



# **AI-Related Inventions in Japan**

## **Trends, Examination Practices, and Emerging Issues**

**Kazumi Makiuchi**

**Japan Patent Attorneys Association  
International Activities Center**

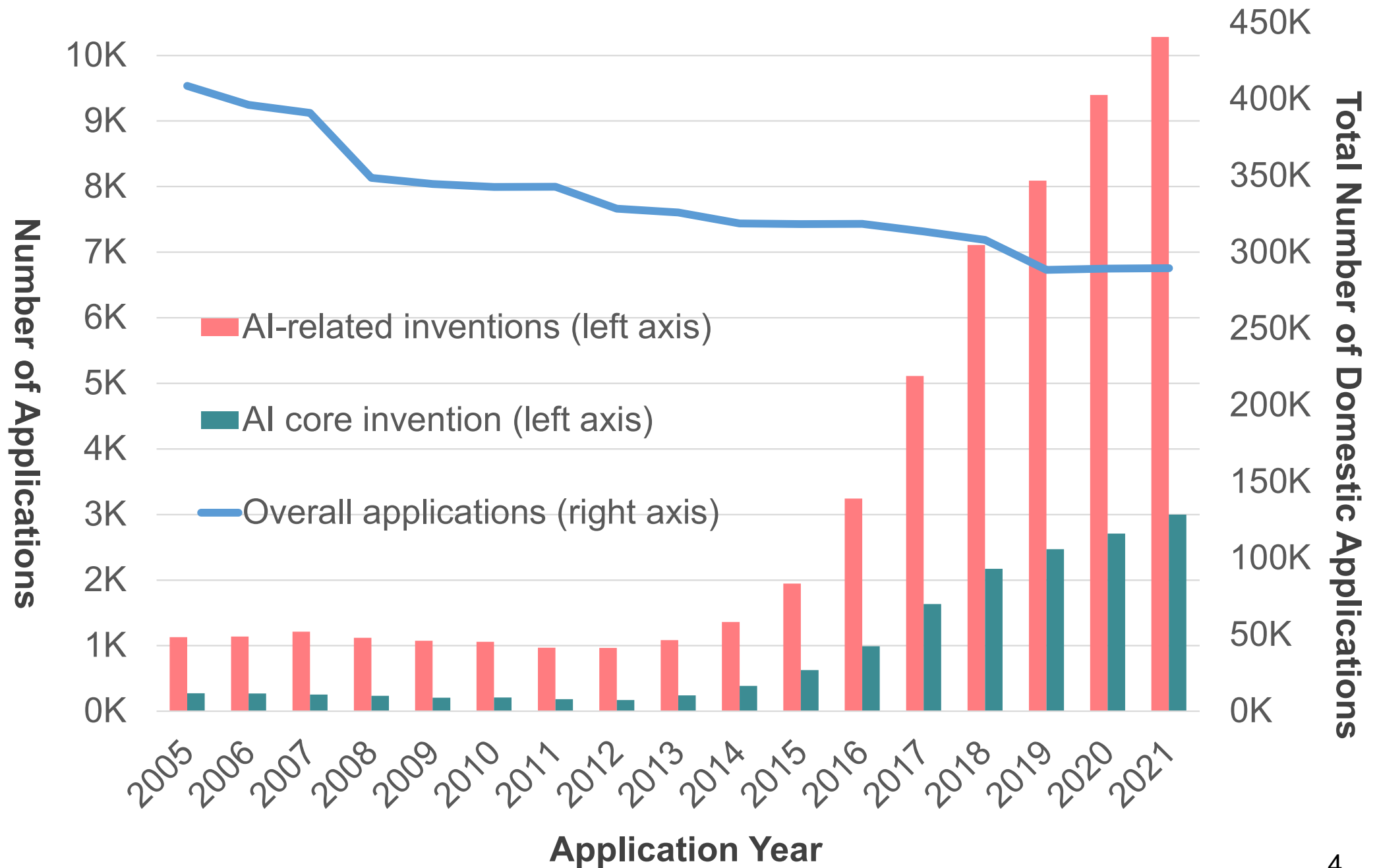
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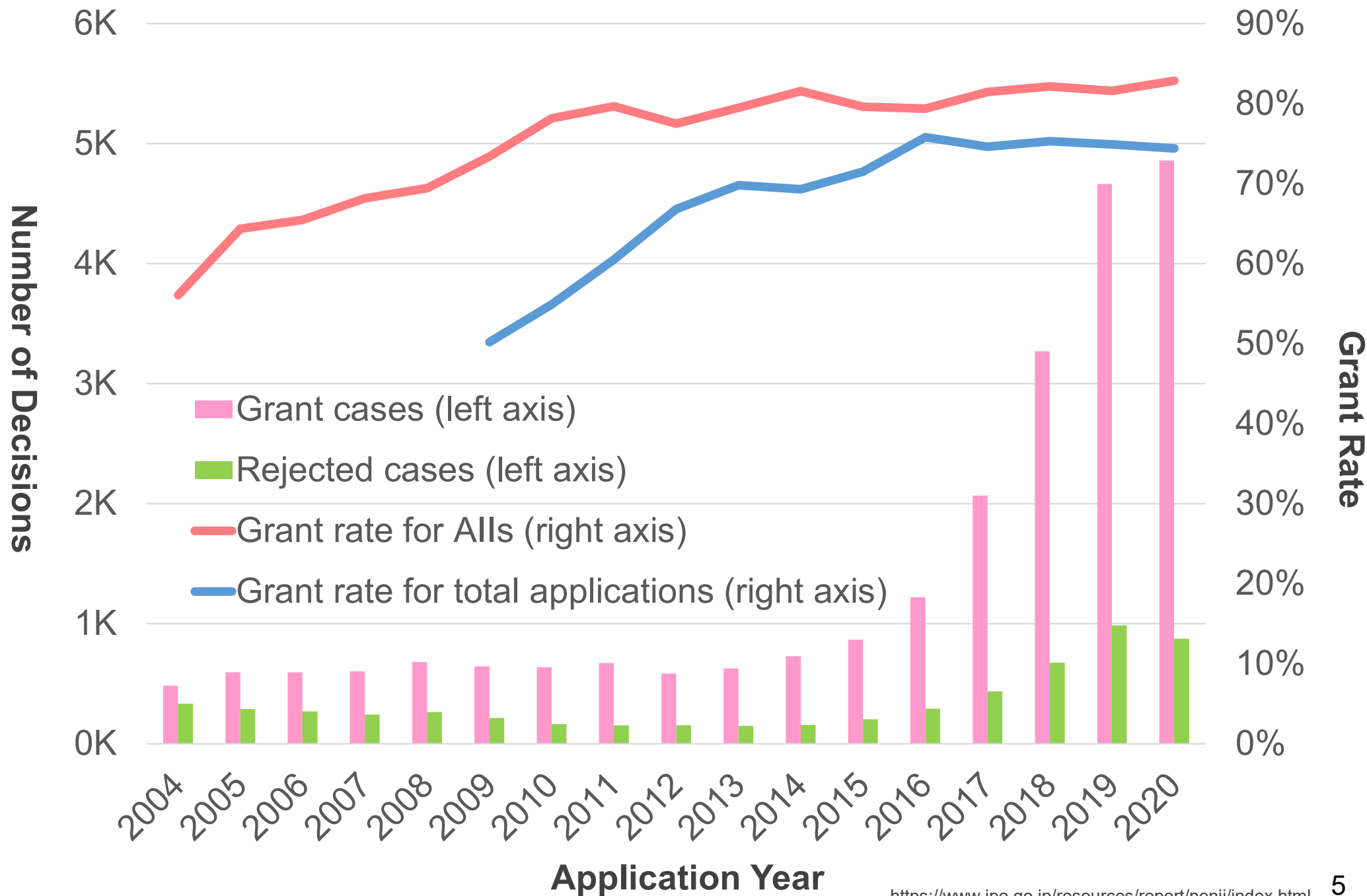
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# Applications of AI-Related inventions (AIs)



# JPO examination appears favorable toward AIs



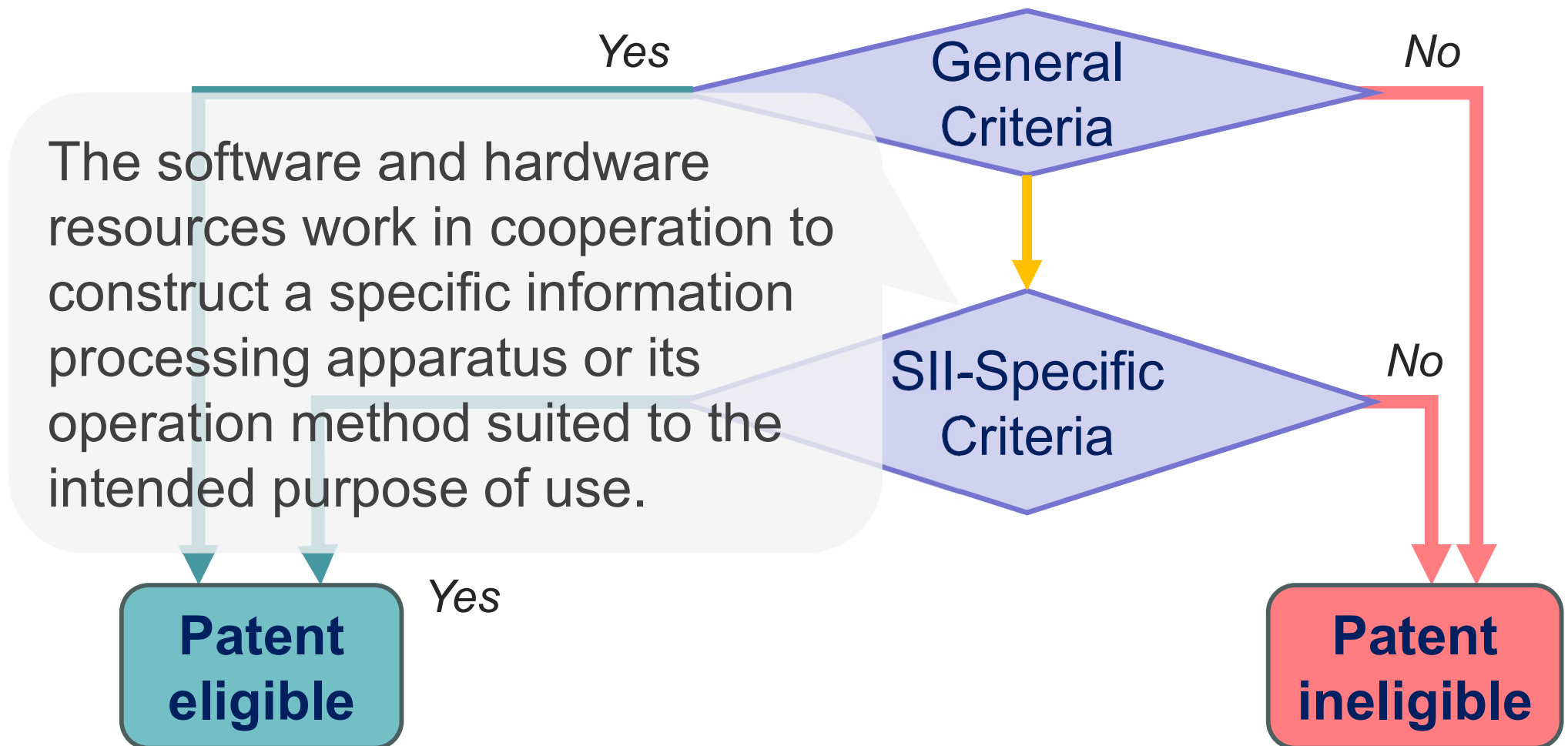
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# Flow for Determining Eligibility

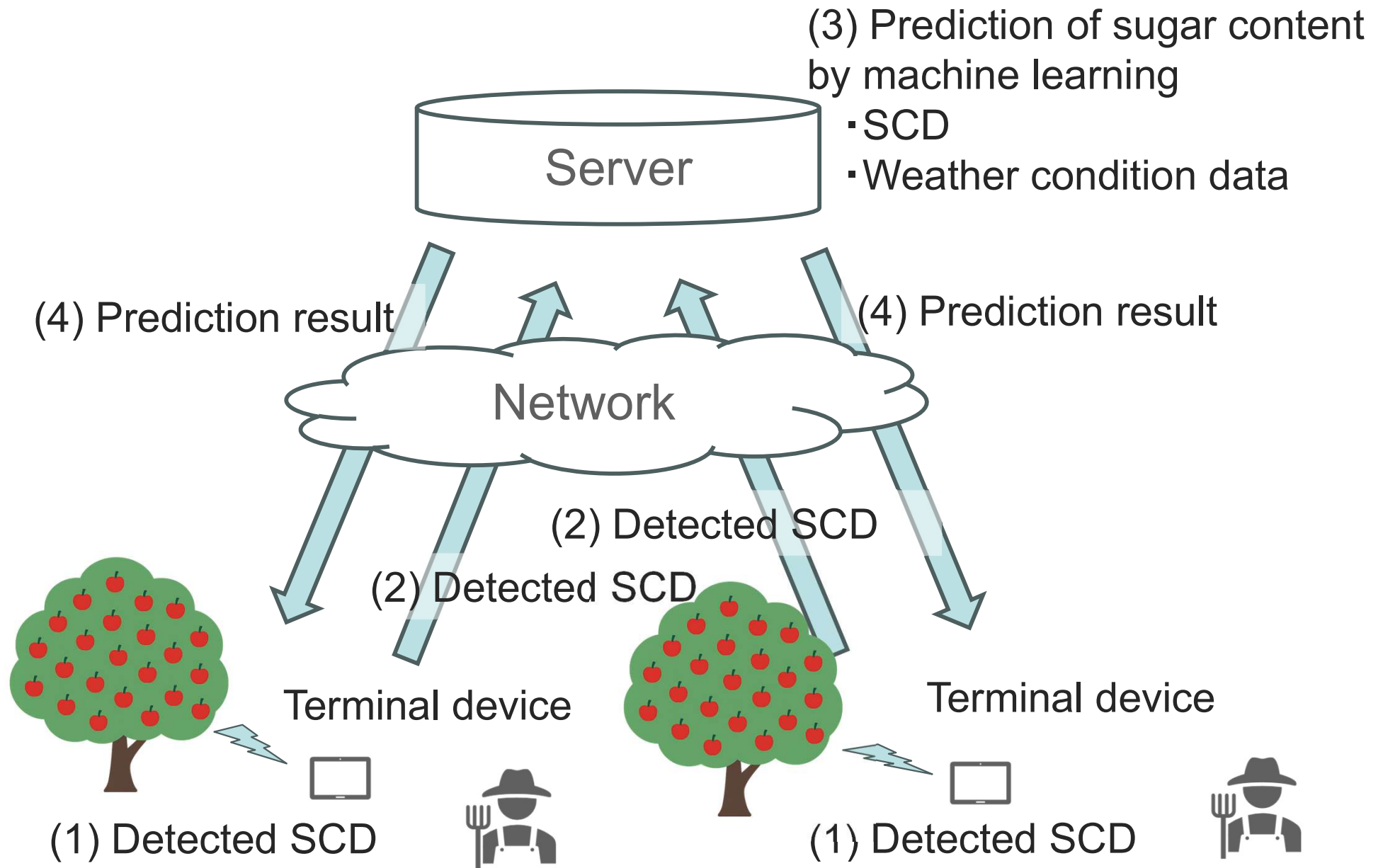
## Software-implemented (incl. AI-related) inventions (SIIs)

- 1) First, **general criteria** are assessed: whether the invention as a whole utilizes a law of nature.
- 2) Second, **SII-specific criteria** are assessed, when the eligibility of the invention is not determined based on the general criteria.



# Imaginary Examination Example

Sugar Content Data (SCD) of Apples and Method for Predicting Sugar Content of Apples





# Imaginary Examination Example

Claim 1. **Sugar content data (SCD)** of apples before harvest, measured by a portable apple sugar content sensor that performs reflective near-infrared spectroscopy analysis.

✗ Does not constitute an “invention.”

Claim 2. **The SCD** of apples according to claim 1, received by a receiving unit of a server and stored in a storage unit of the server.

✗ Does not constitute an “invention.”

Claim 3. **A method for predicting SCD** of apples, comprising:

**an analysis step** in which an analysis unit of the server analyzes the relationship between pre-harvest apple SCD and weather condition data for a predetermined period and SCD at the time of shipment, based on records;

**a receiving step** in which the receiving unit of the server receives the pre-harvest apple SCD for a predetermined period as described in claim 1; and

**a prediction step** in which the prediction unit of the server predicts and outputs SCD of apples at the time of future shipment, based on the analyzed relationship and using the received pre-harvest apple SCD and past/future weather condition data as input.

✓ Does constitute an “invention.”

# Imaginary Examination Example 1

Claim 1. **SCD** of apples before harvest, measured by a portable apple sugar content sensor that performs reflective near-infrared spectroscopy analysis.

- The only distinctive feature lies in the content of the presented information.
- No technical features are found in the presentation itself, the presentation means, or the presentation method.

## Conclusion :

The SCD of apples in Claim 1 constitutes a **mere presentation of information** and, as a whole, is **not a creation of a technical idea utilizing the laws of nature**, and thus **does not constitute an “invention.”**

# Imaginary Examination Example 1

Claim 2. **The SCD** of apples according to claim 1, received by a receiving unit of a server and stored in a storage unit of the server.

- Reception and storage by a server are specified.
- Does not define any means or method for presenting the SCD.

## Conclusion :

The SCD of apples in Claim 2 constitutes a **mere presentation of information** and, as a whole, is **not a creation of a technical idea utilizing the laws of nature**, and thus **does not constitute an “invention.”**

# Imaginary Examination Example 1

Claim 3 relates to a **method for predicting apple sugar content** using software. The method involves three steps:

- i. **Analysis** – Analyze the relationship between past sugar content and weather data
- ii. **Reception** – Server receives pre-harvest SCD
- iii. **Prediction** – Predict future sugar content using analysis and weather forecasts

Claim 3 invention performs **specific information processing based on technical properties**, such as chemical or biological characteristics related to apples.

## Conclusion:

The invention of Claim 3, as a whole, constitutes a **creation of a technical idea utilizing the laws of nature**, and thus **constitutes an “invention.”**

# Granted Example – JP7217906B

Title of Invention: Estimation Device, Estimation System, and Estimation Program

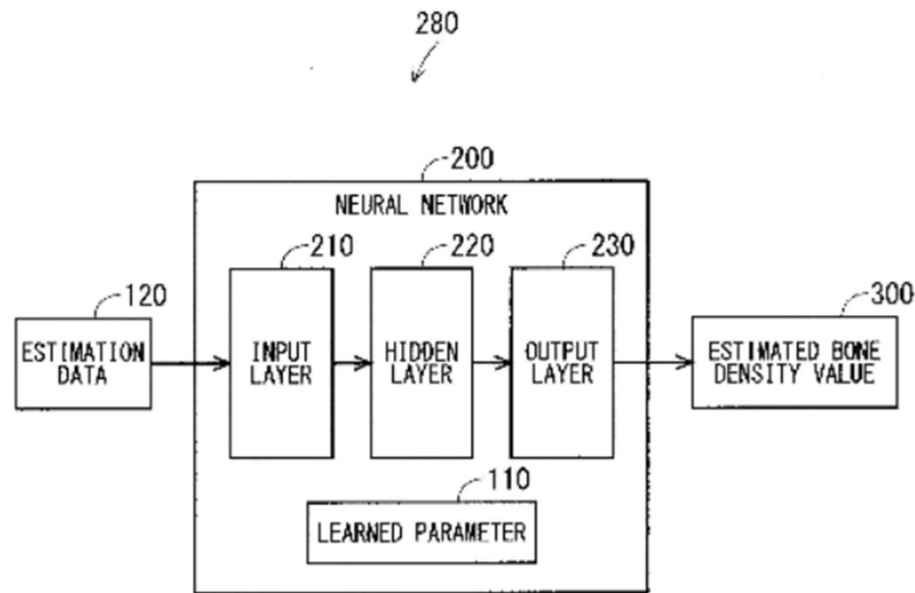
Application Date: Oct 28, 2022 (Div. )

Original Application Date: Sep 10, 2019

Registration Date: Jan 27, 2023

Applicants: Kyocera, University of Tokyo

Allowed w/o OA.



Claim 1. **An estimation apparatus** comprising:  
**an approximator** configured to estimate the density of a bone **based on learned parameters** from input information having a side image of a simple X-ray image in which a human skeleton appears.

# Granted Example – JP7605302B

Title of Invention: Musical Score Writing Device, Training Device, Musical Score Writing Method and Training Method

Application Date: Mar 8, 2022

Registration Date: Dec 16, 2024

Applicants: YAMAHA CORPORATION

Allowed w/o OA.

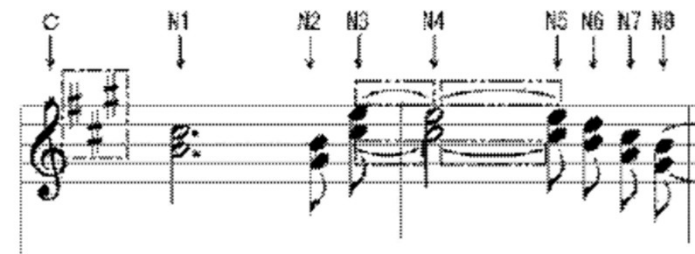
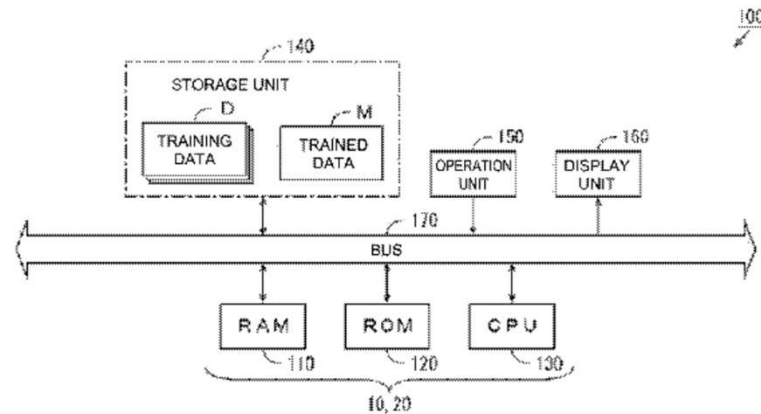


FIG. 5

**Claim 1. A musical score writing device** comprising:  
    **a reception unit** that receives a musical note sequence that is composed of a plurality of musical notes, and  
    **an estimation unit** that uses **a trained model** to estimate attribute information and each musical note for writing a musical score, wherein  
    **the trained model** is a machine learning model that has learned an input-output relation between a reference musical note sequence made of a plurality of reference notes, and reference attribute information and each reference note for writing a musical score.

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# Cloud Accounting Software Patent Lawsuit

**Plaintiff: freee**

**2013** – Introduced *automatic journalizing* function

**2014** – Patent granted (JP Patent No. 5503795)  
'795 patent:

Automatic account title allocation using *keyword extraction, priority rules, and mapping table*.

**Defendant: Money Forward**

**2016** – Introduced *automatic journalizing* function

**2016 (Oct.)** – Sued by freee for patent infringement

**Tokyo District Court Decision (July 27, 2017)**  
**Claim dismissed** – Money Forward won.

Reason:

Defendant used a **machine learning-based** system, different from the patented “rule \* table” method.



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**Tips :**

**1) AI Implementation can avoid infringement**

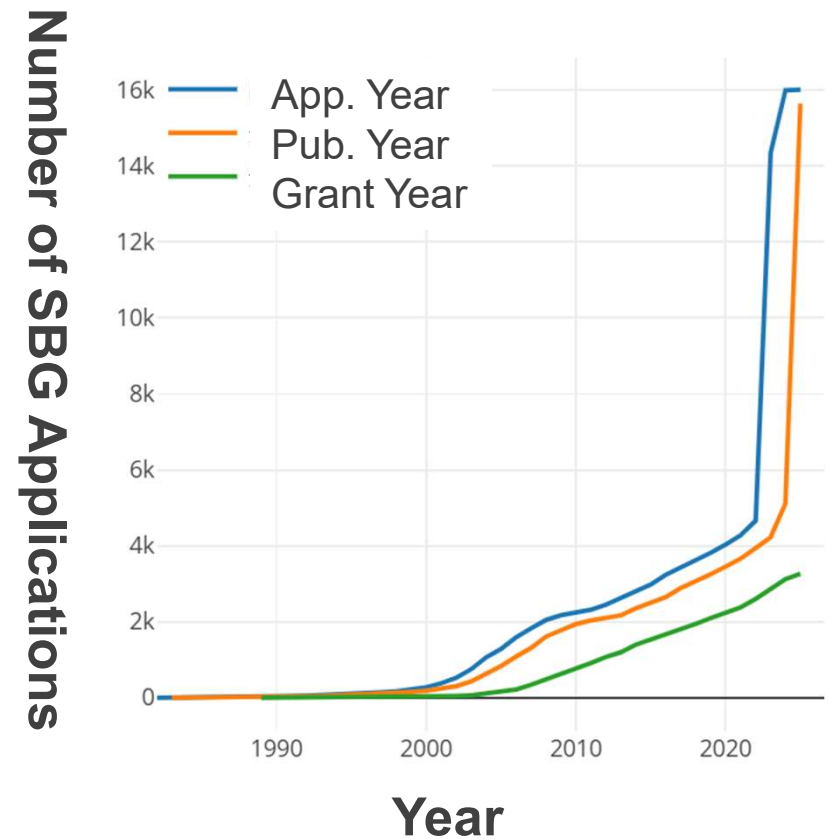
**2) Importance of functional claim drafting**

- Broader functional wording — e.g., “classifying using specific terms” — might have covered both rule-based and ML-based implementations.
- When both rule-based and ML-based processes could achieve the function, claims should be drafted to encompass either approach.



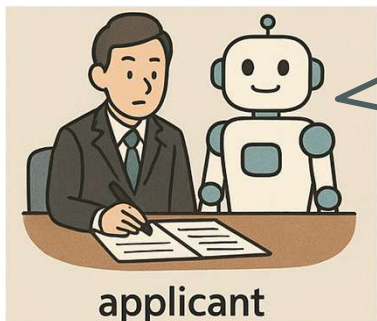
# SoftBank Group – Mass AI Patent Publication

- Apr 1–9, 2025: about 9,800 AI-related patent applications of SBG published in Japan.
- Covers broad areas: telecom, autonomous driving, energy, healthcare, metaverse.
- Many of the inventions feature a structure of **automatic problem extraction** → **automatic solution generation**
- Building an intellectual property portfolio that integrates **technology with social significance**



# Can AI Be an Inventor? - DABUS Case in Japan

A National Entry of a PCT application on Aug 5, 2020, with the inventor's name of "DABUS", was objected to by the JPO's formality examination.



No provision in the Patent Act limiting who can obtain a patent right.

Filing a lawsuit

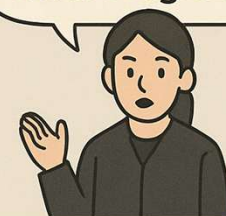


An inventor listed in a patent application must be a natural person.



Under the current patent law, inventions are limited to those made by natural persons.

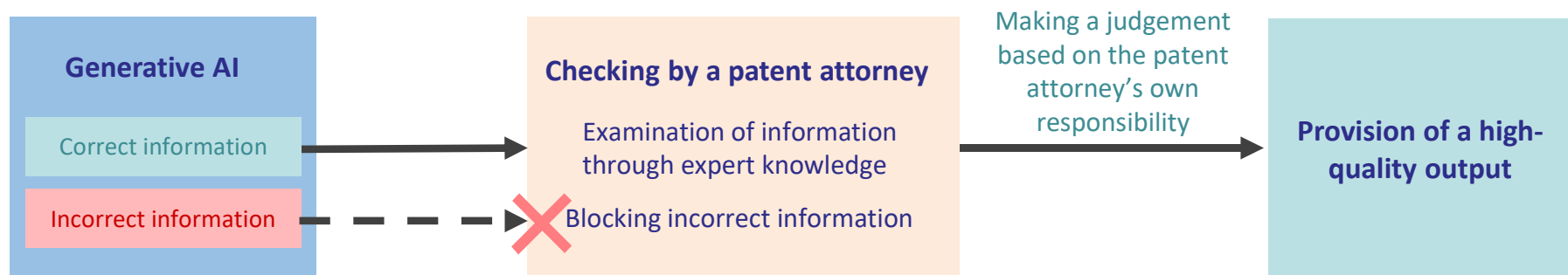
Court hopes for future legislation



# JPAA AI Utilization Guidelines

- JPAA issued **AI Utilization Guidelines** for members in Apr 2025.
- Focus on understanding **AI's features and risks** to **enhance productivity and service quality**.
- Builds **client confidence** by explicitly adhering to the guidelines.

## Process of information examination and provision by a patent attorney

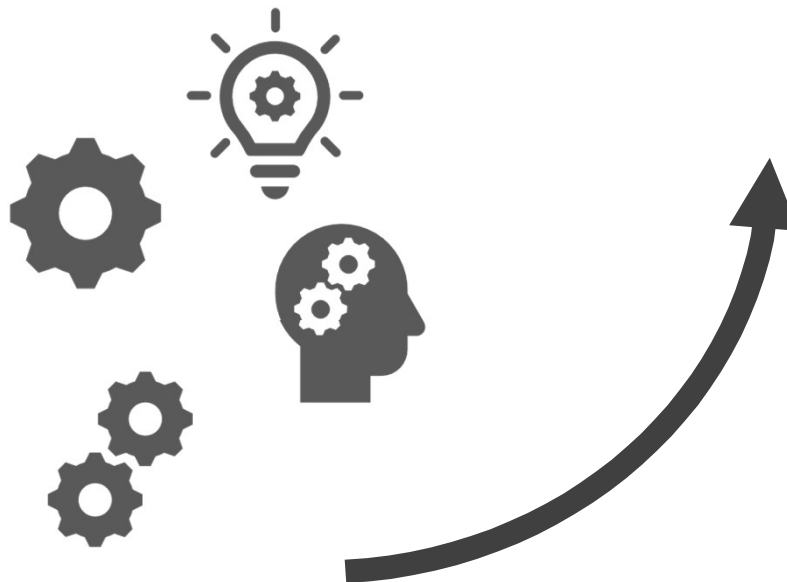


## Examples of key points for checking by a patent attorney

- Check the consistency with facts
- Check the output against expert knowledge
- Compare the output with the latest industry trends
- Confirm the reliability of the information source
- Make a judgment based on practical experience
- Check the logical consistency

# Key Takeaways

- An increasing number of AIs are patented by JPO.
- JPO examination appears favorable towards AIs.
- JPAA's AI Utilization Guidelines help enhance productivity and quality of work.



# Disclaimer

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**Thank you for your attention !**

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**Kazumi Makiuchi**  
**JPAA International Activities Center**  
[makiuchi@sat-patent.co.jp](mailto:makiuchi@sat-patent.co.jp)