Trial decision

Invalidation No. 2018-800035

Osaka, Japan
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The case of trial for invalidation of Japanese Patent No. 6121026, entitled "Beauty Instrument", between the parties above has resulted in the following trial decision.

Conclusion

The trial of the case was groundless.

The costs in connection with the trial shall be borne by the demandant.

Reason

No. 1 History of the procedures

Japanese Patent No. 6121026 (hereinafter, referred to as "the Patent") relates to Japanese Patent Application No. 2016-88002 filed on April 26, 2016, which is a divisional application from Patent Application No. 2014-65029 filed on March 27, 2014, and the establishment of the patent right was registered on April 7, 2017. Then, the demandant demanded a trial for patent invalidation of the case.

The proceedings after appealing the trial for patent invalidation are as follows.

March 23, 2018	Submission of written demand for trial
June 12, 2018	Submission of written reply for the trial case
August 9, 2018	Submission of written statement (the demandant)
August 10, 2018	Submission of oral proceedings statement brief (the demandant)

August 10, 2018 Submission of oral proceedings statement brief (the demandee)
August 27, 2018 First oral proceeding

No. 2 The patent invention

The inventions according to Claims 1 to 4 of the Patent (hereinafter, referred to as "Patent Invention 1" to "Patent Invention 4"; also, these will be collectively referred to as "the Patent Invention") are as follows as described in Claims 1 to 4 of the scope of claims.

"[Claim 1]

A beauty instrument comprising:

a handle composed of a rod-shaped handle body, a recessed portion depressed inward from a surface of the handle body, and a handle cover attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed;

a pair of branch portions integrally formed at one end in a longitudinal direction of the handle body;

axial holes respectively formed on the pair of the branch portions, and communicating with the recessed portion;

a pair of roller shafts inserted in the axial holes; and

a pair of rollers attached to the pair of the roller shaft,

wherein a surface of the handle body and a surface of the handle cover configure a surface of the handle.

[Claim 2]

The beauty instrument according to Claim 1, wherein the recessed portion is provided with a shaft support base that supports the roller shafts inserted in the axial holes.

[Claim 3]

The beauty instrument according to Claim 1 or Claim 2, wherein a power supply unit is housed in the recessed portion, the power supply unit is electrically connected to the roller via the roller shaft, so that a weak current flows between the roller and the skin, and a window penetrating the handle body to allot external light to achieve a solar cell panel as the power supply unit is formed on a bottom of the recessed portion.

[Claim 4]

The beauty instrument according to any one of Claim 1 to Claim 3, wherein

when viewed from an aligning direction of the pair of the rollers, the pair of the roller shafts inclines with regard to the handle body, and the recessed portion is formed so as to open to a side to which the pair of the roller shafts inclines.

No. 3 Outline of the demandant's allegation

The demandant seeks the trial decision to the effect that the patent for Patent Inventions 1 to 4 should be invalidated, submitted Evidence A No. 1 to Evidence A No. 21 as means of proof, and alleges the following reasons for invalidation.

1 Reason for invalidation 1

Patent Inventions 1 to 4 should not be granted a patent under the provisions of Article 29(2) of the Patent Act, for the following reasons. Therefore the Patent falls under Article 123(1)(ii) of the Act and should be invalidated.

(1) Patent Invention 1 could have been easily invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 2, well-known arts cited in Evidence A No. 4 to A No. 10, and well-known arts cited in Evidence A No. 16 to A No. 19.

(2) Patent Inventions 2 to 4 could have been easily invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 2, well-known arts cited in Evidence A No. 4 to A No. 10, well-known arts cited in Evidence A No. 16 to A No. 19, and well-known arts cited in Evidence A No. 15 to A No. 17.

2 Reason for invalidation 2

Patent Inventions 1 to 4 should not be granted a patent under the provisions of Article 29(2) of the Patent Act, for the following reasons. Therefore the Patent falls under Article 123(1)(ii) of the Act and should be invalidated.

(1) Patent Invention 1 could have been easily invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 3, well-known arts cited in Evidence A No. 4 to A No. 10, and well-known arts cited in Evidence A No. 16 to A No. 19.

(2) Patent Inventions 2 to 4 could have been easily invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 3, well-known arts cited in Evidence A No. 4 to A No. 10, well-known arts cited in Evidence A No. 16 to A No. 19, and well-known arts cited in Evidence A No. 15 to A No. 17.

3 Reason for invalidation 3

Patent Inventions 1 to 4 should not be granted a patent under the provisions of Article 29(2) of the Patent Act, for the following reasons. Therefore the Patent falls under Article 123(1)(ii) of the Act and should be invalidated.

(1) Patent Invention 1 could have been easily invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, well-known arts cited in Evidence A No. 11 to A No. 14, well-known arts cited in Evidence A No. 4 to A No. 10, and well-known arts cited in Evidence A No. 16 to A No. 19.

(2) Patent Inventions 2 to 4 could have been easily invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, well-known arts cited in Evidence A No. 11 to A No. 14, well-known arts cited in Evidence A No. 4 to A No. 10, well-known arts cited in Evidence A No. 16 to A No. 19, and well-known arts cited in Evidence A No. 15 to A No. 17.

[Means of proof]

Evidence A No. 1: Copy of International Publication No. WO2011/004627 (Hereinafter, an indication that the submitted evidence is a copy of its original document is omitted.)

Evidence A No. 2: Registered Utility Model Publication No. 3169597

Evidence A No. 3: Registered Utility Model Publication No. 3051580

Evidence A No. 4: Design Registration No. 1374522

Evidence A No. 5-1: Korean Design Registration Publication No. 30-0408623

Evidence A No. 5-2: Translation of Korean Design Registration Publication No. 30-0408623

Evidence A No. 6: Microfilm of Japanese Utility Model Application No. H1-82324 (Japanese Unexamined Utility Model Application Publication No. H3-21333)

Evidence A No. 7: Registered Utility Model Publication No. 3159255

Evidence A No. 8: Registered Utility Model Publication No. 3164829

Evidence A No. 9: Japanese Unexamined Patent Application Publication No. 2009-142509

Evidence A No. 10: Article dated February 3, 2014 of Web Page "Single Mother Blog (Today's Taro's House)" (http://blog.mama.mods.jp/?day20140203)

Evidence A No. 11: Japanese Unexamined Patent Application Publication No. 2005-46190

Evidence A No. 12: Japanese Unexamined Patent Application Publication No. 2011-11040

Evidence A No. 13: Design Registration No. 1484426
Evidence A No. 14: Japanese Unexamined Patent Application Publication No. H9-351
Evidence A No. 15: Japanese Unexamined Patent Application Publication No. 2012-85809
Evidence A No. 16: Japanese Unexamined Patent Application Publication No. 2013-103085
Evidence A No. 17: Japanese Unexamined Patent Application Publication No. 2013-158608
Evidence A No. 18-1: The description of Chinese Utility Model Registration 201586180
Evidence A No. 18-2: Translation of the description of Chinese Utility Model Registration 201586180
Evidence A No. 19: Japanese Unexamined Patent Application Publication No. 2012-85808
Evidence A No. 20: Statement (by Representative Director Tsuyoshi Asano of FIVE STARS Inc.) (Original)
Evidence A No. 21: Design registration No. 1500116

Evidence A No. 1 to Evidence A No. 21 were attached to the written demand for trial.

Also, with regard to the validity of Evidence A No. 1 to Evidence A No. 21, there is no dispute between the parties. (Subsection 2 in the "demandee" section of the record of the first oral proceeding)

No. 4 Outline of the demandee's allegation

The demandee demanded the decision to the effect that the demand for trial of the case was groundless, submitted Evidence B No. 1 to Evidence B No. 5 as means of proof, and alleges that none of the grounds for invalidation as alleged by the demandant are reasonable.

[Means of proof]
Evidence B No. 1: Japanese Utility Model Publication No. S50-29338
Evidence B No. 2: Japanese Utility Model Publication No. S55-11707
Evidence B No. 3: Plaintiff's (Demandee's) written brief (5) of Tokyo District Court 2017 (Wa) No. 32839
Evidence B No. 4: Defendant's (Demandant's) written brief (10) of Tokyo District Court 2017 (Wa) No. 32839

Evidence B No. 5: Plaintiff's (Demandee's) written brief (7) of Tokyo District Court 2017 (Wa) No. 32839

Evidence B No. 1 and Evidence B No. 2 were attached to the written reply of trial case, and Evidence B No. 3 to Evidence B No. 5 were attached to the oral proceedings statement brief.

Also, with regard to the validity of Evidence B No. 1 to Evidence B No. 5, there is no dispute between the parties. (Subsection 2 in the "demandant" section of the record of the first oral proceeding)

No. 5 Judgment by the body

1 Regarding the technical significance of the Patent Invention

The descriptions of the Patent describe the following matters.

"[Problem to be solved by the invention]

[0004]

For example, in the case where the handle is divided vertically and horizontally along the center line and each member is housed inside the handle, the molding accuracy and strength of the handle may be reduced, or each member takes time and effort to seal the inside of the handle, and there is a possibility that the assembling workability of the beauty instrument may be lowered.

[0005]

The present invention has been made in view of the above background, and an object of the present invention is to provide a beauty instrument which can maintain high molding accuracy and strength of the handle and can improve assembling workability.

[Means for solving the problem]

[0006]

According to one aspect of the present invention, there is provided a beauty instrument comprising:

a handle composed of a handle body, a recessed portion depressed inward from a surface of the handle body, and a handle cover attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed;

a pair of branch portions integrally formed at one end in a longitudinal direction of the handle body;

axial holes respectively formed on the pair of the branch portions, and communicating with the recessed portion;

a pair of roller shafts inserted in the axial holes; and

a pair of rollers attached to the pair of the roller shaft,

wherein a surface of the handle body and a surface of the handle cover configure a surface of the handle.

[Advantage of the Invention]

[0007]

In the above beauty instrument, the handle body is rod-shaped, and a pair of branch portions are integrally formed at one end in the longitudinal direction. A recessed portion is formed in the handle body, and the recessed portion is in communication with the axial hole formed in the branch portion and is covered by the handle cover. By having such a configuration, the beauty instrument can maintain high molding accuracy and strength of the handle as compared with the case where the handle is divided vertically or horizontally, and the handle cover facilitates the sealing of the inside of the recessed portion, and therefore the assembling workability of the beauty instrument is improved."

According to the description above, the technical significance of the Patent Invention is especially recognized as forming a recessed portion depressed inward from a surface of a rod-shaped handle body, covering the recessed portion with a handle cover to maintain high molding accuracy and strength of the handle as compared with the case where the handle is divided vertically or horizontally, and facilitating the sealing of the inside of the recessed portion with the handle cover.

2 Described matters in Evidence A

(1) Evidence A No. 1

Evidence A No. 1 includes the following description with the drawings.

A "[0018] As shown in FIGS. 1 to 3, the beauty instrument 11 of this embodiment includes a handle 12 having a substantially Y-shaped planar shape, and the handle 12 has a rod-shaped grip portion 12b to be gripped by a user's hand, and a forked portion 12a formed at the distal end of the grip portion 12b. The handle 12 is composed of an electrically insulating core member 13 made of a synthetic resin and a pair of exterior covers 14. The exterior covers 14, 15 are made of a synthetic resin material, are covered on the outer periphery of the core member 13, and are fixed to the cores 13 by a plurality of screws 16. Conductive metal plating is applied to the outer surfaces of the exterior covers 14, 15. Here, the outer walls of the exterior covers 14, 15 constitute a conductive portion of the handle 12.

[0019] As shown in FIG. 1 and FIG. 4, a pair of roller support shafts 17 are provided in a

portion of the core member 13 of the handle 12 corresponding to the forked portion 12a. The base end portion (the right end portion in FIG. 4) of these roller support shafts 17 is fitted into the space formed at the center portion of the core material 13, and the tip end portion (the left end portion in FIG. 4) protrudes from the forked portion 12a. In FIG. 4, the roller support shaft 17 is shown as not cut. With such a structure, these roller support shafts 17 are supported by the distal end portion of the core material 13 in a state of being separated from the exterior covers 14, 15, and are electrically conductive metal plated on the outer surface of the handle 12, and the roller support shaft 17 are electrically insulated from each other. The roller support shaft 17 is formed of a metal material, and threaded portions 17a are formed at both end portions thereof.

[0020] As shown in FIGS. 1 and 4, cylindrical rollers 18 are rotatably supported on the respective roller support shafts 17 via respective pairs of bearings 19. These bearings 19 are made of a magnetic metal material. A female screw member 20 for preventing the roller 18 from coming off the roller support shaft 17 is screwed into a threaded portion 17a at the tip of the roller support shaft 17. Each roller 18 is made of a synthetic resin, and its outer peripheral surface and inner peripheral surface are subjected to conductive plating with a conductive metal material. Here, the inner and outer walls of both rollers 18 constitute a conductive portion of the roller 18."

B "[0025] A transparent plate 23 is provided at a tip portion of the grip portion 12b of the handle 12; that is, an end portion close to the forked portion 12a at the grip portion 12b, and a solar cell panel 24 is installed therein. The output terminal of the solar cell panel 24 is connected to the conductive portions of the handle 12 and the roller 18. With such a configuration, the solar cell panel 24 generates a potential difference between the conductive portions of the handle 12 and the roller 18 when receiving light.

[0026] Next, the operation of the beauty instrument constituted as described above will be explained.

As shown in FIG. 1 and FIG. 2, when the user uses the beauty instrument 11, in a state where the handle 12 is gripped, both rollers 18 are pushed against the skin S and rotated. As a result, the contact portion 18a on the outer peripheral surface of the roller 18 gives a moderate stimulus to the surface texture of the human body including the skin S, and a cosmetic effect such as beautiful skin effect is obtained.

[0027] In this state, an electric path with a human body interposed between the conductive portion of the roller 18 and the conductive portion of the handle 12 is formed. As the two rollers 18 rotate, the permanent magnet 22 is rotated relative to the roller support shaft 17. As a result, a minute amount of electric charge is generated on the roller support shaft 17, and the electric charge is transmitted to the conductive portion on the

outer wall of the roller 18. The electric charge transferred to the conductive portion of the outer wall of the roller 18 flows from the roller 18 to the conductive portion of the handle 12 through the human body including the skin S. With the microcurrent formed in this way, stimulation to the human body is promoted, and a beauty effect such as higher skin beautification effect can be obtained.

[0028] On the other hand, the solar cell panel 24 generates electricity when it receives light and generates a potential difference between the conductive portions of the handle 12 and the roller 18. As a result, when the user uses the beauty instrument 11, an electric current is generated in the electric path formed by the conductive portion of the handle 12, the human body, and the conductive portion of the roller 18. As the electric current generated by the solar cell panel 24 flows through the human body in this manner, a cosmetic effect can be obtained."

Further, according to the descriptions of A and B above and the description of the drawings, the following are recognized.

C According to the descriptions of FIGS. 2 to 3, the pair of the exterior covers 14 and 15 is vertically divided.

D According to the descriptions of FIGS. 1, 3, and 4, the core material 13 and the pair of the exterior covers 14 and 15 constituting the handle 12 are members integrally extending from the grip portion 12b to the formed portion 12a.

E According to B above, the solar cell panel 24 is installed inside the handle 12, and the output terminal of the solar cell panel 24 is connected to the conductive portions of the handle 12 and the roller 18. Therefore, it is recognized that a constitution such as wiring for connecting the output terminal of the solar cell panel 24 to the conductive portions of the handle 12 and the roller 18 is also disposed inside the handle 12.

F A space formed in a center portion of the core material 13 is formed at each of the pair of the forked portions 12a.

According to A to F above, it is recognized that Evidence A No. 1 describes the following invention (hereinafter, referred to as "Invention A-1").

[Invention A-1]

"A beauty instrument 11 comprising:

a handle 12 composed of a core material 13, a pair of external covers 14 and 15 covered on an outer periphery of the core material 13 and vertically divided, and disposed with a solar cell panel 24 and a constitution for connecting an output terminal of the solar

cell panel 24 to the conductive portions of the handle 12 and the roller 18;

a pair of forked portions 12a integrally formed at a tip end of the handle 12;

a space formed at a center portion of the core material 13 formed at each of the pair of the forked portions 12a,

a pair of roller support shafts 17 fitted in the space formed at the center portion of the core material 13; and

a pair of rollers 18 rotatably supported by the pair of the roller support shafts 17,

wherein surfaces of the pair of the external covers 14 and 15 configure a surface of the handle 12."

(2) Evidence A No. 2

Evidence A No. 2 includes the following description with the drawings.

A "[0020]

A massage roller according to one embodiment of the present invention is shown in FIG. 1 and FIG. 2. The present massage roller 1 comprises six stainless steel first to sixth cylindrical rollers (11, 12, 13, 14, 15, and 16) at a head portion 3 provided at a tip end portion of a long grip portion 2. In the head portion 3, respective ends of the rotating shafts (11s, 12s, 13s, 14s, 15s, and 16s) are pivotally supported by a bearing portion of a roller holder 7 accommodated in a frame-shaped main body case 4 extending from the grip portion 2 so that the rollers are arranged in parallel along the longitudinal direction of the grip portion on the front surface side of the head portion 3 and the rear surface side of the main body case 4 is covered with a rear surface cover member 5.

[0021]

In the present embodiment, a partition portion 4s having a width of 2 to 3 mm is provided at the center position on the front surface side of the main body case 4, and the position of the bearing portion that pivotally supports the rotation shaft 13s of the third roller and the rotation shaft 14s of the fourth roller the rotary shaft 14 of the roller holder 7 is separated corresponding to the width of this partition portion 4s. Thereby, on the front surface side of the head portion 3, the pivotally supported regions of the first to third rollers (11, 12, and 13) on the tip end side and the pivotally supported regions of the fourth to sixth rollers (14, 15, and 16) are partitioned from each other, and the regions are slightly separated from each other.

[0022]

On the other hand, on the rear cover member 5, a transparent window portion 6 made of a light transmissive member such as acrylic is provided in the center portion, and the solar cell 8 is disposed inside the transparent window portion 6. Therefore, when

the solar cell receives the light transmitted through the transparent window portion on the light receiving surface, it can convert the light energy into the electric power by the photovoltaic effect and output it.

[0023]

Below that, an insulation case for forming a storage space insulated from the solar cell 8 is formed between the insulation case and a roller holder 7 that axially supports the roller. This insulation case is composed of a pair of upper and lower insulating members (20 and 21), and a ceramic 22 and a magnet 23 are accommodated in a storage chamber formed between the two members. Among them, to the lower insulating member 21, the ceramic 22 and the magnet 23 are fixed by a fitting frame portion 21f having an opening portion partially exposed in the head surface direction.

[0024]

Further, the holder 7, the rotary shaft 12s of the second roller 12, and the rotary shaft 15s of the fifth roller 15 are made of conductive polyacetal resin, and a negative conductive rubber member 9a and a positive conductive rubber member 9b which are in contact with the electrodes of the solar cell 8 are interposed between the solar cell 8 and the insulation case 20 to electrically connect the negative and positive conductive rubber members (9a and 9b) and the roller holder 7 with a conductive coil spring 10 disposed while penetrating the upper and lower insulating members (20 and 21). By these energizing mechanisms, a weak current flows from the solar cell 8 through the second and fifth rollers (12 and 15) to the skin contacting these rollers."

B "[0028]

Furthermore, in the present embodiment, a protrusion 17 made of stainless steel is provided at the end of the grip portion 2, and the solar cell 8 and the protrusion 17 are connected by an electric wire 18 wired inside the grip portion 2. If this protrusion 17 is pressed against the skin, it is possible to perform a massage pressing with a pot. At the time of pressing this pot, a weak electric current sent from the solar cell 8 via the electric wire 18 can flow from the protrusion 17 to the skin."

Further, according to the descriptions of A and B above and the description of the drawings, the following are recognized.

C According to the description of FIG. 1, the main body case 4 extends from the grip portion 2 to the head portion 3.

D According to the description of FIG. 1, in the main body case 4, there are a space in which the solar cell 8 and the rollers 11 to 16 are disposed at the part of the head portion 3 and a space in which the electric wire 18 is wired substantially over the entire

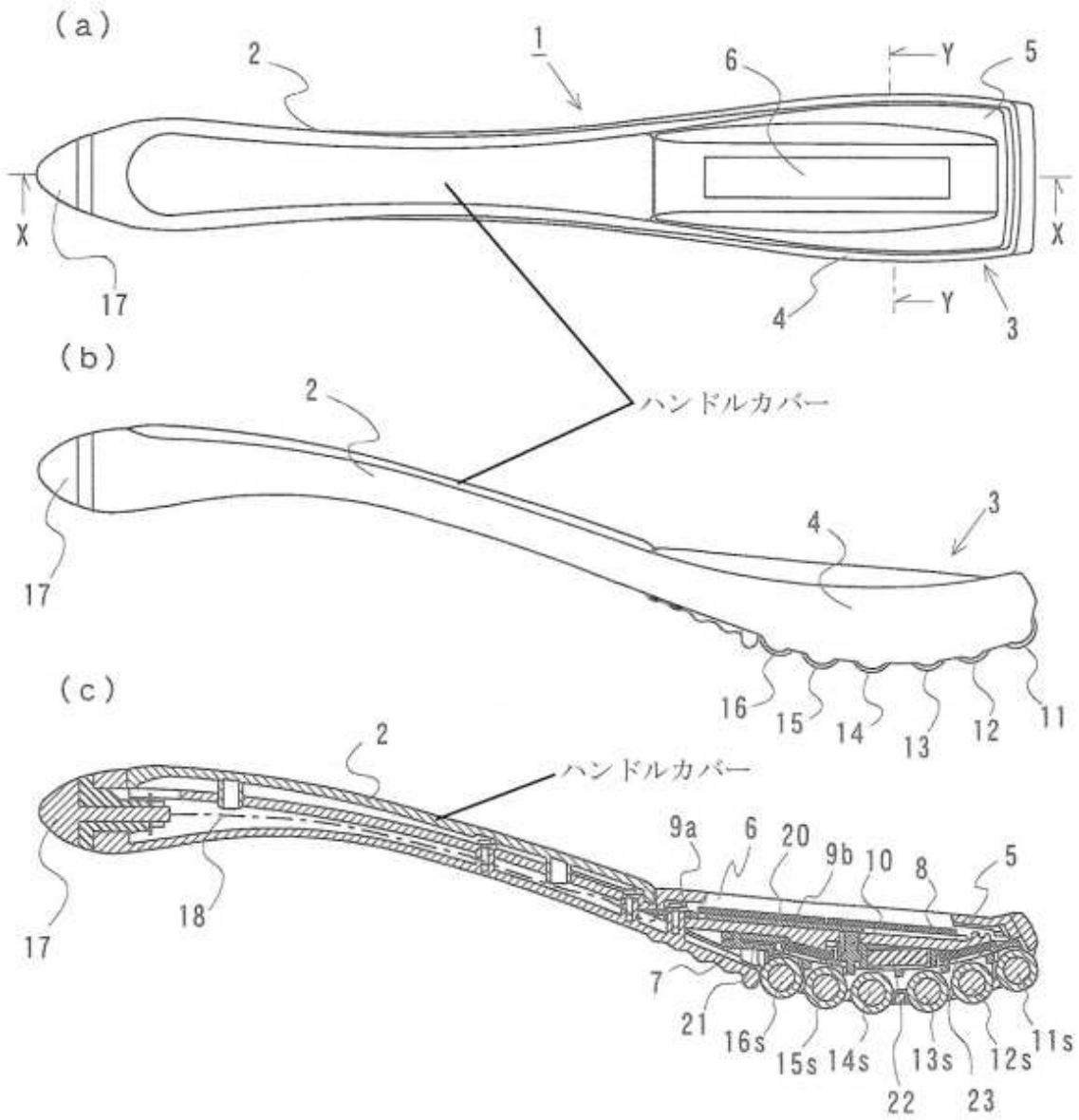
length of the grip portion 2 at the part of the grip portion 2, and it can be said that these spaces are recessed portions depressed inward from the surface of the main body case 4. Further, the recessed portions extend over substantially the entire length of the main body case 4.

E According to the description of FIG. 1, the rear surface cover member 5 covers the part of the head portion 3 in the recessed portion.

F According to the description of the following reference drawing, a member with the name "handle cover" in the reference drawing below covers the part of the grip portion 2 in the recessed portion.

[Reference Drawing]

(The member name "handle cover" is applied in FIG. 1 (a) to (c) of Evidence A No. 2 by the body)



ハンドルカバー　HANDLE COVER

G　According to the description of FIG. 1, the surface of the part of the grip portion 2 of the main body case 4 and the surface of the handle cover configure the surface of the grip portion 2.

According to A to G above, it is recognized that Evidence A No. 2 describes the following matters (hereinafter, referred to as "Matter A-2").

[Matter A-2]
"In a massage roller 1 equipped with a long grip portion 2 and a head portion 3,

a main body case 4 extending from the grip portion 2 to the head portion 3 is provided with a recessed portion depressed inward from a surface of the body case 4 and extending substantially over the entire length of the main body case 4,

a solar cell 8 and rollers 11 to 16 are disposed at the part of the head portion 3 in the recessed portion,

an electric wire 18 is wired over substantially the entire length of the grip portion 2 at the part of the grip portion 2 in the recessed portion,

the part of the head portion 3 in the recessed portion is covered by a rear surface cover member 5 provided with a transparent window portion 6,

the part of the grip portion 2 in the recessed portion is covered by a handle cover,

the surface of the grip portion 2 is configured by the surface of the part of the grip portion 2 of the main body case 4 and the surface of the handle cover."

(3) Evidence A No. 4 to A No. 10

(3-1) Evidence A No. 4

Evidence A No. 4 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body.

"[Description of article to the design]

This article is an instrument for massaging skin and muscles from an ankle to a calf and of a brachium and the like, for health or cosmetic reasons. When an angle is changed by such as setting upright or laying down a grip part with regard to skin while rolling the roller of this article on skin, since the height of a shank is larger than roller height, a roller can move toward a center and you can acquire the massage effect of pinching up skin and muscles (see reference views showing the state of use (1) and (2))." (Page 1)

(3-2) Evidence A No. 5-1

Evidence A No. 5-1 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body. (The translation is that of Evidence A No. 5-2.)

"

디자인의 대상이 되는 물품

마사지기

디자인의 설명

1.재질은 합성수지재임.

2.본원 디자인의 상부에 형성되어 있는 두개의 원형체는 투명체로 형성되어 있어 내부가 보이도록 디자인 한 것임.

디자인 창작 내용의 요점

본원 마사지기는 인체의 부위를 당기고 누르면서 근육을 풀어주는 마사지기로, 안정감과 입체감 부각시켜 새로운 미감을 일으키도록 한 것을 창작내용의 요점으로 함.

"

(Translation)

"Article

Massager

Description of the design

1. The material is a synthetic resin material.

2. The two circular bodies formed at an upper part of the design in the application are formed as transparent bodies, and are designed so that the inside can be seen.

Gist of creation content of design

"The massager of the present application is a massager for stretching and pressing part of a human body to relax muscles, wherein the gist of the creation content is that stable and three-dimensional sensations are emphasized to generate a new beautiful feeling."

(3-3) Evidence A No. 6

Evidence A No. 6 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body.

"One embodiment of the device is described referring to the drawings. It is a beauty face roller which is provided with a roller supporter (3) having a support shaft (2) branched off in a V-shape at one end of a handle (1), and pivotally supports a roller (4) with the roller supporter (3)." (Specification p.2, l.18-p.3 l.2)

(3-4) Evidence A No. 7

Evidence A No. 7 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body.

"[0019]

Hereinafter, the embodiment of the present invention will be specifically described. As shown in FIG. 1, the magnet cosmetic roller 1 according to the present invention is composed of a handle main body portion 2 and a roller portion 5.

[0020]

As shown in FIGS. 2 and 3, the handle main body portion 2 is formed of a zinc alloy and is composed of a grip portion 3 held by a user and a roller holding portion 4 which is inclined, for example, to the front side at an angle α and extends so as to spread to both sides at an angle β. Further, the roller holding portion 4 is composed of a large-diameter portion 4a extending separately from the grip portion 3 and a small-diameter portion 4b formed integrally with the tip end thereof. A bearing 8 to be described below is fixed to the small-diameter portion 4b. In addition, the grip portion 3 is formed so as to gradually become larger from the branch portion of the roller holding portion 4 on the one end side to the other end side, thereby improving the easiness of holding. Further, the cross section of the grip portion 3 is formed in an oval shape in this embodiment, but may be a circular shape.

...

[0023]

A small-diameter hole 53 and a large-diameter hole 54 formed in the axial direction and a large-diameter hole 54 are formed in the roller body portion 50 of the roller portion 5, and a small-diameter portion 4b of the roller holding portion 4 is inserted into the small-diameter hole 53, and the bearing 8 fixed to the small-diameter portion 4b is inserted into the large-diameter hole 54 and fixed to the inner peripheral surface of the large-diameter hole 54. As a result, the roller portion 5 is rotatably held with respect to the roller holding portion 4."

(3-5) Evidence A No. 8

Evidence A No. 8 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body.

"[0023]

In FIGS. 1 to 5, the facial roller massaging instrument A is used for massaging the skin of a face mainly including cheeks, a chin, a throat, a neck and the like, and is rotatably attached with two rollers 2 and 3 having flat outer circumferential surfaces on a rod body 1 having a shape branched in three directions. The rod 1 has a grip handle 4 made of an elongated bottomed cylindrical body and a generally Y-shaped head portion 5 separably coupled to a tip end opening portion of the grip handle 4 with a coupling structure

mentioned below.
[0024]

A female screw 4a is formed at the tip end opening of the grip handle 4, and the generally Y-shaped head portion 5 is provided with a base portion 8 in which a pair of left and right branch shaft portions 6, 7 (see FIG. 3) is converged at the tip end portion. One roller 2 is rotatably attached to one branch shaft portion 6 and the other roller 3 is rotatably attached to the other branch shaft portion 7. Then, by a connecting structure (see FIG. 5) in which a male screw 8b formed on the outer periphery of the rear end small diameter portion 8a of the base portion 8 is screwed to the female screw 4a of the grip handle 4 across a space ring 9, the grip handle 4 and the generally Y-shaped head portion 5 are detachably connected. Further, the opening angle θ (see FIG. 3) of the pair of the right and left branch shaft portions 6, 7 is set to 120-145 degrees, and rollers 2 and 3 having approximately the same length as each of the branch shaft portions 6, 7 are rotatably attached to the branch shaft portions 6, 7 respectively, and each of the rollers 2 and 3 is formed of a silicone resin having flexibility molded by kneading rare earth elements which emit hormesis ions."

(3-6) Evidence A No. 9

Evidence A No. 9 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body.

"[0011]

As shown in FIGS. 1 and 2, the skin beautifying roller of this embodiment includes a handle 10, and a pair of rollers 20 at one end of the handle 10. Moreover, a solar cell 30 may be provided.

[0012]

FIG. 3 is an enlarged view of a roller portion of the skin beautifying roller of this embodiment. As shown in FIG. 3, the rotation axes φ1 and φ2 of the roller 20 are provided at acute angles θ1 and θ2 with the center line X of the handle 10 in the major axis direction, respectively, and the angles formed by the rotation axes φ1 and φ2 of the pair of rollers 20 are provided at an obtuse angle θ0.

...

[0020]

If the roller 20 is rotated while being lightly pressed, it works on the lymph nodes with an appropriate pressure, and a lift-up massage of the face and the whole body can be performed. With the action of two patterns of pinching up when pulling and

spreading out when pushing, hardened cellulite and fat are softened. Thereby, cellulite and fat can be reduced.

[0021]

As described above, the skin beautifying roller according to the present embodiment has the pair of the rollers 20 provided at one end of the handle 10 at an angle. For this reason, there is an effect that the dirt of the pores can be efficiently removed by pressing and pulling the roller 20 against the skin."

(3-7) Evidence A No. 10

Evidence A No. 10 includes the following description with the drawings, in relation to a technology having a constitution that integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body.

"2014.02.03 Monday

...

Germanium Mirror Ball Beauty Roller Shine

I have been rolling it on my face and stomach since yesterday."

(4) Evidence A No. 16 to 19

(4-1) Evidence A No. 16

Evidence A No. 16 includes the following description with the drawings, in relation to a technology that electrically connects a solar cell panel and a roller shaft.

A "[0010]

Hereinafter, an embodiment of a beauty instrument of the present invention will be described with reference to the drawings. As shown in FIG. 1, the beauty instrument 11 of this embodiment is provided with a substantially Y-shaped handle 12 having a bifurcated portion 12a at its tip. As shown in FIGS. 2 and 3, the handle 12 is composed of a base body 13 made of synthetic resin, and a pair of cover bodies 14 and 15 coated on the outer periphery of the base body 13. The cover members 14 and 15 are formed of synthetic resin, and the outer surface thereof is plated with conductive metal as a conductive portion. Then, one cover body 14 is fixed to the base body 13 by a screw 16, and the other cover body 15 is fitted to the outer peripheral edge of the cover body 14."

B "[0013]

As shown in FIGS. 4 and 5, on both support cylinders 18 of the base body 13, a pair of metal support shafts 20 is fitted and supported while being positioned on the intersecting axes L1 and L2 and projecting to the outside, via the seal rings 21. The seal ring 21 prevents water from entering the handle 12 from around the support shaft 20. At

the base end of each support shaft 20, a large diameter retaining head 20a is formed. As shown in FIGS. 4 and 9, a holder 22 is disposed on the base body 13 between the proximal ends of the two support shafts 20. At both end portions of the holder 22, substantially semi-cylindrical pressing portions 22a for pressing the base end sides of the support shafts 20 are formed. A cylindrical screwing portion 22b is formed in the intermediate portion of the holder 22. Then, in a state where the base ends of both support shafts 20 are pressed by the pressing portions 22a at both ends of the holder 22, each intermediate screwing portion 22b of the holder 22 is fixed to the base body 13 by a screw 23. Thereby, the shaft 20 is fixed so as not to come off in a fitted and supported state with respect to the support cylinder 18 of the base body 13. That is, when the support shaft 20 is assembled, the support shaft 20 is inserted from the outside (left side in FIG. 4) into the pair of support cylinders 18 formed on the base body 13 of the handle 12 to be positioned on the intersecting axes L1, L2. Next, as shown in FIG. 5 and FIG. 9, the holder 22 is disposed on the base body 13 between the base ends of both support shafts 20, and the base end sides of both support shafts 20 are retained by the pressing portions 22a at both ends of the holder 22. As a result, as shown in FIGS. 4 and 9, the retaining head 20a at the proximal end of each support shaft 20 is engaged with the end edge of the pressing portion 22a. In this state, when the intermediate screwing portion 22b of the holder 22 is fixed to the base body 13 by the screw 23, the pair of support shafts 20 is simultaneously fixed to the base body 13 so as not to come off."

C "[0015]

As shown in FIG. 4, a cylindrical bearing member 25 made of synthetic resin is fitted to the projecting end of each of the support shafts 20, and is fixed so as not to come off by a stop ring 26. The outer front surface including the front and back surfaces of the bearing member 25 is metal-plated to ensure the electrical conductivity between the bearing member 25 and the support shaft 20. Further, the conductivity may be secured by forming the bearing member 25 of a conductive resin instead of metal plating. As shown in FIGS. 4 and 8, a pair of elastically deformable locking claws 25a is provided on the outer periphery of each bearing member 25 in a protruding manner. A pair of substantially spherical rotors 27 are rotatably fitted and supported by the bearing members 25 on the support shafts 20. Each of the rotors 27 has a core 28 made of a synthetic resin, a cap 29 made of a synthetic resin fitted on the inner periphery of the tip of the core 28, and a covering material 30 made of a synthetic resin coated and molded on the outer peripheries of the core 28 and the cap 29. On the outer surface of the covering material 30, conductive metal plating as a conductive portion is applied to ensure conductivity with the covering material 30 and the bearing member 25. A step portion 28a

engageable with a locking claw 25a of the bearing member 25 is formed on the inner periphery of the core 28. Then, in a state in which the rotary 27 is inserted into the bearing member 25, the locking claw 25a is engaged with the step portion 28a, and the rotor 27 is held so as not to come off with regard to the bearing member 25.

[0016]

As shown in FIGS. 1 and 3, a through hole 31 is formed on one cover body 14 in the vicinity of the base of the bifurcated portion 12a of the handle 12. A light receiving lens 32 made of a transparent synthetic resin is fitted in the through hole 31 via a seal material 33. Below the light receiving lens 32, a solar cell panel 34 is disposed on the base body 13 of the handle 12, and positive and negative output terminals thereof are connected to the conductive portion of the outer surface of the handle 12 and the support shaft 20. The sealing material 33 prevents water from entering the solar cell panel 34 side and the handle 12.

Further, according to the descriptions of A to C above and the drawings, the following matters are recognized.

D According to the descriptions of FIGS. 2 to 4, a space is formed between the base body 13 and the cover body 14, and the solar cell panel 34 is disposed in the space.

E According to the description of FIG. 4, a hole for inserting the support shaft 20 penetrates to the space on the solar cell panel 34 side.

According to A to E above, it is recognized that Evidence A No. 16 describes the following matters (hereinafter, referred to as "Matter A-16").

[Matter A-16]

"In a beauty instrument 11, a hole for inserting a support shaft 20 of a rotor 27 penetrates to a space on a solar cell panel 34 side."

(4-2) Evidence A No. 17

Evidence A No. 17 includes the following description with the drawings, in relation to a technology that electrically connects a solar cell panel and a roller shaft.

A "[0014]

Hereinafter, an embodiment of a beauty instrument embodying the present invention will be described with reference to the drawings.

As shown in FIG. 1 and FIG. 2, the beauty instrument 11 of this embodiment is provided with a handle 12 shaped in a substantially Ginkgo leaf shape in a front view.

As shown in FIG. 3, the handle 12 is composed of a base body 13 made of a synthetic resin, and first and second half handle pieces 14 and 15 cover-mounted on the outer periphery of the base body 13. The base body 13 and the first and second handle pieces 14 and 15 are formed of a synthetic resin, and the outer surfaces of the first and second handle pieces 14 and 15 are plated with metal as a conductive portion. As shown in FIG. 4, at the base end portions of the first handle piece 14 and the base body 13, a pair of through holes 14a and 13a for allowing the shaft 24 described later to pass through are formed."

B "[0018]

As shown in FIGS. 4 and 5, a pair of shafts 24 made of a metal material is made to penetrate the through holes 14a and 13a of the first handle piece 14 and the base body 13. At the inner end portion on the through hole 14a and 13a side of each shaft 24; that is, at the penetrating end portion, a male screw 24a is formed, which can be screwed to a female screw 23 in the holding chamber 22 of the shaft holder 20. At an intermediate portion of each shaft 24, a large diameter step-like collar supporting portion 24b and a collar pressing portion 24c are formed. A small diameter ball supporting portion 24d is formed at the outer end portion of each shaft 24.

[0019]

Then, in the assembled state of the first and second handle pieces 14 and 15, both shafts 24 are inserted in the through holes 14a and 13a of the first handle piece 14 and the base body 13 from the outside of the first handle piece 14, and the male screws 24a thereof are screwed into the female screws 23. As a result, both shafts 24 are fixed to the shaft holder 20, are inclined upward and are inclined toward the free end side, and the collar supporting portion 24b, the collar pressing portion 24c, and the ball supporting portion 24d are disposed so as to project to the outside of the first handle piece 14."

C "[0022]

As shown in FIGS. 1 to 4, a bearing member 27 made of a synthetic resin is fitted to the ball supporting portion 24d of each shaft 24, and is fixed so as not to come off by the stop ring 28 via the cushion spacer 28a. A pair of elastically deformable locking claws 27a is provided on the outer periphery of each bearing member 27 in a protruding manner. A pair of substantially spherical balls 29 as rotating bodies are rotatably supported on the bearing members 27 on each shaft 24 so as to be positioned in the concave portions 14b of the peripheral side outer surface of the through holes 14a in the first handle piece 14. The ball 29 is prevented from rattling by the cushion spacer 28a."

D "[0024]

As shown in FIG. 1, a through hole 33 is formed on the second handle piece 15 in

the vicinity of the proximal end of the handle 12. In the through hole 33, a light receiving lens 34 made of a transparent synthetic resin is fitted. Below the light receiving lens 34, a solar cell panel 35 is disposed on the base body 13 of the handle 12 and the output terminals thereof are connected to the metal plating on the outer surface of the handle 12 and the ball 29 respectively."

Further, according to the descriptions of A to D above and the drawings, the following matters are recognized.

E According to the descriptions of FIGS. 1, 3, and 4, a space is formed between the base body portion 13 and the second handle piece 15, and the solar cell panel 35 is disposed in the space.

F According to the description of FIG. 4, the through holes 14a and 13a in which the shafts 24 are inserted penetrate to a space on the solar cell panel 35 side.

According to A to F above, it is recognized that Evidence A No. 17 describes the following matters (hereinafter, referred to as "Matter A-17").

[Matter A-17]
"In a beauty instrument 11, through holes 14a and 13a in which support shafts 24 for supporting balls 29 are inserted penetrate to a space on a solar cell panel 35 side."

(4-3) Evidence A No. 18-1

Evidence A No. 18-1 includes the following description with the drawings, in relation to a technology that electrically connects a solar cell panel and a roller shaft. (The translation is that of Evidence A No. 18-2.)

A "

3. 如权利要求 1 所述的一种 Y 形结构的美容器械，其特征在于所述的太阳能电子装置 (17) 包括透明镜片 (12)、密封圈 C(19)、太阳能片 (10)、连接弹簧 (11) 和电极连接片 (21)，透明镜片 (12)、密封圈 C(19)、太阳能片 (10)、连接弹簧 (11) 由上至下依次固定在手柄 (15) 表面，电极连接片 (21) 连接着手柄 (15) 和 Y 形按摩头 (16)。

"

(Translation)

"3. A beauty instrument of a Y-shaped structure according to Claim 1, wherein the solar electronics device (17) includes a transparent lens (12), a seal ring C (19), a solar sheet (10), a connection spring (11), and an electrode connector (21); the transparent lens (12), the seal ring C (19), the solar sheet (10), and the connection spring (11) are fixed to

a surface of a grip (15) successively from an upper side to a lower side; and the electrode connector (21) connects the grip (15) and a Y-shaped massage head (16)."

B "

[0013] 本实用新型由手柄(15)、太阳能电子装置(17)和Y形按摩头(16)构成，手柄(15)包括上装饰盖(1)、下装饰盖(4)、内置的固定支架(2)、密封圈A(3)、密封圈B(18)和螺钉(13)，上、下装饰盖(1、4)连接处内置密封圈A(3)，固定支架(2)处由密封圈B(18)和螺钉(13)固定；太阳能电子装置(17)包括透明镜片(12)、密封圈C(19)、太阳能片(10)、连接弹簧(11)和电极连接片(21)，透明镜片(12)、密封圈C(19)、太阳能片(10)、连接弹簧(11)由上至下依次固定在手柄(15)表面，电极连接片(21)正极与按摩滚轮(5)相连，负极与手柄(15)相连；Y形按摩头(16)设置在手柄(15)一端两侧，与手柄(15)整体构成Y字形状；Y形按摩头(16)包括两组固定套(6)、密封圈D(20)、螺柱(9)、轴承(14)、矿物质圈(7)、固定螺母(8)和按摩滚轮(5)，手柄(15)Y形分叉顶端由密封圈D(20)连接螺柱(9)，螺柱(9)外围固定有轴承(14)和矿物质圈(7)，固定套(6)固定在轴承(14)外围，按摩滚轮(5)表面为多棱状设计，可给人犹如人手按摩般舒适感觉，按摩滚轮(5)套接在固定套(6)外围，螺柱(9)另一端设置有固定螺母(8)。

"

(Translation)

"[0013] This device is composed of a grip (15), a solar electronics device (17), and a Y-shaped massage head (16). The grip (15) includes an upper decorative cover (1), a lower decorative cover (4), a built-in fixed frame (2), a seal ring A (3), a seal ring B (18), and a screw (13). The seal ring A (3) is built in a connection part of the upper and lower decorative covers (1 and 4), and the fixed frame (2) part is fixed by the seal ring (18) and the screw (13). The solar electronics device (17) includes a transparent lens (12), a seal ring C (19), a solar sheet (10), a connection spring (11), and an electrode connector (21). The transparent lens (12), the seal ring C (19), the solar sheet (10), and the connection spring (11) are successively fixed to a surface of the grip (15) from the upper side to the lower side. Further, the electrode connector (21) is connected to a massage roller (5) at an anode, and is connected to the grip (15) at a cathode. The Y-shaped massage head (16) is provided on both sides at one end of the grip (15), and configures a Y-shape with the grip (15) as a whole. The Y-shaped massage head (16) includes two sets of fixed covers (6), a seal ring D (20), a stud bolt (9), a bearing (14), a mineral ring (7), a fixed nut (8), and the massage roller (5). The stud bolt (9) is connected to a tip end branching into the Y-shape of the grip (15) through the seal ring D (20), and the bearing (14) and the mineral ring (7) are fixed on an outer periphery of the stud bolt (9). Since the surface of the massage roller (5) is designed to be polygonal, it is possible to give comfort as if being massaged by human hands. The massage roller (5) is covered on the outer periphery of the fixed cover (6), and the fixed nut (8) is provided at the other end of the

stud bolt (9)."

Further, according to the descriptions of A and B above and the drawings, the following matters are recognized.

C According to the description of FIG. 3, a space is formed between the fixed frame (2) and the upper decorative cover (1), and the solar sheet (10) is disposed in the space.

D According to the description of FIG. 3, a hole for connecting the stud bolt (9) penetrates to a space on the solar sheet (10) side.

According to A to D above, it is recognized that Evidence A No. 18 describes the following matter (hereinafter, referred to as "Matter A-18).

[Matter A-18]
"In a beauty instrument, a hole for connecting a stud bolt (9) supporting a massage roller (5) penetrates to a space on a solar sheet (10) side."

(4-4) Evidence A No. 19

Evidence A No. 19 includes the following description with the drawings, in relation to a technology that electrically connects a solar cell panel and a roller shaft.

A "[0013]
(First Embodiment)

A first embodiment of a beauty instrument embodying the present invention will be described with reference to FIG. 1.

As shown in FIG. 1, the handle 12 constituting the beauty instrument 11 of the first embodiment has a substantially cylindrical shape, and is constituted by being divided into a lower handle piece 13 extending along the axial direction x and an upper handle piece 14 side extending similarly along the axial direction x. The lower handle piece 13 and the upper handle piece 14 are assembled in a state in which concave and convex portions that are not shown are assembled while being engaged with each other to constitute the handle 12. The lower handle piece 13 is made of ABS resin as an electrically insulating material, and the outer peripheral surface thereof is chrome-plated to form a conductive film 24.
[0014]

The upper handle piece 14 is formed with a long hole-shaped mounting hole 14a extending in the axial direction x, and a substantially box-shaped holding member 15

having an open upper surface is fitted into the mounting hole 14a. A solar cell panel 16 as a power source is fixed to the inner bottom surface of the holding member 15. The upper handle piece 14 is made of conductive resin in which conductive powder such as carbon black or metal is dispersed, and the holding member 15 is made of ABS resin as an electrical insulating material.

[0015]

A bearing portion 17 is joined to an end wall 13a formed at one end of the lower handle piece 13, and a support shaft 18 extending in the axial direction x is rotatably supported by the end wall 13a and the bearing portion 17 so that a tip end portion thereof projects outside the handle 12. The bearing portion 17 is made of ABS resin, and the support shaft 18 is made of metal such as copper. A cylindrical rotary roller 20 for massage is rotatably supported at the tip of the support shaft 18 via a support 19. In this case, the outer peripheral surface of the synthetic resin rotary roller 20 is chrome-plated, so that energization to the rotary roller 20 is ensured. Then, with the user gripping the handle 12, the outer peripheral surface of the rotating roller 20 is brought into contact with skin such as a face and moved relative to the circumferential direction, so that the rotating roller 20 rotates around the support shaft 18.

[0016]

The positive terminal 16a constituting one electrode of the solar cell panel 16 is connected to the support shaft 18 via a lead wire 21a, and the negative terminal 16b constituting the other electrode is connected to a conductive protrusion 22 protruding from the inner surface of the upper handle piece 14 via a lead wire 21b. An electric circuit is formed, through which a weak current flows to the negative terminal 16b of the solar cell panel 16 from the positive terminal 16a of the solar cell panel 16 through the support shaft 18, the support 19, the rotating roller 20, and a human body 23 via the lead wire 21b, and then through the conductive film 24 of the lower handle piece 13, the upper handle piece 14, the conductive protrusion 22, and the lead wire 21b."

Further, according to the descriptions of A above and the drawings, the following matters are recognized.

B According to the description of FIG. 1, a space is formed between the lower handle piece 13 and the upper handle piece 14, and the solar cell panel 16 is disposed in the space.

C According to the description of FIG. 1, a hole for supporting the support shaft 18 penetrates to the space on the solar cell panel 16.

According to A to C above, it is recognized that Evidence A No. 19 describes the following matter (hereinafter, referred to as "Matter A-19").

[Matter A-19]
"In a beauty instrument 11, a hole for supporting a support shaft 18 of a rotating roller 20 penetrates to a space on a solar cell panel 16 side."

(5) Evidence A No. 15 to A No. 17
(5-1) Evidence A No. 15

Evidence A No. 15 includes the following description with the drawings, in relation to a technology for providing a shaft support portion.
"[0014]

Hereinafter, an embodiment of a beauty instrument of the present invention will be described with reference to FIGS. 1 to 4.

As shown in FIGS. 1 to 3, the elongate handle 12 of the beauty instrument 11 of this embodiment is constituted by being divided into a first handle piece 13 made of a synthetic resin (for example, ABS: acrylonitrile-butadiene-styrene copolymer synthetic resin) extending along the axial direction, and a second handle piece 14 similarly made of the same synthetic resin. Therefore, the handle 12 is made of an electrically insulating material. Concave and convex portions 13a are formed on both sides of an upper end opening edge of the first handle piece 13, and concave and convex portions 14a that are engageable with the concave and convex portions 13a of the first handle piece 13 are formed on both sides of a lower end opening edge of the second handle piece 14. Then, annular retaining rings 15 and 16 are fitted to both end portions in the axial direction of the handle pieces 13 and 14 in a state where the concave and convex portions 13a and 14a of the handle pieces 13 and 14 are engaged with each other, thereby assembling the handle 12.
[0015]

As shown in FIG. 2, a support shaft 17 is sandwiched and fixed between the handle pieces 13 and 14 inside one end of the handle 12 with the tip portion protruding outside the handle 12. At the tip of the support shaft 17, a cylindrical rotating roller 18 for massage is rotatably supported via a support cylinder 19 and a pair of bearing metals 20. A plurality of protrusions 18a are formed on the outer periphery of the rotating roller 18 so as to extend along the axial direction.

(5-2) Evidence No. 16

Evidence No. 16 includes the description pointed out in (4) (4-1) A above with the drawings, in relation to a technology for providing a shaft support portion.

(5-3) Evidence A No. 17

Evidence No. 17 includes the description pointed out in (4) (4-2) B above with the drawings, in relation to a technology for providing a shaft support portion.

(6) Evidence A No. 3

Evidence A No. 3 includes the following description with the drawings.

A "[0005]

Then, although there is a problem in terms of manufacturing cost when compared with extrusion or blow molding, the car wash brush as mentioned above have been proposed, provided with excellent functional beauty, with particular emphasis on durability and novelty, and a handle portion thereof is manufactured by injection molding. It is recognized that they are excellent in mass productivity, durability, and economical efficiency. However, in comparison with the handle portion made of a pipe, it is undeniable that there is inferiority in terms of lightness and manufacturing cost as compared with the pipe handle.

Accordingly, although in particular, a proposal that satisfies both conflicting lightness and functional beauty (the beauty expressed by fully exhibiting the function as a practical product) was required, the solution thereof had not yet been proposed.

[0006]

[Problem to be solved by the device]

In order to solve the above problem, the present device provides a cleaning tool which can be closed and fixed with a closing member on the upper surface of a bottomed partition formed between the engaging projections for making the inside of the handle portion a hollow structure compatible with injection molding."

B "[0011]

In the figures, S is a base material main body integrally molded with a plastic material using means such as injection molding, and a brush head 2 in which brush bristles are implanted at the front end of a handle portion 1 is integrally formed.

3 is an engagement protruding edge portion, is provided at a vicinity of both end portions of the handle portion 1, and oppositely provided with locking step portions 7 at lower edges respectively.

4 is a bottomed partitioning portion formed between the engagement protruding edge portions 3, and an upper surface of the partitioning portion is opened.

[0012]

5 is a blocking member which is placed on the entire upper surface of the partitioning portion 4; that is, is placed so as to be spread over and closed, and it is fixed by engaging a locking claw piece 8 hanging on both sides with the locking step portions 7.

6 is a peripheral wall portion surrounding along a longitudinal direction of the handle portion 1.

11 is an insertion receiving portion that is implanted at an appropriate position in the partitioning portion 4 if necessary, and it is preferable to make it cylindrical as shown in the example shown.

12 is an insertion material provided on a lower surface of the blocking member 5 corresponding to the insertion receiving portion 11.

[0013]

Therefore, in addition to fixing by the engagement of the locking step portion 7 and the locking claw piece 8, due to the insertion of the insertion member 12 into the insertion receiving portion 11, the blocking member 5 is mounted in a preferable state without bending and the fixing thereof is maintained. The configuration of the insertion receiving portion 11 and the insertion material 12 is particularly effective when the handle 1 is long.

Also, a plurality of sets of the insertion receiving portion 11 and the insertion material 12 may be provided (illustration is omitted).

[0014]

In the structure of the device, in the illustrated example, although a gap (space portion) 13A is represented at the brush head 2 and the front end of the handle 1, and a dome-shaped gap 13B is represented at the rear end of the handle 2, the gaps 13A and 13B may be closed so as to have the same surface bottom by following the bottom of the partitioning portion 4, and the illustrated example is merely an example of a design idea.

In the figure, 14 denotes a narrow pattern engraved as a slip stopper.

[0015]

Furthermore, although illustration is omitted in the configuration of the present device, the engagement protruding edge portion may be formed on the upper edge instead of making the locking step 7 a lower edge, the bottom partitioning portion 4 may be made to be a partitioning portion with a canopy and may open a lower surface thereof, and locking claw pieces to be engaged with the pair of the locking step portions on the upper edge of the engagement protruding edge portion 3 may be raised on the blocking member 5. Thereby, the blocking member 5 can be attached to the entire lower surface of the

partitioning portioning portion with the canopy; that is, it can be attached along the partitioning portion 4 to close and fix the cover, so that, for example, it is suitable when complicated decoration is required on the upper surface of the handle portion 1.

[0016]

[Advantage of the device]

According to the present device having the above configuration, the following effects can be obtained.

In the case of the present device of Claim 1, as a result of the blocking member 5 made to be a separated body from the base material main body S, the entire upper surface of the handle portion 1 of the base material main body S has a shape which is conducive to injection molding, and in addition to providing lightness, the upper surface of the partitioning portion 4 can be easily mounted and fixed by the blocking member 5 without special skill, so that it contributes to mass production and economy, and is practical. Furthermore, the handle portion 1 itself can be manufactured in a shape excellent in workability from an ergonomic point of view, or in a shape having functional beauty without forming obstacles, whereby products with high commercial value can be obtained.

[0017]

In the case of the present device of Claim 2, in comparison of that of Claim 1, as a result of the partitioning portion 4 having a canopy, although it is different in that the locking step portion is raised on the upper edge of the engaging protruding edge portion 3 and a locking claw piece engaged with the locking step portion is raised on the blocking member 5, the assembling procedure is common, and as a result, in terms of product design, it is suitable when decoration such as a design scheme that emphasizes the appealing effect of the product is applied the upper surface of the handle portion 1.

Further, in the case of the present device of Claim 3, in addition to the effects of Claim 1 or 2, even if the handle portion 1 is long, the blocking member 5 does not bend, and its shape retention is secured even if it is strongly gripped during cleaning. Moreover, it contributes to improving the fixed state of the blocking member 5."

Further, according to the descriptions of A and B above and the drawings, the following matters are recognized.

C According to the descriptions of FIGS. 1, 2, and 4, the partitioning portion 4 is depressed inward from the surface of the handle portion 1.

D According to the descriptions of FIGS. 1, 2, and 5, in a state where the blocking member 5 is attached to the handle portion 1, the locking claw pieces 8 hanging on both sides of the blocking members 5 are engaged with the locking step portions 7

oppositely provided on the lower edge of the engaging protruding edge portion 3 while being exposed.

E It is obvious that the handle portion 1 and the blocking member 5 are a grip portion to be gripped by a user. Then, according to the descriptions of FIGS. 1, 2, and 4, the surface of the handle portion 1 and the surface of the blocking member 5 configure the surface of the grip portion.

According to A to E above, it is recognized that Evidence A No. 3 describes the following matter (hereinafter, referred to as "Matter A-3").

[Matter A-3]
"In a cleaning tool equipped with a base material main body S integrated with a handle portion 1 and a brush head 2, and a blocking member 5,

a partitioning portion 4 depressed inward from a surface of the handle portion 1 is provided,

the partitioning portion 4 is closed by the blocking member 5 engaged with the handle portion 1 while exposing locking claw pieces 8, and

a surface of a grip portion is configured by a surface of the handle portion 1 and a surface of the blocking member 5."

(7) Evidence A No. 11 to A No. 14
(7-1) Evidence A No. 11

Evidence A No. 11 includes the following description with the drawings.

A "[0021]
As shown in FIGS. 1 and 2, the hairbrush device 1 is a foldable hairbrush, and its outer shell is formed by a housing 2. The housing 2 is composed of a casing body 7 including a first casing 5 and a second casing 6 that are connected to each other through a folding mechanism 3, and a brush support 9 in which a brush group 8 as a contactor is directly implanted. The first casing 5 of the casing body 7 is provided with the brush support 9 that supports the brush group 8 as a contactor support. On the other hand, a battery lid 11 formed with a mirror 10 formed on the surface thereof is attached to the second casing 6. Furthermore, the second casing 6 has a function as a gripping portion (handle portion) gripped by the user."

B "[0026]
Next, the structure for realizing the hair treatment provided in the hairbrush device 1 of this embodiment will be described.

That is, as shown in FIGS. 1 to 4, for example, a dry battery 22 such as an AA battery is mounted as a driving power source of the device body, in the second casing 6 from which the detachable battery cover 11 is removed. Here, the hairbrush device 1 may be configured so that a rechargeable battery can be applied as a driving power source of the device body, or a power introduction circuit such as an AC (alternating current) power source may be provided in the hairbrush device 1. In addition, when performing hair treatment, the user can grasp the state of dirt on the scalp using the mirror 10 formed on the battery lid 11."

C "[0069]

Further, in the battery mounting portion 126 of the second casing 6 from which the detachable battery lid 11 is removed, a rechargeable battery 122 as a driving power source of the device body is mounted in contact with a terminal portion 127."

According to the descriptions of A to C above and the drawings, the following matters are recognized.

D According to the descriptions of FIGS. 1, 3, 11, and 13, the battery mounting portion is depressed inward from the surface of the second casing 6.

E According to the descriptions of FIGS. 1 and 11, the battery cover 11 is attached to the second casing 6 while a uniting part with the second casing 6 is not exposed.

F According to the descriptions of FIGS. 1 and 11, the surface of the second casing 6 and the surface of the battery cover 11 configures the surface of the grip portion.

According to A to F, it is recognized that Evidence A No. 11 describes the following matter (hereinafter, referred to as "Matter A-11").

[Matter A-11]

"In a hairbrush device 1,

a battery mounting portion is provided, which is depressed inward from a surface of a second casing 6 having a function as a grip portion,

a dry battery 22 or rechargeable battery 122 is mounted to the battery mounting portion, and

the battery mounting portion is covered by a battery lid 11 mounted on the second casing 6 while a uniting part with the second casing 6 is not exposed, and

a surface of the second casing and a surface of the battery lid 11 configure a surface of the grip portion."

(7-2) Evidence A No. 12

Evidence A No. 12 includes the following description with the drawings.

A "[0014]

FIGS. 1 to 3 show the multi-treatment brush 10 from various viewpoints. As best shown in FIGS. 2 and 3, the multi-treatment brush 10 includes a handle member 12 and a treatment member 14. It will be appreciated that the handle member 12 includes an extension or handle for the user to grip and properly operate when brushing or combing hair. As shown in FIG. 1, the handle member 12 further includes a removable battery cover 16 that is typically mounted on the battery carrying member 18. Some batteries 20 are housed in the multi-therapy brush 10 to provide adequate power. In this embodiment, four batteries are used to supply the appropriate level of power."

According to the descriptions of A above and the drawing, the following matters are recognized.

B According to the description of FIG. 1, the battery carrying member 18 includes a recessed portion depressed inward from a surface, in which a battery 20 is housed.

C According to the descriptions of FIGS. 2 and 3, the battery cover 16 is mounted on the battery carrying member 18 while a uniting part with the battery carrying member 18 is not exposed.

D According to the descriptions of FIGS. 2 and 3, the surface of the battery carrying member 18 and the surface of the battery cover 16 configure the surface of the handle member 12.

According to A to D above, it is recognized that Evidence A No. 12 describes the following matter (hereinafter, referred to as "Matter A-12").

[Matter A-12]

"In a multi-treatment brush 10,

a battery carrying member 18 is provided with a recessed portion depressed inward from a surface of the battery carrying member 18,

the recessed portion is covered by a battery cover 16 attached to the battery carrying member 18 while a uniting part with the battery carrying member 18 is not exposed, and

a surface of the battery carrying member 18 and a surface of the battery cover 16

configure a surface of a handle member 12."

(7-3) Evidence No. 13

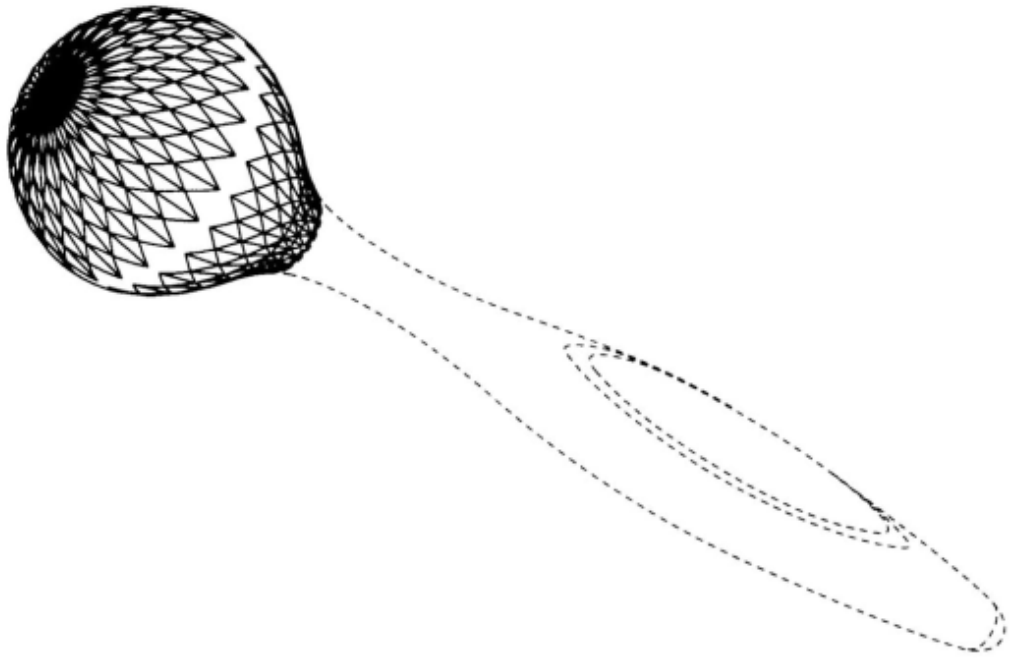
Evidence A No. 13 includes the following description with the drawings.

A "[Article to the design] Face Treatment Machine

...

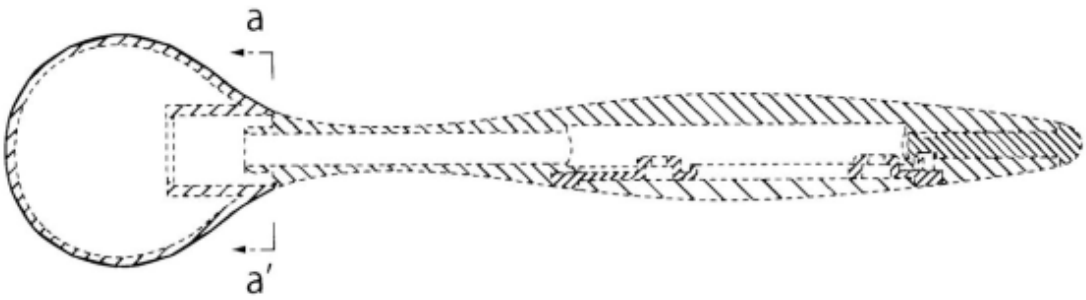
[Description of the article to the design] This article to the design is a face treatment machine mainly used for a face, a nape, etc., and rolls a roller which appears in a left-hand side in a front view to perform massages."

B "[Perspective View]



"

C "[B-B cross section omitting an internal mechanism]



"

(7-4) Evidence A No. 14

Evidence A No. 14 includes the following description with the drawings.

"[0011] As shown in FIG. 1 and FIG. 2, an electronic ion toothbrush according to the present embodiment generally includes a head portion 1 having bristles 3 planted therein, and a grip portion 11 connected to the head portion 1, external electrodes 2, 12 installed on both of the head portion 1 and the grip portion 11, and a battery portion which supplies a minute current into a mouth through the external electrodes 2, 12. Then, the same as with a known electronic ion toothbrush, when the grip 11 is grasped and the head portion 1 is inserted into a mouth, a current of several 100 μA flows into the mouth through a body fluid of a user. Due to the current ion effect, a cleaning effect such as removal of plaque is exhibited.

[0012] In addition, in this embodiment, the grip portion 11 includes a main body case 21 (see FIGS. 3 and 4), an internal block 31 (see FIGS. 5 and 6) which is housed in the main body case 21 and has a tail plug 31b, and an external electrode 12 which is made from a conductive plate fixed to the main body case 21.

...

[0016] As shown in FIG. 3 and FIG. 4, the main body case 21 is provided with an electrode mounting portion 23 on which the external electrode 12 is mounted, on a front side. The electrode mounting portion 23 is formed substantially equal to an external shape on the front side of the external electrode 12 having a relatively large area, and an insertion groove 23a for inserting a tip end portion of the external electrode 12 is provided on a tip end side. Further, a rear end wall portion 23b for locking a rear end portion of the external electrode 12 is provided at a rear end side of the electrode mounting portion 23. Between these rear end wall portions 23b, there is formed a recessed portion 23c for insertion of a later-described bent portion 15 of the external electrode 12.

[0017] In addition, a cavity 24 for inserting the internal block 31 is formed inside the main body case 21. Reference numeral 25 denotes a groove for mounting the tip end portion of the circuit board 33 of the internal block 31, and reference numeral 26 denotes a hole for inserting the conductive shaft 37.

...

[0019] As shown in FIGS. 5 and 6, the internal block 31 basically is mounted with the battery unit 32 and the circuit board 33, and is mounted in the main body case 21. In this embodiment, a battery unit 34 is provided inside the block body 31a in a conductive manner by a conductive plate 34, and a sound generator 35a and a light emitter 35b which emit a melody sound at the time of use and blink an LED are provided on the tip end side.

[0020] The electric power supply from the battery unit 32 is performed from terminals

36, 36 provided at the tip end portion and the rear end portion of the circuit board 33 to the external electrodes 2, 12 via the conductive shafts 37, 37. Each of the terminals 36 is formed by bending a metal plate, and is provided so that one end thereof is fixed to the circuit board 33 and the end portion of the conductive shaft 37 is pressed and urged at the other end, so that electrical conduction can be reliably performed. The conductive shaft 37 disposed at the rear end portion of the internal block 31 is press-fitted in the inside from the tail plug 31b.

...

[0024] The external electrode 12 is formed of a metal conductive plate, and is fixed to the electrode mounting portion 23 of the main body case 21 as described above. The plate body 13 of the external electrode 12 is provided with a hook-shaped portion 14 formed by bending at the tip end portion. The hook-like portion 14 is inserted into the insertion groove 23a of the main body case 23 and locked.

...

[0032] Next, the external electrode 12 is attached to the electrode mounting portion 23 of the main body case 21. The plate body 13 of the external electrode 12 inserts a hook-shaped part 14 at the tip end portion into the insertion groove 23a of the main body case 21 to lock, and further inserts the bent portion 15 into the recessed portion 23c of the main body case 21 and the slit 39 of the internal block 31. In the bent portion 15, the conductive shaft 37 is held by the notched arcuate groove 15c, thereby electrically connecting the plate. Then, the rear end portion of the plate body 13 is locked to the rear end wall portion 23b of the main body case 21. Thus, the separation of the internal block 31 is prevented by the bent part 15.

[0033] Then, when grasping the grip portion 11, since the external electrode 12 has a relatively large area, no matter how a user grips it, the user's hand comes into contact with the plate body 13 of the external electrode 12, and when the head portion 1 is inserted into a mouth, the other external electrode 2 is electrically connected in the mouth, and a current of several 100μA flows into the mouth through the body liquid of the user during tooth brushing. Then, the sound/light emitter 35 emits a melody sound and causes the LED to blink, so that electrical conduction is established and it is notified that the toothbrush is functioning normally. This current ion effect provides a cleaning effect, such as removal of plaque."

3 Regarding Reason for invalidation 1

(1) Patent Invention 1

(1-1) Comparison

Patent Invention 1 and Invention A-1 are compared.

A In Patent Invention 1, as described in 1 above, by forming a recessed portion depressed inward from a surface of the handle body and covering the recessed portion with a handle cover, the molding accuracy and strength of the handle are highly maintained as compared with the case where the handle is divided vertically or horizontally, and the sealing of the inside of the recessed portion is facilitated with the handle cover, whereas, in Invention A-1, a handle 12 is equipped with a core material 13, and a pair of external covers 14 and 15 vertically divided, and is a handle that is vertically divided.

B Although "a handle body" of Patent Invention 1 has "a recessed portion depressed inward from a surface of the handle body," if "an external cover 14" (or "an external cover 15") of Invention A-1 corresponds to "a handle cover" of Patent Invention, "a core material 13" and "an external cover 15" (or "an external cover 14") of Invention A-1 do not have a recessed portion depressed inward from a surface thereof, so that it cannot be said that "a core material 13" and "an external cover 15" (or "an external cover 14") of Invention A-1 correspond to "a handle body" having "a recessed portion depressed inward from a surface" of Patent Invention 1, and it cannot be said that "an external cover 14" (or "an external cover 15") of Invention A-1 corresponds to "a handle cover attached to the handle body so as to cover the recessed portion." Therefore, the handle 12 of Invention A-1 is not equipped with a configuration corresponding to "a handle body" having "a recessed portion depressed inward from a surface," "a recessed portion depressed inward from a surface of the handle body," and "a handle cover attached to the handle body so as to cover the recessed portion" of Patent Invention 1.

C According to A and B above, "a handle composed of a rod-shaped handle body, a recessed portion depressed inward from a surface of the handle body, and a handle cover attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed" of Patent Invention 1, and "a handle 12 composed of a core material 13, a pair of external covers 14 and 15 covered on an outer periphery of the core material 13 and vertically divided, and disposed with a solar cell panel 24 therein and a constitution for connecting an output terminal of the solar cell panel 24 to the conductive portions of the handle 12 and the roller 18" of Invention A-1 are common only in that each is a "handle."

D "One end in a longitudinal direction of the handle body" of Patent Invention 1 and "a tip end of the handle 12" of Invention A-1 are common in that each is "one end in a longitudinal direction of the handle."

E "Forked portions 12a" of Invention A-1 correspond to "branch portions" of

Patent Invention 1.

F "A space formed at a center portion of the core material 13" of Invention 1 corresponds to "axial holes" of Patent Intention 1.

G "Fitted in" of Invention A-1 corresponds to "inserted in" of Patent Invention.

H "Roller supports 17" of Invention A-1 correspond to "Roller shafts" of Patent Invention 1.

I "Rotatably supported by" of Invention A-1 corresponds to "attached to" of Patent Invention 1.

J "Rollers 18" of invention A-1 correspond to "rollers" of Patent Invention 1.

K "A beauty instrument 11" of Invention A-1 corresponds to "a beauty instrument" of Patent Invention.

As described above, the corresponding features and the different features of Patent Invention 1 and Invention A-1 are as follows.

(Corresponding Feature)

"A beauty instrument comprising:

a handle;

a pair of branch portions integrally formed at one end in a longitudinal direction of the handle;

axial holes respectively formed on the pair of the branch portions;

a pair of roller shafts inserted in axial holes; and

a pair of rollers attached to the pair of the roller shafts."

(Different Feature 1)

"Regarding "a handle," Invention A-1 is not equipped with a configuration corresponding to "a handle body" having "a recessed portion depressed inward from a surface," "a recessed portion depressed inward from a surface of the handle body," and "a handle cover attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed " of Patent Invention 1, and is equipped with "a core material 13, and a pair of external covers 14 and 15 covered on an outer periphery of the core material 13 and vertically divided" instead. As a result, in Patent Invention 1, "the surface of the handle body and a surface of the handle cover configure a surface of the handle," whereas in Invention A-1, "surfaces of the pair of the external covers 14 and 15 configure a surface of the handle 12."

(Different Feature 2)

Regarding "one end in a longitudinal direction of a handle," in Patent Invention 1, it is "one end in a longitudinal direction of the handle body," whereas Invention A-1 is not equipped with a handle body having a recessed portion depressed inward from a surface, so that it cannot be said that it is "one end in a longitudinal direction of the handle body."

(Different Feature 3)

Regarding "an axial hole," in Patent Invention A-1, it communicates with the recessed portion, whereas Invention does not have such a configuration.

(1-2) Judgment

A Regarding Different Feature 1

(A) Patent Invention 1, as described 1 above, by forming a recessed portion depressed inward from a surface of a rod-shaped handle body and covering the recessed portion with a handle cover, the molding accuracy and strength of the handle are highly maintained as compared with the case where the handle is divided vertically or horizontally, and the sealing of the inside of the recessed portion is facilitated with the handle cover, whereas, in Invention A-1, a handle is vertically divided, and in Paragraph [0004] of the specification of the Patent, it has been pointed out that the molding accuracy and strength of the handle may be reduced, and it takes time and effort for sealing work.

However, there is no description about the above-mentioned problems in Evidence A No. 1 and Evidence A No. 2, and thus in Invention A-1, there is no motivation to adopt the configuration relating to Different Feature 1 by focusing on the problems mentioned above.

Further, Invention A-1 can house the configuration such as a solar cell and the cell inside by a core material 13 positioned between a pair of external covers 14 and 15 divided vertically even if it is not equipped with the configuration relating to Different Feature 1, so that the necessity to adopt the configuration according to Different Feature 1 cannot be found.

(B) In Matter A-2, a main body case 4 does not have a configuration equipped with a pair of forked portions 12a formed at a tip end of ae handle 12 as does Invention A-1, and Invention A-1 and Matter A-2 have different overall shapes.

Further, in Matter A-2, a solar cell 8 is disposed at the part of the head portion 3, not at the part of the grip portion 2 in the recessed portion, and Matter A-2 does not have a configuration in which the solar cell panel 24 is disposed inside the handle 12 as does Invention A-1. Furthermore, Invention A-1 does not have a configuration of the handle 12 in which an electric wire 18 is wired over substantially the entire length of the grip

portion 2 as does Matter A-2. Therefore, Invention A-1 and Matter A-2 also differ in the arrangement of internal components.

In this way, since Invention A-1 and Matter A-2 differ in the overall shape and the arrangement of internal components, there is no motivation to apply the configuration that is provided with a recessed portion extending over substantially the entire length of the main body case 4 of Matter A-2, a back surface cover member 5 covering the recessed portion, and a handle cover.

(C) Even if there is a motivation to apply Matter A-2 to Invention A-1 and attempt to apply it, Invention A-1 does not have a configuration equipped with a grip portion 2 and a head portion 3 as does Matter A-2, and a pair of forked portions 12a is integrally formed at a tip end of a handle 12. Furthermore, the handle 12 and the pair of the forked portions 12a are composed of a core material 13 and a pair of external covers 14 and 15 covered on an outer periphery of the core material 13 and divided vertically, and Invention A-1 has a structure that is very different from that of Matter A-2. Therefore, it is impossible to apply a structure of Matter A-2 to Evidence A No.1, and when specifically attempting to apply, considerable design changes will be required.

Then, it is difficult even for a person skilled in the art to apply the structure of Matter A-2 to Invention A-1.

(D) There is no explanation in Evidence A No. 2 as to how the handle cover in Matter A-2 is attached to the main body case 4 or the back cover member 5, and even when referring to the drawings, it is not clear whether or not the handle cover is equipped with a uniting part with the main body case 4.

Then, even if applying Matter A-2 to Invention A-1, the configuration according to Different Feature 1 including the matter of "a handle cover attached to the handle body...while a uniting part with the handle body is not exposed" cannot be reached.

From (A) to (D) above, the configuration according to Different Feature 1 cannot be easily conceived from Invention A-1 and Matter A-2.

The matters described in Evidence A No. 4 to A No. 10 merely disclose a technology which integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body, and the matters described in Evidence A No. 16 to 19 merely disclose a technology that electrically connects a solar cell panel and roller shafts. Therefore, the configuration according to Different Feature 1 cannot be easily conceived on the basis of these.

B Regarding Different Feature 2

As described in A above, since the configuration according to Different Feature 1

cannot be easily conceived, in Invention A-1, it is not easy to conceive the configuration equipped with a handle body having a recessed portion depressed inward from a surface.

Therefore, the configuration according to Different Feature 2 cannot be easily conceived.

C Regarding Different Feature 3

(A) As described above, since the configuration according to Different Feature 1 cannot be easily conceived, in Invention A-1, it is not easy to conceive the configuration equipped with a handle body having a recessed portion depressed inward from a surface. Then, in Invention A-1, the configuration in which axial holes communicate with the recessed portion cannot be also easily conceived.

(B) A case in which it is assumed that it is easy to achieve a configuration equipped with a handle body having a concave portion depressed inward from a surface by applying Matter A-2 to Invention A-1 will be considered.

In Invention A-1, in the case of a configuration equipped with a handle body having recessed portions depressed inward from a surface, there is no description in Evidence A No. 1 and Evidence A No. 2 about the fact that a space in which a pair of roller support shafts 17 is fitted is communicated with the recessed portion, and the configuration according to Different Feature 3 cannot be easily conceived from Invention A-1 and Matter A-2.

Further, in addition of Invention A-1 and Matter A-2, for example, as in Matters A-16 to 19, considering that it is a well-known art (hereinafter, referred to as "Well-known Art A") that "axial holes for support shafts penetrate to a space on a solar cell panel side", even if the configuration according to Different Feature 3 can be conceived from Invention A-1, Matter A-2, and Well-known Art A, the configuration according to Different Feature 3 is reached by applying Matter A-2 to Invention A-1, conceiving the configuration equipped with a handle body having a recessed portion depressed inward from a surface, and furthermore, applying a technology in which a space on the solar cell panel side is replaced with the recessed portion depressed inward from the surface in Well-known Art A, and conceiving that the space in which the pair of the roller shafts 17 is fitted is communicated with the recessed portion depressed inward from the surface. In this way, it takes a special effort to reach the configuration according to Different Feature 3 through the two stages based on Invention A-1, and it cannot be said that it was easy for a person skilled in the art. Then, it is impossible to easily conceive the configuration relating to Different Feature 3 from Invention A-1, Matter A-2, and Well-known Art A such as Matters A-16 to 19.

D Allegations of the parties

(A) The demandee alleges that "in the determination of easily-conceived property of Patent Invention 1, since the specific configuration of the handle (the configuration of the handle body, the recessed portion of the handle body, the handle cover, etc. of Patent Invention 1) is a matter for specifying the invention, the handle 12 of Invention A-1 should be specified in the same manner. ...It is necessary to specify the point of the handle 12 such that the handle 12 of Invention A-1 "is composed of a pair of external covers 14 divided along the center line and a core material 13 positioned therebetween." (p. 3, l.18 to p. 4. l.9 of the written reply for the trial case).

Against this, the demandant alleges that "In clames of Invention A-1 (Evidence A No. 1, p. 11 to p. 12), regarding the configuration of the handle, there is no limitation with the pair of the exterior covers 14 divided vertically and the core material 13, and that it is erroneous to add the technical element that Invention A-1 "is composed of a pair of external covers 14 divided along the center line and a core material 13 positioned therebetween," as alleged by the demandee." (p. 7, l.21 to l.25 of the oral proceedings statement brief)

However, when a person skilled in the art tries to grasp the technical idea from the description of a publication, it is natural that all of the described matters in Cited Publications can be considered, and it is not imperative that matters not limited in Claims of the publication are included in the context of Cited Invention. Then, Patent Invention 1 includes the specific configuration of the handle, as a matter specifying the invention, such as "a handle composed of a rod-shaped handle body, a recessed portion depressed inward from a surface of the handle body, and a handle cover attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed" and "the surface of the handle body and a surface of the handle cover configure a surface of the handle," and therefore the demandant's allegation is groundless.

(B) The demandant, regarding Different Feature 3, alleges that "by applying the technical matter described in evidence A No. 2 to Invention A-1, a recessed portion is formed in the handle (12) of Invention A-1.

However, in Invention A-1, it is necessary to connect the solar cell panel (24) and the roller support shaft (17) by first wiring, for that purpose, the roller support shafts (17) are inserted into the recessed portion where the first wiring exists; that is, the axial holes of the roller support shafts (17) must be through-holes communicating with the recessed portion.

Thus, when applying the technical matter described in evidence A No. 2 to

Invention A-1, the axial holes of the roller support shafts (17) must be through-holes that naturally communicates with the recessed portion" (p. 75, l.8 to 15 of the written demand for trial).

However, since there is no specific description about a method of electrically connecting a terminal of the solar cell panel 24 and the roller support shafts 17, although in Invention A-1, the method of electrically connecting the terminal of the solar cell panel 24 and the roller support shafts 17 is not specified, Invention A-1 can connect the output terminal of the solar cell panel 24 to the roller support shafts 17 by a method other than making the space in which the roller support shafts 17 are fitted holes penetrating to the solar cell panel 24 side. (For example, even if a hole or a groove for wiring is formed in the core material 13 or the exterior covers 14 and 15, the hole and groove may be filled with an adhesive or the like. In addition, a form embedded in the core material 13 or the outer covers 14 and 15 can also be assumed.) Then, even if the recessed portion is formed in the handle 12 by applying Matter A-2 to Invention A-1, it cannot be said that the space in which the roller support shafts 17 are fitted must be the through-holes penetrating to the recessed portion.

Therefore, the demandant's allegation cannot be accepted.

E Summary

As examined in A to D above, since none of the configurations according to Different Features 1 to 3 can be easily conceived, it cannot be said that Patent Invention 1 could have easily been invented by a person skilled in the art, on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 2, the well-known arts exemplified in Evidence A No. 4 to A No. 10, and the well-known arts exemplified in Evidence A No. 16 to A No. 19.

(2) Regarding Patent Inventions 2 to 4

Patent Inventions 2 to 4 include the matters specifying Patent Invention 1, and further give limitations, so that Patent Inventions 2 to 4 and Invention A-1 differ at least in Different Features 1 to 3 above.

Then, it is as described in (1) (1-2) above that none of the configurations according to Different Features 1 to 3 are easily conceived from Invention A-1, Matter A-2, the matters described in Evidence A No. 4 to A No. 10, and Well-known Art A such as Matters A-16 to 19.

Therefore, it cannot be said that Patent Inventions 2 to 4 could have easily been invented by a person skilled in the art, on the basis of the invention described in Evidence

A No. 1, the invention described in Evidence A No. 2, the well-known arts exemplified in Evidence A No. 4 to A No. 10, the well-known arts exemplified in Evidence A No. 16 to A No. 19, and the well-known arts exemplified in Evidence A No. 15 to A No. 17, and there is no need to examine the details thereof.

4 Regarding Reason for invalidation 2

(1) Patent Invention 1

(1-1) Comparison

The corresponding features and the different features of Patent Invention 1 and Invention A-1 are as described in 3(1)(1-1) above.

(1-2) Judgment

A Regarding Different Feature 1

(A) In Patent Invention 1, as described 1 above, by forming a recessed portion depressed inward from a surface of a rod-shaped handle body and covering the recessed portion with a handle cover, the molding accuracy and strength of the handle are highly maintained as compared with the case where the handle is divided vertically or horizontally, and the sealing of the inside of the recessed portion is facilitated with the handle cover, whereas, in Invention A-1, a handle is vertically divided, and in Paragraph [0004] of the specification of the Patent, it has been pointed out that the molding accuracy and strength of the handle may be reduced, and it takes time and effort for sealing work.

However, there is no description about the above-mentioned problems in Evidence A No. 1 and Evidence A No. 3, and thus in Invention A-1, there is no motivation to adopt the configuration relating to Different Feature 1 by focusing on the problems mentioned above.

Further, Invention A-1 can house the configuration such as a solar cell and the cell inside by a core material 13 positioned between a pair of external covers 14 and 15 divided vertically even if it is not equipped with the configuration relating to Different Feature 1, so that the necessity to adopt the configuration according to Different Feature 1 cannot be found.

(B) Matter A-3 relates to a cleaning tool, and according to the descriptions of Paragraphs [0006] and [0016] of Evidence A No. 3 (2 (6) A and B above), it is recognized that the task is to provide lightness and moldability by separately making the handle portion 1 and the blocking member 5 and making the inside of the handle portion 1 a hollow structure compatible with injection molding.

On the other hand, Invention A-1 relates to a beauty instrument, and differs from

the cleaning tool of Matter A-3 in a technical field. Also, Evidence A No. 1 does not describe providing lightness and moldability, and there is no proof that providing lightness and moldability in a beauty instrument is a problem. Further, since Invention A-1 is to provide a moderate stimulus to the surface tissue of the human body by pressing and rotating the roller 18 against the skin S to obtain a beauty effect such as a beautiful skin effect (2 (1) B above), it is considered that there is a suitable weight for pressing and irritation, and it is not a self-evident problem to provide light weight and moldability in Invention A-1. Then, it cannot be said that Invention A-1 has the same problem as Matter A-3.

Therefore, it cannot be said that there is a motivation to apply Matter A-3 to Invention A-1.

(C) Even if applying Matter A-3 to Invention A-1, since the blocking member 5 of Matter A-3 engages with the handle portion 1 while the locking claw piece 8 is exposed, the configuration according to Different Feature 1 including the matter "a handle cover attached to the handle body...while a uniting part with the handle body is not exposed" cannot be reached.

From (A) to (C) above, the configuration according to Different Feature 1 cannot be easily conceived from Invention A-1 and Matter A-3.

Further, the matters described in Evidence A No. 4 to A No. 10 merely disclose a technology which integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body, and the matters described in Evidence A No. 16 to 19 merely disclose a technology that electrically connects a solar cell panel and roller shafts. Therefore, the configuration according to Different Feature 1 cannot be easily conceived on the basis of these.

B Regarding Different Feature 2

As described in A above, since the configuration according to Different Feature 1 cannot be easily conceived, in Invention A-1, it is not easy to conceive the configuration equipped with a handle body having a recessed portion depressed inward from a surface.

Therefore, the configuration according to Different Feature 2 cannot be easily conceived.

C Regarding Different Feature 3

(A) As described above, since the configuration according to Different Feature 1 cannot be easily conceived, in Invention A-1, it is not easy to conceive the configuration equipped with a handle body having a recessed portion depressed inward from a surface.

Then, in Invention A-1, the configuration in which axial holes communicate with the recessed portion also cannot be easily conceived.

(B) A case in which it is assumed that it is easy to achieve a configuration equipped with a handle body having a concave portion depressed inward from a surface by applying Matter A-3 to Invention A-1 will be considered.

In Invention A-1, in the case of a configuration equipped with a handle body having a recessed portions depressed inward from a surface, there is no description in Evidence A No. 1 and Evidence A No. 3 about the fact that a space in which a pair of roller support shafts 17 is fitted is communicated with the recessed portion, and the configuration according to Different Feature 3 cannot be easily conceived from Invention A-1 and Matter A-3.

Further, in addition of Invention A-1 and Matter A-3, for example, as in Matters A-16 to 19, considering that it is a well-known art (Well-known Art A) that "axial holes for support shafts penetrate to a space on a solar cell panel side", even if the configuration according to Different Feature 3 can be conceived from Invention A-1, Matter A-3, and Well-known Art A, the configuration according to Different Feature 3 is reached by applying Matter A-3 to Invention A-1, conceiving the configuration equipped with a handle body having a recessed portion depressed inward from a surface, and furthermore, applying a technology in which a space on the solar cell panel side is replaced with the recessed portion depressed inward from the surface in Well-known Art A, and conceiving that the space in which the pair of the roller shafts 17 is fitted is communicated with the recessed portion depressed inward from the surface. In this way, it takes a special effort to reach the configuration according to Different Feature 3 through two stages based on Invention A-1, and it cannot be said that it was easy for a person skilled in the art. Then, it is impossible to easily conceive the configuration relating to Different Feature 3 from Invention A-1, Matter A-3, and Well-known Art A such as Matters A-16 to 19.

D Allegations of the parties

(A) The recognition of Invention A-1 is as described in 3(1) (1-2) D (A) above.

(B) The demandant, in relation to the motivation of applying Matter A-3 to Invention A-1, alleges that "the handle (12) of Invention A-1 and the handle portion (1) of Invention A-3 are both resin molded products, and they have a corresponding feature in that the handle (12) or the handle portion (1) is gripped to vertically move the device.

Therefore, by being motivated by this point, it can be easily invented by a person skilled in the art to apply the configuration of the grip portion (1) of Invention A-3 to the handle (12) of Invention A-1, to provide the blocking member (5) for blocking the

recessed portion in the handle (12) to store components such as wiring for connecting from the solar cell panel (24) in the handle (12) to the conductive portion of the roller (18)" (p. 75, l.25 to p. 76, l.4 of the written demand for trial).

However, the fact that there is no motivation to apply Matter A-3 to Invention A-1 is as described in (a) and (b) above, it cannot be said that Invention A-1 has the same problem as the above-mentioned problem of Matter A-3, in that it has the corresponding feature of being a resin molded product and a corresponding feature of vertically moving the device.

Therefore, the demandant's allegation cannot be accepted.

(C) The demandant, about the motivation of applying Matter A-3 to Invention A-1, further alleges that "Incidentally, while the blocking member 5 according to Invention A-3 is intended to reduce the weight, the core material 13 of Invention A-1 is heavy, and the demandee alleges that there is no motivation of applying Invention A-3 to Invention A-1 with the reason that Invention A-1 is not intended to reduce the weight.

However, although the weight of the core material 13 assumed by the demandee cannot be estimated by the demandant, even if a part of the handle of Invention A-1 is replaced with the blocking member 5, it cannot be assumed that the total weight of Invention A-1 will change greatly.

Hence, even if the purpose of Invention A-1 is not weight reduction, there is no reason to deny motivation to apply the blocking member 5 of Invention A-3 to Invention A-1." (p. 11, l.16 to l.23 of the oral proceedings statement brief)

This allegation, since there is a description "even if a part of the handle of Invention A-1 is replaced with the blocking member 5, it cannot be assumed that the total weight of Invention A-1 will change greatly," is understood, as Invention A1 assumes that a part of the handle 12 is replaced with the blocking member 5 without providing the recessed portion. That is, when applying Matter A-3 to Invention A-1, it can be understood that the allegation is based on the assumption that only the point of providing the blocking member 5 is applied without applying the point of providing the partitioning portion 4.

However, in Matter A-3, since the blocking member 5 is for blocking the partitioning portion 4, it is not possible to separate from the partitioning portion 4 and grasp only the blocking member 5 as a technical idea.

Therefore, the demandant's allegation cannot be accepted, because the premise is incorrect.

(D) The demandant alleges that "also, as described in Claim 3 of Evidence A No. 3 and the description of [0017], by providing the insertion receiving portion and the

insertion material, the handle (12) can be made to have a strong structure without bending, and the same effects as those of Patent Invention 1 can be obtained." (p. 76, l.5 to l.7 of the written demand for trial)

However, according to the description of Paragraph [0013] of Evidence A No. 3 (2 (6) B above), the insertion receiving portion 11 and the insertion material 12 are for suppressing the bending of the blocking member 5, and it cannot be said that the same effects as those of Patent Invention 1, which are that molding accuracy and strength of the handle are highly maintained as compared with the case where the handle is divided vertically or horizontally, and the sealing of the inside of the recessed portion is facilitated with the handle cover.

(E) Regarding Different Feature 3, as the same as 3 (1) (1-2) D (B) above, even if applying Matter A-3 to Invention A-1 to form a recessed portion on the handle 12, it cannot be said that a space in which the roller support shafts 17 are fitted must be holes penetrating to the recessed portion.

E Summary

As examined in A to D above, since none of the configurations according to Different Features 1 to 3 can be easily conceived, it cannot be said that Patent Invention 1 could have easily been invented by a person skilled in the art, on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 3, the well-known arts exemplified in Evidence A No. 4 to A No. 10, and the well-known arts exemplified in Evidence A No. 16 to A No. 19.

(2) Regarding Patent Inventions 2 to 4

Patent Inventions 2 to 4 include the matters specifying Patent Invention 1, and further give limitations, so that Patent Inventions 2 to 4 and Invention A-1 differ at least in Different Features 1 to 3 above.

Then, it is as described in (1) (1-2) above that none of the configurations according to Different Features 1 to 3 are easily conceived from Invention A-1, Matter A-3, and the matters described in Evidence A No. 4 to A No. 10 and Well-known Art A such as Matters A-16 to 19.

Therefore, it cannot be said that Patent Inventions 2 to 4 could have easily been invented by a person skilled in the art, on the basis of the invention described in Evidence A No. 1, the invention described in Evidence A No. 3, the well-known arts exemplified in Evidence A No. 4 to A No. 10, the well-known arts exemplified in Evidence A No. 16 to A No. 19, and the well-known arts exemplified in Evidence A No. 15 to A No. 17, and

there is no need to examine the details thereof.

5 Regarding Reason for invalidation 3

(1) Patent Invention 1

(1-1) Comparison

The corresponding features and the different features of Patent Invention 1 and Invention A-1 are as described in 3(1)(1-1) above.

(1-2) Judgment

A Regarding Different Feature 1

(A) Patent Invention 1, as described in 1 above, by forming a recessed portion depressed inward from a surface of a rod-shaped handle body and covering the recessed portion with a handle cover, the molding accuracy and strength of the handle are highly maintained as compared with the case where the handle is divided vertically or horizontally, and the sealing of the inside of the recessed portion is facilitated with the handle cover, whereas, in Invention A-1, a handle is vertically divided, and in Paragraph [0004] of the specification of the Patent, it has been pointed out that the molding accuracy and strength of the handle may be reduced, and it takes time and effort for sealing work.

However, there is no description about the above-mentioned problems in Evidence A No. 1 and Evidence A No. 11 to A No. 14, and thus in Invention A-1, there is no motivation to adopt the configuration relating to Different Feature 1 by focusing on the problems mentioned above.

Further, Invention A-1 can house the configuration such as a solar cell and the cell inside by a core material 13 positioned between a pair of external covers 14 and 15 divided vertically even if it is not equipped with the configuration relating to Different Feature 1, so that the necessity to adopt the configuration according to Different Feature 1 cannot be found.

(B) For example, as with Matter A-11 and Matter A-12, "the fact that in the instrument equipped with a handle, a recessed portion depressed inward from a surface of a handle body is provided on the handle body, a cell is housed in the recessed portion, the recessed portion is covered by a handle cover attached to the handle body while a uniting part with the handle body is not exposed, and a surface of the handle is configured by a surface of the handle body and a surface of the handle cover" is a matter of well-known art (hereinafter, referred to as "Well-known Art B").

Then, Invention A-1 and Well-known Art B are common in a point that the cell is housed in the handle body.

However, in Well-known Art B, it is thought that the handle cover is detachably attached to the handle body so that the cell can be removed from the handle body when replacing or charging the cell, and on the other hand, in Invention A-1, since the cell is a solar cell, there is no need to remove the cell from the handle body in normal use. Also, In Evidence A No. 1, there is no description that the solar cell panel 24 is made to be detachable, or that a battery such as a dry battery or a rechargeable battery is used instead of the solar cell panel 24. Furthermore, there is no proof indicating that a dry battery or a rechargeable battery is used in the beauty instrument.

Then, in Invention A-1, there is no motivation to apply Well-known Art B to house and cover solar panel 24.

From (A) and (B) above, the configuration according to Different Feature 1 cannot be easily conceived from Invention A-1 and Well-known Art B such as Matters A-11 to A-12.

Also, Evidence A No. 13 to A No. 14 do not describe the configuration in which a recessed portion is depressed inward from a surface of a handle body and the recessed portion is covered by a handle cover attached to the handle body while a uniting part with the handle body is not exposed, and referring to any case, the configuration according to Different Feature 1 cannot be easily conceived

Further, the matters described in Evidence A No. 4 to A No. 10 merely disclose a technology which integrally forms a pair of branch portions at one end in a longitudinal direction of a handle body, and the matters described in Evidence A No. 16 to 19 merely disclose a technology that electrically connects a solar cell panel and roller shafts. Therefore, the configuration according to Different Feature 1 cannot be easily conceived on the basis of these.

B Regarding Different Feature 2

As described in A above, since the configuration according to Different Feature 1 cannot be easily conceived, in Invention A-1, it is not easy to conceive the configuration equipped with a handle body having a recessed portion depressed inward from a surface.

Therefore, the configuration according to Different feature 2 cannot be easily conceived.

C Regarding Different Feature 3

(A) As described above, since the configuration according to Different Feature 1 cannot be easily conceived, in Invention A-1, it is not easy to conceive the configuration equipped with a handle body having a recessed portion depressed inward from a surface.

Then, in Invention A-1, the configuration in which axial holes communicate with the recessed portion also cannot be easily conceived.

(B) A case in which it is assumed that it is easy to achieve a configuration equipped with a handle body having a concave portion depressed inward from a surface by applying Well-known Art B such as Matters A-11 to 12 to Invention A-1 will be considered.

In Invention A-1, in the case of a configuration equipped with a handle body having a recessed portion depressed inward from a surface, there is no description in Evidence A No. 1, Evidence A No. 11, and Evidence A No. 12 about the fact that a space in which a pair of roller support shafts 17 is fitted is communicated with the recessed portion, and the configuration according to Different Feature 3 cannot be easily conceived from Well-known Art B such as Matters A-11 to 12.

Further, in addition to Invention A-1 and Well-known Art B, for example, as with Matters A-16 to 19, considering that it is a matter of well-known art (Well-known Art A) that "axial holes for support shafts penetrate to a space on a solar cell panel side", even if the configuration according to Different Feature 3 can be conceived from Invention A-1, Well-known Art B, and Well-known Art A, the configuration according to Different Feature 3 is reached by applying Well-known Art B to Invention A-1, conceiving the configuration equipped with a handle body having a recessed portion depressed inward from a surface, and furthermore, applying a technology in which a space on the solar cell panel side is replaced with the recessed portion depressed inward from the surface in Well-known Art A, and conceiving that the space in which the pair of the roller shafts 17 is fitted is communicated with the recessed portion depressed inward from the surface. In this way, it takes a special effort to reach the configuration according to Different Feature 3 through two stages based on Invention A-1, and it cannot be said that it was easy for a person skilled in the art. Then, it is impossible to easily conceive the configuration relating to Different Feature 3 from Invention A-1, Well-known Art B such as Matters A-11 to 12, and Well-known Art A such as Matters A-16 to 19.

D Allegations of the parties

(A) The recognition of Invention A-1 is as described in 3(1) (1-2) D (A) above.

(B) The demandant alleges that "as described in Evidence A No. 11 to Evidence A No. 14, the fact that in an instrument having a member inside a handle body, a recessed portion depressed inward from a surface of the handle body is provided, and a cover is provided, which is attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed, was a matter of well-known art at the time of application." (p. 50, l.16 to p. 51, l.1 of the written demand for trial)

Then, the matters described in Evidence A No. 11 to Evidence A No. 14 will be further examined.

a Although a hairbrush device 1 described in Evidence A No. 11 has a dry battery 22 or a rechargeable battery 122 in a second casing 6, it is thought that a battery lid 11 is detachably attached to the second casing 6 so that the dry battery 22 or the rechargeable battery 122 can be removed from the second casing 6 when replacing or charging the dry battery 22 or the rechargeable battery 122. When trying to grasp the dry battery 22 or the rechargeable battery 122 and the battery lid 11 as technical ideas, it should be understood that the dry battery 22 or the rechargeable battery 122 can be removed from the second casing 6, and it cannot be simply "having a member inside the handle body" as in the well-known art recognized by the demandant.

b Although a multi-treatment brush 10 described in Evidence A No. 12 has a battery 20 in the handle member 12, according to the description of FIG. 1, the battery 20 is a removable battery such as a dry battery, and it is considered that the battery cover 16 is detachably attached to the handle member 12 so that the battery can be removed from the handle member 12 when the battery is replaced or the like. When trying to grasp the battery and the battery cover 16 as a technical idea, the battery should be understood to be removable from the handle member 12, and it cannot be simply "having a member inside the handle body" as in the well-known art recognized by the demandant.

c Although a face treatment machine described in Evidence A No. 13 can be seen, from the description of [B-B cross section omitting an internal mechanism], that a space in which the internal mechanism is disposed is formed in the handle, Evidence A No. 13 has no explanation about the specific structure of the inside and surface of the handle, whether or not the space is a recess recessed inward from the surface of the handle or whether or not the handle cover covers the recess recessed inward from the surface of the handle must be said to be unknown.

d Although in an electronic ion toothbrush described in Evidence A No. 14, components such as a battery are built in the main body case 21, and an external electrode 12 covers an electrode mounting portion 23 provided on the main body case 21, a space in which the components such as batteries are built is formed inside the cylindrical main body case 21. On the other hand, the electrode mounting portion 23 is recognized as a shallow recessed portion formed on the surface of the main body case 21, and it is not recognized that the space in which components such as a battery are built-in communicates with the electrode mounting portion 23. That is, it is not recognized that the external electrode 12 covers the recessed portion in which the components such as a battery are built-in.

According to the above, from the matters described in Evidence A No. 11 to A No. 14, it cannot be said that "the fact that in an instrument having a member inside a handle body, a recessed portion depressed inward from a surface of the handle body is provided, and a cover is provided, which is attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed" is a matter of well-known art.

Therefore, the demandant's allegation cannot be accepted.

(C) The demandant states that "as described in Evidence A No. 11 to Evidence A No. 14, the fact that in an instrument having a member inside a handle body, a recessed portion depressed inward from a surface of the handle body is provided, and a cover is provided, which is attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed, was a matter of well-known art at the time of application.

As mentioned in (4) H (A) 'Grasping of Invention A-1 by a person skilled in the art', in Invention A-1, components such as wiring for connecting the solar cell panel (24) to the conductive portion of the roller (18) are provided inside the handle (12).

Therefore, it is easy for a person skilled in the art to apply the well-known art to Invention A-1 while being motivated by the purpose of housing the components provided inside the handle (12) inside the handle (12)." (p. 76, l.17 to l.26 (blank lines are not included) of the written demand for trial). Thus, as alleged by the demandant, the case in which "the fact that in an instrument having a member inside a handle body, a recessed portion depressed inward from a surface of the handle body is provided, and a cover is provided, which is attached to the handle body so as to cover the recessed portion while a uniting part with the handle body is not exposed," is a matter of well-known art (hereinafter, referred to as "Well-known Art C") will be examined.

As alleged by the demandant, although in Invention A-1, components such as wiring for connecting the solar cell panel 24 to the conductive portion of the roller 18 are provided inside the handle 12, by the core member 13 and the pair of upper and lower external covers 14 and 15 covered on the outer periphery of the core member 13, the components can be housed inside, so that by changing the configuration thereof, the necessity to adopt the configuration according to Patent Invention 1 cannot be found.

Then, the configuration according to Different Feature 1 cannot be easily conceived from Invention A-1, and Well-known Art C.

Also, regarding Different Feature 3, the same as in C (B) above, even if the configuration according to Different Feature 3 could be conceived from Invention A-1, Well-known Art C, and Well-known Art A, it takes a special effort to reach the

configuration according to Different Feature 3 through two stages based on Invention A-1, and it cannot be said that it was easy for a person skilled in the art.

(D) Regarding Different Feature 3, the same as in 3 (1) (1-2) D (B) above, even if applying Well-known Art B or Well-known Art C to Invention A-1 to form a recessed portion on the handle 12, it cannot be said that a space in which the roller support shafts 17 are fitted must be holes penetrating to the recessed portion.

E Summary

As examined in A to D above, since none of the configurations according to Different Features 1 to 3 can be easily conceived, it cannot be said that Patent Invention 1 could have easily been invented by a person skilled in the art, on the basis of the invention described in Evidence A No. 1, the well-known arts exemplified in Evidence A No. 11 to A No. 14, the well-known arts exemplified in Evidence A No. 4 to A No. 10, and the well-known arts exemplified in Evidence A No. 16 to A No. 19.

(2) Regarding Patent Inventions 2 to 4

Patent Inventions 2 to 4 include the matters specifying Patent Invention 1, and further give limitations, so that Patent Inventions 2 to 4 and Invention A-1 differ at least in Different Features 1 to 3 above.

Then, it is as described in (1) (1-2) above that none of the configurations according to Different Features 1 to 3 are easily conceived from Invention A-1, Well-known Art B such as Matters A-11 to 12, the matters described in Evidence A No. 13 to No. 14, the matters described in Evidence A No. 4 to A No. 10, and Well-known Art A such as Matters A-16 to 19.

Therefore, it cannot be said that Patent Inventions 2 to 4 could have easily been invented by a person skilled in the art on the basis of the invention described in Evidence A No. 1, the well-known arts exemplified in Evidence A No. 11 to A No. 14, the well-known arts exemplified in Evidence A No. 4 to A No. 10, the well-known arts exemplified in Evidence A No. 16 to A No. 19, and the well-known arts exemplified in Evidence A No. 15 to A No. 17, and there is no need to examine the details thereof.

No. 6 Closing

As described above, Reasons for invalidation 1 to 3 alleged and means of proof submitted by the demandant cannot invalidate the patent according to Patent Inventions 1 to 4.

The costs in connection with the trial shall be borne by the demandant under the

provisions of Article 61 of the Code of Civil Procedure which is applied mutatis mutandis in the provisions of Article 169(2) of the Patent Act.

Therefore, the trial decision shall be made as described in the conclusion.

October 19, 2018

Chief administrative judge: NAGAYA, Yojiro

Administrative judge: TAKAGI, Akira

Administrative judge: SETO, Kohei