

**23—06 P U D T****Curator**

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

A person under curatorship must have the consent of a curator when performing procedures for industrial property rights, (Patent Act Article 7(2), Utility Model Act Article 2-5(2), Design Act Article 68(2), Trademark Act Article 77(2)), and submit the 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)).

Procedures performed by a person under curatorship without consent of a curator may ratify upon obtaining the consent (Patent Act Article 16(3), Utility Model Act Article 2-5(2), Design Act Article 68(2), Trademark Act Article 77(2)). Therefore, when a person under curatorship appoints an agent for procedures, it is understood that the consent of a curator to appointment of an agent is also required.

(Note) A person under curatorship means someone who receives a decision to commence a curatorship from the family court due to constantly lacking the capacity to appreciate the person's own situation due to a mental disorder.

2. An indication of a curator is not required in a written demand/request for trial/appeal. Even a written demand has the indication, the JPO does not indicate a curator in documents issued by the JPO.

(Revised July 2005)