

Japanese new law (effective from January 1 of 2000)

1. Public known & public use on patentability of invention are decided over the world. This becomes to the same with EP and US rule.
2. Exception to lack of novelty of invention is expanded to obvious ideas. Same and obvious inventions are rescued by the new law, which had lost its novelty before said patent filing. This becomes to the same to the US rule.
3. The term for making a request for examination will be shortened to three years after the filing date of October 1, 2001. It has coordinating term of 21 months.
4. Applicant can request earlier laid open before 18 months from the filing date. AS a result, applicant can have the right of requesting compensation fee. This law is useful for inventions on short life cycle products.
5. Patent term extension: Even in a case of receiving allowance of production & marketing from the Welfare Ministry within 6 months before patent term expired, this extension would be admitted. And the receiving date is real received date by patentee. 2 years limitation of non-working term and 6 months limitation before patent term expiration of receiving date on allowance of production & marketing from the Welfare Ministry are eliminated.
6. Expansion of relief action: easier proofing infringement act, expert person system for calculating damage sum, easy proofing of damage sum, and reinforcement of penal sum against person