

26-05 P U D T
Decision to Approve or Disapprove
Resumption of Procedures

1. The Commissioner of the JPO or administrative judges (a panel) shall decide whether to approve (permission) or not to approve (rejection) resumption of procedures when a request is filed for resumption of procedures suspended after service of a certified copy of a decision, an examination decision, or a trial decision (Patent Act Article 22(1), Utility Model Act Article 2-5(2), Design Act Article 68(2), Trademark Act Article 77(2)).

There is a provision under Code of Civil Procedure Article 128 with the same purpose. This provision shall be made to clarify a person receiving an effect of a court decision and a time limit of appeal.

2. A decision prescribed in 1. shall be made in writing and accompanied with reasons (Patent Act Article 22(2), Utility Model Act Article 2-5(2), Design Act Article 68(2), Trademark Act Article 77(2)).

3. A certified copy of the decision shall be sent to a party concerned.

4. Example of Decision

Trial No. 3541, Trial decision of 1969.

(Revised Feb 2015)