

# 2024 Policy Outcomes

## 2024年の施策成果

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## Examinations/Trials and Appeals

### 審査・審判

#### ① Patents / 特許

The JPO's basic principle is to implement various support measures for the creation of innovation, based on the world's fastest and utmost quality patent examinations. Under this principle, the JPO is steadily implementing policies that focus on maintaining speed by enhancing the resilience of patent examination, further improving quality, supporting the creation of innovation in response to environmental changes, and promoting intellectual property (IP) diplomacy.

##### 1 Examination Performance

To accelerate the intellectual creation cycle, comprised of intellectual creation, establishment of rights, and utilization of rights, the JPO speeded up examination and shortened total pendency. [Figure 2-1-1] [Figure 2-1-2]

##### 2 Initiatives to Speed up Examinations

###### (i) Securing the Necessary Number of Examiners

In order to maintain and strengthen the patent examination system, the JPO is working to secure the necessary number of patent examiners, including fixed-term examiners.

- For FY2024, the JPO secured a capacity of 1,669 examiners (including fixed-term examiners).

###### (ii) Outsourcing Prior Art Searches

By outsourcing prior art searches to registered search organizations, the JPO promotes the speeding up of examinations and improves examination quality through utilization of the private sector.

- As of November 2024, there were 9 registered search organizations.
- In FY2024, approx. 131 thousand searches were outsourced, all of which involved searching patent documents in Japanese. Some also included searching patent documents in English (approx. 85 thousand), in Chinese or Korean (approx. 17 thousand in total), and in German (approx. 4 thousand).

特許庁は、世界最速・最高品質の特許審査を基礎としたイノベーションの創出に向けた各種支援策を講ずることを基本方針として、特許審査のレジリエンス向上による迅速性の維持、質の更なる向上、環境変化に対応したイノベーションの創出支援、知財外交の推進を中心とする施策を着実に実施している。

##### 1 審査実績

知的創造、権利設定、権利活用の知的創造サイクルを加速するために、審査を迅速化し、権利化までの期間を短縮した。

[2-1-1図] [2-1-2図]

##### 2 審査の迅速化に関する取組

###### (i) 審査官の確保

特許審査体制の整備・強化のため、任期付審査官を含め、必要な審査官の確保に努めている。

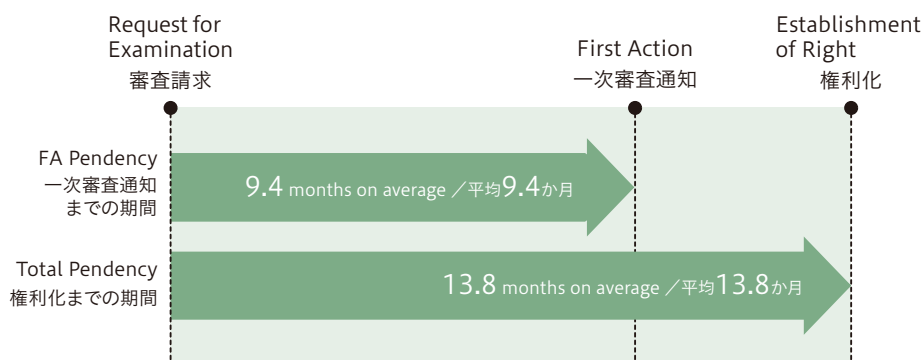
- 2024年度は、審査官1,669名（任期付審査官を含む。）の定員を確保。

###### (ii) 先行技術文献調査の外注

審査官が行う先行技術文献調査を登録調査機関へ外注し、民間活力の利用による審査の迅速化と品質向上を図っている。

- 登録調査機関の数は、2024年11月時点で9機関。
- 2024年度の発注件数は約13.1万件で、全案件において日本語特許文献調査を実施。さらに、一部の案件においては、英語特許文献調査（約8.5万件）、中国語及び韓国語特許文献調査（約1.7万件）、独語特許文献調査（約4千件）も実施。

Figure 2-1-1 FA Pendency and Total Pendency for Patent Examinations in FY2023  
2023 年度における特許審査の FA 期間及び権利化までの期間



Note: • The first action pendency (FA pendency) is the period from the date of examination request until the JPO sends the first notice of examination results to the applicant, etc. (for the most part, either a notice of patent grant or a notice of reasons for refusal).  
• The total pendency (also called the “standard pendency”) is the period from the date of examination request to withdrawal or abandonment or until a final disposition (excluding cases where the JPO requests an applicant to respond to the second notice of reasons for refusal due to the amendments submitted by the applicant, and where the applicant performs procedures they are allowed to use, such as requests to the JPO for extension of the period of response and for an accelerated examination).

備考: • 一次審査通知までの期間 (FA 期間) は、審査請求日から審査官による審査結果の最初の通知 (主に特許査定又は拒絶理由通知書) が出願人等へ発送されるまでの期間。  
• 権利化までの期間 (「標準審査期間」ともいう。) は、審査請求日から取下げ・放棄又は最終処分を受けるまでの期間 (出願人が補正等を行うことに起因して特許庁から再度の応答等を出願人に求めるような場合や、特許庁に応答期間の延長や早期の審査を求める場合等の、出願人に認められている手続を利用した場合を除く。)

Figure 2-1-2 Number of Patent Examination FAs, Number of Patents Granted, and Number of International Search Reports Established / 特許審査の FA 件数、特許査定件数及び国際調査報告作成件数

(Year / 年)	2020	2021	2022	2023	2024
Number of FAs FA 件数	222,344	232,070	242,626	246,410	232,968
Number of Patents Granted 特許査定件数	164,846	172,996	187,794	194,708	183,949
Number of International Search Reports Established 国際調査報告作成件数	50,338	48,502	49,154	47,332	47,122

Note: • The number of first actions in patent examinations is the number of first notices of examination results (for the most part, either a notice of patent grant or a notice of reasons for refusal) issued by examiners to applicants, etc.  
• The number of patents granted excludes the number of patents granted after a request for appeals against an examiner's decision of refusal was filed (including patents granted through reconsideration by examiners before appeal proceedings).  
• The number of international search reports established is the number by year of issuance of international search reports prepared and issued by the JPO as the International Searching Authority (ISA) under the PCT (the number of international search reports includes that of “decisions of not preparing an international search report”).

備考: • FA 件数は、審査官による審査結果の最初の通知 (主に特許査定又は拒絶理由通知書) が出願人等へ発送された件数。  
• 特許査定件数は、拒絶査定不服審判請求以降 (前置審査を含む) の特許された案件は含まれない件数。  
• 国際調査報告作成件数は、PCT の国際調査機関として日本国特許庁が作成・発送した国際調査報告の発送年別件数 (国際調査報告には、「国際調査報告を作成しない決定」が含まれる。)

## 3 Accelerated Examination and Super-Accelerated Examination

Under certain conditions, the JPO offers accelerated examinations and super-accelerated examinations that, upon the request of an applicant, expedite the commencement of an examination.[Figure 2-1-3] [Figure 2-1-4]

### (i) Accelerated Examination\*1

- The accelerated examination system may be applied for patent applications, including those that are also filed in one or more other countries and by small and medium-sized enterprises.
- In 2024, first action pendency from request for accelerated examination was 2.3 months on average.

### (ii) Super-Accelerated Examination\*2

- The JPO is running pilot programs for a super-accelerated examination system for applications of higher importance, including applications for inventions that have already been put into practice and are filed in one or more other countries.
- First action is issued within one month from the request, in principle (within two months, in principle, in the case of DO applications\*3). \*4
- First action pendency from request for super-accelerated examination was 0.8 months on average (1.2 months for DO applications).

## 3 早期審査・スーパー早期審査

一定の要件の下で、出願人からの申出を受けて審査の着手時期を通常に比べて早める早期審査及びスーパー早期審査を実施している。[2-1-3図] [2-1-4図]

### (i) 早期審査\*1

- 特許出願に関する早期審査の対象は、外国にも出願している出願、中小企業の出願など。
- 2024年の、早期審査の申出から一次審査通知までの期間は平均2.3か月。

### (ii) スーパー早期審査\*2

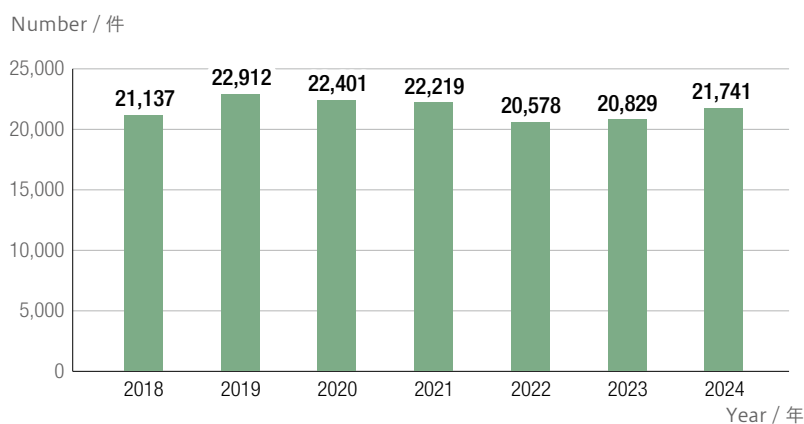
- 既の実施している発明に係る出願かつ外国にも出願している出願などの、より重要度の高い出願を対象としてスーパー早期審査を試行。
- 申出から原則1か月以内（DO出願\*3については原則2か月以内）に一次審査結果を通知\*4。
- スーパー早期審査の申出から一次審査通知までの期間は平均0.8か月（DO出願については平均1.2か月）。

\*1  English  
<https://www.jpo.go.jp/e/system/patent/shinsa/jp-soki/index.html>  
 日本語  
<https://www.jpo.go.jp/system/patent/shinsa/soki/v3souki.html>

\*2  English  
[https://www.jpo.go.jp/e/system/patent/shinsa/jp-super\\_soki/index.html](https://www.jpo.go.jp/e/system/patent/shinsa/jp-super_soki/index.html)  
 日本語  
[https://www.jpo.go.jp/system/patent/shinsa/soki/super\\_souki.html](https://www.jpo.go.jp/system/patent/shinsa/soki/super_souki.html)

\*3 Applications that have entered the national phase after international application.  
国際出願後、国内段階に移行した出願。  
\*4  日本語  
<https://www.jpo.go.jp/system/laws/rule/guideline/patent/document/index/supersoukisinsa.pdf>

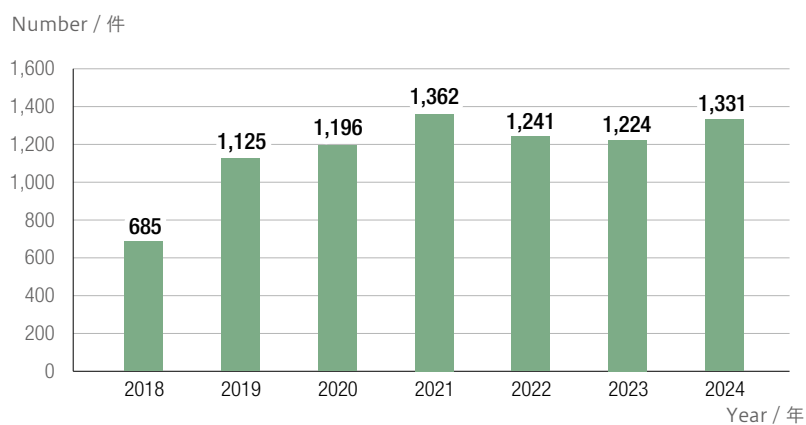
Figure 2-1-3 Number of Requests for Accelerated Examinations for Patent / 特許早期審査の申出件数



Note: •The number of requests for accelerated examinations is the number of “Written Explanation of Circumstances Concerning Accelerated Examination” that were submitted.

備考：・早期審査の申出件数は、「早期審査に関する事情説明書」が提出された件数。

Figure 2-1-4 Number of Requests for Super-Accelerated Examinations for Patent / 特許スーパー早期審査の申出件数



Note: •The number of requests for super-accelerated examinations is the number of “Written Explanation of Circumstances Concerning Accelerated Examination” that were submitted.

備考：・スーパー早期審査の申出件数は、「早期審査に関する事情説明書」が提出された件数。

## 4 Quality Management Initiatives

Under the “Quality Policy on Patent Examination”, which constitutes the JPO’s fundamental principles of quality management, and the “Quality Management Manual for Patent Examination”, which documents quality management and its implementation system, the JPO engages in initiatives for realizing utmost quality patent examinations in the world.\*5

### (i) Quality Assurance

- Before sending applicants and agents any decisions and notices, etc. prepared by examiners, managers of examination offices check their substantive and formal aspects for all cases.
- Examiners consult with managers and other examiners in order to share search know-how and knowledge, etc. to improve consistency of search and judgement among examiners.

### (ii) Quality Verification

- Some of decisions and notices, etc. prepared by examiners are randomly chosen, and audited by quality management officers to check compliance and validity in terms of content and format before sending official documents to applicants and agents.
- In order to ascertain various user needs, the JPO conducts interviews at informal meetings with businesses, accepts information provided in relation to individual cases, and implements user satisfaction surveys. [Figure 2-1-5]

### (iii) External Evaluation of Quality Management

- In August 2014, the JPO established the Subcommittee on Examination Quality Management, which consists of external experts, under the Intellectual Property Committee of the Industrial Structure Council of the Ministry of Economy, Trade and Industry. The JPO implements initiatives for the quality management of patent examinations based on reports by this subcommittee, which convenes every fiscal year.

## 4 品質管理に関する取組

特許審査の品質管理の基本原則となる「特許審査に関する品質ポリシー」と、品質管理及びその実施体制について文書化した「特許審査の品質管理に関するマニュアル」の下、世界最高品質の特許審査の実現に向けた取組を行っている\*5。

### (i) 品質保証

- 審査官による処分等の判断及びその結果として作成される起案書について、出願人・代理人への発送前に、審査室の管理職が実体面・形式面にわたり全件チェック。
- サーチノウハウ、知識等を共有化し、審査官の間のサーチや判断の均質性を向上させるため、審査官は管理職や他の審査官との協議を実施。

### (ii) 品質検証

- 審査官による処分等の判断及びその結果として作成される起案書について、出願人・代理人への発送前にサンプル抽出し、品質管理官がその適否を監査。
- 様々なユーザーニーズを把握するため、企業等との意見交換会、個別案件に関する意見受付、ユーザー評価調査を実施。[2-1-5図]

### (iii) 品質管理に対する外部評価

- 2014年8月から産業構造審議会知的財産分科会の下に、外部有識者からなる審査品質管理小委員会を設置。毎年度、当該小委員会を開催し、その報告を踏まえ、特許審査の品質管理における取組を実施。

\*5



English

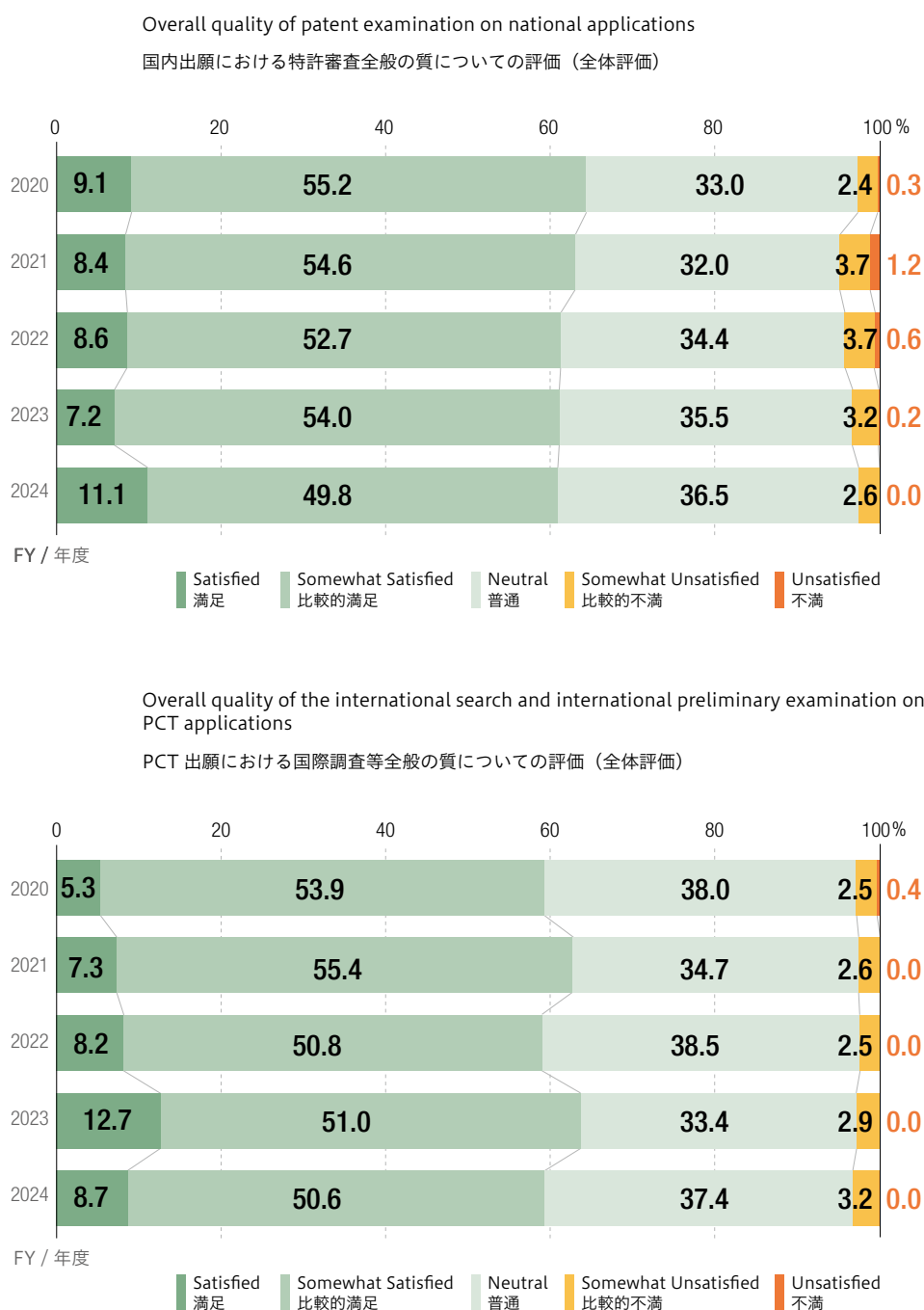
<https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/tokkyo/index.html>



日本語

<https://www.jpo.go.jp/introduction/hinshitu/shinsa/tokkyo/index.html>

Figure 2-1-5 Results of User Satisfaction Survey on Patent Examination Quality  
特許審査の質についてのユーザー評価調査の結果



Source: ・JPO, “Report on FY2024 Annual User Satisfaction Survey on Patent Examination Quality” (September 2024)

資料 ・特許庁「令和6年度特許審査の質についてのユーザー評価調査報告書」（2024年9月）



## 5 Initiatives for AI-related Inventions

### (i) Establishing a New Position for AI Advisors<sup>\*6</sup>

- In April 2024, “AI Advisors” were established to conduct appropriate examinations of AI-related inventions, which are witnessing rapid technological advances. By leveraging their expert knowledge in AI-related technology, external experts provide support for patent examiners, including technological training and responses to inquiries.

### (ii) Research on Protection of AI-based Creations under the Patent Act<sup>\*7</sup>

- The results of a FY2023 commissioned study titled “Research on Protection of AI-based Creations under the Patent Act” were published in April 2024. This research was carried out for creating foundational materials to consider the protection of AI-based creations under the Patent Act.

### (iii) Case Examples Pertinent to AI-related Technologies<sup>\*8</sup>

- In March 2024, ten new patent examination case examples related to AI technologies were added to the Examination Handbook for Patent and Utility Model. These examples provide clear guidance on determining Inventive Step, Description Requirements, and Patent Eligibility.

## 6 System for Non-Disclosure of Patent Applications

In May 2024, the system for non-disclosure of patent applications was introduced under the Economic Security Promotion Act.

- The JPO, in collaboration with the Cabinet Office, has conducted awareness-raising activities and provided information to help businesses and others better understand the system, including its overview, procedural flow, and points of consideration for foreign applications. Notably, in January 2024, an explanatory video was released on IP ePlat.<sup>\*9</sup> Furthermore, in September 2024, an explanatory manga titled “Key Points of the System for Non-disclosure of Patent Applications Explained through Manga”<sup>\*10</sup> was released. [Figure 2-1-6]

## 5 AI 関連発明に関する取組

### (i) AIアドバイザーの新設<sup>\*6</sup>

- 技術の進展が速いAI関連発明に対して適切な審査を行うために、2024年4月から、AI関連技術の専門的知見に基づき、技術的な研修や質問対応などのサポートを特許審査官に対して行う外部有識者として、「AIアドバイザー」を新設。

### (ii) AIを活用した創作の特許法上の保護の在り方に関する調査研究<sup>\*7</sup>

- 2024年4月、AIを活用した創作の特許法上の保護の在り方を検討する上での基礎資料を作成する目的で2023年度の委託調査研究として実施した「AIを活用した創作の特許法上の保護の在り方に関する調査研究」の調査結果を公表。

### (iii) AI関連技術に関する事例<sup>\*8</sup>

- 2024年3月、進歩性、記載要件及び発明該当性についての判断のポイントを分かりやすく示すため、AI関連技術に関する新たな特許審査事例として10事例を特許・実用新案審査ハンドブックに追加。

## 6 特許出願非公開制度

2024年5月から、経済安全保障推進法に基づく特許出願の非公開制度の運用を開始した。

- 特許庁は、内閣府と連携して、制度概要、手続の流れ、外国出願に関する留意事項などについて、事業者などが制度に対する理解を促進できるよう、広報活動や情報提供を実施。特に、2024年1月に、IP ePlat<sup>\*9</sup>において、解説動画を公開。また、2024年9月に、解説漫画「漫画で分かる特許出願非公開制度のポイント」<sup>\*10</sup>を公開。[2-1-6図]

\*6  日本語  
[https://www.jpo.go.jp/system/patent/gaiyo/sesaku/ai/ai\\_shutsugan\\_seibi.html](https://www.jpo.go.jp/system/patent/gaiyo/sesaku/ai/ai_shutsugan_seibi.html)

\*8  English  
[https://www.jpo.go.jp/e/system/laws/rule/guideline/patent/ai\\_jirei\\_e.html](https://www.jpo.go.jp/e/system/laws/rule/guideline/patent/ai_jirei_e.html)

\*9  日本語  
[https://ipeplat.inpit.go.jp/Elearning/View/Login/P\\_login.aspx](https://ipeplat.inpit.go.jp/Elearning/View/Login/P_login.aspx)

\*7  日本語  
[https://www.jpo.go.jp/system/patent/gaiyo/sesaku/ai/ai\\_protection\\_chousa.html](https://www.jpo.go.jp/system/patent/gaiyo/sesaku/ai/ai_protection_chousa.html)

\*8  日本語  
[https://www.jpo.go.jp/system/laws/rule/guideline/patent/ai\\_jirei.html](https://www.jpo.go.jp/system/laws/rule/guideline/patent/ai_jirei.html)

\*10  日本語  
[https://www.jpo.go.jp/system/patent/shutugan/hikokai/comic\\_hikokai.html](https://www.jpo.go.jp/system/patent/shutugan/hikokai/comic_hikokai.html)

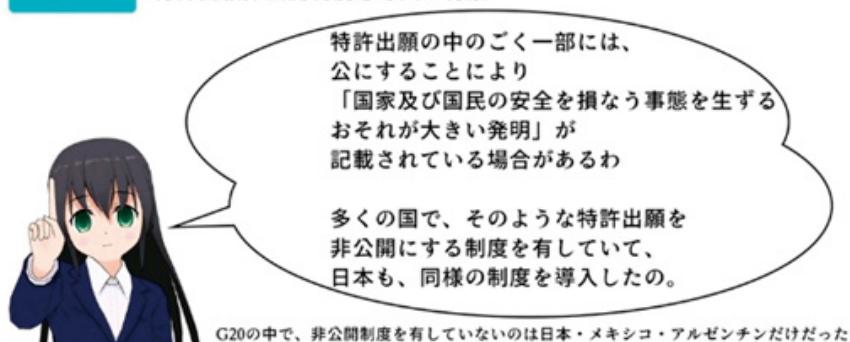
・ With the revised International Patent Classification set to take effect on January 1, 2025, the government promulgated the Cabinet Order for the Partial Revision of the Enforcement Order of the Act for changing International Patent Classification Codes designated as specified technology fields in November 2024 (the scope of specified technology fields remains substantively unchanged).

・ 政府は、2024年11月に2025年1月1日に発効する国際特許分類の改正に伴う、特定技術分野に係る国際特許分類記号を変更する施行令の一部を改正する政令（特定技術分野の範囲に実質的な変更はない）を公布。

Figure 2-1-6 Key Points of the System for Non-disclosure of Patent Applications Explained through Manga  
漫画で分かる特許出願非公開制度のポイント



**ポイント** 特許出願非公開制度を導入の背景



## 7 Examination Measures for Addressing Various User Needs

### (i) Interviews<sup>\*11</sup>

The JPO conducts interviews to facilitate communication between examiners and applicants, etc. In response to the needs of applicants and agents, etc. in remote areas, the JPO not only conducts interviews in the JPO's building, but also conducts on-site interviews and online interviews.<sup>\*12</sup> Interviews may also be conducted with some of the participants participating online. The ratio of online interviews in 2024 was 43%.

- In 2024, there were 2,196 interviews (of these, 152 were conducted on-site, and 951 were conducted online).

### (ii) Collective Examinations for IP Portfolio Supporting Business Strategy<sup>\*13</sup>

The Collective Examinations for IP Portfolio Supporting Business Strategy (CEIP) is a measure that supports the acquisition of rights in time with business development, with examiners for multiple applications related to the business (patent, design, and trademark applications) coordinating with each other to conduct their respective examinations. [Figure 2-1-7]

- In 2024, there were 23 applications.
- Of these, there were 195 patent applications, 27 applications for design registration, and 3 applications for trademark registration.

## 7 多様なユーザーニーズに対応するための審査施策

### (i) 面接<sup>\*11</sup>

審査官と出願人等との間において、円滑に意思疎通を図ることを目的として、面接を実施している。遠隔地の出願人や代理人等のニーズに応え、特許庁庁舎で実施する面接の他、出張面接やオンライン面接<sup>\*12</sup>も実施している。一部の参加者のみオンラインで参加して、面接を実施することも可能である。2024年におけるオンライン面接比率は43%となっている。


- 2024年の実績は2,196件（内、出張面接152件、オンライン面接951件）。


### (ii) 事業戦略対応まとめ審査<sup>\*13</sup>


事業戦略対応まとめ審査は、事業に関連する複数の出願（特許・意匠・商標）を対象として、各分野の審査官が連携しながら審査を行い、事業展開に合わせたタイミングでの権利化を支援する施策である。[2-1-7図]

- 2024年の申請実績は23件。
- 対象とされた特許出願は195件、意匠出願は27件、商標は3件。

\*11  English  
<https://www.jpo.go.jp/e/system/patent/shinsa/junkai.html>

 日本語  
<https://www.jpo.go.jp/system/patent/shinsa/mensetu/junkai.html>

\*12  日本語  
[https://www.jpo.go.jp/system/patent/shinsa/mensetu/telesys\\_mensetu.html](https://www.jpo.go.jp/system/patent/shinsa/mensetu/telesys_mensetu.html)

\*13  English  
[https://www.jpo.go.jp/e/system/patent/shinsa/matome\\_sinsa.html](https://www.jpo.go.jp/e/system/patent/shinsa/matome_sinsa.html)


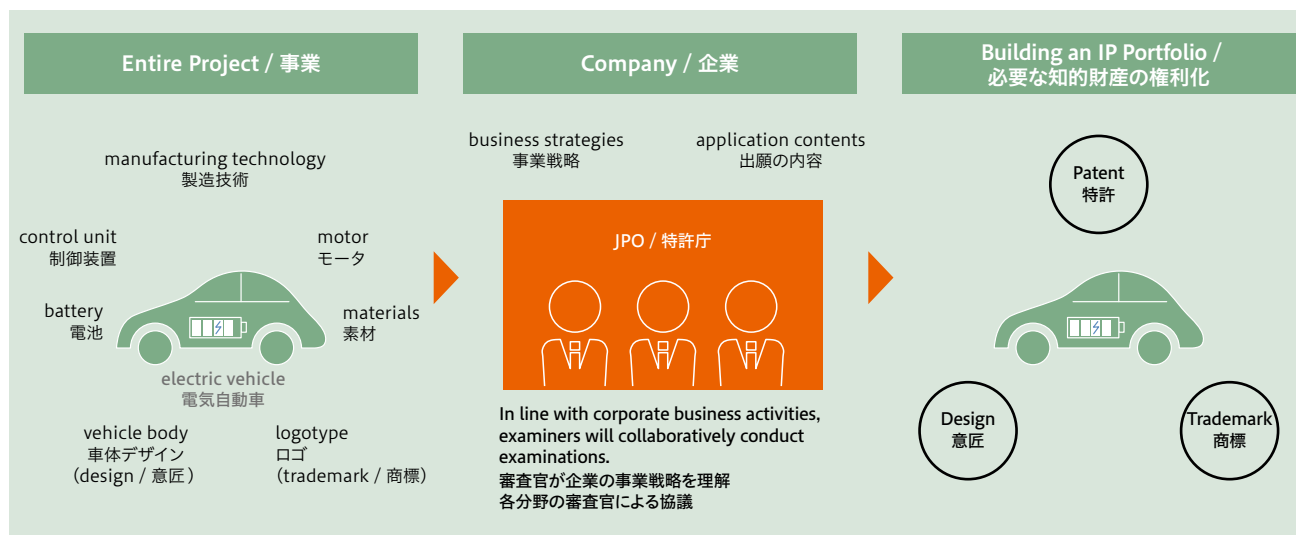
 日本語  
[https://www.jpo.go.jp/system/patent/shinsa/general/matome\\_sinsa.html](https://www.jpo.go.jp/system/patent/shinsa/general/matome_sinsa.html)

Figure 2-1-7 Collective Examinations for IP Portfolio Supporting Business Strategy / 事業戦略対応まとめ審査



### (iii) Suspension of Examination of a Divisional Application While the Original Application Is Pending Trial<sup>\*14</sup>

Since April 2023, Article 54 (1) of the Patent Act has been applied to divisional applications which have been filed in conjunction with a request for an appeal against an examiner's decision of refusal of the original application. The examination of such divisional applications will be suspended until either the result of the reconsideration by examiners before appeal proceedings or the appeal decision of the original application becomes known. For the applicant, being able to consider how to proceed with the divisional application based on either result is expected to lead to a more efficient and effective filing strategy.

In addition, since April 2024, the examination of a divisional application may be resumed before the end of the suspension period based on the applicant's request.

- The number of suspended examinations in 2024 was 3,553.

### (iii) 原出願が審判係属中の分割出願に対する審査中止の運用<sup>\*14</sup>

2023年4月から、分割出願のうち、原出願の拒絶査定後、拒絶査定不服審判請求にあわせて出願されたものであって、申請がされた案件について、特許法第54条第1項を適用し、原出願の前置審査又は審判の結果が判明するまで当該分割出願の審査を中止する運用を開始している。出願人にとって、原出願の前置審査又は審判の結果を踏まえて分割出願の対応を検討できることは、より効率的かつ効果的な出願戦略の構築につながると期待されている。

また、2024年4月から、審査中止期間の終了前に、出願人側からの申請に基づき分割出願の審査を再開できる運用を開始した。

- 2024年に審査を中止した件数は3,553件。

\*14



English

[https://www.jpo.go.jp/e/system/patent/shinsa/bunkatu-shutugan\\_chushi.html](https://www.jpo.go.jp/e/system/patent/shinsa/bunkatu-shutugan_chushi.html)



日本語

[https://www.jpo.go.jp/system/patent/shinsa/general/bunkatu-shutugan\\_chushi.html](https://www.jpo.go.jp/system/patent/shinsa/general/bunkatu-shutugan_chushi.html)

## 8 Improvement of Foundation for Prior Art Searches

Prior art searches are one of the important pillars for maintaining and improving examination quality, and a constant improvement of the foundation for prior art searches for both patent documents and non-patent literature is therefore crucial.

### (i) Initiatives Related to Machine Translation Texts

- On the retrieval system for patents and utility models used by examiners, the JPO continues to accumulate full text Japanese machine translations of US, EP, and the World Intellectual Property Organization (WIPO) patent documents in English and CN and KR patent documents in order to retrieve and screen documents in Japanese.

### (ii) Initiatives Related to the Development of Patent Classifications and Other Search Indices

- The JPO attended the IPC Union - Committee of Experts (55th session) and contributed to determining the procedures for revising the International Patent Classification (IPC), IPC revision projects, the Guide to the IPC, etc. (March 2024, hybrid).
- As part of improving the foundation for prior art searches, the JPO discussed revising the IPC for approx. 70 technical areas, with aims such as introducing superior classification entries among the File Index (FI)<sup>\*15</sup> and F-term<sup>\*16</sup> to the IPC (26th and 27th sessions of the IP5 Working Group 1-Working Group on Classification [February 2024, USPTO and online, and September 2024, online], 51st and 52nd sessions of the IPC Union - IPC Revision Working Group [April 2024, WIPO and online, and October 2024, WIPO and online]).
- The JPO attended the 10th and 11th sessions of the Expert Group on Semiconductor Technology, which is made up of experts from 11 interested patent offices to discuss large-scale revision projects in the semiconductor classification (April 2024, WIPO and online, and October 2024, WIPO and online).

## 8 先行技術文献調査のための基盤整備

先行技術文献調査は、審査の質の維持・向上のための重要な柱の一つであり、そのための基盤の特許文献・非特許文献ともに恒常的に整備することが重要である。

### (i) 機械翻訳文に関する取組

- 審査官が利用する特実検索システムにおいては、米国、欧州及び世界知的所有権機関（WIPO）の英語特許文献、中韓の特許文献について、日本語での検索及びスクリーニングのための全文日本語機械翻訳文を継続して蓄積。

### (ii) 特許分類等検索インデックスの整備に関する取組

- 第55回IPC同盟専門家委員会に参加し、IPC(国際特許分類)改正手続やIPC改正プロジェクト、IPC指針などの決定に貢献（2024年3月、ハイブリッド）。
- 基盤整備の一環として、File Index(FI)<sup>\*15</sup>、Fターム<sup>\*16</sup>のうち優れた分類項目をIPC化することなどを目的に、IPC改正について約70の技術分野で議論（五庁分類作業部会〔第26回（2024年2月、USPTO及びオンライン）、第27回（2024年9月、オンライン）〕、IPCリビジョン作業部会〔第51回（2024年4月、WIPO及びオンライン）、第52回（2024年10月、WIPO及びオンライン）〕）。
- 半導体分野の分類の大規模改正プロジェクトを議論する、有志11庁の専門家からなる半導体技術専門家会合に参加〔第10回（2024年4月、WIPO及びオンライン）、第11回（2024年10月、WIPO及びオンライン）〕。

<sup>\*15</sup> An original patent classification system that is a subdivision of the IPC governed by the JPO.  
IPCを細展開した日本国特許庁独自の分類。

<sup>\*16</sup> An original classification the JPO expanded to various technical aspects (e.g., purpose, use, structure, material, manufacturing method, processing and operational method, and means of control) by technical scope (theme).  
技術範囲（テーマ）ごとに種々の技術的観点（目的、用途、構造、材料、製法、処理操作方法、制御手段等）を展開した日本国特許庁独自の分類。



- The JPO attended a session of the Committee on WIPO Standards (September 2024, WIPO and online) with a view to revising the WIPO Standard ST.26 regarding sequence listing, etc.
- Under the principle that FI must be compliant with the latest IPC, in FY2024, the JPO amended the FI scheme for approx. 300 main groups and conducted F-term maintenance for approx. 43 themes in order to search efficiently for Japanese and foreign patent documents.
- AI is used to automatically assign FI and F-term to foreign patent documents. Both Japanese and foreign patent documents may be searched at once using common patent classifications.
- 配列表に関するWIPO標準ST.26の改定などに向け、WIPO標準委員会（2024年9月、WIPO及びオンライン）に参加。
- 日本及び外国の特許文献を効率よく検索するため、FIを最新版のIPCに準拠させることを原則として、2024年度は、約300メイングループのFI分類表を改正し、約43テーマのFタームメンテナンスを実施。
- AIを活用して外国特許文献にFI、Fタームを機械的に付与。共通の特許分類を用いて日本及び外国の特許文献を一括検索可能に。



Group photo from the 52nd session of the IPC Revision Working Group (Photo: WIPO)

第52回IPCリビジョン作業部会の集合写真（写真提供：WIPO）

## ② Designs / 意匠

The JPO implements a variety of initiatives, including accelerated examinations and quality management, in order to appropriately protect designs, improve convenience for users, and strengthen the competitiveness of Japan's companies.

特許庁では、適切な意匠の保護、ユーザーの利便性向上、我が国企業の競争力強化のため、早期審査、品質管理などの種々の取組を実施している。

### 1 Examination Performance

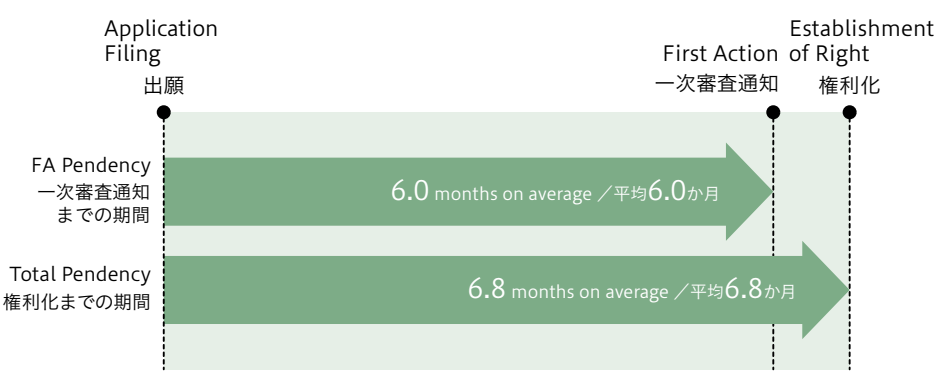
The JPO is working to make examinations more efficient in order to protect designs promptly and appropriately.

[Figure 2-1-8] [Figure 2-1-9]

### 1 審査実績

意匠を迅速かつ適切に保護すべく、審査の効率化を進めている。[2-1-8図] [2-1-9図]

Figure 2-1-8 FA Pendency and Total Pendency for Design Examinations in FY2023  
2023 年度における意匠審査の FA 期間及び権利化までの期間



Note: • Excluding international applications filed to register designs under the Hague Agreement and applications for graphic image, building and interior designs, which are newly eligible for protection under the revised Design Act of 2019.  
• The first action pendency (FA pendency) is the period from the application filing until the JPO sends the first notice of examination results to the applicant, etc. (for the most part, either a decision of registration or a notice of reasons for refusal).  
• The total pendency (also called the “standard pendency”) is the period from the application filing to the establishment of right (excluding cases in which applicants are required to respond to the second notices from the JPO for amendments submitted by the applicants within a certain period of time).

備考: • 国際意匠登録出願、及び令和元年改正意匠法により新たに保護対象となった建築物及び画像に係る意匠並びに内装の意匠等に係る出願の場合を除く。  
• 一次審査通知までの期間 (FA 期間) は、出願から審査官による審査結果の最初の通知 (主に登録査定又は拒絶理由通知書) が出願人等へ発送されるまでの期間。  
• 権利化までの期間 (「標準審査期間」ともいう。) は、出願から権利化までの期間 (出願人が制度上認められている期間を使い補正等を行うことによって、特許庁から再度の応答を求められる場合等を除く。)

Figure 2-1-9 Number of FAs and Decisions of Registration for Design Examinations / 意匠審査の FA 件数及び登録査定件数

(Year / 年)	2020	2021	2022	2023	2024
Number of FAs FA 件数	30,164	31,959	33,165	30,397	32,138
Number of Decisions of Registration 登録査定件数	26,465	27,773	29,901	27,000	27,872

Note: • The number of first actions is the number of first notices of examination results sent by examiners to applicants, etc. (for the most part, either a decision of registration or notices of reasons for refusal).

備考: • FA 件数は、審査官による審査結果の最初の通知 (主に登録査定又は拒絶理由通知書) が出願人等へ発送された件数。

## 2 Accelerated Examination<sup>\*17</sup>

Under certain conditions, the JPO offers accelerated examinations that, upon the request of an applicant, expedite the commencement of an examination. [Figure 2-1-10]

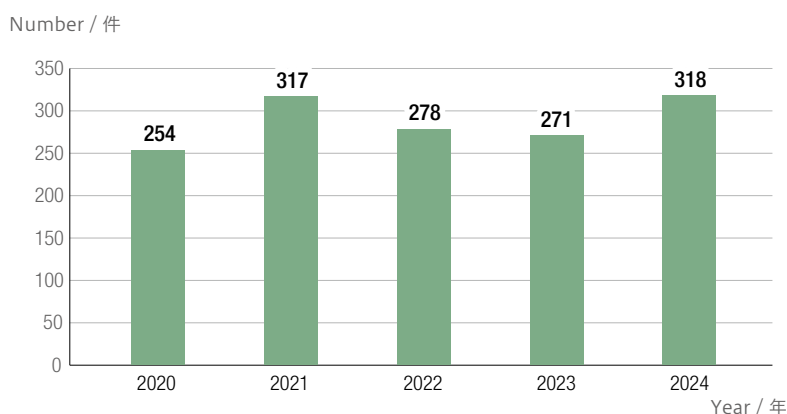
- The accelerated examination may be applied under the following conditions: (i) applications for design registration related to implementations with an urgent need for registration; (ii) applications for design registration that are concurrently filed in one or more other countries; or (iii) applications for design registration by businesses, etc. that have suffered earthquake damage.
- In the case of accelerated examinations in response to counterfeit goods in (i) above, first action is issued within one month from request, in principle. In 2024, there were 13 requests.
- In 2024, first action pendency from request for accelerated examination was 2.1 months on average.

## 2 早期審査<sup>\*17</sup>

一定の要件の下で、出願人からの申出を受けて審査の着手時期を通常に比べて早める早期審査を実施している。[2-1-10図]

- 早期審査の対象は、(i) 権利化について緊急性を要する実施関連の意匠登録出願、(ii) 外国にも出願している意匠登録出願、(iii) 震災による被害を受けた企業等の意匠登録出願。
- 上記(i)のうち、模倣品対応のための早期審査については、申出から原則1ヶ月以内に一次審査結果を通知する運用を実施。2024年の申出実績は13件。
- 2024年は、早期審査の申出から一次審査通知までの期間は平均2.1か月。

Figure 2-1-10 Number of Requests for Accelerated Examinations for Design / 意匠早期審査の申出件数



Note: • The number of requests for accelerated examinations is the number of “Written Explanation of Circumstances Concerning Accelerated Examination” that were submitted.

備考: • 早期審査の申出件数は、「早期審査に関する事情説明書」が提出された案件数。

\*17



English

[https://www.jpo.go.jp/e/system/design/shinsa/soki-isyou\\_soukisinri.html](https://www.jpo.go.jp/e/system/design/shinsa/soki-isyou_soukisinri.html)



日本語

[https://www.jpo.go.jp/system/design/shinsa/soki/isyou\\_soukisinri.html](https://www.jpo.go.jp/system/design/shinsa/soki/isyou_soukisinri.html)



## 3 Quality Management Initiatives

Under the “Quality Policy on Design Examination”, which constitutes the JPO’s fundamental principles of quality management, and the “Quality Management Manual for Design Examination”, which documents quality management and its implementation system, the JPO has been engaging in the following initiatives in order to realize the utmost quality of design examinations in the world.\*18

### (i) Quality Assurance

- Before sending applicants and agents any decisions and notices, etc. prepared by examiners, managers of examination offices check their substantive and formal aspects for all cases.
- Examiners consult with managers or other examiners in order to share search know-how and knowledge, etc. to curb search and decision discrepancies among examiners.

### (ii) Quality Verification

- Decisions and notices, etc. prepared by examiners are audited by quality management officers to check compliance and validity in terms of content and format before sending official documents to applicants and agents.
- In order to ascertain various user needs, the JPO conducts interviews at informal meetings with businesses, accepts information provided in relation to individual cases, and implements user satisfaction surveys. [Figure 2-1-11]

### (iii) External Evaluation of Quality Management

- In August 2014, the JPO established the Subcommittee on Examination Quality Management, which consists of external experts, under the Intellectual Property Committee of the Industrial Structure Council of the Ministry of Economy, Trade and Industry. The JPO implements initiatives for the quality management of design examinations based on reports by this subcommittee, which convenes every fiscal year.

## 3 品質管理に関する取組

品質管理の基本原則となる「意匠審査に関する品質ポリシー」、及び、品質管理及びその実施体制について文書化した「意匠審査の品質管理に関するマニュアル」の下、世界最高品質の意匠審査の実現に向けて以下の取組を行っている\*18。

### ( i ) 品質保証

- 審査官による処分等の判断及びその結果として作成される起案書について、出願人・代理人に発送される前に、審査室の管理職が実体面・形式面にわたり全件チェック。
- サーチノウハウ、知識等を共有化し、審査官の間のサーチや判断の相違を抑制するため、審査官は管理職又は他の審査官と協議を実施。

### ( ii ) 品質検証

- 審査官による処分等の判断及びその結果として作成される起案書の適否について、品質管理官が起案書発送前に監査を実施。
- 様々なユーザーニーズを把握するため、企業との意見交換会、個別案件に関する意見受付、ユーザー評価調査を実施。 [2-1-11図]

### ( iii ) 品質管理に対する外部評価

- 2014年8月から産業構造審議会知的財産分科会の下に、外部有識者からなる審査品質管理小委員会を設置。毎年度、当該小委員会を開催し、その報告を踏まえ、意匠審査の品質管理における取組を実施。

\*18



English

<https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/isho/index.html>



日本語

<https://www.jpo.go.jp/introduction/hinshitu/shinsa/isho/index.html>

Figure 2-1-11 Results of User Satisfaction Survey on Design Examination Quality  
意匠審査の質についてのユーザー評価調査の結果



Source: ・ JPO, “Report on FY2024 Annual User Satisfaction Survey on Design Examination Quality” (September 2024)

資料 ・ 特許庁「令和6年度意匠審査の質についてのユーザー評価調査報告書」(2024年9月)

## 4 Interviews<sup>\*19</sup>

The JPO conducts interviews to facilitate communication between examiners and applicants, etc. In response to the needs of applicants and agents, etc. in remote areas, the JPO not only conducts interviews in the JPO's building, but also conducts on-site interviews and online interviews.<sup>\*20</sup> Interviews may also be conducted with some of the participants participating online.

- ・ In 2024, there were 132 interviews (of these, 4 were conducted on-site, and 47 were conducted online).

## 4 面接<sup>\*19</sup>

審査官と出願人等との間において、円滑に意思疎通を図ることを目的として、面接を実施している。遠隔地の出願人や代理人などのニーズに応え、特許庁庁舎で実施する面接の他、出張面接やオンライン面接<sup>\*20</sup>も実施している。一部の参加者のみオンラインで参加して、面接を実施することも可能である。

- ・ 2024年の実績は132件（内、出張面接4件、オンライン面接47件）。

\*19



日本語

[https://www.jpo.go.jp/system/laws/rule/guideline/design/mensetu\\_guide\\_isyou.html](https://www.jpo.go.jp/system/laws/rule/guideline/design/mensetu_guide_isyou.html)

\*20



日本語

[https://www.jpo.go.jp/system/design/shinsa/general/tv\\_ishome.html](https://www.jpo.go.jp/system/design/shinsa/general/tv_ishome.html)

## 5 Improvement of Foundation for Prior Design Searches

Prior design searches are one of the important pillars for maintaining and improving examination quality, and a constant improvement of the foundation for prior design searches is therefore crucial.

- To assess the novelty and creativity of designs during examinations, new design information is extracted from Japanese and foreign design bulletins, magazines, catalogs, and the internet, which is digitized and made available as publicly known design information.
- Especially in recent years, emphasis has been placed on enhancing materials in new protection areas, such as graphic images, buildings, and interiors. In addition, the JPO has made improvements to Japanese design classifications and classification definition cards, which are effective search keys for conducting swift and accurate prior design searches.
- In 2024, AI technology began to be partially used to increase the efficiency of Japanese design classification assignments to foreign design bulletins that will become publicly known design information.

## 6 Release of the Japanese and Chinese Versions of the Guide Book for Overseas Users

The JPO released the Japanese and Chinese versions of the English-language guide book titled, “Your Key to Success: for Obtaining a Design Right in Japan” in November 2024. It introduces the features of the design system in Japan and the points to consider when filing an application for design registration in Japan, as well as recent revisions made to laws, regulations, and examination guidelines in a simple and easy-to-understand manner. [Figure 2-1-12]

- The guide book explains using actual cases of design registration and hypothetical cases with a particular focus on points that are often mistaken by overseas users, such as the scope of protection under the Design Act in Japan, clarity of design, and procedures for claiming a priority under the Paris Convention and for applying the provision on exceptions to lack of novelty.
- An electronic version of the guide book can be downloaded from the JPO website.\*21

## 5 先行意匠調査のための基盤整備

先行意匠調査は、審査の質の維持・向上のための重要な柱の一つであり、そのための基盤を恒常的に整備することが重要である。

- 意匠審査における新規性及び創作性の判断のため、国内外の意匠公報、雑誌、カタログ、インターネットなどから新規な意匠の情報を抽出して電子化し、意匠公知資料として整備。
- 特に近年は、新保護領域である画像、建築物及び内装の資料整備に注力。また、迅速・的確な先行意匠調査のための有効な検索キーである日本意匠分類や、分類定義カードのメンテナンスを実施。
- 2024年は、意匠公知資料化する外国意匠公報への日本意匠分類の付与効率を高めるため、AI技術を活用した分類付与を部分的に開始。

## 6 海外ユーザー向けガイドブックの日本語訳版・中国語訳版公表

特許庁は、日本の意匠制度の特徴や日本に意匠出願する際の留意事項、近年の法令改正や基準改訂事項を簡便に分かりやすく紹介する英語のガイドブック「Your Key to Success: for Obtaining a Design Right in Japan」について、2024年11月に日本語訳版・中国語訳版を公表した。[2-1-12図]

- 意匠権の保護対象、意匠の明確性、パリ条約による優先権主張や新規性喪失の例外規定の適用のための手続など、特に海外ユーザーが間違えやすいポイントに絞って、実際の登録事例や仮想事例を交えながら解説。
- ガイドブックの電子版は特許庁ウェブサイト\*21からダウンロード可能。

\*21



English

<https://www.jpo.go.jp/e/system/design/gaiyo/guidebook.html>



日本語

[https://www.jpo.go.jp/system/design/gaiyo/info/your\\_key\\_to\\_success.html](https://www.jpo.go.jp/system/design/gaiyo/info/your_key_to_success.html)

Figure 2-1-12 Guide Book for Overseas Users “Your Key to Success: for Obtaining a Design Right in Japan,” Japanese and Chinese Translation Versions / 海外ユーザー向けガイドブック「Your Key to Success: for Obtaining a Design Right in Japan」日本語訳版・中国語訳版



## ③ Trademarks / 商標

The JPO has been implementing various initiatives including accelerated examinations, quality management, revising the Examination Guidelines for Trademarks, and protection of regional collective trademarks, in order to appropriately protect trademarks and improve convenience for users.

### 1 Examination Performance

In order to promptly and appropriately protect trademarks, the JPO is working to make examinations more efficient. [Figure 2-1-13] [Figure 2-1-14]

### 2 Accelerated Examination <sup>\*22</sup>

Under certain conditions, the JPO offers accelerated examinations that, upon the request of an applicant, expedite the commencement of an examination. [Figure 2-1-15]

- In 2024, first action pendency from request for accelerated examination was 1.7 months on average.

特許庁では、適切な商標の保護やユーザーの利便性向上のため、早期審査、品質管理、商標審査基準の改訂、地域団体商標の保護などの種々の取組を実施している。

### 1 審査実績

商標を迅速かつ適切に保護すべく、審査の効率化を進めている。[2-1-13図] [2-1-14図]

### 2 早期審査 <sup>\*22</sup>

一定の要件の下で、出願人からの申出を受けて審査の着手時期を通常に比べて早める早期審査を実施している。[2-1-15図]

- 2024年は、早期審査の申出から一次審査結果の通知までの期間は平均1.7か月。

\*22



English

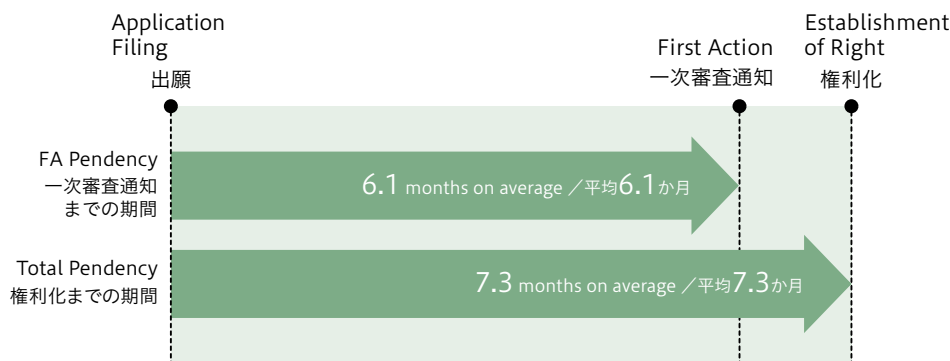
[https://www.jpo.go.jp/e/system/trademark/shinsa/outline\\_accelerated\\_trademark.html](https://www.jpo.go.jp/e/system/trademark/shinsa/outline_accelerated_trademark.html)



日本語

<https://www.jpo.go.jp/system/trademark/shinsa/soki/shkouhou.html>

Figure 2-1-13 FA Pendency and Total Pendency for Trademark Examinations in FY2023  
2023 年度における商標審査の FA 期間及び権利化までの期間



Note: • The first action pendency (FA pendency) is the period from the application filing until the JPO sends the first notice of examination results to the applicant, etc. (for the most part, either a decision of registration or a notice of reasons for refusal) (excluding applications related to non-traditional trademarks and regional collective trademarks).  
• The total pendency is the period from the application filing to the registration (excluding applications related to non-traditional trademarks and regional collective trademarks, as well as cases such as where applicants are required to respond to the second notices from the JPO for amendments submitted by the applicants within a certain period of time).

備考: • 一次審査通知までの期間 (FA 期間) は、出願から審査官による審査結果の最初の通知 (主に登録査定又は拒絶理由通知書) が出願人等へ発送されるまでの期間 (新しいタイプの商標及び地域団体商標に係る出願を除く。)  
• 権利化までの期間は、出願から最終処分までの期間 (新しいタイプの商標及び地域団体商標に係る出願を除く。また、出願人が制度上認められている期間を使い補正等を行うことによって、特許庁から再度の応答を求められる場合等を除く。)

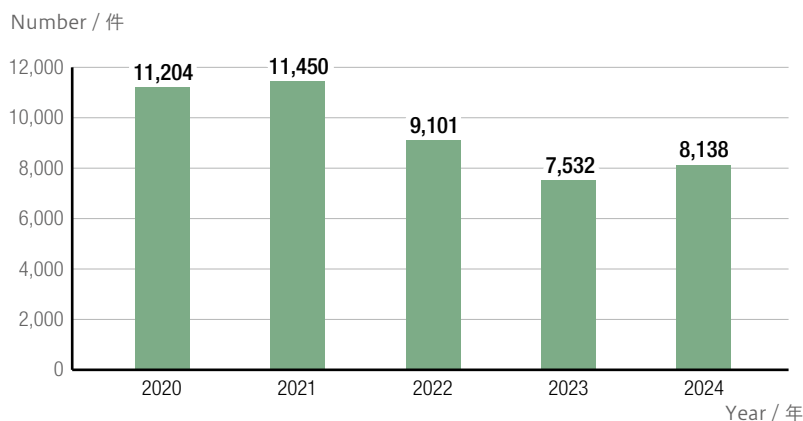
Figure 2-1-14 Number of FAs and Decisions of Registration for Trademark Examinations / 商標審査の FA 件数及び登録査定件数

(Year / 年)	2020	2021	2022	2023	2024
Number of FAs FA 件数	172,931	213,224	208,740	142,461	158,060
Number of Decisions of Registration 登録査定件数	146,708	185,415	188,157	125,973	137,845

Note: • The number of first actions is the number of first notices of examination results sent by examiners to applicants, etc. (for the most part, either a decision of registration or notices of reasons for refusal).

備考: • FA 件数は、審査官による審査結果の最初の通知 (主に登録査定又は拒絶理由通知書) が出願人等へ発送された件数。

Figure 2-1-15 Number of Requests for Accelerated Examinations for Trademark / 商標早期審査の申出件数



Note: • The number of requests for accelerated examinations is the number of applications for which "Written Explanation of Circumstances Concerning Accelerated Examination" was submitted.

備考: • 早期審査の申出件数は、「早期審査に関する事情説明書」が提出された出願の件数。

## 3 Quality Management Initiatives

Under the “Quality Policy on Trademark Examination”, which constitutes the JPO’s fundamental principles of quality management, and the “Quality Management Manual for Trademark Examination”, which documents quality management and its implementation system, the JPO has been engaging in the following initiatives in order to maintain and improve the quality of trademark examinations<sup>\*23</sup>.

### (i) Quality Assurance

- Before sending applicants and agents any decisions and notices, etc. prepared by examiners, managers of examination offices check their substantive and formal aspects for all cases.
- Examiners consult with managers or other examiners in order to share search know-how and knowledge, etc. to make prompt and appropriate decisions.

### (ii) Quality Verification

- Decisions and notices, etc. prepared by examiners are audited by quality management officers to check compliance and validity in terms of content and format before sending official documents to applicants and agents.
- In order to ascertain various user needs, the JPO conducts interviews at informal meetings with businesses, accepts information provided in relation to individual cases, and implements user satisfaction surveys. [Figure 2-1-16]

### (iii) External Evaluation of Quality Management

- In August 2014, the JPO established the Subcommittee on Examination Quality Management, which consists of external experts, under the Intellectual Property Committee of the Industrial Structure Council of the Ministry of Economy, Trade and Industry, and has been implementing initiatives for the quality management of trademark examinations, based on reports by this subcommittee.

## 3 品質管理に関する取組

品質管理の基本原則となる「商標審査に関する品質ポリシー」、及び、品質管理及びその実施体制について文書化した「商標審査の品質管理に関するマニュアル」の下、商標審査の質の維持・向上を図るため、以下の取組を行っている<sup>\*23</sup>。

### (i) 品質保証

- 審査官による処分等の判断及びその結果として作成される起案書について、出願人・代理人に発送される前に、審査室の管理職が実体面・形式面にわたり全件チェック。
- サーチノウハウ、知識などを共有化し、迅速・的確な判断を行うため、審査官は管理職又は他の審査官と協議を実施。

### (ii) 品質検証

- 審査官による処分等の判断及びその結果として作成される起案書の適否について、品質管理官が起案書発送前に監査を実施。
- 様々なユーザーニーズを把握するため、企業との意見交換会、個別案件に関する意見受付、ユーザー評価調査を実施。

[2-1-16図]

### (iii) 品質管理に対する外部評価

- 2014年8月より産業構造審議会知的財産分科会の下に、外部有識者からなる審査品質管理小委員会を設置しており、当該小委員会の報告を踏まえ、商標審査の品質管理における取組を実施。

\*23



English

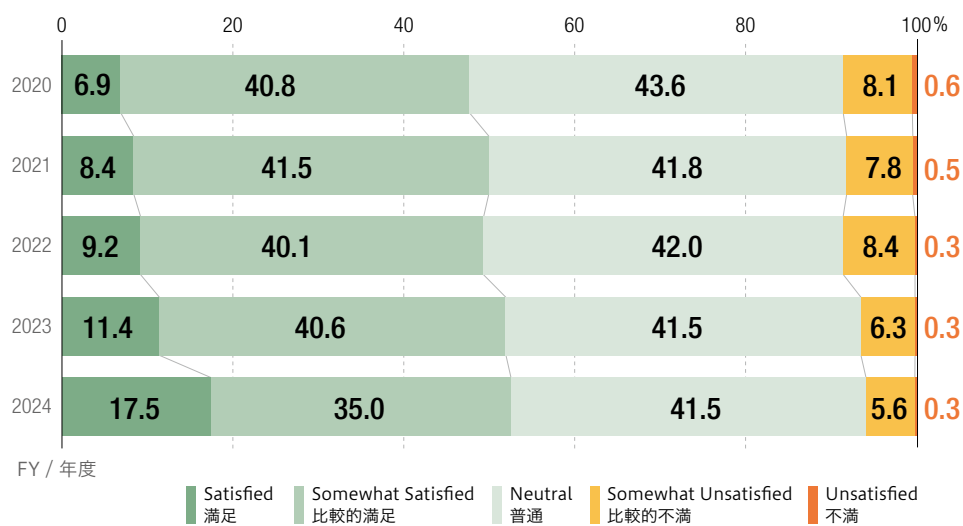
<https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/shohyo/index.html>



日本語

<https://www.jpo.go.jp/introduction/hinshitu/shinsa/shohyo/index.html>

Figure 2-1-16 Results of User Satisfaction Survey on Trademark Examination Quality  
商標審査の質についてのユーザー評価調査の結果





## 4 Publication of the 2024 Guide to Trademark Use

As part of the FY2023 JPO's Study on Issues in the Industrial Property Rights System, a "Study on Trademark Use" was conducted, resulting in the creation of the "Learning from Case Studies: Guide to Trademark Use 2024," which was released in April 2024.

- The guide introduces ways to use trademarks in business, the benefits of trademark registration, and examples of trademark-related pitfalls.
- The electronic version of the guide may be downloaded from the JPO's website.<sup>\*24</sup>

## 5 Formulation of the Guidelines for Designated Goods and Designated Services Related to Virtual Environments and Non-Fungible Tokens (NFTs)

In March 2024, the JPO published guidelines to clarify the practices for designated goods and designated services related to virtual environments and NFTs.<sup>\*25</sup> The main contents are as follows.

- Acceptable indications for designated goods and designated services related to virtual environments
- Acceptable indications for designated goods and designated services related to NFTs

## 4 商標活用ガイド 2024 年版の発行

2023年度産業財産権制度問題調査研究として「商標の活用実態に関する調査研究」を実施し、その成果物として、「事例から学ぶ 商標活用ガイド2024」を作成し、2024年4月に公表した。

- ビジネスにおける活用方法や権利化に関するメリットなどを紹介するとともに、商標にまつわる失敗事例を紹介。
- ガイドブックの電子版は特許庁ウェブサイトからダウンロード可能<sup>\*24</sup>。

## 5 仮想空間及び非代替性トークン（NFT）に関する指定商品・指定役務のガイドラインの策定

2024年3月、仮想空間に関する指定商品・指定役務及び非代替性トークン（NFT）についての運用を明確化するためのガイドライン<sup>\*25</sup>を公表した。主な内容は以下のとおり。

- 仮想空間に関する指定商品・指定役務として採用できる表示
- NFTに関する指定商品・指定役務として採用できる表示

\*24



日本語

[https://www.jpo.go.jp/support/example/document/trademark\\_guide2024/guide01.pdf](https://www.jpo.go.jp/support/example/document/trademark_guide2024/guide01.pdf)

\*25



English

[https://www.jpo.go.jp/e/system/laws/rule/guideline/trademark/guideline\\_virtual-nfts.html](https://www.jpo.go.jp/e/system/laws/rule/guideline/trademark/guideline_virtual-nfts.html)



日本語

[https://www.jpo.go.jp/system/trademark/gaiyo/bunrui/kaso\\_nft\\_guideline.html](https://www.jpo.go.jp/system/trademark/gaiyo/bunrui/kaso_nft_guideline.html)

## 6 Regional Collective Trademarks

The regional collective trademark system was introduced in April 2006 in order to more appropriately protect, as trademarks, regional brands that combine the name of a region and the name of the goods (or services)<sup>\*26</sup>. Prior to the introduction of this system, trademarks comprised of “region name + goods (services) name” were not approved for registration unless they already possessed nationwide recognition. However, with this system, such trademarks can be now registered as long as there is recognition by consumers to a certain extent. [Figure 2-1-17]

- As of the end of December 2024, there were 1362 applications filed, and of those 781<sup>\*27</sup> were registered.

### (i) The Logo Mark of Regional Collective Trademarks

“The Logo Mark of Regional Collective Trademarks”, which identifies that a local specialty is registered with the JPO as a regional collective trademark, was established with the aim of promoting the regional collective trademark system and enhancing the brand power of regional collective trademark products (services). In principle, only associations that own regional collective trademarks, the members of the associations, and those who have been licensed by associations to use regional collective trademarks may use the logo. The logo helps to differentiate products (services) from those of third parties. In addition, the logo is expected to help prevent trademark infringement by third parties by using it on product packaging, printed materials, and at events as a tool to publicize registration with the JPO as a regional brand. [Figure 2-1-18]

- As of the end of December 2024, 265 associations were using the logo.

## 6 地域団体商標

地域団体商標制度とは、地域名と商品（サービス）名を組み合わせた地域ブランドを、商標権としてより適切に保護するために、2006年4月に導入された制度である<sup>\*26</sup>。「地域名 + 商品（サービス）名」で構成される商標は、制度導入前は全国的な知名度がなければ登録が認められなかったが、制度導入後は一定範囲の需要者に認識されていれば登録可能となった。[2-1-17図]

- 2024年12月までに1362件が出願され、そのうち781件<sup>\*27</sup>が登録。

### (i) 地域団体商標マーク

「地域団体商標マーク」は、地域の名物が地域団体商標として特許庁に登録されていることを示す証で、地域団体商標制度の普及と地域団体商標産品（サービス）のブランド力向上を目的として策定した。原則、地域団体商標を保有する団体、団体の構成員及び団体から地域団体商標の使用許諾を受けた者のみが使用できる。マークの有無による、第三者産品（サービス）との差別化に役立つとともに、商品のパッケージや印刷物、イベントの際などに、地域ブランドとして特許庁に登録されていることをPRするツールとして活用することで、第三者による商標権侵害を未然に防止する効果が期待される。[2-1-18図]

- 2024年12月までに265の団体が活用。

\*26



English

<https://www.jpo.go.jp/e/system/trademark/gaiyo/chidan/index.html>



日本語

<https://www.jpo.go.jp/system/trademark/gaiyo/chidan/index.html>

\*27

Registration numbers by region are 43 for Hokkaido, 62 for the Tohoku region, 127 for the Kanto-Koshinetsu region, 71 for the Hokuriku region, 104 for the Tokai region, 167 for the Kinki region, 54 for the Chugoku region, 34 for the Shikoku region, and 100 for the Kyushu region, and 18 for Okinawa region, along with 3 for overseas countries (registrations spanning multiple regions are counted as one in each region).

登録件数を地域別に見ると、北海道43件、東北62件、関東・甲信越127件、北陸71件、東海104件、近畿167件、中国54件、四国34件、九州100件、沖縄18件に加えて、外国からの出願も3件登録されている（複数地域に跨るものはそれぞれカウント）。

# Chapter 1 第1章

## (ii) Dissemination and Awareness Raising

As a measure to further disseminate the regional collective trademark system, the JPO published the “Regional Collective Trademark Guide Book: Case Studies Edition 2024” booklet,<sup>\*28</sup> which contains case studies of the use of regional collective trademarks and considerations for developing regional brands. The Guide Book is distributed to various parties, including the Intellectual Property Comprehensive Help Desk, prefectures, municipalities, societies of commerce and industry, chambers of commerce and industry, and associations with regional collective trademarks, for promoting widespread use of the system.

## (ii) 普及啓発

地域団体商標制度の更なる普及を促すため、地域団体商標の活用事例情報や、地域ブランドづくりに取り組む際の考え方などを掲載した冊子「地域団体商標ガイドブック～活用編～2024」<sup>\*28</sup>を作成した。知財総合支援窓口、都道府県、市区町村、商工会・商工会議所、地域団体商標を保有する団体などに配布し、対外的に広く普及活動を行っている。

Figure 2-1-17 Regional Collective Trademark Composition / 地域団体商標の構成

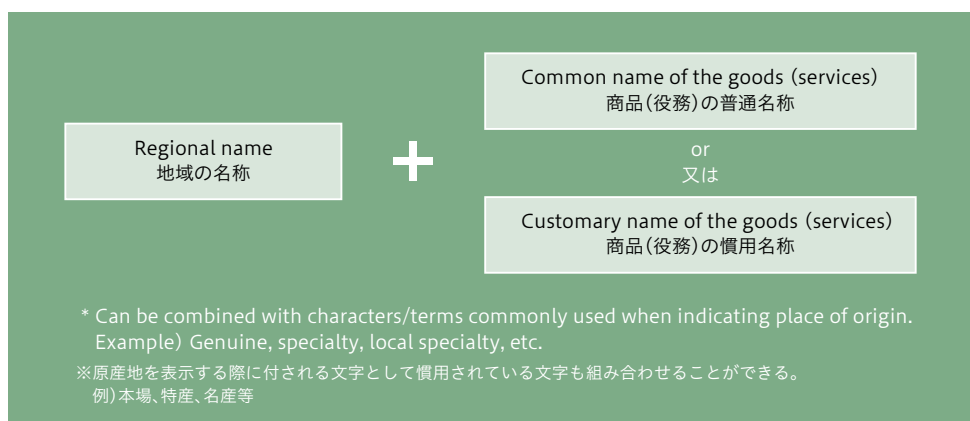


Figure 2-1-18 The Logo Mark of Regional Collective Trademarks / 地域団体商標マーク



\*28



日本語

[https://www.jpo.go.jp/system/trademark/gaiyo/chidan/document/tiikibrand/guidebook-catalog\\_2024.pdf](https://www.jpo.go.jp/system/trademark/gaiyo/chidan/document/tiikibrand/guidebook-catalog_2024.pdf)

## ④ Trials and Appeals / 審判

### 1 Performance of Trials and Appeals

The status of the proceedings in 2024 is as shown in Figure 2-1-19. [Figure 2-1-19]

- Trial for invalidation, trial for correction, trial for rescission, and opposition are prioritized over ex-parte appeal cases in principle for early dispute resolution.
- The JPO gives priority to and conducts accelerated appeal proceedings for appeal against an examiner's decision of refusal cases upon request when the cases satisfy the specific requirements. In 2024, the number of requests for accelerated appeal proceedings<sup>\*29</sup> was 163 for patents, 1 for designs, and 15 for trademarks. The average pendency<sup>\*30</sup> was 3.9 months for patents, 0.0 months for designs, and 3.2 months for trademarks.

### 1 審判実績

2024年の審理の状況は、2-1-19図のとおりである。[2-1-19図]

- 無効審判、訂正審判、取消審判及び異議申立てについては、紛争の早期解決を図るため、原則として査定系の審判事件より優先的に着手。
- 拒絶査定不服審判事件について、特定の要件を満たす場合、申出により審理を優先的に行う早期審理を実施。2024年における早期審理の申出件数<sup>\*29</sup>は特許で163件、意匠で1件、商標で15件であり、審理期間<sup>\*30</sup>は特許で平均3.9か月、意匠で平均0.0か月、商標で平均3.2か月。

<sup>\*29</sup> The number of cases where the “Written Explanation of Circumstances Concerning Accelerated Appeal Proceedings” was submitted and the cases were transferred to the board in charge. When the cases that were not transferred to the board in charge (including cases that involve decision to grant a patent upon reconsideration by examiner before appeal proceedings) are included, the number of requests for accelerated appeal proceedings made in 2024 was 273 for patents, 1 for designs, and 17 for trademarks.

「早期審理に関する事情説明書」が提出され部門移管された件数。部門移管されなかった件数（前置登録された事件等）を含めると、2024年における早期審理の申出件数は、特許が273件、意匠が1件、商標が17件。

<sup>\*30</sup> In the cases that are subject to accelerated appeal proceedings, the average pendency is an average Calendar Year (CY) period from the date it becomes ready to conduct proceedings after a request is made, to the date an appeal decision is dispatched.

早期審理の対象となった事件について、申出がなされ審理可能となつてから審決が発送されるまでの期間の暦年平均。

# Chapter 1 第1章

Figure 2-1-19 Status of Proceedings in 2024 / 2024 年審理の状況

	Appeal against an examiner's decision of refusal 拒絶査定不服審判		Invalidation trial 無効審判		Trial for correction 訂正審判		Opposition 異議申立て		Trial for rescission 取消審判	
	Number of dispositions 処理件数	Pendency 審理期間	Number of dispositions 処理件数	Pendency 審理期間	Number of dispositions 処理件数	Pendency 審理期間	Number of dispositions 処理件数	Pendency 審理期間	Number of dispositions 処理件数	Pendency 審理期間
Patents & Utility Models 特許・実用新案	9,026	13.1	88	15.1	140.0	3.4	1,342	7.9	-	-
Designs 意匠	258	9.5	11	16.0	-	-	-	-	-	-
Trademarks 商標	1,301	12.1	98	14.2	-	-	297	9.6	1,122	8.0

- Note:
- The number of dispositions (excluding oppositions) is the total number of requests granted (including requests partly granted), requests not granted (including dismissals), and withdrawals/abandonments. The number of dispositions (oppositions) is counted by opposed patent.
  - Pendency is the average processing period (in months) in CY from the date a request is filed (\*1), to the date a trial/appeal decision is dispatched (\*2), to the date a withdrawal or abandonment is finalized and concluded, or to the date a dismissal is dispatched.
    - (\*1) The date a request is filed for opposition is the date an opposition is requested. The date for cases concerning "reconsiderations by examiners as one of appeal proceedings" in "appeal against examiner's decision of refusal" is the date it becomes ready to conduct proceedings (the date the case has been transferred to the board in charge).
    - (\*2) In patent opposition cases, if a "notification of reasons for revocation" (advance notice of a decision) is to be made, it is the date the notice is dispatched. In trial for patent invalidation cases, if an "advance notice of a trial decision" is to be made, it is the date the notice is dispatched.
  - Only trial for invalidation is recorded for utility models.

- 備考:
- 処理件数（異議申立てを除く）は、請求成立（含一部成立）、請求不成立（含却下）、及び取下げ・放棄の件数の合計。処理件数（異議申立て）は権利単位の件数。
  - 審理期間は、審判請求日（※1）から、審決（又は決定）の発送日（※2）、取下げ・放棄の確定日、又は却下の発送日までの期間の暦年平均。単位は月。
    - （※1）異議申立てについては異議申立日。特許拒絶査定不服審判において前置審査に係る事件については審理可能となった日（部門移管日）。
    - （※2）特許異議の申立てにおいて取消理由通知（決定の予告）を行ったものはその発送日、特許無効審判において審決の予告を行ったものはその発送日。
  - 実用新案は、無効審判についてのみ計上。

## 2 Improvement of Proceedings

The JPO is implementing the following initiatives in order to further improve proceedings:

### (i) Oral Proceedings

- In trials for invalidation and trials for rescission, oral proceedings where the panel and the parties orally assert against each other are proactively utilized in order to accurately grasp and sort out the points of dispute and to increase the parties' acceptance of the results.
- In 2024, 81 oral proceedings (of which 50 [61.7%] were online oral proceedings) were conducted. The JPO compiled materials related to the online oral proceedings launched in October 2021 and has made them available on the JPO website.\*31

### (ii) Circuit Trials and On-Site Interviews

- When companies, universities, etc. in the local regions are the parties concerned in trial and appeal cases, the panel may visit their regions at their request to conduct circuit trials (oral proceedings conducted for trials for invalidation) or on-site interviews (interviews aimed at facilitating communication on trial and appeal proceedings).
- In 2024, 1 circuit trials and 4 on-site interviews were conducted. Online interviews were conducted if onsite visits were difficult due to the COVID-19 outbreak.

### (iii) Trial and Appeal Practitioner Study Group

- The "Trial and Appeal Practitioner Study Group", which gathers together practitioners such as corporate IP personnel, patent attorneys and lawyers, in addition to JPO chief administrative judges and administrative judges, and which studies trial/appeal decisions and court decisions based on actual cases, is convened. Judges of the Intellectual Property High Court and the Tokyo District Court also participate as observers.
- The study group deliberates a total of six themes and six cases related to patents, designs and trademarks and releases a report that consolidates its findings.\*32

## 2 審理の充実

審理を一層充実させるため、以下の取組を実施している。

### (i) 口頭審理

- 無効審判や取消審判においては、的確な争点の把握・整理や当事者の納得感の向上のため、合議体と当事者双方が口頭で主張しあう口頭審理を積極的に活用。
- 2024年は、81件の口頭審理（内、オンライン口頭審理50件（61.7%））を実施。2021年10月から開始したオンライン口頭審理について、関係資料をまとめ、特許庁ウェブサイト\*31に掲載。

### (ii) 巡回審判・出張面接

- 地方の企業・大学などが審判事件の当事者である場合には、当事者の希望に応じて合議体が全国各地に赴き、巡回審判（無効審判の口頭審理）や、出張面接（審理に関して意思疎通を図るための面接）を実施。
- 2024年においては、1件の巡回審判、4件の出張面接を実施。新型コロナウイルス感染症の影響で出張が困難な場合は、オンライン面接を活用。

### (iii) 審判実務者研究会

- 審判長・審判官に加えて、企業の知的財産部員、弁理士、弁護士などの実務者が一堂に会して、実例に基づき審決及び判決についての研究を行う「審判実務者研究会」を開催。知的財産高等裁判所及び東京地方裁判所の裁判官もオブザーバー参加。
- 特許、意匠及び商標で計6テーマ及び6事例を検討し、その結果を取りまとめた報告書\*32を公表。

\*31



English

[https://www.jpo.go.jp/e/system/trial\\_appeal/oral\\_proceedings.html](https://www.jpo.go.jp/e/system/trial_appeal/oral_proceedings.html)



日本語

[https://www.jpo.go.jp/system/trial\\_appeal/general-koto/online-kankeishiryo.html](https://www.jpo.go.jp/system/trial_appeal/general-koto/online-kankeishiryo.html)

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English

[https://www.jpo.go.jp/e/resources/shingikai/kenkyukai/sinposei\\_kentoukai.html](https://www.jpo.go.jp/e/resources/shingikai/kenkyukai/sinposei_kentoukai.html)



日本語

[https://www.jpo.go.jp/resources/shingikai/kenkyukai/sinposei\\_kentoukai.html](https://www.jpo.go.jp/resources/shingikai/kenkyukai/sinposei_kentoukai.html)