Topic 10: Case Study 2

Examination in National/Regional Phase

JAPAN PATENT OFFICE
1. Introduction
2. Evaluate novelty and inventive step
   for claims in national stage with cited documents in ISR
   • Brief explanation
   • Group Work
   • Discussion
3. How to conduct additional searches, when needed.
4. Summary
1. Introduction

What well learn today

- Claims were not amended after ISR was made
  (National stage claims = International stage claims)
  → You have already learned in Topic 8

- Claims were amended after ISR was made
  (National stage claims ≠ International stage claims)
  → (What you will learn today)
1. A superimposition information presentation apparatus which superimposes information in association with an image and presents the image having the superimposed information, said apparatus comprising:
   an image obtaining unit configured to obtain an image;
   an analysis unit configured to analyze the obtained image and to extract related information that relates to superimposed data;
   a server information storage unit configured to store plural items of superimposed data;
   a superimposition data selection unit configured to identify the to-be-superimposed information among the plural items based on the extracted related information;
   a superimposing unit configured to superimpose the identified information on the obtained image and;
   to present the image having the superimposed information.

2. The superimposition information presentation apparatus according to Claim 1, wherein the related information is URL information for accessing a server, and the plural items of superimposed information are obtained from the server and stored in the server information storage unit.
Question 1
What to do first to efficiently evaluate novelty and inventive step for amended claims?
Question 1
What to do first to efficiently evaluate novelty and inventive step for amended claims?

Answer 1
Evaluate novelty and inventive step for amended claims with cited documents in ISR
Question 2
When novelty or inventive step is not denied with cited documents in ISR, what to do next?
1. Introduction

Question 2
When novelty or inventive step is not denied with cited documents in ISR, what to do next?

Answer 2
Confirm what kind of additional documents are need and conduct additional search.
1. Introduction
2. Evaluate novelty and inventive step for claims in national stage with cited documents in ISR
   • Brief explanation
   • Group Work
   • Discussion
3. How to conduct additional searches, when needed.
4. Summary
2. Evaluate novelty and inventive step

Group work

Evaluate novelty and inventive step for amended claims with cited documents in ISR

- Filling out the work sheet for case study 2
Let’s compare our results and discuss them.

**Claim 1**
- Are all technical elements in each claimed invention disclosed?
  - If there are any points which are not disclosed, what are the points?

**Claim 2**
- Are all technical elements in each claimed invention disclosed?
  - If there are any points that are not disclosed, what are the points?
1. Introduction
2. Evaluate novelty and inventive step for claims in national stage with cited documents in ISR
   • Brief explanation
   • Group Work
   • Discussion
3. How to conduct additional searches, when needed.
4. Summary
3. How to conduct additional searches, when needed.

Confirm technical points which are not disclosed in cited documents in ISR (You have already done this)

Additional search should be done for the technical points
Question 3
Do you have something to keep in mind when you conduct an additional search?
Question 3
Do you have something to keep in mind when you conduct an additional search?

Answer 3
Additional documents must be “Y” documents
→ have to be combined with D1 or D2
  • Are technical fields between D1 (or D2) and additional documents same?
1. Introduction

2. Evaluate novelty and inventive step for claims in national stage with cited documents in ISR
   • Brief explanation
   • Group Work
   • Discussion

3. How to conduct additional searches, when needed.

4. Summary
When claims amendments are done after ISR was made:

① Evaluate novelty and inventive step of amended claims with cited documents in ISR

② If novelty or inventive step are not denied, confirm what kind of additional documents are needed and conduct additional searches.

→ Additional documents have to be combined with cited document in ISR.
※ In case all cited documents in ISR are not “X” or “Y”, you will try to deny novelty and inventive step with only additional documents.

③ After doing additional search, you decide novelty and inventive step of the claims.
Thank you!
An item is selected from among multiple items and superimposed onto the original image.
Selection of an item for superimposition

Superimposition data management information

<table>
<thead>
<tr>
<th>Superimposition data ID</th>
<th>Genre</th>
<th>Manufacturer</th>
<th>Target gender</th>
<th>Target age</th>
<th>Weather</th>
<th>Season</th>
<th>Location</th>
<th>...</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Character</td>
<td>A</td>
<td>Male</td>
<td>10</td>
<td>—</td>
<td>—</td>
<td>Tokyo</td>
<td>...</td>
</tr>
<tr>
<td>2</td>
<td>Life</td>
<td>B</td>
<td>Female</td>
<td>40</td>
<td>Fine</td>
<td>Spring</td>
<td>Kobe</td>
<td>...</td>
</tr>
<tr>
<td>3</td>
<td>Character</td>
<td>A</td>
<td>Female</td>
<td>10</td>
<td>—</td>
<td>—</td>
<td>Tokyo</td>
<td>...</td>
</tr>
<tr>
<td>6</td>
<td>Sightseeing</td>
<td>C</td>
<td>Female</td>
<td>20</td>
<td>Rain</td>
<td>Autumn</td>
<td>Osaka</td>
<td>...</td>
</tr>
<tr>
<td>7</td>
<td>Food</td>
<td>D</td>
<td>Male</td>
<td>30</td>
<td>Fine</td>
<td>Summer</td>
<td>Kyoto</td>
<td>...</td>
</tr>
</tbody>
</table>

Claims 1-3

1. Selection of an item for superimposition
2. Local information (user information)
3. Sensor information (position and time)

Local information

1. User information
   - Gender
   - Age
   - Favorite genre
   - Manufacturer code
   - Key word

2. Sensor information
   - position
   - time
1. A superimposition information presentation apparatus which superimposes information in association with an image and presents the image having the superimposed information, said apparatus comprising:
an image obtaining unit configured to obtain an image;
a server information storage unit configured to store plural items of superimposed information;
a superimposition data selection unit configured to identify the to-be-superimposed information among the plural items based on the extracted related information;
a superimposing unit configured to superimpose the identified information on the obtained image and;
to present the image having the superimposed information.

2. The superimposition information presentation apparatus according to Claim 1, further comprising a local information storage unit configured to store local information related to a user of said superimposition information presentation apparatus, wherein said superimposition data selection unit is further configured to identify the to-be-superimposed information based on the local information.

3. The superimposition information presentation apparatus according to Claim 2, further comprising a sensor unit configured to obtain sensor information related to position and time of said superimposition information presentation apparatus, wherein said superimposition data selection unit is further configured to identify the to-be-superimposed information based on the sensor information.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Selection superimposed information from plural items</td>
<td>X [0052] - [0058]</td>
<td>X [0021] - [0024]</td>
</tr>
<tr>
<td>2. Selection based on the local information (user information)</td>
<td>X [0052] - [0058]</td>
<td></td>
</tr>
</tbody>
</table>
### Overlaying of an additional image

**Information about additional images**

#### 1. User profile information

<table>
<thead>
<tr>
<th>CUSTOMER</th>
<th>NAME</th>
<th>SEXUALITY</th>
<th>BIRTHDAY</th>
<th>HOBBY</th>
<th>FAVORITE SPORTS</th>
<th>FAVORITE COLOR</th>
<th>FAVORITE TONE</th>
<th>FAVORITE TASTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>John Williams</td>
<td>Male</td>
<td>July 27, 1950</td>
<td>Mountain Climbing</td>
<td>Soccer</td>
<td>Blue</td>
<td>Cool</td>
<td>Conservative</td>
</tr>
<tr>
<td>2</td>
<td>David Johnson</td>
<td>Male</td>
<td>July 12, 1935</td>
<td>Watching Movie</td>
<td>Baseball</td>
<td>Yellow</td>
<td>Warm</td>
<td>Conservative</td>
</tr>
<tr>
<td>3</td>
<td>Michael Smith</td>
<td>Male</td>
<td>January 1, 1920</td>
<td>Fishing</td>
<td>Swimming</td>
<td>Green</td>
<td>Warm</td>
<td>Vivid</td>
</tr>
<tr>
<td>4</td>
<td>Lisa Jones</td>
<td>Female</td>
<td>April 20, 1933</td>
<td>Flower Arrangement</td>
<td>Marathon</td>
<td>Red</td>
<td>Warm</td>
<td>Vivid</td>
</tr>
<tr>
<td>5</td>
<td>A Soccer Club</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 2. Feature information (analyzing images)
- tone
- main subject
- color
Overlaying of an advertisement

Information about the advertisement

<table>
<thead>
<tr>
<th>MODEL RANK</th>
<th>DATE AND TIME OF SHOOTING</th>
<th>SHOOTING MODE</th>
<th>SHOOTING LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADVERTISEMENT A</td>
<td>0</td>
<td>70</td>
<td>20</td>
</tr>
<tr>
<td>ADVERTISEMENT B</td>
<td>80</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>ADVERTISEMENT C</td>
<td>0</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td>ADVERTISEMENT D</td>
<td>40</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>ADVERTISEMENT E</td>
<td>10</td>
<td>10</td>
<td>40</td>
</tr>
<tr>
<td>ADVERTISEMENT F</td>
<td>10</td>
<td>10</td>
<td>50</td>
</tr>
</tbody>
</table>