Chapter IV Design Including a Graphic Image on a Screen

74 Relevant provisions

Design Act

Article 2 (1) “Design” in this Act shall mean the shape, patterns or colors, or any combination thereof, of an article (including a part of an article, the same shall apply hereinafter except in Article 8), which creates an aesthetic impression through the eye.

(2) The shape, patterns or colors, or any combination thereof, of a part of an article as used in the preceding paragraph shall include those in a graphic image on a screen that is provided for use in the operation of the article (limited to the operations carried out in order to enable the article to perform its functions) and is displayed on the article itself or another article that is used with the article in an integrated manner.

(Paragraphs (3) and (4) omitted)

Ordinance for Enforcement of the Design Act

Form No. 2 [Notes]


(40) When filing an application for design registration for a design including a graphic image on a screen that is provided for use in the operation of the article (limited to the operations carried out in order to enable the article to perform its functions) under the provision of Article 2(2) of the Design Act, the description of the functions and the operations of said article to the graphic image in the column of “[Description of Article to the Design].”

Form No. 6 [Notes]

(8) (See Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21 “Relevant provisions”)

(9) (See Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21 “Relevant provisions”)

(10) (See Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21 “Relevant provisions”)

(11) If requesting a design registration for a part of an article, and the graphic image view (meaning the view representing the graphic image displayed on an article that is used with the article in an integrated manner as provided in Article 2, paragraph (2) of the Design Act; the same applies hereinafter) prescribed in (8) through (10) and (14) includes both the part for which the design registration is requested and any other parts, the part for which the design registration is requested is to be specified by
drawing the part for which the design registration is requested with solid lines and any other parts with broken lines, etc. If the part for which the design registration is requested cannot be specified merely by indicating the drawing, the way of specifying the part for which the design registration is requested is to be stated in the column of "[Description of the Design]" of the application.

(14) (See Part II "Requirements for Design Registration," Chapter I "Industrially Applicable Design," 21 “Relevant provisions”)

(22) Above each view, an indication such as "[Front View]," "[Rear View]," "[Left Side View]," "[Right Side View]," "[Top View]," "[Bottom View]," "[Surface View]," "[Back Side View]," "[Development View]," "[Sectional View of ○○]," "[End Elevational View of the Sectioned Part of ○○]," "[Enlarged View of ○○]," "[Perspective View]," "[View Showing the Front, Top and Right Side]," "[Graphic Image View]" shall be made, corresponding to each kind of view. Where these views are reference views, a statement to that effect shall also be indicated. In these cases, indications for multiple views should not be the same.

Form No. 7 [Notes]

(4) Form No. 6 Notes (2), (3), (6), (8) through (12), (14) and (18) through (24) shall also apply to other matters.

74.1 The graphic image on a screen constitutes a design

In order for a graphic image on a screen included in the design in the application for design registration to constitute a design subject to protection under the Design Act, the graphic image must comply with either (1) or (2) below.

(1) The graphic image displayed on the display part of the article is found to be the shape, patterns or colors, or any combination thereof, of a part of the article as provided in Article 2(1) of the Design Act.

(2) The graphic image on a screen included in the design constitutes a graphic image as provided in Article 2(2) of the Design Act.

In addition, in order to comply with either (1) or (2) above, the graphic image displayed on the display part of the article needs to be a graphic image that has been recorded in the article (For specific requirements, See 74.4.1.1.1 “The graphic image on a screen constitutes a design”).

74.1.1 The graphic image on a computer

Since the fundamental function of a computer is information processing, in the case where an article to the design is a computer, a graphic image displayed by arbitrary software is not categorized as the shape, patterns or colors, or any combination thereof, of a part of the article as provided in Article 2(1) of the Design Act or a graphic image as provided in Article 2(2) of the Design Act (the
shape, patterns or colors, or any combination thereof, of a part of the article).

On the other hand, a computer may constitute a new article (a computer with additional function) with specific function where it is integrated with software. In this case, a graphic image that has been recorded in the article shall be handled as if may constitute the shape, patterns or colors, or any combination thereof, of a part of the article as provided in Article 2(1) of the Design Act or a graphic image as provided in Article (2) of the Design Act (For specific handling, see 74.4.1.1.1.3 “Graphic image on a computer”).

74.2 Application/drawing of an application for design registration for a design including a graphic image on a screen

74.2.1 Matters to be stated in the application of an application for design registration including a graphic image on a screen

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

When filing an application for design registration for a design including a graphic image on a screen, the article that serves as the basis of the creation must be found to be an article subject to the Design Act. (“A graphic image for xx” or “an interface for xx” is not categorized as an article to the design.)

A classification of articles listed in the right-hand column of Appended Table 1 or a classification of articles based on an equivalent level of classification must be stated in the column of “Article to the Design” of the application under Article 7 of the Design Act.

For example, in the case of a creation of a design of a video disc player, even where the graphic image on a screen which is the part for which the design registration is requested is displayed on a television receiver that is used with the article in an integrated manner, “Video disc player” must be stated in the column of “Article to the Design” of the application because the article to the design which is the object of the right is a video disc player including the graphic image (See 74.7.1.1 in this Chapter “Examples of statements in the column of “Article to the Design” of the application that are not based on classification of articles”).

(i) Statements in the column of “Article to the Design” in the case of a computer with additional function

When filing an application for design registration for a design including a graphic image on a screen of a computer with additional function, “Computer with “xx” function” must be stated in the column of “Article to
the Design” of the application. In this case, “xx” function shall be related and achieved by its addition to the computer and it shall be one function equivalent to the a function of the article indicated by a classification of articles specified by Ordinance of the Ministry of Economy, Trade and Industry or a classification of articles based on an equivalent level of classification.

(ii) Appropriate examples of statements in the column of “Article to the Design” in the case of a computer with additional function

(a) In the case where a computer has a function equivalent to a “route guidance machine” due to its additional function: “Computer with the route guidance machine function”

(b) In the case where a computer has a function equivalent to a “telephone” due to its additional function: “Computer with the phone-call function”

(c) In the case where a computer has a function equivalent to a “digital camera” due to its additional function: “Computer with the camera function”

(d) In the case where a computer has a function equivalent to a “pedometer” due to its additional function: “Computer with the pedometer function”

(e) In the case where a computer has a function of a “multi-media player due to its additional function, “Computer with the multi-media playing function”

(f) In the case where a computer has a function of a “numerically-controlled device for machine tool” due to its additional function, “Computer with the function of numerically-controlled device for machine tool”

(g) In the case where a computer has multiple additional functions simultaneously (see above-mentioned examples (a) to (f)) which are equivalent level of classification of articles and where filing an application for design registration for a menu screen for selecting and deciding a specific function therefrom to execute it, “Computer with the home menu function” must be stated in the column.

(2) Statement in the column of “Description of the Design”

With regard to a graphic image on a screen that changes, where the changing order or the changing mode is unclear from the contents of the drawing alone, an explanation on these matters should be stated.
When filing an application for design registration by adopting a design including a graphic image on a screen as a partial design, the way of specifying the part for which the design registration is requested must be stated in the column of “Description of the Design” of the application, based on the provision of the Form No. 6 Note (11) of the Ordinance for Enforcement of the Design Act.

(3) Statement in the column of “Description of Article to the Design”

(i) The provision of the Form No. 2 Note (39) of the Ordinance for Enforcement of the Design Act also applies to an application for design registration for a partial design.

Therefore, where the article to the design of the design including a graphic image on a screen does not belong to any of the items of the classification of articles specified by Ordinance of the Ministry of Economy, Trade and Industry, an explanation which can help in understanding the article, such as the purpose of use or the state of use of the article, must be stated in the column of “Description of Article to the Design” of the application.

(ii) Where a graphic image on a screen is found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act, if it is unclear from the contents of the drawing alone what kind of function of the article the graphic image makes necessary indications for or the usage and function of the graphic image, an explanation on these matters should be stated.

In the case of the graphic image on a screen provided in Article 2(2) of the Design Act, an explanation on enabling the performance of what kind of function of the article the operation pertaining to the graphic image on a screen is carried out for and on the operation method. (Form No. 2 Note (40) of the Ordinance for Enforcement of the Design Act)

(iii) Where an application for design registration is filed for a graphic image displayed in an article that is used with the article in an integrated manner provided in Article 2(2) of the Design Act, an explanation to the effect that “the article that is used in an integrated manner is display equipment” must be stated in the column of “Description of Article to the Design” as “the graphic image on a screen represented in the graphic Image View is displayed on display equipment that is used with the article in an integrated manner.” (A more specific name of an article (e.g. TV monitor, data indicator or projector screen) may be stated as “display equipment” in accordance with the filed design.)
(4) Statement in drawing, etc. of an application for design registration for the design including a graphic image on a screen

(i) Drawings

With regard to the form of the article to the design of the design including the graphic image on a screen, in the case of a whole design, the form of the entire article must be clear, and in the case of a partial design, the form 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” in the entire article, and the boundary between the “part for which the design registration is requested” and “any other parts” must be clear.

Meanwhile, a graphic image on a screen is not found to be a flat and thin article like a woven cloth fabric; therefore, a [Surface View] and [Back Side View] alone may not be used as a set of drawings for a graphic image.

(ii) View of the graphic image displayed on other display equipment.

With regard to the graphic image on a screen provided in Article 2(2) of the Design Act, a view representing the graphic image displayed on display equipment. That is used with the article in an integrated manner should be drawn as a [Graphic Image View].

The outline of a [Graphic Image View] should be the peripheral line of the display part of the display equipment, etc. that is used with the article in an integrated manner. Also, a graphic image on a screen that can be represented by a [Graphic Image View] is limited to the graphic image provided in Article 2(2) of the Design Act where the article to the design is operated by displaying the graphic image on other display equipment.

(iii) Omission of views

Views can be omitted in a case that falls under any of (i) to (iv) below.

i. Omission of views that are identical or mirror images as prescribed in the Form No. 6 Note (8) of the Ordinance for Enforcement of the Design Act

ii. Omission of views that is permitted under the Form No. 6 Note (9) of the Ordinance for Enforcement of the Design Act

iii. In the case of an application for a partial design requesting design registration only for a graphic image that is displayed on another article that is used with the article in an integrated manner as provided in Article 2(2) of the Design Act, omission of parts or all of the views
representing the article to the design, other than the graphic image view

When filing an application for design registration by adopting a design including a graphic image that is displayed on another article that is used with the article to the design in an integrated manner (display equipment) as a partial design, a set of drawings representing the form of the entire article to the design can be omitted. In other words, a design application for design registration based only on a [Graphic Image View] can be filed.

iv. In the case the position, size, and scope of the part for which a design registration is requested can be specified, omission of views representing only a part other than the part for which the design registration is requested

(iv) Reference views

Where a design cannot be sufficiently represented by the statement in the application, such as the column of [Description of Article to the Design], alone, reference views for explaining the usage and function of each part of the graphic image on a screen and the operation method should be attached.

In addition to the above, with regard to a whole design, see Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21.1.2 “The subject matter is a specific design,” and with regard to a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.2.2 “Statement in drawings, etc. of an application for design registration for a partial design.”

74.3 Finding of a design in an application for design registration for a design including a graphic image on a screen

The finding of a design in an application for design registration for a design including a graphic image on a screen should be made by making comprehensive determination based on the statement in the application and drawing, etc. attached to the application.

Consequently, documents that are not categorized as an application or drawing, etc. attached to the application, such as a feature statement, a priority certificate or a certificate for receiving application of the provision of Article 4(2) of the Design Act, are not used as the basis for finding a design in an application for design registration for a design including a graphic image on a screen. (With regard to a whole design, see Part I “Application/Drawings,” Chapter II “Finding of the Design in an Application
for Design Registration," and with regard to a partial design, see Part VII "Individual Applications for Design Registration," Chapter I "Partial Design," 71.3 "Finding of a design in an application for design registration for a partial design")

(1) Article to the design
The usage and functions of the article to the design should be found based on the purpose of use, state of use, etc. of the article to the design of the design including a graphic image on a screen.

(2) Usage and functions of the "graphic image on a screen"
The usage and functions of the “graphic image on a screen” should be found based on the usage and functions of the article to the design of the design including a graphic image that has been found as mentioned above.

(3) Form of the "design including a graphic image on a screen"
The form of the “design including a graphic image on a screen” should be found based on the set of drawings and other necessary drawings, such as a sectional view, perspective view or graphic image view.

74.4 Requirements for registration of a design including a graphic image on a screen
In order for the subject matter of an application for design registration for a design including a graphic image on a screen to be registered, it must comply with all of the following requirements.

(1) The subject matter is an industrially applicable design
(2) The subject matter is novel
(3) The subject matter involves creative difficulty
(4) The subject matter is not a design in a later application that is identical or similar to part of a design in a prior application

74.4.1 Industrially applicable design
In order for the subject matter of an application for design registration for a design including a graphic image on a screen to be categorized as an industrially applicable design as provided in the main paragraph of Article 3(1) of the Design Act, it must comply with all of the following requirements.

(1) The subject matter constitutes a design
(2) The subject matter is a specific design
(3) The subject matter is industrially applicable

74.4.1.1 The subject matter constitutes a design
With regard to the requirements for subject matter to constitute a design, see Part II “Requirements for Design Registration,” Chapter I
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74.4.1.1.1 The subject matter is the graphic image on a screen constitutes a design

In order for a graphic image on a screen included in a design of the application for design registration to constitute a design, it must comply with either (1) or (2) below.

(1) The graphic image displayed on the display part of the article is found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act

(2) The graphic image on a screen included in the design constitutes a graphic image as provided in Article 2(2) of the Design Act

74.4.1.1.1.1 The graphic image displayed on the display part of the article is found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act

In order for the graphic image displayed on the display part of the article to be found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act, it must comply with all of the following requirements.

(1) The article to the design of the design including the graphic image on a screen is found to be an article subject to the Design Act (See Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21.1.1.1 “The subject matter is found to be an article”)

(2) The graphic image displayed on the display part of the article is a graphic image for making necessary indications for performing the functions of the article

(3) The graphic image displayed on the display part of the article is a graphic image recorded in the article

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74.4.1.1.1.1 The graphic image displayed on the display part of the article is a graphic image for making necessary indications for performing the functions of the article

In order for a graphic image displayed on the display part of an article to constitute a design as provided in Article 2(1) of the Design Act, the graphic image must be a graphic image for making necessary indications for performing the functions of the article.

A “function” of an article means a function that can be generally expected from the article (refers to a classification of articles under Appended Table 1 or a classification of articles equivalent in level to such classification). For example, in the case of a “Table clock,” the function to indicate the time is the “function” of the article. Where an article itself has multiple functions, each function can be regarded as a “function” of the article ([Case Example 1]). For example, in the case of a “Wrist watch body” with a stop watch function, the time indication function and the time measurement indication function can be regarded as the “functions” of the article ([Case Example 2]).

Meanwhile, where the article to the design of the design for which design registration is requested has a function that cannot be generally expected, by indicating what kind of function it has in the statement in the column of “Description of Article to the Design” in the application, etc., protection can also be obtained for a graphic image on a screen for making necessary indications for performing that function ([Case Example 3]).

With regard to functions of an article, a digital camera for example has not only a photographing function, but also incidental function that is closely related to the function, such as a level indication for confirming that the level is horizontal when photographing. A graphic image on a screen for making necessary indications for performing such
incidental function is also regarded as a graphic image for making necessary indications for performing the function of the article ([Case Example 4]).

(Note) Handling of an article that has multiple functions
With regard to an article that has multiple functions for which it cannot be directly derived from the article which of the functions the graphic image on a screen is necessary for, it is necessary to add a description to that effect.
[Case example 1]
[Article to the design] Table clock

[Case example 2]
[Article to the design] Wrist watch body

[Case example 3]
[Article to the design] Mobile phone

[Description of Article to the Design]
The article is a mobile phone having an azimuth measurement function. The figure displayed on the display part in the front view indicates the measured azimuth, and the compass rotates according to the measured azimuth.
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74.4.1.1.1.1.2 The graphic image displayed on the display part of the article is a graphic image recorded in the article

The graphic image displayed on the display part of the article needs to be a graphic image that has been recorded in the article (including a graphic image of update relating to the function of the article), since the design as provided in Article 2(1) of the Design Act is "the shape (omitted), patterns or colors, or any combination thereof, of an article". Accordingly, subject matter displaying a graphic image based on signals sent from outside of the article, such as a graphic image of a television program, a graphic image from the Internet, or a graphic image based on signals sent from another article, subject matter displaying a graphic image recorded on a recording medium connected to or inserted in the article are not found to be a graphic image constituting a design.

74.4.1.1.1.2 The graphic image on a screen included in the design constitutes a graphic image as provided in Article 2(2) of the Design Act

In order for a graphic image on a screen included in a design to constitute a graphic image as provided in Article 2(2) of the Design Act, it must comply with all of the following requirements.
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(1) The article to the design of the design including a graphic image on a screen is found to be an article subject to the Design Act (See Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21.1.1.1 “The subject matter is found to be an article”)

(2) The graphic image on a screen is provided for use in the operation of the article in order to enable the article to perform its functions

(3) The graphic image is displayed on the article itself or another article that is used with the article in an integrated manner.

(4) The graphic image on a screen has been recorded in the article.

74.4.1.1.1.2.1 The graphic image on a screen is provided for use in the operation of the article in order to enable the article to perform its functions

A “function” of an article means a function that can be generally expected from the article (refers to a classification of articles under Appended Table 1 or a classification of articles equivalent in level to such classification). For example, in the case of a “Telephone,” the function of the “article” is to achieve voice communications with a designated destination via a communication line. Where an article itself has multiple functions, each function can be regarded as a “function” of the article. For example, in the case of a “Mobile phone with a camera,” functions such as making phone calls, taking images displaying such taken images and sending and receiving emails can be regarded as the “functions” of the article.

Meanwhile, where the article to the design of the design for which design registration is requested has a function that cannot be generally expected, by indicating what kind of function it has in the statement in the column of “Description of Article to the Design” in the application, etc., protection can also be obtained for a graphic image on a screen.
provided for use in the operation of the article in order to enable the article to perform that functions.

“Enable the article to perform” its functions refers to a state where the function of the article is ready to be exercised (for example, in the case of a ticket issuing machine, a state where tickets can be issued; in the case of the “video playing function” of an optical disc recording and playing machine, a state where the viewing of contents can be started; and in the case of the “money transfer function” of an automatic machine for cash payment, a state where the processing of money transfer can be started, etc.), and it means that a state where the article is actually working according to that function (for example, in the case of a mobile phone, the state during making phone calls or sending emails; and in the case of a magnetic disk recorder, the state during playing or recording, etc.) is not included in the subject matter of protection.

“Operation” refers to giving an instruction in order to enable an article to work according to its function. Therefore, a graphic image which merely displays the state of the article in action without including any figure, etc. for the operation is not found to be a graphic image for operation. (However, where the graphic image is for making necessary indications for performing the functions of the article, which has been recorded in the article the graphic image could become subject to protection as a graphic image that falls under Article 2(1) of the Design Act (see 74.4.1.1.1.1 “The graphic image displayed on the display part of the article is found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act”).)

Meanwhile, with regard to “operation” here, it is sufficient to be able to find that the entire graphic image on a screen is provided for use in the
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operation, and it is not necessary to find such fact in detail for each figure for operation included in the graphic image.

With regard to graphic images on a screen for enabling the article to perform its functions through multiple steps, every step is found to be for enabling the article to perform its functions, so the graphic images could be made subject to protection if they are provided for use in the operation.

Meanwhile, with regard to an article that has multiple functions, even if a graphic image on a screen for operation is used while the article is performing one of such functions, if the graphic image includes a figure for an operation in order to enable the performance of another new function, etc., it could be found to be a graphic image provided for use in the operation for enabling the article to perform its functions and become subject to protection.

(Note) Handling of an article that has multiple functions

With regard to an article that has multiple functions for which it cannot be directly derived from the article which of the functions the graphic image on a screen is provided for use in the operation in order to enable the article to perform its functions, it is necessary to add a description to that effect.

74.4.1.1.1.2.2 The graphic image is displayed on the article itself or another article that is used with the article in an integrated manner

In order for a graphic image to be found as one provided in Article 2(2) of the Design Act, it needs to be a graphic design displayed on the displayed part of the article to the design in the application for design registration or a graphic design displayed on another article that is used with the article in an integrated manner.

A graphic image displayed on another article that is
used with the article in an integrated manner refers to one displayed not on the article but on display equipment that is used simultaneously when the article is used for the sake of convenience of the use of the article.

For example, a graphic image of the operation of a magnetic disk recorder displayed on a TV monitor and a graphic image of the operation of a computer with additional function displayed on a data indicator can be regarded as a graphic image displayed on another article that is used with the article in an integrated manner. On the other hand, since the fundamental function of a computer is information processing, a graphic image used on a computer that is another terminal by means of network computing is not found to be a graphic image displayed on display equipment, so such graphic image is not categorized as a graphic image displayed on another article that is used with the article in an integrated manner.

Where an application for design registration is filed for a graphic image displayed on another article that is used with the article in an integrated manner, an explanation to the effect that “the graphic image on a screen represented in graphic Image View is displayed on display equipment that is used with the article in an integrated manner” must be stated in the column of “Description of Article to the Design.” (A more specific name of article (e.g. a television monitor, data indicator or projector screen) can be stated as “display equipment” in accordance with the filed design.)
[Case example 1]
Graphic image displayed on the article
"Mobile phone"

(Example of a graphic image displayed on the display part of an article itself)
* It is assumed that the graphic image displayed on the display part is provided for use in the operation carried out in order to enable the article to the design to perform its functions, such as the function to make phone calls.

[Case example 2]
Graphic image displayed on another article that is used with the article in an integrated manner

Article 2(2) of the Design Act provides “shall include those in a graphic image on a screen that is displayed on the article itself or another article that is used with the article in an integrated manner,” and makes a graphic image that is used in the operation in order to enable the performance of the functions of the article and is displayed on a display device, etc., which is used with the article in an integrated manner, subject to protection.
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“Magnetic disk recorder”

(Example of a graphic image displayed on another article that is used with the article in an integrated manner (e.g., a television monitor))

* It is assumed that the graphic image on a screen is provided for use in the operation carried out in order to enable the article to perform its functions, such as a function to reserve video recording.

In addition to the above, with regard to a partial design, see the definition in Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design.”

74.4.1.1.1.2.3 The graphic image on a screen has been recorded in the article

Since the design provided in Article 2(1) of the Design Act is “the shape, patterns or colors, or any combination thereof, of an article (omitted)” (including a graphic image of update relating to the function of the article), the graphic image displayed on the display part of the article needs to be a graphic image that has been recorded in the article. Accordingly, subject matter displaying a graphic image based on signals sent from outside of the article, such as a graphic image of a television program, a graphic image from the Internet, or a graphic image based on signals sent from another article, subject matter displaying a graphic image recorded on a recording medium connected to or inserted in the article are not found to be a graphic image constituting a design.
[Case example of a graphic image on a screen that is not found to constitute a design]

(Graphic image of a website)

74.4.1.1.3 Graphic image on a computer

74.4.1.1.3.1 Graphic image of a computer

Since the fundamental function of a computer is information processing only, information processing has already been carried out for a graphic image displayed using arbitrary software, etc. where the article to the design is a "computer" and it is not necessary for performing the information processing function of the article (computer), so such graphic image displayed through a computer is not categorized as a shape, patterns or colors, or any combination thereof, of a part of an article as provided in Article 2(2) of the Design Act.

Moreover, a graphic image displayed using software is categorized as a graphic image on a screen in a state where the article (computer) is performing its information processing function, so such graphic image displayed through a computer is not categorized as a graphic image as provided in Article 2(2) of the Design Act.

However, a graphic image of BIOS (Basic Input/Output System) relating to the information processing function of a computer or a graphic image relating to the adjustment of functions of a computer as hardware (e.g. A graphic image of adjustment of screen brightness on a screen-integrated computer) is categorized as a shape, patterns or colors, or any combination thereof, of a
part of an article as provided in Article 2(1) of the Design Act or a graphic image on a screen as provided in Article 2(2) of the Design Act.

74.4.1.1.3.2 Graphic image of a computer with additional function

Although the fundamental function of a computer itself is information processing only, it can constitute a new article with specific function when it is integrated with software. This new article constituted by installing software on the computer without requiring other than hardware which a computer generally has to be installed is regarded as a computer with additional function.

Since a computer with additional function is an article that has not only the information processing function but also specific added function, in the case where a graphic image on a screen is one for making necessary indications for performing the functions of the article, the graphic image on a screen is categorized as a shape, patterns or colors, or any combination thereof, of a part of an article as provided in Article 2(1) of the Design Act or a graphic image on a screen as provided in Article 2(2) of the Design Act.

Moreover, in the case where a graphic image on a screen is provided for use in the operation in order to enable the article to perform the additional function, it is categorized as a graphic image on a screen provided for use in the operation of the article as provided in Article 2(2) of the Design Act.
[Case example 1 of a graphic design on a screen that is found to constitute a design of the computer with additional function]

“Computer with a pedometer function”

![Graphic image displaying step count data](image1)

*For the sake of convenience of explanation, the matters described in the application and other drawings were omitted.*

[Case example 2 of a graphic design on a screen that is found to constitute a design of the computer with additional function]

“Computer with a function of creating postcards”

![Graphic image view](image2)

This graphic image on a screen is to enable the article to perform its function by entering data from the address book.

*For the sake of convenience of explanation, the matters described in the application and other drawings were omitted.*
[Case example 3 of a graphic design on a screen that is found to constitute a design of the computer with additional function]

“Computer with a machining center control function”

[Front view]

This graphic image on a screen is to set the content of cutting work

*For the sake of convenience of explanation, the matters described in the application and other drawings were omitted.

[Case example of a graphic image on a screen that is not found to constitute a design of the computer with additional function]

Since the function and purpose of a “machining center” is cutting work and hardware other than a computer is essential component for performing the cutting work, in the case of a design shown in the following drawing, the article to the design cannot be registered as a “computer with a machining center function” or “computer with a machining center control function.” In the case of such design, the article to the design is a “machining center.”

[Front view] [Enlarged view of a part for which the design registration is requested]

This graphic image on a screen is to set the content of cutting work

*For the sake of convenience of explanation, the matters described in the application and other drawings were omitted.

[Article to the design]

× “Computer with a machining center function”

× “Computer with a machining center control function”

○ “Machining center”
74.4.1.1.2 Graphic image on a screen that is not categorized as a graphic image that constitutes a design

The following graphic image on a screen is not categorized as a graphic image that constitutes a design, and may not be registered as a design under the provision of the main paragraph of Article 3(1) of the Design Act.

(1) A graphic image on a screen solely intended for decorative expression

A graphic image on a screen solely intended for decorative expression is not found to be a graphic image for making necessary indications for performing the functions of the article, and is not found to be a graphic image provided for use in the operation in order to enable the article to perform its functions, so it does not constitute a design.

[Case example of a graphic image on a screen that is not found to constitute a design]
Graphic image on a screen for decorating the background of the display part (so-called “wallpaper”)

(2) A graphic image displaying a movie, etc. (so-called “content”)

Subject matter displaying a graphic image based on signals sent from outside of the article, such as a graphic image of a television program or a graphic image from the Internet and subject matter displaying a graphic image recorded on a recording medium connected to or inserted in the article are not graphical images recorded in the article, so they are not found to be the shape, patterns or colors, or
any combination thereof, of a part of an article provided in Article 2(1) of the Design Act. Also, they are not found to be graphic images used in the operation for the performance of the functions of the article as provided in Article 2(2) of the Design Act.

Where content (or an image suspected of being content) independent from the article, such as a scene from a movie or a graphic image on a screen of a game, is displayed in the graphic image on a screen included in a design, the content is independent from the article to the design, so the content part should be treated as not constituting a design, and a notice of the reason for refusal under Article 3(1) is given with regard to the design including the content independent from the article. In this case, an amendment to delete the content and to indicate that said part is a content display part by using reference views for explanation, etc. does not change the gist of the design.
[Example where content is displayed in a graphic image on a screen included in a design]

[Article to the Design] Video player

[Description of the Design] (Omitted) The graphic image view shows a graphic image on a screen for operation in order to enable the article to perform the video recording function which is displayed when the menu button of the article is pressed down while playing a video. Video recording can be set up while displaying the graphic image that is being displayed at top right. (The rest omitted)

[Graphic Image View] * Any other necessary drawings, etc. are omitted.

With regard to a design application where content independent from the article is displayed in the graphic image on a screen included in the design, the examiner gives a notice of the reason for refusal under the main paragraph of Article 3(1).

(Reference) Example of depicting a design including a graphic image on a screen which has a content display part

[Article to the Design] Video player

[Description of the Design] (Omitted) The part shown in oblique lines within the reference graphic image view indicates the part that displays a video being played. (The rest omitted)

[Graphic Image View] [Reference Graphic Image View] * Any other necessary drawings, etc. are omitted.
(3) A graphic image displayed on a general purpose display device

Subject matter displaying a graphic image on a general purpose display device based on signals sent from outside of the article, such as subject matter displaying a graphic image based on signals sent from another article that is used with the article in an integrated manner or subject matter displaying a graphic image recorded on a recording medium connected to the article, is not a graphic image that has been recorded in the article, which is a display device, so it is not found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act.

Article 2(2) of the Design Act provides “shall include those in a graphic image on a screen that” “is displayed on the article itself or another article that is used with the article in an integrated manner,” and accordingly, a graphic image that is provided for use in the operation to enable the article to perform its functions and is displayed on a display device, etc., which is used with the article in an integrated manner, is subject to protection; but in such case, the article to the design will be said article, instead of the display device. Therefore, a graphic image for operation displayed on the display part of a general-purpose display device is not found to be a graphic image that is provided for use in the operation to enable the article to perform its functions, except where it is a graphic image that is provided for use in the operation in order to enable the performance of the functions of the article as provided in Article 2(2) of the Design Act.

(4) A graphic image recorded on a recording medium

Since a recording medium does not have a display part, a graphic image recorded on a recording medium is not found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act. Meanwhile, an article which is a recording medium (for example, a compact disc, etc.) is capable of recording information pertaining to a graphic design in the article, but the recording medium itself does
not have an operation mechanism, so a graphic image that uses the article to the design as a recording medium is not found to be a graphic image that is provided for use in the operation to enable the article to perform its functions as provided in Article 2(2) of the Design Act.

[Case example of a graphic image on a screen that is not found to constitute a design]
Graphic image recorded on a recording medium

“Compact disc” Graphic image recorded on a compact disc

(5) A graphic image displayed by a game machine
A graphic image of a game that is displayed as a result of installing game software created and sold independent from the article (including a graphic image preinstalled on the game machine) and a graphic image of a game that is displayed as a result of inserting a recording medium on which the game is recorded are not found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act, since each graphic image is contents independent from the article.

However, a graphic image on a screen for making necessary indications for performing the functions of the main body of the game machine, not resulting from game software, which has been recorded in the article, such as an indication of the remaining battery power, is found to be the shape, patterns or colors, or any combination thereof, of a part of an article provided in Article 2(1) of the Design Act.

Meanwhile, a graphic image on a screen of a game is the content independent from the article, so it is not found to be
a graphic image as provided in Article 2(2) of the Design Act.

However, a graphic image on a screen for setting up the main body of a game machine, etc. is found to be a graphic image used in the operation for the performance of the functions of the article as provided in Article 2(2) of the Design Act.

[Case example of a graphic image on a screen that is not found to constitute a design]

Graphic image of a game machine

74.4.1.2 **The subject matter is a specific design**

First, it must be possible to directly derive that the method and subject matter of the application for design registration are those of an application for design registration for a design including a graphic image on a screen, from the statement in the application and drawing, etc. attached to the application as originally filed, based on the ordinary skill in the art of the design.

Next, in order for the design in an application for design registration for a design including a graphic image on a screen to be found to be a specific design, the design must be one for which contents of a specific single design, that is, specific contents concerning (i) through (iv) below, can be directly derived from the statement in the application and drawing, etc. attached to the application as originally filed, based on the ordinary skill in the art of the design.

(i) The article to the design of a design including a graphic image on a screen
(ii) The usage and functions of the “graphic image on a screen”
(iii) In the case of requesting a design registration for a “graphic image on a screen” as a partial design, its position, size and scope
However, in the case of filing an application for design registration by adopting a design including a "graphic image on a screen" displayed on another article that is used with the article in an integrated manner as a partial design, and making the graphic image the part for which the design registration is requested, the position, size and scope of the part for which the design registration is requested in the other article that is used with the article in an integrated manner will not be evaluated.

(iv) Form of a “design including a graphic image on a screen”

As for the accuracy of the statement in the application and drawing, etc. attached to the application, with regard to a whole design, see Part II “Requirements for Design Registration,” Chapter I “Industrially Applicable Design,” 21.1.2 “The subject matter is a specific design,” and with regard to a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.4.1.2 “The subject matter is a specific design.”

(1) Examples of cases where subject matter is not found to be a specific design

Where an application or drawing, etc. attached to the application contains any of the following improper descriptions, and where contents of a specific single design cannot be directly derived upon making comprehensive determination on the statement in the application and drawing, etc. attached to the application, the subject matter is not found to be a specific design.

(i) Where the specific usage and functions of the article to the design or the “graphic image on a screen” are unclear
(ii) Where the entire form of the “graphic image on a screen” is not represented
(iii) Where the entire form of the article to the design is not represented
(iv) Where the form of the entire article to the design, including the “graphic image on a screen,” does not clearly represent the minimum constituent elements necessary for recognizing articles that belong to the classification of articles that is stated in the column of “Article to the Design” of the application (in the case of a partial design)
(v) Where it is unclear whether the “graphic image on a screen” is displayed on the display part of the article or displayed on the
display part of another article that is used with the article in an integrated manner
(vi) Where the “graphic image on a screen” changes, but the changing order or the changing mode is unclear

74.4.1.3 The subject matter is an industrially applicable design
The article to the design of a design including a graphic image on a screen must be industrially applicable.
74.4.2 Novelty

Application of the provisions of the items of Article 3(1) of the Design Act is to be determined by making determination as to whether or not the design including a graphic image on a screen is categorized as any publicly known design or categorized as any design similar to a publicly known design.

74.4.2.1 Article 3(1)(i) and (ii) of the Design Act

In order to be able to determine whether or not a design including a graphic image on a screen is categorized as a publicly known design, if the form of the entire design including a graphic image on a screen for which an application for design registration has been filed is sufficiently represented to a comparable level in the publicly known design, it can be used as the basis for determining novelty.

Meanwhile, where a graphic image on a screen displayed on a publicly known information such as publication is found to be a graphic image on a screen of software installed on a computer, it is treated as a design of a graphic image on a screen of a computer with additional function.

With regard to other determination standards concerning a whole design, see Part II “Requirements for Design Registration,” Chapter II “Novelty,” 22.1.1 “Article 3(1)(i) of the Design Act” and 22.1.2 “Article 3(1)(ii) of the Design Act,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.4 “Requirements for design registration concerning a partial design,” 71.4.2 “Novelty,” 71.4.2 “Article 3(1)(i) and (ii) of the Design Act” and 71.4.2.2 “Article 3(1)(iii) of the Design Act.”

74.4.2.2 Article 3(1)(iii) of the Design Act

74.4.2.2.1 Determination of similarity between a publicly known design and a design including a graphic image on a screen

In the case of a design including a graphic image on a screen, where the two designs to be compared satisfy all of (i) through (iii) below, they are similar.

(i) The articles to the design of the two designs to be compared are identical or similar.

(ii) The usage and functions of the graphic images of the two designs to be compared are identical or similar.
(iii) The forms of the two designs to be compared are identical or similar.

Since the article and the form are inseparably integrated in a design, unless the article to the design and the article to the design of a publicly known design are identical or similar, the designs are not similar.

A graphic image on a screen is included in the shape, patterns or colors, or any combination thereof, of a part of an article. In order for designs including graphic images on a screen to be similar, the usage and functions of the graphic images of the two designs to be compared must be identical or similar.

Additionally, the determination of similarity of a design including a graphic image is made according to the examination standards for a whole design and a partial design.

Meanwhile, the determination of similarity between graphic images on a screen that change, consisting of plural graphic images, and a graphic image that does not change and the determination of similarity between two or more graphic images that change are made by comprehensively observing the graphic images including the modes of the graphic images that change before and after the change.

74.4.2.2.1.1 Determination of similarity between the articles to the design of the two designs to be compared

Since a graphic image on a screen visually embodies a function which the article has electronically inside thereof and realizes the functions of the article, in the case of a design including a graphic image on a screen, the determination of similarity of the usage and functions of the articles to the design as well as the determination of similarity of the usage and functions of the graphic images included therein are made.

Even if the usage and functions of the articles to the design are different, where the difference cannot be taken into consideration based on a comprehensive determination, since it does not appear as a feature of the shape of the article, the articles to the design are determined to be similar. On the other hand, generally, even
if the usage and functions of the graphic images on a screen are common, where there are other usage and functions to be taken into consideration, for example, an obviously-different purpose of use is included other than the usage and functions of the graphic images on a screen by making a comprehensive determination of the usage and functions of the articles to the design of the designs to be compared, the articles to the design are found to be not similar.

For example, in the case of the designs of computers with additional functions, if the articles to the design are similar where the additional function are mutually similar and, in relation to other articles than the computers with additional function, the computer itself can realize the usage and functions similar to those of another article, the articles to the design are found to be similar. On the other hand, where hardware other than one which a computer generally has in order to realize the usage and functions identical or similar to those of another article, the articles to the design of the two designs are found to be not similar.
[Example of a case where the two articles are found to be similar 1]

Publicly known design

Filed design

“Music player”
(Graphic image for choosing a music selection method)

“Computer with the music playing function”
(Graphic image for choosing a music selection method)

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

[Example of a case where the two articles are found to be similar 2]

Publicly known design

Filed design

“Mobile information terminal”
(This article has the music playing function, the schedule managing function and the camera function. This graphic image shows a music selection method of the music playing function)

“Computer with the music playing function”
(Graphic image for choosing a music selection method)

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
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[Example of a case where the two articles are found to be similar]

publicly known design

files design

“Machining center controlling machine”
(Graphic image for setting the content of cutting work)

“Computer with the machining center controlling function”
(Graphic image for setting the content of cutting work)

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

[Example of a case where the two articles are found to be not similar]

publicly known design

files design

Enlarged view of a part for which the design registration is requested

“Machining center”
(Graphic image on a screen for setting the content of cutting work)

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
Even if the usage and functions of the graphic images of the two designs to be compared are common, where a computer with additional function (e.g. a computer with the machining center controlling function) requires hardware other than one which a computer generally has (e.g. a mechanism for cutting work) in order to realize the usage and functions identical or similar to another article (e.g. a machining center), the articles to the design of the two designs are found to be not similar.

*This filed design is subject to refusal based on the requirement for creative difficulty.*
74.4.2.2.1.2 Example where the two designs are found to be similar
The graphic images on a screen in the following case examples are found to be similar.

[Case example 1]
Design that was publicly known
[Graphic Image View]

"Digital video disc recorder"
(Graphic image on a screen provided for use in the operation in order to enable the performance of the video edit function)

Filed design
[Graphic Image View]

"Digital video disc recorder"
(Graphic image on a screen provided for use in the operation in order to enable the performance of the video edit function)

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

[Case example 2]
Design that was publicly known
[Front View]

"Portable video player"
(Graphic image on a screen for selecting the video)

Filed design
[Front View]

"Portable video player"
(Graphic image on a screen for selecting the video)

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
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[Case example 3]

<table>
<thead>
<tr>
<th>Design that was publicly known</th>
<th>Filed design</th>
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</thead>
<tbody>
<tr>
<td>[Front View]</td>
<td>[Graphic Image View]</td>
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“In-vehicle route guidance machine”
(Graphic image displayed on the display part of the article itself)

“In-vehicle route guidance machine”
(Graphic image displayed on another article that is used with the article in an integrated manner)

* No particular characteristics are found in the position, size and scope 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 is not evaluated.

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

A design in relation to a graphic image displayed on the display part of the article itself and a design in relation to a graphic image displayed on another article that is used with the article in an integrated manner are sometimes similar.

However, where the forms of the graphic images on a screen are in common, but the position and scope of the part for which the design registration is requested in the entirety differ between the two, and the difference is considered to have a large influence on the determination of similarity, the two are determined to be not similar.
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[Case example 4]

*Design that was publicly known*

“Computer with the function of creating sticky”

(Graphic image on a screen for selecting sticky notes)

*Filed design*

[Graphic image View]

“Computer with the function of creating sticky”

(Graphic image on a screen for selecting sticky notes)

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

With regard to a graphic image on a screen displayed on a publicly known information such as publication, where the graphic image on a screen is found to be a graphic image on a screen of software installed on a computer, it is treated as a design of the graphic image on a screen of the computer with additional designs.
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[Case example 5]

Design that was publicly known

[Graphic Image View]

"Digital video disc recorder"
(Graphic image on a screen for selecting various settings)

Filed design

[Graphic Image View]

"Digital video disc recorder"
(Graphic image on a screen for selecting various settings)

* Graphic image that changes by operation

Graphic image that changes where a rectangular title display part rotates clockwise around the oval part at the center

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

[Case example 6]

Design that was publicly known

[Graphic Image View] [Graphic Image View of the Changed State 1] [Graphic Image View of the Changed State 2]

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

For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
Where the design that was publicly known was graphic images on a screen that change, consisting of plural graphic images, the determination of similarity is made between the filed design and a part of the plural graphic images constituting the design that was publicly known.
74.4.3 Creative difficulty

Application of the provision of Article 3(2) of the Design Act is to be determined by making determination as to whether or not, in the constitution of designs including graphic image on a screen (all designs found to be under Articles 2(1) and 2(2) of the Design Act), the constituent elements or specific constitution on which the designs are based were publicly known or widely known prior to the filing of the application for design registration, and whether or not those constituent elements have been added almost as they are or by only adding an ordinary modification regularly seen in the art thereto and this change is a mere combination that is an ordinary technique in the art or all of or part of the constituent elements have been merely replaced.

Meanwhile, with regard to other determination standards concerning a whole design, see Part II “Requirements for Design Registration,” Chapter III “Creative Difficulty,” and with regard to those concerning a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.4.3 “Creative difficulty.”

74.4.3.1 Person Ordinarily skilled in the art of the design

A person ordinarily skilled in the art of the design with regard to a design including a graphic image on a screen refers to a person who had ordinary skills concerning designs in the industry in which the article to the design is to be manufactured or sold as of the time of the filing of the application for design registration and ordinary skills concerning the design (the usage and functions of the graphic image part and the shape, patterns or colors, or any combination thereof) that do not question whether or not they are identical to or different from the article to the design.

74.4.3.2 Examples of ordinary modifications and ordinary techniques in the art

(1) Examples of ordinary modifications in the art of the design including a graphic image on a screen
Shape, patterns or colors, or any combination thereof
(a) Changes made to detailed designs such as rounding of a rectangle corner part, addition of shades to make three-dimensional shape, placement of gaps between constituent elements, changes in the width between gaps and introduction of the pull-down function
(b) Simple addition of colors such as simple coloring in each compartment and standard coloring based on required functions
(c) A mere combination of ordinary modifications in (a) and (b)

(2) Examples of ordinary techniques in the art of the design including a graphic image on a screen
(a) Replacement
(b) Aggregation
(c) Change of layout
(d) Change of the component ratio or the increase or decrease of the number of units of a continuous constituent element
(e) Use or diversion of a constituent element beyond the framework of article
(f) Change of the mode of frame division
(g) Deletion of organized compartment elements
(h) Addition of existing changing mode
(i) Mere combination of ordinary techniques mentioned from (a) to (h)

74.4.3.3 Graphic images on a screen that change

Application of the provision of Article 3(2) of the Design Act to graphic images on a screen that change is to be determined by making determination as to whether or not the respective graphic images indicating before and after the change could have been easily created by a person skilled in the art based on shapes, patterns or colors, or any combination thereof that were publicly known prior to the filing of the application for design registration, and whether or not the mode of the change is a change based on an ordinary technique for a person skilled in the art. In other words, in the cases set forth in (i) and (ii) below, the design in the application is not found to be a design that could have been easily created, and does not fall under the provision of Article 3(2) of the Design Act.

(i) Where the respective graphic images on a screen indicating before and after the change could have been easily created by a person skilled in the art based on shapes, patterns or colors, or any combination thereof that were publicly known prior to the filing of the application for design registration, but the mode of the change is not a change based on an ordinary technique for a person skilled in the art

(ii) Where the mode of the change is a change based on an ordinary technique for a person skilled in the art, but the respective graphic images on a screen indicating before and after the change could not have been easily created by a person skilled in the art based on
shapes, patterns or colors, or any combination thereof that were
publicly known prior to the filing of the application for design
registration

74.4.3.4 Ideas and originality of a design from the standpoint of a
person skilled in the art

Where application of the provision of Article 3(2) of the Design Act is
to be determined, if a visual feature of the design appears and this is
found to be an idea of the design or original from the standpoint of a
person skilled in the art based on own creativity, it shall be taken into
consideration. However, where the description of a feature statement
or written opinion is taken into account before making the determination,
only the description falling under the scope derived from the statement
of the application and drawings at the time of the filing of the original
application for design registration is to be taken into consideration.
74.4.3.5 Examples of designs that are found to be designs that could have been easily created

(i) Design constituted by replacement

[Case example]
A design that merely constitutes a single graphic image on a screen by replacing a part of a graphic image on a screen that was publicly known with a part of another graphic image on a screen.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
(ii) Design constituted by aggregation

[Case example]
A design that merely constitutes a single graphic image on a screen by aggregating multiple graphic images that were publicly known by adding ordinary modifications.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
(iii) Design constituted by changing the layout

[Case example]
A design constituted only by changing the layout of a part of a graphic image on a screen by adding an ordinary modification.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
(iv) Design constituted by changing the component ratio or by increasing or decreasing the number of units of a continuous constituent element

[Case example]
A design constituted merely by increasing the number of units of a constituent element of a design that was publicly known by adding an ordinary modification to a continuous constituent element.

For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
(v) Design constituted by using or diverting a constituent element beyond the framework of the article

[Case example 1]
Design that merely represents the appearance of the article that was publicly known, almost as it is as a graphic image on a screen.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
[Case example 2]
Design that merely represents the appearance of the article that was publicly known, almost as it is as a graphic image on a screen by adding an ordinary modification thereto.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
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Chapter IV Design Including a Graphic Image on a Screen

[Case example 3]
Design that merely represents a constituent element (component) of a graphic image on a screen that was publicly known, almost as it is by means of a layout that will readily occur (1).

Design that was publicly known
Filed design

[Front View]

The design merely represents a component of the graphic image on a screen (selection button) by means of the layout that would readily occur.

The horizontal layout of stations in one raw is publicly known and it can readily occur.

Ticket vending machine

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

[Reference] Examples of components of graphic images on a screen
Check box
Radio button
Scroll bar
Slider

237
[Case example 4]
Design that merely represents a constituent element (component) of a graphic image on a screen that was publicly known, almost as it is by means of a layout that will readily occur. (2).

- Pattern that was publicly known
- Filed design

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
[Case example 5]

Design that merely represents a pattern that was publicly known, almost as it is.

Pattern that was publicly known

Graphic image of an ordinary constituent layout

Filed design

[Front View]

"Mobile phone"

(Screen for selecting menu)

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
[Case example 6]
Design that merely represents a graphic image on a screen that was publicly known, almost as it is, as a graphic image on a screen of another article.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
[Case example 7]
Design that merely represents a graphic image on a screen that was publicly known, almost as it is, as a graphic image on a screen of another article by adding an ordinary modification thereto.

"Portable information terminal"
(Screen for entering a phone number)

"Entrance and exit controlling machine"
(Screen for entering a password)

Design that was publicly known

Filed design

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

Design that is represented merely by adding an ordinary modification

Ordinary modification
(simple addition of colors)

Ordinary modification (addition of shades)
(vi) Design that is constituted by changing the mode of frame division

[Case example]
Design that is represented merely by changing the layout of a graphic image on a screen that was publicly known, almost as it is, based on the mode of frame division based on an ordinary mode of frame division.

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

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(vii) Design that is constituted by deleting organized compartment elements

[Case example]
Design that merely represents a graphic image on a screen that was publicly known, almost as it is, by deleting a part of organized compartment elements.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
(viii) Design that is constituted by adding an existing mode of change

[Case example 1]
Design that is merely represented by adding an existing mode of change, almost as it is, to a graphic image on a screen that was publicly known.

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
[Case example 2]

Design that is merely represented by adding an existing mode of change, almost as it is, to the appearance of a graphic image on a screen that was publicly known.

"Portable information terminal" (Screen for displaying the calendar)

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

"Daily calendar"
Meanwhile, where the graphic image on a screen before the change could have been easily created by a person skilled in the art based on shapes, patterns or colors, or any combination thereof that were publicly known prior to the filing of the application for design registration, but the mode of change is not a change based on an ordinary technique for a person skilled in the art, the filed design is not found to be a design that could have been easily created, and does not fall under the provision of Article 3(2) of the Design Act.

74.4.4 Design in a later application including a graphic image on a screen that is identical or similar to part of a design in a prior application including a graphic image

With regard to determination standards concerning a whole design, see Part II “Requirements for Design Registration,” Chapter IV “Exclusion from Protection of a Design in a Later Application That Is Identical or Similar to Part of a Design in a Prior Application,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.4.4.1 Determination of similarity between part of a design disclosed in a prior application and a partial design in a later application.”
[Case examples where Article 3-2 of the Design Act is applied]

[Ccase example 1]

Design disclosed in a prior application

Filed design

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

[Ccase example 2]

Design disclosed in a prior application

Filed design

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
Part VII Individual Applications for Design Registration
Chapter IV Design Including a Graphic Image on a Screen

[Case example 3]

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

74.5 Exception to lack of novelty concerning an application for design registration for a design including a graphic image on a screen

With regard to the requirements, etc. for receiving application of the provision of Article 4(1) or (2) of the Design Act and any other determination standards concerning a whole design, see Part III “Exception to Lack of Novelty,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.5 “Exception to lack of novelty concerning an application for design registration for a partial design.”

74.6 Provisions of Article 5 of the Design Act concerning an application for design registration for a design including a graphic image on a screen

A design which includes a graphic image on a screen containing another person’s trademark or a product sold by another person, etc. and which is liable to create confusion with an article pertaining to another person’s business is found to not comply with the requirement under Article 5(ii).

With regard to determination standards concerning a whole design, see Part IV “Unregistrable Designs,” and with regard to those concerning a design for a partial
design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.6 “Provisions of Article 5 of the Design Act concerning an application for design registration for a partial design.”

74.7 One application per design concerning an application for design registration for a design including a graphic image on a screen

An application for design registration for a design including a graphic image on a screen must also comply with the requirements provided in Article 7 of the Design Act.

With regard to determination standards concerning a whole design, see Part V “One Application per Design,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.7 “One application per design concerning an application for design registration for a partial design.”

74.7.1 Examples of cases that do not comply with the requirements provided in Article 7 of the Design Act

74.7.1.1 Examples of statements in the column of “Article to the Design” of the application that are not based on classification of articles

(1) Where, in an application for design registration for a design including a graphic image on a screen, there is a statement that has added such words as “graphic image of ...” or “screen of ...” after a classification of articles in the column of “Article to the Design” of the application (for example, “graphic image of a video disc recorder”), such statement is not found to be a classification of articles listed in Appended Table 1 or a classification of articles equivalent in level to such classification.

(2) Where, in an application for design registration for a design including a graphic image of a computer with additional functions, a statement in the column of “Article to the Design” of the application falls under any of the following, such statement is not found to be a classification of articles listed in Appended Table 1 or a classification of articles equivalent in level to such classification.

(a) The statement describes a comprehensive function as its additional function (e.g. “Computer with the data processing function”)

(b) The statement describes an abstract function as its additional function (e.g. “Computer with the decision-making function,”
Part VII Individual Applications for Design Registration
Chapter IV Design Including a Graphic Image on a Screen

“Computer with the selection function”

(c) The statement does not represent one specific additional function
   (e.g. “Computer with the mobile information terminal function,”
   “Computer with the information processing function”)

74.7.1.2 Examples of applications that are not filed for each design
Where two or more different graphic images on a screen or two or
more physically separate “parts for which the design registration is
requested” are included in the article to the design of one partial design,
the application for design registration is not found to be filed for each
design.

(1) Where two or more different additional functions are stated in the
column of “Article to the Design” of an application for design
registration, the application for design registration is not found to
be filed for each design. However, it does not apply where the two
or more additional functions are displayed in a graphic image which
is displayed simultaneously or used in an integrated manner.

(2) Where two or more different graphic images on a screen or two or
more physically separate “parts for which the design registration is
requested” are included in the article to the design of one partial
design, the application for design registration is not found to be filed
for each design.

[Case example]
Application for design registration for a partial design

[Graphic Image View]

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

Where subject matter falls under any of the following, it is treated as
one design even if it includes two or more physically separate “parts for
which the design registration is requested.”
(i) Where unity in form is found

Unity in form is found for two or more physically separate “parts for which the design registration is requested” if they have been created with relevance to each other, such as forms in mirror images or forms that constitute a set.

[Case example]
Application for design registration for a partial design

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
(ii) Where unity in functions is found

Unity in functions is found for two or more physically separate “parts for which the design registration is requested” if they have been created in an integrated manner because they perform one function as a whole.

[Case example]
Application for design registration for a partial design

* For the convenience of explanation, the matters to be stated in the application and any other views are omitted.
**74.7.1.3 Where the graphic image on a screen changes in a design including a graphic image**

In a design including a graphic image on a screen, because a graphic image is a form of a part of an article, one graphic image is represented in one design, in principle. Accordingly, where plural graphic images are represented in one application, it is regarded that one application contains multiple “designs including a graphic image” and is not 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 found from the contents of the statement in the application and drawing, etc. attached to the application, such as the description of the article to the design, that the plural graphic images on a screen are graphic images for making necessary indications for performing the same function of the article or graphic images that are provided for use in the operation carried out in order to enable the article to perform the same function (hereinafter referred to as “graphic images for the same function of the article”), and that they have relevance in form, the subject matter in the state of including such plural graphic images can be found to be one design.

For example, where the state in which graphic images on a screen switch continuously is represented by using multiple figures as the design for which design registration is requested (including the case where it is found that the graphic images are intended to show the so-called animation effect), among such plural graphic images, graphic images for the same function of the article which have relevance in form could be regarded as figures showing the state before and after the change and could be treated as one design.

**74.7.1.4 Where plural graphic images on a screen are found to be one design**

In a design including plural graphic images, if the graphic image on a screen before the change and the graphic image after the change are found to be graphic images for the same function of the article, and the graphic image before the change and the graphic image after the change are found to have relevance in form, the subject matter in the state of including such plural graphic images can be found to be one design.

**74.7.1.4.1 Graphic images for the same function of the article**

In order for the subject matter in the state of including plural
graphic images on a screen to be found to be one design, it must be found from the contents of the statement in the application and drawing, etc. attached to the application, such as the description of the article to the design, that the plural graphic images are graphic images for making necessary indications for performing the same function of the article or graphic images that are provided for use in the operation carried out in order to enable the article to perform the same function.
[Example of a case where plural graphic images on a screen are found to be one design 1]

[Front View] [Front View Showing the Changed State]

Both are graphic images for the step count indication function.

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

[Article to the Design] Mobile phone

[Description of Article to the Design] (Omitted) 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.

(Note) In this case example, relevance in form can be found in the figures, etc. represented at the top part and the bottom part.

Where continuation of operation is found, such as where it is necessary to give a series of multiple input instructions (selection instructions) for enabling the article to perform one of its functions, the series of graphic images on a screen that continuously change in correspondence to such input instructions (selection instructions) are found to be graphic images for the same function of the article.

For example, as in the case of the money transfer function of an
automatic machine for cash payment of a bank, the graphic images on a screen ranging from the corresponding icon on the initial menu screen, to those for selecting the bank, entering the transfer destination, entering the transfer amount, to making the transfer are found to be graphic images for the same function of the article, either as individual graphic images or as a transition screen for the entire money transfer functions including all of these graphic images.

[Example of a case where plural graphic images on a screen are found to be one design 2]

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

[Article to the Design] Automatic machine for cash payment
[Description of Article to the Design] (Omitted) The graphic image displayed on the display part is used for setting the transfer destination and inputting the transfer amount for the money transfer function.
(Note) In this case example, relevance in form can be found in the background, etc.
74.7.1.4.2    **Relevance in form can be found**

In order for the subject matter in the state of including plural graphic images on a screen to be found to be one design, relevance in form based on commonality in figures, etc. must be found in the graphic images before and after the change.

In the case of a design including three or more graphic images on a screen, determination on the presence or absence of relevance in form is made for the graphic images immediate before and immediately after the change.

With regard to an application for design registration adopting a part of a graphic image on a screen as the part for which the design registration is requested, relevance in form based on commonality in figures, etc. must be found in the graphic images before and after the change in relation to the part for which the design registration is requested.

74.7.1.4.2.1    **Typical examples of cases where relevance in form is found**

(a) Movement, etc. 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

[Example of a case where plural graphic images on a screen are found to be one design 3]

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

[Article to the Design] Access management device

[Description of the Design] (Omitted) The graphic image view showing the changed state shows the state where the shape of the designated icon has changed.
[Example of a case where plural graphic images on a screen are found to be one design 4]

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

[Article to the Design] Mobile phone

[Description of Article to the Design] (Omitted) The graphic images on a screen represented in the front view and the front view showing the changed state are graphic images for the operation to select the call destination from the address book for enabling the performance of the function to make phone calls. The scroll bar part at the right end of the graphic image part moves up and down.
[Example of a case where plural graphic images on a screen are found to be one design 5]

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

[Article to the Design] Mobile phone

[Description of Article to the Design] (Omitted) The graphic images on a screen represented in the enlarged view of the display part and the enlarged view of the displayed part showing the state after the change can be used for enabling the performance of the email function of the mobile phone. As shown in the enlarged view of the display part and the enlarged view of the displayed part showing the state after the change, when each figure, etc. for operation is designated, the explanation for said figure, etc. for operation also moves in conjunction.
[Example of a case where plural graphic images on a screen are found to be one design 6]

[Enlarged View of the Display Part] [Enlarged View of the Display Part Showing the State after the Change]

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

[Article to the Design] Mobile phone with a music player

[Description of Article to the Design] (Omitted) The graphic images on a screen represented in the enlarged view of the display part and the enlarged view of the display part showing the state after the change are used for selecting the information based on which music should start to play for enabling the performance of the music playing function of the mobile phone. As shown in the enlarged view of the display part and the enlarged view of the display part showing the state after the change, when each figure, etc. for operation is designated, the explanation for said figure, etc. for operation also changes in conjunction.
(b) 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

[Example of a case where plural graphic images on a screen are found to be one design 7]

[Enlarged View of the Display Part]  [Enlarged View of the Display Part Showing the State after the Change]

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

[Article to the Design] Music player

[Description of Article to the Design] (Omitted) The graphic images on a screen represented in the enlarged view of the display part and the enlarged view of the display part 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.
(c) 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

[Example of a case where plural graphic images on a screen are found to be one design 8]

[Front View] [Front View Showing the State after the Change]

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

[Article to the Design] Mobile information terminal

[Description of Article to the Design] (Omitted) 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.
[Example of a case where plural graphic images on a screen are found to be one design 9]

[Front View] [Front View Showing the State after the Change]

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

[Article to the Design] Mobile phone

[Description of Article to the Design] (Omitted) 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. The layout of the icons can be changed as shown in the front view showing the state after the change.
(d) 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 form 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

[Example of a case where plural graphic images on a screen are found to be one design 10]

**[Enlarged View of the Display Part]**

[Image]

**[Enlarged View of the Display Part 2]**

[Image]

**[Enlarged View of the Display Part 3]**

[Image]

**[Enlarged View of the Display Part 4]**

[Image]

**[Enlarged View of the Display Part 5]**

[Image]

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

[Article to the Design] Mobile information terminal

[Description of Article to the Design] (Omitted) The graphic image displayed on the display part is the menu screen for selecting a specific function from among the multiple functions of the article. The graphic image represented in the enlarged view of the display part 5 is a graphic image for the music playing function used in the operation to select the album to be played. The enlarged view of the display part 2
to the enlarged view of the display part 5 represents the change in the graphic images when having selected the icon for playing music from the menu screen represented in the display part; the album selection screen appears as if turning a page from the bottom right of the menu screen.

(e) 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

[Example of a case where plural graphic images on a screen are found to be one design 11]

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

[Article to the Design] Mobile phone
[Description of Article to the Design] (Omitted) The graphic image displayed on the display part is the menu screen for selecting a specific function from among the multiple functions of the article. By selecting an icon within the graphic image of the display part, the graphic image makes a transition to a graphic image for the music playing function, and the operation for selecting the music to be played is carried out in order. The enlarged view of the display part 4 is a graphic image representing the status of progress of the playing of the selected music.
The motif of a musical note is in common, and relevance in form can be found. Also, the change from the graphic image on a screen for operation to the graphic image for making necessary indications for performing the function of the article can be found to be one design.

(f) 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.)

[Example of a case where plural graphic images on a screen are found to be one design 12]

[Front View] [Front View Showing the State after the Change]

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

[Article to the Design] Mobile information terminal
[Description of Article to the Design] (Omitted) 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 or videos. 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.

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

With regard to plural graphic images on a screen for different
functions of the article or plural graphic images that are found to have no relevance in form, the subject matter in the state of including such plural graphic images cannot be found to be one design.

A design including plural graphic images on a screen that are not found to be one design is found not to comply with the requirement under Article 7 of the Design Act. Among views representing graphic images that are not found to be one design, those that can be used to help in understanding the design may be used as reference views.

74.7.1.5.1 Plural graphic images on a screen for different functions of the article

A design including plural graphic images on a screen for different functions of the article cannot be found to be one design.

[Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions 1]

[Enlarged View of the Display Part] [Enlarged View of the Display Part Showing the State after the Change]

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.

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

[Article to the Design] Mobile phone
[Description of Article to the Design] (Omitted) The graphic image displayed on the display part is used for the input operation for writing emails. The
graphic image represented in the enlarged view of the display part showing the state after the change is a graphic image used for the calculator function, and calculation is carried out by selecting buttons.

[Example of a case where plural graphic images on a screen are not found to be one design since they are for different functions 2]

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.

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

[Article to the Design] Route guidance indicator
[Description of Article to the Design] (Omitted) The graphic image on a screen represented in the graphic image view is for the operation to select the sound source of the music to be played. By selecting the flag icon in the menu part at the left, the graphic image changes to a graphic image for setting the destination for route guidance, as in the graphic image showing the state after the change.

74.7.1.5.2 Plural graphic images on a screen that have no relevance in form

Where the graphic images on a screen before and after the change are not coordinated, such as where the figures, etc. in the graphic images before and after the change have no commonality (or have a very minor commonality), relevance in form is not found, and the graphic images are not found to be one design.
Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in form 1]

[Front View]  [Front View Showing the State after the Change]

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

[Article to the Design] Mobile phone
[Description of Article to the Design] (Omitted) 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.

* The front view showing the state after the change may continue to be used as a reference view.
[Example of a case where plural graphic images on a screen are not found to be one design since there is no relevance in form 2]

With regard to the part for which the 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.

[Article to the Design] Copying machine
[Description of Article to the Design] (Omitted) The graphic images on a screen represented in the front view, the partial enlarged view of the display part, and the partial enlarged view of the display part showing the changed state are for carrying out various settings for the copying.

74.8 Design for a set of articles including a graphic image on a screen
A design for a set of articles including a graphic image on a screen becomes subject to protection only when it is filed as a whole design. With regard to determination standards concerning a whole design, see Part VII “Individual Applications for Design Registration,” Chapter II “Design for a Set of Articles,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.8 “Partial design pertaining to a design for a set of articles.”

74.9 Provisions of Articles 9 and 10 of the Design Act concerning an application for design registration for a design including a graphic image on a screen
With regard to determination standards concerning a whole design, see Part VI “Prior Application” and Part VII “Individual Applications for Design Registration,” Chapter III “Related Design,” and with regard to those concerning a design for a
partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.9 “Provisions of Articles 9 and 10 of the Design Act concerning an application for design registration for a partial design.”

Meanwhile, the determination of similarity between a still graphic image on a screen and a graphic image that changes and the determination of similarity between two or more graphic images that change are made by comprehensively observing the graphic images including the modes of the graphic images that change before and after the change.

74.10 Change of the gist concerning an application for design registration for a design including a graphic image on a screen

With regard to determination standards concerning a whole design, see Part VIII “Amendment of Statement in the Application/Drawings, etc.,” Chapter II “Dismissal of Amendments,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.10 “Change of the gist concerning an application for design registration for a partial design.”

74.11 Division concerning a design including a graphic image on a screen

With regard to determination standards concerning a whole design, see Part IX “Special Application for Design Registration,” Chapter I “Division of Applications for Design Registration,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.11 “Division concerning an application for design registration for a partial design.”

74.12 Conversion of a patent application or an application for utility model registration into an application for design registration for a design including a graphic image on a screen

With regard to determination standards concerning a whole design, see Part IX “Special Application for Design Registration,” Chapter II “Conversion of Application,” and with regard to those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.12 “Conversion of a patent application or an application for utility model registration into an application for design registration for a partial design.”

74.13 Application for design registration for a design including a graphic image on a screen containing a priority claim under the Paris Convention, etc.

With regard to determination standards concerning a whole design, see Part X “Procedure for Priority Claim under the Paris Convention, etc.,” and with regard to
those concerning a design for a partial design, see Part VII “Individual Applications for Design Registration,” Chapter I “Partial Design,” 71.13 “Application for design registration for a partial design containing a priority claim under the Paris Convention, etc.”