

23—13 P U D T
Procedure for Appointing a New Agent
in the Middle of the Proceedings

1. In case where an agent is appointed or replaced in the middle of procedures of trial/appeal before the JPO, a notification of appointment of attorney accompanied with a power of attorney, etc. should be submitted (Enforcement Regulations of the Patent Act Article 9-2).

2. When only a power of attorney (including the case where there is the description authorizing the whole trial/appeal procedures) is attached to the intermediate documents and the subject agent performs such procedures, the agent is considered to be accepted to have the authority of representation only for said intermediate procedures unless a notification of appointment of an agent, etc. has been submitted (including other intermediate procedures being undertaken at the same time, if any).

If the same agent continues to undertake future procedures, a notification should be submitted according to the provision under Enforcement Regulations of the Patent Act Article 9-2. Regarding a certification thereof, if there is no change in the content of a certification submitted earlier and said notification should include that effect (indication of incorporation by reference), submission of said certification may be omitted (Enforcement of Regulations of the Patent Act Article 10, Enforcement of Regulations of the Utility Model Act Article 23(1), Enforcement of Regulations of the Design Act Article 19(1), Enforcement of Regulations of the Trademark Act Article 22(1)).

(→ Guidelines for Formalities Examination 02.24 (Representative -5))

(Revised March 2012)