

07—02 PUDT
Duties of Bailiff at the Trial Court

When a trial court is to be convened for a trial (including an opposition to grant of patent, an opposition to registration of trademark, and an advisory opinion) case to conduct an oral proceeding or an examination of evidences (Note), a bailiff shall follow the instructions given by a chief administrative judge and perform the following duties:

1. Taking a bailiff's seat in a trial court when receiving a notification from a trial/appeal clerk to attend oral proceedings and examination of evidences;
2. When parties concerned, etc. start entering the trial court, asking people to take their seats and informing a trial/appeal clerk about the situation of appearance of the parties;
3. Asking all people attended at the trial court to stand up by saying "stand up, please" when administrative judges enter the court.
4. After the people stood up, they bow followed by a chief administrative judge's bow. A bow is made without any order, but expressed only in action.
5. Pronouncing the name of the case. (→33—05)
6. Asking the people to stand up by saying "stand up, please" when a witness reads out a written oath at the beginning of the examination of witness.

7. When there are two or more witnesses, after they finish signing a written oath, guiding a witness who is to be questioned later to the waiting room to wait according to an instruction of a chief administrative judge, and then calling a witness sequentially back to the court according to an instruction of a chief administrative judge.

8. When there is an article such as an evidence or other items to go back and forth among a party concerned, a witness and administrative judges, delivering said article promptly according to an instruction of a chief administrative judge.

9. When examination of a witness is conducted, if oral proceedings are commenced continuously after a chief administrative judge announces the termination of the examination, do not asking the people to stand up.

10. Guiding a witness who finished the examination to a department in charge at the Japan Patent Office for necessary procedures of a payment of a daily allowance and travel expenses. (→35-01 5.(3))

11. In session, wearing a cap and uniform and keeping a courtesy. If there is a person whose behavior possibly disturbs the order of a trial court, or an observer who has bad manners, giving an advice in a small voice to said person or said observer that “please conduct yourself properly otherwise you will receive a warning from a chief administrative judge”, and if receiving an instruction from a chief administrative judge, following that instruction and supervising a behavior of said person or said observer, and taking an action such as ordering to leave.

12. In the end of session, when a chief administrative judge announces the termination of oral proceedings or examination of evidences, asking people

attended at the trial court to stand up by saying “stand up, please”. After they stood up, do not order them to bow, similar to when opening the court.

13. Checking on lost articles and organizing the equipment after all people left from the court.

The duties above are sometimes performed by a trial/appeal clerk instead of a bailiff.

(Note) Only examination of evidences is conducted for an opposition to grant of patent.

(Revised Oct. 2015)