

- For those who have problems with infringement or non-infringement of rights -

I can't believe

my rights have been infringed!

or

I have been warned of infringement of the rights of others.

What should I do?



please consider using **Hantei (advisory opinion) system**

The Japan Patent Office (JPO) provides an official opinion from a fair, neutral perspective on:

- technical scope of the patented invention or registered utility model;
- scope of registered design and designs similar thereto;
- scope of the effect of trademark right.

## Features of Hantei (advisory opinion) system



- ✓ Proceedings by a panel composed of three administrative judges with sophisticated expertise
- ✓ Fair and neutral determination
- ✓ Prompt conclusion (as early as 3 months)
- ✓ Low cost (40,000 yen per request to the JPO for Hantei)

Note: It is a type of administrative service, not legally binding.

## Hantei (advisory opinion) may be used in the following situations

- ✓ I would like to know whether other people's products, etc. may infringe my rights.
  - ✓ We would like to know whether the products, etc. that we are planning or working may infringe the rights of others.
  - ✓ I would like to request a determination on whether my patent or others' patent is a Standard Essential Patent (SEP) or not.
- Results of Hantei (advisory opinion) can be used as the basis for infringement cases, customs procedures, criminal complaints, for example.

## If you have been warned of infringement of the rights of others

- ✓ If there is a possibility that the right is invalid, you may use a trial for invalidation system at the JPO .
- ✓ If a Hantei case and a trial for invalidation case are co-pending, both proceedings will be conducted by a same panel in principle, in order to facilitate the coordination of the proceedings between the cases and to avoid conflicts of the determination.

### Contact Us

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For the Hantei procedure, please refer to the following URL or the QR code on the right.  
[https://www.jpo.go.jp/e/system/trial\\_appeal/shubetu-hantei/index.html](https://www.jpo.go.jp/e/system/trial_appeal/shubetu-hantei/index.html)

