

『Design Rights: Protector of Originality』 Commentary(updated in November 2021)

Basic Version: Design Rights: To Know is to Benefit(Approx.21 min.)

Playback time	Captions	Commentary
7:44~7:48	It is valid as long as 20 years.	With the revision of the Design Act of 2019, the duration of design rights protection has increased to 25 years calculated from the date of filing. This applies to applications for design registrations filed on or after April 1, 2020.
9:17~9:23	We decided to file a request with Customs using the design right to ban importation of the counterfeit tires.	As for the dispute regarding the forklift tire, the interested parties have reconciled.
15:55~15:59	About 25% of all applications are for partial designs.	About 40% of all applications are for partial designs (as of 2018).
18:10~18:16	But there is a provision for exceptions, so if you file within 6 months of the exhibit, you may be in luck.	With the revision of the Design Act of 2018, the period of what is treated as exception (novelty grace period) has been extended to 1 year from 6 months.
19:05~19:12	About 7 months from the filing date of your application to the first notification from the Patent Office.	On average, examination period is about 6 months from the filing date of your application to the first notification from the Patent Office.
19:26~19:31	You can easily browse registered designs by accessing the Japan Patent Offices website.	Industrial Property Digital Library terminated its service on March 27th 2016. Currently, J-PlatPat is available to browse registered designs and so on.

Practical Application Version: Aiming to Obtain Design Rights(Approx.15 min.)

Playback time	Captions	Commentary
2:12~2:19	Individuals can purchase an e-certificate from their local government using a Basic Resident Registry IC card.	At present, individuals can opt for e-certificate data to be included into their Individual Number Card when obtaining said card. As Basic Resident IC card has not been issued nor renewed since December 2015, please use Individual Number Card with e-certificate data when filing an application going forward.
4:17~4:28	Fill in the column according to the Appended Table 1 of the Ordinance for Enforcement of the Design Act.	With the revision of the Design Act of 2019, statements in the column of the [Article to the Design] in an application for design registration should be made as provided by an Ordinance of the Ministry of Economy, Trade and Industry, while the Appended Table 1 of the Ordinance for Enforcement of the Design Act which listed the classification of articles has been abolished. Consequently, as of April 1, 2021, an applicant should clearly indicate, in the column of the [Article to the Design], the article to the design, usage of the building to the design or the graphic image to the design, a set of articles, or interior. (Article 7 of the Ordinance for Enforcement of the Design Act)
4:43~4:55	In principle, you need a front view, a rear view, a left view, a right view, a plan, and a bottom view; in total, 6 drawings.	With the revision of examination guidelines for designs, 6 drawings are not required if submitted drawings suffice in representing a design clearly.
6:35~6:41	You may pay via Internet banking or at ATMs that have a Pay-easy function.	Other than Internet banking and Pay-easy, applicants who satisfy all of the following conditions can use a credit card as a payment method. (1) have identification number issued by the Japan Patent Office (2) can make an online application (3) have a credit card that is enrolled in the 3D Secure program
9:51~9:58	Examiners with specialized knowledge in design, technology, and the laws conduct these examinations and base their decisions on the several million designs.	Examiners with specialized knowledge in design, technology, and the laws conduct these examinations and base their decisions on over ten million designs.
11:26~11:29	your right will be valid as long as 20 years from the time it was established.	With the revision of the Design Act of 2019, the duration of design rights protection has increased to 25 years calculated from the date of filing. This applies to applications for design registration filed on or after April 1, 2020.
12:18~12:27	Intellectual Property Rights Counseling Counters have been established about 3,000 Chambers of Commerce and Society of Commerce and Industry offices.	Intellectual Property Comprehensive Help Desks established in all 47 prefectures throughout Japan are now providing consultations regarding industrial designs.