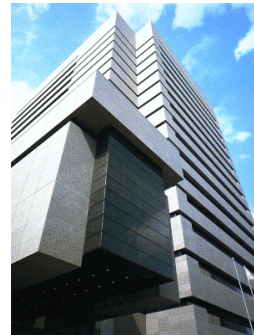


National IP Strategy for Innovation Promotion -Experience of Japan-

Shunichi DOI
Director General
Second Patent Examination Department
Japan Patent Office

November 2, 2011



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Outline

- Changes in Environment Surrounding Intellectual Property
- IP Strategy in JPO
 - for Improvement of IP Infrastructure-
- University-Industry Collaboration
 - Current Situation and Support Programs-

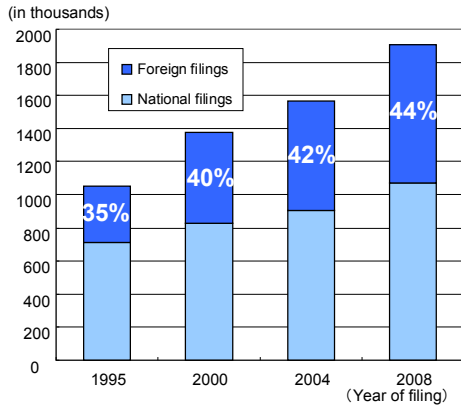
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Global Growth in Patent Filings

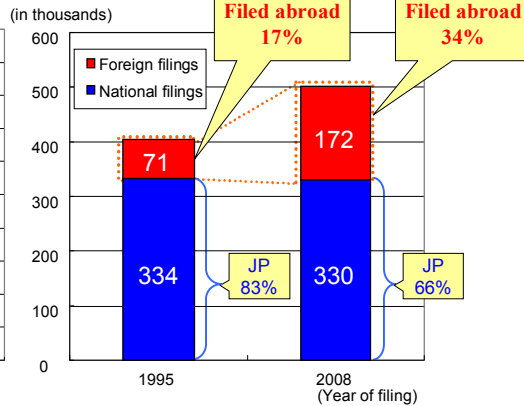


- Patent filings are growing in number worldwide. Especially foreign filings are rapidly increasing.
- Foreign filings by Japanese companies are also increasing.
- Worksharing for examinations are becoming increasingly important between the IP offices.

Number of Patent Filings in the World



Number of Patent filings by Japanese Applicants



Source: WIPO Industrial Property Statistics

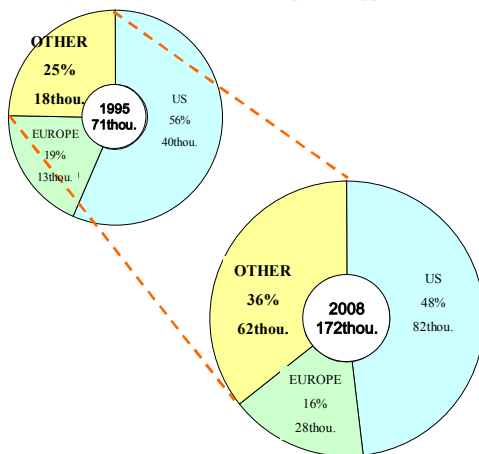
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Trends in Global Patent Filings



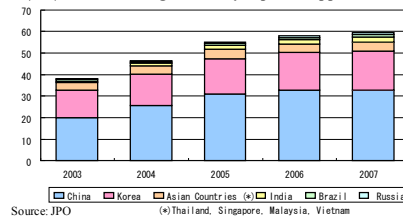
- Japanese applicants have increased their filings to foreign countries other than US and Europe. (25% to 36%)
- Filings are increasing in countries such as China, Korea, ASEAN countries and India in line with companies expanding their production sites overseas.

Change in filing destinations by Japanese applicants



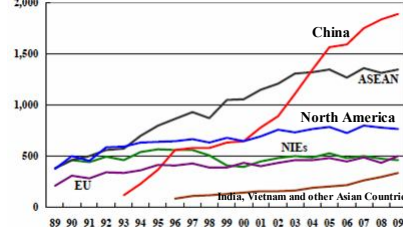
Source: JPO

Trend in filing abroad by Japanese applicants



Source: JPO

Overseas production sites of Japanese companies



Note: The ASEAN in the graph refer to Singapore, Thailand, Indonesia, Malaysia and the Philippines.

Source: "2009 (21st) Survey on Overseas Direct Investment" by the Japan Bank for International Cooperation (JBIC)

3

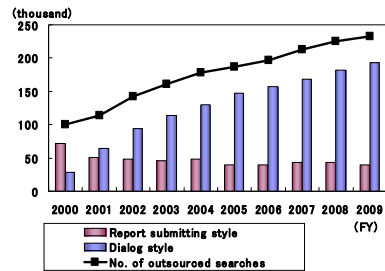
JPO's Steps: Establishing an Efficient Patent Examination System



- Increase in the number of Patent Examiners
FY2003 1,126 → FY2010 1,703 (including 490 fixed-term examiners)
- Achieved an efficient operational structure exceeding those of Western countries through increasing outsourcing of prior art searches* and introducing a paperless system for the first time in the world.

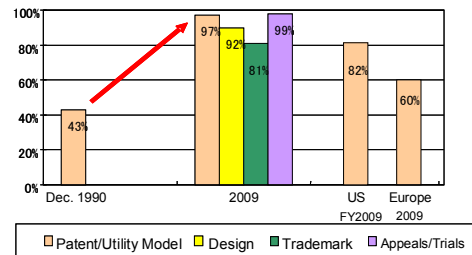
* There are nine search organizations as of October 2011. The outsourcing rate was approximately 64% in FY2009. Western countries are not outsourcing to the private sector.

Number of Outsourced Prior Art Searches



Report submitting style is an outsourcing method where search results are reported by submitting search reports. Dialog style is a method where search results are reported through an interview between an examiner and the searcher.

On-line Filing Rate



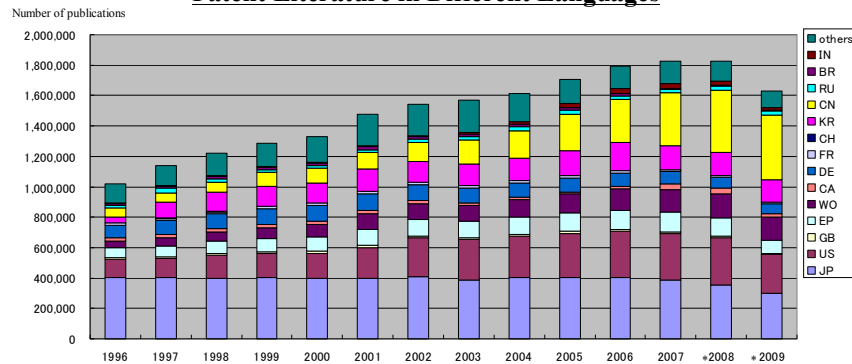
In Japan, on-line filing is done by using mainly text data, while in the US and Europe, image data is mainly used.

Linguistic Diversity of Patent Literature



- Patent literature published in Japanese language has been relatively decreasing. (40% to 20%)
- Non-English patent literature, in particular Chinese patent literature is rapidly increasing.
>>> Need to read more and more non-English patent literature as prior art documents

Patent Literature in Different Languages

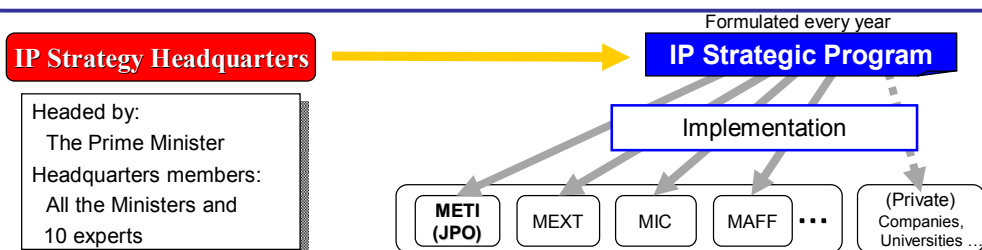


Source: Created by JPO using WPI data

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Intellectual Property Strategic Program

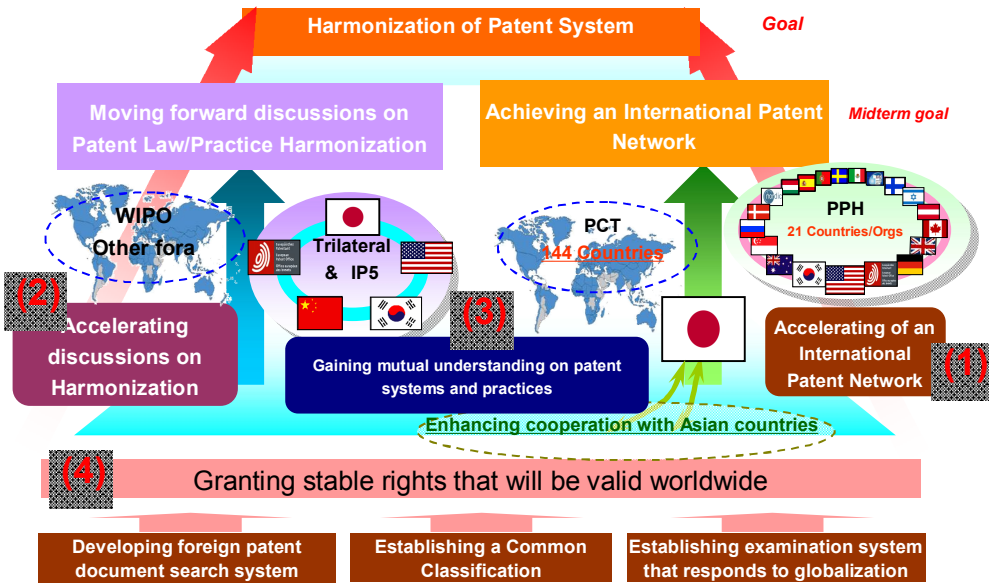
- IP Strategy Headquarters formulate the “IP Strategic Program” every year. Government ministries and agencies implement measures based on the programs.
- On June 3th 2011, IP Strategic Program 2011 was formulated.



Intellectual Property Strategic Program 2011

1. Strategy for Enhancing International Standardization
2. Strategy for Innovating IP Infrastructure
3. Strategy for IP on Cutting-edge Digital Network
4. Strategy for Promoting the “Cool Japan”

Patent Strategy of Japan Patent Office

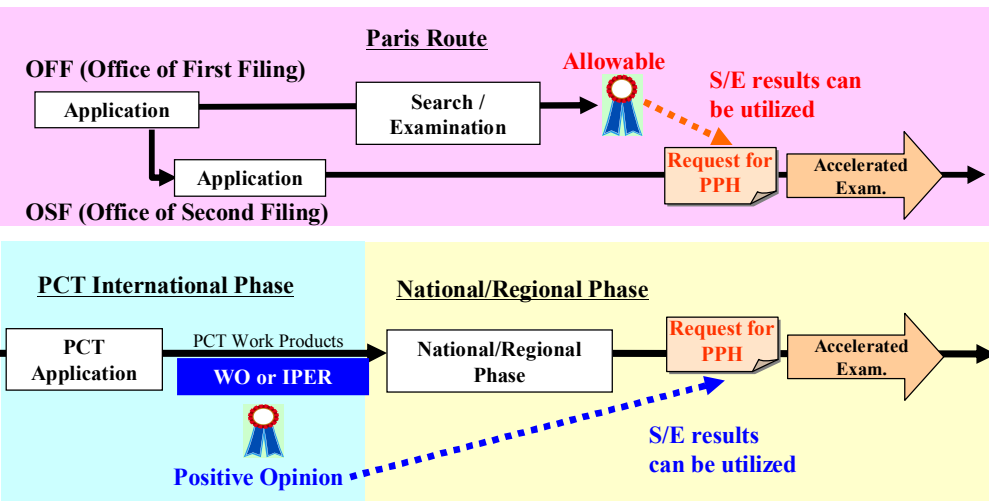


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Patent Prosecution Highway (PPH)



- Applicants eligible for accelerated examination at OSF, based on search & examination results at OFF.
- OSF benefits from reduced workload in search/examination.

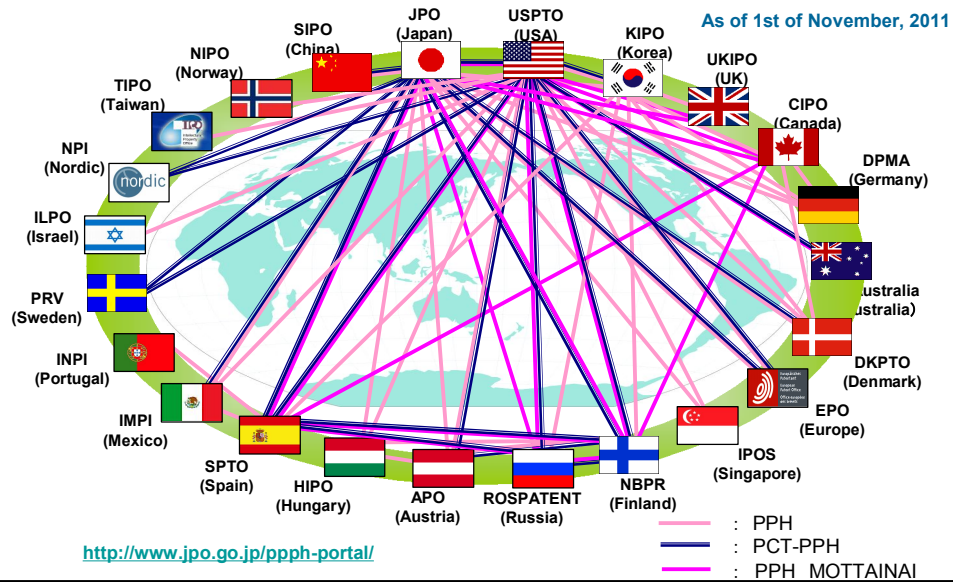


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Expanding the PPH Network



■ To support applicants who file patent applications globally, the Patent Prosecution Highway (PPH) should be further expanded to various countries.



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Patent Harmonization & IP5



Momentum of Patent Harmonization

Progress in the Patent Reform Act in the U.S. which includes First to File system.

Through the PPH, recognize the necessity of patent law and practice harmonization.

Patent filing & IP5

Among applications worldwide (1.9 Million), 80% are filed among the Five Offices (Japan, US, EPO, China, Korea).

At the 4th IP5 Heads Meeting held in Tokyo in June, 2011

Results of the meeting

The Heads of Office:

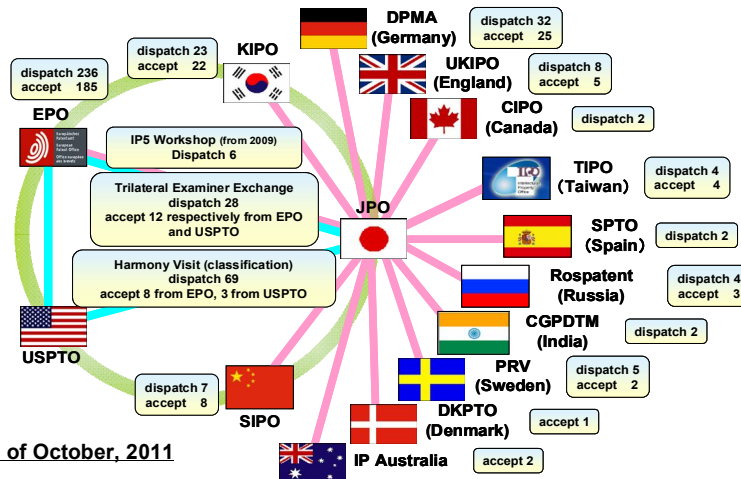
- Reaffirmed the importance of technical and substantive patent law harmonization and emphasized the necessity of making it clear that it does not limit the freedom of each country to determine whether or not to grant a patent to each claimed invention
- Agreed to participate in harmonization talks at various international fora including IP5
- Agreed on conducting a study, making the most of existing works to provide a base for such harmonization discussions

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Expansion of Examiner Exchange Program

- Mutual understanding on Patent Systems and Practices is beneficial for Patent Harmonization
- Mutual understanding can facilitate forming of an International Patent Network

JPO's experience in examiner exchanging programs



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Granting Stable Rights Acceptable Worldwide

- At a time when differences in examination results need to be resolved in each country and create stable rights that are globally acceptable, the JPO needs to work more quickly on multitiered measures.

Developing a foreign patent document search system

Taking account of the fact that Chinese and Korean documents are increasing, it is necessary to develop a foreign patent document search system equipped with the function of translating Chinese and Korean into Japanese.

- Developing foreign patent document search system using machine translation (for Chinese, Korean, etc.)
- Utilizing private sector's machine translation technology

Establishing a common patent classification system

It is necessary to establish a common patent classification system which is a search tool that is independent of languages, in order to enable batch searching of the increasing patent documents of various countries.

- Establishing world standard common patent classification system

Strengthening the examination system that responds to globalization

It is necessary to strengthen the examination system in order to conduct a thorough search of patent documents in the world and make appropriate decisions internationally.

- Improving quality management
- Acquiring the required number of examiners

Harmonizing systems and practices

It is necessary to harmonize the patent systems and examination practices of various countries so as to resolve the difference in examination results among the countries.

- Expanding the examiner exchange program
- Promoting studies aimed at harmonizing of patent systems at the working level

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Strengthening Cooperation with Asian and Emerging Countries

- Continue providing technical assistance that meets the needs of countries in the Asian region.
- Continue providing support of human resources development to countries in the Asian region.
- Provide JPO's examination results for free.

◆ JPO's Specific Measures for Strengthening Cooperation

- **Sending IP experts for examination cooperation and improving IP protection**
 - ✓ Providing technical assistance that meets the needs of Asian and emerging countries in cooperation with the WIPO and the JICA
- **Providing training on examination practices**
 - ✓ Implementing training programs for examination practice targeted at examiners in the Asian region
- **Providing examination results**
 - ✓ Providing JPO's examination results using the Advanced Industrial Property Network (AIPN)
 - ✓ Holding seminars on how to use the AIPN

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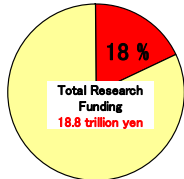
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What is Expected of Universities

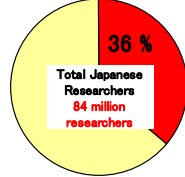


- In the field of IP, Universities are expected to produce human resources who play key roles in building an IP-based nation in order to promote R&D based on university-industry collaboration and incorporate their research results into society.

Research Funding Spent in Universities

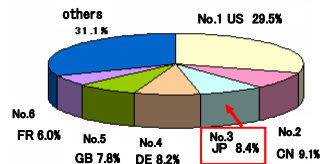


Number of Researchers in Universities

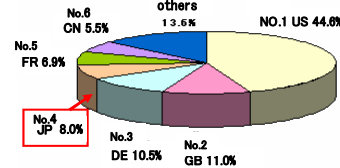


Source: Survey Report of Research & Development (2009)

Number of Research Papers (natural science & engineering)



Citation Frequency (natural science & engineering)



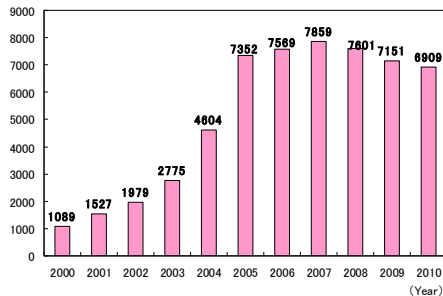
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Trend in Patent Applications Filed by Universities

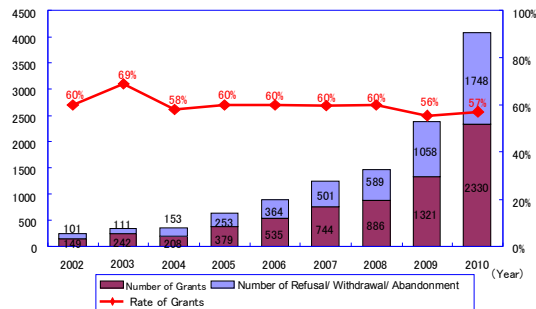


- The IP infrastructure was built at major universities, which resulted in an increase in patent filings until 2005. At present, the number of filing patent applications remains stable.

Patent Applications Filed by Japanese Universities



Examination Results of Patent Applications Filed by Universities



*The grant rate of all patent applications were 50% in 2008, 50% in 2009, and 55% in 2010.

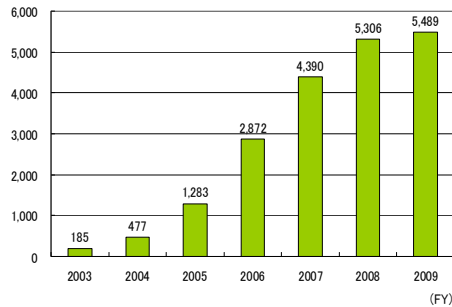
Source: The JPO Annual Report (FY2011)

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Utilization Status of University-Originated Patents in Industry

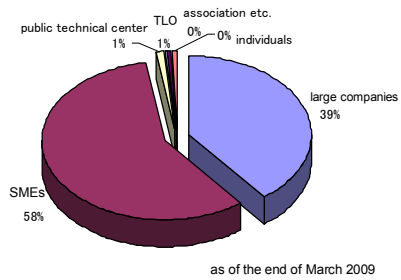
- The number of technology transfers from universities to industry through license agreements is increasing.
- Industry, in commercializing university-originated inventions, expects these inventions be strictly protected by patent rights.

Changes of Technology Transfer from University to Industry through License Agreements



Source: The JPO Annual Report (FY2011)

Licensee of Patents Owned by TLO

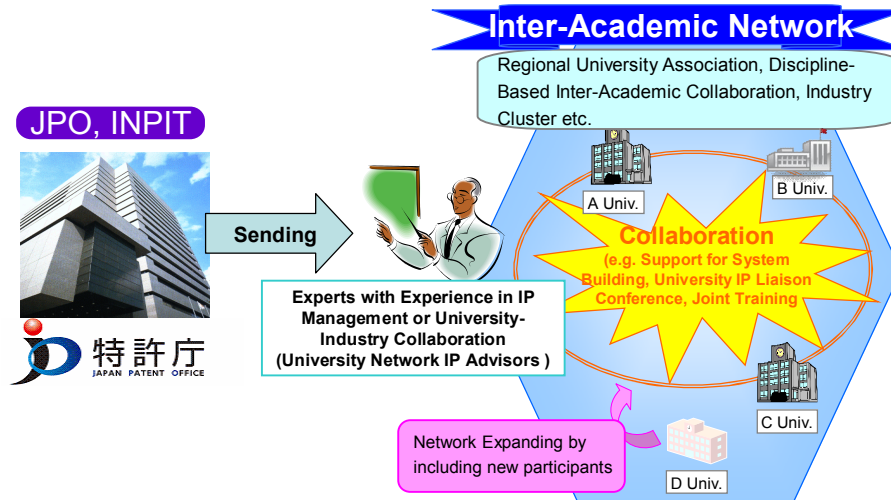


as of the end of March 2009

Source: The National Center for Industrial Property Information and Training (INPIT)

University Support Program: Sending IP Advisors

- University Network IP Advisors are sent to regional-based or discipline-based inter-university networks in order to raise the standard of IP activities among all the universities within the network through building and enhancing IP management, ultimately aiming to expand the framework of university-industry collaboration.



Support for University-Industry Collaboration: Sending IP Producers



■ “IP Producers,” experts specialized in IP management, are sent to university-based or R&D consortia, to support building a strategy for potential innovative technologies aimed at acquiring and utilizing IP rights

Outline of IP Producer Dispatch Program

IP-Specialized Experts with Experience in Business Development and IP Business in Private sector

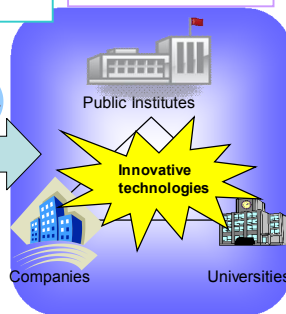
JPO, INPIT



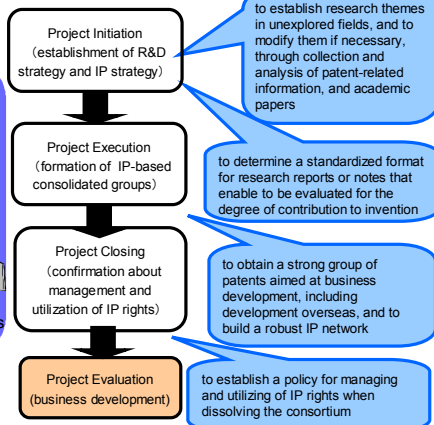
特許庁
JAPAN PATENT OFFICE

Sending

Universities
R&D Consortia



Sample Roles of IP Producers



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Thank you for your kind attention!



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