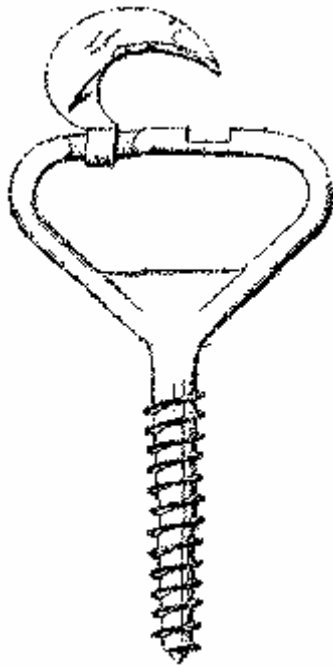


# Corkscrew Patents of Japan



Donald A. Bull

# Japanese Patent System Overview

In his paper *Conditions of the West* published in 1867, Yukichi Fukuzawa described the Western style patent system to his Japanese readers. In the following year the Meiji Era began and within four years the “Provisional Regulations for Monopoly” were established (1871). In the first year there were no applications in this “patent” system and it was discontinued. The consensus of opinion was that there were no quality inventions at that time that would warrant patent protection.

The first Japanese national industrial exhibition was held in 1877. The most outstanding invention award was presented to Tatsumune Gaun for a spinning machine. With no protection, his invention was quickly copied and Tatsumune Gaun received nothing for his invention.

Finally in 1885 a Patent Ordinance was drawn up by Korekiyo Takahashi. It recognized Japanese patents but not rights of foreigners. The first application was filed by Zuishou Hotta on July 1 for "Hotta's Method for Rust Stopping Paint and Painting Method". 424 additional applications were filed in 1885 and ninety-nine patents were granted.

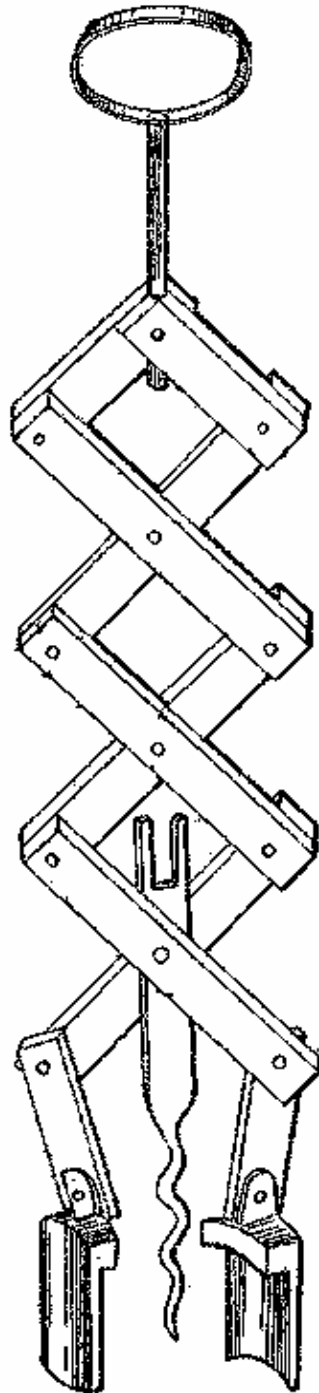
In 1890 The Tokyo Patent Agency was set up in Kanda and Tsukji. Attorneys jumped on the bandwagon and offered their services.

It was not until 1899 that Japan provided a Patent Law giving foreigners the right to apply for a patent. Patent Agent Registration Regulations were established and 138 agents registered by year end.

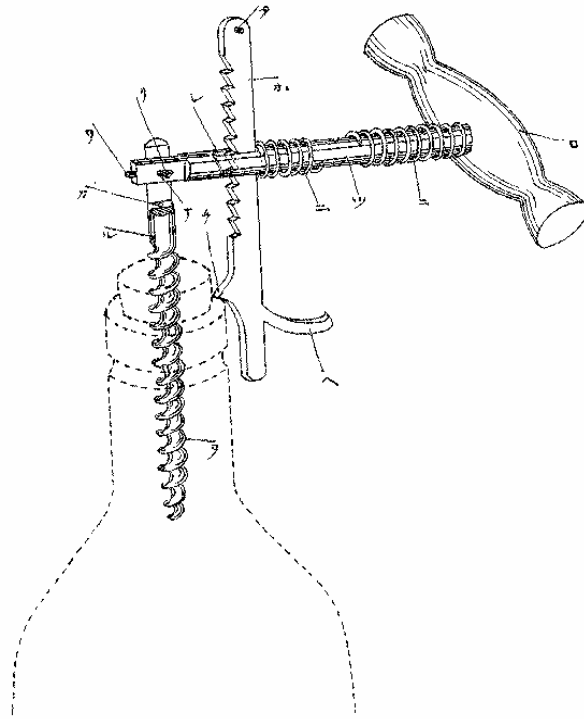
In spite of opening the doors to foreign patentees, the government feared issuing patents to foreigners. They were afraid of foreign domination in their system. This however worked against them because foreign patent applications by Japanese were rejected in what would seem to be a silent protest. The Meiji government took steps in 1905 to overhaul the system.

It was fairly common practice in the early years of the overhauled system for “inventors” to file applications for inventions already in production. In the tenth year of the Taishô era (1921) a new Patent Law was adopted which placed emphasis on filing applications earlier.

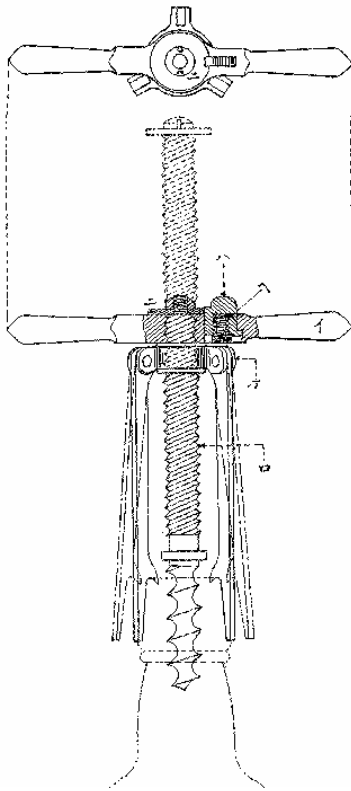
The next major change in the patent laws came thirty-eight years later (1959) under the Shōwa Government. In 1994 the system was again revised and applications could now be accepted in English



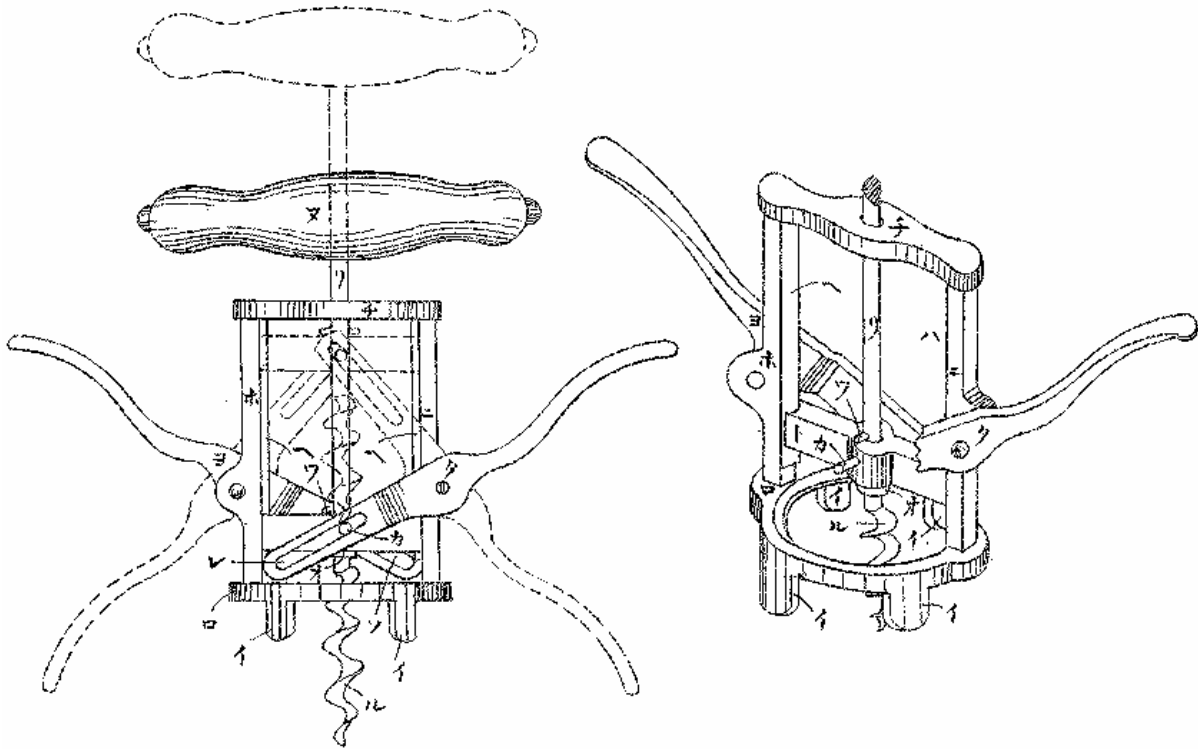
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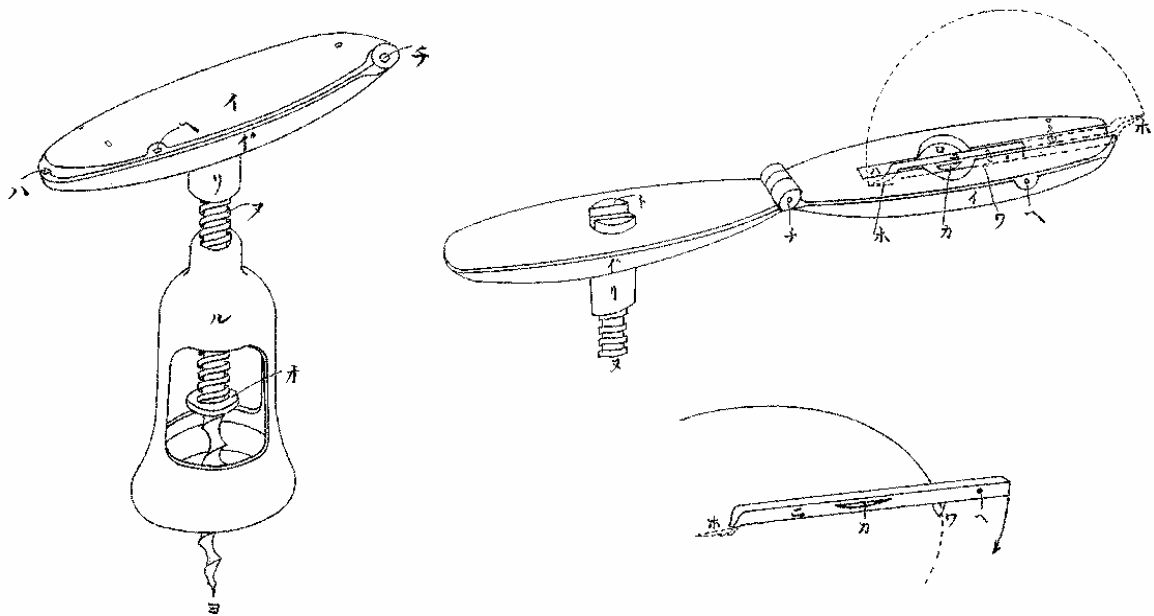
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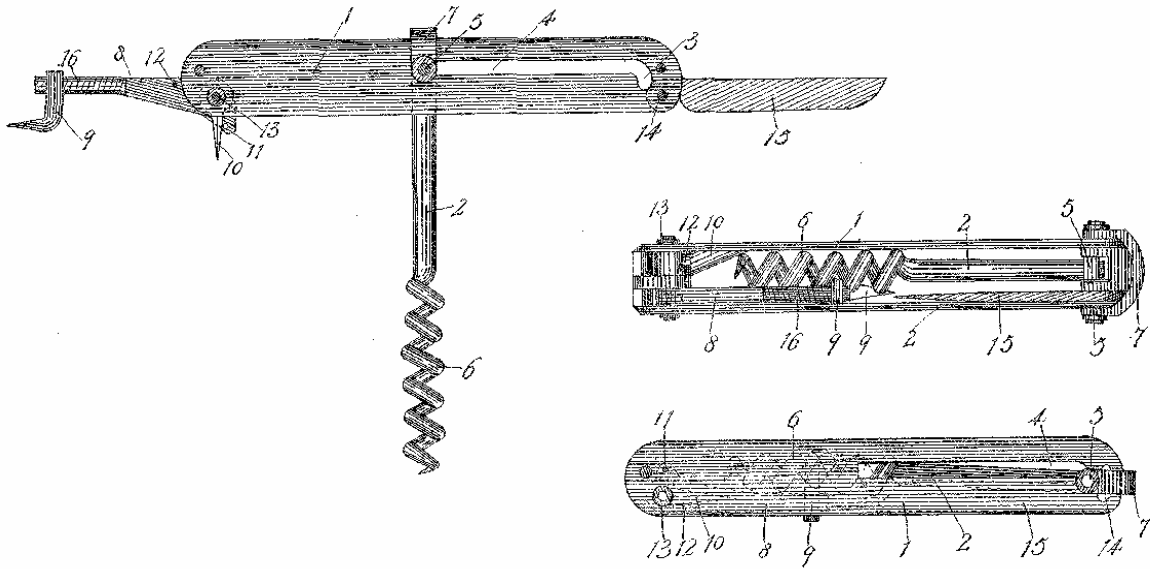
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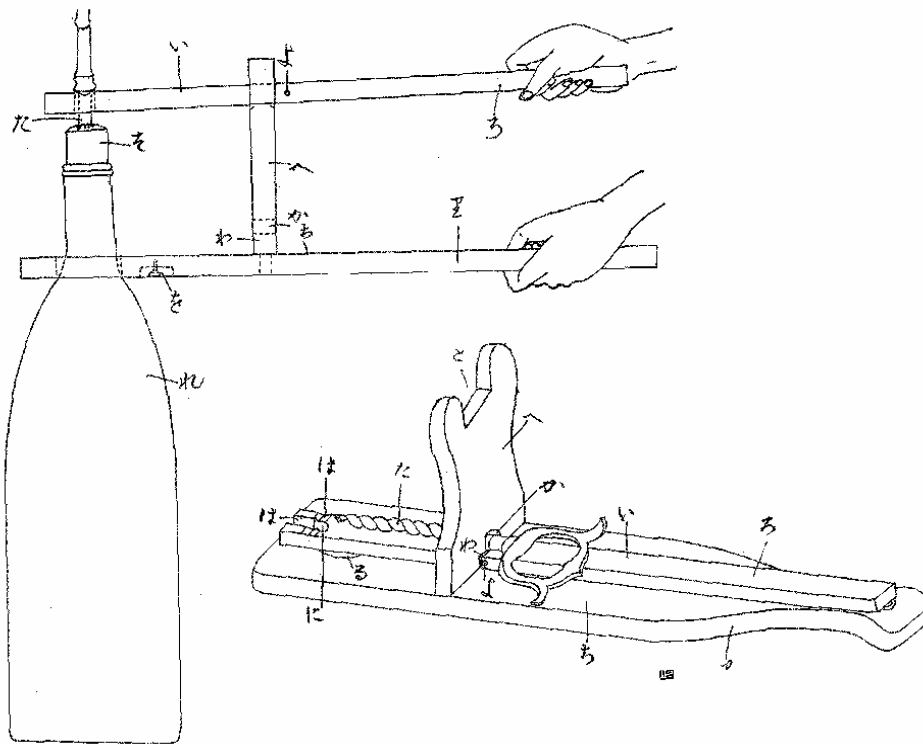
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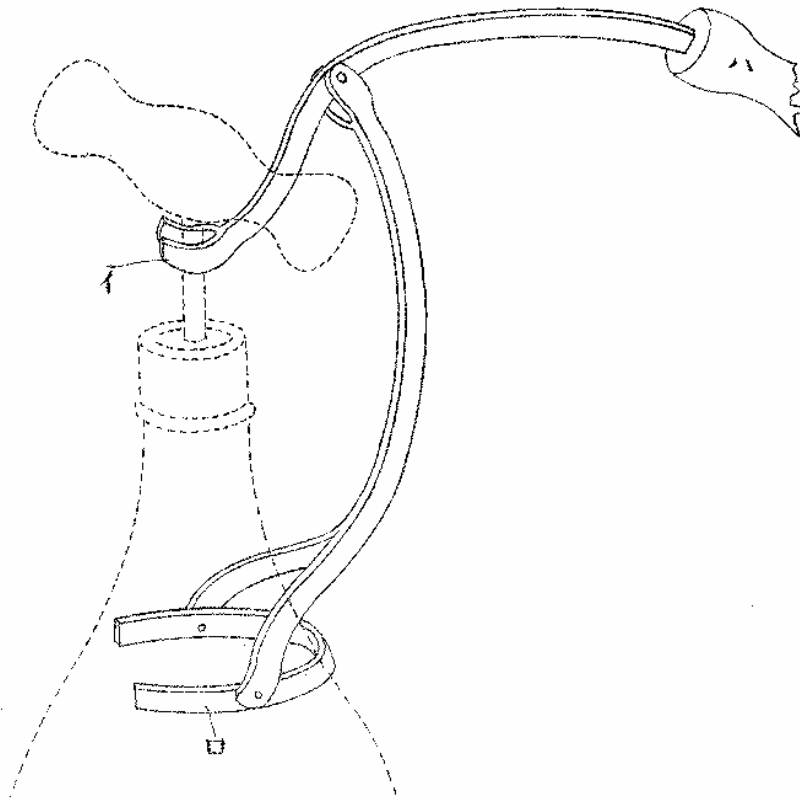
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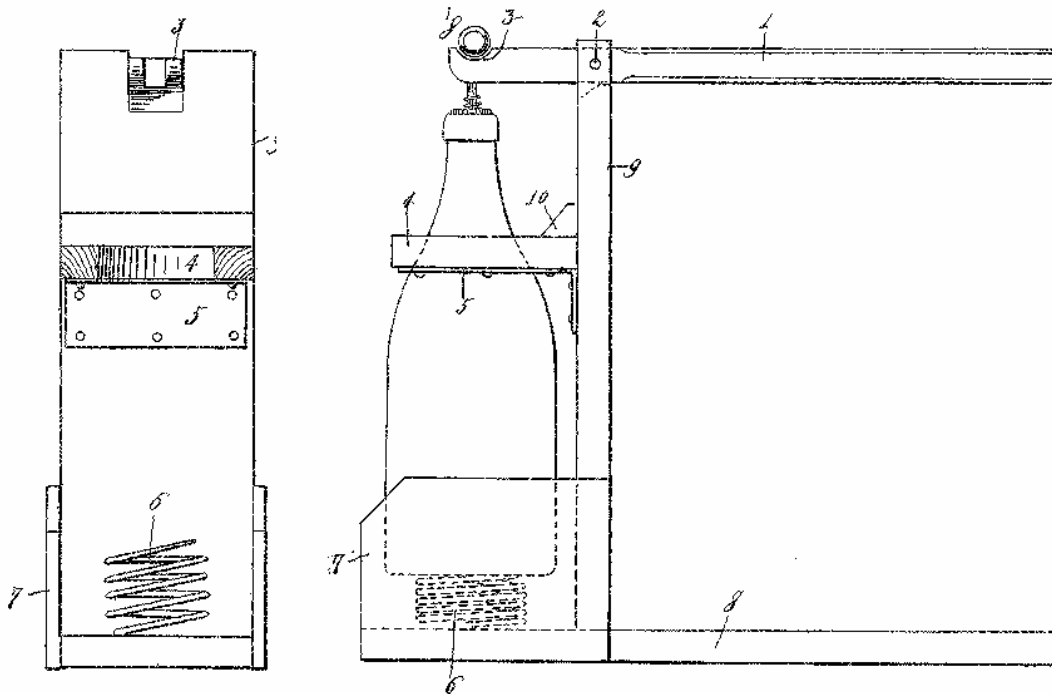
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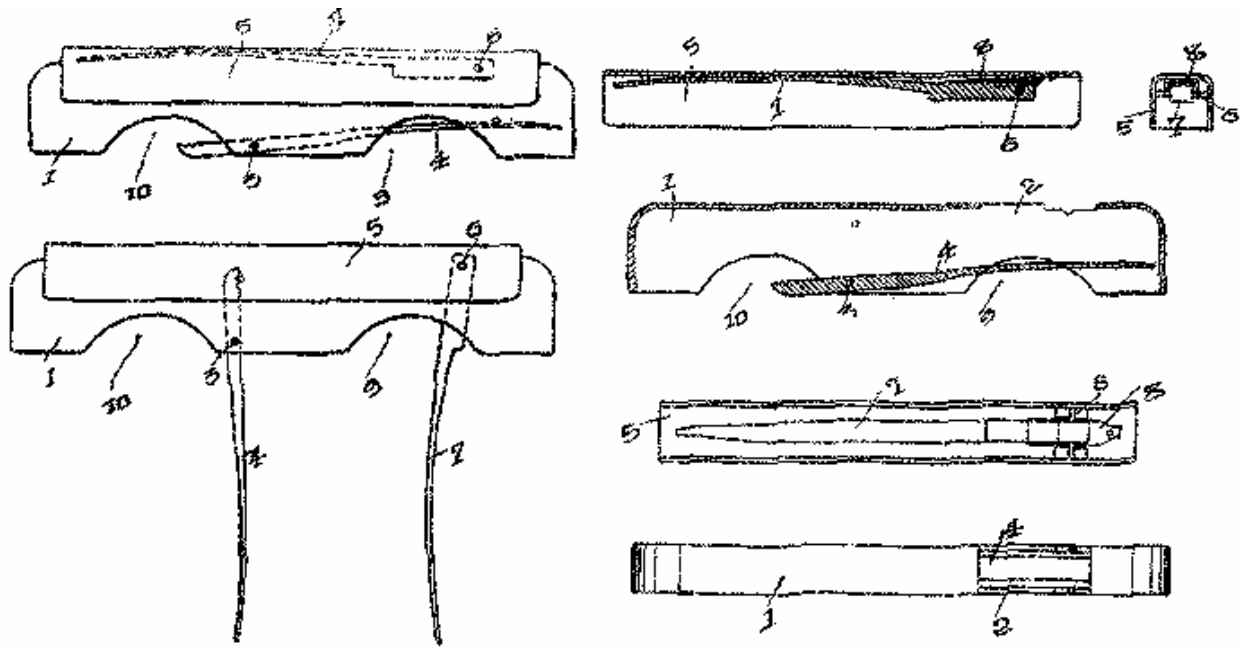
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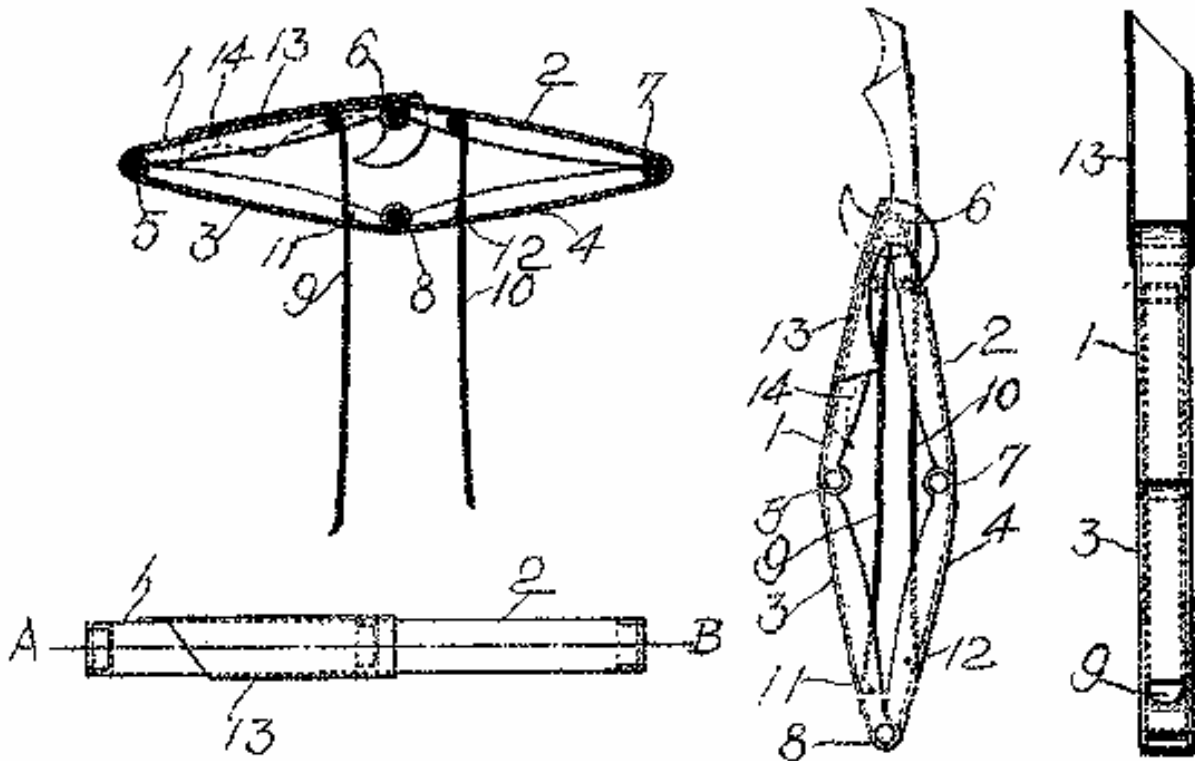
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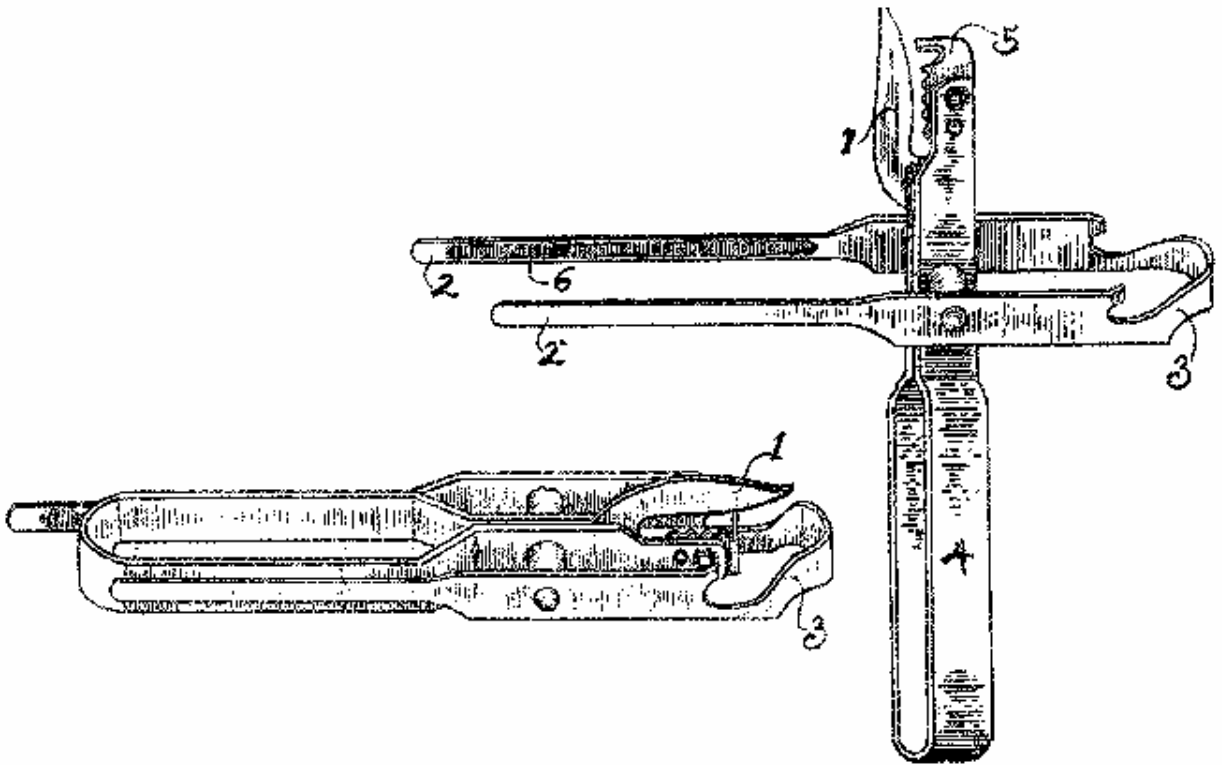
No. 04-010244 (1929)



No. 05-011605 (1930)



No. 06-011895 (1931)



No. 07-016522 (1932)

