

# **Outline of “Intellectual Property Strategic Program 2015”**

Intellectual Property Strategy Headquarters



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- It is becoming more and more important for Japan to develop high technology and create a rich culture, and connect them to the creation and expansion of business. The infrastructure for this is intellectual property strategies.

## (Utilize intellectual property

### – particularly, local strategic use of intellectual property)

- It is not until intellectual property is used that its value can be achieved. Therefore, intellectual property strategies should be united with business strategies.
  - It is important to use such intellectual property and connect it to the creation and expansion of business. This will also lead to further creation of intellectual property.
- In particular, from the perspective of regional revitalization, it is necessary to rebuild a cycle to create and use intellectual property so that local SMEs can show their strength.

**(Fight with intellectual property**

**– activation of the intellectual property dispute settlement system)**

- 10 years have passed since the establishment of the Intellectual Property High Court. While Japan’s intellectual property dispute settlement system receives some praise from the industrial world and IP practitioners, many people call for its improvement in usability and convenience.

Taking it into full consideration that Japan is exposed to international competition among systems, now is the time to consider how Japan’s intellectual property dispute settlement system should be developed.

**(Make money overseas with content**

**– building an ecosystem including non-content industry)**

- Content such as manga, animation, dramas as intellectual property, which are represented by Cool Japan, are expected to be a potential growth sector. Accordingly, overseas expansion which connects them to business is important in light of intellectual property strategies.

Reviewing content from an industrial perspective and building a structure to produce profits including those of non-content industry is a big challenge to enhance Japan’s international competitiveness.

# [Part 1] 1 Promotion of local utilization of intellectual property

## Current situation and issues

- Out of all the SMEs, less than 1 percent or only 33,000 enterprises acquired intellectual property rights including technology.
- The challenges are to promote SMEs' use of intellectual property in light of business, and to enhance efforts for the establishment of business through collaboration between SMEs and large enterprises/universities in terms of intellectual property. Also, in the agricultural, forestry and fishery field, it is necessary to take measures against counterfeits promptly and accurately.

## Measures to be taken

### ◎ Enhancement of SMEs' intellectual property strategies for intellectual property commercialization

- Strengthen the consultation system in the Yorozu Support Centers in each prefecture, which are one-stop consultation counters to respond to SMEs' various management issues, and collaboration with the Comprehensive IP Support Counters
- Concerning the Comprehensive IP Support Counters, improve the system to support the building of intellectual property strategies based on business strategies by using experts under the National Center for Industrial Property Information and Training

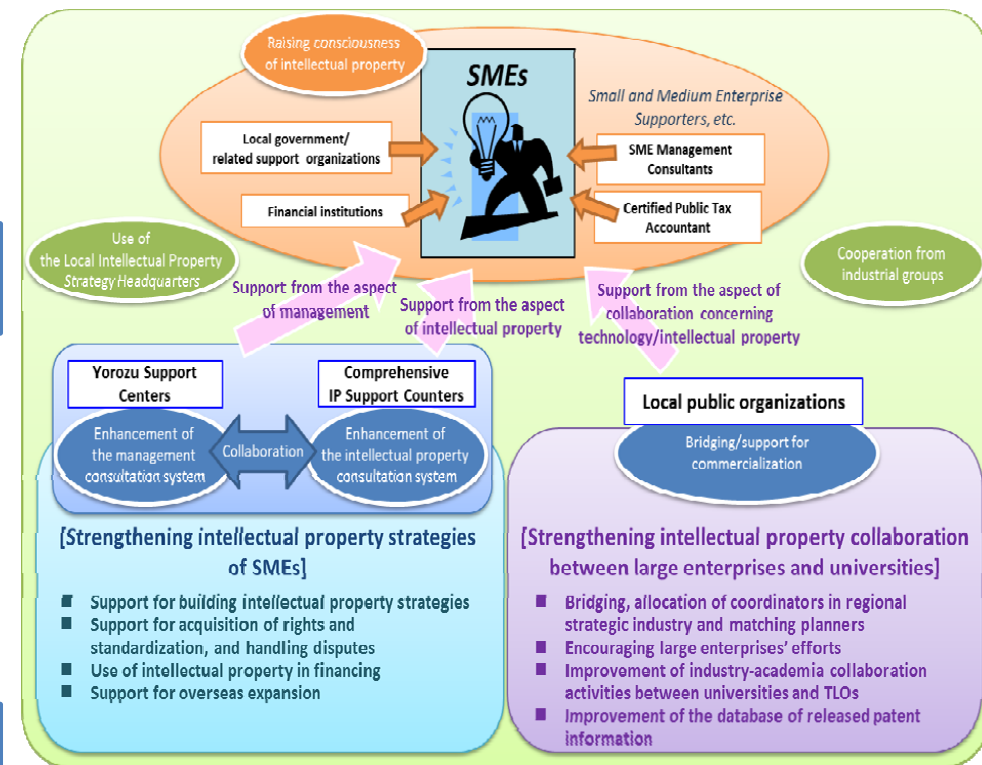
### ◎ Enhancement of intellectual property collaboration between local SMEs and large enterprises/universities

- Allocate and dispatch coordinators in regional strategic industry and matching planners to each region in order to enhance intellectual property collaboration between SMEs and large enterprises/universities. To allow this human capital to collaborate with each other, set up a place for information exchange. Establish the conference for exchanging information such as matching achievements of coordinators in regional strategic industry and matching planners. Build a secure environment for development which can prevent technology outflows.
- In particular, in order to encourage the participation of large enterprises, use the awards system including intellectual property Achievement Awards and opportunities to share excellent cases.

### ◎ Promotion of intellectual property strategy in the agricultural, forestry and fishery field

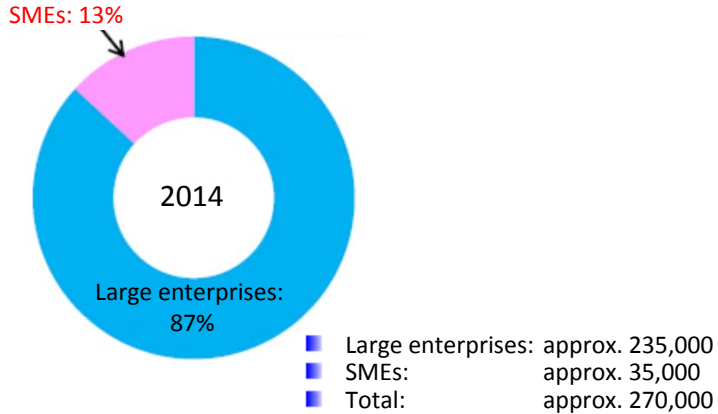
- Steadily and intensively implement intellectual property strategy in the agricultural, forestry and fishery field and promote branding by using the Geographical Indication(GI) Protection System.

## “Local Intellectual Property Utilization Promotion Program”



# [Reference]

## Percentage of SMEs in patent applications



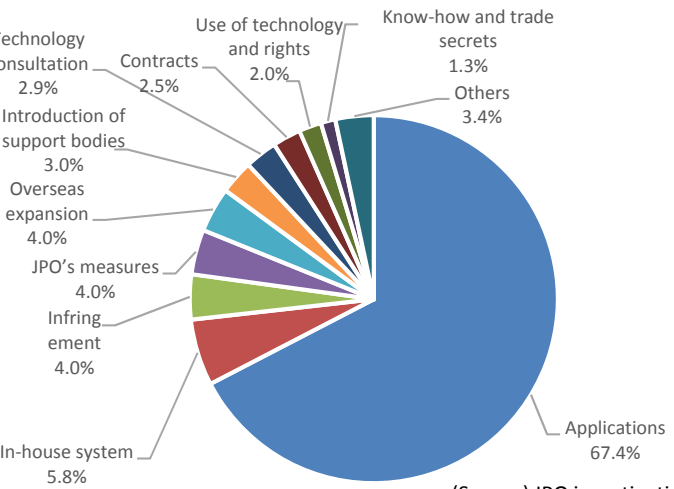
## Yorozu Support Centers

One-stop management consultation counters (47 counters nationwide) which respond to SMEs' management issues such as increase in sales and market expansion in collaboration with local support organizations

## Comprehensive IP Support Counters

Counters located in each prefecture (57 counters nationwide) to provide consistent support from an idea stage to business expansion so that SMEs can perform activities smoothly for intellectual property including know-how in their management

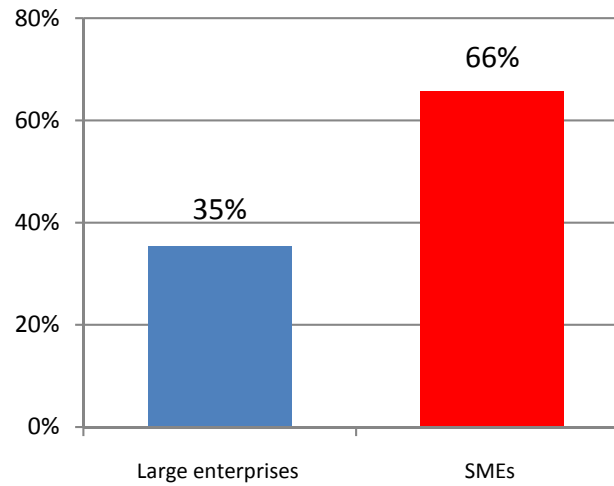
## Contents of support of the Comprehensive IP Support Counters (FY 2013)



(Source) JPO investigation

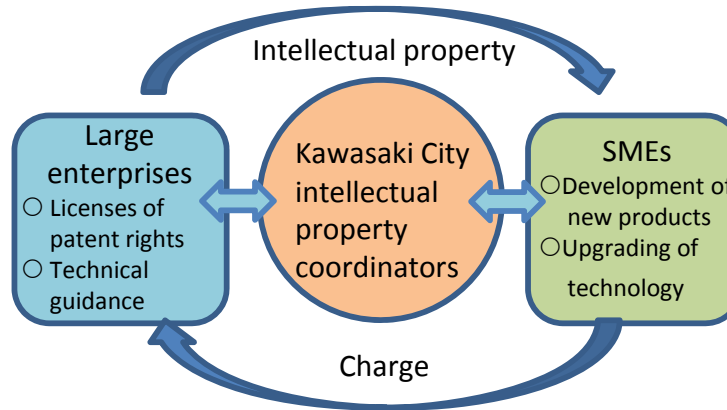
## Patent working percentage in Japanese enterprises (comparison by scale)

\* The percentage of large enterprises is low.



(Source) JPO investigation

## Kawasaki City built a system to transfer large enterprises' intellectual property to SMEs



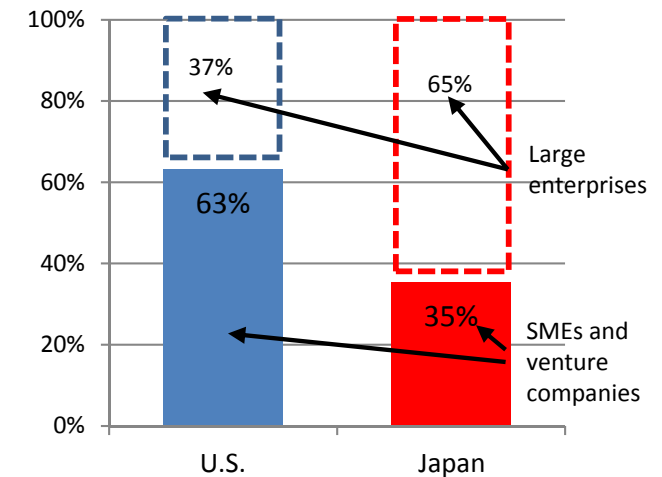
### Achievement (as of April 2015)

- Participating large enterprises: 17 (Fujitsu, Toshiba, etc.)
- Licensing: 21
- Number of new products: 14

(Source) Kawasaki City Economic and Labor Affairs Bureau

## Comparison of destinations of patents between Japanese and U.S. universities

\* The percentage of patents for SMEs and venture companies is high in the U.S.



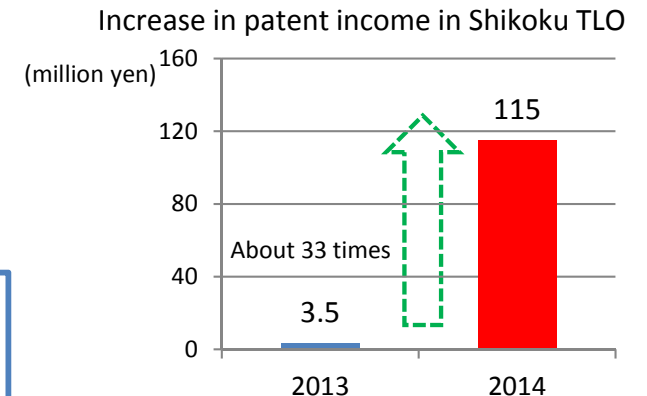
(Source) Estimation by Professor Toshiya Watanabe at the University of Tokyo

## The number of university technology licensing organizations (TLOs) is decreasing. Their activities are also stagnant.

\* Number of TLOs: 48 (2008) to 36 (2014)

Shikoku TLO was successful due to active marketing.

\* Company visits: 435 companies (April to November, 2014)



(Source) Data by Professor Sakai Takayuki at Tokushima University (Managing Director, Shikoku TLO) (figures are on the contract basis)

# [Part 1] 2 Activation of the intellectual property dispute resolution system

## Current situation and issues

- 10 years have passed since the establishment of the Intellectual Property High Court, and Japan's intellectual property dispute resolution system has received appreciation for its quickness and predictability.
- On the other hand there are also issues concerning the stability of rights, difficulty in collecting evidence (e.g. manufacturing technology), standards of compensation for damages, and convenience for SMEs and local parties involved.
- Considering globalization, in order to deepen the understanding of Japan's intellectual property dispute system, more information disclosure and strengthening of overseas public relations are needed.

## Measures to be taken

### ◎ Comprehensive consideration of strengthening the functionality of the intellectual property dispute resolution system

- In intellectual property lawsuits, consider strengthening the functionality of the intellectual property dispute resolution system comprehensively including 1) enhancing the validity of rights from grant of rights through dispute settlement; 2) improving evidence collection proceedings to reduce the burden of proof on right holders; 3) realizing the amount of compensation for damages reflecting the business reality.

### ◎ Supporting SMEs and local parties involved in the pursuance of intellectual property lawsuits

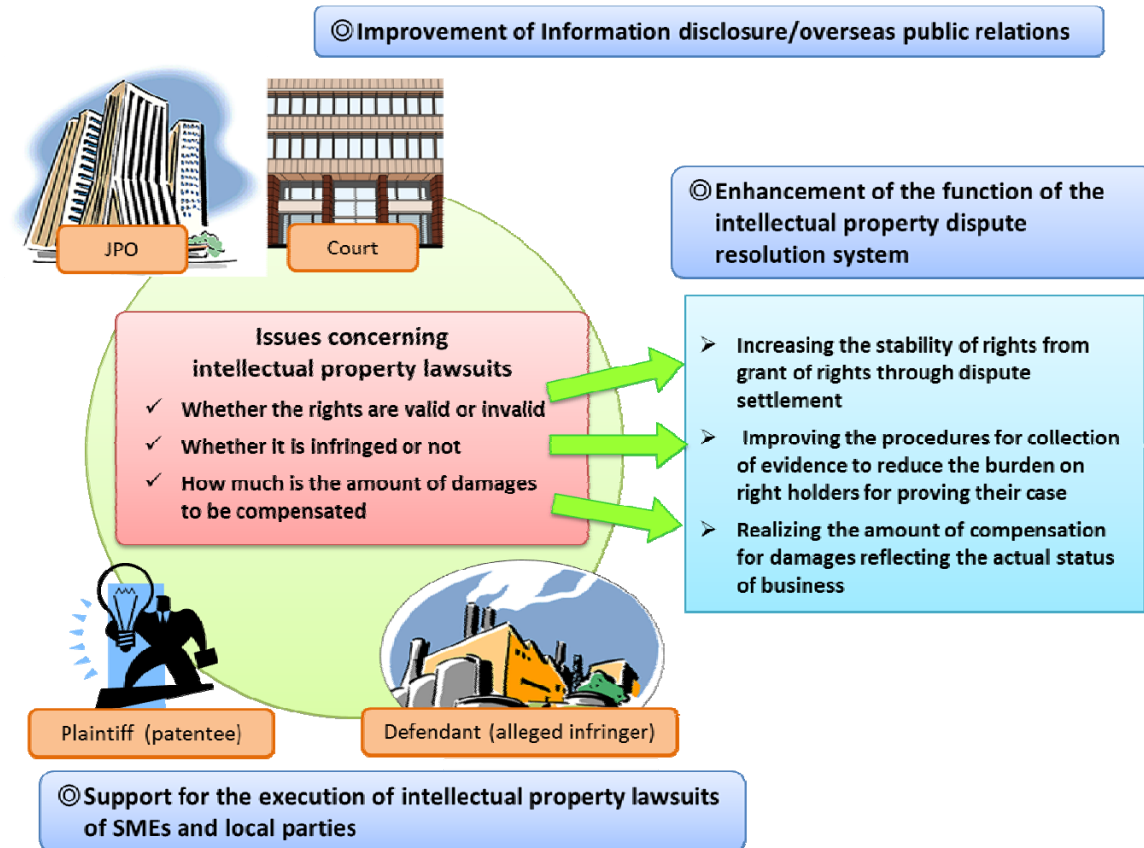
- Prevent disputes with large enterprises and strengthen the system to support SMEs by experts which supports responses to lawsuits
- In order to secure access to justice concerning intellectual property from local regions, promote the use of the video conference system.

(Note) District courts with jurisdiction for patent lawsuits are only Tokyo and Osaka.

### ◎ Improvement of information disclosure and overseas public relations

- Strengthen information disclosure concerning intellectual property dispute resolution and overseas public relations in English

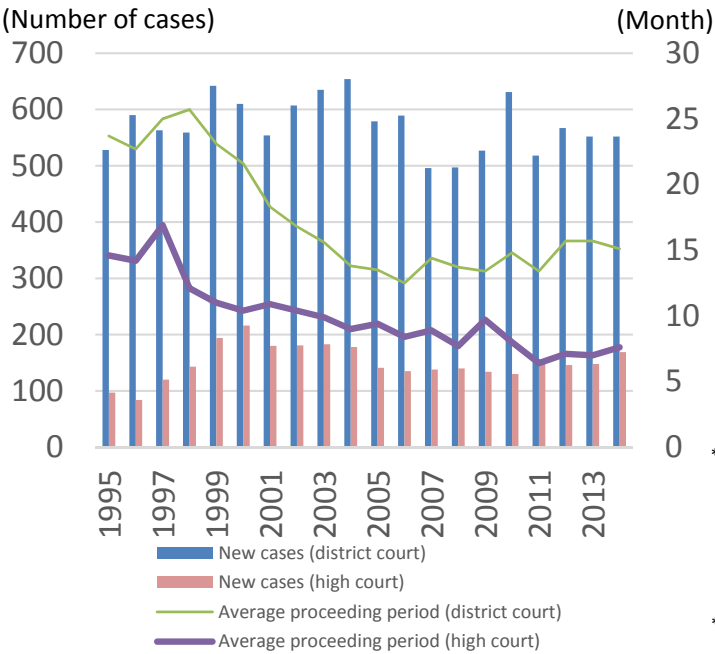
## Image of measures



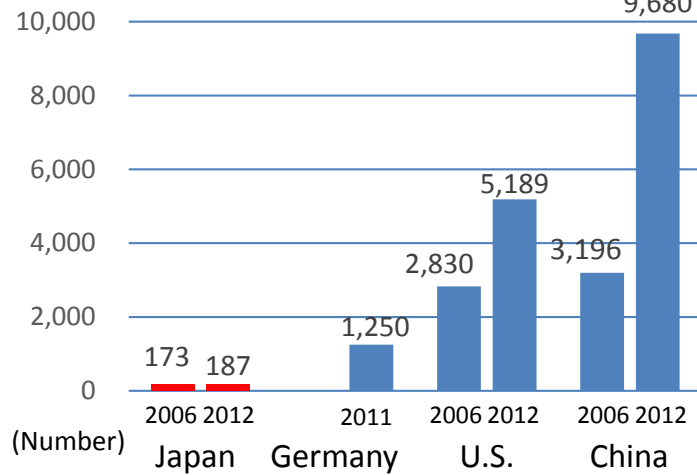


# [Reference]

## Changes in the number of civil cases concerning intellectual property and average proceeding period

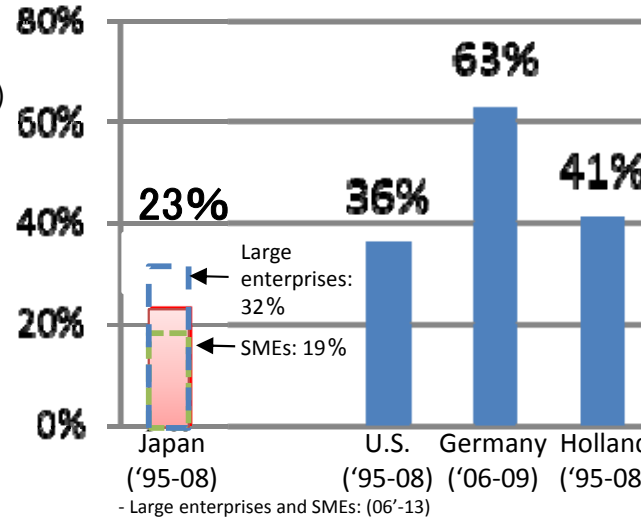


## International comparison about the number of patent infringement lawsuits filed



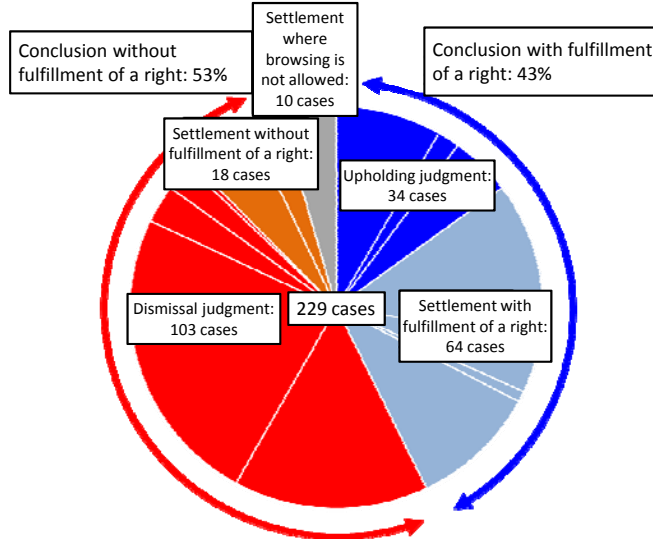
(Note) The number of suits of infringement of patent rights, utility model rights, design rights (excluding design rights in Germany).

## International comparison of percentages of cases of patentees winning.



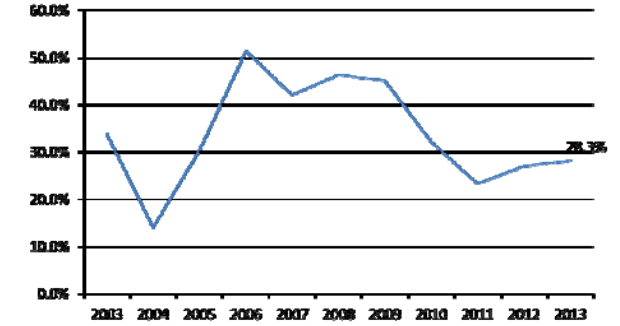
\* The percentages of winning cases were calculated based on the number of cases concluded in judgment. They do not include settlements.  
 In Japan, a little over 40 percent were concluded in judgment and a little less than 40 percent in settlement.  
 In the U.S. a little less than 90 percent were concluded in settlement and 3.5 percent in judgment in open court.  
 In Germany, 40 percent was concluded in judgment.  
 \* In Japan, the breakdown of those who filed suits is SMEs (60%), large enterprises (27%), foreign enterprises (13%).

## Conclusion of suits of infringement of patents in Japan (Judgments in district courts from 2011 to 2013. Settlements are also included.)



\* Charts are from the investigation of the Intellectual Property Bureau, and created by the Intellectual Property Bureau based on FY 2013 and 2014 JPO Research and Study Committee Regarding Problems with Intellectual Property Rights Systems, GRUR 2013. 6. Issue, and The Global IP Project HP (<http://idpreview.net/sites/global-ip/wp-content/uploads/2015/01/Significant-Trends-Slides-25-Jan-2015.pdf>)

## Changes in the percentage of losing cases due to the invalidation of patent rights (district court judgment from 2003 to 2013)



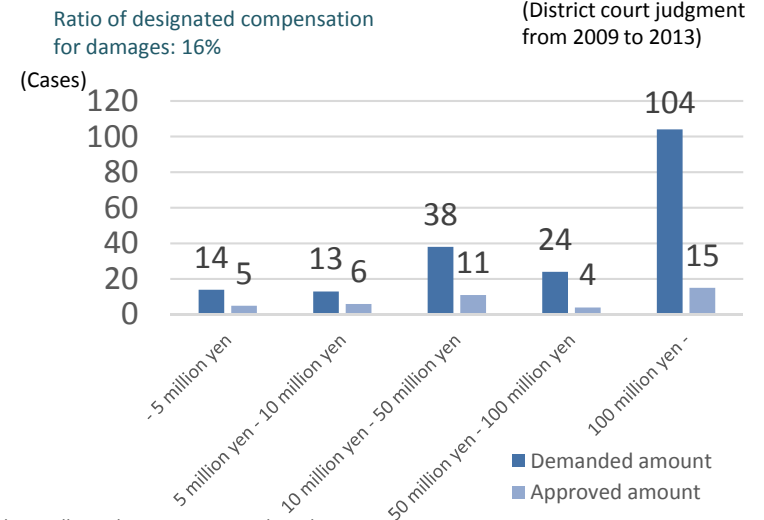
\* The revision of the Patent Act in 2004 allowed defendants to claim the invalidity of patents as a matter of defense in patent infringement lawsuits.

## Procedures for collection of evidence

- Due to the revision of the Patent Act, although the Act specifies special provisions for collection of evidence including the order to submit a document, it is said that it is difficult to prove infringement in reality. (c.f.)
  - In the U.S., there is a strong procedure for collection of evidence (Discovery). (It is criticized for too much cost and it is being reviewed.)
  - In Germany, there is a system in which a third party can inspect the factories of alleged infringers.

## The amount of compensation for damage

- The Patent Act has a special provision for the approval of the amount of compensation for damages including estimation of the amount of damages. While the Act is praised for normalization thanks to a number of revisions, it is pointed out that the proved amount is not sufficient.



# [Part 1] 3 Promotion of unified development of content and peripheral industries overseas

## Current situation and issues

- The overseas operation of Japanese entertainment content is playing second fiddle to that of Western and Korean content in Asian countries.
- In order to build a structure that will produce profits for related industries as well, it is important to comprehensively promote 1) production and securing of entertainment content that can be easily accepted overseas; 2) evoking a sense of affinity through continuous expansion; 3) collaboration between entertainment content and correlative industries/regions.

## Measures to be taken

### ◎ Production and securing of entertainment content that can be easily accepted overseas

- Further speed up right procedures concerning performance to facilitate the overseas expansion of broadcast programs
- Continue to support international joint production and localization of Japanese entertainment content

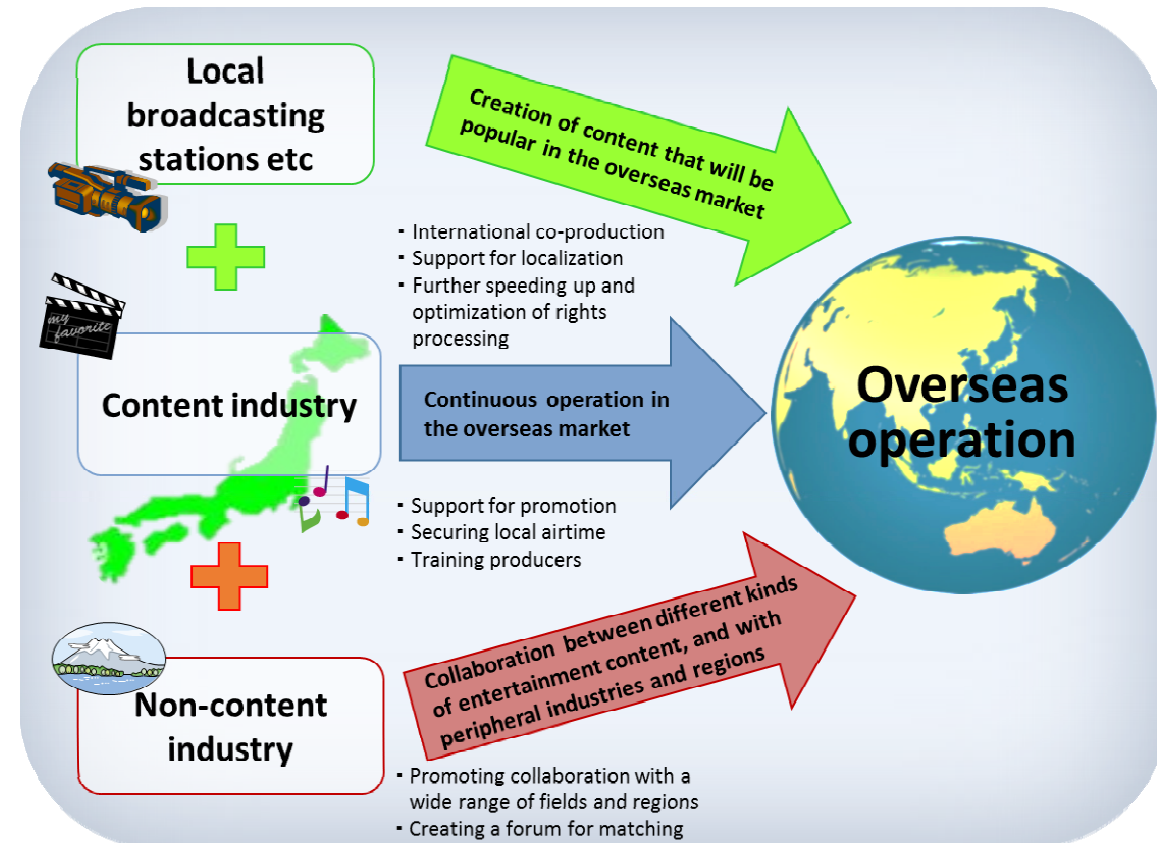
### ◎ Continuous overseas operation

- Continue to provide support for the promotion of Japanese entertainment content and secure local airtime overseas
- Develop producers with international competence, through study abroad programs and internships

### ◎ Strengthen collaboration between entertainment content and correlative industries

- In order to achieve cross-sectoral collaboration focused on entertainment content across boundaries between industries, establish a cross-sectoral organization to promote information sharing and business matching (the Public-Private Partnership Platform), and under the aegis of said platform hold matching fora in which various kinds of businesses can participate.

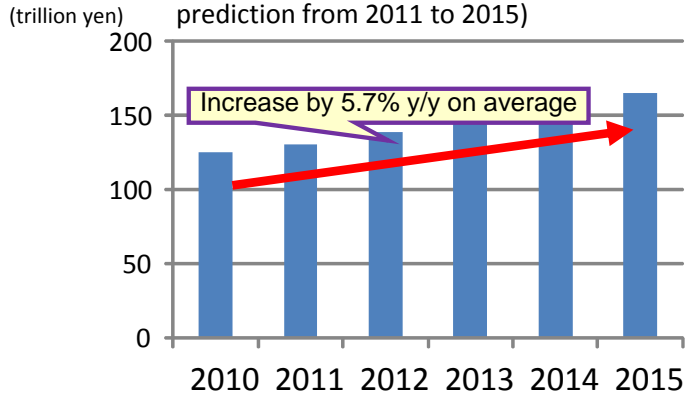
## Image of measures



# [Reference]

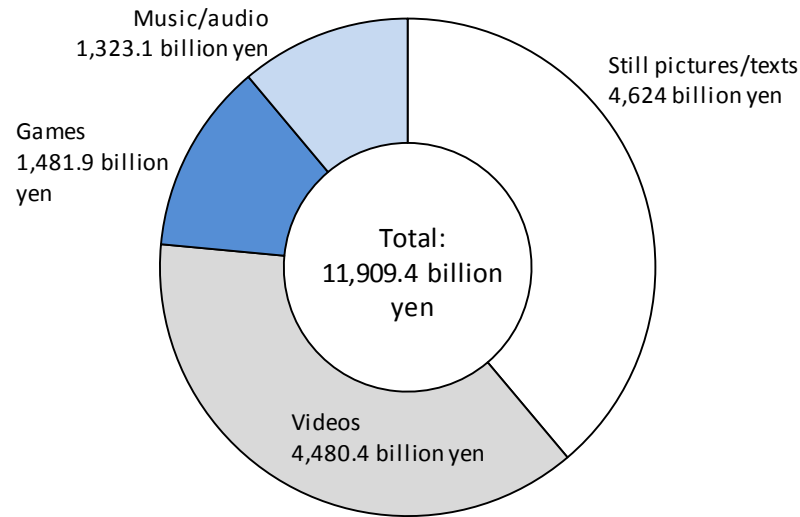
## The world's content market

(Actual result in 2010, prediction from 2011 to 2015)



(Source) Created based on PricewaterhouseCoopers "Global Entertainment and Media Outlook: 2011-2015"

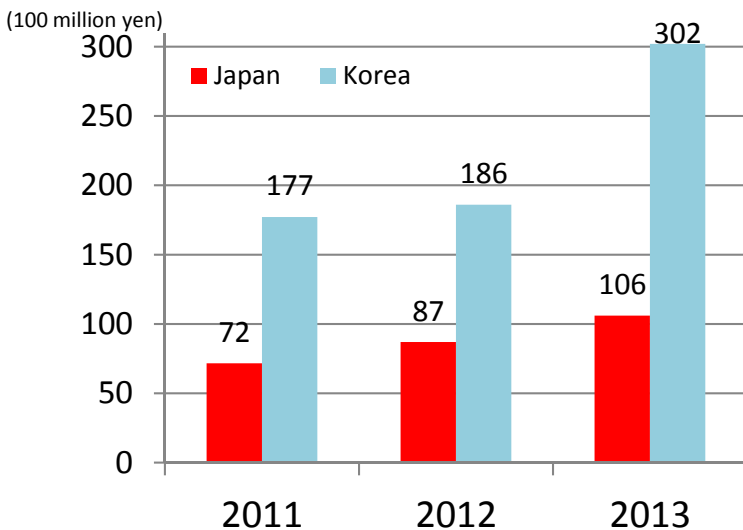
## 【Domestic market size of content industry (2013)】



## Collaboration between content and non-content Example: Electric appliance and Doraemon



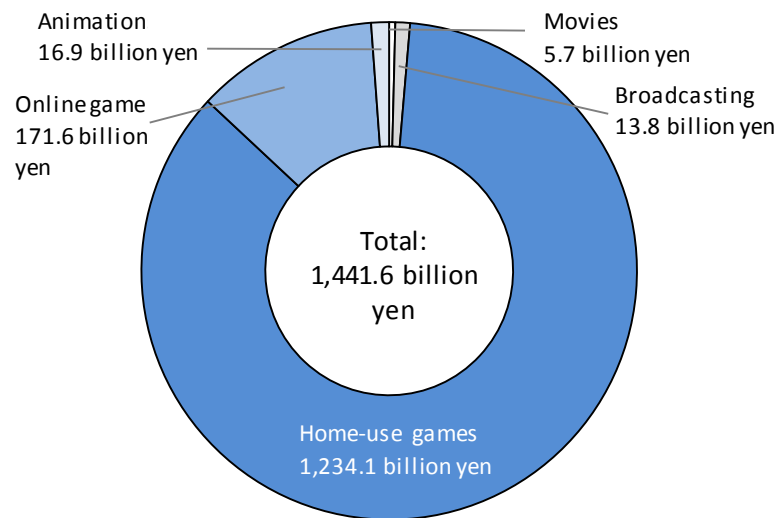
## Change in overseas sales of broadcast content (comparison between Japan and Korea)



(Source) MIC

(Note) The graph includes broadcasting rights, video/DVD rights, etc.

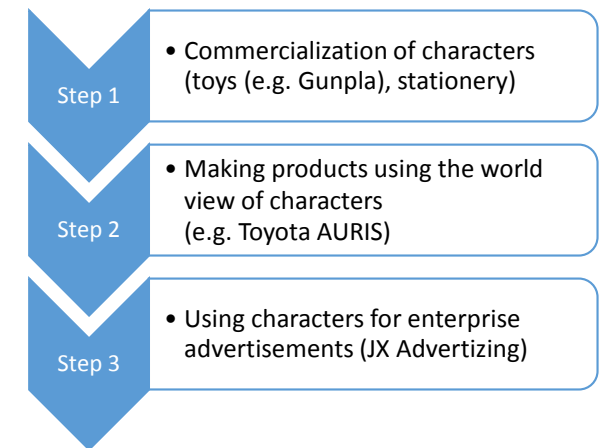
## 【Overseas sales(2013)】



Source: Created based on Digital Content White Paper 2014

Source: Concerning movies, games, and animation, created based on Digital Content White Paper 2014; concerning broadcasting, created based on MIC's analysis of Japanese Broadcast Content in the Global Marketplace.

## Example of business expansion around content: Gundam



# [Part 2] 1 Realization of the world's fastest and highest quality patent examination system

## Measures to be taken

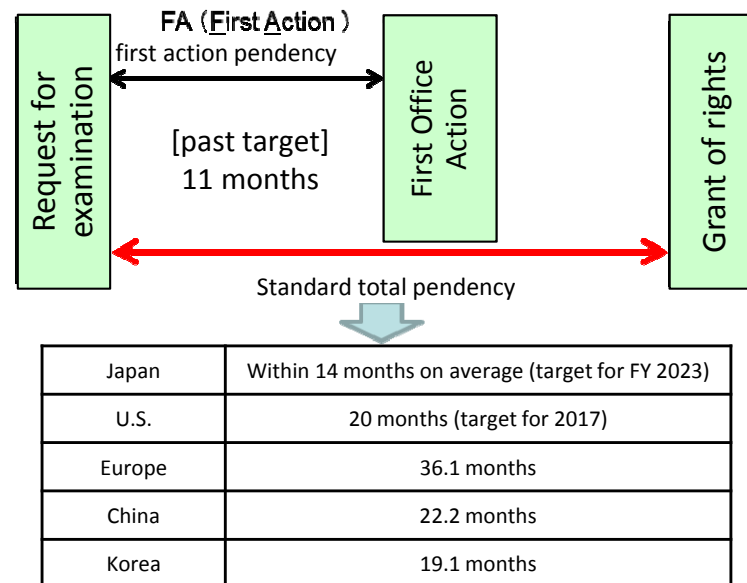
### ◎ Realization of the world's fastest and utmost quality examination system

- Shorten the “period of time required for acquisition of the right to a patent” (standard total pendency) and the “time required for receiving first action ” (first action pendency) from request for examination to less than 14 months on average and to less than 10 months, respectively by FY 2023.
- Release high-quality examination results at home and abroad through the improvement of the quality management system such as the revision of the “Quality Management Manual for Patent Examination”, enhancement of timely and properly quality audit, and enhancement of the user satisfaction survey on patent examination quality.
- In order to promote the use of the design registration system, consider simplified procedures – for example, omitting part of drawing submission, and using digital access service to priority documents.

### ◎ Promotion of international collaboration in patent examination

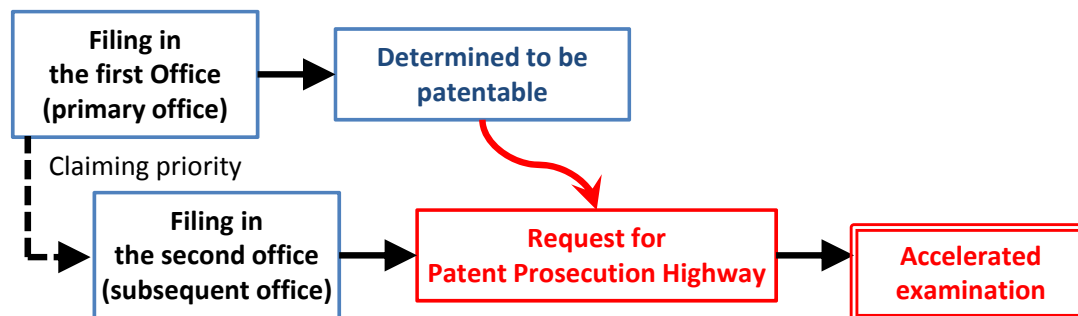
- Continue to increase the number of countries participating in the Patent Prosecution Highway and promote the unification of PPH requirements to make it possible for Japanese companies to obtain patent rights at an early stage in various countries.
- Develop a framework for patent examiners in the Japan Patent Office (JPO) and the U.S. Patent and Trademark Office (USPTO) to collaborate in examination.

## [standard total pendency and first action pendency]



(Source) Material of the 12<sup>th</sup> Verification, Evaluation, and Planning Committee (April 28, 2015) submitted to JPO

## [Outline of Patent Prosecution Highway]



(Source) Created by Intellectual Property Bureau based on JPO's website "Patent Prosecution Highway"

### Measures to be taken

#### ◎ Introduction of a new employee invention system

According to the new employee invention system (the revised Patent Act was established in July 2015), if any agreement, employment regulation, or any other contract stipulates that employers should acquire the right to obtain a patent, the right shall belong to the employers and in this case, the employee shall have the right to receive reasonable remuneration or other economic benefits. Based on this, the following measure will be taken.

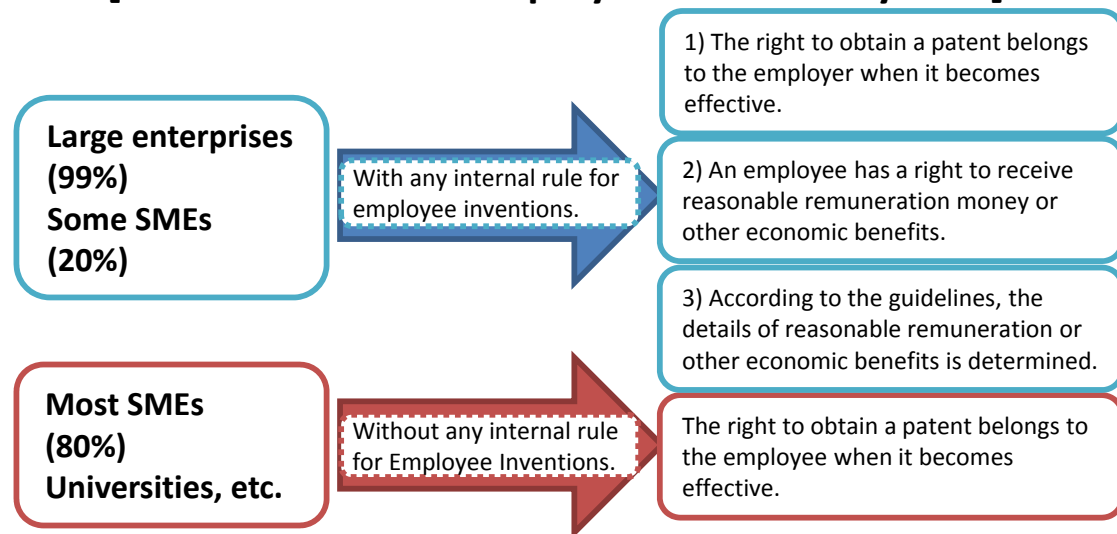
- Define guidelines concerning procedures for adjustment between employers and employees, consulting interested parties and publicize them, and make efforts to support the improvement of any agreement, employment regulation, or any other contract concerning employee inventions in enterprises.

#### ◎ Enhancement of the protection of trade secrets

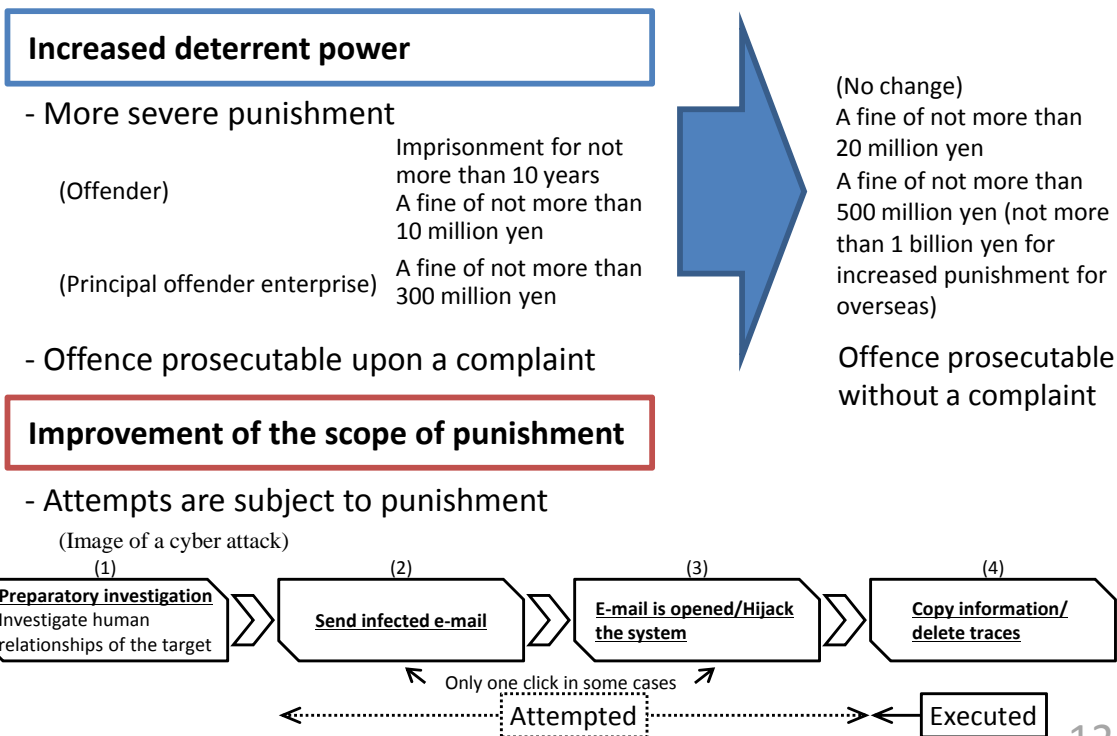
In the new trade secret protection system (the revised Unfair Competition Prevention Method was enacted in July 2015), in order to increase the deterrent power against trade secret infringement, penal regulations were strengthened and the scope of punishment was expanded. Based on this, the following measures will be taken.

- Formulate Trade Secret Protection Manual which shows comprehensive measures for the protection of trade secrets.
- Hold the Trade Secret Public-Private Forum to exchange information on new tricks about leaks of trade secrets and their countermeasures among administrators from public and private sectors.
- Promote preventive measures against leaks of trade secrets in enterprises and strengthen collaboration with the investigative authorities to increase the deterrent power to technology theft.

### [Points of the new employee invention system]



### [Points of the new trade secret protection system]



\*Judgment on a case-by-case basis

# [Part 2] 3 Efforts for international standardization and certification

## Measures to be taken

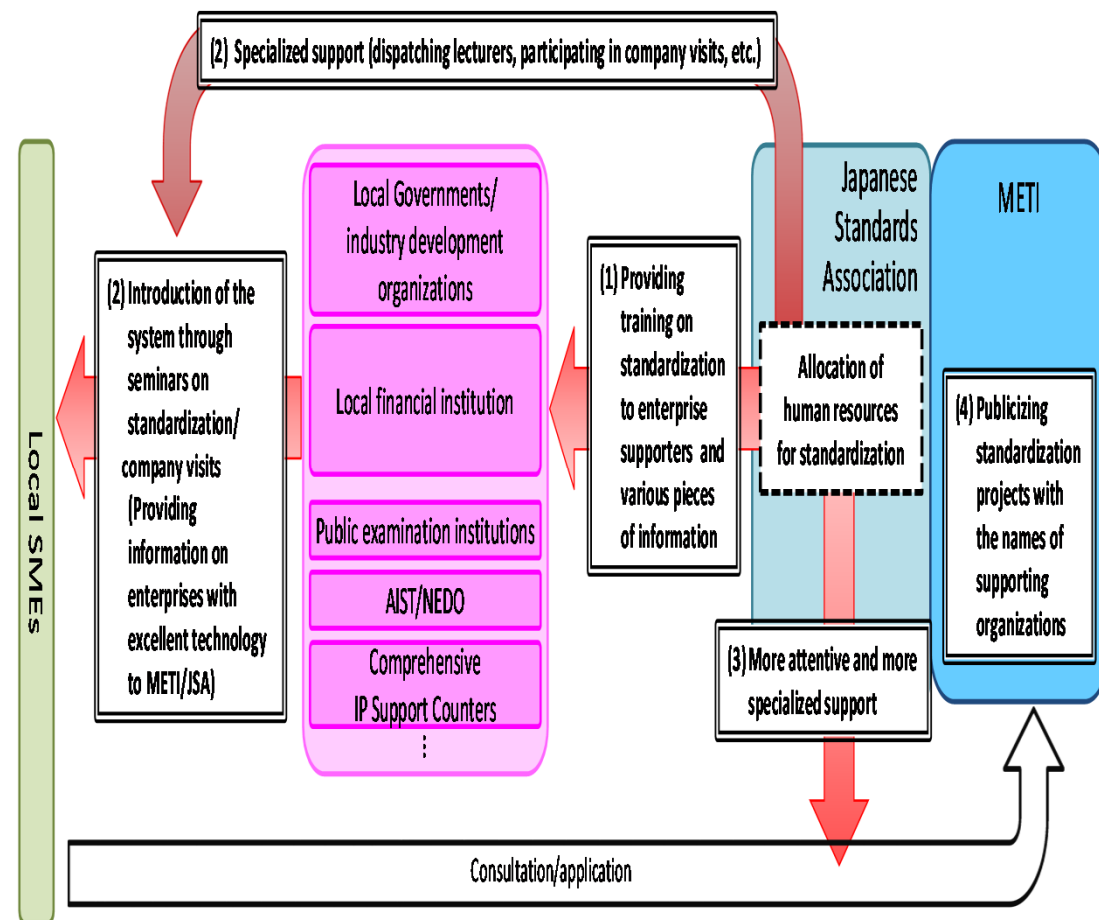
### ◎ Acceleration of strategic standardization

- In order to acquire the international standardization of important technology which demonstrates Japan's superiority before other countries, carry out comprehensive standardization from a research and development stage.
- In order to accelerate the standardization of SMEs' excellent technology by the New Market Creation-Type Standardization System\*, build an attentive support system from exploring projects to standards setting and certification with the cooperation of local governments and industry support organizations, etc.  
\* It is a comprehensive system that accelerates domestic and international standardization of fusion technology owned by multiple groups and new technology which is owned by specific enterprises.
- Consider the improvement of the training system to develop human capital so that they can be internationally responsible for specialized committees in international standardization organizations, provide training by class to develop human capital that can use standardization as a business tool, and promote the introduction of standardization courses in universities.

### ◎ Acceleration of international standardization strategies in each field

- Build a standard/certification system concerning food safety management based on HACCP and disseminate it overseas.
- Towards progress in IoT, make efforts to establish necessary technology and promote international standardization.

## [Measures to strengthen the standardization support system for SMEs]



# [Part 2] 4 Enhancing the functionality of industry-academia-government collaboration

## Measures to be taken

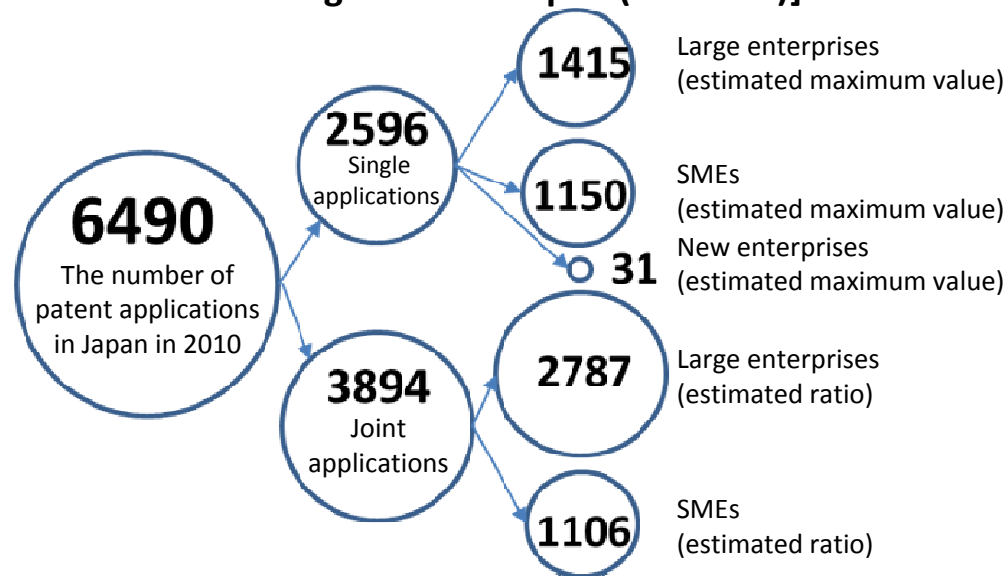
### ◎ Efforts for enhancing intellectual property strategies of universities

- For creating innovation and enhancing competitiveness, carry out examination and analyses to build the research and management system and consider support measures for effective use of research and management resources in universities.
- In order to encourage universities to formulate intellectual property strategies by themselves and to carry out autonomous intellectual property management, evaluate the activities and provide support for filing applications overseas.
- Concerning joint research contracts between universities and enterprises, consider how patent applications and contracts should be handled and suggest flexible contract conclusions to universities and enterprises.

### ◎ Enhancing intellectual property strategies in Japan's research and development projects

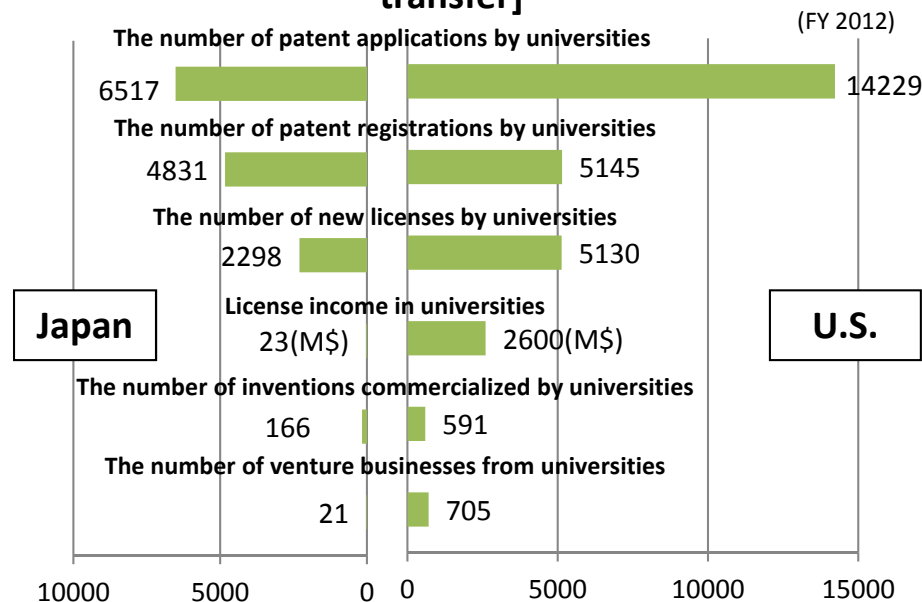
- Referring to the "Guidelines for Intellectual Property Management in Government-commissioned Research and Development" (METI), consider how intellectual property management in the Japanese government's research and development projects should be handled and take necessary measures.

### [Forms of university patent applications and their executing bodies in Japan (estimate)]



Source: The Liberal Democratic Party Research Commission on Intellectual Property Strategy (October 30, 2014)  
Excerpted from the lecture material of Professor Toshiya Watanabe at Utokyo Policy Alternatives Research Institute

### [Comparison of performance concerning university technology transfer]



Source: Created by METI based on AUTM U.S. Licensing Activity Survey, UNITT university technology transfer survey

## Major measures to be taken

### ◎ Promotion of centralized control to realize smoother rights clearance

- In order to promote development of a licensing system in the private sector, provide support, as needed, for the private sector's effort to work on specifics of a "contract scheme by centralized control" and the "Music Centralized Control Center" (provisional name) as a one-stop counter

### ◎ Improving the environment for sustainable content reproduction

- In order for creators to receive a counter value appropriately, review the Copyright Compensation for Private Sound and Visual Recording and consider the introduction of a new system replacing the compensation system

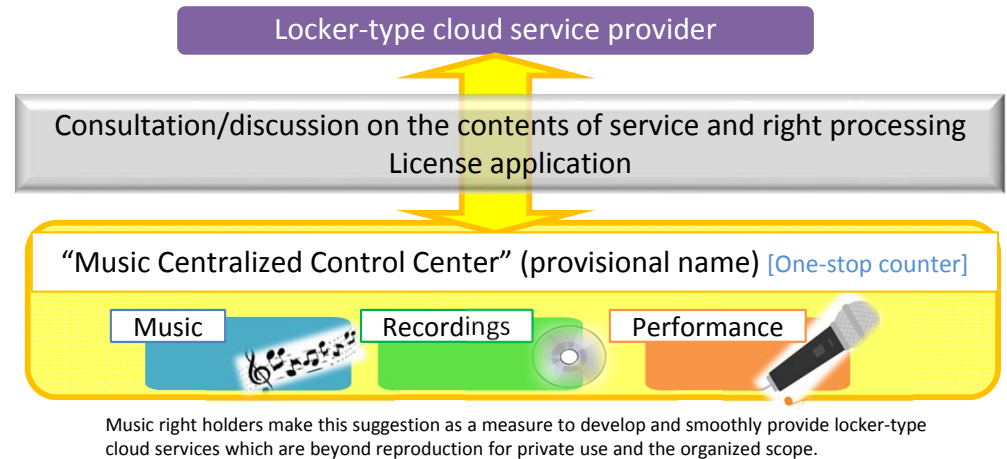
### ◎ Deliberation on the system to develop an environment to create new industries, etc.

- Based on creation of new businesses in the internet era, and technological and social change and needs as seen in the advent of artificial intelligence and 3D printing, discuss a system compatible with the new era, including highly flexible right limitation provisions and a smooth licensing system
- Discuss, for example, clarification of legality concerning reverse engineering with a purpose of security in the Copyright Act

### ◎ Promoting ICT use in education

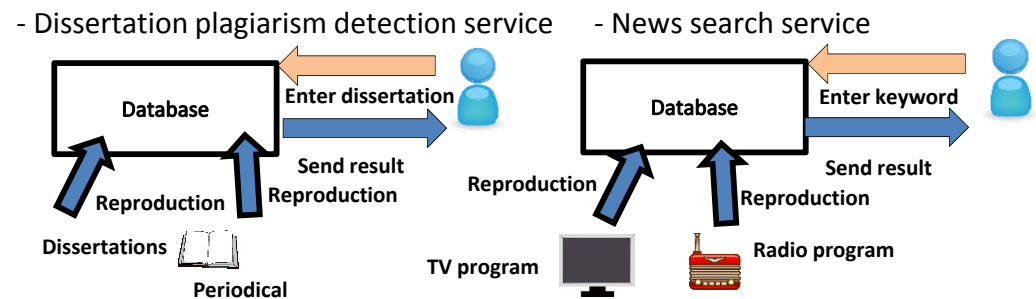
- Discuss issues about the copyright system in smooth utilization of digitalized educational materials and education through the internet such as on-demand lectures

## [The image of the Music Centralized Control Center (provisional name)]

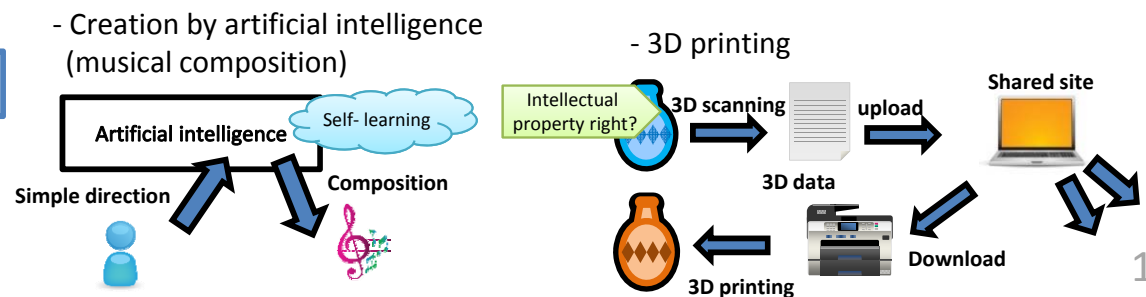


## [Creation of new industries]

### Examples of new businesses in the Internet Era



### Next-generation intellectual property (image)





# [Part 2] 6 Acceleration of development towards using archives more smoothly

## Major measures to be taken

### ◎ Building a comprehensive portal site

- Promote collaborative and cross-sectoral archives in various fields such as books, cultural property, broadcast programs, and manga/animation. (Development of a comprehensive portal site)

### ◎ Promoting efforts in each field

- Determine organizers (aggregators) who play a core role in building archives in each content field and enhance their efforts
  - Books: support the digitization of materials of public/university libraries and continuous digitization of materials of the National Diet Library, and promote the use of data
  - Cultural property: provide aggregated and multilingual data on Japanese heritage and provide information to museums/art museums nationwide
  - Media Art: promote the use of Media Art Database
  - Broadcast content: promote the use of broadcast content for an educational purpose and in remote areas

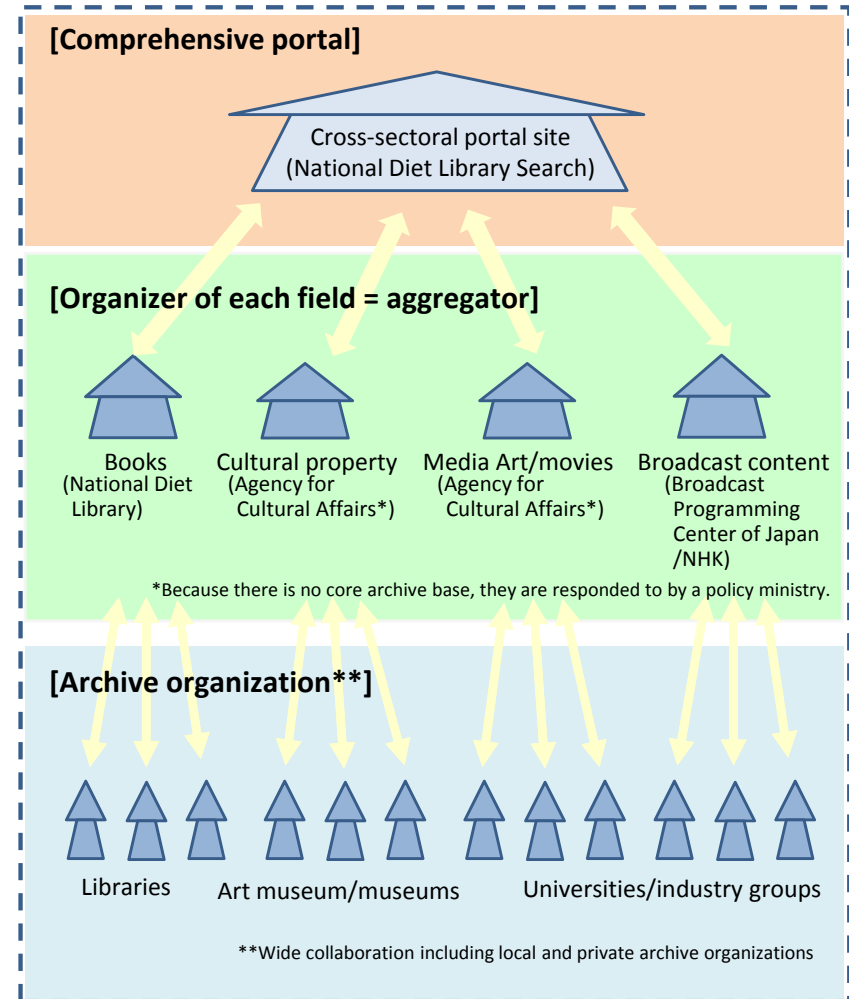
### ◎ Improving the copyright system for building archives and promoting their use

- Improve the copyright system for facilitating the use of works copyright owners of which are unknown (orphan works) (reconsideration of the compensation deposit in compulsory licensing system, simplification of its procedures for re-use of orphan works, etc.)

### ◎ Establishing a liaison committee of related ministries and council of practical members

- Establish committees for achieving collaboration among related ministries, the National Diet Library, and major archive organizations.

## [Archive collaboration system]



Liaison Committee of related ministries/  
council of practical members

# [Part 2] 7 Promotion of protection and cooperation of international intellectual property

## Major measures to be taken

### ◎ Adjusting to internationalization of the intellectual property system

- Spread and disseminate the intellectual property system, including examination practice and the method of the development of human capital for intellectual property, by sending and receiving human resources in the field of intellectual property to/from emerging countries, etc., and by cooperating with other countries in examinations.
- Support the improvement and operation of legal systems concerning intellectual property enforcement in emerging nations and support the development of intellectual property judicial personnel by providing training for judicial officials.

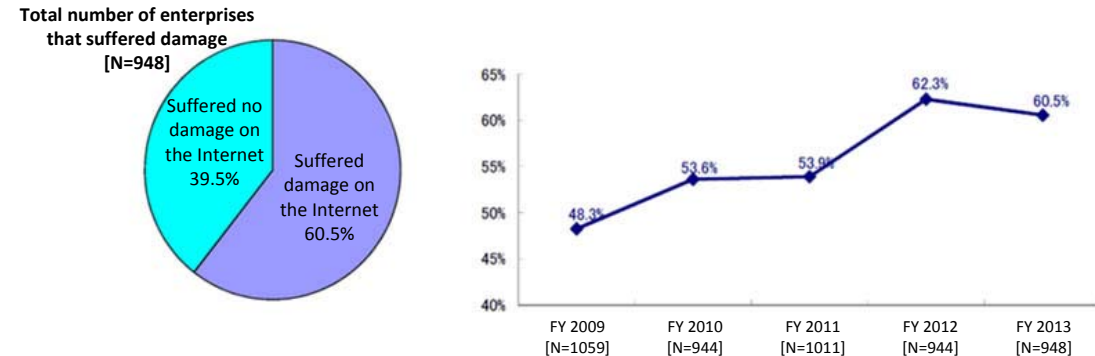
### ◎ Enhancing intellectual property protection through international framework

- Strive for the preparation and improvement of the intellectual property system and ensure effective law enforcement through bilateral/multilateral agreements, including Free Trade Agreements (FTAs)/Economic Partnership Agreements (EPAs).

### ◎ Strengthening countermeasures against counterfeiting and piracy

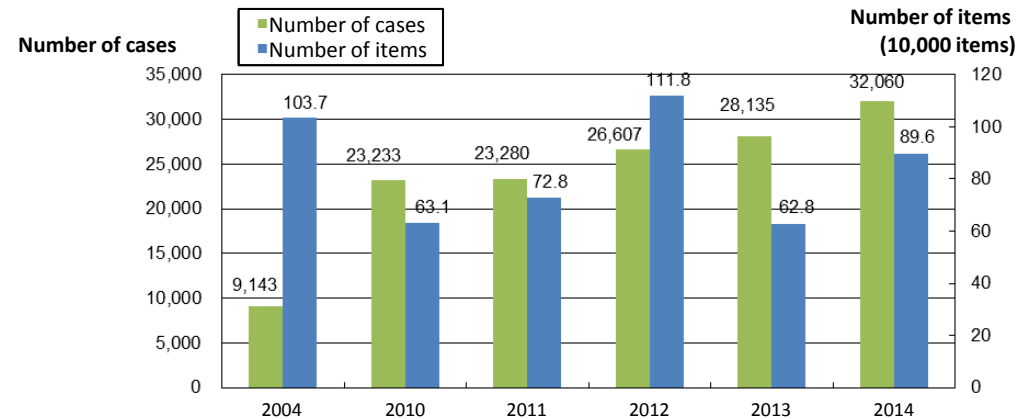
- In order to strengthen countermeasures against counterfeiting and piracy in countries where infringements occurs, carry out discussions between the governments, and appeal to the government through joint efforts of public and private sectors.
- Consider what measures should be taken against online piracy and distribution of infringing articles to Japan beyond the border on the Internet.
- To enhance domestic control over counterfeiting and piracy and suspension of import of intellectual property infringing articles, exercise control with stronger collaboration with right holders.

## [Counterfeit damage on the Internet]



(Note) The figures represent the ratio of the enterprises that suffered counterfeit damage on the Internet to the enterprises that suffered counterfeit damage in FY 2013, concerning any of intellectual property rights including trademarks, designs, patents, utility models, and copyrights.

## [Suspension of intellectual property infringing articles by customs]



The charts are cited from JPO FY2014 Survey Report on Counterfeit Damage

## Major measures to be taken

### ◎ Development of human capital for the strategic use of intellectual property

- Enhance the development of human capital that can support the building of comprehensive intellectual property management in SMEs and venture companies.

### ◎ Development of human capital as the infrastructure of the content industry

- Support the development by the on-the-job training for young animators and offer opportunities to present their works via movie screenings and the like.
- Develop short-term programs through demonstration lectures based on the curriculum developed in collaboration among special training colleges, universities and the industrial world.

### ◎ Promoting intellectual property education and intellectual property awareness activities

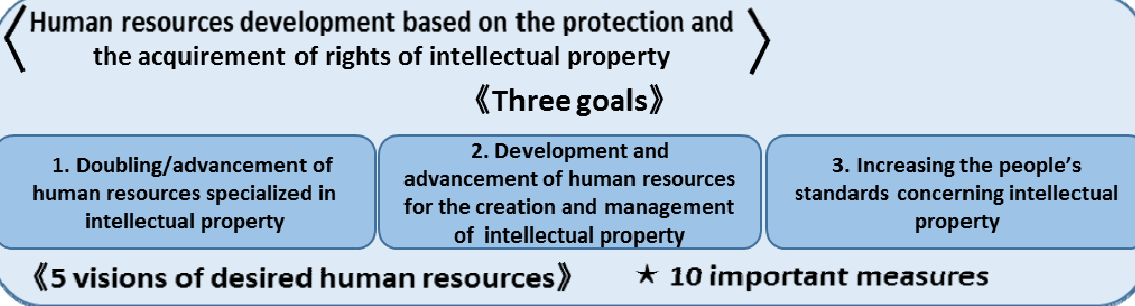
- Promote autonomous efforts in faculties and departments of universities such as opening a course concerning intellectual property.
- To lead to the expansion of the base of intellectual property human capital, promote education on intellectual property in elementary schools, junior high schools, and high schools.

### ◎ Cross-sectoral examination/consideration of development of human capital for intellectual property

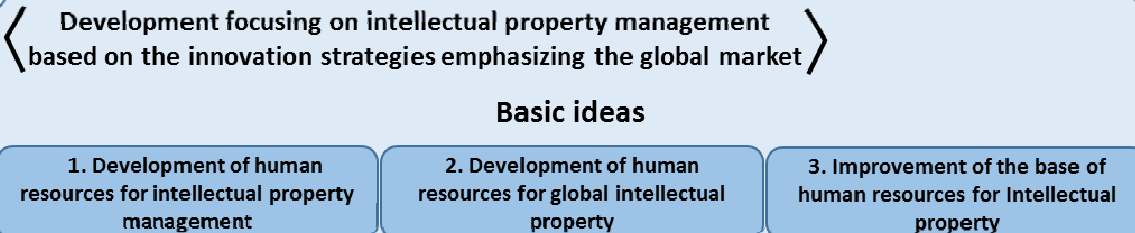
- Carry out cross-sectoral examination of efforts for the development of human capital for intellectual property and consider human capital desired in the future and how the development of human capital should be carried out.

## [The history of the efforts for development of human capital for intellectual property]

### The Comprehensive Strategy for the Development of Human Resources Related to Intellectual Property (January 30, 2006)



### Intellectual Property Human Capital Development Plan (January 20, 2012)



Carry out the **Intellectual Property Human Capital Development Plan**, which focuses on the development and security of human capital for Intellectual property management, and the **Comprehensive and Strategy for the Development of Human resources Related to Intellectual Property**, which focuses on the development and security of specialized human resources for Intellectual property, in a mutual complementary manner.

(Reference)

# Articles related to intellectual property strategies in the revised “Japan Revitalization Strategy” (growth strategy) 2015 (1)

## Integrated promotion of Growth Strategy and the Intellectual Property Strategic Program 2015

“Also, based on the Intellectual Property Strategic Program 2015 (determined by Intellectual Property Strategy Headquarters on June 19, 2015), the government of Japan will promote the local use of intellectual property and efforts for international standardization and certification.”

**→ The measures included in the Intellectual Property Strategic Program 2015 are also incorporated in the Growth Strategy.**

## Implementation of the Innovation National System

In the **University Reforms**, which is one of the important pillars for rebuilding the Innovation National System, consciousness raising and management efforts of universities and their presidents are valued for the expansion of a degree of freedom of financial operations of national universities, especially for **gaining funds for research consigned by private corporations**.

In this situation, in joint research contracts between universities and private corporations, there is a criticism that **handling of compensation for the non-working** is a factor preventing joint research. Therefore, **contracts should be investigated and analyzed and it will be considered how contracts should be handled based on the findings**.

# Articles related to intellectual property strategies in the revised “Japan Revitalization Strategy” (growth strategy) 2015 (2)

## Promotion of local innovation

### Enhancement of SMEs’ intellectual property strategies

- **Raising the awareness of SMEs about intellectual property** by strengthening the system of the Comprehensive IP Support Counters and allocating human resources for bridging intellectual property to local public organizations in order to promote intellectual property collaboration between local SMEs and large enterprises (increase the percentage of SMEs in patent applications up to about 15 percent by FY 2019)
- **Strengthen the system of Yorozu Support Centers/Yorozu Support Centers headquarters** and **provide support** including exploring potential needs concerning intellectual property, protection of intellectual property, prevention of disputes and responses to lawsuits in relation with large enterprises (Double the number of intellectual property supports per year by FY 2016.)
- **Carry out interview examination** based on users’ needs by patent examiners visiting regions (double the number of interview examinations per year by FY 2020)

### Promotion of strategic standardization

- Provide **training** for those who support enterprises in local governments and local economic groups, **enhance the system of human resources that are specialized in standardization in the Japan Standards Association** (Achieve 100 standardizations of SMEs’ excellent technology and products by 2020)

# Articles related to intellectual property strategies in revised “Japan Revitalization Strategy” (growth strategy) 2015 (3)

## Promotion of Cool Japan utilizing content

### Promotion of overseas expansion of content

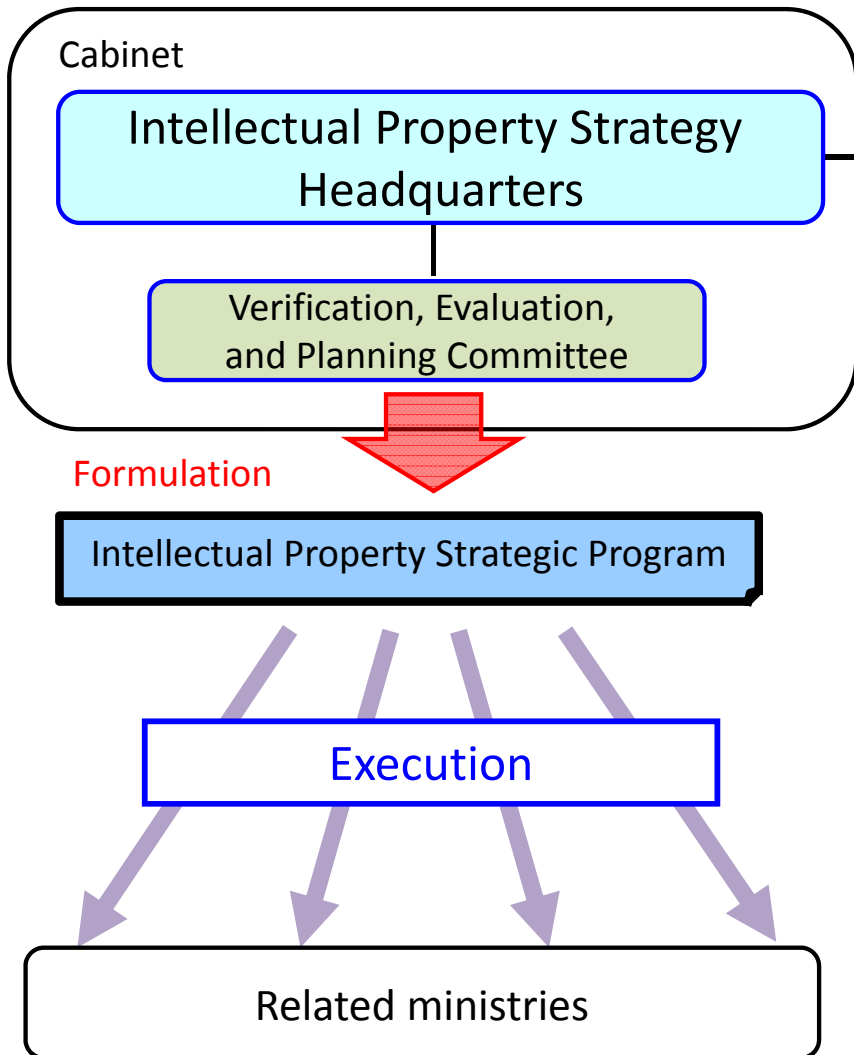
- Content production while taking the expansion of overseas sales into consideration from the beginning; further acceleration of rights management; localization and promotion of contents; international joint production; promotion of continuous broadcasting of content; and development of human resources for Cool Japan

### Creation of collaboration projects of content and peripheral industries

- Establish the **Public-Private Partnership Platform** for promotion of Cool Japan(tentative) this fall and promote overseas public relations utilizing content and integrated overseas expansion of content and peripheral industries by the all-Japan system
- In order to carry out business matching to formulate the collaboration projects under this platform, hold **the Matching Forum (tentative)** where various kinds of related businesses including non-content industries such as food, tourism, and manufacturing will also participate
- By using this forum and cooperating and collaborating with Cool Japan Fund, Broadcast Program Export Association of Japan (BEAJ), Visual Industry Promotion Organization (VIPO), and JETRO, etc., continuously create cross-industries collaborative projects with high synergistic effects and ripple effects such as product placement and collaboration between company advertisements overseas and Japanese content

# The system to promote intellectual property strategies

- ✓ The Intellectual Property Strategy Headquarters was established based on the Intellectual Property Basic Act in 2003. It develops and promotes the whole government's Intellectual Property Strategic Program and promotes the planning, promotion, and comprehensive adjustment of important measures concerning intellectual property.
- ✓ The Intellectual Property Strategic Program is formulated every year. In 2013, the Intellectual Property Policy Vision was formulated on the 10<sup>th</sup> anniversary of the establishment of Headquarters and the Basic Policy Concerning the Intellectual Property Policy was decided by the Cabinet.



## [Main duties]

- Proposal, planning, and implementation of intellectual property strategies
- Promotion and adjustment of collaboration for policies of the government ministries

## [Members]

Chairperson: Prime Minister

Vice chairperson: The Minister of State in charge of intellectual property strategies (the Minister in charge of science and technology policy)

Chief Cabinet Secretary, Minister of MEXT, Minister of METI

Members: All ministers

Experts (10 people)

Shoichi Okuyama, Patent attorney, representative of OKUYAMA & SASAJIMA

Nobuo Kawakami, CEO, KADOKAWA DWANGO CORPORATION

Makoto Gonokami, President, the University of Tokyo

Yoshimitsu Kobayashi, Chairperson of the board, Mitsubishi Chemical Holdings Corporation

Jay Sakomoto, CEO, SHOCHIKU Co., Ltd.

Keiko Takemiya, Manga artist, president, Kyoto Seika University

Akihiro Nikkaku, CEO, Toray Industries, Inc.

Yuko Harayama, Member of the Council for Science, Technology and Innovation

Mitsuko Miyagawa, Lawyer, partner of TMI Associates

Rie Yamada, CEO, Tohoku Electronic Industrial Co., Ltd.

(In the order of Japanese syllabary)



# The examination system until the formulation of the “Intellectual Property Strategic Program 2015”

## Intellectual Property Strategy Headquarters

- April 14, 2015  
(Considered basic direction)
- June 19, 2015  
(Decided the Strategic Program 2015)

## Verification, Evaluation, and Planning Committee

- From October 2014 to May 2015  
(13 times in total)

Industrial property rights field  
(Chairperson: Toshiya Watanabe, Professor at  
UTokyo Policy Alternative Research  
Institute)

Content fields  
(Chairperson: Ichiya Nakamura, Professor at  
Graduate School of Media Design,  
Keio University)

Task Force on the promotion of the local use of intellectual property  
(Chairperson: Toshiya Watanabe, Professor at Utokyo Policy Alternative Research Institute)

- From February 2015 to April 2015  
(four times in total)

Task Force for handling intellectual property disputes  
(Chairperson: Hidetaka Aizawa, Professor at Graduate School of International Corporate Strategy,  
Hitotsubashi University)

- From February 2015 to April 2015  
(four times in total)

## 1. Intellectual property and intellectual property rights according to the Intellectual Property Basic Act

- Intellectual property
  - Inventions, copyrights, or other creations by other human creative activities
  - Trademarks, trade names or other indications of products or services used in business activities
  - Trade secrets, other useful technology for business activities, or business information
- Intellectual property rights
  - Patent rights, utility model rights, breeder's rights, design rights, copyrights, trademark rights, and other rights concerning intellectual property determined by laws or rights related to benefits protected by laws

## 2. The government system concerning intellectual property

- Laws concerning intellectual property under the jurisdiction of related ministries and their duties (main articles)
  - Cabinet Secretariat: The Intellectual Property Basic Act and the Content Progression Act; formulate the whole strategy (intellectual property program)
  - METI: The Act of Unfair Competition Prevention Act; set up comprehensive consultation counters to take countermeasures against counterfeits and pirated goods
  - JPO: The Patent Act, the Utility Model Act, the Design Act, and the Trademark Act
  - MOF: Control over counterfeits and pirated goods at customs based on the Customs Act
  - National Police Agency: Domestic control based on the laws and regulations concerning intellectual property
  - MAFF: the Seeds and Seedlings Act and the Geographical Indications Act
  - The Agency for Cultural Affairs: the Copyright Act
  - MIC: the Provider Liability Limitation Act
  - MOFA: Foreign affairs concerning intellectual property

Thank you for your kind attention.

Intellectual Property Strategy Headquarters  
URL <http://www.kantei.go.jp/jp/singi/titeki2/>