STATUS REPORT

May, 2015

JAPAN PATENT OFFICE
1. Accelerated Market Changes
   → Achieving examination of the fastest and utmost quality in the world

2. Globalized Economy
   → International cooperation and harmonization among IP offices that address globalization
1) Accelerating Examination

1. Request for examination
2. First Action
3. Granting patent rights

\[ \text{First Action Pendency} = \text{Standard Total Pendency}^* \]

- 10 months or less (targeting by FY2023)
- 14 months or less (targeting by FY2023)

*“Standard Total Pendency” excludes such cases where the JPO requests an applicant to respond to the second notification of reasons for refusal and others.

2) Enhancing Quality
The JPO released its “Quality Policy on Patent Examination”

- The 3 main tenets of patent quality are:
  - We grant robust, broad and valuable patents.
  1. “robust”: so as not to be invalidated afterward,
  2. “broad”: to such an extent that they have coverage matching the extent of the technical levels of inventions and their disclosures,
  3. “valuable”: so as to be recognized around the world.
Quality Management Measures

Key component of quality management

- To provide higher quality examination results

Quality assurance
Maintenance and enhancement of examination quality

Quality verification
Understanding of examination quality

External evaluation
Objective evaluation on quality management system

Examples of Main Measures
- Director’s Check (Approval)
- Consultation between examiners
- Quality Audit
- User Satisfaction Survey
- “Subcommittee on Examination Quality Management”

Evaluation on the examination quality for domestic patent applications (FY 2014 User Satisfaction Survey)

- Satisfied 47.0%
- Neutral 44.0%
- Dissatisfied 8.9%
- Somewhat Satisfied 44.4%
- Somewhat Dissatisfied 8.4%
- Satisfied 2.7%
- Dissatisfied 0.5%

Around 83,000 cases per year (in FY2014)

Examiner in charge Examiner in consulting

FY2014 Consultation

The 4th Subcommittee on Examination Quality Management
In line with corporate business activities, examiners will collaboratively conduct examinations.

- JPO and USPTO agreed to enhance cooperation in patent examination.
- The US-JP CSP is a joint work sharing pilot program, through which the Offices intend to conduct searches on corresponding counterpart patent applications in serial and share the search results.
- The collaboration may serve as a driving force to improve patent quality and facilitate examination of patent applications.
1. Revision to the Patent Act
- Establish a New Opposition System for Patent Rights
  - Any person may file oppositions
  - Documentary proceedings only
  - Limited to within the first 6 months

2. Revision to the Design Act
- Develop and revising provisions necessary for Japan’s accession to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs

3. Revision to the Trademark Act
- Add protection of new types of trademarks such as “color” and “sound”

Sample claims:
- Color Trademark
  - 7- Eleven
  - Registered in Australia
- Sound trademark
  - Hisamitsu Pharmaceutical
  - Registered in Europe
Thank you!