

## 32. 07

### **Handling of an application for design registration in a case where the applicant for design registration does not reply to the decision to dismiss an amendment**

- (1) In a case where a notice of reasons for rejection has already been given, the examiner should wait until the decision to dismiss the amendment in question becomes final and binding and then make a decision to the effect that the application for design registration should be rejected on the grounds for the reasons for rejection.
- (2) In a case where a notice of reasons for rejection has not yet been given, the examiner should wait until the decision to dismiss the amendment in question becomes final and binding and then examine the application for design registration whose written amendment has not yet been filed.
- (3) In a case where an applicant for design registration does not reply to the decision to dismiss an amendment which the applicant has made in response to the order to amend procedures, the application for design registration should be dismissed pursuant to the provisions of Article 18, paragraph (1) of the Patent Act as applied mutatis mutandis pursuant to Article 68. paragraph (2) of the Design Act (→Formality Examination Manual 43.20).