

57-02 P U D T**Non-Compliance with Formality Requirements of (Written)
Application of Intervention**

1. Regarding a written application of intervention, when a case falls under the following (1) or (2), a chief administrative judge designates the term and orders an amendment, and if an applicant fails to do so after the term has been passed, a chief administrative judge shall dismiss the application by decision similar to the dismissal of a written demand for trial (Patent Act Article 133, Utility Model Act Article 41, Design Act Article 52, Trademark Act Articles 56(1), 68(4)).

(1) When a written application of intervention does not comply with formality requirements provided in Patent Act Article 149(1) (Utility Model Act Article 41, Design Act Article 52, Trademark Act Articles 56(1), 68(4)) (Enforcement Regulations of the Patent Act Article 49, Form 65 (Enforcement Regulations of the Utility Model Act Article 23(10), Enforcement Regulations of the Design Act Article 19(8), Enforcement Regulations of the Trademark Act Articles 22(5)(6)).

(2) When a fee for the application is not paid or insufficient.

2. When a written application of intervention which is insufficient in formality may not amend the insufficiency, a chief administrative judge shall dismiss the application by decision upon giving an opportunity of submission of a written explanation (Patent Act Article 133-2, Utility Model Act Article 41, Design Act Article 52, Trademark Act Articles 56(1), 68(4)).

(Revised Feb 2015)