

02-02 PUDT

Trial and Appeal Decision Classification and Court Decision Classification

1. Trial and Appeal Decision Classification and Court Decision Classification

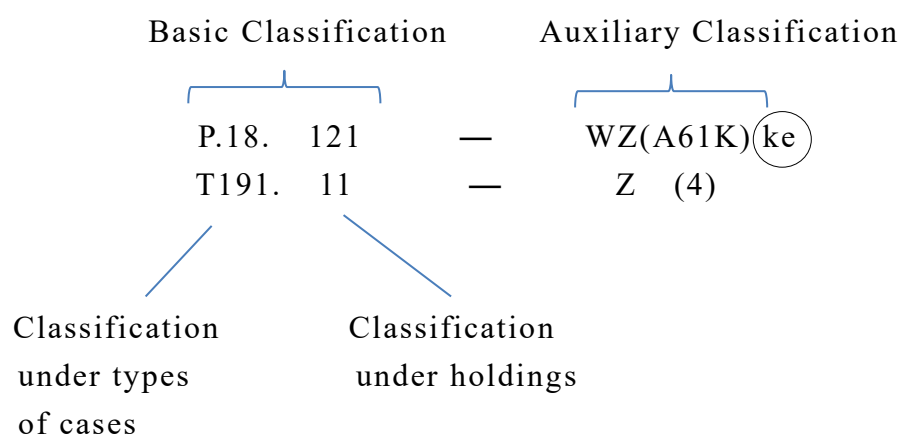
(1) Trial and appeal decision classification and court decision classification works as a label to classify a trial and appeal decision and a court decision under types of cases of the decision and matters mainly discussed in the decision in legal context (hereinafter, referred to as “holding”) as well as a conclusion of the decision, technology, articles and classification (class) of the goods.

(2) Trial and appeal decision classification and court decision classification, in principle, consist of “basic classification” having 4-8 digits and 3 kinds of “auxiliary classification” which are connected after “basic classification” with a hyphen.

To make it easier to identify each classification characteristics, a midpoint shall be put between “types of cases” and “holding”.

“Types of cases” consists of 3-5 digits of characters and numbers, and “holding” consists of 1-3 digits of numbers.

[Example 1]



2. Configuration of Trial and Appeal Decision Classification and Court Decision Classification

Trial and appeal decision classification and court decision classification roughly consist of a “basic classification” and an “auxiliary classification”, and a “basic classification” is further subdivided to a “classification under types of cases” and a “classification under holdings”.

(1) Basic Classification

The basic classification is made based on the decimal system, and consists of 4-8 digits of characters and numbers. This classification is further subdivided to a classification of types of cases (3-5 digits) and a classification of holdings (1-3 digits) (See [Example 1]).

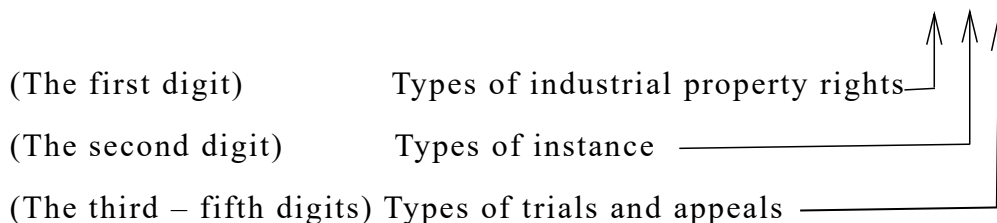
A. Classification under types of cases

A “classification under types of cases” indicates types of industrial property rights, types of instance, types of trials and appeals, etc.

[Example 2]

Basic Classification

D 1 1. 113-Z (C08F)



(A) The first digit (types of industrial property rights)

The first digit shows a types of industrial property rights subject of a case of dispute (by types: patent, utility model, design, and trademark, etc.), and any one of the symbols is used: P, U, D and T. For others, see 02-02 (sai) (1).

(B) The second digit (types of instance)

The second digit shows types of instance (by types: trial, expert opinion, bringing to an action, etc.).

A request for an opposition of grant of patent (cases on and after January, 1996 and on and after April, 2015) and a request for an advisory opinion are indicated as 1 in the second digit. For example, among oppositions of grant of patent, a request for an opposition of grant of patent against all claims is shown by P1651, a request of an advisory opinion is shown by P12.

(C) The third to fifth digits (types of trials/appeals)

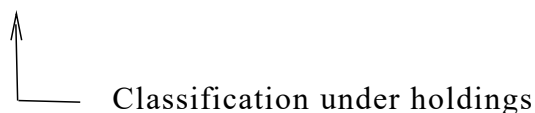
The third to fifth digits show types of trials and appeals (by types: invalidation, opposition to grant of patent, advisory opinion, revocation, an appeal against the examiner’s decision, etc.).

B. Classification under holdings

A “classification under holdings” consists of numbers of 1-3 digits which indicates a portion of the first to third digits after a dot following a “classification under types of cases” in item A. They show a content of holdings mainly discussed in a trial/appeal decision or a court decision (by content: inventive step, inappropriate statement in a specification, similar design, similarity in appearance, etc.).

[Example 3]

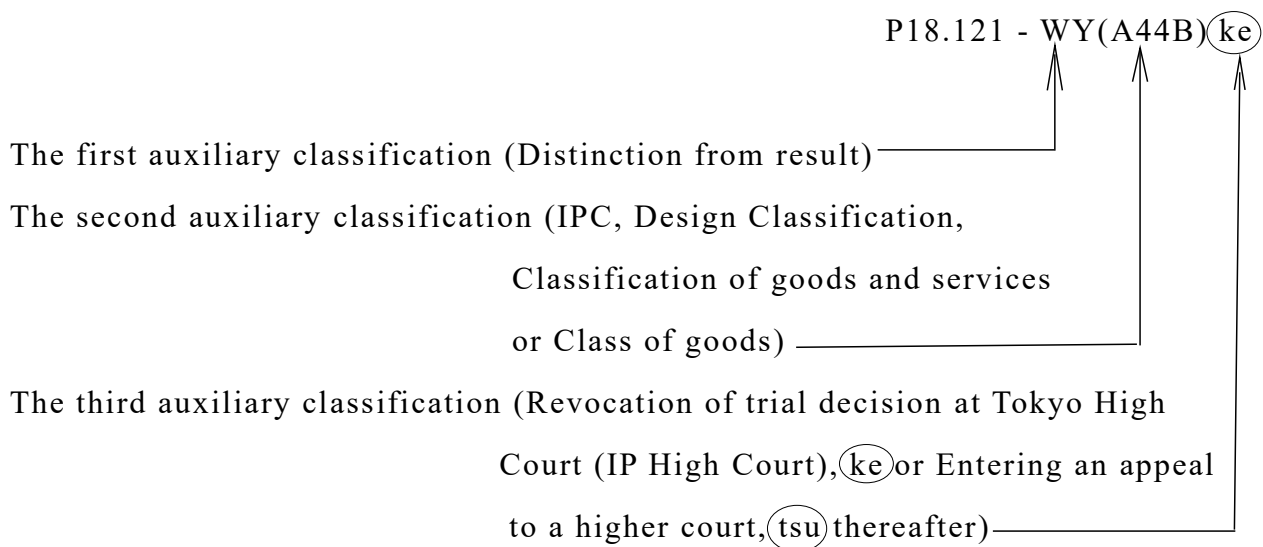
P1122.121 – Z (B29C)



(2) Auxiliary Classification

Auxiliary Classification is divided into the first, second and third classification.

[Example 4]



(A) The first auxiliary classification

The first auxiliary classification shown in Roman letters (capital letters) indicates distinction from the content of results of trial/appeal decision or court decision (dismissal, cancellation of the decision and registration, invalidation, etc.).

(B) The second auxiliary classification

The second auxiliary classification shown in parentheses indicates International Patent Classification (IPC) including classification of subclasses (for patent and utility model), Design classification (first 4 digits) (for design) and Classification of goods and services or Class of goods (for trademark).

(C) The third auxiliary classification

The third auxiliary classification is as shown by a symbol of (ke) or (tsu).

A symbol (ke) indicates a trial decision which is revoked at the Tokyo High Court (the IP High Court), whereas a symbol (tsu) indicates a trial decision which is revoked and then entering into a higher court.

(3) Characteristics of classification of trial and appeal decision and classification of court decision configure to combine each table of the classification tables (Patent/Utility Model: 02-02 (P•U), Design: 02-02 (D), Trademark: 02-02(T), Court decision: 02-02 (sai)) as shown in below.

Basic Classification				Auxiliary Classification		
Types of Cases (3-5 digits)			Holdings (1-3 digits)	First	Second	Third
Types of Industrial Property Rights	Types of Instance	Types of Trial Law Suit		Conclusion	IPC Design Classification Class of Goods	Revocation of Trial Decision Court (ke), (tsu)
↓	↓	↓	↓	↓	↓	↓
P	1	8	• 121	– Z	(B65H)	(tsu)
U	1	112	• 13	– Y	(A47J)	
D	1	2	• 1	– ZA	(J2 – 1)	
T	1	92	• 11	– Z	(4)	
P	3	8	• 121	– ZZ	(G11B)	
P	1	651	• 121	– ZC	(F02D)	

(Revised Feb 2015)