

23—12 P U D T

Representation of a Legal Entity and Its Indication

A legal entity (corporation) has rights and assuming obligations to the extent of purposes provided in the articles of incorporation, or the articles of incorporation and other basic contracts subject to the applicable provisions of the laws and regulations (Civil Code Article 34). A legal entity appoints a representative representing the legal entity for its affairs to claim the rights and fulfill the obligations. Therefore, when a party concerned is a legal entity in a trial/appeal case, a name and address of a party concerned, and a name of representative (only in the case of a demandant/appellant) must describe in a written demand for trial/appeal (Patent Act Article 131(1)(i), Enforcement Regulations of the Patent Act Article 46, Utility Model Act Article 38(1)(i), Enforcement Regulations of the Utility Mode Act Article 23(12), Design Act Article 52, Enforcement Regulations of the Design Act Article 14(1), Trademark Act Articles 56(1), 68(4), Enforcement Regulations of the Trademark Act Article 14).

When an agent undertakes the procedures, a name of representative is not required in the documents (Enforcement Regulations of the Patent Act Article 46, Form 61-2 Remarks 12→Form 2 Remarks 17, Form 62 Remarks 12→Form 3 Remarks 11).

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