

## **Advisory Committee on Enforcement (ACE)**

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### **AWARENESS RAISING THROUGH EDUCATIONAL TOOLS AND MEASURES FOR YOUNG PEOPLE: THE CASE OF JAPAN**

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#### **ABSTRACT**

In order to establish a framework in which intellectual property rights (IPRs) can be adequately protected, it is essential not only to improve the intellectual property (IP) system and business operations at IP offices but also to have the general public in their respective countries develop morals for respecting and protecting inventions and creations. The Japanese government, through the Japan Patent Office (JPO), the Agency for Cultural Affairs and other relevant organizations, works to minimize the markets for counterfeit and pirated goods through a variety of initiatives to raise the awareness of IP in the general public, including the young generation. Such initiatives include annual campaigns, Children's Visit Day, forums, and seminars.

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\* The views expressed in this document are those of the author and not necessarily those of the Secretariat or of the Member States of WIPO.

## I. IP AWARENESS RAISING ACTIVITIES MAINLY FOCUSING ON THE PROTECTION OF INDUSTRIAL PROPERTY RIGHTS, WITH THE INVOLVEMENT OF THE JAPAN PATENT OFFICE (JPO)

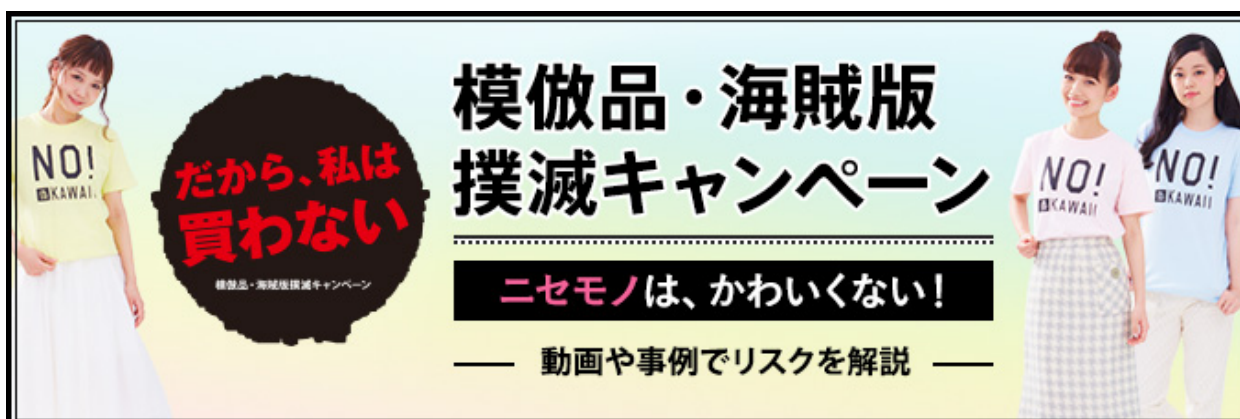
### A. “FAKE GOODS ARE NOT COOL!” – CAMPAIGN AGAINST COUNTERFEIT AND PIRATED GOODS

1. Since 2003, the JPO has been conducting public event campaigns to raise consumer awareness of the importance of protecting IPRs with a view to ending the distribution of counterfeit and pirated goods.

2. In recent years, one could notice an increased sophistication of counterfeiting and a rise in online counterfeiting. As a result, the damage caused by counterfeit and pirated goods has become increasingly more complicated and widespread. In a special survey of the public opinion on IP conducted by the Japanese Cabinet Office in 2014, over 40% of the respondents admitted purchasing counterfeit goods, although the percentage is decreasing. This shows that we still need to work on improving consumer awareness through promotions and campaigns.

3. In its campaign against counterfeit and pirated goods in the fiscal year 2014, the JPO, with a focus on young people, adopted a catchphrase “Fake goods are not cool!” for promoting its advertising campaign.

4. The JPO conducted a survey on this advertising campaign among consumers who recognized the campaign, in order to measure its effect. Around 70% of the respondents reacted negatively to buying counterfeit and pirated goods. According to the survey, the campaign has certainly contributed to improving consumer morals against counterfeit and pirated goods. The JPO intends to conduct activities to enable consumers to better understand the importance of IP and the damage or adverse effects caused by counterfeiting.



2014 Campaign image (FAKE GOODS ARE NOT COOL!)

<http://www.jpo.go.jp/mohouhin/26fy/campaign/>



## B. CHILDREN'S VISIT DAY

5. Every year, the JPO holds an event called "Children's Visit Day" for elementary and junior-high school students, aiming to provide an opportunity for children to learn about IP. For the fiscal year 2015, the JPO developed its programs based on the theme of "Summer holiday homework mission! Let's learn about inventions, designs and brands that are Japanese assets!!" During the two-day event, a total of 1,172 persons visited the JPO, including 709 children (compared to 430 in the fiscal year 2014).

6. The programs, *inter alia*, had the following themes:

- *Science show to enjoy inventions and science technologies*: a science show presented by a science creator "Zen-chan".
- *Workshop*: hands-on experience creating an "original kaleidoscope" and a "super beautiful spinning top".
- *Let's learn about the relationship between toys and trademarks*: familiarizing children with the relationship between toys and their trademarks (registered product names) while playing with the toys.
- *Which is "real"?*: an exhibition comparing genuine and counterfeit toys.
- *Let's learn about IP by enjoying animation*: running a video promoting public awareness of IP, which featured famous Japanese animation characters.
- *Invention, design and brand quizzes*: let's answer invention, design and brand quizzes to get a copy of the "History of IP" manga.



Pictures from the science show.

### C. TOKYO IP COLLECTION 2015

7. The JPO held a forum entitled “TOKYO IP COLLECTION 2015” at the Tokyo International Forum on June 13 and 14, 2015. This new type of event was designed mainly for the young generation, who will support the Japanese economy in the future, to experience first-hand how IP helps society.

8. Some of the lecture presentations dealt with the following topics:

- Toyota Motor’s ideas on the future of mobility and its fuel-cell vehicle, the “MIRAI”;
- Female leaders who support IP in Japan;
- What is happening in the world of IP now? What should we do as business managers to truly become a nation based on IP?; and
- IP in the field of designs and IT.

9. In addition, exhibitions were organized. The main ones had the following themes:

- 100th anniversary of the Coca-Cola bottle (Coca-Cola (Japan) Company, Limited);
- Exhibit of Toyota’s fuel-cell vehicle, the “MIRAI” (Toyota Motor Corporation); and
- The history of home electronics that have changed the life style of the Japanese (Toshiba Corporation).



## D. TRAINING ACTIVITIES FOR STUDENTS

### (a) Activities Strengthening the Creation, Implementation, and Utilization of IP

10. The JPO and the National Center for Industrial Property Information and Training (INPIT) support vocational schools (industry, commerce, agriculture, and fishery) and technical colleges in their efforts to develop the intellectual creativity of students, by offering hands-on experience in manufacturing and product development, shaping ideas into IP and filling out patent application documents. These support activities are designed to enhance the students' "creativity" for planning and proposing new ideas and frameworks; their "ability to implement" the plans and proposals under the rules of the society; and their "ability to make effective use" of the ideas and ingenious devices in real society. This initiative started in the fiscal year 2000.

### (b) Patent and Design Patent Contests

11. The JPO holds Patent and Design Patent Contests in order to award excellent inventions and designs created by school students from high schools, technical colleges, and universities throughout the country. The Contests are co-organized with the Ministry of Education, Culture, Sports, Science and Technology, the Japan Patent Attorneys Association, and the INPIT, and are designed to raise the awareness of school students of the importance of IP and to promote their understanding of the IP system. For particularly excellent inventions and designs, the JPO provides for an opportunity to acquiring rights for them. School students who created award-winning inventions and designs receive support from the organizers on the application process, from filing applications to acquiring rights for patents and designs: advice from patent attorneys and a grant for all necessary filing costs, such as the filing fees for patents and designs, the examination request fees, the patent fees for three years, and the design registration fees for one year.

12. Until now, in the Patent Contests, out of a total of 3,275 applications, 206 winners were entitled to receive support for filing patent applications, and for 121 of these applications, patents were granted (as of May 11, 2015). In the Design Patent Contests that the JPO has been holding since the fiscal year 2008, out of a total 1,319 applications, 194 winners were entitled to receive support for filing design applications, and 156 of these applications were registered as designs (as of May 11, 2015).

## II. ACTIVITIES CONDUCTED BY OTHER RELEVANT AGENCIES

13. *WIPO Japan Office:* In summer 2010, the WIPO Japan Office hosted a Manga contest on counterfeit goods. The contest was co-sponsored by the Ministry of Foreign Affairs of Japan and the JPO, and supported by Kadokawa Group Publishing. The Manga contest invited Japanese manga artists to highlight the health and safety risks associated with purchasing counterfeit goods. As application conditions, entrants were required to submit an original manga work, a storyline, and characters. After a rigorous selection process involving industry experts, Ms. Emiko Iwasaki's manga "HONMONO – The Secret that Changes Your Life" was selected as the winner. The manga tells the story of a young man who is easily deceived into purchasing counterfeit goods that result in serious damage. In this context, he conveys the message on how to face and cope with risky situations that involve counterfeit goods.

14. *Japan Patent Attorneys Association*: The Kanto Branch of the Japan Patent Attorneys Association sends patent attorneys and IP experts to elementary schools, junior and senior high schools, in order to conduct classes on IP and have the students understand what IP is. The aim is to develop ingenuity in freely and independently thinking, and to learn how to solve problems actively and creatively.

15. *Japan Institute of Invention and Innovation (JIII)*: The Japan Institute of Invention and Innovation (JIII) conducts its activity named the Boys and Girls Invention Club. This activity provides an environment for next generation leaders to enjoy “Monozukuri” (making things) so as to develop human resources that will allow Japan to sustainably develop as a nation based on science and technology. In this activity, children engage in a wide range of “Monozukuri” based on their own ideas, like assembling a radio, creating Christmas decorations and so on, in order to stimulate their creativity. The Boys and Girls Invention Club started in 1974 as part of the project to commemorate the 70th anniversary of the JIII. There are currently 217 offices in 47 prefectures across the country, and about 8,500 children and 2,800 instructors are involved in relevant activities.

16. As another activity aiming to improve children's creativity through “Monozukuri”, the JIII has organized, since 1941, a Concours of Schoolchildren's Invention. The results of the competition are displayed in an exhibition and the authors of excellent creative works are presented with a WIPO Award.

### **III. IP AWARENESS ACTIVITIES FOCUSING ON THE PROTECTION OF COPYRIGHT, CONDUCTED BY THE AGENCY FOR CULTURAL AFFAIRS**

17. We use copyrighted works in many aspects of our daily lives. Technological advances and changes in society have caused drastic changes in the ways we use copyrighted works. In the past, the distribution of copyrighted works (publications, music, movies, TV programs, etc.) was limited to certain professionals, such as broadcasting organizations, record companies or publishers. However, with the development of digitalization and networking, copyrighted works can now be easily copied on a personal computer. In addition, the Internet allows for effortless cross-border distribution, which causes serious problems of online copyright infringements in addition to the physically pirated copies of CDs and DVDs.

18. In order to stop copyright infringements and promote copyright protection appropriately, it is essential not only to amend the laws but also to conduct information activities that raise awareness of the importance of copyright. It is essential that not only industry professionals but also every individual user need to have the mindset not to infringe copyrights and to use copyrighted works appropriately.

19. In this perspective, Japan's Agency for Cultural Affairs has conducted awareness-raising activities in the area of copyright to users and the general public since 1952. In the beginning, the Agency held seminars for interested parties, organizations, and officials of local governments involved with copyright issues. The Agency also dispatched experts and developed educational materials on copyrights.

20. In 1996, with the increasing importance of raising public awareness of copyright through the school curriculum, the Agency held seminars for school teachers and developed teaching materials designed for each school level, *i.e.*, elementary, junior high, and high school. In addition, some schools were designated as “special school for copyright research” to investigate concrete methods for copyright education. With digitalization and networking becoming more and more advanced and in order to enable the public to gain a better understanding of copyright,

the Agency, in 2004, broadened the scope of its activities by holding copyright seminars. It also developed reference materials for the general public, audiovisual materials for business and universities and copyright agreement manuals. Thus, the Agency has been implementing activities to raise the awareness of copyright in concerned parties, in accordance with societal changes.

21. As part of its current awareness-raising activities in the area of copyright, the Agency has developed educational and teaching materials targeting students. They are specifically designed for each level of students, *i.e.* elementary school, junior high school, high school, and university, using familiar and daily examples to facilitate the students' understanding of copyright. In addition, the Agency has collected good examples of copyright education that teachers can use in their classrooms. Moreover, it has created reference materials for the general public explaining copyright agreements. These materials are provided on the Agency's website.

22. The Agency also holds a variety of copyright seminars. They include seminars for school teachers and librarians and seminars co-organized by local boards of education, which are being held not only in Tokyo but also throughout Japan.

23. In addition to these efforts by government agencies, private organizations related to copyright are also acting proactively to develop educational and teaching materials in order to raise public awareness of copyright. They explain important points that users should be aware of and the procedural requirements for using copyrighted works and call for the end to infringements of IPRs. In this way, relevant Japanese government agencies and the private sector work together in their efforts to disseminate knowledge of the importance of copyright.

**Copyright education materials (for teachers)**

**Educational activities in school and copyright**

Conditions for copying and distributing, by teachers or pupils, another person's work for use as class materials (Copyright Act Article 35-1).

**著作権者の了解なしに利用できるための条件**

- 複製目的にのみ、複製権限があること
- 複製を転出する教員やその授業等を受ける児童・生徒がコピーすること
- 本人（教員又は児童・生徒）の授業で使用する
- コピーは、授業で必要な範囲内の範囲であること
- 公開に公表された著作物であること
- その著作物の複製や用途などから判断して、著作権者の利益を不当に害しないこと

この範囲として著作物の複製、著作権者などの「当該の複製」をすること

**具体例**

- 教員が授業で使用するために、印刷機やコピー機で複製・生徒に配布する場合
- 児童・生徒が、「調べ学習」のために、新聞記事などをコピーして、他の児童・生徒に配布する場合
- 教員が、ソフトウェアの複製・生徒が使用する必要のあるパソコンにコピーする場合（ハードウェア）
- 教員が授業・生徒が、授業用のCD-ROMを複製して配布する場合（ハードウェア）

Examples and explanations of different kinds of textual content discussing the relationship of copyright to in-school activities.

Collection of instructive case studies for different settings

**Copyright Education Five-minute practical explanations of copyright**

For each subject, the scene is set to illustrate points concerned with how copyright should be handled during lessons. (Designed to be usable even by teachers who have no firm grasp of copyright)

**In a social studies class (1)**

社会科の調べ学習で、地域の環境問題について調べたことを発表するために来ました。

新聞、百科事典、インターネットなどで調べたり、リサイクル施設の人に聞いたりして子どもたちが具体的に取材するよう指導しようとしています。

記事を読んでいる人に聞いた話を録音したいんだけど...

新聞や百科事典のコピーをしていいのかな？

インターネットの記事や写真をプリントして授業用に貼ってもいいですか？

**指導のためのポイント**

子どもたちが自分の授業の過程で調べたこと、新聞、百科事典、インターネット上の情報をコピー・ダウンロードして複製してプリントするなどのコピー・又は複製行為（法的複製）の了解を得る必要はありません。

ただし、これらの複製行為を行う際には、複製資料などが自由に複製して学校内に配布したり、学校ホームページに掲載したりする場合は、その時点で本人の承諾が必要です。あるいは授業の過程で使うためという目的でコピーする場合は、在籍の了解を得る必要はありません。

新聞記事などをコピーする場合は、単に授業の理解が必要だけでなく、みんなの関心や学習のためならその内容を複製する必要はないんですよ。ただし、インターネットを複製するときは凡庸として勝手に目的を複製して置く方がいいね。

それから、コピーしたことを聞いたことを複製して載せるときは調べた内容をグループでよく話し合ってから、自分たちの授業でまとめてから、他の授業や発表と活用できるように載せよう。

[http://www.bunka.go.jp/chosakuken/hakase/pdf/gakkou\\_chosakuken.pdf](http://www.bunka.go.jp/chosakuken/hakase/pdf/gakkou_chosakuken.pdf)