

21—05 PUDT**Handling of Errors in Indication of Either Application Number
or Registration Number**

1. When an application number or a registration number (a patent number, etc.) has an error in its indication, a chief administrative judge shall confirm, in principle, an intention of a demandant by an inquiry, etc. and take any one of the following measures.

A chief administrative judge shall order amendment when he/she comprehensively considers entire documents and presumes a clerical error (the Patent Act Article 133(1), the Patent Act Article 120-8(1), the Utility Model Act Article 41, the Design Act Article 52, the Trademark Act Articles 43-15(1), 56(1), 68(4)).

1. When a written amendment is submitted

(1) When an amendment is not approved

When an amendment of an application number or a registration number indicated in a written demand for trial/an opposition to grant of patent (an opposition to registration of trademark) changes the gist of the written demand/an opposition to grant of patent (an opposition to registration of trademark) (→ 30-01), such demand or request shall be dismissed by trial decision/decision (the Patent Act Article 135, the Patent Act Article 120-8(1), the Utility Model Act Article 41, the Design Act Article 52, the Trademark Act Articles 43-15(1), 56(1), 68(4)).

(2) When an amendment is approved

When an amendment of an error of an application number or a registration number indicated in a written demand for trial/an opposition to grant of patent (an opposition to registration of trademark) does not change the gist of the written demand/an opposition to grant of patent (an opposition to registration of trademark) in such cases where the error is merely a clerical error, such amendment is approved.

2. When there is no response

When there is no response or no submission of a written amendment from a demandant, etc. to the inquiry, etc., such demand/request shall be dismissed by trial decision/decision (the Patent Act Article 135, the Patent Act Article 120-8(1), the Utility Model Act Article 41, the Design Act Article 52, the Trademark Act Articles 43-15(1), 56(1), 68(4)).

(Revised Feb 2015)