

Applicable periods and applications of “Examination Guidelines for Patent and Utility Model” in Japan

Applicable applications

Because purpose of the revision of the examination guidelines in December 2000 was a more appropriate handling of applications that the Act of 1994 applies, this examination guidelines basically apply to applications filed on or after July 1, 1995. However, parts added or revised due to the later revision of the law, etc. may apply to limited applications (These points are displayed in this page in such cases).

In addition, since the examination guidelines include parts that clarify of interpretation and operation of prior law, they are subjected to the reference for the applications filed before the enforcement of the Act of 1994.

For example, for each of the following part applies to the following applications.

Part I

Chapter 2, Requirements of Unity of Invention (Applications filed on or after January 1, 2004)

Chapter 3, Requirements for Disclosure of Information on Prior Art Document (Applications filed on or after September 1, 2002)

Part III

Amendment of Description, Claims and Drawings (Applications filed on or after January 1, 1994)

Section 2 in Part III, Amendment that Changes a Special Technical Feature of an Invention (Applications filed on or after April 1, 2007)

Part V

Chapter 1, Section 1, Requirements for Division of Application (Applications filed on or after January 1, 1994)

Section 2, Notice under Article 50bis (Applications filed on or after April 1, 2007)

Chapter 3, Patent Application Based on Utility Model Registration (Applications filed on or after April 1, 2005)

Part VII

Chapter 1, Computer Software-Related Inventions

In “1. Requirements for Description and Claims”

parts regarding “program” claim (Applications filed after January 10, 2001)

parts regarding “storage medium” claim (Applications filed on or after April 1, 1997)

In “2. Requirements for Patentability”

“2.2 Statutory Invention” (Applications filed on or after April 1, 1997)

Chapter 2, [Appendix 3] Guidelines for the preparation of the description of comprising the amino acid sequence or nucleotide sequence (omitted in English version) (Applications filed on or after September 1, 2002)

Part IX

Procedure of Examination (Applications filed on or after January 1, 1994)

Part X

Chapter 1 Establishment of the Report of Utility Model Technical Opinion (Applications filed on or after January 1, 1994)

Chapter 2 Basic Requirements for Utility Model Registration (Applications filed on or after January 1, 1994)