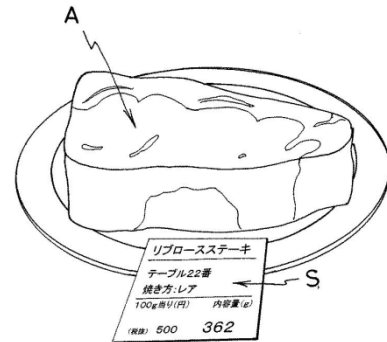


# Japan IP High Court Says, **Steak Providing** System is Patent Eligible

*In Re. Pepper Food Service* (Oct. 17, 2018)

Aki Ryuka

Japan Patent Attorney, Attorney at Law, California



## Claim 1:

A system for **providing** a **steak** by guiding a customer to a standing table, hearing a weight of a steak, cutting the weight of the steak from a meat block, baking the steak, and bringing the steak to the table, comprising:

a plate which indicates a table number of the table,

a weight scale which measures the weight of the steak being cut, and

a marker which identifies the steak from steaks for others, wherein:

said weight scale prints a seal that shows the weight being measured and the table number being indicated on the plate, and

said marker is said seal.

(modified for readability by editor)

## The Court said:

While the claim recites steps to be carried out by human, it also includes specific objects or apparatuses including a plate, weight scale and seal (marker). Writing the weight and the table number on a seal provides technical effects to avoid confusion of the cut steak with steaks for others. According to the patent specification, the seals are attached to an order sheet and dish of steak for avoiding the confusion. Because Claim 1 utilizes objects or apparatus for solving problems, it has technical means and is eligible under the Japan patent law.

## Our Suggestions:

We have compared the examination results of counterpart applications in IP5 for 20 software inventions that were decided by US, JP or KR court or EP Appeal Board. In summary, Japan and Korea are most liberal, as exemplified above. We suggest seeking for broader scopes in Japan and Korea in software fields.

If you have any questions or would like to see the comparison results of the software examinations in IP5, please also let us know.