

**B1****Information on Contracting States****B1****JP****JAPAN****JP****General information**

Name of Office:	Tokkyocho Japan Patent Office (JPO)
Location and mailing address:	3-4-3 Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan
Telephone:	(81-3) 3592 13 08
Facsimile machine:	(81-3) 3501 06 59 (PCT Affairs) (81-3) 3501 68 03 (filing of documents)
E-mail:	PA1A31@jpo.go.jp
Internet:	www.jpo.go.jp/e/index.html
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	Only documents needed to receive an international filing date under PCT Article 11
Must the original of the document be furnished in all cases?	No, only upon invitation
Does the Office send notifications via e-mail in respect of international applications?	No
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	Yes, provided the delivery service satisfies the prescribed criteria and is approved by the Minister for Internal Affairs and Communications, under the Japanese Law Concerning Correspondence Delivery Provided by Private-Sector Operators. A list of approved delivery services (in Japanese) is available at the following web site: <a href="http://www.soumu.go.jp/yusei/tokutei_g.html">www.soumu.go.jp/yusei/tokutei_g.html</a>
Does the Office excuse delays in meeting time limits due to the unavailability of electronic means of communication (PCT Rule 82 <sup>quater</sup> .2(a))?	Yes, the Office excuses a delay in meeting a time limit where such delay is caused by the special maintenance or unavailability of permitted electronic means of communication at the Office <sup>1</sup> , provided that the duration of such maintenance or unavailability is at least 24 hours, and that the respective action is performed on the next working day on which the said electronic means of communication became available. <sup>2</sup>
Is the Office prepared to allow applicants to make applications available to the WIPO Digital Access Service for Priority Documents (DAS) (PCT Rule 17.1(b-bis))?	Yes, the Office is prepared to allow applicants to make national applications available to the WIPO DAS <sup>3</sup>

[Continued on next page]

<sup>1</sup> Information concerning maintenance and unavailability of the JPO online filing software (in Japanese) is available at: [http://dl-sv1.pcinfo.jpo.go.jp/docs/error/server\\_status.html](http://dl-sv1.pcinfo.jpo.go.jp/docs/error/server_status.html)

<sup>2</sup> For the relevant notification by the Office refer to the *Official Notices (PCT Gazette)* dated 17 September 2020, page 191.

<sup>3</sup> For further details on how to request this Office to make applications available to DAS, see <https://www.jpo.go.jp/e/system/process/shutugan/yusen/das/index.html>

**B1 Information on Contracting States B1****JP JAPAN JP***[Continued]*

Competent receiving Office for nationals and residents of Japan:	Japan Patent Office (JPO) or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Competent designated (or elected) Office if Japan is designated (or elected):	Japan Patent Office (JPO) (see National Phase)
May Japan be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available via the PCT:	Patents, utility models
Provisions of the law of Japan concerning international-type search:	None
Provisional protection after international publication:	The applicant is entitled to the rights analogous to those provided under Section 65 of the Patent Law from the time of the international publication of the international application if the international publication is in Japanese and from the time of the publication of a Japanese translation by the Japan Patent Office (JPO) if the international publication is in a language other than Japanese (see Sec. 184-10 of the Patent Law).

**Information of interest if Japan is designated (or elected)**

Time when the name and address of the inventor must be given if Japan is designated (or elected):	Must be in the request. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation (see the Summary).
Are there special provisions concerning earlier national applications from which priority is claimed and what are the effects of these provisions?	Articles 41 and 42 of the Japan Patent Law and Articles 8 and 9 of the Japan Utility Model Law provide that the filing of an international application which contains the designation of Japan and claims the priority of an earlier national application having effect in Japan shall have the result that the earlier national application will be considered withdrawn after the expiration of 16 months <sup>4</sup> from the filing date of that earlier application. If the applicant of an international application which claims the priority of an earlier national application wants to avoid this effect, the designation of Japan will have to be withdrawn before the expiration of 16 months <sup>4</sup> from the filing date of that earlier application, in order to avoid automatic withdrawal of the earlier-filed national application.
Are there special provisions concerning the deposit of microorganisms and other biological material?	Yes (see Annex L)

<sup>4</sup> The period is applicable to international applications filed on or after 1 April 2015. The period is 15 months for international applications filed before 1 April 2015.