

**23—06 P U D T****Curator**

1. A curator is a protection agency for a person under curatorship (Note).

When a person under curatorship performs a procedure for industrial property rights, it is necessary to have the consent of a curator (the Patent Act Article 7(2), the Utility Model Act Article 2-5(2), the Design Act Article 68(2), the Trademark Act Article 77(2)), and submit a written consent (Enforcement Regulations of the Patent Act Article 6, Enforcement Regulations of the Utility Model Act Article 23(1), Enforcement Regulations of the Design Act Article 19(1), Enforcement Regulations of the Trademark Act Article 22(1)).

A procedure made by a person under curatorship without consent of a curator may ratify upon obtaining his/her consent (the Patent Act Article 16(3), the Utility Model Act Article 2-5(2), the Design Act Article 68(2), the Trademark Act Article 77(2)). Therefore, when a person under curatorship appoints an agent for a procedure, it is understood that the consent of curator regarding appointment of an agency is also required.

(Note) A person under curatorship is a person became subject to a ruling of commencement of a curatorship from the family court and is remarkably insufficient to understand right from wrong due to a mental disorder.

2. An indication of a curator is not required in a written demand for trial/appeal. Even a written demand has such indication, the JPO does not indicate a curator in a document from the JPO.

(Revised July 2005)