

(NOTE) The English translations of the Japanese Act and Order (extract) as set forth below are tentative, and only the original Japanese texts have legal effect. These translations are to be used solely as a reference to aid in the understanding of the Japanese Act and Order.

Order for Enforcement of the Customs Act

(Cabinet Order No. 150 of June 19, 1954)

Latest Revision: Cabinet Order No. 127 of March 31, 2017

Section 4 Goods the exportation or importation of which is prohibited

Subsection 1 Goods the exportation of which is prohibited

(Verification procedures pertaining to goods the exportation of which is prohibited)

Article 62-2. The Director General of Customs shall, in verification procedures provided for in paragraph (1) of Article 69-3 (Verification procedures pertaining to goods the exportation of which is prohibited) of the Act (hereinafter in this Article referred to as “verification procedures”), provide a patentholder or other right holder pertaining to the goods subject to verification procedures (hereinafter in this Article, paragraph (1) of Article 62-12 and Article 62-13 referred to as “suspect goods”) and a person who exports such suspect goods (hereinafter in this Article referred to as “exporter”) with opportunities to produce evidence and state their opinions as to whether such suspect goods do or do not fall under those goods set forth in item (iii) or (iv) of paragraph (1) of Article 69-2 (Goods the exportation of which is prohibited) of the Act (a “patentholder or other right holder” as used in this paragraph means a holder of a patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, plant breeder’s right, or a person who has the right to seek an injunction against unfair competition (i.e., a person referred to in paragraph (1) of Article 69-3 of the Act; the same applies in the next paragraph, item (iv) of paragraph (3) of this Article and paragraph (2) of Article 62-12)).

(2) In cases where the evidence produced pursuant to the provision of the preceding paragraph and any other evidence employed in the verification procedures are taken as a basis for verification referred to in paragraph (5) of Article 69-3 of the Act, the Director General of Customs shall provide a patentholder or other right holder pertaining to the

verification procedures (i.e., a holder of a patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, plant breeder's right, or a person who has the right to seek an injunction against unfair competition (in the next paragraph and in item (ii) of paragraph (4) collectively referred to as "right holder")) or an exporter pertaining to the verification procedures with the opportunity to state his opinion with respect to such evidence.

(3) A notification to a right holder as prescribed in paragraphs (1) and (2) of Article 69-3 of the Act shall be issued in writing, stating the following matters:

(i) the description of suspect goods;

(ii) the names and addresses of an exporter and consignee of suspect goods;

(iii) the details of the patent right, utility model right, design right, trademark right, copyright, copyright neighboring right or plant breeder's right (in the next Article collectively referred to as "right") pertaining to suspect goods (limited to those suspect goods placed under the verification procedures pertaining to goods set forth in item (iii) of paragraph (1) of Article 69-2 of the Act);

(iv) the details of indication of goods, etc., the details of configuration of goods or the details of technological restriction measures (i.e., the indication of goods, etc., configuration of goods or technological restriction measures as provided for in item (i), (ii), (iii), (xi) or (xii) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act (Act No. 47 of 1993) pertaining to a person who has the right to seek an injunction against unfair competition; the same applies in item (ii) of the next Article) pertaining to suspect goods (limited to those placed under the verification procedures for goods set forth in item (iv) of paragraph (1) of Article 69-2 of the Act);

(v) the reason for initiating verification procedures;

(vi) in the case where application prescribed in paragraph (1) of Article 69-4 (Procedures for application pertaining to goods the exportation of which is prohibited, etc.) of the Act has been accepted, if the verification procedures pertaining to the application are initiated, such fact;

(vii) that the right holder may produce evidence and state his opinion to demonstrate that the suspect goods fall under those set forth in item (iii) or (iv) of paragraph (1) of Article 69-2 of the Act, and the time limit therefor;

(viii) in the case where application prescribed in paragraph (1) of Article 69-4 of the Act has been accepted, if the verification procedures pertaining to the application are initiated, that the suspect goods may be inspected by making application within the time limit referred to in the preceding item;

(ix) any other relevant matters.

(4) A notification to an exporter as prescribed in paragraphs (1) and (2) of Article 69-3 of the Act shall be issued in writing, stating the following matters:

(i) the description and quantity of suspect goods, and the date of an export declaration of such goods (in the case where the suspect goods are postal items provided for in paragraph (1) of Article 76 (Simplified procedures for exportation or importation of postal items) of the Act, the date of presentation prescribed in paragraph (3) of the said Article);

(ii) the name and address of a right holder;

(iii) that an exporter may produce evidence and state his opinion to demonstrate that the suspect goods do not fall under the goods set forth in item (iii) or (iv) of paragraph (1) of Article 69-2 of the Act, and the time limit therefor;

(iv) that the suspect goods may be confiscated and disposed of pursuant to the provision of paragraph (2) of Article 69-2 of the Act, if they are verified to fall under those set forth in item (iii) or (iv) of paragraph (1) of the said Article;

(v) where an application prescribed in paragraph (1) of Article 69-4 of the Act has been accepted, if the verification procedures pertaining to such application are initiated, that a person who has filed such application or an exporter (excluding an exporter who may inspect the suspect goods pursuant to the provision of paragraph (1) of Article 40 of the Act (including the case where applied *mutatis mutandis* pursuant to Article 49 of the Act)) may inspect the suspect goods by making application within the time limit referred to in item (iii);

(vi) the matters set forth in items (iii) to (vi) and (ix) of the preceding paragraph.

(5) A notification prescribed in paragraph (3) of Article 69-3 of the Act shall be made in writing.

(Procedures for filing an application pertaining to goods the exportation of which is prohibited)

Article 62-3. A person who makes an application prescribed in paragraph (1) of Article 69-4 (Procedures, etc. for filing an application pertaining to goods the exportation of which is prohibited) of the Act shall file with the Director General of Customs a written application stating the matters set forth in the following, accompanied by the evidence provided for in the said paragraph:

(i) the details of his right (limited to the case where the application relates to the goods set forth in item (iii) of paragraph (1) of Article 69-2 (Goods the exportation of which is prohibited) of the Act);

(ii) the details of indication of goods, etc., the details of configuration of goods or the

details of technological restriction measures (limited to the case where the application relates to the goods set forth in item (iv) of paragraph (1) of Article 69-2 of the Act);

(iii) the description of goods alleged to infringe his right or business interests (i.e., the business interests pertaining to goods set forth in item (iv) of paragraph (1) of Article 69-2 of the Act, which are apparently infringed by the acts provided for in the said item; the same applies in the next item);

(iv) the reason why the goods referred to in the preceding item are alleged to infringe his right or business interests;

(v) the desired period of time for which the application provided for in paragraph (3) of Article 69-4 of the Act is effective (such period of time shall be within four years);

(vi) any other relevant matters.

(Provision of opportunities to conduct inspection pertaining to goods the exportation of which is prohibited)

Article 62-4. A person who intends to conduct inspection prescribed in paragraph (4) of Article 69-4 (Procedures, etc. for filing an application pertaining to goods the exportation of which is prohibited) of the Act shall, within the time limit referred to in item (vii) of paragraph (3) or item (iii) of paragraph (4), of Article 62-2, file a written application for inspection with the Director General of Customs, accompanied by a copy of a written notification referred to in paragraph (3) or (4) of the said Article.

(Procedures for seeking opinions of technical advisers with respect to an application for export suspension)

Article 62-5. The Director General of Customs shall, if he seeks opinions of the technical advisers pursuant to the provision of Article 69-5 (Seeking opinions of technical advisers with respect to an application for export suspension) of the Act, deliver to the technical advisers a document stating that fact and the reason therefor, accompanied by the materials concerning the goods pertaining to the application and any other materials that may serve as a reference for the technical advisers.

(Procedures for providing, pursuant to the order of the Director General of Customs, deposit pertaining to goods the exportation of which is prohibited)

Article 62-6. A person who has filed an application prescribed in paragraph (1) of Article 69-4 (Procedures, etc. for filing an application pertaining to goods the exportation of which is prohibited) of the Act and has been ordered to provide monetary deposit pursuant to the provision of paragraph (1) or (2) of Article 69-6 (Deposit, etc.

pertaining to an application for export suspension) of the Act (in the next Article referred to as “applicant ordered to deposit”) shall, if he has provided such deposit (including the deposit of securities prescribed in paragraph (3) of Article 69-6 of the Act), submit an authenticated copy of certificate of deposit to the Director General of Customs without delay.

(2) When an authenticated copy of certificate of deposit prescribed in the preceding paragraph has been submitted, the Director General of Customs shall deliver without delay a document stating that fact and a copy of the authenticated copy of certificate of deposit to a person who exports the goods which have caused such deposit to be provided.

(Details of contract, etc. provided in lieu of deposit, pertaining to goods the exportation of which is prohibited)

Article 62-7. In cases where an applicant who is required to provide a deposit enters into a contract referred to in paragraph (5) of Article 69-6 (Deposit, etc. pertaining to an application for export suspension) of the Act, such contract shall be entered into, as its counterparty, with a bank, credit union (Shinkin bank), insurance company or other financial institution which is established in Japan and has been approved by the Director General of Customs (in item (i) and paragraph (3), simply referred to as “financial institution”), and shall meet the following requirements:

(i) that the financial institution shall, for the applicant ordered to deposit, pay, within the amount of money which he has been ordered to deposit by the Director General of Customs, the exporter the amount of money indicated in the document delivered at the request of the exporter, that is the document which confirms that the exporter having the right to claim for damages provided for in paragraph (1) of Article 69-6 of the Act against the said applicant has the right to claim payment of money against the financial institution;

(ii) that the contract shall cease to be effective at the time of rescission of the contract with the approval of the Director General of Customs;

(iii) that rescission of the contract or any modification thereto cannot be made without the approval of the Director General of Customs.

(2) When an applicant ordered to deposit has entered into a contract referred to in paragraph (5) of Article 69-6 of the Act (including the case where the contract has been modified with the approval of the Director General of Customs), he shall submit to the Director General of Customs a document stating that fact, together with a copy of such contract.

(3) When the document and a copy of the contract have been submitted to the Director General of Customs under the preceding paragraph, he shall without delay deliver to the person who exports goods which have caused such contract to be entered into, a document stating that fact, the name and address of the financial institution (i.e., the counterparty of the contract) and the amount of money specified in the contract.

(4) Where the document and a copy of the contract have been submitted to the Director General of Customs under paragraph (2), if he is sought, from an exporter who has the right to claim for damages provided for in paragraph (1) of Article 69-6 of the Act against an applicant (i.e., an applicant ordered to deposit, who has entered into a contract referred to in the said paragraph), confirmation of the exporter's right to claim for damages and the amount of money covered by his right to claim for damages, and if the Director General of Customs finds, based on a certified copy of court decision, a document evidencing settlement or the like, that such exporter's request is duly substantiated, he shall deliver to that exporter a document confirming the exporter's right to claim for damages and the amount of money covered by such right.

(Procedures for exercise of right pertaining to goods the exportation of which is prohibited)

Article 62-8. An exporter who has the right provided for in paragraph (6) of Article 69-6 (Deposit, etc. pertaining to an application for export suspension) of the Act (hereinafter in this Article simply referred to as "right") may make an application for the exercise of right to the Director General of Customs.

(2) Where an application referred to in the preceding paragraph is made, if the Director General of Customs finds, based on a certified copy of court decision, a document evidencing settlement or the like, that such application is duly substantiated, he shall deliver to the exporter who has made such application a document confirming the exporter's right.

(3) Where deposit has been provided by means of securities, the Director General of Customs may, if it is necessary for the exercise of right, convert such securities to cash. In that event, the charges necessary for conversion shall be deducted from the amount so converted.

(4) In addition to the matters provided for in the preceding three paragraphs, any other necessary matters concerning the exercise of right shall be prescribed by the Ordinance of the Ministry of Justice and the Ministry of Finance.

(Procedures for application for approval of recovery of deposit, etc. pertaining to goods

the exportation of which is prohibited)

Article 62-9. A person who seeks an approval referred to in item (iv) of paragraph (8) of Article 69-6 (Deposit, etc. pertaining to an application for export suspension) of the Act shall submit to the Director General of Customs a document stating his request for approval referred to in the said item, accompanied by a copy of a written contract pertaining to the contract referred to in paragraph (5) of the said Article.

(2) A person who seeks an approval referred to in item (v) of paragraph (8) of Article 69-6 of the Act shall provide another deposit in lieu of the deposit actually provided, and shall thereafter submit to the Director General of Customs a document stating his request for approval referred to in the said item and the reason therefor, together with an authenticated copy of the certificate of deposit pertaining to such another deposit.

(Procedures for seeking opinion pertaining to goods the exportation of which is prohibited)

Article 62-10. A person who seeks the opinion as prescribed in paragraph (1) of Article 69-7 (Seeking the opinion pertaining to goods the exportation of which is prohibited, etc.) of the Act (hereinafter in this Article and the items of paragraph (1) of the next Article referred to as “request for seeking opinion”) shall submit to the Director General of Customs a document stating the matters set forth in the following items, accompanied by, in the case where a person who makes the request for seeking such opinion is a patentholder or other right holder provided for in paragraph (1) of Article 69-7 of the Act, the materials which may clarify the specific conditions of goods or processes deemed to compose the acts of infringing his patent right, utility model right or design right of the goods pertaining to such request or the specific conditions of goods deemed to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act (excluding the acts specified in item (vii) of paragraph (1) of Article 19 (Exclusion from application, etc.) of the said Act), or in the case where a person who makes the request for seeking such opinion is an exporter provided for in paragraph (1) of Article 69-7 of the Act, the materials which may clarify the specific conditions of goods or processes deemed not to compose the acts of infringing the patent right, utility model right or design right of the patentholder or other right holder provided for in the said paragraph with respect to the goods pertaining to such request or the specific conditions of goods deemed not to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act:

(i) the date of notification provided for in paragraph (1) of Article 69-7 of the Act;

- (ii) if he has been notified that the period until the day on which 10 working days elapse as provided for in paragraph (1) of Article 69-7 of the Act has been extended pursuant to the provision of the said paragraph, that fact;
- (iii) the fact that he makes a request for seeking the opinion and the reason therefor;
- (iv) any other relevant matters.

(Procedures for seeking the opinion of the Minister of Economy, Trade and Industry, etc. pertaining to goods the exportation of which is prohibited)

Article 62-11. The Director General of Customs shall, if he seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provision of paragraph (2) of Article 69-7 (Seeking the opinion pertaining to goods the exportation of which is prohibited, etc.) of the Act, submit to the said Minister or the Commissioner a document stating that fact and the document specified in each of the following items for the category of the cases as set forth respectively therein, accompanied by a copy of the document submitted pursuant to the provision of the preceding Article, the materials provided for in the said Article and any other materials that may serve as a reference for the said Minister or the Commissioner:

- (i) where a person who makes a request for seeking opinion is a patentholder or other right holder provided for in paragraph (1) of Article 69-7 of the Act: a document stating the specific conditions of goods or processes which are deemed to compose the acts of infringing his patent right, utility model right or design right of the goods pertaining to such request and which have been identified by the Director General of Customs or the specific conditions of goods which are deemed to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act and which have been identified by the Director General of Customs;
- (ii) where a person who makes a request for seeking opinion is an exporter provided for in paragraph (1) of Article 69-7 of the Act: a document stating the specific conditions of goods or processes which are deemed not to compose the acts of infringing the patent right, utility model right or design right of the patentholder or other right holder with respect to the goods pertaining to such request and which have been identified by the Director General of Customs or the specific conditions of goods which are deemed not to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and which have been identified by the Director General of Customs.

(2) The Director General of Customs shall, if he seeks the opinion of the Minister of

Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provision of paragraph (9) of Article 69-7 of the Act, submit to the said Minister or the Commissioner a document stating that fact, the reason therefor and the specific conditions of goods or processes which are deemed to compose the acts of infringing the patent right, utility model right or design right of the patentholder or other right holder pertaining to his request for the opinion, as provided for in paragraph (1) of Article 69-7 of the Act and which have been identified by the Director General of Customs or the specific conditions of goods which are deemed to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and which have been identified by the Director General of Customs, accompanied by the materials that may clarify such specific conditions and other materials that may serve as a reference for the said Minister or the Commissioner.

(3) The Director General of Customs shall, prior to seeking the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provision of paragraph (2) or (9) of Article 69-7 of the Act, provide the patentholder or other right holder and the exporter concerned, as provided for in paragraph (1) of the said Article, with the opportunity to state their opinions with respect to the materials provided for in the preceding two paragraphs.

(Procedures, etc. for seeking the opinion of the Minister of Agriculture, Forestry and Fisheries, etc. in verification procedures pertaining to goods the exportation of which is prohibited)

Article 62-12. If the Director General of Customs seeks the opinion of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry pursuant to the provision of paragraph (1) of Article 69-8 (Seeking the opinion of the Minister of Agriculture, Forestry and Fisheries, etc. in verification procedures pertaining to goods the exportation of which is prohibited) of the Act, he shall submit to the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry, as the case may be, a document stating that fact and the reason therefor, accompanied by the materials concerning the suspect goods concerned and any other materials that may serve as a reference for the Minister concerned.

(2) The Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry may, if he finds it necessary in order to provide his opinion pursuant to the provision of paragraph (2) of Article 69-8 of the Act, hear the opinions of the holder of a plant breeder's right, of the person who has the right to seek an injunction against unfair competition or of the person who exports the goods concerned, as

provided for in paragraph (3) of the said Article, of other person concerned or of the person having academic background and experience, as the case may be. In this case, necessary procedures and any other relevant matters shall be prescribed by the Ordinance of the Ministry of Agriculture, Forestry and Fisheries or by the Ordinance of the Ministry of Economy, Trade and Industry.

(Procedures for seeking the opinions of technical advisers in verification procedures pertaining to goods the exportation of which is prohibited)

Article 62-13. In cases where the Director General of Customs seeks the opinions of technical advisers pursuant to the provision of Article 69-9 (Seeking the opinions of technical advisers in verification procedures pertaining to goods the exportation of which is prohibited) of the Act, he shall deliver to the technical advisers a document stating that fact and the reason therefor, accompanied by the materials relating to the suspect goods concerned and any other materials that may serve as a reference for the technical advisers.

(Procedures for seeking discontinuance of verification procedures pertaining to goods the exportation of which is prohibited)

Article 62-14. A person who seeks discontinuance of verification procedures as prescribed in paragraph (1) of Article 69-10 (Seeking discontinuance of verification procedures pertaining to goods the exportation of which is prohibited, etc.) of the Act (referred to as “request for discontinuance of verification procedures” in item (iv)), shall submit to the Director General of Customs a document stating the following matters:

- (i) the date of notification provided for in paragraph (1) of Article 69-7 (Seeking the opinion pertaining to goods the exportation of which is prohibited, etc.) of the Act, that is the date on which a notification was received pursuant to the provision of paragraph (2) of Article 69-10 of the Act;
- (ii) when he has been notified that the period until the day on which 10 working days elapse as provided for in paragraph (1) of Article 69-7 of the Act is to be extended pursuant to the provision of the said paragraph, that fact;
- (iii) when he has received a notification prescribed in paragraph (6) of Article 69-7 of the Act, the date of such notification;
- (iv) the fact that he seeks discontinuance of verification procedures;
- (v) any other relevant matters.

(Application *mutatis mutandis* of procedures, etc. for the cases in which deposit has

been provided pursuant to the order of the Director General of Customs)

Article 62-15. Articles 62-6 and 62-7 apply *mutatis mutandis* to a person who seeks the opinion as prescribed in paragraph (1) of Article 69-10 (Seeking discontinuance of verification procedures pertaining to goods the exportation of which is prohibited, etc.) of the Act and has been ordered to provide deposit pursuant to the provision of paragraph (3) of the said Article; Article 62-8 applies *mutatis mutandis* to the procedures for exercise of right as provided for in paragraph (7) of Article 69-10 of the Act; paragraph (1) of Article 62-9 applies *mutatis mutandis* to a person who seeks approval referred to in item (ii) of paragraph (9) of Article 69-10 of the Act; and paragraph (2) of Article 62-9 applies *mutatis mutandis* to a person who seeks an approval referred to in item (iii) of paragraph (9) of Article 69-10 of the Act. In this case, the expressions set forth in the middle columns of the following table, which are used in the paragraphs of the left columns, shall be replaced respectively by the expressions shown in the right columns:

provisions	terms to be replaced	terms to replace
paragraph (1) of Article 62-6, and paragraphs (1), (2) and (4) of Article 62-7	applicant	applicant
paragraph (1) of Article 62-6	paragraph (3) of Article 69-6 of the Act	paragraph (4) of Article 69-10 of the Act
paragraph (2) of Article 62-6	a person who exports	a patentholder or other right holder (i.e., a patentholder or other right holder referred to in paragraph (1) of Article 69-7 (Seeking the opinion of the Commissioner of the Patent Office pertaining to goods the exportation of which is prohibited, etc.) of the Act; the same applies in the next Article and Article 62-8) who has filed an application prescribed in paragraph (1) of Article 69-4 (Procedures, etc. for filing an application pertaining to goods the exportation of which is prohibited) of the Act with respect to
paragraphs (1) and (2) of Article 62-7	paragraph (5) of Article 69-6 of the Act	paragraph (6) of Article 69-10 of the Act
item (i) of paragraph (1) and paragraph (4) of Article 62-7	paragraph (1) of Article 69-6 of the Act	paragraph (3) of Article 69-10 of the Act
item (i) of paragraph (1) and paragraph (4) of Article 62-7 and paragraphs (1) and (2) of Article 62-8	exporter	patentholder or other right holder
paragraph (3) of Article 62-7	the person who exports	a patentholder or other right holder who has filed an application prescribed in paragraph (1) of Article 69-4 (Procedures for filing an application pertaining to goods the exportation of which is prohibited, etc.) of the Act with respect to

paragraph (1) of Article 62-9	paragraph (5) of the said Article	paragraph (6) of Article 69-10 of the Act
-------------------------------	-----------------------------------	---

Subsection 2 Goods the importation of which is prohibited

(Verification procedures pertaining to goods the importation of which is prohibited)

Article 62-16. The Director General of Customs shall, in verification procedures provided for in paragraph (1) of Article 69-12 (Verification procedures pertaining to goods the importation of which is prohibited) of the Act (hereinafter in this Article referred to as “verification procedures”), provide a holder of patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, circuit layout design right, plant breeder’s right or a person who has the right to seek an injunction against unfair competition (i.e., a person provided for in paragraph (1) of Article 69-12 of the Act; the same applies in the next paragraph and items (iv) and (vii) of paragraph (3) of this Article and paragraph (2) of Article 62-29), pertaining to goods subject to verification procedures (hereinafter in this Article, item (i) of paragraph (1) and paragraph (2) of Article 62-24, paragraph (1) of Article 62-29 and Article 62-30 referred to as “suspect goods”) and a person who imports such suspect goods (hereinafter in this Article referred to as “importer”) with the opportunities to produce evidence and state their opinions as to whether such suspect goods do or do not fall under goods set forth in item (ix) or (x) of paragraph (1) of Article 69-11 (Goods the importation of which is prohibited) of the Act; provided, however, that this does not apply to the case where a document provided for in item (v) of paragraph (4) has not been submitted within the time limit specified in the said item by the importer who has received a notification referred to in paragraph (4).

(2) In cases where the evidence produced pursuant to the provision of the preceding paragraph and any other evidence employed in verification procedures are taken as a basis for the verification referred to in paragraph (5) of Article 69-12 of the Act, the Director General of Customs shall provide a holder of patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, circuit layout design right, plant breeder’s right or a person who has the right to seek an injunction against unfair competition (in the next paragraph, item (ii) of paragraph (4) and paragraph (6) collectively referred to as “right holder”) or an importer, pertaining to the verification procedures, with the opportunity to state his opinion with respect to such evidence.

(3) A notification to a right holder as prescribed in paragraphs (1) and (2) of Article

69-12 of the Act shall be made in writing, by stating the following matters:

- (i) the description of suspect goods;
- (ii) the names and addresses of an importer and consignor of suspect goods;
- (iii) the details of the patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, circuit layout design right or plant breeder's right, pertaining to suspect goods (limited to those suspect goods placed under the verification procedures pertaining to the goods set forth in item (ix) of paragraph (1) of Article 69-11 of the Act);
- (iv) the details of indication of goods, etc., the details of configuration of goods or the details of technological restriction measures (i.e., the indication of goods, etc., configuration of goods or technological restriction measures as provided for in item (i), (ii), (iii), (xi) or (xii) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act, which relate to a person who has the right to seek an injunction against unfair competition; the same applies in item (ii) of the next Article) pertaining to the suspect goods (limited to the suspect goods placed under verification procedures pertaining to those set forth in item (x) of paragraph (1) of Article 69-11 of the Act);
- (v) the reason for initiating verification procedures;
- (vi) where the application prescribed in paragraph (1) of Article 69-13 (Procedures for filing an application pertaining to goods the importation of which is prohibited, etc.) of the Act has been accepted, if verification procedures pertaining to the application are initiated, that fact;
- (vii) that a right holder may produce evidence and state his opinion to demonstrate that the suspect goods fall under those goods set forth in item (ix) or (x) of paragraph (1) of Article 69-11 of the Act (where an application prescribed in paragraph (1) of Article 69-13 of the Act (excluding an application pertaining to a holder of patent right, utility model right, design right or a person who has the right to seek injunction against unfair competition pertaining to goods which compose the acts (excluding the acts specified in item (vii) of paragraph (1) of Article 19 (Exclusion from application, etc.) of the Unfair Competition Prevention Act) set forth in item (x) of paragraph (1) of Article 2 of the said Act; the same applies in Article 62-27 and the items of paragraph (1) and paragraph (2) of Article 62-28) has been accepted, if verification procedures pertaining to the application have been initiated, that the right holder may produce evidence and state his opinion, provided that the document provided for in item (v) of the next paragraph has been submitted within the time limit specified in the said item by the importer who has received the notification referred to in the next paragraph), and the time limit therefor;

(viii) where an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures pertaining to the application are initiated, that the right holder may inspect suspect goods upon request made within the time limit referred to in the preceding item;

(ix) any other relevant matters.

(4) A notification to an importer as prescribed in paragraphs (1) and (2) of Article 69-12 of the Act shall be made in writing, by stating the following matters:

(i) the description and quantity of suspect goods, and the date of import declaration of such goods (in the case where suspect goods are postal items provided for in paragraph (1) of Article 76 (Simplified procedures for exportation and importation of postal items) of the Act, the date of presentation prescribed in paragraph (3) of the said Article);

(ii) the name and address of a right holder;

(iii) that the importer may produce evidence and state his opinion to demonstrate that the suspect goods do not fall under those goods set forth in item (ix) or (x) of paragraph (1) of Article 69-11 of the Act (where an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures pertaining to the application have been initiated, that the importer may produce evidence and state his opinion, provided that the document provided for in item (v) of paragraph (4) has been submitted within the time limit specified in item (v) of paragraph (4)), and the time limit therefor;

(iv) that the suspect goods may be confiscated and disposed of pursuant to the provision of paragraph (2) of Article 69-11 of the Act, if they are verified to fall under those goods set forth in item (ix) or (x) of paragraph (1) of the said Article;

(v) where an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures pertaining to such application are to be initiated, that the importer shall, if he disputes over whether the suspect goods fall under those set forth in item (ix) or (x) of paragraph (1) of Article 69-11 of the Act, submit a document stating that fact to the Director General of Customs on or before the day on which 10 days elapse (excluding the holidays of administrative organs set forth in the items of paragraph (1) of Article 1 of the Act on the Holidays of Administrative Organs (Act No. 91 of 1988)) from the date on which he received the notification;

(vi) where an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures pertaining to such application are initiated, that a person who has filed such application or the importer (excluding the importer who may inspect the suspect goods pursuant to the provision of paragraph (2) of Article 36 of the Act, paragraph (1) of Article 40 of the Act (including the case where applied *mutatis*

mutandis pursuant to Article 49 of the Act), paragraph (3) of Article 62-2 and paragraph (1) of Article 62-8) may inspect the suspect goods upon request made within the time limit referred to in item (iii);

(vii) the matters set forth in items (iii) to (vi) and (ix) of the preceding paragraph.

(5) A notification prescribed in paragraph (3) of Article 69-12 of the Act shall be made in writing.

(6) In cases where a document provided for in item (v) of paragraph (4) has, within the time limit provided for in the said item, been submitted by the importer who has received the notification referred to in the said paragraph, the Director General of Customs shall notify the right holder of that fact.

(Procedures for filing an application pertaining to goods the importation of which is prohibited)

Article 62-17. A person who intends to make an application prescribed in paragraph (1) of Article 69-13 (Procedures, etc. for filing an application pertaining to goods the importation of which is prohibited) of the Act shall file with the Director General of Customs a written application stating the matters set forth in the following, accompanied by the evidence provided for in the said paragraph:

(i) the details of his patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, or plant breeder's right (collectively referred to as "right" in items (iii) and (iv)) (limited to the case where the application relates to the goods set forth in item (ix) of paragraph (1) of Article 69-11 (Goods the importation of which is prohibited) of the Act);

(ii) the details of indication of goods, etc., the details of configuration of goods or the details of technological restriction measures (limited to the case where the application relates to goods set forth in item (x) of paragraph (1) of Article 69-11 of the Act);

(iii) the description of goods alleged to infringe his right or business interests (i.e., the business interests pertaining to goods set forth in item (x) of paragraph (1) of Article 69-11 of the Act, which are infringed by the acts provided for in the said item; the same applies in the next item);

(iv) the reason why goods referred to in the preceding item are alleged to infringe his right or business interests;

(v) the desired period of time for which the application provided for in paragraph (3) of Article 69-13 of the Act is effective (such period of time shall be within four years);

(vi) any other relevant matters.

(Provision of opportunities to conduct inspection pertaining to goods the importation of which is prohibited)

Article 62-18. A person who conducts an inspection prescribed in paragraph (4) of Article 69-13 (Procedures, etc. for filing an application pertaining to goods the importation of which is prohibited) of the Act shall, within the time limit referred to in item (vii) of paragraph (3) or item (iii) of paragraph (4), of Article 62-16, file a written application for inspection with the Director General of Customs, accompanied by a copy of the written notification referred to in paragraph (3) or (4) of the said Article.

(Procedures for seeking the opinions of technical advisers with respect to an application for import suspension)

Article 62-19. The Director General of Customs shall, if he seeks the opinions of technical advisers pursuant to the provision of Article 69-14 (Seeking the opinions of technical advisers with respect to an application for import suspension) of the Act, deliver to the technical advisers a document stating that fact and the reason therefor, accompanied by the materials concerning the goods pertaining to the application and any other materials that may serve as a reference for the technical advisers.

(Procedures for providing, pursuant to the order of the Director General of Customs, deposit pertaining to goods the importation of which is prohibited)

Article 62-20. A person who has filed an application prescribed in paragraph (1) of Article 69-13 (Procedures, etc. for filing an application pertaining to goods the importation of which is prohibited) of the Act and has been ordered to provide monetary deposit pursuant to the provision of paragraph (1) or (2) of Article 69-15 (Deposit, etc. pertaining to an application for import suspension) of the Act (in the next Article referred to as “applicant ordered to deposit”) shall, if he has provided such deposit (including deposit of securities prescribed in paragraph (3) of Article 69-15 of the Act), submit an authenticated copy of the certificate of deposit to the Director General of Customs without delay.

(2) The Director General of Customs shall, if an authenticated copy of the certificate of deposit prescribed in the preceding paragraph is submitted, deliver without delay a document stating that fact and a copy of the authenticated copy of the certificate of deposit to a person who imports the goods which have caused such deposit to be provided.

(Details of contract, etc. provided in lieu of deposit, pertaining to goods the importation

of which is prohibited)

Article 62-21. In cases where an applicant ordered to deposit enters into a contract referred to in paragraph (5) of Article 69-15 (Deposit, etc. pertaining to an application for import suspension) of the Act, such contract shall be entered into, as its counterparty, with a bank, credit union (Shinkin bank), insurance company or other financial institution which is established in Japan and has been approved by the Director General of Customs (in item (i) and paragraph (3) simply referred to as “financial institution”), and shall meet the following requirements:

(i) that the financial institution shall, for the applicant ordered to deposit, pay, within the amount of money which has been ordered to deposit by the Director General of Customs, the importer the amount of money indicated in the document delivered at the request of the importer, that is the document which confirms that the importer who has the right to claim for damages provided for in paragraph (1) of Article 69-15 of the Act against the said applicant has the right to claim payment of money against the financial institution;

(ii) that the contract shall cease to be effective at the time of rescission of the contract with the approval of the Director General of Customs;

(iii) that rescission of the contract or any modification thereto cannot be made without the approval of the Director General of Customs.

(2) If the applicant ordered to deposit has entered into a contract referred to in paragraph (5) of Article 69-15 of the Act (including the case where the contract has been modified with the approval of the Director General of Customs), he shall submit to the Director General of Customs a document stating that fact, accompanied by a copy of such contract.

(3) When the document and a copy of the contract have been submitted to the Director General of Customs under the preceding paragraph, he shall without delay deliver to a person who imports the goods which have caused such contract to be entered into, a document stating that fact, the name and address of the financial institution (i.e., the counterparty of the contract) and the amount of money specified in the contract.

(4) Where the document and a copy of the contract have been submitted to the Director General of Customs under paragraph (2), If he is sought, from an importer who has the right to claim for damages provided for in paragraph (1) of Article 69-15 of the Act against the applicant (i.e., the applicant ordered to deposit and has entered into a contract referred to in the said paragraph), confirmation of the importer’s right to claim for damages and the amount of money covered by his right to claim for damages, and if the Director General of Customs finds, based on a certified copy of court decision, a

document evidencing settlement or the like, that the request is duly substantiated, he shall deliver to that importer a document confirming the importer's right to claim for damages and the amount of money covered by such right.

(Procedures for exercise of right pertaining to goods the importation of which is prohibited)

Article 62-22. An importer who has the right provided for in paragraph (6) of Article 69-15 (Deposit, etc. pertaining to an application for import suspension) of the Act (hereinafter in this Article simply referred to as "right") may make an application for exercise of right to Director General of Customs.

(2) Where an application referred to in the preceding paragraph is made, if the Director General of Customs finds, based on a certified copy of court decision, a document evidencing settlement or the like, that such application is duly substantiated, he shall deliver to the importer who has made such application a document confirming the right of the importer.

(3) Where deposit has been provided by means of securities, the Director General of Customs may, if it is necessary for the exercise of right, convert such securities to cash. In that event, the charges necessary for conversion shall be deducted from the amount so converted.

(4) In addition to the matters provided for in the preceding three paragraphs, any other necessary matters concerning the exercise of right shall be prescribed by the Ordinance of the Ministry of Justice and the Ministry of Finance.

(Procedures for seeking approval of recovery of deposit, etc. pertaining to goods the importation of which is prohibited)

Article 62-23. A person who seeks an approval referred to in item (iv) of paragraph (8) of Article 69-15 (Deposit, etc. pertaining to an application for import suspension) of the Act shall submit to the Director General of Customs a document stating his request for approval referred to in the said item, accompanied by a copy of the written contract pertaining to the contract referred to in paragraph (5) of the said Article.

(2) A person who seeks an approval referred to in item (v) of paragraph (8) of Article 69-15 of the Act shall provide another deposit in lieu of the deposit actually provided, and shall thereafter submit to the Director General of Customs a document stating his request for approval referred to in the said item and the reason therefor, accompanied by the authenticated copy of a certificate of deposit pertaining to such another deposit.

(Procedures for seeking approval of examination of a sample)

Article 62-24. A person who seeks approval referred to in paragraph (1) of Article 69-16 (Examination of a sample of suspect goods by applicant) of the Act shall submit to the Director General of Customs a document stating the following matters, accompanied by a copy of the written notification referred to in paragraph (3) of Article 62-16:

(i) the reason why examination of the sample is necessary for producing evidence and stating his opinion, with respect to the suspect goods pertaining to the sample, pursuant to the provision of paragraph (1) of Article 62-16;

(ii) the quantity of the sample;

(iii) the place, and date and time, of conducting examination of the sample and the means thereof;

(iv) where the sample is to be stored, either before or after examination, at a place other than the place provided for in the preceding item, such place of storage and the means of storage;

(v) the means of transport, in cases where the sample is to be transported;

(vi) any other relevant matters.

(2) Where an application referred to in paragraph (1) of Article 69-16 of the Act has been made, if the Director General of Customs notifies, pursuant to the provision of the second sentence of paragraph (1) of Article 69-16 of the Act, a person who imports the suspect goods pertaining to the sample (hereinafter in this Article referred to as "importer") that an application has been made, he shall also notify the importer that he may state his opinion to the Director General of Customs with respect to such application.

(3) Where an application referred to in paragraph (1) of Article 69-16 of the Act has been made, if the Director General of Customs elects not to approve such application, he shall notify the applicant and the importer in writing of that fact and the reason therefor.

(4) Where a notification prescribed in paragraph (3) of Article 69-16 of the Act is issued to the importer, the Director General of Customs shall notify the importer in writing of his approval of the examination of the sample and of the place, and date and time, of such examination.

(5) The expenses to be borne by the applicant referred to in the said paragraph pursuant to the provision of paragraph (4) of Article 69-16 of the Act shall be those necessary for the transport, storage or examination of the sample and other expenses incurred as a result of handling of the sample (including the expenses necessary for returning the sample).

(Application *mutatis mutandis* of the procedures, etc. for the case where deposit has been provided pursuant to the order of the Director General of Customs)

Article 62-25. Articles 62-20 and 62-21 apply *mutatis mutandis* to a person who makes an application prescribed in paragraph (1) of Article 69-16 (Examination of a sample of suspect goods by applicant) of the Act and has been ordered to provide monetary deposit pursuant to the provision of paragraph (1) of Article 69-15 (Deposit, etc. pertaining to an application for import suspension) of the Act, as applied *mutatis mutandis* pursuant to paragraph (5) of Article 69-16 of the Act; Article 62-22 applies *mutatis mutandis* to the procedures for exercise of right provided for in paragraph (6) of Article 69-15 of the Act, as applied *mutatis mutandis* pursuant to paragraph (5) of Article 69-16 of the Act; paragraph (1) of Article 62-23 applies *mutatis mutandis* to a person who seeks approval referred to in item (iv) of paragraph (8) of Article 69-15 of the Act, as applied *mutatis mutandis* pursuant to paragraph (5) of Article 69-16 of the Act; and paragraph (2) of Article 62-23 applies *mutatis mutandis* to a person who seeks approval referred to in item (v) of paragraph (8) of Article 69-15 of the Act, as applied *mutatis mutandis* pursuant to paragraph (5) of Article 69-16 of the Act. In this case, the terms set forth in the middle columns of the following table, which are used in the paragraphs in the left columns shall be replaced respectively by the terms shown in the right columns:

provisions	terms to be replaced	terms to replace
paragraph (1) of Article 62-20, and paragraphs (1), (2) and (4) of Article 62-21	applicant	applicant
paragraph (1) of Article 62-20	paragraph (3) of Article 69-15 of the Act	paragraph (3) of Article 69-15 of the Act, as applied <i>mutatis mutandis</i> pursuant to paragraph (5) of Article 69-16 of the Act
paragraphs (1) and (2) of Article 62-21	paragraph (5) of Article 69-15 of the Act	paragraph (5) of Article 69-15 of the Act, as applied <i>mutatis mutandis</i> pursuant to paragraph (5) of Article 69-16 of the Act
item (i) of paragraph (1) and paragraph (4) of Article 62-21	paragraph (1) of Article 69-15 of the Act	paragraph (1) of Article 69-15 of the Act, as applied <i>mutatis mutandis</i> pursuant to paragraph (5) of Article 69-16 of the Act
paragraph (1) of Article 62-23	paragraph (5) of the said Article	paragraph (5) of Article 69-15 of the Act, as applied <i>mutatis mutandis</i> pursuant to paragraph (5) of Article 69-16 of the Act

(Procedures for requesting attendance at the time of examination of a sample)

Article 62-26. A person who makes an application prescribed in paragraph (6) of Article 69-16 (Examination of a sample of suspect goods by applicant) of the Act shall

submit, prior to the day on which examination of a sample as notified pursuant to the provision of paragraph (4) of Article 62-24 is conducted, to the Director General of Customs a document stating that fact, the name and address of a person who is to attend the examination and any other relevant matters. In this case, the Director General of Customs who has received such document shall notify the person who has made an application referred to in paragraph (1) of Article 69-16 of the Act of the name of the person who is to attend and any other relevant matters.

(Procedures for seeking opinion pertaining to goods the importation of which is prohibited)

Article 62-27. A person who seeks the opinion as prescribed in paragraph (1) of Article 69-17 (Seeking opinion pertaining to goods the importation of which is prohibited) of the Act (hereinafter in this Article and the items of paragraph (1) of the next Article referred to as “request for seeking the opinion”) shall submit to the Director General of Customs a document stating the matters set forth in the following items, accompanied by, in the case where a person who makes the request for seeking the opinion is a patentholder or other right holder provided for in paragraph (1) of Article 69-17 of the Act, the materials which may clarify the specific conditions of goods or processes deemed to compose the acts of infringing his patent right, utility model right or design right of the goods pertaining to such request or the specific conditions of goods deemed to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act, or in the case where a person who makes the request for seeking the opinion is an importer provided for in paragraph (1) of Article 69-17 of the Act, the materials which may clarify the specific conditions of goods or processes deemed not to compose the acts of infringing the patent right, utility model right or design right of the patentholder or other right holder provided for in the said paragraph with respect to the goods pertaining to such request or the specific conditions of goods deemed not to compose the acts set forth in the said item:

- (i) the date of a notification provided for in paragraph (1) of Article 69-17 of the Act;
- (ii) where he has been notified that the period until the day on which 10 working days elapse as provided for in paragraph (1) of Article 69-17 of the Act, has been extended pursuant to the provision of the said paragraph, that fact;
- (iii) the fact that he makes a request for seeking the opinion and the reason therefor;
- (iv) any other relevant matters.

(Procedures for seeking the opinion of the Commissioner of the Patent Office pertaining

to goods the importation of which is prohibited)

Article 62-28. The Director General of Customs shall, if he seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provision of paragraph (2) of Article 69-17 (Seeking the opinion pertaining to goods the importation of which is prohibited, etc.) of the Act, submit to the said Minister or the Commissioner a document stating that fact and the document specified in each of the following items for the category of the cases as set forth respectively therein, accompanied by a copy of document submitted pursuant to the provision of the preceding Article, the materials provided for in the said Article and any other materials that may serve as a reference for the said Minister or the Commissioner:

(i) where a person who makes a request for seeking the opinion is a patentholder or other right holder provided for in paragraph (1) of Article 69-17 of the Act: a document stating the specific conditions of goods or processes which are deemed to compose the acts of infringing his patent right, utility model right or design right of the goods pertaining to such request and which have been identified by the Director General of Customs or the specific conditions of goods which are deemed to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act and which have been identified by the Director General of Customs;

(ii) where a person who makes a request for seeking the opinion is an importer provided for in paragraph (1) of Article 69-17 of the Act: a document stating the specific conditions of goods or processes which are deemed not to compose the acts of infringing the patent right, utility model right or design right of the patentholder or other right holder with respect to the goods pertaining to such request and which have been identified by the Director General of Customs or the specific conditions of goods which are deemed not to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and which have been identified by the Director General of Customs.

(2) The Director General of Customs shall, if he seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provision of paragraph (9) of Article 69-17 of the Act, submit to the said Minister or the Commissioner a document stating that fact, the reason therefor and the specific conditions of goods or processes which are deemed to compose the acts of infringing the patent right, utility model right or design right of the patentholder or other right holder provided for in paragraph (1) of Article 69-17 of the Act, pertaining to such request for the opinion and which have been identified by the Director General of Customs or the

specific conditions of goods which are deemed to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and which have been identified by the Director General of Customs, accompanied by the materials which clarify such specific conditions and any other materials that may serve as a reference for the said Minister or the Commissioner.

(3) The Director General of Customs shall, before he seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provision of paragraph (2) or (9) of Article 69-17 of the Act, provide the patentholder or other right holder and importer concerned, as provided for in paragraph (1) of the said Article, with the opportunity to state their opinions with respect to the materials provided for in the preceding two paragraphs.

(Procedures, etc. for seeking the opinion of the Minister of Agriculture, Forestry and Fisheries, etc. in verification procedures pertaining to goods the importation of which is prohibited)

Article 62-29. Where the Director General of Customs seeks the opinion of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry pursuant to the provision of paragraph (1) of Article 69-18 (Seeking the opinion of the Minister of Agriculture, Forestry and Fisheries, etc. in verification procedures pertaining to goods the importation of which is prohibited) of the Act, he shall submit to the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry, as the case may be, a document stating that fact and the reason therefor, accompanied by the materials relating to the suspect goods concerned and any other materials that may serve as a reference for the Minister concerned.

(2) The Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry may, if he finds it necessary in order to provide his opinion pursuant to the provision of paragraph (2) of Article 69-18 of the Act, hear the opinions of the holder of a plant breeder's right, the person who has the right to seek an injunction against unfair competition, the person who imports the goods pertaining to the verification procedures, as provided for in paragraph (3) of the said Article, other person concerned or the person having academic background and experience, as the case may be. In this case, the necessary procedures and any other relevant matters shall be prescribed by the Ordinance of the Ministry of Agriculture, Forestry and Fisheries or by the Ordinance of the Ministry of Economy, Trade and Industry.

(Procedures for seeking the opinions of technical advisers in verification procedures

pertaining to goods the importation of which is prohibited)

Article 62-30. In cases where the Director General of Customs seeks the opinions of technical advisers pursuant to the provision of Article 69-19 (Seeking the opinions of technical advisers in verification procedures pertaining to goods the importation of which is prohibited) of the Act, he shall deliver to the technical advisers a document stating that fact and the reason therefor, accompanied by the materials relating to the suspect goods concerned and any other materials that may serve as a reference for the technical advisers.

(Procedures for seeking discontinuance of verification procedures pertaining to goods the importation of which is prohibited)

Article 62-31. A person who seeks discontinuance of verification procedures under paragraph (1) of Article 69-20 (Seeking discontinuance of verification procedures pertaining to goods the importation of which is prohibited, etc.) of the Act (referred to as “request for discontinuance of verification procedures” in item (iv)) shall submit to the Director General of Customs a document stating the following matters:

- (i) the date of a notification provided for in paragraph (1) of Article 69-17 (Seeking the opinions pertaining to goods the importation of which is prohibited, etc.) of the Act, that is the date on which a notification was received pursuant to the provision of paragraph (2) of Article 69-20 of the Act;
- (ii) when he has been notified that the period until the day on which 10 working days elapse as provided for in paragraph (1) of Article 69-17 of the Act is to be extended pursuant to the provision of the said paragraph, that fact;
- (iii) when he has received a notification prescribed in paragraph (6) of Article 69-17 of the Act, the date of receipt of such notification;
- (iv) the fact that he seeks discontinuance of verification procedures;
- (v) any other relevant matters.

(Application *mutatis mutandis* of the procedures, etc. for the case in which deposit has been provided pursuant to the order of the Director General of Customs)

Article 62-32. Articles 62-20 and 62-21 apply *mutatis mutandis* to a person who makes a request prescribed in paragraph (1) of Article 69-20 (Seeking discontinuance of verification procedures pertaining to goods the importation of which is prohibited, etc.) of the Act and has been ordered to offer monetary deposit pursuant to the provision of paragraph (3) thereof; Article 62-22 applies *mutatis mutandis* to the procedures for exercise of right as provided for in paragraph (7) of Article 69-20 of the Act; paragraph

(1) of Article 62-23 applies *mutatis mutandis* to a person who seeks approval referred to in item (ii) of paragraph (9) of Article 69-20 of the Act; and paragraph (2) of Article 62-23 applies *mutatis mutandis* to a person who seeks approval referred to in item (iii) of paragraph (9) of Article 69-20 of the Act. In this case, the terms set forth in the middle columns of the following table, which are used in the paragraphs of the left columns, shall be replaced respectively by the terms shown in the right columns:

provisions	terms to be replaced	terms to replace
paragraph (1) of Article 62-20, and paragraphs (1), (2) and (4) of Article 62-21	applicant	applicant
paragraph (1) of Article 62-20	paragraph (3) of Article 69-15 of the Act	paragraph (4) of Article 69-20 of the Act
paragraph (2) of Article 62-20	a person who imports	a patentholder or other right holder who has filed an application prescribed in paragraph (1) of Article 69-13 (Procedures, etc. for filing an application pertaining to goods the importation of which is prohibited) of the Act (i.e., a patentholder or other right holder provided for in paragraph (1) of Article 69-17 (Seeking the opinion of the Commissioner of the Patent Office pertaining to goods the importation of which is prohibited, etc.) of the Act; the same applies in the next Article and Article 62-22), with respect to
paragraphs (1) and (2) of Article 62-21	paragraph (5) of Article 69-15 of the Act	paragraph (6) of Article 69-20 of the Act
item (i) of paragraph (1) and paragraph (4) of Article 62-21	paragraph (1) of Article 69-15 of the Act	paragraph (3) of Article 69-20 of the Act
item (i) of paragraph (1) and paragraph (4) of Article 62-21 and paragraphs (1) and (2) of Article 62-22	importer	patentholder or other right holder
paragraph (3) of Article 62-21	a person who imports	a patentholder or other right holder who has filed an application prescribed in paragraph (1) of Article 69-13 (Procedures, etc. for filing an application pertaining to goods the importation of which is prohibited) of the Act, with respect to
paragraph (1) of Article 62-23	paragraph (5) of the said Article	paragraph (6) of Article 69-20 of the Act

Subsection 3 Technical advisers

Article 62-33. When the Director General of Customs designates persons to serve as technical advisers pursuant to the provision of Article 69-5 (Seeking the opinions of

technical advisers with respect to an application for export suspension), Article 69-9 (Seeking the opinions of technical advisers in verification procedures pertaining to goods the exportation of which is prohibited), Article 69-14 (Seeking the opinions of technical advisers with respect to an application for import suspension) or Article 69-19 (Seeking the opinions of technical advisers in verification procedures pertaining to goods the importation of which is prohibited) of the Act, they shall be designated for a period to be specified by the Director General of Customs.