

**02-02.1 P**

**Classification Table for  
Trial and Appeal Decisions: Patents**

A classification table in this section applies to an application filed on or after January 1, 1996 (However, a classification concerning an opposition to grant of patent applies on or after April 1, 2015.)

1. Classification Under Types of Cases ( P . – ( ) )

First digit (Types of industrial property rights)		Second digit (Types of instances)		Third – Fifth digits (Types of trials/appeals, etc.)	
P	Patent	1	Trial/Appeal (including Opposition to grant of patent and Hantei (Advisory opinion))	112	<Invalidation> Full invalidation (request on or before 2003)
				113	Full invalidation
				122	Partial invalidation (request on or before 2003)
		5	Retrial	123	Partial invalidation
		9	Others		<Invalidation for registration of an extension of term>
				15	Invalidation for registration of an extension of term (Full)
				16	Invalidation for registration of an extension of term (Partial)
				2	Hantei (Advisory opinion)
				41	Correction
					<Exclusion • Recusation>
				51	Exclusion
				52	Recusation
				651	<A request for opposition to grant of patent> Full

				652	Partial
				8	Appeal against the examiner's decision
				91	<Intermediate decision> Decision on approval/disapproval of intervention
				93	Decision to dismiss amendment
				94	Decision of preservation of evidence
				95	Decision of approval/disapproval of taking over a case
				99	Others

(Note)

1. In a case where the proceedings for more than two oppositions to grant of patent filed for the same patent right are consolidated, it is necessary to determine whether all of the claims demanded for the oppositions have appropriate reasons for opposition under consolidation.
2. In a case where more than two oppositions to grant of patent filed for the same patent right are examined separately, it is necessary to determine whether an opposition decision which is to be made later is filed against all of the claims remained at the time of rendering said decision, or filed against some of the claims remained at the time of rendering said decision.

2. Classification Under Types of Holdings (P — ( ) )

(1) Appeal against examiner's decision, Invalidation, Correction (Note), Opposition to grant of patent, Hantei (Advisory opinion)

Classification	Holdings
0	General proceedings (Appended table)
1	Patent Act Article 29 Requirements for patent
111	(1) (i) Novelty Publicly known
112	(1) (ii) Novelty Publicly worked
113	(1) (iii) Novelty Disclosed in a publication
121	(2) Inventive step
14	The body of Patent Act Article 29 Industrial applicability
15	Inventor • Applicant
151	Patent Act Article 38 Joint application
152	Patent Act Article 49 (vii) (Old (vi)) Application by a person who does not have the right to obtain the patent Application by a non-inventor, by a person who has not succeeded to the right to obtain the patent (filed on or before March 31, 2012)
	Patent Act Article 123 (1) (vi) Patent by a person who does not have the right to obtain the patent (filed on or before March 31, 2012) Patent by a non-inventor, by a person who has not succeeded to the right to obtain the patent
16	Secret Prior Art
161	Same invention
162	Same inventor
163	Same applicant
24	Patent Act Article 32 Public order, morality, public health
4	Patent Act Article 39 Prior application
5	Enjoyment of rights by foreign nationals, violation of treaty
51	Patent Act Article 25 Enjoyment of rights by foreign nationals
	Patent Act Article 49 (iii) Application in violation of any relevant treaty
	Patent Act Article 113 (iii) Patent in violation of any relevant treaty

	Patent Act Article 123 (1) (iii)	Patent in violation of any relevant treaty
	Patent Act Article 123 (1) (vii)	Violation of any relevant treaty after granted a patent
536	Patent Act Article 36 (4)	Improper description in the detailed description of the invention
537	Patent Act Article 36 (6) (i), (ii), (iii)	Improper description in the claims
538	Patent Act Article 36 (6) (iv)	Improper description in formality of the claims
54	Patent Act Article 49 (vi) (Old (v))	New matter added into the original specification
	Patent Act Article 113 (v)	New matter added into the original specification
	Patent Act Article 123 (1) (v)	New matter added into the original specification
55	Patent Act Article 17-2(3)	Amendment adding new matters (including cases applying mutatis mutandis Patent Act Articles 113(i), 159(2), 174(1)(Old (2)))
56	Patent Act Article 53 (1)	Dismissal of amendment
561	Patent Act Article 17-2(3)	Dismissal of amendment due to addition of new matters (including cases applying mutatis mutandis Patent Act Articles 159(1), 174(1))
562	Patent Act Article 17-2(3)	Dismissal of amendment due to addition of new matters to translation document
57	Patent Act Article 17-2	Purpose of amendment
571	(5) (Old (4))(i)	Deletion of claims
572	(5) (Old (4))(ii)	Restriction of claims
573	(5) (Old (4))(iii)	Correction of clerical errors in claims
574	(5) (Old (4))(iv)	Clarification of unclear description in claims
575	(6) (Old (5))	Independent patent requirements
64	Old Patent Act Article 37	Unity of invention (until December 31, 2003)
641	(i)	Same subject
642	(ii)	Same main part
643	(iii)	Manufacturing, use, method of using an invention of product, manufacturing device etc. of the product, a product which exclusively uses a feature of the product or a product which uses the product
644	(iv)	A product used for implementing an invention of process
645	(v)	Others stipulated under the Cabinet order
65	Patent Act Article 37	Unity of invention (filed on or after January 1, 2004)
7		Registration of an extension of the term

71	Patent Act Article 67-3(1)(i)	Necessity of Disposition
	Patent Act Article 125-2(1)(i)	Necessity of Disposition
831	Patent Act Article 123 (1) (viii)	Suitability for correction
832	Patent Act Article 126 (1)	Suitability for correction
	Patent Act Article 120-5 (2)	Suitability for correction
	Patent Act Article 134-2 (1) (Old Article 134(2))	Suitability for correction
841	Patent Act Article 126 (5) (Old (2)(3))	Correction for addition of new matter (including cases applying mutatis mutandis Patent Act Article 134-2(9) (Old Article 134-2(5), Old Article 134(5))
842	Patent Act Article 126 (5) (Old (2)(3))	Correction for addition of new matter to the original text (including cases applying mutatis mutandis Patent Act Article 134-2(9) (Old Article 134-2(5), Old Article 134(5))
851	Patent Act Article 126(1)(i)	Restriction of claims
	Patent Act Article 120-5(2)(i)	Restriction of claims
	Patent Act Article 134-2(1)(i)	Restriction of claims
	(Old Article 134(2)(i))	Restriction of claims
852	Patent Act Article 126(1)(ii)	Correction of clerical errors or erroneous translation
	Patent Act Article 120-5(2)(ii)	Correction of clerical errors or erroneous translation
	Patent Act Article 134-2(1)(ii)	Correction of clerical errors or erroneous translation
	(Old Article 134(2)(ii))	Correction of clerical errors or erroneous translation
853	Patent Act Article 126(1)(iii)	Clarification of unclear descriptions
	Patent Act Article 120-5(2)(iii)	Clarification of unclear descriptions
	Patent Act Article 134-2(1)(iii)	Clarification of unclear descriptions
	(Old Article 134(2)(ii))	Clarification of unclear descriptions

857	Patent Act Article 126(1)(iv) Patent Act Article 120-5(2)(iv) Patent Act Article 134-2(1)(iv) (Old Article 134(2)(iv))	Description of the claim that cites the description of other claims rewrites so as not to cite other claims “ “ “
854	Patent Act Article 126(6) (Old (3)(4))	Substantial enlargement of the claims (Patent Act Article 120-5(9), Patent Act Article 134-2(9) (including cases applying mutatis mutandis Old Article 134-2(5), Old Article 134(5))
855	“	Substantial alteration of the claims (“)
856	Patent Act Article 126(7) (Old (4)(5))	Independent patent requirement (“)

(Note)

In a case where a holding indicates “a patent is not granted independently when filing an application”., the classification number corresponding to the classification numbers 1 – 645 as well as 575 or 856 in this classification table shall be used.

## (2) Hantei (Advisory opinion)

Classification	Holdings
0 1 2 9	General proceedings (Appended table) Same Use Others

## (3) Appended table (Sub-classification of general proceedings)

Classification	Holdings
0 01 02 03 04 05 06 07 08 081 082 09 091 092	General proceedings Indication in a written request, Request Interest, Eligibility of a party, Benefit of request Application date, Priority date, Request date Subject Method of proceedings, Procedure of proceedings Evidence Prohibition of double jeopardy Finding the gist Right Not right Others Intervention Opposition

A definition or an example of classification for general proceedings (→ 02-03 IV)

3. The First Auxiliary Classification (P . –  ( ))

Classification	The First Auxiliary Classification (Conclusion of trial and appeal decisions, etc.)					
	Invalidation • Invalidation for registration of extension of the term	Correction	Appeal against the examiner's decision	Hantei (Advisory opinion)	Exclusion • Recusation, Approval/disapproval for intervention	Opposition to grant of patent
W			Cancel the decision and remand the case,			
WA			Cancel the decision of dismissal of amendment, Cancel the original decision and remand the case to an examination.			
WB			Maintain the decision of dismissal of amendment. Cancel the original decision and remand the case to an examination.			
WY WYF (for standard)			Cancel the decision and grant a patent right.			
WYA			Cancel the decision of dismissal of amendment. Cancel the original decision and a patent shall be granted.			
WYB			Maintain the decision of dismissal of amendment. Cancel the original decision and a patent shall be granted.			
WZ WZF (for standard)			A patent shall not be registered (a reason for refusal is found in a reexamination before trial or in this trial).			
WZA			Cancel the decision of dismissal of amendment. The case shall be refused based on a reason for			



WZB			<p>refusal found in a reexamination of trial or in this trial.</p> <p>Maintain the decision of dismissal of amendment. The case shall be refused based on a reason for refusal found in a reexamination of trial or in this trial.</p>			
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Class ificat ion	The First Auxiliary Classification (Conclusion of trial and appeal decisions, etc.)					
	Invalidation • Invalidation for registration of extension of the term	Correction	Appeal against the examiner's decision	Hantei (Advisory opinion)	Exclusion • Recusation, Approval/ disapproval for intervention	Opposition to grant of patent
X	Dismissal by a trial decision.	Dismissal by a trial decision	Dismissal by decision	Dismissal by decision(as applied mutatis mutandis pursuant to Patent Act Article 135)		Dismissal by a decision (as applied mutatis mutandis pursuant to Patent Act Article 135)
XX	Dismissal by decision	Dismissal by decision	Dismissal by decision	Dismissal by decision (as applied mutatis mutandis pursuant to Patent Act Article 133-2)	Dismissal by decision	Dismissal by a decision (as applied mutatis mutandis pursuant to Patent Act Article 133- 2)
XA	Correction is accepted. A request for trial is dismissed. (The claims demanded in the trial are all deleted by correction. )					Correction is accepted. A request is dismissed. (The claims requested in the trial are all deleted by the correction.)
Y	Do not invalidate.	Correctio n is accepted (fully accepted ).			Accept, Approve.	Maintain a patent.
YA	Correction is accepted. Do not invalidate. *1			Belong (a request is accepted).		

YAA	Correction is accepted (whole). Do not invalidate. *2					Correction is all accepted. Maintain a patent.
YAB	Correction is accepted (partial). Do not invalidate. *2					Correction is partially accepted. Maintain a patent.
YB	Correction is not accepted. Do not invalidate.			Belong (a request is not accepted).		Correction is not accepted. Maintain a patent.
YC		Correction is accepted (partial). *3				
Z	Invalidate (all requests are accepted).	Correction is not accepted.	Do not register for establishment of a patent.		Not accepted, Not approved.	Cancel a patent (all requests are accepted).
ZA	Correction is accepted. Invalidate (all requests are accepted). *1		Cancel the decision of dismissal of amendment. The case shall be refused based on a reason of the original decision.	Do not belong (a request is accepted).		
ZAA	Correction is accepted (whole). Invalidate (all requests are accepted). *2					Allow all corrections. Cancel a patent (all requests are accepted).

ZAB	Correction is accepted (partial). Invalidate (all requests are accepted). *2					Correction is partially accepted. Cancel a patent (all requests are accepted).
ZB	Correction is not accepted. Invalidate (all requests are accepted).		Do not cancel the decision of dismissal of amendment. The case shall be refused based on a reason of the original decision.	Do not belong (a request is not accepted).		Correction is not accepted. Cancel a patent (all requests are accepted).
ZC	Invalidate (a request is partially accepted).					Cancel a patent (a request is partially accepted).
ZD	Correction is accepted. Invalidate (a request is partially accepted). *1					Allow correction. Cancel a patent (a request is partially approved).
ZDA	Correction is accepted. (whole). Invalidate (a request is partially accepted). *2					Correction is all accepted. Cancel a patent (a request is partially approved).
ZDB	Correction is accepted (partial). Invalidate (a request is partially accepted). *2					Correction is partially accepted. Cancel a patent (a request is partially approved).

ZE	Correction is accepted. Invalidate (a request is partially accepted).					Correction is not accepted. Cancel a patent (a request is partially accepted).
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\*1 Applied to a trial for invalidation filed on or before March 31, 2012.

\*2 Applied to a trial for invalidation filed on or after April 1, 2012.

\*3 Applied to a trial for correction filed on or after April 1, 2012.

(Revised December 2023)