Japan Patent & Trademark Update

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Issue 31
IP News & Insights

TMI Associates

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IP High Court Rules on the Scope of Patent Rights After Extension, and Awards approx. USD 140M in Damages Against Generics

- Appeal 2021 (Ne) No. 10037 ("REMITCH® Case") - / Published in Dec. 2025

Sayaka Ueno

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1. Introduction

On May 27, 2025, the Intellectual Property High Court ("**IPHC**") issued a significant ruling in a patent litigation filed by the originator pharmaceutical company against generics, alleging infringement of its patent rights during a Patent Term Extension ("**PTE**"); (2021 (Ne) No. 10037, known as the REMITCH® case).

Reversing the Tokyo District Court decision, the IPHC held that the Defendants' generic products fell within the technical scope of the patented invention and that the extended patent right validly covered the manufacture and sale of the generics, and ordered the Defendants (generic manufacturers) to pay approximately JPY 21.7 billion (around USD 140 million) in damages, drawing significant attention in the pharmaceutical and IP communities.

The key issues addressed in this judgment include the interpretation of the term "active ingredient (有効成分) " in the claim construction, the scope of a patent right after a PTE, and how the extension period should be calculated. In particular, questions surrounding pharmaceutical PTEs are governed by rules unique to Japan's patent system. This article introduces the IPHC's decision while also explaining relevant aspects of the Japanese legal framework.

2. Case Summary

Plaintiff and Plaintiff's Product

The plaintiff and (later) appellant ("**Plaintiff**") is the patentee of JP Patent No. 3531170 ("**the Patent**") and the marketing authorization holder of the or iginator pharmaceutical product. The Plaintiff's originator product ("**Plaintiff's Product**") discussed in this case is "REMITCH® OD Tablets 2.5 μg", for which the description in the package insert is *"active ingredient* (有効成分)*: nalfurafine hydrochloride 2.5 μg (2.32 μg as nalfurafine) per tablet"*.

Defendants and Defendants' Product

The accused products ("**Defendants' Product**") are "Nalfurafine Hydrochloride OD Tablets 2.5 μg / [company name of each Defendant]". They are generics of the Plaintiff's Product, each containing nalfurafine hydrochloride 2.5 μg as the active ingredient (note: the description in the package insert is *"active ingredient* (有効成分) *per tablet: nalfurafine hydrochloride 2.5 μg (2.32 μg as nalfurafine)"*).

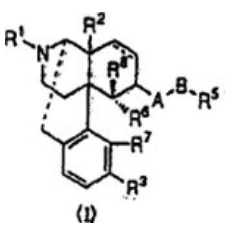
Plaintiff's Claim

The Plaintiff alleged that the manufacture and sale of the Defendants' Product infringed the Patent, for which a PTE had been registered. The Plaintiff therefore sought damages against the Defendants.

Patent Invention

The invention at issue ("**the Patent Invention**") was Claim 1 of the Patent, which recites as follows:

*"An antipruritic agent comprising, as its **active ingredient**, an opioid κ receptor agonist compound represented by the general formula (I)".*



(I)

The structural formula (I) depicts the free form of nalfurafine.

PTE Registration

The Patent was granted a PTE registration (PTE Application No. JP2017-700154, "**the PTE Registration**") based on the marketing authorization ("**the Underlying MA**") issued on March 30, 2017 for the Plaintiff's Product. The PTE Registration extended the patent term by approximately 4 years and 11 months (from the original November 2017 expiration to around October 2022). By the time of the IPHC decision, the extended term had already expired, and therefor ot at issue on appeal.

In the first instance, the Tokyo District Court found no infringement and dismissed the Plaintiff's claims. The Plaintiff appealed to the IP High Court, which led to the present decision.

3. The Tokyo District Court denied infringement in the first instance

In the first instance, the parties argued several issues, including the scope of the patent right after PTE. T he District Court focused primarily on the interpretation of the claim language, in particular the term "active ingredient (有効成分)", and adopted the following construction:

- The term "active ingredient (有効成分)" in the claim refers to the active pharmaceutical ingredient (原薬) ("**API**") that serves as the basis for formulating the final drug product by adding excipients. In other words, the free form of nalfurafine should be regarded as the API to formulate the antipruritic agent of the Patent Invention; and
- A formulation using a salt form of nalfurafine as the API does not fall within the claimed scope of the Patent Invention.

On this basis, the District Court held that the Defendants' Product, formulated using nalfurafine hydrochloride as the API, did not fall within the literal scope of the claimed invention and therefore did not infringe the Patent. The Plaintiff's claims were dismissed (Tokyo District Court, Mar. 30, 2021).

The District Court reasoned that, based on evidence literature, drug formulations in the pharmaceutical field commonly employ APIs in the form of free-base crystals or crystalline hydrates and salts, to which excipients are added to obtain the final dosage form. Accordingly, a person skilled in the art, upon reading the specification of the Patent ("**the Specification**") that concerns an invention relating to "an active ingredient" to formulate "an antipruritic agent", would ordinarily understand the term "active ingredient (有効成分)" to refer to the API used as the basis for formulating the drug. On this basis, the court denied literal infringement.

The District Court also rejected infringement under the doctrine of equivalents ("**DOE**"). It noted that the Specification expressly discloses, in addition to the compound described in the Patent Invention, pharmaceutically acceptable acid-addition salts thereof, also explicitly describing specific examples of such salts (such as hydrochloride, sulfate, and nitrate salts). The court found that this demon strated an intentional exclusion of the salt forms from the claimed scope, thereby failing the fifth requirement of the Japanese DOE test (the "no intentional exclusion" requirement). Accordingly, DOE infringement was denied.

For reference, the Japanese DOE, developed through case law, requires the following five elements to be satisfied:

[cf. Five requirements for DOE infringement under Japanese case law]

(i) The differing element is not an essential part of the patented invention.

(ii) With respect to the differing element, the patented element can be replaced with the corresponding element of the accused product while still achieving the purpose of the patented invention and producing the same function and effect.

(iii) A person skilled in the art, at the time the accused product was made, could have easily conceived such a replacement.

(iv) The accused product was not publicly known or used at the time of filing.

(v) The differing element used in the accused product is not someth ing that was intentionally excluded from the claimed scope during prosecution.ingredient (有効成分)" to refer to the API used as the basis for formulating the drug. On this basis, the court denied literal infringement.

4. The IP High Court reversed the first instance decision

In contrast to the District Court, the IPHC held that:

- the Defendants' Product falls within the technical scope of the patented invention;
- the extended patent right, after the PTE Registration, validly covers the manufacture and sale of the Defendants' Product; and
- the PTE Registration itself is valid.

On grounds including these, the IPHC overturned the first instance and found infringement of the Patent.

Sections 5–7 below provide a detailed overview of the IPHC's reasoning on each point.

5. Claim interpretation of "Active Ingredient (有効成分)" in the IPHC ruling

In its construction of the claim language, the IP HC adopted the interpretation that the claimed term "active ingredient (有効成分)" refers to "the substance that dissolves in the body (in the bloodstream) and exerts the pharmacological effect".

The IPHC's reasoning may be summarized as follows (i–v):

(i) Although Claim 1 does not employ the expression "κ receptor agonist compound or its salt" as the active ingredient, the Specification describes "opioid κ receptor agonists" as "morphinan derivatives exhibiting opioid κ receptor agonistic activity or their pharmaceutically acceptable acid-addition salts", and contains references such as "opioid κ receptor agonist compound represented by general formula (I)" and its "acid-addition salts". Also, in Example 9, the Specification mentions "morphinan hydrochloride 7, … a selective κ receptor agonist opioid compound" without strictly distinguishing between the compound and its acid-addition salts.

(ii) The evidence literature shows that, around the time of filing of the Patent, the term "active ingredient (有効成分)" was generally used in the field to refer to the chemical substance that dissolves in the body (in the bloodstream) and exhibits the pharmacological effect. There is no basis in the Specification to apply a different interpretation.

(iii) It is true that, from the standpoint of formulation development, the salt form of a compound may be used as the API to obtain the desired solubility or stability, and such salt forms may be referred to as the "active ingredient (有効成分)" to distinguish them from excipients. However, the added salt moiety itself does not exert the pharmacological effect in the body.

(iv) The purpose of the Patent Invention is to provide an antipruritic agent comprising an opioid κ receptor agonist exhibiting rapid and potent antipruritic activity. It was common general knowledge at the time of filing that acid-addition salts were often employed to improve solubility and stability. Nothing in the Specification suggests that the salt form has any technical significance beyond improving solubility or stability. Accordingly, a skilled person would easily understand that the substance exerting the antipruritic effect is the κ receptor agonist compound itself, and that the salt form is merely a form used to improve pharmaceutical properties (solubility and stability), without altering the underlying pruritic-relieving pharmacological action. Even if salt forms may sometimes be referred to as the "active ingredient (有効成分)" in the regulatory context or drug development field to distinguish them from excipients, a skilled person would not interpret the claimed phrase "antipruritic agent comprising, as its active ingredient, an opioid κ receptor agonist compound" as excluding the salt forms from the scope of the claim, only because it does not explicitly mention salts. It would be unnatural to construe, without a rational basis, a pharmaceutical claim as intentionally excluding the commonly used salt forms that improve solubility and stability. Rather, it is easily understood from the Specification that the salt forms constitute one embodiment of an antipruritic agent comprising the claimed κ receptor agonist compound.

(v) The prosecution history does not indicate that the applicant intentionally excluded "acid-addition salts" from Claim 1.

A brief explanation of prosecution history would be useful to supplement point (v). Prior to amendment, the claims read:

- **Old Claim 1:** "An antipruritic agent comprising an opioid κ receptor agonist compound as its active ingredient".
- **Old Claim 2:** "The antipruritic agent of Claim 1, wherein the opioid κ receptor agonist compound is a morphinan derivative **or its pharmaceutically acceptable acid-addition salt**".
- **Old Claim 3**: "The antipruritic agent of Claim 2, wherein the morphinan derivative is represented by formula (I)".

In the amendment, Claims 1 and 2 were deleted, and old Claim 3 was amended to become current Claim 1. In this process the phrase "or its pharmaceutically acceptable acid-addition salt" disappeared. The IPHC noted that old Claim 3 (now Claim 1) had never been the subject of rejection, and the applicant (the Plaintiff) did not explain in the opinion letter the omission of the salt-language in the present Claim 1, and thus concluded that there was no indication of intentional exclusion.

After considering the claim language, the Specification, the prosecution history, and common general knowledge as of the filing as above, the IPHC concluded that the Patent Invention encompasses antipruritic agents in which the compound represented by formula (I), irrespective of whether it takes the salt form, dissolves in the body, is absorbed, and exerts its pharmacological effect based on its κ receptor agonistic properties. On this basis, the IPHC held that the Defendants' Product that contains nalfurafine (although in hydrochloride salt form) that dissolves in the body and exhibits antipruritic activity, falls within the technical scope of the Patent Invention.

6. The IPHC's decision on the scope of an extended patent right

The Patent at issue was subject to a PTE by the PTE Registration. Even if the Defendants' Product falls within the literal scope of the claim, the scope of an extended patent right in Japan is narrowed down pursuant to Article 68-2 of the Patent Act. Accordingly, the next step in the analysis is to determine whether the manufacture and sale of the Defendants' Product fall within the restricted scope of the patent right after the PTE.

This article first provides a brief overview of the Japanese PTE framework and the standards for determining the scope of an extended patent right provided by the 2017 IPHC Grand Panel decision of the IPHC, then explains the IPHC decision in the present case.

(1) Patent Term Extension (PTE) system in Japan

Article 67(4) of the Patent Act permits a patent term to be extended for up to five years "when there is a time period during which the patented invention could not be worked because the patentee was required to obtain a regulatory approval or license designated by Cabinet Order". A marketing authorization for pharmaceuticals constitutes such a designated regulatory approval.

The key features of Japan's PTE system are as follows:

(i) A PTE is applied for and is granted based on each corresponding marketing authorization.

(ii) A single patent may be granted with multiple PTEs. For example, two PTEs can be registered based on the initial marketing authorization as a brand-new drug and an approval for an addition of indication.

(iii) Conversely, a single marketing authorization may serve as the basis of PTE for multiple patents.

(iv) After extension, the patent right does not cover the entire claim scope. Article 68-2 of the Patent Act stipulates that the extended patent right is effective only with respect to the working of the patented invention on the item specified as the subject of the required disposition that constitutes the grounds for the extension registration (and, where the approval specifies a particular use of the item, only for that use). In the pharmaceutical context, the required disposition means the marketing authorization.

(2) The standard for determining the scope of patent rights during PTE provided by the 2017 Grand Panel decision of the IPHC

The leading authority regarding the standard to determine the restricted scope of patent during PTE under Article 68-2 of the Patent Act is the 2017 IPHC Grand Panel decision (Jan. 20, 2017, 2016 (Ne) No. 10046, known as the "Oxaliplatin Case").

The Grand Panel held that the extended patent right is effective only with regard to the workings of the patented invention on:

(i) a product identified by the "ingredients (not limited to API), strength, dosage and administration, and indication" specified in the underlying marketing authorization; as well as

(ii) products that are "substantially the same" as such product.

The Grand Panel further provided guidance on how to evaluate the "substantially the same" requirement, particularly for patent inventions directed to pharmaceutical ingredients. It explained that, in a limited case where differences between the approved product and the accused product relate only to differences in ingredients, or numerical differences in amount, or dosage and administration, and no other differences exist, substantial identity should be determined by comparing the technical features and functions/effects of both products in light of common general technical knowledge. It then provided the following four illustrative categories in which "substantial identity" may be recognized in such limited case:

- For inventions characterized solely by their active ingredient: where the accused product differs only by the addition/substitution of other non-active ingredients based on common, conventional techniques at the time of their marketing authorization.
- For inventions relating to stability or dosage forms of a known active ingredient: where differences arise from the partial addition/substitution of ingredients based on common, conventional techniques at the time of their marketing authorization, and the technical features and effects remain the same.
- Where the quantitative differences in the amount or dosage are insignificant.
- Where the strength specified in the marketing authorizations are different, but practically the same when considering dosage and administration together.

(3) The IPHC decision on the scope of an extended patent right in the present case

In the present case, when comparing the Plaintiff's Product (as identified by its ingredients, strength, dosage and administration, and indications in the Underlying MA) with the Defendants' Product, the active ingredient and its strength (nalfurafine hydrochloride, 2.5 μg) are identical. The dosage and administration, indications, as well as dosage form (OD tablets) are also identical. By contrast, the excipients consist of different combinations.

Following the same analytical framework as in the 2017 IPHC Grand Panel Judgment, the IP High Court held that the scope of an extended patent right encompasses not only products whose "ingredients, strength, dosage and administration, and indications" as a pharmaceutical are identical to those of the Plaintiff's Product, but also those that are deemed substantially identical thereto.

Based on this framework, the IPHC found as follows and concluded that the Defendants' Product is substantially identical to the Plaintiff's Product despite the above compositional differences, and that the extended patent right covers the manufacture and sale of the Defendants' Product.

i) The IPHC characterized the patented invention as a use invention in which the technical feature lies in providing a new usage of "a κ receptor agonist compound represented by General Formula (I)", which was already publicly known as a compound per se at the time of filing, as an active ingredient exhibiting an antipruritic effect. The IPHC then presented the following criteria for determining the scope of "substantial identity" under Article 68-2 of the Patent Act governing the scope of an extended patent:

> Where the accused product and the Plaintiff's Product share the same technical feature and effect in that both are antipruritic agents using nalfurafine as the active ingredient, and where they also share the same specific dosage form as pharmaceuticals, the following cases (a) and (b) should be regarded as substantially identical to the Plaintiff's Product as the subject of the Underlying MA:
>
> a. Cases where the accused product differs only in that certain non-active ingredients have been added, replaced, or otherwise modified based on publicly known and conven-

tional techniques at the time of its approval application; or

b. Cases where differences in ingredients, etc., other than in the active ingredient, do not affect the indications of the pharmaceutical and are considered to constitute only minor differences or merely formal differences when viewed as a whole.

ii) With respect to the differences in excipients between the Plaintiff's Product and the Defendants' Product, the IPHC stated the following and held that the Defendants' Product falls within the scope of products substantially identical to the Plaintiff's Product as the subject of the Underlying MA:

- According to the evidence literature, it is common technical knowledge that excipients do not exhibit pharmacological effects and do not interfere with the therapeutic efficacy of the active ingredient.
- The claims of the Patent Invention do not specify any excipients contained in the antipruritic agent. The Specification merely states that the κ receptor agonist may be formulated into a pharmaceutical composition by mixing with carriers, excipients, etc., for oral or parenteral administration, and provides some description of the content of the κ receptor agonist in oral formulations.
- The Plaintiff's Product and the Defendants' Product share the same technical feature and pharmacological effect as antipruritic agents using nalfurafine as the active ingredient, and also share the same specific dosage form as pharmaceuticals. In light of these commonalities and the above-stated nature of excipients, the differences in excipients between the Plaintiff's Product and the Defendants' Product constitute only minor, or overall, merely formal differences.

iii) With respect to this point, the Defendants argued that in their formulations, they did not merely rely on publicly known or conventional techniques but instead used their own uniquely developed group of excipients, developed with particular focus on the stability of the active ingredient within the formulation, and that this should preclude a finding of substantial identity. Nevertheless, the IPHC rejected this argument as follows. This corresponds to case (b) under the criteria set forth in section (i) above:

- The Plaintiff's and Defendants' formulations are both orally administered OD tablets using nalfurafine as the active ingredient for an antipruritic agent, and therefore share the same technical feature, pharmacological effect, and dosage form as pharmaceuticals. By contrast, the excipients in the Defendants' formulations do not exhibit pharmacological activity, are harmless, and are added as substances that do not interfere with the therapeutic efficacy of nalfurafine.
- Even if the Defendants' formulations use a group of excipients independently developed by the Defendants and even if such excipients were the subject of separate patent filings, this does not change the fact that the excipients do not have pharmacological effects and do not interfere with the therapeutic efficacy of nalfurafine. Accordingly, this is insufficient to find that the substantial identity of the Plaintiff's Product and the Defendants' Product, viewed from the standpoint of Article 68-2 of the Patent Act as pharmaceuticals, is affected.

7. The validity and extension period of the PTE Registration

The present IPHC decision

In the present infringement litigation, the Defendants also challenged the validity of the PTE Registration itself and the length of the extension period. The IPHC rejected both arguments.

Under the Patent Act (Article 67(4) and Article 67-7(1)(i) and (iii)):

A registration of PTE is valid when the marketing authorization (which forms the basis for the PTE registration) needed to be obtained in order to work the patented invention; and

The period eligible for extension is defined as "the period during which the patented invention could not be worked because of the need for obtaining the marketing authorization".

Under the established case law, this period begins on the later of (i) the date on which the applicant commenced the studies necessary for obtaining the marketing authorization, or (ii) the date of registration of the patent, and ends on the day immediately preceding the date on which the marketing authorization was notified to the applicant.

The Underlying MA forming the basis for the PTE Registration is the marketing authorization for the Plaintiff's Product, REMITCH® OD Tablets 2.5 μg. Prior to that authorization, the Plaintiff already had an approved product, REMITCH® Capsules 2.5 μg. The Underlying MA for REMITCH® OD Tablets 2.5 μg was an authorization for adding a new dosage form.

The PTE Registration recognized, as the extension period, (a) the period required for the bioequivalence studies between the OD tablets and the capsule formulation that were submitted for the dosage-form addition in the Underlying MA, combined with (b) the period for the clinical studies conducted using the capsule formulation which had been reviewed at the time of the capsule authorization but were also submitted as part of the application materials for the OD tablets. The IPHC held that this PTE Registration and the calculation of the extension period were valid and appropriate.

The Defendants argued that, because another PTE had already been registered based on the authorization for the capsule formulation, including period (b) again here in the PTE Registration resulted in double-counting. The IPHC rejected this argument, holding that: (i) the studies in (b) were necessary for obtaining the authorization for the OD tablets at issue and were in fact reviewed as submitted data for that application; and (ii) the mere existence of the capsule authorization did not enable the patentee to work the present patented invention for the OD tablet dosage form, i.e., the Plaintiff's Product. (Note: Under Article 68-2 of the Patent Act, the scope of the patent right as extended based on the capsule authorization would not extend to the OD tablet dosage form).

The entire dispute

In fact, in the bigger picture, the overall background of this dispute involves a more complex series of legal actions. In paral-

lel with the present infringement litigation explained in this article, there were also multiple administrative proceedings before the JPO reviewing the validity of the relevant extension registrations (including the PTE Registration) and the patent validity, with subsequent appeal litigations thereon before the IPHC.

With respect to the present PTE Registration, the JPO had first rejected the registration, and such JPO's administrative decision was challenged through administrative proceedings, separately from the present infringement action. Although the JPO Trial Board initially refused the PTE Registration, in the revocation proceedings the IPHC held that the PTE Registration should be granted, overturning the JPO's decision. Notably, this IPHC judgment was rendered in March 2021, immediately before the first-instance judgment in the infringement action. At that time, the reasoning in the infringement case (the District Court's claim construction finding non-infringement) and the IPHC judgment in the administrative appeal concerning the PTE Registration (which accepted the extension based on the Underlying MA for a product containing nalfurafine hydrochloride as its API) were difficult to reconcile. Eventually, the IPHC overturned the first-instance decision as explained above, thereby aligning the outcomes.

Now, the appeal against the IPHC judgment in this infringement case, as well as an appeal in the administrative proceedings regarding the validity of the PTE Registration (arising from an invalidation trial filed by a Defendant), has been filed with the Supreme Court. The IPHC decisions, therefore, are pending before becoming final and binding.

8. Conclusion

While waiting for the final determination depending on the Supreme Court's judgment, one of the important implications of the present IPHC decision is that it provides additional guidance, beyond the 2017 IPHC Grand Panel decision, on how to determine the scope of an extended patent right, particularly in cases involving use inventions (i.e., inventions claiming a product for use in a newly discovered use of a known substance). Given that rights enforcement by originator pharmaceutical companies against generic manufacturers often occurs during the extended patent term, and that use-invention claims are commonly employed in pharmaceutical patents, the practical significance of this decision is substantial.

As for the interpretation of "active ingredient (有効成分)", claim construction is a process that may vary depending on the specific circumstances, such as the wording used in other parts of the claim, the statements in the specification, and the prosecution history. Therefore, it may not be appropriate to broadly generalize the IPHC's construction of "active ingredient (有効成分)" as a universally applicable rule. Nevertheless, the decision may well influence future interpretations of terms in claims with similar expression patterns, as well as practical approaches to claim and specification drafting at the time of filing.

Relevant Articles

This article discusses a dispute between manufacturers of originator and generic pharmaceuticals in Japan. Here are some previous articles on the relevant topic, by the same author and available in English:

1. Recent IP High Court Decision regarding the Patent Linkage System in Japan (TMI NEWSLETTER Issue 27)
2. When Does a Generic Entry Become Possible? - patent protections and pharmaceutical regulations in Japan (TMI NEWSLETTER Issue 17)

Author

Sayaka Ueno

Attorney-at-law

TMI Podcast - Intellectual Property in Japan released a new epsode #10 " Patent News in Japan 2025 "

In this episode, we highlight several important developments in Japanese patent law during 2025. Topics include the Japanese Supreme Court's landmark Dwango decisions addressing cross-border patent infringement involving overseas servers, the record-breaking damages award in the Toray pharmaceutical case, and the IP High Court's ruling in the DABUS case confirming that AI cannot be recognized as an inventor under current law.

We also review recent statistics from the Japan Patent Office, including examination speed and filing trends. Together, these developments provide useful insight into the current direction of Japan's patent system.

Sources

- Breaking News: Supreme Court Ruling in DWANGO v. FC2 Case - Network-Related Inventions and Territoriality

https://www.tmi.gr.jp/eyes/blog/2025/16822.html

apple spotify

Letters of Consent Gain Ground in Japan - 27 Registrations Approved / Published in Jan. 2026

Shunji Sato

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1. Current status of coexistence registrations based on letters of consent

As of December 1, 2025, the Japan Patent Office (JPO) reported a cumulative total of 153 trademark applications filed with letters of consent. Of these, 27 applications had already proceeded to registration (27 registrations).

The JPO has confirmed that, to date, none of the 153 applications submitted with letters of consent have resulted in a final refusal. In practice, the JPO examiners carefully review the arguments, evidence, and letters of consent submitted by applicants. Where the examiner considers that the evidence is insufficient to conclude that there is no likelihood of confusion, they will request additional information or clarification from the applicant. This approach demonstrates a flexible, fact-driven stance on examinations, which is consistent with the underlying policy objectives the consent letters. It is not a rigid or formalistic application of refusal grounds.

2. Analysis of Coexistence Registration Cases Involving Letters of Consent

Letters of consent were introduced in April 2024 through an amendment to Article 4(4) of the Trademark Act. At the time of its introduction, the JPO indicated that it would wait for a certain number of applications using letters of consent to accumulate before conducting substantive examination. One year after implementation, the first trademark registration under the letters of consent was granted for the "玻璃" case. Since then, the number of coexistence registrations based on letters of consent has steadily increased. According to materials prepared by the JPO, two main patterns commonly arise in cases involving letters of consent.

1) Coexistence Based on Agreement Between the Parties (玻璃 and *NOCO*)

This pattern covers cases in which the parties have agreed that they are appropriately segmented in the marketplace, so that there is no likelihood of confusion. For example, in cases such as NOCO, where foreign companies are already parties to a global coexistence agreement, the JPO has accepted coexistence registrations, even when the marks themselves are identical. In such cases, examiners consider the terms of the agreement and determine that there is no likelihood of confusion, and that market separation is effectively ensured.

Previously in Japan, global coexistence agreements often required complex procedures, such as assignment-back arrangements, to be effective. Allowing such agreements to be implemented directly through a letter of consent marks a significant and welcome development in Japanese trademark practice.

2) Cases where the origin of the goods/services is substantially identical

(e.g., *LAWSON UNITED CINEMAS*; *GRAND GREEN OSAKA THE NORTH RESIDENCE*)

This pattern focuses on the relationship between the applicant and the owner of the cited trademark, as well as how their respective businesses are actually implemented. Where the source of the goods or services is deemed to be substantively identical, the JPO has found that there is no likelihood of confusion. This approach can be viewed as an extension of the exceptional treatment already provided for in the Examination Guidelines for cases involving a "controlling relationship" between the applicant and the owner of the cited trademark (Trademark Examination Guidelines, Part III, Section 10, Item 13). This has historically functioned as an exception to Article 4(1)(xi) of the Trademark Act.

Against the backdrop of prolonged discussions on whether letters of conse t should be introduced in Japan, the "controlling relationship" concept was introduced on a transitional basis in the 2017 revision (13th edition) of the Examination Guidelines. At that time, it was explicitly stated that this exception did not constitute the introduction of letters of consent. Nevertheless, as of 14 October 2025, more than 1,095 registrations had been granted under this framework, indicating strong practical demand. This accumulated practice clearly

helped pave the way for the legislative amendment that ultimately introduced Article 4(4).

Historically, the controlling relationship exception applied only to parent-subsidiary relationships, not to sister companies, subsidiaries of subsidiaries, broader corporate groups, or franchisor-franchisee relationships. However, the introduction of the letters of consent has clarified that, under certain circumstances, Article 4(4) can apply even in the absence of a strict parent–subsidiary relationship. Due to the longstanding demand in this area, this is one of the most significant and anticipated applications of the letters of consent.

3. Proposed Amendment to the Examination Guidelines

Discussions are currently underway on the content of the Examination Guidelines scheduled to be amended in the spring of this year (Proposed Amendment to Trademark Examination Guidelines). The main purpose of the amendment is to clearly incorporate into the Guidelines the second pattern discussed above, namely cases where the origin of the goods or services is substantially identical, which is expected to be widely used in practice.

In short, implementing the transitional controlling relationship guidelines and the new examination framework under Article 4(4) simultaneously created confusion regarding the required arguments and evidence, as well as the scope of each guideline. This issue will be resolved by reorganizing and clarifying the Examination Guidelines. The proposed amendment broadens the practical application of Article 4(4) and improves predictability by reducing the need for applicants to provide detailed, case-by-case proof that there is no likelihood of confusion.

4. Comments

1) Substantive Significance of the Proposed Examination Guidelines Amendment

This amendment's substantive significance lies in its explicit clarification that cases involving a controlling or similar relationship or other similar relationship will be treated as ones with no likelihood of confusion. As a result, once evidence of such a relationship is submitted, applicants will generally no longer be required to provide detailed, case-by-case arguments or extensive proof of the absence of confusion. In these instances, application of Article 4(4) of the Trademark Act will be accepted almost automatically if the requirements specified in the proposed Examination Guidelines are met.

The amendment clarifies the range of eligible cases and significantly reduces the burden of argumentation and evidence on applicants by substantively expanding the scope of the long-standing Examination Guidelines based on a "controlling relationship" and reorganizing and integrating this concept into the framework of Article 4(4).

The amendment also clarifies that examiners may find no likelihood of confusion when examining trademarks, even if a "controlling relationship" or similar relationship cannot be established. This is possible by focusing on the actual implementation of business activities jointly involving the applicant and the cited trademark owner. According to the proposed amendment, the absence of confusion may be recognized if the origin of the goods or services is substantially identical.

In other words, even if the applicant and the owner of the prior registered trademark are different entities, if they have a relationship and use their respective trademarks in similar business operations, the origin of the relevant goods or services may be considered the same. Based on this, it can be concluded that there is no likelihood of confusion regarding the source.

This amendment clearly broadens the scope for applying Article 4(4). Even in cases where no controlling relationship exists, applicants can seek application of Article 4(4) by showing that the origin of the goods or services is substantially identical. They won't need to submit detailed, individualized proof negating the likelihood of confusion.

2) Evaluation of the Amendment and Future Outlook

Although the number of cases in which the letters of consent has been applied is small, the JPO has carefully analyzed existing decisions, identified emerging patterns, and promptly incorporated them into the Examination Guidelines in a clear, accessible manner. This approach should be viewed very positively.

In actual examination practice, the JPO has demonstrated a flexible, fact-based approach. They carefully assess the relationship between the applicant and the cited trademark owner, as well as the status of coexistence in other jurisdictions. Where no likelihood of confusion is found, coexistence registrations have been permitted. These actions clearly demonstrate the JPO's strong intention to establish the letters of consent as a practical tool for trademark law.

As more coexistence registrations based on letters of consent are added, new patterns may emerge that are not currently identified. Eventually, these patterns may be codified in the Examination Guidelines. This process is expected to further increase predictability for applicants regarding the permissibility of coexistence and continue expanding the practical use of the letters of consent.

Note that the amended Examination Guidelines are scheduled to take effect in April 2026, after the public comment period ends and a new Trademark Examination Manual is issued.

Author

Shunji Sato

Trademark Attorney

The shape of "Pocky" is now trademarked in Japan / Published in Feb. 2026

Haruka Iida

Ezaki Glico Co., Ltd. ("Glico") applied to register the shape of its flagship brand, "Pocky," a stick-type chocolate confectionery, as a 3D trademark. On July 25, 2025, trademark registration was granted during the examination stage by the Japan Patent Office ("the JPO"). This is one of the rare instances in which a product's shape has been recognized as a trademark in Japan.

In the 59 years since its launch, Pocky has become one of Japan's most beloved chocolate snacks, and it would not be an exaggeration to say that it is difficult to find anyone unfamiliar with its appearance. Even if they were shown the shape of Pocky without the Pocky lettering, the vast majority of Japanese people would instantly and without hesitation answer, "That's Pocky." This fact was demonstrated statistically by a consumer survey to assess the recognition of Pocky's 3D shape that Glico conducted in 2023 before filing the application for the 3D registration. The survey targeted 1,036 Japanese individuals aged 16–79 years, of whom over 90% correctly identified the shape as Pocky based solely on its appearance. Bolstered by these survey results, Glico filed an application for the following 3D trademark covering "confectionery; western-style confectionery" in Class 30 in Japan on March 13, 2024:

Application No. 2024-026132

However, during the examination, the Examiner issued a provisional refusal due to a lack of distinctiveness, stating that the applied-for trademark falls under Article 3(1)iii of the Japan Trademark Act. The Examiner noted that chocolate confectionery products with a composition similar to the applied trademark are commonly traded in the Japanese market. Consequently, even if the applied-for mark is used on the designated goods, because consumers encountering it would merely recognize it as a representation of the goods' content or characteristics, it thus lacks distinctiveness. Furthermore, the issue of whether a trademark for which registration has been applied has reached a point where consumers can recognize it as pertaining to the goods of a particular party as a result of its extensive use is determined by a comprehensive consideration of factors such as whether the trademark is nationally recognized among consumers of those goods as an indication of origin for that party. This determination is based on a broad body of evidence, including the manner and extent of use (production volume, sales volume, etc.), period of use, geographic area of use, methods, duration, geographic scope, and scale of advertising and promotion, as well as the results of surveys measuring consumer recognition of the trademark. It is emphasized that the submitted survey results alone were insufficient to establish that consumers nationwide of the good recognize the applied-for trademark as an indication of origin.

In response, Glico successfully proved the acquired distinctiveness by supplementing its application with the required documentation. In addition, Glico limited the description of goods to "chocolate confectionery." As a result, the application was finally registered.

In the examination process, Glico mainly argues the following to prove the acquired distinctiveness of the Pocky 3D shape:

(i) More than half a century after its launch, Pocky remains a beloved global hit, selling approximately 500 million boxes annually across 30 countries. In 2020, Guinness World Records recognized Pocky as the world's No.-1-selling chocolate-coated biscuit brand.

(ii) Since its initial release, the surface of the Pocky package (outer box) has prominently featured a depiction of the Pocky product shape. As shown below, the product shape of Pocky has remained unchanged since its launch in 1966:

[1966～]

[1974～]

[1981～]

[1998～]

[2015～]

(iii) As a result of the Consumer Survey, Glico states as follows:

(a) First, an image of the three-dimensional shape of Pocky (the applied-for trademark tilted diagonally to the right, with a faint linear shadow drawn from its lower edge to the right side to indicate its three-dimensionality) was displayed on the screen. In response to the question, "Please look at the following screen and freely write down what comes to mind," the most common response was "Pocky," accounting for 88.1% of all responses. The second most common response was "Pocky Chocolate" (3.5%), followed by "Confectionery" (1.3%) and "Pretz" (0.6%). In other words, in response to the pure recall question, 91.6% of consumers selected "Pocky" when shown the applied-for trademark alone, confirming its extremely high recognition.

(b) For the second question, the image used in the first question was displayed again on the screen. Respondents were asked: "Please look at the image below and select only one confectionery name that comes to mind from the following options." Eleven options (the applicant's product and popular chocolate confectionery products from other companies with shapes and colors similar to those of Pocky) were displayed. In this format, where respondents could select only one option, "Pocky" was the most frequently selected answer, accounting for 97.4% of all responses. Only 1.2% selected "None of the above." In other words, even when presented with nine similar competing product names in response to the aided recall question, over 97 of every 100 respondents selected the applicant's product "Pocky," indicating extremely high recognition. Furthermore, to eliminate the influence of presentation order on responses, the 11 options were randomized for each respondent, ensuring that "Pocky" was not always displayed as the first option.

In a similar case, Meiji Co., Ltd.'s "Kinoko no Yama" (Registration No. 6031305) and "Takenoko no Sato" (Registration No. 6419263; designated goods: chocolate confectionery) were also rejected due to a lack of distinctiveness during examination. However, they were registered on the basis of acquired distinctiveness:

Reg. No. 6031305

Reg. No. 6419263

Meanwhile, Nestlé has applied to register the shape of the "KitKat" as a three-dimensional trademark (Application No. 2020—121513). However, this application was not approved during the examination stage and is currently under review in the appeal proceedings (the higher-level review stage) against the refusal decision:

Application No. 2020-121513

In this case, the survey of general Japanese consumers whose ages fell in a broad range (16–79 years) revealed that 91.6% of respondents associated the trademark with Pocky immediately upon seeing it. This finding demonstrates a strong recognition of Pocky's 3D shape and provides clear evidence that it functions effectively as a trademark. I believe that the consistent depiction of Pocky's 3D shape on product packaging since its initial launch also greatly contributed to this victory.

Author

Haruka Iida

Trademark Attorney

This year's promotion

Tadashi Takeuchi — Partner

Patent Attorney

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Nahoko Ryobu — Counsel

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Recent IP High Court Cases in Which the Validity of Priority Claims Was Determined

- Appeal 2023 (Ke) No. 10057 (Fumakilla v. Earth Corporation) -
- Appeal 2023 (Ke) No. 10147 (ToolGen v. University of California, University of Vienna) -

/ Published in Mar. 2026

Mari Saito

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1. Introduction

Since the Patent Act universally adopts the first-to-file system, under which a patent right is granted to the person who filed first, it is necessary to file as early as possible. Therefore, even in a situation where sufficient experimental data has not been obtained, it is general practice to file an application with minimum working examples, and thereafter supplement working examples and improvement inventions in a priority-claiming application.

In such cases, the question frequently arises as to whether the effect of the priority claim can be recognized for those portions supplemented in the later-filed application, including additional working examples or improvements. In addition, since the determination of the validity of a priority claim is entrusted to the patent offices of each country and region, the determinations may differ depending on the jurisdictions.

In recent years, the Intellectual Property High Court ("IPHC") in Japan has issued decisions of significant practical importance that set forth its views on the validity of priority claims. In this article, we introduce recent IPHC cases focusing on the validity of priority claims and discuss patent filing strategies in Japan for priority-claiming applications in the fields of pharmaceuticals, chemistry, and biotechnology.

2. Internal Priority (Patent Act Article 41) and Paris Convention Priority (Paris Convention Article 4)

Priority in Japan includes internal priority (Patent Act Article 41) and priority under the Paris Convention (Paris Convention Article 4).

Internal priority is to claim priority in a later application filed in Japan based on an earlier application filed in Japan. An applicant can file a patent application that combines the basic invention in the earlier-filed application and the later improvement invention as a comprehensive invention. As a result, it becomes possible to ensure that the developed technologies are smoothly protected by patent rights without omission.

Priority under the Paris Convention is to claim priority when a person who filed a patent application in a member country (the first country) of the Paris Convention files a patent application in another member country (the second country) of the Paris Convention for the contents described in the first patent application. When filing patent applications for the same invention in multiple countries, preparation such as translation and procedures that differ between countries are required. Therefore, filing patent applications simultaneously in multiple countries imposes a heavy burden on applicants, however, the Paris Convention priority system reduces this burden.

Article 41(2) of the Patent Act provides for the effect of claiming internal priority. In principle, internal priority is provided to have the same effect as the Paris Convention Priority (Paris Convention Article 4B). That is, with respect to an invention disclosed in an earlier-filed application (first priority application), a later-filed application (priority-claiming application) can obtain the effect that, for purposes of determining novelty, inventive step, etc., the later-filed application will be treated in the same manner as if it had been filed on the same filing date as the earlier-filed application. Therefore, in this article we do not distinguish between internal priority and Paris Convention Priority because for the purpose of understanding the Japanese priority system, the reasoning concerning internal priority claims may likewise be applied to the assessment of Paris Convention Priority claims.

3. Method of Determining Priority in Japan

According to the Examination Guidelines in Japan, in principle, the validity of the effect of a priority claim is determined by the following method. The same criteria as those for deter-

mining amendments adding a new matter at the examination stage are adopted.

[Excerpts from the Examination Guidelines]

(1) Basic ideas of the comparison

Assume that the description, claims and drawings of the application filed in Japan are amendments of the application filed in the first country. If the claimed invention of the application filed in Japan introduces any new technical matter in relation to the "matters stated in the application documents as a whole of the application filed in the first country,"the effect of the priority claim of the Paris Convention shall not be recognized. Here, the "matters stated in the application document as a whole of the application filed in the first country" mean technical matters that a person skilled in the art understands from the whole description in the application documents of the application filed in the first country, and hereinafter may be referred to as the "matters stated in the application filed in the first country."

In addition, according to the Examination Guidelines in Japan, one of typical cases where the claimed invention in the priority-claiming application is not considered to be within the scope of the matters stated in the application filed in the first country is an invention which could not be carried out as of the priority date claimed. In other words, the "enablement" is also taken into account when determining priority.

4. Case 1: Appeal 2023 (Ke) No. 10057 (Fumakilla v. Earth Corporation)

This case concerns a patent application claiming internal priority. The dispute concerned the validity of the priority claim where, with respect to matters for which no working examples were described in the specification of the earlier-filed application, working examples were supplemented in the later-filed application.

This case is seeking revocation of a trial decision concerning Japanese Patent No. 6539407 ('407 Patent), "Spray Product and Spray Method" (patentee: Earth Corporation). The plaintiff (Fumakilla Co., Ltd., petitioner for invalidation trial) sought revocation of the JPO trial decision, arguing that the patent was invalid because it did not satisfy the requirements for an internal priority claim. The issue was that the specification of the first priority application (Application No. JP2016-71925, first priority date: March 31, 2016) did not include working examples containing a specific ingredient (**Icaridin**), and working examples containing Icaridin were expressly disclosed for the first time in the second priority application (Application No. PT2016-229406, second priority date: November 25, 2016).

Claim 1 after correction of '407 Patent is as follows:

> [Claim 1]
>
> A spray product is filled with a pest-repelling composition containing a pest-repelling ingredient and has an injection port for injecting the pest-repelling composition (excluding the case of containing a propellant),
>
> wherein the pest-repelling composition has a vapor pressure at 20° C of 2.5 kPa or less, and contains 10% by mass or more, in the pest-repelling composition, of a volatilization-suppressing ingredient (excluding a case where the volatilization-suppressing ingredient is glycerin) for suppressing volatilization after spraying,
>
> wherein the pest-repelling ingredient is at least one ingredient selected from the group consisting of 3-(N-n-butyl-N-acetyl)aminopropionic acid ethyl ester (EBAAP) and **1-methylpropyl 2-(2-hydroxyethyl)-1-piperidinecarboxylate (Icaridin)**,
>
> wherein the particle diameter ratio (r30/r15) between the 50% average particle diameter r15 of the sprayed pest-repelling composition at a position 15 cm away from the nozzle and the 50% average particle diameter r30 of the sprayed pest-repelling composition at a position 30 cm away from the nozzle is adjusted to be 0.6 or more,
>
> and wherein the 50% average particle diameter r30 of the sprayed pest-repelling composition at a position 30 cm away from the nozzle is adjusted to be 50 μm or more.

The plaintiff argued that, because the first priority application did not include any description of specific working examples containing Icaridin, the effect of the priority claim did not extend to the invention containing Icaridin, and that the '407 Patent lacked novelty and inventive step. In response, the defendant argued that, based on the overall description of the specification of the first priority application, it would have been possible for a person skilled in the art to carry out the invention containing Icaridin and, therefore, the invention containing Icaridin had already been disclosed as a technical matter.

Here, the first priority application includes the identifying matters of the corrected claim 1 in '407 Patent, and Icaridin is also explicitly stated as a pest-repelling ingredient similarly to EBAAP. In addition, (1) the technical field, (2) the background art and the problem to be solved, (3) the means for solving the problem (adjustment method, mechanism by which the effect is exhibited, technical significance of each constituent requirement), and (4) the effect of the invention are described.

The IPHC held that the validity of the internal priority claim should not be determined only from the formal viewpoint of whether working examples are described in the specification of the first priority application. Alternatively, validity of the effect of an internal priority claim should be determined from (a) the viewpoint that the invention does not introduce a new technical matter in relation to the technical matters described in the specification, etc., of the first priority application, and (b) the viewpoint of "enablement," i.e., whether a person skilled in the art could implement the invention without undue trial and error based on the description of the specification.

On that basis, the IPHC determined that the specification of the first priority application specifically described configurations and technical ideas that could encompass Icaridin, and that a person skilled in the art could implement a spray product using Icaridin, and therefore the supplementation of working examples in the later application did not add a new technical matter. Accordingly, the IPHC recognized the effect of internal priority based on the first priority application for the invention at issue and dismissed the plaintiff's claim.

This case is significant in patent practice and invalidation trial

practice, in that, with respect to internal priority claims of the so-called "supplemented working example type," it clarified that even if there is no explicit description of working examples in the first priority application, the effect of priority may be affirmed if a person skilled in the art could implement the invention based on the overall description of the specification of the first priority application.

5. Case 2: Appeal 2023 (Ke) No. 10147 (ToolGen v. University of California, University of Vienna)

This case is a trial decision revocation action in which the validity of the priority claim and the validity of a Japanese patent relating to CRISPR/Cas9, which is used worldwide as a genome editing technology, were disputed.

The subject was Japanese Patent No. 6692856 ('856 Patent), "Methods and Compositions for RNA-Directed Target DNA Modification and RNA-Directed Mutation of Transcription" (patentee: University of California and University of Vienna). The issue was the validity of the effect of the Paris Convention Priority, that is, whether it could be said that the invention of '856 Patent (in particular, application to eukaryotic cells) was substantively disclosed in the priority applications.

With respect to '856 Patent, the plaintiff (ToolGen Incorporated, petitioner for invalidation trial) sought revocation of the JPO "trial decision of no invalidation," arguing that '856 Patent should be invalidated based on the prior art. The plaintiff contended that the first priority application (US 61/652,086; first priority date: May 25, 2012) and the second priority application (US 61/716,256; priority date: October 19, 2012) did not provide sufficient disclosure for causing CRISPR/Cas9 to function in eukaryotic cells, and therefore the effect of priority should not be valid.

Claim 1 of '856 Patent is as follows:

> [Claim 1]
>
> A method of modifying a target DNA, comprising contacting the target DNA with a complex in a cell,
>
> wherein the complex comprises:
>
> (a) a Cas9 polypeptide; and
>
> (b) a DNA-targeting RNA comprising:
>
> (i) a DNA-targeting segment comprising a nucleotide sequence complementary to a sequence within the target DNA; and
>
> (ii) a protein-binding segment that interacts with the Cas9 polypeptide, wherein the protein-binding segment comprises two complementary stretches of nucleotides that hybridize to form a double-stranded RNA (dsRNA), wherein the dsRNA comprises complementary nucleotides of a tracrRNA and a CRISPR RNA (crRNA),
>
> **wherein the cell is a plant cell, an animal cell, or a unicellular eukaryote**;
>
> wherein the cell is not a human cell in vivo, is not a human germ cell, and is not a human embryonic cell, and
>
> wherein the modification is cleavage of the target DNA.

The IPHC held that whether the Paris Convention priority based on the priority applications is recognized should be determined not only on the basis of the claims but also on the basis of matters that are recognized, in a substantive sense, as being described in the application documents of the first priority application as a whole, including the specification. Furthermore, the IPHC held that, in order for the invention of claim 1 to be recognized as being substantively described in the application documents of the first priority application as a whole, it is necessary that a person skilled in the art could implement the invention of claim 1 without undue trial and error, etc., based on the description of the application documents of the first priority application as a whole and common general knowledge as of the priority date.

Specifically, the IPHC referred to the following two points.

- The first priority application documents specifically describe the configuration of the CRISPR/Cas9 system (a complex of a DNA-targeting RNA and a site-specific modifying polypeptide) that modifies a target DNA in a site-specific manner, and the structure and function of each constituent element, as well as the mechanism and framework leading to cleavage (double-strand break) of the target DNA.
- The working examples also specifically show that the complex can be created, and the target DNA can be cleaved.

Further, the IPHC cited numerous papers regarding common general knowledge as of the priority date, and held that "it is reasonable to find that the first priority application documents disclosed the technical idea of applying the CRISPR/Cas9 system to target DNA in eukaryotic cells, and that the first priority application contained a specific explanation of the invention in this case to such an extent that implementation was possible when combined with well-known technologies as of the priority date."

In addition, in this case, based on the fact that it was reported during a short period between October 2012 and January 2013 that genome editing could be performed by applying the CRISPR/Cas9 system to eukaryotic cells, an unprecedented approach has been adopted in which enablement is judged

6. Conclusion

It has been stated that, as the method for determining whether the effect of a priority claim is valid or not, the criterion adopted is whether the priority-claiming application introduces a new technical matter in relation to the matters stated in the application documents as a whole of the priority applications.

Furthermore, in priority-claiming applications, the validity of a priority claim cannot be assessed solely by the formal existence or absence of working examples or correspondence of wording, such as whether working examples are explicitly described or whether the wording matches exactly. Instead,

the key issue is whether the invention is substantively enabled in light of the common general knowledge of a person skilled in the art.

In both judgments, it appears that even where no working examples are disclosed in the priority applications, significant weight is placed on whether, based on the disclosure of the original specification, etc., and common general knowledge as of the priority date, a person skilled in the art could implement the invention without undue trial and error. In both cases 1 and 2, it seems that, even for inventions for which there is no disclosure of working examples in the priority applications, it is regarded as important whether a person skilled in the art could implement the invention without undue trial and error based on the common general knowledge on the priority date and the disclosure of the priority applications.

Therefore, if working examples or improvement inventions will be supplemented in a priority-claiming application, it is recommended that attention be paid to the following points at the time of filing the basic application and the priority-claiming application.

(1) The problem to be solved by the invention in the first priority application and in the priority-claiming application, and the effects achieved by the invention, should be common to both applications.

If, in the priority-claiming application, a new problem not described in the first priority application or an invention to achieve a new effect is added, there is a possibility that the effect of the priority claim will be invalid.

(2) In the first priority application, the effects achieved by the working examples to be supplemented in the priority-claiming application should be described.

(3) In the first priority application, the configuration of the invention corresponding to the working examples to be supplemented in the priority-claiming application should be explicitly described.

(4) In the first priority application, the mechanism of action and principle corresponding to the working examples to be supplemented in the priority-claiming application should be described.

(5) In the first priority application, the specific experimental methods of working examples to be supplemented in the priority-claiming application should be described.

Author

Mari Saito

Patent Attorney

Awards

TMI and its attorneys have received numerous awards and recognitions over the years. Below is a selected list of some of the recent awards and recognitions received by TMI.

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