
Topic 10: Case Study 2
Examination in National/Regional Phase

JAPAN PATENT OFFICE

1. Introduction

2. Evaluate novelty and inventive step

for claims in national stage with cited documents in ISR

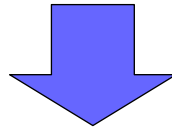
- Brief explanation
- Group Work
- Discussion

3. How to conduct additional searches, when needed.

4. Summary

What we will learn today

- Claims were not amended after ISR was made
(National stage claims = International stage claims)
→ You have already learned in Topic 8



- Claims were **amended** after ISR was made
(National stage claims \neq International stage claims)
→ (What you will learn today)

1. A superimposition information presentation apparatus which superimposes information in association with an image and presents the image having the superimposed information, said apparatus comprising:
 - an image obtaining unit configured to obtain an image;
 - an analysis unit configured to analyze the obtained image and to extract related information that relates to superimposed data;
 - a server information storage unit configured to store plural items of superimposed data;
 - a superimposition data selection unit configured to identify the to-be-superimposed information among the plural items based on the extracted related information;
 - a superimposing unit configured to superimpose the identified information on the obtained image and;
 - to present the image having the superimposed information.

2. The superimposition information presentation apparatus according to Claim 1, wherein the related information is URL information for accessing a server, and the plural items of superimposed information are obtained from the server and stored in the server information storage unit.

Question 1

What to do first to efficiently evaluate novelty and inventive step for amended claims?

Question 1

What to do first to efficiently evaluate novelty and inventive step for amended claims?

Answer 1

Evaluate novelty and inventive step for amended claims
with cited documents in ISR

Question 2

When novelty or inventive step is not denied
with cited documents in ISR, what to do next?

Question 2

When novelty or inventive step is not denied
with cited documents in ISR, what to do next?

Answer 2

Confirm what kind of additional documents are need and
conduct additional search.

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Group work

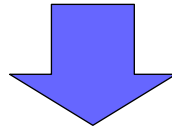
Evaluate novelty and inventive step for amended claims **with cited documents in ISR**

- Filling out the work sheet for case study 2

- Let's compare our results and discuss them.
 - Claim 1
 - Are all technical elements in each claimed invention disclosed ?
 - If there are any points which are not disclosed, what are the points?
 - Claim 2
 - Are all technical elements in each claimed invention disclosed ?
 - If there are any points that are not disclosed, what are the points?

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Confirm technical points which are not disclosed in cited documents in ISR (You have already done this)



Additional search should be done for the technical points

Question 3

Do you have something to keep in mind when you conduct an additional search ?

Question 3

Do you have something to keep in mind when you conduct an additional search ?

Answer 3

Additional documents must be “Y” documents

→ have to be combined with D1 or D2

- Are technical fields between D1 (or D2) and additional documents same?

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 - Brief explanation
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When claims amendments **are done** after ISR was made:

- ① Evaluate novelty and inventive step of amended claims **with cited documents in ISR**
- ② If novelty or inventive step are not denied, confirm what kind of additional documents are needed and conduct additional searches.
 - Additional documents have to be combined with cited document in ISR.
 - ※ In case all cited documents in ISR are not “X” or “Y”, you will try to deny novelty and inventive step with only additional documents.
- ③ After doing additional search, you decide novelty and inventive step of the claims.

Thank you!

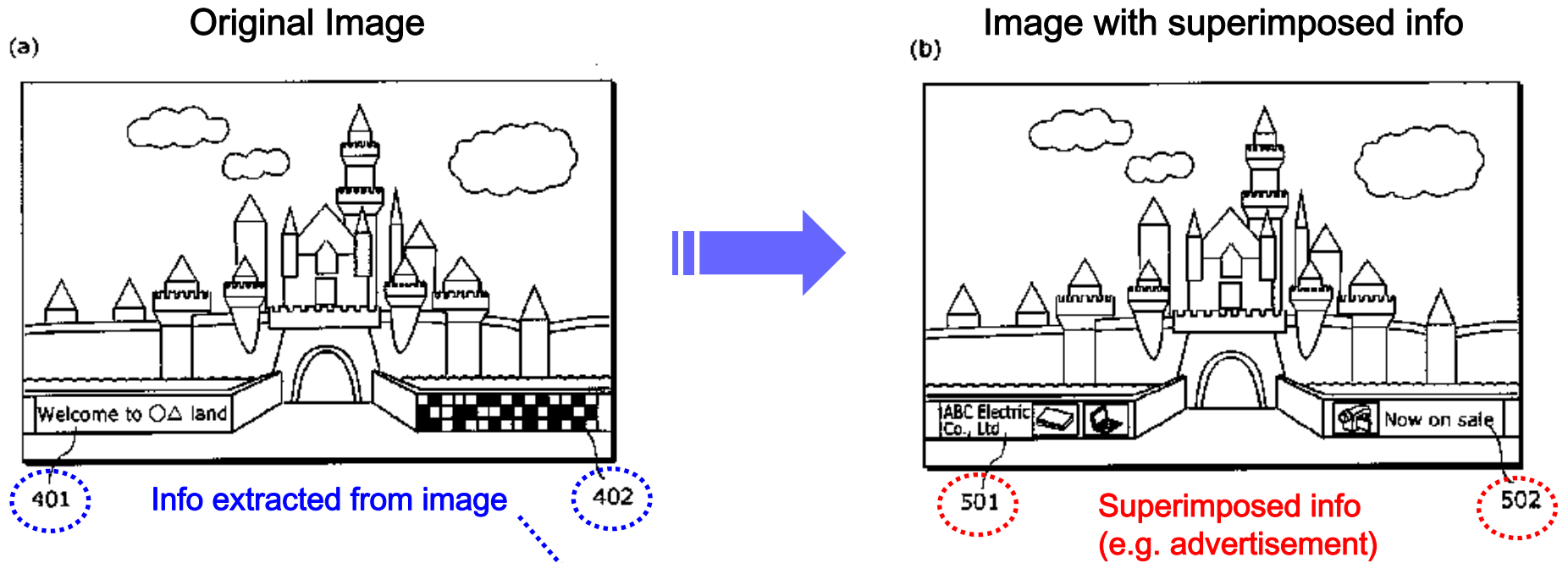
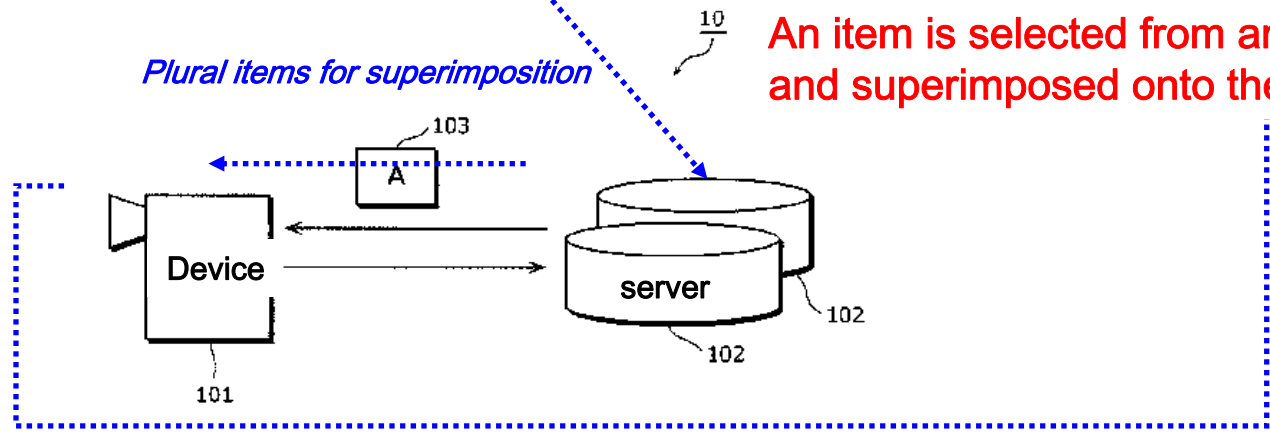


FIG. 1 URL

Plural items for superimposition

An item is selected from among multiple items and superimposed onto the original image.



Selection of an item for superimposition

Superimposition data management information

Superimposition data ID	Genre	Manufacturer	Target gender	Target age	Weather	Season	Location	...
1	Character	A	Male	10	—	—	Tokyo	...
2	Life	B	Female	40	Fine	Spring	Kobe	...
3	Character	A	Female	10	—	—	Tokyo	...
6	Sightseeing	C	Female	20	Rain	Autumn	Osaka	...
7	Food	D	Male	30	Fine	Summer	Kyoto	...
⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮

matching

Local information

1. User information

User identification	User registration information				Device Unique information		
	Gender	Age	Favorite genre	...	Manufacturer code	Key word	...
User 1	Male	28	Food/Sightseeing	...	D	—	...
User 2	Female	26	Character	...	D	—	...
⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮

2. Sensor information

- position
- time

Claims 1-3

1. Selection of an item for superimposition
2. Local information (user information)
3. Sensor information (position and time)

1. A superimposition information presentation apparatus which superimposes information in association with an image and presents the image having the superimposed information, said apparatus comprising:
 - an image obtaining unit configured to obtain an image;
 - a server information storage unit configured to **store plural items of superimposed information**;
 - a superimposition data selection unit configured to **identify the to-be-superimposed information among the plural items** based on the extracted related information;
 - a superimposing unit configured to superimpose the identified information on the obtained image and;
 - to present the image having the superimposed information.

2. The superimposition information presentation apparatus according to Claim 1, further comprising a local information storage unit configured to **store local information related to a user** of said superimposition information presentation apparatus, wherein said superimposition data selection unit is further configured to identify the to-be-superimposed information **based on the local information**.

3. The superimposition information presentation apparatus according to Claim 2, further comprising a sensor unit configured to obtain **sensor information related to position and time** of said superimposition information presentation apparatus, wherein said superimposition data selection unit is further configured to identify the to-be-superimposed information **based on the sensor information**.

PCT/JP2012/123456 Claims 1-3	D1: US 2010/335934 A1	D2: JP 2009-198012 A
1. Selection superimposed information from plural items	X [0052] - [0058]	X [0021] - [0024]
2. Selection based on the local information (user information)	X [0052] - [0058]	
3. Selection based on the sensor information	Y [0043] - [0046]	Y [0025] - [0034]

Information about additional images

Overlaying of an additional image



XX Sports is behind athletes all the way!

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	TYPE OF THE IMAGE	COLOR/TONE	MOTIF	SEASON	FITTING FRAME		USAGE NUMBER
					NUMBER	SHAPE	
ADDITIONAL IMAGE A1	DECORATIVE IMAGE	WARM COLOR	FLOWER	SPRING	—		3
ADDITIONAL IMAGE A2	DECORATIVE IMAGE	WARM COLOR	ANIMAL	ALL	—		4
ADDITIONAL IMAGE A3	DECORATIVE IMAGE	WARM COLOR	LANDSCAPE (MOUNTAIN)	AUTUMN	—		1
ADDITIONAL IMAGE A4	DECORATIVE IMAGE	WARM COLOR	LANDSCAPE (JUNGLE)	SUMMER	—		4
ADDITIONAL IMAGE B1	MARK IMAGE	BROWN	CONSTELLATION (CAPRICORN)	WINTER	—		4
ADDITIONAL IMAGE B2	MARK IMAGE	WHITE	CONSTELLATION (AQUARIUS)	WINTER	—		3
ADDITIONAL IMAGE C1	TEMPLATE IMAGE	WARM COLOR	EGG	ALL	1	ROUND	2
ADDITIONAL IMAGE C2	TEMPLATE IMAGE	PLANE WHITE	—	ALL	4	SQUARE	1

1. User profile information

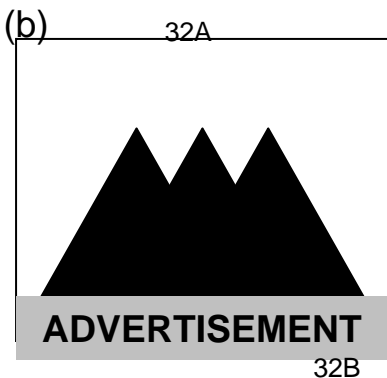
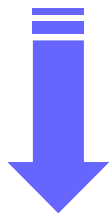
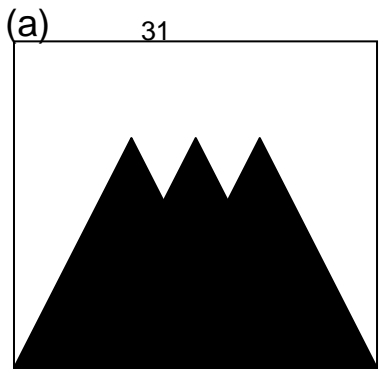
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CUSTOMER No.	NAME	SEXUALITY	BIRTHDAY	HOBBY	FAVORITE SPORTS	FAVORITE COLOR	FAVORITE TONE	FAVORITE TASTE
1	JOHN WILLIAMS	MALE	JUL.27/1950	MOUNTAIN CLIMBING	SOCCER	BLUE	COOL COLOR	CONSERVATIVE
2	DAVID JOHNSON	MALE	JUL.01/1955	WATCHING MOVIE	BASEBALL	YELLOW	WARM COLOR	CONSERVATIVE
3	MICHEL SMITH	MALE	JAN.01/1960	FISHING	SWIMMING	GREEN	WARM COLOR	VIVID
4	LISA JONES	FEMALE	APR.20/1965	FLOWER ARRANGEMENT	MARATHON	RED	WARM COLOR	VIVID
5	A SOCCER CLUB	—	—	—	—	—	—	—

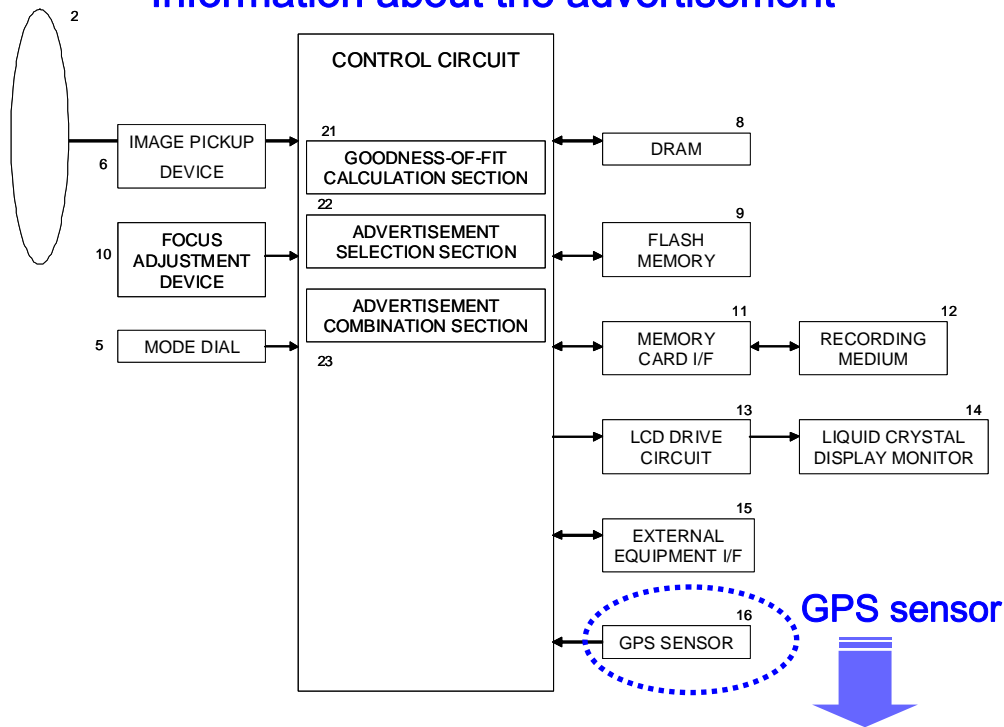
2. Feature information (analyzing images)

- tone
- main subject
- color

Overlaying of an advertisement



Information about the advertisement



	MODEL RANK	DATE AND TIME OF SHOOTING	SHOOTING MODE	SHOOTING LOCATION
ADVERTISEMENT A	0	70	20	10
ADVERTISEMENT B	80	0	20	0
ADVERTISEMENT C	0	80	20	0
ADVERTISEMENT D	40	10	0	50
ADVERTISEMENT E	10	10	40	40
ADVERTISEMENT F	10	10	50	30