

**44.04****Relationship between the conversion of an application for design registration and Article 9 of the Design Act**

If an application for design registration is converted to a patent application pursuant to the provisions of Article 46, paragraph (2) of the Patent Act or an application for design registration is converted to an application for utility model registration pursuant to the provisions of Article 10, paragraph (2) of the Utility Model Act, the original application for design registration is deemed to be withdrawn (Patent Act 46(4), Utility Act 10(5)). Accordingly, the original application is not treated as a prior application or as an application for design registration filed on the same date, and in this case the provisions of Article 9, paragraph (1) or paragraph (2) of the Design Act do not apply.