

## **Procedural Rules for Contribution Assessment of Patents to Business**

### **Chapter I General Provisions**

#### **(Purpose)**

##### **Article 1**

- 1** These rules provide for the necessary matters pertaining to the procedures for the service of the Contribution Assessment of Patents to Business (hereinafter the "Contribution Assessment") rendered by the Japan Intellectual Property Arbitration Center (hereinafter the "Center").
- 2** The Contribution Assessment means a service through which, with respect to the business conducted by utilizing inventions (including devices) related to the group of patents (including patents, patent applications, registered utility models, and applications for utility model registration in Japan and abroad; hereinafter the "Patent Group"), the assessors appointed by the Center provide an applicant with a written assessment regarding the ratios of individual patents within the contribution as a whole to the business by the Patent Group.
- 3** An applicant can obtain a Contribution Assessment by filing an application in accordance with these rules.

#### **(Definitions)**

##### **Article 2**

The terms as used in these rules shall have the meanings ascribed as follows:

- (1) "Subject Products, etc. in Application" mean products, etc., that are compared and examined during the Contribution Assessment against multiple patents for which assessment is sought by the applicant at the time of application for the Contribution Assessment;
- (2) "Subject Business in Application" means the business that exploits Subject Products, etc. in Application;
- (3) "Description of Subject Business in Application" means a document submitted by the applicant at the time of application, which sets out the business entity conducting the Subject Business in Application, the configuration of Subject Products, etc. in Application, and the status of commercialization;
- (4) "Subject Products, etc. for Assessment" mean the products, etc., that are compared and examined against multiple patents during the Contribution Assessment, which are specified by agreement between the applicant and the assessors at the time of the consultative meeting provided for in Article 9;
- (5) "Subject Business for Assessment" means the business that exploits **the** Subject Products, etc. for Assessment;
- (6) "Description of Subject Business for Assessment" means a document submitted by the applicant in replacement of the Description of Subject Business in Application subsequent to the consultative meeting provided for in Article 9, which sets out the business entity conducting the Subject Business for Assessment, the detailed configuration of Subject Products, etc. for Assessment, and the status of commercialization;
- (7) "Technical Components" mean technologies that compose the Subject Business for Assessment and, if the Subject Business for Assessment is composed of combined technologies, it means each portion of said technologies which is analyzed according to the degree of contribution to the business;
- (8) "Patent for Defense" means a patent that strengthens the Subject Business for Assessment with its exclusionary power;

- (9) "Patent for Offense" means, where there exists a third party's patent whose exclusionary power needs to be neutralized for execution of the Subject Business for Assessment (hereinafter the "Vulnerability-Causing Patent"), a patent that is recognized as being assertable against the weakness of such third-party's business, and is recognized by the applicant as having in fact neutralized or having adequate potential to neutralize such Vulnerability-Causing Patent;
- (10) "Background Patent" means a patent that is managed by parties who are in a collaborative relationship with the business entity that executes Subject Business for Assessment, and is required to be licensed for the implementation of the technology being implemented or to be implemented for the Subject Business for Assessment (hereinafter the "Implementary Technology"), and is recognized as a patent which can be licensed to the business entity of the Subject Business for Assessment by such parties.
- (11) "Implementary Technology Patent" means a patent among the Patents for Defense that is recognized as being related to Implementary Technology.
- (12) "Alternative Technology Patent" means a patent among the Patents for Defense that does not fall under the Implementary Technology nor within the technical scopes of inventions related to the Implementary Technology, but is recognized as a patent that will prevent others from entering into the business implementing the technology determined by the applicant to have an alternative value to the Implementary Technology (hereinafter the "Alternative Technology");
- (13) "Equivalent Technology Patent" means a patent among the Patents for Defense that does not fall under the Implementary Technology, but does either fall within the technical scope of an invention related to the Implementary Technology Patent or has the same technical concept in a broad sense as the invention related to the Implementary Technology Patent, and is recognized as a patent related to the technology determined by the applicant to have an equivalent value to the Implementary Technology (hereinafter the "Equivalent Technology");
- (14) "Complimentary Technology Patent" means a patent among the Patents for Defense that does not constitute the Implementary Technology, the Alternative Technology, or the Equivalent Technology, nor does it fall within the technical scope of invention related to the Implementary Technology Patent, but is recognized as a patent related to the technology determined by the applicant to have a value that complements the value of the Implementary Technology (hereinafter the "Complimentary Technology");
- (15) "Core Technology" means a technology that constitutes a source of competitiveness of the business within a single Technical Component;
- (16) "Quasi-Core Technology" means a technology that is close to the Core Technology; and
- (17) "Non-Core Technology" means a technology that does not constitute a source of competitiveness of the business within a single Technical Component.

## **(Types of Contribution Assessment)**

### **Article 3**

**1** The Center shall perform Contribution Assessment on the Subject Business for Assessment in the following Phases according to the option selected by the applicant:

#### **(1) Contribution Assessment Phase 1**

The Implementary Technology Patent of the Subject Business for Assessment (including the Equivalent Technology Patents and Complimentary Technology Patents, if requested by the applicant. The same shall apply hereinafter.) are assessed. The applicant may select one of the following:

[Simplified Assessment] The applicant will classify the Technical Components as well as the patents related to each technology in the Technical Components.

[Detailed Assessment] The assessors will classify the Technical Components as well as the patents related to each technology in the Technical Components.

(2) Contribution Assessment Phase 2

Alternative Technology Patents are assessed in addition to the Contribution Assessment Phase 1. The applicant may select one of the following:

[Simplified Assessment] The applicant will classify the Technical Components as well as the patents related to each technology in the Technical Components.

[Detailed Assessment] The assessors will classify the Technical Components as well as the patents related to each technology in the Technical Components.

(3) Contribution Assessment Phase 3

Patents for Offense of the Subject Business for Assessment are assessed in addition to the Contribution Assessment Phase 1 or the Contribution Assessment Phase 2. The applicant may select one of the following:

[Simplified Assessment] The applicant will classify the Technical Components as well as the patents related to each technology in the Technical Components.

[Detailed Assessment] The assessors will classify the Technical Components as well as the patents related to each technology in the Technical Components.

\* Criteria for the Patent for Offense:

- 1) That it does not constitute the Core or Quasi-Core Technology.
- 2) That the Vulnerability-Causing Patent may potentially prevent the implementation of the Implementary Technology (Core or Quasi-Core Technology)

- 2 In each Contribution Assessment described in the preceding paragraph, if a Background Patent is required in order to implement the Core Technology or the Quasi-Core Technology of the Implementary Technology, or if the same is required as a Patent for Offense as referred to in Item (3) of the preceding paragraph, said Background Patent may be included in the Assessment.

## **Chapter II Prior Consultation Program**

### **(Prior Consultation Program)**

#### **Article 4**

The procedures for prior consultation concerning the Contribution Assessment is as follows:

- (1) To request prior consultation, the person requesting prior consultation shall submit to the Center a written request for prior consultation in the format separately prescribed by the Center, and pay the fee set forth in Article 16, Paragraph 1, Item (1);
- (2) Based on the written request for prior consultation, the Center shall select, after reviewing conflict of interest, neutrality, etc., one attorney-at-law or patent attorney as a consultant for the prior consultation from the list of potential contribution assessors (hereinafter the "List of Contribution Assessor Candidates") that is maintained by the Center at all times;
- (3) Prior consultation shall be provided in the following manner:
  - a. explanation of the outline of the Contribution Assessment, cost, and the Assessment criteria;
  - b. specification of the purpose of the Contribution Assessment for which the person requesting prior consultation wishes to apply;
  - c. advice on how to prepare the documents required for application; and
  - d. confirmation of the intent to apply.

## **Chapter III Procedures to Assess Contribution of Intellectual Property to Business**

## **(Application)**

### **Article 5**

- 1** The applicant shall submit to the Center one original copy and two copies of the Contribution Assessment Application Form containing the following information (hereinafter the "Application Form"):
  - (1) The name of applicant (or the trade name. The same shall apply hereinafter.) who is filing an Application Form, the address (or residence. The same shall apply hereinafter.), the contact information (telephone number, fax number, email address), and the name of the representative if the applicant is a corporation;
  - (2) The name and address of an agent if one is appointed; and
  - (3) The statement of intent to seek the Contribution Assessment concerning the Subject Business in Application.
- 1** The applicant shall attach the following documents to the Application Form:
  - (1) A document bearing the seal of the representative or evidencing the qualification of the representative if the applicant is a corporation;
  - (2) A document evidencing the right of representation if an agent is appointed;
  - (3) Description of Subject Business in Application (one original copy and two copies);
  - (4) Description of Technical Components Related to Subject Business in Application (one original copy and two copies);
  - (5) A list of patents to be assessed in Contribution Assessment (one original copy and two copies); and
  - (6) A written oath and consent by the applicant. (Form 1)
- 2** An agent must be a person who is qualified for representation by law or determined to be acceptable by the Center.

## **(Selection of Assessors)**

### **Article 6**

The Center shall select one attorney-at-law and one patent attorney as assessors from the List of Contribution Assessors Candidates. The same shall apply in the event there is a vacancy of assessor due to death, resignation or any other reason, provided, however, any person designated under Article 7, Paragraph 1 shall not be selected as assessor.

## **(Conflict of Interest of Assessor)**

### **Article 7**

- 1** The applicant may designate third parties who are determined to have conflicts of interest by listing them in the Designation of Specific Interested Parties which shall be submitted with the Application Form. The Center shall not disclose the Designation of Specific Interested Parties to any persons other than the prospective assessors.
- 2** Assessors shall, upon assumption of duty, submit to the applicant for the Contribution Assessment and the Center a declaration of impartiality, independence, and neutrality (Form 2), and when there is a factual matter that raises or potentially raises a question about their impartiality, independence, or neutrality, they shall make a full disclosure of said fact without delay.

## **(Recusal of Assessor)**

### **Article 8**

- 1** The applicant may request the recusal of an assessor when there are reasonable grounds to question the impartiality, independence, and neutrality of the assessor.
- 2** If the Center determines that the request under the preceding paragraph is well grounded, it must make a determination that the recusal is reasonable.

## **Chapter IV Contribution Assessment**

### **(Consultative Meeting)**

#### **Article 9**

- 1** The assessors shall have a consultative meeting to specify the following by agreement with the applicant, and finalize the specifics of the Contribution Assessment and the cost required for said Assessment accordingly:
  - (1) The Subject Business for Assessment, Subject Products, etc. for Assessment, etc.;
  - (2) The Technical Components that comprise Subject Business for Assessment;
  - (3) The relative importance of each Technical Component to Subject Business for Assessment;
  - (4) The contribution ratio of patents (group) versus know-how in each Technical Component;
  - (5) The relative importance of the technology in each Technical Component to the competitiveness of the business;
  - (6) The information for specifying the following:
    - 1) The Core Technology, Quasi-Core Technology, and Non-Core Technology;
    - 2) The Implementary Technology, Equivalent Technology, Complimentary Technology, and Alternative Technology; and
    - 3) The Vulnerability-Causing Patent and the Patent for Offence.
  - (7) The circumstances of the individual countries where the Subject Business for Assessment and the Subject Products, etc. for Assessment will be executed or produced;
  - (8) The information concerning what is understood to be the Vulnerability-Causing Patents or vulnerabilities of a third-party's business if the assessment includes the Patents for Offence; and
  - (9) The content of the patent list for Assessment.
- 2** The consultative meeting under the preceding paragraph may be held multiple times on different days. The assessors, by agreement with the applicant, may revise the details specified under the preceding paragraph after the consultative meeting and reconfirm the specifics of the Contribution Assessment and the cost, etc.
- 3** If the applicant wishes to have the Patents for Offence assessed, the assessors shall explain to the applicant that it may require the submission of related documents that are necessary to recognize the Patents for Offence.
- 4** The assessors shall prepare a document stating that the applicant is in agreement with respect to the matters specified by agreement with the applicant and the timeline for preparing a written assessment (hereinafter the "Description of Matters Specified Upon Consultation"; (Form 4)).
- 5** Based on the content of the "Description of Matters Specified Upon Consultation," the applicant shall prepare and submit to the Center the Description of Subject Business for Assessment in replacement of the Description of Subject Business in Application.

### **(Criteria for Contribution Assessment)**

#### **Article 10**

- 1** The assessors shall assess the Patents for Defense according to the assessment standards that take the following into account (refer to Section "6. For Practical Application of General Assessment Method to Assess the Degree of Contribution" in the "Study on Practical Application of Assessment of Contribution of Patent to Business" published in March 2015 by the Center).
  - (1) The relative importance of each Technical Component to the Subject Business for Assessment;
  - (2) The contribution ratio of patent (group) versus know-how in each Technical Component;
  - (3) The relative importance of technology in each Technical Component to the competitiveness of the business;
  - (4) The registration status of each patent; and

- (5) The legal assessment including the technical scope, the term, and the territory that the exclusionary power of each patent may be affected.
- 2 The assessors shall assess the Patent for Offense by using the result of assessment of the Vulnerability-Causing Patent that has been licensed by virtue of the Patents for Offense as a Patent for Defense according to the criteria (1) through (5) in the preceding paragraph.

**(Written Assessment)**

**Article 11**

- 1 The Center shall send a written assessment to notify the applicant of the conclusions of the Contribution Assessment.
- 2 Disclosure of the written assessment to any third party shall be made strictly in sole discretion of the applicant, and the Center shall not be responsible for any disclosure by the applicant.

**(Nature of Contribution Assessment)**

**Article 12**

The written Contribution Assessment represents the opinions of the assessors selected by the Center, and it shall not be binding effect on any person whatsoever.

**(Objection)**

**Article 13**

No objection can be made against the results of the Contribution Assessment.

**(Withdrawal)**

**Article 14**

The applicant may withdraw the application at any time before a written assessment is sent by submitting a document specifying the case to the Center (an arbitrary format may be used).

**(Other)**

**Article 15**

- 1 The assessors may, upon request by the applicant, select a suitable research agency for a technical field that is relevant to the Subject Products, etc. for Assessment of the Subject Business for Assessment and request said agency to perform a search of other inventions.
- 2 The selection of a research agency and the procedures thereof referred to in the preceding paragraph shall be governed by the Procedural Rules for Advisory Opinion on Operability and the Operational Rules.

**Chapter V Fees and Other Expenses**

**(Fees and Other Expenses)**

**Article 16**

- 1 The person requesting prior consultation shall pay the fee set forth in Item (1) of this paragraph for prior consultation and/or the applicant shall pay the fees set forth in Items (2) of this paragraph. The fees set forth in this paragraph do not include consumption tax.
- (1) Prior Consultation: 10,000 yen
- (2) Cost of Contribution Assessment
- a. Contribution Assessment Phase 1
- b. [Simplified Assessment]
- 100,000 yen/application + 25,000 yen/patent

[Detailed Assessment]

100,000 yen/application + 100,000 yen/Technical Component + 30,000 yen/patent

c. Contribution Assessment Phase 2

[Simplified Assessment]

200,000 yen/application + 25,000 yen/patent

[Detailed Assessment]

200,000 yen/application + 100,000 yen/Technical Component + 30,000 yen/patent

d. Contribution Assessment Phase 3

[Simplified Assessment]

100,000 yen per application will be added to the cost of Contribution Assessment Phase 1 or Phase 2

[Detailed Assessment]

100,000 yen per application and 100,000 yen/ Patent for Offense will be added to the cost of Contribution Assessment Phase 1 or Phase 2

- 2 The fee referred to in Paragraph 1, Item (1) must be paid in full amount including the consumption tax at the time of prior consultation.
- 3 The fees referred to in Paragraph 1, Item (2) must be paid by the due date specified by the President of the Center by depositing the amount by wire transfer into the bank account specified by the President of the Center.
- 4 In the event the fees are not paid in full or in part, the Center may require the applicant to pay the amount of any shortfall within one (1) week of the receipt of notice, and if the applicant fails to make said payment prior to the due date, the Center may deem the application to have been withdrawn.
- 5 The fees received by the Center shall not be refundable including cases where the application is withdrawn.

## **Chapter VI Case Management**

### **(Case Management)**

#### **Article 17**

- 1 The Contribution Assessment cases shall be managed by the Section of the Center (hereinafter the "Case Managing Section ") appointed by the Management Committee of the Center, the subdivisions or branch offices (hereinafter collectively the "Management Committee") and its affairs shall be administered by the Secretariat of the Center.
- 2 The Case Managing Section shall, upon request for Contribution Assessment, promptly select one attorney-at-law and one patent attorney as assessor candidates from the List of Contribution Assessor Candidates subject to approval by the President of the Center. The same shall apply in the event there is an open position for evaluator due to death, resignation or any other reason, provided, however, any person designated under Article 7, Paragraph 1 shall not be selected as potential assessor.
- 3 The Case Managing Section shall, upon request for Contribution Assessment, immediately select one or multiple case managers to manage the case. In the event that there is a vacancy for case manager due to death, resignation, or any other reason, a new case manager shall be selected.
- 4 The Case Managing Section shall conduct the activities related to the promotion of growth for the Contribution Assessment service, the training for potential assessors, the selection of searching authorities, the establishment and improvement of the rules and bylaws pertaining to the operation of the Contribution Assessment service, and other necessary activities subject to approval from the Management Committee.
- 5 Case managers shall, upon assumption of duty, submit to the applicant and the Center a declaration of impartiality, independence, and neutrality (Form 3), and when there is a factual matter that raises or

potentially raises a question about their own impartiality, independence, or neutrality, they shall make a full disclosure of said fact without delay.

- 6 The term of a case manager shall expire upon the approval of a report submitted in writing to the Case Managing Section as to whether the case has been managed and progressed smoothly after the case assigned to the case manager is concluded.
- 7 During the term of appointment, the case managers shall have the basic duties to contact the assessors or applicants on their own volition or at the instructions of the Secretariat of the Center to ensure the assigned cases progress smoothly (including responding to unexpected circumstances), and to perform the following as necessary. Furthermore, the case managers may attend the consultative meeting provided for in Article 9 and offer their opinions (excluding opinions on matters pertaining to the substance of the assessment):
  - (1) check the format of application documents;
  - (2) check, classify, and store documents submitted by the applicant, assessors, and research agency (excluding Item (1) of this paragraph);
  - (3) confirm the matters agreed upon between the applicant and the assessors (and the research agency as necessary);
  - (4) follow the procedure to appoint a new potential assessor after one resigns;
  - (5) send invoices related to the application;
  - (6) examine the format of a written assessment;
  - (7) send a written assessment;
  - (8) pay remuneration to the assessors; and
  - (9) make a report and recommendations for improvement on case management to the Case Managing Section.

## **Chapter VII Confidentiality**

### **(Confidentiality)**

#### **Article 18**

The procedures of the assessment and the records thereof shall not be published, and the assessors, candidate assessors, consultants who participate in the prior consultation, case managers, the Management Committee, officers of the Center and the staff members of the **Secretariat** as well as the parties and their agents shall not disclose or use the existence, specifics, and results of the assessment, unless consent is obtained from the applicant. The same shall apply after the aforementioned persons resign from their positions. However, if it is necessary for the purpose of education and research in connection with dispute resolution related to intellectual properties, the Center may disclose the same without identifying the details such as the applicant's name, the patent or utility model registration being applied for.

## **Supplementary Provisions**

These rules shall take effect from January 5, 2016.

Of the Patent Group provided for in Article 1, Paragraph 2, if the patents, patent applications, registered utility models, or applications for utility model registration in foreign countries (hereinafter the "Foreign Patents") do not accompany corresponding patents, patent applications, or registered utility models in Japan (hereinafter the "Corresponding Japanese Patents"), said Foreign Patents shall not be subject to these rules for the time being as an interim measure.

## **Supplementary Provision (September 6, 2016)**



These revised rules (revised provisions of Articles 2 and 3) shall take effect from September 6, 2016.

Application for Assessment of Contribution of Patents to Business

Date: \_\_\_\_\_, 20\_\_\_\_

To: The Japan Intellectual Property Arbitration Center

Applicant (\*Note 1)

Address (Residence):

Name (Trade Name):

(Representative):

[Seal]

Contact Person and Department

Name:

Telephone Number:

Fax Number:

Email Address:

Agent for Applicant (\*Note 2)

Address (or Residence):

Name of Patent Attorney (or Attorney-at-law):

[Seal]

Telephone Number:

Fax Number:

Email Address:

1. Purpose for Application

[Simplified Assessment / Detailed Assessment]    Phase [ 1 / 2 / 3 ]

is requested for the assessment of the contribution of each patent listed in the attached list of patents subject to Contribution Assessment with regard to the business described in the attached Description of Subject Business in Application (\*Note 3)

\* Select one from the choices in each [       ]

## 2. Description of Subject Business in Assessment

As per the attached Description of Subject Business in Application

## 3. Supporting Documents

- |                                                                                     |                          |
|-------------------------------------------------------------------------------------|--------------------------|
| (1) Duplicate copy of Application Form (*Note 4)                                    | 2 copies                 |
| (2) Description of Subject Business in Application                                  | 1 original, 2 duplicates |
| (3) Description of Technical Components Related to Subject Business for Application | 1 original, 2 duplicates |
| (4) List of patents subject to Contribution Assessment                              | 1 original, 2 duplicates |
| (5) Consent (*Note 5)                                                               | 1 original               |
| (6) Documentary evidence of qualification of representative (*Note 6)               | 1 original               |
| (7) Documentary evidence of the right of representation (*Note 7)                   | 1 original               |

(Note 1)

- 1) If the applicant is a corporation without an agent, enter the name of the person registered as the representative of the corporation in the certificate of registered qualification submitted as a supporting document and affix the seal of said representative. If the corporation is represented by an agent, the seal of the corporate representative of the applicant is not required.
- 2) If the applicant is a corporation, prepare all documents to be subsequently required, including consent regarding the results of patent search, by using the same representative's name as in 1) above and affix the representative's seal.

[Contact Person]

If the representative of the applicant is different from the contact person, make sure to include the contact information of the contact person. The name of the contact person will be used for making revisions in the format or content after the Application Form is received, and the seal of the representative will no longer be required.

(Note 2)

Only required if there is an agent. Enter the location where the agent can be contacted.

(Note 3) Refer to the sample document below.

(Note 4)

The Application Form must be submitted in electronic data in addition to one original copy and two duplicate copies in print form. In this regard, those among the supporting documents that can be digitized

should be recorded using the same electronic medium as much as possible. The submission of electronic medium can be accomplished by sending an email or CD-ROM (total of three including the original and duplicates). "Duplicate" means a copy or reproduction of the original (with a seal impression if the original requires it) and does not require a seal impression on itself. The number of duplicates should be equal to the number of assessors (2 copies).

(Note 5)

To be submitted after the consultative meeting with assessors. Duplicates are not required.

(Note 6)

To be submitted if the applicant is a corporation. Duplicates are not required.

(Note 7)

To be submitted if an agent is designated. Duplicates are not required. When the applicant is represented by two agents and if one certificate for the right of representation (power of attorney) covers two agents, one copy should be submitted. If there is a separate power of attorney for each agent, one copy for each agent (total of 2 copies) should be submitted.

\_\_\_\_\_, 20\_\_\_\_

### Description of Subject Business in Application

To: The Japan Intellectual Property Arbitration Center

Applicant: Company XXXX

Person in Charge: XXXX [Seal]

Agent: XXXX [Seal]

1. Name of Business: Food Service Industry Technology Research Association

2. Description of Subject Business in Application:

i) Overview

Company A, a general hardware manufacturer, Company B, a software vendor, Company C, a communications device manufacturer, and Company D, a restaurant management consultant, have each contributed patents and have had their researchers to form a technology research association in order to develop a new business targeting restaurants (restaurants, coffee shops, eateries, hotels, etc.) catering to middle-class clientele, and conducted joint research and development related to the new business for the "Store Operation System for Mid-Level Restaurant Operators."

The parties have jointly obtained patents on the results of their joint research.

Subsequently, the parties agreed to reorganize the technology research association to form Company W, which would be engaged in the manufacture, sales, lease, rental, and maintenance service for the store operation system, the product of their joint research and development.

ii) Description of Joint Research

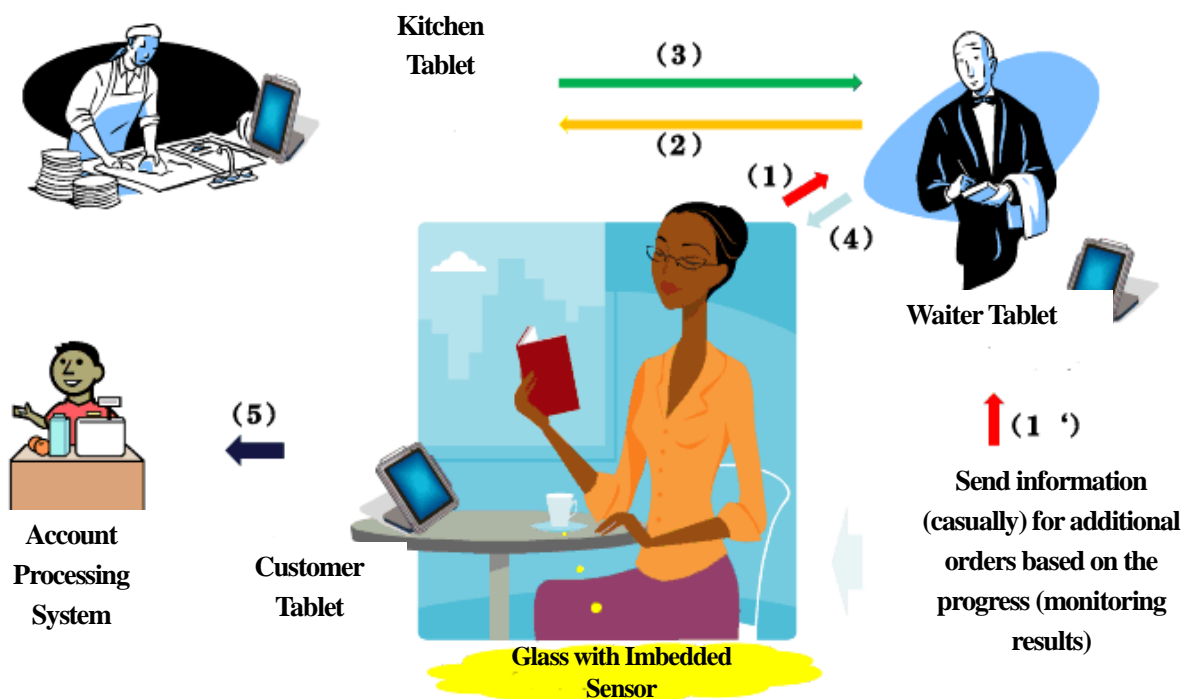
< Purpose >

There are problems that customers would face such as difficulties of having their orders taken when the store is crowded; obtaining an image of the prepared food and beverages from the menu; or knowing when their orders will be delivered to their table, as well as problems faced with by the mid-level restaurant operators such as that the existing ordering systems are too expensive and do not work with other systems with no scalability to meet the requirements of different store sizes, and that it is impossible to invest a lot of money in equipment or in on-site training. The joint research was designed to realize the following technologies and the commercialize them in order to resolve the problems described above.

- Technology that can be maintained and managed at a low cost, with the scalability to adjust to various food and beverages offered and to the size of the store, the versatility for greater and wider use; and greater compatibility with existing data, etc.; and
- Technology to present information that stimulates customer's desire to place additional orders.

< Store Operation Image >

- The customers will use a tablet associated with the table to view the contents displayed by GUI such as the "Images of Food and Beverages in Menu," the "Ingredients," and the timelength until service to the table before ordering (1). The progress can be checked as needed. No waitstaff is involved.
- The orders are displayed on the kitchen tablet along with the sequence of orders for food preparation (2).
- The readiness notice is sent from the kitchen tablet to the waiter tablet (3). The waiter tablet displays the food and beverages and the seating location of the customers to ensure that the food and beverages ordered by the customers are served to the correct tables (4).
- The food and beverages served to the customers such as a drink, for example, are equipped with a sensor and if the tilt angel of the glass increases, the sensor will detect that the glass is empty and the detected information is sent to the processing server, or otherwise, the waitstaff will use the waiter tablet to communicate the information to the processing server. The processing server will cause the customer tablet to display additional orders as appropriate depending on the situation (1').
- Processes from (1) to (4) will be repeated for additional orders that are placed.
- When leaving the store, the customers will use the customer tablet to pay the bill (5).



iii) Matters for Which Assessment is Requested

The assessment is requested so that the parties can determine the distribution of stock of Company W based on the contribution of the patents owned by each company to the business.

\_\_\_\_\_, 20\_\_\_\_

Description of Technical Components Related to Subject Business for Application

To: The Japan Intellectual Property Arbitration Center

Applicant: Company XXXX

Person in Charge: XXXX [Seal]

Agent: XXXX [Seal]

1. Description of Technical Components

a) GUI Technology

(Graphical User Interface)

A GUI for general-purpose tablet devices for customers, kitchen, and waiter, which is scalable depending on the size of the store. It has a unique way of presenting the information.

b) Monitoring Technology of Dining Progress

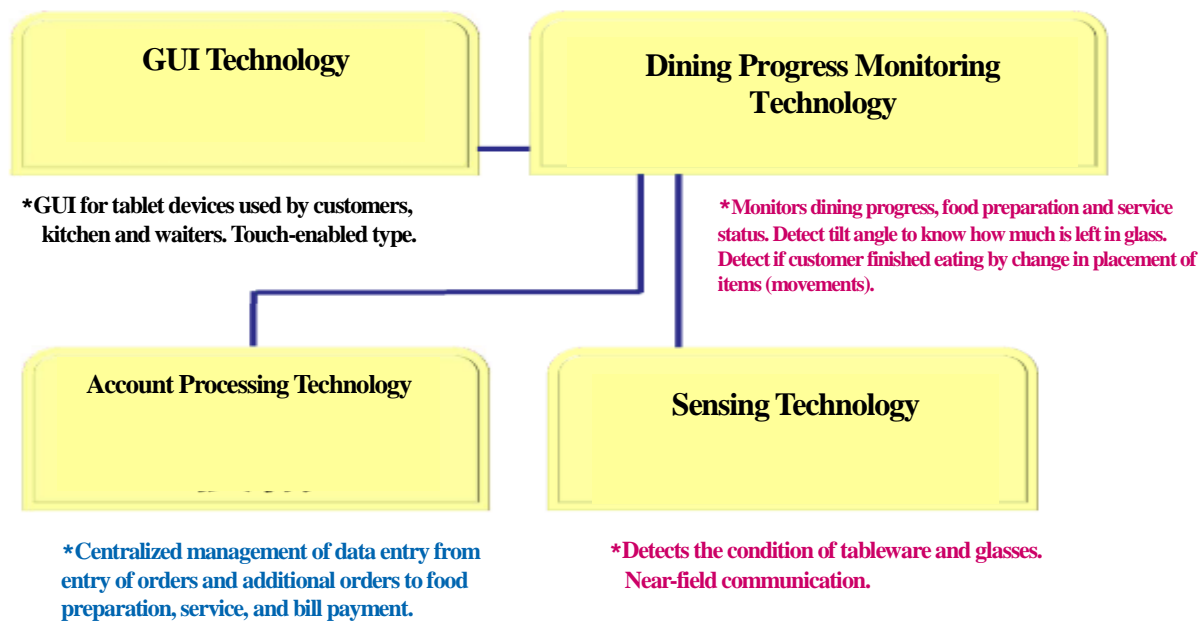
A general-purpose personal computer is used as the processing server running application software (hereinafter the "AP") that processes the orders and the state of dining progress, preparation of food, and service, as well as the information from the monitoring of the dining progress. It creates unique and appropriate contents for different situations and displays them through the GUI on the applicable tablet devices. In addition, it processes information gathered from the order histories of the customers for marketing purposes, which is used to offer food and beverages to other customers.

c) Sensing Technology

This technology detects the condition of the tableware and glasses, detects the dining progress of the customers in real time, and sends the results of detection to the processing server. Gyro sensors, etc., are used to detect the tilt angles and movements, and near-field communication (Bluetooth) modules are used that are available in miniature-size and for a small cost.

d) Account Processing Technology

This technology helps to seamlessly manage the processes from entering orders (including additional orders) to the completion of food preparation, the completion of service, and bill payment without re-entering the data.



## 2. Technology We Wish to Leverage for Competitive Advantage

### a) Core Technology

The technology that makes it possible to display in the menu of the customer tablets various images of the food and beverages in menu, ingredients, Haram images (Halal mark??), and the approximate waiting time before the food and beverages are served. In addition, without the waitstaff monitoring the dining progress, it can bring up the screen to suggest additional orders at the most optimal timing. Through the sensing technology, the processing server can detect the timing of when the customers may want to order additional food or drink, and casually suggest additional orders on the customer tablets.

The tablets for the kitchen and servers can communicate the progress status by a simple touch.

The seating location of the customers (including when they are reseated) can be detected by the sensing technology, and the current seating location is displayed on the waiter tablet based on the detection results.

### b) Quasi-Core Technology

The system configuration that has the flexibility to change the number of tablets and the menu items, etc., depending on the needs of the store, which will help prevent extra expenditures, and makes it possible to add more tablets during the peak hours and return them afterwards.

## 3. Weakness of Business

### a) Vulnerability-Causing Patents

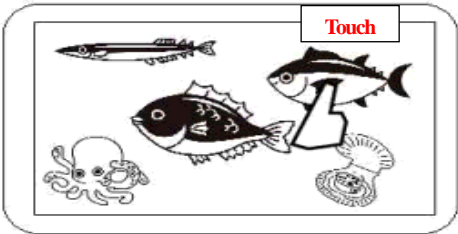
Through the process of Advisory Opinion on Operability (Phase 1), it was found that some vulnerability-causing patents (patents owned by Competitors X and Y) are involved in the business of Company W, and furthermore, it was found that those vulnerability-causing patents would affect the Core Technology of the business.

On the other hand, although they are not patents within the business scope of Company D, Company D owns Patents Px1 and Py1, the technical scope of which includes a service (online reservation)

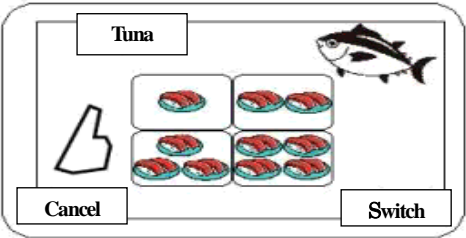


implemented by Competitors X and Y, and it was also found that cross-licensing would be possible with these Competitors.

## Competitor X (Conveyor Belt Sushi Restaurant)



Order sushi by touching the fish on the touch panel placed on the table.  
You can switch between different sets of detailed information. <Patented >



Online reservation technology is being implemented that may be affected by Patent Px1, a patent outside the business scope owned by Company D.

(Cross-licensing is possible)

## Competitor Y (Izakaya Operator)



Attachment-type Output Device  
for Refill Signal

Refill Signal



Beer mugs are equipped with a sensor. Based on the tilt angle, timing for a refill is anticipated so the customer can be prompted to order the next drink. <Patented>



Online reservation technology is being implemented that may be affected by Patent Py1, a patent outside the business scope owned by Company D.

(Cross-licensing is possible)

\_\_\_\_\_, 20\_\_\_\_

List of Patents Subject to Contribution Assessment

To: The Japan Intellectual Property Arbitration Center

Applicant: Company XXXX

Person in Charge: XXXX [Seal]

Agent: XXXX [Seal]

1. Division of Roles in Joint Research and Patents Owned

a) Company A Research G (abbreviation for Group)

- Responsible together with Company B Research G for the AP (Implementary Technology) used for the general-purpose tablet devices in conjunction with the GUI technology. Patent P01 was applied for on the basis of the research and development results and is shared with Company B.
- With respect to the monitoring technology of the dining progress, Company A collaborates with all other research groups, particularly in the area of processing related to the GUI technology (Implementary Technology). Patent P02 was applied for on the basis of the research and development results and is shared among all Companies.
- Owns background patents (registered) Pa1 - Pa4.

b) Company B Research G

- Responsible together with Company A Research G for AP (Implementary Technology) used for the general-purpose tablet devices in conjunction with the GUI technology. Patent P01 was applied for on the basis of the research and development results and is shared with Company A.
- With respect to the monitoring technology of the dining progress, Company B collaborates with all other research groups, particularly in the area of processing related to the sensing technology (Implementary Technology). Patent P02 was applied for on the basis of the research and development results and is shared among all Companies.
- With respect to the sensing technology, Company B is jointly responsible with Company C for the design of a waterproof, miniature communications device that can be attached to tableware. Patent P03 was applied for on the basis of the research and development results and is shared with Company C.
- Owns background patents (registered) Pb1 - Pb4.
- 

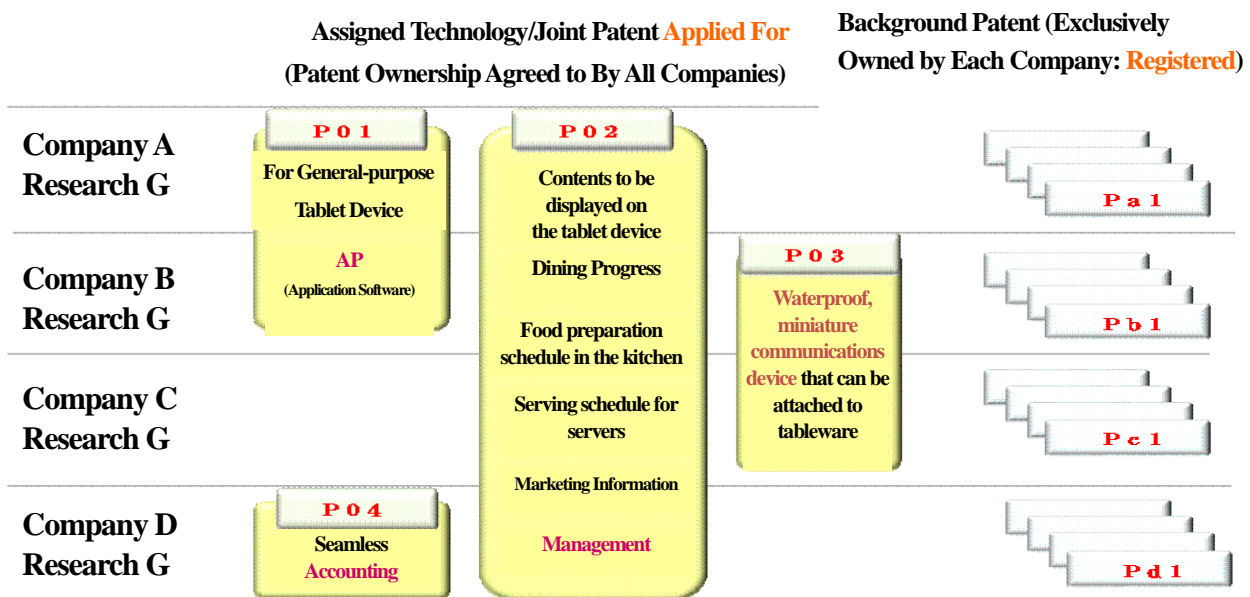
c) Company C Research G

- With respect to the monitoring technology of the dining progress, Company C collaborates with all other research groups, particularly in the area of processing related to the sensing technology (Implementary Technology). Patent P02 was applied for on the basis of the research and development results and is shared among all Companies.

- With respect to the sending technology, Company C is jointly responsible with Company B for the design of a waterproof, miniature communications device that can be attached to tableware. Patent P03 applied for on the basis of the research and development results is shared with Company B.
- Owns background patents (registered) Pc1 - Pc4.

d) Company D Research G

- With respect to the account processing technology, Company D is responsible for the technology that integrates with other technical components for seamless accounting. Patent P04 was applied for on the basis of the research and development results and is exclusively owned by Company D.
- With respect to the monitoring technology of the dining progress, Company D collaborates with all other research groups, particularly in the area of processing related to the account processing technology (Implementary Technology). Patent P02 was applied for on the basis of the research and development results and is shared among all Companies.
- Owns background patents (registered) Pd1 - Pd4.
- Owns Px1 and Py1 (registered) that can become Patents for Offense although they are outside of the business scope.



## 2. List of Patents

Patents that are subject to assessment and submitted by the applicant as patents related to the business of Company W are shown in the following table:

	Patent Number	Owner	Technical Field	Registered/ Unregistered	Country of Application	Remaining Period	Brocking Patent	Scope Covered by Claim
Joint Research	P01	A, B	GUI	Unregistered	PCT	15 yrs	Pa1	Implementary Technology Only
	P02	A, B, C, D	Monitoring Dining Progress	Unregistered	PCT	15 yrs	Pb1	Implementary Technology Only
	P03	C, D	Sensing	Unregistered	PCT	15 yrs	Pc1	Implementary Technology Only
	P04	D	Account Processing	Unregistered	PCT	15 yrs	-	Implementary Technology Only
Background	Pa1	A	GUI	Registered	Japan	7 yrs	P01	Implementary and Equivalent Technologies
	Pa2	A	Monitoring Dining Progress	Registered	Japan	5 yrs	-	Alternative Technology
	Pa3	A	GUI	Registered	Japan	4 yrs	-	Alternative Technology
	Pa4	A	GUI	Registered	Japan	4 yrs	-	Alternative Technology
	Pb1	B	Monitoring Dining Progress	Registered	Japan	5 yrs	P02	Implementary Equivalent, and Alternative Technology
	Pb2	B	GUI	Registered	Japan	5 yrs	-	Alternative Technology
	Pb3	B	Monitoring Dining Progress	Registered	Japan	10 yrs	-	Alternative Technology
	Pb4	B	Monitoring Dining Progress	Registered	Japan	4 yrs	-	Other Technology
	Pc1	C	Sensing	Registered	Japan	10 yrs	P03	Implementary and Equivalent Technologies
	Pc2	C	Sensing	Registered	Japan	7 yrs	-	Alternative Technology
	Pc3	C	Sensing	Registered	Japan	5 yrs	-	Alternative Technology
	Pc4	C	Sensing	Registered	Japan	5 yrs	-	Other Technology

	Patent Number	Owner	Technical Field	Registered/ Unregistered	Country of Application	Remaining Period	Blocking Patent	Scope Covered by Claim
	Pd1	D	Account Processing	Registered	Japan	5 yrs	-	Alternative Technology
	Pd2	D	Account Processing	Registered	Japan	5 yrs	-	Alternative Technology
	Pd3	D	Account Processing	Registered	Japan	5 yrs	-	Alternative Technology
	Pd4	D	Account Processing	Registered	Japan	5 yrs	-	Other Technology
Outside of Business	Px1	D	Online Ordering	Registered	Japan	10 yrs	-	Implementary Technology of Other Company
	Py1	D	Online Ordering	Registered	Japan	10 yrs	-	Implementary Technology of Other Company

(Form 1)

**Oath and Consent of Applicant for Contribution Assessment**

I, the applicant for Contribution Assessment (hereinafter the "Applicant"), hereby swear and consent to the following matters and submit the Application Form to the Japan Intellectual Property Arbitration Center (hereinafter the "Center"):

1. Applicant agrees to the Procedural Rules for Contribution Assessment of Patents to Business.
2. Applicant agrees that the assessors may represent a third party against Applicant in the future except in disputes involving the patents or registered utility models owned by Applicant whose contribution were assessed by the assessors.
3. Applicant agrees that the assessors, assessor candidates, consultants for prior consultation, case managers, Management Committee, President and staff members of the Secretariat (hereinafter the "Assessors, etc.") may disclose or use certain information, among the information concerning the existence, substance, and results of the Contribution Assessment, that was already known to them at the time of application or disclosed either before or after the application.

In witness whereof, Applicant has prepared one copy of the written oath and consent of the Applicant for Contribution Assessment, and submits the same to the Center along with the documents set forth in Article 5 of the R Procedural Rules for Contribution Assessment of Patents to Business at the time of application for Contribution Assessment.

\_\_\_\_\_, 20\_\_\_\_\_

Applicant: \_\_\_\_\_

To: The Japan Intellectual Property Arbitration Center and Concerned Parties

Case Number: Year \_\_\_\_\_ (Assessment) No. \_\_\_\_\_

Case Title: Application for Contribution Assessment (Case No. )

#### Declaration of Impartiality, Independence, and Neutrality

I hereby make the following declaration concerning the duties that I perform as evaluator in the above-referenced case of application for Contribution Assessment (hereinafter the "Application")

1. I maintain a position of independence and neutrality in relation to the applicant or those designated by the applicant as third parties with conflicts of interest in the Designation of Specific Interested Parties with respect to the Application (hereinafter the "Specific Interested Parties").
2. I shall faithfully perform my duties as an independent and neutral person.
3. If I become aware of any circumstances that raise or potentially raise a question as to my impartiality, independence, and neutrality (circumstances for impairment below), I shall immediately disclose said circumstances.
4. With the understanding that the circumstances described below are likely to impair my impartiality, independence, and neutrality, I
  - ☐ confirm that none of them are applicable to me.
  - ☐ make a disclosure that paragraph \_\_\_\_ is applicable to me as set out in the Attachment.  
(Note: Check one of the boxes above. If applicable, please fill out the attachment.)

\_\_\_\_\_, 20\_\_\_\_\_

Evaluator: \_\_\_\_\_ [Seal]

#### Circumstances Likely to Impair Impartiality, Independence, and Neutrality

1. I am currently or have been in the last five years a director, advisor, employee, or agent of any one of the right holders of inventions or devices of others (hereinafter the "Other Inventions") that need to be examined for any potential to affect the Applicant, Specific Interested Parties or Subject Business for Assessment.



2. I was consulted by the Applicant, Specific Interested Parties or right holders of Other Inventions for a fee or with the purpose of receiving a fee, and I am in fact acting or have acted as an agent in the last five years in a negotiation, settlement, mediation, arbitration, lawsuit, and other proceedings.
3. I was consulted by the Applicant, Specific Interested Parties or right holders of Other Inventions concerning intellectual property such as patents, for a fee or with the purpose of receiving a fee, and I am in fact acting or have acted as an agent in the last five years in the appraisal, negotiation, or procedures and applications with the Patent Office.
4. I have been provided with unpublished information regarding the rights of the applicant or the Other Inventions related to Subject Business for Application.
5. One of the preceding four paragraphs applies to an attorney-at-law or patent attorney in the firm which I belong to.
6. Either the Applicant or one of the Specific Interested Parties or right holders of the Other Inventions (or the representative if it is a corporation) is a blood relative within the fourth degree of kinship, a relative by marriage within the third degree of kinship, or a relative living in the same residence.
7. Paragraph 1 is applicable to a relative by blood within the third degree of kinship, a relative by marriage within the second degree of kinship or a relative living in the same residence.

Case Number: Year\_\_\_\_\_ (Assessment) No.\_\_\_\_\_

Case Title: Application for Contribution Assessment (Case No. )

Disclosure of Circumstances Likely to Impair Impartiality, Independence, and Neutrality

Paragraph \_\_\_\_ of the circumstances that are likely to impair impartiality, independence, and neutrality described in the Declaration of Impartiality, Independence, and Neutrality is applicable to me as it pertains to the above-referenced case. The circumstances are as follows:

Notwithstanding the above, I believe that I am qualified to conduct the Assessment in an impartial, independent, and neutral manner as assessor for the above-referenced case. The reasons are as follows:

Evaluator: \_\_\_\_\_

To: The Japan Intellectual Property Arbitration Center and Concerned Parties

Case Number: Year \_\_\_\_\_ (Assessment) No. \_\_\_\_\_

Case Title: Application for Contribution Assessment (Case No. )

### Declaration of Impartiality, Independence, and Neutrality

I hereby make the following declaration concerning the duties that I perform as case manager for the above-referenced case of application for contribution assessment (hereinafter the "Application")

1. I maintain a position of independence and neutrality in relation to the applicant or those designated by the applicant as third parties with conflicts of interest in the Designation of Specific Interested Parties with respect to the Application (hereinafter the "Specific Interested Parties").
2. I shall faithfully perform my duties as an independent and neutral person.
3. If I become aware of any circumstances that raise or potentially raise a question as to my impartiality, independence, and neutrality (circumstances for impairment below), I shall immediately disclose said circumstances.
4. With the understanding that the circumstances described below are likely to impair my impartiality, independence, and neutrality, I
  - ☐ confirm that none of them are applicable to me.
  - ☐ make a disclosure that paragraph \_\_\_\_ is applicable to me as per the attachment.  
(Note: Check one of the boxes above. If applicable, please fill out the attachment.)

\_\_\_\_\_, 20\_\_\_\_\_

Case Manager: \_\_\_\_\_ [Seal]

### Circumstances Likely to Impair Impartiality, Independence, and Neutrality

1. I am currently or have been in the last five years a director, advisor, employee, or agent of any one of the right holders of inventions or devices of others (hereinafter the "Other Inventions") that need to be examined for any potential to affect the applicant, Specific Interested Parties or Subject Business for Assessment.

2. I was consulted by the Applicant, Specific Interested Parties or right holders of Other Inventions for a fee or with the purpose of receiving a fee, and I am in fact acting or have acted as an agent in the last five years in a negotiation, settlement, mediation, arbitration, lawsuit, and other proceedings.
3. I was consulted by the Applicant, Specific Interested Parties or right holders of Other Inventions concerning intellectual property such as patents, for a fee or with the purpose of receiving a fee, and I am in fact acting or have acted as an agent in the last five years in the appraisal, negotiation, or procedures and applications with the Patent Office.
4. I have been provided with unpublished information regarding the rights of the Applicant or the Other Inventions related to Subject Business for Application.
5. One of the preceding four paragraphs applies to an attorney-at-law or patent attorney in the with the firm which I belong to.
6. Either the Applicant or one of the Specific Interested Parties or right holders of the Other Inventions (or the representative if it is a corporation) is a blood relative within the fourth degree of kinship, a relative by marriage within the third degree of kinship, or a relative living in the same residence.
7. Paragraph 1 is applicable to a relative by blood within the third degree of kinship, a relative by marriage within the second degree of kinship or a relative living in same residence.

Case Number: Year\_\_\_\_\_ (Assessment) No.\_\_\_\_\_

Case Title: Application for Contribution Assessment (Case No. )

Disclosure of Circumstances Likely to Impair Impartiality, Independence, and Neutrality

Paragraph \_\_\_\_ of the circumstances that are likely to impair impartiality, independence, and neutrality described in the Declaration of Impartiality, Independence, and Neutrality is applicable to me as it pertains to the above-referenced case. The circumstances are as follows:

Notwithstanding the above, I believe that I am qualified to conduct the Assessment in an impartial, independent, and neutral manner as contribution assessment case manager for the above-referenced case. The reasons are as follows:

Case Manager:\_\_\_\_\_

(Form 4)

[Explanation of Matters Specified Upon Consultation]

Case Number: Year\_\_\_\_\_ (Assessment) No.\_\_\_\_\_

Case Title: Application for Contribution Assessment (Case No. )

1. Type of Contribution Assessment

(1) Type of Assessment

Upon the consultative meeting with the applicant, a decision is made to conduct the following assessment.

Contribution Assessment Phase 1 Simplified Assessment/Detailed Assessment

Contribution Assessment Phase 2 Simplified Assessment/Detailed Assessment

Contribution Assessment Phase 3 Simplified Assessment/Detailed Assessment

(2) Presentation Method of Assessment Results

1) Contribution of each patent only

2) Contribution of each right holder in addition to 1).

\* Enter the type of assessment and presentation method of the assessment results that you ultimately agreed upon based on the content of the Application Form and the discussions during the consultative meeting.

2. Identification of Subject Business for Assessment and Subject Products for Assessment

(1) Subject Business for Assessment

(2) Subject Products, etc. for Assessment

\* Identify the Subject Products, etc. for Assessment after an explanation is received pertaining to the "Description of Subject Business in Application."

3. Identification of Technical Components and Importance thereof in Subject Business for Assessment

(1) Technical Components

\* If it is necessary to break down the Technical Components identified by the applicant, proceed with doing so upon obtaining consent from the applicant during the consultative meeting.

(2) Importance, etc., of the Technical Components in the Subject Business for Assessment

1) Importance of each Technical Component in the Subject Business for Assessment

Technical Component	[K1= Importance]
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A	0.3
---	-----

B	0.2
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-	-
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-	-
---	---

-	-
---	---

$$*\sum K_1 = 1$$

\* The applicant will specify K1.

2) The ratio a patent accounts for in the Technical Components	
[Technical Component]	[K2 = Patent/(Patent+Know-How, etc.)]
A	0.5
B	0.75
-	-
-	-
-	-

$$* 0 < K_2 \leq 1$$

\* The applicant will specify K2.

#### 4. Identification of Core Technology, Quasi-Core Technology, and Non-Core Technology

(1) Core Technology

(2) Quasi-Core Technology

(3) Non-Core Technology

(4) Importance of Core Technology, Quasi-Core Technology, and Non-Core Technology in the Subject Business for Assessment

[K3=Technical Importance]	
Core Technology	7-10
Quasi-Core Technology	4-7
Non-Core Technology	1-4

\* Apply the above values if K3 is specified by the applicant.

\* Consent should be obtained during the consultative meeting as to whether the values should have a range, as well as the way to specify the values when there is a range.

#### 5. Identification of Implementary Technology, Equivalent Technology, Alternative Technology and Patents for Offense

(1) Identify Technologies

[Technology Component A]

1) Implementary Technology

2) Equivalent Technology

3) Alternative Technology

[Technology Component B]

1) Implementary Technology

2) Equivalent Technology

3) Alternative Technology

-

-

-

\* Identification of 3) is not required for Contribution Assessment Phase 1

(2) Patents for Offense

1) Vulnerable Patents

\* Vulnerable patents need not be identified.

2) Vulnerable Technologies (technologies that will be saved by Patents for Offense)

6. Individual Circumstances in countries where Subject Business for Assessment and Subject Products, etc. for Assessment will be executed or produced.

\* Seek explanation from the applicant as necessary.

7. Content of the List of Patents Subject to Assessment

\* Seek explanation from the applicant as necessary regarding the progress and whether there is a corresponding application filed in foreign countries.

8. Schedule for Next Consultative Meeting

(1) Date and Time

\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_AM/PM

(2) Place

(3) Materials to have ready for the next meeting

\* If there is inadequate information on specific matters at the first consultative meeting, set the day of the second meeting with the request that the materials, etc., be ready to be brought in.

9. Scheduled Date to Send Written Assessment

\_\_\_\_\_, 20\_\_\_\_

\* To be determined following the second meeting if a second meeting is scheduled.

We, the undersigned, hereby agree to the foregoing in its entirety.

\_\_\_\_\_, 20\_\_\_\_

Attorney-at-law/Evaluator

[Seal]

Patent Attorney/Evaluator

[Seal]

Person in Charge for Applicant

[Seal]



\* [Sample of Explanation of Matters Specified Upon Consultation]

Case Title: Year\_\_\_\_\_ (Assessment ) No.\_\_\_\_\_

1. Type of Contribution Assessment

(1) Type of Assessment

Upon the consultative meeting with the applicant, a decision is made to conduct the following assessment.

Contribution Assessment Phase 3 Detailed Assessment

(2) Presentation Method of Assessment Results

1) Contribution of each patent only

2) Contribution of each right holder in addition to 1).

2. Identification of Subject Business for Assessment and Subject Products, etc. for Assessment

(1) Subject Business for Assessment

Store Operation System for Mid-Level Restaurant Operators

The details will be specified based on the matters contained in the "Description of Subject Business in Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

(2) Subject Products, etc. for Assessment

Tablet devices, glasses with embedded sensors, server for the store, application software, etc.

The details will be specified based on the matters contained in the "Description of Subject Business in Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

3. Identification of Technical Components and Importance in Subject Business for Assessment

(1) Technical Components

a) GUI Technology

b) Monitoring Technology of Dining Progress

c) Sensing Technology

d) Account Processing Technology

The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

(2) Importance, etc., of Technical Components in Subject Business for Assessment

1) Importance of each Technical Component in the Subject Business for Assessment

[Technical Component]	[K1= Importance]
(a) GUI Technology	13/43
(b) Monitoring Technology of Dining Progress	16/43
(c) Sensing Technology	10/43
(d) Account Processing Technology	4/43

2) The ratio a patent accounts for in the Technical Components

[Technical Component]	[K2 = Patent/(Patent+Know-How, etc.)]
(a) GUI Technology	1.0
(b) Monitoring Technology of Dining Progress	1.0
(c) Sensing Technology	1.0
(d) Account Processing Technology	1.0

4. Identification of Core Technology, Quasi-Core Technology, and Non-Core Technology

(1) Core Technology

The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

(2) Quasi-Core Technology

The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

(3) Non-Core Technology

The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

(4) Importance of Core Technology, Quasi-Core Technology, and Non-Core Technology in Subject Business for Assessment

[K3=Technical Importance]

Core Technology	8-10
Quasi-Core Technology	5-7
Non-Core Technology	2-4

5. Identification of Implementary Technology, Equivalent Technology, Alternative Technology and Patents for Offense

(1) Identify Technologies

- a) GUI Technology
- b) Monitoring Technology of Dining Progress
- c) Sensing Technology
- d) Account Processing Technology

The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

(2) Patents for Offense

1) Vulnerable Patents

The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-

-  
-

2) Vulnerable Technologies (technologies that will be saved by Patents for Offense)  
The details will be specified based on the matters contained in the "Description of Technical Components Related to Subject Business for Application" as well as the following matters:

Matters specified at the time of consultative meeting 1)

Matters specified at the time of consultative meeting 2)

-  
-  
-

6. Individual Circumstances in countries where Subject Business for Assessment and Subject Products for Assessment will be executed or produced.

Fast food stores will not be the subject of our focus.

-  
-  
-

7. Content of the List of Patents Subject to Assessment  
\* Matters to be confirmed in the "List of Patents Subject to Contribution Assessment".

8. Schedule for Next Consultative Meeting

(1) Date and Time

\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM

(2) Place

(3) Materials to have ready for the next meeting

9. Scheduled Date to Send Written Assessment

60 days following the conclusion of the second consultative meeting.

We, the undersigned, hereby agree to the foregoing in its entirety.

\_\_\_\_\_, 20\_\_\_\_\_

Attorney-at-law/Evaluator [Seal]

Patent Attorney/Evaluator [Seal]

Person in Charge for Applicant [Seal]