

02—02.3 D
Classification Table for
Trial and Appeal Decisions: Designs

1. Classifications Under Types of Cases (Design, Level of Instance, Types of Trial/Appeal)

(Design)

D — () ○

First digit		Second digit		Third – Fifth digits	
D	Design	1	Trial/Appeal	11	(Invalidation)
		2	_____	113	(Invalidation) (Note a)
		3	_____	2	Advisory Opinion
		4	_____	3	_____
		5	Retrial	4	_____
		6	_____		(Exclusion • Recusation)
		7	_____	51	Exclusion
		8	_____	52	Recusation
		9	Others	6	_____
					7
			8	Appeal against the examiner's decision (Interlocutory decision)	
			91	Decision of approval/disapproval of intervention	
			92	_____	

				93	Decision of dismissal of an amendment
				94	Decision of prevention of evidence
				95	Decision of approval/disapproval of succession

(Note a) Apply for a trial for invalidation requested after January 1, 2004

2. Classification Table Under Types of Holdings

(1) Invalidation for registration, Appeal against the examiner's decision

(Design)

D . — () ○

Classification	Holdings
0	General proceedings (Appended table)
1	Design Act Article 3
11	Requirements for registration
111	New
112	Publicly-known (including similarity)
113	(1) (i)
12	Disclosed in publication
121	(1) (ii)
13	(2)
14	Creation
15	(2)
	Easily be created
	Articles
	Industrial applicability
	Creator、Applicant
	Joint application
	Design Act Article 15
	(→Patent Act Article 38)
	Design Act Article 17(4)
	Application filed by a non-creator who has not succeeded
	Design Act Article 48(1)(iii)
	Design registration registered by a non-creator who has not succeeded
16	Design Act Article 3-2
2	Requirements for registration(partial)
21	Design Act Article 5
22	Design which cannot be registered
23	_____
24	(i)
25	Public order, morality
26	(ii)
3	Confusion with an article
31	(iii)
32	Shape indispensable for functions
33	Design Act Article 10
4	Related designs (including similar designs)
5	_____
51	Design Act Article 9
	Prior application
	Others
	Design Act Article 68(3)
	Enjoyment of rights by foreign nationals
	(→Patent Act Article 25)
	Design Act Article 17(ii)
	Application in violation of any relevant treaty
	Design Act Article 48(1)(ii)
	Registered design in violation of any relevant treaty
	Design Act Article 48(1)(iv)
	Violation of any relevant treaty after registration
52	Design Act Article 7
53	One application per design
6	_____
61	Design Act Article 8
62	Design for a set of articles
63	_____

(2) Advisory Opinion
(Design)

Classification	Holdings
0	General Proceedings (Annex)
1	Same • Similar
2	_____
9	Others

(3) Appeal against the examiner's decision dismissing an amendment, Decision of dismissal of amendment

(Design)

Classification	Holdings
0	General Proceedings (Annex)
1	Drawings (including description of design)
2	Articles (including description of articles)

(4) Annex (sub-classification of general proceedings)

(Design)

Classification	Holdings
0	General Proceedings
01	Indication of request, Request
02	Interest, Fitness for being a party
03	Filing date, Priority date, Date of request
04	Subject matter
05	Method of proceedings, Proceeding procedures
06	Evidence
07	Prohibition of double jeopardy
08	Finding of the gist
081	Rights
082	Not rights
09	Others

091	Intervention
092	Opposition

3. Classification Table Under “Conclusion”(per Type of Trial/Appeal)

(Design) D . — () ○

Classification	“Conclusion” under types of trial/appeal				
	Invalidation	Appeal against the examiner’s decision	Appeal against the examiner’s decision dismissing an amendment	Advisory opinion	Exclusion • Recusation, Approval/disapproval of intervention
W		Revoke and remand	Revoke		
WY		Revoke and register			
WZ		Do not register (A reason for refusal on the merits)			
X	Dismissal of the trial decision	Dismissal of the trial decision	Dismissal of the trial decision	Dismissal of the advisory opinion (Article 135)	
XX	Dismissal of the decision	Dismissal of the decision	Dismissal of the decision	Dismissal of the decision (Article 133)	Dismissal of the decision
Y	Do not invalidate				Approve, Permit
YA				Belong (a request is approved)	

YB				Belong (a request is not approved)	
Z	Invalidate	Do not register	Do not revoke		Do not approve, Do not permit
ZA				Do not belong (a request is approved)	
ZB				Do not belong (a request is not approved)	
ZC					

(Revised Nov 2010)