

02—02.5 PUDT

Classification Table for Court Decisions

1. Classification under the types of cases (. - ())

First digit (Types of Industrial Property Rights))		Second digit (Types of instances)		Third-Fifth digits (Types of lawsuits)	
P	Patent	3	Appeal to the High	X	Trail/appeal decision and a
U	Utility Model		Court		lawsuit rescinding the
D	Design	4	Appeal to the		decision (Note)
T	Trademark		Supreme Court (a		
E	Others		final appeal)		
		7	Appeal to the	0	Lawsuit (Note)
			District Court	01	Ordinary lawsuit
				02	Administrative lawsuit (excluding rescission of a trial decision, etc.)
				03	Provisional injunction
				04	Retrial
				09	Others

(Note) The third – fifth digits of a court decision on a suit rescinding a trial decision or a decision are classified by using the third-fifth digits (Types of trials/appeals) of the applicable classification of that of trial decision (→02-02.1 ~ 02.5 1.).

Classification under holdings of a court decision on a suit rescinding a trial decision is classified by using the applicable classification of that of trial decision(→02-02.1 ~ 02.5 2.).

[Example: A court decision to maintain a trial decision to invalidate the entire patent]

P3112.121-ZZ (G11B)

2. Classification Under Holdings (Note 1) (- ())

Ordinary lawsuit, Provisional injunction, Retrial		Administrative lawsuit	
Classification	Holdings	Classification	Holdings
X	General proceedings (Note 2)	X	General proceedings (Note 2)
1	Scope 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	Confirmation of illegality of omission
2	Prior Use	9	Others
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		

(Note 1) Classification by holdings of a court decision on a suit against a trial (appeal) decision is classified by using the applicable classification of that of trial/appeal (→02-02.1 ~ 02.5 2.).

(Note 2) Sub-classification of proceedings in general are classified by using the applicable classification of that of trial/appeal (→02-02.1 ~ 02.5 2. Appended table

3. The First Auxiliary Classification (. ())

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

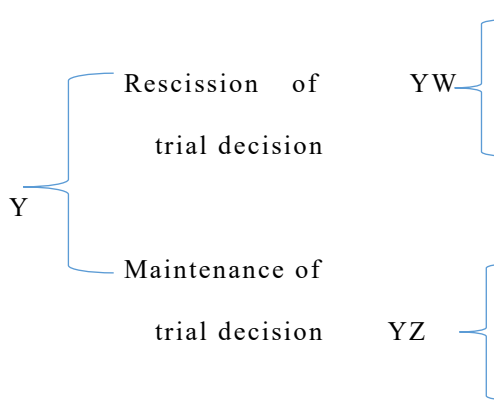
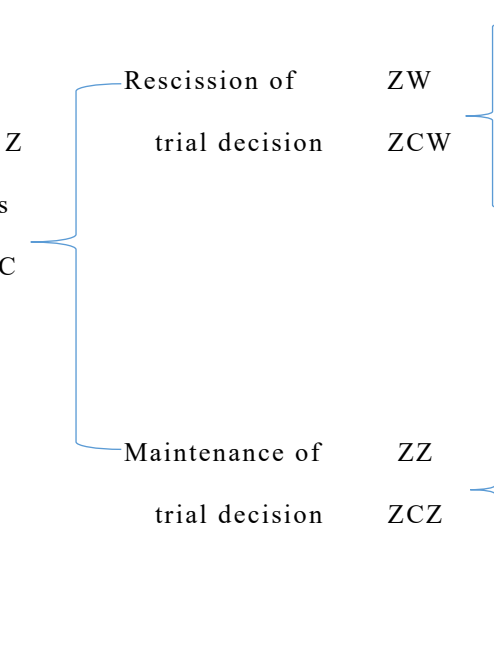
(1) The first auxiliary classification related to a suit rescinding a trial/appeal decision, etc.

a. An example for a court decision on a suit rescinding an ex-parte appeal decision or a decision

Appeal Decision	High Court’s Decision	Supreme Court’s Decision
Disapproving a request	Z	Rescission of original court decision ZWW
		Maintenance of original court decision WZWW
	WZ	Rescission of appeal decision ZW
		Maintenance of appeal decision WZW
	ZZ	Rescission of original court decision ZZW
		Maintenance of original court decision WZZW
		Rescission of appeal decision WZZ
		Maintenance of appeal decision WZZZ

(Note) A trial decision may be other than Z or WZ (→02-02 1, 02.3, 02.4 3. Classification tables).

b. Examples for a court decision or a decision on a suit rescinding inter-partes trial decision or a trial decision for correction

Trial Decision	High Court's Decision [*] Decision (Note)	Supreme Court's Decision
Not invalidate Allow corrections Not rescind		Rescission of original court decision YWW Maintenance of original court decision YWZ Rescission of original court decision YZW Maintenance of original court decision YZZ
Invalidate Rescind Not allow corrections Invalid in part Rescind in part		Rescission of original court decision ZWW Maintenance of original court decision ZCWW Rescission of original court decision ZWZ Maintenance of original court decision ZCWZ Rescission of original court decision ZZW Maintenance of original court decision ZCZW Rescission of original court decision ZZZ Maintenance of original court decision ZCZZ

(Note) With respect to rescind 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.

A trial decision may be other than Y, Z or ZC (→02.-02 1. ~ 02.4 3. Classification tables).

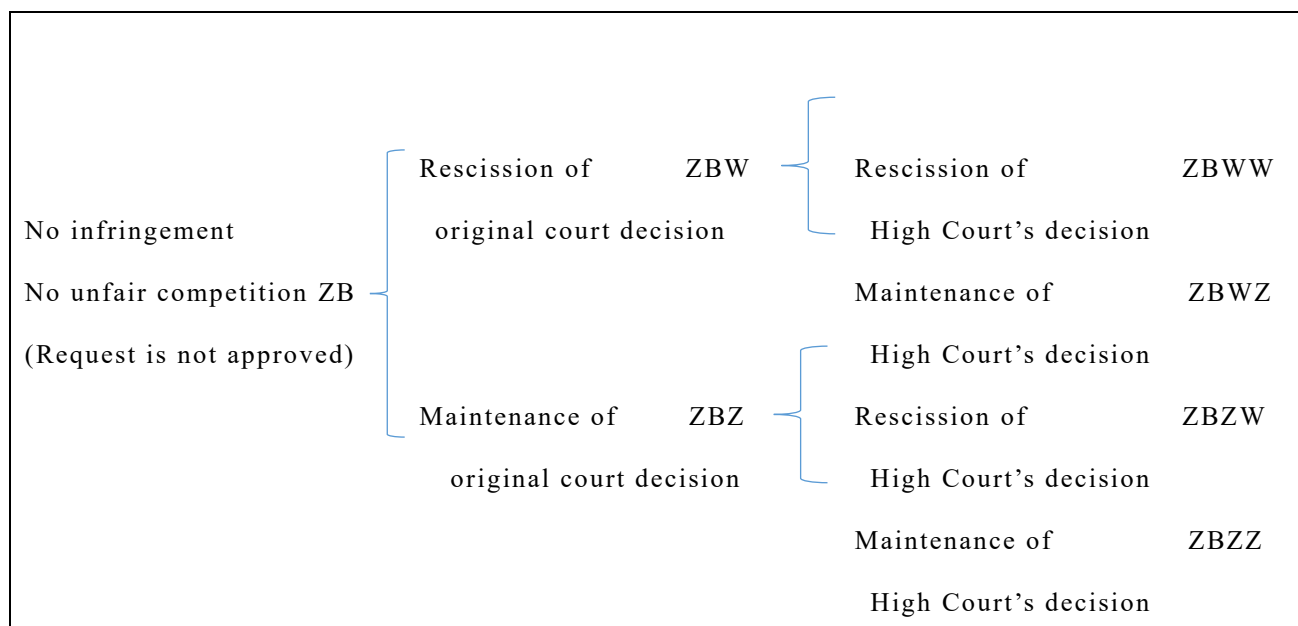
c. An example for a court decision on a suit rescinding a revocation decision on an opposition to grant of patent (opposition to registration of trademark)

Decision on opposition		High Court's Decision		Supreme Court's Decision		
Rescission Rescind in part	Z	Rescission of decision	ZW	{	Rescission of original court decision	ZWW ZCWW
			ZCW		Maintenance of original court decision	ZWZ ZCWZ
	ZC	Maintenance of decision	ZZ	{	Rescission of original court decision	ZZW ZCZW
			ZCZ		Maintenance of original court decision	ZZZ ZCZZ

(Note) A trial decision may be other than Z or ZC (→02.-02 1, 02.4 3. Classification tables).

(2) The first auxiliary classification of Ordinary lawsuit, Provisional injunction, Retrial court decision

District Court's Decision	High Court's Decision	Supreme Court's Decision
Infringement Unfair competition YA (Request is approved)	Rescission of YAW original court decision	Rescission of YAWW High Court's decision
		Maintenance of YAWZ High Court's decision
	Maintenance of YAZ original court decision	Rescission of YAZW High Court's decision
		Maintenance of YAZZ High Court's decision
Infringement Unfair competition YB (Request is not approved)	Rescission of YBW original court decision	Rescission of YBWW High Court's decision
		Maintenance of YBWZ High Court's decision
	Maintenance of YBZ original court decision	Rescission of YBZW High court's decision
		Maintenance of YBZZ High court's decision
No infringement No unfair competition ZA (Request is approved)	Rescission of ZAW original court decision	Rescission of ZAWW High court's decision
		Maintenance of ZAWZ High court's decision
	Maintenance of ZAZ original court decision	Rescission of ZAZW High court's decision
		Maintenance of ZAZZ High court's decision



(3) The first auxiliary classification of a court decision on an administrative case litigation

(The first auxiliary classification related to a suit rescinding a trial/appeal decision

→3. (1)a, b)

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

(Revised December 2023)