

“Anti-Counterfeiting Measures”

Chapter 1. The reality of counterfeit goods

Existence of supporting IP rights

(Sakura)

As well as tracing the distribution channel and obtaining a counterfeit product, there is another important thing you need to do.

(Eddy)

What’s that?

(Sakura)

You have to verify your company’s IP rights.

(Narrator)

To protect your company’s products from being counterfeited, first you need to study what kind of rights you have, and what measures are available to protect those rights.

(Narrator)

Intellectual property rights are an extremely broad concept, ranging from industrial property rights such as patents, designs and trademarks, to copyrights and layout-design exploitation rights. What measures you can take will depend on the rights you own, so it’s important to determine your rights in the product being counterfeited. Registration is required for all rights, except copyright and neighboring rights.

(Narrator)

The kinds of IP rights that you can exercise also vary depending on the legal system of the country where the measures will be taken. In Japan, for instance, at a minimum you can exercise your rights under the Unfair Competition Prevention Law.

(Eddy)

What kind of law is that?

(Sakura)

It’s a law intended to maintain fair competition between businesses and protect business profits. Even if you don’t own a patent or trademark or other right in the counterfeited product, you can still take action based on this law.