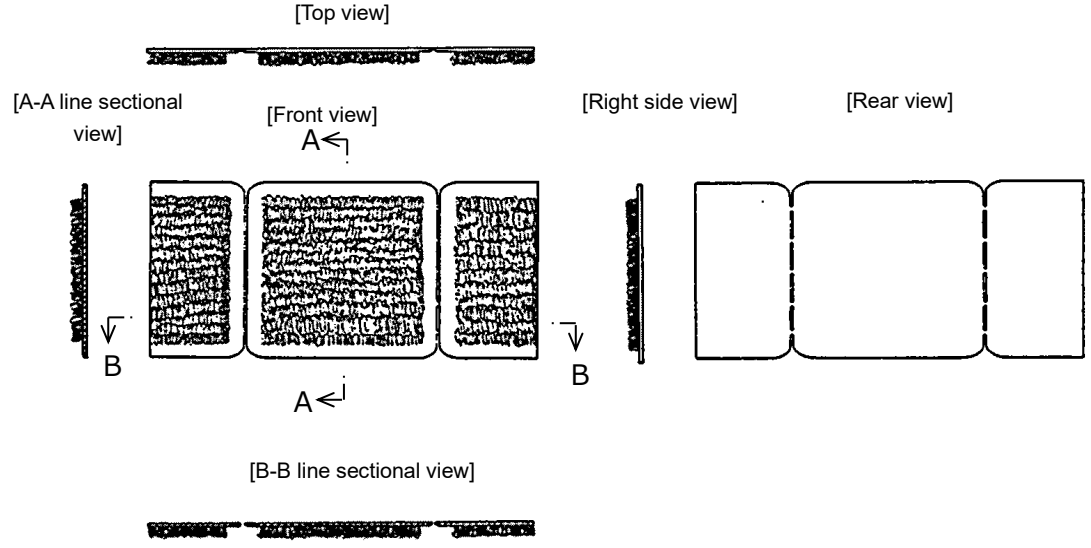
6.2 In cases where a shape or a pattern repeats continuously

In cases where a shape or a pattern repeats continuously, there is a defined rule on the scope of the longitudinal direction side (the side in which a shape or a pattern repeats continuously), necessary to follow in representing it, which is different from the cases where a shape or a pattern simply continues, mentioned in 6.1 above. Other than this, the same rules shall apply to the cases here.

As for the rule mentioned above, it is necessary to represent the scope, within which the minimum unit (at least, 1.5 to 2 units must be shown) of the shape or the pattern that repeats continuously, as well as the relationship between them may be understandably shown. Needless to say, it is desirable that the repeating patterns are represented more than they should be to satisfy the minimum requirement.

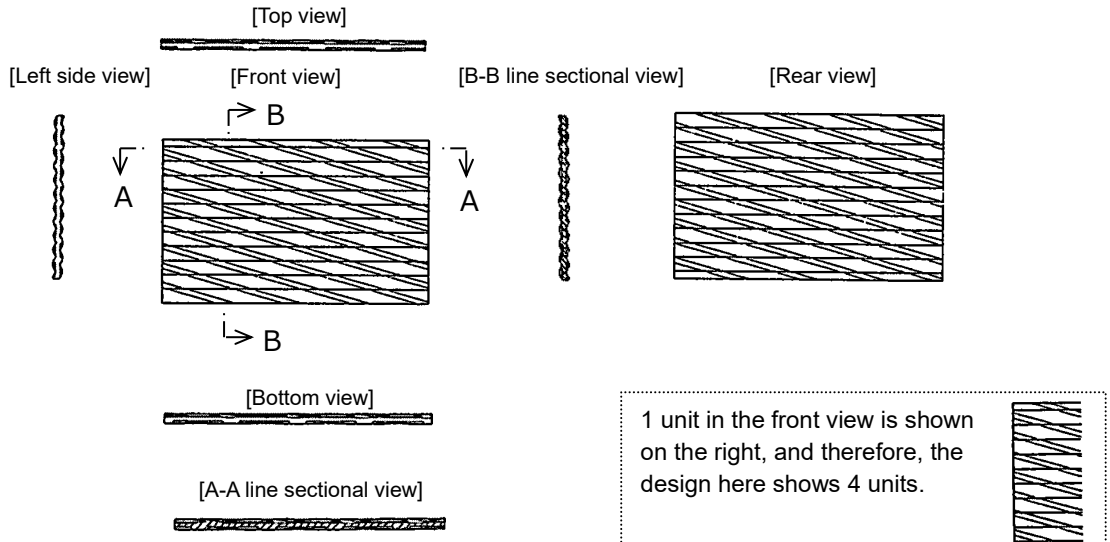
<Fig. 3.6-3> Example of the drawing depicting a long-length article in which a shape or a pattern repeats continuously (an example of representing 2 repeating units)

[Article to the Design] Hook and loop fastener
[Description of the Design] This article continues horizontally alone in the front view.



<Fig. 3.6-4> Example of the drawing depicting a long-length article in which a shape or a pattern repeats continuously (an example of representing more than 2 repeating units)

[Article to the Design] Synthetic resin cord
[Description of the Design] This article continues horizontally alone in the front view.



1 unit in the front view is shown on the right, and therefore, the design here shows 4 units.

7. Textiles Such as a Woven Cloth Fabric

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

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

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

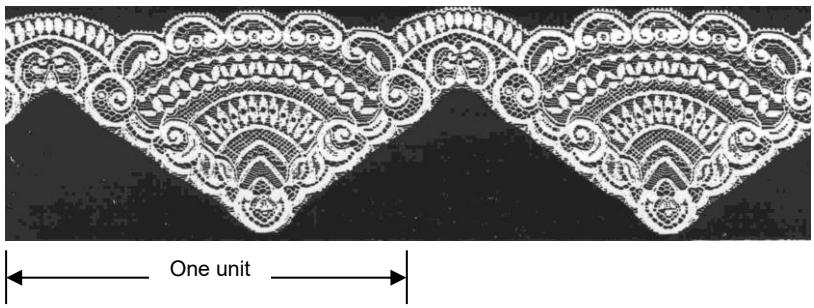
7.1 In cases where a pattern repeats continuously in a single direction alone (either vertically or horizontally)

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

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

[Article to the Design] Narrow lace fabric
[Description of the Design] This design continues only horizontally in the surface view.

[Surface view]



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

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

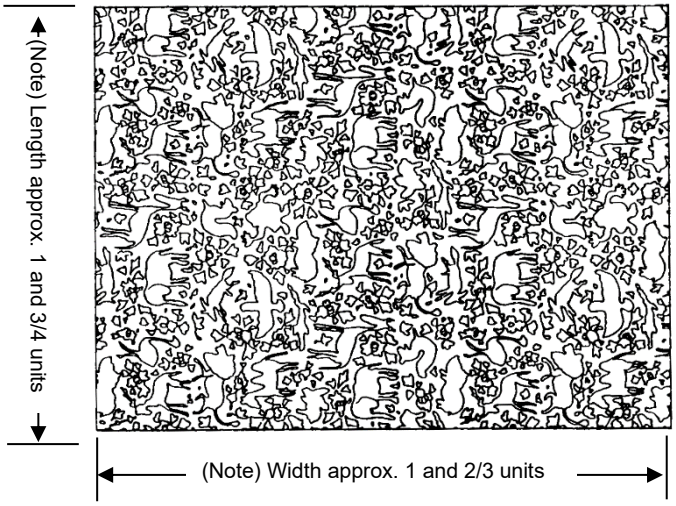
As for the drawing for the design that repeats continuously in the four directions, as is the case where a pattern continues in a single direction alone (either vertically or horizontally) mentioned in the previous section (7.2), applicants prepare the drawing in a way that represents the scope within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

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

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

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

[Article to the Design] Leather texture
[Description of the Design] The size of the part represented in the view is 62 cm (L) x 85 cm (W).
[Surface view]



In this case, the upper left part of the surface view shown below is one unit.

(Note 2) Please note that the arrows, the statements such as “Note” and the illustration in the right square are inserted merely for explanation. So, please do not make such statements when preparing drawings to be attached to the application that will be actually filed with the JPO.

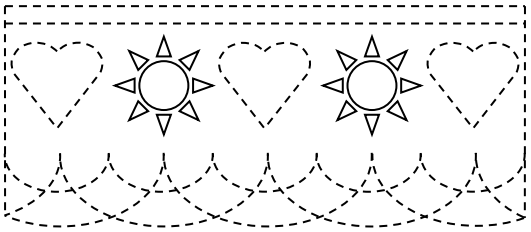
7.3 In cases where a design registration is requested for a part of a pattern which repeats continuously

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

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

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

[Surface view]

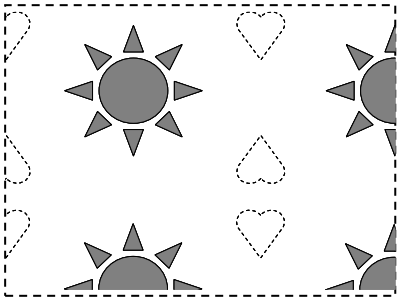


(Note) This is a mode where the part for which the design registration is requested is physically separated. However, since the same pattern repeats continuously in this mode, it is regarded that each of these parts mutually serves as having unity in form, and therefore, treated as one design. (see the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

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

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

[Surface view]



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

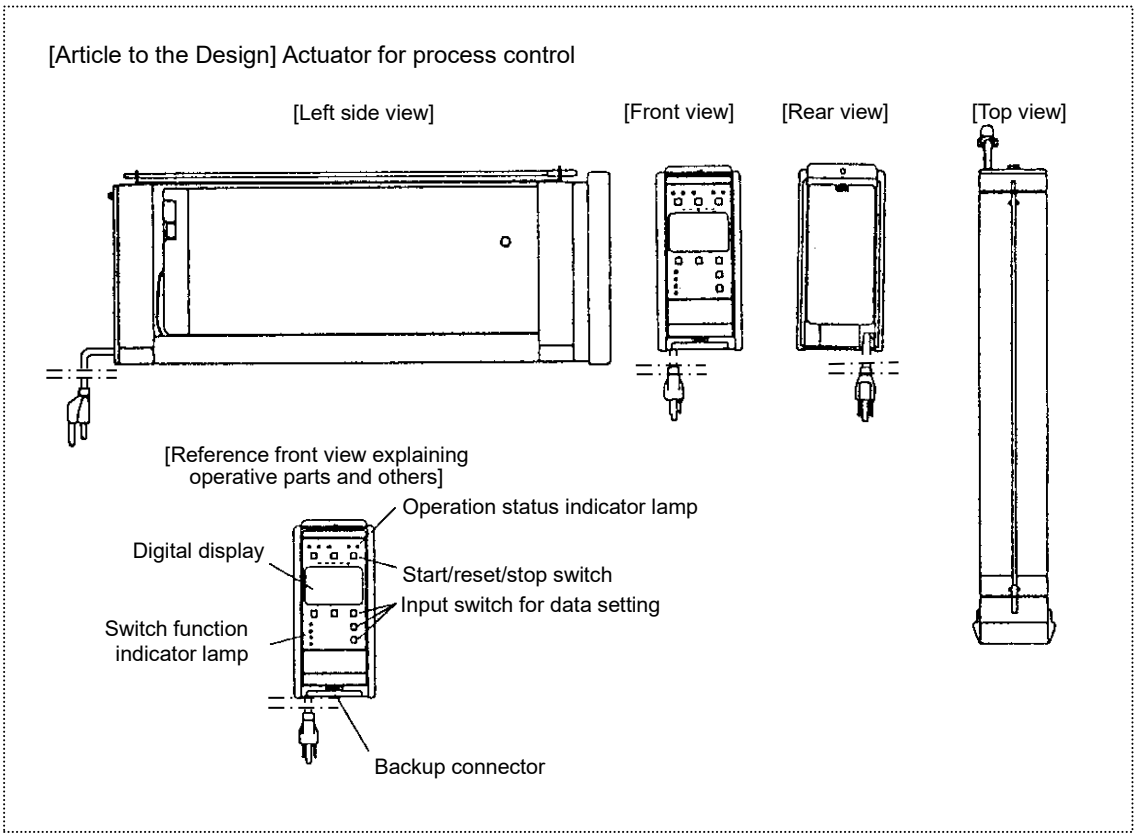
8. Designs Having an Extremely Long Part

In cases of articles, such as measuring tapes or plates for construction (excluding long-length articles), that are difficult to be represented in a prescribed space because of having an extremely long part although it is not limitless, and also in cases where the design of the article is obviously clear even if the middle part of the long portion of the article is omitted in the drawing, applicants prepare the drawing in which “the middle part of an article is omitted.” (Form No. 6 Note (14))

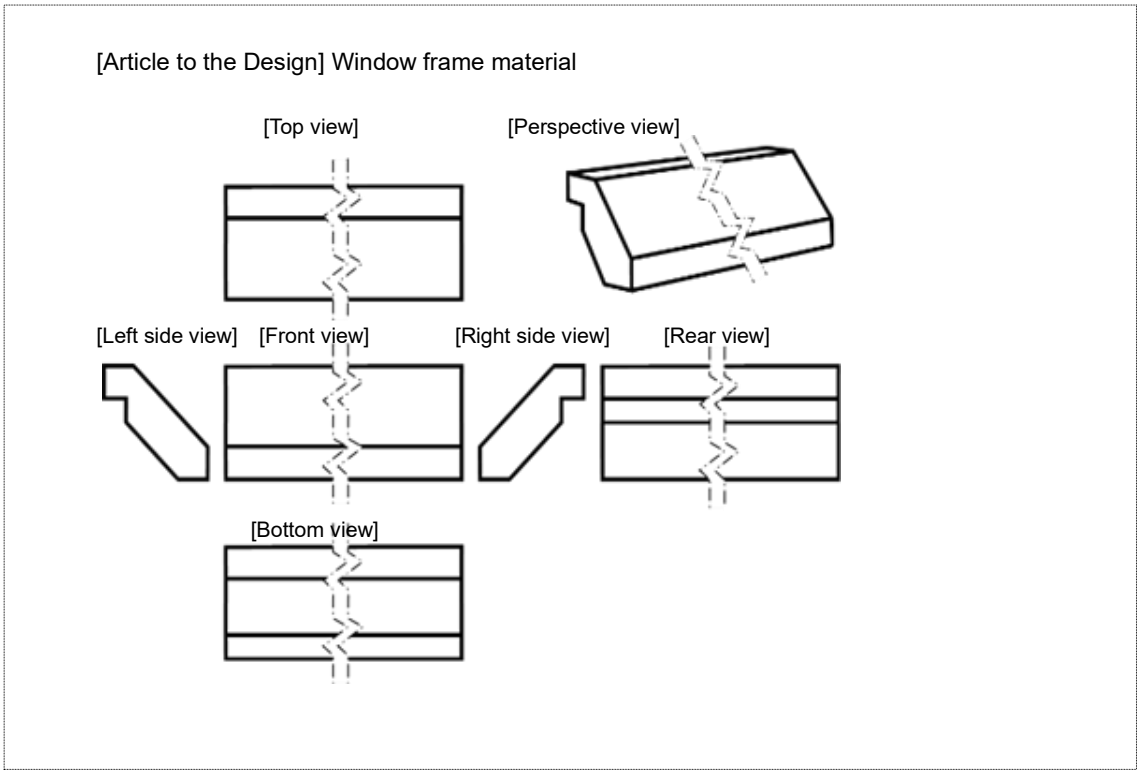
8.1 How to depict drawings with “the middle part omitted”

Applicants clarify the omitted middle part by, for example, indicating that part as if such part were cut by two parallel dash-dotted lines, and if the design cannot be clearly shown merely by indicating in the drawing, applicants include a statement to the effect that depiction of a part of the article, etc. has been omitted or a statement of the size of the omitted part in the drawings in the column of “Description of the Design” in the application. (Form No. 6 Note (14))

<Fig. 3.8-1> Example of the drawing in which the middle part is omitted



<Fig. 3.8-2> Example of the drawing representing the “middle part omitted”



8.2 In cases where the middle part of an extremely long portion can be omitted

In cases of falling under both of the following two categories, the middle part of an extremely long portion of an article can be omitted.

(i) Where the shape or the pattern of an extremely long part continues or repeats continuously in a single direction alone.

(ii) Where it is difficult to prepare drawings; for example, if depicting the entire article as it is, the space between the shape lines will be crushed. Or, where it is far better to represent the article through six views, etc. with the middle part omitted” and a view depicting the proportion of the whole design at a reduced scale than through a view depicting the entire form as it is, in terms of representing the characteristics of the design sufficiently.

8.3 Points to be noted in preparing drawings

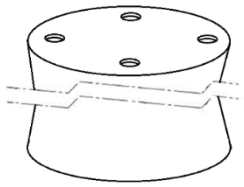
(i) In cases where a shape or a pattern repeats continuously in “the middle part omitted,” it is necessary to represent it according to the method of representing the design in which a pattern repeats continuously (6. Long-length articles) so that such state may be clearly shown despite the part omitted.

(ii) The omitted part shall be, in principle, one part.

(iii) In cases of clarifying the proportion of the whole design, applicants prepare the “Reduced XX view” in which a whole design is represented at a reduced scale, regarding the aspect of the design necessary to clarify the proportion of the whole design (as for a shape or a pattern that is difficult to represent in details, it is sufficient if they are represented schematically). Yet, when a view of a whole design can represent the design almost accurately, it is possible to enlarge the view with “the middle part omitted.”

<Fig. 3.8-3> Inappropriate example where the component ratio of the entire design cannot be specified

[Article to the Design] Shore protection block
[Perspective view]



* For the convenience of explanation, any other views are omitted.

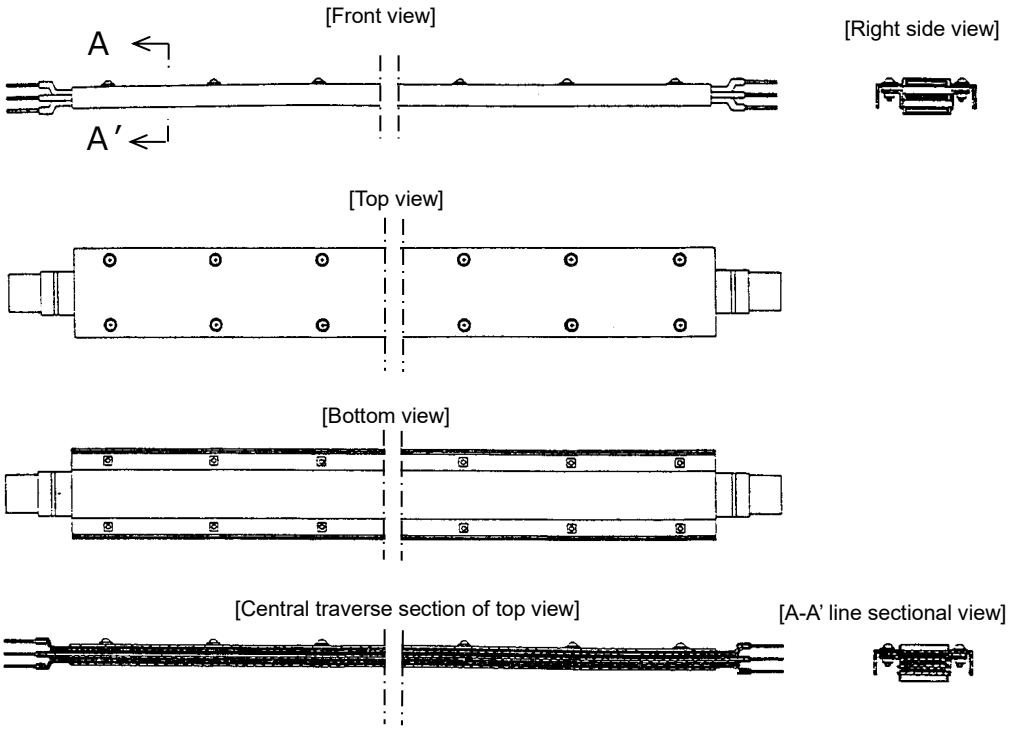
8.4 Points to be noted in making a statement in the column of “Description of the Design”

When stating the size of the omitted part in the drawings in the column of “Description of the Design,” applicants include a statement such as “The length of the omitted part is XX cm” based on the premise that the omitted part has a specific length. Since a statement such as “The size of the omitted part is from XX cm to XX cm” does not show a specified length, such statement is not allowed.

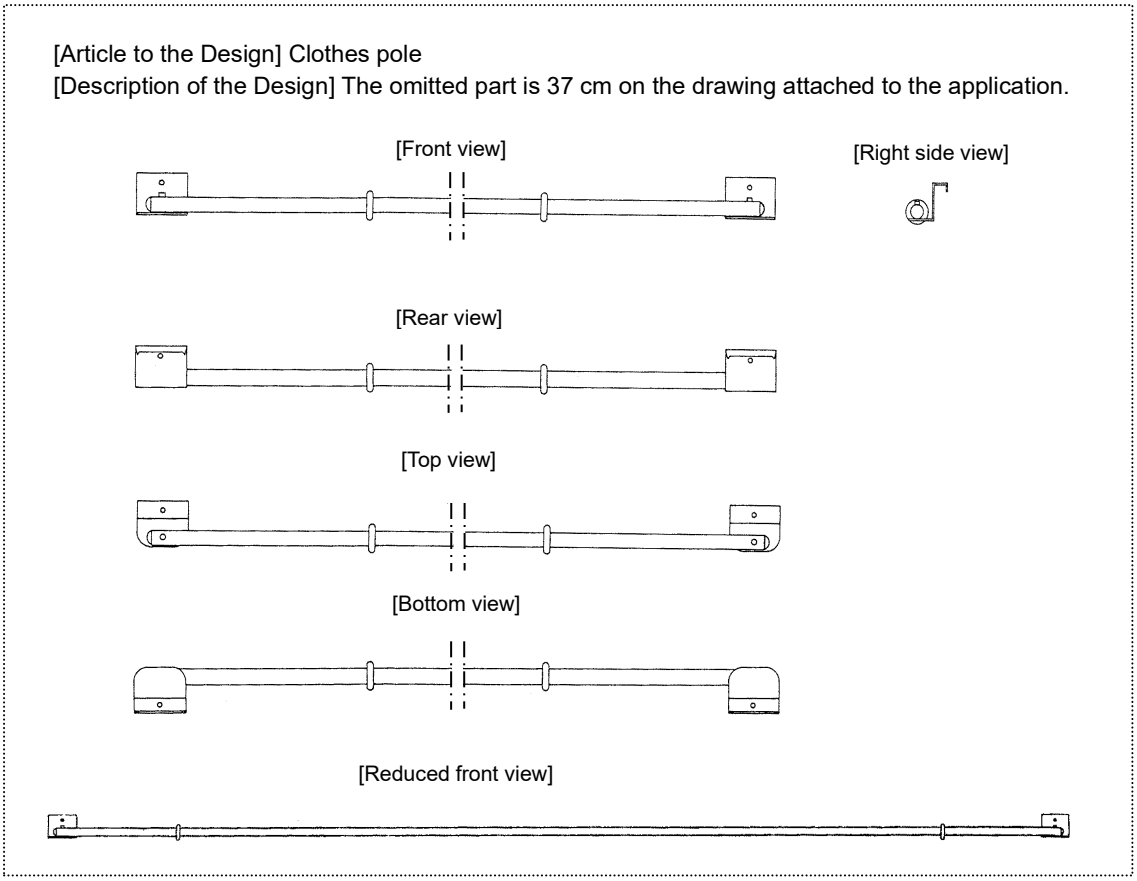
<Fig. 3.8-4> Example of the drawing in which “the middle part is omitted” when a shape or a pattern of an extremely long part repeats continuously

[Article to the Design] Feeder line

[Description of the Design] The omitted part is 300 cm on the drawing attached to the application.



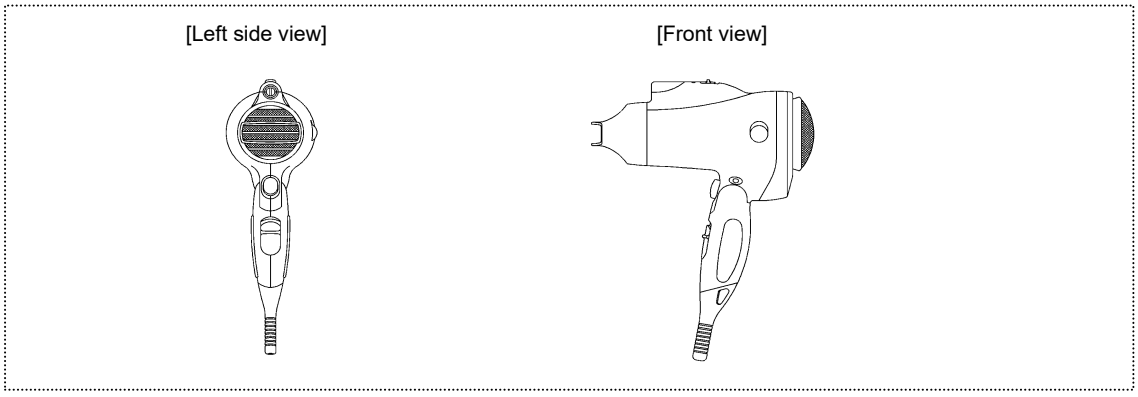
<Fig. 3.8-5>Example of adding “Reduced front view” that represents the proportion of the whole design



8.5 Omitting the depiction of a power source code

It is often that a power source code is a part of the article, etc. which itself is featureless, whose portion to the entire article is small, and which does not have impact on the finding of the gist of design. In such cases, it is possible to omit the whole of a power source code, not just omitting the middle part.

<Fig. 3.8-6> Example of omitting the depiction of a power source code



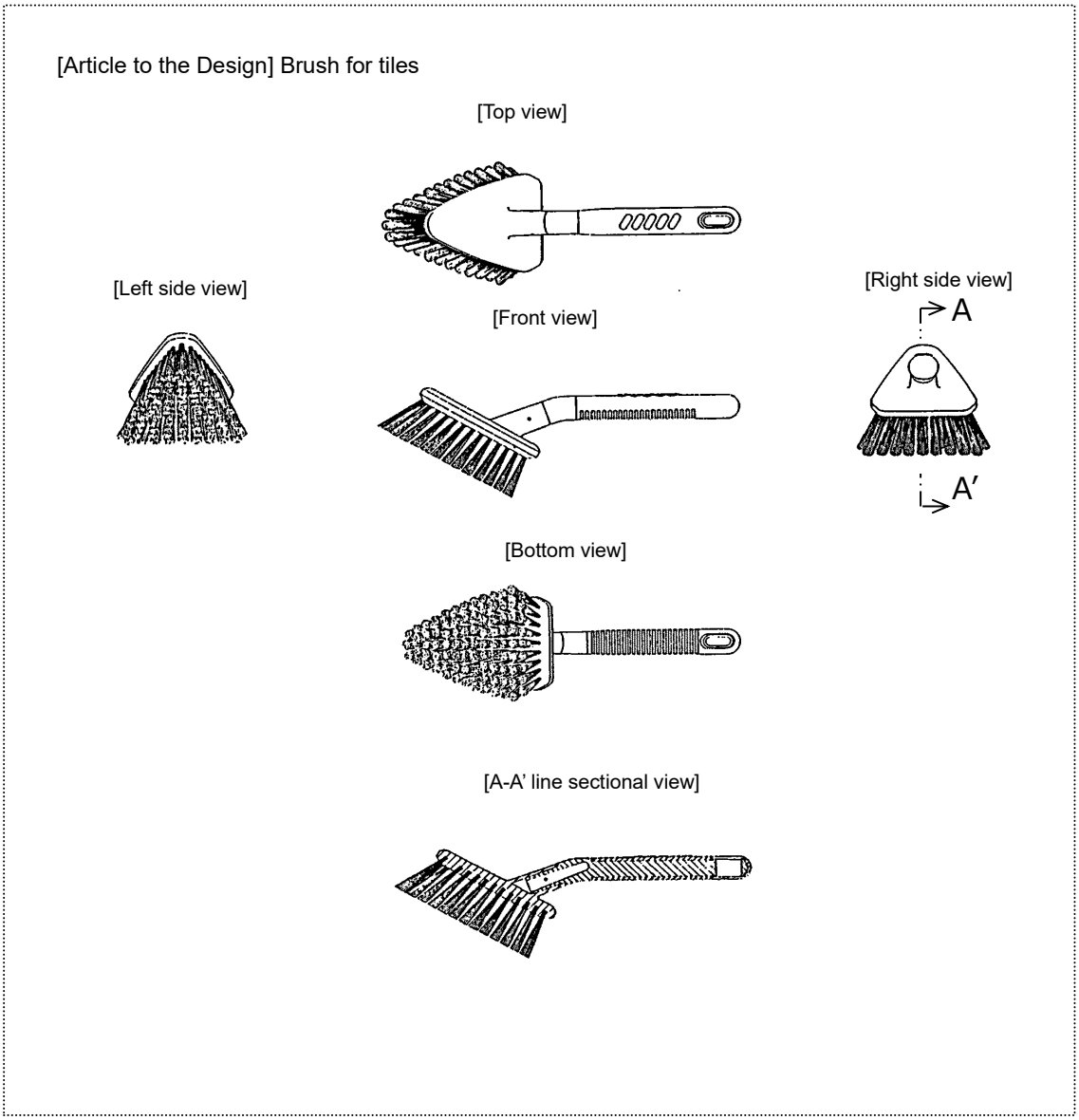
9. Articles Having Flocked Part or Mesh Fabric Part, etc.

In cases of depicting the drawing of, for example, flocked part of a brush or fine mesh fabric part, which is difficult to be drawn strictly accurately, and does not have to be drawn strictly accurately for the design to be specified, it can be represented by a conventional and special method.

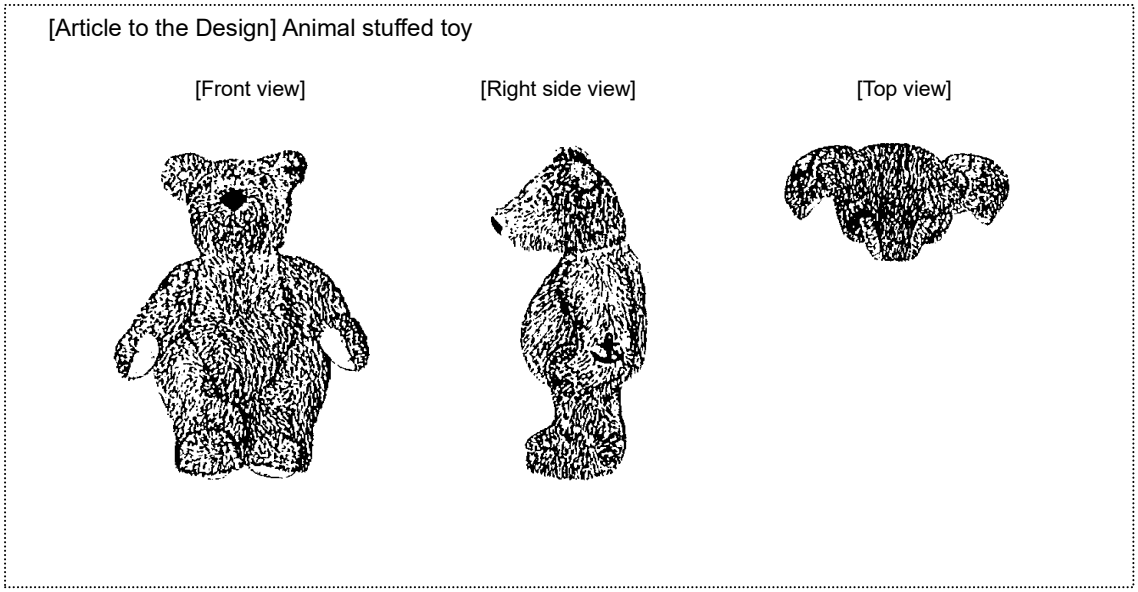
9.1 In the case of a flocked part

Since it is impossible to depict each of the hair in two lines to represent the thickness thereof, it shall be considered as unavoidable to represent them in a single line. In addition, since the number of hairs does need to be exactly the same as the actual article, applicants draw each view as close as possible to the real article.

<Fig. 3.9-1> Example of depicting a flocked part in a single line



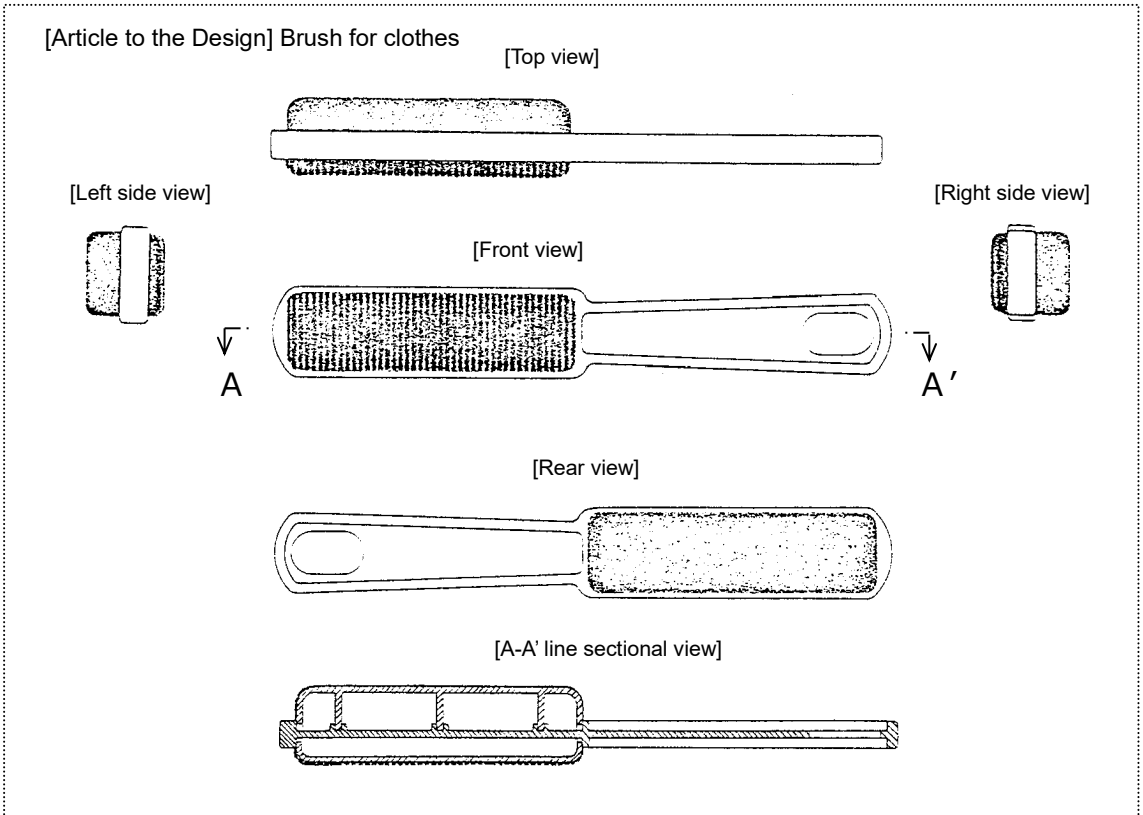
<Fig. 3.9-2> Example of schematically depicting a flocked part in a single line



9.2 In the case of materials such as napped fabric or sponge

As for materials such as napped fabrics or sponges, it is necessary to represent them as such, and draw each view as close as possible to the real article.

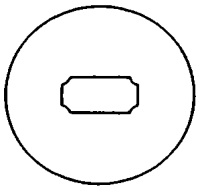
<Fig. 3.9-3> Example of a schematic drawing of a napped part



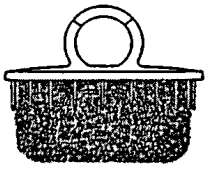
<Fig. 3.9-4> Example of a schematic drawing of a metal part

[Article to the Design] Metal scrub brush for cleaning

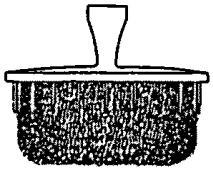
[Top view]



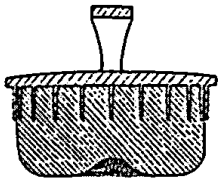
[Front view]



[Right side view]

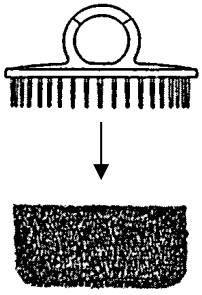


[Central longitudinal section of the front view]



[Bottom view]

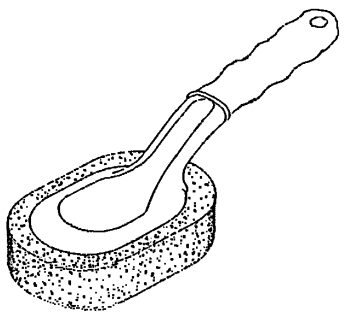
[Reference front view of the state in which objects are separated]



<Fig. 3.9-5> Example of a schematic drawing of a sponge part

[Article to the Design] Brush for cleaning

[Perspective view]



9.3 In the case of generic fine plain-weave mesh fabric

In cases where an article is made using generic fine plain-weave mesh fabric and it is difficult to represent the thickness of each net yarn with two lines in the drawing, applicants use the following method.

(i) Representing net yarn using single lines.

(ii) While the number of net yarns does need to be exactly the same as the actual article, drawing each view as close as possible to the real article.

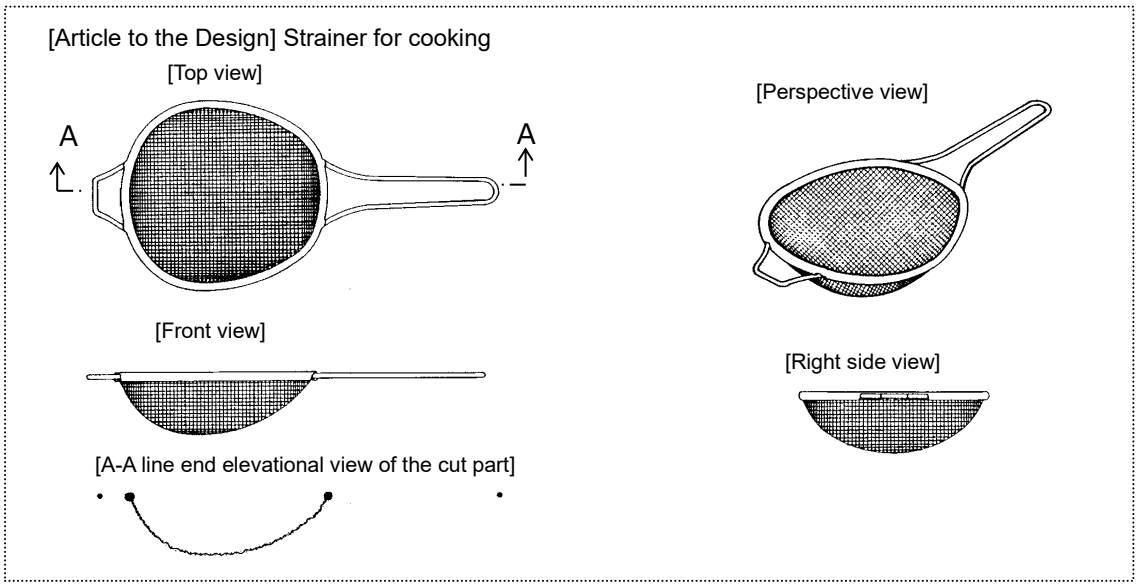
(iii) When preparing a sectional view or an end elevational view of the cut part that includes the mesh fabric part,

a) Representing the state of knitting in the end elevational view of the cut part.
In the drawing by this method, although the shape of mesh fabric part is different between six views and “End elevational view”, it is possible to clearly represent where the mesh fabric part is in the article.

b) Representing the cross section in a simplified manner as a plate-like object.
This method is limited to the case where the position of mesh fabric part can be understood through the name of article or six views, etc. and it is not necessary to represent the mode of the mesh fabric in a specific manner.

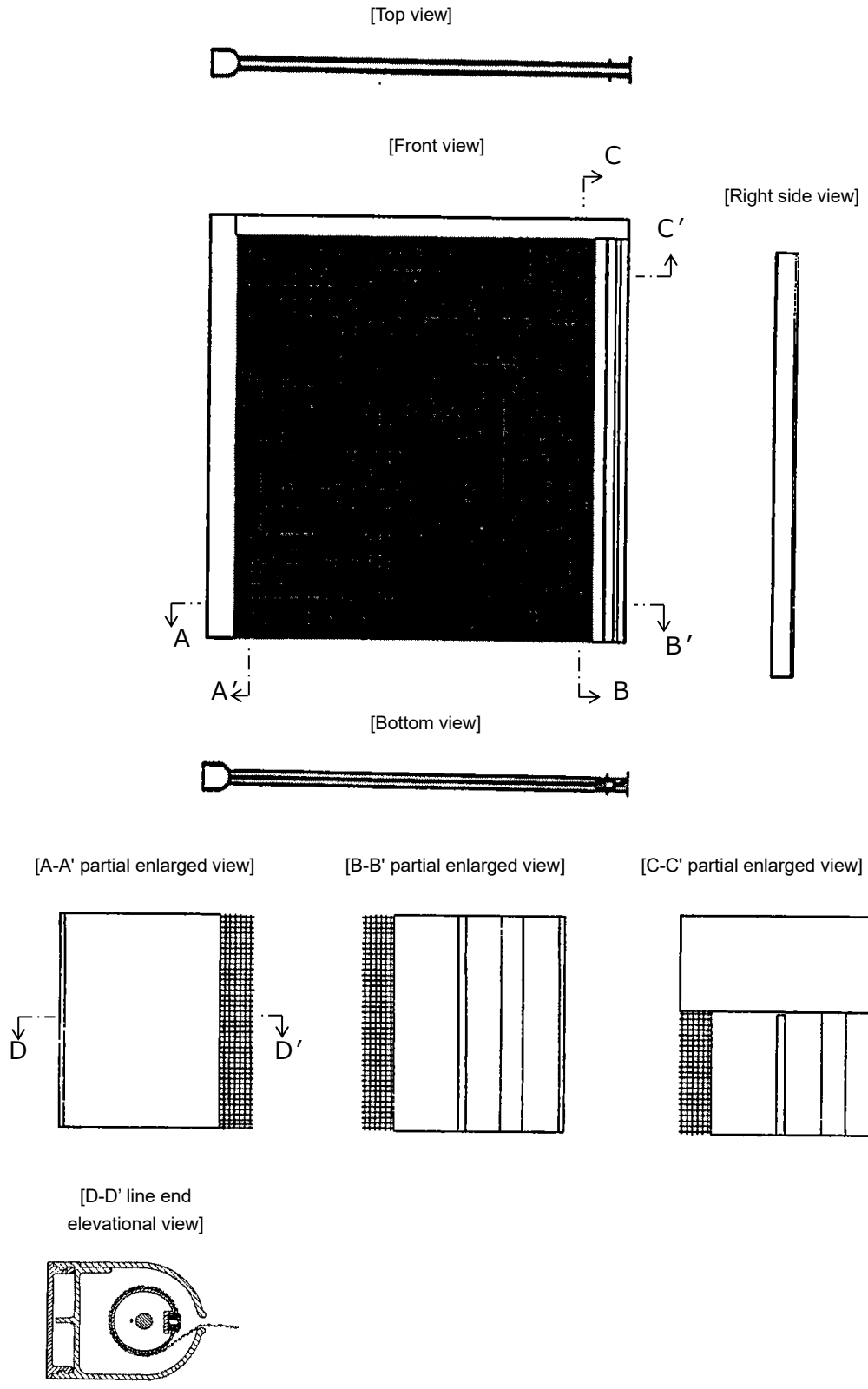
However, the method of representing an article may be different depending the field that the article belongs to. In addition, in cases where the structure of mesh fabric is not generic, or the shape, etc. of mesh fabric itself is important, applicants cannot prepare the drawing by the methods mentioned above.

<Fig. 3.9-6> Example using single lines to represent threads



<Fig. 3.9-7> Example of representing in an enlarged view

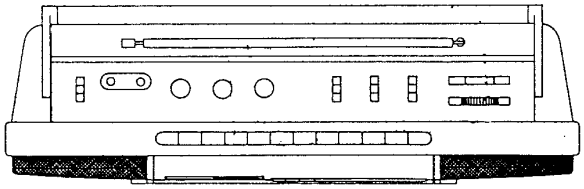
[Article to the Design] Screen door



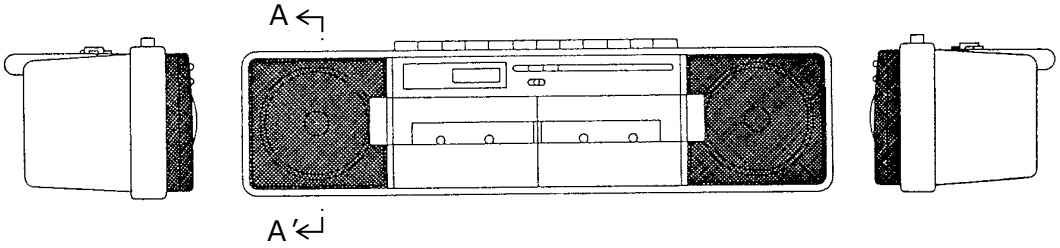
<Fig. 3.9-8> Example of representing by sectional view

[Article to the Design] Tape recorder with a radio

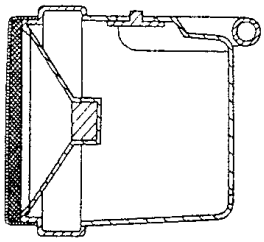
[Top view]



[Left side view] [Front view] [Right side view]



[A-A' line enlarged sectional view with the internal mechanism omitted]



10. Articles Whose Shape, etc. is Changeable

As for articles like transformable toys, whose whole can be changed (reversibly) into a different shape, etc. by moving each part, if design registration is requested for the shape, etc. as it appears before, during and after the said change, applicants show the shape, etc. before and after the change or during the change if necessary.

(i) There is no constraint on which state must be the shape, etc. before the change.

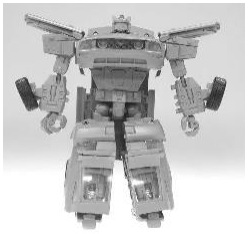
(ii) In addition to six views, etc. representing the shape, etc. before the change, applicants depict drawings that are necessary to specify the entire form after the change. (Please note, when preparing drawings that can specify the entire shape, etc. after the change, that drawings that represent only the part of the shape, etc. that can be specified by the drawings representing the form before the change are not indispensable).

(iii) As for the shape, etc. during the change, since it is sufficient to make it possible to understand how the article changes, applicants only add necessary views to the extent.

<Fig. 3.-10-1> Example of representing an article whose shape, etc. is changeable

[Article to the Design] Transformable toy

[Front view]

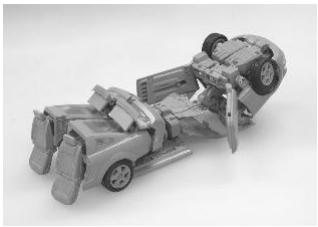


[Rear view]

[Left side view]

[Right side view]

[Perspective view of the changing configuration]



[Top view]

[Bottom view]

[Front perspective view after the change]

[Rear perspective view after the change]

(Note) As for the form after the change, applicants prepare drawings that is necessary to represent the entire article.

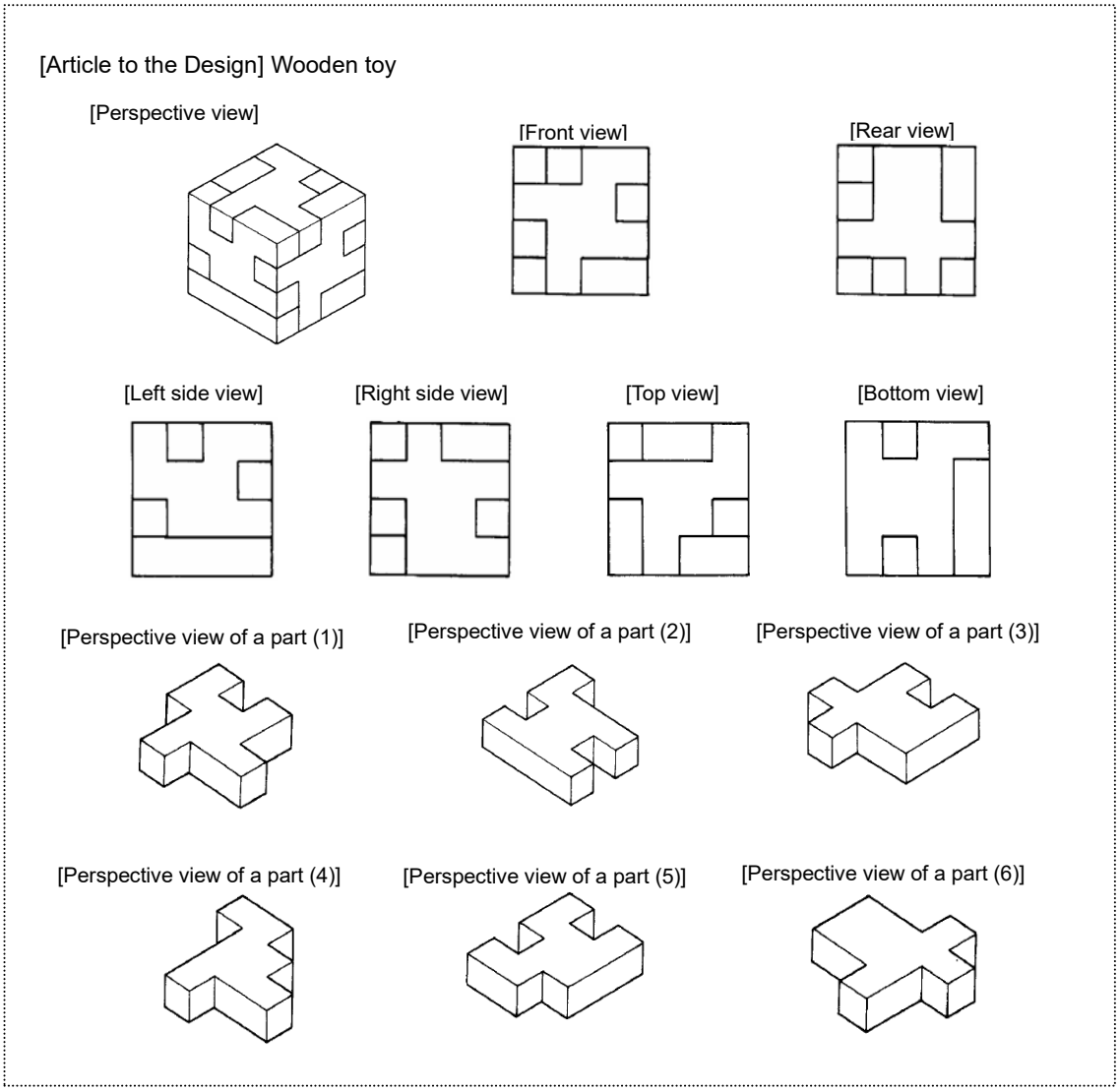
11. Wooden Toys or Building Blocks

Since wooden toys or building blocks are articles that are repeatedly built and disassembled, applicants depict both the shape, etc. of each constituent piece and the shape, etc. of the assembled state in the drawings. (Form No. 6 Note (20))

(i) As for building blocks, applicants prepare six views, etc. for each constituent piece of the article, as well as drawings necessary to specify the shape, etc. of the assembled state.

(ii) As for wooden toys, in addition to the six views, etc. for the assembled state, applicants include views necessary for specifying the entire shape, etc. of each constituent piece of the article.

<Fig. 3.11-1> Example of representing a wooden toy



12. Combined Articles (e.g. Playing Cards)

As for articles in which multiple pieces collectively function as a set, such as playing cards or *shogi* pieces, the multiple constituent objects are regarded as one design.

(i) Since playing cards and other card-like articles are flat in shape, etc., applicants include surface and back side views for each of all cards with different patterns, etc.

(ii) Since *shogi* pieces and so on are three-dimensional in shape etc., applicants include the six views, etc. for each of all pieces with different shapes and patterns.

<Fig. 3.12-1> Example of representing playing cards

[Article to the Design] Playing cards

[Surface view 1]

[Surface view 2]

[Surface view 3]

[Surface view 4]

[Surface view 5]

[Surface view 6]

[Back side view]

(Note) In principle, each card needs to be drawn as one view. However, since there are many constituent pieces in the case of playing cards, it is allowed to group those that share common features to be represented as one view, as shown in this example.

13. Designs for a Single Article that Includes Multiple Constituent Objects

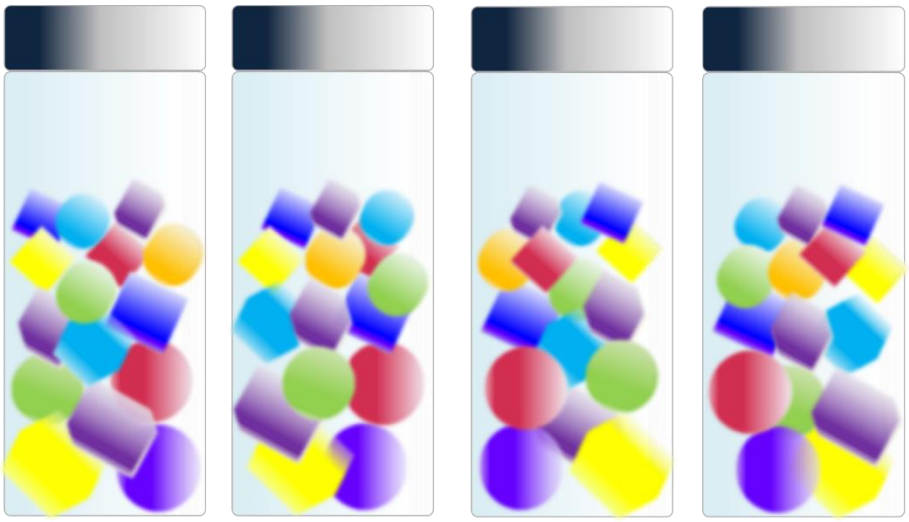
If an article, etc. to the design is represented by multiple constituent objects in drawings, etc., and the multiple constituent objects are not found to have any connection with each other for performing a specific single usage and function, the article, etc. will be determined to be two or more articles, etc. However, where the constituent objects could be commonly distributed in an integrated manner, and all constituent objects are created in an integrated manner with close relevance in shape, etc., the article, etc. will be determined to be a single article, etc. (see Part II, Chapter 2, 2.1 Determination as to whether two or more articles, etc. are represented in the Examination Guidelines for Design).

Following are examples of drawings, etc. determined to be a single article, etc.

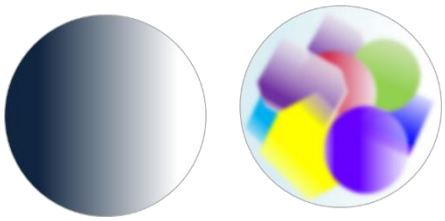
<Fig. 3.13-1> Example representing a container and a beverage

[Article to the Design] Beverage in a container
[Description of the Design] The container body, excluding the lid, is transparent. Shading represented in the front view, the rear view, the top view, the bottom view, the left side view and the right side view are all for specifying the surface shape of the three-dimensional object.

[Front view] [Right side view] [Rear view] [Left side view]



[Top view] [Bottom view]



<Fig. 3.13-2> Example representing a container and food

[Article to the Design] Pressed sushi in a container

[Top view]

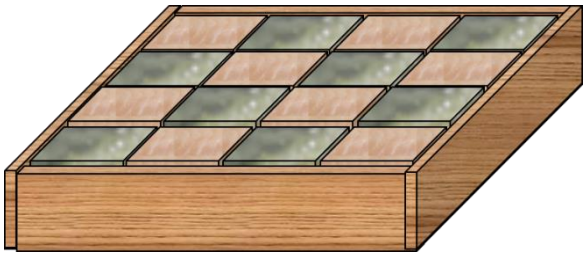
[Front view]

[Rear view]

[Right side view]

[Left side view]

[Perspective view]



(Note) The drawings attached to the application do not include a bottom view. This shows an example of drawings in an application where the part for which the design registration is requested is the parts excluding the bottom surface.

Furthermore, when filing an application for a single design that includes multiple constituent objects, statements in the column of “Article to the Design” should focus on the contents of the creation of the design and the constituent objects that have a large influence on the overall aesthetic impression. In the example in Figure 3.13-1, for instance, the emphasis is on the beverage inside, but conversely, if the emphasis was on the external packaging container, the statement should be “a packaging container containing a beverage,” etc.

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]

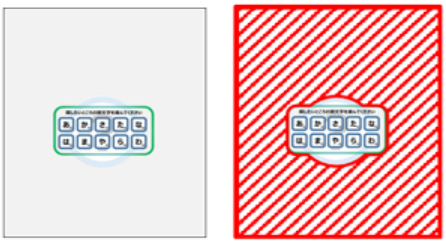
[Article to the Design] Graphic image displaying medical measurement results
[Description of Article to the Design] This graphic image is for displaying data from a medical measuring instrument attached to a subject person. It displays an electrocardiogram, heart rate, blood pressure and other data. 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]



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

[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.

<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.

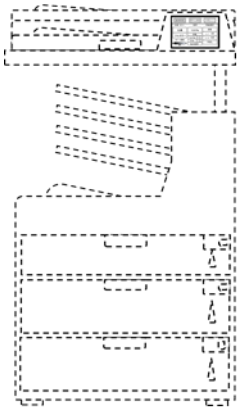
In order for a graphic image displayed on the display part of an article or building to be recognized as part of that article or building, the graphic image must be provided for use in the operation of the article or building in order to enable the article or building to perform its functions or must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

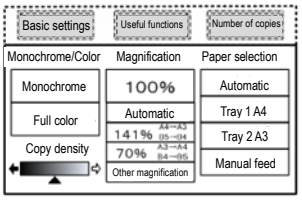
<Fig. 3.14-2> Example of statements and drawings for a design including a graphic image on a part of an article, etc.

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

[Front view]



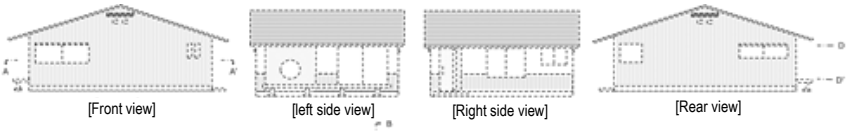
[Partial enlarged view of the display part]



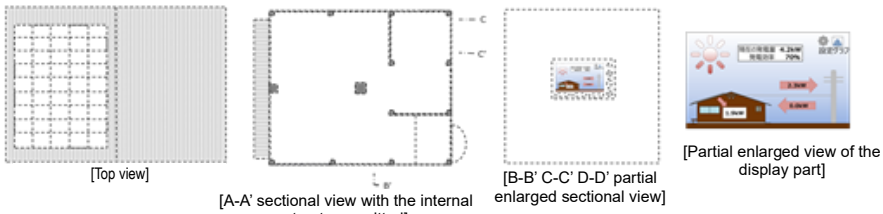
[Article to the Design] Copying machine
[Description of Article to the Design] The graphic images represented in the front view and the partial enlarged view of the display part are for carrying out various settings for the copying.
[Description of the Design] The part represented by the solid line is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



[Front view] [left side view] [Right side view] [Rear view]



[Top view] [A-A' sectional view with the internal structure omitted] [B-B' C-C' D-D' partial enlarged sectional view] [Partial enlarged view of the display part]

[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.

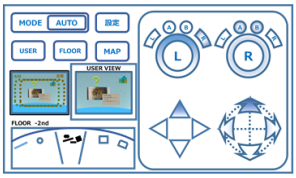
Regarding designs for a set of articles consisting of a design including a graphic image on a part of an article, etc. and an article design, or designs for a set of articles consisting of a design including a graphic image on a part of an article, etc. and a building design, file the application in 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]



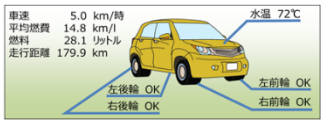
[Graphic image view 2]

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

[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.

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

[Perspective view]



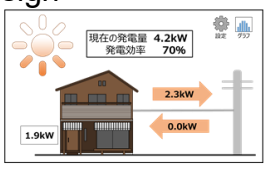
[Graphic image view]

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

[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.

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

[Front view]



[Graphic image view]

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

[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.

(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.

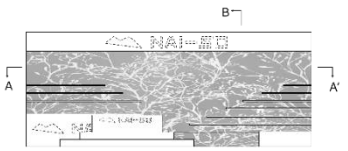
Since the arrangement of fixtures, etc. is also included in the creation of interior design, if the interior is to be coordinated as a whole, including the arrangement of **graphic image designs**, applicants show the **graphic image designs** in graphic image views while also showing the arrangement 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

<Example of an interior design that includes a **graphic image design**>

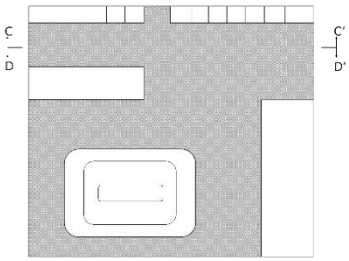
[Article to the Design] Interior of an outdoor goods store
[Description of Article to the Design] This interior is the interior of an outdoor goods store that primarily sets up in shopping malls. The graphic image represented in the graphic image view is a graphic image that allows users to find products for all brands, including those not located in the store, and to check inventory and place orders.
[Description of the Design] The part represented by solid lines is the part for which the design registration is requested.



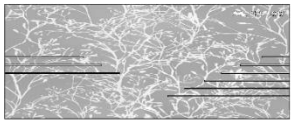
[Front view]

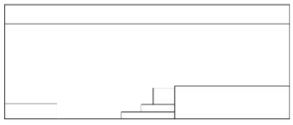

[B-B' development view]

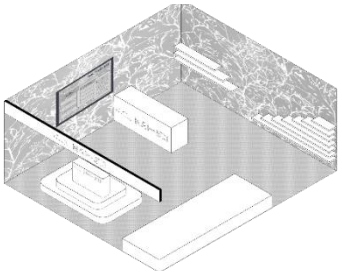
[Graphic image view]



[A-A' top view]


[C-C' development view]


[D-D' development view]


[Perspective view with the right wall and ceiling surfaces omitted]

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

Feature statement
[Feature of the Design] This interior is the interior of a store selling outdoor-related products to outdoor enthusiasts such as those interested in mountain climbing or camping. As represented in the perspective view with the right wall and ceiling surfaces omitted, the basics of botanical wallpaper and lawn-like flooring are designed to remind users of outdoor uses of the products.

(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”.”

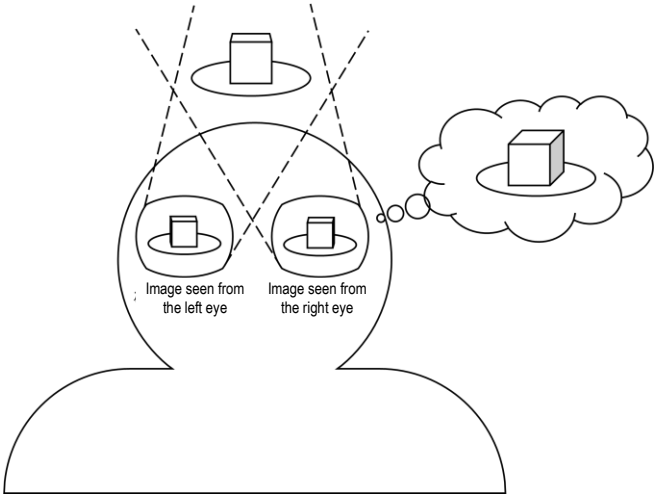
(iv) Drawings attached to the application

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.

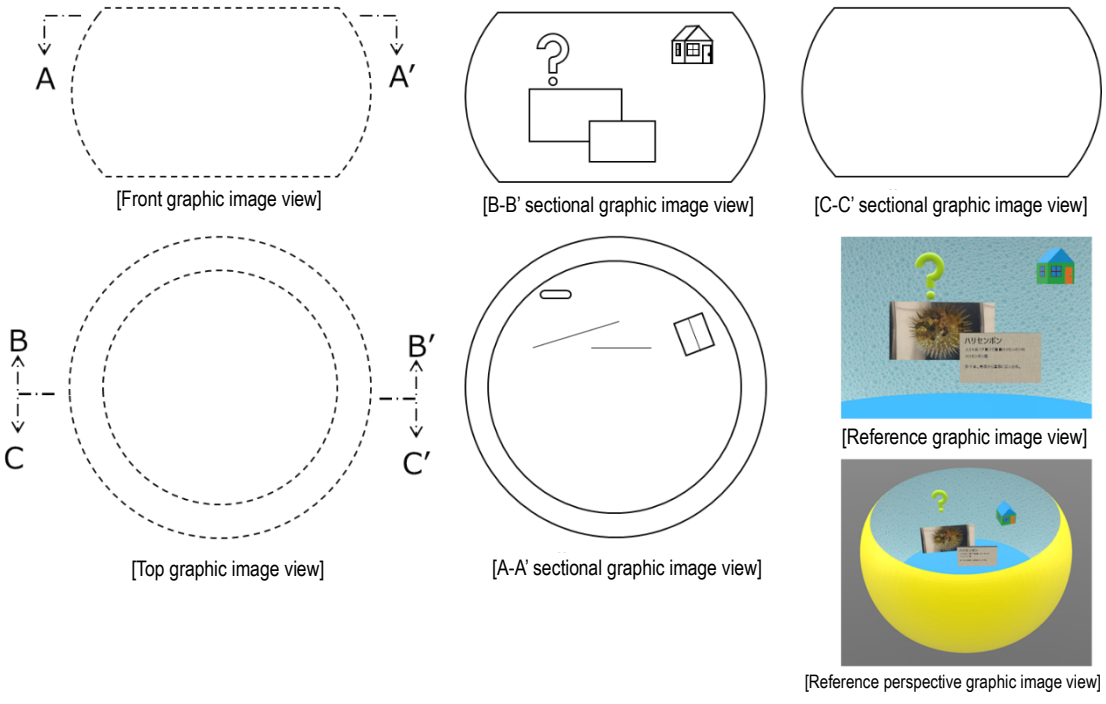
On the other hand, if the graphic image for which design registration is requested in a design including a graphic image on a part of an article, etc. is a VR graphic image, applicants depict it in the state actually displayed on the display part, and if necessary for understanding the design, depict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

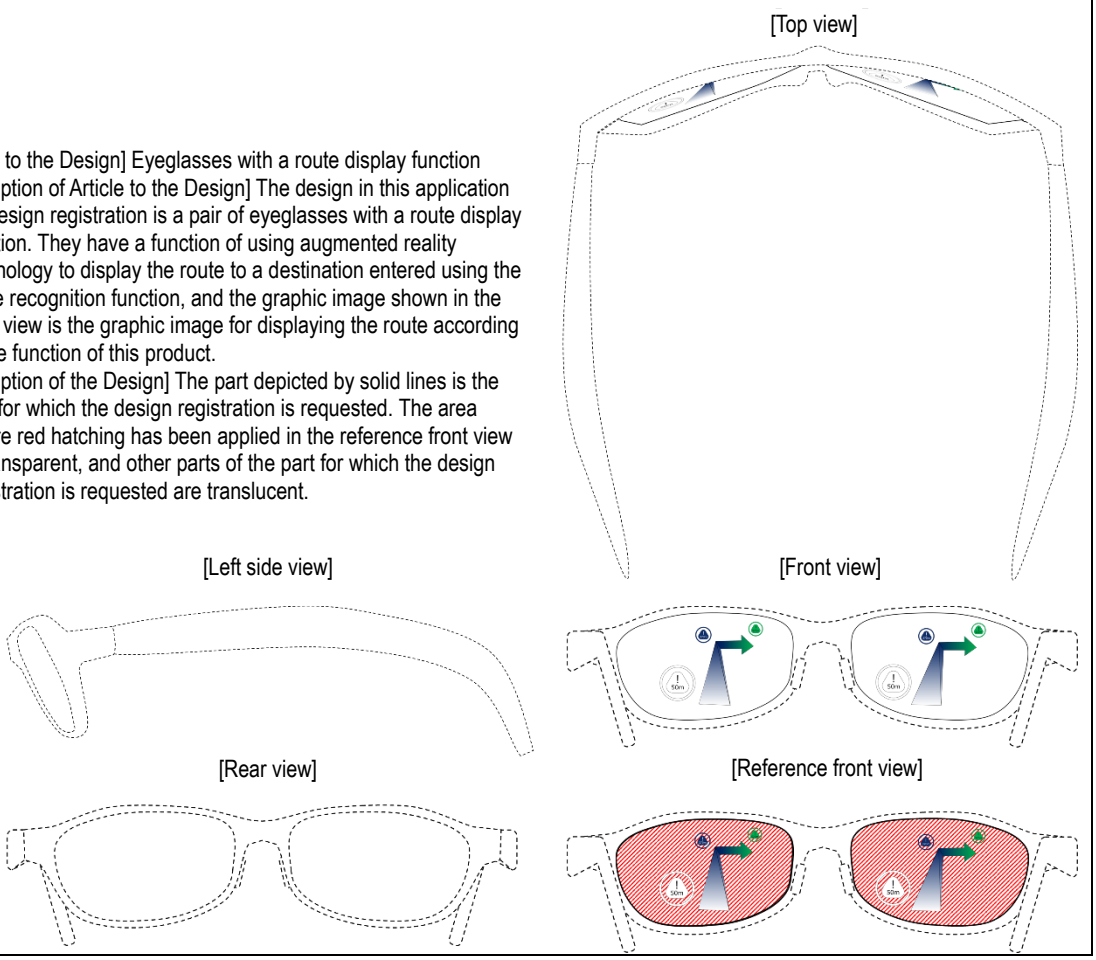


[Front graphic image view]
[B-B' sectional graphic image view]
[C-C' sectional graphic image view]
[Top graphic image view]
[A-A' sectional graphic image view]
[Reference graphic image view]
[Reference perspective graphic image view]

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

<Example of a design including a graphic image on a part of an article, etc. that displays a graphic image in augmented reality>

[Article to the Design] Eyeglasses with a route display function
[Description of Article to the Design] The design in this application for design registration is a pair of eyeglasses with a route display function. They have a function of using augmented reality technology to display the route to a destination entered using the voice recognition function, and the graphic image shown in the front view is the graphic image for displaying the route according to the function of this product.
[Description of the Design] The part depicted by solid lines is the part for which the design registration is requested. The area where red hatching has been applied in the reference front view is transparent, and other parts of the part for which the design registration is requested are translucent.



(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

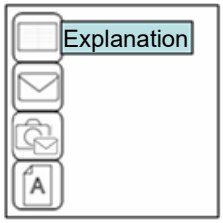
(vi) Development of an additional figure, etc.
Where a new figure, etc. appears within or disappears from the graphic image on a screen in conjunction with the operation (for example, development of a pull-down menu, sub-menu or sub-window, or appearance or disappearance of a pop-up indication in relation to an icon, etc.)

i. Where plural graphic images on a screen are found to be one design

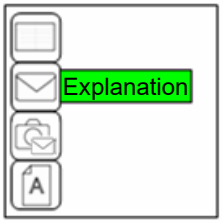
<Fig. 3.14-7> Example of movement of a figure, etc.

[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]

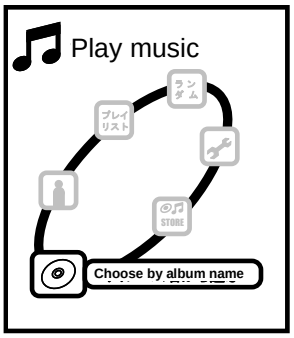


*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

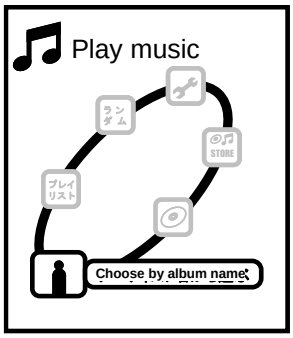
<Fig. 3.14-8> Example of rotation of a figure, etc.

[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]

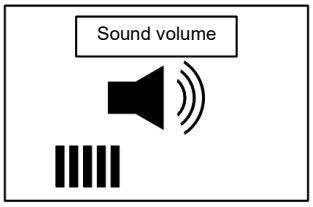


* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

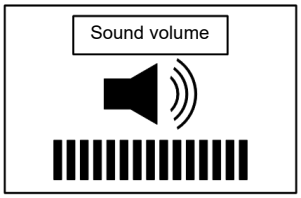
<Fig. 3.14-9> Example of an increase or decrease of the same figure, etc.

[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 controlling the sound volume. The level gauge changes in conjunction with the operation of the sound control dial, and the current sound volume level is indicated.

[Graphic image view]



[Graphic image view showing the state after the change]

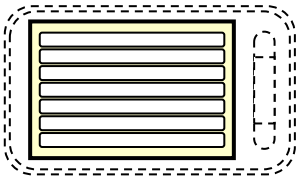


* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

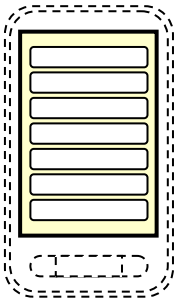
<Fig. 3.14-10> Example of a change of the layout within the graphic image on a screen

[Article to the Design] Mobile information terminal
[Description of Article to the Design]
The graphic image on a screen represented in the front view is the menu screen for selecting a specific function from among the multiple functions of the article. When the article is rotated 90 degrees, the layout of the icons is changed in the direction corresponding to the direction of the article, as shown in the graphic image represented in the front view showing the state after the change.

[Front view]



[Front view showing the state after the change]

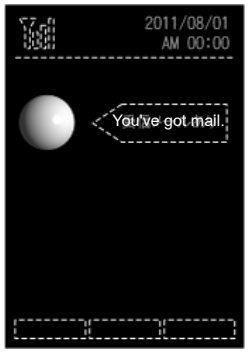


* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

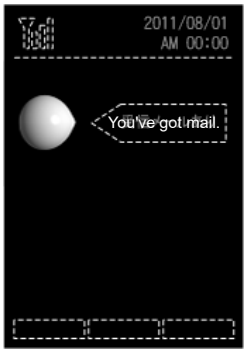
<Fig. 3.14-11> Example of a gradual change in the figure, etc. itself

[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.

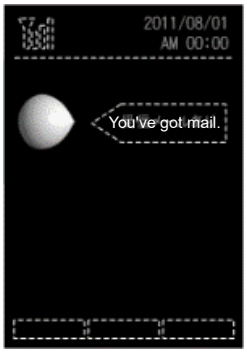
[Graphic image view 1]



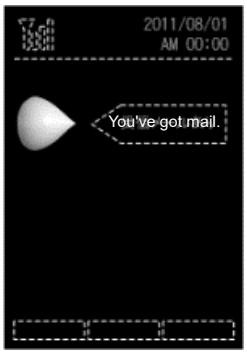
[Graphic image view 2]



[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.

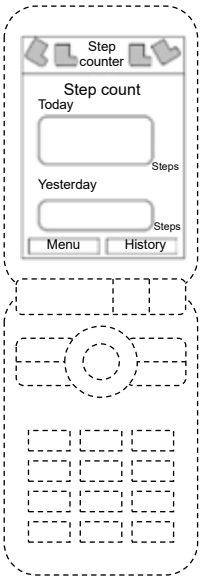
<Fig. 3.14-12> Example of continuous use of a common motif

[Article to the Design] Mobile phone

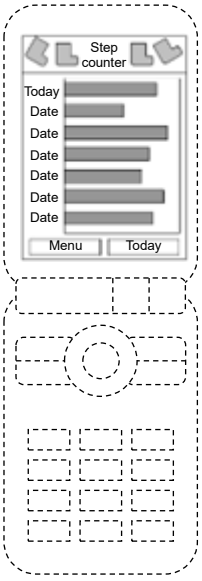
[Description of Article to the Design]

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].

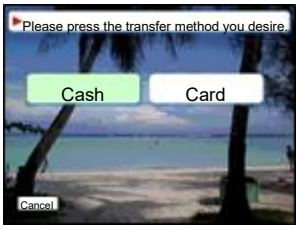
When making a transfer by cash, the graphic image on a screen makes a transition in sequence from [Enlarged View of the Display Part] to [Enlarged View of the Display Part Showing the State after the Change 3], [Enlarged View of the Display Part Showing the State after the Change 4], and [Enlarged View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

[Enlarged view of the display part]

[Enlarged view of the display part showing the state after the change 1]

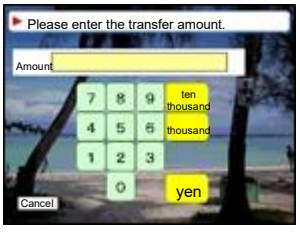
[Enlarged view of the display part showing the state after the change 2]

[Enlarged view of the display part showing the state after the change 3]



[Enlarged view of the display part showing the state after the change 4]

[Enlarged view of the display part showing the state after the change 5]



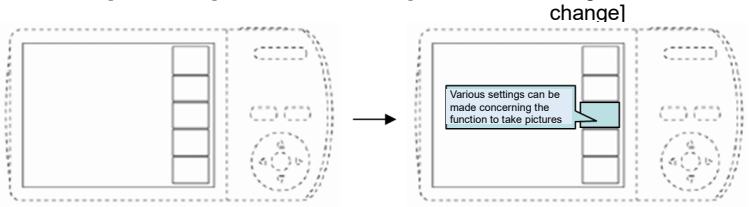
*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

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.

[Front view] [Front view showing the state after the change]



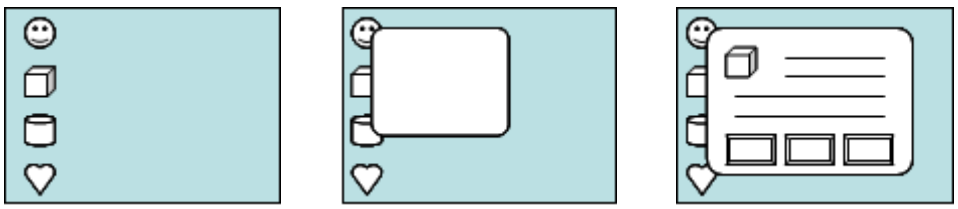
*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

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.

[Graphic image view 1] [Graphic image view 2] [Graphic image view 3]



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

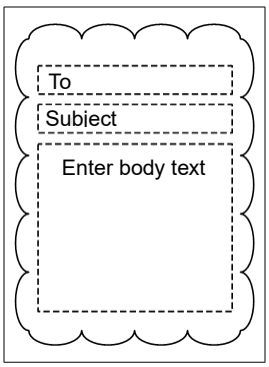
The graphic images are graphic images for operation used for the initial settings, and because the four icons in the far-left in the graphic image view 1 and the graphic image view 2 are in common, and the icons and the outer shapes of the pop-up windows in the graphic image view 2 and graphic image 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

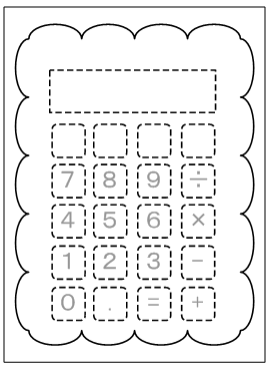
<Fig. 3.14-16> Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions

[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]



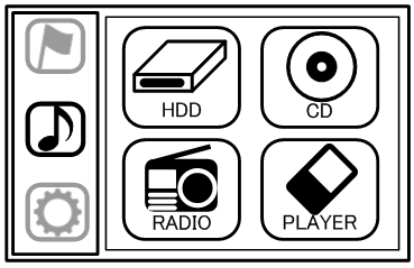
*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

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.

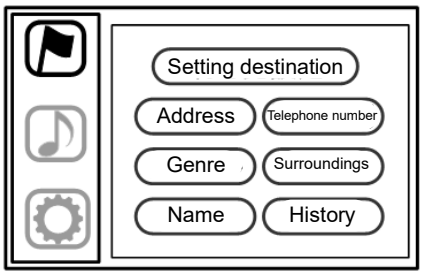
<Fig. 3.14-17> Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions

[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]



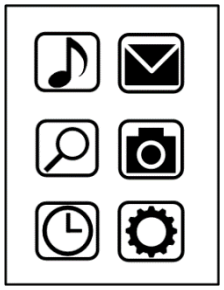
* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

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.

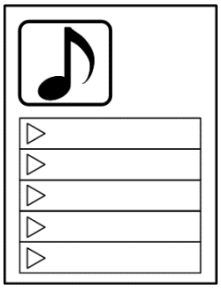
<Fig. 3.14-18> Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions

[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.

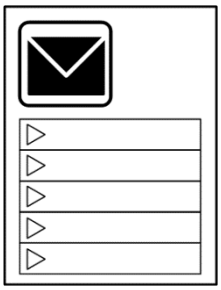
[Graphic image view]



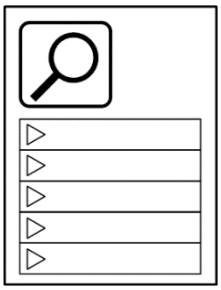
[Graphic image view showing the state after the change 1]



[Graphic image view showing the state after the change2]



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



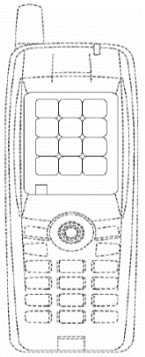
* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

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.

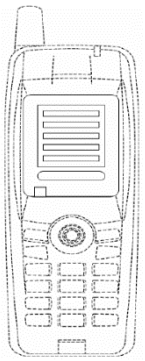
<Fig. 3.14-19> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

[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]

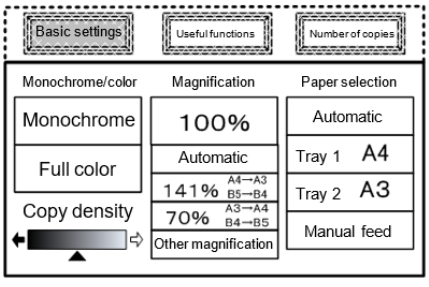


*For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

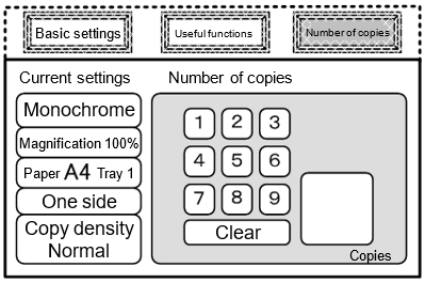
<Fig. 3.14-20> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

[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.

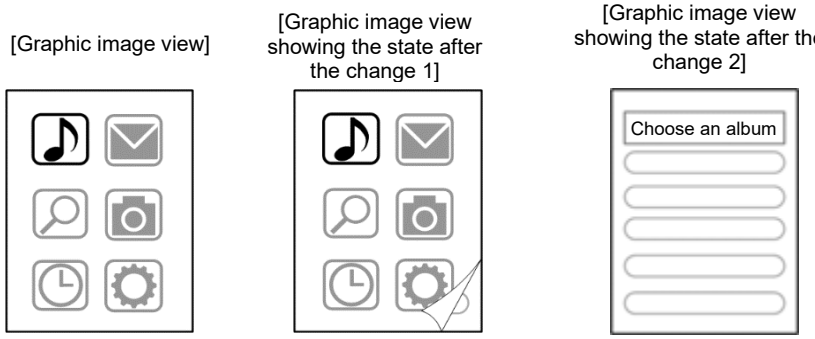
With regard to the part for which design registration is requested, the graphic images on a screen before and after the change have no common elements and lack coordination, and are found to have no relevance in form.

<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.



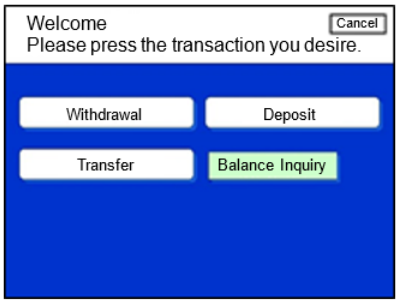
* For the convenience of explanation, some of the matters to be stated in the application and any other views are omitted.

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.

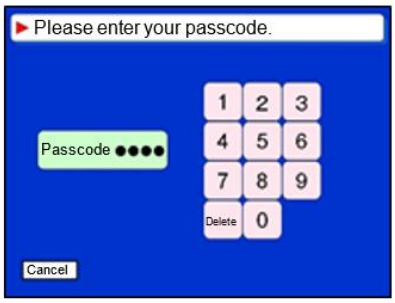
<Fig. 3.14-22> Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in shape, etc.

[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.

[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.

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>

[Graphic image view]

[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.

(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”).

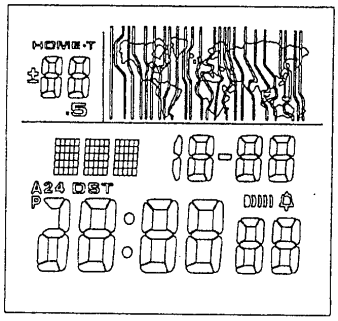
(iv) In cases where there are not only figurative segment parts, but also non-translucent figurative parts, etc. that are printed, etc., their distinction should be clearly indicated by “Reference View Indicating yy”.

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

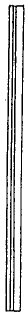
<Fig. 3.14-24> Example of views representing all segment parts
(All outlines of the figurative segment parts should be depicted by solid lines.)

[Article to the Design] Liquid crystal display panel for clocks
[Description of the Design] The lines indicating the standard times of locations around the world, the day of the week, the date, and the time are displayed.

[Front view]



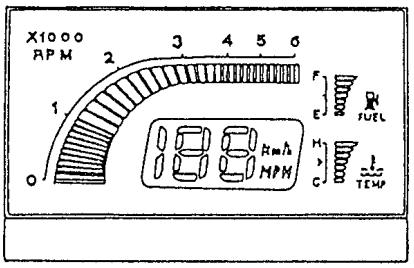
[Right side view]



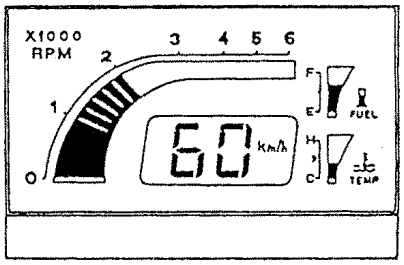
<Fig. 3.14-25> Example of a view with an additional reference view indicating the state of passage of electric current (Figures, etc. that appear in the state of passage of electric current should be represented in “Reference View Indicating the State of Passage of Electric Current”.)

[Article to the Design] Liquid crystal display panel for automobiles

[Front view]

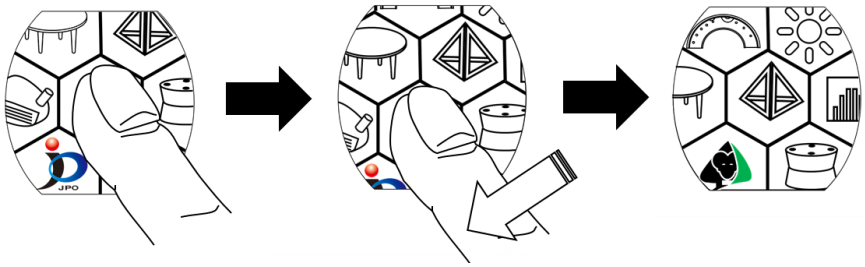


[Reference view indicating the state of passage of electric current]



(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.



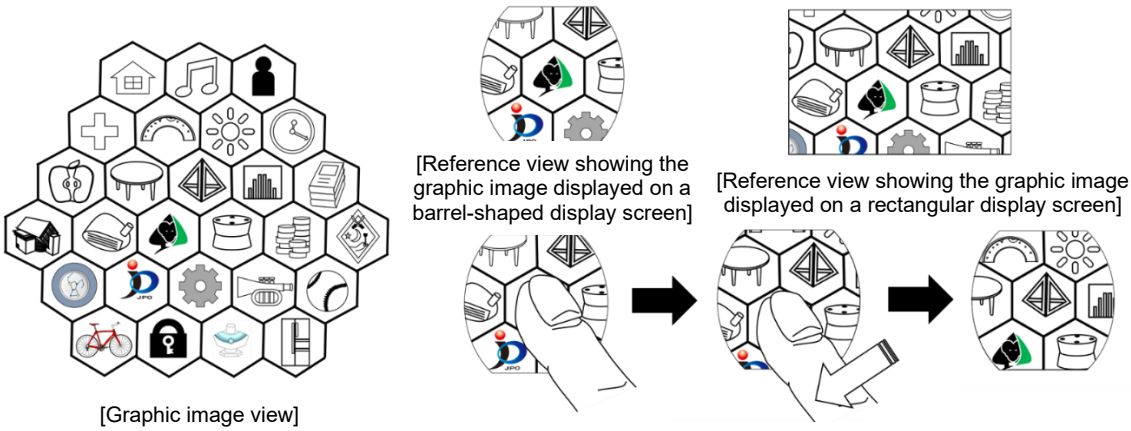
Example of a graphic image whose form changes in response to user operation

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.

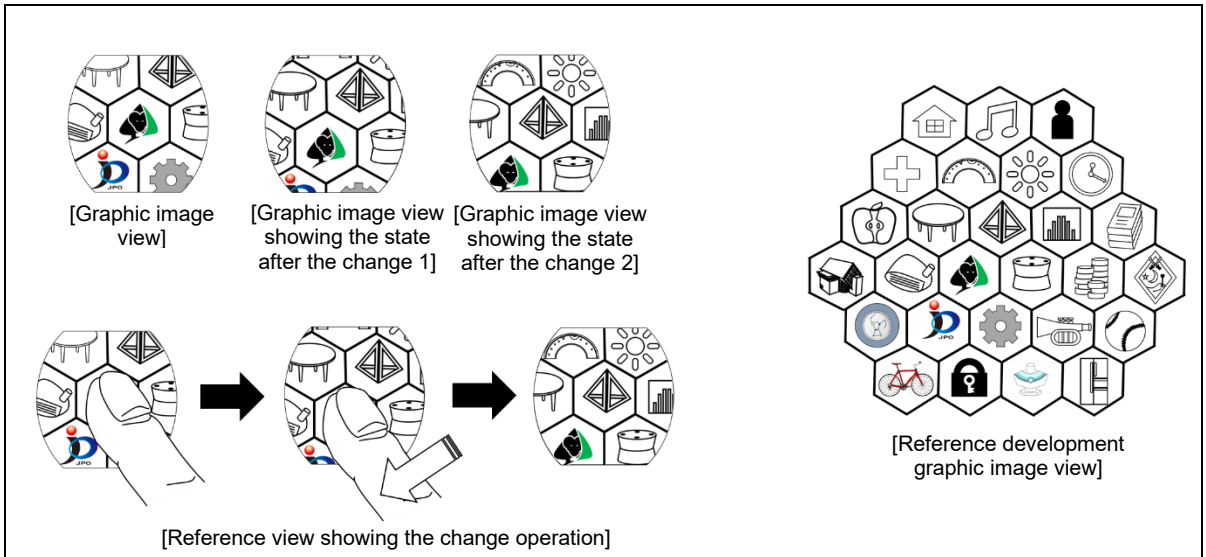
<Fig. 3.14-26> Example of statements and drawings showing the entire graphic image in the graphic image view



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



[Article to the Design] Graphic image for home menu
[Description of Article to the Design] In this graphic image, icons are arranged in a honeycomb pattern. Tapping each icon calls up the function associated with that icon.
[Description of the Design] As shown in graphic image view showing the state after the change 1, graphic image view showing the state after the change 2 and the reference view showing the change operation, the displayed icons can be changed by dragging the graphic image with a finger. Users can arbitrarily change the area to be dispalyed within the entire range represented in the development graphic image view.

15. Building Designs

By the 2019 revision of the Design Act, buildings were added to the definition of design (Article 2, paragraph (1) of the Design Act).

For subject matter for an application for design registration to constitute a “building” under the Design Act, it must comply with both requirements (i) and (ii) below.

(i) The subject matter is a fixture of land

(ii) The subject matter is an artificial structure (including a civil engineering structure)

The term “structure” in (ii) above is broader in meaning than the term defined in the Building Standards Act. It means objects that is constructed and includes civil engineering structures (Note) (for details, please see Part IV, Chapter 2 “Building Design,” 6.1.1.1 “Subject matter constitutes a building design under the Design Act” in the Examination Guidelines for Design).

Note: These definitions are based on the legal purpose of the Design Act, that is, objects of the creation of design should be broadly protected by the Design Act.

15.1 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.

If the subject matter of an application for building design falls under either of the following, it will be determined that it includes two or more designs and does not fall under an application for design registration filed for each design.

(i) If two or more usages of the building, usages of the graphic image, or articles are stated together in the column of “Article to the Design” in the application

However, if the building has multiple usages, and if “complex building,” for example, is stated in the column of “Article to the Design” and multiple specific usages are stated in the column of “Description of Article to the Design,” it will be determined to constitute an application for design registration filed for each design.

(ii) If two or more constituent objects are represented in the drawings, etc.

However, in any of the following cases, the applications for design registration will be determined to constitute applications filed for each design: where two or more constituent objects (buildings) are represented in the drawings, etc. and from a common sense perspective, all such constituent objects are essential for performing a specific single usage and function (for example: a movable bridge that separates at the center); where all of the constituent objects, have been created in an integrated manner, although their connection may not be strong, for example, all of them are given relevance in form with a consideration that they will be constructed in close proximity; and where, from a common sense perspective, all of the constituent objects could be used in an integrated manner (for example: school buildings and gymnasium).

On the other hand, if no connection for performing a specific single usage and function can be found, for example, a house and a radio tower, it will be determined that the filed design is for two or more buildings.

Furthermore, articles within the scope of appurtenances to the building, which, from a common sense perspective, are perpetually fixed to the building or land and which cannot be arbitrarily moved (wooden decks, gateposts, etc.), are treated as constituting a part of the building. In addition, natural objects within the scope of appurtenances to the building, such as plants and rocks, whose position cannot be changed due to being perpetually fixed to the building or land, for example, will also be determined to constitute a part of the building.

15.2 Points to be noted in making statements in the application

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

Applicants state the specific usage of the building in the column of “Article to the Design” in the application.

Even when filing an application for design registration for a building design, when making statements in the application, applicants use the column of “Article to the Design.”

(i) When filing an application for a building comprised of a single building (or a constituent object)

House, school building, gymnasium, office building, hotel, department store, hospital, museum, bridge, gas tank, etc.

(ii) When filing an application for a building comprised of multiple buildings (or constituent objects)

School, commercial buildings, etc.

(iii) When filing an application for a building with multiple usages

For buildings with multiple usages, such as a large-scale facility with tenants from various industries, as in the example below, applicants state “complex building” in the column of “Article to the Design” and describe the specific usages in the column of “Description of Article to the Design.”

Example: “Article to the Design” Complex building
“Description of Article to the Design” The lower floors of this building will be used for shops and the upper floors will be used for accommodation.

(iv) When requesting design registration for part of a building

Applicants state the usage of the building itself, not the usage of the part for which the design registration is requested.

For example, if requesting design registration for the bathroom of a house, applicants state “house,” not “bathroom.”

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

If usage of the building cannot be clarified by statements in the column of “Article to the Design” alone, applicants state the specific usage in the column of “Description of Article to the Design.”

(3) Statements in the column of “Description of the Design”

Points to be noted in making statements in the column of “Description of the Design” are as described in Part I, 1.3 “The column of “Description of Design”.”

For example, regarding building design with changing shape, pattern or colors, if the changing order or the changing mode is unclear from the drawings, etc. alone, applicants include an explanation of these in the column of “Description of the Design.”

15.3 Points to be noted in making statements in drawings, etc.

The basic method for depicting drawings is as described in Part I, 2. “Basics of the Depiction in Drawings.”

Following are points to be noted in making statements in drawings and examples of how to depict drawings, which are specific to building designs.

(1) Where a design registration for inside of a building is requested

If requesting design registration for part of the “inside” of a building, like a room, etc., the exterior of the building does not need to be disclosed, provided that there is no impediment to making a finding on the usage, function, and shape, etc. of the part for which the design registration is requested, and that the applicant considers that the position, size, and scope of the part are ordinary in the shape, etc. of the entire building.

If necessary, for example, if the applicant considers there is something unique about the position, size, and scope of the part for which the design registration is requested in relation to the entire building, the entire building may also be disclosed.

(2) Buildings comprised of multiple constituent objects

If design registration is being requested for a building comprised of multiple constituent objects as a single design, applicants disclose at least one drawing which clarifies their positional relationship.

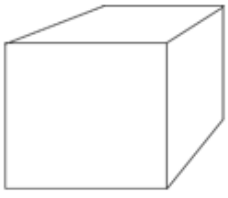
(3) Indication of view

As with an application for design registration for an article design, applicants state indications of view using “front view,” “rear view,” “left side view,” “right side view,” “top view,” “bottom view,” “sectional view of ○○,” “end elevational view of the ○○ cut part,” “enlarged view of ○○,” “perspective view,” etc. Indications of view used in architectural drawings may also be used, namely, “eastern elevation view,” “western elevation view,” “southern elevation view,” “northern elevation view,” “roof view,” “cross sectional view of ○○,” “longitudinal sectional view of ○○,” etc.

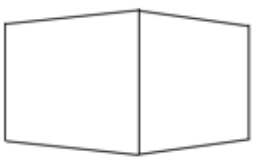
(4) Perspective drawing method

In addition to orthographic projection method, isometric drawing method (isometric projection method), axonometric drawing method, cabinet drawing method and cavalier drawing method, perspective drawing method may also be used.

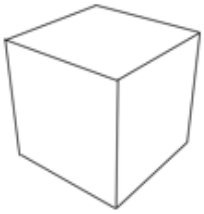
One-point perspective



Two-point perspective



Three-point perspective

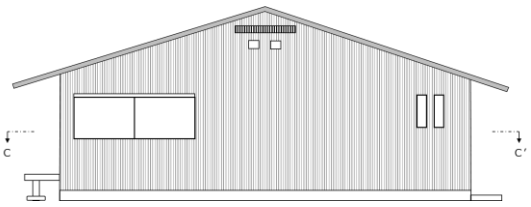


<Fig. 3.15-1> Example of statements and drawings using orthographic projection method

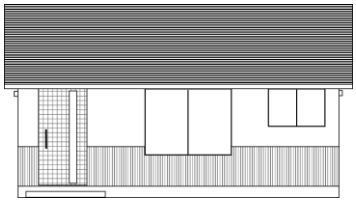
[Article to the Design] House

[Description of the Design] The windows represented in the front view, rear view, left side view and right side view are all transparent. The vertically oriented rectangular part of the entrance door represented in the right side view is translucent.

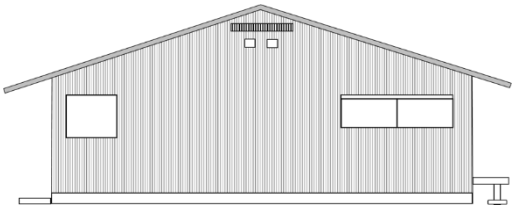
[Front view]



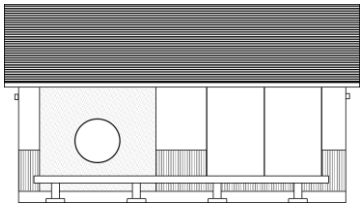
[Right side view]



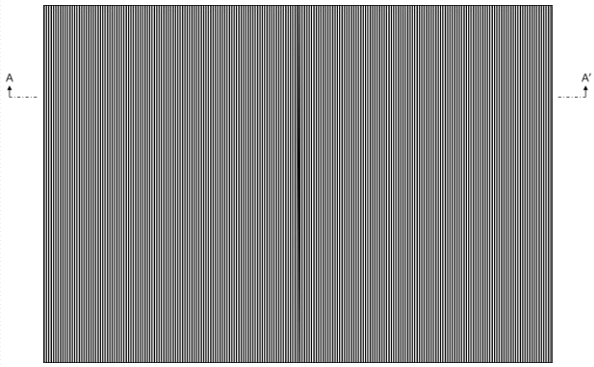
[Rear view]



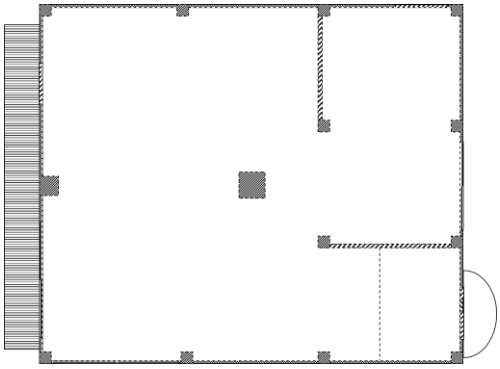
[Left side view]



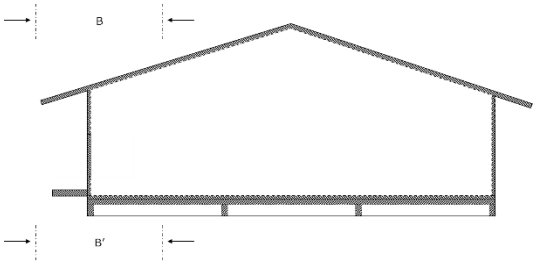
[Top view]



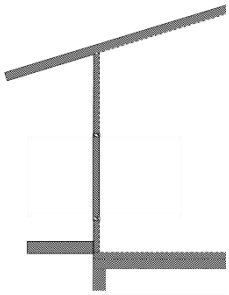
[C–C′ sectional view with the internal structure omitted]



[A–A′ sectional view with the internal structure omitted]



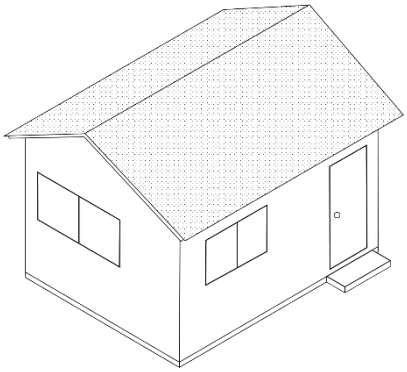
[B–B′ partial enlarged view]



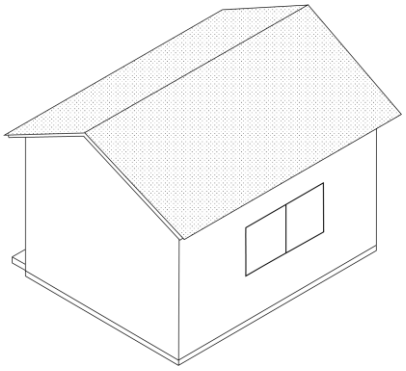
<Fig. 3.15-2> Example of statements and drawings using isometric drawing method (isometric projection method)

[Article to the Design] House

[View showing the front, top and left side]

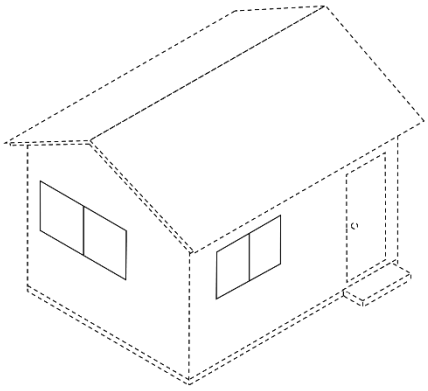


[View showing the rear, top and right side]

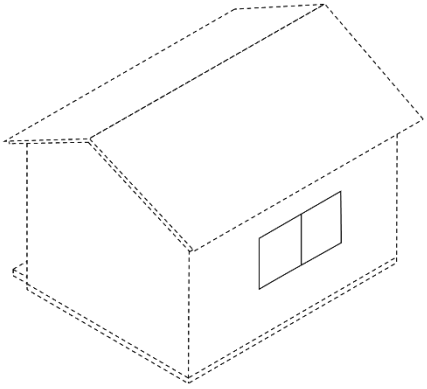


[Article to the Design] House
[Description of the Design] The part other than the part depicted by solid lines is the part for which the design registration is requested.
The windows are transparent.

[View showing the front, top and left side]

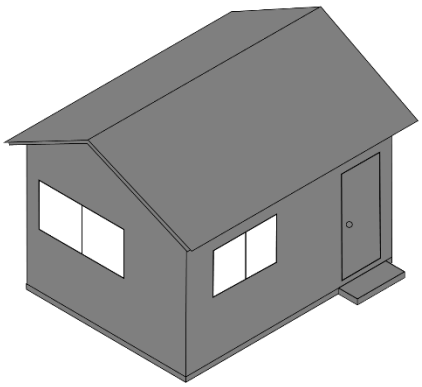


[View showing the rear, top and right side]

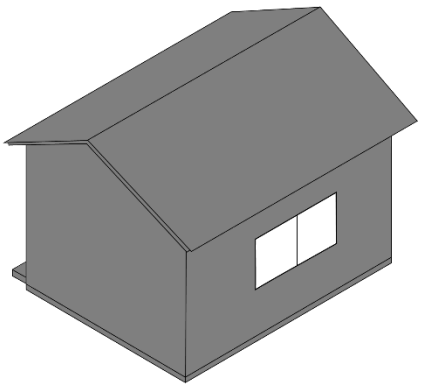


[Article to the Design] House
[Description of the Design] The part other than the part colored in gray is the part for which the design registration is requested.
The windows are translucent.

[View showing the front, top and left side]



[View showing the rear, top and right side]

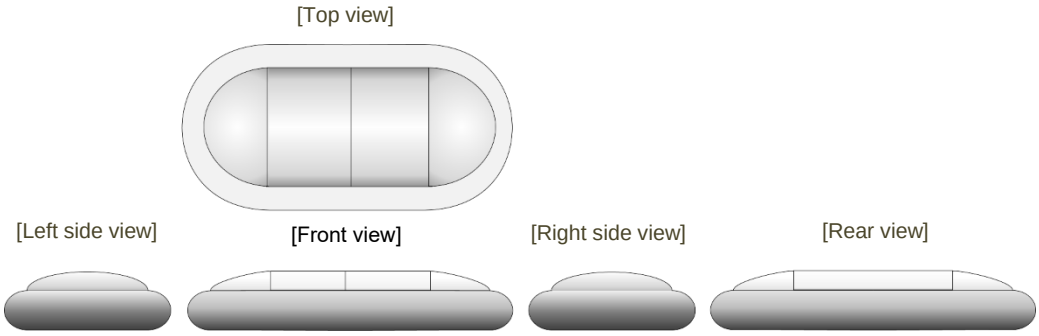


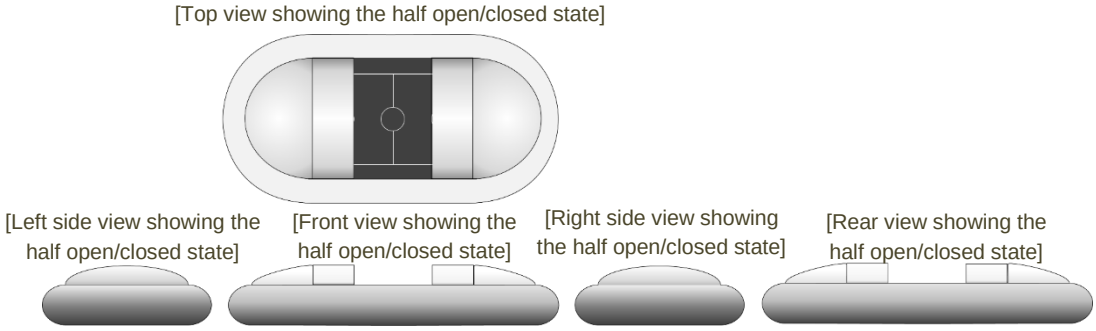
<Fig. 3.15-3> Example of statements and drawings in cases where shape changes

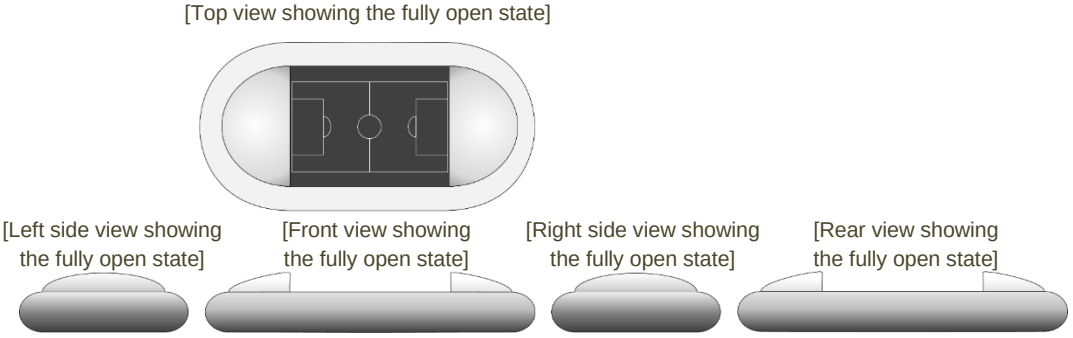
[Article to the Design] Sports stadium

[Description of Article to the Design] This building is a sports stadium used for sporting events, such as soccer, and music events, such as concerts. The roof on the sports stadium opens and closes according to weather conditions, etc.

[Description of the Design] The roof on the sports stadium is retractable. The five basic views show the roof in a closed state, the five half open/closed views show the roof in an opening or closing state, and the five fully open views show the roof in a completely open state. The sports stadium is approximately 60 meters in height, approximately 350 meters in length, and approximately 180 meters in width.







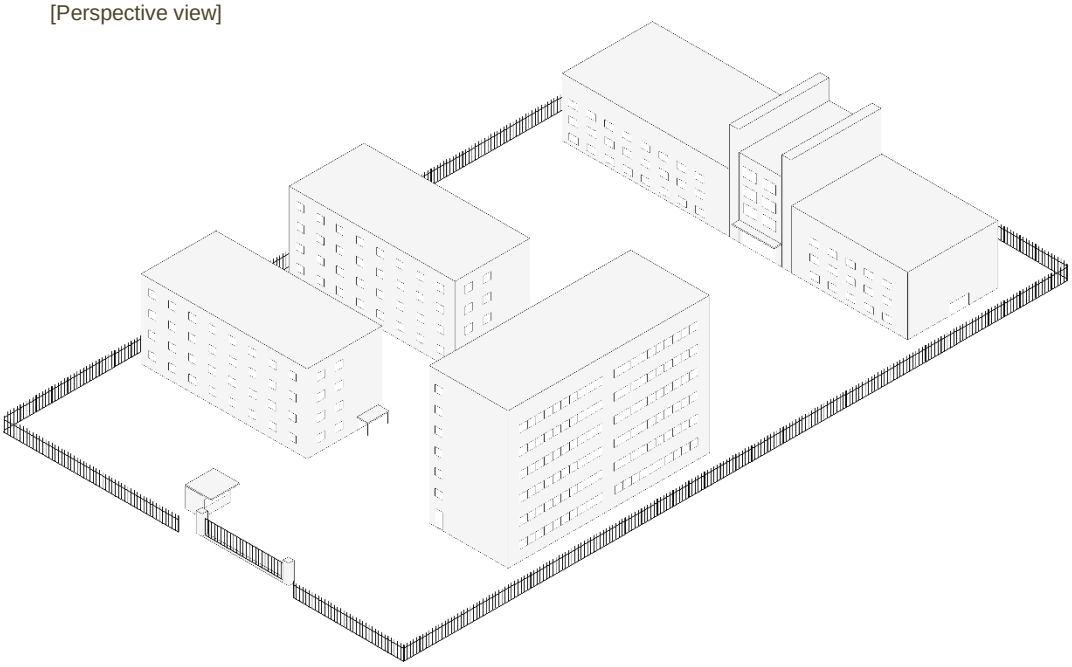
<Fig. 3.15-4> Example of statements and drawings representing multiple buildings

[Article to the Design] School

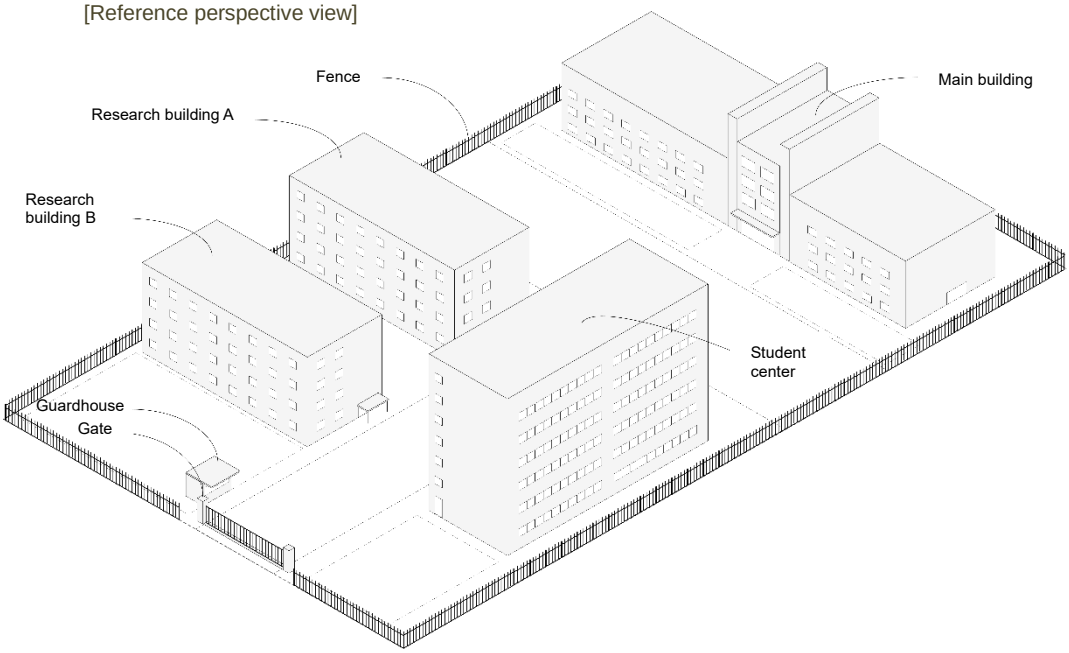
[Description of Article to the Design] The building is a school consisting of the main building, student center, research building A, research building B, guardhouse and other buildings, as shown in the reference perspective view.

[Description of the Design] The rectangular windows represented in each building are all transparent.

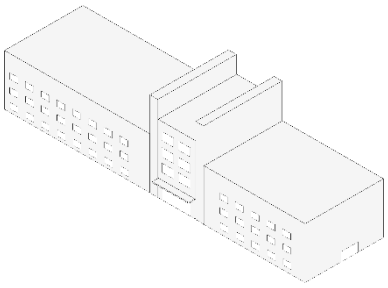
[Perspective view]



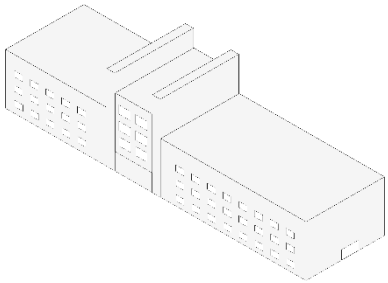
[Reference perspective view]



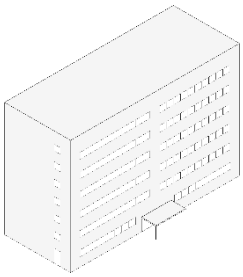
[Front perspective view of the main building]



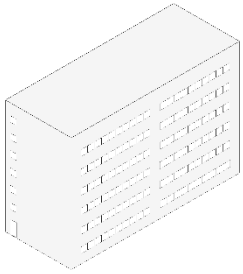
[Rear perspective view of the main building]



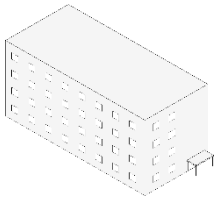
[Front perspective view of the student center]



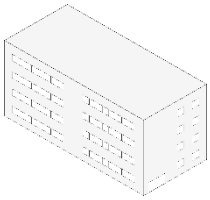
[Rear perspective view of the student center]



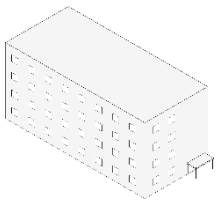
[Front perspective view of research building A]



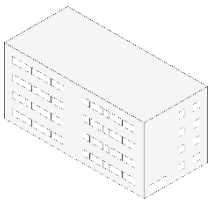
[Rear perspective view of research building A]



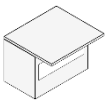
[Front perspective view of research building B]



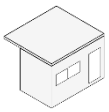
[Rear perspective view of research building B]



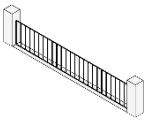
[Front perspective view of the guardhouse]



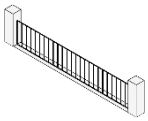
[Rear perspective view of the guardhouse]



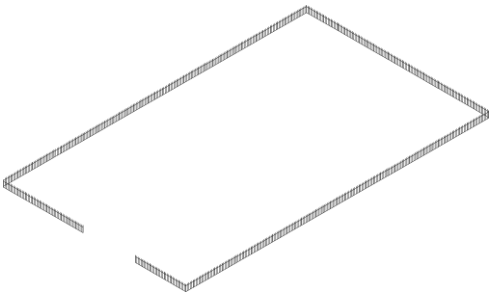
[Front perspective view of the gate]



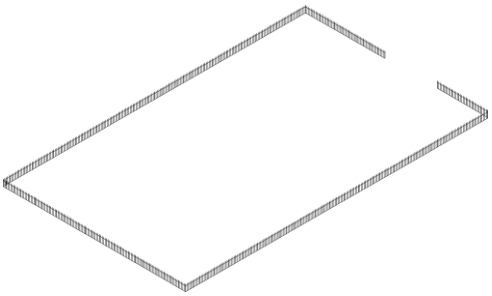
[Rear perspective view of the gate]



[Front perspective view of the fence]



[Rear perspective view of the fence]

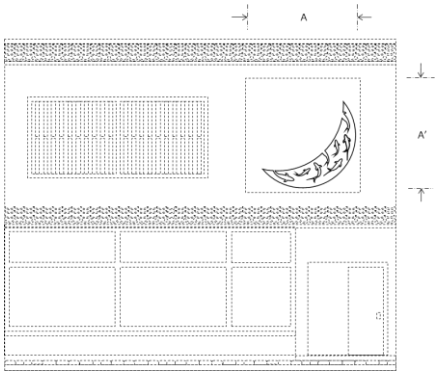


<Fig. 3.15-5> Example of statements and drawings in a case where the pattern changes due to lighting

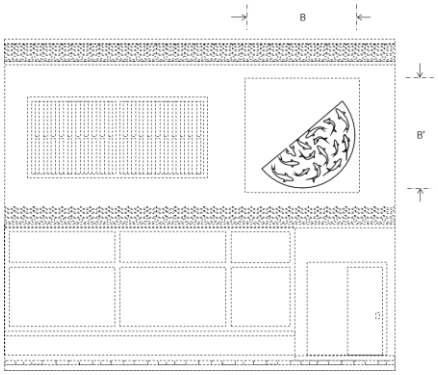
[Article to the Design] Restaurant

[Description of the Design] The part depicted by solid lines is the part for which the design registration is requested. The part for which the design registration is requested is the pattern that appears on an exterior wall caused by light irradiated from inside the restaurant. According to the number of tables occupied, the pattern changes from the front view to the front view showing the state after the change 1, to the front view showing the state after the change 2, and to the front view showing the state after the change 3. The front view showing the state after the change 3 illustrates the state when the restaurant is filled to capacity. The part for which the design registration is requested is flat, and as shown in the reference views representing the illuminated state, the fish-shaped parts remain shadows while the area around them is illuminated.

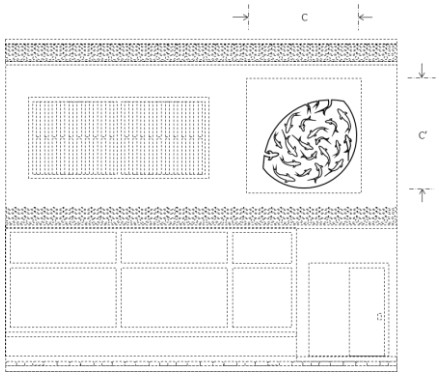
[Front view]



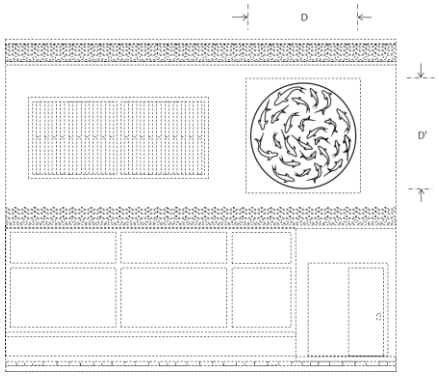
[Front view showing the state after the change 1]



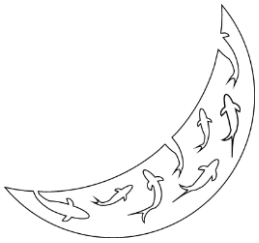
[Front view showing the state after the change 2]



[Front view showing the state after the change 3]



[A-A' enlarged view of a part]



[B-B' enlarged view of a part]

[C-C' enlarged view of a part]

[D-D' enlarged view of a part]

[A-A' enlarged reference view of a part showing the illuminated state]

[B-B′ enlarged reference view of a part showing the illuminated state]

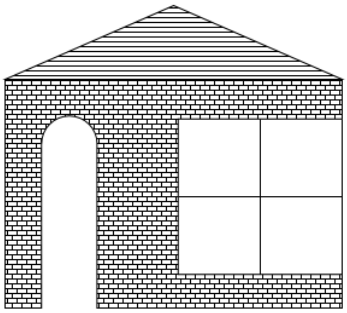
[C-C′ enlarged reference view of a part showing the illuminated state]

[D-D′ enlarged reference view of a part showing the illuminated state]

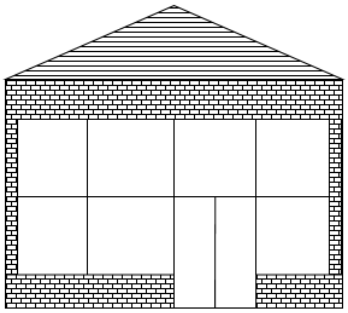
<Fig. 3.15-6> Example of statements and drawings for a set of buildings

[Article to the Design] A set of buildings
[Description of Article to the Design] These buildings are stores that could be used in an outlet mall, etc.
[Description of the Design] The windows of each store—store 1, store 2 and store 3—are all transparent.

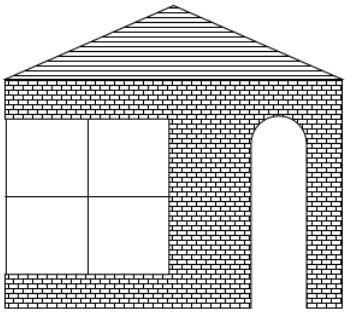
[Left side view of store 1]



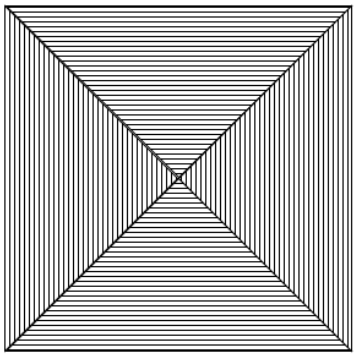
[Front view of store 1]



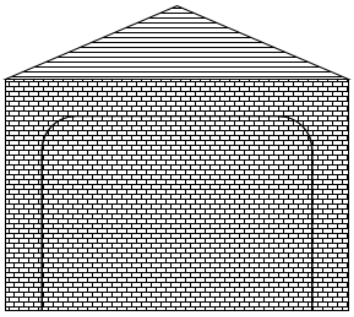
[Right side view of store 1]



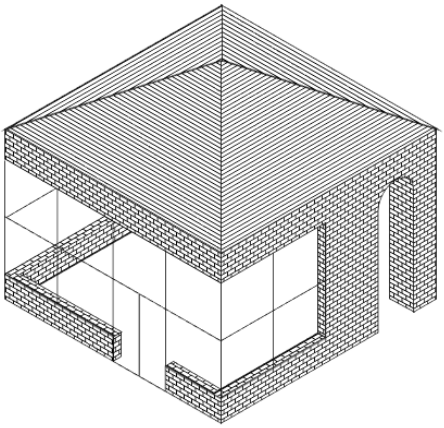
[Top view of store 1]



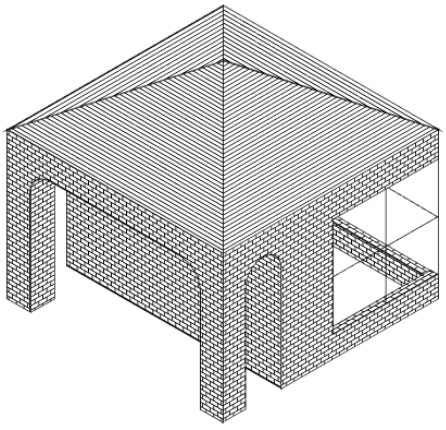
[Rear view of store 1]



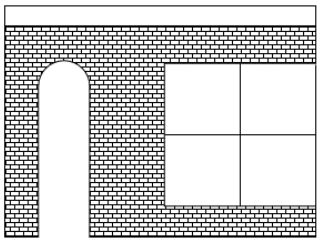
[Front perspective view of store 1]



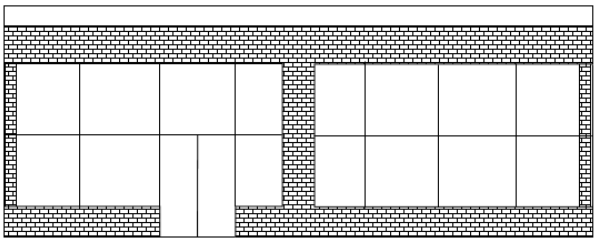
[Rear perspective view of store 1]



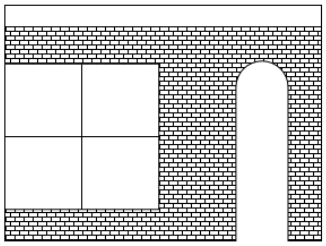
[Left side view of store 2]



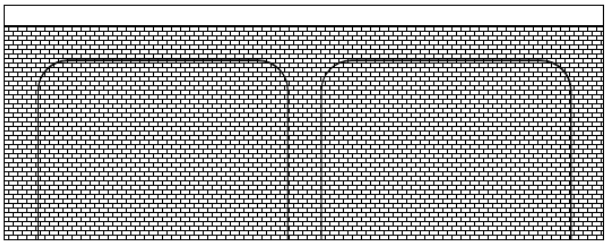
[Front view of store 2]



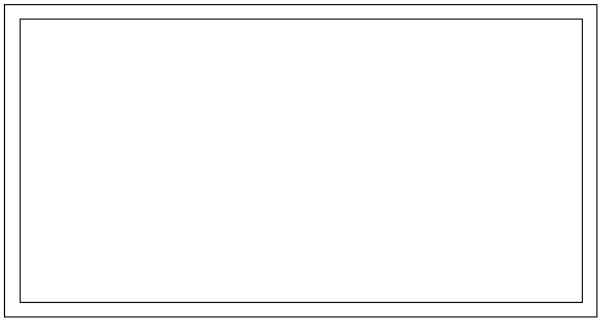
[Right side view of store 2]



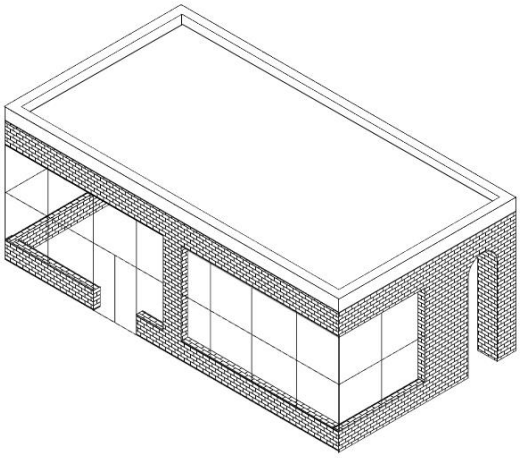
[Rear view of store 2]



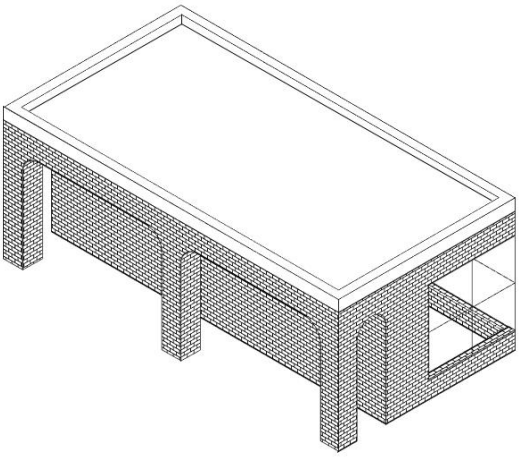
[Top view of store 2]



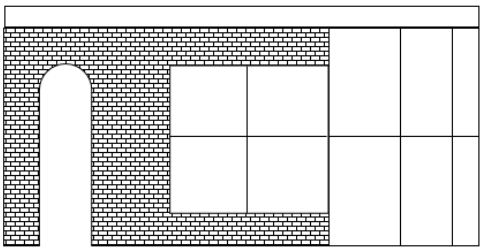
[Front perspective view of store 2]



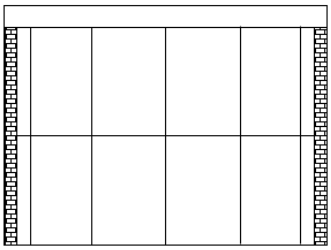
[Rear perspective view of store 2]



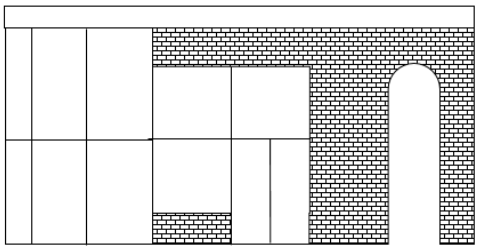
[Left side view of store 3]



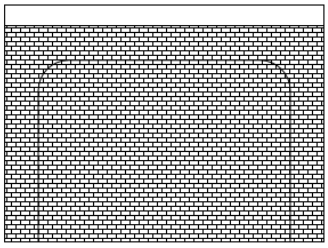
[Front view of store 3]



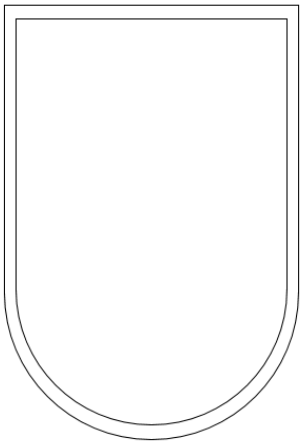
[Right side view of store 3]



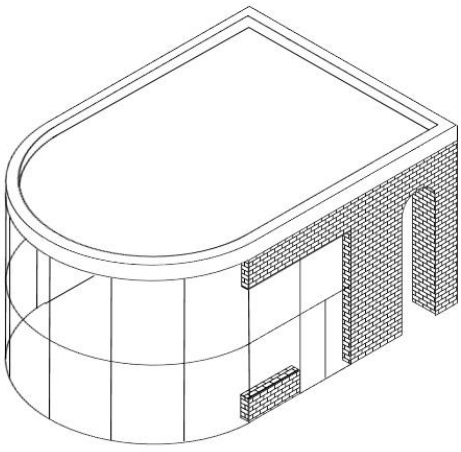
[Rear view of store 3]



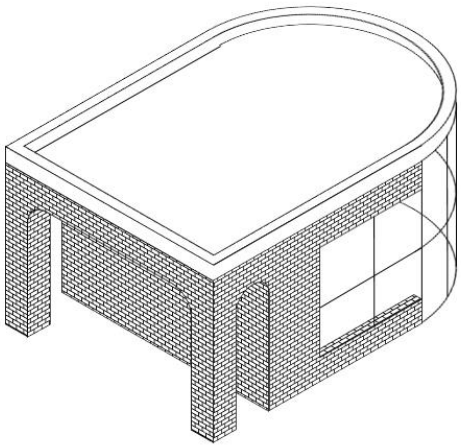
[Top view of store 3]



[Front perspective view of store 3]



[Rear perspective view of store 3]



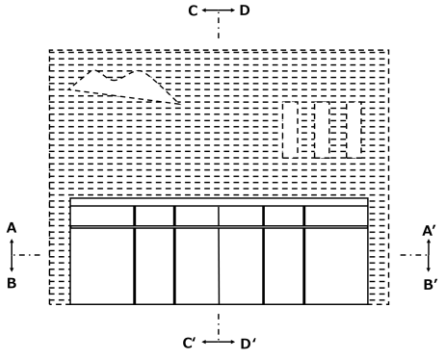
<Fig. 3.15-7> Example of statements and drawings where a design registration is requested for inside of a building

[Article to the Design] Store

[Description of Article to the Design] This store is a street-level store that sells accessories and miscellaneous goods.

[Description of the Design] The part depicted by solid lines is the part for which the design registration is requested. In the reference front view indicating the transparent part, the part colored in gray is transparent.

[Front view]

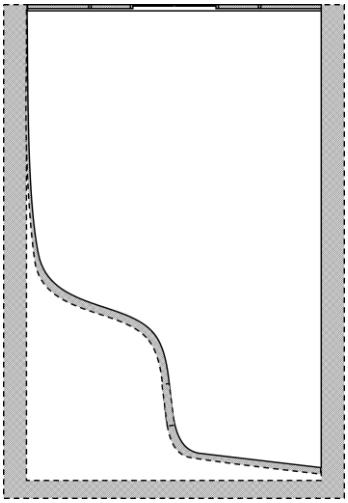


[Right side view]

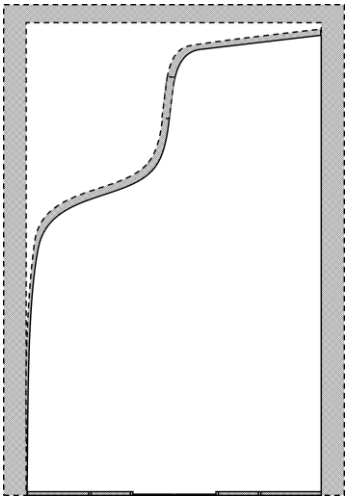
[Rear view]

[Left side view]

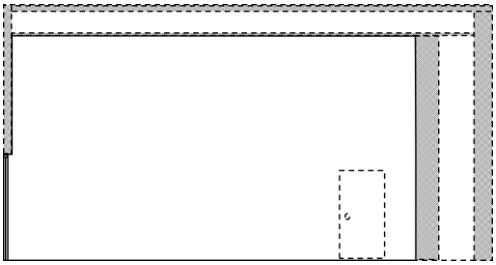
[A-A' sectional view]



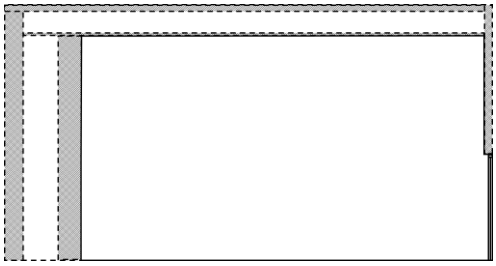
[B-B' sectional view]



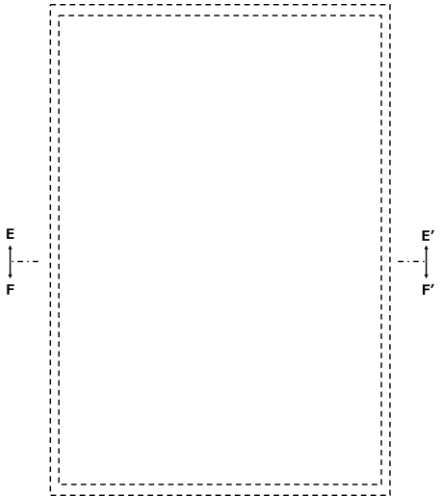
[C-C' sectional view]



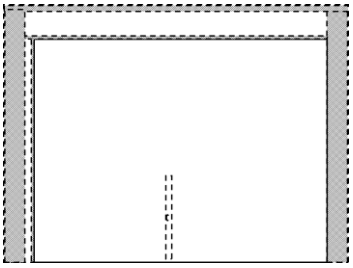
[D-D' sectional view]



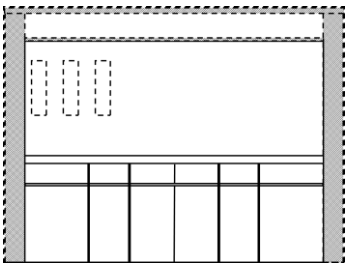
[Top view]



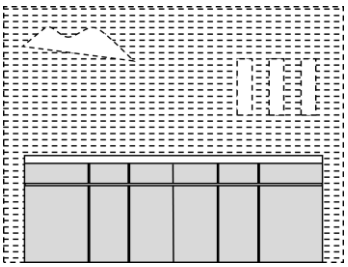
[E-E' sectional view]



[F-F' sectional view]



[Reference front view indicating the transparent part]

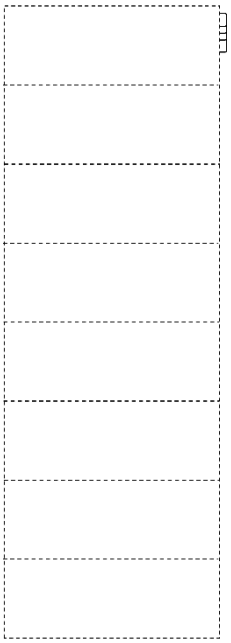


<Fig. 3.15-8> Example of statements and drawings using an enlarged view of the part

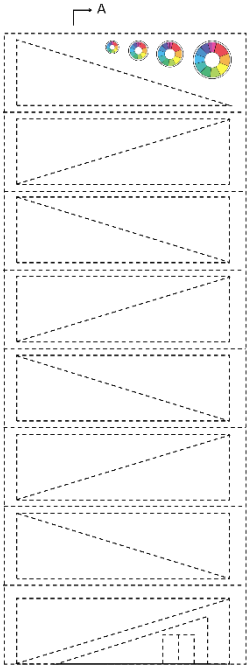
[Article to the Design] Office building

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

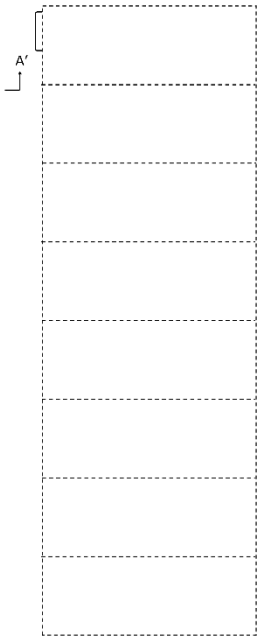
[Left side view]



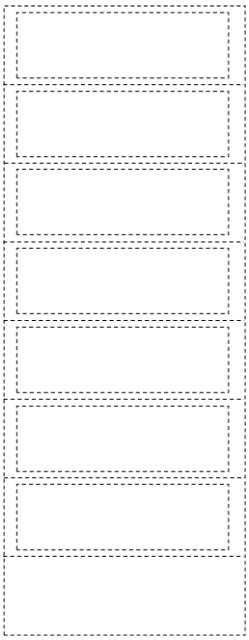
[Front view]



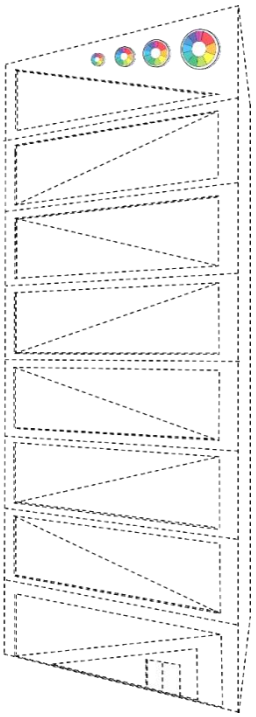
[Right side view]



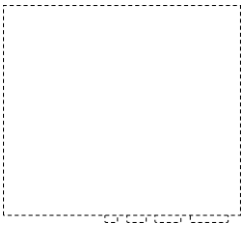
[Rear view]



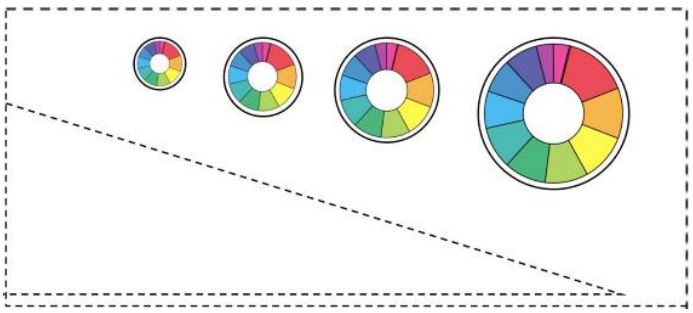
[Perspective view]



[Top view]



[A-A' enlarged view of a part]



<Fig. 3.15-9> Example of statements and drawings where the exterior of the building is not disclosed

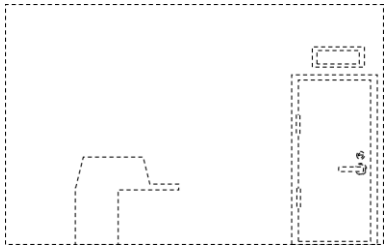
[Article to the Design] Office building

[Description of Article to the Design] The design represented in the drawings is for a control room in an office building, and is used for controlling security, air conditioning, lighting, etc. inside the building. The graphic image shown on the part for which the design registration is requested is a graphic image for controlling the operation status of the elevator. It can be used for confirming the operation status of the elevator and for setting which floors the elevator stops on. The operation status of the parking area and video feeds from security cameras at key locations are also shown in the graphic image.

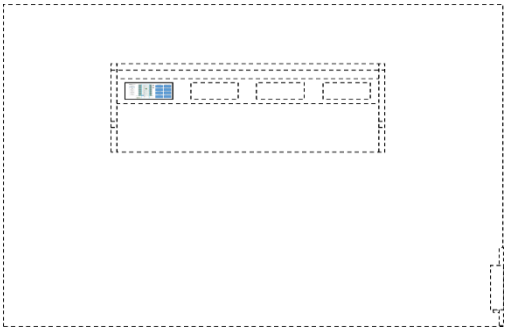
[Description of the Design] The part depicted by solid lines is the part for which the design registration is requested. The enlarged view of the graphic image part shows an enlargement of the graphic image displayed on the part for which the design registration is requested. The design in this application for design registration is for the interior of a room, the location of which within the building is not specified. In the front view, right side view, left side view and rear view, the interior of the room is shown without the wall on the opposite side in order to show the internal shape, etc. In addition, in the top view, the interior of the room is shown without the ceiling in order to show the internal shape, etc.

[Front view]

[Left side view]

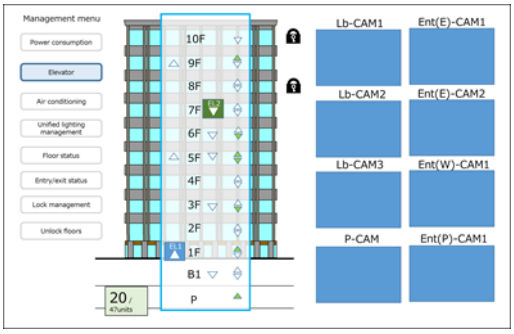


[Top view]



[Right side view]

[Graphic image enlarged view of a part]



[Rear view]

16. Designs for a Set of Articles

By the 2019 revision of the Design Act, not only articles, but also buildings and graphic images, which became subject to protection under the Design Act, can now be included in designs for a set of articles. In addition, where a design registration for part of an article, etc. is requested, it can now also be requested as a design for a set of articles.

Therefore, if two or more articles, buildings or graphic images that are used together are coordinated as a whole, an application for the two or more articles, buildings or graphic images may be filed as a “design for a set of articles.”

In addition, where a design registration is requested for two or more parts of articles, buildings or graphic images, the application may be filed as a “design for a set of articles” if all the parts of the constituent articles, buildings or graphic images for which the design registration is requested have a sense of unity.

Case example: A set of furniture

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

16.1 Points to be noted in making statements in the application

In the column of “Article to the Design,” applicants state any of the articles, etc. listed in the Appended Table of the Ordinance for Enforcement of the Design Act (Reference 1).

The same rules as in ordinary applications for design registration apply when making statements in “Description of Article to the Design” and “Description of the Design.”

In the case of a building that is a combination of multiple buildings, or in the case of a design for a set of articles that is a combination of a building and an article and/or graphic image, applicants state “a set of buildings” in the column of “Article to the Design.” In the case of a design for a set of articles that is a combination of an article and a graphic image, in the column of “Article to the Design,” applicants state the set of articles in the Appended Table which corresponds to the article. In the case of a design for a set of articles that is a combination of multiple graphic images, applicants state “a set of graphic images” in the column of “Article to the Design” (Reference 2).

(Reference 1)
The Ordinance for Enforcement of the Design Act, Appended Table (Re: Article 8)

1	A set of Processed Foods	23	A set of Athletic Implements
2	A set of Tobacco or other similar articles (including related items)	24	A set of Musical Instruments
3	A set of Clothing	25	A set of Instructional Instruments
4	A set of Personal Belongings	26	A set of Office Equipment
5	A set of Instruments for Beauty Treatment	27	A set of Merchandising Equipment (including Packaging Supplies, Advertising Apparatus or Display Racks etc.)
6	A set of Textiles for Interior Decoration	28	A set of Conveying Equipment
7	A set of Interior Ornaments	29	A set of Transportation Equipment
8	A set of Cleaning Appliances	30	A set of Electronic Appliances or Devices
9	A set of Laundry Appliances	31	A set of Information Processing Appliances
10	A set of Health and Hygiene Articles	32	A set of Measuring Equipment
11	A set of Tableware (Not including a set of Cutlery (Cl.13))	33	A set of Optical Equipment
12	A set of Cooking Articles	34	A set of Office Equipment
13	A set of Cutlery	35	A set of Merchandising Machinery
14	A set of Ceremonial Articles	36	A set of Security Equipment
15	A set of Lighting Apparatus	37	A set of Medical Equipment
16	A set of Air Conditioning Equipment	38	A set of Desktop Instruments or Industrial Tools
17	A set of Kitchen Equipment	39	A set of Industrial Machinery
18	A set of Sanitary Equipment	40	A set of Construction Equipment
19	A set of Storage Articles	41	A set of General Purpose Components or Materials
20	A set of Furniture	42	A set of Buildings
21	A set of Pet Articles	43	A set of Graphic Images
22	A set of Amusement and Entertainment Articles		

Notes

1. Where filing an application for design registration with regard to a set of articles that includes (a) building(s), “A set of Buildings” must be stated in the column of “Article to the Design” of the application.

2. Where filing an application for design registration with regard to a set of articles that includes both (an) article(s) and (a) graphic image(s), the name of the set of articles to which the article(s) belongs must be stated in the column of “Article to the Design” of the application

(Reference 2) Method for selecting the design for a set of articles to include in the column of “Article to the Design”

	Article	Building	Graphic image
Article	A set of ○○ (select from Appended Table 2, prioritizing the main article)		
Building	A set of buildings (prioritize the building)	A set of buildings	
Graphic image	A set of ○○ (select from Appended Table 2, prioritizing the article)	A set of buildings (prioritize the building)	A set of graphic images

16.2 Points to be noted in making statements in drawings, etc.

(1) How to depict drawings, etc.

(i) If the design for a set of articles can be sufficiently represented by showing the individual shapes, etc. of each article, etc. constituting the set of articles, applicants prepare the six views, etc. for each article, etc. constituting the set of articles.

(ii) If the “design for a set of articles” shows a sense of unity when all articles, etc. are combined, in addition to preparing the six views, etc. for 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.

(2) Indication of view

(i) As for indications of view indicating each constituent article, etc., applicants prepare indications of view (“front view of ○○,” “rear view of ○○,” etc.) showing the name of the depicted constituent articles or the usage of the buildings or graphic images (see Part I, Chapter 1, 1.1 (1) “The article to the design, the usage of the building or graphic image to the design”).

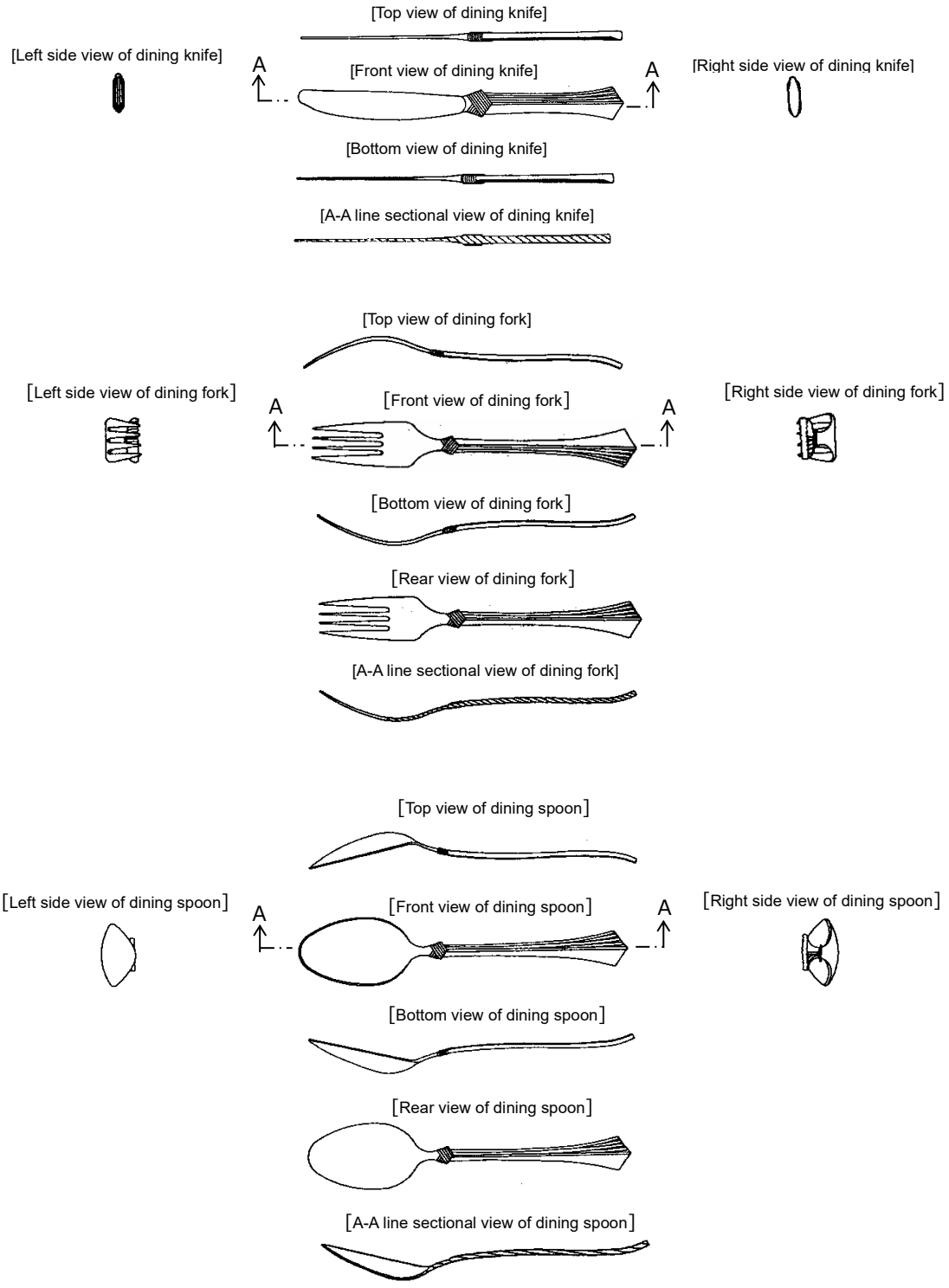
(ii) If articles, etc. to the design of constituent articles, etc. are the same, applicants prepare indications of view in such a way that there is no duplication (e.g. “front view of chair 1” and “front view of chair 2”).

(iii) When preparing indications of view if a sense of unity is shown when all articles, etc. are combined, applicants state the “set of six views” for the combined state as “front view,” “rear view,” etc., and for each constituent article, etc., state as “front view of ○○,” etc.

<Fig. 3.16-1> Example of statements in drawings depicting only the shape, etc. of each article that constitutes a set of articles

[Article to the design] A set of Cutlery

[Description of the Design] The rear view of dining knives and the front view of dining knives are mirror images to each other.

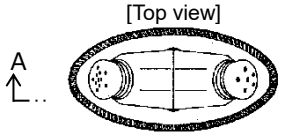


<Fig. 3.16-2> Example of statements in drawings when the shape, etc. in the combined state must also be depicted

[Article to the Design] A set of Tableware

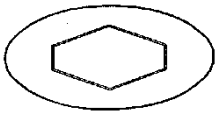
[Description of the Design] This article concerns a set of spice containers, in which a pepper dredger and a salt dredger are placed on a plate, facing each other obliquely. The bottom view of the plate and the top view of the plate are identical to each other.

[Top view]



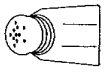
[Left side view] [Front view] [Right side view] [Rear view]

[Bottom view]



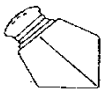
[A-A line sectional view]

[Top view of the salt dredger]

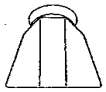


[Left side view of the salt dredger]

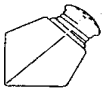
[Front view of the salt dredger]



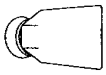
[Right side view of the salt dredger]



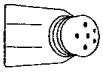
[Rear view of the salt dredger]



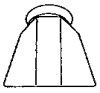
[Bottom view of the salt dredger]



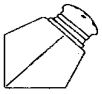
[Top view of the pepper dredger]



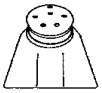
[Left side view of the pepper dredger]



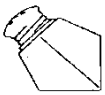
[Front view of the pepper dredger]



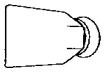
[Right side view of the pepper dredger]



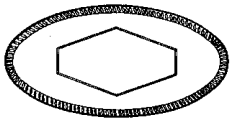
[Rear view of the pepper dredger]



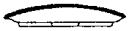
[Bottom view of the pepper dredger]



[Top view of the plate]

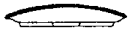


[Left side view of the plate]



[Front view of the plate]

[Right side view of the plate]



[Rear view of the plate]

17. Interior Designs

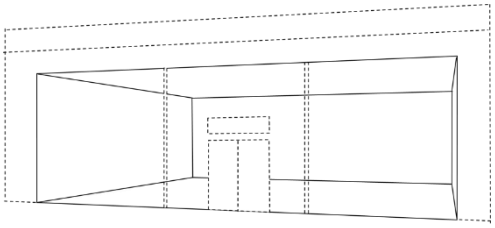
Where designs for articles, buildings or graphic images that constitute equipment and decorations inside a store, office and other facilities (hereinafter referred to as “interior”) create a coordinated aesthetic impression as a whole interior, an application for design registration may be filed as one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

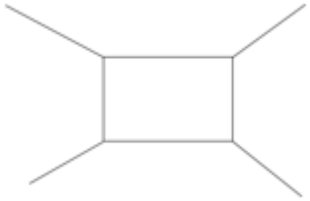
Interior design is a provision established to protect aesthetic impression that includes the arrangement of multiple articles, etc., while allowing them to be registered as a single design. For this reason, drawings, etc. show the state in which articles, etc. that constitute the interior design are 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.

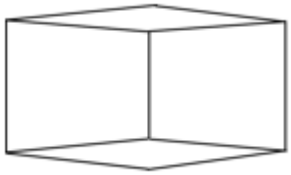
Perspective drawing method may also be used to represent the design.

Examples of perspective drawing method

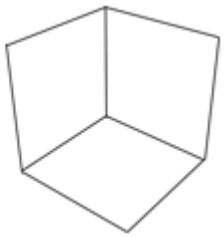
One-point perspective



Two-point perspective



Three-point perspective

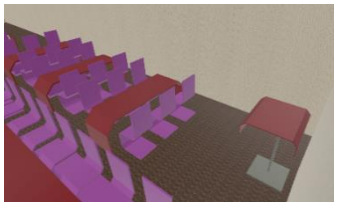


<Fig. 3.17-1> Example of statements and drawings using perspective drawing method

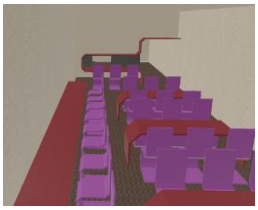
[Article to the Design] Interior for a restaurant
[Description of Article to the Design] This restaurant consists of a dining space and a kitchen, with a partially open partition built between them.
[Description of the Design] The arrows in the reference top view indicate the position and direction of 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]

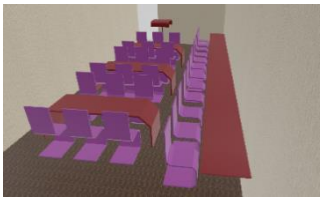
[Perspective view 2]



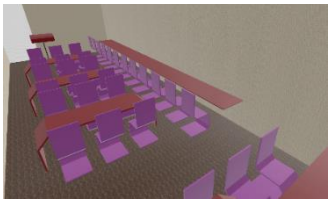
[Perspective view 3]



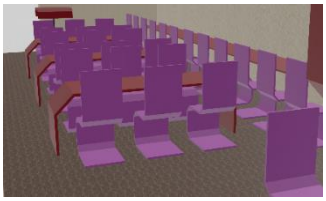
[Perspective view 4]



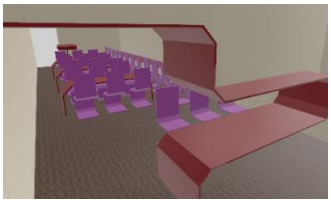
[Perspective view 5]



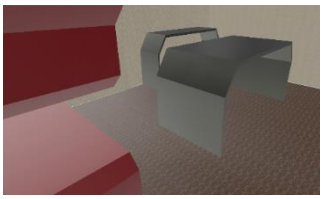
[Perspective view 6]



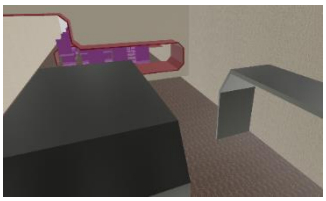
[Perspective view 7]



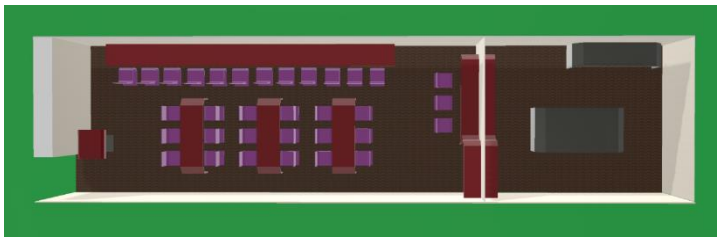
[Perspective view 8]



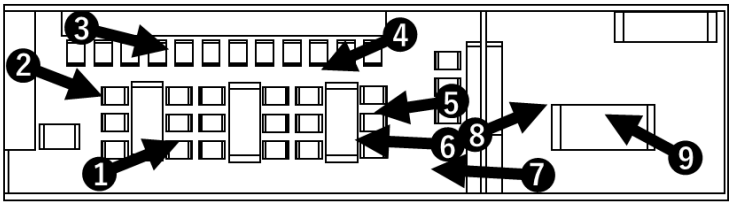
[Perspective view 9]



[Top view]



[Reference top view]



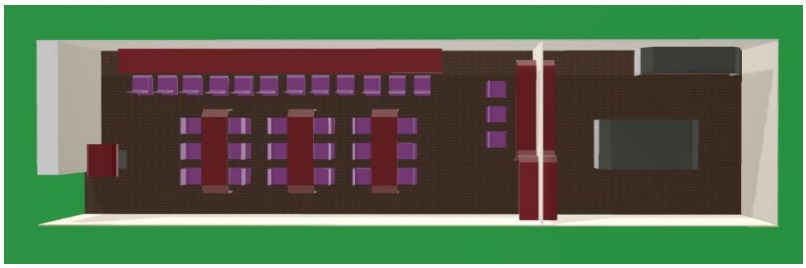
<Fig. 3.17-2> Example of a representation with the front wall and ceiling omitted

[Article to the Design] Interior of a restaurant

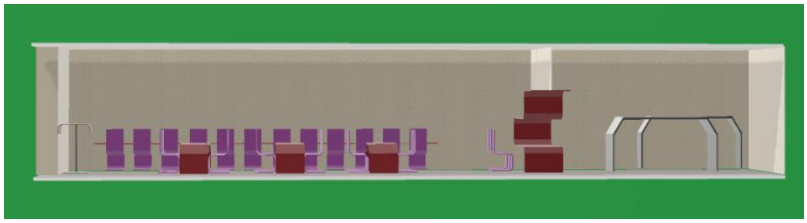
[Description of Article to the Design] This restaurant consists of a dining space and a kitchen, with a partially open partition built between them.

[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.

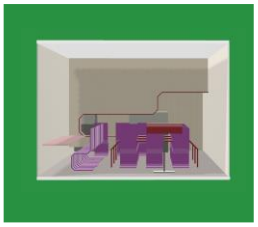
[Top view with the ceiling omitted]



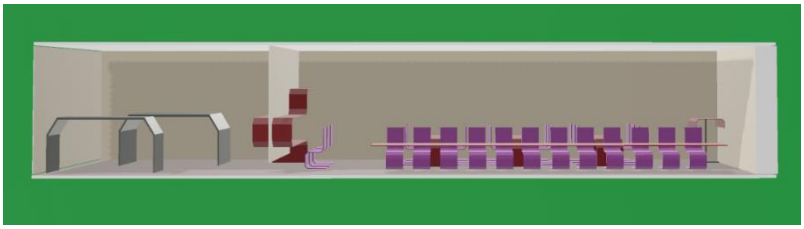
[Front view with the front wall omitted]



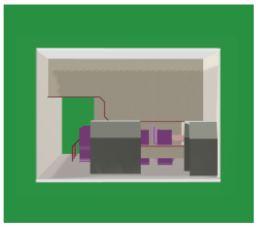
[Left side view with the front wall omitted]



[Rear view with the front wall omitted]

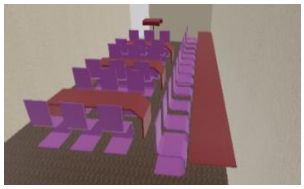


[Right side view with the front wall omitted]

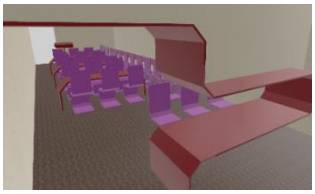


[Perspective view from the dining space side 1]

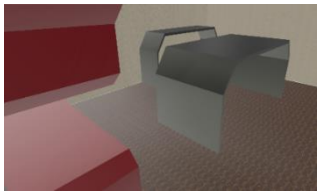
[Perspective view from the dining space side 2]



[Perspective view from the kitchen side 1]



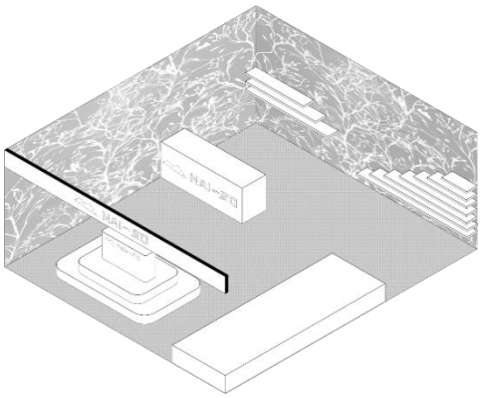
[Perspective view from the kitchen side 2]



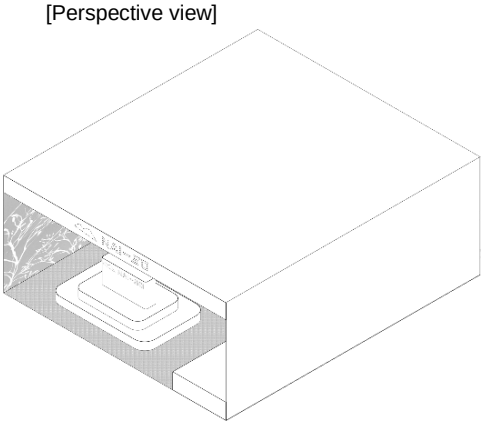
<Fig. 3.17-3> Example of statements and drawings using isometric drawing method and orthographic projection method

[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.

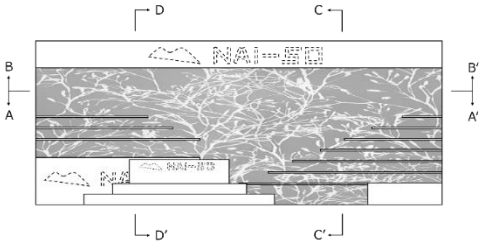
[Perspective view with the right wall and ceiling omitted]



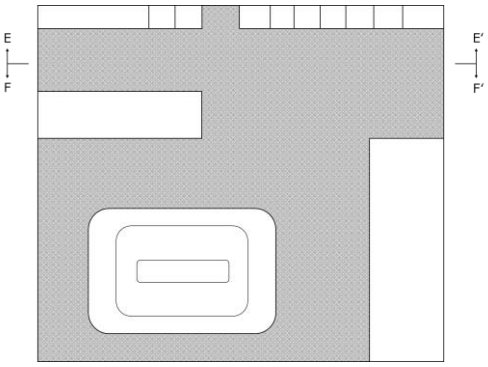
[Perspective view]



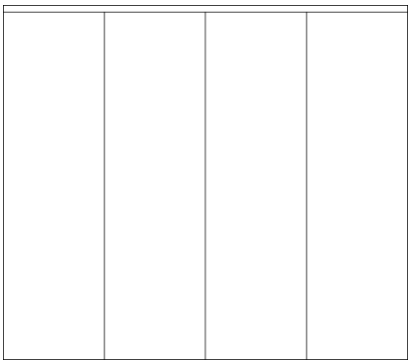
[Front view]



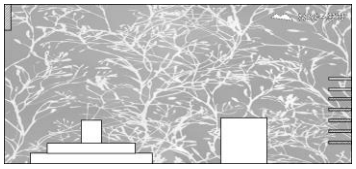
[A-A' line top view]



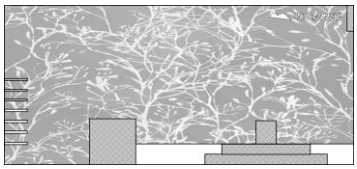
[B-B' line sectional view]



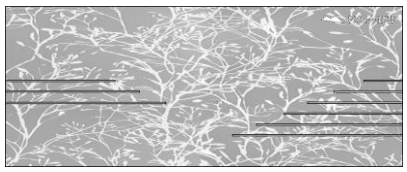
[C-C' line sectional view]



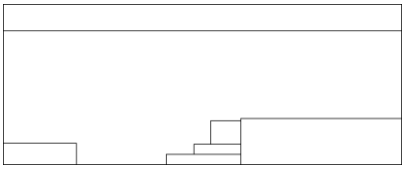
[D-D' line sectional view]



[E-E' line sectional view]



[F-F' line sectional view]

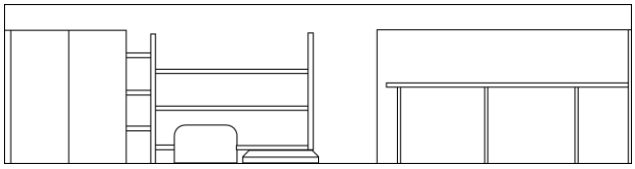


<Fig. 3.17-4> Example of statements and drawings using perspective drawing method and orthographic projection method

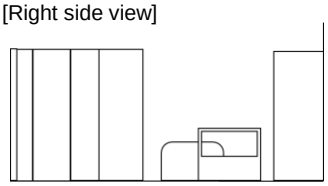
[Article to the Design] Interior of an apparel store

[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.

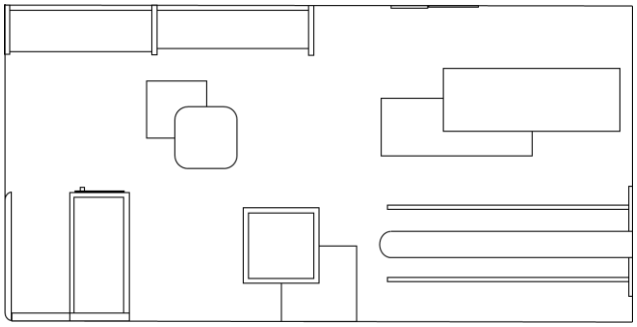
[Front view]



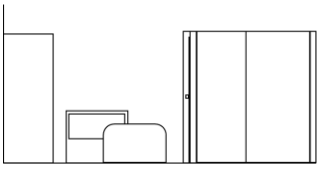
[Right side view]



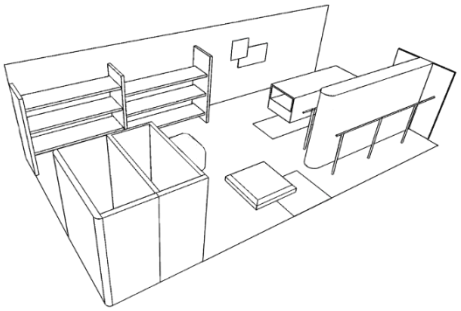
[Top view]



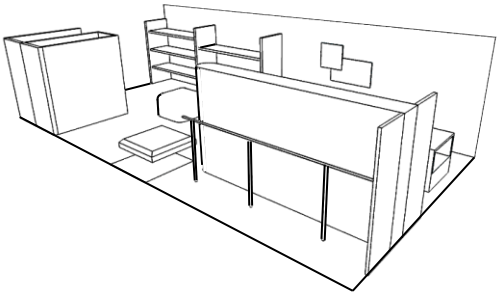
[Left side view]



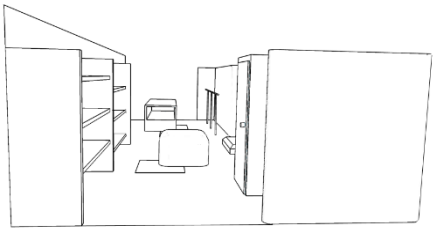
[Perspective view from the upper left diagonal]



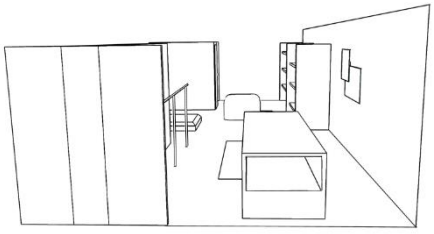
[Perspective view from the upper right diagonal]



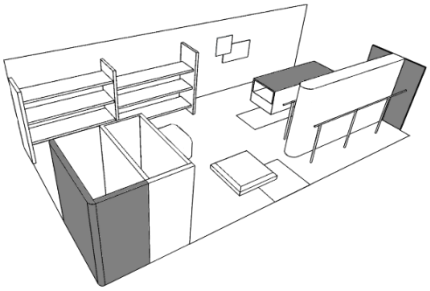
[Perspective view from the left side]



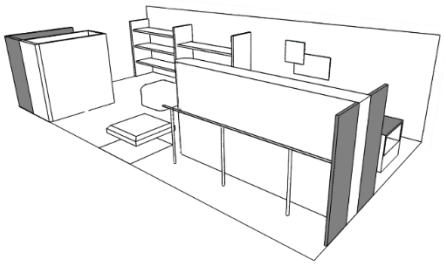
[Perspective view from the right side]



[Reference view indicating the transparent part 1]



[Reference view indicating the transparent part 2]

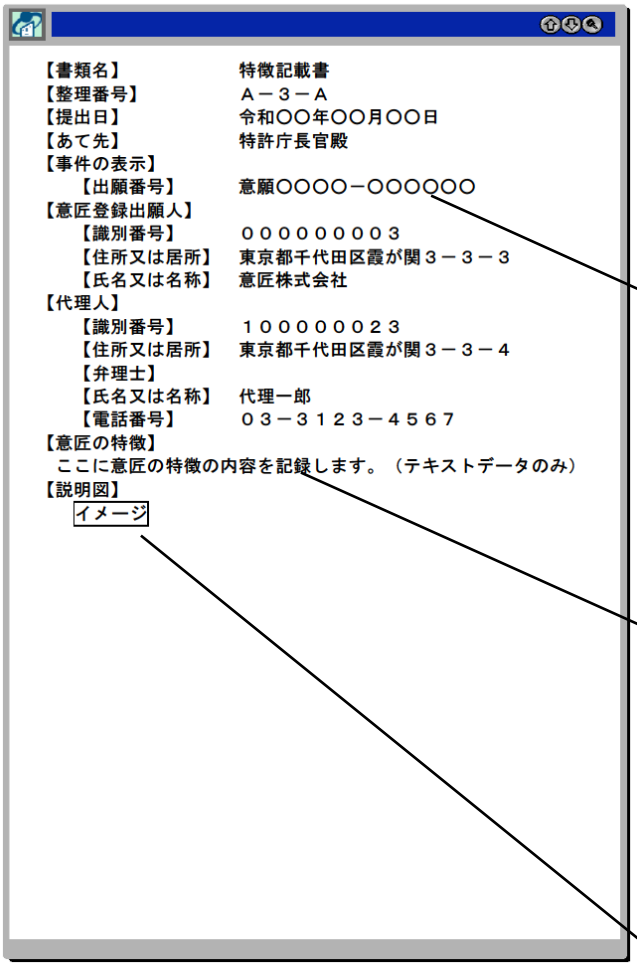


17.4 Feature statements

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



- 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.

- 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:
  a. Record the features of the design plainly and clearly.
  b. Record the features of the design concisely, keeping the number of characters to 1,000 or fewer.
  c. Record only characters. Views, tables, etc. cannot be recorded.

- 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):
  a. Views may not run to multiple pages.
  b. 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.

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 regard 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.