

**33-07 P U D T**  
**Oral Proceedings Statement Brief**

An oral proceedings statement brief (Enforcement Regulations of the Patent Act Article 51, 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)) allows to effectively conduct oral proceedings even if facts are complex and wide-ranging, by not dropping out any statements of parties concerned and the hearings thereof and by enabling of elaborate theoretical composition in the statements.

Therefore, when submitted documents such as a written demand for trial, a written reply, etc., are appropriate and clearly described, or when there is no submission of oral proceedings statement brief by the due date, it is not necessary to submit a brief as an obligation.

Consequently, it does not require an order, etc. for submission even if there is no submission of the brief.

A submission of oral proceedings statement brief is as follows:

(1) A request for submission of oral proceedings statement brief is, in principle, made at the same time of dispatching a notice of proceeding matters.

A due date of submission of the brief is normally 1-2 weeks before the court considering a period of preparing the brief, a period of reviewing the brief by the other party, and a period of understanding the content in advance for the panel, etc.

In a case of submitting an oral proceedings statement brief, a party concerned submits the original (1 original), the duplicates (one more two

according to the number of the other party + one for the proceedings) and the copies thereof are sent to the JPO and the other party by facsimile or e-mail.

(2) The standard forms of oral proceedings statement brief are Form 1 (for a demandant, an opponent) and Form 2 (for a demandee, a right owner).

(3) A party concerned consults with a trial clerk in advance when he/she uses a special equipment, such as a projector, a screen, etc. in oral proceedings.

(Revised December 2020)

## [Form 1] Oral Proceedings Statement Brief (for Damandant • Opponent)

Oral Proceedings Statement Brief		Date
TO: Chief Administrative Judge, JPO		
1. Trial Number		
Invalidation No. 20xx-800001		
(Opposition No. 20xx-900001)		
2. Demandant (Opponent)		
Address		
Name		
3. Agent		
Address		
Tel		
Fax		
Name		
4. Demandee		
Address		
Name		
Regarding the above trial (opposition) case, a demandant (opponent) shall prepare a statement brief for the oral proceedings on (Date and Time).		
5. Brief of Statement		
6. Means of Evidence		
7. List of Attached Documents		
Oral Proceedings Statement Brief	Duplicate	copy/copies

(Note) Matters described in "5. Brief of Statement" has no particular regulations. The brief could include, for example, (i) Explanation required in the notice of proceeding matters, (ii) Supplement of reasons for reply (iii) Argument against the damandee's assertion (iv) Reasons and evidence of withdrawal, (v) Summary of all statement so far, etc.

## [Form 2] Oral Proceedings Statement Brief (for Damandee • Right owner)

Oral Proceedings Statement Brief		Date
TO: Chief Administrative Judge, JPO		
1. Trial Number		
Invalidation No. 20xx-800001		
(Opposition No. 20xx-900001)		
2. Demandee		
Address		
Name		
3. Agent		
Address		
Tel		
Fax		
Name		
4. Demandant (Opponent)		
Address		
Name		
Regarding the above trial (opposition) case, a demandee (trademark owner) shall prepare a statement brief for the oral proceedings on (Date and Time).		
5. Brief of Statement		
6. Means of Evidence		
7. List of Attached Documents		
Oral Proceedings Statement Brief	Duplicate	copy/copies

(Note) Matters described in "5. Brief of Statement" has no particular regulations. The brief could include, for example, (i) Explanation required in the notice of proceeding matters, (ii) Supplement of reasons for reply (iii) Argument against the damandant's assertion (iv) Reasons and evidence of withdrawal, (v) Summary

of all statement so far, etc.

(Revised June 2019)