

Report of WIPO/JF Training Course for Patent Examiners in the field of Biotechnology from APIC

**WIPO/JF Training Course for Patent Examiners on Specified Technologies (Biotechnology) Concludes Successfully
February 12-19, 2014**

A course in biotechnology, the first of a series of WIPO/JF Courses on Specialized Technologies, was held February 12-19, 2014, drawing a total of 13 participants from Egypt, India, Indonesia, the Philippines, Thailand, Vietnam, OAPI (African Intellectual Property Organization), and ARIPO (African Regional Intellectual Property Organization). WIPO/JF Training Course for Patent Examiners on Specified Technologies

The course focused on Japan's patent examination standards and procedures in the field of biotechnology, a technical field designated by the Japan Patent Office (JPO). The participants were examiners with their countries' IP bureaus working in this field.



On the first day of the course, the participants spent the morning visiting the JPO Trial Court, the National Center for Industrial Property Information and Training (an independent administrative institution), and the JPO examinations office in the area of biotechnology. In the biotechnology office, two examiners—Mr. Kihara and Mr. Kitamura—explained the procedures that they are presently carrying out, and the participants learned how to use the examiner's computer terminals. The course participants and examiners also engaged in an energetic question and answer session that was focused mainly upon procedures.

That afternoon, Suntory Holdings Ltd. specialist Ms. Mizutani gave a lecture wherein she explained “Recent Patent Issues on Biotechnology: Notable Technology (Patent) and Noteworthy Cases”, as well as statistics about her company's patent applications and registration in

this area. There were some questions from the training course participants, to which the instructor replied with carefully considered explanations.

On the second day, JPO's Ms. Nishimura gave a morning lecture on procedures and standards for Japan patent examinations, wherein she provided actual examples. She is an examiner like the seminar participants, and it was easy for them to ask questions about her explanations of examination procedures. Much was also learned during the time set aside for discussion amongst the participants, which turned out to be quite lively. In the seminar evaluation session held on the last day, the desire was expressed to have had a longer session with Ms. Nishimura, indicating that this part of the course was very useful.

In the afternoon, Hiraki and Associates patent attorney Mr. Fujita gave a lecture on "Comparative Study of Patent Examination Practices in Japan, the USA and Europe". He previously served as an examiner and trial examiner at JPO, and is an expert in examinations in the biotechnology field. His replies to the participants' questions, therefore, were accurate and to the point.

On the third day, a study visit was made to the Asahi Beer Ibaraki Plant of Asahi Group Holdings, Ltd. In addition to the standard explanation of the steps in making beer, this company's IP management and latest biotechnology research results were introduced, including the extraction of ethanol from sugar cane. It also became clear that Asahi considers IP rights measures as being key to a company's success, and indispensable for future corporate development. The course participants asked many questions, and the replies given resolved all unclear points.

On the fourth day, Mr. Kato, a patent attorney at Aoyama and Partners, held a practice session in patent information searches. He outlined investigations of prior arts, explaining what tools are used, how they are used, conceptual approaches to searches, and procedures. Further, he presented study problems taken from actual cases, which the participants themselves tried to solve in a training exercise format. In the seminar evaluation session held on the last day, many expressed the desire that this session with Mr. Kato had been longer.

On the fifth day, Mr. Tsukanaka, a patent attorney at Sugimura International Patent and Trademark Attorneys, lectured on "Case Study for Examination Practices -Novelty, Inventive Step-". Actual Japanese cases were introduced, and then the participants were asked how these cases should be judged in their native countries, in a lecturer-participant dialogue format. Through this session, the participants appeared to expand their point of view so as to consider Japanese procedures in relation to those of their native countries.

On the sixth and final day, Mr. Matsumoto, a patent attorney at the Chisuu International Patent Office, spent the morning lecturing on "Patent Dispute Case Study". Famous patent litigation cases were covered, and cases that reflect recent trends of increased litigation also were outlined, so that many cases were introduced, and there were times when participants were unable to keep up. However, many of them listened with deep interest regarding cases where the judgment of the examiner differed from the verdict of the litigation. Further, Mr. Matsumoto gave his own views of these cases, saying that if the verdict in some of these case precedents were up to him, he would have judged differently. The participants gave this high



evaluations, saying that Mr. Matsumoto's views will be of great help in their own future examinations.

Many participants felt that the content of this course will be useful in their work when they return to their countries. Both the lecturers and the participants had a clear sense that much was being learned in the course of this course.

Judging from the requests by the students, it is likely that lengthening the time allotted for training exercises in examination procedures will make future seminars more useful and effective.



This course seems to have enabled the participants to make great advances in their studies, and we wish to hear how they utilize what they learned here in their future work.

