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# Utility Model Registration Order Enforcement Regulations

(Ordinance of the Ministry of International Trade and Industry  
No. 34 of March 30, 1960)

Final Revision: Ordinance of the Ministry of Economy, Trade and  
Industry No. 72 of December 28, 2011

(Unenforced Laws and Regulations until Final Revision)  
Ordinance of the Ministry of Economy, Trade and Industry No. 72  
of December 28, 2011 (unenforced)

The Utility Model Registration Order Enforcement  
Regulations shall be established as follows on the basis of the  
provisions of Article 10 of the Patent Registration Order (Cabinet  
Order No. 39 of 1960) as applied mutatis mutandis pursuant to  
Article 5 of the Utility Model Registration Order (Cabinet Order  
No. 40 of 1960), and for the purpose of implementing the Utility  
Model Registration Order.

(Method of preparation of Utility Model Registration Registry)

**Article 1.** The method of preparation of the Utility Model  
Registration Registry shall be implemented through the operation  
of a Computer, and the method for changing characters to symbols  
and the method of recording to magnetic tapes, shall be specified  
by the Director General of the Patent Office.

(Format, etc., of Utility Model Registry)

**Article 1-bis.** The Utility Model Registration Registry shall be such  
that the documents stating the matters recorded therein can be  
prepared in accordance with Format 1.

2. The Utility Model Trust Registry shall be prepared in accordance  
with Format 3.

3. The list prepared in accordance with Format 4 shall be attached  
to the Utility Model Trust Registry.

(Annexed Documents)

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**Article 2.** The annexed document prescribed in Article 3-bis, paragraph 3 of the Utility Model Registration Order (Cabinet Order No. 40 of 1960) shall be the registration reception registry.

2. The registration reception registry shall be prepared in accordance with Format 5.

(Recording of the Utility Model Registration Registry)

**Article 2-bis.** The Utility Model Registration Registry shall separately record the registration number recording section, the indication section, registration fees recording section, Section A, Section B, Section C, and Section D.

2. The registration number shall be recorded in the registration number recording section.

3. The indication section shall indicate the utility model right and record the correction of the utility model registration, a statement that a patent application based on a utility model registration under the provisions of the Patent Law (Act No 121 of 1959) Article 46-bis, paragraph 1 (Hereinafter, simply referred to as "patent application based on a utility model registration") was filed, the extinguishment of the utility model right, and matters relating to a trial or a final and binding decision of a retrial against a final and binding decision of the trial.

4. The registration fees recording section shall record the registration fees and the date of the payment thereof, and matters relating to the ratio of the share of each person other than the State where the utility model right is co-owned under Article 31, paragraph 3 of the Utility Model Law (Act No. 123 of 1959) and there is a provision for the shares of each person, the ratio of the share of a person who has received a reduction or exemption of payment of the registration fees, and the reduction or exemption of payment of the registration fees, deferment of payment, or a refund of the registration fees.

5. Section A shall record matters relating to the establishment, transfer, restriction on disposition, of a utility model right, and a change of the utility model right by trust.

6. Section B shall record matters relating to an exclusive license and a pledge thereon.

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7. Section C shall record matters relating to a non-exclusive license and a pledge thereon.
  8. Section D shall record matters relating to a pledge on a utility model right.

(Format of Written Application for Cancellation of Registration by Abandonment of Utility Model Right relating to Utility Model Registration Based on which Patent Application was filed)

**Article 2-ter.** With regards to a utility model right relating to a utility model registration based on which a patent application was filed, where an application for cancellation of the registration thereof by an abandonment is filed, the written application shall be prepared in accordance with Format 6.

(Method for registration of Establishment of Utility Model Right)

**Article 2-quarter.** Where the registration of the establishment of a utility model right is made, the utility model registration number shall be recorded in the utility model registration number recording section, the filing date of the utility model registration application, the application number of the utility model registration application, the title of registered utility model, and the number of claims shall be recorded in the indication section, and the name and domicile or address of the utility model right holder shall be recorded in Section A.

2. The provisions of Article 28, paragraph 2 and paragraph 3 of the Patent Registration Order Enforcement Regulations (Ordinance of the Ministry of International Trade and Industry No. 33 of 1960) shall apply mutatis mutandis to the case set forth in the preceding paragraph.

(Method for Registration of Correction of Utility Model Registration)

**Article 2-quinquies.** When a registration for a correction of a utility model registration is made, a statement that the correction of the utility model registration was made and the date of the correction shall be recorded in the indication section.

2. In the case when a registration for the correction of the utility model registration (limited to the corrections under Article 14-bis, paragraph 1 of the Utility Model Law) is filed, where there

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is a change in the title of the registered utility model, the changed title shall be recorded.

3. In the case of making a registration under the preceding paragraph, where the utility model right belongs to a trust property, the change of the title of the registered utility model shall be registered in the Utility Model Trust Registry at the same time. (Method for Registration of Statement that Patent Application was filed based on Utility Model Registration)

**Article 2-sexies.** Where a statement that a patent application based on a utility model registration was filed is registered, the date on which a request for the patent application based on the utility model registration was submitted and the number of the patent application based on the utility model registration shall be recorded in the indication section.

(Application Mutatis Mutandis of the Patent Registration Order Enforcement Regulations)

**Article 3.** The provisions of Article 1, paragraph 1 of the Patent Registration Order Enforcement Regulations (order of registrations) shall apply mutatis mutandis to the registration concerning a utility model.

2. The provisions of Article 1-ter, paragraph 4 and paragraph 5, Article 2, paragraph 3, Article 3, Article 4, paragraph 1 and paragraph 2, Article 5, paragraph 1, and Article 9 of the Patent Registration Order Enforcement Regulations (Registers Relating to Registration) shall apply mutatis mutandis to the registers relating to the registration concerning a utility model.
3. The provisions of Article 10 (excluding paragraph 5), Article 10-bis (excluding paragraph 4) and Article 10-ter to Article 13-ter (Procedures of Application) of the Patent Registration Order Enforcement Regulations shall apply mutatis mutandis to the procedures of application of the registration concerning a utility model.
4. The provisions of Article 14 (excluding paragraph 3), Article 15 (excluding paragraph 2), Article 16 to Article 19, Article 20 to Article 23, Article 24, paragraph 1, Article 25, Article 26, paragraph 1, Article 27, paragraph 2, Article 32, Article 34, paragraph 1, Article 35, Article 36, Article 37, Article

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38, Article 39 (excluding paragraph 2 and paragraph 5), Article 40, Article 42, Article 43, paragraph 1, Article 44, Article 45, paragraph 1, Article 46 to Article 50, Article 51, paragraph 1, Article 52 (excluding paragraph 4 to paragraph 7), Article 53, Article 54, Article 55, paragraph 1 and paragraph 2, Article 56, paragraph 1, Article 57, Article 58, paragraph 2 and paragraph 3, and Article 59 to Article 61 of the Patent Registration Order Enforcement Regulations (Procedures for Registration) shall apply mutatis mutandis to the procedures for the registration concerning a utility model.