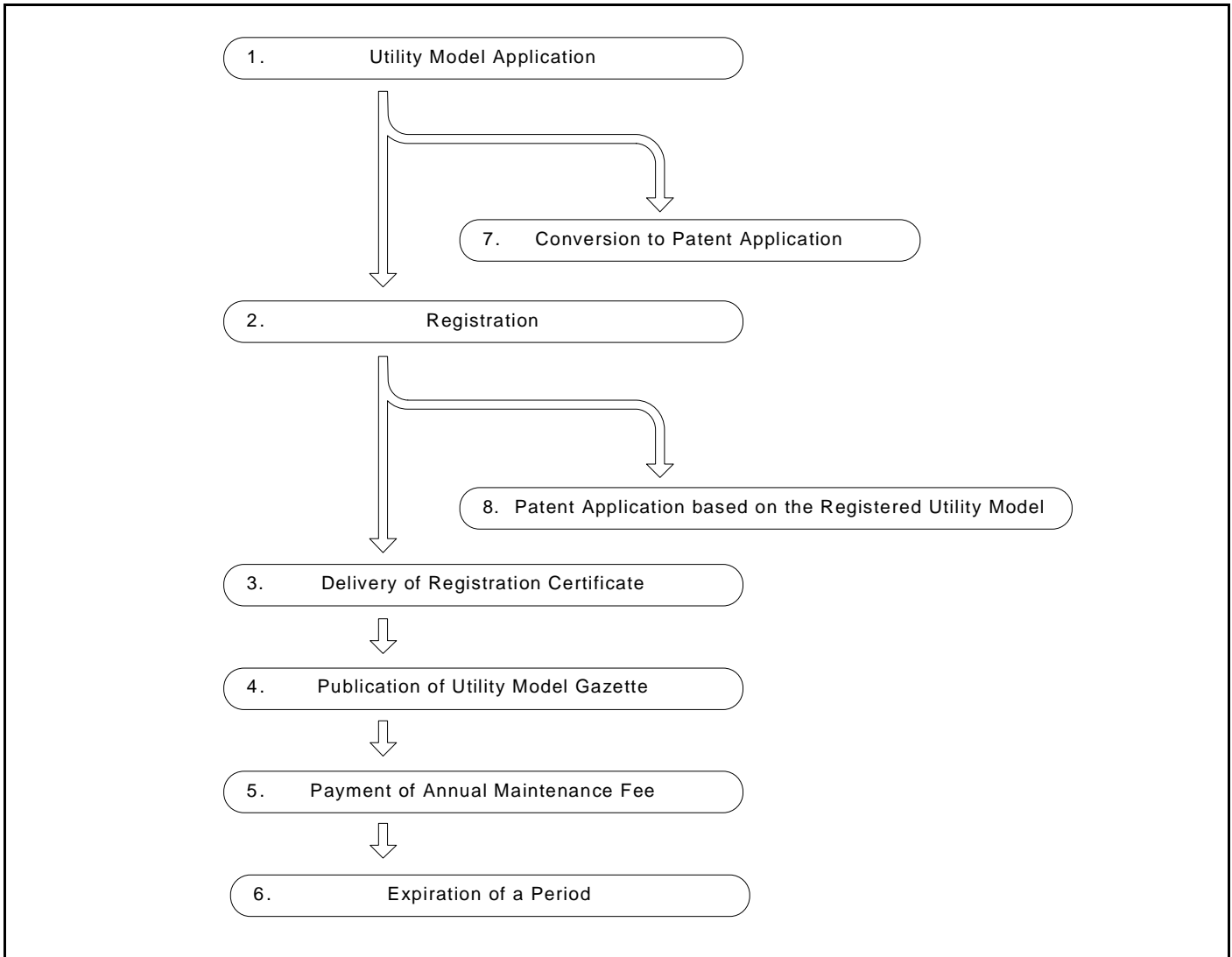


○ Utility Model Grant Procedure ○



1. Utility Model Application

A utility model right cannot be obtained unless it is applied for, or you submit necessary documents to Japan Patent Office(JPO). In contrast to patent applications, there is no system of request for examination for applications for utility model registration. For all applications which have passed the formality check as well as satisfying the basic requirements, the registration of the utility model right will be instituted without going through a substantive examination. Therefore, in addition to the application fee, registration fee for the first three years must be paid at the time of filing.

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

Official Fee

Filing: JPY 14,000

Registration: JPY 6,600- (annually) [(JPY 2,100+ JPY 100 × (number of claims)) × 3 years]

Attorney Fee: JPY 170,000 - 300,000

2. Registration

The utility model right will come into effect as it is entered in the Utility Model Register.

After that, the owner of a utility model may require the third parties who use the registered utility model without permission to discontinue or may claim damages.

However, right holder should prove the validity of registered utility model right, since utility model right is registered without substantive examination.



ECHIZEN Intellectual Property Office

Times Building 2F, 1-16-9, Shintomi, Chuo-ku, Tokyo 104-0041 Japan

TEL +81-3-6228-3770 FAX +81-3-6683-6371

3. Delivery of Registration Certificate

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

4. Publication of Utility Model Gazette

A Utility Model Gazette will be published containing the contents of the right of utility model registration in order to inform the public of its establishment.

5. Payment of Annual Maintenance Fee

Since annual maintenance fees for the 1st to the 3rd year should already be paid as seen in "1. Utility Model Application", 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 registered utility model application. If you fail to pay the annual maintenance fee, the utility model 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 utility model 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 6,400 - (annually) [JPY 6,100+ JPY 300 × (number of claims)]

7-10th year: JPY 19,000- (annually) [JPY 18,100+ JPY 900 × (number of claims)]

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

6. Expiration of a Period

The utility model right will come into effect through its registration, and expire 10 years from the filing date.

7. Conversion to Patent Application

Applications for utility model registration may be converted to applications for a patent if they are pending at the Patent Office, but within three years from the filing date.

8. Patent Application based on the Registered Utility Model

Patent application based on that registration is permitted after the utility model registration under the following requirements.

* The right of utility model which patent application is filed based on must be abandoned.

* Within 3 years from the date of filing of an application for the utility model registration.

* A petition requesting examiner's technical opinion hasn't been filed.

* 30 days haven't lapsed from the date of receipt of initial notice pertaining to a petition requesting the utility model technical opinion by a third person.

etc.

[Notes]

- The above is a summary of Utility Model 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 utility model right, may be requested by the third parties during the term of the utility model right.

Created: 2009/6/29



ECHIZEN Intellectual Property Office

Times Building 2F, 1-16-9, Shintomi, Chuo-ku, Tokyo 104-0041 Japan

TEL +81-3-6228-3770 FAX +81-3-6683-6371