

(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. 158 of March 30, 2024

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. 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”), the Director General of Customs shall provide a holder of a patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, breeder’s right or right to seek an injunction against unfair competition (i.e., the holder 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), associated with goods subject to the 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 seeks to export these suspect goods (hereinafter in this Article referred to as “exporter”) with an opportunity to produce evidence and state their opinions as to whether these 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.

(2) When the evidence produced pursuant to the provisions of the preceding paragraph and any other evidence employed in the verification procedures are taken as a basis for the verification referred to in paragraph (5) of Article 69-3 of the Act, the Director General of Customs shall provide a holder of a patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, breeder’s right or 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, involved in the verification procedures with an opportunity to state their opinions with respect to the 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 matters as set forth in the following:

(i) the descriptions 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 breeder's right (in the next Article, collectively referred to as "right") related to suspect goods (limited to those suspect goods subject to 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 provided for in items (i) to (iii), (xvii) or (xviii) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act (Act No. 47 of 1993) and related to a person who has the right to seek an injunction against unfair competition; the same applies in item (ii) of the next Article) associated with suspect goods (limited to those suspect goods subject to the verification procedures pertaining to goods as set forth in item (iv) of paragraph (1) of Article 69-2 of the Act);
 - (v) the reason for initiating verification procedures;
 - (vi) when an application prescribed in paragraph (1) of Article 69-4 (Procedures, etc. for filing of an application related to goods the exportation of which is prohibited), if verification procedures under that application are initiated, that fact;
 - (vii) that the right holder may produce evidence to substantiate that the suspect goods fall under those goods set forth in item (iii) or (iv) of paragraph (1) of Article 69-2 of the Act and may state opinions, and the time limit therefor;
 - (viii) when an application prescribed in paragraph (1) of Article 69-4 of the Act has been accepted, if verification procedures under that application are initiated, that the right holder may inspect the suspect goods by filing an application before 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 matters as set forth in the following:
- (i) the descriptions and quantity of the suspect goods, and the date of export declaration of these goods (if the suspect goods are postal items provided for in paragraph (1) of Article 76 (Simplified export or import procedures for postal items) of the Act, the date of presentation prescribed in paragraph (3) of that Article);
 - (ii) the name and address of a right holder;
 - (iii) that the exporter may produce evidence and state opinions to substantiate that the suspect goods do not fall under those 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, if the suspect goods are verified to fall under those set forth in item (iii) or (iv) of paragraph (1) of Article 69-2, the suspect goods may be confiscated and disposed of pursuant to the provisions of paragraph (2) of that Article;
 - (v) when an application prescribed in paragraph (1) of Article 69-4 of the Act has been accepted, if verification procedures under that application are initiated, that a person who has filed the

application or an exporter (excluding an exporter if the exporter may inspect suspect goods pursuant to the provisions of paragraph (1) of Article 40 of the Act (including the cases where applied *mutatis mutandis* pursuant to Article 49 of the Act)) may inspect the suspect goods by filing an application before 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) The notification prescribed in paragraph (3) of Article 69-3 of the Act shall be issued in writing..

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

Article 62-3. A person who seeks to file an application prescribed in paragraph (1) of Article 69-4 (Procedures, etc. for filing of an application related 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 as set forth in the following, accompanied by evidence provided for in that paragraph:

- (i) the details of the right of the person (only when the person seeks to file an application related to 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 (only when the person seeks to file an application related to goods set forth in item (iv) of paragraph (1) of Article 69-2 of the Act);
- (iii) the descriptions of goods found to infringe the right or business interests of the person (i.e., business interests infringed by the acts provided for in item (iv) of paragraph (1) of Article 69-2 of the Act, associated with the goods set forth in that item; the same applies in the next item);
- (iv) the reason why the goods referred to in the preceding item are found to infringe the right or business interests of the person;
- (v) the desired period for which the application provided for in paragraph (3) of Article 69-4 of the Act is effective (limited to a period not exceeding four years);
- (vi) any other relevant matters.

(Provision of opportunity for inspection related to goods the exportation of which is prohibited)

Article 62-4. A person who seeks to conduct inspection prescribed in paragraph (4) of Article 69-4 (Procedures, etc. for filing of an application related to goods the exportation of which is prohibited) of the Act shall, before 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 conducting inspection with the Director General of Customs, accompanied by a copy of a written notification referred to in paragraph (3) or (4) of that Article.

(Procedures for seeking opinions of technical advisers when application for export suspension is filed)

Article 62-5. When the Director General of Customs seeks opinions of technical advisers pursuant to the provisions of Article 69-5 (Seeking opinions of technical advisers when an application for export suspension is filed) of the Act, the Director General of Customs sends to the technical advisers a document stating that fact and the reason therefor, accompanied by materials concerning goods subject to the application and any other materials that may serve as a reference for the technical advisers when stating their opinions.

(Procedures when deposit has been provided pursuant to the order of the Director General of Customs in connection with 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 of an application related to goods the exportation of which is prohibited) of the Act and has been ordered to provide monetary deposit pursuant to the provisions of paragraph (1) or (2) of Article 69-6 (Deposit, etc. pertaining to application for export suspension) of the Act (in the next Article referred to as “applicant ordered to deposit”) shall, when the person has provided the deposit (including 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 seeks to export goods that have caused the deposit to be provided.

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

Article 62-7. If an applicant ordered to deposit enters into a contract referred to in paragraph (5) of Article 69-6 (Deposit, etc. pertaining to application for export suspension) of the Act, the contract shall be entered into, as its counterparty, with a bank, credit association (Shinkin bank), insurance company or other financial institution that 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 its contents shall meet the requirements as set forth in the following:

(i) that the financial institution pays, for the applicant ordered to deposit, within the amount of money ordered to deposit by the Director General of Customs, the exporter in an amount indicated in the document delivered by the Director General of Customs in response to the exporter’s application as a document that confirms that the exporter who has the right to claim for compensation for damages provided for in paragraph (1) of Article 69-6 of the Act against that

- applicant has the right to claim for payment of money against the financial institution;
- (ii) that the contract ceases to be effective when the contract is rescinded with the approval of the Director General of Customs;
- (iii) that rescission of the contract or any modification to the contents of the contract is not permitted unless approval of the Director General of Customs is given.
- (2) If an applicant ordered to deposit has entered into a contract referred to in paragraph (5) of Article 69-6 of the Act (including when the contract has been modified with the approval of the Director General of Customs), the applicant shall submit to the Director General of Customs a document stating that fact, accompanied by a copy of the contract.
- (3) When the document and a copy of the contract prescribed in the preceding paragraph have been submitted, the Director General of Customs shall deliver without delay to a person who seeks to export goods that have caused the contract to be entered into, a document stating that fact, the name and address of a financial institution that is a counterparty of the contract and the amount of money specified in the contract.
- (4) When the document and a copy of the contract prescribed in paragraph (2) have been submitted, if the Director General of Customs is sought from an exporter who has the right to claim for compensation for damages provided for in paragraph (1) of Article 69-6 of the Act against an applicant ordered to deposit who has entered into a contract referred to in that paragraph, confirmation of the exporter's right to claim for compensation for damages and the amount covered by that right and if it is found, based on a certified copy of court's decision, a document evidencing settlement or the like, that there are reasonable grounds for seeking the confirmation, the Director General of Customs shall deliver to that exporter a document confirming the exporter's right to claim for compensation for damages and the amount covered by the right to claim for compensation for damages.

(Procedures for exercise of right associated with 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 application for export suspension) of the Act (hereinafter in this Article simply referred to as "right") may file an application for exercise of right with the Director General of Customs.

- (2) When the application referred to in the preceding paragraph has been filed, if it is found, based on a certified copy of court's decision, a document evidencing settlement or the like, that there are reasonable grounds for that application, the Director General of Customs shall deliver to the exporter who has filed the application a document confirming the exporter's right.
- (3) When deposit has been provided by means of securities, if it is necessary for the exercise of right, the Director General of Customs may realize the securities. In that event, the charges necessary for realization are deducted from the amount so realized.

(4) In addition to what is provided for in the preceding three paragraphs, any other necessary matters concerning the exercise of right are specified by the Ministry of Justice Order and the Ministry of Finance Order..

(Procedures for application for approval of recovery of monetary deposit, etc. related to goods the exportation of which is prohibited)

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

(2) A person who seeks the approval referred to in item (v) of paragraph (8) of Article 69-6 of the Act shall, after having provided another deposit in lieu of the deposit actually provided, submit to the Director General of Customs a document stating that the person wishes to obtain the approval referred to in that item and the reason therefor, accompanied by an authenticated copy of a certificate of deposit with respect to another deposit.

(Procedures for request for hearing opinions pertaining to goods the exportation of which is prohibited)

Article 62-10. A person who seeks to request for hearing opinions prescribed in paragraph (1) of Article 69-7 (Request for hearing opinions 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 hearing opinions”) shall submit to the Director General of Customs a document stating matters set forth in the following, accompanied by, when a person who seeks to request for hearing opinions is a patentholder or other right holder provided for in paragraph (1) of Article 69-7 of the Act, materials that clarify the specific conditions of goods or processes found to compose the acts of infringing the patent right, utility model right or design right of that patentholder or other right holder, related to goods subject to the request for hearing opinions or the specific conditions of goods found to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act (excluding acts specified in item (viii) of paragraph (1) of Article 19 (Exclusion from application, etc.) of that Act; hereinafter the same applies in this Article, the items of paragraph (1) and paragraph (2) of the next Article), or when a person who seeks to request for hearing opinions is an exporter provided for in paragraph (1) of Article 69-7 of the Act, materials that clarify the specific conditions of goods or processes found 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 that paragraph, related to goods subject to the request for hearing opinions or the specific conditions of goods found 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 the person has been notified that the period until the day on which ten days elapse, as provided for in paragraph (1) of Article 69-7 of the Act has been extended pursuant to the provisions of that paragraph, that fact;
- (iii) that the person requests for hearing opinions and the reason therefor;
- (iv) any other relevant matters.

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

Article 62-11. When the Director General of Customs seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provisions of paragraph (2) of Article 69-7 (Request for hearing opinions pertaining to goods the exportation of which is prohibited, etc.) of the Act, the Director General of Customs shall submit to the Minister or the Commissioner a document stating that fact and a document as 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 provisions of the preceding Article, materials provided for in that Article and other materials that may serve as a reference for the Minister or the Commissioner when stating their opinions:

- (i) if a person who seeks to request for hearing opinions 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 found to compose the acts of infringing the person's patent right, utility model right or design right associated with goods subject to the request for hearing opinions and specified by the Director General of Customs or the specific conditions of goods found to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act and specified by the Director General of Customs;
 - (ii) if a person who seeks to request for hearing opinions 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 found 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 that paragraph, associated with goods subject to that request and specified by the Director General of Customs or the specific conditions of goods found not to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and specified by the Director General of Customs.
- (2) When the Director General of Customs seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provisions of paragraph (9) of Article 69-7 of the Act, the Director General of Customs shall submit to the Minister or the Commissioner a document stating that fact, the reason therefor and the specific conditions of goods or processes considered 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 69-7 of

the Act, related to the request for opinion and specified by the Director General of Customs or the specific conditions of goods considered to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and specified by the Director General of Customs, accompanied by materials that clarify the specific conditions and other materials that may serve as a reference for the Minister or the Commissioner when stating their opinions.

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

(Procedures, etc. for seeking 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. When 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 provisions of paragraph (1) of Article 69-8 (Seeking opinions of the Minister of Agriculture, Forestry and Fisheries, etc. in verification procedures pertaining to goods the exportation of which is prohibited) of the Act, the Director General of Customs shall submit to the Minister concerned a document stating that fact and the reason therefor, accompanied by materials concerning the suspect goods at issue and other materials that may serve as a reference for the Minister concerned when stating their opinions.

(2) The Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry, if it is necessary in order to provide the opinion pursuant to the provisions of paragraph (2) of Article 69-8 of the Act, may hear the opinions of a holder of a breeder's right or of a person who has the right to seek an injunction against unfair competition provided for in paragraph (3) of that Article or the opinions of a person who seeks to export goods subject to the verification procedures and of other persons concerned or of a person having academic background and experience. In this case, necessary procedures and other relevant matters are specified by the Ministry of Agriculture, Forestry and Fisheries Order or by the Ministry of Economy, Trade and Industry Order.

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

Article 62-13. When the Director General of Customs seeks opinions of technical advisers pursuant to the provisions of Article 69-9 (Seeking opinions of technical advisers in verification procedures pertaining to goods the exportation of which is prohibited) of the Act, the Director General of Customs shall send to the technical advisers a document stating that fact and the reason therefor, accompanied by materials concerning the suspect goods at issue and other materials that may serve

as a reference for the technical advisers when stating their opinions.

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

Article 62-14. A person who seeks to request under paragraph (1) of Article 69-10 (Request for 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 matters as set forth in the following:

- (i) the date of notification provided for in paragraph (1) of Article 69-7 (Request for hearing opinions pertaining to goods the exportation of which is prohibited, etc.) of the Act, on which a notification was received pursuant to the provisions of paragraph (2) of Article 69-10 of the Act;
- (ii) if the person has been notified that the period until the day on which ten days elapse as provided for in paragraph (1) of Article 69-7 of the Act has been extended pursuant to the provisions of that paragraph, that fact;
- (iii) if the person has received a notification prescribed in paragraph (6) of Article 69-7 of the Act, the date of receipt of the notification;
- (iv) that the person requests discontinuance of verification procedures;
- (v) any other relevant matters.

(Mutatis mutandis application of provisions for procedures, etc. when 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 discontinuance as prescribed in paragraph (1) of Article 69-10 (Request for 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 provisions of paragraph (3) of that Article; Article 62-8 applies *mutatis mutandis* to the procedures for the 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 to obtain the approval referred to in item (ii) of paragraph (9) of Article 69-10 of the Act; paragraph (2) of Article 62-9 applies *mutatis mutandis* to a person who seeks to obtain the approval referred to in item (iii) of paragraph (9) of Article 69-10 of the Act. In this case, the terms or phrases set forth in the middle columns of the following table, which are used in the paragraphs of the left columns, are deemed to be replaced respectively with the terms or phrases set forth in the right columns:

Provisions	Terms or phrases to be replaced	Terms or phrases to replace
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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 seeks to export	a patentholder or other right holder (i.e., a patentholder or other right holder provided for in paragraph (1) of Article 69-7 (Seeking the opinion related 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 application pertaining to goods the exportation of which is prohibited) of the Act, relating 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 paragraphs (1) and (2) of Article 62-8	Exporter	patentholder or other right holder
Paragraph (3) of Article 62-7	a person who seeks to export	a patentholder or other right holder who has filed an 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, relating to
Paragraph (1) of Article 62-9	paragraph (5) of that 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. 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”), the Director General of Customs shall provide a patentholder or other right holder (i.e., a holder of patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, layout-design exploitation right or breeder’s right or 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 item (iv) of paragraph (4) and paragraph (2) of Article 62-29); hereinafter the same applies in this Article), associated with 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 seeks to import these suspect goods (hereinafter in this Article referred to as “importer”) with an opportunity to produce evidence to substantiate whether these suspect goods do or do not fall under those goods set forth in items (ix) to (x) of paragraph (1) of Article 69-11 (Goods the importation of which is prohibited) of the Act and to state their opinions; provided, however, that this does not apply if a document provided for in item (v) of paragraph (5) has not been submitted, before the time limit specified in that item, by an importer who has received the notification referred to in paragraph (5).

- (2) Documents to be prescribed by Cabinet Order, as provided for in paragraph (4) of Article 69-12 of the Act are those as set forth in the following:
 - (i) documents stating the details and purposes of importation of suspect goods by an importer, including the importer’s intention to purchase or receive the suspect goods and the fact that the suspect goods has been shipped by a consignor;
 - (ii) documents certifying the names, addresses and occupations or businesses, of an importer and consignor of suspect goods;
 - (iii) documents stating the nature, shape, function, quality, intended use and other characteristics of suspect goods;
 - (iv) documents stating whether the importer has or has not obtained from the patentholder or other right holder associated with the suspect goods authorization of importing the suspect goods;
 - (v) in addition to what is set forth in the preceding items, documents that certify that suspect goods do not fall under those goods set forth in items (ix) to (x) of paragraph (1) of Article 69-11 of the Act and other documents that may serve as a reference when the Director General of Customs verifies whether the suspect goods do or do not fall under those goods set forth in items (ix) to (x) of that paragraph.
- (3) If the evidence produced pursuant to the provisions of paragraph (1), documents submitted pursuant to the provisions of paragraph (4) of Article 69-12 of the Act and any other evidence employed in verification procedures are taken as a basis for the verification referred to in paragraph (6) of that Article, the Director General of Customs shall provide a patentholder or other right holder or an importer, involved in the verification procedures, with an opportunity to state their opinions concerning the evidence or documents.
- (4) A notification to a patentholder or other right holder as prescribed in paragraphs (1) and (2) of Article 69-12 of the Act shall be issued in writing, stating the matters as set forth in the following:

- (i) the description of suspect goods;
 - (ii) the names and addresses of an importer and consignor of suspect goods;
 - (iii) the details of a patent right, utility model right, design right, trademark right, copyright, copyright neighboring right, layout-design exploitation right or breeder's right, related to suspect goods (limited to suspect goods subject to verification procedures pertaining to goods as set forth in item (ix) or (ix)-2 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, related to suspect goods (limited to suspect goods subject to verification procedures pertaining to goods set forth in item (x) of paragraph (1) of Article 69-11 of the Act) (i.e., the indication of goods, etc., configuration of goods or technological restriction measures as provided for in items (i) to (iii), (xvii) or (xviii) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act, associated with a person who has the right to seek an injunction against unfair competition; the same applies in item (ii) of the next Article),;
 - (v) the reason for initiating verification procedures;
 - (vi) when an application prescribed in paragraph (1) of Article 69-13 (Procedures, etc. for filing of an application related to goods the importation of which is prohibited) of the Act has been accepted, if verification procedures under that application are initiated, that fact;
 - (vii) that a patentholder or other right holder may produce evidence and state the opinion to substantiate that suspect goods fall under those set forth in items (ix) to (x) of paragraph (1) of Article 69-11 of the Act (when an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures under that application are initiated, the fact that the right holder may produce evidence and state the opinion only when the document provided for in item (v) of the next paragraph has been submitted, before the time limit specified in that item, by an importer who has received a notification referred to in the next paragraph), and the time limit therefor;
 - (viii) when an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures under that application are initiated, that the patentholder or other right holder may inspect suspect goods by filing an application before the time limit referred to in the preceding item;
 - (ix) any other relevant matters.
- (5) A notification to an importer as prescribed in paragraphs (1) and (2) of Article 69-12 of the Act shall be issued in writing, stating the matters as set forth in the following:
- (i) the descriptions and quantity of suspect goods, and the date of import declaration of these goods (if the suspect goods are postal items provided for in paragraph (1) of Article 76 (Simplified export or import procedures for postal items) of the Act, the date of presentation prescribed in paragraph (3) of that Article);
 - (ii) the name and address of a patentholder or other right holder;
 - (iii) that the importer may produce evidence and state the opinion to substantiate that suspect goods

- do not fall under those set forth in items (ix) to (x) of paragraph (1) of Article 69-11 of the Act (when an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures under that application are initiated, that the importer may produce evidence and state the opinion only when the document provided for in item (v) is submitted before the time limit specified in that item) and the time limit therefor;
- (iv) that the suspect goods, if they are verified to fall under those set forth in items (ix) to (x) of paragraph (1) of Article 69-11, may be confiscated and disposed of pursuant to the provisions of paragraph (2) of that Article;
- (v) when the application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted and verification procedures under that application are initiated, if an importer disputes over whether suspect goods do or do not fall under those set forth in items (ix) to (x) of paragraph (1) of Article 69-11 of the Act, that the importer shall submit a document stating that fact to the Director General of Customs on or before the day on which ten days elapse (the holidays of administrative organs (i.e., the days set forth in the items of paragraph (1) of Article 1 (Holidays of administrative organs) of the Act on the Holidays of Administrative Organs (Act No. 91 of 1988)) are not included) from the date of receipt of the notification;
- (vi) when an application prescribed in paragraph (1) of Article 69-13 of the Act has been accepted, if verification procedures under that application are initiated, that a person who has filed the application or an importer (excluding an importer who may inspect the details of the suspect goods pursuant to the provisions of paragraph (2) of Article 36 (*Mutatis mutandis* application of provisions on customs areas, etc.) of the Act, paragraph (1) of Article 40 (Handling of goods) of the Act (including the cases where applied *mutatis mutandis* pursuant to Article 49 (*Mutatis mutandis* application of provisions on designated customs areas) of the Act), paragraph (3) of Article 62-2 (Permission of a customs exhibition site) and paragraph (1) of Article 62-8 (Permission of an integrated customs area)) may inspect suspect goods by filing an application before the time limit referred to in item (iii);
- (vii) the matters as set forth in items (iii) to (vi) and (ix) of the preceding paragraph.
- (6) A notification prescribed in paragraph (3) of Article 69-12 of the Act shall be issued in writing.
- (7) If a document provided for in item (v) of paragraph (5) has been submitted, before the time limit provided for in that item, by an importer who has received the notification referred to in that paragraph, the Director General of Customs shall notify a patentholder or other right holder of that fact.

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

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

- (i) the details of the patent right, utility model right, design right, trademark right, copyright, copyright neighboring right or breeder's right, of that person (collectively referred to as "right" in items (iii) and (iv)) (only when the person seeks to file an application related to goods set forth in item (ix) or (ix)-2 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 (only when the person seeks to file an application related to goods set forth in item (x) of paragraph (1) of Article 69-11 of the Act);
- (iii) the description of goods found to infringe the right or business interests of that person (i.e., business interests associated with goods set forth in item (x) of paragraph (1) of Article 69-11 of the Act, infringed by the acts provided for in that item; the same applies in the next item);
- (iv) the reason why the goods referred to in the preceding item are found to infringe the right or business interests of that person;
- (v) the desired period for which the application provided for in paragraph (3) of Article 69-13 of the Act is effective (limited to a period not exceeding four years);
- (vi) any other relevant matters.

(Provision of opportunity for inspection related to goods the importation of which is prohibited)

Article 62-18. A person who seeks to conduct the inspection prescribed in paragraph (4) of Article 69-13 (Procedures, etc. for filing of an application related to goods the importation of which is prohibited) of the Act shall, before the time limit referred to in item (vii) of paragraph (4) or item (iii) of paragraph (5) of Article 62-16, submit to the Director General of Customs a document stating that the person seeks to conduct the inspection, accompanied by a copy of the written notification referred to in paragraph (4) or (5) of that Article.

(Procedures for seeking opinions of technical advisers when application for import suspension is filed)

Article 62-19. When the Director General of Customs seeks opinions of technical advisers pursuant to the provisions of Article 69-14 (Seeking opinions of technical advisers when an application for import suspension is filed) of the Act, the Director General of Customs shall send to the technical advisers a document stating that fact and the reason therefor, accompanied by materials concerning goods subject to the application and other materials that may serve as a reference when stating their opinions.

(Procedures when deposit has been provided pursuant to the order of the Director General of Customs in connection with 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 of an application related to goods the importation of which is prohibited) of the Act and has been ordered to provide monetary deposit pursuant to the provisions of paragraph (1) or (2) of Article 69-15 (Deposit, etc. pertaining to application for import suspension) of the Act (in the next Article referred to as “applicant ordered to deposit”) shall, when the person has provided the deposit (including deposit of securities prescribed in paragraph (3) of Article 69-15 of the Act), submit an authenticated copy of a certificate of deposit to the Director General of Customs without delay.

(2) When an authenticated copy of a 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 the certificate of deposit to a person who seeks to import goods that have caused the 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. If an applicant ordered to deposit enters into a contract referred to in paragraph (5) of Article 69-15 (Deposit, etc. pertaining to application for import suspension) of the Act, the contract shall be entered into, as its counterparty, with a bank, credit association (Shinkin bank), insurance company or other financial institution that 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 the contents of the contract shall meet the requirements as set forth in the following:

- (i) that the financial institution, for the applicant ordered to deposit, pay the importer, within the amount of money ordered to deposit by the Director General of Customs, an amount of money indicated in the document delivered by the Director General of Customs in response to the importer’s application as a document that confirms that the importer who has the right to claim for compensation for damages provided for in paragraph (1) of Article 69-15 of the Act against that applicant has the right to claim for payment of money against the financial institution;
 - (ii) that the contract ceases to be effective when the contract is rescinded with the approval of the Director General of Customs;
 - (iii) that rescission of the contract or any modification to the contents of the contract is not permitted unless the Director General of Customs gives approval.
- (2) When the applicant ordered to deposit has entered into a contract referred to in paragraph (5) of Article 69-15 of the Act (including when the contract has been modified with the approval of the Director General of Customs), the applicant shall submit to the Director General of Customs a document stating that fact, accompanied by a copy of the contract.

- (3) When the document and a copy of the contract, prescribed in the preceding paragraph have been submitted, the Director General of Customs shall deliver without delay to a person who seeks to import goods that have caused the contract to be entered into, a document stating that fact, the name and address of a financial institution that is a counterparty of the contract and the amount of money specified in the contract.
- (4) When the document and a copy of the contract prescribed in paragraph (2) have been submitted, if the Director General of Customs is sought, from an importer having the right to claim for compensation for damages provided for in paragraph (1) of Article 69-15 of the Act against an applicant ordered to deposit who has entered into a contract referred to in that paragraph, confirmation of the importer's right to claim for compensation for damages and the amount covered by that right, and if it is found, based on a certified copy of court's decision, a document evidencing settlement or the like, that there are reasonable grounds for seeking the confirmation, the Director General of Customs shall deliver to that importer a document confirming the importer's right to claim for compensation for damages and the amount covered by that right.

(Procedures for exercise of right associated with 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 application for import suspension) of the Act (hereinafter in this Article simply referred to as "right") may file an application for the exercise of right with Director General of Customs.

- (2) When the application referred to in the preceding paragraph has been filed, if it is found, based on a certified copy of court's decision, a document evidencing settlement or the like, that there are reasonable grounds for the application, the Director General of Customs shall deliver to the importer who has filed the application a document confirming the importer's right.
- (3) When deposit has been provided by means of securities, if it is necessary for the exercise of right, the Director General of Customs may realize the securities. In that event, the charges necessary for realization are deducted from the amount so realized.
- (4) In addition to what is provided for in the preceding three paragraphs, other necessary matters concerning the exercise of right are specified by the Ministry of Justice Order and the Ministry of Finance Order.

(Procedures for application for approval of recovery of monetary deposit, etc. related to goods the importation of which is prohibited)

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

that Article.

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

(Procedures, etc. for application for approval of inspection of a sample)

Article 62-24. A person who seeks to obtain the approval referred to in paragraph (1) of Article 69-16 (Inspection of samples of suspect goods by applicants) of the Act shall submit to the Director General of Customs a document stating the matters set forth in the following, accompanied by a copy of the written notification referred to in paragraph (4) of Article 62-16:

- (i) the reason why inspection of a sample taken from suspect goods is necessary for producing evidence pursuant to the provisions of paragraph (1) of Article 62-16 and stating opinions;
 - (ii) the quantity of the sample;
 - (iii) the place, and the date and time of conducting inspection of the sample and the means of the inspection;
 - (iv) if the sample is to be stored, either before or after inspection of the sample, at a place other than a place provided for in the preceding item, the place of storage and the means of storage;
 - (v) the means of transport if the sample is transported;
 - (vi) any other relevant matters.
- (2) When the application referred to in paragraph (1) of Article 69-16 of the Act has been filed, if the Director General of Customs, pursuant to the provisions of the second sentence of that paragraph, notifies a person who seeks to import suspect goods from which the sample has been taken (hereinafter in this Article referred to as “importer”) of the fact that the application has been filed, the Director General of Customs shall also notify that the importer may state the opinion to the Director General of Customs with respect to the application.
 - (3) When the application referred to in paragraph (1) of Article 69-16 of the Act has been filed, if the Director General of Customs elects not to approve the application, the Director General of Customs shall notify an applicant and importer of that fact and the reason therefor in writing.
 - (4) When a notification prescribed in paragraph (3) of Article 69-16 of the Act is issued to an importer, the Director General of Customs shall notify the importer of the fact that inspection of the sample as provided for in that paragraph is approved and of the place, date and time of inspection of the sample in writing.
 - (5) The expenses to be borne by an applicant referred to in paragraph (4) of Article 69-16 of the Act pursuant to the provisions of that paragraph are those necessary for the transport, storage or inspection of the sample and other expenses incurred from handling of the sample (including the expenses necessary for returning the sample).

(*Mutatis mutandis* application of provisions concerning procedures, etc. when 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 seeks to file an application prescribed in paragraph (1) of Article 69-16 (Inspection of samples of suspect goods by applicants) of the Act and has been ordered to provide monetary deposit pursuant to the provisions of paragraph (1) of Article 69-15 (Deposit, etc. pertaining to 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 to obtain the 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; paragraph (2) of Article 62-23 applies *mutatis mutandis* to a person who seeks to obtain the 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 or phrases set forth in the middle columns of the following table, which are used in the paragraphs in the left columns are deemed to be replaced respectively with the terms or phrases set forth in the right columns:

Provisions	Terms or phrases to be replaced	Terms or phrases 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
Paragraph (1) of Article 62-21	paragraph (5) of Article 69-15 (Deposit, etc. pertaining to application for import suspension) of the Act	paragraph (5) of Article 69-15 (Deposit, etc. pertaining to application for import suspension) of the Act, as applied <i>mutatis mutandis</i> pursuant to paragraph (5) of Article 69-16 of the Act
Paragraph (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 para-graph (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 para-graph (5) of Article 69-16 of the Act
Paragraph (1) of Article 62-23	paragraph (5) of that Article	paragraph (5) of Article 69-15 of the Act, as ap-plied <i>mutatis mutandis</i> pursuant to para-graph (5) of Article 69-16 of the Act

(Procedures for application for attendance when inspection of a sample is conducted)

Article 62-26. A person who seeks to file an application prescribed in paragraph (6) of Article 69-16 (Inspection of samples of suspect goods by applicants) of the Act shall submit, before the day on which inspection of a sample as notified pursuant to the provisions 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 inspection and other relevant matters. In this case, the Director General of Customs who has received the document shall notify a person who has filed an application referred to in paragraph (1) of Article 69-16 of the Act of the name of a person who is to attend the inspection and other relevant matters.

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

Article 62-27. A person who seeks to request for hearing the opinion as prescribed in paragraph (1) of Article 69-17 (Request for hearing opinions pertaining to goods the importation 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 hearing opinion”) shall submit to the Director General of Customs a document stating matters as set forth in the following, accompanied by, when a person who seeks to request for hearing opinion is a patentholder or other right holder provided for in paragraph (1) of Article 69-17 of the Act, materials that may clarify the specific conditions of goods or processes found to compose the acts of infringing the patent right, utility model right or design right of that patentholder or other right holder, related to goods subject to the request for hearing opinion or the specific conditions of goods found to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act (excluding acts specified in item (viii) of paragraph (1) of Article 19 (Exclusion from application, etc.) of that Act; hereinafter the same applies in this Article, the items of paragraph (1) and paragraph (2) of the next Article), or when a person who seeks to request for hearing opinion is an importer provided for in paragraph (1) of Article 69-17 of the Act, materials that clarify the specific conditions of goods or processes found

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 that paragraph, related to the goods subject to the request for hearing opinion or the specific conditions of goods found 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 69-17 of the Act;
- (ii) if the person has been notified that the period until the day on which ten days elapse as provided for in paragraph (1) of Article 69-17 of the Act has been extended pursuant to the provisions of that paragraph, that fact;
- (iii) the fact that the person requests for hearing opinion and the reason therefor;
- (iv) any other relevant matters.

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

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

- (i) if a person who seeks to request for hearing opinions 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 found to compose the acts of infringing the person's patent right, utility model right or design right of goods subject to the request for hearing opinions and specified by the Director General of Customs or the specific conditions of goods found to compose the acts set forth in item (x) of paragraph (1) of Article 2 (Definitions) of the Unfair Competition Prevention Act and specified by the Director General of Customs;
 - (ii) if a person who seeks to request for hearing 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 found 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 that paragraph, related goods subject to that request and specified by the Director General of Customs or the specific conditions of goods found not to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and specified by the Director General of Customs.
- (2) When the Director General of Customs seeks the opinion of the Minister of Economy, Trade and Industry or the Commissioner of the Patent Office pursuant to the provisions of paragraph (9) of

Article 69-17 of the Act, the Director General of Customs shall submit to the Minister or the Commissioner a document stating that fact, the reason therefor and the specific conditions of goods or processes considered 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, related to the request for seeking opinion and specified by the Director General of Customs or the specific conditions of goods considered to compose the acts set forth in item (x) of paragraph (1) of Article 2 of the Unfair Competition Prevention Act and specified by the Director General of Customs, accompanied by materials that clarify the specific conditions and other materials that may serve as a reference for the Minister or the Commissioner when stating their opinions.

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

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

Article 62-29. When 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 provisions of paragraph (1) of Article 69-18 (Seeking opinions of the Minister of Agriculture, Forestry and Fisheries, etc. in verification procedures pertaining to goods the importation of which is prohibited) of the Act, the Director General of Customs shall submit to the Minister concerned a document stating that fact and the reason therefor, accompanied by materials concerning the suspect goods related to the request for seeking of the opinion and other materials that may serve as a reference for the Minister concerned when stating their opinions.

- (2) The Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry, if it is necessary in order to provide the opinion pursuant to the provisions of paragraph (2) of Article 69-18 of the Act, may hear the opinions of a holder of breeder's right, of a person who has the right to seek an injunction against unfair competition, of a person who seeks to import goods subject to the verification procedures, as provided for in paragraph (3) of that Article, of other person concerned or of a person having academic background and experience. In this case, the necessary procedures and other relevant matters are specified by the Ministry of Agriculture, Forestry and Fisheries Order or by the Ministry of Economy, Trade and Industry Order.

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

Article 62-30. When the Director General of Customs seeks opinions of technical advisers pursuant to the provisions of Article 69-19 (Seeking opinions of technical advisers in verification procedures pertaining to goods the importation of which is prohibited) of the Act, the Director General of Customs shall send to the technical advisers a document stating that fact and the reason therefor, accompanied by materials concerning the suspect goods related to request for seeking of the opinion and other materials that may serve as a reference for the technical advisers when stating their opinions.

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

Article 62-31. A person who seeks to request under paragraph (1) of Article 69-20 (Request for 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 matters as set forth in the following:

- (i) the date of notification provided for in paragraph (1) of Article 69-17 (Request for hearing opinions pertaining to goods the importation of which is prohibited, etc.) of the Act, on which a notification was received pursuant to the provisions of paragraph (2) of Article 69-20 of the Act;
- (ii) if the person has been notified that the period until the day on which ten days elapse as provided for in paragraph (1) of Article 69-17 of the Act has been extended pursuant to the provisions of that paragraph, that fact;
- (iii) if the person has received a notification prescribed in paragraph (6) of Article 69-17 of the Act, the date of receipt of the notification;
- (iv) the fact that the person requests discontinuance of verification procedures;
- (v) any other relevant matters.

(*Mutatis mutandis* application of procedures, etc. when 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 seeks to request under paragraph (1) of Article 69-20 (Request for 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 provisions of paragraph (3) of that Article; 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 the approval referred to in item (ii) of paragraph (9) of Article 69-20 of the Act; paragraph (2)

of Article 62-23 applies *mutatis mutandis* to a person who seeks to obtain the approval referred to in item (iii) of paragraph (9) of Article 69-20 of the Act. In this case, the terms or phrases set forth in the middle columns of the following table, which are used in the paragraphs of the left columns, are deemed to be replaced respectively with the terms or phrases set forth in the right columns:

Provisions	Terms or phrases to be replaced	Terms or phrases 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 seeks to import	a patentholder or other right holder who has filed an application pre-scribed in paragraph (1) of Article 69-13 (Procedures, etc. for application relating 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 related to goods the importation of which is prohibited, etc.) of the Act; the same applies in the next Article and Article 62-22), relating to
Paragraphs (1) and (2) of Article 62-21	paragraph (5) of Article 69-15 (Deposit, etc. pertaining to application for import suspension) 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	the importer	the patentholder or other right holder
Paragraph (3) of Article 62-21	a person who seeks to import	a patentholder or other right holder who has filed an application prescribed in paragraph (1) of Article 69-13 (Procedures, etc. for application relating to goods the importation of which is prohibited, etc.) of the Act, relating to

Paragraph (1) of Article 62-23	paragraph (5) of that Article	paragraph (6) of Article 69-20 of the Act
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Subsection 3 Technical Advisers

Article 62-33. When the Director General of Customs designates persons to serve as technical advisers pursuant to the provisions of Article 69-5 (Seeking opinions of technical advisers when an application for export suspension is filed), Article 69-9 (Seeking opinions of technical advisers in verification procedures pertaining to goods the exportation of which is prohibited), Article 69-14 (Seeking opinions of technical advisers when an application for import suspension is filed) or Article 69-19 (Seeking opinions of technical advisers in verification procedures pertaining to goods the importation of which is prohibited), of the Act, the Director General of Customs is to specify the period of designation as technical experts.