

Hague Study Visit (Viet Nam)

Session 7

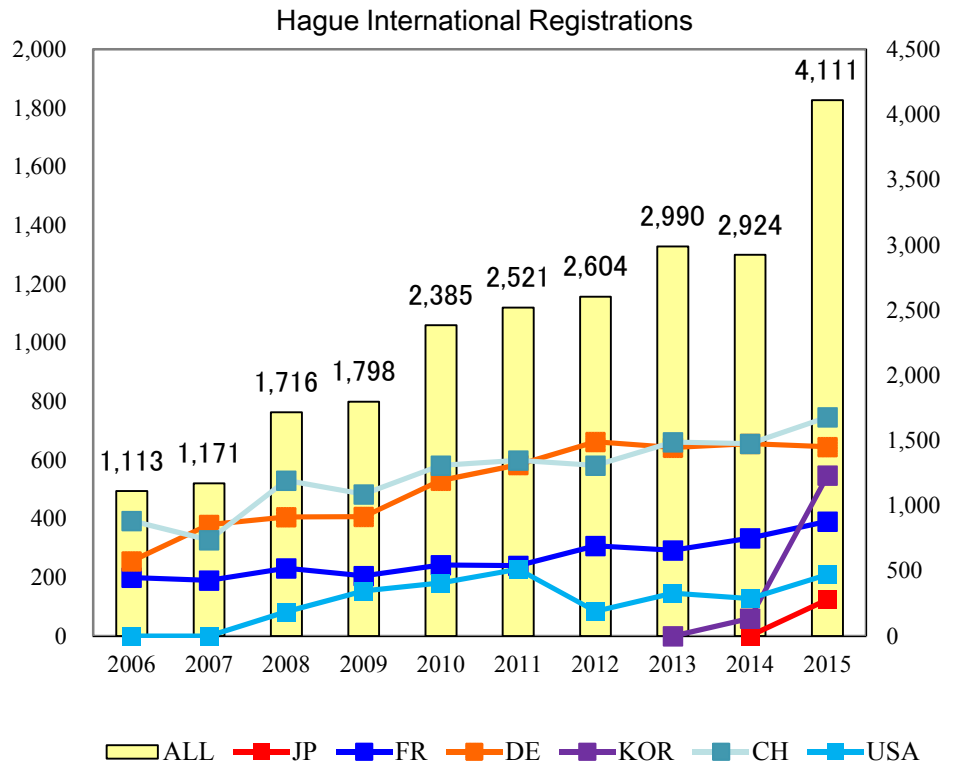
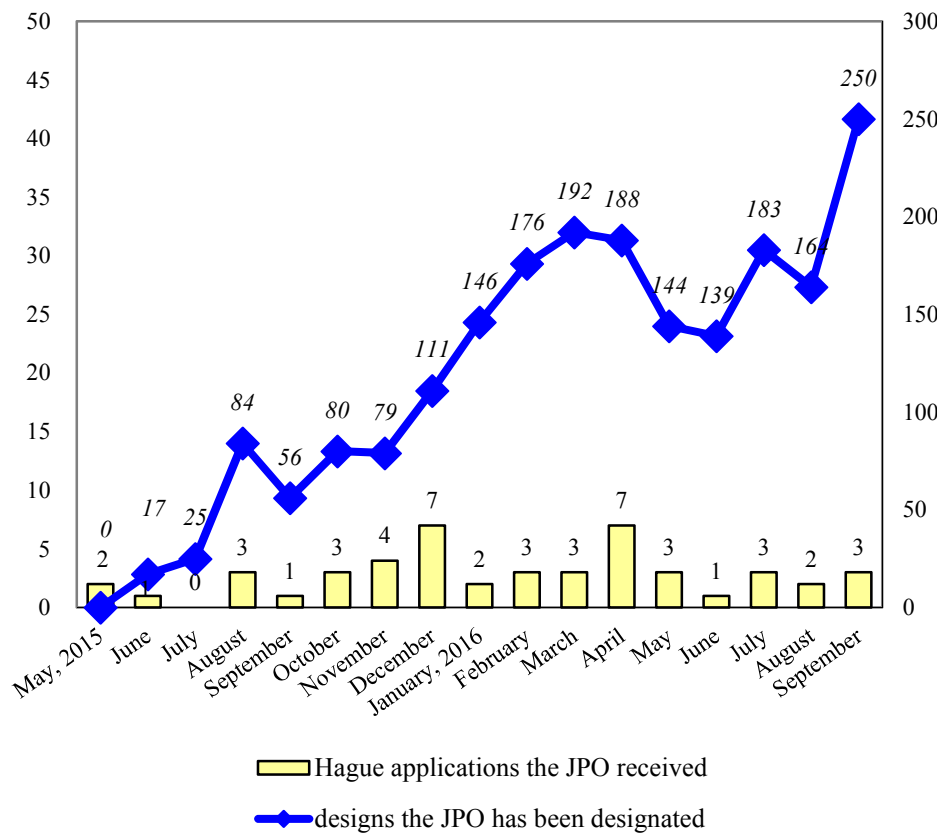
Operational Workflow in the JPO acting as the Office of Contracting Party

November 30, 2016

Mayako Oe
Japan Patent Office

1-1. Statistics

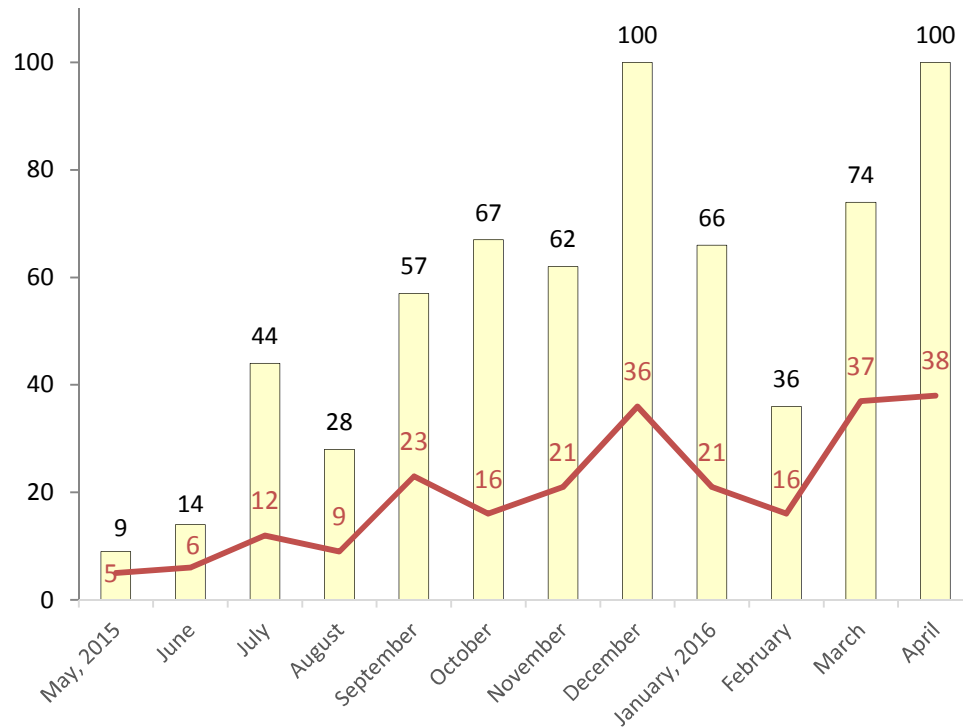
- 48 Hague applications, the JPO received from May 13, 2015 to September 30, 2016
- 2,034 designs, the JPO has been designated since May 13, 2015



Source: WIPO Statistics

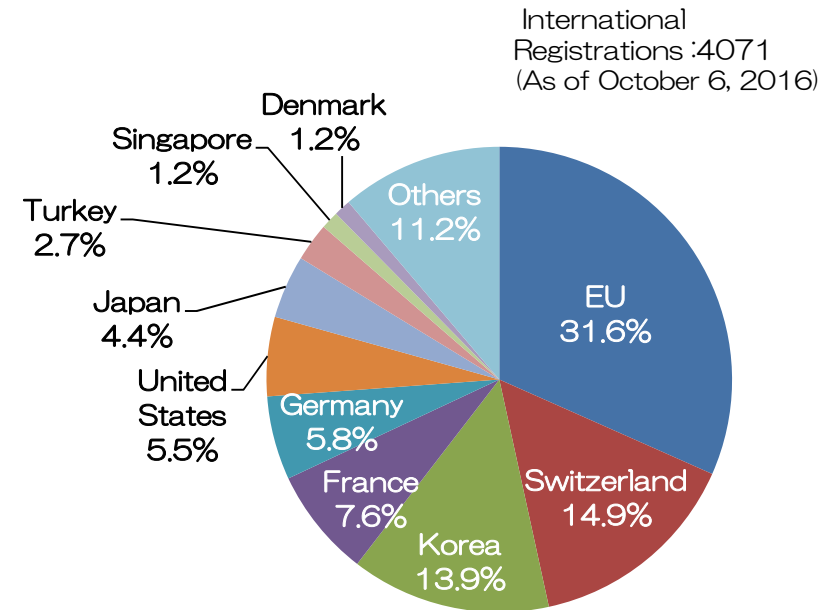
1-2. Statistics

█ Designs in International applications by contracting party of the holder
— International applications by contracting party of the holder



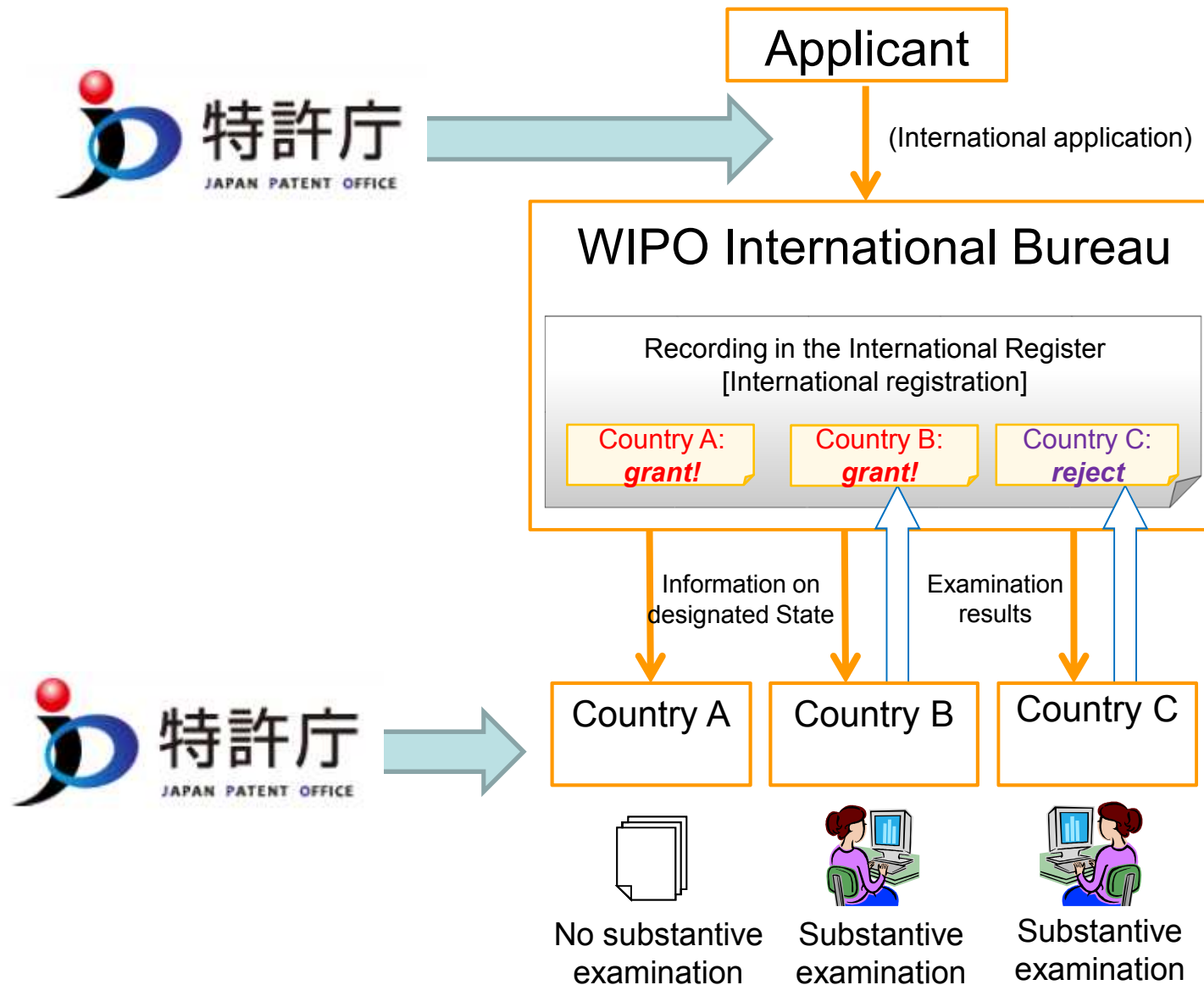
Source: WIPO Statistics

Designs in international applications by Contracting Party of the Holder
 (May 13, 2015 ~ April 30, 2016)



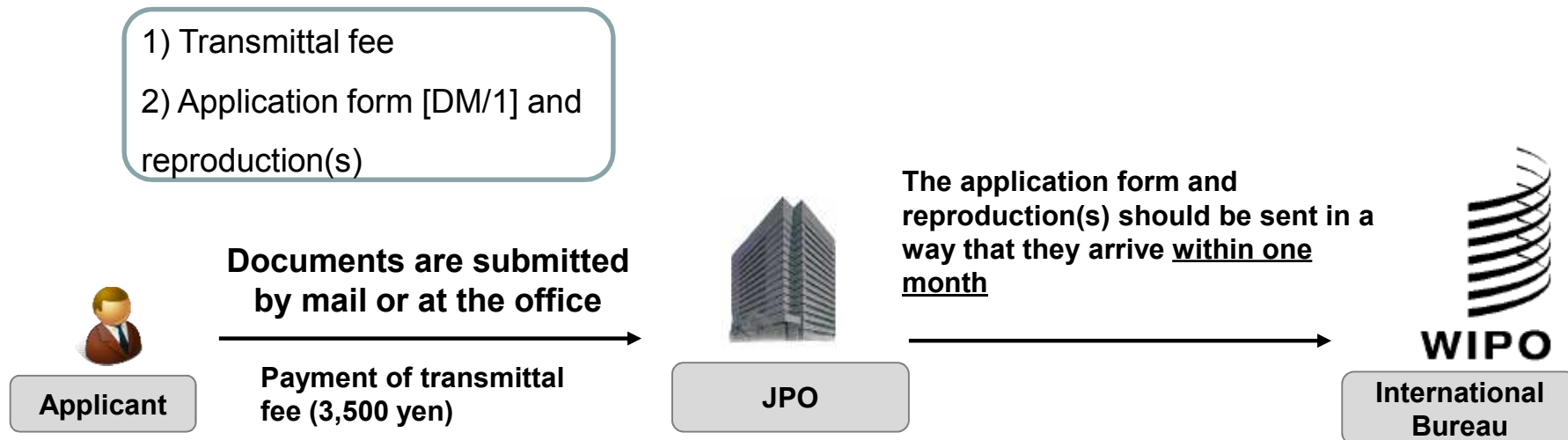
Source: WIPO Statistics

2. International Registration System under the Geneva Act



3. International Application Filed via the Japan Patent Office

- Persons entitled to file an international application (indirect filing) via the Japan Patent Office are limited to 1) Japanese nationals and 2) foreign nationals who have an address or residence in Japan (a place of business in the case of any legal entity)
- At the time of filing indirect applications, transmittal fee, application form [DM/1] and reproduction(s) are to be submitted.
- Apart from the fees payable to the International Bureau, a payment of 3,500 Japanese yen is to be made directly to the JPO as a transmittal fee under Article 67(1)(iv) of the revised Design Act.



4. International Application Filed via Electronic Filing (E-filing)

Major advantages and benefits of E-filing

➤ Checks information entered

Reminders concerning designated Contracting Parties such as the restrictions on deferment of publication

➤ Reduces publication fee

It is not required to pay a publication fee for the second page and later pages where there are a number of reproductions (views and photographs).

➤ Saves application forms in progress

It is possible to stop and resume filing in an application form.

➤ Uses information in already sent application form saves application forms in progress

It is possible to use bibliographic information such as the applicant's name and address from own filing history.

➤ Automatically calculates fees

➤ Accepts credit-cards to pay fees

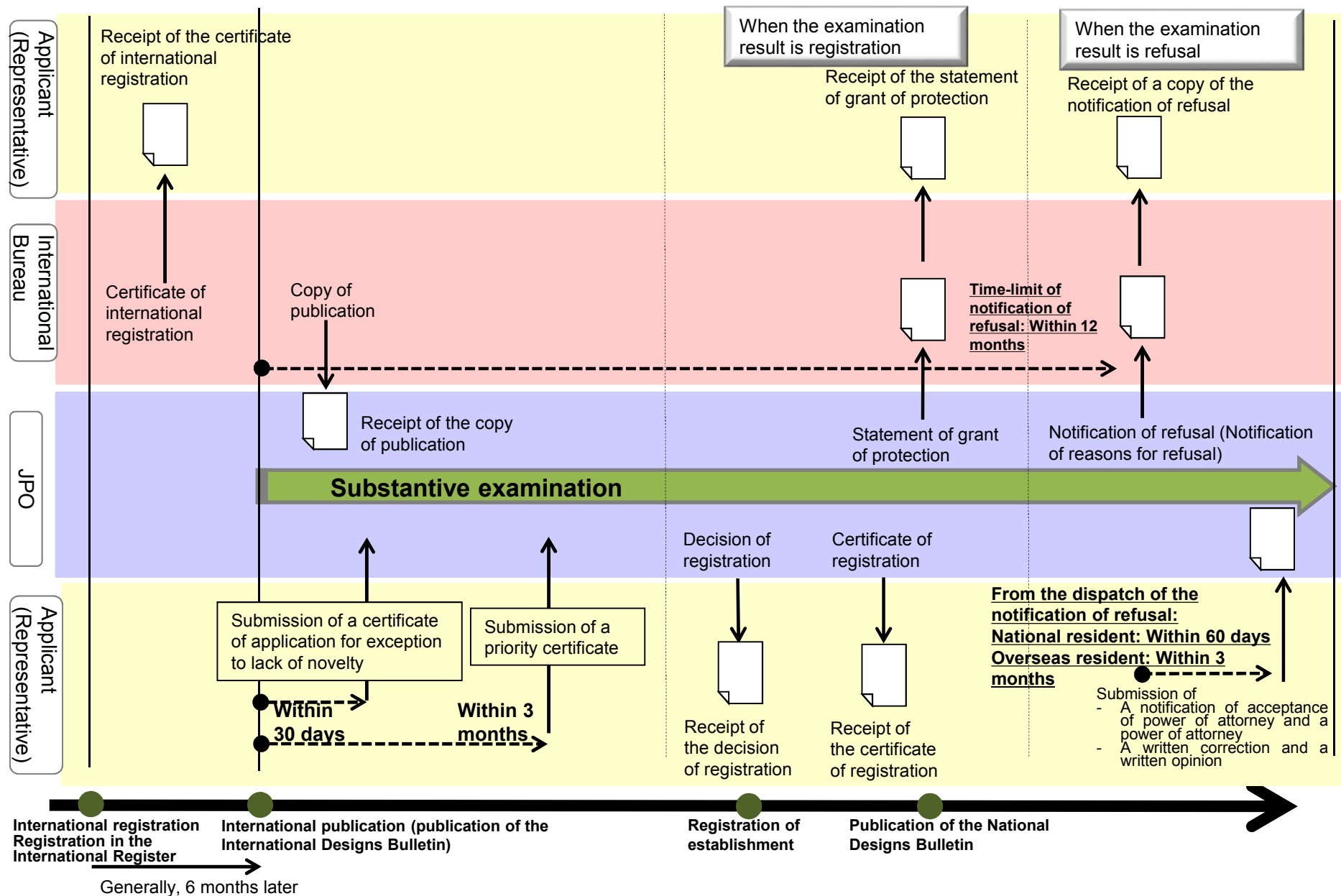



※ Provisional translations of the E-filing interface provided by WIPO are available on the JPO website.

5. Procedures before the Japan Patent Office as a Designated Office

Nov, 2016

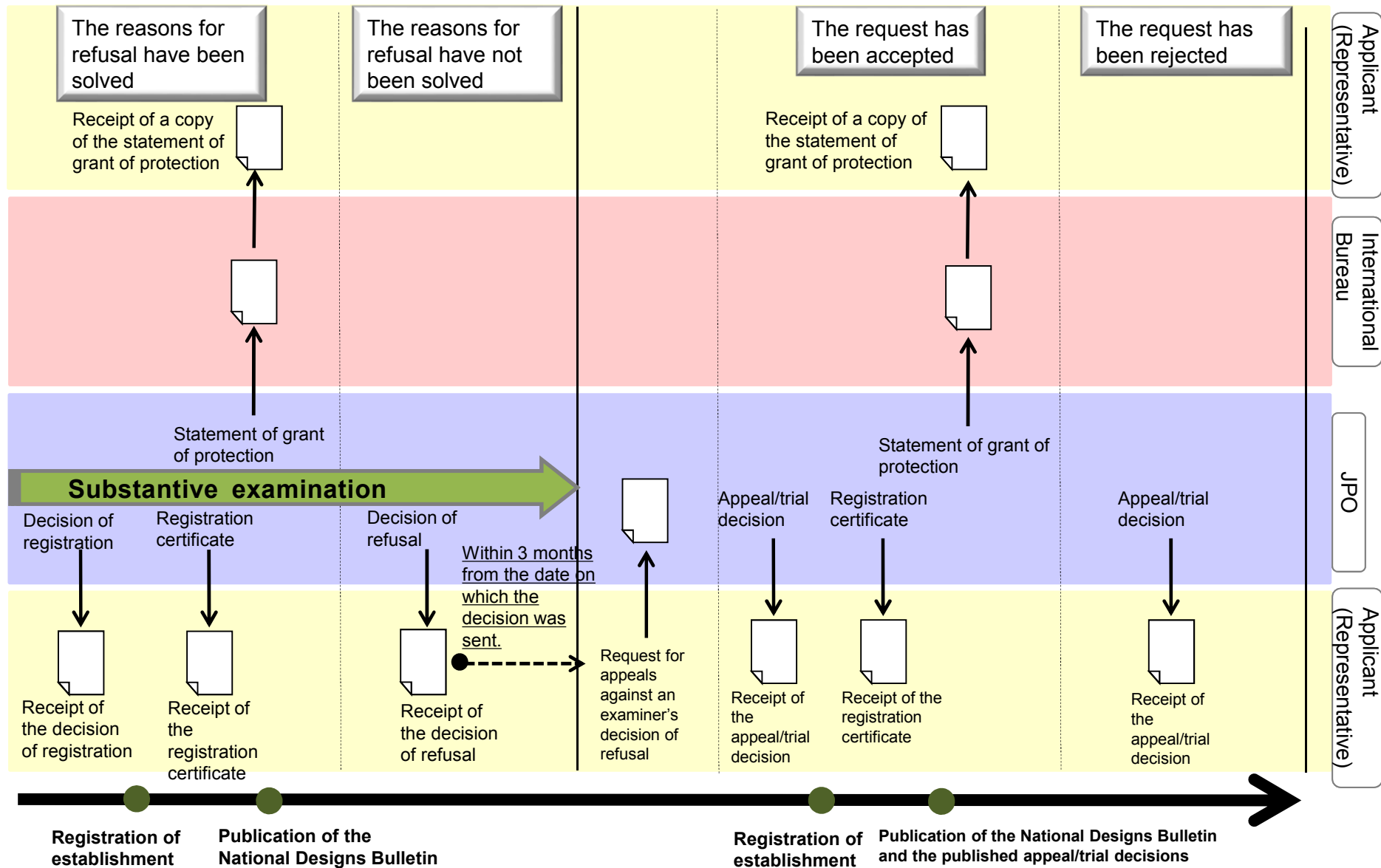
~ Outline of Procedures (1/2) ~



6. Procedures before the Japan Patent Office as a Designated Office

Nov, 2016

~ Outline of Procedures (2/2) ~



7. Publication of National Industrial Designs Bulletin and Management of the National Register

Nov, 2016



- National Industrial Designs Bulletin
 - A Designs Bulletin similar to national applications is issued in order to facilitate prior design searches on design rights based on international registrations.

- National Register
 - Design rights based on international registrations are examined in the same way as design rights based on national applications in the National Register.

National Register

- Establishment of design rights
- Transfer of design rights
- Extinction of design rights (for reasons other than the expiration of term)
- Extinction of design rights (Expiration of term)
- Establishment of exclusive licenses
- Establishment of pledges, etc.

- These are reproductions of items to be registered in the International Register. Transfer and extinction (for reasons other than the expiration of term) of design rights on which the international registrations are based depend on information registered in the International Register.

[Article 60-19]

■ Thank you