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# **Description Requirements/ Sufficiency Disclosure**

June 1, 2016  
IP5 Heads and Industry Meeting

**JAPAN PATENT OFFICE**

1. Background
2. Present Situation
3. Next Steps

- **4<sup>th</sup> PHEP Meeting (Oct. 2015)**

1. To conduct case studies on **hypothetical cases** corresponding to the actual cases 6, 8 and 9
  - Agreed
2. Next steps
  - To agree the **proposed format for case studies**
  - To **collect each office's case studies**

- **Results** of Case Studies

- Do the claimed inventions meet the support requirements?

	<b>EPO</b>	<b>KIPO</b>	<b>JPO</b>	<b>USPTO</b>	<b>SIPO</b>
CASE 1	Yes	Yes	Yes	Yes	Yes
CASE 2	No	Yes	Yes/No	Yes	Yes/No
CASE 3	Yes	Yes	Yes	Yes	Yes

- **Ad hoc PHEP Meeting and Deputy Heads Meeting (Mar. 2016)**
  1. Reported the result of the each office's case studies and simple analysis on the studies
    - **More detailed analysis** on the studies was suggested by the JPO.
  2. Agreed to the next steps
    - to **collect opinions from the IP5 Users** on the hypothetical cases
    - to **analyze** on the case studies conducted by the Offices and the opinion from the IP5 Users
    - to conduct **further case studies** dealing with other technical fields and requirements after IP5 Heads Meeting

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- **Detailed analysis on the case studies**
  - **JPO, KIPO** and **USPTO** applied the **same criteria** to all of Cases 1-3. On the other hand, **EPO** and **SIPO** applied the **criteria in accordance with each of the specific features** of the Cases.
  - Only as for **Case Study 2**, the results were different among the IP5 Offices.
    - **EPO [No]** applied the **criteria for chemical compounds defined by measurable parameters**.
    - **SIPO [Yes/No]** applied the **specific criteria when the improvement of a claim compared to the background art involves a numerical range**.
    - **JPO [Yes/No]** considered **whether or not there is the common general technical knowledge**.
- **Opinions from the IP5 Users on hypothetical cases**  
Now under collection!

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- **Current Case Studies on Three Hypothetical Cases**
  - **Opinions from the IP5 Users** on the hypothetical cases  
→ *JIPA is collecting and consolidate opinions*
  - **Analysis** on the case studies conducted by the IP5 Offices and the opinion from the IP5 Users

- **Further Case Studies**

- Choose **other technical fields and requirements, which are different** from the current hypothetical cases  
(Technical field: chemistry  
Requirements: support requirements)  
after IP5 Heads Meeting

**Thank you very much.**

