



## JAPAN PATENT ATTORNEYS ASSOCIATION

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Judge. Michael Tierney,  
Lead Administrative Patent Judge,  
Board of Patent Appeals and Interferences  
USPTO

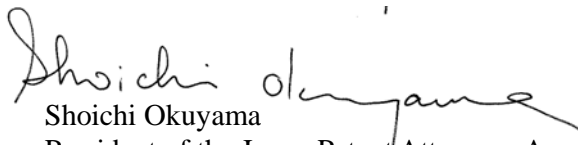
Re : JPAA Comments on “Proposed Rules for Derivation”

The Japan Patent Attorneys Association (JPAA) is the professional association of more than 9,000 patent attorneys practicing in intellectual property law in Japan. Its members practice in all areas of intellectual property law including copyright and unfair competition. Many are capable of representing clients before infringement lawsuits. The JPAA would like to submit our comments on the “Proposed Rules for Derivation”.

The derivation proceedings have similar aspects to the interference proceedings and the interference proceedings often include complicated and time-consuming procedures. It is indeed necessary to grant a patent for a true inventor, and derivation proceedings are necessary to prohibit that a person will be able to obtain a patent for the invention if he has not made that invention. The JPAA wishes that the derivation proceedings should be simpler and less time-consuming than the interference proceedings.

The Japan Patent Law permits that a patent will be transferred to a true inventor from an untrue inventor if the untrue inventor has obtained the patent for an invention which he is not entitled to. The JPAA wishes that the US Patent Law will introduce similar provisions that allow transfer of a patent from a false inventor to a true inventor.

Sincerely yours,

  
Shoichi Okuyama  
President of the Japan Patent Attorneys Association