

# **ID Number Protection Sticker Case**

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Judicial Symposium on Intellectual Property 2020



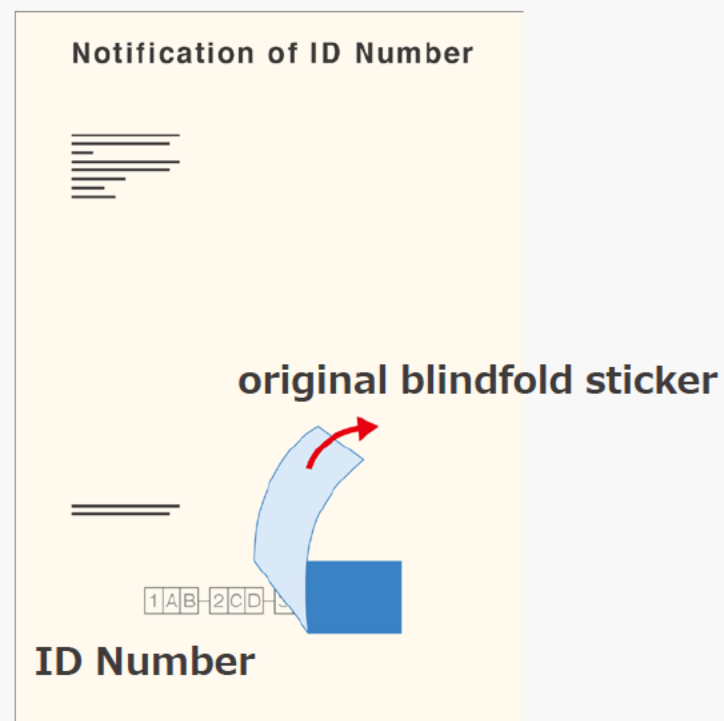
# ID Number

- Intended to be used repeatedly as a means of identification
- **Must be kept safe from view of others**



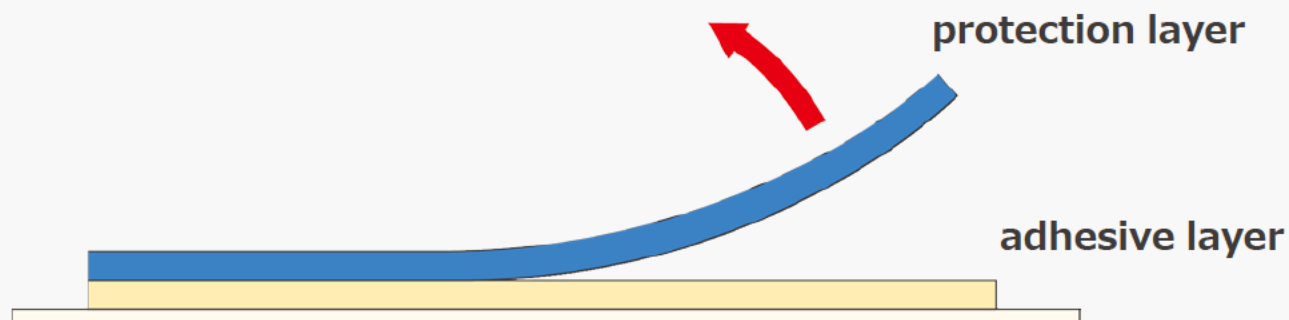
# Notification

- Notification provided to applicant
- Discard original blindfold sticker after removal
- **Number may be compromised if left uncovered**



# ID Number Protection Sticker

- Prevent compromising the number by attaching a protection sticker after checking the number
- Available in general stationery stores
- Unable to be reattached; single-use
- **Adhesive layer remains after removal**



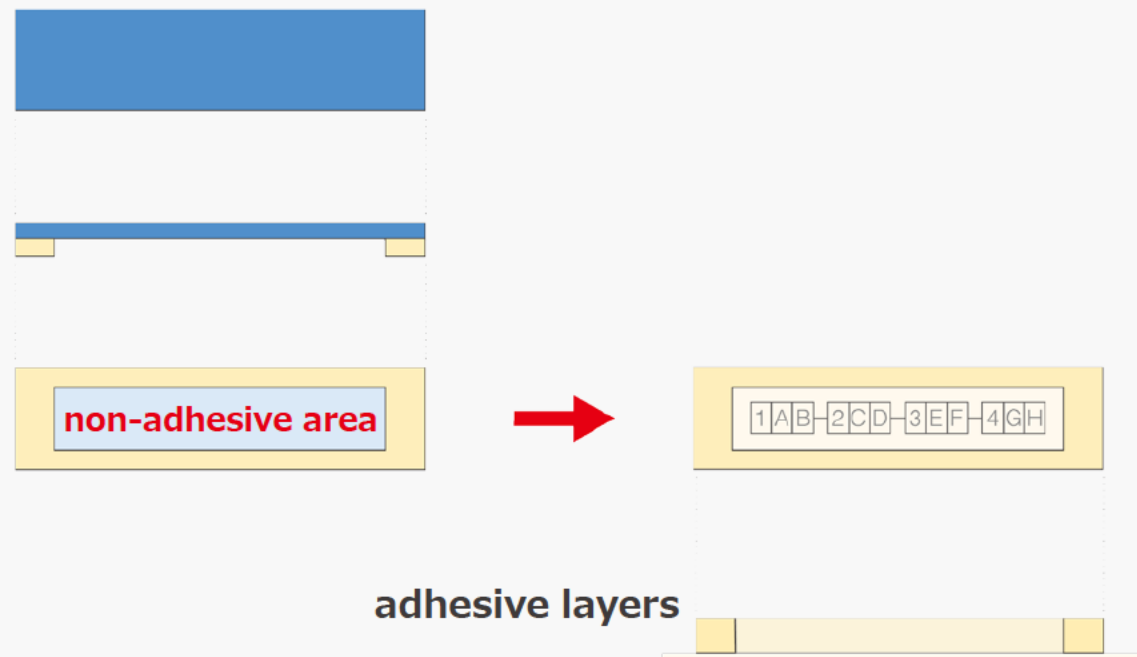
# Problem to be Solved

- Repeated use of the protection sticker
- Adhesive layers gradually accumulate
- **Number becomes unreadable**



# Patented Invention

- **Non-adhesive area** on the number
- Adhesive layers do not accumulate
- **Number does not become unreadable**



An ID Number protection sticker for concealing and protecting an ID Number on a Notification of ID Number by being attached to the area indicating the ID Number, wherein the sticker loses its ability to be reattached once removed, and wherein the sticker **has a non-adhesive area** which does not adhere to said Notification of ID Number, at least in the area in contact with said ID Number of an adhesive layer which constitutes said ID Number protection sticker.

# Document 1

- ID Number protection sticker
- Signature serves the function of detecting a removal by others
- **No mention regarding non-adhesive area**

**Difference**

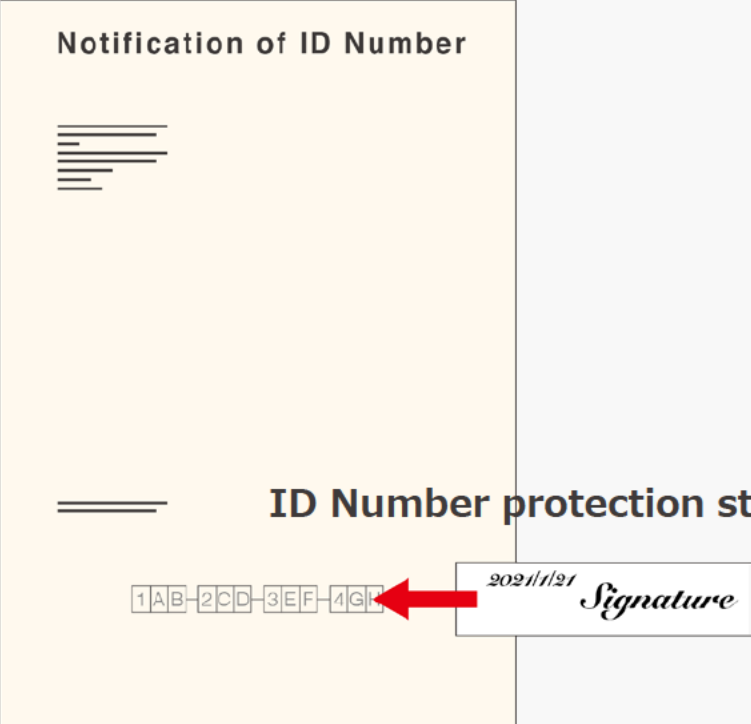
Notification of ID Number

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===== ID Number protection sticker

1	A	B	2	C	D	3	E	F	4	G	H
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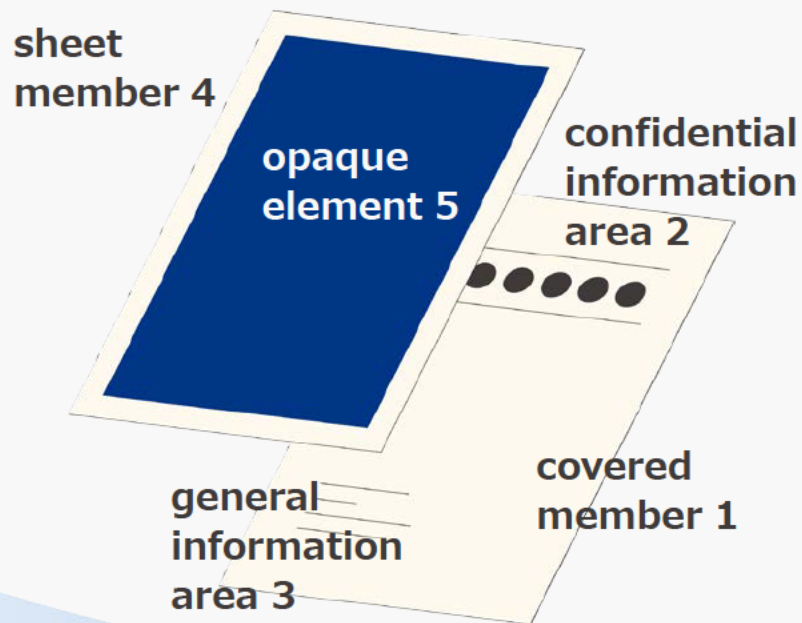
2021/1/21 *Signature*

A diagram of a yellow rectangular form titled "Notification of ID Number". It contains several horizontal lines representing text. At the bottom, there is a section labeled "ID Number protection sticker" with a double horizontal line above it. Below this is a table with 12 cells containing the sequence "1AB-2CD-3EF-4GHI". To the right of the table is a signature box containing the date "2021/1/21" and the word "Signature" in cursive. A red arrow points from the signature box to the "4GHI" part of the ID number table.

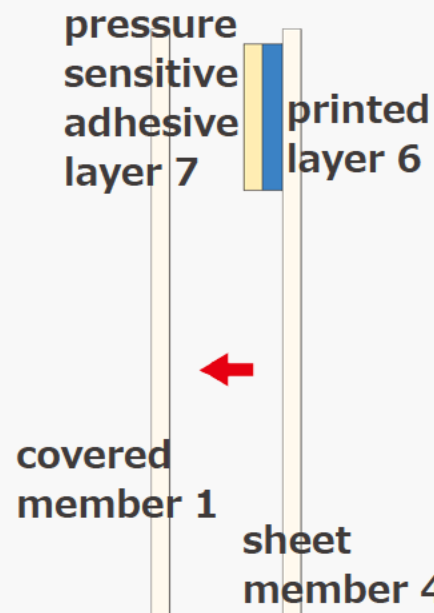


## Document 2

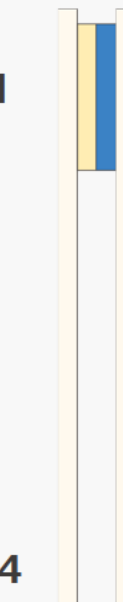
- Sheet to protect pass-fail test result, etc.
- Transferred printed layer serves the function of detecting unauthorized removal
- **No adhesive area on information section**



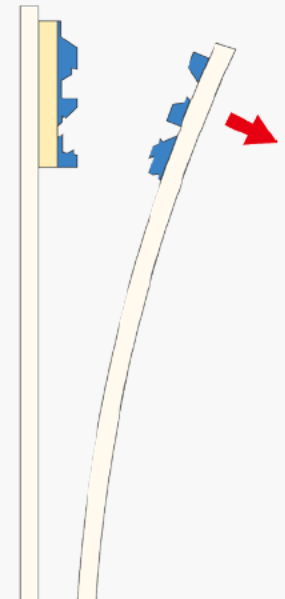
[Fig. 1]



[Fig. 2A]



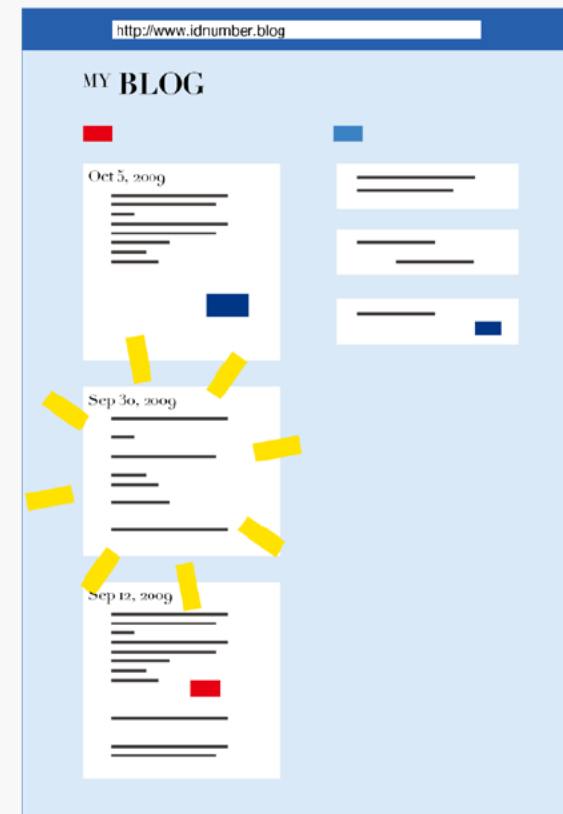
[Fig. 2B]



[Fig. 2C]

# Document 3

- Blog by a user of the sticker
- Published 5 years prior to patented invention
- **Sole evidence referring to the unreadability of the number**



Comparative Table	Patented Invention	D1	D2	D3
Use	ID Number	ID Number	Pass-fail test result	ID Number
Nature of information	<ul style="list-style-type: none"> <li>Confidential</li> <li>Repetitive</li> </ul>	<ul style="list-style-type: none"> <li>Confidential</li> <li>Repetitive</li> </ul>	<ul style="list-style-type: none"> <li>Confidential</li> <li>One-time</li> </ul>	<ul style="list-style-type: none"> <li>Confidential</li> <li>Repetitive</li> </ul>
Disadvantage of prior art	Unreadability of information	Unwanted disclosure of information repeatedly used	Unwanted disclosure of information used only once	Unreadability of information
Problem solved by the invention / effect of the invention	Prevention of unreadability of information	Concealment of information repeatedly used	Detection of removal by others (randomly transferred opaque printed layer)	N/A (Mere presentation of disadvantage)
Subject	<ul style="list-style-type: none"> <li>Attach: user</li> <li>Remove: user</li> </ul>	<ul style="list-style-type: none"> <li>Attach: user</li> <li>Remove: user</li> </ul>	<ul style="list-style-type: none"> <li>Attach: sender</li> <li>Remove: user</li> </ul>	<ul style="list-style-type: none"> <li>Attach: user</li> <li>Remove: user</li> </ul>
Structure	<ul style="list-style-type: none"> <li>Non-adhesive area on information section</li> </ul>	<ul style="list-style-type: none"> <li>No mention regarding non-adhesive area on information section</li> </ul>	<ul style="list-style-type: none"> <li>Opaque printed layer on pressure sensitive adhesive layer</li> <li>No pressure sensitive adhesive area on information section</li> </ul>	<ul style="list-style-type: none"> <li>Adhesive area on information section</li> </ul>
Operations or functions	<ul style="list-style-type: none"> <li>Prevention of unreadability of information</li> <li>Concealment of information repeatedly used</li> </ul>	<ul style="list-style-type: none"> <li>Concealment of information repeatedly used</li> <li>Detection of removal by others (signature)</li> </ul>	<ul style="list-style-type: none"> <li>Concealment of information used only once</li> <li>Detection of removal by others (randomly transferred opaque printed layer)</li> </ul>	<ul style="list-style-type: none"> <li>Concealment of information repeatedly used</li> </ul>

## Discussion Point 1 (Problem to be Solved)

Does the person skilled in the art **try to solve the problem of the patented invention**, which is the prevention of unreadability caused by repeated use, **in the ID Number protection sticker disclosed in D1?**

- ① If the problem to be solved by the patented invention is well-known to the person skilled in the art, even though said problem is not described in D1, does the person skilled in the art attempt to improve the invention described in D1 in an effort to create a solution to the problem?
- ② Is it reasonable to determine that the problem to be solved by the patented invention was well-known to the person skilled in the art, who is the manufacturer and vendor of ID Number protection stickers, based on the sole evidence D3 which is a user's view more than 5 years before the date of filing of the patented invention?

## Discussion Point 2 (Technical Field)

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**Is the technical field of D2 related to that of D1 to the extent that the person skilled in the art attempts to employ a prior art in the technical field** of the confidential information protection sheet of D2 when the person improves the ID Number protection sticker disclosed in D1?

## Discussion Point 3 (Operation or Function)

D1 and D2 have a **common operation or function, which is the “detection of removal”**. Although not explicitly stated, **D1’s signature** on the sticker has an operation or serves a function to detect removal of the sticker by others. **D2’s opaque printed layer, which is transferred when peeled off, has an operation or serves a function to detect the removal of the sheet member by others.** May this common operation or function, which is the detection of removal, be a motivation to apply D2 to D1 although the common operation or function does not correspond to the problem to be solved by the patented **invention** and also it is achieved by different mechanisms for detection in D1 and D2?

## Discussion Point 4 (Effect)

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If there was a motivation that the person skilled in the art would apply D2 to D1, **is the effect of the patented invention**, which is the prevention of unreadability caused by repeated use, **considered to be expected by the person skilled in the art?**

## Discussion Point 5 (Conclusion)

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Considering the problem to be solved, technical field, operation or function, and effect in a comprehensive manner, **is the patented invention invalid?**



**We look forward to your participation in the Symposium.**

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