

## Quick Guide to "IP Judgments in Japan"

Case summaries and English translations of selected IP judgments (full text/extract) are available on the webpages described below. English translations (full text/extract) are released only in relatively important cases. In general, each PDF file contains the case summary and available English translation (full text/extract) of each judgment.

Here are tips to find desired judgments in each webpage.

### 1. "Recent IP Judgments" page

"Recent IP Judgments" page provides case summaries and available English translations (full text/extract) of recently rendered judgments.

### 2. "IP Judgment Database" page

The "IP Judgment Database" provides English translations of judgments (full text/extract) and case summaries of the selected IP judgments rendered by the Supreme Court, the IP High Court, the IP divisions of Osaka High Court, Tokyo District Court and Osaka District Court and the former IP division of Tokyo High Court (prior to April 1, 2005).

The database offers the search result by entering following items.

#### 1) Entry items of the database:

**"Court"**: Select the court which rendered the judgment from the drop-down list.

**"Case Number"**: If you know the full or partial case number of the judgment, you can find the case by entering the case number. Enter the 4 digit year number (Western calendar) in the left box, select the case code from the drop-down list in the middle box, and enter the specific number of the case in the right box.

Brief explanations of the major case codes are as follows:

(Gyo-Ke) The first instance of administrative litigation in high court

(Gyo-U) The first instance of administrative litigation in district court

(Gyo-Ko) Appeal from district court in administrative litigation

- (Ne) Appeal from district court in civil litigation.
- (Ra) Interlocutory appeal from district court
- (Wa) The first instance of civil litigation in district court
- (Yo) Civil provisional remedy case in district court

**"Date of the Judgment"**: If you know the exact date of rendition of the judgment, you can find the case by entering the specific date in the boxes of the top row.

Period search is also available by entering the commencement date in the boxes of the "From" row and final date in the boxes of the "To" row.

**"Type of Litigation"**: Select the type(s) of litigation by clicking check box(es) to narrow the scope of search.

Brief explanations of types of litigation are as follows:

Administrative Litigation: Suits against appeal/trial decisions made by the JPO

Civil Litigation: IP-related civil cases such as infringement lawsuit

Preliminary Injunction: Tentative remedy granted by a court prior to a final determination of the merits

Other: Decisions on jurisdiction, protection order, etc.

**"Type of Right"**: Select the type(s) of right by clicking check box(es) to narrow the scope of search.

**"Key Word"**: Keyword search provides judgments which contain all the entered keywords such as legal issues (e.g. "inventive step", "similarity") and the names of the parties (e.g. "John Smith"). Enter a space between keywords when entering more than one. Please note that the keyword search is not case-sensitive.

## 2) Search result

After entering the above items, click "Search" for the search results. The judgments (full text/extract) and case summaries are available in PDF files. (Full text is released only for

highly important judgment)

### **3. "Important IP Judgment by Category" page**

**"Important IP Judgment by Category"** page provides case summaries and English translations (full text/extract) of important IP Judgments, categorized according to IP related statutes and major legal topics thereof.

By clicking one of the underlined statute categories, i.e. "Patent," "Trademark Right," "Design Right," "Copyright," "Unfair Competition Prevention Act" or "Commercial Code, etc." and then clicking one of the underlined legal-topic categories, you can access the judgments concerning the legal topic you chose.

### **4. "Grand Panel Cases of the IP High Court" page**

**"Grand Panel Cases of the IP High Court"** page provides case summaries and English translations (full text/extract) of all judgments that were rendered by the Grand Panel of the IP High Court, together with those of the first instance if available, in reverse chronological order.