

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

Filing a Claim against an Internet Site

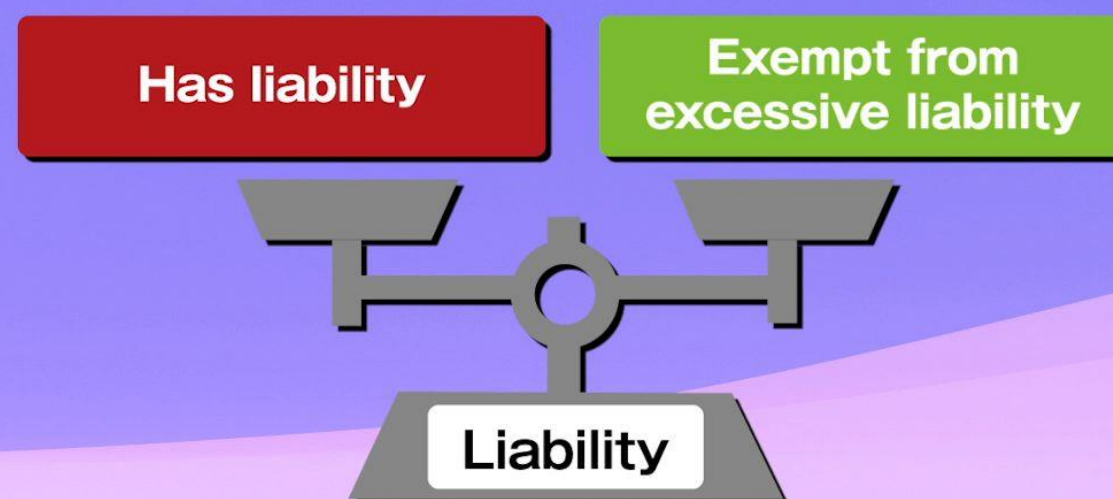
When counterfeits are spotted
being sold by Internet auction



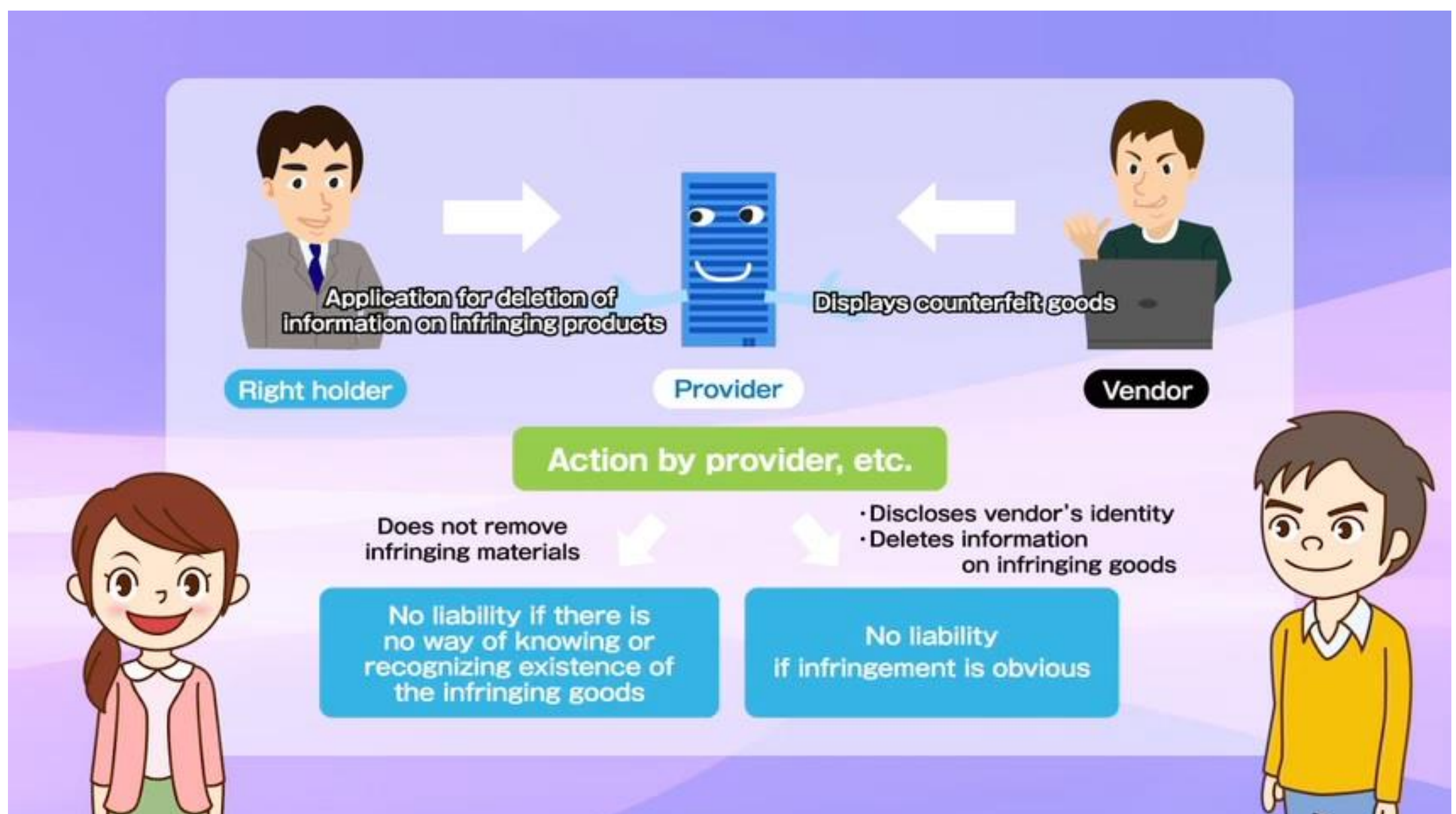
Provider Liability Limitation Law

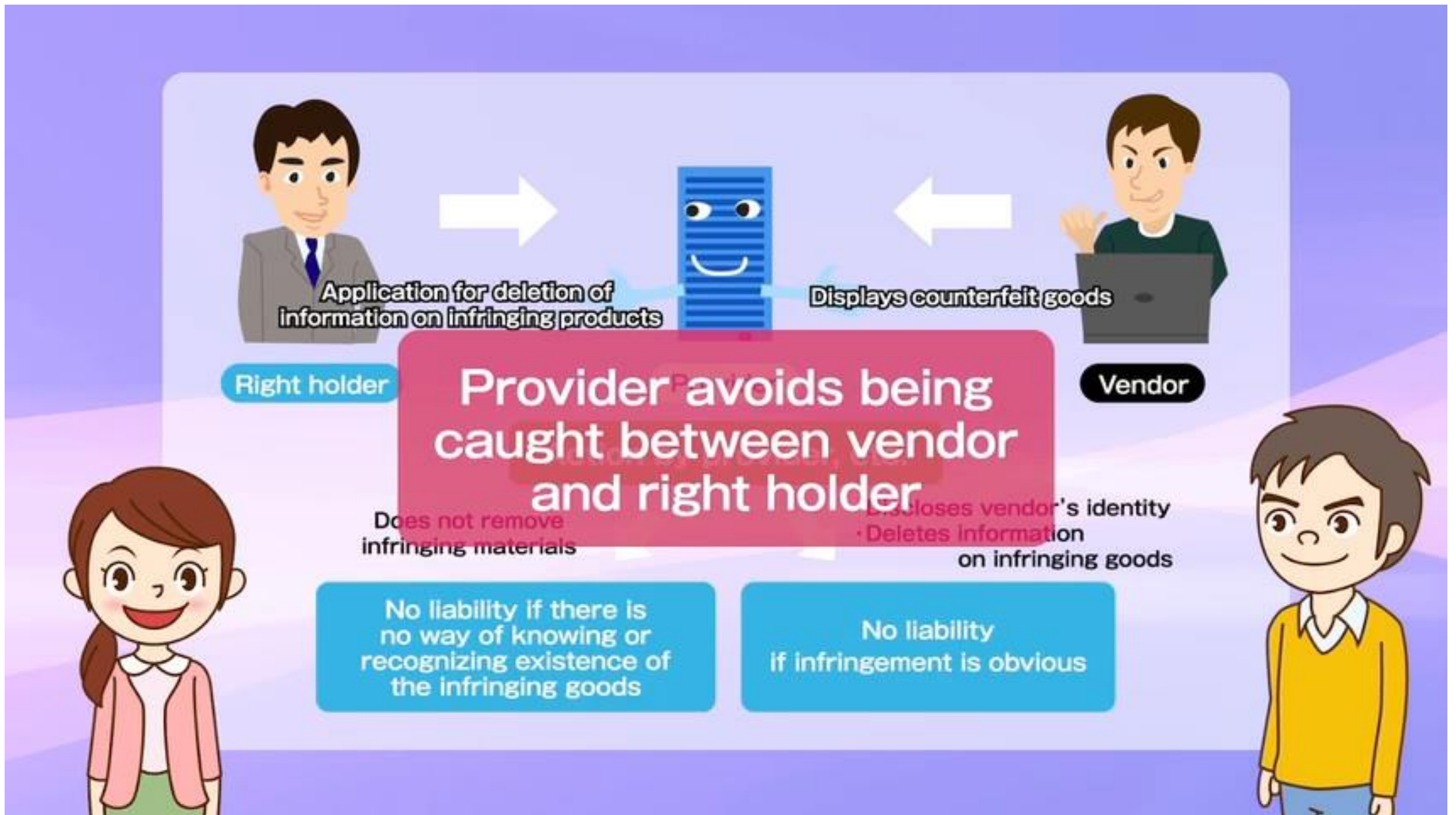
The Provider Liability Limitation Law

This Law specifies the limits of liability for damages of providers and others, and the right to request disclosure of identification information of senders (vendors).



- Damages are incurred when the provider is aware that goods are counterfeit.
- In the case of an obvious infringement, the vendor's identity must be disclosed to the right holder to allow a claim for damages





Past Internet Cases and the Present Situation



When a vendor is deemed to be infringing a trademark, the web site operator will also be liable for damages unless they remove the infringing materials from the web site within a reasonable time

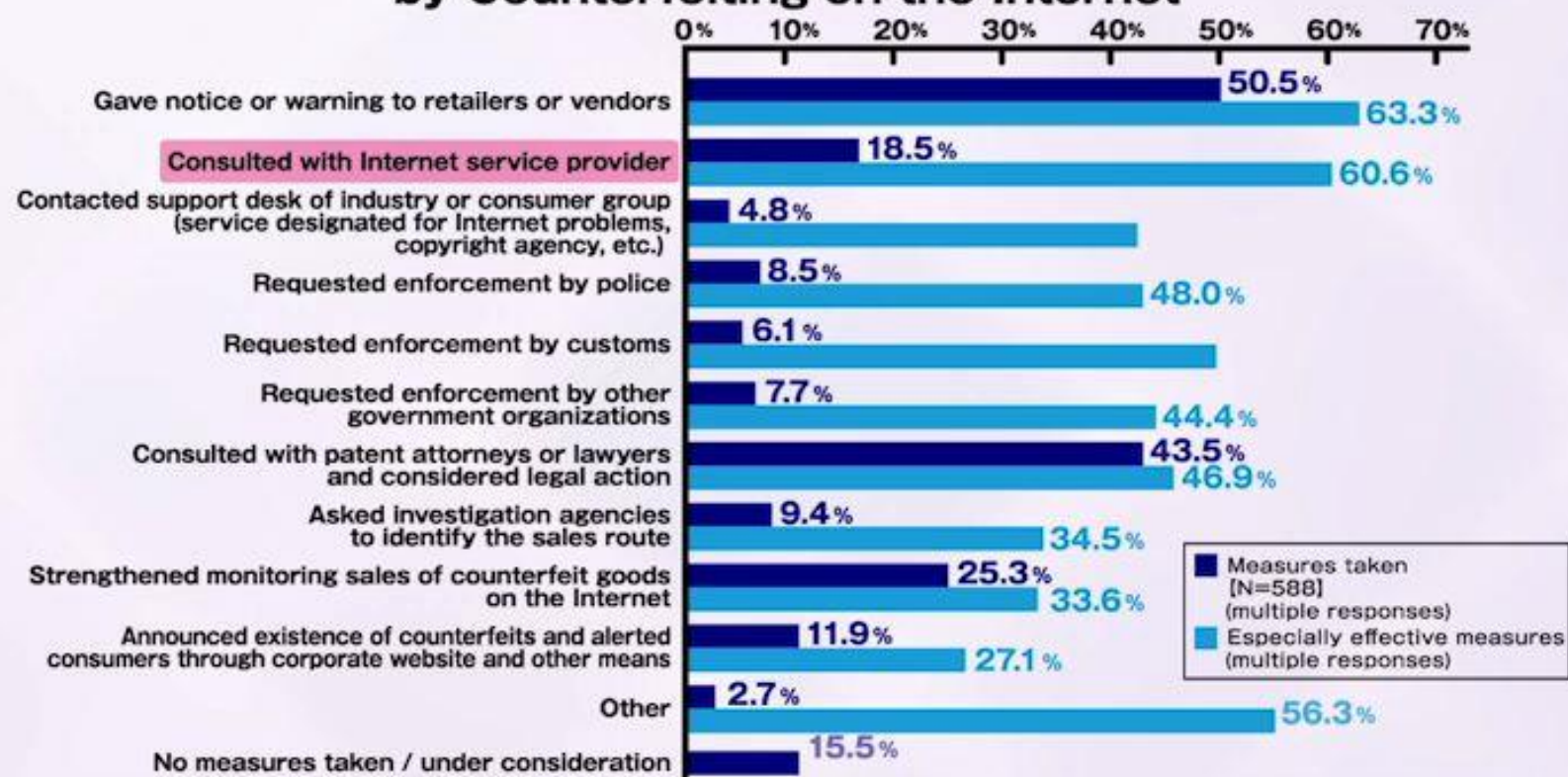


When a vendor is deemed to be infringing a trademark, the web site operator will also be liable for damages unless they remove the infringing materials from the web site within a reasonable time



Activities to prevent the distribution of IPR infringing goods over the Internet

Measures Taken Against Damages Caused by Counterfeiting on the Internet



(Note) Figures for responses about especially effective measures are calculated as a percentage of the total number of companies responding for that measure

Inquiry covered 8,081 companies with the highest total number of patent, utility model, design, and trademarks applications. Total number of responses: 4323
Source: FY2013 Report on Survey of Counterfeit Damages (Japan Patent Office)