

# Industrial Technology Enhancement Act

(Act No. 44 of April 19, 2000)

## (Purpose)

Article 1 The purpose of this Act is to further sustainable development of Japanese industries, by clarifying the responsibilities of the national government, local governments, universities and business operators in regard to enhancing the our nation's industrial technology capability, stipulating provisions to form the basis of policies concerning enhancing industrial technology capability, and taking measures to support enhancing industrial technology capability, and thereby to contribute to the stabilization and improvement of the general welfare of the life of the citizens and to the sound development of the national economy.

## (Definition)

Article 2 (1) The term "Industrial Technology Capability" as used in this Act shall mean the capability to carry out technology-related research and development utilized in industrial activities and the capabilities to carry out commercialization of the results thereof.

(2) The term "Technology Management Capability" as used in this Act shall mean the capability to utilize the results of technology-related research and development effectively in management together with other management resources and to systematically further research and development by surveying the prospects of future business content.

## (Basic Principle)

Article 3 (1) In light of the fact that Industrial Technology Capability is the foundation for furthering sustainable development of Japanese industries by accurately responding to changes in the internal and external economic environment, such as changes in industrial structure and technological progress, etc., Industrial Technology Capability shall be enhanced with the basic objectives of enhancing the capability to implement creative research and development under mutually close coordination of the national government, local governments, universities and business operators, and of enhancing the capability to implement the commercialization of results thereof, based on a foundation of striving to maintain and improve the industrial technology standards related to technology improvement that have supported our nation's industrial development.

(2) In light of the fact that enhancing Technology Management Capability

contributes to the enhancing of Industrial Technology Capability as prescribed in the preceding paragraph, the enhancement of Technology Management Capability shall be carried out based on the premise that when business operators engage in research and development, it is important for said business operators to accurately grasp the current status of their competitiveness and the trends of technical innovation, and it is also important for said business operators to seek broad knowledge regardless of their current business field and to assimilate the knowledge thus obtained and utilize it.

(Responsibility of the National Government)

- Article 4 (1) In accordance with the Basic Principle of the preceding Article (hereinafter referred to as "Basic Principle"), the national government shall have the responsibility to formulate a comprehensive policy concerning enhancing Industrial Technology Capability and implement it.
- (2) National relevant administrative organs shall cooperate while providing mutual coordination, in order to promote smooth implementation of policies concerning enhancing Industrial Technology Capability.
- (3) The national government shall give due consideration with the importance of promoting the enhancement of Technology Management Capability when formulating a comprehensive policy as prescribed in paragraph 1 and implementing it.

(Responsibilities of Local Governments)

Article 5 In enhancing Industrial Technology Capability, in accordance with the Basic Principle, local governments shall have the responsibility to formulate policies that follow the national policies, and autonomous policies that utilize the characteristics of the region of that local government, and to implement those policies.

(Responsibilities, etc. of Universities)

- Article 6 (1) Considering that their activities contribute to enhancing Industrial Technology Capability, universities shall autonomously and actively endeavor to engage in training human resources and carry out research and disseminating the results thereof.
- (2) In formulating and implementing policies for enhancing Industrial Technology Capability pertaining to universities, the national government, and local governments shall pay due attention to autonomy of researchers or other characteristics of research conducted at universities.

(Responsibility of Business Operators)

Article 7 In accordance with the Basic Principle, business operators shall

actively endeavor to carry out research and development and to enhance the commercialization of the results thereof and to strengthen Technology Management Capability.

(Securing and Training Researchers, etc. and Improving their Qualities)

Article 8 In light of the fact that the enhancing of Industrial Technology Capability is furthered by enabling the creativity of researchers and engineers to be fully demonstrated, the national government shall take necessary measures to secure and train researchers and engineers and to improve their qualities.

(Maintenance, etc. of Research and Development Facilities)

Article 9 In order to provide smooth implementation of enhancing Industrial Technology Capability, the national government shall take the necessary measures to facilitate the maintenance of facilities and equipments for carrying out research and development, the supply of necessary materials for research, and the achievement of smooth flow of technology-related information.

(Prioritizing, etc. of Funds Pertaining to Research and Development)

Article 10 In order to promote effective implementation of enhancing Industrial Technology Capability, the national government shall take necessary measures for promoting the prioritization of funds for research and development related to Industrial Technologies and increasing the efficiency thereof, by means of implementing suitable evaluation of the researches and developments carried out using national funds and having the results thereof reflected in budget allocations.

(Strengthening of Coordination)

Article 11 The national government shall, considering that enhancing Industrial Technology Capability can be effectively promoted when the research and development institutes of the national government and local governments, universities and business operators supplement each other, take necessary measures for strengthening the coordination of these entities.

(Promoting the Transfer of Research Results)

Article 12 The national government shall, considering that it is important for the enhancing of Industrial Technology Capability that the results of research and development at research and development institutes of the national government and local governments and universities be utilized for business activities, take the necessary measures for promoting the transfer of those results to business operators.

(Policy for Strengthening of Technology Management Capability)

Article 13 Considering that enhancing Technology Management Capability is important for enhancing Industrial Technology Capability, the national government shall take necessary measures for promoting the enhancing of Technology Management Capability, such as presenting forecasts concerning useful future technologies for business operators to comprehensively grasp the trends of technological innovations, training the human resources who will contribute to enhancing Technology Management Capability and improving the qualities thereof, thus maintaining an environment in which business operators can efficiently and smoothly utilize the results of research and development in carrying out business activities, etc.

(Facilitating Accepting Funds Pertaining to Delegated Research, etc.)

Article 14 In order to contribute to the smooth implementation of research conducted with contributed funds received from entities other than local governments for the purpose of scholarship, or research entrusted by entities other than local governments, or research performed jointly with an entity other than said local government, such research being conducted at public schools established by a local government (referring to the public schools as prescribed in Article 2, paragraph 2 of the School Education Act (Act No. 26 of 1947)), the local government shall take the necessary measures to facilitate accepting and using funds associated with research provided from entities other than local governments.

(Supporting Business Operators who Utilize Research Results of Research and Development Institutes, etc.)

Article 15 (1) In order to enhance Industrial Technology Capability, the national government, shall endeavor to take necessary measures to provide support to the business operators who will implement businesses that utilize said research results, taking into account the fact that it has an important meaning in the promotion of transfers of said research results to business operators, for researchers at national Research and Development Institutes to jointly hold positions as officers, advisors or councilors in companies and other organizations whose purpose is to conduct for-profit private enterprise to implement businesses utilizing the results of that research (referred to in the next paragraph as "Research Results Utilizing Companies, etc.").

(2) In order to enhance Industrial Technology Capability, local governments shall endeavor to take necessary measures to provide support to the business operators who will implement businesses that utilize said research results, taking into account the fact that it has an important meaning in the promotion

of transfers of said research results to business operators, for researchers at universities, etc. (meaning entities that are universities or national colleges of technology as prescribed in Article 1 of the School Education Act and are established by local governments) and Research and Development Institute of local governments to jointly hold positions as officers, advisors or councilors of Research Results Utilizing Companies, etc.

(No-charge use of National Facilities by Entities who Implement Operations to Transfer the Technologies of Specified Research and Development Institutes)

Article 16 When an entity which has received accreditation pursuant to the Article 12, paragraph 1 of the Act on the Promotion of Technology Transfer from Universities to Private Industry (Act No. 52 of 1998), provides the facilities of a Specified Research and Development Institute of the same paragraph for use of business prescribed in the same paragraph and that the national government finds that the facilities are particularly necessary for promoting the enhancement of Industrial Technology Capability, the national government may allow said entity which has received accreditation to use the facilities of said Specified Research and Development Institute without charge.

(Special Provisions of Patent Fees, etc.)

Article 17 (1) When a person who should pay patent fees for each year from the first to the third year pursuant to the provisions of Article 107, paragraph 1 of the Patent Act (Act No.121 of 1956) is a person listed in the following items and meets the requirements specified by Cabinet Order as being a person particularly needed to promote the enhancement of Industrial Technology Capability, the Commissioner of the Japan Patent Office may, pursuant to provisions of Cabinet Order, grant the person a reduction of, exemption from or deferment of the payment of the patent fees.

(i) University president, vice president, dean, professor, associate professor, assistant professor, lecturer, assistant or other staff member exclusively engaged in research, of universities as prescribed in Article 1 of the School Education Act (hereinafter in this Article referred to simply as "Universities"); college president, professor, associate professor, assistant professor, lecturer, assistant or other staff member exclusively engaged in research, of national college of technology as prescribed in Article 1 of the same Act (hereinafter in this Article referred to simply as "Colleges of Technology"); or the director or staff member exclusively engaged in research, of the Inter-University Research Institute Corporation prescribed in Article 2, paragraph 3 of the Incorporated National University Act (Act No. 112 of 2003) (hereinafter referred to simply as "Inter-University Research Institutes") (referred to collectively hereinafter as "University, etc.

- Researcher") that is the inventor of that patented invention (limited to employee invention (meaning those prescribed in Article 35, paragraph 1 of the Patent Act; hereinafter the same shall apply).
- (ii) In the case that the patented invention is an employee invention made by University, etc. Researcher, the person that establishes the University or College of Technology or Inter-University Research Institutes which has succeeded the right to obtain a patent from said University, etc. Researcher.
  - (iii) In the case that the patented invention was made jointly by University, etc. Researcher and person other than University, etc. Researcher (limited to the case that said patented invention is an employee invention with respect to the University, etc. Researcher), the person that establishes the University or College of Technology, or Inter-University Research Institutes which has succeeded the right to obtain a patent related to the joint ownership of the entities involved in said patented invention from the entities.
  - (iv) In the case the patented invention is an employee invention made by a person who is either officer or employee exclusively engaged in research of an Incorporated Administrative Agency (meaning an Incorporated Administrative Agency as prescribed in Article 2, paragraph 1 of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999) other than that has established a College of Technology; hereinafter the same shall apply in this Article) which is specified by Cabinet Order as one which conducts business related to research and development (hereinafter in this Article referred to as an "Incorporated Administrative Agency Researcher"), said Incorporated Administrative Agency which has succeeded the right to obtain a patent from that Incorporated Administrative Agency Researcher.
  - (v) In the case that the patented invention is an employee invention made by person who is either the head or an employee exclusively engaged in research of a public Research and Development Institute (meaning an entity that is a, laboratory, research institute or other organization established in local government (excluding public school as prescribed in Article 2, paragraph 2 of the School Education Act) and which conducts business related to research and development; hereinafter the same shall apply in this Article ) (hereinafter in this Article referred to as a "Public Research and Development Institute Researcher"), a person who establishes said Public Research and Development Institute which has succeeded the right to obtain a patent from that Public Research and Development Institute Researcher.
  - (vi) In the case that the patented invention is an employee invention made by person who is either an officer or employees exclusively engaged in research of a local incorporated administrative agency (meaning a Local Incorporated Administrative Agency as prescribed in Article 2, paragraph 1 of the Local

Incorporated Administrative Agency Act (Act No. 118 of 2003) other than a Public University Corporation prescribed in Article 68, paragraph 1 of the same Act; hereinafter the same shall apply in this Article ) which conducts business related to research and development (hereinafter in this Article referred to as "Local Incorporated Administrative Agency Researcher"), said Local Incorporated Administrative Agency which has succeeded the right to obtain a patent from that Local Incorporated Administrative Agency Researcher.

(vii) In the case that the patented invention is an employee invention made by University, etc. Researcher and the right to obtain a patent related to said patented invention was succeeded by a person who received approval set forth in Article 4, paragraph 1 of the Act on the Promotion of Technology Transfer from Universities to Private Industry (including a person who received approval of changes pursuant to the provisions of Article 5, paragraph 1 of the same Act,; hereinafter in this Article and in Supplementary Provisions Article 3 referred to as "Accredited TLO"), the person that establishes said University or College of Technology, or Inter-University Research Institutes which has succeeded the right to obtain said patent from said Accredited TLO.

(viii) In the case that the patented invention was made jointly by University, etc. Researcher and a person other than University, etc. Researcher (limited to the case that said patented invention, as concerns the University, etc. Researcher, is an employee invention) and that the right to obtain a patent related to the joint ownership of the entities involved in said patented invention was succeeded by an Accredited TLO, the person that establishes the University or College of Technology, or Inter-University Research Institutes which has succeeded said right to obtain a patent from said Accredited TLO.

(2) When a person listed in the following, requests examination of his own patent application, the Commissioner of the Japan Patent Office may, pursuant to provisions of Cabinet Order, grant a reduction of, or exemption from the fee for requesting the examination of patent application payable pursuant to the provisions of the Patent Act Article 195, paragraph 2.

(i) University, etc. Researcher who is an inventor of the patented invention (limited to employee invention)

(ii) In case the invention is an employee invention made by University, etc. Researcher, the person that establishes the University or College of Technology, or Inter-University Research Institutes which has succeeded said right to obtain a patent from said University, etc. Researcher

(iii) In the case that the invention was made jointly by University, etc. Researcher and a person other than University, etc. Researcher (limited to

the case that said invention, is an employee invention with respect to the University, etc. Researcher), the person that establishes the University or College of Technology, or Inter-University Research Institutes which has succeeded the right to obtain a patent related to the joint ownership of the entities involved in said invention from the entities

- (iv) In the case that the invention is an employee invention made by Incorporated Administrative Agency Researcher, said Incorporated Administrative Agency that has succeeded the right to obtain a patent from said Incorporated Administrative Agency Researcher
- (v) In the case that the invention is an employee invention made by Public Research and Development Institute Researcher, the person who establishes said Public Research and Development Institute which has succeeded the right to obtain a patent from said Public Research and Development Institute Researchers
- (vi) In the case that the invention is an employee invention made by Local Incorporated Administrative Agency Researcher, said Local Incorporated Administrative Agency which has succeeded the right to obtain a patent from said Local Incorporated Administrative Agency Researcher
- (vii) In the case that the invention is an employee invention made by University, etc. Researcher and that the right to obtain a patent pertaining to said invention has been succeeded by an Accredited TLO, the person that establishes the University or College of Technology, or Inter-University Research Institutes which has succeeded the right to obtain a patent from said Approved TLO
- (viii) In the case that the invention was made jointly by University, etc. Researcher and person other than University, etc. Researcher (limited to the case that said invention is an employee invention with respect to the University, etc. Researcher) and that the right to obtain a patent related to the joint ownership of the entities involved in said invention was succeeded by an Accredited TLO, the person that establishes the University or College of Technology, or Inter-University Research Institutes which has succeeded the right to obtain a patent from said Accredited TLO

Article 18 (1) When a person who should pay annual patent fees for each year from the first to the third year pursuant to the provisions of Article 107, paragraph 1 of the Patent Act is a person listed in the following and meets the requirements specified by Cabinet Order as being a person particularly needed to promote the enhancement of Industrial Technology Capability, the Commissioner of the Japan Patent Office may, pursuant to provisions of Cabinet Order, grant the person a reduction of, exemption from, or deferment of the payment of the patent fees.



- (i) Inventors of that patent invention
  - (ii) The employer, etc., (meaning one prescribed in Article 35, paragraph 1 of the Patent Act,; hereinafter the same shall apply in this Article) who has succeeded the right to obtain a patent from the employee, etc., (meaning an entity prescribed in the same paragraph; hereinafter the same shall apply in this Article), where the patented invention is an employee invention and there exists any contract, employment rules or any other stipulations providing in advance that the employer, etc. shall succeed the right to obtain a patent.
- (2) When a person who is listed in the following items and satisfies the requirements specified by Cabinet Order as being one particularly needed to promote the enhancement of Industrial Technology Capability, requests examination of his own patent application, the Commissioner of the Japan Patent Office may, pursuant to provisions of Cabinet Order, grant the person a reduction of, or exemption from the fee for requesting the examination of patent application payable pursuant to the provisions of the Patent Act Article 195, paragraph 2.
- (i) Inventor of that invention
  - (ii) The employer, etc., who has succeeded the right to obtain a patent from his employee, etc., where the invention is an employee invention and there exists any contract, employment rules or any other stipulations providing in advance that the employer, etc. shall succeed the right to obtain a patent.

(Handling of Patent Rights Pertaining to Results, etc. of Research and Development Entrusted by the National Government)

- Article 19 (1) In order to vitalize technology-related research and development activities and promote effective utilizations of the results thereof in business activities, if the patent right or other right specified by Cabinet Order (hereinafter in this Article referred to as "Patent Right, etc.") pertaining to the result of technology-related research and development entrusted by the national government or of software development that the national government has contracted for work (hereinafter in this Article referred to as "Result of Specified Research and Development, etc."), falls under all of the following items, the national government may decide not to accept those Patent Rights, etc. from that entrusted party or contractor (hereinafter in this Article, "Trustee, etc.").
- (i) In the case that Result of Specified Research and Development, etc. is obtained, the Trustee, etc. promise to report to that effect to the national government without delay.
  - (ii) In the case that the national government finds it particularly necessary for the public interest and makes a request, making clear the reasons therefor,

the Trustee, etc. promise to grant to the national government the right to use said Patent Rights, etc. without charge.

(iii) In the case that the national government recognizes that said Patent Right, etc. have not been utilized within a reasonable time and does not find any justifiable grounds as to why said Patent Rights, etc. have not been utilized within a reasonable time, and in case the national government finds that utilization of said Patent Rights, etc. is particularly necessary for promoting the use of said Patent Rights and makes a request making clear the reasons therefor, the Trustee, etc. promise to grant to a third the right to use said Patent Rights, etc.

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to the relationship between another juridical person to whom the national government has provided funds and has had technology-related research and development performed thereby where that said juridical person entrusts all or a part of that research and development and the party which has been entrusted to do said research and development, and also to the relationship between another juridical person to whom the national government has provided funds and has had software development conducted thereby where that said juridical person contracts out for work all or a part of that development to another party, and said contractor for the development.

(3) When the juridical person of the preceding paragraph, request the authorization set forth in paragraph 1, item 2 or item 3 applied mutatis mutandis in the same preceding paragraph, the juridical person shall do so in response to a request of the national government.

### **Supplementary Provisions**

(Effective date)

Article 1 This Act shall come into force as of the day provided by Cabinet Order within a period not exceeding one month from the day of promulgation.

(Transitional Measures Pertaining to Special Provisions of Patent Fees)

Article 2 (1) Regarding reduction of, exemption from or deferment of patent fees for patent applications involving entities specified in Article 16, paragraph 1 for which a transcript of an assessment or decision stating that a patent should be granted were delivered prior to enforcement of this Act , the provisions then in force shall remain applicable notwithstanding the provisions of this paragraph.

(2) Regarding reduction of, exemption from or deferment of patent fees for patent applications involving entities specified in Article 17, paragraph 1 for which a transcript of an assessment or decision stating that a patent should be granted,

were delivered prior to enforcement of this Act, the provisions then in force shall remain applicable notwithstanding the provisions of this paragraph.

(Transitional Measures, etc. Related to Patent Fees, etc. Pertaining to Incorporated National University, etc.)

Article 3 (1) In application of paragraph 2 of Article 107 concerning the patent fees that should be paid pursuant to the provisions of paragraph 1 of Article 107 of the Patent Act, the fees that should be paid pursuant to the provisions of paragraph 1 or paragraph 2 of Article 195 of the same Act, or fees that should be paid pursuant to the provisions of paragraph 1 of Article 40 of the Act on Special Measures for Procedures, etc. Regarding Industrial Property Rights, (Act No. 30 of 1990), paragraph 4 and paragraph 5 (including cases where these provisions are applied mutatis mutandis to the Act on International Applications under the Patent Cooperation Treaty (Act No. 30 of 1978), Article 18, paragraph 4), and the provisions of paragraph 3 and paragraph 4 of Article 40 of the Act on Special Measures for Procedures, etc. Regarding Industrial Property Rights, ,incorporated national university (meaning the incorporated national university prescribed in the Incorporated National University Act, Article 2, paragraph 1), Inter-University Research Institute, or Institute of National Colleges of Technology [Incorporated Administrative Agencies] (hereinafter referred to in this Articles as "Incorporated National University, etc.") shall be deemed as the national government.

(i) Patent rights succeeded by Incorporated National University, etc. pursuant to the provisions of the Incorporated National University Act, paragraph 1 of Article 9 of Supplementary Provisions, or the provisions of paragraph 1 of Article 8 of Supplementary Provisions of the Institute of National Colleges of Technology Incorporated Administrative Agency Act (Act No. 103 of 2003)

(ii) Rights to obtain a patent which a Incorporated National University, etc. has succeeded pursuant to the provisions of paragraph 1 of Article 9 of Supplementary Provisions of the Incorporated National University Act, or pursuant to the provisions of paragraph 1 of Article 8 of Supplementary Provisions, the Institute of National Colleges of Technology Incorporated Administrative Agency Act, (limited to those patent applications filed by March 31, 2007 (excluding those filed on or after April 1 of the same year, but deemed to have been filed by March 31 of the same year pursuant to the provisions of paragraph 2 of Article 44 of the Patent Act (including cases applies mutatis mutandis to the same Act Article 46 paragraph 5); hereinafter the same shall apply in this Article )) or patent rights obtained based on such right of said National University Corporation, etc. that enables to obtain said patent

(iii) Patent rights or such right that enables to obtain a patent that a National

University Corporation, etc. has succeeded from a University, etc. Researcher of said National University Corporation, etc. by March 31, 2007 (limited to those pertaining to patent applications filed by the same day) or patent rights that said National University Corporation, etc. obtained based on such right that enables to obtain said patent

(iv) Patent right or such right that enables to obtain a patent that an Accredited TLO has received by assignment from a National University Corporation, etc. (limited to those listed in the preceding Item 3) or patent right that an Accredited TLO obtained based on said such right that enables to obtain a patent (limited to those pertaining to patent application filed by March 31, 2007) and which a National University Corporation, etc. succeeded from said Accredited TLO

(2) Concerning the patent fee to be paid pursuant to the provisions of the Patent Act Article 107, paragraph 1 related to patent right or such right that enables to obtain a patent as provided in any item of the preceding paragraph or the fee to be paid to request application examination pursuant to the provisions of the same Act, Article 195, paragraph 2, the provisions of Article 17 shall not apply.

**Supplementary Provisions [Act No. 145 of December 11, 2002 Extract]  
[Extract]**

(Effective date)

Article 1 This Act shall come into force as from the day of promulgation, provided, however, that the provisions of Article 15 to Article 19, Article 26 and Article 27 and Article 6 to Article 34 of the Supplementary Provisions shall come into force as from October 1, 2003.

(Transitional Measures of Penal Provisions)

Article 34 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to provisions stipulated in the proviso of the Supplementary Provisions Article 1, meaning such provisions; the same applies hereinafter in this Article) and to acts committed after the enforcement of this Act but to which provisions then in force shall remain applicable pursuant to provisions of the Supplementary Provisions, the provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 35 In addition to what is provided in these Supplementary Provisions, transitional measures that become necessary in connection with the establishment of organizations, and other transitional measures necessary for

enforcement of this Act shall be set forth by Cabinet Order.

**Supplementary Provisions [Act No. 47 of May 23, 2003 Extract] [Extract]**

(Effective date)

Article 1 This Act shall come into force as from January 1, 2004; provided, however, that the provisions listed in the following items shall come into force as from the date provided in each of said items.

(i) Provisions of Article 18 of Supplementary Provisions Day of promulgation

(ii) The revised provisions of Article 107, Article 195 and the Appended Table Item 1 through Item 4 and Item 6 of the Patent Act set forth in Article 1; the revised provisions Article 31 and Article 54 of the Utility Model Act set forth in Article 2; the revised provisions of Article 42 and Article 67 of the Design Act set forth in Article 3; the revised provisions of Article 40, Article 41-2, Article 65-7 and Article 76 of the Trademark Act set forth in Article 4; the revised provisions of Article 18 of the Act on International Applications under the Patent Cooperation Treaty set forth in Article 5; the revised provisions of Article 40 of the Act on Special Provisions for Procedures related to Industrial Property Rights set forth in Article 6 (excluding the parts pertaining to paragraph 1 of same Article) and the provisions of Article 7 and Article 8 and the Supplementary Provisions Article 2, paragraph 2 through Paragraph 6, Article 3, paragraph 2 and paragraph 3, Article 4, paragraph 1, Article 5, paragraph 1, Article 7 through Article 11, Article 16 and Article 19: April 1, 2004

(Transitional Measures With Regard To Revisions of the Industrial Technology Enhancement Act)

Article 9 Concerning reduction of, exemption from or deferment of patent fees pertaining to patent applications involving persons listed in item 3 and item 4 of paragraph 1 of Article 16 of the Industrial Technology Enhancement Act after the revisions thereto pursuant to the provisions of Article 8 and for which transcripts of assessment or decision to grant patent were delivered prior to the date of partial enforcement, the provisions of the same paragraph shall not apply.

(Transitional Measures Concerning Application of Penal Provisions)

Article 17 With regard to the application of penal provisions to acts committed before the effectuation of this Act and any acts committed after the effectuation of this Act with respect to which the provisions then in force shall remain applicable pursuant to the Supplementary Provision, the respective provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 18 In addition to what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, transitional measures necessary for enforcement of this Act shall be set forth by Cabinet Order.

(Review)

Article 19 When five years have passed after effectuation of the provisions listed in the item 2 of Article 1 of Supplementary Provisions, the government shall review the status of enforcement of the provisions of the new paragraph 1 of Article 107, as well as of item 1 through item 4 and item 6 of the Appended Table of Patent Act, and shall take measures deemed necessary based on the results of that review.

**Supplementary Provisions [Act No. 117 of July 16, 2003 Extract]  
[Extract]**

(Effective date)

Article 1 This Act shall come into force as from April 1, 2004.

(Transitional Measures Concerning Penal Provisions)

Article 7 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act and any acts committed after the enforcement of this Act with respect to which the provisions then in force shall remain applicable pursuant to the Supplementary Provisions, the provisions then in force shall remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 8 In addition to those provided for in Article 2 to the preceding Article of the Supplementary Provisions, the necessary transitional measures for enforcement of this Act shall be set forth by Cabinet Order.

**Supplementary Provisions [Act No. 119 of July 16, 2003 Extract]  
[Extract]**

(Effective date)

Article 1 This Act shall come into force as from the day of effectuation of the Local Incorporated Administrative Agency Act (Act No. 118 of 2003)

(Delegation of Other Transitional Measures to Cabinet Order)

Article 6 In addition to those provided for in the Supplementary Provision, the

necessary transitional measures in connection with the effectuation of this Act shall be set forth by Cabinet Order.

**Supplementary Provisions [Act No. 83 of July 15, 2005 Extract] [Extract]**

(Effective date)

Article 1 This Act shall come into force as from April 1, 2007.