

PATENT ATTORNEYS LAW

(Law No. 419 of 2000, Amended: Law No. 215 of April 17, 2002)

Japan Patent Attorneys Association (JPAA)

March 2004

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Chapter I. General

Article 1. (Object)

This Law has as its object the establishment of a system of patent attorneys* and ensuring the suitability of their work so as to contribute to the promotion of the suitable protection and utilization of industrial property rights and thereby contribute to the development of the economy and industry.

Article 2. (Definitions)

1. In this Law, "international application" means an international application provided for in Article 2 of the Law Relating to International Filing etc. Based on the Patent Cooperation Treaty (Law No. 30 of 1978).
2. In this Law, "international application for registration" means an international application for registration provided for in Article 68-2, paragraph 1 of the Trademark Law (Law No. 127 of 1959).
3. In this Law, "mask work" means mask work provided for in Article 2, paragraph 2 of the Law Relating to the Circuit Arrangement of Semiconductor Integrated Circuits (Law No. 43 of 1985).
4. In this Law, "specified unfair competition" means unfair competition provided for in Article 2, paragraph 1 of the Unfair Competition Law (Law No. 47 of 1993) and listed in the items 1 to 9 and 12 of the paragraph (if listed from items 4 to 9 of the paragraph, only secret matters in technologies (referred to as a method of production or other technical information useful in business activities, which should be kept secret and not publicly known. Same in Article 4, paragraph 3)).
5. In this Law, "specific infringement litigation" means litigation relating to infringement of rights relating to patents, utility models, designs, trademarks, or mask work, or infringement of business interests due to the specific unfair competition.
6. In this Law, "Patent Profession Corporation" means a corporation established jointly by patent attorneys under the provisions of this Law for the purpose of performing the work of Article 4, paragraph 1 systematically.

Article 3. (Professional duties)

A patent attorney shall maintain his/her dignity at all times, be well acquainted with the laws and practices concerning his/her work, and perform his/her work fairly and in good faith.

*While the English term "patent attorney" is traditionally used to translate "benrishi" in Japan, the "benrishi" does not exactly correspond to the "patent attorney" as understood in the U.S. The "benrishi" is, however, closer to the "patent attorney" than the US "patent agent" in that, in addition to representation of clients in procedures regarding industrial property rights before the Japan Patent Office, the "benrishi" can represent his/her client before the Tokyo High Court in an ex parte case, cooperate with a practicing attorney much like German "beistand" in an inter parte case, and provide his/her expert opinion regarding the scope or validity of the patent right. Therefore, the term "patent attorney" is traditionally used to translate "benrishi" in Japan.

Article 4. (Work)

1. A patent attorney shall engage in the business of representation for procedures before the Patent Office relating to patents, utility models, designs, or trademarks, or international applications or international applications for registration, and for procedures before the Minister of Economy, Trade, and Industry relating to opposition or adjudications relating to patents, utility models, designs, or trademarks; provision of expert opinions relating to matters relating to these procedures; and performance of other work upon the request of another party.
2. A patent attorney may also engage in the business of performing the following work upon the request of another party in addition to the work provided for in the preceding paragraph.
 - (1) Representation in procedures designated by Cabinet Order among the procedures before the Director of Customs relating to certification procedures provided for in Article 21, paragraph 4 of the Customs Tariff Act (Law No. 54 of 1911); petitions under Article 21-2, paragraph 1 of the law; and procedures before the Director of Customs or Minister of Finance performed by parties making such petitions.
 - (2) Representation in procedures of arbitration cases relating to patents, utility models, designs, trademarks, mask work, or specific unfair competition (only procedures of arbitration performed by a body designated by the Minister of Economy, Trade, and Industry as one deemed able to perform the work of arbitration for such cases fairly and suitably (including procedures of settlements accompanying such procedures)).
3. A patent attorney may also engage in the business of representation or mediation in conclusions of sales contracts, non-exclusive licensing contracts, and other contracts for rights relating to patents, utility models, designs, trademarks, mask work, or copyrighted work (meaning copyrighted work provided for in Article 2, paragraph 1, item 1 of the Copyright Law (Law No. 48 of 1969), or for secrets in technologies ; or consultations relating to the same upon a request of another party using the name "patent attorney" in addition to the work provided for in the two preceding paragraphs. However, this shall not apply to matters for business which other laws restrict performing.

Article 5.

1. A patent attorney may appear in court, present a statement, and/or interrogate as an assistant together with the party involved or a litigation procurator for matters concerning patents, utility models, designs, or trademarks, international applications, or international applications for registration, mask works, or specific unfair competitions.
2. The statement or interrogation by the patent attorney in the preceding paragraph shall be deemed to be conducted by the party involved or the litigation procurator. However, this provision shall not apply where the party involved or the litigation procurator immediately withdraws or remakes the statement of the preceding paragraph.

Article 6.

A patent attorney may act as a litigation procurator for litigation provided for in Article 178, paragraph 1 of the Patent Law (Law No. 121 of 1959), Article 47, paragraph 1 of the Utility Model Law (Law No. 123 of 1959), Article 59, paragraph 1 of the Design Law (Law No. 125 of 1959), and Article 63, paragraph 1 of the Trademark Law.

Article 6-2.

1. A patent attorney may act as a litigation procurator just for cases in specific infringement litigations where a practicing attorney has been entrusted by the same client provided that the patent attorney has passed a Specific Infringement litigation Representation Examination provided for in Article 15-2, paragraph 1 and that the patent attorney is indicated additionally with the fact under Article 27-3, paragraph 1.
2. A patent attorney serving as a litigation procurator under the provision of the preceding paragraph shall appear in court together with the practicing attorney.
3. A patent attorney may appear in court alone when the court deems it appropriate notwithstanding the provision of the preceding paragraph.

Article 7. (Qualification)

A person specified in any of the following items shall be qualified to be a patent attorney:

- (1) A person passing the Patent Attorneys Examination;
- (2) A person qualified to become a practicing attorney; and
- (3) A person engaged in trial or examination work as a trial examiner or examiner in the Patent Office for a total period of at least seven years.

Article 8. (Disqualification)

No person specified in any of the following items shall be qualified to be a patent attorney notwithstanding the provisions of the preceding article

- (1) A person who has been sentenced to imprisonment or a heavier punishment;
- (2) In addition to the person recited in the preceding paragraph, a person who has committed any offense of Articles 78 to 81 hereof, any offense of Articles 196 to 198 or 200 of the Patent Law, any offense of Articles 56 to 58 and 60 of the Utility Model Law, any offense of Articles 69 to 71 and 73 of the Design Law, any offense of Articles 78 to 80 of the Trademark Law or Article 28 of the Supplemental Provisions to the Trademark law and has been sentenced to a fine, provided five years have not yet passed from the date of finishing compliance with the sentence or of compliance with the sentence being waived.
- (3) In addition to the persons recited in the two preceding paragraphs, a person who has committed an offense of Article 109, paragraph 2 of the Customs Tariff Act (Law No. 61 of 1954) (only part relating to Article 21, paragraph 1, item 5 of the Customs Tariff Act, same below in this item) or paragraph 3 (only part relating to Article 109, paragraph 2 of the Customs Act), or Article 112, paragraph 1 (only part relating to Article 109, paragraph 2 of the Customs Act), any offense of Articles 119 to 122 of the Copyright Law, any offense of Article 51, paragraph 1 or Article 52 of the Law Relating to the Circuit Arrangement of Semiconductor Integrated Circuits, or an offense of Article 13 of the Unfair Competition Law (except part relating to Article 11, paragraph 1 of that law) and has been sentenced to a fine, provided that three years have not yet passed from the date of finishing compliance with the sentence or of compliance with the sentence being waived.
- (4) A person who has been subjected to disciplinary action discharging him/her from his/her office as a public servant, provided that three years have not yet passed from the disciplinary action;
- (5) A person who has been subjected to disciplinary action rescinding his/her registration under Article 23, paragraph 1, provided three years has not passed yet from the disciplinary action;
- (6) A person who has been subjected to disciplinary action suspending his/her work under Article 32, provided three years have not passed from the disciplinary action;

- (7) A person who has been subjected to disciplinary action disbaring him/her as a practicing attorney, striking off his/her registration as a certified public accountant, or prohibiting him/her from working as a tax accountant due to disciplinary action under the Practicing Attorneys Law (Law No. 205 of 1949) or Special Measures Law Relating to Transactions of Law Offices of Foreign Lawyers (Law No. 66 of 1986), Certified Public Accountants Law (Law No. 103 of 1948), or Certified Public Tax Accountants Law (Law No. 237 of 1951), provided three years have not yet passed from the disciplinary action was imposed;
- (8) A person who has been subjected to disciplinary action suspending work under Article 32 and has his/her registration struck off during the period of suspension of work until the period has passed.
- (9) A minor, an incompetent, or quasi-incompetent person; or
- (10) A person who has been declared bankrupt and has not yet been reinstated.

Chapter II. Patent Attorneys Examination

Article 9. (Object and method of examination)

The Patent Attorneys Examination has as its object to determine if persons desiring to become patent attorneys have the necessary academic knowledge and ability to apply the same and does this by a written method using a short answer format (including multiple choice format, same below) and essay format and by an oral method as provided for in the following articles.

Article 10. (Content of examination)

- 1. The examination by the short answer format shall be carried out for the following subjects:
 - (1) Laws relating to patents, utility models, designs, and trademarks (hereinafter referred to as "industrial property rights" in this article and in the following article, item 2);
 - (2) Treaties on the industrial property rights; and
 - (3) Laws required for performing the work of patent attorneys as stipulated by Ministry of Economy, Trade, and Industry Ordinance in addition to those listed in the preceding two paragraphs.
- 2. The examination by the essay format shall be carried out for the following subjects for persons having passed the examination by the short answer format:
 - (1) Laws relating to the industrial property rights and;
 - (2) One subject selected in advance by the examination taker from subjects relating to technologies or laws stipulated by Ministry of Economy, Trade, and Industry Ordinance.
- 3. The oral examination shall be carried out for laws relating to the industrial property rights for persons having passed the written examination.

Article 11. (Exemption from examination)

A person falling under any of the following items shall be exempted from the examinations of those items upon application:

- (1) A person having passed the written examination: The written examination of next Patent Attorneys Examination
- (2) A person engaged in trial or examination work in the Patent Office for a total period of at least five years: Examination performed on laws and treaties relating to the industrial property rights
- (3) A person stipulated by Ministry of Economy, Trade, and Industry Ordinance as a person having academic knowledge equal to or better than the person who has passed the written

examination for subject selected by examination taker of the preceding article, paragraph 2, item 2: Examination by essay format performed for that subject

Article 12. (Administration of examination)

1. The Patent Attorneys Examination shall be performed by an Advisory Council etc. (an organization defined in Article 8 of the National Administrative Organization Law (Law No. 120 of 1948) stipulated by Cabinet Order (hereinafter referred to as "Advisory Council").
2. The Patent Attorneys Examination shall be administered at least once a year.

Article 13. (Certificate of passage)

A Person who has passed the Patent Attorneys Examination shall be provided an issued certificate as proof of passage of the examination.

Article 14. (Rescission of passage etc.)

1. The Advisory Council may rescind the decision of passage or prohibit taking of the examination for a person who has taken or tries to take the Patent Attorneys Examination by illicit means.
2. The Advisory Council may prohibit a person who has been subjected to disciplinary action under the preceding paragraph from taking the Patent Attorneys Examination for a period of up to three years set according to the situation concerned.

Article 15. (Examination fee)

1. A person desiring to take the Patent Attorneys Examination shall pay an examination fee of an amount stipulated by Cabinet Order in consideration of the actual expenses.
2. The examination fee paid under the preceding paragraph shall not be returned even if the person does not take the Patent Attorneys Examination.

Article 15-2. (Specific Infringement Litigation Representation Examination)

1. The Specific Infringement Litigation Representation Examination shall be carried out by a written method based on an essay format to determine if a patent attorney who has completed training relating to the academic knowledge and practical capability required for serving as a litigation procurator relating to the specific infringement litigation as stipulated by Ministry of Economy, Trade, and Industry Ordinance has that academic knowledge and practical capability.
2. The provisions from Articles 12 to 15 shall apply mutatis mutandis to the Specific Infringement Litigation Representation Examination.

Article 16. (Particulars of examination)

Required matters relating to the Patent Attorneys Examination and the Specific Infringement Litigation Representation Examination other than those stipulated in this Law shall be stipulated by Ministry of Economy, Trade, and Industry Ordinance.

Chapter III. Registration

Article 17. (Registration)

1. A person having qualifications as a patent attorney shall have his/her name, date of birth, location of office, and other matters stipulated by Ministry of Economy, Trade, and Industry Ordinance registered on the Patent Attorneys Register maintained at the Japan Patent Attorneys Association in order to become a patent

- attorney.
2. The Japan Patent Attorneys Association shall register the information on the Patent Attorneys Register.

Article 18. (Application for registration)

1. A person intending to obtain registration of paragraph 1 of the preceding article shall submit a registration application to the Japan Patent Attorneys Association.
2. The registration application of the preceding paragraph shall describe the name, date of birth, location of office, and other matters stipulated by Ministry of Economy, Trade, and Industry Ordinance and attach documents proving the applicant has qualifications as a patent attorney.

Article 19. (Refusal of registration)

1. When the Japan Patent Attorneys Association deems that a person applying for registration under the preceding article, paragraph 1 is not qualified to serve as a patent attorney or falls under one of the following items, it shall refuse the registration. In this case, when it is to refuse the registration on the grounds that the applicant falls under one of the following items, it must act on the basis of a decision of its Registration Screening Board provided for in Article 70:
 - (1) When mental or physical incompetency would be liable to make allowance of performance of the work of a patent attorney unsuitable; or
 - (2) When the reputation of patent attorneys would be liable to be harmed.
2. When the Japan Patent Attorneys Association desires to refuse registration on the grounds of the applicant falling under an item of the preceding paragraph, it shall notify the applicant of that fact in advance and provide an opportunity for defense by him/herself or through his/her representative within an appropriate period.

Article 20. (Notification relating to registration)

The Japan Patent Attorneys Associations shall notify the applicant in writing of the fact of registration or refusal of registration when receiving an application for registration under Article 18, paragraph 1.

Article 21. (Request for investigation in case registration is refused)

1. A person refused registration may make a request for investigation under the Administrative Complaint Investigation Law (Law No. 160 of 1962) to the Minister of Economy, Trade, and Industry when dissatisfied with that action.
2. A person applying for registration under Article 18, paragraph 1 may make a request for investigation of the preceding paragraph to the Minister of Economy, Trade, and Industry deeming that his/her registration has been refused when no action has been taken with respect to that application even after the lapse of three months from the date of application.
3. When there are grounds to the request for investigation under the two preceding paragraphs, the Minister of Economy, Trade, and Industry shall issue an order to the Japan Patent Attorneys Association to the effect that appropriate action be taken.

Article 22. (Notification of change of registered matters)

A patent attorney shall notify the Japan Patent Attorneys Associations of any change in matters registered in the Patent Attorneys Register without delay.

Article 23. (Rescission of registration)

1. The Japan Patent Attorneys Associations shall rescind the registration of a person

- registered as a patent attorney when it is learned that said person received said registration by falsification or other illicit means.
2. The Japan Patent Attorneys Association shall notify the person subjected to that disciplinary action in writing of the fact of rescission of registration under the provisions of the preceding paragraph.
 3. The provisions of Article 19, paragraph 1, second half and Article 21, paragraph 1 to paragraph 3 shall be applied mutatis mutandis to rescission of registration of paragraph 1.

Article 24. (Striking off of registration)

1. When a patent attorney falls under any of the following items, the Japan Patent Attorneys Association shall strike off his/her registration:
 - (1) When he or she has discontinued his/her practice;
 - (2) When he/she has died;
 - (3) When falling under any of the items of Article 8 (except item 5);
 - (4) When being subjected to disciplinary action rescinding registration under the preceding article, paragraph 1; and
 - (5) When being subjected to disciplinary action expelling him/her under Article 51.
2. When a patent attorney falls under any of the provisions of the preceding paragraph, item 1 to item 3, that attorney or his/her legal representative or heir shall notify the Japan Patent Attorneys Association of that fact without delay.
3. The Japan Patent Attorneys Association shall notify the patent attorney in writing of the fact of striking off of his/her registration under paragraph 1, item 1, item 3, or item 5.

Article 25.

1. The Japan Patent Attorneys Association may strike off a registration when mental or physical incompetency of a patent attorney would be liable to make allowance of performance of the work of a patent attorney unsuitable.
2. The provisions of Article 19, paragraph 1, second half and the preceding article, item 3 shall be applied mutatis mutandis to striking off of registration under the preceding paragraph.

Article 26. (Application mutatis mutandis of provisions for refusal of registration)

The provisions of Article 25, Article 21, paragraph 1, and Article 3 shall be applied mutatis mutandis to striking off of registration under the provisions of Article 24, paragraph 1, item 1, Item 3, or Item 5 or the preceding article, paragraph 1.

Article 27. (Public notice of registration and striking off of registration etc.)

The Japan Patent Attorneys Association shall publicize the fact of registration of patent attorneys and of the striking off of registration without delay by the Official Gazette.

Article 27-2. (Application for additional indication of specific infringement litigation representation work)

1. A patent attorney shall submit an application for additional indication to the Japan Patent Attorneys Association when he/she desires to obtain additional indication of the fact of having passed the Specific Infringement Litigation Representation Examination provided for in Article 15-2, paragraph 2 to his/her registration (hereinafter referred to as "additional indication of specific infringement litigation representation work").

2. The application for additional indication of the preceding paragraph shall describe the name of the attorney and other matters stipulated by Ministry of Economy, Trade, and Industry Ordinance and shall attach the certificate proving passage of the Specific Infringement Litigation Representation Examination.

Article 27-3. (Additional indication of specific infringement litigation representation work)

1. The Japan Patent Attorneys Association shall speedily additionally indicate the specific infringement litigation representation work in the registration of the patent attorney when receiving an application under the preceding article.
2. The provision of Article 20 shall be applied mutatis mutandis to the case of additional indication under the preceding paragraph.

Article 27-4. (Striking off of additional indication of specific infringement litigation representation work)

1. The Japan Patent Attorneys Associations shall strike off the additional indication of specific infringement litigation representation work when it is learned that the person receiving the additional indication has received that additional indication by falsification or other illicit means.
2. The provision of Article 23, paragraph 2 shall be applied mutatis mutandis to striking off of additional indication under the preceding paragraph.

Article 27-5. (Public notice of additional indication of specific infringement litigation representation work)

The provision of Article 27 shall be applied mutatis mutandis to additional indication of specific infringement litigation representation work and striking off of additional indication.

Article 28. (Particulars of registration)

Required matters relating to registration of a patent attorney other than those stipulated in this Law shall be stipulated by Ministry of Economy, Trade, and Industry Ordinance.

Chapter IV. The Duties of a Patent Attorney

Article 29. (Prohibition of acts destroying reputation)

A patent attorney shall not engage in acts which would harm the reputation or dignity of patent attorneys.

Article 30. (Duty to maintain secrecy)

A patent attorney or a person who was previously a patent attorney shall not divulge nor illicitly utilize secrets which he/she came to know in the performance of his/her work without legitimate grounds.

Article 31. (Cases that a patent attorney may not undertake)

A patent attorney shall not perform work for the cases specified below; provided, however, that so far as the cases specified in item 3 are concerned, he/she may do so if the clients whose cases are already in his/her charge have consented thereto.

- (1) Cases in which he/she supported the adverse party in the consultation requested, or accepted the adverse party as his/her client;
- (2) Cases in which he/she was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on the attorney-client relationship of mutual trust;
- (3) Any other case he/she is requested to undertake by the adverse party to a case

- he/she has already undertaken;
- (4) Cases that he/she handled as a public servant in the course of his/her duties;
 - (5) Cases that he/she handled as an arbitrator in arbitration procedures;
 - (6) Cases in which the Patent Profession Corporation supported the adverse party in the consultation requested or accepted the adverse party as its client in the period in which he/she was engaged in the work of the Patent Profession Corporation as a partner of or patent attorney employed by said corporation;
 - (7) Cases in which the Patent Profession Corporation was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on the attorney-client relationship of mutual trust in the period in which he/she was engaged in the work of the Patent Profession Corporation as a partner of or patent attorney employed by said corporation.

Chapter V. Responsibilities of a Patent Attorney

Article 32. (Types of disciplinary action)

When a patent attorney violates this Law or an order based on this Law, the Minister of Economy, Trade, and Industry may punish him/her as follows:

- (1) Admonition;
- (2) Suspension of work for up to two years; and
- (3) Prohibition of work.

Article 33. (Procedures for disciplinary action)

1. Any person may report a fact of a patent attorney falling under the preceding article to the Minister of Economy, Trade, and Industry and request him/her to take suitable steps when believing there is such a fact.
2. When there has been a report provided for in the preceding paragraph, the Minister of Economy, Trade, and Industry shall conduct a requisite investigation of the case.
3. The Minister of Economy, Trade, and Industry may conduct a requisite investigation ex officio when believing there is a fact of a patent attorney falling under the preceding article.
4. The Minister of Economy, Trade, and Industry shall conduct a hearing irrespective of the class of the procedures for submission of opinions provided for in Article 13, paragraph 1 of the Administrative Procedure Law (Law No. 88 of 1993) when intending to order punishment of admonition or suspension of work for up to two years under the preceding article.
5. The punishment of disciplinary action under the preceding article shall be ordered after listening to the opinions of the Advisory Council when deeming that there is a fact corresponding to that article by considerable evidence after a hearing.

Article 34. (Authority for investigation)

The Minister of Economy, Trade, and Industry may order a patent attorney to make a necessary report relating to his/her work or order him/her to submit books or other materials in order to conduct the necessary investigation regarding a case under the preceding article, paragraph 2 (including case of application mutatis mutandis in Article 69, paragraph 2) or paragraph 3.

Article 35. (Restrictions on striking off of registration)

The Japan Patent Attorneys Association may not strike off the registration of a patent attorney under Article 24, paragraph 1, item 1 or item 5 or Article 25, paragraph 1 until procedures for disciplinary action have been completed when a patent attorney is subjected to such procedures.

Article 36. (Public notice of disciplinary action)

The Minister of Economy, Trade, and Industry shall publicize the fact of ordering disciplinary action under Article 32 by the Official Gazette.

Chapter VI. Patent Profession Corporation

Article 37. (Establishment)

A patent attorney may establish a Patent Profession Corporation in accordance with the provisions of this chapter.

Article 38. (Name)

A Patent Profession Corporation shall use the words "patent profession corporation" in its name.

Article 39. (Qualifications for partnership)

1. The partners of a Patent Profession Corporation shall be patent attorneys.
2. The persons described below shall not be eligible for partnership in a Patent Profession Corporation:
 - (1) Any person who is punished with suspension from the practice under Article 32 which is still effective; or
 - (2) Any person who was a partner of a Patent Profession Corporation ordered to dissolve or suspend the practice of law under Article 54 within 30 days prior to the date of such disciplinary action taken less than three years ago (or which is still effective, in the case of suspension).

Article 40. (Scope of activity)

A Patent Profession Corporation may, by making provisions in its articles of incorporation, practice all or part of the work of that article, paragraph 2 and paragraph 3 in addition to the work of Article 4, paragraph 1.

Article 41.

A Patent Profession Corporation may undertake for a client the work able to be processed by a patent attorney under Article 5 to Article 6-2 to be assigned to its partners or patent attorneys who are employed by the Patent Profession (for the work provided for in Article 6-2, only patent attorneys for which specific infringement litigation representation work is additionally indicated, hereinafter referred to as "partners etc.") in addition to the work provided for in the preceding article. In this case, the Patent Profession Corporation shall permit the client to appoint his/her assistant or litigation procurator from among its partners etc. of the Patent Profession Corporation.

Article 42. (Registration)

1. A Patent Profession Corporation shall be registered pursuant to the relevant Cabinet Order.
2. Matters that shall be registered under the preceding paragraph cannot be set up against a third party until and unless they have been registered.

Article 43. (Establishment procedure)

1. To establish a Patent Profession Corporation, the patent attorneys who intend to be partners thereof shall jointly execute articles of incorporation.
2. The articles of incorporation of a Patent Profession Corporation shall state, as a minimum requirement, the following:
 - (1) The purpose of the establishment of the Patent Profession Corporation;
 - (2) The name of the Patent Profession Corporation;

- (3) The location of the office;
- (4) The names and addresses of the partners
- (5) Matters concerning capital contribution by the partners; and
- (6) Matters concerning the practice of the patent profession.

Article 44. (Time of formation)

A Patent Profession Corporation shall be formed upon registration of its establishment at the location of its principal office.

Article 45. (Notice of formation)

A Patent Profession Corporation shall, within two weeks from the date of formation, provide notice of formation to the Minister of Economy, Trade, and Industry, together with a certified copy of the register and a copy of its articles of incorporation.

Article 46. (Operation of activities)

All members of a Patent Profession Corporation shall have the right and obligation to operate its activities.

Article 47. (Change in the articles of incorporation)

A Patent Profession Corporation shall notify the Minister of Economy, Trade, and Industry of any change in its articles of incorporation within two weeks from the date of the change, when the Patent profession Corporation has changed the articles of incorporation.

Article 48. (Restriction on work for specific cases)

1. A Patent Profession Corporation shall not perform work for cases falling under any of the following; provided, however, that this does not apply to cases provided for in item 3 when a client whose case is already in his/her charge has consented thereto.
 - (1) Cases in which the corporation supported the adverse party in the consultation requested, or accepted the adverse party as its client;
 - (2) Cases in which the corporation was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on the attorney-client relationship of mutual trust;
 - (3) Any other case the corporation is requested to undertake by the adverse party to a case it has already undertaken; and
 - (4) Cases specified in the items of paragraph 3 in which one-half or more of the corporation's partners shall not be engaged.
2. A partner etc. of a Patent Profession Corporation shall not engage in work for him/herself or a third party for cases stipulated in the preceding items.
3. A partner etc. of a Patent Profession Corporation shall not become involved in work performed by that Patent Profession Corporation relating to cases falling under any of the following:
 - (1) Cases in which he/she supported the adverse party in the consultation requested, or accepted the adverse party as his/her client before becoming a partner etc. of that Patent Profession Corporation;
 - (2) Cases in which he/she was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on the attorney-client relationship of mutual trust before becoming a partner etc. of that Patent Profession Corporation;
 - (3) Cases that he/she handled as a public servant in the course of his/her duties;
 - (4) Cases that he/she handled as an arbitrator in arbitration procedures;

- (5) Cases in which the Patent Profession Corporation supported the adverse party in the consultation requested or accepted the adverse party as its client in the period in which he/she was engaged in the work of another Patent Profession Corporation as a partner etc. before the partner etc. became a partner etc. of that Patent Profession Corporation; and
- (6) Cases in which the Patent Profession Corporation was consulted by the adverse party and the extent and form of the consultation was such that it could be considered as being based on the attorney-client relationship of mutual trust in the period in which he/she was engaged in the work of another Patent Profession Corporation as a partner etc. before the partner etc. became a partner etc. of that Patent Profession Corporation.

Article 49. (Way of activities)

A Patent Profession Corporation shall not assign its work to a person who is not qualified as a patent attorney.

Article 50. (Application of provision for the obligation, of a patent attorney)

The provision of Article 29 shall be applied mutatis mutandis to Patent Profession Corporations.

Article 51. (Statutory withdrawal)

A partner of a Patent Profession Corporation shall withdraw from the corporation in any of the following cases:

- (1) Striking off of registration as a patent attorney;
- (2) Any of the reasons prescribed in the articles of incorporation applies;
- (3) All members consent to his/her withdrawal; and
- (4) He/she is disbarred.

Article 52. (Dissolution)

- 1. A Patent Profession Corporation shall be dissolved in any of the following cases:
 - (1) Any of the reasons prescribed in the articles of incorporation applies;
 - (2) All members consent to dissolution;
 - (3) It merges with another Patent Profession Corporation;
 - (4) It goes bankrupt;
 - (5) A judgment ordering its dissolution is made; and
 - (6) It is ordered to dissolve under Article 54.
- 2. In addition to the cases of the preceding paragraph, a Patent Profession Corporation shall be dissolved if being reduced to a single partner and not increasing its partners to two or more within six months from that date.
- 3. If a Patent Profession Corporation is dissolved for any reason other than those specified in paragraph 1, items 3 and 6, it shall provide notification thereof to the Minister of Economy, Trade, and Industry, within two weeks from the date of dissolution.

Article 53. (Merger)

- 1. A Patent Profession Corporation may merge with another Patent Profession Corporation with the consent of all members.
- 2. A merger between Patent Profession Corporations shall take effect upon registration by the Patent Profession Corporation surviving the merger or newly created through the merger, at the location of its principal office.
- 3. Any Patent Profession Corporation that carries out a merger shall, within two weeks from the date of the merger, provide notification thereof to the Minister of Economy,

Trade, and Industry, together with a certified copy of the register (and a copy of the articles of incorporation in the case of a new Patent Profession Corporation created through a merger).

Article 54. (Disciplinary action for illegal acts etc.)

1. The Minister of Economy, Trade, and Industry may admonish a Patent Profession Corporation, order the suspension of all or part of its work for a period set up to two years, or order its dissolution when deeming that the Patent Profession Corporation has violated this Law or an order based on this Law or is recognized its operation as remarkably improper.
2. The provisions of Article 33, Article 34, and Article 36 shall be applied mutatis mutandis to the actions of the preceding paragraph.
3. The provision of paragraph 1 shall not be construed as hindering joint disciplinary action against a patent attorney serving as a partner etc. of the Patent Profession Corporation when there is a fact falling under Article 32 in the partner etc. in the case of punishing the Patent Profession Corporation under that paragraph.

Article 55. (Application mutatis mutandis etc. of the Civil Code)

1. The provisions of Articles 50, 55, and 81 to 83 of the Civil Code (Law No. 89 of 1896) and Article 35, paragraph 2, Article 36, Article 126, paragraph 1, Articles 134 through 135-5, 135-8, 136 to 137, 138, and 138-3 of the Law concerning Procedures for Non-Contentious Matters (Law No. 14 of 1898) shall be applied mutatis mutandis to Patent Profession Corporations.
2. The provisions of Articles 32, 33, and 34 through 36 of the Commercial Code (Law No. 48 of 1899) shall be applied mutatis mutandis to the books and other documents of Patent Profession Corporations and the provisions of Article 58 and 49 of that law shall be applied mutatis mutandis to Patent Profession Corporations. In such a case, "enter or record" as used in Article 33, paragraph 1 shall be read as "enter," "if a balance sheet is prepared in writing" as used in paragraphs 3 and 4 of said article as "a balance sheet," "to be entered or recorded" as used in Article 34 as "to be entered," and "shareholder" as used in Article 58 and Article 59, paragraph 1 as "partner".
3. The provisions of Articles 68, 69, and 72 to 75 of the Commercial Code shall be applied mutatis mutandis to the internal relationships of Patent Profession Corporations.
4. The provisions of Articles 76 to 83 of the Commercial Code shall be applied mutatis mutandis to the external relationships of Patent Profession Corporations.
5. The provisions of Article 84, Article 86, paragraphs 1 and 2 (to the extent that they relate to disbarment and loss of the representation right), and Articles 87 to 93 of the Commercial Code shall be applied mutatis mutandis to the withdrawal of partners of a Patent Profession Corporation.
6. The provisions of Articles 100, 103 to 106, and 109 to 111 of the Commercial Code shall be applied mutatis mutandis to mergers between Patent Profession Corporations.
7. The provisions of Articles 116 to 119, 120 to 122, Article 124, paragraphs 1 and 2, Articles 125, 126, 128, 129, Article 130, paragraphs 1 and 4, Articles 131 to 133, Articles 134-2 to 136, Article 138, and Articles 143 to 145 shall be applied mutatis mutandis to the liquidation of Patent Profession Corporations. In such a case, "Article 94, item 4 or 6" as used in Article 117, paragraph 2 and Article 122 shall be read as "Article 52, paragraph 1, item 5 or 6 or paragraph 2 of the Patent Attorneys Law."

8. The provision of Articles 167 of the Commercial Code shall be applied mutatis mutandis to the articles of incorporation of Patent Profession Corporations.
9. For the purpose of Article 127 of the Bankruptcy Law (Law No. 71 of 1922), a Patent Profession Corporation shall be deemed to be a general partnership.

Chapter VII. Japan Patent Attorneys Association

Article 56. (Establishment, object, and legal personality)

1. Patent attorneys shall establish a single Japan Patent Attorneys Association covering the entire country (hereinafter in this chapter referred to as the "Patent Attorneys Association" based on the stipulations of this Law.
2. The Patent Attorneys Association shall have as its object, in view of the mission and duties of patent attorneys, to manage matters relating to the guidance, liaison, and supervision of members in order to maintain the dignity of patent attorneys and improve and advance the work of patent attorneys and to manage matters relating to the registration of patent attorneys.
3. The Patent Attorneys Association shall be a judicial person.

Article 57. (Articles of association)

1. The Patent Attorneys Association shall formulate articles of association and stipulate the following matters in them:
 - (1) Name of and location of its office;
 - (2) Rules pertaining to admission of membership in and withdrawal from the association;
 - (3) Rules pertaining to the type of members and their rights and duties;
 - (4) Rules pertaining to the officers;
 - (5) Rules pertaining to meetings;
 - (6) Rules pertaining to branches;
 - (7) Rules pertaining to the registration of patent attorneys
 - (8) Rules pertaining to the Registration Screening Board;
 - (9) Rules pertaining to the maintenance of dignity of its members;
 - (10) Rules pertaining to the training of its members;
 - (11) Rules pertaining to settlement of disputes in connection with its members' profession;
 - (12) Rules pertaining to the provision of information relating to the Patent Attorneys Association and its members;
 - (13) Rules pertaining to membership fees;
 - (14) Rules pertaining to accounts and assets; and
 - (15) Rules pertaining to the secretariat.
2. Establishment or change of the articles of association (only changes relating to important matters stipulated by Cabinet Order) must be approved by the Minister of Economy, Trade, and Industry or will not be effective.

Article 58. (Branches)

The Patent Attorneys Association may establish branches when it is necessary for achieving its object.

Article 59. (Registration)

1. The Patent Attorneys Association shall be registered as stipulated by Cabinet Order.
2. Matters that shall be registered under the preceding paragraph cannot be set up

against a third party until and unless they have been registered.

Article 60. (Admission and withdrawal)

A patent attorney and Patent Profession Corporation shall automatically become a member of the Patent Attorneys Association. When a patent attorney has his/her registration struck off or when the Patent Profession Corporation is dissolved, he/she or it shall automatically withdraw from the Patent Attorneys Association.

Article 61. (Action expelling member from Patent Attorneys Association)

The Patent Attorneys Association may expel a member liable to harm the good order or reputation of the Patent Attorneys Association upon receiving the approval of the Minister of Economy, Trade, and Industry.

Article 62. (Duty to observe articles of association)

Members shall observe the articles of association of the Patent Attorneys Association.

Article 63. (Officers)

1. The Patent Attorneys Association shall appoint a president, vice-president, and other officers stipulated by the articles of association.
2. The president shall represent the Patent Attorneys Association and administer its activities.
3. The vice-president shall assist the president as stipulated by the president and shall represent the president in his/her duties in the event of an accident and perform the duties of president when that post is vacant.

Article 64. (General meeting)

1. The Patent Attorneys Association shall hold an ordinary general meeting every year.
2. The Patent Attorneys Association may convene an extraordinary general meeting when it deems it necessary.

Article 65. (Matters requiring a resolution of a general meeting)

Any amendment of the articles of association, its budgets, and settlement of accounts shall be approved by a resolution of its general meeting.

Article 66. (Report on resolutions etc. of a general meeting)

The Patent Attorneys Association shall report to the Commissioner of the Patent Office on resolutions adopted by its general meeting, on its officers taking office and on their retirement.

Article 67. (Mediation of disputes)

The Patent Attorneys Association may, upon request of a member, the party in question, or other interested person, mediate any dispute regarding the duties of its members.

Article 68. (Proposals and replies)

The Patent Attorneys Association may present its proposals, or make its reply to a request for consultation, to the Minister of Economy, Trade, and Industry or the Commissioner of the Patent Office regarding the professional affairs or system of patent attorneys.

Article 69. (Report of fact falling under disciplinary action)

1. The Patent Attorneys Association shall report to the Minister of Economy, Trade, and Industry any fact of a member deemed to fall under Article 32 or Article 54

2. The provision of Article 33, paragraph 2 shall apply mutatis mutandis to the case where there is a report of the preceding paragraph.

Article 70. (Registration Screening Board)

1. A Registration Screening Board shall be established in the Patent Attorneys Association.
2. The Registration Screening Board shall, upon the request of the Patent Attorneys Association, conduct an investigation required for rejection of registration under Article 19, paragraph 1, rescission of registration under Article 23, paragraph 1, or striking off of registration under Article 25, paragraph 1.
3. The Registration Screening Board shall consist of the president and four board members.
4. The president of the Patent Attorneys Association shall become the president of the Board.
5. Board members shall be appointed by the president from amongst patent attorneys, officers of the Ministry of Economy, Trade, and Industry engaged in administrative work concerning patent attorneys, and persons of learning and experience approved by the Minister of Economy, Trade, and Industry.
6. The term of office of board members shall be two years; provided, however, that the term of office of members appointed to fill vacancies shall be the remaining period of office of the members whose place they take.
7. Required matters concerning the organization and operation of the Registration Screening Board other than those stipulated in the preceding paragraphs shall be stipulated by Cabinet Order.

Article 71. (Report and inspection)

1. The Minister of Economy, Trade, and Industry may seek submission of a report or materials from the Patent Attorneys Association or have its officers enter the office of the Patent Attorneys Association to inspect the books and other materials when deeming it necessary to ensure the suitable operation of the Patent Attorneys Association.
2. The officers carrying out the on-site inspection under the preceding paragraph shall carry certification indicating their identity and shall present the same upon the request of an interested party.
3. The authority for on-site inspection under paragraph 1 shall not be construed as being recognized for criminal investigations.

Article 72. (Rescission of resolution of general meeting and dismissal of officers)

The Minister of Economy, Trade, and Industry may order the rescission of a resolution of a general meeting of the Patent Attorneys Association or dismissal of its officers when the resolution of the general meeting or an act of its officers violates the law or articles of association of the Patent Attorneys Association or otherwise is detrimental to the public interest.

Article 73. (Application mutatis mutandis etc. of the Civil Code)

The provisions of Articles 44, 50, and 55 of the Civil Code shall be applied mutatis mutandis to the Patent Attorneys Association.

Article 74. (Reliance on Ministry of Economy, Trade, and Industry)

Required matters concerning the Patent Attorneys Association other than those stipulated in this Law shall be stipulated by Ministry of Economy, Trade, and Industry Ordinance.

Chapter VIII. Miscellaneous

Article 75. (Restrictions on work of persons not patent attorneys or Patent Profession Corporations)

A person not a patent attorney or Patent Profession Corporation may not engage in the business of obtaining remuneration in accordance with requests of other parties for the representation for procedures before the Patent Office relating to patents, utility models, designs, or trademarks or international applications or international applications for registration and for procedures before the Minister of Economy, Trade, and Industry relating to opposition or adjudications relating to a patent, utility model, design, or trademark (except representation for procedures for payment of patent annuities, representation for procedures for application for registration in Patent Register etc., and other work stipulated by Cabinet Order), provision of expert opinions relating to matters relating to these procedures, or the preparation of documents or electromagnetic recordings stipulated by Cabinet Order (recordings prepared by electronic means, magnetic means, or other means unable to be discerned by human senses used for data processing of computers).

Article 76. (Restrictions on use of name)

1. A person not a patent attorney or Patent Profession Corporation shall not use the name "patent attorney" or "patent office" or a name similar to the same.
2. A person not a Patent Profession Corporation shall not use the name "Patent Profession Corporation" or a name similar to the same.
3. An organization not the Japan Patent Attorneys Association shall not use the name "Japan Patent Attorneys Association" or a name similar to the same.

Article 77. (Duty to maintain secrecy of employees etc. of patent attorneys)

An employee or other worker of a patent attorney or a Patent Profession Corporation or a person who was previously the same shall not divulge nor illicitly utilize secrets which he/she came to know in assisting the work of Article 4 to Article 6 without legitimate grounds.

Chapter IX. Penalties

Article 78.

When a person who does not possess the required qualifications to be a patent attorney has had his/her name registered in the roll of patent attorneys by a false declaration to the Patent Attorneys Associations, such person shall be punished by rigorous imprisonment of not more than one year or by a fine of not more than one million yen.

Article 79.

Any person who violates the provisions of Article 75 shall be punished through rigorous imprisonment of not more than one year or by a fine of not more than one million yen.

Article 80.

1. Any person who violates the provisions of Article 30 or Article 77 shall be punished through rigorous imprisonment of not more than six months or by a fine of not more than five hundred thousand yen.
2. The offense of the preceding paragraph may not be prosecuted unless a complaint is filed.

Article 81.

A person who falls under any of the following items shall be punished through a fine of not more

than one million yen:

- (1) A person who has failed to submit a report or materials under Article 71, paragraph 1 or submits a false report or materials or refuses, hinders, or avoids an on-site inspection under that paragraph and
- (2) A person who has violated Article 76.

Article 82.

Where the representative of a juristic person or the agent, employee, or other worker of a juristic or natural person violates the provisions of Article 79 or the preceding article in connection with the business of said juristic or natural person, the aforementioned persons shall be punished, and in addition the said juristic or natural person shall be punished by the imposition of the fine stipulated in the respective article.

Article 83.

A person who has failed to submit a report under Article 34 (including cases where it is applied mutatis mutandis in Article 54, paragraph 2) or submits a false report or fails to submit books or other material shall be punished by a non-penal fine of not more than three hundred thousand yen.

Article 84.

The partners or liquidator of a Patent Profession Corporation or the officers of the Japan Patent Attorneys Association shall be punished by a non-penal fine of not more than three hundred thousand yen in the following cases:

- (1) Failure to make registration pursuant to the provisions of a Cabinet Order issued under this Law;
- (2) Failure to apply for an adjudication of bankruptcy pursuant to the provisions of Article 81, paragraph 1 of the Civil Code as applied mutatis mutandis in Article 55, paragraph 1;
- (3) Failure to make required statements or entries in, or the falsification of, the articles of incorporation or the account books or balance sheet required by Article 32, paragraph 1 of the Commercial Code as applied mutatis mutandis in Article 55, paragraph 2;
- (4) A merger or the disposal of the corporation's property in breach of the provisions of Article 100, paragraph 1 or 3 of the Commercial Code (including that article applied mutatis mutandis in Article 117, paragraph 3 of the same Code), as applied mutatis mutandis in accordance with Article 55, paragraph 6; or
- (5) The distribution of the corporation's property in breach of the provisions of Article 131 of the Commercial Code as applied mutatis mutandis in Article 55, paragraph 7.

Supplements

Article 1. (Effective date)

This Law shall come into force on and from January 6, 2001; provided, however, that the provisions of the following items shall come into force from the dates stipulated in those items:

- (1) Provisions of Chapter II: January 1, 2002
- (2) Provisions of Article 4, paragraph 3: Date stipulated by Cabinet Order within range not exceeding two years counted from date of promulgation

Article 2. (Transitional measure relating to qualification of patent attorneys)

Persons listed below shall be deemed as having the qualifications as patent attorneys provided for in Article 7 of the Patent Attorneys Law as amended (hereinafter referred to as the "New Law"):

- (1) A person having the qualification as a patent attorney at the time of enforcement of this Law.
- (2) A person passing the Patent Attorneys Examination of Article 2, paragraph 2 of the Patent Attorneys Law before amendment (hereinafter referred to as the "Old Law") deemed to still be effective under Article 4, paragraph 1 of the Supplementary Provisions.

Article 3. (Transitional measure relating to disqualification)

1. The provision of Article 8, item 2 of the New Law (excluding the part relating to the offense of Article 28 of the Supplementary Provisions of the Trademark Law) shall apply to persons sentenced as provided in that item after the date of enforcement of this Law (hereinafter referred to as the "enforcement date", while the grounds for disqualification relating to sentences of persons sentenced as provided for in Article 5, item 2 of the Old Law before the enforcement date shall apply as before.
2. The provisions of Article 8, item 2 of the New Law (limiting to the part relating to the offense of Article 28 of the Supplementary Provisions of the Trademark Law) and item 3 shall apply to persons sentenced as provided for under these provisions due to acts committed after the enforcement date.
3. The provisions of Article 8, items 4 and 7 of the New Law shall apply to persons subjected to disciplinary actions as provided for in these provisions after the enforcement date, while the grounds for disqualification relating to disciplinary actions of persons subjected to disciplinary actions as provided for in Article 5, item 3 of the Old Law before the enforcement date shall apply as before.

Article 4. (Transitional measures relating to Patent Attorneys Examination)

1. The provision of Article 2, paragraph 2 of the Old Law shall remain effective until December 31, 2001.
2. The requisite transitional measures relating to exemption from examination under Article 11 of the New Law and suspension of undertaking of examination under Article 14, paragraph 2 of the New Law in the case where a person having taken the Patent Attorneys Examination of Article 2, paragraph 2 of the Old Law (including cases deemed as remaining effective under preceding paragraph) before the date of enforcement of the provisions of Chapter II takes the Patent Attorneys Examination provided for in that chapter after the date of enforcement of the provisions of that chapter shall be stipulated by Cabinet Order.

Article 5. (Transitional measures relating to registration)

1. Registration on the Patent Attorneys Register under Article 6, paragraph 2 of the Old Law shall be deemed as registration on the Patent Attorneys Register under Article 17, paragraph 1 of the New Law.
2. An application for registration made before the Patent Attorneys Association as provided for in the Old Law (hereinafter referred to as the "Old Patent Attorneys Association") under Article 6, paragraph 3 of the Old Law before the enforcement date shall be deemed as an application for registration made before the Japan Patent Attorneys Association under Article 18, paragraph 1 of the New Law.
3. Refusal of registration or striking off of registration by the Old Patent Attorneys Association and notification of the same under the Old Law before the enforcement date shall be deemed as having been carried out by the Japan Patent Attorneys Association under the New Law.

Article 6. (Training for improvement of quality)

The following persons (except practicing attorneys and other persons stipulated by Ministry of Economy, Trade, and Industry Ordinance) shall undergo training for improvement of the quality of patent attorneys offered by the Japan Patent Attorneys Association as stipulated by Ministry of Economy, Trade, and Industry Ordinance.

- (1) A person who was a patent attorney at the time of enforcement of this Law.
- (2) A person listed in any item of Article 2 of the Supplementary Provisions who was registered under Article 17, paragraph 1 of the New Law.

Article 7. (Transitional measures relating to duty to maintain secrecy)

After the enforcement date, the provisions of Article 30 of the New Law (including penalties relating to the same) shall be applied by deeming a person who was a patent attorney as provided for in Article 22 of the Old Law as having been a patent attorney as provided for under Article 30 of the New Law and deeming secrets which came to be known in the performance of work relating to a patent attorney as provided for in Article 22 of the Old Law as secrets which came to be known in the performance of work relating to a patent attorney as provided for under Article 30 of the New Law.

Article 8. (Transitional measures relating to disciplinary actions)

1. When there is a fact considered as grounds for a disciplinary action in the Old Law before the enforcement date for a person who was a patent attorney as of the time of enforcement of this Law and a fact corresponding to that is considered grounds for a disciplinary action in the New Law as well, the provisions of the New Law shall be applied by deeming that there was a fact considered as grounds for the disciplinary action in the New Law.
2. The provision of Article 21 of the Old Law shall remain effective for persons subjected to the disciplinary action of a non-penal fine under Article 17 of the Old Law before the enforcement date.
3. A person subjected to the disciplinary action of suspension of work under Article 17 of the Old Law and still in the period of suspension of work as of enforcement of the Law shall be deemed a person subjected to the disciplinary action of suspension of work under Article 32 of the New Law at the date of that action. In this case, the Minister of Economy, Trade, and Industry shall publicize this fact in the Official Gazette without delay after enforcement of this Law.
4. A report of disciplinary action under Article 19 of the Old Law for which procedures for a disciplinary action have still not been completed as of the time of enforcement of this Law shall be deemed a report under Article 69, paragraph 1 of the New Law on the enforcement date

Article 9. (Transitional measures relating to Patent Attorneys Association)

1. The Old Patent Attorneys Association existing as of the enforcement date shall become the Japan Patent Attorneys Association under Article 56, paragraph 1 of the New Law on the enforcement date and be deemed continuous in identity.
2. The Old Patent Attorneys Association shall amend rules of the association required by enforcement of this Law in accordance with Article 57 of the New Law and be approved by the Minister of Economy, Trade, and Industry. In this case, the approval shall be effective from the enforcement date.
3. The Japan Patent Attorneys Association of paragraph 1 shall speedily register its establishment under Article 59 of the New Law.

Article 10. (Transitional measures relating to restrictions on use of name)

The provision of Article 76, paragraph 2 of the New Law shall not apply for a period of six months

after enforcement of this Law to entities using the name "Patent Profession Corporation" or a similar name as of the time of enforcement of the Law.

Article 11. (Transitional measures relating to penalties)

The penalties for acts committed before enforcement of this Law shall apply as before.

Article 12. (Reliance on Cabinet Order)

Required transitional measures concerning the Law other than those stipulated in Articles 2 to the preceding of the Supplementary Provisions shall be stipulated by Cabinet Order.

Article 13. (Reconsideration)

The Government shall, five years from enforcement of the Law, reconsider the provisions of the Law if necessary after taking into account the state of enforcement of the Law, and shall take necessary actions based on the results of the reconsideration.

Article 14. (Partial amendment to the Certified Public Accountants Law)

A part of the Certified Public Accountants Law shall be amended as follows:

The "Patent Attorneys Law (Law No. 100 of 1921)" in Article 4, paragraph 7 shall be changed to the "Patent Attorneys Law (Law No. 49 of 2000)".

Article 15. (Transitional measures relating to partial amendment to the Certified Public Accountants Law)

A person subjected to the disciplinary action of prohibition of work under Article 17 of the Old Law and the situation of not yet having passed two years from the date of the disciplinary action shall not have qualifications as a certified public tax accountant irrespective of Article 4 of the Certified Public Accountants Law as amended under the preceding article.

Article 16. (Partial amendment to the Assets Reassessment Law)

A part of the Assets Reassessment Law (Law No. 110 of 1950) shall be amended as follows:

The "Patent Attorneys Association" in Article 39, paragraph 2, item 1 shall be changed to the "Japan Patent Attorneys Association".

Article 17. (Partial amendment to the Local Tax Law)

A part of the Local Tax Law (Law No. 226 of 1950) shall be amended as follows:

The "Patent Attorneys Association" in Article 72-5, paragraph 1, item 2 shall be changed to the "Japan Patent Attorneys Association".

Article 18. (Partial amendment to the Certified Public Tax Accountants Law)

A part of the Certified Public Tax Accountants Law shall be amended as follows:

The "Patent Attorneys Law (Law No. 100 of 1921)" in Article 4, paragraph 9 shall be changed to the "Patent Attorneys Law (Law No. 49 of 2000)".

Article 19. (Transitional measures relating to partial amendment to the Certified Public Tax Accountants Law)

A person subjected to the disciplinary action of prohibition of work under Article 17 of the Old Law and the situation of not yet having passed two years from the date of the disciplinary action shall not have qualifications as a certified public tax accountant irrespective of Article 4 of the Certified Public Tax Accountants Law as amended under the preceding article.

Article 20. (Partial amendment to the Income Tax Law)

A part of the Income Tax Law (Law No. 33 of 1965) shall be amended as follows:

The following shall be added after the item of the table "Japan Federation of Bar Associations" of Appended Table 1-1:

Japan Patent Attorneys Association	Patent Attorneys Law (Law No. 49 of 2000)
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The item of the table "Patent Attorneys Association" of Appended Table 1-1 shall be deleted.

Article 21. (Partial amendment to the Corporation Tax Law)

A part of the Corporation Tax Law (Law No. 34 of 1965) shall be amended as follows:

The following shall be added after the item of the table "Japan Federation of Bar Associations" of Appended Table 2-1:

Japan Patent Attorneys Association	Patent Attorneys Law (Law No. 49 of 2000)
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The item of the table "Patent Attorneys Association" of Appended Table 2-1 shall be deleted.

Article 22. (Partial amendment to the Registration and License Tax Law)

A part of the Registration and License Tax Law (Law No. 35 of 1967) shall be amended as follows:

The "Article 6, paragraph 2 (Registration of Patent Attorneys) of the Patent Attorneys Law (Law No. 100 of 1921)" in Appended Table 1-23 shall be changed to "Article 17, paragraph 1 (Registration) of the Patent Attorneys Law (Law No. 49 of 2000)".

Article 23. (Partial amendment to the Certified Consulting Engineers Law)

A part of the Certified Consulting Engineers Law (Law No. 25 of 1983) shall be amended as follows:

The "Article 17 of the Patent Attorneys Law (Law No. 100 of 1921)" in Article 3, item 6 shall be changed to "Article 32, item 3 of the Patent Attorneys Law (Law No. 49 of 2000)".

Article 24. (Transitional measures relating to partial amendment to the Certified Consulting Engineers Law)

A person subjected to the disciplinary action of prohibition of work under Article 17 of the Old Law and the situation of not yet having passed two years from the date of the action shall not have qualifications as a certified consulting engineer irrespective of Article 3 of the Certified Consulting Engineers Law as amended under the preceding article.

Article 25. (Partial amendment to the Consumption Tax Law)

A part of the Consumption Tax Law (Law No. 108 of 1988) shall be amended as follows:

The following shall be added after the item of the table "Japan Federation of Bar Associations" of Appended Table 3-1:

Japan Patent Attorneys Association	Patent Attorneys Law (Law No. 49 of 2000)
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The item of the table "Patent Attorneys Association" of Appended Table 3-1 shall be deleted.

Article 26. (Partial amendment to the Enforcement Law of the Law on the Reformation of Ministries and Government Offices)

A part of the Enforcement Law of the Law on the Reformation of Ministries and Government Offices (Law No. 160 of 1999) shall be amended as follows:

The "Article 3, item 2 of the Patent Attorneys Law" in Article 1337 shall be changed to the "Article 7, item 3 of the Patent Attorneys Law (Law No. 49 of 2000)" and paragraph 2 of that article shall be deleted.