

Leaflet Patents in Japan

Duration

The duration of a patent is 20 years from the date of filing the application.

Compulsory use

Use of a patented invention is not compulsory. However, where a patented invention is not sufficiently and continuously operated more than 3 years after grant (provided that more than 4 years elapsed from filing), a compulsory non-exclusive license may be granted by the Japanese Patent Office upon request of an interested person. A compulsory license may likewise be applied for if the working of a patented invention is particularly necessary for the public interest.

Marking

Marking is not compulsory, and marked products have no implications for awarding compensation in case of past infringement, but marking is advisable. Marking may be placed either on the patented product itself or on the packaging thereof. The marking should read 'Patent No....' or 'Process Patent No....' in Japanese.

License

An exclusive license must be registered in order to be effective. A non-exclusive license can be effective without registration. We recommend you to contact us if you intend to grant a license under your patent in Japan.