

## **54-06 P**

### **Remarks in Proceedings of a Trial for Correction**

#### **1. Designation of Administrative Judges**

Where there are cases of a trial for invalidation and an opposition to grant of patent with regard to the same patent, the same administrative judges shall be designated to constitute a panel in both—trial for invalidation and opposition to grant of patent—with regard to the same patent in principle (→12-04).

#### **2. Procedures of Proceedings**

(1) A trial for correction shall be conducted by documentary proceedings.

(2) However, the chief administrative judge may—upon a motion by a party concerned or ex officio—decide to conduct a trial by oral proceedings (the Patent Act Article 145 (2)).

#### **3. Ex Officio Proceedings (→36-01)**

Any purport of the request not claimed by the demandant may not be examined in a trial (the Patent Act Article 153(3)).

#### **4. Consolidated Proceedings (→30-03)**

Proceedings of trials for correction may also be jointly conducted (the Patent Act Article 154).

**5. Inquiry (→37-00)**

The chief administrative judge may question concerned parties (the Patent Act Article 134 (4)).

**6. Suspension (→26-01)**

When deemed necessary during a trial, procedures may be suspended until a decision in another trial has become final and binding or court procedures have been concluded (the Patent Act Article 168).

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