

REPUBLIC OF KOREA

Utility Model Regulations

as amended by Ordinance No. 216 of the Ministry of Commerce, Industry
and Energy of December 31, 2003

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TABLE OF CONTENTS

Article 1 Purpose
Article 2 Grant of Applicant Code, etc.
Article 3 Documents Submittable by Means of Electronic Documents
Article 4 deleted
Article 5 Documents by Reference
Article 6 Submission of Requests for Utility Model Registration Application, etc.
Article 7 Return of Defective Application Documents, etc.
Article 8 Amendment of Documents, etc.
Article 8-2 Amendment of Corrected Description, etc.
Article 9 Amendment of Application for Utility Model Registration
Article 10 Request for Technical Evaluation
Article 11 Decision on Request for Technical Evaluation
Article 12 Notification of Submission of Arguments, etc.
Article 13 Arguments
Article 14 Specifying of Periods
Article 15 Request for Correction
Article 16 Issuance of Utility Model Registration Certificate
Article 17 Additional Entries, etc. of Devisers
Article 18 Date of Publication of Registration of Utility Model Registration Application
Article 19 Furnishing of Information on Application of Which Registration Has Been Published
Article 20 Request for Trial
Article 21 Special Provisions on Periods to Submit Documents Where Devices Are Deemed to Be Novel
Article 22 Submission of Translations, etc.
Article 23 Translations of International Application for Utility Model Registration, etc.
Article 24 Periods for Requesting Decisions, etc.
Article 25 Documents Concerning Request for Decisions
Article 26 Decisions on Refusal, Declaration or Finding
Article 27 Provisions as Applied Mutatis Mutandis

Article 1 Purpose

The purpose of these Regulations is to prescribe particulars authorized by the Utility Model Act and by the Enforcement Decree of the same Act as well as matters necessary to implement the aforementioned particulars.

Article 2 Grant of Applicant Code, etc.

(1) "A person prescribed by ordinance of the Ministry of Commerce, Industry and Energy" under Article 28-2(1) of the Patent Act mutatis mutandis applied to Article 4 of the Utility Model Act (hereinafter referred to as "the Act") refers to a person falling under any of the following subparagraphs:

- (i) the applicant;
- (ii) a successor in title to the right to obtain a utility model registration;
- (iii) an opponent to the utility model registration;
- (iv) a respondent to an opposition to the utility model registration;
- (v) a person who requests a correction;
- (vi) the owner of the utility model right (only so far as a request for a technical evaluation of the utility model has been made);
- (vii) a person who requests a technical evaluation of the utility model;
- (viii) a person who submits the information on the utility model of which registration has been published;
- (ix) a petitioner or defendant of a trial, and a trial intervener.

(2) A person who intends to request a grant of an identification number (hereinafter referred to as "applicant code") under Article 28-2(1) of the Patent Act mutatis mutandis applied to Article 4 of the Act shall submit to the Commissioner of the Korean Intellectual Property Office (hereinafter referred to as "the Office") or to the President of the Korean Intellectual Property Tribunal (hereinafter referred to as "the Tribunal") a request for the grant of an applicant code in Form No.4 annexed to the Patent Act Enforcement Regulations.

(3) A person, who has been granted an applicant code and intends to change or correct his or her name, address (or, in the case of a legal entity, its corporate name, address of business), seal, telephone number or any other details, shall submit to the Commissioner of the Office a notification of change (correction) of information on the applicant in Form No. 4-2 annexed to the Patent Act Enforcement Regulations. However, a person, who has not been granted an applicant code and intends to change or correct his or her name or any other details, shall submit a

notification of change (correction) of information on persons relevant to trials in Form No. 4-3 annexed to the Patent Act Enforcement Regulations.

(4) A person, who has been granted an applicant code in duplication or in error and intends to correct it, shall submit to the Commissioner of the Office a request for correction of the applicant code in Form No. 4-4 annexed to the Patent Act Enforcement Regulations, together with the following documents:

- (i) a proof of the contents of correction;
- (ii) a proof of the power of attorney, where an agent acts in the procedure.

Article 3 Documents Submittable by Means of Electronic Documents

(1) Documents which may be submitted to the Commissioner of the Office or to the President of the Tribunal by means of electronic documents under Article 28-3(4) of the Act of the Patent Act mutatis mutandis applied to Article 4 of the Act, shall be other than those falling under the following subparagraphs:

- (i) the statement for submission of electronic recording media;
- (ii) the statement for submission of documents attached to electronic documents;
- (iii) the statement for submission of documents (samples, articles, exhibits);
- (iv) the request for issuance of correction of utility model registration certificate;
- (v) the documents (so far as the documents in Forms No. 45 to No. 64 annexed to the Patent Act Enforcement Regulations and Forms No. 65-10(1) to No. 65-55 annexed to the same Regulations) regarding international application under Article 2(vii) of the Patent Cooperation Treaty (hereinafter referred to as "international application");
- (vi) the request for decision under Article 71(1) of the Act;
- (vii) the request for correction of digitized contents;
- (viii) deleted.

(2) deleted

(3) Notwithstanding the preceding paragraphs (1), submission in the form of electronic documents may not be allowed for applications falling under the criteria for classification of patent application related to national defense referred to in Article 11 of the Patent Act Enforcement Decree mutatis mutandis applied to Article 7 of the Utility Model Act Enforcement

Decree (hereinafter referred to as "Decree"). However, the said restriction shall not apply to the cases that a notice of the cancellation of the request for maintenance of secrecy under Article 12(4) of the Patent Act Enforcement Decree mutatis mutandis applied to Article 7 of the Decree or the notice of the declassification of secrecy under Article 13 of the Patent Act Enforcement Decree mutatis mutandis applied to Article 7 of the Decree has been given.

Article 4 deleted

Article 5 Documents by Reference

(1) In the case that a person who takes a utility model-related procedure intends to take two or more procedures at the same time, if relevant certificates submitted under Article 7 of the Patent Act mutatis mutandis applied to Article 4 of the Act, Article 54(4) of the Patent Act mutatis mutandis applied to Articles 6(2) and 20 of the Act, Article 2 of these Regulations, and Articles 6 to 8 of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations are of the same contents, the person may submit to the Commissioner of the Office or to the President of the Tribunal one original certificate for only one of the procedures, and the copy of the said certificates for the rest of the procedures.

(2) In the case that a person, who has earlier submitted certificates to the Commissioner of the Office or to the President of the Tribunal in a utility model-related procedure, is required to submit certificates set out in Article 7 of the Patent Act mutatis mutandis applied to Article 4 of the Act, Article 54(4) of the Patent Act mutatis mutandis applied to Article 6(2) of the Act and to Article 20 of the Act, Article 2 of these Regulations, and Articles 6 to 8 of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations, if the contents of the required certificates are same as those earlier submitted, the person who intends to refer to the original certificates may, with the mention to that effect, submit relevant copy thereof to the Commissioner of the Office or to the President of the Tribunal. However, in the cases falling under any of the following subparagraphs, the person may, with specifying his or her intent to refer to the earlier submitted documents, omit the submission of the copy:

- (i) when filing the divisional application under Article 16 of the Act;
- (ii) when filing the dual application under Article 17 of the Act;
- (iii) when filing the application claiming priority under Article 18 of

the Act.

(3) In the case falling under any of the following subparagraphs, the submission of documents to certify the power of attorney referred to in Article 7 of the Patent Act mutatis mutandis applied to Article 4 of the Act may be omitted:

(i) where an agent appointed under Article 5(2) of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations takes a procedure related with utility model registration within the scope of his or her mandate;

(ii) where an agent, who has the general power of attorney registered under Article 5-2(2) of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations, takes a procedure relating to utility model registration within the scope of his or her mandate of the said general power of attorney.

Article 6 Submission of Requests for Utility Model Registration Application, etc.

(1) A person who intends to file an application for a utility model registration under Article 9(1) of the Act shall submit to the Commissioner of the Office a request for the utility model registration application in the annexed Form No. 1 together with the following documents:

(i) a description, an abstract and drawings;

(ii) a proof of power of attorney, where an agent acts in the procedure;

(iii) any other certificates required under the Act or Decree, in each one copy.

(2) The description, the drawings and the abstract in the preceding paragraph (1) shall be in Forms No. 11, No. 12 and No. 13 annexed to the Patent Act Enforcement Regulations, respectively.

Article 7 Return of Defective Application Documents, etc.

(1) Where the documents, samples or any other relevant materials for the application for a utility model registration or trial (hereinafter, in this Article, referred to as "the application documents, etc.") under Article 9 of the Act or Article 55 of the Act fall under any of the following subparagraphs, the Commissioner of the Office or the President of the Tribunal shall not consider them as the lawful application documents, etc. for a request for a utility model registration or for a request for a trial, unless otherwise stipulated in the Act or Decree:

(i) the documents have not been prepared individually for each case, in violation of Article 2 of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations;

(ii) the nature of the application or of documents is not specific;

(iii) the name (or, in the case of a legal entity, its corporate name) or applicant code (or, in the absence of an applicant code, the name or address (or, in the case of a legal entity, its corporate name or address of business)) of a person taking a utility model-related procedure is not specified;

(iv) the documents, etc. are not written in the Korean language;

(v) no description or drawing is attached to the application request (including the cases where the description does not contain the detailed description of the device or the utility model registration claims thereof);

(vi) the application documents, etc. have been filed by a person who has neither an address nor an address of business in the Republic of Korea without representation by a utility model administrator referred to in Article 5(1) of the Patent Act mutatis mutandis applied to Article 4 of the Act;

(vii) the documents are not submitted within a designated period by the Act or by an instruction under the Act;

(viii) a request for extension of period has been made for a period for which no extension is allowed under the Act or an instruction under the Act;

(ix) a request for extension of period has been submitted after the expiry of a period for the amendment of grounds for opposition to a utility model registration under Article 70(1) of the Patent Act mutatis mutandis applied to Article 48 of the Act, after the expiry of a period to request trial under Article 54 of the Act or Article 54-2 of the Act, or after the expiry of a period designated by the Commissioner of the Office, the President of the Tribunal, the presiding trial examiner or by an examiner;

(x) the documents have been submitted in relation with the procedures related with utility model registration after the conclusion of the procedures therefor;

(x-2)-(x-3) deleted

(xi) the documents have been submitted, in relation with a procedure for utility model registration, by a person who is not entitled to take procedures related with utility model registration;

(xii) a request for registration of general power of attorney in Form No. 2-6 annexed to the Patent Act Enforcement Regulations, a request for restriction of the scope of authorization of the general power of attorney

in Form No. 2-7 annexed to the said Regulations, a statement for the withdrawal of registration of the general power of attorney in Form No. 2-8 annexed to the said Regulations, a request for the grant of applicant code in Form No. 4 annexed to the said Regulations, or relevant documents required where an applicant code has to be granted ex officio are not specific enough to accept;

(xiii) a request for utility model registration application or other documents submitted by way of communication network, floppy disk or optical disk have not been prepared with software provided by the Office, or any other documents submitted by way of electronic means are not in a state suitable for the disposition on the electronic information processing system;

(xiii-2) the documents instructed to be submitted under Article 3-2(2) of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations have not been submitted within a designated period;

(xiv) the documents instructed to be submitted under Article 8 of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations have not been submitted within a designated period to submit statements, without any justifiable reason.

(2) Where the Commissioner of the Office or the President of the Tribunal intends to return the application documents, etc. which are deemed unlawful under the preceding paragraph (1), the Commissioner of the Office shall send a notice to the effect that the application documents, etc. are to be returned, mentioning the reasons for the said return and designating the period to submit statements thereon, to the applicants, etc. who have submitted the application documents, etc. However, in the case of the preceding subparagraph (1)(xiv), the application documents etc. shall be returned immediately upon notice of the reasons for the return.

(3) The applicants, etc., who have received the notice under the principal text of the preceding paragraph (2) and intend to submit statements thereon, shall submit a statement in Form No. 4-8 annexed to the Patent Act Enforcement Regulations within a designated period to submit statements, and the applicants, etc., who intend to submit no statement and have the application documents, etc. returned within the said period to submit statements, shall submit to the Commissioner of the Office or to the President of the Tribunal a request for return of documents in Form No. 4-9 annexed to the Patent Act Enforcement Regulations. Upon

receipt of the request for return of documents, the Commissioner of the Office or the President of the Tribunal shall immediately return the application documents, etc.

(4) The Commissioner of the Office or the President of the Tribunal, to whom the applicants, etc. do not submit a statement or a request for return of the documents within the designated period to submit statements, or to whom the submitted arguments appear to be groundless, shall return the application documents, etc. immediately after the expiry of the period to submit statements.

Article 8 Amendment of Documents, etc.

A person, who intends to make amendments under Article 11 to Article 13 of the Act or under Article 29(3) of the Patent Act Enforcement Regulations mutatis mutandis applied to Article 27 of these Regulations and a person who intends to amend or add priority claims under Article 18(3) of the Act or under Article 54(7) of the Patent Act mutatis mutandis applied to Article 20(3) of the Act, shall submit to the Commissioner of the Office or to the President of the Tribunal an amendment of bibliographic matters (the description, etc.) in Form No. 5 annexed to the Patent Act Enforcement Regulations together with the following documents:

- (i) a proof of the contents of amendment or addition;
- (ii) a statement of arguments, if any opinion should be stated on the instruction to make an amendment under Article 12 of the Act;
- (iii) a proof of the power of attorney, where an agent acts in the procedure.

Article 8-2 Amendment of Corrected Description, etc.

(1) A person, who intends to amend the description or the drawings in a registered utility model corrected in technical evaluation proceedings under Article 77(3) of the Patent Act mutatis mutandis applied to Article 27(4) of the Act, shall submit to the Commissioner of the Office or to the President of the Tribunal a statement for amendment of the description, etc. corrected in the utility model technical evaluation proceedings, in the annexed Form No. 1-2 together with the following documents:

- (i) a proof of the power of attorney, where an agent acts in the procedure;
- (ii) a proof of the consent of an exclusive licensee, a pledgee or a non-exclusive licensee, where the consent is required under Article 77(3) of the Patent Act mutatis mutandis applied to Article 27(4) of the Act.

(2) A person who falls under any of the following subparagraphs shall

submit to the Commissioner of the Office, the President of the Tribunal or to the presiding trial examiner a request for amendment in Form No. 5-4 annexed to the Patent Act Enforcement Regulations:

(i) a person who intends to amend the description or the drawings of the registered utility model corrected in the proceedings of opposition to the utility model registration under Article 77(3) of the Patent Act mutatis mutandis applied to Article 48 of the Act;

(ii) a person who intends to amend the description or the drawings of the registered utility model corrected in the proceedings of the trial for invalidation of the utility model registration under Article 49-2(4) of the Act;

(iii) a person who intends to amend the description or the drawings of a registered utility model corrected in the proceedings of trial for correction under Article 51(9) of the Act;

(iv) a person who intends to amend the description or the drawings of the registered utility model corrected in the proceedings of the trial for invalidation of correction under Article 52(4) of the Act.

(3) The request for amendment under the preceding paragraph (2) shall be accompanied by the documents falling under any of the following subparagraphs:

(i) deleted

(ii) a description and drawings;

(iii) a proof of the power of attorney, where an agent acts in the procedure;

(iv) a proof of consent of an exclusive licensee, a pledgee or a non-exclusive licensee, where the said consent is required under Article 77(3) of the Patent Act mutatis mutandis applied to Article 48 of the Act, Article 49-2(4) of the Act, Article 51(6) of the Act, and under Article 52(4) of the Act.

Article 9 Amendment of Application for Utility Model Registration

The period allowed to amend the description, the drawings or the abstract attached to the request for utility model registration application under the proviso of Article 13(1) of the Act shall be within two months from the filing date of the said utility model registration application.

Article 10 Request for Technical Evaluation

A person, who intends to request a technical evaluation of a registered utility model under Article 21(1) of the Act, shall submit to the Commissioner of the Office a request for a technical evaluation of a

utility model in the annexed Form No. 2 together with the following documents:

- (i) reference materials, if any, in each one copy;
- (ii) a proof of the power of attorney, where an agent acts in the procedure;
- (iii) any other certificates required under the Act or Decree, in each one copy.

Article 11 Decision on Request for Technical Evaluation

An examiner shall, in rendering a decision to revoke or maintain a registered utility model, of which a technical evaluation has been requested, inform the Commissioner of the Office thereof, and shall prepare a statement of decision on the utility model technical evaluation, indicating the followings, and sign and seal thereon:

- (i) the registration number of the utility model;
- (ii) the title of the device;
- (iii) the name and address (or, in the case of a legal entity, its name and address of business) of the requester of the technical evaluation and of the owner of the utility model right;
- (iv) where agent(s), if any, acts on behalf of the requester of the technical evaluation or on behalf of the owner of the utility model right, the name and address or address of business of the respective agent (or, in the case of the agent being a patent attorney office, its office name, address of business and the name of the patent attorney appointed);
- (v) the decision and reasons therefor;
- (vi) the date of decision.

Article 12 Notification of Submission of Arguments, etc.

The examiner, who intends to render a decision or notify of the followings, shall report thereon to the Commissioner of the Office, prepare the statement of decision or the notification, and sign and seal thereon:

- (i) the notification to invite the submission of statement for arguments under Article 25(3) of the Act;
- (ii) the notification of non-recognition of the request for correction under Article 77(3) of the Patent Act mutatis mutandis applied to Article 27(4) or 48 of the Act;
- (iii) the decision on an opposition to a utility model registration under Article 75 of the Patent Act mutatis mutandis applied to Article 48 of the Act.

Article 13 Arguments

A person, who intends to submit a statement of arguments under Article

25(3) of the Act, Article 77(3) of the Patent Act mutatis mutandis applied to Articles 27(4) and 48 of the Act, and under Article 51(4) of the Act (including the cases where Article 52(4) of the Act applies mutatis mutandis to the proceedings of an invalidation trial of a utility model registration and in the proceedings of an invalidation trial of a correction), shall submit to the Commissioner of the Office, the President of the Tribunal or to the presiding trial examiner a statement of opinions in Form No. 25-2 annexed to the Patent Act Enforcement Regulations together with the following documents:

- (i) a proof of the contents of the argument;
- (ii) a proof of the power of attorney, where an agent acts in the procedure.

Article 14 Specifying of Periods

(1) The period for filing an amendment that may be designated by the Commissioner of the Office, the President of the Tribunal, the presiding trial examiner or by an examiner under Articles 11 and 12 of the Act, under Article 141 of the Patent Act mutatis mutandis applied to Article 56 of the Act, and under Article 61(2) of the Act shall be within one month, and the periods, including the period to submit a statement for arguments under Article 25(3) of the Act, which may be designated under the Act or Decree by the Commissioner of the Office, the President of the Tribunal, the presiding trial examiner or by an examiner shall be within two months. However, if any tests and evaluation of the results thereof are required in the procedure for a utility model registration, the said specified period shall correspond to the time required for conducting the said tests and evaluation of the results.

(2) A request for extension of a period under Article 15(1) and (2) of the Patent Act mutatis mutandis applied to Article 4 of the Act shall be made by a request for extension of statutory (designated) period in Form No. 7 annexed to the Patent Act Enforcement Regulations.

(3) Where an agent acts in the procedure, a proof of the power of attorney shall be attached to the form referred to in the preceding paragraph (2).

(4) An additional period, which may be determined ex officio by the presiding trial examiner under Article 186(5) of the Patent Act mutatis mutandis applied to Article 56 of the Act, shall be within one month.

Article 15 Request for Correction

(1) A person who intends to request a correction under Article 27(1) of

the Act shall submit to the Commissioner of the Office a request for correction in the annexed Form No. 2-2 together with the following documents:

(i) a proof of the power of attorney, where an agent acts in the procedure;
(ii) a proof of the consent if any consent of an exclusive licensee, pledgee or of a non-exclusive licensee is required under Article 77(3) of the Patent Act mutatis mutandis applied to Article 27(4) of the Act.

(2) Article 46(3) of the Patent Act Enforcement Regulations shall apply mutatis mutandis to the request for correction under Article 77(1) of the Patent Act mutatis mutandis applied to Article 48 of the Act, under Article 49-2(1) of the Act and Article 52(3) of the Act.

Article 16 Issuance of Utility Model Registration Certificate

(1) The utility model registration certificate issued under Article 33(1) of the Act shall be in the annexed Form No. 3.

(2) Where the Commissioner of the Office intends to issue a utility model registration certificate with amendments under Article 33(2) of the Act, he or she shall fill in the field of registered matters in the annexed Form No. 4 with the matters for corrections, seal thereon, and bind the form to the relevant utility model registration certificate to be issued.

Article 17 Additional Entries, etc. of Devisers

Where the applicant of the utility model registration has failed or made mistake to designate the name of any deviser in the request for the utility model registration, the applicant may add or correct such name, not later than the registration of the establishment of the utility model right under Article 35(2) of the Act.

Article 18 Date of Publication of Registration of Utility Model Registration Application

The publication date of the registration of the utility model registration application shall be the date of the publication of the Utility Model Gazette, in which the registration of the relevant utility model registration application is published.

Article 19 Furnishing of Information on Application of Which Registration Has Been Published

A person who intends to furnish information under Article 35(6) of the Act shall submit to the Commissioner of the Office a statement for

submission of information in Form No. 26 annexed to the Patent Act Enforcement Regulations together with the following documents:

- (i) publications, etc. as evidence, in each one copy;
- (ii) a proof of the power of attorney, where an agent acts in the procedure.

Article 20 Request for Trial

(1) Article 57 of the Patent Act Enforcement Regulations shall apply mutatis mutandis with respect to the request for trial under Article 49 to Article 54 of the Act.

(2) A person who intends to request a trial against a decision to reject a utility model registration application under Article 54-2 of the Act shall submit to the President of the Tribunal a request for a trial against the decision to reject a utility model registration application in the annexed Form No. 4-2.

Article 21 Special Provisions on Periods to Submit Documents Where Devices Are Deemed to Be Novel

The reference to "the period prescribed by ordinance of the Ministry of Commerce, Industry and Energy" in Article 58 of the Act means thirty days after the expiry of the date of the domestic period for submitting documents (or of the request date, where the applicant requests a national treatment within the said period).

Article 22 Submission of Translations, etc.

(1) A person who intends to submit translations under Articles 59 and 61 of the Act shall submit to the Commissioner of the Office a statement for submission of translations, etc. in the annexed Form No. 5 together with the following documents. In such a case, a person, who has filed an international application for utility model registration in Korean language and has submitted the abstract in English, shall submit a Korean translation of the abstract:

- (i) the translation of the description, the claims, the abstract and of the drawings (only for the explanatory part in the drawings) under Article 59 of the Act, in each one copy;
- (ii) a proof of the power of attorney, where an agent acts in the procedure;
- (iii) any other certificates required under the Act or Decree, in each one copy.

(2) A person, who intends to request a national treatment under the proviso of Article 59(3) of the Act, shall submit to the Commissioner of the Office

a request for national treatment in the annexed Form No. 6.

(3) A person, who intends to make an amendment falling under Article 61(2)(i) of the Act, shall submit a request in the annexed Form No. 5 to the Commissioner of the Office and shall pay the patent fee and the registration fee under the Patent Act, the Utility Model Act, the Design Act and under the Trademark Act as well as the additional fee under Article 3(1)(viii) of the Fee Collection Regulations.

(4) Where a person intends to make an amendment falling under Article 61(2)(ii) of the Act, Article 8 of these Regulations applies.

Article 23 Translations of International Application for Utility Model Registration, etc.

A person, who intends to submit a translation into the Korean language of the description, the claims, the drawings or the abstract under Article 59(1) of the Act or Article 71(2) of the Act, shall submit to the Commissioner of the Office the documents comprising the description, the claims, the drawings and the abstract in the Forms No. 66 and No. 66-2 to No. 66-4 annexed to the Patent Act Enforcement Regulations.

Article 24 Periods for Requesting Decisions, etc.

(1) The period under Article 71(1) of the Act shall be two months from the date that the applicant is notified of the refusal, declaration or of finding.

(2) Article 117(2) of the Patent Act Enforcement Regulations shall apply mutatis mutandis with respect to the request for a decision under Article 71(1) of the Act.

Article 25 Documents Concerning Request for Decisions

"Documents related to the international application as prescribed by ordinance of the Ministry of Commerce, Industry and Energy" in Article 71(2) of the Act mean the documents with respect to the said international application submitted by the applicant to the receiving Office referred to in Article 2(xv) of the Patent Cooperation Treaty or to the International Bureau referred to in that Article 2(xix) as well as the documents concerning the disposition made on the said international application by the receiving Office or by the International Bureau.

Article 26 Decisions on Refusal, Declaration or Finding

A decision referred to in Article 71(3) of the Act shall be stated in writing, indicating the followings:

- (i) the indication of the international application;
- (ii) the title of the device;
- (iii) the name and address or address of business of the applicant and of the agent;
- (iv) the decision and reasons therefor;
- (v) the date of decision.

Article 27 Provisions as Applied Mutatis Mutandis

(1) Article 1-2, Articles 2 to 5, Articles 5-2 to 5-4, Articles 6 to 8, Articles 9-3 to 9-8, Article 12(1) and (3), Articles 13-2 and 13-3, Articles 14 and 15, Articles 17 to 19, Article 20, Article 20-2, Article 21-2, Articles 24 to 27, Articles 29 to 36, Article 37-2, Article 46, Article 49, Article 51, Article 55, Article 55-2, Article 58, Articles 60 to 69, Article 72, Article 120, Articles 120-2 to 120-6, and Articles 121 and 122 of the Patent Act Enforcement Regulations shall apply mutatis mutandis with respect to the application, request and other procedures relating to a utility model registration. In such a case, "an application for patent, an opposition to the grant of patent, a trial, a retrial" in Article 5(2) of the said Enforcement Regulations shall read "a utility model registration application, an opposition to a utility model registration, a trial, a retrial or a utility model technical evaluation", and "request for patent, motion for opposition to the grant of patent, request for trial, request for retrial" shall read "request for utility model registration, motion for opposition to utility model registration, request for trial, request for retrial or request for utility model technical evaluation".

(2) Articles 74 to 106 and Articles 106-2 to 106-46 of the Patent Act Enforcement Regulations shall apply mutatis mutandis with respect to the international application.

(3) Article 107, Article 107-2, Articles 108 to 110, Article 112-2, Article 113, Article 113-2, Article 115 and Article 116 of the Patent Act Enforcement Regulations shall apply mutatis mutandis with respect to an international application considered to be a utility model registration application under Article 57 or Article 71(4) of the Act.