

**Formulation and Implementation of
National IP Strategy in Japan**
— Intellectual Property Strategic Program 2011 —

Japan Patent Office

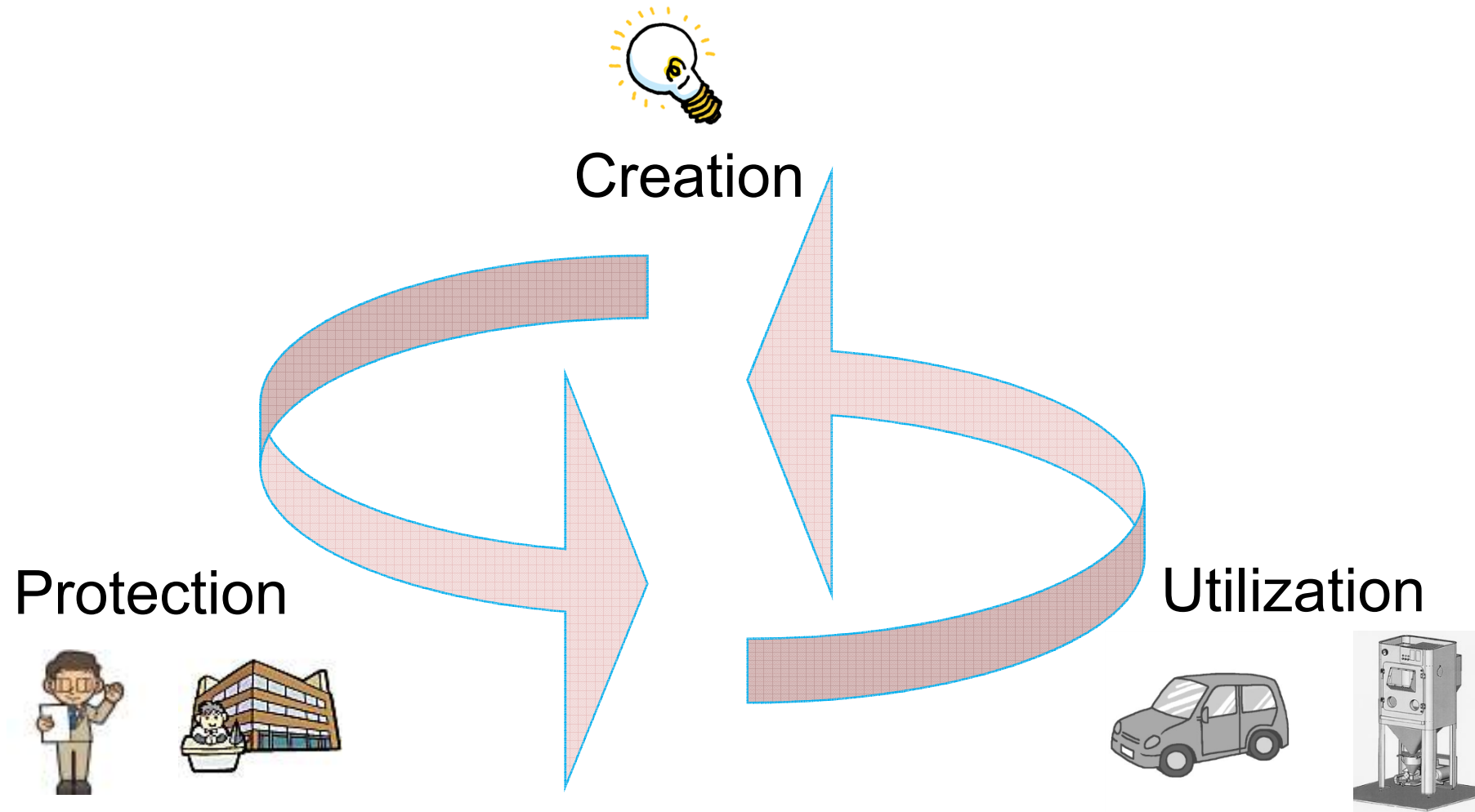
February 3, 2012

Source :

Intellectual Property Strategy Headquarters, Cabinet Secretariat of Japan*

* <http://www.kantei.go.jp/jp/singi/titeki2/index.html>

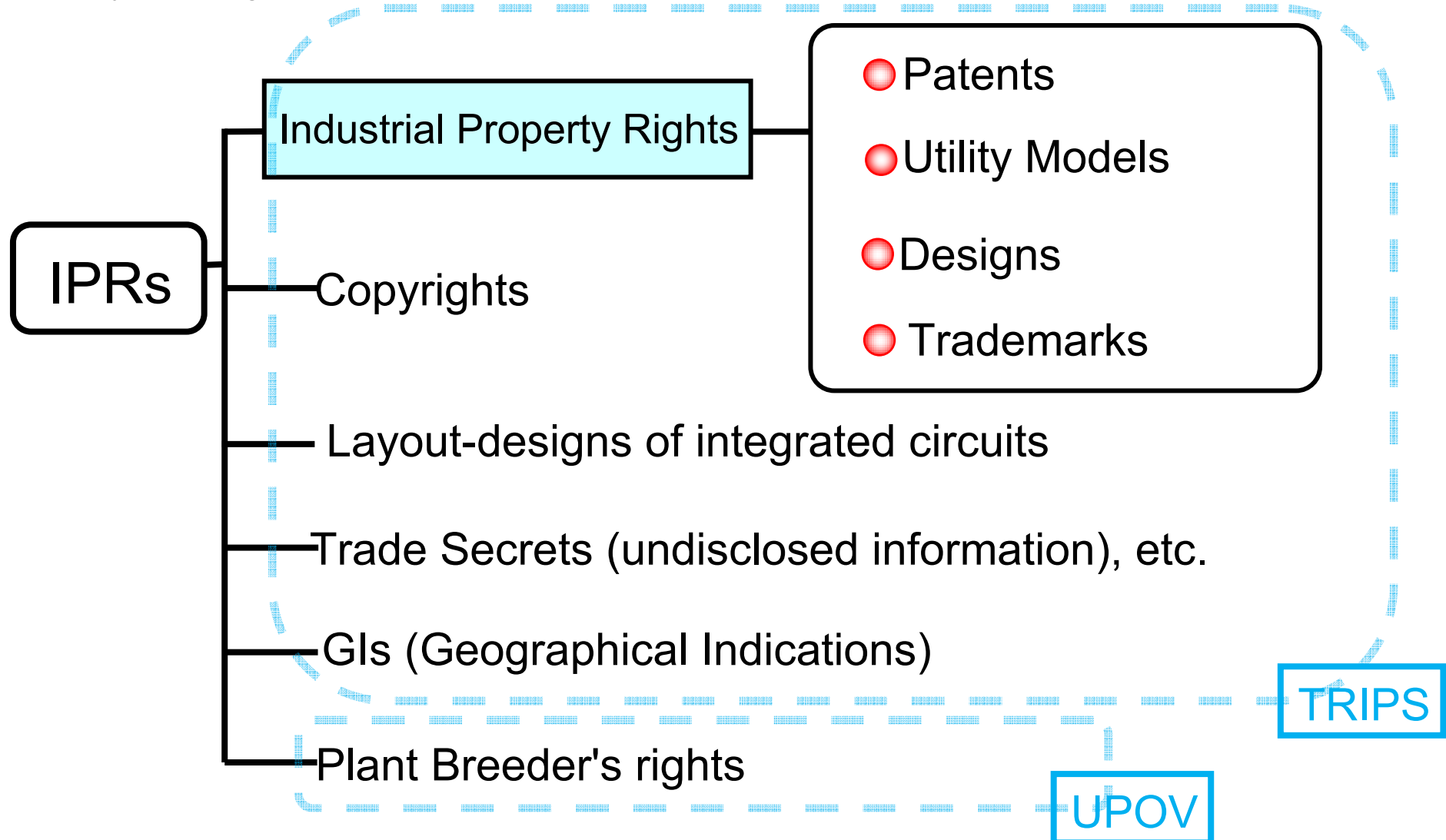
Intellectual Property Cycle



The ultimate goal is to make IP cycle more robust and more dynamic.

Types of Intellectual Property Rights (IPRs)

* Under intellectual property law, owners of IPRs are granted certain exclusive rights to a variety of intangible assets.



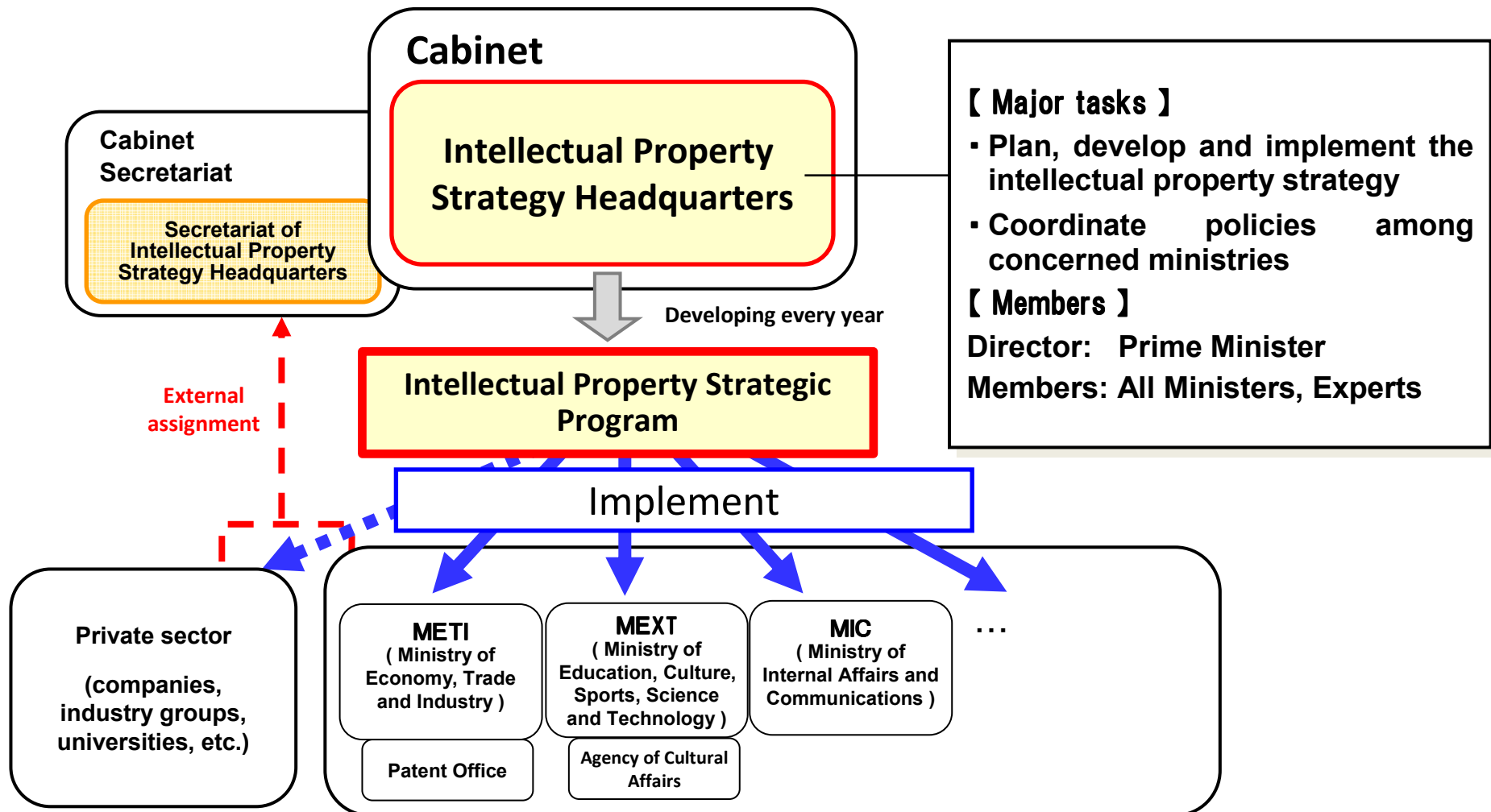
Responsibilities in the Government

Major laws and regulations relating to intellectual property in Japan
=> Since many ministries deal with IPR, coordinators are needed

- **Cabinet Secretariat**; Intellectual Property Basic Act
- **Ministry of Economy, Trade and Industry**:
Anti-unfair competition Act, Anti-counterfeiting/Piracy General Office
- **Japan Patent Office**:
Patent Act, Utility Model Act, Design Act, Trademark Act
- **Cultural Affairs Agency**: Copyright Act
- **Ministry of Finance**: Customs Law (enforce at borders)
- **National Police**: Police Duties Execution Law (enforcement within borders)
- **Ministry of Agriculture**: Plant Variety Protection and Seed Act
- **Ministry of Telecommunications**: Provider Liability Limitation Act
- **Ministry of Foreign Affairs**: Discussions (multilateral and bilateral)

Japan's Intellectual Property Strategy Promotion System

- The Intellectual Property Strategy Headquarters was established in 2003 based on the “Intellectual Property Basic Act.”
- Japan develops a nationwide IPR strategy, called “Intellectual Property Strategic Program.”



IPSH meeting members

Political members:

Prime Minister & all the other Ministers

Expert members

Masuo Aizawa, member of Council for Science and Technology Policy

Tsuguhiko Kadokawa, Chairman & CEO of Kadokawa Group Holdings

Atsushi Nakajima, patent attorney

Machiko Satonaka, manga artist (cartoonist)

Nobuhiro Nakayama, Special-appointment professor of Meiji University / lawyer

Tamotsu Nomaguchi, President of The National Institute of Advanced Industrial Science and Technology

Yasuchika Hasegawa, President of Takeda Pharmaceutical

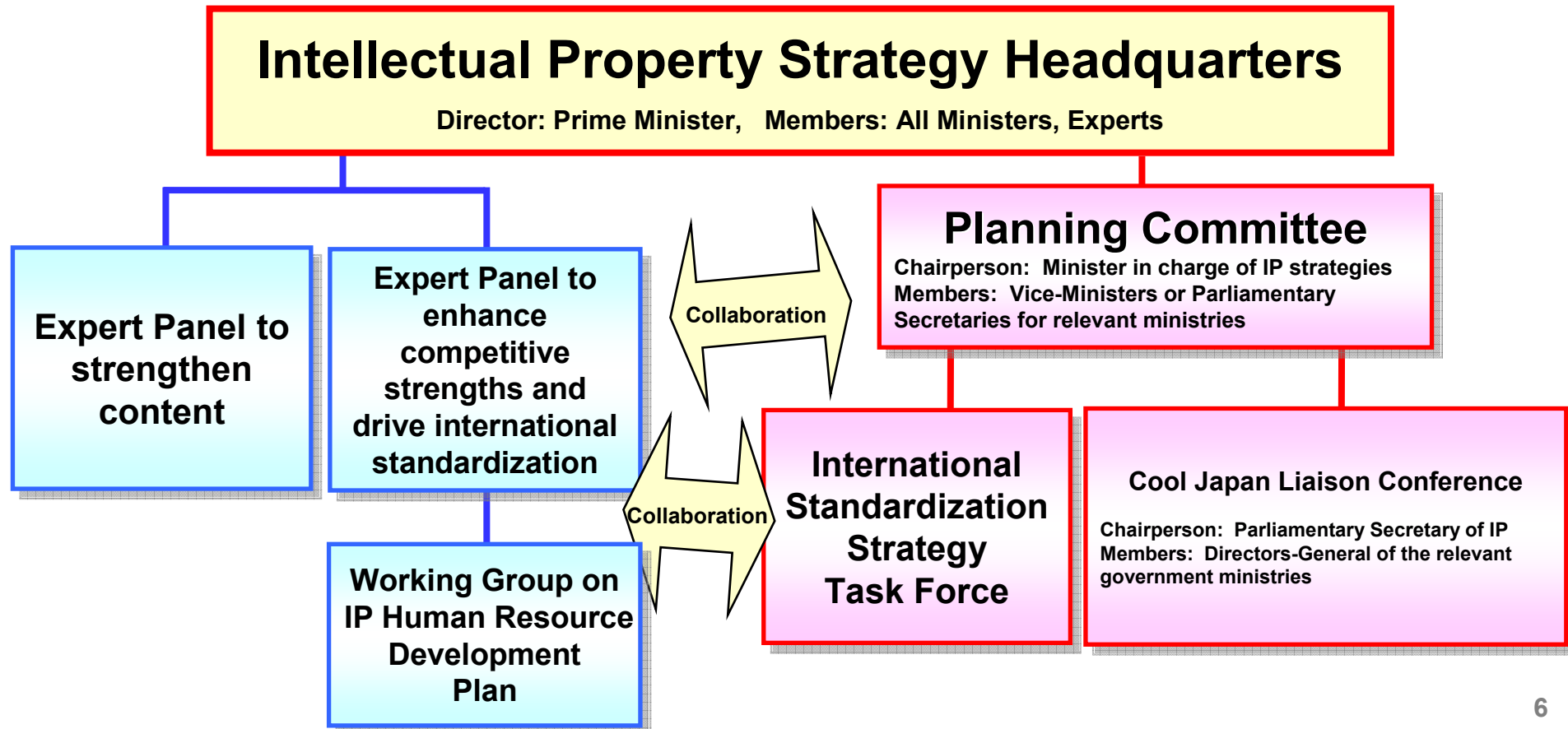
Hiroshi Matsumoto, President of Kyoto University

Emiko Mio, lawyer

Takafumi Yamamoto, President of Tokyo University (TODAI) TLO (CASTI)

Organization of the Intellectual Property Strategy Headquarters

- At present, the Intellectual Property Strategy Headquarters has 1 Planning Committee (Vice-Minister/Parliamentary Secretaries at concerned ministries), 2 Expert Panels (professors, lawyers, patent lawyers and other experts), and 1 Working Group.
- The Planning Committee created the “International Standardization Strategy Task Force” and held the “Cool Japan Liaison Conference.”



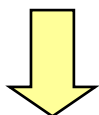
Japan's efforts toward an Intellectual Property-based Nation

— Working to become the most advanced IP-based Nation of the World —

Major Achievements

2002.11

Intellectual
Property
Basic Act
enacted



2003.3

IP Strategy
Head-
quarters
established

- Established Intellectual Property High Court (April 1, 2005)
- Established Intellectual Property Centers in universities across the country (197 as of April 1, 2009)
- Increased the number of patent examiners to expedite patent examination (approx. 500 examiners added the past 5 years)
- Amended Copyright Act (in 2009, providing measures against illegal downloading, etc.)
- Revised the scope of patentable items in advanced medicine (in 2009, dosing measures became patentable, etc.)
- Signed the ACTA (October 2011)

Intellectual Property Strategic Program 2011

On June 3rd , at the Intellectual Property Strategy Headquarters meeting chaired by the Prime Minister, the results of Program 2010 were reported and a new program was adopted.

< IPSH meetings >		
2011	Jun 3	(Program 2011 is adopted)
	Mar 31	
2010	Dec 21	(Program 2010 is adopted)
	Oct 26	
	May 21	

Overview of the “Intellectual Property Strategic Program 2011”

◆ New era and intellectual property innovation

- High-speed communication has ushered in the “Global Network Era,” when seamless worldwide connections has become a reality.
- In its context, Intellectual Property Strategic Program 2011 was formulated as the foundation for growth in the next 10 to 20 years, responding to the Great East Japan Earthquake, and four strategies will be robustly facilitated as major focuses.

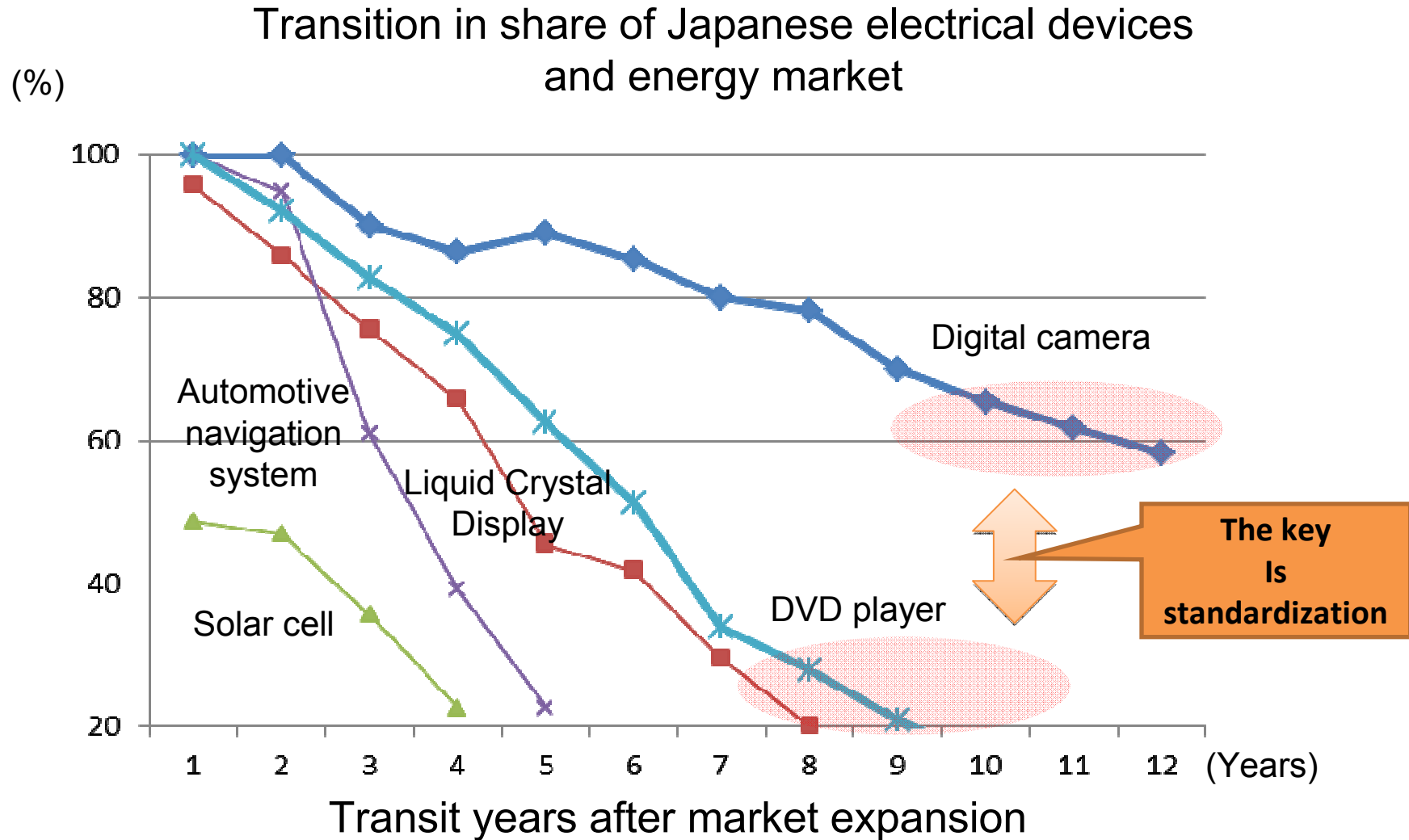
◆ 4 IP strategies to address new challenges in the global network era

- | | |
|--|----------------------------|
| (1) International Standardization Strategy | (3) IP Innovation Strategy |
| (2) Cutting-edge Digital Network Strategy | (4) Cool Japan Strategy |

◆ Structure

- Continuing to steadily implement the measures stipulated under IPSP 2010, new measures has been added in order to address the Great Earthquake.
- Envisioning the Year 2020, goals have been set with specific numerical targets for each.
- In case of any dramatic changes caused by contingencies such as the Great Earthquake, it will be revised accordingly, where appropriate, including additional measures responding to this time contingency.

Japan's efforts toward international standardization



- starting point
- Digital camera : 1997,
 - DVD player : 1998,
 - Liquid Crystal Display : 1995,
 - Automotive navigation system : 2003,
 - Solar cell : 2004

Strategy 1: International Standardization

- To put emphasis on the importance that all companies carry out strategic IP management and respond to international standardization.
- To review the progress/validation of “International Standardization Strategy” in the 7 fields specified in FY 2010.
- To expand and improve fundamental programs for furthering “International Standardization Strategy.”

◆ Priority Measures

Implementation of “International Standardization Strategy”

7 fields specified in FY 2010

1	advanced medical technologies
2	water
3	next generation vehicles
4	railways
5	energy management
6	digital contents
7	robotics

+

Select and add new fields

Fundamental Programs



Promote

Encouraging standardization activities

- Participate in international standardization activities
- Invite organizations holding conferences on international standardization.



Promote

Strategically utilizing certification

- Work on R&D within the scope of international standardization and certification
- Enhance the capacity of certification organizations



Promote

Strengthening collaboration with Asian countries

- Conduct joint R&D and certification projects

Framework of International standardization strategy

Research trends at home and abroad



Survey entire picture and future image of target fields



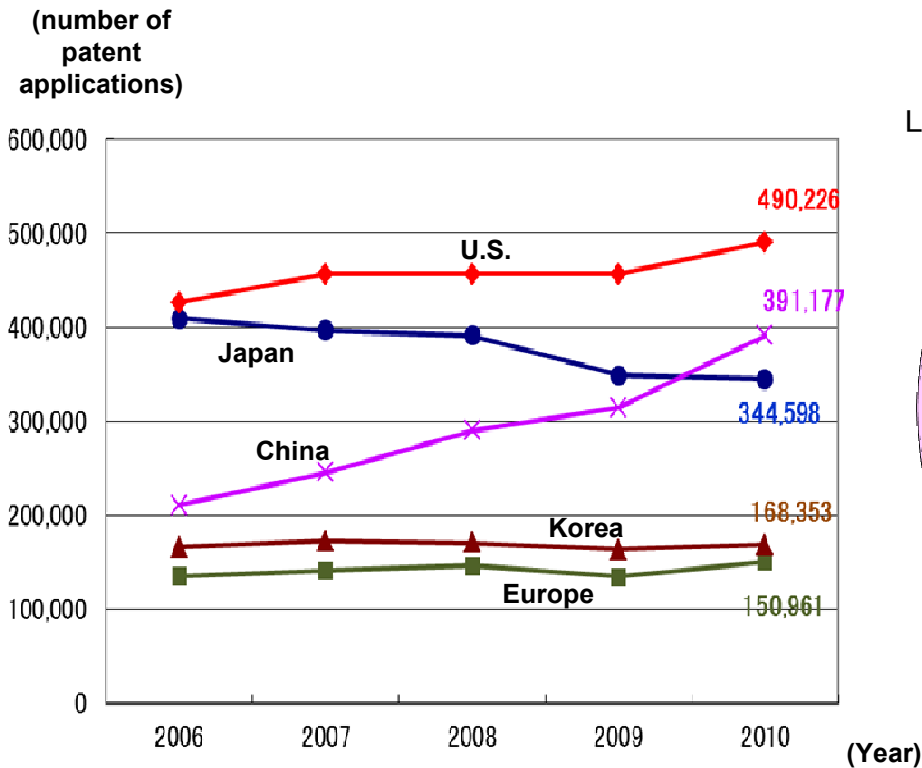
Design strategies that link technological advantages and competitiveness by using the IP protection and international standardization



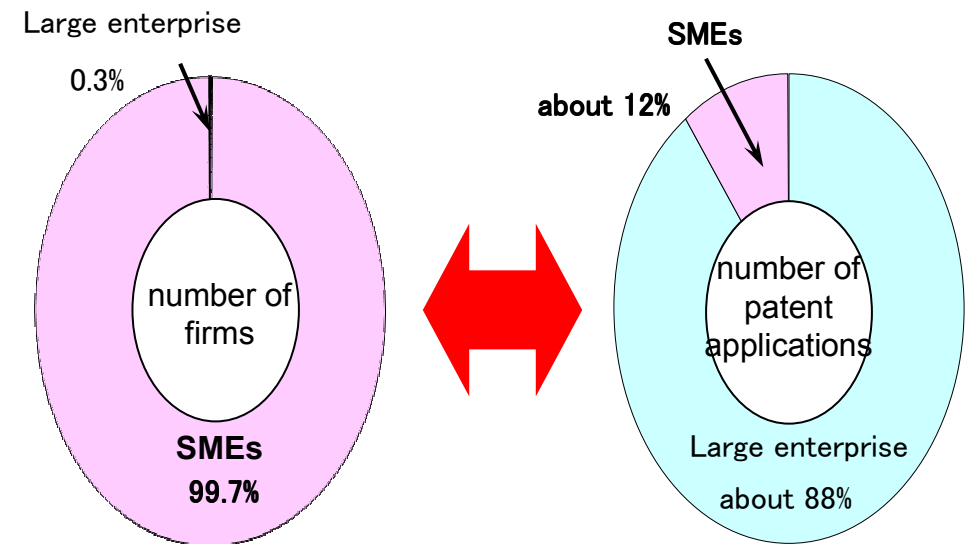
Create action plan to achieve international standardization

Recognition of current situation in Japan's efforts on Intellectual Property

Transition in the number of patent applications filed with IP5



Ratio of SMEs in relation to number of firms and patent applications

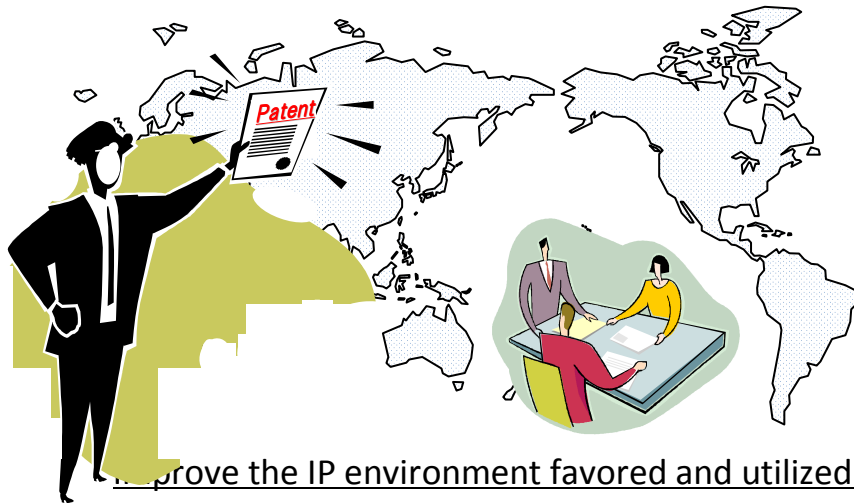


Strategy 2: Intellectual Property innovation

- The IP system in every country faces global competition.
- Heightening the attractiveness of Japan's IP system, the JPO will take the lead in formulating a global IP system.

◆ Priority Measures

Strengthen competitiveness of Japan's IP system



Improve the IP environment favored and utilized by
Asia and other regions

- Encourage international preliminary examination in English
- Further facilitate Examiners Exchange

Promote the utilization of "Knowledge" created by Japan



- Improve the comprehensive and finely-tuned support system for SMEs, centering around one-stop consultation service counters (set up by prefectures)
- Promote multi-phased selection method in SBIR (Small Business Innovation Research)
- Promote IP management in university-industry collaborative research

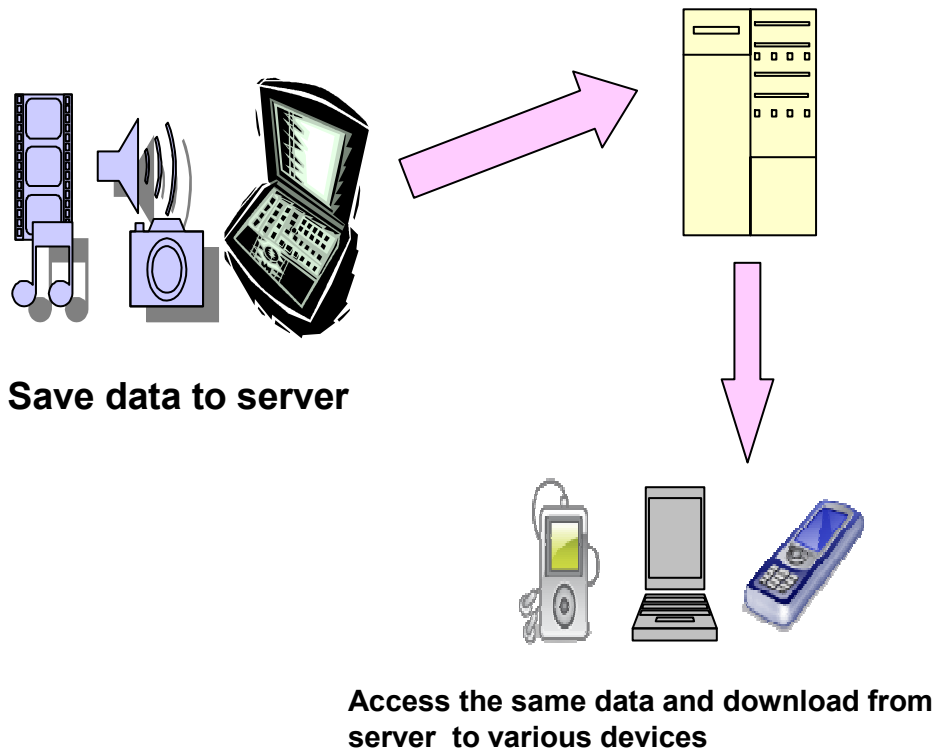
Develop and secure human resources who support IP strategies

- Design a IP human resource development plan in the global network era

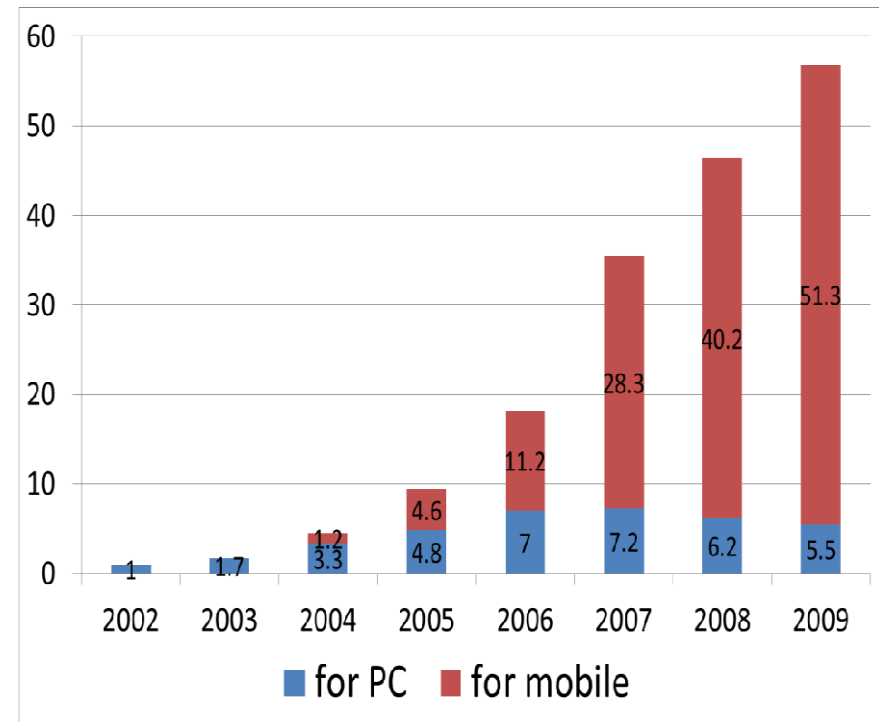


Recognition of current situation in Japan's efforts for digital network

Significant progress in cloud computing



Sales transition in e-book market in Japan



Strategy 3: Cutting-edge digital network

- Rapid and global advancements in digitalization and networking of contents.
- Cutting through the frontier of our digital-network society and linking it to Japan's economic growth.

◆ Priority Measures

Promote developing digital books (e-books) Utilizing digital intellectual property

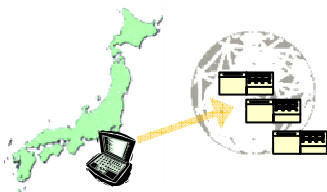
- Due to development of a variety of devices, global e-book business has rapidly grown



- Digitalize the National Diet Library's 900,000 books for public libraries, enabling the public to view those digital archives over the Internet
- Develop a digital infrastructure for the e-book market
- Enhance the creation and utilization of intellectual property

Strengthen measures to combat global infringements

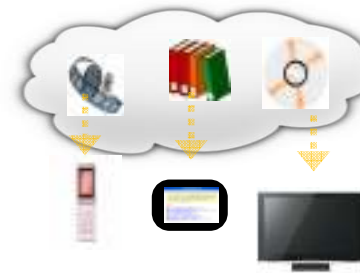
- Copyright infringements are spread worldwide through the Internet



- Build framework to quickly eliminate copyright infringements worldwide (discussions in the international scene, requests to web operators worldwide, negotiations with foreign countries)

Improve infrastructure to drive digitalization and networking

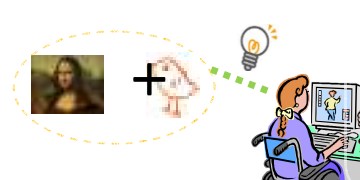
- Cloud services where users can enjoy obtained contents anywhere and anytime will be prevailing



- Eliminate the legal risk over cloud services in terms of copyright infringements
- Improve environment for platform operators to stimulate competition

Improve the infrastructure to drive digital creation

- With the popularity of low-priced digital devices and SNS (social networking services), secondary creation grows.



- Discuss legal issues surrounding parody and collaboration over the Internet is needed, to facilitate secondary creation
- Cultivate new and young creators

Strategy 4: Cool Japan

➤ Promoting popular “things Japanese” overseas under the banner of “Cool Japan,” e.g. contents, fashion, products, cuisine, traditional culture, designs, etc, and driving economic growth in the country.

◆ Priority Measures

Promoting at international events



Cherry blossom festival (Washington D.C.)



Japan Expo (Paris)

Producing visual contents



Design strategies for each target country



Brand image strategy (logos, marks, portal sites, creative directors, ambassadors)

Spreading information on Japan's recovery

Spreading

Conducting more “Cool Japan” events



(co-Festa)



(Japan Media Art Festival)

Rebuilding Japan's brand



(cuisine) (tourism) (manufacturing)

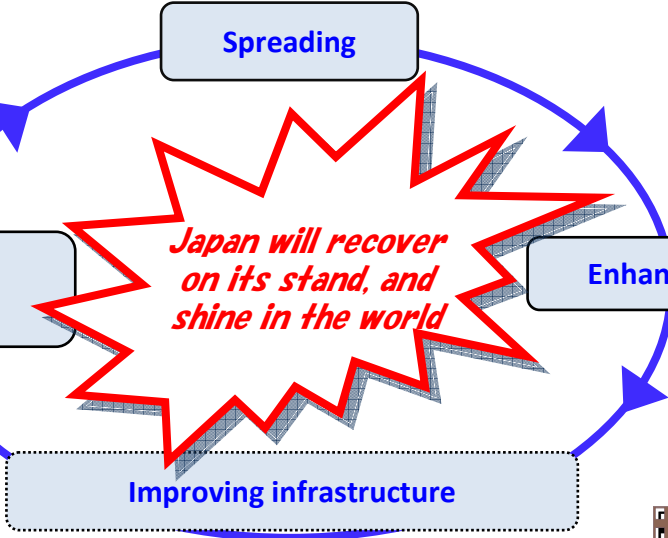
Establishing Cool-Japan Award (tentative name)



films glasses liquor apples fashion persons of merit
ceramics make-up brushes wine

Encouraging joint initiatives between the public and private sectors

Reconstruction & Recovery in East Japan (branding traditional crafts)



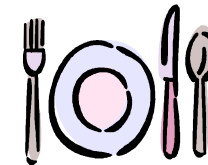
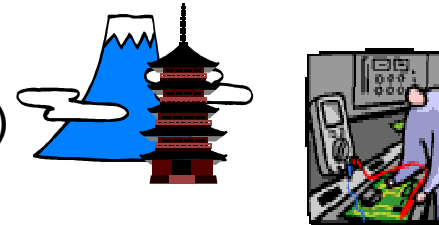
Responses to the Great East Japan Earthquake in the “Intellectual Property Strategic Program 2011”

- The Intellectual Property Strategic Program 2011 was established as a national strategy. It is based on the Policy Support Guidance (approved by the Cabinet on May 17, 2011). This national strategy was formulated by re-designing and re-strengthening IP strategies aimed at creating new growth after the Great East Japan Earthquake that caused an unprecedented national crisis.
- In particular, the “Cool Japan” campaign plays a key role in creative recovery toward the future. Japanese people’s attitude itself, that is, facing the difficult situation with a sprit of helping each other, represents the “Cool Japan.” It is important to convey this as a significant message to the world.
- Japan is rebuilding itself, encouraging public-private partnerships that utilize IP assets, to become a shining light again in the world.

◆ Immediate steps to be taken

Rebuilding Japanese brands (Cool Japan Strategy)

- **Rebuilding the image of Japanese food and tourism**
(Providing accurate information, preventing damage caused by rumors, developing check systems, supporting inspection costs)
- **Supporting ‘*monozukuri*’ (product creation)**
Supporting small-and-medium-sized enterprises (SMEs)



IP-related relief measures/consultation (IP Innovation Strategy)

- **Setting up earthquake-disaster-response service counters, and initiating communication between these service counters and others set up by prefectures in disaster areas**
- **Extending time limits for IP-related procedures**
- **Sending urgent requests to IP offices in foreign countries for earthquake-relief measures**
(Approximately 50 countries/regions including USPTO, EPO, SIPO and KIPO have responded favorably.)



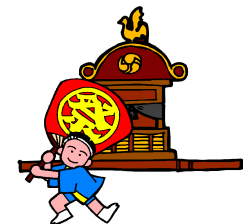
◆ Measures for Japan reconstruction after the earthquake

Providing information on Japan's reconstruction (Cool Japan Strategy)

- Implementing a Japan reconstruction campaign (Logos, marks, portal sites)
- Spreading information through events in and outside Japan
- Providing information through various opportunities and means ("cultural exchange missions," "creative directors" and "ambassadors")

Reconstruction and recovery in East Japan (Cool Japan Strategy)

- **Branding traditional crafts**
(supported by world famous brands and designers)
- **Conducting city planning by making use of regional attractions, local cultures, and industries**
(Developing artist-in-residence programs and production-creation hubs)
- **Supporting tourist events**



Revising international standards based on experiences/lessons learned from the Great Earthquake (International Standardization Strategy)

Thank you for your attention!

