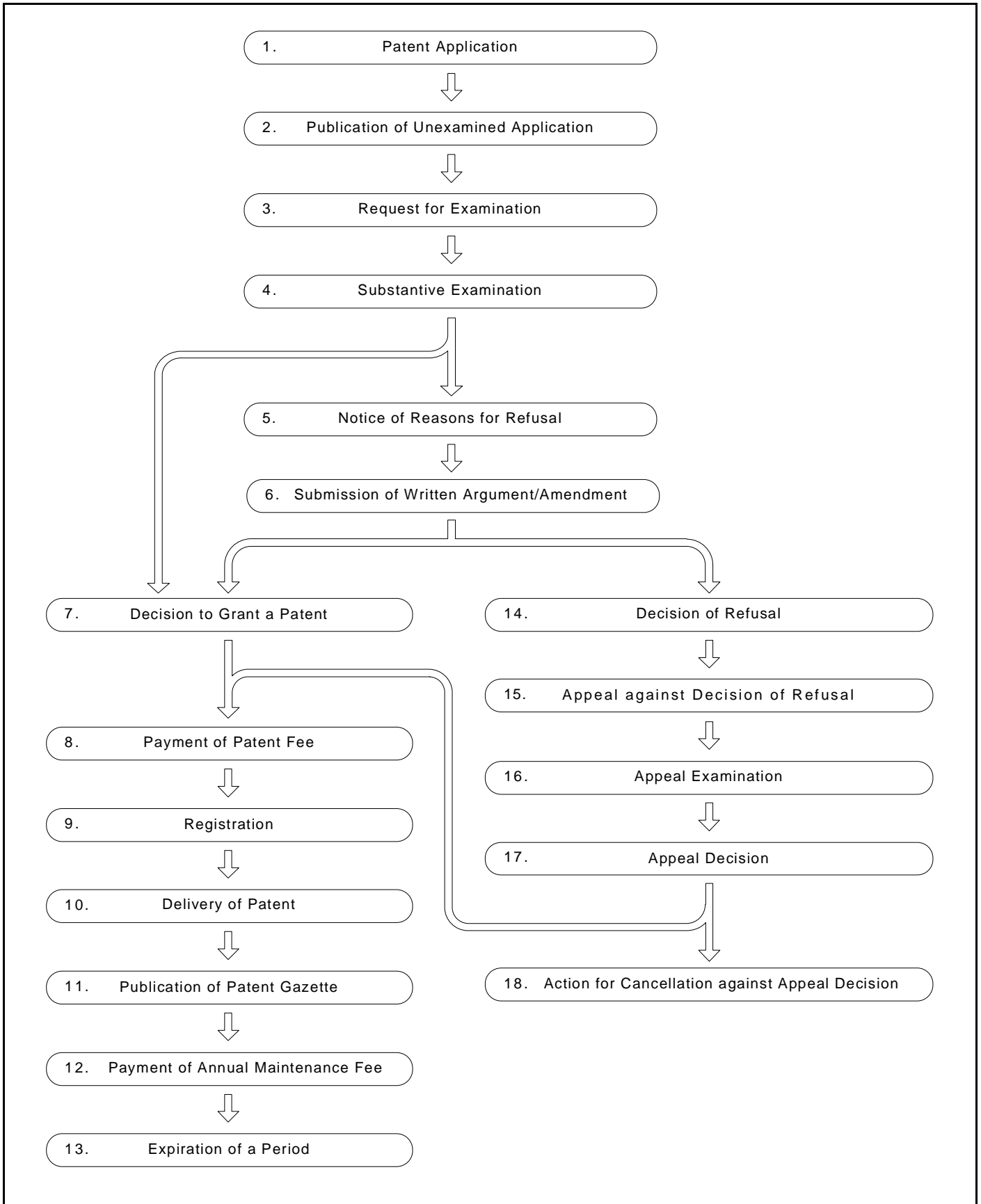


○ Patent Grant Procedure ○



ECHIZEN Intellectual Property Office

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1. Patent Application

A patent right cannot be obtained unless it is applied for, or you submit necessary documents to Japan Patent Office(JPO).

It usually takes about 1 month for us to prepare an application document.

Official Fee: JPY 15,000
Attorney Fee: JPY 200,000 - 400,000

2. Publication of Unexamined Application

The JPO will publish the content of an application in the Official Gazette after 18 months have elapsed from the date of filing.

3. Request for Examination

You should file a request for examination within a period of three years from the filing date, otherwise an application will automatically be regarded as withdrawal and cannot be patented thereafter.

Official Fee: JPY 172,600 - [JPY 168,600+ JPY 4,000 × (number of claims)]
Attorney Fee: JPY 10,000

4. Substantive Examination

An examination will be carried out by an examiner of the JPO, who will decide whether or not the claimed invention should be patented, normally one or two years from the request.

5. Notice of Reasons for Refusal

If the examiner finds reasons for refusal, a notification of this result will be sent to the applicant.

6. Submission of Written Argument/Amendment

An applicant who has received the notice of reasons for refusal shall be given an opportunity to submit either a written argument claiming that the invention differs from the prior art to which the notice of reasons for refusal refers, or an amendment of the claims in the case that this would nullify the reasons for refusal, within a period of 60 days.

Official Fee: JPY 0
Attorney Fee: JPY 100,000 - 200,000

7. Decision to Grant a Patent

If the examiner doesn't find any reason for refusal, a decision to grant a patent as a result of the examination, notice of allowance will be sent to the applicant.

Attorney Fee: JPY 100,000

8. Payment of Patent Fee

You should pay the patent fee for 3 years within the period of 30 days from the date of receipt of the notice of allowance. If you fail to pay the fee within such a period, the patent right doesn't take effect.

Official Fee: JPY 7,500 - [(JPY 2,300+ JPY 200× (number of claims)) × 3 years]
Attorney Fee: JPY 10,000

9. Registration

The patent right will come into effect as it is entered in the Patent Register. After that, the owner of a patent may require the third parties who use the patented invention without permission to discontinue or may claim damages.

10. Delivery of Patent

After a patent is registered, a certificate of patent will be sent to the applicant.

11. Publication of Patent Gazette

After the registration, the contents of the patent right entered in the Register will be published in the Patent Gazette after 2 or 3 months from the registration date.

12. Payment of Annual Maintenance Fee

Since annual maintenance fees for the 1st to the 3rd year should already be paid as seen in "8. Payment of Patent Fee", annual maintenance fee for the 4th and subsequent years must be paid to JPO before the expiration of the year preceding the anniversary of the day of publication of the examined patent application. If you fail to pay the annual maintenance fee, the patent right will be extinguished upon the expiration of the term which arrives after the expiration date. For example, if you fail to pay the annual maintenance fee for the 4th year, the patent right would take effect only for three years. Payment can still be made, together with a 100% surcharge for late payment, before the expiration of six months from the anniversary of the publication date.

Official Fee

| | | |
|---------------|-------------------------|--|
| 4-6th year: | JPY 7,600 - (annually) | [JPY 7,100+ JPY 500 × (number of claims)] |
| 7-9th year: | JPY 23,100- (annually) | [JPY 21,400+ JPY 1,700 × (number of claims)] |
| 10-20th year: | JPY 66,400 - (annually) | [JPY 61,600+ JPY 4,800 × (number of claims)] |

Attorney Fee: JPY 10,000 (each payment procedurè)

13. Expiration of a Period

The patent right will come into effect through its registration, and expire 20 years from the filing date.

14. Decision of Refusal

If the examiner judges that the reasons for refusal have not been eliminated, a decision of refusal will be made.

15. Appeal against Decision of Refusal

The applicant who is dissatisfied with the decision of refusal may appeal against the decision of refusal within a period of 3 months.

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|---------------|---------------|--|
| Official Fee: | JPY 55,000 - | [JPY 49,500+ JPY 5,500 × (number of claims)] |
| Attorney Fee: | JPY 180,000 - | |

16. Appeal Examination

A notification of reasons for refusal may be sent to the applicant during the appeal examination. Please refer to "6. Submission of Written Argument / Amendment" for the procedure.

17. Appeal Decision

When it is judged as a result of appeal examination that the reasons for refusal was solved, "an appeal decision to grant a patent" is performed. Please refer to the steps from "7. Decision to Grant a Patent" for subsequent procedure. On the other hand, when the appeal examiners judge that the reasons cannot be canceled and the patent cannot be registered, an appeal decision of refusal is performec

18. Action for Cancellation against Appeal Decision

An applicant who is dissatisfied with an appeal decision of refusal of an appeal against decision of refusal may appeal to the Tokyo High Court within a period of 30 days.
An applicant who is dissatisfied with an appeal decision of refusal by the Tokyo High Court may appeal to the Supreme Court.

[Notes]

- The above is a summary of Patent Grant Procedure. Please contact us for details.
- Attorney Fee in the above table should be only used as a guide. Please contact us for more information.
- Trial for invalidation, which is the procedure to extinguish the patent right, may be requested by the third parties during the term of the patent.

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