Foreign-Language Patent Applications in Japan:

Practical Strategies for Greater Amendment Flexibility and Strategic Portfolio Building

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Disclaimer

- The purpose of this presentation is to provide educational and informational content and is not intended to provide legal services or advice.
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Why Consider Foreign-Language Filings in Japan?

Three practical advantages:

1. Greater amendment flexibility

2. More flexibility in divisional applications

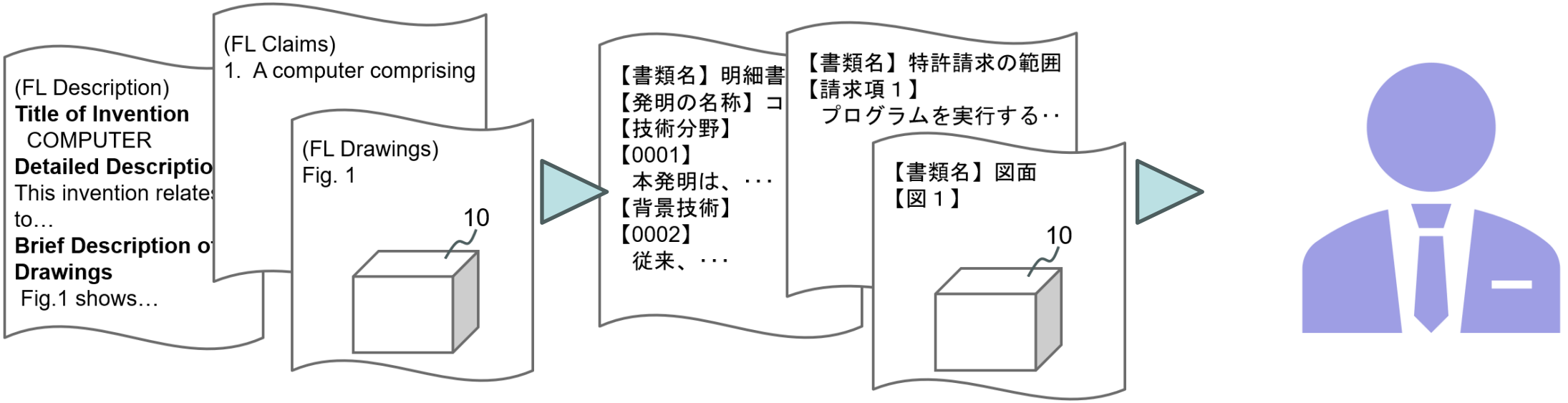
3. More options for building a strong patent portfolio

How Foreign-Language Filing Works

1. Foreign-Language document

2. Japanese Translation

3. Examination in Japanese



The key point is that the originally filed foreign-language document remains important throughout prosecution.

Not Limited to English

- Since April 1, 2016, foreign-language applications have **not been limited to English**.

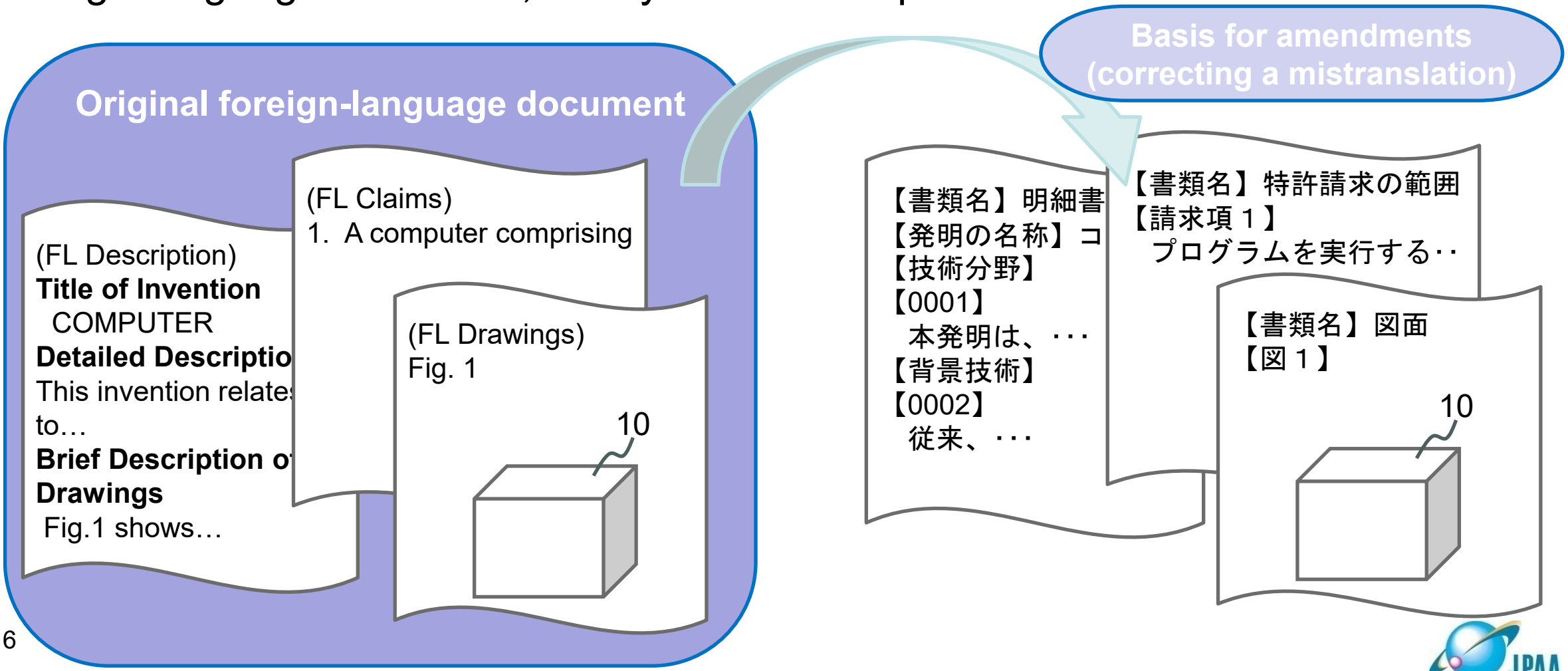
"The foreign language ... shall be English **or any other foreign language**."

(Ordinance for Enforcement of the Patent Act, Article 25-4 Language of Foreign-Language Applications)

This makes the system available for a **broader range** of foreign applicants.

Greater amendment flexibility

The permissible scope of amendments is determined by the originally filed foreign-language document, not by the initial Japanese translation.



Affordable Official Fees

	Official Fee
Regular Patent application	JPY 14,000 **(≈ $87.50)**
Foreign-language application	JPY 22,000 **(≈ $137.50)**
Additional cost for foreign-language filing	**Only JPY 8,000 (≈ $50)**
Request for examination — exp. 20 claims	JPY 218,000 **(≈ $1,362.50)**
Correction of mistranslation (Amendment)	JPY 19,000 **(≈ $118.75)**

USD equivalents calculated at approximately JPY 160 = USD 1.

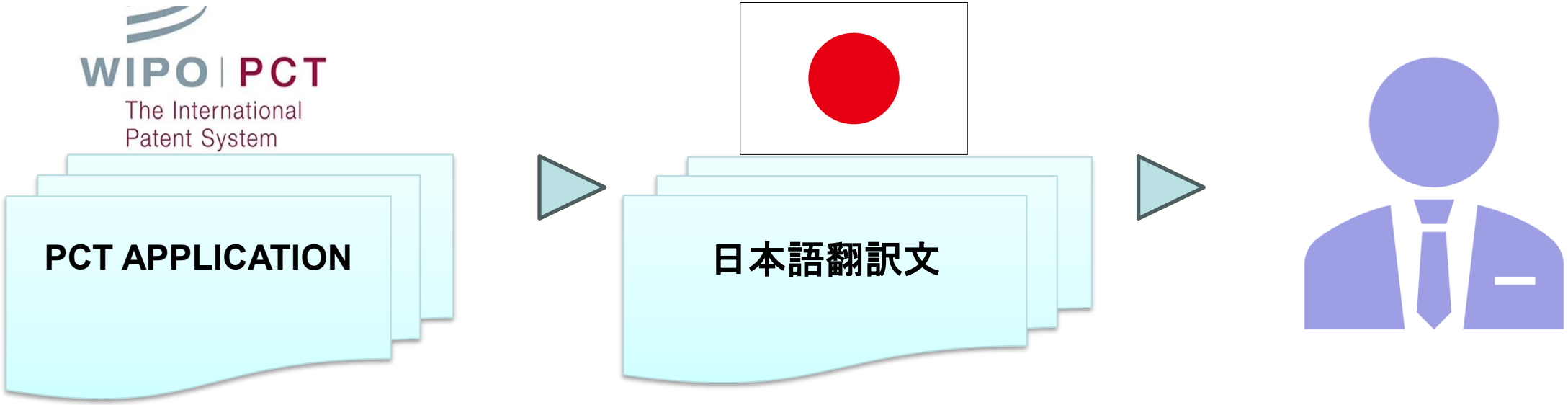
The additional official fee for preserving these advantages is only $50.

Greater amendment flexibility – PCT NF

1. PCT application in a foreign-language

2. Japanese Translation for JP national phase

3. Examination in Japanese



The original foreign-language PCT application remains the basis for correcting mistranslations in the Japanese translation.

Correcting Mistranslations Through Regular Amendments

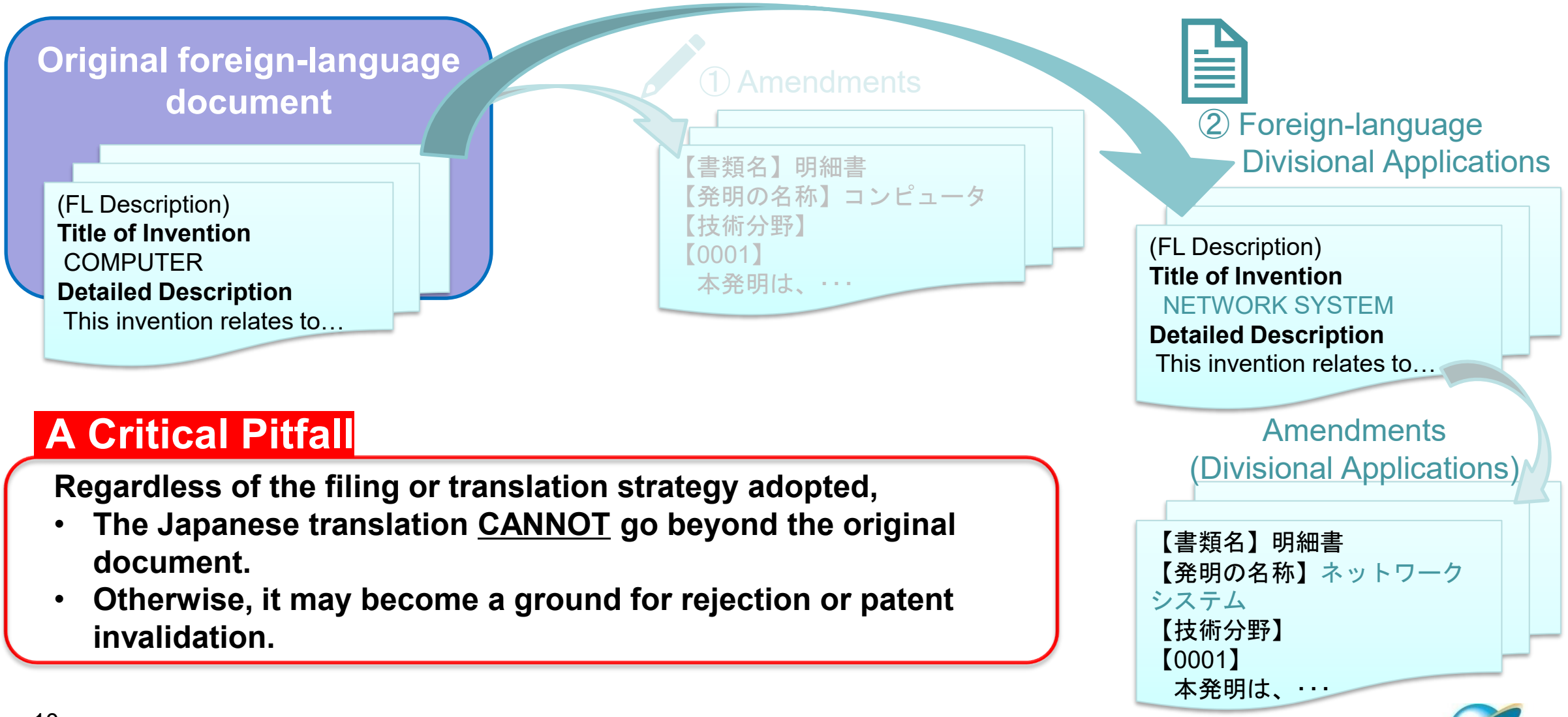
Conventional Approach

- The initial translation is considered as the “final” version.
- Significant time and cost are needed before submitting the translation.
- Translation errors are difficult to correct once discovered.

Strategic Approach

- Recognize that amendment support comes from the **original** foreign-language document.
- Treat the initial Japanese translation as the **starting point**, not the final product.
- Refine the translated document strategically **during** prosecution.

Another Advantage



A Critical Pitfall

Regardless of the filing or translation strategy adopted,

- **The Japanese translation CANNOT go beyond the original document.**
- **Otherwise, it may become a ground for rejection or patent invalidation.**

Direct Filing vs. PCT National Phase

Direct filing under the Paris Convention

- Faster path to patent protection
- Preserve the disclosure of the first-filed application
- Build a portfolio through divisional applications

PCT national phase entry

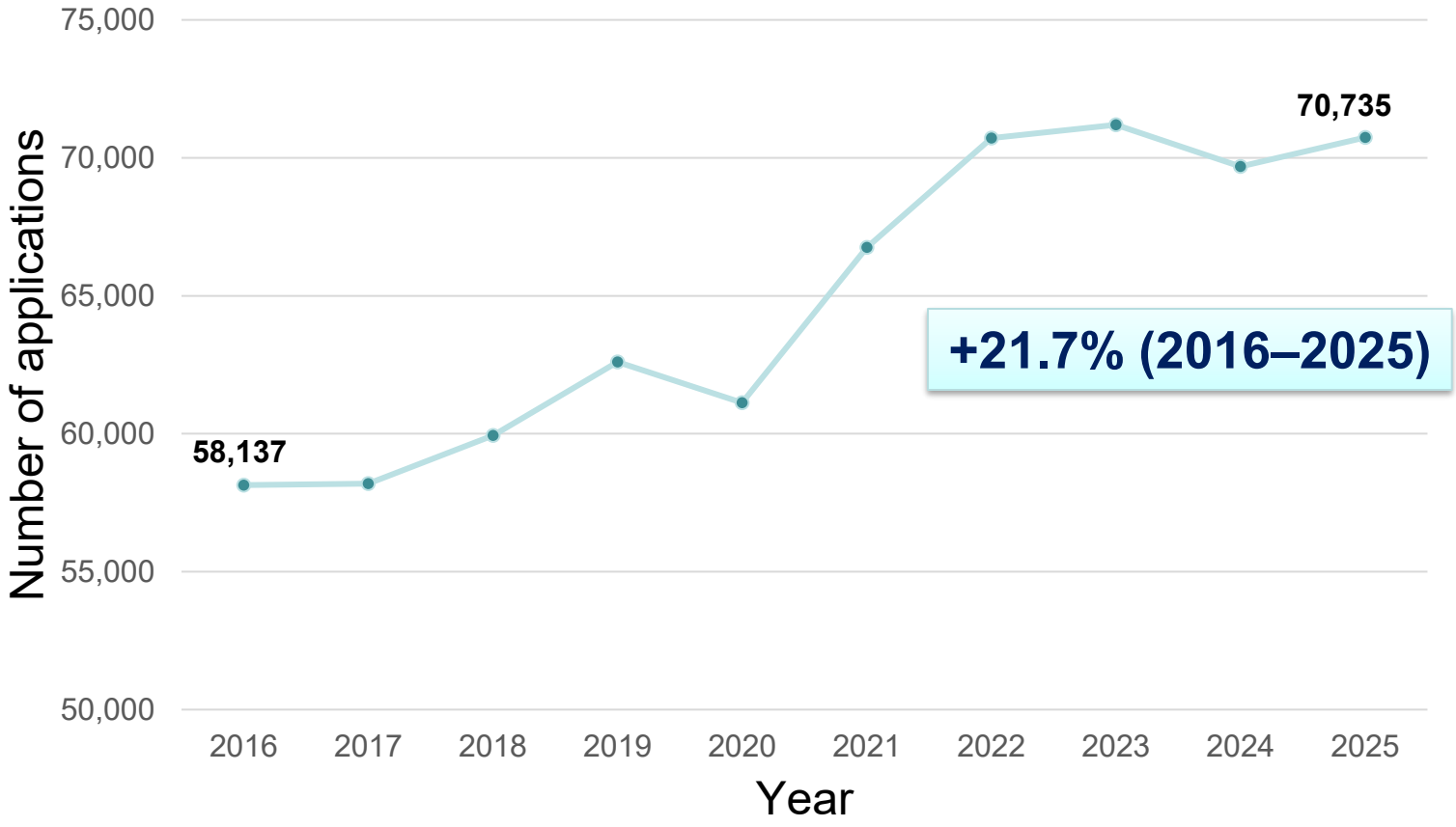
- More time before Japanese prosecution
- More time to prepare and review the Japanese translation and claims

Mistranslations may be corrected based on the original foreign-language document.

JPO Efforts to Improve the Foreign-Language Application System

Background

Patent applications filed in Japan by foreign applicants are increasing.



(from JPO annual report 2026)

Applications by foreign applicants increased from approximately 58,000 to 71,000.

Improving consistency with Japanese-language applications and enhancing user convenience have become increasingly important to the JPO.

JPO Efforts to Improve the Foreign-Language Application System

2026 Revision of the Examination Guidelines — effective July 1, 2026

Two practical changes for foreign-language applications

RULE

Complete translation is required.

FLEXIBILITY

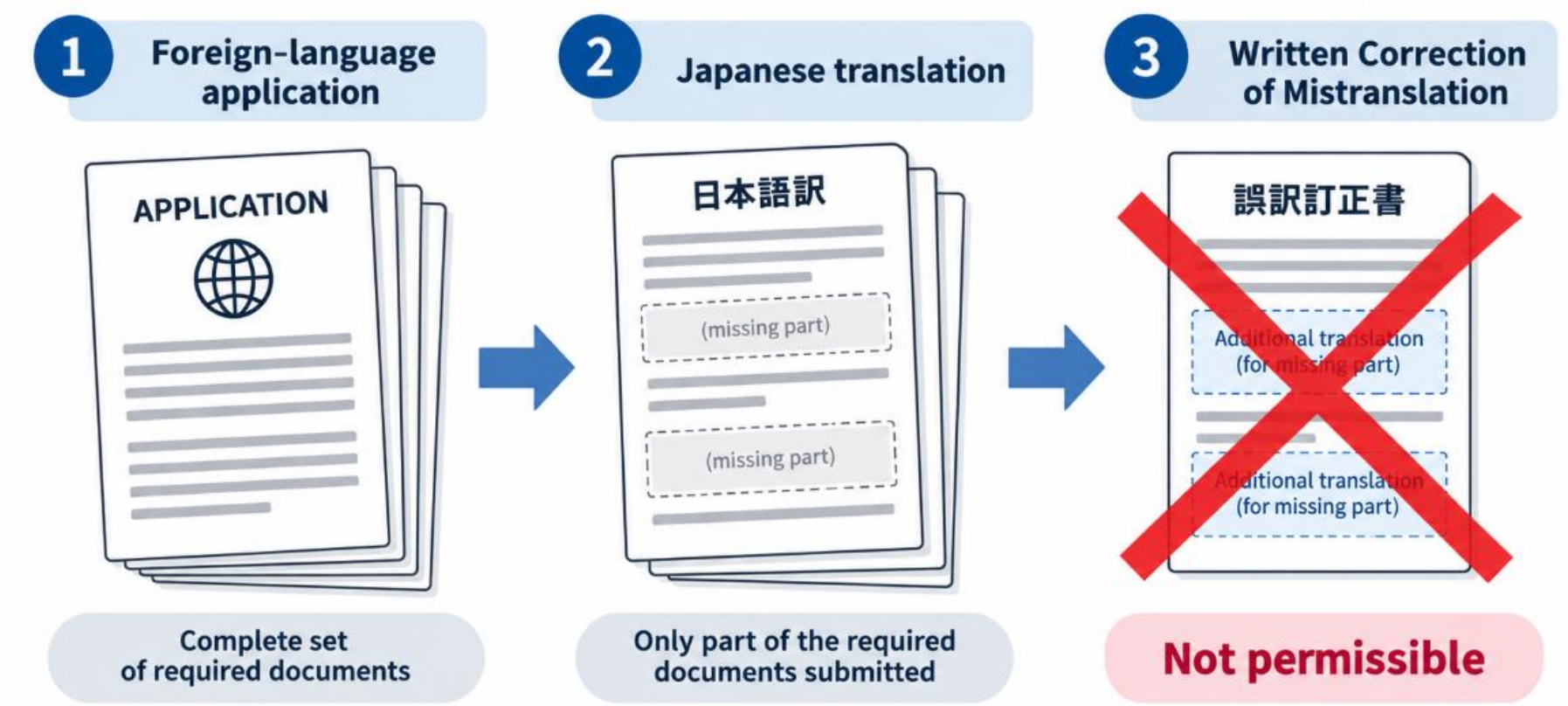
Mistranslations can be corrected
in a foreign-language divisional application.

(JPO, Examination Guidelines revised June 25, 2026)

JPO Efforts to Improve the Foreign-Language Application System

RULE

Complete translation Required



Submitting only part of the required translation documents and later trying to supplement the missing parts by filing a Written Correction of Mistranslation is not permissible.

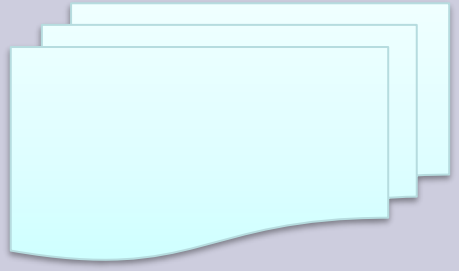
FLEXIBILITY

Greater Flexibility for Divisional Applications

Putting it all together

Preserve

Foreign-language filing



File in your language with an initial translation suitable for filing.

Correct

Greater amendment flexibility

Amendments are supported by the original foreign-language document.

Build

Foreign-language divisional applications

Preserve flexibility even when pursuing divisional applications.

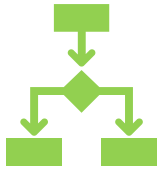
Key takeaways

Preserve

the original disclosure.

Correct

mistranslations based on the original document.



Build

your Japanese patent portfolio strategically.

Thank you!

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