

25—01.4 P

Designated Time Limit: Opposition to Grant of Patent

For an opposition to grant of patent, a time limit designated by a chief administrative judge based on the provisions of laws and ministerial ordinances (designated time limit) is determined as the standard designated time limit shown below.

The same applies to a retrial for a final and binding decision of an opposition to grant of patent.

1. Standard Designated Time Limit

(1) A time limit for filing a written opinion of a patentee against a notice of reasons for revocation (including an advance notice of decision) (Patent Act Article 120-5(1)) shall be 60 days for a domestic resident and 90 days for an overseas resident.

(2) A time limit for filing a written opinion of a patent opponent against a request for correction of a patentee (Patent Act Article 120-5(5)) shall be 30 days for a domestic resident and 50 days for an overseas resident.

(3) A time limit for filing a written opinion of a patentee against a notice of reasons for refusal of correction (Patent Act Article 120-5(6)) shall be 30 days for a domestic resident and 50 days for an overseas resident.

(4) A time limit for persons taking procedures or their agents who are in a remote areas or areas with transportation difficulties (→25-01 Annex table) shall be added 15 days to the above each time limit (1)~(3) for a domestic resident.

(5) A time limit for filing a written reply against an inquiry (Patent Act Article 120-8(1) → Patent Act Article 134(4)) shall be about 15 days for a domestic resident and about 25 days for an overseas resident.

(6) A time limit for expressing an opinion of a party concerned, etc. to a request for intervention (Patent Act Article 119(2)→Patent Act Article 149(2)), a time limit for responding to an order of amendment in case of violation of formality requirements (Patent Act Article 120-8(1)→Patent Act Article 133(1)(2)), a time limit for filing a written explanation against a notice of reasons for dismissal (Patent Act Articles 18-2(2), 120-8(1)→Patent Act Article 133-2 (2)), and a designated time limit for resumption of procedures(Patent Act Article 23(1) (→25-01.2 1. (3) B~D).

2. Extension by request or ex officio of the time limit which has been already designated (→25-04)

(Revised March 2025)