

Analysis of the Expired Patent: Nichia's YAG Phosphor

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Abstracts

Recently, global companies increasingly tend to use patents as weapons to maintain competitiveness of their products. Especially, they are making good use of patent rights to maintain the dominance for their original technologies.

Similarly in the LED industry, leading companies are hindering new companies from entering the market, forming a patent network. In particular, Nichia has the patent right for the yellow phosphor (YAG), which first enabled implementation of white LEDs, facilitating the growth of the LED market. This has also made a great contribution to Nichia's LED business. Since there will be many changes in the industry with expiration of the patent, the industry are keeping a close watch on this.

In fact, that the expiration of Nichia's YAG patent is frequently in industry news articles, shows how much interest is paid on availability of the YAG phosphor. Nevertheless, it is not easy to obtain objective information to grasp what are the effects of the expiration of the YAG phosphor patent and Nichia's YAG patent portfolio.

For this, SNE Research published a report, which presents an intensive analysis of the patent claims of Nichia's YAG patent (US Patent No. 5998) set to expire soon and the claims of the family patents (US, KR, JP, and EP) and other related patents, which is expected to be a helpful guideline to comprehend what the expiration of Nichia's YAG patent signifies and what effects it will have.

(In this report, analyzed are the patent claims of Nichia's YAG patent, US Patent No. 5998925, and 54 family patents thereof (US, KR, JP, and EP) and the above key patents and family patents thereof. Besides, it provides information of other major YAG patents filed by Nichia other than family patents of US Patent No. 5998925, other

related patents filed by other companies, and the status of patent disputes over Nichia YAG.)

In this sense, this report is expected to be a great help for related businesses to conduct more effective R&D and prevent unnecessary patent disputes over LED YAG phosphors by providing this in-depth systematic analysis of the original patent, scheduled to expire.

Thus, this report is expected to be a great help for related businesses to conduct more effective R&D and prevent unnecessary patent disputes over LED YAG phosphors by providing this in-depth systematic analysis of the original patent, scheduled to expire.

In addition, this report provides an effective approach to help comprehend Nichia's patent portfolio for YAG-based materials more objectively, impressing on related companies the importance of making plans for the soon-to-be-expired patents and interpreting patent claims thereof.

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About

Nichia's Key YAG Patents

Currently, Nichia has 21 patents on YAG (U.S. issued). After a comprehensive review based on the date of filing, and the number of citations, family patents, and disputes, US Patent No. 5998925 turned out to be the original patent and expire soonest.

Significance of Patent Expiration

While proprietary rights for movable assets/real estate exist infinitely, patent rights are finite. The reason why patent rights are limited as to time is they are intended to encourage invention and promote industrial development, and the intended goal can be accomplished as long as the exclusive rights are granted for a limited period of time. In the United States, the term of patent is usually 20 years from the date of filing (the date when the patent application is filed to the U.S. patent office. As for patents filed before June 8, 1995, the term of patent is 1) 17 years from the issue date or 2) 20 years from the filing date, whichever is longer. In Korea, the term of patent is 20 years from the filing date. If a patent right expires, a third party can also utilize the invention disclosed in the claims of the patent.

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