

**30-07 P U D T****Handling of a Situation Where It Is Found That a Person Undertaking Procedures Is Not Competent or Suitable for Undertaking Such Procedures**

1. When a chief administrative judge has found that a person undertaking procedures is not competent or not suitable for carrying out such procedures, the chief administrative judge may order the person to carry out the procedures through a representative (the Patent Act Article 13(1), the Utility Model Act Article 2-5(2), the Design Act Article 68(2), the Trademark Act Article 77(2)).

2. When a chief administrative judge has found that a representative acting for a person undertaking procedures is not competent or not suitable for undertaking such procedures, the chief administrative judge may order the representative be replaced (the Patent Act Article 13(2), the Utility Model Act Article 2-5(2), the Design Act Article 68(2), the Trademark Act Article 77(2)).

3. A chief administrative judge may order that a patent agent be a representative in the preceding paragraphs 1 and 2 (the Patent Act Article 13(3), the Utility Model Act Article 2-5(2), the Design Act Article 68(2), the Trademark Act Article 77(2)).

4. After a chief administrative judge shall issue an order under the preceding paragraphs 1 and 2, the chief administrative judge may dismiss the procedures before the Japan Patent Office carried out by the person of the preceding

paragraph 1 or by the representative of the preceding paragraph 2 (the Patent Act Article 13(4), the Utility Model Act Article 2-5(2), the Design Act Article 68(2), the Trademark Act Article 77(2)).

(Revised Oct 2002)