

Date	May 30, 2017	Court	Intellectual Property High Court, Second Division
Case number	2016 (Gyo-Ke) 10239		
<p>- A case in which, unless there are special circumstances, a "graphic image ... for use in the operation of the article" (limited to the operations carried out in order to enable the article to perform its functions) refers to a graphic image in which a figure, etc. used for the operation of the article is displayed so that it can be selected or designated.</p> <p>-A case in which the court maintained a JPO decision that dismissed a request for appeal against the examiner's decision of refusal of an application for registration of a partial design with regard to an article to the design which is "a vehicle with an imaging device", since the JPO determined that no graphic image in the present application portion was considered to constitute a graphic image set out in Article 2, paragraph (2) of the Design Act.</p>			

References: Article 2, paragraph (2) and Article 3, paragraph (1) of the Design Act
Number of related rights, etc.: Design Application No. 2015-5576 and Appeal against Examiner's Decision of refusal No. 2016-8799

Summary of the Judgment

1 The present case is a suit for rescinding a JPO decision that dismissed a request for appeal against the examiner's decision of refusal of an application for registration of a partial design.

Plaintiff filed the application (Design Application No. 2015-5576) for design registration with regard to an article to the design which is "a vehicle with an imaging device", and a partial design which is represented by graphic images (portion surrounded by a long dashed short dashed line in Attachment I; hereinafter referred to as the "present application portion") displayed on a surrounding road surface, etc. by the imaging device that the vehicle comprises. However, Plaintiff received a decision of refusal and therefore filed a request for appeal against the examiner's decision of refusal (Appeal against Examiner's Decision No. 2016-8799).

The graphic images of the present application portion are displayed on a surrounding road surface, etc. from the state of unlocking the vehicle to the state before starting the vehicle (or before moving the vehicle backward), as shown in Attachment I. For example, [i] when the driver unlocks the vehicle, a graphic image of narrow-spaced parallel lines (the lines are near the center line in the longitudinal direction of the vehicle body) is changed to a graphic image of wide-spaced parallel lines (the lines are located at the approximate center of the center line in the longitudinal direction of the vehicle body and the profile lines along the sides of the vehicle body). [ii] When the engine is started, the graphic image then is changed to a graphic image of further

wider-spaced parallel lines (the lines are located outside the profile lines of the vehicle body). [iii] When the driver conducts the step of shifting into a drive mode, the parallel lines sequentially advance and the graphic image is changed to a graphic image showing that the substantial entirety of the parallel lines project from the front of the vehicle body. [iv] When the driver conducts the step of releasing the brake pedal, etc., graphic images showing that an approximately ">" shaped (ending angle bracket) mark sequentially advances are repeatedly displayed until the driver steps on the accelerator pedal.

The JPO decision made the following determination: [i] Reduced image figures 1 to 16 of the present application portion show no figure, not even one figure, etc., for the operation and even when these reduced image figures 1 to 16 are viewed as a whole, they are not considered to be used for the operations for unlocking the vehicle, starting the engine, and moving the vehicle forward or backward. They simply show each of the operating conditions of the vehicle, from the state of unlocking the vehicle to the state before starting the vehicle, on a surrounding road surface, etc. [ii] Accordingly, no graphic image in the present application portion is considered to constitute a graphic image set out in Article 2, paragraph (2) of the Design Act.

The point at issue is whether or not the graphic images of the present application portion shown below constitute a "graphic image that is provided for use in the operation of the article (limited to the operations carried out in order to enable the article to perform its functions)" (hereinafter referred to as the "graphic image ... that is provided for use in the operation of the article") in Article 2, paragraph (2) of the Design Act.

2 The court held as follows and the present judgment dismissed the claim of Plaintiff:

(1) If the "graphic image ... that is provided for use in the operation of the article" in the paragraph is interpreted based on the legislative history of Article 2, paragraph (2) of the Design Act, it should be said to refer to a graphic image that uses a figure, etc. displayed on a screen, instead of the physical parts, such as operation buttons, which had been used in home appliances and information devices, and can operate the article. Therefore, unless there are special circumstances, the "graphic image ... that is provided for use in the operation of the article" should be understood to refer to a graphic image which displays a figure, etc. for use in the operation of the article so that it can be selected or designated.

(2) The graphic images of the present application portion show each of the operating conditions of the vehicle from the state of unlocking the vehicle to the state before starting the vehicle (or before moving the vehicle backward) and simply prompt the driver to perform the operations that employ the physical parts such as an engine key, a shift lever, a brake pedal, and an accelerator pedal. It should be said that the driver does not operate the article (vehicle with an imaging device) by selecting or designating a figure, etc. displayed in the graphic images of the present application portion.

Consequently, it cannot be said that the graphic images of the present application portion are displayed so that a figure, etc. for use in the operation of the article can be selected or designated. In addition, with respect to the graphic images of the present application portion, no particular circumstances are found.

Accordingly, no graphic image in the present application portion falls under the "graphic image ...that is provided for use in the operation of the article" set out in Article 2, paragraph (2) of the Design Act.

Attachment I Design in the present application (Design Application No. 2015-005576)

Article to the design Vehicle with an imaging device

Description of the article to the design

The present article consists of a vehicle with an imaging device, and each of graphic image figures provided by the imaging device and displayed on a display device, such as a road surface around the vehicle, an assembly parking lot, or a floorboard, etc. of an exhibition hall, and used with the article in an integrated manner. The "generally assumable functions" of the vehicle consist of "moving," "turning," and "stopping." Each of the graphic image figures which seek to obtain the design registration of the article is a "graphic image that is provided for use in the operation" to enable the article to perform its "moving" functions.

1. Moving the vehicle forward.

(1) Either the driver or a fellow passenger unlocks the vehicle. From "reduced graphic image figure 1 (reference drawing 1 illustrating a state of use)" to "reduced graphic image figure 2 (reference drawing 2 illustrating a state of use)."

(2) The driver starts the engine. "Reduced graphic image figure 3 (reference drawing 3 illustrating a state of use)"

(3) The driver conducts an operation to move the vehicle forward. "Reduced graphic image figure 4 (reference drawing 4 illustrating a state of use) and "reduced graphic image figure 5 (reference drawing 5 illustrating a state of use)"

(4) Until the vehicle starts moving, "reduced graphic image figure 6 (reference drawing 6 illustrating a state of use)," "reduced graphic image figure 7 (reference drawing 7 illustrating a state of use)" and "reduced graphic image figure 8 (reference drawing 8 illustrating a state of use)" are repeated.

(5) The vehicle moves.

2. Moving the vehicle backward.

(1) Either the driver or a fellow passenger unlocks the vehicle. From "reduced graphic image figure 9 (reference drawing 9 illustrating a state of use)" to "reduced graphic image figure 10 (reference drawing 10 illustrating a state of use)."

(2) The driver starts the engine. "Reduced graphic image figure 11 (reference drawing 11 illustrating a state of use)"

(3) The driver conducts an operation to move the vehicle backward. "Reduced graphic image figure 12 (reference drawing 12 illustrating a state of use) and "reduced

graphic image figure 13 (reference drawing 13 illustrating a state of use)"

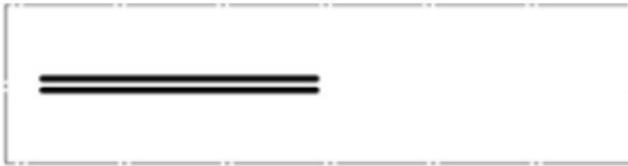
(4) Until the vehicle starts moving, "reduced graphic image figure 14 (reference drawing 14 illustrating a state of use)," "reduced graphic image figure 15 (reference drawing 15 illustrating a state of use)," and "reduced graphic image figure 16 (reference drawing 16 illustrating a state of use)" are repeated.

(5) The vehicle moves.

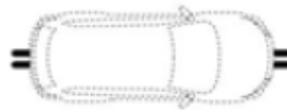
Description of the design

Only the area surrounded by a long dashed short dashed line represents a portion which seeks design registration as a partial design.

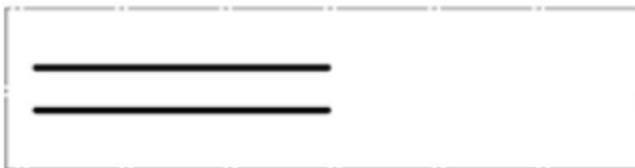
reduced graphic image figure 1



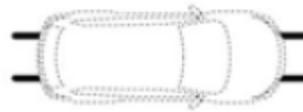
reference drawing 1 illustrating a state of use



reduced graphic image figure 2



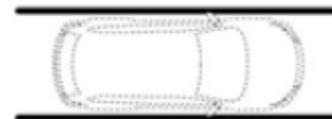
reference drawing 2 illustrating a state of use



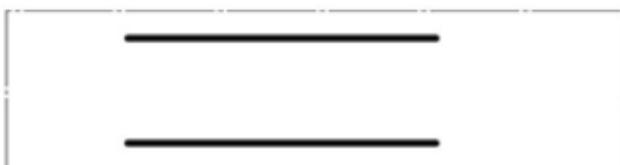
reduced graphic image figure 3



reference drawing 3 illustrating a state of use



reduced graphic image figure 4



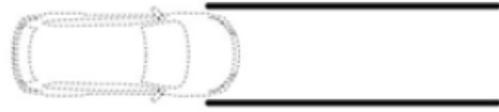
reference drawing 4 illustrating a state of use



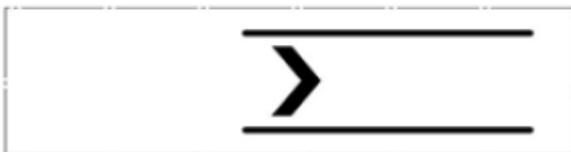
reduced graphic image figure 5



reference drawing 5 illustrating a state of use



reduced graphic image figure 6



reference drawing 6 illustrating a state of use



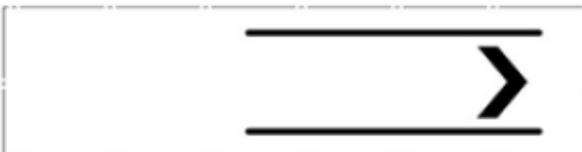
reduced graphic image figure 7



reference drawing 7 illustrating a state of use



reduced graphic image figure 8



reference drawing 8 illustrating a state of use



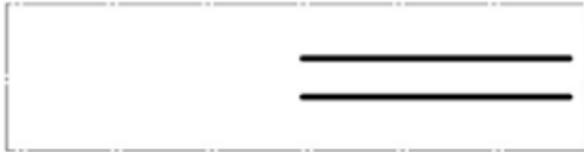
reduced graphic image figure 9



reference drawing 9 illustrating a state of use



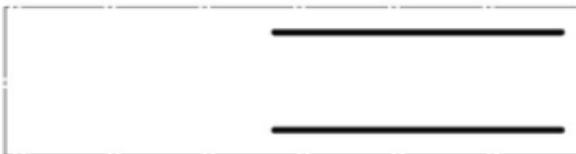
reduced graphic image figure 10



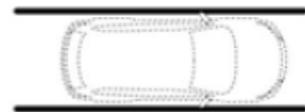
reference drawing 10 illustrating a state of use



reduced graphic image figure 11



reference drawing 11 illustrating a state of use



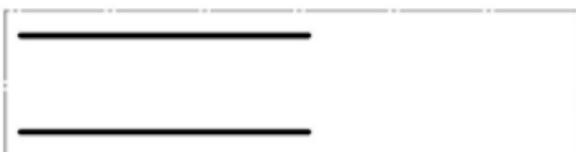
reduced graphic image figure 12



reference drawing 12 illustrating a state of use



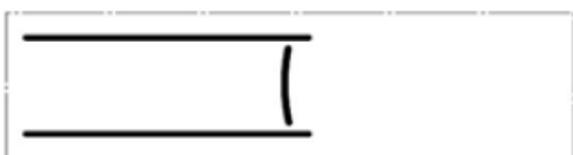
reduced graphic image figure 13



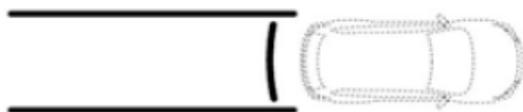
reference drawing 13 illustrating a state of use



reduced graphic image figure 14



reference drawing 14 illustrating a state of use



reduced graphic image figure 15



reference drawing 15 illustrating a state of use



reduced graphic image figure 16



reference drawing 16 illustrating a state of use



Judgment rendered on May 30, 2017

2016 (Gyo-Ke) 10239

Case of Seeking Rescission of JPO Decision

Date of conclusion of oral argument: March 23, 2017

Judgment

Plaintiff: Mitsubishi Electric Corporation
Defendant: Commissioner of the JPO

Main Text

1. Plaintiff's claims shall be dismissed.
2. Plaintiff shall bear court costs.

Facts and Reasons

I. Judgment sought by Plaintiff

The Decision made on Appeal against Examiner's Decision of Refusal No. 2016-8799 by the Japan Patent Office on October 5, 2016 shall be rescinded.

II. Outline of the case

The present case is a suit against the JPO decision dismissing a request for appeal against the examiner's decision of refusal of the design registration application. The point at issue is whether or not each of the graphic images in the present application portion shown below constitutes a "graphic image that is provided for use in the operation of the article (limited to the operations carried out in order to enable the article to perform its functions)" in Article 2, paragraph (2) of the Design Act and in consequence the design of the present application falls under a "design that is industrially applicable" in accordance with the main paragraph of Article 3, paragraph (1) of said law.

1 Outline of procedures at the JPO

On March 16, 2015, under Article 14, paragraph (1) of the Design Act Plaintiff requested that the design be kept in secret for three years and filed an application for design registration to seek a design registration for a portion of an article (Design Application No. 2015-5576, Exhibit Ko 1, hereinafter referred to as the "present application"). Plaintiff received a notification of reasons for refusal (Exhibit Ko 3) dated November 11 of the same year and made a written amendment (Exhibit Ko 5) to

amend the "description of the article to the design" on December 24 of the same year, but received a decision of refusal dated February 17, 2016 (Exhibit Ko 6). Accordingly, on June 14 of the same year, Plaintiff made a request for appeal against the examiner's decision of refusal (Appeal against Examiner's Decision of Refusal No. 2016-8799, Exhibit Ko 7).

On October 5, 2016 the Japan Patent Office made the JPO decision that "the present request for appeal shall be dismissed" and served a transcript of the JPO decision to Plaintiff on the 18th day of the same month.

2 Design of the present application

The design for which the design registration of the present application is sought is shown in Attachment I (hereinafter the portion of the present application for which the design registration is sought is referred to as the "present application portion").

3 Gist of the reasons given in the JPO decision

(1) If an applicant intends to seek a design registration for a design including a graphic image displayed on a display device (hereinafter referred to as the "display"), such as a road surface around a vehicle, an assembly parking lot, or a floorboard, etc. of an exhibition hall, which is used with an article in an integrated manner, it is necessary that the graphic image included in the design be a graphic image that is provided for use in the operation of the article in order to enable the article to perform its functions, as set out in Article 2, paragraph (2) of the Design Act.

However, reduced image figures 1 to 16 of the present application portion do not illustrate even one figure, etc. for the operation, and even when these reduced image figures 1 to 16 are viewed as a whole, they are not considered to be used for the operation of unlocking a vehicle, the engine starting operation, and the operation of causing the vehicle to move forward or backward. They simply show each of the operating conditions of the vehicle on the display, from the state of unlocking the vehicle to the state before starting the vehicle.

Consequently, since no graphic image in the present application portion is considered to constitute the graphic image set out in Article 2, paragraph (2) of the Design Act, no graphic image in the present application portion is considered to constitute the design in the Design Act.

Accordingly, the design of the present application should not be granted a design registration, since it does not fall under an "industrially applicable design" set out in the main paragraph of Article 3, paragraph (1) of the Design Act.

(2) Unlike a graphic image used by a physically disabled person to select a character displayed on a monitor or a graphic image for vocal operation for enabling voice to be recognized, the graphic images in the present application portion do not display any graphic image such as an operation button, etc. for enabling a driver to move the vehicle forward. The shift lever is not caused to function as a result of the operation by the use of a displayed graphic image, but a graphic image of the state of the vehicle is displayed on the display as a result of the driver's causing the shift lever to function.

Accordingly, no graphic image in the present application portion is considered to be a graphic image that is provided for use in the operation for enabling the driver to move the vehicle forward.

(omitted)

V Judgment of this court

This court determines that the grounds for rescission of the JPO decision alleged by Plaintiff are groundless. The reason behind this judgment is as follows:

1 Article 2, paragraph (2) of the Design Act sets out that "a graphic image that is provided for use in the operation of the article (limited to the operations carried out in order to enable the article to perform its functions) and is displayed on the article itself or another article that is used with the article in an integrated manner" shall be included in "the shape, patterns, or colors, or any combination thereof, of a part of an article" in paragraph 1 of said article and fall under "design" in the Design Act. Paragraph 2 of said article was provided by the revision made to the Design Act by Law No. 55 of 2006 (hereinafter referred to as the "revision of 2006").

Incidentally, since prior to the revision of 2006, there has been an increase in the number of devices whose physical parts such as operation buttons that had been used in home appliances and information devices were replaced with an electronic screen and use a so-called "screen design," which consists of figures, etc. displayed on this screen, to perform operation. The condition of use of the devices has been taken into account to improve user-friendliness, lucidity, and beauty of these screen designs and has become an essential factor for the quality of home appliances, etc. and the selection by consumers. For corporations as well, the importance of investing in the screen designs has increased.

However, before the 2006 revision, the management of the JPO interpreted that

with respect to the articles set out in Article 2, paragraph (1) of the Design Act, only a part of a screen design is subject to protection. It interpreted that a screen design indispensable for an article, such as the one of the clock display section of a liquid crystal clock, and a screen design essential for the initial operation of a device, such as an initial screen of a mobile phone, were protected by the Design Act as the component of the design of the devices, but that screen designs other than the foregoing and a screen design displayed on another display separate from the device by a signal from the device and the operation of the device are not protected by the Design Act (Guide for Making Applications and Drawings for Design Registration -Basics- Guidelines for a liquid crystal display, etc. [edition for partial design]).

Given the circumstances, Article 2, paragraph (2) of the Design Act was introduced by the 2006 revision so as to allow protection of the screen designs by the design right.

If the phrase "a graphic image ... for use in the operation of the article" in the paragraph is interpreted based on this legislative history, it should be said to refer to a graphic image that uses a figure, etc. displayed on a screen, instead of the physical parts such as operation buttons which had been used in home appliances and information devices, and can operate the article. Therefore, unless there are special circumstances, it should be understood that the "graphic image ... for use in the operation of the article" refers to a graphic image in which a figure, etc. used for the operation of the article is displayed so that it can be selected or designated.

The foregoing interpretation is applied to the present application portion. The graphic images in the present application portion are shown in Attachment I. Also taking into account the description (amended description, Attachment I) of the column of the "description of the article to the design," it is considered that a change in the graphic image prompts the driver's operation, and the driver's operation further causes a change in the graphic image. The graphic images in the present application portion show each of the operating conditions of the vehicle from the state of unlocking the vehicle to the state before starting the vehicle (or before moving the vehicle backward) and simply prompt the driver to perform the operation employing the physical parts such as an engine key, a shift lever, a brake pedal, and an accelerator pedal. It should be said that the driver does not operate the article (vehicle with an imaging device) by selecting or designating a figure, etc. displayed in the graphic images in the present application portion (Exhibits Ko 1 and Ko 5).

Consequently, it cannot be said that the graphic images in the present application portion are displayed so that a figure, etc. used for the operation of the

article can be selected or designated. In addition, no particular circumstances for the graphic images in the present application portion can be found.

Accordingly, since no graphic image in the present application portion falls under the "graphic image ... provided for use in the operation of the article" set out in Article 2, paragraph (2) of the Design Act, the design of the present application does not fall under a "design that is industrially applicable" set out in the main paragraph of Article 3, Paragraph (1) of the Design Act.

2 Plaintiff alleges as follows: The aim of introduction of Article 2, paragraph (2) of the Design Act by the 2006 revision is to widely protect a design for a "graphic design ... that is provided for use of the operation of the article" in the range where the form is used with the article in an integrated manner, and no intention of imposing a further limitation to the subject of protection can be read. It can be said that the graphic images in the present application portion are provided for use in the operation of a shift lever, etc. to enable the article called the "vehicle with an imaging device" to perform its "moving" functions. Therefore, the graphic images in the present application portion comply with the requirement set out in the paragraph.

However, the aim of the introduction of the paragraph and the meaning of a "graphic image ... that is provided for use in the operation of the article" in the paragraph based on the aim were described earlier in 1, and no graphic image in the present application portion falls under the "graphic image ... that is provided for use in the operation of the article," either, as described above in 1. Plaintiff alleges that the "operation" of the article to the design of the present application is to move the shift lever corresponding to a "machine, etc." to make it function and give a command to a transmission, etc. corresponding to the "internal mechanism, etc. of the article" so as to obtain the "moving" function corresponding to a "certain function and effect and result." However, the "operation of the article" called the "vehicle with an imaging device" in Plaintiff's allegation means giving a command to the transmission, etc. which corresponds to the "internal mechanism of the article" so as to obtain a "certain function and effect and result" for enabling the article to perform its moving functions. Therefore, the shift lever, etc. does not correspond to a "machine, etc." which is to be moved to function, but "is provided for use in the operation of the article" and even when a review is conducted to determine whether or not each of the graphic images in the present application portion is a "graphic image that is provided for use in the operation of this shift lever, etc.," it cannot be considered to be a graphic image set out in Article 2, paragraph (2) of the Design Act.

Accordingly, Plaintiff's allegation is groundless.

3 Plaintiff alleges as follows: As the judgment criteria for whether or not each of the graphic images in the present application portion corresponds to a graphic image set out in Article 2, paragraph (2) of the Design Act, the JPO decision chose that [i] a graphic image of the operation button, etc. is displayed and [ii] the displayed graphic image is used to perform operation. However, these criteria are erroneous as the interpretation of the paragraph in light of the past design registration examples (Exhibits Ko 9 to Ko 11).

However, the aim of the introduction of the paragraph and the meaning of the "graphic image ... that is provided for use in the operation of the article" in the paragraph based on the aim were described earlier in 1 and the judgment criteria which are interpreted to have the same purport are not erroneous.

Moreover, since the interpretation of the paragraph explained above in 1 is not immediately affected by the past design registration examples, Plaintiff's allegation based on Exhibits Ko 9 to Ko 11 may not be adopted.

Accordingly, Plaintiff's allegation is groundless.

4 Plaintiff alleges as follows: Defendant determined that the requirements for being a graphic image set out in Article 2, paragraph (2) of the Design Act were that a graphic image is displayed so that a figure, etc. for giving a command to the internal mechanism, etc. of the article could be selected or designated and that it could be recognized that a command could be given to the internal mechanism, etc. of the article. However, Defendant interpreted the provision in a limited way without sufficient basis and arbitrarily determined that the requirements and Defendant's requirements are improper as objective judgment criteria.

However, the aim of the introduction of the paragraph and the meaning of a "graphic image ... that is provided for use in the operation of the article" in the paragraph based on the aim were described earlier in 1. The interpretation of the paragraph described in 1 interprets the phrase "provided for use in the operation" in the paragraph based on the legislative history of the introduction of the paragraph and clarifies the meaning of the "graphic image that is provided for use in the operation of the article" in the paragraph. It does not disregard the phrase in the paragraph and arbitrarily determine the requirements. There is no basis for considering the interpretation of the paragraph described in 1 to be improper as the objective judgment criteria.

Accordingly, Plaintiff's allegation is groundless.

5 Plaintiff alleges as follows: As a change in a series graphic images in reduced image figures 1 to 16 prompts the driver's operation and simultaneously the driver's

operation further causes a change in the graphic images, a change in the graphic images and the operation are interactively associated with each other and a sense of unity is produced. It can be said that each of the graphic images in the present application portion is a "graphic image that is provided for use in the" moving "operation" that comprises the steps of unlocking the "vehicle with an imaging device" and moving it forward and backward.

However, the aim of the introduction of the paragraph and the meaning of a "graphic image ... that is provided for use in the operation of the article" in the paragraph based on the aim were described earlier in 1. According to the foregoing, no graphic image in the present application portion falls under a "graphic image ... that is provided for use in the operation of the article," either, as described earlier in 1. Even when a failure, etc. of the imaging device prevents display of the graphic images in the present application portion and no graphic image in the present application portion is displayed, it is possible to "operate the article" so as to enable the vehicle with an imaging device to perform its "moving" function, so long as its physical parts, such as an engine key, a shift lever, a brake pedal, and an accelerator pedal, are properly functioning. On the other hand, however, even when the graphic images in the present application portion are properly displayed, the above "operation of the article" cannot be performed if the physical parts, such as the engine key, shift lever, brake pedal, and accelerator pedal, are out of order. Judging from this as well, it should be said that what "is provided for use in the operation of the article" so as to enable the vehicle with an imaging device to perform its "moving" function is the physical parts such as the engine key, shift lever, brake pedal, and accelerator pedal, and not the graphic images in the present application portion.

Accordingly, Plaintiff's allegation is groundless.

6 Plaintiff alleges that operating the vehicle with an imaging device based on the graphic images in the present application, the portion corresponds to remote control using a remote controller based on a "graphic image that is provided for use in the operation," and that in the same way, each of the graphic images in the present application portion corresponds to a graphic image set out in Article 2, paragraph (2) of the Design Act.

However, even in the case where a figure, etc. which is displayed in a graphic image and used for the operation of the article is not directly selected or designated by a touch panel, remote control using a remote controller is performed and only the means of selecting or designating a figure, etc. on the display is replaced with a remote controller. It remains unchanged that a figure, etc. which is used for the operation of

the article is selected or designated. Plaintiff makes it clear that in the case where remote control using a remote controller is performed based on a "graphic image that is provided for use in the operation," the following steps are taken: [iii] The operated remote controller emits a signal (to the article) and this signal gives a command to the internal mechanism of the article. [iv] The article complies with the command given to the internal mechanism and changes (corresponding to selects or designates) a graphic image on a display that is provided for use in the operation and that is used with the article in an integrated manner." Plaintiff alleges that the above steps correspond to the following steps on a one-to-one basis: "[iii] The operated shift lever gives a command to a transmission. [iv] The vehicle with an imaging device complies with the command given to the transmission and changes a graphic image on a display that is provided for use in the operation and that is used with the article in an integrated manner" in the case where the "vehicle with an imaging device" is operated based on the graphic images in the present application portion. However, in the case where the remote control is performed by a remote controller based on a "graphic image that is provided for use in the operation," what should be compared with the feature [iii] the (movement of the) shift lever gives a command to a transmission which corresponds to the internal mechanism of the article is the feature that (the selection or designation of) a figure, etc. (by the remote controller) which is displayed in a graphic image and is used for the operation of the article gives a command to the internal mechanism, etc. of the article. It is improper to compare the remote controller that is merely a means of selecting or designating a figure, etc. in a graphic image with the shift lever that gives a command to the internal mechanism of the article.

Accordingly, Plaintiff's allegation is groundless.

VI Conclusion

Hence, the claim of Plaintiff is groundless and thus shall be dismissed, and the judgment is made as in the main text.

Intellectual Property High Court, Second Division

Presiding Judge:	MORI Yoshiyuki
Judge:	KATAOKA Sanae
Judge:	FURUSHO Ken

Attachment I Design in the present application (Design Application No. 2015-005576)

Article to the design Vehicle with an imaging device

Description of the article to the design

The present article consists of a vehicle with an imaging device, and each of graphic image figures provided by the imaging device and displayed on a display device, such as a road surface around the vehicle, an assembly parking lot, or a floorboard, etc. of an exhibition hall, and used with the article in an integrated manner. The "generally assumable functions" of the vehicle consist of "moving," "turning," and "stopping." Each of the graphic image figures which seek to obtain the design registration of the article is a "graphic image that is provided for use in the operation" to enable the article to perform its "moving" functions.

1. Moving the vehicle forward.

(1) Either the driver or a fellow passenger unlocks the vehicle. From "reduced graphic image figure 1 (reference drawing 1 illustrating a state of use)" to "reduced graphic image figure 2 (reference drawing 2 illustrating a state of use)."

(2) The driver starts the engine. "Reduced graphic image figure 3 (reference drawing 3 illustrating a state of use)"

(3) The driver conducts an operation to move the vehicle forward. "Reduced graphic image figure 4 (reference drawing 4 illustrating a state of use) and "reduced graphic image figure 5 (reference drawing 5 illustrating a state of use)"

(4) Until the vehicle starts moving, "reduced graphic image figure 6 (reference drawing 6 illustrating a state of use)," "reduced graphic image figure 7 (reference drawing 7 illustrating a state of use)" and "reduced graphic image figure 8 (reference drawing 8 illustrating a state of use)" are repeated.

(5) The vehicle moves.

2. Moving the vehicle backward.

(1) Either the driver or a fellow passenger unlocks the vehicle. From "reduced graphic image figure 9 (reference drawing 9 illustrating a state of use)" to "reduced graphic image figure 10 (reference drawing 10 illustrating a state of use)."

(2) The driver starts the engine. "Reduced graphic image figure 11 (reference drawing 11 illustrating a state of use)"

(3) The driver conducts an operation to move the vehicle backward. "Reduced graphic image figure 12 (reference drawing 12 illustrating a state of use) and "reduced

graphic image figure 13 (reference drawing 13 illustrating a state of use)"

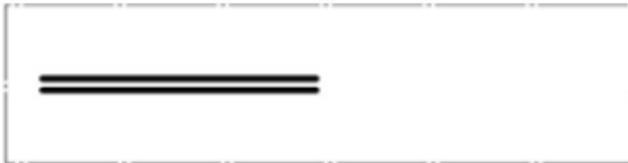
(4) Until the vehicle starts moving, "reduced graphic image figure 14 (reference drawing 14 illustrating a state of use)," "reduced graphic image figure 15 (reference drawing 15 illustrating a state of use)," and "reduced graphic image figure 16 (reference drawing 16 illustrating a state of use)" are repeated.

(5) The vehicle moves.

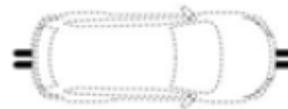
Description of the design

Only the area surrounded by a long dashed short dashed line represents a portion which seeks design registration as a partial design.

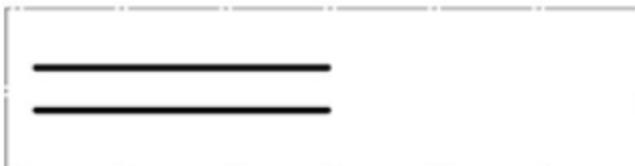
reduced graphic image figure 1



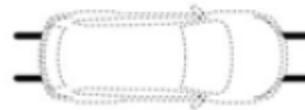
reference drawing 1 illustrating a state of use



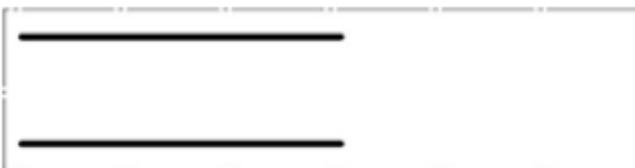
reduced graphic image figure 2



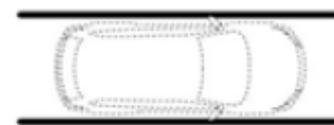
reference drawing 2 illustrating a state of use



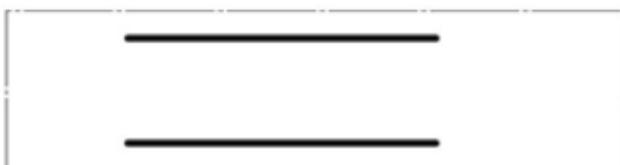
reduced graphic image figure 3



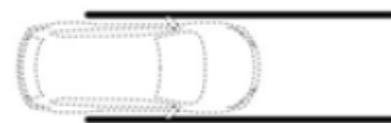
reference drawing 3 illustrating a state of use



reduced graphic image figure 4



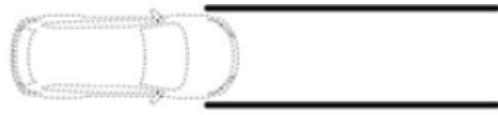
reference drawing 4 illustrating a state of use



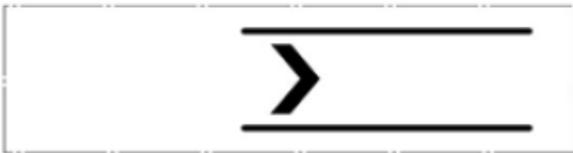
reduced graphic image figure 5



reference drawing 5 illustrating a state of use



reduced graphic image figure 6



reference drawing 6 illustrating a state of use



reduced graphic image figure 7



reference drawing 7 illustrating a state of use



reduced graphic image figure 8



reference drawing 8 illustrating a state of use



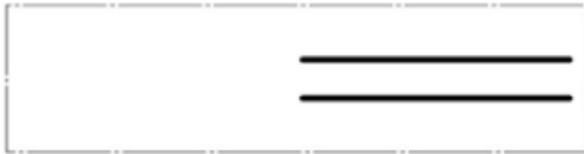
reduced graphic image figure 9



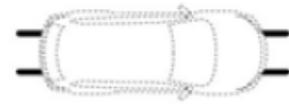
reference drawing 9 illustrating a state of use



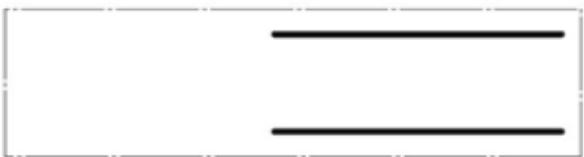
reduced graphic image figure 10



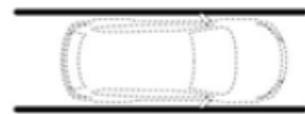
reference drawing 10 illustrating a state of use



reduced graphic image figure 11



reference drawing 11 illustrating a state of use



reduced graphic image figure 12



reference drawing 12 illustrating a state of use



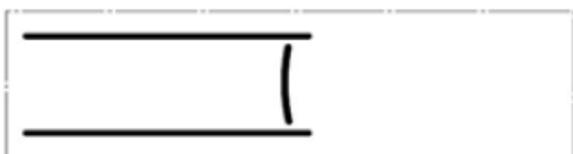
reduced graphic image figure 13



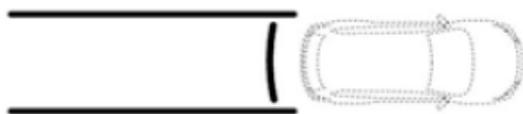
reference drawing 13 illustrating a state of use



reduced graphic image figure 14



reference drawing 14 illustrating a state of use



reduced graphic image figure 15



reference drawing 15 illustrating a state of use



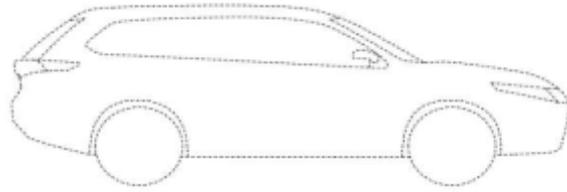
reduced graphic image figure 16



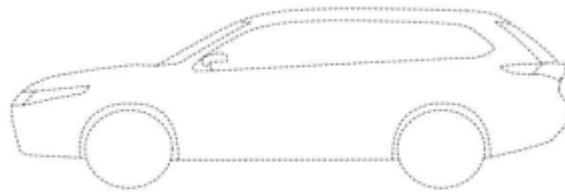
reference drawing 16 illustrating a state of use



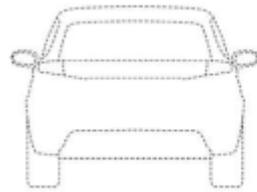
front view



rear view



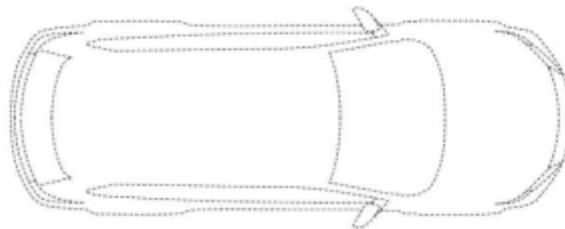
left side view



right side view



plan view



bottom view

