

Order for Enforcement of the Industrial Technology Enhancement Act

(Cabinet Order No. 206 of April 19, 2000)

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 16 and Article 17 of the Industrial Technology Enhancement Act (Act No. 44 of 2000).

(Granting of a Non-exclusive Registered Right to Work at a Price Lower than the Market Value)

- Article 1 (1) A non-exclusive license for a State-owned patent right or utility model right as provided in Article 16-2 of the Industrial Technology Enhancement Act (hereinafter referred to as the "Act") shall be granted in exchange for the value calculated by reducing the current market value of such license by up to 50 percent.
- (2) The period specified by Cabinet Order as prescribed in Article 16-2 of the Act shall be three years.
- (3) The entities specified by Cabinet Order as prescribed in Article 16-2 of the Act shall be an individual, or a juridical corporation falling under any of the following items, and shall have a specific plan for carrying out the development or production of a new product, development or provision of a new service, introduction of a new method for production or sale of a product, introduction of a new method for provision of a service, or any other new business activities which involve the working of the patented invention or registered utility model set forth in said Article:
- (i) A juridical corporation whose amount of stated capital or total amount of contribution is 500 million yen or less;
 - (ii) A juridical corporation who employs 1,000 or fewer persons on a regular basis;
 - (iii) A juridical corporation whose total amount stated in the liabilities section of the most recent balance sheet is 20 billion yen or less;
 - (iv) A juridical person who has been incorporated for a period of less than ten years and whose Ratio of Test and Research Expenses, etc. (meaning the ratio of the sum of the test and research expenses and the Development Expenses (meaning the Development Expenses prescribed in Article 14, paragraph (1), item (iii) of the Order for Enforcement of the Corporation Tax Act (Cabinet Order No. 97 of 1965) and special expenses disbursed for commencing a new business) to the Revenue (meaning the amount calculated by deducting the revenue arising from the transfer of fixed assets or of

securities prescribed in Article 2, item (xxi) of the Corporation Tax Act (Act No. 34 of 1965) from the gross revenue) for a single business year; the same shall apply in Article 6, item (ii) and item (iii)) exceeds three percent in the business year preceding the business year that contains the day on which the judicial person requested the granting of a license set forth in Article 16-2 of the Act (or the business year before such preceding business year if the juridical person requested such granting within two months after the end of such preceding business year).

(Persons Particularly Needed to Promote the Enhancement of Industrial Technology Capability)

Article 1-2 The person who meets the requirements specified by Cabinet Order as prescribed in Article 17, paragraph (1) and paragraph (2) of the Act shall be a person who falls under any of the following items:

- (i) With regard to what is prescribed in Article 17, paragraph (1), item (i) of the Act, the inventor of the patented invention or invention (limited to Employee Invention (meaning the Employee Invention prescribed in Article 35, paragraph (1) of the Patent Act (Act No. 121 of 1959); the same shall apply hereinafter));
- (ii) With regard to what is prescribed in Article 17, paragraph (1), item (i) of the Act (hereinafter referred to as a "University, etc."), the person falling under any of the following:
 - (a) In the case where the patented invention or invention is an Employee Invention by a University, etc. Researcher (meaning a University, etc. Researcher prescribed in Article 17 paragraph (1), item (i) of the Act; the same shall apply hereinafter), the University, etc. that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
 - (b) In the case where the patented invention or invention is an Employee Invention by a University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher (meaning an officer or employee exclusively engaged in research for a Research and Development Incorporated Administrative Agency prescribed in Article 17 paragraph (1), item (iii) of the Act (hereinafter referred to as a "Research and Development Incorporated Administrative Agency"); the same shall apply hereinafter), Public Research and Development Institute Researcher (meaning a director or staff member exclusively engaged in research for a Public Research and Development Institute prescribed in item (iv) of said paragraph (hereinafter referred to as a "Public Research and Development Institute"); the same shall apply hereinafter), or Local Research and Development Incorporated Administrative Agency Researcher (meaning an

officer or employee exclusively engaged in research for a Local Research and Development Incorporated Administrative Agency prescribed in item (v) of said paragraph (hereinafter referred to as a "Local Research and Development Incorporated Administrative Agency"); the same shall apply hereinafter), and when said University, etc. Researcher has moved to another University, etc. or said Research and Development Incorporated Administrative Agency Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a University, etc., and the University, etc. to which such person now belongs as a University, etc. Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said University, etc. to which such person now belongs;

(c) In the case where the patented invention or invention has been achieved by a University, etc. Researcher jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said University, etc. Researcher), the University, etc. that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;

(d) In the case where the patented invention or invention has been achieved by a University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher) and when said University, etc. Researcher has moved to another University, etc. or said Research and Development Incorporated Administrative Agency Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a University, etc., and the University, etc. to which such person now belongs as a University, etc. Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said University, etc. to which such person now belongs;

(e) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a University, etc.

Researcher, the University, etc. that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;

- (f) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, and when said University, etc. Researcher has moved to another University, etc. or said Research and Development Incorporated Administrative Agency Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a University, etc., and the University, etc. to which such person now belongs as a University, etc. Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said University, etc. to which such person now belongs;
- (iii) With regard to what is prescribed in Article 17, paragraph (1), item (iii) of the Act, the person falling under any of the following:
 - (a) In the case where the patented invention or invention is an Employee Invention by a Research and Development Incorporated Administrative Agency Researcher, the Research and Development Incorporated Administrative Agency that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
 - (b) In the case where the patented invention or invention is an Employee Invention by a Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, and when said Research and Development Incorporated Administrative Agency Researcher has moved to another Research and Development Incorporated Administrative Agency, or said University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a Research and Development Incorporated Administrative Agency, and the Research and Development Incorporated Administrative Agency to which such person now belongs as a Research and Development Incorporated Administrative Agency Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said Research and Development Incorporated Administrative

- Agency to which such person now belongs;
- (c) In the case where the patented invention or invention has been achieved by a Research and Development Incorporated Administrative Agency Researcher jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said Research and Development Incorporated Administrative Agency Researcher), the Research and Development Incorporated Administrative Agency that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
 - (d) In the case where the patented invention or invention has been achieved by a Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher) and when said Research and Development Incorporated Administrative Agency Researcher has moved to another Research and Development Incorporated Administrative Agency or said University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a Research and Development Incorporated Administrative Agency, and the Research and Development Incorporated Administrative Agency to which such person now belongs as a Research and Development Incorporated Administrative Agency Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said Research and Development Incorporated Administrative Agency to which such person now belongs;
 - (e) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a Research and Development Incorporated Administrative Agency Researcher, the Research and Development Incorporated Administrative Agency that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
 - (f) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a Research and

- Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, and when said Research and Development Incorporated Administrative Agency Researcher has moved to another Research and Development Incorporated Administrative Agency or said University, etc. Researcher, Public Research and Development Institute Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a Research and Development Incorporated Administrative Agency, and the Research and Development Incorporated Administrative Agency to which such person now belongs as a Research and Development Incorporated Administrative Agency Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said Research and Development Incorporated Administrative Agency to which such person now belongs;
- (iv) With regard to what is prescribed in Article 17, paragraph (1), item (iv) of the Act, the person falling under any of the following:
- (a) In the case where the patented invention or invention is an Employee Invention by a Public Research and Development Institute Researcher, the person who has established the Public Research and Development Institute that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
 - (b) In the case where the patented invention or invention is an Employee Invention by a Public Research and Development Institute Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, and when said Public Research and Development Institute Researcher has moved to another Public Research and Development Institute, or said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a Public Research and Development Institute, and the Public Research and Development Institute to which such person now belongs as a Public Research and Development Institute Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, the person who has established said Public Research and Development Institute to which such person now belongs;
 - (c) In the case where the patented invention or invention has been achieved by a Public Research and Development Institute Researcher jointly with other person(s) (limited to the case where said patented invention or

invention is an Employee Invention in relation to said Public Research and Development Institute Researcher), the person who has established the Public Research and Development Institute that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;

- (d) In the case where the patented invention or invention has been achieved by a Public Research and Development Institute Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said Public Research and Development Institute Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher) and when said Public Research and Development Institute Researcher has moved to another Public Research and Development Institute or said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a Public Research and Development Institute, and the Public Research and Development Institute to which such person now belongs as a Public Research and Development Institute Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, the person who has established said Public Research and Development Institute to which such person now belongs;
- (e) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a Public Research and Development Institute Researcher, the person who has established the Public Research and Development Institute that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
- (f) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a Public Research and Development Institute Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher, and when said Public Research and Development Institute Researcher has moved to another Public Research

and Development Institute or said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Local Research and Development Incorporated Administrative Agency Researcher has moved to a Public Research and Development Institute, and the Public Research and Development Institute to which such person now belongs as a Public Research and Development Institute Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, the person who has established said Public Research and Development Institute to which such person now belongs;

- (v) With regard to what is prescribed in Article 17, paragraph (1), item (v) of the Act, the person falling under any of the following:
 - (a) In the case where the patented invention or invention is an Employee Invention by a Local Research and Development Incorporated Administrative Agency Researcher, the Local Research and Development Incorporated Administrative Agency that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
 - (b) In the case where the patented invention or invention is an Employee Invention by a Local Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher, and when said Local Research and Development Incorporated Administrative Agency Researcher has moved to another Local Research and Development Incorporated Administrative Agency, or said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher has moved to a Local Research and Development Incorporated Administrative Agency, and the Local Research and Development Incorporated Administrative Agency to which such person now belongs as a Local Research and Development Incorporated Administrative Agency Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said Local Research and Development Incorporated Administrative Agency to which such person now belongs;
 - (c) In the case where the patented invention or invention has been achieved by a Local Research and Development Incorporated Administrative Agency Researcher jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said Local Research and Development Incorporated Administrative Agency

- Researcher), the Local Research and Development Incorporated Administrative Agency that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
- (d) In the case where the patented invention or invention has been achieved by a Local Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher, jointly with other person(s) (limited to the case where said patented invention or invention is an Employee Invention in relation to said Local Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher) and when said Local Research and Development Incorporated Administrative Agency Researcher has moved to another Local Research and Development Incorporated Administrative Agency or said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher has moved to a Local Research and Development Incorporated Administrative Agency, and the Local Research and Development Incorporated Administrative Agency to which such person now belongs as a Local Research and Development Incorporated Administrative Agency Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said Local Research and Development Incorporated Administrative Agency to which such person now belongs;
- (e) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a Local Research and Development Incorporated Administrative Agency Researcher, the Local Research and Development Incorporated Administrative Agency that has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent;
- (f) In the case where there is a close relationship specified by Ordinance of the Ministry of Economy, Trade and Industry between the patented invention or invention and an Employee Invention by a Local Research and Development Incorporated Administrative Agency Researcher, University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher, and when said Local Research and Development Incorporated Administrative Agency Researcher has moved to another Local Research

and Development Incorporated Administrative Agency or said University, etc. Researcher, Research and Development Incorporated Administrative Agency Researcher, or Public Research and Development Institute Researcher has moved to a Local Research and Development Incorporated Administrative Agency, and the Local Research and Development Incorporated Administrative Agency to which such person now belongs as a Local Research and Development Incorporated Administrative Agency Researcher has succeeded to the patent right pertaining to said patented invention or invention, or the right to obtain a patent, said Local Research and Development Incorporated Administrative Agency to which such person now belongs;

(Procedures for a Reduction of Patent Fees for University Researchers)

Article 1-3 (1) The person who seeks a reduction of the patent fees pursuant to the provisions of Article 17, paragraph (1) of the Act shall submit a written application stating the following matters to the Commissioner of the Japan Patent Office:

- (i) Name and address or residence of the applicant;
 - (ii) Number of the patent application or the patent number;
 - (iii) Which category of persons listed in item (i), (a) to (f) of item (ii), (a) to (f) of item (iii), (a) to (f) of item (iv), and (a) to (f) of item (v) of the preceding Article, the applicant falls under;
 - (iv) A statement to the effect that the applicant seeks a reduction of the patent fees.
- (2) The applicant shall attach a document proving that he/she falls under any category of persons listed in item (i), (a) to (f) of item (ii), (a) to (f) of item (iii), (a) to (f) of item (iv), or (a) to (f) of item (v) of the preceding Article to the written application set forth in the preceding paragraph.

(Reduction of Patent Fees for University Researchers)

Article 2 When the Commissioner of the Japan Patent Office has received a written application set forth in paragraph (1) of the preceding Article, he/she shall grant a reduction equivalent to half of the patent fees payable for each of the first to the tenth years under the provisions of Article 107, paragraph (1) of the Patent Act.

(Research and Development Incorporated Administrative Agencies)

Article 3 The incorporated administrative agencies specified by Cabinet Order as prescribed in Article 17, paragraph (1), item (iii) of the Act shall be those listed in the Appended Table.

(Procedures for a Reduction of Fees for Requesting the Examination of Patent Application for University Researchers)

Article 4 (1) The person who seeks a reduction of the fees for requesting the examination of patent application pursuant to the provisions of Article 17, paragraph (1) of the Act shall submit a written application stating the following matters to the Commissioner of the Japan Patent Office:

- (i) Name and address or residence of the applicant;
 - (ii) Indication of the patent application;
 - (iii) Which category of persons listed in item (i), (a) to (f) of item (ii), (a) to (f) of item (iii), (a) to (f) of item (iv), and (a) to (f) of item (v) of Article 1-2, the applicant falls under;
 - (iv) A statement to the effect that the applicant seeks a reduction of the fees for requesting the examination of patent application.
- (2) The applicant shall attach a document proving that he/she falls under any category of persons listed in Article 1-2, item (i), (a) to (f) of item (ii), (a) to (f) of item (iii), (a) to (f) of item (iv), or (a) to (f) of item (v) to the written application set forth in the preceding paragraph.

(Reduction of Fees for Requesting the Examination of Patent Application for University Researchers)

Article 5 When the Commissioner of the Japan Patent Office has received a written application set forth in paragraph (1) of the preceding Article, he/she shall grant a reduction equivalent to half of the fees payable for requesting the examination of the patent application as calculated pursuant to the provisions of item (vi) of the Table of Article 1, paragraph (2) of the Order for the Patent Act and Other Related Fees (Cabinet Order No. 20 of 1960).

(Persons Particularly Needed to Promote the Enhancement of Industrial Technology Capability)

Article 6 The person who meets the requirements specified by Cabinet Order as prescribed in Article 18, paragraph (1) and paragraph (2) of the Act shall be a person who falls under any of the following items:

- (i) An individual who employs 300 or fewer persons on a regular basis (in the case of an individual who is engaged in a business falling within the retail industry as his/her principal business, 50 or fewer; in the case of an individual who is engaged in a business falling within the wholesale industry or service industry (excluding the software industry, information processing service industry, and hotel industry) as his/her principal business, 100 or fewer; in the case of an individual who is engaged in a business falling within the hotel industry as his/her principal business, 200 or fewer; and in the case of an individual who is engaged in a business falling within the

rubber product manufacturing industry (excluding the automobile or aircraft tire or tube manufacturing industry and the industrial belt manufacturing industry) as his/her principal business, 900 or fewer) (such individual shall hereinafter be referred to as a "Small and Medium-sized Employer" in this item and item (iii)), and whose Ratio of Test and Research Expenses, etc. (meaning the ratio of the sum of the test and research expenses and the Development Expenses (meaning the Development Expenses prescribed in Article 7, paragraph (1), item (ii) of the Order for Enforcement of the Income Tax Act (Cabinet Order No. 96 of 1965) and special expenses disbursed for commencing a new business) to the gross revenue pertaining to business income for a single year; hereinafter the same shall apply in this item) exceeds three percent in the year preceding the year that contains the day on which the Small and Medium-sized Employer submits a written application as set forth in paragraph (1) of the following Article or Article 9, paragraph (1) (hereinafter referred to as the "Day of Submission of a Written Application" in this Article) (or the year before such preceding year if the month containing the Day of Submission of a Written Application is any month from January to March) (with regard to a Small and Medium-sized Employer who has been engaged in a business for a period of less than 27 months as of the Day of Submission of a Written Application and whose Ratio of Test and Research Expenses, etc. cannot be calculated, the requirements applicable thereto shall be that the number of full-time researchers is two or more and that the ratio of the number of such researchers to the total number of persons comprising the employer and employees is one-tenth or more);

(ii) A company whose amount of stated capital or total amount of contribution is 300 million yen or less (in the case of a company which is engaged in a business falling within the retail industry or service industry (excluding the software industry and information processing service industry) as its principal business, 50 million yen or less; and in the case of a company which is engaged in a business falling within the wholesale industry as its principal business, 100 million yen or less), or a company which employs 300 or fewer persons on a regular basis (in the case of a company which is engaged in a business falling within the retail industry as its principal business, 50 or fewer; in the case of a company which is engaged in a business falling within the wholesale industry or service industry (excluding the software industry, information processing service industry, and hotel industry) as its principal business, 100 or fewer; in the case of a company which is engaged in a business falling within the hotel industry as its principal business, 200 or fewer; and in the case of a company which is engaged in a business falling within the rubber product manufacturing industry (excluding the automobile

- or aircraft tire or tube manufacturing industry and the industrial belt manufacturing industry) as its principal business, 900 or fewer) (such company shall hereinafter be referred to as a "Specified Company" in this item and the following item), and whose Ratio of Test and Research Expenses, etc. exceeds three percent in the business year preceding the business year that contains the Day of Submission of a Written Application (or the business year before such preceding business year if the company submitted such application within two months after the end of such preceding business year) (with regard to a Specified Company which has been incorporated for a period of less than 26 months as of the Day of Submission of a Written Application and whose Ratio of Test and Research Expenses, etc. cannot be calculated, the requirements applicable thereto shall be that the number of full-time researchers is two or more and that the ratio of the number of such researchers to the total number of persons comprising full-time officers and employees is one-tenth or more);
- (iii) A Business Cooperative, etc. (meaning a business cooperative, small business cooperative, federation of cooperatives, enterprise cooperative, cooperative partnership, commercial and industrial partnership, federation of commercial and industrial partnerships, or research and development partnership (limited to a business cooperative, etc. two-thirds or more of whose direct or indirect members are Small and Medium-sized Employers, Specified Companies, enterprise cooperatives, or cooperative partnerships); hereinafter the same shall apply in this item) whose Ratio of Test and Research Expenses, etc. exceeds three percent in the business year preceding the business year that contains the Day of Submission of a Written Application (or the business year before such preceding business year if the business cooperative, etc. submitted such application within two months after the end of such preceding business year) (with regard to a Business Cooperative, etc. which has been incorporated for a period of less than 26 months as of the Day of Submission of a Written Application and whose Ratio of Test and Research Expenses, etc. cannot be calculated, the requirements applicable thereto shall be that the number of full-time researchers is two or more and that the ratio of the number of such researchers to the total number of persons comprising full-time officers and employees is one-tenth or more);
- (iv) In the case where the patented invention or invention pertains to the results of the research and development business concerning new technology for which a specified subsidy, etc. prescribed in Article 2, paragraph (10) of the Act for Facilitating New Business Activities of Small and Medium-sized Enterprises (Act No. 18 of 1999) has been granted (limited to the patented invention or invention for which an application has been filed within two

years from the day on which said business ended), the specified small and medium-sized business operator prescribed in said paragraph to whom said specified subsidy, etc. has been granted;

- (v) In the case where the patented invention or invention pertains to the results of business for Management Innovation (meaning the Management Innovation prescribed in Article 2, paragraph (6) of the Act for Facilitating New Business Activities of Small and Medium-sized Enterprises) carried out in accordance with an approved management innovation plan prescribed in Article 10, paragraph (2) of the same Act (limited to business pertaining to research and development concerning technology) (limited to the patented invention or invention for which an application has been filed within two years from the day on which said approved management innovation plan ended), or where such patented invention or invention has been succeeded to as being necessary to exercise said results in accordance with said approved management innovation plan, the small and medium-sized business operator listed in the items of Article 2, paragraph (1) of the same Act who engages in said business for Management Innovation;
- (vi) In the case where the patented invention or invention pertains to the results of the business pertaining to Exploration of New Business Sectors for Cross-sectoral Collaboration (meaning the Exploration of New Business Sectors for Cross-sectoral Collaboration prescribed in Article 2, paragraph (8) of the Act for Facilitating New Business Activities of Small and Medium-sized Enterprises) carried out in accordance with a certified plan for exploration of new business sectors for cross-sectoral collaboration prescribed in Article 12, paragraph (3) of the same Act (limited to business pertaining to research and development concerning technology) (limited to the patented invention or invention for which an application has been filed within two years from the day on which said certified plan for exploration of new business sectors for cross-sectoral collaboration ended), or where such patented invention or invention has been succeeded to as being necessary to exercise said results in accordance with said certified plan for exploration of new business sectors for cross-sectoral collaboration, the small and medium-sized business operator listed in the items of Article 2, paragraph (1) of the same Act who engages in said business pertaining to Exploration of New Business Sectors for Cross-sectoral Collaboration.

(Procedures for a Reduction of Patent Fees for Persons Particularly Needed to Promote the Enhancement of Industrial Technology Capability)

Article 7 (1) A person who seeks a reduction of the patent fees pursuant to the provisions of Article 18, paragraph (1) of the Act shall submit a written application stating the following matters to the Commissioner of the Japan

Patent Office:

- (i) Name and address or residence of the applicant;
 - (ii) Number of the patent application or the patent number;
 - (iii) A statement to the effect that the applicant seeks a reduction of the patent fees.
- (2) The applicant shall attach a document proving that he/she falls under any of the items of the preceding Article to the written application set forth in the preceding paragraph.

(Reduction of Patent Fees for Persons Particularly Needed to Promote the Enhancement of Industrial Technology Capability)

Article 8 When the Commissioner of the Japan Patent Office has received a written application set forth in paragraph (1) of the preceding Article, he/she shall grant a reduction equivalent to half of the patent fees payable for each of the first to the tenth year under the provisions of Article 107, paragraph (1) of the Patent Act.

(Procedures for a Reduction of Fees for Requesting the Examination of Patent Application for Persons Particularly Needed to Promote the Enhancement of Industrial Technology Capability)

- Article 9 (1) The person who seeks a reduction of the fees for requesting the examination of patent application pursuant to the provisions of Article 18, paragraph (2) of the Act shall submit a written application stating the following matters to the Commissioner of the Japan Patent Office:
- (i) Name and address or residence of the applicant;
 - (ii) Indication of the patent application;
 - (iii) To the effect that the applicant seeks a reduction of the fees for requesting the examination of patent application.
- (2) The applicant shall attach a document proving that he/she falls under any of the items of Article 6 to the written application set forth in the preceding paragraph.

(Reduction of Fees for Requesting the Examination of Patent Application for Persons Particularly Needed to Promote the Enhancement of Industrial Technology Capability)

Article 10 When the Commissioner of the Japan Patent Office has received a written application set forth in paragraph (1) of the preceding Article, he/she shall grant a reduction equivalent to half of the fees payable for requesting the examination of the patent application as calculated pursuant to the provisions of item (vi) of the Table of Article 1, paragraph (2) of the Order for the Patent Act and Other Related Fees.

(Rights that the National Government May Decide Not to Take over)

Article 11 (1) The rights specified by Cabinet Order as prescribed in Article 19, paragraph (1) of the Act shall be a patent right, right to obtain a patent, utility model right, right to obtain a utility model registration, design right, right to obtain a design right, copyright, layout-design exploitation right, right to obtain a registration of the establishment of a layout-design exploitation right, and breeder's right.

(2) The right specified by Cabinet Order as prescribed in Article 19, paragraph (1), item (iv) of the Act shall be an exclusive registered right to work with regard to a patent right, utility model right, or design right, or an exclusive exploitation right with regard to a layout-design exploitation right or breeder's right (referred to as an "Exclusive Registered Right to Work, etc." in the following paragraph).

(3) The case specified by Cabinet Order as prescribed in Article 19, paragraph (1), item (iv) of the Act shall be any of the following:

(i) The case where a Contractor, etc. (meaning the Contractor, etc. prescribed in Article 19, paragraph (1) of the Act), which is a stock company, gives a consent to the transfer of a patent right, etc. or the establishment or transfer of an Exclusive Registered Right to Work, etc. (hereinafter referred to as the "Transfer, etc." in this paragraph) to its Subsidiary Company (meaning the Subsidiary Company prescribed in Article 2, item (iii) of the Companies Act (Act No. 86 of 2005)) or its Parent Company (meaning the Parent Company prescribed in item (iv) of said Article);

(ii) The case where the Transfer, etc. is made to a person who has received approval set forth in Article 4, paragraph (1) of the Act on the Promotion of Technology Transfer from Universities to Private Business Operators (Act No. 52 of 1998) (including a person who has received approval for a change set forth in Article 5, paragraph (1) of the same Act), or to a person who has received an accreditation set forth in Article 12, paragraph (1) or Article 13, paragraph (1) of the same Act;

(iii) The case where a research and development partnership makes the Transfer, etc. to its members.

Supplementary Provisions

This Cabinet Order shall come into effect as of the date on which the Act comes into effect (April 20, 2000).

Supplementary Provisions [Cabinet Order No. 135 of March 30, 2001] [Extract]

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of March 31, 2001.

Supplementary Provisions [Cabinet Order No. 398 of September 10, 2003]

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the provisions listed in Article 1, item (ii) of the Supplementary Provisions of the Act for Partial Revision of the Patent Act, etc. comes into effect (April 1, 2004).

(Transitional Measures upon Partial Revision of the Order for Enforcement of the Industrial Technology Enhancement Act)

Article 4 The provisions of Article 17, paragraph (1) of the Industrial Technology Enhancement Act pertaining to a reduction of the patent fees to be paid by a person listed in (b) to (d) of item (i) and (d) to (f) of item (ii) of Article 6 of the Order for Enforcement of the Industrial Technology Enhancement Act revised pursuant to the provisions of Article 7 shall not be applied to patent applications for which transcripts of assessment or decision stating that a patent should be granted were delivered prior to the enforcement of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 483 of December 3, 2003]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2004.

**Supplementary Provisions [Cabinet Order No. 487 of December 3, 2003]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2004.

**Supplementary Provisions [Cabinet Order No. 356 of November 11, 2004]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date of promulgation; provided, however, that the provisions of Article 7 to Article 23 of the Supplementary Provisions shall come into effect as of April 1, 2005.

**Supplementary Provisions [Cabinet Order No. 6 of January 20, 2005]
[Extract]**

(Effective Date)

- (1) This Cabinet Order shall come into effect as of April 1, 2005; provided, however, that the provisions of Article 6 shall come into effect as of the date of promulgation.

**Supplementary Provisions [Cabinet Order No. 153 of April 13, 2005]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the Act for Partial Revision of the Act on Supporting Business Innovation of Small and Medium-sized Enterprises (hereinafter referred to as the "Revising Act") comes into effect.

(Transitional Measures upon Partial Revision of the Order for Enforcement of the Industrial Technology Enhancement Act)

Article 6 With regard to the application of the provisions of Article 17 of the Industrial Technology Enhancement Act (Act No. 44 of 2000) pertaining to a reduction of the patent fees and fees for requesting the examination of patent application to be paid by a small and medium-sized business operator listed in the items of Article 2, paragraph (1) of the Act on Temporary Measures for Facilitating Creative Business Activities of Small and Medium-sized Enterprises (Act No. 47 of 1995) prior to the abolition pursuant to the provisions of Article 4 (limited to the part pertaining to item (i)) of the Supplementary Provisions of the Revising Act (hereinafter such Act on Temporary Measures shall be referred to as the "Former Creative Act") that engages in research and development, etc. business prescribed in Article 2, paragraph (4) of the Former Creative Act in line with a certified research and development, etc. business plan prescribed in Article 5, paragraph (2) of the Former Creative Act (when a change to the plan has been certified pursuant to the provisions then in force as prescribed in Article 5, paragraph (1) of the Supplementary Provisions of the Revising Act, the plan after the change) for a patented invention that pertains to the results of said research and development, etc. business (limited to the patented invention for which an application has been filed within two years from the day on which said certified research and development, etc. business plan ended), the provisions then in force shall remain applicable.

Supplementary Provisions [Cabinet Order No. 190 of May 27, 2005]
[Extract]

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date of promulgation; provided, however, that the provisions of Article 5 to Article 13 of the Supplementary Provisions shall come into effect as of September 1, 2005.

Supplementary Provisions [Cabinet Order No. 224 of June 24, 2005]
[Extract]

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date of promulgation; provided, however, that the provisions of Article 7 to Article 38 of the Supplementary Provisions shall come into effect as of October 1, 2005.

Supplementary Provisions [Cabinet Order No. 125 of March 31, 2006]
[Extract]

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2006; provided, however, that the provisions listed in the following items shall come into effect as of the date prescribed in the relevant items:

- (ii) The provisions revising the table of contents (limited to the part revising "Subsection 1 Common Rules on Calculation of the Amount of Income for Each Business Year (Article 18-2); Subsection 1-2 Calculation of the Amount of Gross Profit" to "Subsection 1 Calculation of the Amount of Gross Profit"; the part revising "Article 18-3" to "Article 19"; and the part revising "Treatment of Shares" to "Treatment of Shares, etc."); the provisions revising Article 4-2, paragraph (3), item (v); the provisions revising paragraph (6), item (vi) of said Article; the provisions revising Article 7; the provisions revising Article 9-2, paragraph (4), item (ii), (b) (limited to the part adding "(including obligations pertaining to share options)" after "liabilities"); the provisions revising paragraph (1), item (i), (d) and (e) of said Article; the provisions changing (f) of said item to (g) of said item and adding as follows after (e) of said item; the provisions revising Article 11; the provisions revising Article 14, paragraph (1) (excluding the part in item (vii) of said paragraph deleting ", registration and license tax for registration of bonds"); the provisions revising Article 14-2; the provisions revising Article 14-3 (excluding the part pertaining to paragraph (2) of said Article); the

provisions revising Article 14-5, item (iii); the provisions deleting Part II, Chapter I, Section 1, Subsection 1; the provisions deleting Article 19; the provisions revising Article 18-3; the provisions changing said Article to Article 19; the provisions revising Article 20; the provisions revising Article 21, paragraph (1); the provisions revising Article 22; the provisions revising Article 22-2 (excluding the part deleting paragraph (2), item (vi) of said Article); the provisions revising Article 23, paragraph (1) (limited to the part adding "or contributions" after "prescribed shares"; the part in item (ii), (a) of said paragraph adding "(including obligations pertaining to share options)" after "liabilities"; the part in item (iii) of said paragraph revising "a decrease in the stated capital or contributions, or" and "refund due to a decrease in the stated capital or contributions, or" to "refund of the stated capital, or"; the part in (a) of said item adding "(including obligations pertaining to share options)" after "liabilities"; and the part pertaining to (b) of said item); the provisions revising paragraph (2) of said Article; the provisions revising paragraph (3) of said Article (excluding the part revising "Article 24, paragraph (1), item (v)" to "Article 24, paragraph (1), item (iv)"); the provisions revising paragraph (4) of said Article; the provisions revising paragraph (5) of said Article; the provisions revising Article 24; the provisions revising Article 24-2 (excluding the part pertaining to paragraph (4), item (iv) of said Article); the provisions changing Part II, Chapter I, Section 1, Subsection 1-2 to Subsection 1 of said Section; the provisions revising item (iii) of the Table of Article 61-3 (limited to the part revising "paragraph (1), item (ii), (b) of said Article" to "paragraph (1), item (ii) of said Article"); the provisions revising Article 64, paragraph (1), item (i); the provisions revising item (ii) of said paragraph; the provisions revising paragraph (3) of said Article (limited to the part revising "Article 14, paragraph (1), item (viii)" to "Article 14, paragraph (1), item (vii)"); the provisions revising paragraph (4) of said Article (limited to the part revising "Article 14, paragraph (1), item (ix)" to "Article 14, paragraph (1), item (viii)"); the provisions revising Article 66; the provisions revising item (iii) of the Table of Article 66-2 (limited to the part revising "paragraph (1), item (ii), (b) of said Article" to "paragraph (1), item (ii) of said Article"); the provisions revising Article 68, paragraph (1); the provisions revising Article 68-2; the provisions revising Article 71, paragraph (1), item (i) to item (iii); the provisions revising item (iv) of said paragraph (limited to the part revising "the preceding three items" to "the preceding items"; and the part revising said item to item (v) of said paragraph); the provisions adding one item after item (iii) of said paragraph; the provisions revising paragraph (2) of said Article (limited to the part revising "item (iv) of the preceding paragraph" to "item (v) of the preceding paragraph"); the provisions revising Article 73,

paragraph (1) (limited to the part revising "Article 37, paragraph (3)" to "Article 37, paragraph (1)"); the provisions revising Article 75 and Article 76; the provisions revising Article 77, paragraph (1) (excluding the part pertaining to item (i)-3 of said paragraph and the part pertaining to item (iii) of said paragraph); the provisions revising Article 77-2; the provisions revising Article 80; the provisions revising Article 83; the provisions deleting Article 83-4; the provisions revising Article 86; the provisions revising Article 96; the provisions adding two Divisions after Part II, Chapter I, Section 1, Subsection 2, Division 13 (limited to the part pertaining to Division 13-2); the provisions revising Article 113, paragraph (1), item (i); the provisions revising Article 114; the provisions revising Article 117; the provisions revising Article 119, paragraph (1), item (ii) to item (iv); the provisions revising item (v) of said paragraph; the provisions revising item (vi) of said paragraph; the provisions changing item (viii) of said paragraph to item (xxii) of said paragraph and adding 14 items after paragraph (vii) of said paragraph (limited to the part pertaining to item (xii) to item (xxi)); the provisions revising paragraph (3) of said Article; the provisions revising Article 119-2, paragraph (1), item (i); the provisions revising Article 119-3, paragraph (11) (limited to the part revising "refund due to a decrease in the stated capital" to "refund of the stated capital" and revising "capital reduction, etc." to "refund of the stated capital, etc."); the provisions revising paragraph (8) of said Article (excluding the part changing said paragraph to paragraph (9) of said Article); the provisions revising paragraph (5) of said Article (excluding the part changing said paragraph to paragraph (6) of said Article); the provisions revising Article 119-4, paragraph (1) (limited to the part revising "share split, etc." to "consolidation" and the part revising "refund" to "refund of the stated capital"); the provisions changing paragraph (3) of said Article to paragraph (4) of said Article and adding one paragraph after paragraph (2) of said Article; the provisions revising Article 119-8; the provisions adding one Article after said Article; the provisions revising the title of Article 119-9; the provisions revising paragraph (2) of said Article; the provisions adding one paragraph in Article 121-5; the provisions revising Article 122-14, paragraph (6), item (ii); the provisions adding one paragraph in Article 123; the provisions adding one Article after Article 123-2; the provisions adding three paragraphs in Article 123-3 as paragraph (1) to paragraph (3) of said Article (limited to the part pertaining to paragraph (3)); the provisions revising Article 123-7; the provisions revising Article 123-8, paragraph (7), item (ii); the provisions revising Article 123-9, paragraph (1), item (i); the provisions in Part II, Chapter I, Section 1, Subsection 2-3 adding two Articles after said Article (limited to the part pertaining to Article 123-10); the provisions revising Article 136-2 (including the title); the provisions

revising Article 139-3 (including the title); the provisions revising Article 140-2 (excluding the part pertaining to paragraph (4) of said Article and the part pertaining to paragraph (5) of said Article); the provisions revising Article 141, paragraph (3); the provisions revising Article 142, paragraph (5), item (iii); the provisions revising Article 146, paragraph (1) (excluding the part pertaining to item (i) of said paragraph and the part pertaining to item (ii) of said paragraph); the provisions revising Article 147, paragraph (2); the provisions revising Article 150-3, paragraph (1), item (i) (excluding the part pertaining to (a) of said item and the part pertaining to (b) of said item); the provisions revising item (ii), (a) of said paragraph (excluding the part revising "the number of shares or the amount of contributions" to "the number or amount of shares or contributions"); the provisions revising paragraph (2) of said Article; the provisions revising Article 154-3; the provisions revising Article 155-6, paragraph (1), item (i) (limited to the part adding ", Article 54, paragraph (4) (Special Provisions, etc. for the Business Year in which Expenses in Exchange for Share Options should be Recorded, etc.)" after "(Reserve for Adjustment of Returned Unsold Goods)"); the provisions revising item (ii) of said paragraph (limited to the part revising "capital reduction, etc." to "refund of the stated capital" and adding ", Article 123-10, paragraph (9) (Inclusion in Deductible Expenses of Adjustment Account pertaining to Assets, etc. Transferred as a Result of a Non-qualified Merger, etc.)" after "(including ...)"); the provisions adding as follows after the row of Article 50, paragraph (6), Article 52, paragraph (6), Article 53, paragraph (5) of the Act of the Table of paragraph (2) of said Article; the provisions adding as follows after the row of Article 123-9, paragraph (2) of said Table; the provisions revising Article 155-7; the provisions revising Article 155-8; the provisions revising Article 155-9; the provisions revising Article 155-10; the provisions revising Article 155-13, paragraph (1) (limited to the part revising "Article 81-6, paragraph (3)" to "Article 81-6, paragraph (1)"); the provisions revising Article 155-14; the provisions revising Article 155-16; the provisions revising Article 155-22, paragraph (5), item (ii); the provisions revising Article 155-26; the provisions revising Article 155-28, paragraph (5), item (iii); the provisions revising Article 155-35, paragraph (1) (excluding the part pertaining to item (i) of said paragraph and the part pertaining to item (ii) of said paragraph); the provisions revising Article 155-36, paragraph (2); the provisions revising Article 155-41, paragraph (1), item (i) (excluding the part pertaining to (a) of said item and the part pertaining to (b) of said item); the provisions revising Article 156, paragraph (1); the provisions deleting the row of Article 37, paragraph (1) of the Table of Article 156-2, paragraph (1); the provisions revising the row of Article 37, paragraph (3) of said Table (limited to the part revising "Article 37, paragraph (3)" to

"Article 37, paragraph (1) (Exclusion from Deductible Expenses of Donations)"); the provisions revising the row of Article 47, paragraph (1) and paragraph (2) of said Table; the provisions revising the row of Article 47, paragraph (3) of said Table; the provisions revising the row of Article 48, paragraph (31) of said Table; the provisions revising the row of Article 49, paragraph (1) of said Table; the provisions revising the row of Article 49, paragraph (2) of said Table; the provisions revising the row of Article 22, paragraph (1) of the Table of Article 156-2, paragraph (3); the provisions revising Article 156-3, paragraph (3) (limited to the part revising "Article 165, paragraph (1), item (iii), (b)" to "Article 226, paragraph (1), item (iii), (b)"); the provisions revising paragraph (4) of said Article; the provisions revising Article 177, paragraph (2); the provisions revising Article 187, paragraph (1); the provisions revising paragraph (7), item (i) of said Article (excluding the part adding "or the total amount" after "the total number"); the provisions revising item (ii) of said paragraph (excluding the part adding "or the total amount" after "the total number"); the provisions revising Article 188, paragraph (1), item (viii); and the provisions revising Article 16, paragraph (4), item (ii) of the Supplementary Provisions; as well as the provisions of Article 4, paragraph (3); Article 6, paragraph (4); Article 9; Article 11, paragraph (1); Article 11, paragraph (1) to paragraph (83) and paragraph (5); Article 12, paragraph (4) to paragraph (6); Article 13; Article 15; Article 16, paragraph (3); Article 18, Article 19; Article 21; Article 23, paragraph (2), paragraph (5) to paragraph (7), and paragraph (9); Article 24, paragraph (1), paragraph (2) and paragraph (4); Article 25; Article 26, paragraph (3); Article 27, paragraph (1), paragraph (2) and paragraph (4); Article 28; Article 30; Article 31; Article 32, paragraph (2); Article 33; Article 34, paragraph (2); Article 35; Article 36; Article 37 (limited to the provisions adding two items in Article 5, paragraph (11) of the Supplementary Provisions of the Cabinet Order on the Partial Revision of the Order for Enforcement of the Corporation Tax Act, etc. (Cabinet Order No. 271 of 2002) (limited to the part pertaining to item (v))); and Article 39 of the Supplementary Provisions: The date on which the Companies Act (Act No. 86 of 2005) comes into effect

Supplementary Provisions [Cabinet Order No. 159 of March 31, 2006]

This Cabinet Order shall come into effect as of April 1, 2006.

Supplementary Provisions [Cabinet Order No. 164 of March 31, 2006] [Extract]

This Cabinet Order shall come into effect as of the date on which the

Preparation Act comes into effect (April 1, 2006).

**Supplementary Provisions [Cabinet Order No. 165 of March 31, 2006]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the Preparation Act comes into effect (April 1, 2006).

**Supplementary Provisions [Cabinet Order No. 167 of March 31, 2006]
[Extract]**

(Effective Date)

(1) This Cabinet Order shall come into effect as of April 1, 2006.

**Supplementary Provisions [Cabinet Order No. 180 of April 26, 2006]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the Companies Act comes into effect (May 1, 2006).

**Supplementary Provisions [Cabinet Order No. 55 of March 22, 2007]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2007.

(Transitional Measures Concerning Application of Penal Provisions)

Article 3 With regard to the application of penal provisions to acts committed prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

**Supplementary Provisions [Cabinet Order No. 82 of March 30, 2007]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2007.

**Supplementary Provisions [Cabinet Order No. 83 of March 30, 2007]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2007.

**Supplementary Provisions [Cabinet Order No. 110 of March 30, 2007]
[Extract]**

This Cabinet Order shall come into effect as of April 1, 2007.

**Supplementary Provisions [Cabinet Order No. 240 of August 3, 2007]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the Act for Partial Revision of the Act on Special Measures for Industrial Revitalization, etc. comes into effect (August 6, 2007).

Supplementary Provisions [Cabinet Order No. 155 of June 12, 2009]

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the Act for Partial Revision of the Act on Special Measures for Industrial Revitalization and Other Laws to Foster Innovation in Industrial Activities in Japan comes into effect (June 22, 2009).

(Transitional Measures upon Partial Revision of the Order for Enforcement of the Industrial Technology Enhancement Act)

Article 2 (1) With regard to the reduction of, exemption from, or granting of a grace period for the payment of the patent fees and fees for patent applications filed prior to the enforcement of this Cabinet Order, involving an incorporated administrative agency prescribed in Article 3 of the Order for Enforcement of the Industrial Technology Enhancement Act prior to the revision pursuant to the provisions of Article 2 (such Order shall be referred to as the "Former Order" in the following paragraph) which does not fall under the category of the incorporated administrative agency prescribed in Article 3 of the Order for Enforcement of the Industrial Technology Enhancement Act after the revision pursuant to the provisions of Article 2 (such Order shall be referred to as the "New Order" in the following paragraph), the provisions then in force shall remain applicable.

(2) The provisions of Article 17, paragraph (1) of the Industrial Technology Enhancement Act shall not apply to reduction of, exemption from or granting of

a grace period for the payment of the patent fees for patent applications involving an incorporated administrative agency prescribed in Article 3 of the New Order which does not fall under the category of the incorporated administrative agency prescribed in Article 3 of the Former Order, for which transcripts of assessment or decision stating that a patent should be granted were delivered prior to the enforcement of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 41 of March 25, 2010]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of April 1, 2010.

**Supplementary Provisions [Cabinet Order No. 166 of June 10, 2011]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of October 1, 2011.

**Supplementary Provisions [Cabinet Order No. 334 of October 31, 2011]
[Extract]**

This Cabinet Order shall come into effect as of the date on which the Act comes into effect (November 1, 2011).

**Supplementary Provisions [Cabinet Order No. 370 of December 2, 2011]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order shall come into effect as of the date on which the Revising Act comes into effect (April 1, 2012).

Supplementary Provisions [Cabinet Order No. 219 of August 29, 2012]

This Cabinet Order shall come into effect as of the date on which the Act for Partial Revision of the Act for Facilitating New Business Activities of Small and Medium-sized Enterprises for Facilitating Cultivation of Overseas Demand for Their Commodities comes into effect (August 30, 2012).

Appended Table (Re. Article 3)

- (i) National Institute of Information and Communications Technology, Incorporated Administrative Agency
- (ii) National Research Institute of Brewing, Incorporated Administrative Agency
- (iii) Japan Mint, Incorporated Administrative Agency
- (iv) National Printing Bureau, Incorporated Administrative Agency
- (v) National Museum of Nature and Science, Tokyo, Incorporated Administrative Agency
- (vi) National Institute for Materials Science, Incorporated Administrative Agency
- (vii) National Research Institute for Earth Science and Disaster Prevention, Incorporated Administrative Agency
- (viii) National Institute of Radiological Sciences, Incorporated Administrative Agency
- (ix) National Museum of Art, Incorporated Administrative Agency
- (x) National Institutes for Cultural Heritage, Incorporated Administrative Agency
- (xi) Japan Science and Technology Agency, Incorporated Administrative Agency
- (xii) Riken, Incorporated Administrative Agency
- (xiii) Japan Aerospace Exploration Agency, Incorporated Administrative Agency
- (xiv) Japan Sport Council, Incorporated Administrative Agency
- (xv) Japan Agency for Marine·Earth Science and Technology, Incorporated Administrative Agency
- (xvi) Japan Atomic Energy Agency, Incorporated Administrative Agency
- (xvii) National Institute of Health and Nutrition, Incorporated Administrative Agency
- (xviii) National Institute of Occupational Safety and Health, Japan, Incorporated Administrative Agency
- (xix) Japan Organization for Employment of the Elderly, Persons with Disabilities and Job Seekers, Incorporated Administrative Agency
- (xx) National Hospital Organization, Incorporated Administrative Agency
- (xxi) National Institute of Biomedical Innovation, Incorporated Administrative Agency
- (xxii) National Cancer Center, Incorporated Administrative Agency
- (xxiii) National Cerebral and Cardiovascular Center, Incorporated Administrative Agency
- (xxiv) National Center of Neurology and Psychiatry, Incorporated Administrative Agency
- (xxv) National Center for Global Health and Medicine, Incorporated Administrative Agency
- (xxvi) National Center for Child Health and Development, Incorporated Administrative Agency
- (xxvii) National Center for Geriatrics and Gerontology, Incorporated Administrative Agency
- (xxviii) Food and Agricultural Materials Inspection Center, Incorporated Administrative Agency

- (xxix) National Center for Seeds and Seedlings, Incorporated
Administrative Agency
- (xxx) National Livestock Breeding Center, Incorporated Administrative
Agency
- (xxxi) National Fisheries University, Incorporated Administrative
Agency
- (xxxii) National Agriculture and Food Research Organization,
Incorporated Administrative Agency
- (xxxiii) National Institute of Agrobiological Sciences, Incorporated
Administrative Agency
- (xxxiv) National Institute for Agro-Environmental Sciences, Incorporated
Administrative Agency
- (xxxv) Japan International Research Center for Agricultural Sciences,
Incorporated Administrative Agency
- (xxxvi) Forestry and Forest Products Research Institute, Incorporated
Administrative Agency
- (xxxvii) Fisheries Research Agency, Incorporated Administrative Agency
- (xxxviii) National Institute of Advanced Industrial Science and Technology,
Incorporated Administrative Agency
- (xxxix) National Institute of Technology and Evaluation, Incorporated
Administrative Agency
- (xl) Japan Oil, Gas and Metals National Corporation, Incorporated
Administrative Agency
- (xli) New Energy and Industrial Technology Development Organization,
Incorporated Administrative Agency
- (xlii) Public Works Research Institute, Incorporated Administrative
Agency
- (xliii) Building Research Institute, Incorporated Administrative Agency
- (xliv) National Traffic Safety and Environment Laboratory, Incorporated
Administrative Agency
- (xlv) National Maritime Research Institute, Incorporated
Administrative Agency
- (xlvi) Port and Airport Research Institute, Incorporated Administrative
Agency
- (xlvii) Electronic Navigation Research Institute, Incorporated
Administrative Agency
- (xlviii) National Institute For Sea Training, Incorporated Administrative
Agency
- (xlix) Marine Technical Education Agency, Incorporated Administrative
Agency
- (l) Japan Railway Construction, Transport and Technology Agency,
Incorporated Administrative Agency
- (li) National Institute for Environmental Studies, Incorporated
Administrative Agency

