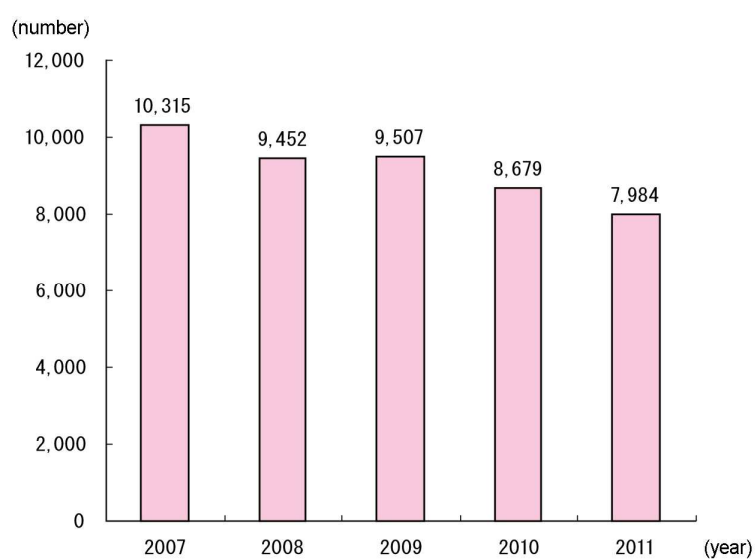


## Newsletter / IP Japan

### Current Situation of Utility Model Registration In Japan

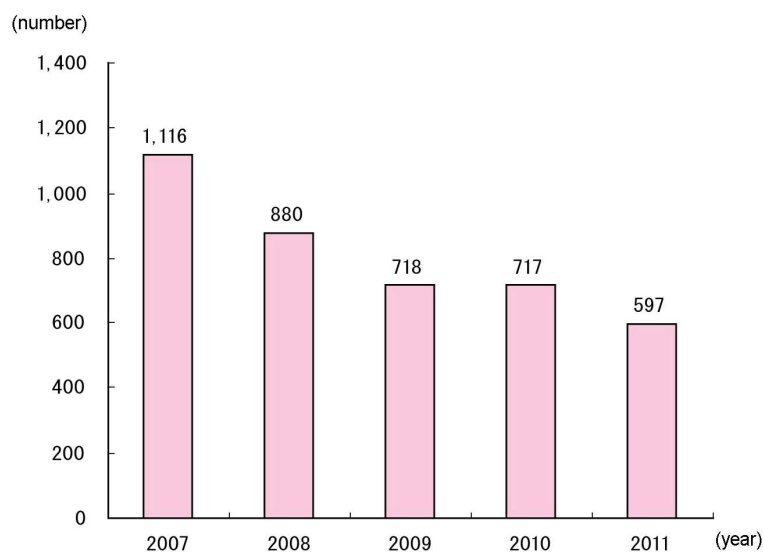
#### 1. Statistics on applications in Japan

Changes in the Number of Applications for Utility Model Registration



(Source) Statistics/References vol. Chapter 1, 3.

Changes in the Number of Preparations for Registrability Report



(Source) JPO

### **(1) Changes in the number of applications for utility model registration in Japan**

After switching to new utility model system that is a non-examination system in 1994, the number of applications for utility model registration has gone down year by year. In response to this situation, for enhancing convenience of the system, the revised Japan Utility Model Law came into effect as from April 2005 based on the main points, i.e., i) Extension of term of utility model right, ii) Reduction of utility model registration fees, iii) Expansion of acceptable scope of correction and iv) Introduction of patent application system where a patent application can be filed based on a registered utility model. Following the enforcement of this revised utility model system, the number of applications for utility model registration came to 11,386 in 2005 and it went up by 43% from 2004. After that, the number has gone down every year and it was 7,984 in 2011.

### **(2) Changes in the number of preparations for registrability report**

In a new utility model system without conducting any substantive examination, it is mandatory for the owner of a utility model right or exclusive licensee to give a warning in the form of a report of technical opinion as to registrability of the utility model (registrability report), in exercising his/her right (Article 29<sup>bis</sup> of the Utility Model Law). For this technical opinion that serves as materials helping parties concerned make a determination on the registrability of utility model, the Examiner shall establish the opinion as to the novelty, an inventive step and so on of a utility model as filed, and notify the opinion in the form of a report to a person who has made a request for that report (Article 12, and 13 of the Utility Model Law).

The number of preparations for registrability report has been decreasing every year, and it was 597 in 2011 (down 17 % from 2010).

The Number of Applications for Utility Model Registration and the Number of Preparations for Registrability Report

	2004	2005	2006	2007	2008	2009	2010	2011
Number of applications for utility model registration <sup>1)</sup>	7,983	11,386	10,965	10,315	9,452	9,507	8,679	7,984
Number of preparations for registrability report <sup>2)</sup>	1,061	1,261	1,032	1,116	880	718	717	597

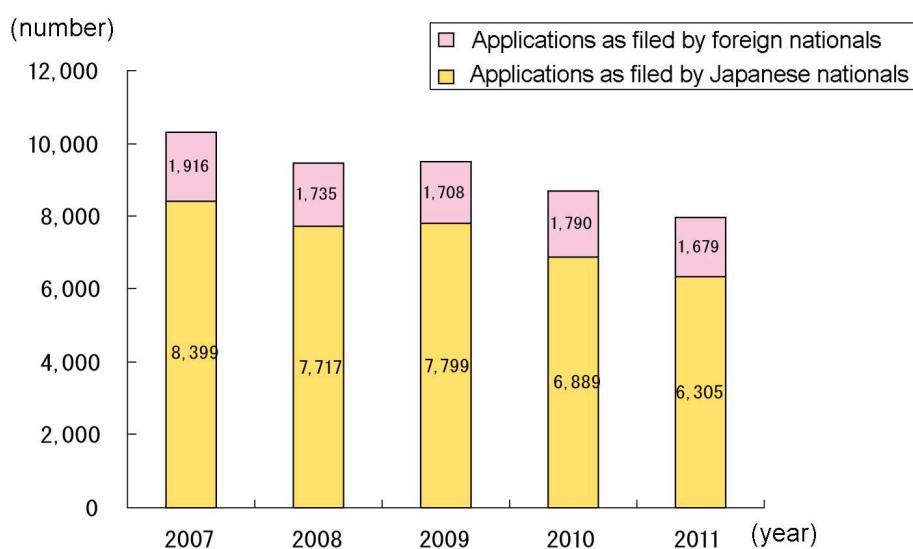
(Source) 1: Statistics/References vol. Chapter 1, 3.

2: JPO

## **2. Structure of the applications for utility model registration in Japan, China, and Korea**

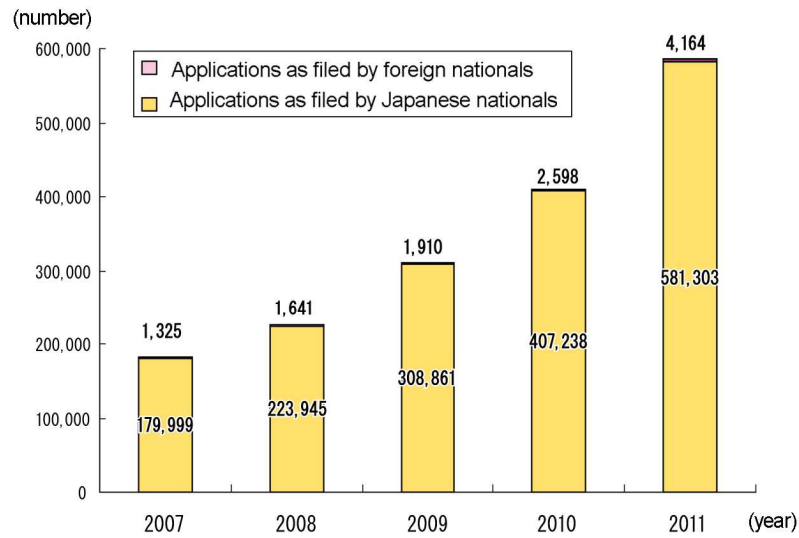
The number of Utility model applications has been decreasing in Japan and in Korea whereas the number of applications in China has been increasing significantly. Utility model applications as filed by nationals in 2011, amount to approximately 0.006M (6,000) in Japan, 0.58M (580,000) in China and 0.011M (11,000) in Korea. The percentage of applications as filed by foreign nationals in the total number of applications for utility model registration has kept nearly 20% in Japan and nearly between 2 and 3% in Korea. The number of applications as filed by foreign nationals in China has been increasing per se, however the number of applications as filed by Chinese nationals has been increasing significantly, and thus the percentage of applications as filed by foreign nationals has declined relatively.

Structure of the Applications for Utility Model Registration in Japan



(Source) Statistics/References vol. Chapter 2, 4. (2)

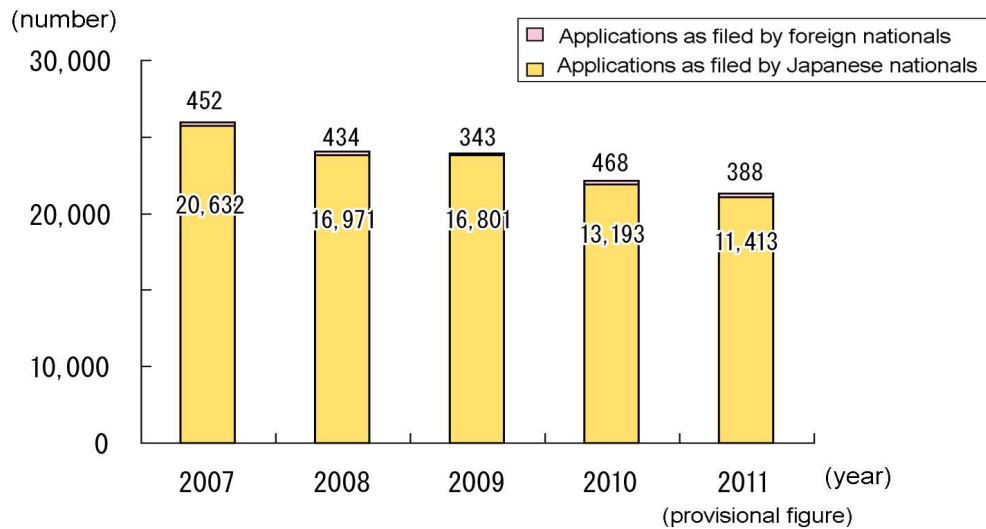
### Structure of the Applications for Utility Model Registration in China



(Note) "Applications as filed by Chinese nationals" includes the number of applications as filed from Republic of China (Taiwan) to the SIPO. The number of applications as filed from Taiwan is 9,627 in 2011.

(Source) SIPO Annual Report, SIPO's web site

### Structure of the Applications for Utility Model Registration in Korea



(Source) 2006-2010: KIPO Annual Report  
2011: References provided by the KIPO (provisional figure)

(end)

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