

Japan

“Disclosure in Prior Art Document”

**Patent Act, Sec. 29(2) – *Renesas Electronics Co. Ltd.*
*v. The Commissioner of the Patent Office***

**Decision of the Intellectual Property High Court
31 January 2012**

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The technical contents of a prior art document should be objectively and specifically determined and be based on the description without trying to abstract, generalize, or conceptualize its technical content in order to avoid an arbitrary judgment.

Inventive step of an invention cannot be denied where the prior art document neither discloses nor suggests the technical problem, and where the prior art document only discloses examples rather than a general teaching.

Summarised by Hisayoshi Yokoyama.
