

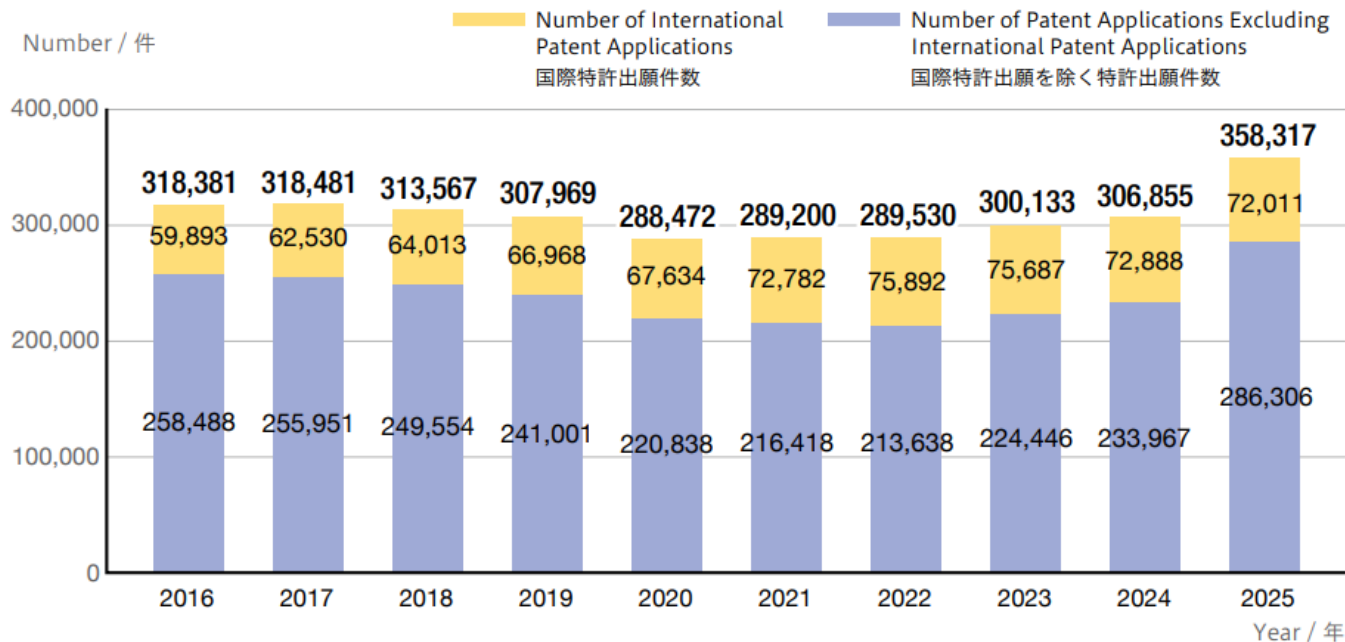
Overview of Japanese IP Trends 2026

ITOH Patent Attorney Corporation

<https://www.itohpat.co.jp/>
itohpat@itohpat.co.jp

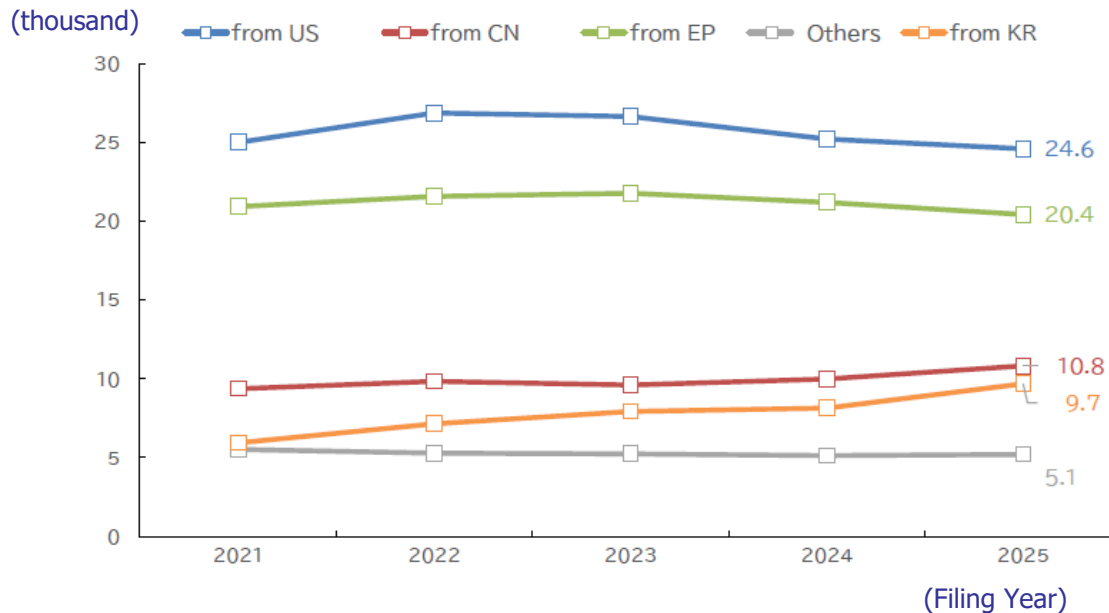
Number of Patent Applications (1)

- In 2025, there was a sharp increase of more than 50,000 in applications other than PCT national entries.



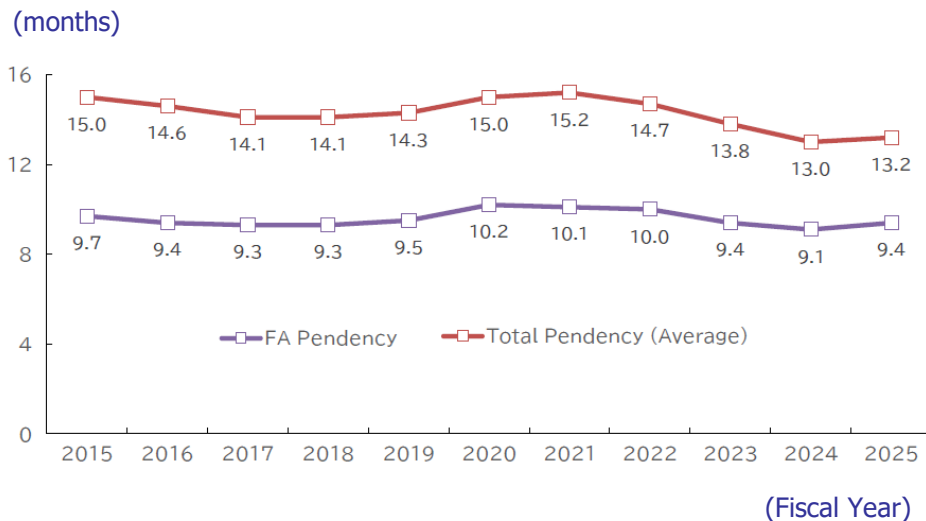
Patent Applications filed by Foreign Applicants

- Patent applications from China and Korea are on the rise.



First Action (FA) and Total Pendency (Patent)

- Average pendency from Request for Examination (RFE) to 1st OA was 9.4 months.
- Average pendency from RFE to Establishment of Right* was 13.2 months.

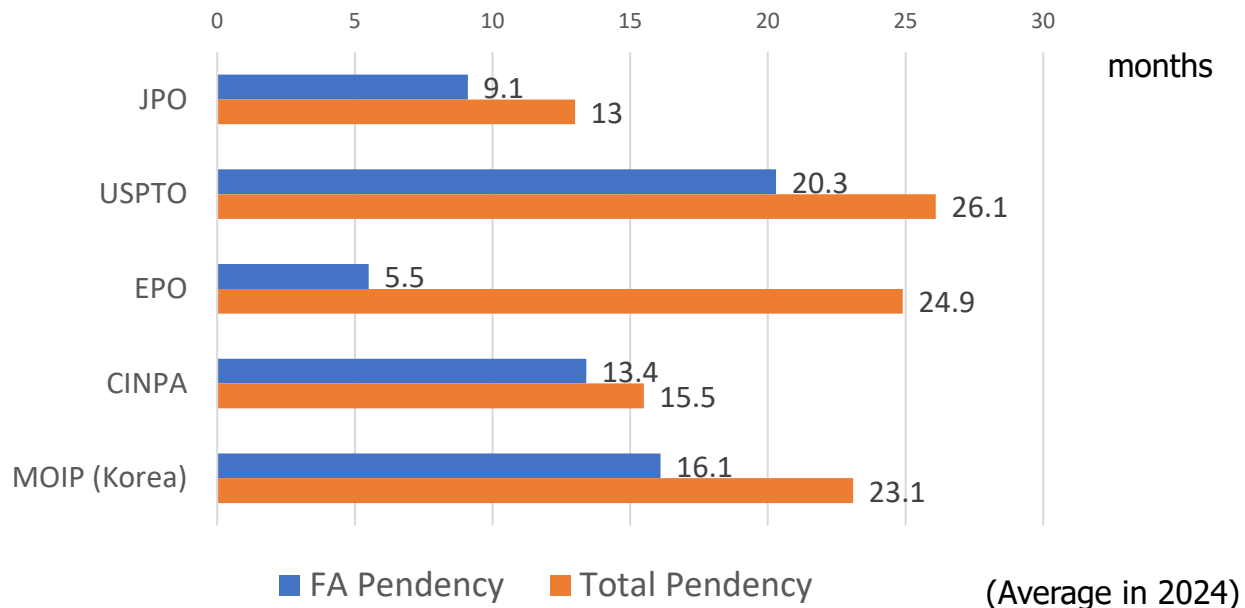


*Note:

The total pendency is the period from the date of examination request to withdrawal or abandonment, or until a final disposition (excluding cases where the JPO requests an applicant to respond to the second notice of reasons for refusal due to the amendments submitted by the applicant, and where the applicant performs procedures they are allowed to use, such as requests to the JPO for an extension of the period of response, and for an accelerated examination).

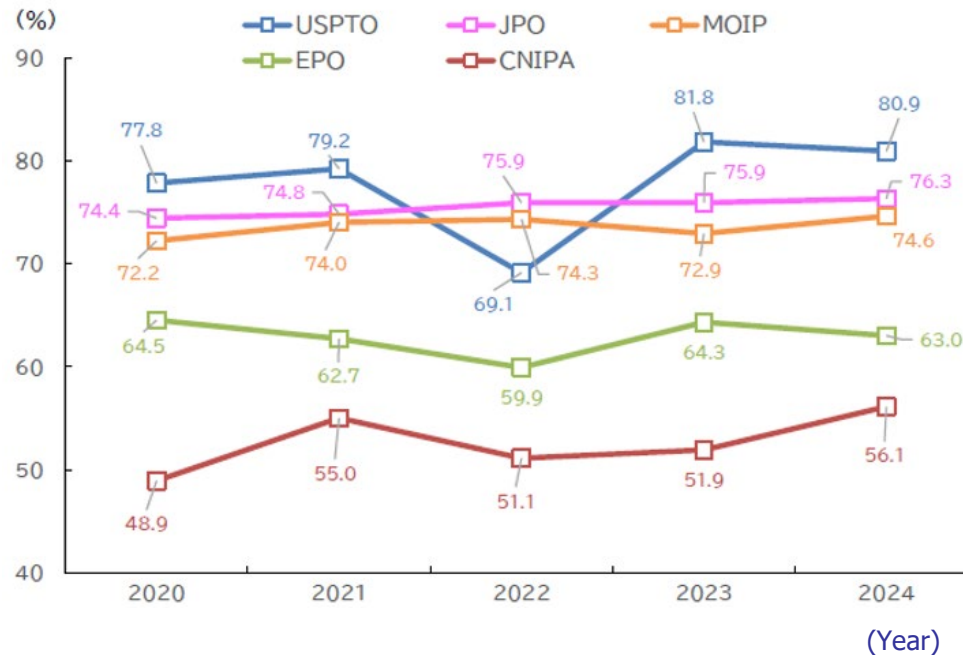
FA and Total Pendency among major Patent Offices (Patent)

- Among the major Patent Offices, the JPO maintains a short examination pendency.



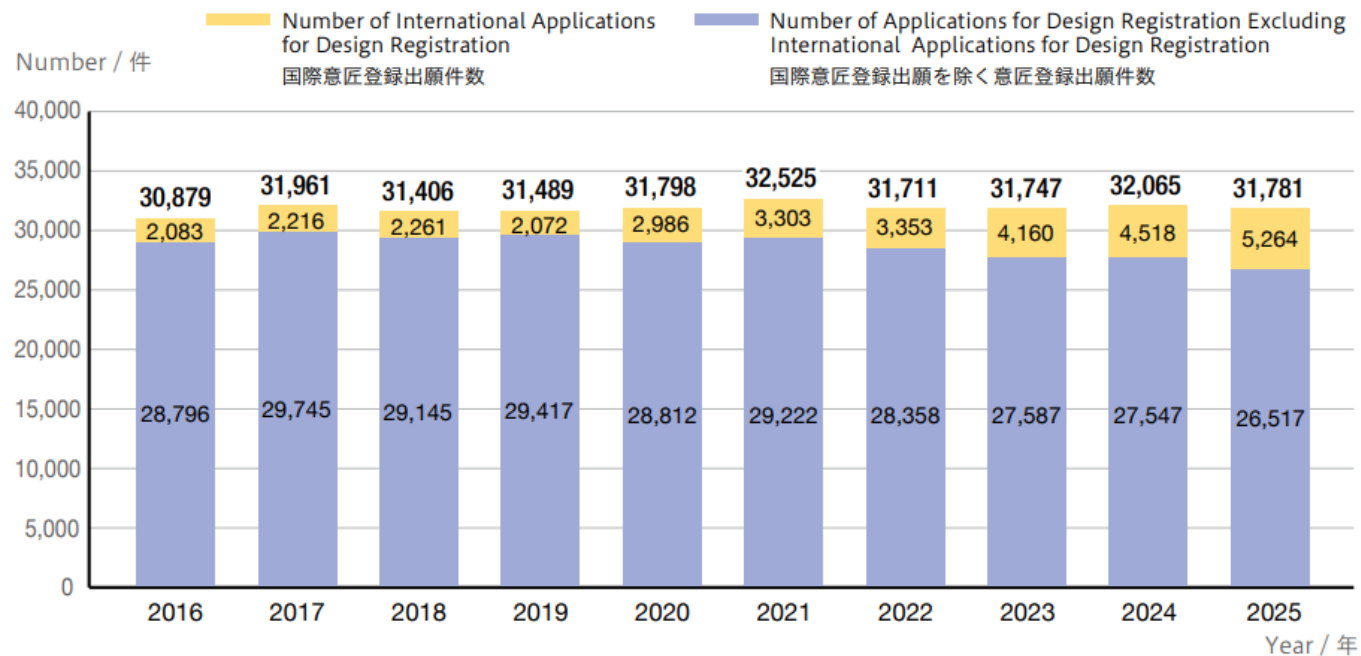
Grant Rate among major Patent Offices (Patent)

- Grant rate at the JPO remains around 75% for the past five years.



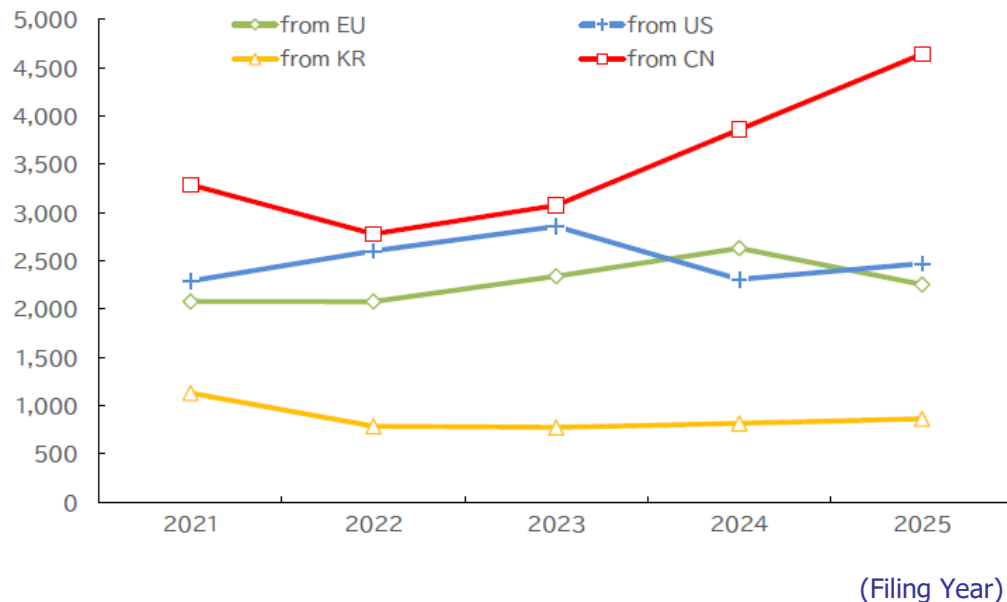
Number of Design Applications

- The number of applications has remained unchanged over the past decade; however, the proportion of international applications has been increasing.



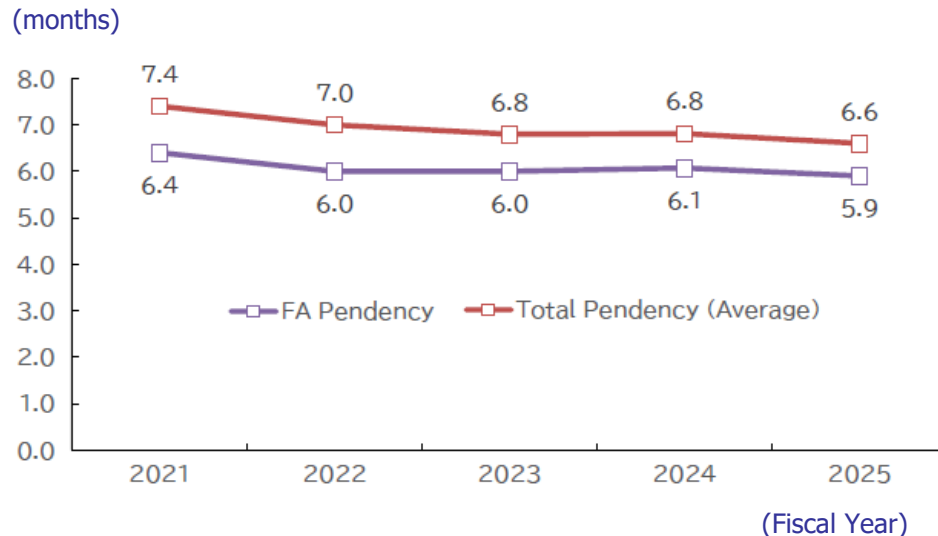
Design Applications filed by Foreign Applicants

- The number of design registration applications from China is increasing.



First Action (FA) and Total Pendency (Design)

- Average pendency from Application Filing to 1st OA was 5.9 months.
- Average pendency from Application Filing to Establishment of Right* was 6.6 months.

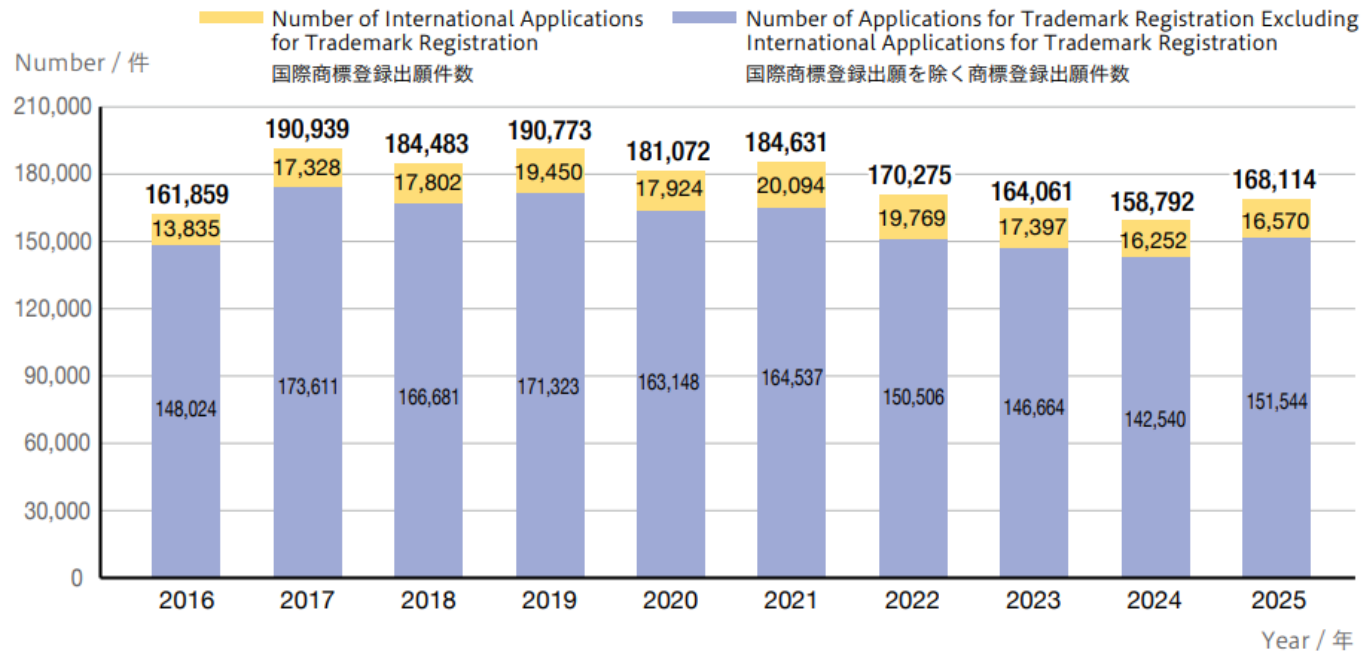


*Note:

The total pendency (also called the "standard pendency") is the period from the application filing to the establishment of right (excluding international applications filed to register designs under the Hague Agreement, as well as cases in which applicants are required to respond to the second notices from the JPO for amendments submitted by the applicants within a certain period of time).

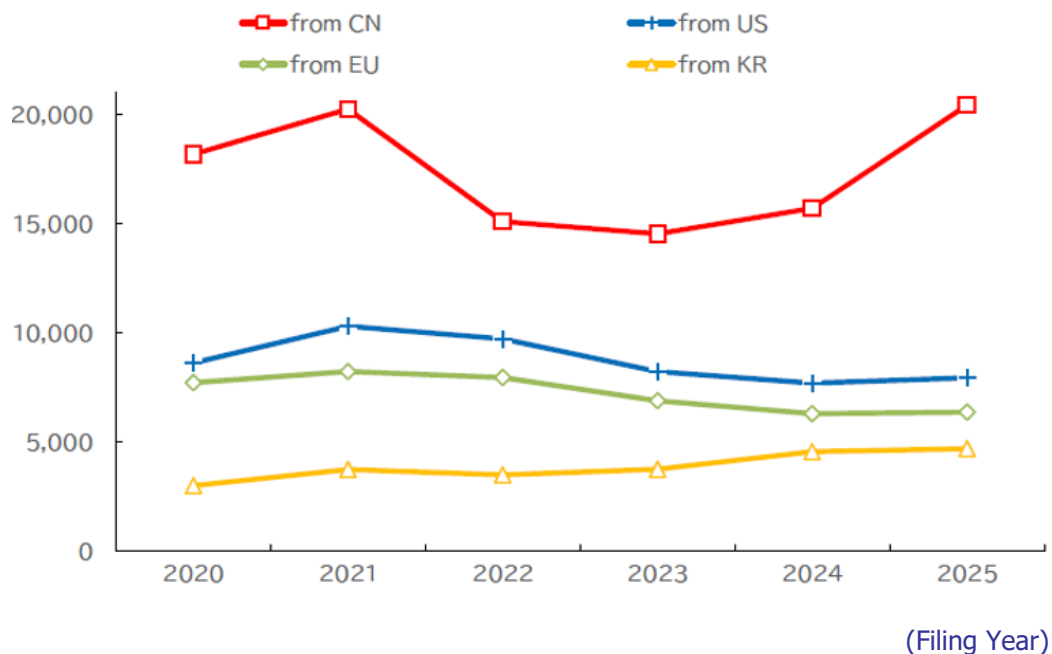
Number of Trademark Applications

- The number of applications peaked in 2017. Last year recorded an increase for the first time in four years.



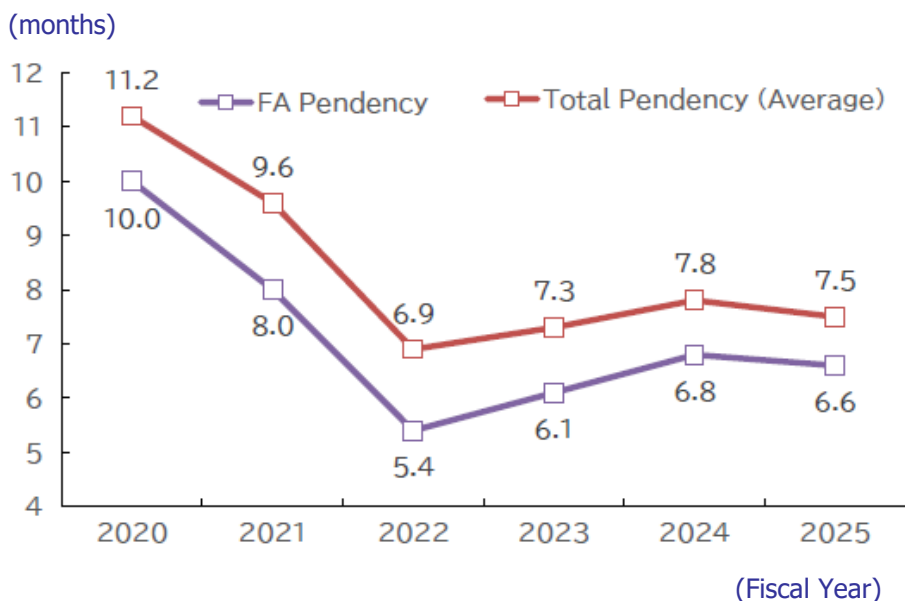
Trademark Applications filed by Foreign Applicants

- Applications filed from China turned upward again after a period of decline.



First Action (FA) and Total Pendency (Trademark)

- Average pendency from Application Filing to 1st OA was 6.6 months.
- Average pendency from Application Filing to Establishment of Right* was 7.5 months.

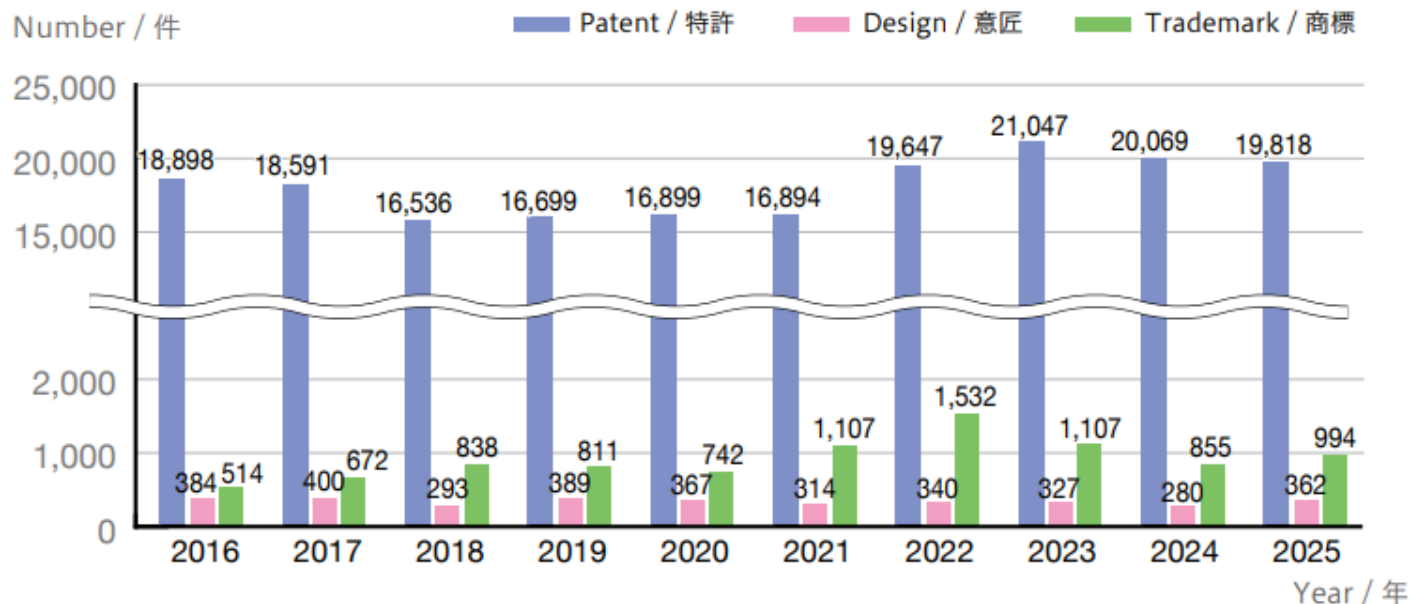


*Note:

The total pendency is the period from the application filing to the registration (excluding applications related to non-traditional trademarks and regional collective trademarks, as well as cases where the JPO requests an applicant to respond to the second notice of reasons for refusal due to the amendments submitted by the applicant, and where the applicant performs procedures they are allowed to use, such as requests to the JPO for an extension of the period for response).

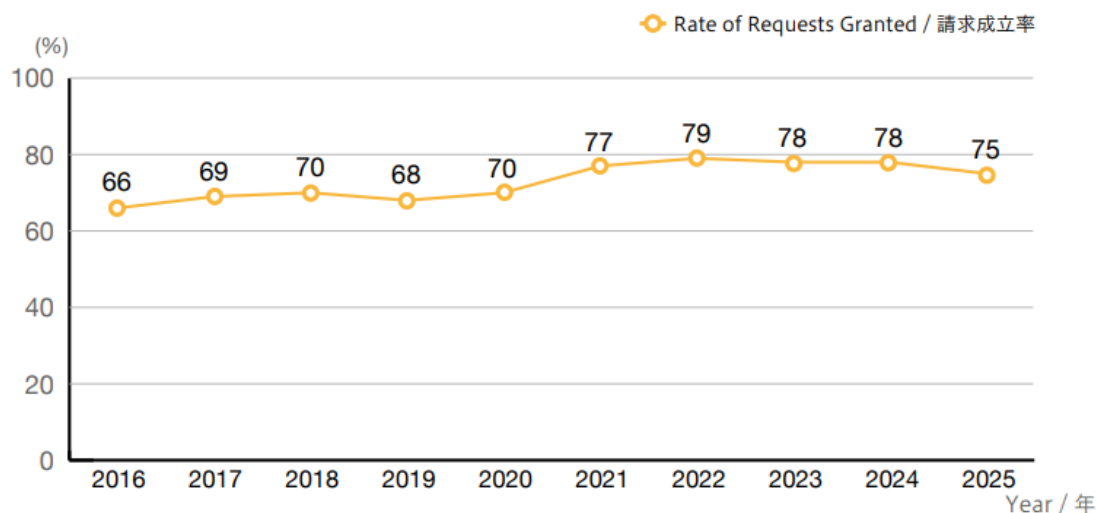
Appeal against Examiner's Decision of Refusal (1)

- Since there were 55,807 decisions of refusal in 2024, appeals were filed for approximately one-third of them.



Appeal against Examiner's Decision of Refusal (2)

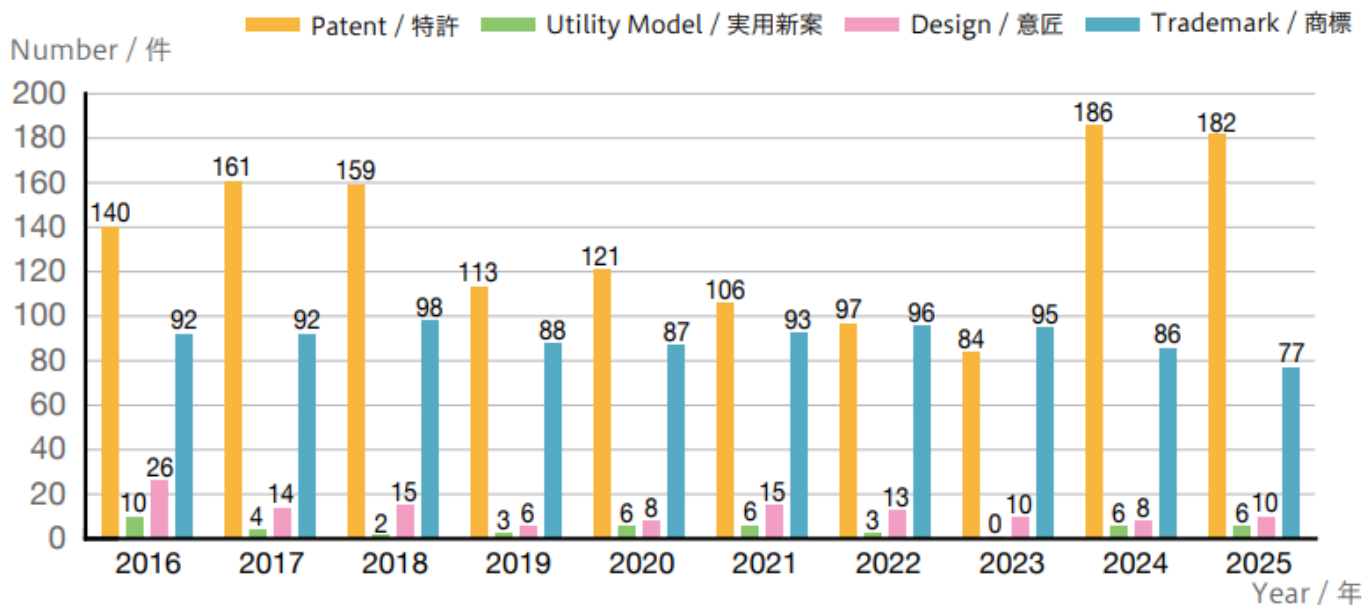
- The grant rate in appeals against examiners' decisions of refusal is very high.



Note: • Rate of Requests Granted = Number of requests granted / (number of requests granted + number of requests not granted)
"Number of requests granted" does not include the number of "decision to grant a patent upon reconsideration by examiners." "Number of requests not granted" includes the number of "dismissals."

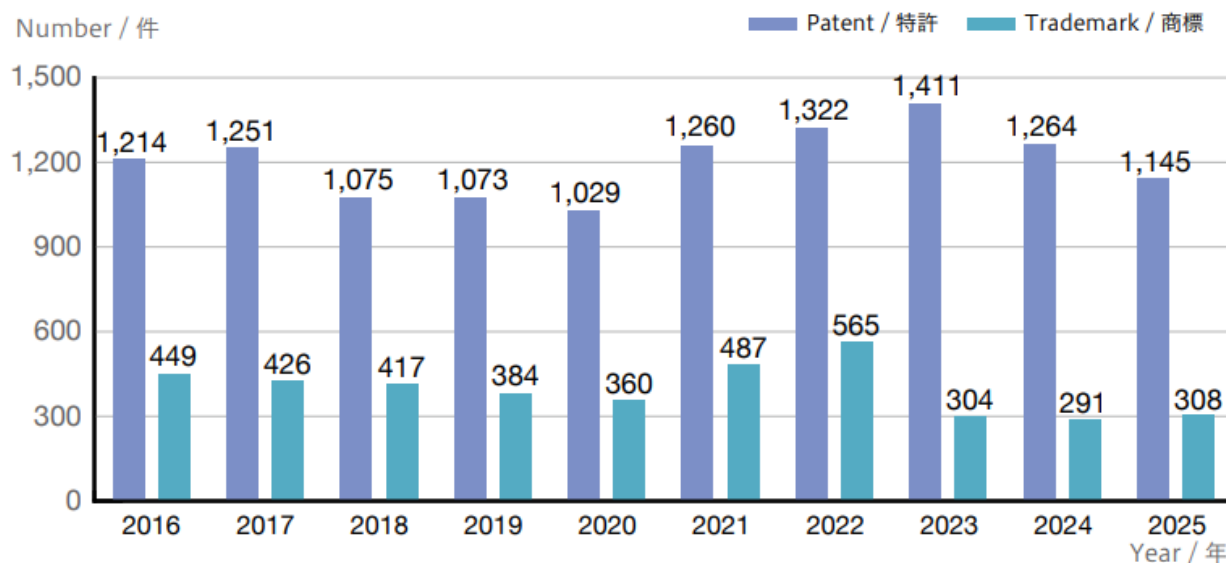
Trial for Invalidation

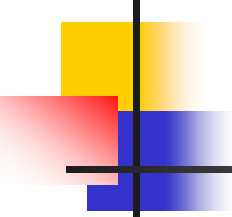
- Over the past two years, the number of requests for patent invalidation trials has remained at a relatively high level.



Oppositions

- The number of oppositions has shown some fluctuations, but there have been no significant changes overall.





Revocation Actions against Trial/Appeal Decisions in 2025

- A notable feature is that the numbers of revocation actions against trial/appeal decisions are extremely small.

	Patent and Utility Model 特許・実用新案	Design 意匠	Trademark 商標
Ex-parte appeal 査定系審判	19 (17)	5 (2)	24 (24)
Inter-partes trial 当事者系審判	47 (24)	2 (1)	21 (42)
Opposition 異議申立	3 (4)	—	1 (1)

Note: • The figures in parentheses are for 2024.

- Ex-parte appeal includes appeal against an examiner's decision of refusal and appeal against an examiner's decision to dismiss an amendment.
- Inter-partes trial includes trial for invalidation, trial for rescission, and trial for correction.

Court Decisions on Revocation Actions against Trial/Appeal Decisions in 2025

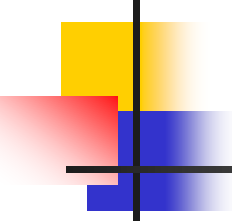
- It is difficult to overturn the decisions of the Japan Patent Office in court.

	Patent and Utility Model 特許・実用新案		Design 意匠		Trademark 商標	
	Dismissal of Request 請求棄却	Revocation of Decision 審決取消	Dismissal of Request 請求棄却	Revocation of Decision 審決取消	Dismissal of Request 請求棄却	Revocation of Decision 審決取消
Ex-parte appeal 査定系審判	8 (17)	1 (4)	1 (1)	0 (0)	17 (22)	3 (3)
Inter-partes trial 当事者系審判	18 (22)	6 (15)	3 (1)	0 (0)	30 (19)	14 (4)
Opposition 異議申立	3 (6)	0 (3)	—		2 (1)	0 (0)

Note: • The figures in parentheses are for 2024.

• Ex-parte appeal includes appeal against an examiner's decision of refusal and appeal against an examiner's decision to dismiss an amendment.

• Inter-partes trial includes trial for invalidation, trial for rescission, and trial for correction.



Thank you!

Should you have any question regarding any Japanese IP practice issue, please do not hesitate to contact us (itohpat@itohpat.co.jp). ITOH is always pleased to assist our clients!