

02—02.5 PUDT

Classification Table for Court Decisions

Classifications of court decisions shall be described according to the instructions for entry of the classifications of trial/appeal decisions (→02-02, the classifications of trial/appeal) using the following tables.

1. Classifications under the types of cases (Patent, Utility Model, Design, Trademark, and others; Level of Instance; Types of Lawsuits)

(Court decisions)

First digit (P,U,D, T and Others)		Second digit (level of instance)		Third-Fifth digits (Types of lawsuits)	
P	Patent	3	Appeal with the	0	Lawsuit (Note)
U	Utility Model		High Court		
D	Design	4	Appeal with the	01	Ordinary lawsuit
T	Trademark		Supreme Court	02	Administrative litigation
E	Others	5	_____		(excluding revocation of a
		7	Appeal with the		trial decision)
			District Court	03	Provisional injunction
				04	Retrial
				09	Others

(Note) When entering a court decision for revocation of a trial decision or a decision, the third-fifth digits (Types of trial/appeal, etc.) in the classification tables of patent, utility model, design, or trademark (02-02 (PUDT)) are applied to the third – fifth digits (Types

of lawsuits) in the classification table of court decisions .

(Example) P3112 • 121-ZZ (G11B)

(A court decision to maintain a trial decision to invalidate the entire patent)

2. Classification Table Under Holdings (Note 1)

(Court decision)

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(Ordinary lawsuits, Provisional injunction, Retrial) (Administrative litigation)

	Holdings		Holdings
0	General proceedings (Note 2)	0	General proceedings (Note 2)
1	Range of rights	1	Cancellation of disposition
11	Same, Similar	11	Cancellation of disposition upon refusal of receipt
12	Use	12	Cancellation of disposition upon registration
19	Others		
2	Prior Use	2	Confirmation of illegality of omission
3	Right of demand injunction		
4	Act deemed to be an infringement		
5	Presumption		
51	Amount of damages		
52	Negligence		
53	Production method		
6	Measures for recovery of reputation		
9	Others	9	Others

(Note 1) Classifications by holdings of a court decision on a suit against a trial (appeal) decision shall be classified by using the applicable classifications of those of trial/appeal.

(Note 2) Sub-classifications of proceedings in general shall be classified by using the applicable classifications of those of trial/appeal.

3. Classification table for “Conclusion” (per types of suits)

When classifying “Conclusion” of court decisions, enter “W, Z, X” after the “Conclusion” classification of the prior trial/appeal decision (court decision), such as “W” for a court decision to revoke the prior trial/appeal decision (court decision), “Z” for a court decision to maintain (dismissal of a request) the prior trial/appeal decision (court decision), or “X” for dismissal of a request.

(1) “Conclusion” related to a suit against a trial/appeal decision, etc.

A. Examples for a court decision on a suit against an ex-parte appeal decision (including the decision)

Appeal Decision	High Court Decision	Supreme Court Decision		
Disapproving a request	Z	Revocation of original court decision	ZWW	
		Maintenance of original court decision	WZWW	
	WZ	ZW	Maintenance of original court decision	ZWZ
		WZW		WZZW
	Z	ZZ	Revocation of original court decision	ZZW
		WZZ	Maintenance of original court decision	WZZW
WZ	Z	Maintenance of original court decision	ZZZ	
		Maintenance of original court decision	WZZZ	

B. Examples for a court decision on a suit against an inter-partes trial decision • a decision

Trial Decision	High Court Decision • Decision (Note)	Supreme Court Decision	
Do not invalidate Allow correction Do not revoke	Revocation of trial decision	YW { Revocation of original court decision YWW	
		YW { Maintenance of original court decision YWZ	
	Maintenance of trial decision	YZ { Revocation of original court decision YZW	
		YZ { Maintenance of original court decision YZZ	
	Invalidate Revoke Do not allow correction Invalid in partial Revoke in partial	Revocation of trial decision	ZW { Revocation of original court decision ZWW
			ZCW { Maintenance of original court decision ZCWZ
Maintenance of trial decision		ZZ { Revocation of original court decision ZZW	
		ZZ { Maintenance of original court decision ZCZW	
ZC		ZZ	ZZ { Maintenance of original court decision ZZZ
			ZCZ { Maintenance of original court decision ZCZZ

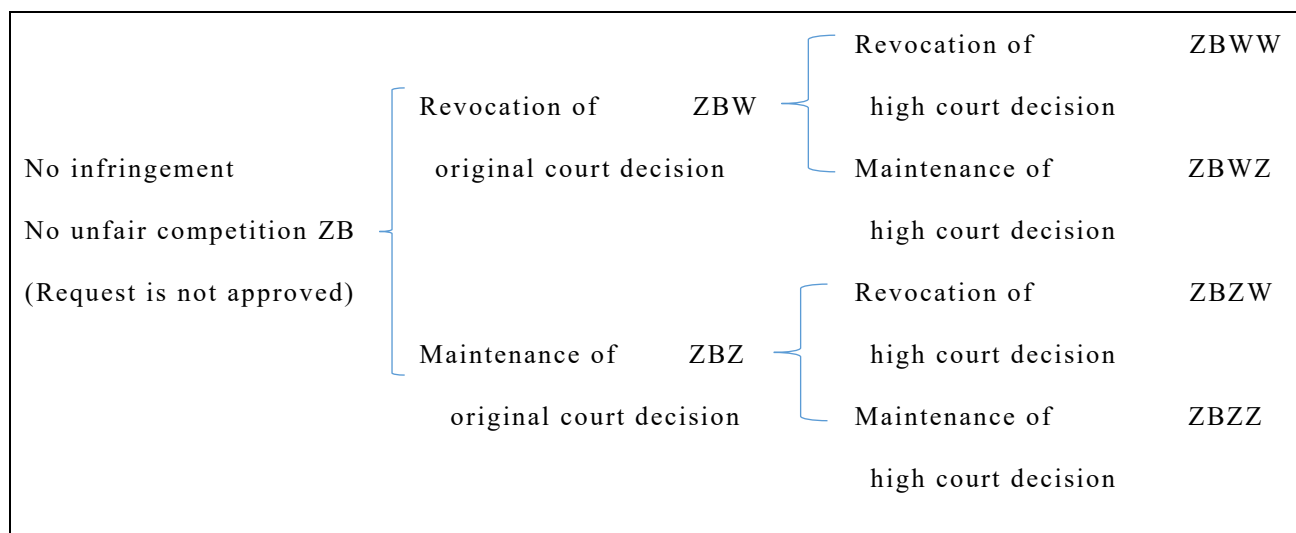
(Note) With respect to revocation of a trial decision by a decision of remand pursuant to the 2003 Act on Partial Revision of the Patent Act, Article 181(2), “V” is added to a code of conclusion of a trial decision, and makes the code such as YV, ZV, ZCV.

C. Examples for a court decision on a suit against a decision to revoke relating to opposition to grant of patent (opposition to registration of trademark)

Decision		High Court Decision	Supreme Court Decision
Cancel	Z	Revocation of decision	ZW
			ZCW
Cancel in partial	ZC		ZWZ
			ZCWZ
		Maintenance of decision	ZZ
			ZCZ
			ZZW
			ZCZW
			ZZZ
			ZCZZ

(2) Ordinary lawsuit, Provisional injunction, Retrial court decision “Conclusion”

District Court Decision	High Court Decision	Supreme Court Decision
Infringement Unfair competition YA (Request is approved)	Revocation of original court decision	YAW { Revocation of high court decision YAWW
		YAWZ { Maintenance of high court decision
	Maintenance of original court decision	YAZ { Revocation of high court decision YAZW
		YAZZ { Maintenance of high court decision
Infringement Unfair competition YB (Request is approved)	Revocation of original court decision	YBW { Revocation of high court decision YBWW
		YBWZ { Maintenance of high court decision
	Maintenance of original court decision	YBZ { Revocation of high court decision YBZW
		YBZZ { Maintenance of high court decision
Infringement Unfair competition ZA (Request is approved)	Revocation of original court decision	ZAW { Revocation of high court decision ZAWW
		ZAWZ { Maintenance of high court decision
	Maintenance of original court decision	ZAZ { Revocation of high court decision ZAZW
		ZAZZ { Maintenance of high court decision



(3)A court decision on an administrative case litigation “Conclusion”
 (Relating to a suit against a trial/appeal decision “Conclusion” →3(1)a, b)

District Court Decision	High Court Decision	Supreme Court Decision
Cancellation of disposition W	Revocation of original court decision WW	Revocation of high court decision WWW
		Dismissal of appeal WWZ (Maintenance of high court decision)
	Dismissal of request (Maintenance of original court decision) WZ	Revocation of high court decision WZW
		Dismissal of appeal WZZ (Maintenance of high court decision)
Dismissal of request Z	Revocation of original court decision ZW	Revocation of high court decision ZWW
		Dismissal of appeal ZWZ (Maintenance of high court decision)
	Dismissal of request (Maintenance of original court decision) ZZ	Revocation of high court decision ZZW
		Dismissal of appeal ZZZ (Maintenance of high court decision)

(Revised July 2005)