

# Security Review of Patent Applications in Japan (from May 2024)

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with Free Vision

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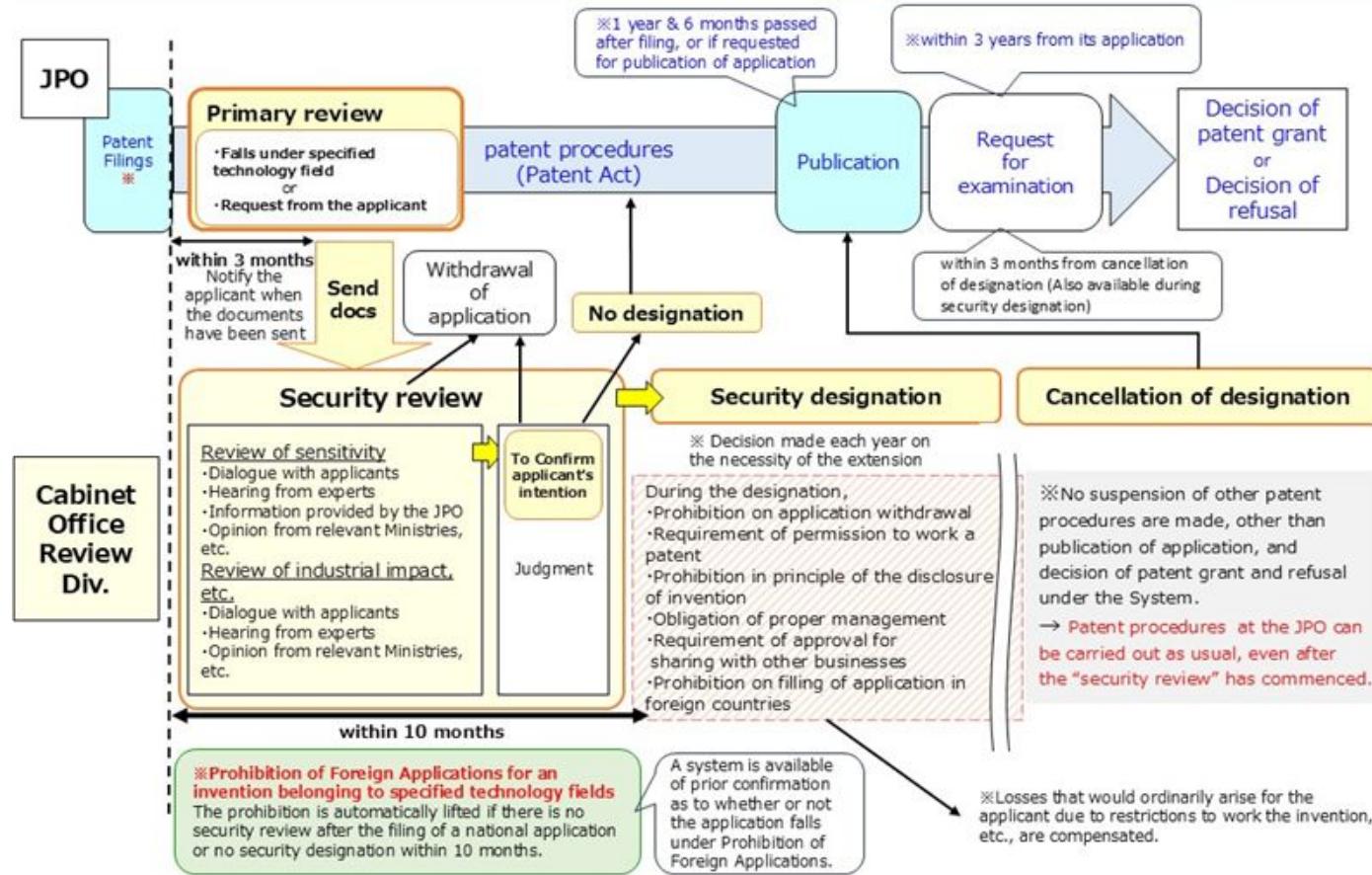
# Outline 1/2

- Effective from May 1, 2024
- If the description of a patent application includes an invention that, if made known to the public, would be highly likely to create a situation to undermine the security of the nation and its citizens..., the patent procedures, such as publication of the application, decision of patent grant and decision of refusal, are suspended by a procedure established as “security designation”.
- An invention made in Japan that has not been made public, which may be subject to a security review if the patent application were filed in Japan, must be in principle filed in Japan (first filing) before being filed in the foreign countries (including ... a PCT applications) (the main clause of Article 78(1) of the Act.)

## Outline 2/2

- If, as a result of a primary review, the application has been proceeded with a security review, the Commissioner of the JPO is to notify the applicant ... by registered mail within three months from the date of filing that the documents have been sent.
- An application that includes an invention belonging to a specified technology field in accordance with an IPC... is selected ... send to the Prime Minister (Cabinet Office) for a security review (Article 66(1) of the Act.)
- Criminal punishment or penalty can be applied for first filing such applications in the foreign countries.

# Flowchart on Procedures of the System for Non-disclosure of Patent Applications



# Example Technical Field

- IPC: G01J1/02-G01J1/08, H10F30/00-H10F30/298, or H10F39/10-H10F39/18 and
- "Semiconductor photodetector with quantum dot and superlattice structure" and
- (a) Will be used for national defense,  
(b) An application from a national entity, or  
(c) An application from a research commissioned by the Japan.

[特定技術分野及び付加要件の概要\(令和7年1月1日施行\)](#)

# Statistics 2024/05/01-2025/03/31

- Sent from the JPO to the Cabinet Office for the security review - 90
- Security designation - 0
- Request for prior confirmation - 1305