

**Intellectual Property Strategic Program 2009**

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**Intellectual Property Strategy Headquarters**

# Intellectual Property Strategic Program 2009

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## **Priority Measures**

## I. Basic Concepts

- During this fiscal year, the Intellectual Property Strategy Headquarters will promote [1] to [5] below in a comprehensive and unified manner based on the “Basic Policy of Intellectual Property Strategy for the Third Period,” which was decided on April 6 of this year, with the aim of strengthening global intellectual property competitiveness. The “Intellectual Property Strategic Program 2009” shall put into shape the priority measures listed in the “Basic Policy of Intellectual Property Strategy for the Third Period.”
  - [1] Strengthening the intellectual property strategy to promote innovation <IP for Innovation>
  - [2] Strengthening global intellectual property strategy <Global IP>
  - [3] Promoting the growth strategy of soft power industries <Promotion of Soft Power Industries>
  - [4] Securing the stability and predictability of intellectual property rights <Stable IP>
  - [5] Establishing an intellectual property system that corresponds to users’ needs <User-Friendliness>
  
- In addition, the government and ruling parties compiled economic crisis measures (April 10 of this year) in order to cope with the global financial crisis and the severest global recession since the end of World War II. The measures included in said measures shall also be steadily promoted under this program.
  
- Moreover, measures to be taken during this fiscal year shall be extracted after evaluating the status of implementation of the “Intellectual Property Strategic Program 2008” as in Reference 1.
  
- Hereby, measures to be intensively taken by the Intellectual Property Strategy Headquarters during this fiscal year are shown in II below, and measures to be promoted as a whole were organized as the “List of Measures.” The progress of the intellectual property strategy in the past was organized as Reference 2.
  - In addition, individual measures positioned in policy objectives [1] to [5] above are related to other policy objectives. Therefore, it is necessary to implement these measures appropriately, paying sufficient attention to interaction among the policy objectives.
  
- The ministries or agencies in charge that are assigned with respect to each measure shall take responsibility over the individual measures included in this program.
  - The Strategy Headquarters shall regularly check the progress of the measures taken by the ministry or agency in charge and encourage them to implement such measures if there is any delay. Furthermore, if there is any delay in the implementation of measures because more than one ministry or agency is taking charge, the Strategy Headquarters shall perform overall coordination for the measures.



## II. Priority Measures

### 1. Strengthening the Intellectual Property Strategy for Promoting Innovation

The GOJ will strengthen the intellectual property strategy to promote innovation in order to obtain many important intellectual properties and effectively use them to create economic value.

#### **(1) Establishing an Intellectual Property System that Adequately Corresponds to Technical Innovation and Market Changes**

In order to encourage people to produce innovative intellectual properties and effectively use them to create economic value through provision of high-value added products and services, the GOJ will establish an intellectual property system that adequately corresponds to technical innovation and market changes.

##### **[1] Conducting a comprehensive review of a desirable patent system**

The GOJ will comprehensively discuss a desirable patent system from the perspective of promoting innovation, with the aim of drawing a certain conclusion by the end of FY2010.

(Ministry of Economy, Trade and Industry)

##### **[2] Reviewing and clarifying the subject-matter of patent protection in the fields of cutting-edge medical technology**

i) In line with “Desirable Patent Protection in the Fields of Cutting-Edge Medical Technology”(May 29, 2009), the GOJ will revise the Examination Guidelines in relation to a) and b) below by the end of FY2009, and will promote uniform application of the revised Examination Guidelines by utilizing consultations, etc. by patent examiners. In addition, in order to contribute to medium- and long-term follow-up concerning the status of patent protection in the fields of cutting-edge medical technology, the GOJ will, from FY2009, collect and analyze necessary information, including information on the status of application of the patent system.

- a) Newly add, to the subject-matters of patents, inventions characterized by the dosage or administration of medicine (including cell tissue medicine) and inventions of methods of collecting human body data to aid in the final diagnosis;
- b) Make clear that inventions of combinations of biochemical means (cell and medical agent) and machinery/appliances, inventions relating to methods of in vitro processing of a tissue-derived biomaterial, such as a method for differentiation and induction of cells, and use inventions relating to new therapeutic uses of a tissue-derived biomaterial are the subject-matter of patent.

(Ministry of Economy, Trade and Industry)

ii) In order to raise awareness of the content of the Examination Guidelines revised through i) above among universities and research institutes, the GOJ will, from FY2009, further reinforce relevant efforts, including holding explanatory meetings on the Examination Guidelines in the field of life science, while targeting universities and research institutes. In addition, the GOJ will promote user-friendly examination by conducting interview examination through dispatch of examiners and giving suggestions for amendments.

Moreover, in order to promote obtainment of rights overseas, the GOJ will, from FY2009, widely provide information about other countries' patent systems in the fields of cutting-edge medical technology and their application (in particular, information about the methods of obtaining rights, such as how to write claims) via the Internet, etc., and will also renew such information in response to revisions to other countries' systems and their applications as needed.

(Ministry of Economy, Trade and Industry)

iii) The GOJ will, from FY2009, begin discussions on necessary measures to develop a system by which researchers, etc. in the fields of cutting-edge medical technology at universities and research and development institutes can consult about intellectual property, to further upgrade the skills of staff specialized in intellectual property at these institutes and to develop and secure intellectual property experts who are well-versed in cutting-edge medical technology, other countries' patent systems and exploitation of intellectual property, and will draw a conclusion as soon as possible.

(Cabinet Secretariat, Cabinet Office, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare and Ministry of Economy, Trade and Industry)

**[3] Supporting obtainment of patents in fields with high social needs**

In order to promote innovation in technical fields with high social needs, including the field of environmental technology, the GOJ will consider measures to support obtainment of patents in those fields, including incentive measures relating to the patent system, and draw a conclusion by the end of FY2009.

(Ministry of Economy, Trade and Industry)

**[4] Introducing general provisions restricting rights (Japanese version of fair use regulations)**

To introduce general provisions restricting rights which can comprehensively allow fair use (within certain limits) that does not unjustly impair the interest of right holders under the Copyright Act (Japanese version of fair use regulations), the GOJ will consider means of provision, etc. in light of the provisions of the Berne Convention, etc., draw a conclusion by the end of FY2009, and take measures as soon as possible.

(Ministry of Education, Culture, Sports, Science and Technology)

**[5] Expediting patent examination processing**

To achieve the medium-term goal of reducing the first action pendency (waiting period for patent examination) to 11 months by 2013, the GOJ will promote comprehensive efforts, including securing the necessary number of examiners and strengthening provision of information that contributes to lean and strategic filing of applications and requests for examination, in order to keep the first action pendency in FY2009 to the 29-month level.

(Ministry of Economy, Trade and Industry)

**(2) Drastically Enhancing the Comprehensive Intellectual Property Producing Capability of Universities, SMEs, etc.**

It is difficult to create economic value only by obtaining intellectual property, however innovative the intellectual property is. At the same time, it is necessary to overcome fierce international competition in creation of epoch-making intellectual property, while looking ahead to future commercialization.

To this end, the GOJ will appropriately develop a strategic obtainment/management system for intellectual property rights for cutting-edge technology at universities and public research institutes. The GOJ will also drastically enhance the comprehensive producing capability to support the creation of innovative intellectual property at universities, SMEs and venture companies and the realization of commercialization through managing such created intellectual property appropriately and combining it with other resources.

**[1] Developing the framework of the Innovation Network Corporation of Japan**

By the end of FY2009, the GOJ will develop the framework for the Innovation Network Corporation of Japan. This Corporation provides risk money for business activities, etc., which

create new added value through a flexible combination of technologies, personnel, etc. held by companies, universities, and public research institutes.

(Ministry of Economy, Trade and Industry)

**[2] Building a comprehensive support system for accelerating commercialization of iPS cell technology**

i) With regard to iPS cell technology, the GOJ will promote basic and applied research conducted by relevant bodies, and provide necessary support through collaboration among ministries and agencies concerned so that the relevant bodies can build and implement intellectual property strategies to appropriately obtain rights for the results of research and commercialize them in Japan and abroad.

(Cabinet Secretariat, Cabinet Office, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare and Ministry of Economy, Trade and Industry)

ii) The GOJ will provide necessary support to projects for intellectual property-related activities relating to iPS cell technology, which are promoted by industrial circles.

(Ministry of Economy, Trade and Industry)

**[3] Strengthening function through integration and abolition/specialization of university intellectual property headquarters and TLOs**

In order to strengthen the function of existing university intellectual property headquarters and TLOs (Technology Licensing Organizations), the GOJ will, from FY2009, provide support to promote collaboration and consolidation, depending on individual circumstances and specialization in specific technical fields/functions, after evaluating the effectiveness of ongoing support programs.

(Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[4] Promoting active utilization of external functions in industry-academia collaboration**

From FY2009, the GOJ will evaluate the industry-academia collaboration support functions of the Japan Science and Technology Agency (JST) and the New Energy and Industrial Technology Development Organization (NEDO) and strengthen the functions as needed. Furthermore, it will encourage university intellectual property headquarters and TLOs to utilize these external resources.

(Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[5] Strengthening the foundation for the creation/support system of innovative intellectual properties**

i) The GOJ will, from FY2009, develop a support system that enables researchers to concentrate on research, and also establish systems giving first priority to researchers, which is unconventional and totally new, such as granting research funds that are freely operable over two or more fiscal years.

(Cabinet Office and Ministry of Education, Culture, Sports, Science and Technology)

ii) In order to internationalize the research environment in Japan, the GOJ will, from FY2009, enhance efforts to form the world's most advanced research and development bases by inviting world-leading researchers and young researchers and through development of facilities.

(Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

iii) The GOJ will, from FY2009, support the internationalization of the research environment in

Japan and the securing of research supporters, etc. at universities. In doing so, the GOJ will make it possible for universities to secure a sufficient number of personnel who are necessary for the exploitation of intellectual property.

(Ministry of Education, Culture, Sports, Science and Technology)

**[6] Reviewing the intellectual property system to accelerate innovation of university origin**

In order to cope with global competition to obtain intellectual property due to the progress of open innovation, the GOJ will link the basic innovations of universities and public research institutes to high-quality patents. From the perspective of further promoting industry-academia joint research and the exploitation of intellectual property at universities and public research institutes, the GOJ will also, from FY2009, hold comprehensive discussions on the intellectual property system to accelerate innovation of university **origin**, including what makes a desirable intellectual property right system, how to attribute intellectual property rights in joint research, desirable burden-sharing of patent-related expenses, and how to secure human resources related to intellectual property; and it will draw a conclusion as soon as possible.

(Cabinet Secretariat, Cabinet Office, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[7] Supporting the creation and exploitation of intellectual property by small- and medium-sized manufacturers**

In FY2009, the GOJ will provide support for SMEs' research and development in relation to core manufacturing technology, and also provide consistent support for the process from the development of prototypes to the cultivation of the market, etc.

(Ministry of Economy, Trade and Industry)

**[8] Encouraging regional financial institutions to exploit intellectual property**

In order to encourage regional financial institutions to provide loans by exploiting intellectual property, the GOJ will, from FY2009, formulate and disseminate an evaluation manual for intangible assets, including intellectual property, which become the strength of companies, and also provide financial institutions with training, etc. relating to intellectual property.

(Financial Services Agency and Ministry of Economy, Trade and Industry)

**[9] Accelerating industry-academia-government joint research and development in local areas**

In order to accelerate industry-academia-government joint research using the characteristics of local areas and promote the expansion of research results to local companies, the GOJ will, from FY2009, develop industry-academia-government joint research bases in local areas.

(Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[10] Formulating the policy of action at regional intellectual property strategy headquarters for the third phase**

The GOJ aims promote the development of local areas with the use of intellectual property according to the characteristics and needs of the local areas while improving coordination between intellectual property measures and SME measures/agricultural, forestry and fishery measures/science and technology measures. To this end, the GOJ will evaluate the achievement of goals set for the second phase (from FY2007 to 2009) at regional intellectual property strategy headquarters and, based on this, formulate an action policy for the third phase (from FY2010 to 2013) by the end of FY2009.

(Ministry of Economy, Trade and Industry)

### **(3) Developing Human Resources Related to Intellectual Property Who Contribute to the Creation of Innovation**

Amid the progress of role sharing in the process of innovation with the development of open innovation, it has become more important to take initiative in said process in order to maximize profits.

To this end, the GOJ will develop human resources related to intellectual property who contribute to the creation of innovation.

#### **[1] Enlightening and developing human resources who take charge of coordinating research and development strategies, intellectual property strategies and business strategies**

i) The GOJ will encourage business managers and executives to improve their understanding of intellectual properties and incorporate intellectual property strategies into their business strategies and research and development strategies by holding seminars and symposiums on intellectual property strategies, offering intellectual property management school programs at universities and public research institutes, and holding meetings to exchange opinions with companies and industry groups.

(Ministry of Economy, Trade and Industry)

ii) The GOJ will develop human resources who have comprehensive producing capabilities necessary for industry-academia-government collaboration through support for practical training (OJT programs) provided for young researchers by TLOs, university intellectual property headquarters, university start-ups, venture capital companies, research/development-type independent administrative agencies, fund allocation-type independent administrative agencies, private companies and so on.

(Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

#### **[2] Promoting intellectual property education in local areas**

The GOJ will promote intellectual property education at each school level by promoting the use of ingenuity and teaching the value of originality through after-school events related to the creation of intellectual property, such as events to manufacture things and events to create inventions, and by providing delivery lessons with the use of specialists in compliance with requests from schools.

(Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

### **(4) Developing an Environment that Corresponds to the Development of Open Innovation**

Amid increasing liquidity of intellectual property rights with the development of open innovation, the GOJ is facing new challenges, such as the securing of proper exercise of rights and the promotion of licensing activities.

To this end, the GOJ will develop an environment that corresponds to the development of open innovation.

#### **[1] Considering proper exercise of rights**

With regard to the issue of abusive exercise of intellectual property rights, the GOJ will determine the requirements for requesting injunction and a desirable system of claim for damages based on the premise that legitimate exercise of rights is respected and from the perspective of promoting sound development of industries, in consideration of the doctrine of abuse of rights under the Civil Code and a U.S. court precedent (eBay decision), etc., with the aim of drawing a certain conclusion by the end of FY2010.

(Ministry of Economy, Trade and Industry)

**[2] Considering a system to protect unregistered non-exclusive licenses (natural protection system)**

The GOJ will consider the propriety of introducing a system to protect licensees of unregistered non-exclusive licenses in light of the status of operation of the specific non-exclusive license registration system and the non-exclusive license registration system after the revision of the Patent Act, the trends of operation of relevant systems in other countries, actual practice relating to contracts on the transaction of intellectual property rights and the needs of industrial circles.

(Ministry of Economy, Trade and Industry)

**[3] Considering the introduction of a registration system for the intention of granting licenses**

In order to promote the revitalization of patent licensing and the effective exploitation of patents not in use, the GOJ will consider introduction of the license of right system whereby patent fees are reduced or exempted for patentees who register their intention of granting licenses for their own inventions to third parties in the patent registry, etc., with the aim of drawing a certain conclusion by the end of FY2010.

(Ministry of Economy, Trade and Industry)

**[4] Developing a legal system designed to enhance deterrence over the infringement of trade secrets**

In order to develop an effective legal system to protect technical information, etc. managed as secrets, the GOJ will consider desirable legal measures to protect the content of trade secrets in the criminal proceedings, sufficiently taking requests for open trials into account and giving proper attention to the risk of constraining the defendant's exercise of the right to defend and the securing of smooth proceedings, and draw a conclusion as soon as possible.

(Ministry of Justice and Ministry of Economy, Trade and Industry)

## **2. Strengthening Global Intellectual Property Strategy**

Japan will strengthen its intellectual property strategy from a global perspective, in order to facilitate innovative creations and business expansions on an international scale.

### **(1) Enhancing Efforts to Establish a Global Intellectual Property System**

In order to respond to accelerating open innovation, it is necessary to make effective use of intellectual property on a global scale by transcending the boundaries of country or organization. It is also essential for Japan, amidst its economic growth, to take advantage of the dynamism of Asian and other countries that continue to show high growth. However, the varying intellectual property systems by country could pose a major impediment to international business activities.

To deal with this situation and establish a global intellectual property system, the GOJ will promote work sharing in patent examination processes, take the initiative in efforts toward the international harmonization of patent systems, and support the development and appropriate operation of the intellectual property systems of Asian and other countries.

#### **[1] Promoting international work sharing in patent examination processes**

The GOJ will hold negotiations with countries such as Canada and Australia to further expand the Patent Prosecution Highway (PPH) network of patent offices. The GOJ will also host a working-level, multilateral PPH meeting in Tokyo during FY2009 in order to take the lead in discussions on standardizing PPH requirements and procedures among participating countries.

Also, to enhance the effectiveness of work sharing, drawing from its experience in trilateral work sharing with patent offices in the United States (USPTO) and Europe (EPO), the GOJ will conduct comparative research of patent examination criteria of the patent offices of Japan (JPO), China (SIPO) and South Korea (KIPO), and cooperate in efforts to improve access to the examination results among the five major patent offices (JPO, USPTO, EPO, SIPO and KIPO).

(Ministry of Economy, Trade and Industry)

#### **[2] Taking the lead in the initiatives for international harmonization of patent systems**

Aiming to reach an agreement among developed countries on the draft Substantive Patent Law Treaty (tentative name), which includes unification to a first-to-file system, the GOJ will lead and accelerate discussions while supporting U.S. moves to shift toward a first-to-file system and pressing Europe to exercise flexibility in the treatment of grace periods and other issues.

(Ministry of Foreign Affairs and Ministry of Economy, Trade and Industry)

#### **[3] Promoting high-level intellectual property diplomacy**

The GOJ will actively promote high-level intellectual property diplomacy from FY2009 in order to achieve international harmonization of patent systems, expansion of work sharing in patent examination processes, non-proliferation of counterfeit and pirated goods, prevention of leaks of technical information regarding IT security products, etc.

(Ministry of Foreign Affairs, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

#### **[4] Providing support for Asian countries' capacity building including human resources development in intellectual property**

In order to develop a global intellectual property infrastructure, the GOJ taking into consideration the receiving country's needs and system development status, will promote human resources development assistance for Asian countries, providing support to Indonesia

and Malaysia to improve their industrial property administrative capacities, and supporting Vietnam, Cambodia and China to develop their legal systems.

(Ministry of Justice, Ministry of Foreign Affairs and Ministry of Economy, Trade and Industry)

## **(2) Strengthening Efforts to Reduce Damage by Counterfeits and Pirated Copies Overseas**

The circulation of counterfeits and pirated copies in Asian and other countries is rapidly increasing, as can be seen in the continuously high percentages of overseas counterfeit victims, posing a serious hindrance to smooth business activities both at home and abroad.

In response to this problem, the GOJ will lead efforts to build international frameworks such as the Treaty on the Non-proliferation of Counterfeit and Pirated Goods (tentative name), and increase work on countries and regions where infringements have been exposed through bilateral talks, dispatch of public-private joint missions, capacity-building assistance, etc. The GOJ will also work on foreign customs offices to enforce regulations at the exporting end. At the same time, as a prerequisite for the above overseas efforts, the GOJ will take domestic measures to further tighten customs and other regulations, as well as strengthen awareness-raising activities against counterfeits and pirated copies, by building cooperative relationships with rights holders, securing necessary personnel, etc.

### **[1] Aiming to reach an early conclusion of the Treaty on the Non-proliferation of Counterfeit and Pirated Goods (tentative name)**

With regard to the Treaty on the Non-proliferation of Counterfeit and Pirated Goods (tentative name), for which official negotiations have started among the countries concerned, the GOJ will make efforts to further increase international awareness with the aim of concluding negotiations during 2010. The GOJ will also take the lead in discussions with the countries and regions concerned while promptly and clearly indicating relevant policy and views, thereby accelerating work through the united effort of ministries and agencies concerned.

(National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Agriculture, Forestry and Fisheries and Ministry of Economy, Trade and Industry)

### **[2] Strengthening specific requests to countries and regions where infringements have been exposed**

The GOJ will make specific requests to countries and regions where infringements have been exposed, such as China, to improve their systems and effectively strengthen regulations on the following: taking measures against online copyright infringement such as eliminating illegal content on video-sharing websites, tightening control of fake designs, preventing repeated offenses, correcting local protectionism, prohibiting at the exporting stage, conducting thorough inspections of international mail at the time of their receipt, etc. The requests and necessary cooperation will be made at the ministerial and various other levels, and through the dispatch of public-private joint missions and providing capacity-building support for customs and other administrative agencies.

(National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry and Ministry of Land, Infrastructure, Transport and Tourism)

### **[3] Strengthening customs regulations at the border**

The GOJ will intensify efforts to enforce customs regulations at the border by gathering



and accumulating information on export and import controls of goods infringing intellectual property rights, improving customs officials' expertise, securing necessary staff, etc.

(Ministry of Finance)

**[4] Strengthening regulations by police**

The GOJ will strengthen regulations by police by facilitating information exchange with foreign regulatory authorities, improving personnel's investigation capacities nationwide, etc.

(National Police Agency)

**[5] Strengthening public awareness-raising activities on counterfeits and pirated copies**

i) In order to facilitate appropriate consumer behavior that does not tolerate the purchase of counterfeits and pirated copies, the ministries and agencies concerned will make concerted efforts to develop strategic awareness-raising activities, such as the Campaign against Counterfeits and Pirated Copies, by collaborating with private-sector efforts.

(Cabinet Secretariat, National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry and Ministry of Land, Infrastructure, Transport and Tourism)

ii) From FY2009, the GOJ will strengthen awareness-raising activities targeting young people in regard to online counterfeits and pirated copies, such as Internet content that infringe copyrights.

(National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[6] Stepping up efforts to eliminate content that infringe copyrights**

i) In view of actual damage, the GOJ will study measures against illegal online content and reach a conclusion during FY2009. They include legal protection measures regarding, for example, the extent of the responsibility of Internet service providers and regulations against averting technical content restrictions, as well as measures to enable right holders to take civil action faster and easier.

(Cabinet Secretariat, Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

ii) The GOJ will support voluntary efforts by rights holders' associations and Internet service providers to eliminate content that violate copyrights, such as the use of technical steps to improve the efficiency of requests to delete such content.

(Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

iii) The GOJ will support the creation of a mechanism to eliminate infringements based on collaboration between telecommunication carriers and rights holders' associations, including sending warning e-mails to people who have transmitted data files, etc. that infringe copyrights by using file-sharing software such as Winny.

(National Police Agency, Ministry of Internal Affairs and Communications and Ministry of Education, Culture, Sports, Science and Technology)

**[7] Developing infrastructure for measures against online overseas content that infringe copyrights**

From FY2009, the ministries and agencies concerned will jointly support efforts by the Content Overseas Distribution Association (CODA) to develop an infrastructure to take effective measures against online overseas content that infringe copyrights.

(Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[8] Tightening controls on Internet content that infringe copyrights**

The GOJ will tighten controls on cyber crimes involving online content that infringe copyrights, through the improvement of investigation personnel's capacities, development of regulatory systems, etc.

(National Police Agency)

**(3) Promoting Overseas Expansion and Use of Overseas Resources**

The GOJ will promote the overseas expansion of Japanese enterprises and universities utilizing intellectual property, as well as their use of overseas resources.

**[1] Beefing up the provision of overseas intellectual property-related information**

In order to accelerate overseas patent applications by Japanese enterprises and other entities, the GOJ will provide, on websites etc., the Japanese translations of intellectual property-related laws concerning Asian countries, India, Brazil, Russia, etc., in accordance with Japan's industry needs. In addition, the GOJ will, during FY2009, conduct a survey on the intellectual property rights systems and their operating status in Russia, Brazil and other Latin American countries, etc.

(Ministry of Economy, Trade and Industry)

**[2] Strengthening efforts to cope with the issue of Japanese geographical names being registered as trademarks overseas**

In order to cope with the issue of Japanese geographical names, plant variety names, etc. being registered as trademarks or applied for trademark registration in foreign countries, the GOJ will, during FY2009, establish the Intellectual Property Protection Consortium for the Agricultural, Forestry and Fishery Industries, comprising prefectural governments and agricultural, forestry and fishery industry-related organizations. The consortium will establish a system for monitoring the trademark application and registration status overseas and receiving inquiries about opposition procedures etc.

(Ministry of Agriculture, Forestry and Fisheries)

**[3] Supporting overseas applications by SMEs and venture companies**

To support overseas applications by SMEs and venture companies, the GOJ will strive to enhance the system for offering grants for overseas patent application fees via prefectural SME support centers, etc. The GOJ will also take necessary steps during FY2009 to expand the grant system to cover overseas applications of trademarks and design.

(Ministry of Economy, Trade and Industry)

**[4] Strengthening support measures for overseas business expansions of SMEs and venture companies**

In addition to expanding existing support systems for overseas applications by SMEs and venture companies as well as overseas infringement surveys, the GOJ will review support measures from the standpoint of offering comprehensive assistance for overseas expansions—including providing information, acquiring and exercising rights, and measures against counterfeits—and reach a conclusion during FY2009.

(Ministry of Economy, Trade and Industry)

**[5] Promoting an international industry-academia-government collaboration framework at universities**

The GOJ will encourage universities to formulate a basic policy on international industry-academia-government collaboration during FY2009. The GOJ will also support the development of an international industry-academia-government collaboration framework by securing and cultivating necessary human resources, holding information exchange meetings with foreign universities, documenting necessary forms for English-language contracts, putting together guidelines and cases that will become useful for overseas licensing of intellectual property owned by universities, and so on.

(Ministry of Education, Culture, Sports, Science and Technology)

**(4) Enhancing International Standardization Activities**

In order to develop new markets, spread technology useful to society and strengthen international competitiveness, the GOJ will beef up efforts toward international standardization that utilizes Japanese technology, by steadily implementing various international standardization strategies, such as the International Standardization Comprehensive Strategy, formulated in FY2006.

**[1] Reforming awareness among business executives and management-level personnel at companies**

In order to enhance Japan's international competitiveness through the integration of commercialization strategies and international standardization activities, the GOJ will hold symposia on international standardization strategies and engage in dialogue with companies. The GOJ will also strive to further improve the understanding of international standards among **business executives** and management-level personnel by encouraging the Nippon Keidanren (Japan Business Federation) and industrial associations as well as various other industrial bodies to conduct active awareness-raising activities within their organizations, while taking into consideration the characteristics of the companies and technological fields concerned.

(Ministry of Internal Affairs and Communications and Ministry of Economy, Trade and Industry)

**[2] Improving researchers' performance evaluations**

For R&D projects associated with international standardization activities, the GOJ will, during FY2009, encourage universities and public research institutes to include researchers' contributions to standardization activities as part of their performance evaluations, in line with Guidelines on National Research and Development Evaluations (decided in 2008). The GOJ will study the status of evaluation items at public research institutes, as well as gather prior evaluation cases at some universities and provide them to other universities.

(Cabinet Office, Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry, Ministry of Land, Infrastructure, Transport and Tourism and Ministry of the Environment)

**[3] Considering measures that enable the smooth implementation of standard technologies**

In view of international trends and the domestic situation of enforcement of patent rights, the GOJ will consider measures to enable the smooth implementation of patented inventions concerning standard technologies with high social needs, from a broad perspective that includes patent and antitrust policies, with the aim of reaching a certain conclusion during FY2010. The measures include establishing operating rules for intellectual property rights in patent pool arrangements, restricting abusive enforcement of patent rights, applying award granting non-exclusive licenses, etc.

(Japan Fair Trade Commission and Ministry of Economy, Trade and Industry)

### **3. Promoting a Strategy to Develop Soft Power Industries**

For Japan, soft power is the driving force in expanding its market shares in other countries and increasing domestic consumption. Since soft power is an important means of disseminating information about Japan's unique culture to the world, it is necessary to take the initiative in promoting the growth of soft power. The GOJ will designate the industries related to content creation, food, fashion, designing, and other soft power-creating industries as a type of strategic industry that will lead the Japanese economy and promote the growth of such strategic industries, by enhancing the environment for creative activities and developing foreign and domestic markets through active investments in those industries.

#### **(1) Promoting Soft Power Industries**

The GOJ will promote the formation of regional networks among soft power industries and support the creation of new services and the smooth transactions of content.
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##### **[1] Promoting the application of measures for SMEs to soft power industries**

From FY2009, the GOJ will make use of industrial clusters, etc., and promote the formation of networks among regional soft power industries. Furthermore, the GOJ will encourage soft power industries to make active use of measures supporting SMEs, such as measures to promote industry-academia-government collaboration and cross-industry collaboration, enhance the incubation function, and develop sales channels.

(Ministry of Economy, Trade and Industry)

##### **[2] Developing regional soft power industries**

In order to promote the formation of a network of regional soft power industries and give regions a greater voice, from FY2009, the GOJ will promote the production and dissemination of video content, including broadcast programs on unused regional soft power resources (nature, industrial heritages, tourism resources, etc.).

(Ministry of Internal Affairs and Communications, Ministry of Economy, Trade and Industry)

##### **[3] Promoting the creation of new services by use of new media**

i) The GOJ will discuss the establishment of a legal system that will promote the creation of new services made possible through fusion and collaboration between telecommunications and broadcasting and will form a conclusion around FY2010.

(Ministry of Internal Affairs and Communications)

ii) In order to facilitate multimedia broadcasting for mobile users, the GOJ will establish a necessary system by around April 2010. The GOJ will conduct demonstration experiments on various cases by use of a special cyber zone from FY2009 in order to promote the establishment of rules concerning content distribution via the Internet, etc.

(Ministry of Internal Affairs and Communications)

iii) In order to promote new ways of using information by means of digitized commercial space (e-space), the GOJ will conduct experiments demonstrating new wireless telecommunications technologies and service models from FY2009.

(Ministry of Economy, Trade and Industry)

iv) From FY2009, the GOJ will take the initiative in devising a comprehensive strategy for diffusion and development of new types of platforms such as IPTV and new-generation digital signage. From FY2009, the GOJ will also carry out experiments to create new business models based on unrestricted creative thinking.

(Ministry of Internal Affairs and Communications)

#### **[4] Supporting the introduction of digital cinema equipment**

From FY2009, the GOJ will encourage movie theaters, which are important for revitalization of regional economies, to introduce digital cinema equipment for screening 3D movies, various digital content, etc.

(Ministry of Economy, Trade and Industry)

#### **[5] Establishing a system to support content transactions**

i) The Copyright Data Clearinghouse (CDC) was created to centrally manage data on the use of musical works in the music distribution business in order to ensure smooth royalty distribution. From FY2009, the GOJ will examine how CDC has been used and support its smooth operation.

(Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

ii) A database of content-related information (Japan Content Showcase) on copyrighted works was created under the leadership of Nippon Keidanren (Japan Business Federation). After the database is overhauled, the GOJ will examine how the database has been used and provide support and cooperation to improve the operation and promote multilingualization.

(Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

iii) In order to facilitate the distribution of broadcasting content, the GOJ will take the initiative in fully implementing a system to consolidate and publicize information on the copyrights to broadcasting content, the contact persons for copyright negotiation, etc.

(Ministry of Internal Affairs and Communications)

iv) In order to facilitate copyright-related procedures, from FY2009, the GOJ will develop a system to support copyright transactions. The system will have a database function that will identify the real-time whereabouts of rights holders in collaboration with the Japan Content Showcase and the system to support broadcasting content transactions.

(Ministry of Economy, Trade and Industry)

#### **[6] Promoting the assignment of codes that are appropriate for smooth content distribution**

In operating the system to support content transactions, the GOJ will make active use of common ID codes invented for smooth content distribution in order to further facilitate the licensing procedure for content transactions. Through these activities, the GOJ will encourage the people concerned to take the initiative in collaborating to spread the use of those codes.

(Ministry of Internal Affairs and Communications and Ministry of Economy, Trade and Industry)

### **(2) Enhancing the Creation Environment for Creators' Development**

In order to build an infrastructure for future creative activities, the GOJ will promote the creation of archives of cultural resources and nurture young creators.
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#### **[1] Promoting the creation of archives of cultural resources**

i) From FY2009, the GOJ will have the National Film Center of The National Museum of Modern Art, Tokyo expand its function of collecting films. Furthermore, the GOJ will store video content such as historic Japanese films in such a way that ensures high quality and stability. Through these activities, the GOJ will build an infrastructure to promote the use of films.

(Ministry of Education, Culture, Sports, Science and Technology)

ii) From FY2009, the GOJ will encourage broadcasting companies, production companies, etc., to create archives of high-quality broadcasting content in the field of education. The GOJ will also promote the use of digital terrestrial broadcasting in the field of education by distributing educational content to primary schools and junior high schools by use of IPTV and other new technologies.

(Ministry of Internal Affairs and Communications and Ministry of Education, Culture, Sports, Science and Technology)

iii) From FY2009, the GOJ will start developing a digital archive system for fabrics and designs and conduct projects to promote archiving through experience-oriented activities, such as archive exhibitions.

(Ministry of Economy, Trade and Industry)

iv) In light of the trend toward the digitization of books and other information in and outside Japan, in FY2009, the GOJ will strengthen its collaboration with the National Diet Library in order to facilitate the creation of digital archives of about 900,000 rare library materials, such as books, magazines, old hand-written or printed materials, and dissertations, and also facilitate the expansion of the system functions according to the medium-term plan.

(Cabinet Secretariat)

## **[2] Establishing the international information center for media art**

In order to increase the international presence of Japanese media art and to further promote media art, from FY2009, the GOJ will establish an international center to carry out such comprehensive activities as exhibition, collection, storage, studies, research, and human resources development in the field of media art.

(Ministry of Education, Culture, Sports, Science and Technology)

## **[3] Nurturing young creators**

i) In order to nurture creators of exceptional talent in such fields as cinema and animation, from FY2009, the GOJ will identify talented young creators and support and evaluate their creative activities.

(Ministry of Economy, Trade and Industry)

ii) From FY2009, the GOJ will take the initiative in creating a new system to grant awards and rewards to young creators at the Japan Media Arts Festival.

(Ministry of Education, Culture, Sports, Science and Technology)

iii) In order to develop new human resources who will lead the Japanese film industry in the future, the GOJ will take the initiative in providing prospective young filmmakers with the opportunity to participate in high-level workshops on filmmaking and to produce and publicize short movies.

(Ministry of Education, Culture, Sports, Science and Technology)

## **(3) Accelerating Overseas Operations of the Soft Power Industries**

The Japanese soft power is highly valued in other countries. However, it has not effectively contributed to the development of Japanese industry. Therefore, the GOJ will promote the overseas operations of the soft power industries.

## **[1] Promoting the overseas distribution of Japanese content**

i) By the end of FY2009, the GOJ will establish the Content Overseas Distribution Fund through public-private cooperation in providing resources both in manpower and funds, in order

to promote the overseas distribution of high-quality content.

(Ministry of Economy, Trade and Industry)

ii) From FY2009, the GOJ will create the Hometown Channel to distribute broadcasting content to audiences in and outside Japan. The Hometown Channel will offer programs produced by local broadcast stations and production companies primarily on such topics as local nature, food culture, and history.

(Ministry of Internal Affairs and Communications)

iii) The GOJ will discuss comprehensive measures to support the production, marketing etc., of video content with an eye to entering overseas markets and will form a conclusion by the end of FY2009.

(Cabinet Secretariat, Ministry of Internal Affairs and Communications, and Ministry of Economy, Trade and Industry)

## **[2] Enhancing the functions of the events to promote the Japan brand**

i) In order to develop the Japan International Contents Festival into an event to comprehensively promote the Japan brand, from FY2009, the GOJ will hold Japanese Fashion Week in Tokyo as an official event in collaboration with other overseas events to promote Japan. Furthermore, the GOJ will hold related events in Kyoto in order to develop the event at a regional level.

(Ministry of Economy, Trade and Industry)

ii) In order to increase recognition of Japanese food and ingredients, from FY2009, the GOJ will take measures to promote Japanese food and ingredients in conjunction with Japan brand-related events to introduce Japanese content, etc. to the world.

(Ministry of Agriculture, Forestry and Fisheries)

iii) Regarding the International Drama Festival, from FY2009, the GOJ will enhance the joint booth of broadcasting companies, etc., operating in the market and strengthen advertisement activity in overseas content markets. Furthermore, the GOJ will establish awards (rewards) that will better reflect the market and will encourage overseas broadcasting stations to broadcast the award-winning works.

(Ministry of Internal Affairs and Communications)

## **[3] Conducting a project to dispatch delegations of creators to other countries**

From FY2009, the GOJ will commence the project, Creator Overseas Delegation, to send design and fashion creators to strategically important countries in an effort to develop overseas markets.

(Ministry of Economy, Trade and Industry)

## **[4] Holding the Asia Content Business Summit**

In order to promote the production and distribution of content across Asia and facilitate business collaboration, from FY2009, the GOJ will hold the Asia Content Business Summit as a high-level public-private international meeting among major Asian countries.

(Ministry of Economy, Trade and Industry)

## **(4) Disseminating More Information on the Japan Brand in Strategically Important Areas**

<p>The GOJ will identify strategically important areas for business expansion and strategically disseminate more information on the cross-sectoral value of the Japan brand in those areas.</p>
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## **[1] Strengthening the support function of diplomatic establishments overseas**

In order to support the development of the Japan brand by strengthening the local function of disseminating information, etc., the GOJ will take the initiative in establishing the Japan Brand Support Center (tentative name) in FY2010 through collaboration with relevant organizations such as the Japan External Trade Organization (JETRO).

(Ministry of Foreign Affairs)

**[2] Disseminating more information on the Japan brand through diplomatic establishments overseas**

From FY2009, the GOJ will further intensify activities to introduce and promote the world-renowned Japan brand in such fields as Japanese food, Japanese ingredients, traditional art crafts and other regional products, content, and fashion by use of diplomatic establishments overseas.

(Ministry of Foreign Affairs, Ministry of Agriculture, Forestry and Fisheries and Ministry of Economy, Trade and Industry)

**[3] Strategically disseminating more information to Asia**

From FY2009, the GOJ will designate Shanghai, Hong Kong, Thailand, Vietnam, etc., as priority nations and cities and disseminate more information on the Japan brand in those nations and cities in collaboration with the Visit Japan Campaign.

(Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry and Ministry of Land, Infrastructure, Transport and Tourism)

**[4] Promoting deregulation of content distribution in other countries**

In such opportunities for discussion as the Japan-China Economic Partnership Consultation, in order to facilitate distribution of Japanese content, the GOJ will encourage other countries to take measures necessary to deregulate content-related fields, such as broadcasting, cinema, and Internet distribution.

(Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs and Ministry of Economy, Trade and Industry)

**[5] Strengthening specific requests to countries and regions where infringements have been exposed (Reprise)**

The GOJ will make specific requests to countries and regions where infringements have been exposed, such as China, to improve their systems and effectively strengthen regulations on the following: taking measures against online copyright infringement such as eliminating illegal content on video-sharing websites, tightening control of fake designs, preventing repeated offenses, correcting local protectionism, prohibiting at the exporting stage, conducting thorough inspections of international mail at the time of their receipt, etc. The requests and necessary cooperation will be made at the ministerial and various other levels, and through the dispatch of public-private joint missions and providing capacity-building support for customs and other administrative agencies.

(National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry and Ministry of Land, Infrastructure, Transport and Tourism)

**(5) Increasing the Recognition of the Japan Brand by Promoting Visits to Japan**

In order to increase the number of foreign visitors to Japan, the GOJ will promote the Visit Japan Campaign and strategically disseminate more information on the Japan brand in overseas markets.



**[1] Promoting the Visit Japan Campaign**

In order to promote Japan as an attractive tourist destination, i.e., premium destination that exceeds tourists' expectations, from FY2009, the GOJ will intensify the Visit Japan Campaign in 12 countries that are designated as important markets (China, South Korea, etc.) as well as in additionally designated emerging markets (India, Russia, Malaysia, etc.). Furthermore, the GOJ will encourage the wealthy high-consumption population to visit Japan and take the initiatives in inviting and holding international conferences (MICE).

(Ministry of Land, Infrastructure, Transport and Tourism)

**[2] Disseminating more information on regional resources to the wealthy population in other countries**

In order to establish a high-end market where the foreign wealthy population purchase Japanese regional resources such as local foods and traditional art crafts, which have enjoyed good international reputations due to their rarity and quality, from FY2009, the GOJ will search such resources, build a network among them, and strategically disseminate relevant information.

(Ministry of Economy, Trade and Industry and Ministry of Land, Infrastructure, Transport and Tourism)

**(6) Establishing Intellectual Property Systems to Promote Efforts to Increase Brand Recognition**

Intellectual property systems are important in supporting brands. The GOJ will build intellectual property systems to promote efforts to increase brand recognition so that the systems can reflect users' needs, which are essential for the protection and development of brand value.
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**[1] Discussing the introduction of geographical indications (GI) to agricultural, forestry and fishery products**

In light of the progress in discussions at the WTO (World Trade Organization), from FY2009, the GOJ will begin discussions on establishment of the GI system, which places geographical indications on agricultural, forestry and fishery products only if they have been produced at a predetermined place and properly managed under the predetermined conditions in terms of variety, production method, production period, etc. When conducting such discussion, the GOJ will take into consideration the ongoing initiatives by domestic companies, etc.

(Ministry of Agriculture, Forestry and Fisheries)

**[2] Strengthening measures against trademarks not in use**

In view of the fact that the unused trademarks have limited the options of registrable trademarks and restricted the scope of business involving new products and services, the GOJ will, in FY2009, conduct study and research to consider measures to decrease the number of unused trademarks and facilitate trademark registration.

(Ministry of Economy, Trade and Industry)

**[3] Reviewing the trademark system to increase user convenience**

To make the trademark system more convenient for system users, including companies that use the system to increase public recognition of their brands, the GOJ will discuss the future of the trademark system by reviewing the scope of protection for famous trademarks and the system to file an opposition against a registered trademark. The GOJ will form a certain conclusion by the end of FY2009.

(Ministry of Economy, Trade and Industry)

**[4] Conducting studies and research on the future design system to promote design creation**

In order to promote ever-diversifying design creation activities, in FY2009, the GOJ will conduct studies and research on the future design system and possible measures to enhance the system's convenience.

(Ministry of Economy, Trade and Industry)

## **(7) Establishing Intellectual Property Systems in the Increasingly Digitized and Networked World**

Japan is said to have the world's best telecommunications environment. In order to make full use of this environment and promote the use and distribution of content and the creation of new business, the GOJ will establish intellectual property systems, contract rules, etc., that are flexible enough to deal with technological progress and new types of services. Those systems and rules will be designed in such a way that ensures incentives to creators.

### **[1] Introducing general provisions restricting rights (Japanese version of fair use regulations) (Reprise)**

To introduce general provisions restricting rights which can comprehensively allow fair use (within certain limits) that does not unjustly impair the interest of right holders under the Copyright Act (Japanese version of fair use regulations), the GOJ will consider means of provision, etc. in light of the provisions of the Berne Convention, etc., draw a conclusion by the end of FY2009, and take measures as soon as possible.

(Ministry of Education, Culture, Sports, Science and Technology)

### **[2] Clarifying the so-called "indirect infringement" in the Copyright Act**

Regarding the so-called "indirect infringement" in the Copyright Act, the GOJ will promptly discuss the definition of "infringer" and the scope of the right to demand an injunction, and it will form a conclusion by the end of FY2009.

(Ministry of Education, Culture, Sports, Science and Technology)

### **[3] Promoting the distribution of digital content by establishing contract rules, etc.**

i) In order to facilitate the copyright-related procedures necessary for the secondary use of broadcasting content, the GOJ will support the initiative in the private sector in forming a consensus at the Study Group to Develop Japan into a Video Content Superpower and will promote the enhancement of the central copyright management system and the establishment of standard contract rules.

(Cabinet Secretariat, Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

ii) In order to promote transactions related to broadcasting content, the GOJ will check the activities of performers' organizations that were established to facilitate copyright-related procedures and identify the owners of orphan works, and the GOJ will support the activities of those organizations.

(Ministry of Internal Affairs and Communications and Ministry of Education, Culture, Sports, Science and Technology)

iii) Based on the revision of the Copyright Act with regard to the ruling system, the GOJ will discuss a possible system to facilitate the secondary use of the content of orphan works and will form a conclusion by the end of FY2009.

(Ministry of Education, Culture, Sports, Science and Technology)

iv) In consideration of the current copyright-related procedures for digital content, such as broadcasting content, the GOJ will conduct multi-perspective discussions on possible legal measures, if necessary, in order to promote distribution.

(Cabinet Secretariat, Ministry of Internal Affairs and Communications and Ministry of Education, Culture, Sports, Science and Technology)

**[4] Creating an environment where creators can receive appropriate consideration for their works**

Thanks to the digitization of information, it has become possible to make copies without deterioration in quality. The GOJ will discuss, from both the institutional and contractual perspectives, how to ensure appropriate consideration for creators for their works without sacrificing user convenience and will form a conclusion by the end of FY2009.

(Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**(8) Strengthening Measures Against Online Copyright-Infringing Content**

The copyright-infringing content on the Internet has increased to such an extent that companies are prevented from obtaining reasonable profits. This situation could serve as a disincentive for creators.

To remedy the situation, the GOJ will strengthen measures against online copyright-infringing content.

**[1] Stepping up efforts to eliminate content that infringe copyrights (Reprise)**

i) In view of actual damage, the GOJ will study measures against illegal online content and reach a conclusion during FY2009. They include legal protection measures regarding, for example, the extent of the responsibility of Internet service providers and regulations against averting technical content restrictions, as well as measures to enable right holders to take civil action faster and easier.

(Cabinet Secretariat, Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

ii) The GOJ will support voluntary efforts by rights holders' associations and Internet service providers to eliminate content that violate copyrights, such as the use of technical steps to improve the efficiency of requests to delete such content.

(Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

iii) The GOJ will support the creation of a mechanism to eliminate infringements based on collaboration between telecommunication carriers and rights holders' associations, including sending warning e-mails to people who have transmitted data files, etc. that infringe copyrights by using file-sharing software such as Winny.

(National Police Agency, Ministry of Internal Affairs and Communications and Ministry of Education, Culture, Sports, Science and Technology)

**[2] Developing infrastructure for measures against online overseas content that infringe copyrights (Reprise)**

From FY2009, the ministries and agencies concerned will jointly support efforts by the Content Overseas Distribution Association (CODA) to develop an infrastructure to take effective measures against online overseas content that infringe copyrights.

(Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs, Ministry of Education, Culture, Sports, Science and Technology and Ministry of Economy, Trade and Industry)

**[3] Tightening controls on Internet content that infringe copyrights (Reprise)**

The GOJ will tighten controls on cyber crimes involving online content that infringe copyrights, through the improvement of investigation personnel's capacities, development of regulatory systems, etc.

(National Police Agency)

## **4. Ensuring the Stability and Predictability of Intellectual Property Rights**

In order to reduce business risks, the GOJ will strengthen measures to ensure the stability and predictability of intellectual property rights.

### **[1] Analyzing the grounds for invalidation judgments**

In FY2009, the GOJ will analyze the grounds for judgments for patent invalidation in patent infringement lawsuits.

(Ministry of Economy, Trade and Industry)

### **[2] Discussing possible measures to ensure stability of patent examination results**

Recently, an increasing number of patent applications are being examined before their publication. Consequently, third parties have no opportunity to provide information before a patent is granted. In view of this situation, in order to ensure the stability of patents, the GOJ will discuss measures to make use of the expertise of third parties, such as the establishment of a system to file oppositions, and will form a certain conclusion by the end of FY2010.

(Ministry of Economy, Trade and Industry)

### **[3] Creating a system to search domestic and overseas patent documents and non-patent documents seamlessly**

In order to enhance the search environment for prior art searches, from FY2009, the GOJ will develop a system to search patent documents in other countries such as China and South Korea. Furthermore, the GOJ will discuss a future search system for seamless searches of patent documents and academic papers and will form a certain conclusion by the end of FY2009.

(Ministry of Economy, Trade and Industry)

### **[4] Reviewing the scheme to settle disputes over the validity of patents**

Regarding the issue of so-called “double-track” system, under which the validity of a patent may be judged in two procedures, i.e., in a JPO’s invalidation trial and in a patent infringement lawsuit, the GOJ will discuss how to handle this issue and form a conclusion by the end of FY2010.

(Ministry of Economy, Trade and Industry)

### **[5] Clarifying the so-called “indirect infringement” in the Copyright Act**

Regarding the so-called “indirect infringement” in the Copyright Act, the GOJ will promptly discuss the definition of infringer and the scope of the right to demand an injunction and form a conclusion by the end of FY2009.

(Ministry of Education, Culture, Sports, Science and Technology)

### **[6] Clarifying the scope of design rights**

In order to clarify the scope of design rights (the scope of similarity of registered designs and the scope of rights to partial designs) and to build an infrastructure for designers’ creative activities, the GOJ will further clarify the design examination guidelines. Furthermore, the GOJ will discuss measures to promote the disclosure of the JPO’s database on publicly known designs and form a conclusion by the end of FY2009.

(Ministry of Economy, Trade and Industry)

### **[7] Adding transparency to the process of creating examination guidelines**

By the end of FY2009, the GOJ will establish a transparent process of creating examination guidelines which includes a process of discussion at special committees on examination guidelines, such as the Examination Guideline Special Committee with regard to

Patent, which consist of users and judicial personnel and so on, and a process of public comment on the guidelines.

(Ministry of Economy, Trade and Industry)

**[8] Conducting research on the human resources development of judicial experts versed in intellectual property laws**

There is a shortage of judicial experts versed in intellectual property laws, such as judicial experts with strong technical backgrounds. In order to analyze the human resources development of judicial experts with science/technology backgrounds, from FY2009, the GOJ will conduct research on the admission and training of students with science /technology background in law schools, such as the number and ratio of students with science/technology background applying for the entrance examination of law schools and those of enrolled students.

(Ministry of Education, Culture, Sports, Science and Technology)

## **5. Establishment of Intellectual Property Systems to Meet Users Needs**

In order to reduce the costs related to the use of intellectual property systems and enhance the quality of services, the GOJ will make further efforts to establish intellectual property systems with emphasis on user convenience. Furthermore, the GOJ will provide users with easy-to-understand information on administrative services related to intellectual property.

### **[1] Making further efforts to enhance the quality of administrative services**

In order to enhance the quality of administrative services based on proper understanding of users needs related to intellectual property systems as a whole, the GOJ will take actions, for example hearing opinions and requests from various users of those systems, including companies and universities., studying such opinions and requests, publicizing its conclusions and responses to them and taking necessary measures based on such conclusions.

(Ministry of Education, Culture, Sports, Science and Technology, Ministry of Agriculture, Forestry and Fisheries and Ministry of Economy, Trade and Industry)

### **[2] Improving operation of the copyright registration system**

In preparation of the digitization of the copyright registration ledger scheduled for operation in FY2011, the GOJ will build the necessary system, increase the registered information subject to publication, and simplify the document issuance procedure.

(Ministry of Education, Culture, Sports, Science and Technology)

### **[3] Clarifying examination guidelines**

In order to make the scope of protection and the criteria for judgment including those related to patent protection in the field of cutting-edge medical technology more easily understandable and predictable to both Japanese and non-Japanese users of intellectual property systems, the GOJ will further clarify examination guidelines.

(Ministry of Economy, Trade and Industry)

### **[4] Reviewing the patent fee reduction/exemption system for SMEs and venture companies**

Regarding the patent fee reduction/exemption system for SMEs and venture companies, in consideration of the balance of the Special Accounts for Patents, the needs of users, the effects on other users, etc., the GOJ will consider introducing more relaxed qualification criteria, a broader scope of reduction/exemption, a simpler application procedure, etc., and will start taking possible measures in FY2009.

(Ministry of Economy, Trade and Industry)

### **[5] Establishing a scheme to conduct examinations according to the needs of applicants**

The GOJ will discuss how to formulate a scheme to conduct examinations according to the needs of applicants, including full implementation of the current pilot-tested Super Accelerated Examination System and will form a conclusion by the end of FY2009.

(Ministry of Economy, Trade and Industry)

## **List of Measures**



## List of Measures for the Strategic Program 2009 [Chapter 1]

No.	Priority measures	Measures	Ministries and agencies in charge
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### 1. Strengthening the Intellectual Property Strategy for Promoting Innovation

#### (1) Establishing an Intellectual Property System that Adequately Corresponds to Technical Innovation and Market Changes

##### 1) Overhauling the intellectual property system and administration

1	*	(1) Conducting a comprehensive review of a desirable patent system The GOJ will comprehensively discuss a desirable patent system from the perspective of promoting innovation, with the aim of drawing a certain conclusion by the end of FY2010.	METI
2	*	(2) Reviewing and clarifying the subject-matter of patent protection in the fields of cutting-edge medical technology i) In line with “Desirable Patent Protection in the Fields of Cutting-Edge Medical Technology” (May 29, 2009), the GOJ will revise the Examination Guidelines in relation to a) and b) below by the end of FY2009, and will promote uniform application of the revised Examination Guidelines by utilizing consultations, etc. by patent examiners. In addition, in order to contribute to medium- and long-term follow-up concerning the status of patent protection in the fields of cutting-edge medical technology, the GOJ will, from FY2009, collect and analyze necessary information, including information on the status of application of the patent system. a) Newly add, to the subject-matters of patents, inventions characterized by the dosage or administration of medicine (including cell tissue medicine) and inventions of methods of collecting human body data to aid in the final diagnosis; b) Make clear that inventions of combinations of biochemical means (cell and medical agent) and machinery/appliances, inventions relating to methods of in vitro processing of a tissue-derived biomaterial, such as a method for differentiation and induction of cells, and use inventions relating to new therapeutic uses of a tissue-derived biomaterial are the subject-matter of patent.	METI
3	*	ii) In order to raise awareness of the content of the Examination Guidelines revised through i) above among universities and research institutes, the GOJ will, from FY2009, further reinforce relevant efforts, including holding explanatory meetings on the Examination Guidelines in the field of life science, while targeting universities and research institutes. In addition, the GOJ will promote user-friendly examination by conducting interview examination through dispatch of examiners and giving suggestions for amendments. Moreover, in order to promote obtainment of rights overseas, the GOJ will, from FY2009, widely provide information about other countries’ patent systems in the fields of cutting-edge medical technology and their application (in particular, information about the methods of obtaining rights, such as how to write claims) via the Internet, etc., and will also renew such information in response to revisions to other countries’ systems and their applications as needed.	METI
4	*	iii) The GOJ will, from FY2009, begin discussions on necessary measures to develop a system by which researchers, etc. in the fields of cutting-edge medical technology at universities and research and development institutes can consult about intellectual property, to further upgrade the skills of staff specialized in intellectual property at these institutes and to develop and secure intellectual property experts who are well-versed in cutting-edge medical technology, other countries’ patent systems and exploitation of intellectual property, and will draw a conclusion as soon as possible.	Cabinet Secretariat Cabinet Office MEXT MHLW METI

5		<p>(3) Reviewing the patent duration-extension system</p> <p>In light of global trends, the GOJ will conduct a comprehensive study to find an ideal form of the system on the whole, looking into such issues as application of the system to innovative medicines produced using innovative drug formulation technologies like DDS that are different from one another only in forms, the requirements for extension, the number of patent rights subject to extension and the number of extensions, and the scope of patent rights for which duration has been extended. The GOJ will draw a conclusion as soon as possible.</p>	METI
6		<p>(4) Considering a desirable protective approach for use inventions related to food with health-promoting benefits, etc.</p> <p>Keeping in mind voices from related industries, the GOJ will hold discussions on how to protect use inventions related to food with health-promoting benefits, after giving consideration to R&amp;D trends, the status of patent application/examination after the revision of the Examination Guidelines in June 2006, and the status of protection on a global basis. Based on the outcome of the discussions, the GOJ will take necessary measures by the end of FY2009.</p>	METI
7		<p>(5) Collecting information and assessing the status of the employee invention system</p> <p>In order to boost the country's global competitiveness, the GOJ will continue to collect information on and to assess other nation's systems and practices in the field of employees' inventions, as well as how its own employee invention system is performing.</p>	METI
8	*	<p>(6) Supporting obtainment of patents in fields with high social needs</p> <p>In order to promote innovation in technical fields with high social needs, including the field of environmental technology, the GOJ will consider measures to support obtainment of patents in those fields, including incentive measures relating to the patent system, and draw a conclusion by the end of FY2009.</p>	METI
9		<p>(7) Considering the introduction of new types of trademarks, such as movement marks and sound marks</p> <p>In consideration of the needs of the business sector, the GOJ will consider revising the Trademark Act to include movements and sounds within the scope of protection, in a move toward international harmonization of trademark systems. The GOJ will draw a conclusion by the end of FY2009.</p>	METI
10	*	<p>(8) Introducing general provisions restricting rights (Japanese version of fair use regulations)</p> <p>To introduce general provisions restricting rights which can comprehensively allow fair use (within certain limits) that does not unjustly impair the interest of right holders under the Copyright Act (Japanese version of fair use regulations), the GOJ will consider means of provision, etc. in light of the provisions of the Berne Convention, etc., draw a conclusion by the end of FY2009, and take measures as soon as possible.</p>	MEXT

2) Speeding up the procedures to grant patent rights

11	*	(1) Expediting patent examination processing i) To achieve the medium-term goal of reducing the first action pendency (waiting period for patent examination) to 11 months by 2013, the GOJ will promote comprehensive efforts, including securing the necessary number of examiners and strengthening provision of information that contributes to lean and strategic filing of applications and requests for examination, in order to keep the first action pendency in FY2009 to the 29-month level.	METI
12		ii) The GOJ will draw up and publish an annual implementation plan to achieve the medium-term goal. The GOJ will also announce the previous year's target and its achievement against the previous year's implementation plan.	METI
13		(2) Improving the capacity to deal with patent examination procedures i) In order to increase the out sourcing of prior art search, the GOJ will strive to improve the existing registered search agencies' operational capacity by encouraging them to expand a range of technologies for which they can conduct searches and recruit necessary human resources. The GOJ will also encourage private organizations to become registered search agencies.	METI
14		ii) The GOJ will secure a sufficient number of examiners. The GOJ will also step up efforts to recruit expert assistants for prior art searches, including post-doctorates, former researchers, and ex-examiners or ex-trial examiners.	METI
15		(3) Improving the environment to encourage structural reform of the patent application and examination request In an effort to provide reference information that helps applicants carefully examine their applications before filing and requesting examination, the GOJ will enhance the Patent Strategy Portal Site, a service that provides self-analysis data, including the number of applications the applicant has filed and their examination results, etc., and encourage further use of the service. By the end of FY2009, with respect to the referral service that tells applicants when patent examination is likely carried out for their applications, the GOJ will also study ways to make more effective use of the service, such as improving forecast accuracy and enhancing information, and take necessary measures.	METI
16		ii) The GOJ will enhance the IPDL's search capability in a bid to create a search environment that allows applicants to perform sufficient prior art searches before filing applications or requesting examination. The GOJ will increase the number of available search tools that are the same as those used by examiners. The GOJ will also encourage the private sector to become Specified Registered Search Agency, a body that performs prior art searches upon requests from applicants.	METI
17		iii) Based on the needs of applicants, the GOJ will, by the end of FY2009, conduct a review to pursue an ideal partial refund system of examination request fees, which is applied to withdrawal or abandonment of applications, and take necessary measures.	METI

3) Reinforcing the protection of new plant varieties

18		(1) Improving environment for enhancing protection of breeder's rights The GOJ will develop DNA testing technologies for new varieties to help make a judgment on breeder's right infringement easier, analyze the on-site practicality of such technologies, and promote them. The GOJ will also increase the number of stored DNA samples of registered varieties, in order to shore up the system that provides DNA testing technologies in a prompt and appropriate manner when an infringement occurs.	MAFF
19		(2) Strengthening international examination cooperation for applications for registration of new plant varieties With the aim of coping with the global increase in the number of applications for registration of new plant varieties and achieving prompt and appropriate international protection of rights, the GOJ will promote international harmonization of cultivation-testing methods and examination standards. The GOJ will also expand the number of partners for the examination results mutual use program outside Europe, the current partner, and increase the types of plants subject to the program.	MAFF
20		(3) Promoting the development and harmonization of plant variety protection systems in East Asia In a bid to improve and harmonize East Asian nations' plant variety protection systems, the GOJ will push forward its efforts to provide the following training sessions and meetings, using the East Asia Plant Variety Protection Forum set up in 2008: training sessions to help other nation's personnel learn examination and growing tests skills, seminars for raising awareness and promoting the system, experts meetings on international harmonization of examination standards and methods, experts meetings on DNA testing technologies, etc.	MAFF

(2) Drastically Enhancing the Comprehensive Intellectual Property Producing Capability of Universities, SMEs,

1) Developing a system to support comprehensive producing

21	*	(1) Developing the framework of the Innovation Network Corporation of Japan By the end of FY2009, the GOJ will develop the framework for the Innovation Network Corporation of Japan. This Corporation provides risk money for business activities, etc., which create new added value through a flexible combination of technologies, personnel, etc. held by companies, universities, and public research institutes.	METI
22	*	(2) Building a comprehensive support system for accelerating commercialization of iPS cell technology i) With regard to iPS cell technology, the GOJ will promote basic and applied research conducted by relevant bodies, and provide necessary support through collaboration among ministries and agencies concerned so that the relevant bodies can build and implement intellectual property strategies to appropriately obtain rights for the results of research and commercialize them in Japan and abroad.	Cabinet Secretariat Cabinet Office MEXT MHLW METI
23	*	ii) The GOJ will provide necessary support to projects for intellectual property-related activities relating to iPS cell technology, which are promoted by industrial circles.	METI

24	<p>(3) Sending teams headed by an intellectual property producer</p> <p>The GOJ aims to boost the comprehensive producing capability of R&amp;D consortiums—an association formed by multiple organizations, such as universities, research institutions and companies—and create model cases of such comprehensive producing capability. To this end, the GOJ will, starting from FY2009, send teams headed by an intellectual property producer to consortiums to help them set out intellectual property strategies from the perspective of commercialization, and expand the number of such target consortiums.</p>	METI
25	<p>(4) Supporting strategic utilization of intellectual property in the management of SMEs</p> <p>By sending teams consisting of specialists in law, technology, finance, marketing, etc. to SMEs (including start-ups; hereinafter the same), the GOJ will help them adopt IP strategy-oriented management, develop such human resources, and improve their comprehensive producing capability.</p> <p>The GOJ will also promote the human resources development manual, established in 2008, and by the end of FY2009 look into the past dispatching cases in a bid to consider new measures to help IP-oriented management take root in SMEs.</p>	METI

2) Strengthening the information-sharing framework among the government, industry and academia

26	<p>(1) Promoting the Technology Strategy Map-based R&amp;D</p> <p>The GOJ will encourage patent information utilization for the Technology Strategy Maps. Such information includes patent application trends by technology and the field-by-field number of patent applications and theses for each country, provided by the Survey on Technical Trends in Patent Filing.</p>	METI
27	<p>(2) Developing a system that allows for easy search of related patents and patent literature</p> <p>Starting from FY2009, the GOJ will begin the full-scale launch of J-GLOBAL, a new system intended for industry-university R&amp;D and IP-related activities, which links such information as related patents and patent literature.</p> <p>The GOJ will also develop a dictionary of technical patent terms and make the dictionary available at the Integrated Search System for Patent and Literature Information starting from FY2009. The GOJ will gather and analyze comments and requests for improvement of the system.</p>	MEXT
28	<p>(3) Providing effective information-sharing opportunities between businesses and universities</p> <p>The GOJ will step up its efforts to facilitate information sharing between businesses and universities, including the New Technology Presentation Meetings, which introduce universities' technology seeds to companies, and the Open Innovation Seminar, which explains the needs of businesses to universities.</p>	MEXT
29	<p>(4) Promoting the initiatives of science and technology commons</p> <p>From FY2009, in an effort to promote innovations by ensuring mutual use of intellectual property rights owned by universities and businesses, the GOJ will embark on actions, after discussing setting up a science and technology commons, a place where scientific and technical information, including patent information, is freely available for others.</p>	MEXT

30		<p>(5) Enhancing the integrated database for research tool patents, etc.</p> <p>In order to promote R&amp;D by smooth use of research tool patents in the field of life science, the GOJ will encourage businesses to register in the database their research tool patents resulting from R&amp;D funded by the government.</p>	<p>Cabinet Office MEXT MAFF MHLW METI</p>
31		<p>(6) Disseminating the guidelines for research tool patents in the field of life science</p> <p>In light of the Guidelines for Smooth Use of Research Tool Patents in the Field of Life Science, decided by the Council for Science and Technology Policy in March 2007, starting from FY2009, the GOJ will make it obligatory to comply with said guidelines in the guidelines for the public recruitment of government-sponsored R&amp;D projects in the field of life science. The GOJ will also follow up on the status of efforts, such as the development of licensing policies in line with the guidelines, made by universities and companies, and make public the follow-up results.</p>	<p>Cabinet Office MEXT MAFF MHLW METI</p>

3) Reinforcing industry-university collaboration

32	*	<p>(1) Strengthening function through integration and abolition/specialization of university intellectual property headquarters and TLOs</p> <p>In order to strengthen the function of existing university intellectual property headquarters and TLOs (Technology Licensing Organizations), the GOJ will, from FY2009, provide support to promote collaboration and consolidation, depending on individual circumstances and specialization in specific technical fields/functions, after evaluating the effectiveness of ongoing support programs.</p>	<p>MEXT METI</p>
33		<p>(2) Pushing forward efforts to strengthen the functions of university intellectual property headquarters and TLOs</p> <p>As part of an effort to enhance the functions of university intellectual property headquarters and TLOs, the GOJ will encourage them to take the following actions:</p> <p>i) Provision of patent information to university researchers at an early stage of R&amp;D through preparation of patent maps, etc.;</p> <p>ii) Introduction of a mechanism that requires university researchers to review the possibility of filing patent applications before presenting relevant research papers; and</p> <p>iii) IP specialists' occasional visits to researchers, and addition to their research team of staff members who examine the possibility of obtaining patents for the team's research outcome.</p> <p>The GOJ will also survey their efforts to shore up their functions.</p>	<p>MEXT METI</p>

34		<p>(3) Encouraging appropriate resource allocation to intellectual property-related activities in universities, etc.</p> <p>i) The GOJ will encourage universities to allocate sufficient resources to IP-related activities that will allow them to finance their strengthened collaboration with the business sector, patent application filings, patent management, and human resource recruitment. By the end of FY2009, the GOJ will also look into the balance of expenses for IP-related activities in universities.</p>	MEXT
35		<p>ii) From FY2009, the GOJ will promote the utilization of human resources, including MIP, MOT and MBA, in joint university-industry research projects, etc. and enhance their partnerships with educational institutions that develop such human resources, such as professional schools specializing in intellectual property. To this end, the GOJ will take actions to allow the implementers of government-funded R&amp;D projects that pursue commercialization to secure necessary funds.</p>	MEXT
36		<p>(4) Clarifying the positions of students, etc. who participate in joint research</p> <p>The GOJ will widely publicize the informative cases and points to be noted, in order for universities to speed up their efforts to develop rules on the attribution of intellectual property rights and confidentiality rules for a case where postdoctoral fellows and postgraduate, undergraduate and foreign students participate in joint research, etc.</p>	MEXT
37	*	<p>(4) Promoting active utilization of external functions in industry-academia collaboration</p> <p>From FY2009, the GOJ will evaluate the industry-academia collaboration support functions of the Japan Science and Technology Agency (JST) and the New Energy and Industrial Technology Development Organization (NEDO) and strengthen the functions as needed. Furthermore, it will encourage university intellectual property headquarters and TLOs to utilize these external resources.</p>	MEXT METI
38		<p>(6) Promoting an effective use of outside resources in acquiring, transferring and licensing patent rights</p> <p>In FY2009, the GOJ will encourage universities to make effective use of outside resources, including legal professionals specializing in intellectual property, to acquire, transfer and license patent rights. The GOJ will also call for the Japan Patent Attorneys Association to cooperate in facilitating involvement by patent attorneys who specialize in particular fields of technology as requested by universities.</p>	MEXT METI
39		<p>(7) Stimulating university start-ups</p> <p>In FY2009, the GOJ will look into how university start-ups are performing and identify their challenges, in an attempt to create an appropriate incentive scheme that allows for smooth reallocation of human and capital resources, provided through government support for start-ups, including preferential treatment for facility usage, from inactive start-ups to promising or new ones.</p>	MEXT METI

4) Developing a comprehensive producing environment in universities

40	<p>(1) Strengthening incentives to obtain important patents</p> <p>From FY2009, in order to ensure more effective intellectual property, the GOJ will look into the intellectual property strategy-related sections in the criteria used to select research projects that are expected to lead to the generation of intellectual property rights and eligible for competitive research grants. In accordance with the characteristics of research projects, the GOJ will make necessary revisions to the criteria, such as making it a requirement for the research project to have a system for managing its intellectual property, or for an agreement to be made as to how to manage intellectual property resulting from research outcome, including how to handle research outcome such as joint inventions and how much of the confidential information is shared by parties concerned. The GOJ will also take necessary actions to allow it to finance intellectual property-related costs according to projects' needs.</p>	<p>Cabinet Office MIC MEXT MHLW MAFF METI MLIT MOE</p>
41	<p>(2) Facilitating intellectual property management in large-scale R&amp;D projects</p> <p>From FY2009, the GOJ will study cases where large-scale government-funded R&amp;D projects run by universities and companies faced complication in intellectual property management, in order for participants from universities and companies to share their challenges and issues. The GOJ will also support industry-university training workshops that utilize the outcome of such case studies.</p>	<p>MEXT</p>
42	<p>(3) Further promoting the use of the outcome of joint research</p> <p>The GOJ will encourage universities and companies to work to build a consensus on the ownership of rights in research outcomes on the precondition of fair sharing of such outcomes and the handling of licenses while maintaining smooth implementation of joint research, after forming a common recognition of the advantages of filing an application jointly or independently through sufficient discussions. In addition, the GOJ will raise awareness, among universities, TLOs and companies, of the basic principle that either universities and public research institutes or companies should be allowed to file an application independently through concentration of rights.</p>	<p>MEXT METI</p>
43	<p>(4) Encouraging the parties concerned to have a flexible negotiation as to how to handle their joint patents</p> <p>The GOJ will release the research report on joint research projects' patent handling, which looks into issues, such as whether the provision of Article 73 of the Patent Act can be disincentive to patent-licensing and technology transfer. The GOJ will also advise universities and TLOs that they should decide freely as to how to handle their joint patents, including disposal and usage, by the mutual consent of the parties concerned, encouraging them to negotiate flexibly by respecting each other's positions.</p>	<p>MEXT METI</p>
44	<p>(5) Promoting efforts to put R&amp;D outcome into practice</p> <p>In an effort to promote appropriate use of patent rights and other rights that have been obtained through government-commissioned research projects, the GOJ will research the status of the application and use of the Japanese Bayh-Dole provisions. Starting from FY2009, the GOJ will introduce a pre-authorization system for the transfer or granting an exclusive license of such patent rights.</p>	<p>METI</p>



45		(6) Promoting utilization of government-owned patents In FY2009, the GOJ will promote the utilization of government or R&D-oriented incorporated administrative agency-owned patents that have been out of use for a certain period of time, by licensing them at low prices. The GOJ will also make public the licensing status of government-owned patents.	MIC MEXT MHLW MAFF METI
46		(7) Constructing evaluation indices for patent qualities and inventors, and utilizing such data By counting the number of times that each university patent/thesis or its inventor/author has been referred to in other patent specifications or notices of reasons for refusal, the GOJ will, by the end of FY2009, discuss the method of use for the patent/thesis quality evaluation and the researcher evaluation, and draw a certain conclusion.	MEXT
47		(8) Inspecting the intellectual property policy measures from the viewpoint of researchers By the end of FY2009, with global trends in mind, the GOJ will consider intellectual property policy measures, etc. at the Science Council of Japan, an academy representing Japanese scientists, in light of requests, etc. from academic societies, and thereby present specific suggestions.	Cabinet Office

5) Shoring up the creation platform and support system for innovative intellectual property

48	*	(1) Strengthening the foundation for the creation/support system of innovative intellectual properties i) The GOJ will, from FY2009, develop a support system that enables researchers to concentrate on research, and also establish systems giving first priority to researchers, which is unconventional and totally new, such as granting research funds that are freely operable over two or more fiscal years.	Cabinet Office MEXT
49	*	ii) In order to internationalize the research environment in Japan, the GOJ will, from FY2009, enhance efforts to form the world's most advanced research and development bases by inviting world-leading researchers and young researchers and through development of facilities.	MEXT METI
50	*	iii) The GOJ will, from FY2009, support the internationalization of the research environment in Japan and the securing of research supporters, etc. at universities. In doing so, the GOJ will make it possible for universities to secure a sufficient number of personnel who are necessary for the exploitation of intellectual property.	MEXT

51	*	<p>(2) Reviewing the intellectual property system to accelerate innovation of university origin</p> <p>In order to cope with global competition to obtain intellectual property due to the progress of open innovation, the GOJ will link the basic innovations of universities and public research institutes to high-quality patents. From the perspective of further promoting industry-academia joint research and the exploitation of intellectual property at universities and public research institutes, the GOJ will also, from FY2009, hold comprehensive discussions on the intellectual property system to accelerate innovation of university origin, including what makes a desirable intellectual property right system, how to attribute intellectual property rights in joint research, desirable burden-sharing of patent-related expenses, and how to secure human resources related to intellectual property; and it will draw a conclusion as soon as possible.</p>	<p>Cabinet Secretariat Cabinet Office MEXT METI</p>
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6) Promoting intellectual property utilization by SMEs

52		<p>(1) Raising know-how management mindset among SMEs</p> <p>The GOJ will make the most use of those occasions where patent information advisors contact companies, to help SMEs lacking know-how management mindset to raise their awareness about the importance of information management systems.</p>	<p>METI</p>
53		<p>(2) Shoring up the system that supports the formulation of R&amp;D strategies and application filing strategies from R&amp;D stages</p> <p>The GOJ will continue to push forward support for the formulation of R&amp;D strategies and application-filing strategies with the help of patent information advisers, etc., in an effort to encourage SMEs to pursue IP-conscious R&amp;D and business expansion.</p> <p>The GOJ will also collect information about some local governments' advanced efforts, such as granting subsidies, aimed at the formulation of R&amp;D strategies and patent-filing strategies. The GOJ will provide such information to other local governments through the regional intellectual property strategy headquarters to encourage them to provide active support.</p>	<p>METI</p>
54	*	<p>(3) Supporting the creation and exploitation of intellectual property by small- and medium-sized manufacturers</p> <p>In FY2009, the GOJ will provide support for SMEs' research and development in relation to basic manufacturing technology, and also provide consistent support for the process from the development of prototypes to the cultivation of the market, etc.</p>	<p>METI</p>
55		<p>(4) Shoring up patent-licensing and commercialization support for SMEs</p> <p>In a bid to boost its IP-led commercialization support system, the GOJ will disseminate information on its measures to encourage patent licensing, including patent licensing advisors, to the centers for collaboration of local powers, which provide comprehensive support services in cooperation with experts and partners.</p>	<p>METI</p>
56		<p>(5) Diversifying financing methods using intellectual property</p> <p>i) From FY2009, in a bid to encourage SMEs and start-ups to raise money using their intellectual property, the GOJ will collect fundraising examples that use fundraising-type intellectual property trust, intellectual property collateralized loans, or the schemes of special purpose companies, and actively disseminate such information.</p>	<p>METI</p>

57		ii) With the aim of promoting financing with the use of intellectual property, the GOJ will discuss the pros and cons of establishing a pledge on the right to obtain a patent, and draw a certain conclusion by the end of 2010.	METI
58		(6) Stepping up efforts to publicize the Supplement to the Financial Inspection Manual: Treatment of Classifications Regarding Credit to Small- and Medium-Sized Enterprises From FY2009, in order to encourage financial institutions to act in a manner consistent with the purpose of the Supplement to the Financial Inspection Manual: Treatment of Classifications Regarding Credit to Small- and Medium-Sized Enterprises, as well as to help SMEs understand what financial institutions look at when making financing decisions and actively utilize their intellectual property in their financing negotiations, the GOJ will step up its efforts to make the manual well known among financial institutions and SMEs. The GOJ will also take necessary measures, such as making revisions to the manual or preparing frequently asked questions, as needed.	FSA METI
59	*	(7) Encouraging regional financial institutions to exploit intellectual property In order to encourage regional financial institutions to provide loans by exploiting intellectual property, the GOJ will, from FY2009, formulate and disseminate an evaluation manual for intangible assets, including intellectual property, which become the strength of companies, and also provide financial institutions with training, etc. relating to intellectual property.	FSA METI
60		(8) Promoting intellectual asset-based management report In a bid to ensure smooth financing to SMEs, the GOJ will encourage SMEs to draw up and disclose an intellectual asset-based management report, a communication tool that facilitates their information sharing with financial institutions. The GOJ will also call on SMEs to clarify and improve the accuracy of their non-financial information, an important factor that financial institutions consider when assessing companies.	METI
61		(9) Promoting the use of the system that certifies and honors SMEs' outstanding technologies and intellectual property The GOJ will collect information on local bodies' certification/award systems for SMEs and start-ups' outstanding technologies and intellectual property, as well as advanced efforts for such technology or intellectual property-based financing. The GOJ will also cooperate with regional intellectual property strategy headquarters to provide such information to local governments and financial institutes.	METI

7) Using intellectual property to vitalize local regions

62	*	(1) Accelerating industry-academia-government joint research and development in local areas In order to accelerate industry-academia-government joint research using the characteristics of local areas and promote the expansion of research results to local companies, the GOJ will, from FY2009, develop industry-academia-government joint research bases in local areas.	MEXT METI
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63	*	<p>(2) Formulating the policy of action at regional intellectual property strategy headquarters for the third phase</p> <p>The GOJ aims promote the development of local areas with the use of intellectual property according to the characteristics and needs of the local areas while improving coordination between intellectual property measures and SME measures/agricultural, forestry and fishery measures/science and technology measures. To this end, the GOJ will evaluate the achievement of goals set for the second phase (from FY2007 to 2009) at regional intellectual property strategy headquarters and, based on this, formulate an action policy for the third phase (from FY2010 to 2013) by the end of FY2009.</p>	METI
64		<p>(3) Enhancing the effectiveness of local governments' intellectual property-related strategies and ordinances</p> <p>The GOJ will collect information and publicize how local governments are implementing measures, backed by their intellectual property-related strategies and ordinances, encouraging them to share useful information about their intellectual property-support measures and to help each other raise awareness of such issues.</p>	METI
65		<p>(4) Enhancing support for local governments engaged in ambitious initiatives</p> <p>The GOJ will cooperate with regional intellectual property strategy headquarters to intensively provide government aid to prefectural governments and major cities that are engaged in ambitious initiatives. The GOJ will also select new targets from local governments and widely publicize the outcome of its efforts.</p>	METI
66		<p>(5) Promoting the use of the regionally based collective trademark system</p> <p>The GOJ will draw up the Regionally Based Collective Trademarks 2009, a booklet that introduces registered regionally based collective trademarks and how they are utilized after the acquisition of rights. The GOJ will exchange views with rights holders, etc. The GOJ will also honor bodies that have contributed to the promotion and development of the system, as part of the Intellectual Property Prize.</p>	METI
67		<p>(6) Promoting the use of the "genuine goods" certification scheme</p> <p>The GOJ will push forward its efforts to expand the number of food items covered by the "genuine goods" certification scheme, a process that is designed to certify labeling standards for local processed food brands.</p>	MAFF
68		<p>(7) Creating new products with the use of local resources and helping develop a new market</p> <p>In a bid to accelerate efforts to establish regional brands as well as the creation of new local resource-driven businesses by agriculture-commerce-industry collaboration, the GOJ will step up its efforts, such as providing aid to invite producers or experts and to conduct market research, as well as holding seminars to encourage relevant parties' exchanges and organizing business meetings and trade fairs to help develop a new market.</p>	MAFF METI

(3) Promoting businesses' intellectual property strategies

69		<p>(1) Encouraging businesses' intellectual property management</p> <p>i) The GOJ will encourage companies to appoint a chief intellectual property officer (CIPO) or directors on board in charge of intellectual property, in a bid to have companies push forward a comprehensive corporate strategy that integrates business, R&amp;D and intellectual property strategies, and to encourage them to carry out advanced intellectual property strategies, such as making the right combination of disclosed and undisclosed intellectual property according to the company's competitive environment, strategic integration of patents, designs and trademarks, etc. The GOJ will also encourage those in charge of intellectual property to acquire knowledge on management and business, and also encourage those engaged in management and business to acquire skills in intellectual property management.</p>	METI
70		<p>ii) In order to promote businesses' intellectual property management, the GOJ will publicize the Toward Strategic Intellectual Property Management (April 2007), a collection of intellectual property strategies that includes cases of success and failure in carrying out such strategies. In FY2009, the GOJ will continue to collect case examples to enhance the contents of the collection.</p>	METI
71		<p>(2) Encouraging businesses to disclose intellectual property-related information</p> <p>i) From FY2009, the GOJ will encourage businesses to actively draw up and publicize intellectual property reports, intellectual asset-based management reports, or annual reports containing intellectual property-related information, etc., to improve their corporate value by making those inside and outside the company aware of the strength of their intellectual property.</p>	METI
72		<p>ii) In order to clarify R&amp;D and intellectual property-related information disclosed in securities reports, including patent registration rates, right abandonment rates, right utilization rates, and licensing royalty rates, the GOJ will discuss an ideal form of disclosure of such information, and draw a certain conclusion by the end of FY2009.</p>	FSA METI
73		<p>(3) Encouraging intellectual property valuation work</p> <p>From FY2009, in order to have businesses push forward intellectual property-based management and promote intellectual property licensing, the GOJ will step up its efforts to promote the Intellectual Property Licensing/Financing Case Study Report and the Keys to Intellectual Asset-Based Management Evaluation Finance, which summarizes intellectual property valuation methods and valuation case studies. The GOJ will encourage the private sector to establish highly reliable valuation methods and carry out valuation work that takes into consideration the purpose of intellectual property utilization as well as corporate strategies.</p>	METI
74		<p>(4) Conducting a study on points to be noted when intellectual property and other assets acquired through M&amp;A are capitalized on one's balance sheet</p> <p>In order to ensure a smooth shift to international accounting standards, the GOJ will conduct a study on what points should be noted when intellectual property or R&amp;D projects in progress that have been acquired through M&amp;A are capitalized on one's balance sheet, and draw a certain conclusion by the end of FY2009.</p>	FSA

(4) Developing Human Resources Related to Intellectual Property Who Contribute to the Creation of Innovative

75	*	<p>(1) Enlightening and developing human resources who take charge of coordinating research and development strategies, intellectual property strategies and business strategies</p> <p>i) The GOJ will encourage business managers and executives to improve their understanding of intellectual properties and incorporate intellectual property strategies into their business strategies and research and development strategies by holding seminars and symposiums on intellectual property strategies, offering intellectual property management school programs at universities and public research institutes, and holding meetings to exchange opinions with companies and industry groups.</p>	METI
76	*	<p>ii) The GOJ will develop human resources who have comprehensive producing capabilities necessary for industry-academia-government collaboration through support for practical training (OJT programs) provided for young researchers by TLOs, university intellectual property headquarters, university start-ups, venture capital companies, research/development-type independent administrative agencies, fund allocation-type independent administrative agencies, private companies and so on.</p>	MEXT METI
77		<p>(2) Increasing the number and improving the abilities of those who engage in industry-academia collaboration</p> <p>The GOJ will provide those who engage in industry-academia collaboration with opportunities for OJT programs at overseas law and patent firms as well as at institutes for industry-academia collaboration, and foster their deep understanding of infringement litigation and contract-conclusion practices in other countries with international practices, in order to promote industry-academia collaboration among universities and TLOs.</p>	MEXT METI
78		<p>(3) Improving the abilities of patent attorneys as comprehensive advisors</p> <p>The GOJ will, from FY2009, provide patent attorneys who are comprehensive advisors with more opportunities to practice a wide range of services related to all phases of the intellectual creation cycle, such as consulting and drafting of intellectual property strategies, by supporting the efforts of dispatching patent attorneys to local SMEs to offer them consulting services concerning intellectual property.</p>	METI
79		<p>(4) Making the necessary increases in the number and improving the quality of patent attorneys</p> <p>i) From FY2009, the GOJ will promote the initiatives of the Japan Patent Attorneys Association to develop patent attorneys who will be capable of dealing with increasingly diversifying needs concerning intellectual property by providing them with practical experience and continued training as well as opportunities to exchange opinions with corporate employees. In this process, the GOJ will encourage the Japan Patent Attorneys Association to use universities (law schools, professional schools specialized in intellectual property) and the INPIT. The GOJ will also take measures to make the necessary increases in the number of patent attorneys.</p>	MEXT METI

80	<p>ii) In FY2009 and beyond, the GOJ will look into the active utilization of patent attorneys, including the possibility of allowing them to independently undertake the trials of specific intellectual property right infringement lawsuits, in consideration of the effectiveness of jointly undertaking such trials and the roles currently played by lawyers and patent attorneys.</p>	<p>MOJ METI</p>
81	<p>(5) Increasing the number and improving the quality of lawyers who are well-versed in intellectual property</p> <p>The GOJ hopes to see more layers gain knowledge on intellectual property by actively participating in elective internship programs provided by intellectual property law firms and the intellectual property departments of local courts. Also, the GOJ continues to expect that more lawyers will improve in the knowledge and skills that are necessary to support companies in establishing their management and business strategies by actively attending training programs and lectures on intellectual property.</p> <p>In order to ensure that appropriate measures have been taken to increase the number of legal professionals who are well-versed in intellectual property, the GOJ will monitor the number of those who passed the national bar examination held under the new system by examining the included selective test subject related to intellectual property law.</p>	<p>MOJ</p>
82	<p>(6) Developing experts who support the exploitation of licensable patents</p> <p>With the aim of building a system to ensure the independent efforts of the parties concerned (e.g., private entities and regional public entities) for distribution of licensable patents, the GOJ will continue to support regional public entities in developing experts in technology transfer.</p>	<p>METI</p>
83	<p>(7) Developing human resources who are well-versed in intellectual property in the agricultural, forestry, and fishery sectors as well as the food sector</p> <p>The GOJ will make further efforts to foster intellectual property experts in the agricultural, forestry, and fishery sectors as well as the food sector. This will be done through collaboration between the Ministry of Agriculture, Forestry and Fisheries and the Ministry of Economy, Trade and Industry in improving intellectual property training programs for those working in the aforementioned sectors.</p> <p>From FY2009, the GOJ will also establish a exploratory committee to consider the policy for developing human resources related to intellectual property in the agricultural, forestry, and fishery sectors, including the basic concept on developing and training of human resources. Furthermore, the GOJ will provide training programs focusing on the exploitation of intellectual property for regional brands and in production sites based on the opinions of the committee.</p>	<p>MAFF METI</p>
84	<p>(8) Supporting the Council for Promoting the Development of Human Resources related to Intellectual Property</p> <p>From FY2009, the GOJ will encourage the Council for Promoting the Development of Human Resources related to Intellectual Property to strengthen activities for spreading the allure of businesses related to intellectual property and raising awareness on them from the perspective of developing human resources related to intellectual property. Also, the GOJ will promote and support the Council in clarifying the expected abilities of intellectual property experts and in offering various training programs at each of the relevant organizations in order to enable participants to acquire such abilities in each career path.</p>	<p>MOJ MEXT MAFF METI</p>

85	*	<p>(9) Promoting intellectual property education in local areas</p> <p>The GOJ will promote intellectual property education at each school level by promoting the use of ingenuity and teaching the value of originality through after-school events related to the creation of intellectual property, such as events to manufacture things and events to create inventions, and by providing delivery lessons with the use of specialists in compliance with requests from schools.</p>	MEXT METI
86		<p>(10) Developing intellectual property instructors</p> <p>The GOJ will enhance training programs on intellectual property for the instructors and teachers of activities outside the classroom. Also, the GOJ will provide them with more opportunities to increase their knowledge of intellectual property, by encouraging them to take a proficiency test on intellectual property management.</p>	METI
87		<p>(11) Enhancing experiential learning programs focusing on the creation, protection, and exploitation of intellectual property</p> <p>The GOJ will promote experiential learning focusing on the creation, protection, and exploitation of intellectual properties by further improving the Patent Competition for high school and university students and the Intellectual Property Reporting Contest for junior high school students. From FY2009, the GOJ will also hold a Design Patent Competition through which its participants can experience the process of obtaining design rights for their own designs.</p>	MEXT METI
88		<p>(12) Promoting intellectual property education in universities, etc.</p> <p>The GOJ will study which classes are currently being offered on the subject of intellectual property at institutions of higher education. It will also encourage an initiative on the part of higher professional schools, universities, graduate schools, law schools, and professional schools specializing in intellectual property, etc., in offering classes on intellectual property in general and on intellectual property in the context of business and management as well as on the intellectual property system in order to enhance intellectual property education corresponding to each specialization.</p> <p>Also, the GOJ will enhance intellectual property classes for the students of business management departments and, from FY2009, it will prepare teaching materials on the exploitation of intellectual property for students in the business management and economics departments.</p>	MEXT METI
89		<p>(13) Promoting internships by students who study intellectual property at the universities, etc.</p> <p>In order to extend the opportunities to experience practical intellectual property, the GOJ will promote internships for students who study intellectual property at the universities, etc. at companies (including SMEs).</p>	MEXT METI



90		<p>(14) Supporting the development of curriculum for intellectual property education</p> <p>The GOJ will promote intellectual property education at specialized high schools and institutions of higher education by supporting the development of a teaching model at pilot schools for intellectual property education, for the purpose of spreading and maintaining intellectual property education.</p> <p>Also, the GOJ will promote intellectual property education at professional schools by supporting the development of core curriculum for MOT education at professional schools specializing in management of technology, as well as the development of practical intellectual property education at professional schools specializing in intellectual property.</p>	MEXT METI
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(5) Developing an Environment that Corresponds to the Development of Open Innovation

1) Promoting the smooth use of intellectual property

91	*	<p>(1) Considering proper exercise of rights</p> <p>With regard to the issue of abusive exercise of intellectual property rights, the GOJ will determine the requirements for requesting injunction and a desirable system of claim for damages based on the premise that legitimate exercise of rights is respected and from the perspective of promoting sound development of industries, in consideration of the doctrine of abuse of rights under the Civil Code and a U.S. court precedent (eBay decision), etc., with the aim of drawing a certain conclusion by the end of FY2010.</p>	METI
92		<p>(2) Clarifying the range of application of the Anti-Monopoly Act in the enforcement of intellectual property rights</p> <p>The GOJ will consider the range of application and the interpretation of the Anti-Monopoly Act in terms of enforcement of intellectual property rights based on the accumulated status of the cases suspected of violating the Anti-Monopoly Act in terms of intellectual property, as well as the needs of the industrial sector, etc., and where appropriate, develop guidelines.</p> <p>Also, the GOJ will publicize, to the extent possible, sample consulting cases on intellectual property in order to promote a further understanding of the ideas on the application of the Anti-Monopoly Act presented in the guidelines.</p>	JFTC
93		<p>(3) Promoting the improvement in the subcontracting systems</p> <p>The GOJ will collaborate with relevant ministries, and publicize the guidelines for individual industries that indicate sample cases of violations of laws and regulations and inappropriate trade practices concerning intellectual property, the content of regulations under the Act Against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors, and the efforts made by the "Subcontractor Rescue Organizations" which were established in FY2008, by distributing pamphlets and using workshops targeting main subcontracting enterprises. The GOJ will also continue to take the necessary measures to effectively collect information on acts suspected of being in violation of the Act Against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors relating to intellectual property rights.</p>	JFTC METI

94	*	<p>(4) Considering a system to protect unregistered non-exclusive licenses (natural protection system)</p> <p>The GOJ will consider the propriety of introducing a system to protect licensees of unregistered non-exclusive licenses in light of the status of operation of the specific non-exclusive license registration system and the non-exclusive license registration system after the revision of the Patent Act, the trends of operation of relevant systems in other countries, actual practice relating to contracts on the transaction of intellectual property rights and the needs of industrial circles.</p>	METI
95	*	<p>(5) Considering the introduction of a registration system for the intention of granting licenses</p> <p>In order to promote the revitalization of patent licensing and the effective exploitation of patents not in use, the GOJ will consider introduction of the license of right system whereby patent fees are reduced or exempted for patentees who register their intention of granting licenses for their own inventions to third parties in the patent registry, etc., with the aim of drawing a certain conclusion by the end of FY2010.</p>	METI
96		<p>(6) Promoting the exploitation of intellectual property not in use</p> <p>In addition to examples of exploitation of licensable patents registered in the National Center for Industrial Property Information and Training (INPIT), from FY2009, the GOJ will publicize successful examples of intellectual property intermediary business operations by private business operators.</p> <p>Moreover, the GOJ will encourage companies, universities, and public research institutes to conduct regular inventories and reevaluation of their own intellectual property. It will also actively encourage them to disclose, via their own websites, the Patent Licensing Database, which is accessible via the INPIT website, and the JST Science and Technology Research Result Database for Enterprise Development (J-STORE) of the Japan Science and Technology Agency, their patents not in use and other intellectual property that they are willing to license or sell to others.</p>	MEXT METI
97		<p>(7) Enhancing the exploitation of intellectual property in the agricultural, forestry, and fishery sectors</p> <p>i) In order to promote the utilization and distribution of new technologies as well as seeds and seedlings in the agricultural, forestry, and fishery sectors, the GOJ will sort out the issues to be solved from model projects relating to the distribution of patents and other rights, which were initiated starting in FY2008, and provide support, including the development of methods for managing technology/know-how and preparation of manuals of license contracts for patents and other rights. Also, in order to support farmers and SMEs, etc. that have neither sufficient funds nor the capacity to collect and transmit information, the GOJ will look into and take the necessary measures to entrust the exploitation and management of intellectual properties.</p>	MAFF
98		<p>ii) In order to promote the use of patents and plant varieties in the agricultural, forestry, and fishery sector and the food sector, the GOJ will conduct the necessary improvements in the Intellectual Property Integrated Search System for the Agricultural, Forestry, and Fishery Industries (aff-chizai search), collect examples of exploitation, and further encourage such use.</p>	MAFF

99		(8) Promoting the smooth use of software Beginning in FY2008, the GOJ has been looking into the desirable protection of software and organizational issues in terms of intellectual property from the perspective of smooth use of software in the software industry. The GOJ will publish and publicize the results of such efforts.	METI
100		(9) Disseminating guidelines for encouraging the use of ASP and SaaS In order to solve problems arising in introducing ASP (Application Service Provider) and SaaS (Software as a Service), new types of services in which a software's functions are provided to users on demand and which are expected to see extended dissemination in the future, the GOJ will strive to disseminate the SLA Guidelines for SaaS, published in January 2008. Specifically, in FY2009, the GOJ will apply the SLA Guidelines to the Utilization Base of SaaS (J-SaaS), which is formulated by the Ministry of Economy, Trade and Industry in support of SMEs.	METI
101		(10) Facilitating the use of open source software The GOJ will publicize the Practical Guidance to GNU GPLv3, first version, in which the problems of GPLv3, stipulating licensing conditions for open source software, are categorized in terms of interpretation.	METI
102		(11) Promoting the creation of new services in the information technology field i) The GOJ will promote the emergence of innovative services through the development and international standardization of technologies for information search, analysis, and verification as well as their basic technologies.	MIC MEXT METI
103		ii) In order to facilitate the provision of product information and other information that best meet the needs of users, the GOJ will discuss how to collect, accumulate, and utilize information on users in a safe manner without posing a risk to their privacy, and they will form a conclusion by the end of FY2009.	METI

2) Preventing unintended leaks of technology

104	*	(1) Developing a legal system designed to enhance deterrence over the infringement of trade secrets In order to develop an effective legal system to protect technical information, etc. managed as secrets, the GOJ will consider desirable legal measures to protect the content of trade secrets in the criminal proceedings, sufficiently taking requests for open trials into account and giving proper attention to the risk of constraining the defendant's exercise of the right to defend and the securing of smooth proceedings, and draw a conclusion as soon as possible.	MOJ METI
105		(2) Promoting the proper management of trade secrets in companies In order to promote the proper management of trade secrets in companies, based on the Amended Unfair Competition Prevention Act, the GOJ will review, disseminate and educate on the Guidelines for Trade Secret Management.	METI

## List of Measures for the Strategic Program 2009 [Chapter 2]

No.	Priority measures	Measures	Ministries and agencies in charge
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### 2. Strengthening Global Intellectual Property Strategy

#### (1) Enhancing Efforts to Establish a Global Intellectual Property System

##### 1) Promoting the development of an environment that facilitates the international acquisition of rights

106	*	(1) Promoting international work sharing in patent examination processes i) The GOJ will hold negotiations with countries such as Canada and Australia to further expand the Patent Prosecution Highway (PPH) network of patent offices. The GOJ will also host a working-level, multilateral PPH meeting in Tokyo during FY2009 in order to take the lead in discussions on standardizing PPH requirements and procedures among participating countries.	METI
107		ii) In order to maximize the mutual use of examination results with the aim of eventually achieving substantive mutual recognition of examinations, using the framework of trilateral patent offices (JPO, USPTO and EPO), the GOJ will discuss the issue of appropriate search environments regarding prior art documents for work-sharing purposes, and reach a certain conclusion during FY2009. The GOJ will also consider the unification of formats of citation of documents that are attached to the first actions and promote efforts such as comparative studies on examination guidelines in terms of novelty.	METI
108	*	iii) To enhance the effectiveness of work sharing, drawing from its experience in trilateral work sharing with patent offices in the United States (USPTO) and Europe (EPO), the GOJ will conduct comparative research of patent examination criteria of the patent offices of Japan (JPO), China (SIPO) and South Korea (KIPO), and cooperate in efforts to improve access to the examination results among the five major patent offices (JPO, USPTO, EPO, SIPO and KIPO).	METI
109	*	(2) Taking the lead in the initiatives for international harmonization of patent systems i) Aiming to reach an agreement among developed countries on the draft Substantive Patent Law Treaty (tentative name), which includes unification to a first-to-file system, the GOJ will lead and accelerate discussions while supporting U.S. moves to shift toward a first-to-file system and pressing Europe to exercise flexibility in the treatment of grace periods and other issues.	MOFA METI
110		ii) The GOJ will take necessary actions to press other countries to introduce the Common Application Format of the trilateral patent offices (JPO, USPTO and EPO) on patent application descriptions, introduced in Japan in FY2008. Furthermore, the trilateral patent offices will move forward with discussions aimed at the unification of matters that were not included in the trilateral Common Application Format, such as formats of claims.	METI
111	*	(3) Promoting high-level intellectual property diplomacy The GOJ will actively promote high-level intellectual property diplomacy from FY2009 in order to achieve international harmonization of patent systems, expansion of work sharing in patent examination processes, non-proliferation of counterfeit and pirated goods, prevention of leaks of technical information regarding IT security products, etc.	MOFA MEXT METI

112		<p>(4) Facilitating improvements to the international application system based on the Patent Cooperation Treaty</p> <p>In order to improve the work-sharing functions and efficiency of the international application system, based on the Patent Cooperation Treaty (PCT), the GOJ will lead discussions at the World Intellectual Property Organization (WIPO) on PCT reforms. In addition, Japan and other countries concerned will consider document specifications from FY2009, in order to develop as much as possible an electronic filing system for the administrative processing of international applications, and come to a certain conclusion.</p>	MOFA METI
113		<p>(5) Expanding the use of an electronic exchange system for priority documents</p> <p>In order to achieve electronic exchanges of documents proving the filing date (priority documents) with foreign patent offices other than the USPTO, EPO and KIPO and thereby reduce procedural burdens on applicants filing foreign patent applications, the GOJ will make necessary approaches to foreign patent offices with the aim of expanding the number of participating countries, including developing nations, in a system to electronically provide priority documents mutually between the JPO and foreign patent offices.</p>	METI
114		<p>(6) Encouraging Asian countries, etc. to accede to the Madrid Protocol</p> <p>In order to promote Japanese applicants' use of the international trademark registration system based on the Madrid Protocol, which facilitates the international acquisition of trademark rights, the GOJ will approach non-members in the Southeast Asian region, etc. to join the Protocol through bilateral and regional frameworks.</p>	MOFA METI
115		<p>(7) Working toward spreading the list of designated goods/services that are mutually acceptable multilaterally</p> <p>The GOJ will promote the expansion of the list of indications of designated goods/services that are mutually accepted among the trilateral patent offices of Japan, the United States and Europe (Trilateral List), in order to support the acquisition of rights overseas through the reduction of procedural burdens on applicants who obtain trademark rights overseas. From FY2009, the GOJ will also work on other countries to join the Trilateral List.</p>	METI

2) Promoting the development of intellectual property systems in Asia, etc. and cooperation therefor

116	*	<p>(1) Providing support for Asian countries' capacity building including human resources development in intellectual property</p> <p>i) In order to develop a global intellectual property infrastructure, the GOJ taking into consideration the receiving country's needs and system development status, will promote human resources development assistance for Asian countries, providing support to Indonesia and Malaysia to improve their industrial property administrative capacities, and supporting Vietnam, Cambodia and China to develop their legal systems.</p>	MOJ MOFA METI
117		<p>ii) The GOJ will consider follow-ups and utilization of people who received training on intellectual property in Japan, and take necessary steps.</p>	METI

118		<p>(2) Promoting the APEC Cooperative Initiative on Patent Acquisition Procedures</p> <p>The GOJ will further promote the APEC Cooperative Initiative on Patent Acquisition Procedures by, for example, taking into consideration the standardization of procedures and application document formats among APEC economies, which is necessary to facilitate the mutual use of patent examination results.</p>	MOFA METI
119		<p>(3) Enhancing the environment where Asian countries, etc. can access patent examination and search results conducted by Japan</p> <p>With regard to the Advanced Industrial Property Network (AIPN), which is a system for translating information on patent examination and search results from Japanese to English by machine and making it available to foreign patent offices, the GOJ will, from FY2009, promote the expansion of its use by holding seminars and training programs for Southeast Asian countries, etc., whose use is currently limited.</p>	METI
120		<p>(4) Utilizing Free Trade Agreements (FTAs), Economic Partnership Agreements (EPAs) and other agreements</p> <p>The GOJ will advance negotiations with countries such as India and Australia toward concluding Economic Partnership Agreements (EPAs), and aim to resume talks with South Korea and implement EPAs with Vietnam and Switzerland, signed in FY2008, at an early date. Through bilateral and multilateral agreements, including Free Trade Agreements (FTAs), EPAs and investment agreements, in order to achieve greater and more effective intellectual property protection beyond the level provided in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and other international agreements, in line with the request of the Japanese industry.</p>	MOFA MOF MEXT MAFF METI
121		<p>(5) Contributing to the establishment of international rules on the relationship between genetic resources, etc. and intellectual property</p> <p>With regard to the issue of the relationship between intellectual property systems and genetic resources, traditional knowledge and folklore, the ministries and agencies concerned will make a concerted effort to actively contribute to international discussions at the World Trade Organization and World Intellectual Property Organization, as well as discussions toward the 2010 meeting of the Conference of the Parties to the Convention on Biological Diversity, to be held in Japan, by also taking into account opinions of the industrial community. The GOJ will also hold seminars, etc. for developing countries aimed at facilitating mutual understanding of the said issue, and provide training programs on the use of genetic resources.</p>	MOFA MEXT METI MOE

(2) Strengthening Efforts to Reduce Damage by Counterfeits and Pirated Copies Overseas

1) Strengthening measures in overseas markets

122	*	<p>(1) Aiming to reach an early conclusion of the Treaty on the Non-proliferation of Counterfeit and Pirated Goods (tentative name)</p> <p>With regard to the Treaty on the Non-proliferation of Counterfeit and Pirated Goods (tentative name), for which official negotiations have started among the countries concerned, the GOJ will make efforts to further increase international awareness with the aim of concluding negotiations during 2010. The GOJ will also take the lead in discussions with the countries and regions concerned while promptly and clearly indicating relevant policy and views, thereby accelerating work through the united effort of ministries and agencies concerned.</p>	<p>NPA MIC MOJ MOFA MOF MEXT MAFF METI</p>
123	*	<p>(2) Strengthening specific requests to countries and regions where infringements have been exposed</p> <p>The GOJ will make specific requests to countries and regions where infringements have been exposed, such as China, to improve their systems and effectively strengthen regulations on the following: taking measures against online copyright infringement such as eliminating illegal content on video-sharing websites, tightening control of fake designs, preventing repeated offenses, correcting local protectionism, prohibiting at the exporting stage, conducting thorough inspections of international mail at the time of their receipt, etc. The requests and necessary cooperation will be made at the ministerial and various other levels, and through the dispatch of public-private joint missions and providing capacity-building support for customs and other administrative agencies.</p>	<p>NPA MIC MOFA MOF MEXT MAFF METI MLIT</p>
124		<p>(3) Strengthening cooperation with the United States, EU countries, etc.</p> <p>In order to effectively implement measures against counterfeits and pirated copies in countries and regions where infringements have been exposed, the GOJ will strengthen cooperation with the United States, EU countries, etc. by actively utilizing regular and individual summit and ministerial-level conferences as well as the Japan-EU Dialogue on Intellectual Property Rights, etc., and by holding meetings for the exchange of information on intellectual property protection in other countries.</p>	<p>MOFA</p>
125		<p>(4) Taking the initiative in promoting multilateral efforts</p> <p>The GOJ will make arrangements so that the issues of counterfeiting and piracy will be discussed among leaders and other high-level government officials at the G8 summit as well as the Organisation for Economic Co-operation and Development (OECD), the Asia-Pacific Economic Cooperation (APEC), the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO), the World Customs Organization (WCO), and other international organizations and forums. The GOJ will also actively promote efforts among countries that participate in such international organizations and forums.</p>	<p>MIC MOFA MOF MEXT MAFF METI</p>
126		<p>(5) Supporting developing countries to increase their capacity to take measures against counterfeits and pirated copies</p> <p>The public and private sectors of Japan will coordinate efforts to provide capacity-building support for government officials, etc. of Asian countries and other developing nations. The GOJ will actively support capacity-building assistance efforts by the World Customs Organization (WCO) and other multilateral frameworks.</p>	<p>NPA MIC MOJ MOFA MOF MEXT MAFF METI</p>

127		(6) Conducting a survey toward a review of the infringement situation survey In order to consider a review of the Survey on Intellectual Property Infringements Overseas, the GOJ will conduct a survey in FY2009 on the situation of similar systems in other countries.	MOFA METI
128		(7) Strengthening support functions of Overseas Establishments i) The GOJ will strive to strengthen efforts by Overseas Establishments, including approaches by ambassadors to the governments of countries concerned, in order to provide support for Japanese companies that are suffering damage from counterfeits and pirated copies. In addition, the GOJ will make efforts to inform the head offices, etc. of Japanese companies with an overseas presence of the intellectual property official system, including its utilization situation.	MOFA
129		ii) The GOJ will reinforce the consultation/support functions of Overseas Establishments and the Japan External Trade Organization (JETRO) by improving the expertise of Overseas Establishments' intellectual property officials and other local staff, enhancing cooperation among Overseas Establishments, JETRO and other related organizations, supporting collaboration among local companies, etc.	MOFA METI
130		(8) Promoting the use of the Content Japan (CJ) mark The GOJ will support efforts to make public and disseminate the Content Japan (CJ) mark, efforts to expand the number of countries where a trademark for the CJ mark has been registered, including China, and activities to investigate and expose pirated copies. The CJ mark is managed by the Content Overseas Distribution Association (CODA), which was incorporated in April 2009.	NPA MEXT METI

2) Strengthening domestic measures

131		(1) Promoting cooperation with other countries and regions with regard to regulations at the border In addition to implementing effective regulations at the border based on information obtained through exchanges with foreign customs offices, etc., the GOJ will request customs authorities of countries and regions where infringements have been exposed to strengthen regulations at the exporting stage. The GOJ will also request foreign postal authorities to cooperate in preventing intellectual property-infringing products from being sent by international mail through inspection of postal items at the time of their receipt.	MIC MOFA MOF
132	*	(2) Strengthening customs regulations at the border i) The GOJ will intensify efforts to enforce customs regulations at the border by gathering and accumulating information on export and import controls of goods infringing intellectual property rights, improving customs officials' expertise, securing necessary staff, etc.	MOF
133		ii) The GOJ will promote the use of the suspension application system by raising awareness of the system. In determining whether an infringement can be found, the GOJ will enhance information sharing with rights holders from the standpoint of improving the usability of the procedure.	MOF



134		<p>(3) Strengthening regulations to respond to the increasingly sophisticated and complex distribution of counterfeits and pirated copies</p> <p>The GOJ will enforce strict regulations at customs, etc. in response to the increasingly sophisticated and complex distribution of counterfeits and pirated copies, such as imports that are disguised as being for personal use. In addition, the ministries concerned will cooperate in gathering and analyzing information on the efforts of other countries regarding regulations of intellectual property-infringing products and damage from such products, as well as controls on imports and possession by individuals.</p>	NPA MOJ MOF MEXT METI
135	*	<p>(4) Strengthening regulations by police</p> <p>The GOJ will strengthen regulations by police by facilitating information exchange with foreign regulatory authorities, improving personnel's investigation capacities nationwide, etc.</p>	NPA
136		<p>(5) Implementing measures against illegal distribution of movies recorded at theaters without permission</p> <p>The public and private sectors will cooperate in promoting measures against the illegal distribution of movies recorded at theaters without permission, including thorough publication of the Act on the Prevention of Unauthorized Recording of Movies in Theaters, self-help efforts of movie business operators and regulations on violations.</p>	NPA MEXT METI
137	*	<p>(6) Strengthening public awareness-raising activities on counterfeits and pirated copies</p> <p>i) In order to facilitate appropriate consumer behavior that does not tolerate the purchase of counterfeits and pirated copies, the ministries and agencies concerned will make concerted efforts to develop strategic awareness-raising activities, such as the Campaign against Counterfeits and Pirated Copies, by collaborating with private-sector efforts.</p>	Cabinet Secretariat NPA MIC MOJ MOFA MOF MEXT MAFF METI MLIT
138	*	<p>ii) From FY2009, the GOJ will strengthen awareness-raising activities targeting young people in regard to online counterfeits and pirated copies, such as Internet content that infringe copyrights.</p>	NPA MIC MEXT METI
139		<p>iii) From the perspective of promoting public understanding of measures against counterfeits and pirated copies, the GOJ will actively publicize regulation-related data and information on websites, etc., while giving consideration to understandability, accessibility and convenience of data.</p>	NPA MOJ MOF MAFF
140		<p>(7) Enhancing contact functions</p> <p>The Office of Intellectual Property Protection will provide information via its website and promptly respond to requests of rights holders and companies for advice, while securing coordination among the ministries and agencies concerned. The office will also prepare an annual report.</p>	METI
141		<p>(8) Strengthening coordination of various policies by holding the Conference on Counterfeits and Pirated Copies, etc.</p> <p>The ministries and agencies concerned will collaborate to closely coordinate various policies by holding, in a timely manner, the Conference on Counterfeits and Pirated Copies and other inter-ministerial meetings.</p>	Cabinet Secretariat

142		(9) Promoting public-private and private-private cooperation The GOJ will promote public-private and private-private cooperation through its support for measures against counterfeits and pirated copies by the International Intellectual Property Protection Forum (IIPPF), the Content Overseas Distribution Association (CODA), the Anti-Counterfeiting Association, the Customs Intellectual Property Information Center, etc.	NPA MOFA MOF MEXT MAFF METI
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3) Strengthening measures on the Internet

143		(1) Preventing the trade of counterfeits and pirated copies via Internet auctions The GOJ will familiarize relevant guidelines on Internet auctions and promote their application to speed up the deletion of intellectual property-infringing articles from auction sites and the disclosure of seller information.	NPA MIC
144		ii) In order to clarify the operating criteria for the Act on Specified Commercial Transactions, the GOJ will conduct a partial review of the Guidelines for "Sellers" in Internet Auctions during FY2009, in view of the actual cases of counterfeits and pirated copies that are brought to auction and the damage caused by them.	METI
145		iii) The GOJ will encourage auction providers to accurately identify sellers through the Council for Intellectual Property Protection on the Internet (CIPP), etc. The GOJ will also encourage rights holders and auction providers to make voluntary efforts in a unified manner to strengthen educational activities for sellers and consumers and become more actively involved in CIPP.	NPA MIC MEXT METI
146		iv) The GOJ will strive to deter intellectual property infringements on the Internet by strengthening regulations of illegal sellers through the use of the Information Sharing Scheme established among rights holders, auction providers and investigation authorities, and through undercover investigations by buying counterfeits and pirated copies. The GOJ will also actively publicize relevant cases. In addition, the GOJ will conduct thorough instructions regarding the verification of the identity of the seller, etc., based on the Antique Dealings Act.	NPA
147	*	(1) Stepping up efforts to eliminate content that infringe copyrights i) In view of actual damage, the GOJ will study measures against illegal online content and reach a conclusion during FY2009. They include legal protection measures regarding, for example, the extent of the responsibility of Internet service providers and regulations against averting technical content restrictions, as well as measures to enable right holders to take civil action faster and easier.	Cabinet Secretariat MIC MEXT METI
148	*	ii) The GOJ will support voluntary efforts by rights holders' associations and Internet service providers to eliminate content that violate copyrights, such as the use of technical steps to improve the efficiency of requests to delete such content.	MIC MEXT METI

149	*	iii) The GOJ will support the creation of a mechanism to eliminate infringements based on collaboration between telecommunication carriers and rights holders' associations, including sending warning e-mails to people who have transmitted data files, etc. that infringe copyrights by using file-sharing software such as Winny.	NPA MIC MEXT
150		iv) The public and private sectors will collaborate in conducting a fact-finding survey on Internet content that infringe copyrights in Japan and abroad, as well as countermeasures.	MIC MEXT METI
151	*	(2) Developing infrastructure for measures against online overseas content that infringe copyrights From FY2009, the ministries and agencies concerned will jointly support efforts by the Content Overseas Distribution Association (CODA) to develop an infrastructure to take effective measures against online overseas content that infringe copyrights.	MIC MOFA MEXT METI
152	*	(3) Tightening controls on Internet content that infringe copyrights The GOJ will tighten controls on cyber crimes involving online content that infringe copyrights, through the improvement of investigation personnel's capacities, development of regulatory systems, etc.	NPA

(3) Promoting Overseas Expansion and Use of Overseas Resources

153	*	(1) Beefing up the provision of overseas intellectual property-related information i) In order to accelerate overseas patent applications by Japanese enterprises and other entities, the GOJ will provide, on websites etc., the Japanese translations of intellectual property-related laws concerning Asian countries, India, Brazil, Russia, etc., in accordance with Japan's industry needs. In addition, the GOJ will, during FY2009, conduct a survey on the intellectual property rights systems and their operating status in Russia, Brazil and other Latin American countries, etc.	METI
154		ii) The GOJ will, through websites, seminars, etc., provide information on foreign countries' verification systems of prior user rights, as well as ways to use the rights, to Japanese companies, in order to enable them to conduct stable business activities in China and other countries where the prior user right system is different from the Japanese system.	METI
155		(2) Promoting the transfer of environmental technology i) The GOJ will strategically use cooperative projects in the environmental and energy fields by way of ODAs and other schemes so that technology can be smoothly transferred to developing countries, etc. to solve global environmental issues.	MOFA METI MOE
156		ii) The GOJ will support the activities of the Japan Business Alliance for Smart Energy Worldwide, etc. in order to spread Japan's energy conservation technologies and new energy technologies, in which Japan boasts high expertise, worldwide on a business basis.	METI

157		<p>(3) Strengthening support for foreign patent applications</p> <p>With regard to the Japan Science and Technology Agency's (JST) patent support project, the GOJ will make necessary enhancements to provide appropriate support for items that should be subject to foreign patent application while providing universities with an incentive to screen applications, and continue to improve the efficiency with which working examples required for foreign patent applications are added. At the same time, the GOJ will give consideration to providing support for basic inventions whose practical application takes time.</p>	MEXT
158	*	<p>(4) Strengthening efforts to cope with the issue of Japanese geographical names being registered as trademarks overseas</p> <p>i) In order to cope with the issue of Japanese geographical names, plant variety names, etc. being registered as trademarks or applied for trademark registration in foreign countries, the GOJ will, during FY2009, establish the Intellectual Property Protection Consortium for the Agricultural, Forestry and Fishery Industries, comprising prefectural governments and agricultural, forestry and fishery industry-related organizations. The consortium will establish a system for monitoring the trademark application and registration status overseas and receiving inquiries about opposition procedures etc.</p>	MAFF
159		<p>ii) In order to prevent third parties' overseas trademark registrations for Japanese geographic names, plant variety names, etc., the GOJ will approach other countries on the ministerial and various other levels to improve their trademark systems and their operations.</p>	MOFA MAFF METI
160	*	<p>(5) Supporting overseas applications by SMEs and venture companies</p> <p>To support overseas applications by SMEs and venture companies, the GOJ will strive to enhance the system for offering grants for overseas patent application fees via prefectural SME support centers, etc. The GOJ will also take necessary steps during FY2009 to expand the grant system to cover overseas applications of trademarks and design.</p>	METI
161	*	<p>(6) Strengthening support measures for overseas business expansions of SMEs and venture companies</p> <p>In addition to expanding existing support systems for overseas applications by SMEs and venture companies as well as overseas infringement surveys, the GOJ will review support measures from the standpoint of offering comprehensive assistance for overseas expansions—including providing information, acquiring and exercising rights, and measures against counterfeits—and reach a conclusion during FY2009.</p>	METI

162	*	<p>(7) Promoting an international industry-academia-government collaboration framework at universities</p> <p>The GOJ will encourage universities to formulate a basic policy on international industry-academia-government collaboration during FY2009. The GOJ will also support the development of an international industry-academia-government collaboration framework by securing and cultivating necessary human resources, holding information exchange meetings with foreign universities, documenting necessary forms for English-language contracts, putting together guidelines and cases that will become useful for overseas licensing of intellectual property owned by universities, and so on.</p>	MEXT
163		<p>(8) Strengthening export control at universities, etc.</p> <p>In order to encourage universities' voluntary efforts to establish export control systems, the GOJ will hold explanatory meetings for universities, etc. that utilize the Guidance of the Management of Subtle Technologies Pertaining to Security Trade (for Universities and Research Institutes) and the "Security Trade Control Handbook," which summarize the steps universities, etc. should implement in order to effectively manage the provision of technology based on the Foreign Exchange and Foreign Trade Act (foreign exchange act).</p> <p>The GOJ will also respond appropriately to requests for advice from universities, etc. regarding the establishment of export control systems. Furthermore, following a revision to the foreign exchange act in April 2009 regarding external trade of security-related technology, in which not only trade between residents and nonresidents but all external trade of concern became subject to permission, the ministries and agencies concerned will cooperate in informing universities, etc., once again, of the revised act and the fact that provisions of security-related technology as part of joint research projects with foreign companies, etc. are subject to control under the foreign exchange act.</p>	MEXT METI
164		<p>(9) Formulating guidelines for preventing unintended leaks of technology when outsourcing overseas</p> <p>In order to enable companies to take appropriate measures against the increasing risk of unintended leaks of technology due to the globalization of business operations, the GOJ will, during FY2009, study ways of managing risks of unintended leaks of technology when outsourcing overseas, and develop necessary guidelines, etc.</p>	METI
165		<p>(10) Developing international intellectual property experts</p> <p>With the aim of enabling Japanese intellectual property experts to acquire international sensitivities, such as linguistic skills and international communication skills, the GOJ will encourage the Japan Patent Attorneys Association, etc. to enhance interchanges with overseas intellectual property experts.</p> <p>With regard to a project to enable researchers of industrial property systems to take part in overseas training programs, the GOJ will, from FY2009, evaluate past efforts, promptly consider the project's future direction and take the necessary steps.</p>	METI

(4) Enhancing International Standardization Activities

1) Strengthening efforts and support for international standardization

166	*	<p>(1) Reforming awareness among business executives and management-level personnel at companies</p> <p>In order to enhance Japan's international competitiveness through the integration of commercialization strategies and international standardization activities, the GOJ will hold symposia on international standardization strategies and engage in dialogue with companies. The GOJ will also strive to further improve the understanding of international standards among business executives and management-level personnel by encouraging the Nippon Keidanren (Japan Business Federation) and industrial associations as well as various other industrial bodies to conduct active awareness-raising activities within their organizations, while taking into consideration the characteristics of the companies and technological fields concerned.</p>	MIC METI
167		<p>(2) Proposing international standards and undertaking a role as the chairman or secretariat of international meetings in a positive manner</p> <p>The GOJ will encourage industrial circles, academic societies, universities, etc. to play an active role in standardization activities at international standardization organizations, such as the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), and the International Telecommunication Union (ITU), and provide necessary support. The aim is for Japan to assume a leading role in international standardization activities by FY2015, by proposing as many drafts of international standards as the United States and major European countries do, and to undertake the role of chairman or secretariat of international meetings as frequently as the United States and European countries do. With respect to the ISO and the IEC, by FY2015, the GOJ will strive to double the number of drafts of international standards proposed to these organizations by Japan.</p>	MIC METI
168		<p>(3) Encouraging active support for international standardization activities</p> <p>The GOJ will encourage various bodies in industrial circles, such as the Nippon Keidanren (Japan Business Federation), and industrial associations to take support measures for international standardization activities by themselves, such as subsidies for overseas travel expenses and subsidies for operational expenses for international meetings provided by voluntary member companies.</p> <p>The GOJ will also encourage companies, etc. to make efforts to bring international meetings to Japan and to invest in international standardization activities.</p>	MIC METI
169		<p>(4) Enhancing the promotion of R&amp;D and standardization activities in a unified manner</p> <p>The GOJ will encourage public research institutes to clearly position the international standardization of their research fields in accordance with their characteristics.</p>	MIC MEXT METI

170	(5) Gathering and providing information on international standardization overseas Based on requests from the industrial circle, etc., the GOJ will gather information on international standardization activities in other countries by exchanging information with foreign standardization organizations and by utilizing the overseas offices of relevant organizations. The GOJ will provide the information to the industrial circle, universities, public research institutes, etc.	MIC METI
171	(6) Strengthening cooperation with foreign countries such as Asian countries From FY2008, the GOJ will strengthen efforts for activities based on "the Asia-Pacific Standardization Initiative (July 2007)" and standardization activities at "the Asia-Pacific Telecommunity" and facilitate interchange and the regular exchange of information in Asia and the Pacific Rim. These efforts will help the GOJ to steadily implement measures to strengthen the human resources network, submit joint proposals on international standards and enhance information gathering in the Asia-Pacific region, thereby further strengthening cooperation with countries in the region.	MIC METI
172	(7) Strengthening coordination among ministries and agencies concerned In order to strengthen coordination among the ministries and agencies concerned, the GOJ will hold the Liaison Meeting on International Standardization, thereby carrying out an exchange of information on efforts for standardization made by the ministries and agencies concerned and the trends of standardization in other countries.	Cabinet Secretariat MIC MEXT METI MLIT
173	(8) Strengthening coordination among industry, academia and government By making use of information exchange forums, the GOJ will make use of information exchange forums to promote industry and academia personnel exchanges for those who have engaged in international standardization activities and those who will take charge of international standardization activities in the future, such as young researchers and students in technical fields, and will raise awareness of the GOJ's efforts and support measures concerning international standardization activities.	MIC METI

2) Securing human resources for international standardization activities

174	(1) Developing human resources for international standardization activities i) The GOJ will expand support measures taken by standardization support organizations by, for example, holding various training programs and seminars for participants in international standardization activities, that includes newly appointed chairmen and secretariats of meetings as well as young people with little experience in international standardization activities, and by inviting those who have engaged in international standardization activities in Japan and abroad as lecturers in the training programs and seminars.	MIC METI
175	ii) The GOJ will, during FY2009, formulate and implement a program for developing next-generation human resources effectively by use of standardization experts based on the standardization expert system, which was developed in 2008 to utilize those who have engaged in international standardization activities for developing next-generation human resources.	MIC

176		iii) The GOJ will promote the independent efforts of universities by providing model teaching materials on standardization to a larger number of universities, etc.	MIC METI
177	*	(2) Improving researchers' performance evaluations For R&D projects associated with international standardization activities, the GOJ will, during FY2009, encourage universities and public research institutes to include researchers' contributions to standardization activities as part of their performance evaluations, in line with Guidelines on National Research and Development Evaluations (decided in 2008). The GOJ will study the status of evaluation items at public research institutes, as well as gather prior evaluation cases at some universities and provide them to other universities.	Cabinet Office MIC MEXT MHLW MAFF METI MLIT MOE
178		(3) Enhancing commendation systems In order to increase awareness of international standards and provide incentives for international standardization activities, the GOJ will promote efforts to further enhance commendation systems for honoring international standardization, including recognition of individuals who have contributed to international standardization and companies (executive officers), universities, etc. that have supported their activities, and the establishment of a system of METI Minister Commendation specific to international standardization activities.	MIC METI

3) Contributing to the establishment of rules for international standards

179		(1) Contributing to the establishment of rules for international standards The GOJ will strive to ensure that rules, unified among the ISO, the IEC and the ITU, for the treatment of intellectual property relating to standard technologies, are operated smoothly. The GOJ will also collect information on the status of operation of the rules and work on international standardization organizations as appropriate.	MIC METI
180		(2) Making efforts toward the smooth enforcement of patent rights relating to international standardization With the aim of actively working on discussions to clarify the treatment of intellectual property related to standard technologies, the GOJ will pay attention to judicial precedents relating to the reasonable and non-discriminatory (RAND) terms and trends of judgments by the competition policy authorities with a view toward opening the doors for international discussion, and will collect and analyze related information. The GOJ will also publicize the results.	MIC METI
181	*	(3) Considering measures that enable the smooth implementation of standard technologies In view of international trends and the domestic situation of enforcement of patent rights, the GOJ will consider measures to enable the smooth implementation of patented inventions concerning standard technologies with high social needs, from a broad perspective that includes patent and antitrust policies, with the aim of reaching a certain conclusion during FY2010. The measures include establishing operating rules for intellectual property rights in patent pool arrangements, restricting abusive enforcement of patent rights, applying award granting non-exclusive licenses, etc.	JFTC METI



## List of Measures for the Strategic Program 2009 [Chapter 3]

No.	Priority measures	Measures	Ministries and agencies in charge
3. Promoting a Strategy to Develop Soft Power Industries			
(1) Promoting Soft Power Industries			
182	*	(1) Promoting the application of measures for SMEs to soft power industries From FY2009, the GOJ will make use of industrial clusters, etc., and promote the formation of networks among regional soft power industries. Furthermore, the GOJ will encourage soft power industries to make active use of measures supporting SMEs, such as measures to promote industry-academia-government collaboration and cross-industry collaboration, enhance the incubation function, and develop sales channels.	METI
183	*	(2) Developing regional soft power industries In order to promote the formation of a network of regional soft power industries and give regions a greater voice, from FY2009, the GOJ will promote the production and dissemination of video content, including broadcast programs on unused regional soft power resources (nature, industrial heritages, tourism resources, etc.).	MIC METI
184	*	(3) Promoting the creation of new services by use of new media i) The GOJ will discuss the establishment of a legal system that will promote the creation of new services made possible through fusion and collaboration between telecommunications and broadcasting and will form a conclusion around FY2010.	MIC
185	*	ii) In order to facilitate multimedia broadcasting for mobile users, the GOJ will establish a necessary system by around April 2010. The GOJ will conduct demonstration experiments on various cases by use of a special cyber zone from FY2009 in order to promote the establishment of rules concerning content distribution via the Internet, etc.	MIC
186	*	iii) In order to promote new ways of using information by means of digitized commercial space (e-space), the GOJ will conduct experiments demonstrating new wireless telecommunications technologies and service models from FY2009.	METI
187	*	iv) From FY2009, the GOJ will take the initiative in devising a comprehensive strategy for diffusion and development of new types of platforms such as IPTV and new-generation digital signage. From FY2009, the GOJ will also carry out experiments to create new business models based on unrestricted creative thinking.	MIC
188	*	(4) Supporting the introduction of digital cinema equipment From FY2009, the GOJ will encourage movie theaters, which are important for revitalization of regional economies, to introduce digital cinema equipment for screening 3D movies, various digital content, etc.	METI
189	*	(5) Establishing a system to support content transactions i) The Copyright Data Clearinghouse (CDC) was created to centrally manage data on the use of musical works in the music distribution business in order to ensure smooth royalty distribution. From FY2009, the GOJ will examine how CDC has been used and support its smooth operation.	MIC MEXT METI

190	*	ii) A database of content-related information (Japan Content Showcase) on copyrighted works was created under the leadership of Nippon Keidanren (Japan Business Federation). After the database is overhauled, the GOJ will examine how the database has been used and provide support and cooperation to improve the operation and promote multilingualization.	MIC MEXT METI
191	*	iii) In order to facilitate the distribution of broadcasting content, the GOJ will take the initiative in fully implementing a system to consolidate and publicize information on the copyrights to broadcasting content, the contact persons for copyright negotiation, etc.	MIC
192	*	iv) In order to facilitate copyright-related procedures, from FY2009, the GOJ will develop a system to support copyright transactions. The system will have a database function that will identify the real-time whereabouts of rights holders in collaboration with the Japan Content Showcase and the system to support broadcasting content transactions.	METI
193	*	(6) Promoting the assignment of codes that are appropriate for smooth content distribution In operating the system to support content transactions, the GOJ will make active use of common ID codes invented for smooth content distribution in order to further facilitate the licensing procedure for content transactions. Through these activities, the GOJ will encourage the people concerned to take the initiative in collaborating to spread the use of those codes.	MIC METI
194		(7) Supporting film production activities by film commissions The GOJ will, from FY2009, provide the Japan Film Commission with support for the formation of networks for effective shooting in each local area and support for human resources development projects, etc. to build a framework for acceptance. In addition, the ministries and agencies concerned will cooperate in supporting the Japan Film Commission's and local film commissions' activities to invite people in and outside Japan for location shooting.	MEXT METI MLIT
195		(8) Supporting the activities of the Visual Industry Promotion Organization The GOJ will encourage related industries, such as film, broadcasting, game, animation and music industries, to cooperate in the activities of the Visual Industry Promotion Organization in a unified manner. In addition, the GOJ will also support the Visual Industry Promotion Organization's human resource development projects for the content industry and projects concerning the development of a market for content transaction.	MIC MEXT METI
196		(9) Promoting research and development of content-related technologies i) In order to revitalize soft power industries and create new industries, the GOJ will support the development of technologies, such as image technologies, including stereoscopic image technology and ultra-high resolution image technology, and production support technologies.	METI

197		ii) In order to promote the research and development of technology to display and exhibit content in the form of a digital museum, the GOJ will conduct detailed research and studies on the technologies necessary for a digital museum.	MEXT
198		iii) The GOJ will conduct demonstration experiments of transmission technology that is necessary to use high-quality digital content in various delivery forms, including IPTV.	MIC
199		(10) Promoting infrastructure development for terrestrial digital broadcasting In anticipation of complete conversion to terrestrial digital broadcasting in 2011, the GOJ will, from FY2009, carry out the drastic reinforcement of the relevant consultation system and provide support for the aged, the disabled, and other persons, support for the purchase of receiving equipment targeting households that suffer severe economic hardships, etc., and support for the development of community reception facilities to cope with reception difficulty.	MIC
200		(11) Promoting appropriate transactions for content production i) The GOJ will promote appropriate application of the Act against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors and the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade by actively implementing a detailed survey, etc. based on the Act against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors so that transactions in the fields of animation, TV programs and movies will be appropriately conducted. In addition, the GOJ will also hold workshops on the Act against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors, targeting main subcontracting enterprises, etc. that produce content, thereby disseminating and enlightening people about the Act against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors.	JFTC METI
201		ii) The GOJ will promote the voluntary efforts of parties concerned to prevent the acts of violating the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade and the Act against Delay in Payment of Subcontract Proceeds, Etc. to Subcontractors, including preparation of samples for contract and voluntary standards, and also publicize, follow up and review the content of the “Guidelines for Appropriate Production and Transaction of Broadcast Content.”	MIC
202		(12) Encouraging business operators’ business operation intended to enhance consumer benefits, including flexible pricing In an attempt to enhance consumer benefits, the GOJ will promote the initiative to expand the issuance and distribution of goods, including books, magazines, and music CDs, outside the resale price maintenance system and will encourage initiatives in creating more flexible pricing systems. The GOJ will gain an understanding of the achievements of such initiatives, and also take necessary actions, including promotion of strengthening such initiatives.	JFTC MEXT METI

203		(13) Considering and publicizing tax initiatives In order to facilitate funding of content production by individuals and companies, the GOJ will raise public awareness of the tax incentive measures that have been implemented and will examine how widely such incentives have been taken advantage of and consider how to improve them.	MIC MEXT METI Other ministries and agencies concerned
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(2) Enhancing the Creation Environment for Creators' Development

204	*	(1) Promoting the creation of archives of cultural resources i) From FY2009, the GOJ will have the National Film Center of The National Museum of Modern Art, Tokyo expand its function of collecting films. Furthermore, the GOJ will store video content such as historic Japanese films in such a way that ensures high quality and stability. Through these activities, the GOJ will build an infrastructure to promote the use of films.	MEXT
205	*	ii) From FY2009, the GOJ will encourage broadcasting companies, production companies, etc., to create archives of high-quality broadcasting content in the field of education. The GOJ will also promote the use of digital terrestrial broadcasting in the field of education by distributing educational content to primary schools and junior high schools by use of IPTV and other new technologies.	MIC MEXT
206	*	iii) From FY2009, the GOJ will start developing a digital archive system for fabrics and designs and conduct projects to promote archiving through experience-oriented activities, such as archive exhibitions.	METI
207	*	iv) In light of the trend toward the digitization of books and other information in and outside Japan, in FY2009, the GOJ will strengthen its collaboration with the National Diet Library in order to facilitate the creation of digital archives of about 900,000 rare library materials, such as books, magazines, old hand-written or printed materials, and dissertations, and also facilitate the expansion of the system functions according to the medium-term plan.	Cabinet Secretariat
208		v) The GOJ will collaborate with the National Diet Library to facilitate the establishment of digital archives of sound sources that have cultural/historical value, and conduct research and studies to establish archives of music materials. In addition, the GOJ will promote efforts to establish archives of photographs.	Cabinet Secretariat MEXT
209	*	(2) Establishing the international information center for media art In order to increase the international presence of Japanese media art and to further promote media art, from FY2009, the GOJ will establish an international center to carry out such comprehensive activities as exhibition, collection, storage, studies, research, and human resources development in the field of media art.	MEXT
210		(3) Enhancing support for content production, etc. i) In order to encourage creators' creative activities, the GOJ will enhance support for content production at universities, media art centers, etc. and for international joint content production, etc.	MIC MEXT METI

211		ii) The GOJ will promote creation activities in fields where art and engineering integrate to produce designs and content, and support research and development of basic technologies that back up advanced methods of expression in media art.	MEXT
212	*	(4) Nurturing young creators i) In order to nurture creators of exceptional talent in such fields as cinema and animation, from FY2009, the GOJ will identify talented young creators and support and evaluate their creative activities.	METI
213	*	ii) From FY2009, the GOJ will take the initiative in creating a new system to grant awards and rewards to young creators at the Japan Media Arts Festival.	MEXT
214	*	iii) In order to develop new human resources who will lead the Japanese film industry in the future, the GOJ will take the initiative in providing prospective young filmmakers with the opportunity to participate in high-level workshops on filmmaking and to produce and publicize short movies.	MEXT
215		(5) Enhancing education programs in the content field at universities and public research institutes i) In order to develop practical human resources who can challenge new businesses and overseas business operations, the GOJ will encourage universities and public research institutes to enhance education programs by implementing internship programs and promoting industry-academia collaboration while presenting students with clear career paths, including the use of qualification/proficiency testing systems.	MEXT
216		ii) In order to develop producers who are able to challenge overseas business operations, the GOJ will hold seminars on fund procurement systems, laws, etc.	METI
217		iii) The GOJ will support the Entertainment Lawyers Network's efforts to develop specialized content-related human resources.	Cabinet Secretariat
218		(6) Promoting creative education from early childhood The GOJ will promote creative education, which develops basic capabilities that are necessary for taking charge of a creative society, such as interest in ingenuity and information literacy, from early childhood.	MIC MEXT
219		(7) Developing human resources who will contribute to the dissemination of the Japan brand overseas For the active dissemination of the Japan brand, including Japanese food, traditional culture, anime (animation) and manga (comics), to overseas countries, the GOJ will promote efforts to welcome foreigners who can contribute to the dissemination and development of the Japan brand overseas and have them acquire relevant knowledge and skills.	MEXT MAFF METI

220		(8) Enhancing the commendation system for foreigners who have contributed to transmitting Japanese culture i) The GOJ will, by the end of FY2009, establish commendation/incentive schemes that are focused on foreigners who contribute to transmitting Japanese culture to the world, under the system of the Commissioner for Cultural Affairs Award.	MEXT
221		ii) The GOJ will develop new fields for medals for foreigners, such as production of Japan-related movies and introduction of Japanese food, in addition to conventional fields, such as dissemination of traditional culture and promotion of Japanese studies.	MOFA
222		iii) The GOJ will, from FY2009, promote efforts to increase the number of applications for the International Manga Award, which honors cartoonists who contributes to disseminating manga culture (comic culture) overseas, and the number of countries/regions from which people apply.	MOFA

(3) Accelerating Overseas Operations of the Soft Power Industries

223	*	(1) Promoting the overseas distribution of Japanese content i) By the end of FY2009, the GOJ will establish the Content Overseas Distribution Fund through public-private cooperation in providing resources both in manpower and funds, in order to promote the overseas distribution of high-quality content.	METI
224	*	ii) From FY2009, the GOJ will create the Hometown Channel to distribute broadcasting content to audiences in and outside Japan. The Hometown Channel will offer programs produced by local broadcast stations and production companies primarily on such topics as local nature, food culture, and history.	MIC
225	*	iii) The GOJ will discuss comprehensive measures to support the production, marketing etc., of video content with an eye to entering overseas markets and will form a conclusion by the end of FY2009.	Cabinet Secretariat MIC METI
226	*	(2) Enhancing the functions of the events to promote the Japan brand i) In order to develop the Japan International Contents Festival into an event to comprehensively promote the Japan brand, from FY2009, the GOJ will hold Japanese Fashion Week in Tokyo as an official event in collaboration with other overseas events to promote Japan. Furthermore, the GOJ will hold related events in Kyoto in order to develop the event at a regional level.	METI
227	*	ii) In order to increase recognition of Japanese food and ingredients, from FY2009, the GOJ will take measures to promote Japanese food and ingredients in conjunction with Japan brand-related events to introduce Japanese content, etc. to the world.	MAFF
228	*	iii) Regarding the International Drama Festival, from FY2009, the GOJ will enhance the joint booth of broadcasting companies, etc., operating in the market and strengthen advertisement activity in overseas content markets. Furthermore, the GOJ will establish awards (rewards) that will better reflect the market and will encourage overseas broadcasting stations to broadcast the award-winning works.	MIC

229		iv) In order to strengthen transmission of media art, the GOJ will enhance and reinforce the publicity and content of the overseas exhibitions of the Japan Media Arts Festival.	MEXT
230		v) Regarding the Tokyo International Film Festival, the GOJ will enhance market function through collaboration with TIFFCOM, and will, from FY2009, hold distinctive events and select effective venues.	METI
231		vi) In order to enhance “Japan Fashion Week in Tokyo” and further strengthen its function as an information center for Japanese fashion, the GOJ will, from FY2009, expand PR events at overseas trendsetting centers.	METI
232		vii) In order to enhance transmission of information about designing and manufacturing with the use of a Japanese sensitivity, the GOJ will, from FY2009, enhance the publicity of the Kansei Kachi Souzou Museum (Sensitivity Value Creation Museum) and “Kansei - Japan Design Exhibition” based on the Kansei Kachi Souzou Initiative (Sensitivity Value Creation Initiative).	METI
233	*	(3) Conducting a project to dispatch delegations of creators to other countries From FY2009, the GOJ will commence the project, Creator Overseas Delegation, to send design and fashion creators to strategically important countries in an effort to develop overseas markets.	METI
234	*	(4) Holding the Asia Content Business Summit In order to promote the production and distribution of content across Asia and facilitate business collaboration, from FY2009, the GOJ will hold the Asia Content Business Summit as a high-level public-private international meeting among major Asian countries.	METI
235		(5) Promoting overseas business operations related to content for portable terminals The GOJ will, from FY2009, support the development of Japan’s advanced service models, such as distribution of music, images, and games to portable terminals, in China.	MIC
236		(6) Enhancing support for the expansion of the market for Japan-made products at trendsetting centers i) In order to expand the market for Japan-made products, including daily necessities and traditional artifacts, the GOJ will, from FY2009, strengthen on-site cultivation of the market overseas through networks of Japanese business operators, etc. who have made an advance to overseas markets. The GOJ will also conduct test marketing with the use of department stores and specialty stores overseas and business negotiation/display campaigns.	METI
237		ii) The GOJ will, from FY2009, have JETRO significantly increase the number of specialized human resources who provide support, including matching with local buyers, and will also dispatch missions to expand export.	METI

238	(7) Expanding the export of Japanese food and foodstuffs i) In order to accelerate efforts to expand export, the GOJ will develop an environment for export by accelerating the discussion on quarantine, disseminate and improve export plans for each product item, establish antenna shops overseas, and hold investment seminars to promote overseas business operation in the food industry. In addition, the GOJ will provide information on the export of Japanese liquor by holding export seminars for liquor business operators.	MOF MAFF
239	ii) The GOJ will, from FY2009, enhance support for marketing concerning Japanese food and foodstuffs and for efforts concerning activities to provide Japanese restaurants with education and training for improvement of sanitation, including those related to cooking skills and management of fresh fish.	MAFF
240	(8) Strengthening protection of intellectual property for agricultural, forestry and fishery products and food overseas i) The GOJ will, from FY2009, keep watch on the status of filing trademark applications for Japanese geographic names, names of plant varieties, etc. overseas and conduct on-site surveys of the status of occurrence of counterfeits, etc.	MAFF
241	ii) In terms of uniform marks for Japanese fruits and beef, the GOJ will support the filing of trademark applications overseas as well as publicity activities to improve the recognition of the marks among consumers overseas.	MAFF
242	iii) To establish DNA technology and microelement analysis technology to detect deceptive labeling in terms of the indication of origin or the indication of the varieties of Japanese agricultural and fishery products and the processed foods thereof, the GOJ will, from FY2009, enhance efforts to increase the number of target products, to verify the propriety of such technologies developed and prepare a manual for detection methods, and to preserve the samples and DNA of registered Japanese varieties.	MAFF
243	(9) Promoting overseas business operations of service businesses In order to encourage Japanese service businesses, including retail businesses and restaurant businesses, to conduct overseas business operations that will lead to transmission of the Japan brand, the GOJ will, from FY2009, establish a platform for cross-cutting public-private collaboration, and implement such efforts as sharing the best practices for overseas business operations and sharing information on consumption overseas in order to facilitate service businesses to conduct overseas business operations.	METI
244	(10) Reviewing the cooperation memorandum concerning movies In order to strengthen collaboration in distribution and fund procurement, the GOJ will provide support for the review of the "Japan-France Movie Cooperation Memorandum," which was concluded between the UNIJAPAN and Centre National de la Cinématographie, by the end of FY2009.	METI



245		(11) Improving quantitative information on the soft power industry The GOJ will collect and analyze statistical information concerning export and import, royalties overseas and the working population in terms of the content industry, etc., and will also encourage companies to disclose information concerning overseas sales through IR activities, etc.	MIC METI
246		(12) Enhancing collection of information on overseas markets in the content industry In order to support business operators' strategic business operation overseas, the GOJ will have JETRO strengthen its collection of useful information, such as the basic data of overseas markets and information on market trends, political developments, legal systems, business practices, piracy damage and successful business cases in terms of the content industry, as well as provision of such information through seminars and websites. In addition, the GOJ will improve consulting services for companies, which are provided at the overseas offices of JETRO.	METI

(4) Disseminating More Information on the Japan Brand in Strategically Important Areas

247	*	(1) Strengthening the support function of diplomatic establishments overseas In order to support the development of the Japan brand by strengthening the local function of disseminating information, etc., the GOJ will take the initiative in establishing the Japan Brand Support Center (tentative name) in FY2010 through collaboration with relevant organizations such as the Japan External Trade Organization (JETRO).	MOFA
248	*	(2) Disseminating more information on the Japan brand through diplomatic establishments overseas From FY2009, the GOJ will further intensify activities to introduce and promote the world-renowned Japan brand in such fields as Japanese food, Japanese ingredients, traditional art crafts and other regional products, content, and fashion by use of diplomatic establishments overseas.	MOFA MAFF METI
249	*	(3) Strategically disseminating more information to Asia From FY2009, the GOJ will designate Shanghai, Hong Kong, Thailand, Vietnam, etc., as priority nations and cities and disseminate more information on the Japan brand in those nations and cities in collaboration with the Visit Japan Campaign.	MIC MOFA MEXT MAFF METI MLIT
250	*	(4) Promoting deregulation of content distribution in other countries In such opportunities for discussion as the Japan-China Economic Partnership Consultation, in order to facilitate distribution of Japanese content, the GOJ will encourage other countries to take measures necessary to deregulate content-related fields, such as broadcasting, cinema, and Internet distribution.	MIC MOFA METI

251	*	<p>(5) Strengthening specific requests to countries and regions where infringements have been exposed (Reprise)</p> <p>The GOJ will make specific requests to countries and regions where infringements have been exposed, such as China, to improve their systems and effectively strengthen regulations on the following: taking measures against online copyright infringement such as eliminating illegal content on video-sharing websites, tightening control of fake designs, preventing repeated offenses, correcting local protectionism, prohibiting at the exporting stage, conducting thorough inspections of international mail at the time of their receipt, etc. The requests and necessary cooperation will be made at the ministerial and various other levels, and through the dispatch of public-private joint missions and providing capacity-building support for customs and other administrative agencies.</p>	<p>NPA MIC MOFA MOF MEXT MAFF METI MLIT</p>
252		<p>(6) Effectively transmitting information through cross-media</p> <p>The GOJ will, from FY2009, effectively transmit information on events to transmit the Japan brand, such as the JAPAN International Contents Festival and the Japan Media Arts Festival, with the use of several media, including projects to introduce Japanese culture on websites and at Overseas Establishments, etc., international joint programs and international broadcast.</p>	<p>MIC MOFA MEXT METI MLIT</p>
253		<p>(7) Promoting intensive transmission of Japanese content with the use of various media</p> <p>i) With regard to International TV Broadcasting for Foreigners, which commenced in February 2009, the GOJ will make efforts to increase the number of viewers in other countries, and will also enhance, through public-private collaboration, efforts to promote active use of the broadcasting and to provide necessary support.</p>	<p>MIC</p>
254		<p>ii) The GOJ will carry forward the discussion to secure opportunities to expose Japanese content, including anime (animation) and TV programs, in various media, including local broadcast channels, and draw a certain conclusion regarding measures for the incentive transmission of such content by the end of FY2009.</p>	<p>MIC</p>
255		<p>iii) In order to support the transmission of Japanese content to African countries, the GOJ will promote provision of TV programs to African countries by subsidizing expenses for dubbing high-quality Japanese TV programs in English and other languages.</p>	<p>MIC</p>

(5) Increasing the Recognition of the Japan Brand by Promoting Visits to Japan

256	*	<p>(1) Promoting the Visit Japan Campaign</p> <p>In order to promote Japan as an attractive tourist destination, i.e., premium destination that exceeds tourists' expectations, from FY2009, the GOJ will intensify the Visit Japan Campaign in 12 countries that are designated as important markets (China, South Korea, etc.) as well as in additionally designated emerging markets (India, Russia, Malaysia, etc.). Furthermore, the GOJ will encourage the wealthy high-consumption population to visit Japan and take the initiatives in inviting and holding international conferences (MICE).</p>	MLIT
257	*	<p>(2) Disseminating more information on regional resources to the wealthy population in other countries</p> <p>In order to establish a high-end market where the foreign wealthy population purchase Japanese regional resources such as local foods and traditional art crafts, which have enjoyed good international reputations due to their rarity and quality, from FY2009, the GOJ will search such resources, build a network among them, and strategically disseminate relevant information.</p>	METI MLIT
258		<p>(3) Strengthening transmission of information at airports</p> <p>The GOJ will, from FY2009, strengthen the sale of Japan brand goods in the duty free area, etc. of international airports and the transmission of information at places that are easily spotted by foreign travelers.</p>	MLIT
259		<p>(4) Making it easier for foreigners visiting Japan to use services that have internationally high quality</p> <p>The GOJ will, from FY2009, develop an environment that enables business operators to smoothly provide services for foreigners visiting Japan in order to have visiting foreigners experience the quality of services peculiar to Japan, such as internationally high quality healing services and health checkups, so that such services will be a new enticement that promotes foreigners to visit Japan.</p>	METI
260		<p>(5) Expanding the acceptance of foreign students</p> <p>The GOJ will, from FY2009, expand the acceptance of foreign students in the content field in the process of promoting the 300000 Foreign Students Plan, with the aim of having them better understand Japan through cultural exchange, etc. in local areas.</p>	MEXT
261		<p>(6) Promoting Japanese-language education</p> <p>The GOJ will, from FY2009, enhance Japanese-language education with the use of various media, including pop culture and e-learning, in order to raise interest in learning the Japanese language among those who have become interested in Japanese culture through anime (animation), manga (comics), etc.</p>	MOFA
262		<p>(7) Strengthening collaboration between transmission of Japanese culture/Japanese-language education and support services for foreigners who wish to study in Japan</p> <p>The GOJ will, from FY2009, strengthen transmission of Japanese culture/Japanese-language education in other countries and support services for those who wish to study in Japan, through collaboration with Overseas Establishments and independent administrative institutions, etc., in order to lead the desire to study in Japan, which has been raised through recognition of Japanese culture and learning of the Japanese language, to actual study in Japan.</p>	MOFA MEXT

(6) Establishing Intellectual Property Systems to Promote Efforts to Increase Brand Recognition

263	*	<p>(1) Discussing the introduction of geographical indications (GI) to agricultural, forestry and fishery products</p> <p>In light of the progress in discussions at the WTO (World Trade Organization), from FY2009, the GOJ will begin discussions on establishment of the GI system, which places geographical indications on agricultural, forestry and fishery products only if they have been produced at a predetermined place and properly managed under the predetermined conditions in terms of variety, production method, production period, etc. When conducting such discussion, the GOJ will take into consideration the ongoing initiatives by domestic companies, etc.</p>	MAFF
264	*	<p>(2) Strengthening measures against trademarks not in use</p> <p>In view of the fact that the unused trademarks have limited the options of registrable trademarks and restricted the scope of business involving new products and services, the GOJ will, in FY2009, conduct study and research to consider measures to decrease the number of unused trademarks and facilitate trademark registration.</p> <p>In addition, with regard to the issue of refusal of a subsequent trademark application for the reason of a registered trademark not in use, for which the right is nominally held by a company, etc. that has gone bankrupt, the GOJ will conduct research and studies to consider measures to cope with the issue.</p>	METI
265	*	<p>(3) Reviewing the trademark system to increase user convenience</p> <p>To make the trademark system more convenient for system users, including companies that use the system to increase public recognition of their brands, the GOJ will discuss the future of the trademark system by reviewing the scope of protection for famous trademarks and the system to file an opposition against a registered trademark. The GOJ will form a certain conclusion by the end of FY2009.</p>	METI
266	*	<p>(4) Conducting studies and research on the future design system to promote design creation</p> <p>In order to promote ever-diversifying design creation activities, in FY2009, the GOJ will conduct studies and research on the future design system and possible measures to enhance the system's convenience.</p>	METI

(7) Establishing Intellectual Property Systems in the Increasingly Digitized and Networked World

267	*	<p>(1) Introducing general provisions restricting rights (Japanese version of fair use regulations) (Reprise)</p> <p>To introduce general provisions restricting rights which can comprehensively allow fair use (within certain limits) that does not unjustly impair the interest of right holders under the Copyright Act (Japanese version of fair use regulations), the GOJ will consider means of provision, etc. in light of the provisions of the Berne Convention, etc., draw a conclusion by the end of FY2009, and take measures as soon as possible.</p>	MEXT
268	*	<p>(2) Clarifying the so-called "indirect infringement" in the Copyright Act</p> <p>Regarding the so-called "indirect infringement" in the Copyright Act, the GOJ will promptly discuss the definition of "infringer" and the scope of the right to demand an injunction, and it will form a conclusion by the end of FY2009.</p>	MEXT

269		(3) Developing domestic systems for securing appropriate protection while giving consideration to the balance between protection and exploitation i) The GOJ will discuss issues related to the copyright protection period, such as wartime additions and the possibility of extending the period with special consideration to a balance between protection and exploitation of copyrighted works, and will form a certain conclusion by the end of FY2009.	MEXT
270		ii) In order to promote e-learning, the GOJ will, by the end of FY2009, form a certain conclusion on the use of copyrighted works created by third parties in school classes through public transmission, based on specific proposals made by those involved in education on how to handle copyright issues between copyright holders and those involved in education.	MEXT
271		iii) The GOJ will discuss the issues in terms of the Copyright Act concerning provision of information that is necessary for appropriate use of drugs and other medical products by pharmaceutical companies to medical and pharmaceutical professionals in consideration of international practices, an appropriate framework of a system for medical professionals to exchange information, and the progress in creating an effective copyright procedure, and form a certain conclusion by the end of FY2009.	MEXT MHLW
272	*	(4) Promoting the distribution of digital content by establishing contract rules, etc. i) In order to facilitate the copyright-related procedures necessary for the secondary use of broadcasting content, the GOJ will support the initiative in the private sector in forming a consensus at the Study Group to Develop Japan into a Video Content Superpower and will promote the enhancement of the central copyright management system and the establishment of standard contract rules.	Cabinet Secretariat MIC MEXT METI
273	*	ii) In order to promote transactions related to broadcasting content, the GOJ will check the activities of performers' organizations that were established to facilitate copyright-related procedures and identify the owners of orphan works, and the GOJ will support the activities of those organizations.	MIC MEXT
274	*	iii) Based on the revision of the Copyright Act with regard to the ruling system, the GOJ will discuss a possible system to facilitate the secondary use of the content of orphan works and will form a conclusion by the end of FY2009.	MEXT
275	*	iv) In consideration of the current copyright-related procedures for digital content, such as broadcasting content, the GOJ will conduct multi-perspective discussions on possible legal measures, if necessary, in order to promote distribution.	Cabinet Secretariat MIC MEXT

276	*	(5) Creating an environment where creators can receive appropriate consideration for their works Thanks to the digitization of information, it has become possible to make copies without deterioration in quality. The GOJ will discuss, from both the institutional and contractual perspectives, how to ensure appropriate consideration for creators for their works without sacrificing user convenience and will form a conclusion by the end of FY2009.	MIC MEXT METI
277		(6) Encouraging users to freely create and display content on the Internet The GOJ will support voluntary efforts to encourage users to freely create and display content, and will also discuss the handling of rights for content, which was created by two or more persons, and draw a certain conclusion by the end of FY2009.	MIC MEXT
278		(7) Enhancing centralized management The GOJ will support the efforts of copyright management organizations to return appropriate benefits to copyright holders according to the type of use. The GOJ will also gain an understanding of the actual conditions of centralized management and promote an increase in the number of copyright holders who delegate their authority to centralized management organizations and the expansion of the scope of rights subject to delegation.	MEXT

(8) Strengthening Measures Against Online Copyright-Infringing Content

279	*	Stepping up efforts to eliminate content that infringe copyrights (Reprise) i) In view of actual damage, the GOJ will study measures against illegal online content and reach a conclusion during FY2009. They include legal protection measures regarding, for example, the extent of the responsibility of Internet service providers and regulations against averting technical content restrictions, as well as measures to enable right holders to take civil action faster and easier.	Cabinet Secretariat MIC MEXT METI
280	*	ii) The GOJ will support voluntary efforts by rights holders' associations and Internet service providers to eliminate content that violate copyrights, such as the use of technical steps to improve the efficiency of requests to delete such content.	MIC METI
281	*	iii) The GOJ will support the creation of a mechanism to eliminate infringements based on collaboration between telecommunication carriers and rights holders' associations, including sending warning e-mails to people who have transmitted data files, etc. that infringe copyrights by using file-sharing software such as Winny.	NPA MIC MEXT
282		iv) The GOJ will investigate the actual status of copyright infringing content on the Internet in Japan and abroad and measures actually taken against such content through public-private collaboration.	MIC MEXT METI

283	*	<p>(2) Developing infrastructure for measures against online overseas content that infringe copyrights (Reprise)</p> <p>From FY2009, the ministries and agencies concerned will jointly support efforts by the Content Overseas Distribution Association (CODA) to develop an infrastructure to take effective measures against online overseas content that infringe copyrights.</p>	<p>MIC MOFA MEXT METI</p>
284	*	<p>(3) Tightening controls on Internet content that infringe copyrights (Reprise)</p> <p>The GOJ will tighten controls on cyber crimes involving online content that infringe copyrights, through the improvement of investigation personnel's capacities, development of regulatory systems, etc.</p>	<p>NPA</p>

(9) Appropriately Implementing the Act on Promotion of the Creation, Protection and Exploitation of Content

285		<p>The GOJ will appropriately implement the Act on the Creation, Protection and Exploitation of Content and, through periodical surveys on the efforts of the ministries and agencies concerned relating to the Bayh-Dole System for Content, which is provided in Article 25 of the Act, the GOJ will promote active use of the system.</p>	<p>Cabinet Secretariat</p>
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## List of Measures for the Strategic Program 2009 [Chapter 4]

No.	Priority measures	Measures	Ministries and agencies in charge
<b>4. Ensuring the Stability and Predictability of Intellectual Property Rights</b>			
286	*	(1) Analyzing the grounds for invalidation judgments In FY2009, the GOJ will analyze the grounds for judgments for patent invalidation in patent infringement lawsuits.	METI
287	*	(2) Discussing possible measures to ensure stability of patent examination results Recently, an increasing number of patent applications are being examined before their publication. Consequently, third parties have no opportunity to provide information before a patent is granted. In view of this situation, in order to ensure the stability of patents, the GOJ will discuss measures to make use of the expertise of third parties, such as the establishment of a system to file oppositions, and will form a certain conclusion by the end of FY2010.	METI
288	*	(3) Creating a system to search domestic and overseas patent documents and non-patent documents seamlessly In order to enhance the search environment for prior art searches, from FY2009, the GOJ will develop a system to search patent documents in other countries such as China and South Korea. Furthermore, the GOJ will discuss a future search system for seamless searches of patent documents and academic papers and will form a certain conclusion by the end of FY2009.	METI
289	*	(4) Reviewing the scheme to settle disputes over the validity of patents Regarding the issue of so-called “double-track” system, under which the validity of a patent may be judged in two procedures, i.e., in a JPO’s invalidation trial and in a patent infringement lawsuit, the GOJ will discuss how to handle this issue and form a certain conclusion by the end of FY2010.	METI
290	*	(5) Clarifying the so-called “indirect infringement” in the Copyright Act Regarding the so-called “indirect infringement” in the Copyright Act, the GOJ will promptly discuss the definition of infringer and the scope of the right to demand an injunction and form a conclusion by the end of FY2009.	MEXT
291	*	(6) Clarifying the scope of design rights In order to clarify the scope of design rights (the scope of similarity of registered designs and the scope of rights to partial designs) and to build an infrastructure for designers’ creative activities, the GOJ will further clarify the design examination guidelines. Furthermore, the GOJ will discuss measures to promote the disclosure of the JPO’s database on publicly known designs and form a conclusion by the end of FY2009.	METI
292		(7) Revising the Examination Guidelines for Similar Goods and Services Currently, the Examination Guidelines for Similar Goods and Services are used to make similarity judgments on goods or services in the process of trademark examination. In order to revise the Guidelines in conjunction with the revision of the International Classification in 2012 so that the Guidelines can reflect the current business practices, the GOJ will take necessary measures based on the results of previous discussions.	METI



293	*	<p>(8) Adding transparency to the process of creating examination guidelines</p> <p>By the end of FY2009, the GOJ will establish a transparent process of creating examination guidelines which includes a process of discussion at special committees on examination guidelines, such as the Examination Guideline Special Committee with regard to patent, which consist of users and judicial personnel and so on, and a process of public comment on the guidelines.</p>	METI
294		<p>(9) The GOJ will create a system to provide examiners with easy access to technical information related to international standards.</p> <p>From FY2009, the GOJ will discuss the establishment of a system to provide examiners with easy access to publicized technical information, including international standards that are under development or that have been finalized. Furthermore, the GOJ will start collecting necessary technical information.</p>	METI
295		<p>(10) Increasing the reliability of trials as a quasi-judicial procedure</p> <p>In order to help trial examiners make sophisticated legal interpretations and find facts properly so that the reliability of trials will be increased as a quasi-judicial procedure, the GOJ will provide them with training. Furthermore, reflecting the opinions and advice of trial advisors, particularly former judges who have specialized in the field of intellectual property, the GOJ will try to enhance the trial procedure and proceedings.</p>	METI
296		<p>(11) Expecting the judicial system to play a greater role</p> <p>In a patent lawsuit, in general, the judge is required to have technical expertise as well as judicial knowledge. For example, the judge is required to determine the patentability of an invention based on a proper understanding of the level of technology as of the application filing date in the technical field to which the invention pertains. The GOJ expects the Intellectual Property High Courts and other courts to take this perspective into consideration and maintain their ability to properly handle highly specialized cases by training judges from a long-term standpoint and making effective use of judicial research officials and technical advisers.</p>	—
297		<p>(12) Enhancing the Alternative Dispute Resolution (ADR) system</p> <p>In order to enhance the ADR system in the field of intellectual property and to promote the use of the system, the GOJ will strengthen collaboration with relevant ministries and agencies through the Cross-Ministerial ADR Enhancement Committee. Furthermore, in cooperation with the Japan Legal Support Center (Houterasu (Law Terrace)), the GOJ will provide information on ADR-related organizations and the merits of ADR such as nondisclosure, efficiency, and technicality.</p> <p>In order to promote the use of the certified dispute resolution system (Kaiketsu Sapoto (Resolution support)), which provides the disputing parties with such merits as an option of suspending the prescription and judicial proceedings, the GOJ will provide private entities engaged in intellectual property-related dispute settlement business with information on said system with the aim of increasing the number of certified dispute resolution business operators.</p>	Cabinet Secretariat MOJ METI

298	*	<p>(13) Conducting research on the human resources development of judicial experts versed in intellectual property laws</p> <p>There is a shortage of judicial experts versed in intellectual property laws, such as judicial experts with strong technical backgrounds. In order to analyze the human resources development of judicial experts with science/technology backgrounds, from FY2009, the GOJ will conduct research on the admission and training of students with science /technology background in law schools, such as the number and ratio of students with science/technology background applying for the entrance examination of law schools and those of enrolled students.</p>	MEXT
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## List of Measures for the Strategic Program 2009 [Chapter 5]

No.	Priority measures	Measures	Ministries and agencies in charge
<b>5. Establishment of Intellectual Property Systems to Meet Users Needs</b>			
299	*	(1) Making further efforts to enhance the quality of administrative services In order to enhance the quality of administrative services based on proper understanding of users needs related to intellectual property systems as a whole, the GOJ will take actions, for example hearing opinions and requests from various users of those systems, including companies and universities, studying such opinions and requests, publicizing its conclusions and responses to them and taking necessary measures based on such conclusions.	MEXT MAFF METI
300	*	(2) Improving operation of the copyright registration system In preparation of the digitization of the copyright registration ledger scheduled for operation in FY2011, the GOJ will build the necessary system, increase the registered information subject to publication, and simplify the document issuance procedure.	MEXT
301	*	(3) Clarifying examination guidelines In order to make the scope of protection and the criteria for judgment including those related to patent protection in the field of cutting-edge medical technology more easily understandable and predictable to both Japanese and non-Japanese users of intellectual property systems, the GOJ will further clarify examination guidelines.	METI
302		(4) Providing easier access to information on industrial property rights through the Industrial Property Digital Library (IPDL), etc. i) In order to make the IPDL's information service more convenient, the GOJ will enhance its information provision function based on the users' needs. Furthermore, in order to enhance IPDL's information service on overseas patents, the GOJ will, by the end of FY2009, commence information service on Chinese patents, discuss a system to provide South Korean and Chinese patent information in Japanese by use of the machine translation technology, etc., and form a certain conclusion.	METI
303		ii) In order to provide researchers who are not familiar with the patent classification system with easy access to patent information, the GOJ will discuss a patent information search system that is searchable by academic terms and form a certain conclusion by the end of FY2009.	METI
304		(5) Enhancing regional consulting services Regional consulting services have been provided by the Intellectual Property Rescue Organizations, which serve as the primary contact points for SMEs with intellectual property-related problems, and the Centers for Collaboration of Local Powers, which are one-stop support centers for SMEs. The GOJ will strengthen the collaboration between the aforementioned organizations and the intellectual property-related experts and support organizations by promoting the use of the Human resources database to support intellectual property strategies of local companies and SMEs. Furthermore, the GOJ will offer seminars and training programs on intellectual property systems for management instructors and support coordinators. Those seminars and programs will be designed to meet regional needs.	METI

305		<p>(6) Enhancing the consultant dispatching system</p> <p>In addition to consulting services offered on the premises of consulting organizations, the GOJ has been conducting a pilot project that dispatches consultants to companies in 14 prefectures since FY2008. In this project, such intellectual property experts as former corporate employees make personal visits to SMEs and provide consulting services for intellectual property-related problems in general, starting from acquisition-related problems to exploitation-related problems. The GOJ will conduct said project nationwide.</p>	METI
306		<p>(7) Making the measures to support SMEs more convenient for users</p> <p>In order to create a one-stop application procedure for SMEs with regard to the application of a patent, the request for examination, the request for accelerated examination, etc., and to facilitate the use of various SMEs assistance measures, the GOJ will take action to support SMEs in FY2009, such as by posting easy-to-understand guides on the website, improving the electronic application software, providing instructions by various advisors, and promoting patent attorneys' initiatives in explaining the systems.</p>	METI
307		<p>(8) Strengthening collaboration among regional support organizations</p> <p>The GOJ will have the Regional Intellectual Property Strategy Headquarters create a system to share information on intellectual property-related activities conducted by regional support organizations such as the Organization for Small &amp; Medium Enterprises and Regional Innovation, JAPAN and the Intellectual Property Center so that each of those organizations can provide a user with information on the activities of another organization, as it best suits the user's needs.</p>	METI
308		<p>(9) Providing information that is easy to understand for SMEs</p> <p>In order to provide easy-to-understand information on the assistance measures related to intellectual property in each of the phases of business development up to the phase of commercialization, the GOJ will encourage the coordinating committee of support organizations led by the Regional Intellectual Property Strategy Headquarters and the local public entities to have each of the support organizations provide information that meets local users' needs by the end of FY2009.</p>	METI
309	*	<p>(10) Reviewing the patent fee reduction/exemption system for SMEs and venture companies</p> <p>Regarding the patent fee reduction/exemption system for SMEs and venture companies, in consideration of the balance of the Special Accounts for Patents, the needs of users, the effects on other users, etc., the GOJ will consider introducing more relaxed qualification criteria, a broader scope of reduction/exemption, a simpler application procedure, etc., and will start taking possible measures in FY2009.</p>	METI
310	*	<p>(11) Establishing a scheme to conduct examinations according to the needs of applicants</p> <p>The GOJ will discuss how to formulate a scheme to conduct examinations according to the needs of applicants, including full implementation of the currently pilot-tested Super Accelerated Examination System, and will form a conclusion by the end of FY2009.</p>	METI

311	(12) Making preparations for early accession of the Patent Law Treaty (tentative name) etc. i) With the aim of acceding to the Patent Law Treaty (tentative name) and the Singapore Treaty on the Law of Trademarks (tentative name) as soon as possible, the GOJ will make necessary preparations such as the establishment of detailed procedures and the designing and development of necessary systems in compliance. Said Treaties are designed to make the patent system more convenient for users. For example, the Treaties have simplified the application procedure by allowing an applicant to register the application date without submitting claims. Furthermore, the Treaties have provided an applicant with a remedy for a procedural error.	MOFA METI
312	ii) With the aim of reducing the translation-related risks imposed on Japanese applicants filing applications in China or South Korea, the GOJ will encourage China and South Korea to prepare for accession of Patent Law Treaty (tentative name) in order to accept applications in any language, including Japanese and English.	MOFA METI
313	(13) Promoting the proper way to write patent specifications clearly. In order to facilitate understanding patent specifications and other patent documents and utilizing automatic translation with them, the GOJ will promote proper way to write patent specifications and so on clearly through holding seminars to provide attendants with samples of properly written specifications and recommendations on preparing specifications.	METI

## Abbreviations

FSA	Financial Services Agency
JFTC	Japan Fair Trade Commission
MAFF	Ministry of Agriculture, Forestry and Fisheries
METI	Ministry of Economy, Trade and Industry
MEXT	Ministry of Education, Culture, Sports, Science and Technology
MHLW	Ministry of Health, Labour and Welfare
MIC	Ministry of Internal Affairs and Communications
MLIT	Ministry of Land, Infrastructure, Transport and Tourism
MOE	Ministry of the Environment
MOF	Ministry of Finance
MOFA	Ministry of Foreign Affairs
MOJ	Ministry of Justice
NPA	National Police Agency

# Appendix

## **1. List of the Members of the Intellectual Property Strategy Headquarters**

(Prime Minister and State Ministers)

Director-General	Taro ASO	Prime Minister
Vice	Takeo KAWAMURA Seiko NODA	Chief Cabinet Secretary  State Minister in charge of Science and Technology Policy and Food Safety/State Minister in charge of Consumer Affairs
Members	Ryu SHIONOYA	Minister of Education, Culture, Sports, Science and Technology
	Toshihiro NIKAI	Minister of Economy, Trade and Industry
	Tsutomu SATO	Minister of Internal affairs and Communications/Chairman of the National Public Safety Commission/ State Minister in charge of Okinawa and Northern Territories Affairs, Decentralization Reform, and Disaster
	Eisuke MORI	Minister of Justice
	Hirofumi NAKASONE	Minister of Foreign Affairs
	Kaoru YOSANO	Minister of Finance/State Minister in charge of Financial Services, and Economic and Fiscal Policy
	Youichi MASUZOE	Minister of Health, Labour and Welfare
	Shigeru ISHIBA	Minister of Agriculture, Forestry and Fisheries
	Kazuyoshi KANEKO	Minister of Land, Infrastructure and Transport
	Tetsuo SAITO	Minister of the Environment
	Yasukazu HAMADA	Minister of Defense
	Akira AMARI	State Minister in charge of Regulatory Reform, Administrative Reform and Civil Service Reform
Yuko OBUCHI	State Minister in charge of Social Affairs and Gender Equality	
(Experts)	Masuo AIZAWA	Member of the Council for Science and Technology

	Policy
Tsuguhiko KADOKAWA	Chairman & CEO, Kadokawa Group Holdings, Inc.
Tatsuhiko SATO	Patent attorney/President, SATO & ASSOCIATES
Machiko SATONAKA	Cartoonist
Nobuhiro NAKAYAMA	Professor emeritus, The University of Tokyo/Lawyer
Tamotsu NOMAGUCHI	President, National Institute of Advanced Industrial Science and Technology
Yasuchika HASEGAWA	President, Takeda Pharmaceutical Company Ltd.
Hiroshi MATSUMOTO	President, Kyoto University
Mieko MIO	Lawyer
Takafumi YAMAMOTO	CEO and President, TODAI TLO, Ltd.

(In the order of the Japanese syllabary; honorific titles omitted; as of June 24, 2009)



## **2. List of Members of Task Forces**

### **(1) Task Force on Intensification of Competitiveness Through Intellectual Property**

- Masuo AIZAWA           Member of the Council for Science and Technology Policy
- Kanji OKAUCHI        President, KYORITSU CHEMICAL CHECK Lab., Corp.
- Masanobu KATO        Corporate Vice President, Fujitsu Limited
- Satoshi KAWACHI      Director, Sumitomo Chemical Co., Ltd.
- Tatsuhiko SATO        Patent attorney/President, SATO & ASSOCIATES
- Takashi SEKITA        Managing director, JFE Steel Corporation
- Kenichiro SENOH      President, The Industry-Academia Collaboration Initiative  
    Nonprofit Organization
- Nobuyoshi TANAKA     Senior Managing Director, Canon Inc.
- Hideo TSUJIMURA     Director, Chief Operating Officer of the Research and  
    Development Planning Division, Officer in charge of the  
    Intellectual Property Division at the Institute for Health Care  
    Science, Suntory Limited
- Sadao NAGAOKA        Professor of Institute of Innovation Research, Hitotsubashi  
    University
- Yasuyo NAKAMURA     Director of the Intellectual Property Rights Center, Engineering  
    Headquarters, Matsushita Home Appliances Company,  
    Panasonic Corporation
- Nobuhiro  
    NAKAMURA            Professors emeritus, The University of Tokyo/Lawyer
- Yuko MAEDA            Associate Professor/Director of Intellectual Property Division,  
    Technology Licensing Organization, Tokyo Medical and Dental  
    University
- Mieko MIO             Lawyer
- Toshiya WATANABE     Professor, Research Center for Advanced Science and  
    Technology, The University of Tokyo

○: Chairperson of Task Force

(In the order of the Japanese syllabary; honorific titles omitted; as of March 31, 2009)

## Advanced Medical Patent Exploratory Committee

	Takeo KATAKURA	Research Manager, R&D Center, Terumo Corporation
◎	Ichiro KANAZAWA	President, Science Council of Japan
	Akira KITAGAWA	President & CEO, ArBlast, Co., Ltd.
	Naoki KOIZUMI	Professor, Keio Law School/Lawyer, TMI Associates
	Tatsuhiko SATO	Patent attorney/President, Sato & Associates
	Sayuri SHIRAISHI	Professor, International College of Arts and Sciences, Yokohama City University
○	Toshio SUDA	Professor of School of Medicine, Keio University
	Ryozo NAGAI	Professor, Graduate School of Medicine, The University of Tokyo
	Hiromitsu NAKAUCHI	Director, Center for Stem Cell Biology and Regenerative Medicine, Institute of Medical Science, The University of Tokyo/President, Japanese Society for Regenerative Medicine
	Sadao NAGAOKA	Professor, Hitotsubashi University Institute of Innovation Research
	Syun HABUTA	Executive Director, Japan Medical Association
	Izumi Hayashi	Lawyer, Eitai General Law Offices
	Mayumi HONDA	Staff writer, Social Security News Department, Yomiuri Shimbun
	Yuji WATANABE	Director, Intellectual Property Division, Astellas Pharma Inc./Chairman, Intellectual Property Committee Japan Pharmaceutical Manufacturers Association

◎: Chairperson    ○: Acting chairperson

(In the order of the Japanese syllabary; honorific titles omitted; as of May 29, 2009)

## **(2) Task Force on Contents and Japan Brand**

Nobuyuki OTA	Representative and CEO, ISSEY MIYAKE INC.
Yumi OGOSE	Professor, Master of Intellectual Property, Specialist Graduate School, Tokyo University of Science
Tsuguhiko KADOKAWA	President & CEO, Kadokawa Group Holdings, Inc.
Keiji KIMURA	Corporate Executive Officer, EVP in charge of Technology Strategies, Intellectual Property, Information System, and Electronics Business Strategies, Sony Corporation
Masakazu KUBO	President, Character Business Center, Shogakukan Inc.
○ Hideaki KUBORI	Founding Partner, Hibiya Park Law Offices/Professor, Omiya Law School
Machiko SATONAKA	Cartoonist
Yutaka SHIGENOBU	CEO & Chairman of the Board, TV Man Union, Inc.
Yoshinori SEKIMOTO	Executive Controller-General of the General Broadcasting Administration, Japan Broadcasting Corporation
Nobuko TAKAHASHI	Journalist covering household economics
Ichiya NAKAMURA	Professor, Keio University
Nobuhiro NAKAYAMA	Lawyer/Nishimura & Asahi
Tomoko NAMBA	CEO, DeNA Co., Ltd.
Yukio HATTORI	President and Principal, Hattori Nutrition College
Yasuki HAMANO	Professor, Graduate School of Frontier Sciences, The University of Tokyo
Toyohiko HARADA	Managing Director, NHK (Japan Broadcasting Corporation)
Sadahiko HIROSE	Representative Executive Officer, President & CEO, Columbia Music Entertainment, Inc.
Mieko MIO	Lawyer
Ryohei MIYATA	President, Tokyo University of the Arts
Koichi MURAKAMI	Adviser, Fuji Television Network, Inc.
Yoichi WADA	President and Representative Director, Square Enix Holdings Co., Ltd.

○: Chairperson of Task Force

(In the order of the Japanese syllabary; honorific titles omitted; as of July 22, 2008)

**(3) Task Force on the Intellectual Property System in the Age of Digital Networks**

Tatsuhiro UENO	Associate Professor, Rikkyo University
Kazuko OTANI	Legal Department Chief, The Japan Research Institute, Ltd.
Tetsuya OBUCHI	Professor, The University of Tokyo
Yoshihiro OTO	Professor, Sophia University
Masanobu KATO	Corporate Vice President, Fujitsu Limited
Hiroshi KAMIYAMA	Lawyer
Motoaki KITAYAMA	Lawyer
Yoichi TOKURA	Deputy Director General, National Institute of Informatics
Kenji NAEMURA	Professor, Komazawa University
Ichiya NAKAMURA	Professor, Keio University
○ Nobuhiro NAKAYAMA	Professor Emeritus, The University of Tokyo/Lawyer
Mitsuko MIYAGAWA	Lawyer

○: Chairperson of Task Force

(In the order of the Japanese syllabary; honorific titles omitted; as of November 27, 2008)

### **3. Legislation for the Establishment of Intellectual Property Strategy Headquarters**

#### **○Intellectual Property Basic Act (Act No. 122 of 2002) [Extract]**

##### Chapter IV Intellectual Property Strategy Headquarters

###### Article 24 (Establishment)

In order to promote measures for the creation, protection and exploitation of intellectual property in a focused and systematic manner, the Intellectual Property Strategy Headquarters (hereinafter referred to as “Headquarters”) shall be established in the Cabinet.

###### Article 25 (Affairs under the jurisdiction)

The Headquarters shall take charge of the affairs listed in the following items:

- (i) Development of the strategic program, and promotion of the implementation of the program.
- (ii) In addition to what is prescribed in the preceding item, study and deliberation on planning important measures on the creation, protection and exploitation of intellectual property, and promotion and comprehensive adjustment of implementation of the measures.

###### Article 26 (Organization)

The Headquarters shall be organized to consist of the Director-General of the Intellectual Property Strategy Headquarters, the Vice Director-Generals of the Intellectual Property Strategy Headquarters, and Members of the Intellectual Property Strategy Headquarters.

###### Article 27 (Director-General of the Intellectual Property Strategy Headquarters)

- (1) The Headquarters shall be headed by the Director-General of the Intellectual Property Strategy Headquarters (hereinafter referred to as “Director-General”), the post which shall be served as the Prime Minister.
- (2) The Director-General shall be in charge of general coordination of the affairs of the Headquarters, and shall direct and supervise the relevant officials.

###### Article 28 (Vice Director-Generals of the Intellectual Property Strategy Headquarters)

- (1) The Vice Director-Generals of the Intellectual Property Strategy Headquarters (hereinafter referred to as “Vice Director-Generals”) shall be assigned in the Headquarters, the posts which shall be appointed from among the Ministers of State.
- (2) The Vice Director-Generals shall assist the duties of the Director-General.

###### Article 29 (Members of the Intellectual Property Strategy Headquarters)

- (1) Members of the Intellectual Property Strategy Headquarters (hereinafter referred to as “Members”) shall be assigned in the Headquarters.
- (2) The posts of the Members shall be served as the persons listed in following items:
  - (i) all Ministers of State other than the Director-General and Vice Director-Generals; and
  - (ii) those having superior insights into the creation, protection and exploitation of intellectual property who have been appointed by the Prime Minister.

###### Article 30 (Submission of materials and other forms of cooperation)

- (1) The Headquarters may, if it considers it necessary for implementing affairs under the jurisdiction, demand submission of materials, statements of opinions, explanations and other required cooperation from the heads of the relevant administrative organ, local governments and incorporated administrative agency and the representatives of public corporations.
- (2) The Headquarters may also demand required cooperation from parties other than those prescribed in the preceding paragraph, if it considers it especially necessary for implementing

affairs under the jurisdiction.

Article 31 (Affairs)

Affairs concerning the Headquarters shall be processed within the Cabinet Secretariat and administered by the Assistant Chief Cabinet Secretary under commission.

Article 32 (Competent Minister)

The competent Minister as set forth in the Cabinet Act (Act No.5 of 1947) for the matters pertaining to the Headquarters shall be the Prime Minister.

Article 33 (Delegation to Cabinet Orders)

In addition to what is provided for in this Act, necessary matters concerning the Headquarters shall be prescribed by a Cabinet Order.

**○ Cabinet Order on Intellectual Property Strategy Headquarters (Cabinet Order No.45 of 2003) [Extract]**

Article 2 (Task force)

1. The Intellectual Property Strategy Headquarters (hereinafter referred to as the “Headquarters”) may, by its decision, establish a task force if necessary for investigation on technical issues.
2. Task force members shall be appointed by the Prime Minister from among persons with relevant knowledge and experience in relation to the technical issues.
3. Task force members shall work on a part-time basis.
4. The task force shall be abolished upon completion of the investigation for which it was established.

#### **4. History of Development of Strategic Program 2009**

**20th Meeting of the Intellectual Property Strategy Headquarters**

**on June 18, 2008**

[Intellectual Property Strategic Program 2008 adopted]

○ **Task Force on Intensification of Competitiveness Through Intellectual Property**

Oct. 10 6th meeting of Task Force

Oct. 31 7th meeting of Task Force

Nov. 27 8th meeting of Task Force

Dec. 19 9th meeting of Task Force

• **Advanced Medical Patent Exploratory Committee**

Nov. 25 1st meeting of Task Force

Dec. 22 2nd meeting of Task Force

○ **Task Force on Contents and Japan Brand**

Jul. 22 3rd meeting of Task Force

Sep. 16 4th meeting of Task Force

Oct. 22 5th meeting of Task Force

Nov. 5 6th meeting of Task Force

Nov. 18 7th meeting of Task Force

Dec. 15 8th meeting of Task Force

○ **Task Force on Intellectual Property System In the Age of Digital Networks**

Jun. 25 4th meeting of Task Force

Jul. 10 5th meeting of Task Force

Jul. 29 6th meeting of Task Force

Sep. 18 7th meeting of Task Force

Oct. 14 8th meeting of Task Force

Oct. 29 9th meeting of Task Force

Nov. 27 10th meeting of Task Force

[Recommendations on the future of the intellectual property system in the age of digital networks adopted]

**21st Meeting of the Intellectual Property Strategy Headquarters**

**on December 24, 2008**

[Report on the Ideal Form of the Intellectual Property System in the Age of Digital Networks presented]

○**Task Force on the Intensification of Competitiveness Through Intellectual Property**

Jan. 14 10th meeting of Task Force  
Feb. 4 11th meeting of Task Force  
Mar. 3 12th meeting of Task Force

• Advanced Medical Patent Exploratory Committee

Jan. 26 3rd meeting of Task Force  
Feb. 16 4th meeting of Task Force  
Mar. 2 5th meeting of Task Force  
Apr. 3 6th meeting of Task Force

○**Task Force on Contents and Japan Brand**

Jan. 23 9th meeting of Task Force  
Feb. 25 10th meeting of Task Force  
Mar. 10 11th meeting of Task Force

[Recommendation on the Japan Brand Strategy adopted]

\* In consideration of the discussion at the meetings of the Task Force on the Intensification of Competitiveness Through Intellectual Property and of the Task Force on Contents and Japan Brand, the recommendations on the following topic were adopted on 31 March in both of their names.

[Basic policy of intellectual property strategy for Phase III]

**22nd Meeting of the Intellectual Property Strategy Headquarters  
on April 6, 2009**

[Report on the Japan Brand Strategy]

[Basic policy of intellectual property strategy for Phase III adopted]

• Advanced Medical Patent Exploratory Committee

Apr. 24 7th meeting of Task Force  
May 29 8th meeting of Task Force

[Recommendations on the future of patent protection in the field of advanced medicine adopted]

Apr. 17 1<sup>st</sup> regular meeting of Advisory Board  
May 25 2<sup>nd</sup> regular meeting of Advisory Board

**23rd Meeting of the Intellectual Property Strategy Headquarters  
on June 24, 2009**

[Report on the future of patent protection in the field of advanced medicine]

[Intellectual Property Strategic Program 2009 adopted]

[The establishment of the Task Force on the Intensification of Soft Power Including Contents adopted]



## 5. Glossary

Archive	Collection of documents and records
Transfer pricing taxation system	A taxation system wherein, if the transaction price (transfer price) applied in a transaction with an overseas subsidiary, etc. differs from an ordinary transaction price (arm's length price), the transfer price is reassessed (recalculated) for taxation
System of declaration of intention	A system that enables patentees to demonstrate their intentions or conditions of granting licenses for their own inventions to third parties in the patent registry by indicating marks, etc., in cases where the patentees have acknowledged such usages
Genetic resources	Biological resources, such as animals and plants, which are valuable to science and the economy
Entertainment Lawyers Network	An organization established mainly by lawyers specializing in the entertainment industry for the purpose of contributing to the promotion of contents culture related to entertainment and to the development of the industry
Open-source software	Software for which the source codes (program contents that are readable) are disclosed and made available for free reproduction and modification
Licensable patents	Patents whose right holders wish to allow others to use the patents
Courses of Study	Standards for educational courses at elementary, junior high, and high schools published by the Ministry of Education, Culture, Sports, Science and Technology
Cartagena Protocol	Act on ensuring biological diversity by regulating the uses, etc. of genetically engineered organisms, etc.
Launched internal corporate ventures	Internal corporate ventures (such as spin-out and carve-out) launched by a company
Technology Strategy maps	Descriptions of the targets for technological development and the measures for product and service development, for the purpose of strategically implementing R&D investment. They were formulated by the Ministry of Economy, Trade and Industry in 2005, and have been revised every year.
Technological protection measures	Technological measures to protect copyrights
Functional foods	Foods that are designed and processed to have health-promoting benefits by focusing on the biological regulatory functions that will provide biological defense, prevention, or recovery from disease, adjust biological rhythms, or inhibit ageing, in addition to their inherent function of supplying nutrients and their sensory functions such as flavor and aroma, and elucidating the function of biological regulation scientifically
Creative commons	Efforts to facilitate the use of copyrighted works by respecting the right holders', including authors, willingness and retaining their right (i.e. without waiving their right)
International standardization organization	Organizations specializing in developing international standards, such as ISO, IEC, ITU as representative examples

Community Patent Review	An initiative that allows individuals and companies to carefully select and provide optimal literature, etc. to patent offices for the purpose of patent examination through debate about prior art documents with the help of the Internet. It is in the trial stages in the US.
Content	Includes entertainment content, e.g., movies, music, games and animation, as well as other intellectual and cultural assets, e.g., fashion, food, regional brands
CJ Mark Project	Project to promote the affixing of the CJ mark registered overseas to Japanese content products so that it will be possible to exercise not only copyrights but also trademark rights against pirated copies
Special cyber zone	The other name of the Program for the Promotion of Developing Rules on the Use of ICT implemented under the Project for International Development of Advanced Usage of ICT
Industrial property rights	Four types of intellectual property rights, i.e., patent right, utility model right, design right, and trademark right, that are administered by the Japan Patent Office (JPO)
Procedure for advance confirmation (re: transfer-pricing taxation)	Where the taxation authorities have investigated and confirmed the validity of the calculation method for the arm's length price reported by a taxpayer, the authorities shall not execute transfer-pricing taxation as long as the taxpayer files tax returns according to the relevant calculation method.
Japan Content Showcase	The database to transmit copyrighted Japanese content information, launched by the Nippon Keidanren (Japan Federation of Economic Organizations). Having been delegated by the "Contents Portal Site Operations Committee," this is being carried on by the Visual Industry Promotion Organization is carrying.
G8 Summit	An annual summit meeting where the leaders (prime ministers or presidents) of eight countries, namely Japan, the United States, the United Kingdom, France, Germany, Italy, Canada, and Russia, as well as the President of the European Commission, gather together
System for information provision	A system wherein the JPO receives information on the patentability of an invention from a third party
Interrogation based on a report before trial	Procedure for presenting, to the demandant of a trial, the examiner's view stated in a report before trial, and providing him/her with the opportunity to state his/her opinion
Expert advisers (judicial procedures)	Courts may hear the opinions of people who have expert knowledge, such as university professors and researchers, in the court proceedings
Expert advisers (customs procedures)	In order to make a determination on infringement based on legal and technical expertise, Customs can, if necessary upon receiving an application for import suspension and commencing the determination procedure, appoint expert advisers from among persons with knowledge and experience in intellectual property and hear their opinions.
Comprehensive production function	A function that enables the identification of valuable intellectual properties, and which combines these effectively with other resources and commercializes them
Interoperability	Describes when information is exchanged through communication between two programs and used for both programs so as to perform all functions that require the information

Patent Duration-Extension System	System to extend patent duration to a maximum extent of five years for inventions that require approval, etc. in order to ensure their safety, etc., in cases for which the approval process takes a long period of time. Currently, this is only applicable to medical drugs and pesticides.
Regionally based collective trademark system	A system wherein a trademark consisting of the combination of the name of a region and the name of products (services), which has been used by a collective body such as a cooperative association and become well known within a certain area, may be registered as a regionally-based collective trademark
Terrestrial digital broadcasting	Terrestrial broadcasting using digital data; a complete shift from analog broadcasting to digital broadcasting is scheduled for 2011
Council for Promoting the Development of Human Resources Related to Intellectual Property	A voluntary meeting of organizations engaged in the development of human resources related to intellectual property, which is organized for information exchange, mutual cooperation, and policy recommendations concerning human resource development. The members of the council include: the National Center for Industrial Property Information and Training, the Association of Intellectual Property Education, the Intellectual Property Association of Japan, the Japan Intellectual Property Association, the Japan Federation of Bar Associations, the Japan Patent Attorneys Association, and the Japan Institute of Invention and Innovation.
Digital contents	Images, databases, software, etc., produced with the use of a computer
Natural protection system	System to protect holders of non-exclusive registered rights to work etc., who are still at the unregistered stage in registration, which has already been introduced to the U.S., Germany, and other countries.
Registered search agencies	Agencies registered by the JPO commissioner as subcontractors of prior art searches, which are necessary for the examination of patent applications
Specified registered search agencies	Search agencies that are specially registered as agencies authorized to conduct prior art searches at the request of applicants and provide them with search reports as required
Patent information advisers	Specialists in utilizing patent information who can give advice to SMEs and venture companies on carrying out technology development and performing operations for obtaining and managing patents by effectively utilizing patent information
Patent Prosecution Highway	A system whereby applications for which patents have been granted at a first office will be eligible for accelerated examination through simple procedures at a second office
Fixed-term examiners	Examiners appointed for a fixed term (five years). The appointment started in April 2004 as a measure to improve the organization for expeditious and accurate patent examination.
Certified-rating agencies	Agencies engaging in evaluating educational and research activities of universities and other institutes, which are certified by the Minister of Education, Culture, Sports, Science and Technology under the provisions of Article 110 of the School Education Act
Procedure for determination of infringement	Procedure conducted by customs to determine whether or not goods suspected of infringing on an intellectual property right falls under infringement
Capacity building	Improving the capacity of organizations and systems for self-sustained management and operation

Bayh-Dole system	System for attributing intellectual property rights resulting from R&D funded by a national government to the entities that received the fund
Patent commons	System in which each patentee allows the community the liberty, under certain conditions, to utilize existing intellectual property rights, while retaining their intellectual property rights.
Patent Competition	A competition for students of high schools, colleges of technology, and universities, which is intended to provide the participants with the opportunity to experience the creation of an invention and the filing of patent applications, thereby deepening their understanding of the patent system
Experience-Based Intellectual Property Reporting Contest	Contest that aims to promote intellectual properties education, etc. for junior high school students through creative essays based on their own unique experiences
Plant Variety Protection G-Men	A common name for the position in charge of plant-variety protection, assigned to the National Center for Seeds and Seedlings since April 1,2005 as consultants regarding infringement of plant breeder's rights
File-sharing software	Software which helps users share files through the Internet. Data is basically accessible in peer-to-peer (P2P), which allows the users to directly exchange data via the network in each computer without a server, etc.
Fast-track system	A system for proposing existing standards to international standardization organizations as draft international standards. This system accelerates the deliberation process regarding international standards.
Film commission	A non-profit organization that is established under the leadership of a local government to promote location shooting
Folklore	Cultural expression passed on from generation to generation in specific ethnic groups or regions, e.g., folk story, folk song, traditional dance
Farming instructors	Officials of prefectural governments in charge of conducting research and giving instructions to farmers in the process of accurately imparting various advanced technology and knowledge regarding agriculture to farmers
Comprehensive license contact	A licensing contract wherein the subject matter of the contract is specified not by the patent number but by a specific method designed under the contract. This type of contract is used for granting a comprehensive license for all patents involved in a particular product.
Portal site	A general information site on the Internet
Madrid Agreement/Madrid Protocol	An agreement through which the protection of trademarks in the designated country is ensured, when the trademarks are registered internationally in the international register administered by the International Bureau of the World Intellectual Property Organization (WIPO). It is also called the Madrid Protocol. Its formal title is the Madrid Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks as adopted at Madrid on June 27, 1989.
Multi-use	Use of content in various types of distribution

Core manufacturing technology	Technology pertaining to the design, manufacture, or repair of industrial products that is specified by a Cabinet Order as versatile technology that supports the development of the manufacturing industry. Of those, the technologies that are used mostly in the business activities of small and medium sized business operators for the purpose of enhancing international competitiveness as well as creating new business opportunities, are specified by the Minister of Economy, Trade and Industry as “specific core manufacturing technologies” (e.g. molding technology, polymer processing technology)
License of right	A system that enables patentees to register their intention of granting licenses for their own inventions to third parties in the patent registry, which has already been introduced in some European countries
ADR	Alternative Dispute Resolution
AIPN	(Advanced Industrial Property Network) Through the AIPN, foreign patent offices can use information on the search and examination of patent applications held by the JPO.
APEC	Asia-Pacific Economic Cooperation
ASEM	Asia-Europe Meeting
ASP	The acronym of Application Service Provider, which indicates a business operator who provides business application software to customers through the Internet. Additionally, the service of said business operator providing customers with business application software through the Internet is called ASP service
CIPO	Chief Intellectual Property Officer
DDS	The acronym of Drug Delivery System, which designates technologies that control the delivery of medical drugs administered to humans or animals with regard to location, quantity, or time. In one of the representative examples of this technology the medical agent was efficiently delivered only to the diseased site, where a therapeutic effect was achieved
E-learning	Education and training via the Internet
eBay decision	U.S. Supreme Court decision on the requirements for the request for injunction on May 15
EPA	Economic Partnership Agreement
GPLv3	The acronym of General Public License version 3, which is a license rule on open source software, disclosed in June 2007
IEC	(International Electrotechnical Commission) An international standardizing organization intended for establishing international standards on electrics and electronics
IPDL	(Intellectual Property Digital Library) The industrial property information, such as patent gazette data and search services, provided free of charge via the Internet by the National Center for Industrial Property Information and Training (INPIT)
iPS cells	Cells derived by transfection of certain genes into somatic cells to induce differentiation to various cells, which Professor Shinya Yamanaka’s group in Kyoto University, Japan, generated for the first time in the world.
IPTV	A streaming method of image contents such as TV programs and movies over Internet Protocol network to consumer TV sets.

ISO	(International Organization for Standardization) An international standardizing organization established for the purpose of establishing international standards other than in the electric, electronic, and telecommunication fields
ITU	(International Telecommunication Union) A United Nations agency established for the purpose of establishing international standards on telecommunication
JETRO	Japan External Trade Organization
JICA	Japan International Cooperation Agency
JNTO	Japan National Tourist Organization
JP-FIRST	The acronym of JP-Fast Information Release Strategy. The approach for patent applications filed in Japan and overseas, promoting efficiency and quality in obtaining patents overseas by providing the results of search and examination in Japan at an early point
JST	Japan Science and Technology Agency
LLP (Limited Liability Partnership)	A special partnership established, as an exception to partnerships under the Civil Code, in order to promote the creation of new businesses and the development of joint ventures. It is characterized by the following: all investors bearing a limited liability, complete self-government, and taxation on members.
LPS (Limited Partnership)	A partnership (fund) established as an exception to partnerships under the Civil Code, in order to expand the supply of risk money to companies. It can invest money in and purchase money claims from a company, irrespective of the company's size or whether or not the company is publicly held.
MOT	(Management of Technology) A method of business management to strategically manage the whole process of R&D that ends with commercialization
M&A	The acronym of Mergers and Acquisitions, which means the merger and acquisition of companies
NEDO	New Energy and Industrial Technology Development Organization
ODA	Official Development Assistance
OECD	Organization for Economic Co-operation and Development
PCT	Patent Cooperation Treaty
RAND	(Reasonable and Non-Discriminatory) A way of treating patents relating to technical standards by which the patent holder licenses the patent on reasonable and non-discriminatory terms (such as royalties)
SaaS	The acronym of Software as a Service. A system in which application software's functions are provided to users on demand through a network.
TBT Agreement	Agreement on Technical Barriers to Trade
TLO	Technology Licensing Organization
TPRM	(Trade Policy Review Mechanism) The WTO system to periodically review trade policy and trade practice of the member countries, with the aim of increasing transparency
TRIPS Agreement	The Agreement on Trade-Related Aspects of Intellectual Property Rights
UPOV	International Union for the Protection of New Varieties of Plants

UPU	(Universal Postal Union) A United Nations agency in charge of coordinating postal services of the member countries and controlling the international postal system.
WCO	World Customs Organization
WIPO	World Intellectual Property Organization
WTO	World Trade Organization