Protecting Medical Treatments in Japan

在日本保护医疗方法

RYUKA
with Free Vision

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Medical treatment itself is not a patentable subject matter in Japan
在日本，医疗方法本身不是可专利的客体

Ex.例如

× Methods of surgery, therapy or diagnosis of humans 人类的手术、治疗或诊断方法

× Methods of contraception or delivery 避孕或分娩方法

From JPEG, Japanese Patent Examination Guideline

来自日本审查指南

The non-patentable surgery includes:
不可专利的手术包括:

(a) Methods for surgical treatment, such as incision, excision, centesis, injection, implant, and cosmetic surgery 手术治疗方法，如：切口、切除、穿刺、注射、植入和整容手术

(b) Methods of inserting, moving, maintaining, operating and extracting a medical device (e.g., a catheter or an endoscope) inside the human body (excluding inside the mouth, inside the external nostrils, and inside the external ear canals)在人体中(不含口腔内，外鼻腔内和外耳道内)插入、移动、维护、操作和提取的医疗器械（如导管或内窥镜）的方法的方法

(c) Preparatory treatment for surgery (e.g., anesthetic treatment for surgery and methods of disinfecting the skin before injection)手术的预备治疗(例如，手术麻醉治疗和注射前皮肤消毒的方法)

From JPEG, Japanese Patent Examination Guideline来自日本审查指南

The followings are patentable
以下可专利

(a) A controlling system or a device used for the treatment
治疗用的控制系统或设备

(b) A method for operating the system or using the device
系统的操作方法或设备使用方法

(c) An artificial tissue 人造组织

(d) A method for making the artificial tissue人造组织的制法

(e) A methods for extracting samples (e.g., blood, urine, skin, hair, cells or tissue),
提取样本的方法（如：血、尿、皮肤、毛发、细胞或组织）

(f) A methods for treating samples extracted from human body or a method for gathering data by analyzing such samples
对从人体提取的样本进行处理的方法或通过分析这些样本来收集数据的方法

JPEG Ex. 8-1 (Not patentable不可专利)

A method for treating an affected part by using a micro operation robot having receiving means and incising means, comprising the steps of;一种治疗患部的方法，使用具有接收装置和切割装置的微型手术机器人，包括如下步骤：

operating a remote operation device and transmitting a manipulator signal in order to give medical treatment to the affected part, 操作远程手术设备并发送操纵信号，以对患部位进行治疗；

receiving the manipulator signal from the remote operation device by the receiving means, and 由接收装置接收来自于远程手术设备的操纵信号；以及

incising the affected part of a patient by an incising means based on the manipulator signal being received由切割装置基于接收到的操纵信号切割病人的患部.

(Rewritten by RYUKA)（由龍華改写）

JPEG Ex. 8-2 (Patentable可专利)

A method for controlling a micro operation robot system including a micro operation robot and a remote operation device, wherein the robot has a receiving means and an incising means, comprising一种用于控制微型手术机器人系统的方法，包括微型手机机器人和远程操作设备，其中，该机器人具有接收装置和切割装置，该方法包括:

transmitting a manipulator signal from the remote operation device, 从所述远程操作设备发送操纵信号

receiving the manipulator signal from the remote operation device by the receiving means, and 由所述接收装置从所述远程操作设备接收所述操纵信号

controlling the incising means of the robot with the manipulator signal being received.用接收到的所述操纵信号控制所述切割装置

(Rewritten by RYUKA)（由龍華改写）

JPEG Ex. 10-1 (Not patentable不可专利)

A method for capturing internal images of a celom with an endoscope including an imaging unit, comprising用于捕捉体腔内部图像的方法，使用包括成像单元的内窥镜，方法包括:

changing a direction of a view by an operator using a rotation indicator, and 由操作者使用旋转指向器改变视角方向

rotating the imaging unit whose light axis is tilted to an insertion axis of the endoscope 旋转所述成像单元，使其光轴相对于内窥镜的插入轴倾斜.

(Rewritten by RYUKA)（由龍華改写）

This is not patentable because “the operator using the rotation indicator” includes a step requiring action by a medical doctor, so it is regarded as a method of surgery for humans. 其不可专利是因为“由操作者使用旋转指向器”包含了要求医师动作的步骤，所以被认为是人类手术方法

JPEG Ex. 10-2 (Patentable可专利)

A method for controlling an endoscope including an imaging unit, comprising 一种用于控制包含成像单元的内窥镜的方法，包括：

arranging the imaging unit so that a light axis of which is tilted to an insertion axis of the endoscope, and 设置成像单元，使得光轴相对于内窥镜的插入轴倾斜，以及

rotating the imaging unit about the insertion axis by receiving an instruction signal to rotate.通过接收指令信号使成像单元绕所述插入轴旋转。

(Rewritten by RYUKA)（由龍華改写）

This is patentable because “rotating the imaging unit” is not an action of a medical doctor. 其可专利是因为“使成像单元旋转”不是医师的动作

JPEG Ex. 11-1 (Not patentable不可专利)

A method for contrast magnetic resonance imaging, comprising一种用于造影磁共振成像的方法，包括:

imaging an examinee injected with contrast media with a low-resolution real-time mode, and 以低分辨率实时模式通过注入造影剂来使被测物成像，以及

shifting the mode to a high-resolution imaging mode when signal strength within a desired domain exceeds a predetermined threshold value 当期望范围内的信号强度超过预定门限时，将模式切换到高分辨成像模式.

、(Rewritten by RYUKA)（由龍華改写）

JPEG Ex. 11-2 (Patentable可专利)

A method for controlling operation of a magnetic resonance imaging device, comprising一种用于控制磁共振成像设备的操作的方法，包括:

shifting the device to a high resolution imaging mode when signal strength within a desired domain exceeds a predetermined threshold value 当期望范围内的信号强度超过了预定门限，则将设备切换到高分辨率成像模式

(Rewritten by RYUKA)（由龍華改写）

Thank you.谢谢

Examples were written by RYUKA to help understand the exemplary claims and requirements.举例由龍華改写以帮助理解例示的权项和要求。

Please refer to 请参见
www.jpo.go.jp/tetuzuki_e/t_tokkyo_e/Guidelines/2_1.pdf
for the original examples 以获得原始例子.

JPEG provides more information and examples of statutory and non statutory methods that are related to medical methods. 指南提供了更多信息和例子有关于涉及医疗方法的法定方法和非法定方法

If you need more information, please feel free to contact us at 如果您需要更多信息，请联系我们cases.to.jp@ryuka.com.

Thank you,
Aki Ryuka