33-06   P U D T
Use of Recording Devices, etc. in Oral Proceedings

1. A chief administrative judge may, when finding it necessary, record the whole or a part of the statements of oral proceedings (including an examination of evidence) by using a recording device by request or ex officio (Enforcement Regulations of the Patent Act Article 53, Enforcement Regulations of the Utility Model Act Article 23(12), Enforcement Regulations of the Design Act Article 19(8), Enforcement Regulations of the Trademark Act Article 22(6), Rules of Civil Procedure Articles 76, Rules of Criminal Procedure Article 40).

2. When a party concerned intends to record the whole or part of the statements of oral proceedings (including an examination of evidence) by using a recording device, a permission of a chief administrative judge is required. It is preferable to submit a request for permission of use attached with a written consent of the other party (Enforcement Regulations of the Patent Act Articles 53, 54, Enforcement Regulations of the Utility Model Act Article 23(12), Enforcement Regulations of the Design Act Article 19(8), Enforcement Regulations of the Trademark Act Article 22(6), Rules of Civil Procedure Articles 76, 77, Rules of Criminal Procedure Article 215).

3. When there is not sufficient time to submit a request for permission of use in the previous item, a party concerned may request orally to a chief administrative judge before use, possibly before opening of court. In this occasion, a chief administrative judge determines whether to adopt the use upon confirming an intension of the other party and orders a trial clerk to record the progress in a record of examination of evidence, if necessary.

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4. A party concerned or an intervenor may receive a recording tape of the statements of a witness, etc. of examination of evidence (examination of witness) upon request. He/she may ask for preparing "a document of statements of a witness, etc." by the time of service of a transcript of trial decision.

(Revised Feb 2015)