Introduction of the JPO and JPO Technical Assistance Activities for International Cooperation

International Affairs Division
Japan Patent Office

November 25, 2009

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Technical Assistance for International Cooperation
- Cooperation with Developing Countries
- WIPO Japan Funds-in-Trust (FIT)
- WIPO High-Level Forum 2010 in Tokyo
Organization

Japan Patent Office

Agency for Natural Resources and Energy
The Small and Medium Enterprise Agency

General Affairs Department
Trademark, Design and Administrative Affairs Department
First Patent Examination Department
Second Patent Examination Department
Third Patent Examination Department
Fourth Patent Examination Department
Appeals Department

Role of the Japan Patent Office

1. Granting Exclusive Rights for Patents, Etc.
2. Drafting Plans for IP Policies
3. International Exchange and Cooperation
4. Review of the IP System
5. Dissemination of Information on IP
Budget

Appropriation for 2009:  
**JPY 120 billion**  
**US$ 1.2 billion**

- Examination/Appeal 28%  
  JPY 34 billion / US$ 344 million
- Personnel 28%  
  JPY 33 billion / US$ 339 million
- Informatization 21%  
  JPY 26 billion / US$ 262 million
- INPIT Operation 11%  
  JPY 13 billion / US$ 135 million
- Other 12%  
  JPY 14 billion / US$ 148 million

Staff

Total Staff: 2,904 (FY 2009)

- Patent Examiners 1,692
- Appeal Examiners 387
- Administrative Staff 623
- Trademark Examiners 150
- Design Examiners 52
- Regular Examiners 1,202
- Fixed-term Examiners 490
Number of Applications Filed in Japan

Total Number of Applications: 553,208 (in 2008)

- Trademark: 119,185 (22%)
- Design: 33,569 (6%)
- Utility Model: 9,452 (2%)
- Patent: 391,002 (70%)

Trends of Patent Filing & Request in Japan

Number of Patent Applications & Requests for Examination

- Applications
- Requests for Examination
Japan’s Legislative System to Protect IP

- Intellectual Property (Rights)
  - Intellectual Creations
    - Inventions: Patent Law
    - Utility Models: Utility Model Law
    - Designs: Design Law
    - Copyrights: Copyright Law
    - Integrated Semiconductor Circuits: Integrated Semiconductor Circuits Law
    - New Plant Variety: Seedlings Law
    - Trade Secrets: Unfair Competition Prevention Law
  - Commercial Symbols
    - Trademarks: Trademark Law
    - Trade Names: Commercial Code
    - Relating to Prevention of Unfair Competition
    - Unfair Competition Prevention Law

Japan’s IP Strategy

**Government wide**
- Feb., 2002: Administrative Policy Speech by Prime Minister Koizumi
- Dec., 2002: Intellectual Property Basic Law
- July, 2003: Strategic Program for the Creation, Protection and Exploitation of Intellectual Property
- June, 2008: Intellectual Property Strategic Program 2008

**METI**
- Aug., 2008: New Intellectual Property Policy for Pro-Innovation
- Jan., 2009: Establishment of the Committee to study new Patent System
**Intellectual Property Strategic Program**

<table>
<thead>
<tr>
<th>Policy speech</th>
<th>Phase I</th>
<th>Phase II</th>
<th>Phase III (2009 to 2013)</th>
</tr>
</thead>
</table>
|                | - Implement basic system reforms  
|                | - Develop frameworks for cooperation  
|                | - Increase the effectiveness of the reforms to make Japan an IP-based nation  
|                | - Strengthen Japan’s international competitiveness through the use of intellectual property  
|                | - Improve systems to cope with new tasks |  |

**Five Basic Policies of IP Strategy in Phase III during 2009-2013**

1. IP For Innovation  
2. Global IP  
3. Promotion of Soft Power Industries  
4. Stable IP  
5. User-Friendliness

http://www.ipr.go.jp/e_materials.html

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**Intellectual Creation Cycle**

Fundamental Principle for Transforming Japan into “Intellectual Property-based Nation”

- **Protection** (Acquisition of Rights)  
- **IP Rights**  
- **Utilization** (Licensing, Recovery of Costs)  
- **Profit**  
- **Creation** (Research & Development)  
- **Invention/Creation**
Mutual Utilization of Examination Result
Patent Prosecution Highway (PPH)

If a patent application has been determined to be patentable in the first filing office, the corresponding application is qualified for accelerated examination in second filing offices with a simple procedure.

Office of First Filing (OFF)
- Application
- Office Action
- Patented

Office of Second Filing (OSF)
- Corresponding Application
- Request for PPH
- Accelerated Exam.

OSF utilizes search and examination result of OFF.

Average Pendency from PPH Request to FA in the OSF: 2-3 months
(As of the end of Apr. 2009 in the JPO and the USPTO)
Expanding PPH Network!

- IP Australia
- UKIPOROSPATENT
- USPTO
- EPO
- CIPO
- GPTO
- KIPO
- JPO
- HPO
- APO
- NBPR
- DKPTO

- Under consideration
- Pilot implementation
- Full implementation

Paperless System

Electronic Patent Office

- Rate of e-filing: 97% for patent, 92% for design, 84% for trademark
- ISDN/Internet for Formality Examination
- IP Information Users: Inspection Inquiry, Deposit Inquiry, Certification Request, Delivery, Gazette Inspection, Document Inspection
- Applicants: Individuals, Companies, Patent Attorneys, etc.
- Applicants: ISDN/Internet
- Foreign Patent Offices: Data Exchange
- Outsourcing: IP Centers, etc.
- Dedicated Line
- CD-ROM Gazette, DVD-ROM Gazette, Internet Official Gazette
- One Stop Service
- General Public
- DB Service, Big Companies
Support & Dissemination (1)

1. Support for SMEs

- Application Advisors
- Patent Information Advisors

- Application
- Request for Examination
- Examination
- Registration

- Free Support of Prior Art Search
- Reduction of or Exemption from Examination Request Fee
- Accelerated Examinations
- Circuit Examinations
- Reduction of or Exemption from Annual Patent Fee

Training/Consultation
- Explanatory Meetings
- Seminar and Training
- Consultation Services
- Comprehensive Support by IPR Specialists

Foreign Application
- Aid for Foreign Application of Patent through the SMEs Supporting Center of Prefectures

Utilization
- Patent Licensing Advisors
- Patent Licensing Database
- Patent Business Market

Support & Dissemination (2)

2. Support for Universities

Invention Stage
- Seminars for University Researchers
- Providing Patent Information

Granting of Patent Stage
- University Intellectual Property Advisors
- Reduction and Exemption of Patent Fee and Examination Request Fee
- Accelerated Examinations

Technology Transfer Stage
- Patent Licensing Database
- Patent Licensing Advisors

University
- Invention by Researchers

IP Department
- TLO

Technology Transfer
- Licensing

Industry
3. Support for Patent Utilization

**Patent Licensing Advisors**
- University
- Research Institute
- Company
- SMEs
- Venture Companies

**Provision of Information**
- Patent Information Advisor
- Patent Licensing Database
- Examples of Licensable Patent Utilization

**Development of Infrastructure**
- Patent Business Market
- Companies’ own technological seeds
- Patented Technology
- Business Plan
- Presentation
- Cooperation
- International Patent Licensing Seminars

**Support & Dissemination (4)**

4. Development of Human Resources

- Researchers, Entrepreneurs, Experts
- Adults in general
- High Schools, Universities
- Elementary Schools, Junior High Schools, High schools

- Seminars for SMEs, university, and training experts
- Explanatory meetings on IP systems, legal revisions, and specified topics
- - Industrial property rights standard textbooks
- - Seminars for students
- - Patent contests
- - Supplementary textbooks for IP education
- - IP education support seminars
- - Research on the promotion of IP education
- - IP report contest for products made by junior high school students
Measures against Counterfeiting

Campaign to Combat Counterfeiting and Piracy

Counterfeit goods on the Internet appear so inexpensive and attractive. Taking lightly the purchase of counterfeit goods is the greatest danger.

The person who is selling the counterfeit goods is a genuine criminal.

The campaign poster in FY2008.

WIPO E-SPEED Database Initiative

- To provide access to cases in which IP and business have been successfully linked -

Japan Proposal
Web-based Sharing of Experience and Information on Successful Cases of Linking IP and Business with particular emphasis on Cases associated with Developing Countries

**Aims**

- Promotion of the intellectual creation cycle particularly in developing countries
- Facilitation of alliances and partnerships, technology transfer, and direct investment of business entities
- Progressive increase in the IP ownership of developing countries for their economic advancement

**Suggestions**

- One-stop service at a WIPO website
- Multi-faceted classification system
- Available related-information and other resources
- International and inter-organizational exchange of views and ideas
**WIPO E-SPEED Database Initiative (3)**

**Expected Results**

- Promotion of the “intellectual creation cycle”
- Integration of IP-related activities in corporate business strategies and in national strategies
- Stimulation of local industries
- Facilitation of alliances and partnerships, etc.
- Increase of the IPR ownership of developing countries
- Enhancement of IP systems leading to the establishment of a pro-innovation global infrastructure
- Better coordination among national and international organizations

**WIPO E-SPEED Database Initiative (4)**

**Possible design of the portal website**

Use the guided retrieval form below to search the WIPO E-SPEED Database, based on multi-faceted data classifications and, if necessary, on the full-text search facility for all available texts.
JPO Technical Assistance Activities for International Cooperation

- Organization of workshops and seminars
- Acceptance of trainees to Tokyo training courses from private and public sectors
- Dispatch of speakers/experts to countries to participate in on-site seminars and/or to provide support/advice
- Support of modernization of IP Offices
Cooperation with Developing Countries

Achievements
- 3,037 trainees from 54 countries / 1 region
- 383 Experts (short term / long term) to 16 countries / 1 region
- Acceptance of executive trainees of IP Offices or persons in positions of leadership in the IP field as long-term research fellows for 6 months (total of 39 persons)
- Around 10 Seminars regarding the IP for the developing countries held every year.

Total number of invited trainees / dispatched experts from FY 1996 to FY 2008

<table>
<thead>
<tr>
<th>Country</th>
<th>Total number of invited trainees</th>
<th>Total number of dispatched experts</th>
</tr>
</thead>
<tbody>
<tr>
<td>China</td>
<td>573</td>
<td>33</td>
</tr>
<tr>
<td>Indonesia</td>
<td>442</td>
<td>69</td>
</tr>
<tr>
<td>Thailand</td>
<td>398</td>
<td>83</td>
</tr>
<tr>
<td>Vietnam</td>
<td>340</td>
<td>72</td>
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<tr>
<td>Philippines</td>
<td>323</td>
<td>39</td>
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<tr>
<td>Malaysia</td>
<td>278</td>
<td>20</td>
</tr>
<tr>
<td>India</td>
<td>141</td>
<td>14</td>
</tr>
<tr>
<td>Laos</td>
<td>45</td>
<td>6</td>
</tr>
<tr>
<td>Cambodia</td>
<td>37</td>
<td>2</td>
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<tr>
<td>Myanmar</td>
<td>25</td>
<td>0</td>
</tr>
<tr>
<td>Others</td>
<td>474</td>
<td>45</td>
</tr>
<tr>
<td>Total</td>
<td>3,076</td>
<td>383</td>
</tr>
</tbody>
</table>

Follow-up Seminar in Thailand (Nov., 2009)

WIPO Japan Funds-in-Trust (FIT)

WIPO established and manages the WIPO Japan Funds-in-Trust (FIT) to which the JPO has made voluntary contributions since 1987 for improving system, enforcement and computerization in the field of industrial property in developing countries. (Budget for FY 2009: 2.9 million CHF)

Main Objectives
- Promotion of the awareness of the importance of industrial property system
- Assistance to target countries in establishing/strengthening their industrial property laws and institutions
- Development of human resources

Self-sustainable Economic Development in Africa through Intellectual Property

In FY 2008, the JPO made a new contribution to set up a New Japan FIT for African countries.
Accomplished Events (Fiscal Year 2008-2009)

- Regional Workshop on Role of IT in Effective Management of IP Offices (Feb. 2009 in Jakarta)
- Regional Colloquium on IP Education Training and Research (Nov. 2008 in Colombo)
- Study Program in Japan on Effective Development and Utilization of IP Assets (Oct. 2008 in Tokyo)
- Regional Forum for University IP Coordinator (Oct. 2008 in Ha Long)
- Sub-Regional Workshop on Effective Enforcement of IPRs (Sep. 2008 in Bangkok)

Accomplished Events (Fiscal Year 2009-2010)

- Seminar on Successful Experiences Linking Intellectual Property and Business (May 26-27, 2009 in Pretoria)- **Inaugural FIT event for Africa**
- Observation Program on the Madrid System in the JPO (Aug. 4-6, 2009 in Tokyo)
- Regional Forum on the Role of National Design Councils for the Effective Promotion and Protection of Industrial Designs (Aug. 27-28 in Vientiane)

Upcoming Events (FY 2009-2010)

- Regional Seminar on Technology Transfer based on the Strategic Use of the Patent System (Dec. 9-11, 2009 in Colombo) **program for ASPAC**
- Regional Seminar on Technology Transfer based on the Strategic Use of the Patent System (Date: TBD in Casablanca) **program for Africa**
- Regional Workshop on Effective Management of IP Academy (Feb. 2-4, 2010 in Jakarta) **for ASPAC**
- **WIPO High Level Forum on the Global IP Infrastructure for Promotion of Innovation (March 1-2, 2010 in Tokyo)**
WIPO High-Level Forum 2010 in Tokyo

- **Date:** March 1\(^{st}\) and 2\(^{nd}\), 2010 (Two days)
- **Venue:** Tokyo
- **Title:** WIPO High-Level Forum on the Global Intellectual Property Infrastructure for Promotion of Innovation
- **Participants:** Heads of IP Offices and/or Senior Officials
  - Asia, Africa, Middle East, Latin America, Caribbean
  - Number of participants: 200
- **Working Language:** English (Interpretation from and into Japanese is planned.)

**Forum Theme:** “Global Intellectual Property Infrastructure”

(i) Legal and Administrative Infrastructure
(ii) Human Resources Infrastructure
(iii) Institutional Infrastructure
(iv) Information Technology Infrastructure
Related Organizations in JPO Activities

**WIPO**

Organizing activities under the WIPO Funds-in-Trust Japan

**JPO**

Financing and organizing activities

**Japan Institute of Invention and Innovation (JIII)**

Conducting training course and follow-up seminar for developing countries

**Japan International Cooperation Agency (JICA)**

Technical cooperation project for office modernization & HRD

**Association for Overseas Technical Scholarship (AOTS)**

Providing accommodation and arrangement of trips for trainees

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**Establishing IP Creation Cycle in Developing Countries**

- New initiative to be taken for Japan’s IP cooperation with developing countries -

**Improvement of IP systems in developing countries is important** for realizing their self-sustainable economic development.

- To develop local industries by establishing IP Creation Cycle
- To promote infrastructure such as direct investment and technology transfer from developed countries

**Japan has been developing its economy while enhancing the IP Creation Cycle** by improving IP systems.

Japan will facilitate the self-sustainable economic development of other countries through improvement of their IP systems **by sharing best practices on IP utilization.**

**Future Direction of Assistance to Developing Countries**

(1) **Enhancing IP Creation Cycle** - Sharing successful business cases of IP utilization -

(i) best practices on IP utilization, including SME support measures, to be shared on a regular basis with many countries
(ii) best practices on the use of IP by businesses to be shared with WIPO
(iii) best practices on SME support measures to be shared with other countries
(iv) In addition, meetings and seminars to be held with relevant organizations such as World Bank and UNCTAD

(2) **Support for Development of Human Resources and Computerization**

Activities such as human resource development and office modernization commensurate with the level of development, as well as work sharing between IP Offices, will be promoted in order to encourage the improvement of IP systems in developing countries. Such support measures should be undertaken for African countries as well.

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Thank you

JPO HOMEPAGE
http://www.jpo.go.jp/index.htm

JPO ANNUAL REPORT
http://www.jpo.go.jp/shiryou_e/toushin_e/kenkyukai_e/kenkyukai_e_list.htm