

Comparison of Global Patent Schemes

Country or Region	Japan	US	European Patent Office	China	South Korea
Eligible Applicant	Inventor or successor	Inventor only	Inventor or successor		
Examination Requirement	Exists				
Novelty Standard	Global realm Global publications	Domestic realm Global publications	Global realm Global publications	Domestic realm Global publications	Global realm Global publications
* Grace Period	6 months	12 months	6 months		
Application Publication	18 months	18 months (some portions not published)	18 months		
Examination Request Period	3 years from application date	None	6 months from publication of examination report	3 years from application date or priority date	5 years from application date
Term of Patent	20 years		—	20 years	

* Grace period refers to the loss of novelty due to disclosure of the invention for a predetermined period of time.

Patent Systems in Major Countries and Regions

Country or Region	Eligible Applicant	Examination Requirement	Standard for Novelty* ¹	Grace Period* ⁴	
				Objects	Period
Japan	Inventor or successor	Substantive Examination	International use* ² International publications* ³	Operation with experimental purposes Disclosure by applicant Disclosure by third party Publication at exhibition Publication at academy	6 months (Standard date: Filing date)
US			Domestic use* ² International publications* ³	No regulation	12 months (Standard date: Filing date)
European Patent Office	International use* ² International publications* ³		Disclosure by third party's abuse Publication at exhibition	6 months (Standard date: Filing date)	
China	Domestic use* ² International publications* ³		Disclosure by third party Publication at exhibition Publication at academy		
South Korea	International use* ² International publications* ³		Operation with experimental purposes Disclosure by applicant Disclosure by third party Publication at exhibition Publication at academy		
UK			Disclosure by third party's abuse Publication at exhibition		
Germany			Disclosure by third party's abuse Publication at exhibition		
France	Inventor or successor		Substantive Examination (Novelty only)	Operation with experimental purposes Disclosure by third party	12 months (Standard date: Filing date)
Australia			Substantive Examination	Publication at exhibition Publication at academy	6 months (Standard date: Filing date)
Canada				Disclosure by applicant Disclosure by third party	12 months (Standard date: Filing date)

*¹ Novelty is one of the requirements for a patent. An invention meets this requirement if no single piece of prior art discloses the claimed invention.

*² Domestic use refers to a standard in which the novelty of an invention is tested against the prior art within a country. International use refers to a standard in which the novelty of an invention is tested against known prior art around the world.

Country or Region	UK	Germany	France	Australia	Canada
Eligible Applicant	Inventor or successor				
Examination Requirement	Exists		Exists (Novelty only)		Exists
Novelty Standard	Global realm / Global publications				
* Grace Period	6 months			6 or 12 months	12 months
Application Publication	18 months				
Examination Request Period	24 months from application date or priority date OR 6 months from publication date, whichever is later	7 years from application date	18 months from application date or priority date	5 years from application date or 6 months from ruling of patent office	5 years from application date
Term of Patent	20 years				

Country or Region	Publication of Application	Period for Examination Request	Term of Patent Right	Publication of Examined Application for Opposition*5
Japan	18 months from filing date or priority date	3 years from filing date	20 years from filing date	None
US	18 months from filing date or priority date (eligible to request non-disclosure if filing a patent only domestically)	None		
European Patent Office	18 months from filing date or priority date	6 months from publication of examination report	—	3 months from date of publication of examined application
China		3 years from filing date or priority date	20 years from filing date	
South Korea		5 years from filing date		
UK		24 months from filing date or priority date OR 6 months from publication date, whichever is later		
Germany		7 years from filing date		
France		18 months from filing date or priority date		
Australia		5 years from filing date or 6 months from order of patent office		
Canada		5 years from filing date		

*3 International publications refers to a standard in which the novelty of an invention is tested against the novelty of an invention appearing in publications from around the world.

*4 Grace period refers to the loss of novelty resulting from disclosure of the invention during a predetermined period of time.

*5 Opposition refers to the procedure for a third party to cancel pre-granted patents.