

**“Anti-Counterfeiting Measures”**  
**Chapter 2. Anti-Counterfeiting Measures in Japan**

**Pursue Criminal Liability**

(Eddy)

I think I understand how a civil procedure works. Is it also possible to pursue criminal liability?

(Sakura)

Yes. If you pursue criminal liability for an IP infringement, penalties are laid down in IP laws such as the Patent Law and Trademark Law.

(Narrator)

The penalties stipulated in the IP laws are essentially a part of the penal code and so the provisions of the criminal law apply. This means that willful intent must be proven to establish an infringement offense. Attempted infringement or negligent or failed actions will not be held liable for infringement. Infringement offenses may be punished by a fine or a prison sentence, or both.