

この特許法の翻訳は、平成十七年法律第七十五号までの改正（平成17年11月1日施行）について、「法令用語日英標準対訳辞書」（平成18年3月版）に準拠して作成したものです。

なお、この法令の翻訳は公定訳ではありません。法的効力を有するのは日本語の法令自体であり、翻訳はあくまでその理解を助けるための参考資料です。この翻訳の利用に伴って発生した問題について、一切の責任を負いかねますので、法律上の問題に関しては、官報に掲載された日本語の法令を参照してください。

This English translation of the Patent Act has been translated (through the revisions of Act No. 75 of 2005 (Effective November 1, 2005)) in compliance with the Standard Bilingual Dictionary (March 2006 edition).

This is an unofficial translation. Only the original Japanese texts of laws and regulations have legal effect, and the translations are to be used solely as reference material to aid in the understanding of Japanese laws and regulations.

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Patent Act (Act No. 121 of 1959)

Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Act is through promoting the protection and the utilization of inventions, to encourage inventions, and thereby to contribute to the development of industry.

Article 2 (Definitions)

- (1) "Invention" in this Act means the highly advanced creation of technical ideas utilizing the laws of nature.
- (2) "Patented invention" in this Act means an invention for which a patent has been granted.
- (3) "Working" of an invention in this Act means the following acts:
 - (i) in the case of an invention of a product (including a computer program, etc., the same shall apply hereinafter), producing, using, assigning, etc. (assigning and leasing and, in the case where the product is a computer program, etc., including providing through an electric telecommunication line, the same shall apply hereinafter), importing or offering for assignment, etc. (including displaying for the purpose of assignment, etc., the same shall apply hereinafter) thereof;
 - (ii) in the case of an invention of a process, the use thereof; and
 - (iii) in the case of an invention of a process for producing a product, in addition to the action as provided in the preceding item, acts of using, assigning, etc., importing or offering for assignment, etc. the product produced by the process.

- (4) A "computer program, etc." in this Act means a computer program (a set of instructions given to an electronic computer which are combined in order to produce a specific result, hereinafter the same shall apply in this paragraph) and any other information that is to be processed by an electronic computer equivalent to a computer program.

Article 3 (Calculation of time periods)

- (1) The calculation of time periods under this Act or any order issued under this Act shall be made in accordance with the following provisions.
- (i) The first day of the period shall not be included in the calculation; provided, however, that this shall not apply where the period of time commences at 00:00 hours.
 - (ii) Where the period is indicated by months or years, such months or years shall refer to calendar months or calendar years. Where the period is not calculated from the beginning of a month or a year, the period shall expire on the preceding day of the day corresponding to the first day of the calculation in the last month or year; provided, however, that where there is no corresponding day in the last month, the period shall expire on the last day of the last month.
- (2) Where the last day of the prescribed period for any procedures relating to a patent (hereinafter referred to as "procedures") including filing a patent application and a request, is any of the days provided for in Article 1(1) of the Act on Holidays of Administrative Organs (Act No. 91 of 1988), the day following such day shall be the last day of the period.

Article 4 (Extension of time limits , etc.)

The Commissioner of the Patent Office may, upon request or ex officio, extend the period provided for in Articles 46-2(1) (iii), 108(1), 121(1) and 173(1), for a person in a remote area or an area with transportation difficulty.

Article 5

- (1) Where the Commissioner of the Patent Office, the chief trial examiner, or the examiner has designated a time limit by which procedures are to be undertaken under this Act, said official may, upon request or ex officio, extend the time limit.
- (2) Where the chief trial examiner has designated a specific date under this Act, said official may, upon request or ex officio, change such date.