

35-11 P U D T
Authorized Administrative Judges

When an examination of evidence or preservation of evidence in a trial case (Patent Act Article 150, Utility Model Act Article 41, Design Act Article 52, Trademark Act Articles 56(1), 68(4)) is conducted outside of the JPO and it is considered appropriate, a chief administrative judge may designate an administrative judge who assigned to examine evidence and preserve evidence from a panel (Enforcement Regulations of the Patent Act Article 57, 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(5)(6)).

1. An authorized administrative judge is designated by a chief administrative judge (Enforcement Regulations of the Patent Act Article 57(1), 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(5)(6)).

2. An authorized administrative judge conducts, as an auxiliary body of a panel, an examination of evidence and preservation of evidence which should be originally conducted by a panel.

3. Dates of procedures conducted by an authorized administrative judge are designated by the authorized administrative judge (Enforcement Regulations of the Patent Act Article 57-2, 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(5)(6)).

4. An authorized administrative judge may determine matters to be included in trial records on an examination of evidence. A trial clerk may attach a copy of documents with the trial records of examination of evidence made by the authorized administrative judge (Enforcement Regulations of the Patent Act Article 61-4, 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(5)(6)).

A system of authorized administrative judges adopts advantages of mobility and economy of a single trial system to the collegial system, thus, the system may not disturb the collegial system. Therefore, an authorized administrative judge conducts only a simple examination of evidence and preservation of evidence.

(Revised Oct 2015)