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IP Friends Connections

This Magazine is published as part of the Intellectual Property Cooperation in Human Resource Development Program of the Japan Patent Office. The aim of this Magazine is to follow up on training programs through the dissemination of information to IP Friends, those who have completed training courses of the above program.
We very much hope that the information in this publication related to intellectual property, and the comments from either IP Friends or lectures, will prove beneficial to you in your work.

JAPAN PATENT OFFICE

【The meaning of 縁 (Enishi)】
"Enishi" refers to the bond created between people when encountering someone they were destined to meet. We have chosen this term as the title for our publication because we are all members of the Intellectual Property community, and the bonds created between us extend beyond national borders. We hope that you will use this informative publication to deepen the "Enishi" you have created with your IP Friends.

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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.

FY2013 Training Courses Completed (Year book)

JPO/IPR Courses in FY2013

(IP Trainers)

(Advanced IP Protection Practitioners)

(Patent Examination Practices for ASEAN)

(IP Administration for LDCs)

(Madrid Protocol Trademark Filings for ASEAN Countries)

(Patent Expert)

(IP Protection Lawyers)

(Patent Examination Practice for Singapore)

WIPO/JF Training courses in FY 2013

(The Use of Information Technology in Industrial Property Administration)

(The Examination Practice of Industrial Property (Intermediate/Advanced Program))

(The Enforcement of Intellectual Property Rights)

(Industrial Property Examination (Basic Program))

(The IP Management and the Formulation and Implementation of Results-Based IP Office Plans)

(Patent Examiners in the Field of Optical Apparatus)

FY2013 Follow-up Seminar Completed

Report of the FY2013 IPR Follow-up Seminars

During FY 2013 we conducted follow-up seminars in the three countries of Vietnam, Thailand and Malaysia.

The first seminar was held in Vietnam at the Fortuna Hotel Hanoi on September 25 and the Kim Do Royal Hotel Saigon on September 27, 2013, and was co-organized by the NOIP (National Office of Intellectual Property). The content focused upon management and commercialization of IP assets in universities and research institutes. The seminar was led by Mr. Hoang Van Tan, Deputy Director General of NOIP, and was attended by a total of 226 participants from both the governmental and private sectors, including lawyers, IP managers, universities, and others.

This was followed by an international follow-up seminar in Thailand, which was held at the Ambassador Bangkok on November 6 and 7, 2013. Remarkably, IPPAT (Intellectual Property Promotion Association of Thailand) Chairperson, Mr. Chayatawatch, succeeded in conducting the seminar. The seminar content focused upon success of intellectual property management among Asian emerging countries, and was attended by a total of 141 people.

The third and final seminar was held in Malaysia at the Intellectual Property Training Center on February 11, 2014. It was supported by the MyIPO (Intellectual Property Corporation of Malaysia). The content focused upon the PPH, and was attended by a total of 102 people.

Most of the governmental and private organization speakers at the three seminars were "IP Friends", making it clear that our alumni play active leading roles in many IPR fields. Alumni meetings were also held on the occasion of each seminar, allowing beneficial discussions and exchanges among IP Friends to take place.

The seminar held in Vietnam


The seminar held in Thailand


The seminar held in Malaysia

Report of FY 2013 PPTT Program Training Course

My PPTT Training Course Experience

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Mr. Visanam Appusamy Ambigapathy

I went to my hometown, which is 360 km away from my workplace, for my marriage that took place on 15 May, 2013. At that time, I was informed by my colleague and friend who attended my marriage that I had been nominated by the Patent Office for the "PPTT program for Fiscal 2013 for Brazil, India". It was really a perfect wedding gift, and was also one of the happiest moments in my life. At that moment, I decided to grab this rare opportunity because no one would get a chance like this to stay in Tokyo for 75 days to have advanced training at the JPO. The training would also help me to understand and learn about policy making, examination practices, the Patent Act and procedures of Japanese Patent Law, as well as the culture and lifestyle of the Japanese people.

I started my travel from Chennai, India to Tokyo via Bangkok in the early hours of 16 September, 2013 (Monday). In Bangkok, I joined my colleague and participant of the same program, Mr. Mangesh Laxmanrao Mokashi. While we were waiting to catch our connecting JAL flight to Tokyo, there was an announcement that the flight was delayed one hour due to a typhoon in Tokyo. It was then that I realized the effects of nature on this island country, and the talents of the Japanese people to utilize them effectively.

When we reached Narita International Airport at around 6 PM, we were joined by some of our friends from Thailand who had come to attend the Patent Experts program. We were received with a warm welcome by the gentleman who was assigned the duty by the JPO/APIC authorities to receive us. He helped us purchase a metro ticket to go to HIDA, and also to find the train connecting to the Keisei Sekiya station. When we got there, there was cold air in the streets with a 'vroom' sound due to the typhoon effect. When we arrived to HIDA around 8 PM, we were immediately given the swiping card to have our dinner. The room allotted by the reception desk was quite sophisticated, with internet facilities.

The next day, on 17 September 2013, our morning session started with a self-introduction at HIDA for the PPTT participants from both Brazil and India, along with the Patent Expert participants. During the afternoon session, there was a lecture about International trends for IPR by Prof. Hiroshi Kato, who gave an outline of patent and utility model law in Japan and social trends in IPR.

The PPTT program was designed by the JPO especially for the senior examiners from India and Brazil. The course was attended by five participants in total, wherein three were from INPI, Brazil and two were from IPO, India. The Brazilian examiners were Mr. Alexandre Gomes Ciancio, Mr. Francisco Cavalcante Fabio Barros, and Mr. Edi Olivera Braga. From India was Mr. Mangesh Laxmanrao Mokashi along with myself.

The PPTT program for fiscal 2013 for Brazil and India was conducted from 17 September to 29 November, 2013 and the program was divided into three phases. The first phase was designed in a theoretical manner from 17 September to 16 October. The second phase was designed with practical exercises from 17 October to 15 November, and the third phase was designed with case studies in patent examination, On-the-Job Training (OJT), trial and appeal cases from 18 to 29 November, 2013.

Before commencing the PPTT program, I eagerly wanted to learn the role of the JPO in enhancing patent filing from Japanese universities, as well as the relationship between the universities, R&D institutions and industry in terms of IP, search techniques to find the relevant document s to analyze the novelty and inventive step, and Japan's IP policy and strategy. I also wanted to witness the trial and appeal proceedings in the Trial and Appeal division of JPO, and to know about framing keywords for prior art searches and writing refusals based on prior art documents. This was discussed in detail in the pre-training report presentations.

Prof. Kato's lecture was helpful in understanding the social trends relating to IPR. We learned that although Japan was an IP- based country prior to 2002, it was only in its pre-nascent level at this time, as there was only IP filing, and no proper IP strategy existed. It was only in July 2002 that the IP policy outline was established by the then PM Junichiro Koizumi.

We attended detailed lectures about the JPO guidelines and practical exercises related to industrially applicable inventions, novelty, identity, requirements for description and claims, inventive step and amendments. There was a detailed discussion about the examination guidelines for inventions in specific fields related to computer software, biological and medicinal inventions, and lectures about the corporate IPR management in pharmaceutical products, transportation vehicles, electricity, IT and food.

No utility model protection exists in India, and the lecture about the utility model was helpful to understand the concept about the new protection mode in Japan. I also came to know that the applicants had a chance to convert their patent application into a design/utility model for quick processing.

During the lecture about the examination guidelines related to industrially applicable inventions, Mr. Yoshihira Masuda showed keen interest in knowing about Section 3D of the Indian Patents Act, which has played an important role in refusing the Novartis Patent case related to a cancer drug. We Indian examiners explained the importance of Section 3D and helped him understand why the Novartis case was denied based on Section 3(d), as well as novelty requirements. It was one of the most memorable discussions of the PPTT program that I remember.

The lectures by various professors and patent attorneys were helpful to understand the JPO examination guidelines, and we also had an opportunity to know how much effort the JPO has put toward updating the examination guidelines from time to time. The examination guidelines are periodically reviewed depending on the situation, including systematic revisions, new court decisions, development of new technology, and changing international circumstances.

In India, Section 59 talks about the amendment of the Patent application/specification. In Japan, Article bis (3) is provided with respect to the amendments of the specification. Most of the provisions related to the amendment are the same in both Japan and India.

There was also a good discussion about the product-by-process claims in Japan, India and Brazil. The discussion about international application (Paris Convention, PCT) and PCT (National Phase) helped us to learn in-depth about the international patent system and the timeline for PCT, and international scenarios related to the PCT application.

In Indian homes these days, the use of "Ajinomoto" is common in order to improve the taste of food. This issue came up in the discussion regarding the biological invention, and it was a great surprise for me to know that the patent for the Ajinomoto invention (i.e., Patent no. JP14805) is related to the "process of manufacturing seasoning comprising glutamic acid".

The lecture about IPR management gave intense knowledge about how to manage IPR efficiently in companies. Particularly, the lecturer Ms. Mina MAEDA from Hitachi Ltd. referred to a book titled "Edison in the Boardroom" authored by Julie L. Davis and Suzanne S.Harrison. In that book, progress in IPR management is described step by step from the standpoint of values that IPRs provide for companies. The lecturers from the Nissan Motor Co. Ltd. discussed the anti-counterfeiting measures that they took in various countries.

We also had an opportunity to learn about the role of patent attorneys in the JPO. We discussed in detail about membership, patent attorney trainings given by the Japan Patent Attorneys Association (JPAA), and the examination conducted by JPAA.The lecture about the concept of patent maps was also useful in understanding the information management of companies.

Before beginning the training program, I really wanted to know about how universities in Japan manage their IPR with respect to the filing of the patent applications in large numbers. The lecture given by Prof. Kenichi Hattori was helpful in understanding the management of IPR in universities. He also gave a talk about academic-Industrial collaboration/technology transfer, and we learned additionally from his that the patent system was introduced in Japan by Mr. Yukichi Fukuzawa, the founder of Keio University. We also discussed in detail the Bay-Dole Act, which was introduced in Japan in 1999. The Ministry of Education began support for IP departments in universities beginning in 2003.

We learned that Articles 29 and 39 are important within patent law in Japan. Artcle 29 talks about the patentability of inventions, and Article 39 is related to a first-to-file rule. It is interesting to note that when two or more patent applications relating to the same invention are filed on the same date, only one such applicant that has been agreed upon after mutual con-

sultation among all applicants may obtain a patent due to Article 39. It is more interesting to note that if no agreement is arrived upon among the applicants regarding a trademark for the same scenario, a lottery system is utilized to choose one applicant.

It was fun to do the extensive exercise in search tactics in F and FI terms especially designed by JPO for JPO examiners. We also learnt about the role of JPO examiners, their working style, the number of examiners (fixed and temporary), the structure of JPO, the utilization of IPDL (PAJ searches), and the utilization of commercial databases. It was a great surprise to know that JPO examiners had gone through a 5% cut in their salary after the tsunami.

The IPDL was helpful in understanding the Japanese classification scheme. The discussion about the examination practices given by Mr.Takao OGIYA, Director General of APIC, was thought-provoking. Each of us presented a self-examined case in our respective countries, and at the end of the presentations, the comments given by Mr.Takao OGIYA—as well as his insights in approaching invention claims—were helpful in improving our examination standards. That same morning there was a typhoon in Tokyo, and we were able to attend this session in the afternoon only. During the second phase, we studied about international cooperation for search results. The discussion continued toward the Patent Prosecution Highway (PPH), a framework wherein an application whose claims have been determined to be patentable in the office of filing is eligible to go through an accelerated examination in the office of second filing with a simple procedure upon an applicant's request. The overall discussion with Mr.Takao Ogiya, Director General of APIC, during the end of the second phase was a memorable one.

In between the classroom sessions, we had great opportunities to visit various companies and institutions in Japan like the Terumo Corporation, Thomson Reuters, Japan Aerospace Exploration Agency (JAXA), Tsukuba Space Centre, National Institute of Advanced Industrial Science and Technology (AIST), FujiXerox, and Toppan Printing Ltd; as well as SMEs like Soken Chemical and Engineering Co. Ltd. The company visits were helpful for understanding how they manage their IPR, especially to maintain their patents, designs, and trademark portfolios internally and externally. The visit to JAPIO was helpful for understanding the role of JAPIO in JPO and the operation of IPDL. The interaction with JIPA members was utilized to exchange opinions about Japanese, Brazilian and Indian patent laws, as well as Section 3(d) and traditional knowledge of the Indian patent system.

The top experience during the training program was the two-day On-the-Job Training (OJT) given by the Patent Examination Dept. of the JPO. There, I was given training by the examiners of the Applied Optical Division, since my technical field is related to physics. I had an intense training about how to choose keywords, search terms from the patent specification, and use F and FI terms through the IPDL database. I was given a patent application for a photographic lens, and JPO Examiners Harada san and Hayakawa san taught me how to write reasons for refusal using prior art documents from their very own experience.

During the final week of the training program, the classes on Practices of Appeals (Appeal against Examiner's decision of Refusal), Practices of Appeals (Trial and Invalidation) and case studies related to patent infringement trials were helpful for understanding the concept of Trial and Appeal in Japan.

Throughout the course, the lectures given in Japanese by the professors and patent attorneys were well-translated by the interpreter, Ms. Yoko Okazaki. She helped us (and sometimes accompanied us) to explore various places in and around Tokyo, and also to sample Japanese cuisine like sushi.

Apart from the training classes, we got opportunities to see important tourist places, such as a shrine in Asakusa, Tokyo Tower, Tokyo Skytree, Imperial Palace and its beautiful gardens, Hakone, Odawara castle, Kamakura, Disneyland, Mount Fuji, Oigawa, Nikko etc. In Nikko, seeing the changing colours of leaves from green to yellow, red and brown was unforgettable and beautiful. In Kamakura, we saw the statue of Lord Buddha who taught the world love and peace. The trip to see the Oigawa river was an unforgettable moment in my mind. In India, there is no concept of the bullet train. I travelled on the shinkansen from Tokyo station to Shizuoka on the way to Senzu to see the Oi River. There we also got an opportunity to travel in a steam locomotive train, traveling through mountains, thick forests, dam and natural scenery, which was a nice experience. The first time seeing Mount Fuji from Kawaguchiko feels like seeing GOD. Goosebumps.

My Brazilian counterparts also got a chance to visit Kyoto, Hiroshima and Hakuba. The travel in and around Tokyo gave me an insight into the culture, traditional food and lifestyle of the Japanese people. The autograph that I got from Maya Nakanishi, Japan's most promising Paralympic athlete at Asakusa shrine, was a memorable one for me to cherish.

We, the PPTT participants, also got an opportunity to attend a traditional Japanese Tea ceremony in JIPII along with the PPTT course coordinators. The PPTT course coordinators Kinoshita san, Nomura san and Shibuya san were very helpful throughout the course. We the five examiners from Brazil and India shared experiences and spent a great time in APIC. It was a precious experience that we will not be able to get in the near future.

The PPTT training course not only gave us insight and knowledge into the JPO patent examination practices and search techniques, but also a great opportunity to build relationships with professionals from various countries like Brazil, Thailand, Indonesia, Malaysia etc. who came to attend various training programs like those for patent experts, WIPO information, lawyers, examination practices of industrial property, etc. When I leave Japan after the completion of the course, I felt like leaving my mother country.

When I was staying in HIDA during the PPTT course, on weekdays and weekends I normally returned back to the hostel only in the evening/night time. At that time in and around TKC hostel near Kita-senju, elderly Japanese peoples are usually walking with their pets on the roads. I don't know their faces and they don't know about me since I am a foreigner. But still, when I passed them they would greet me with smiling faces by saying "Konnichiwa" from their hearts. I understood the love and affection of the Japanese peoples towards foreigners who visit their country. In those moments, I used to think about what I wanted to give to those Japanese people and Japan in return—and of course to the officials of JPO, APIC-JIPII and HIDA. Now, from India, I will give them back only one thing: Saying two words.

"Arigato Gozaimashita."

(JPO/IPR Patent Practical and Tailored Training Program, Sep.-Nov., 2013)


2013/1


Soken
LABORATORY
2013/1


JAXA


Japan Patent Office / IPR Training Course
Sep. 17 - Nov. 29, 2013
2013/11/29

Report of WIPO/JF Training Course for Enforcement from Course Participant

Ms. Amira RHOUATI
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Algeria

Ms. Amira RHOUATI

Cooperation: Key to IPRs effective enforcement
From Africa to Asia, from Algeria to Japan, 11,563 kilometers, more than a16-hour flight, an 8-hour time difference, different languages, different cultures, so many differences but one common point:

"Intellectual Property Rights Protection and Enforcement"

December 2nd, 08.30 in the morning, 30 participants from 13 countries with Asako-san and Shibata-san, the two kind and lovely coordinators of the two week training course on IPRs enforcement, met in the lobby of TKC.

From TKC to Kita-Senju station: a 15-minute walk through narrow streets and old low buildings and numerous vending machines. Once arriving at Asia-Pacific-Industrial Property Center (APIC), we are in a modern high-rise building area. After the morning course, we went to the canteen of the Japan Patent Office (JPO) to get lunch. Japanese noodles, rice and fish and many other Japanese dishes.
Conclusion at the end of the first day: Tokyo is a mysterious city where tradition and modernity coexist harmoniously.

1. In Tokyo as a trainee

First week: During the first week of the training course, we had the chance to listen eagerly to excellent Japanese lecturers. The lecture topics were thorough from the outline of intellectual property in Japan and the current conditions and future direction of the JPO to the different IP enforcement levels, administrative, civil, criminal procedures and border measures as in the TRIPS agreement, and different Intellectual Property Rights infringement cases in Japan.

In addition to the courses attended in APIC, we had two study visits. On Monday, we went to the JPO where we learnt about its organization, visited its different departments and attended a valuable presentation about the trial, appeal and opposition system in Japan. And, on Wednesdays, we took the bus from TKC to Tokyo Customs headquarters. This observation tour was unforgettable. Customs building: a modern nice high building with a wonderful sea panorama, where we knew about the border measures and discussed the role of customs in the chain of IPRs enforcement.
Second week: this second part of the training began with the country reports by the participants who are all practitioners and officials in the field of IP: examiners, administrators, directors, prosecutors and even judges. It was a real opportunity for all of us to grasp a truly international overview on IP systems and IPRs enforcement approaches.

The courses of this week were given mainly by Ms. Louise van Greunen, the director of the Building Respect for IP Division of the World Organization of Intellectual Property (WIPO), and Ms. Sandrine Pitaccolo, a Consultant in the same division. Their subject matters were IP awareness campaigns, infringement remedies, and the role of the relevant enforcement agencies. The most attractive and beneficial feature of this session was the training scenarios that offered the trainees the chance to interact with one another.

During the evaluation session held Friday, 13th December, the last day of the training course, and after having listened to opinions and suggestions from many trainees, Shibata-san came to ask me to prepare something to say since it was the first time that an Algerian had participated in one of the APIC training courses. I was very nervous but honored. I took a deep breath and after thanking the organizers and the lecturers, I shared my conclusion with the attendees: IPRs protection and enforcement can never be possible without cooperation both at the international level and the national level between all of the relevant agencies, i.e. IP offices that should be the strongest link of the chain, customs, police and justice officials among others.

In conclusion, my two week stay in Tokyo as a trainee was an amazing experience of deep exchanges of knowledge and information in relation with IPRs protection and enforcement. I hope that I will be able to apply all of these ideas in my work in order to improve my country's IP system. Also, I would like to thank the organizers, WIPO, JPO, APIC-JIPII, the trainees, the lectures, the coordinators and especially my director Mr. Abdelhafid BELMEHDI who made my participation in this fruitful training course possible.

2. In Tokyo as a tourist

I cannot talk about my experience as a tourist without mentioning two persons: My Malaysian friend Farah and my lovely and cute Japanese friend Kyoko who was our tour guide during the two weeks.

Since we finished the lecturers at 4:30 pm, all of our sightseeing tours were in the evening, except for the weekend. In fact, I was lost and confused during the first two days thinking about the places to visit, untl I asked Kyoko who guided me and Farah on Tuesday to Asakusa. There we visited the Sensō-ji temple and we bought a lot of souvenirs from the small old shops lined up on the crowded Nakamise-Dori Street filled with tourists. After Asakusa we went to Tokyo's tallest structure, the art piece Skytree, or the space gate at least for me. We arrived there at about 7 pm and we took the elevator to the clouds. A wonderful view, everything was small and you could spend days just staring at the details. On the way down, it's another amazing attraction, the glass bottom and its dizzying view. The following day, our destination was Akihabara, or the electric city, that left me wordless with its bright lights and latest electronic products.

On the weekend we visited Odaiba, a real window on the future. We spent a day there long admiring the beautiful scenery of the rainbow bridge, the status of liberty the big robot, the wheel, the museums and doing shopping. Our next tour was to the Tokyo Tower where we spent a memorable time enjoying its romantic atmosphere, especially with the Christmas decorations, lights and melodies taking you ever higher than the building itself.

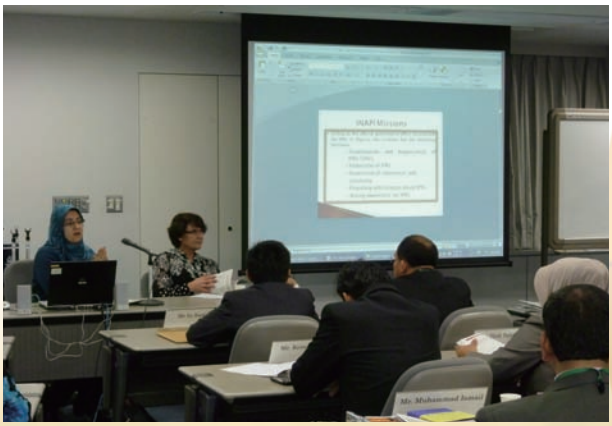
Throughout our tours, we enjoyed Japanese food. We tried many dished like miso soup in the traditional bowls, the delicious yakizakana with white rice, fried rice, noodles and of course the famous tasty sushi, king of the Japanese food. Using chopsticks was very difficult for me and I looked strange trying to eat rice with them. This was really funny and my friend

laughed a lot seeing me doing that.

My experience in Japan was truly unforgettable and what I liked the most was the kind Japanese people that are really the most polite and helpful people. I cannot finish talking about my experience without mentioning a story that happened to me in Tokyo metro when I asked a young lady how to go to Akihabara. The courteous lady spared no effort to show me the way, then she asked me to read something on her mobile phone: SORRY my English is not enough good. I was really wordless.

All my respect for the Japanese people and thanks a lot. Aligato gozamasu (ありがとうございます).

(WIPO/Japan Fund Training Course on the Enforcement of Intellectual Property Rights, Dec. 2-13, 2013)



Report of International Follow-up Seminar in Thailand from IP Friend

Intellectual Property Management among Asian Emerging Countries

Mr. Nuttaphol Arammuang
Senior Associate at Tilleke & Gibbins

On November 7, 2013, the Japan Patent Office (JPO), together with the Japan Institute for Promoting Invention and Innovation (JIPII) and the Intellectual Property Promotion Association of Thailand (IPPAT), jointly held a seminar in Bangkok with the theme "Success of Intellectual Property Management Among Asian Emerging Countries." More than 100 IP Friends from Thailand and other Asian countries attended this informative event. This was really a good time to meet with and greet IP Friends, especially those who made the long journey to Thailand.

The seminar was followed by an Alumni Meeting on November 8, 2013. Again, it was a very fruitful meeting as we were encouraged to talk about and exchange our individual experiences and points of view regarding the training we received in Japan. Certainly, a variety of experiences and suggestions were raised during the meeting for the sake of program improvement. Although there were some issues that people saw differently, the one issue people all agreed on and would like to see from JPO and JIPII is a training program on "Intellectual Property Management."

Why Intellectual Property Management is Important in Thailand

Intellectual Property Management is becoming one of the key focuses of today's business environment. As the growth of manufacturing companies continues, it is now inevitable for corporate management, despite the type of industry, to shift its weight from tangible products to the intangible assets of intellectual property.

On September 10, 2009, the Thai government established the National Creative Economy Policy Committee to set guidelines for the creative economy and to translate this policy into action by various government agencies. This led to the "Creative Thailand" project, which is intended to encourage the growth and competitiveness of Thai businesses through creativity and research & development. Intellectual property rights (IPRs) play a crucial role in moving this policy forward.

Although the Thai government has attempted to promote IPRs to the public through several channels, many business owners, especially entrepreneurs and new ventures, fail to understand the key link between IPRs and the success of their enterprise. Also, as IP lawyers, we may have a strong legal understanding of IP law, but what about IP in a business sense? How do we utilize our legal background in IP to maximize the clients' benefits in Intellectual Property Management? It is no wonder why this knowledge is important in Thailand, especially among IP-related persons.

Japan, as one of the world's economic leaders, is considered a good role model for Thailand on how the efficiency of Intellectual Property Management in business enterprises and IP lawyers can contribute to the growth of business.

Getting Started on Intellectual Property Management

Not only will the big enterprises be greatly influenced by the handling of their policies in intellectual property issues. It is also extremely important for small enterprises to understand and manage their own intellectual properties. If you are an entrepreneur or new venture, this article will provide you with guidelines for effectively managing your IPRs from my aspect and my experiences.

A lot of entrepreneurs or new ventures have moved beyond merely using IPRs and have begun to innovate their own. These companies are likely to hold a wide range of IPRs; not only trademarks, copyrights, patents, and trade secrets, but also domain names, websites, know-how, and more. It is therefore extremely important for corporate managers who desire to predict tomorrow's changes and to benefit from their intellectual properties to participate in the most advanced studies of intellectual property strategies and systems. Companies that are creating their own IPRs should be sure to take the following four steps.

1. *Take an initial inventory:* Knowing what intellectual property you have, what your IPRs are worth, how your IPRs are protected, and how they should be protected will help you get the maximum value from your creation and development. This can be difficult for a new venture, which may not know much about IP law and the scope of IP protection. At this first stage, you may need to consult with your company's legal advisor. Then you can evaluate the IPRs within the company's broader portfolio of assets and set the proper measures to manage them.

2. *Ensure compliance:* By obtaining the full protection of your IPRs under the law, you can ensure compliance while also contributing to your company's bottom line. For example, if you create a new trademark or brand, you should register it with the Department of Intellectual Property (DIP). If you come up with a unique idea or invention, obtaining patent protection will give you the exclusive right over the invention and prevent unauthorized use by your competitors. Your company may consider recording copyrighted works with the DIP to easily prove the company's IPRs in the future.

   Without the proper protection some intellectual property may be walking right out the company's door through employees, former employees, or visitors who are using email, data storage devices, the telephone, or just taking things home. Today's employees may be tomorrow's competitors.

3. *Create an IP portfolio:* After initially managing your IPRs, collecting and keeping evidence to prove that your company is the true owner of these IPRs is necessary so that you will be prepared in the event of any infringement or opposition in the future. Trademark owners should collect documents demonstrating the use of the trademark in Thailand, such as advertisements, invoices showing sales figures of the mark, etc., to prove the well-known status of the mark in Thailand. It is also crucial to manage the

deadline or expiration date for each of your IPR registrations to ensure timely payment of annuity fees or renewal fees.

4. *Enforce and exploit rights:* Monitoring and enforcing your IPRs is also essential, because the more popular your products become, the higher the chance that your IPRs will be infringed upon. If you learn that a competitor has infringed on your IPRs, you should enforce your rights through the relevant government authorities, such as through raid actions against infringers or administrative methods like sending a cease-and-desist letter or mediation through the DIP.

By taking the simple steps outlined above, you can ensure that your IPRs are well protected, which in turn will set a strong foundation for future innovation, faster growth, and improved profitability.

(JPO/IPR Advanced IP Practitioners, July 18-Auguset 4, 2006,
JPO/IPR Patent Experts, August 24-September 13, 2011)

Mr. Nuttaphol Arammuang

Messages from Internship Mentors

Myanmar Intern

Mr. Akio Takahashi
Japanese Patent Attorney
GLOBAL IP Tokyo

Background

If I heard the word "Myanmar" before the arrival of our intern, I would have probably thought of *The Burmese Harp* (black-and-white Japanese film directed by *Kon Ichikawa*) or *Aung San Suu Kyi* (Burmese opposition politician, chairperson of the *National League for Democracy* (NLD), and winner of the *Nobel Peace Prize*). About all I knew was that Myanmar was in the process of establishing its own patent law system. I even thought that the capital city of Myanmar was Yangon, when it is actually Nay Pyi Taw. I really did not know much about Myanmar, in general.

You can imagine my extreme interest when I received a correspondence from the *Japan Patent Attorney Association* (JPAA) regarding the possible sponsorship for a Myanmar intern from the *Myanmar Ministry of Science and Technology* (MOST). Naturally, I replied immediately.

Internship Summary

From January 2014 through the first week of February 2014, Moe Moe Thwe, Ph.D. (hereinafter, referred to as "Moe Moe-san"), served as an intern at GLOBAL IP Tokyo. During the abovementioned period Moe Moe-san participated in various lectures and discussions on the overall intellectual property law system. Our GLOBAL IP Tokyo staff includes various members, such as former intellectual property law department employees from major Japanese corporations, former employees/trainees of foreign patent firms, a former JPO patent examiner, translators, a U.S. patent agent, Japanese patent attorneys, etc. Accordingly, many of these individuals were able to participate in Moe Moe-san's lectures and discussions, so as to provide her with their own experiences and knowledge on the abovementioned various topics. Moreover, the staff of GLOBAL IP Tokyo received a short lecture from Moe Moe-san regarding her own current activities towards the enactment of the patent system in Myanmar.

In Myanmar, the patent law system is still in its early drafting stages, and thus there is no Myanmar Patent Office or patent agent and/or patent attorney system. When considering the current circumstances in Myanmar, they appear to be similar to those of the Japanese intellectual property system in the latter half of the nineteenth century. Therefore, I have a strange sensation that I am moving backward through time when I think of Moe Moe-san's plan to establish a Patent Office or patent agent and/or patent attorney system upon her return to Myanmar, and when I think of all the same responsibilities that our Japanese predecessors must have had during the establishment of our own intellectual property law system in the mid-nineteenth century.

The scope of one's rights and/or responsibilities as a practitioner differs depending on the

patent attorney system and/or the country. Accordingly, it was thought a discussion comparing the rights and/or responsibilities of a Japanese patent attorney (*benrishi*) with those of a U.S. patent agent/patent attorney would be extremely beneficial for the establishment of a future Myanmar patent agent and/or patent attorney system. Moreover, it was also thought that a discussion on the establishment of a patent translation system specifically designed for Myanmar would be an important topic. Accordingly, a discussion was provided on the difficulties in establishing a patent translation system for an uncommon language, and how to overcome these difficulties. This discussion used Japanese-to-English (J-E) and English-to-Japanese (E-J) models in order to simulate problems that might occur when establishing an English-to-Myanmar (E-M) and a Myanmar-to-English (M-E) patent translation system and provided a few possible solutions to those problems.

Cultural Exchange

During the internship period Moe Moe-san participated in a Japanese tea ceremony (hereinafter, referred to as *sado*), which was sponsored by the *Japan Institute for Promoting Invention and Innovation*. She was very nervous because it was her first experience wearing a Japanese kimono. I was also quite nervous because I had never participated in sado before.

Before arriving she received a detailed explanation about *sado* from a member of GLOBAL IP Tokyo. By the time she arrived at the *sado* location she had already prepared many questions for the *sado* instructor (*e.g.,* meaning of "harmony" (*wa*), "respect" (*kei*), "purity" (*sei*), and "tranquility" (*jaku*) with respect to the ceremony itself). During *sado* I could really sense just how much Moe Moe-san appreciated experiencing traditional Japanese culture.

On the other hand, I realized that although my experience working two years at a U.S. patent firm had increased my knowledge of American culture, my knowledge of Japanese culture was still lacking. Therefore, I was really impressed at Moe Moe-san and everybody from the *Japan Institute for Promoting Invention and Innovation* for providing me with the opportunity to rediscover the depth of traditional Japanese culture.

Conclusion

The complex process of starting a Myanmar intellectual property law system has already begun. During the intellectual property system enactment stage, a system should be enacted that is able to address issues from various standpoints, such as the position of the domestic Applicant (from within Myanmar), the position of the foreign Applicant (from outside of Myanmar), the position of the foreign and/or domestic patent agent and/or attorney, etc., without simply taking a governmental stance (*i.e.,* position of the soon to be established Myanmar Patent Office or patent law itself). Coming from a country in which the intellectual property law has already been established, it is difficult for me to truly imagine the difficulties that Moe Moe-san will be faced with during the abovementioned process. However, I hope that the lectures and discussions that we have had during her internship at GLOBAL IP Tokyo will provide various standpoints and materials that might somehow prove useful to the people of Myanmar and their future intellectual property law system.

Lecture Room

Tea Ceremony

Madrid System Friends: Indonesia and Japan (Impressions from hosting a long-term researcher from Indonesia)

Ms. Hiroko Hirayama, Patent Attorney
Asamura Patent Office, P.C.

Late in the fall last year, I was asked whether I could act as the main contact person for a trademark examiner from Indonesia whom our firm was planning to host. I happily accepted the request, but came to feel pressure from the responsibility after learning that Indonesia plays a central role in ASEAN and is obliged to accede to the Madrid Protocol by 2016—and that our guest would be an examiner with a key role in that process.

I'd like to briefly explain about the Asamura Patent Office. Our office is one of the oldest patent offices in Japan, established 123 years ago. Attached to it is the Asamura Law Office, which maintains a network with business partners in over 200 countries. Forty-four patent attorneys work at our office and four attorneys-at-law work at the Asamura Law Office which specializes in IP disputes.

As for my background, I worked at the Japan Patent Office until last July as the director of the trademark examination department in the field of machinery. However, I still have only limited experience as a patent attorney, and was concerned about whether I could meet the expectations of the Indonesian trademark examiner whom we would be hosting.

These concerns were immediately dispelled when we welcomed Ms. Nuraina Bandarsyah for a period of about three weeks, whom we found not only to be very cheerful, but also to possess a considerable understanding of the Madrid Protocol system. She was also a very attentive listener.

Her first concern was finding ways of easing the teething problems that were sure to arise at the time of Indonesia's accession to the Madrid Protocol. My experience working at the Japan Patent Office was fortunately very useful in this regard. I was able to explain the following points from memory: (1) As with Japan, language will be a major problem for Indonesia, and tools for solving this problem must be found; (2) It is important to enhance the computerized examination system, the provision of various kinds of information via the Internet for users, and training for examiners; and (3) It is also necessary to provide explanations to attorneys and corporate users. I learned that Indonesia also plans to accede to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks simultaneously with its accession to the Madrid Protocol. Based on my experiences handling international trademark classification, I was able to explain the great importance of understanding and implementing this classification system.

In addition to the above, we also introduced to Ms. Bandarsyah the questions about the Madrid Protocol that we had received as attorneys, and introduced her to the day-to-day operations of the patent office and the legal office work concerning IP disputes at the Asamura Law Office. On her last day, we also had the opportunity to attend oral proceedings in a trial for cancellation of a trademark registration in the JPO's trial court.

Ms. Bandarsyah also gave a presentation for us on the Indonesian trademark system, which was very rewarding. Nearly 20 staff members from our Trademark and Design Department attended. The question and answer session after the presentation was very well received, and the attendees said that they were better able to understand the Indonesian system as a result. Ms. Bandarsyah answered each of our questions respectfully.

We were very pleased to become acquainted with Ms. Bandarsyah, and can now call her a friend in the IP field in Asia. In addition to providing her with training and learning from her, we enjoyed having lunch and socializing with her. We had a very good time spending time and getting to know her personally. We are all deeply grateful to her, and we look forward to seeing her again and hearing about Indonesia's progress in its accession to the Madrid Protocol.

Ms. Bandarsyah and colleagues of the Trademark and Design Department in the Asamura Patent Office, P.C.

Messages from Lecturers

Ms. Reiko TOYOSAKI
Patent Attorney
Toyosaki & Associates

Ms. Reiko TOYOSAKI

I have been in charge of trademark training for several years. As a practitioner I sometimes hold seminars for advertising purposes. However, other than these trademark training sessions, I have never had an opportunity to provide a detailed, three to six hour explanation of the Japanese trademark system to experts and examiners from other countries. This is extremely challenging as an instructor. Even in Japanese it is difficult to hold an audience's attention for three hours (six hours in some cases). Furthermore, I had to use English. Although I always immediately assent to requests for training, I often experience difficulties thereafter. I enter a state of semi-panic when I begin to prepare and upon entering the final stages of preparation on the day before the actual training. I personally think it is a difficult task.

Why, then, do I continue to accept such requests? The reason is that despite the rigorous demands training makes of me, I appreciate the opportunity it affords me to study. Most of the attendees are experts in their home countries. Virtually every country has trademark law. (Even Myanmar is expected to enact a trademark law shortly, and a certain level of trademark protection already exists.) Therefore, the basics of the lectures are the same. I can

WIPO/JF The Examination Practice of Industrial Property (Intermediate/Advanced Program) Trademark Group

get to the main point without devoting time to unnecessary explanations. Comparisons with other countries in relation to procedures, the mechanisms of systems, determinations as to the similarity of trademarks, and determinations as to distinctiveness also by necessity arise in the lectures in addition to explanations of the Japanese system.

Attendees want to know why the mechanisms of the Japanese system function as they do, and this urges me to turn my attention to the differences between the Japanese trademark system and those of other countries, though they are seemingly similar to each other. This is the best part of the training for me. Attendees are very earnest, and they teach me through the questions they ask. I can learn a wide variety of things, including differences in the concept of "use," methods of determining distinctiveness, and the fundamental purposes of the various systems. I believe it is my role to energize the attendees: the more enthusiastic they are, the more fulfilling the training.

Japan shares the existence of a trademark system with the home countries of all attendees. However, I believe that the Japanese system, due to its great age, has been honed by its many changes. It is possible to give a rational explanation of the entire process, from filing and registration to the emergence and extinguishment of rights and the exercise and restriction of rights. Leaving aside the question of what particular details constitute a desirable system, I am satisfied if the attendees get a taste of the essential merits of the Japanese system.

Developing an innovation culture in a research and development (R&D) institution in Malaysia

Ms. Azimah Abdul Kadir

Ms. Azimah Abdul Kadir
Mimos Berhad, Malaysia

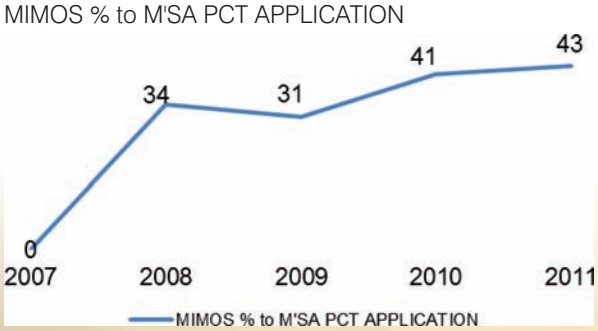
The definition of innovation is very wide. There are various components in the innovation ecosystem. This article will share several approaches and process of developing innovation culture in an R&D institution.

Environment plays an important role in the characterisation of an innovation ecosystem. There are several successful models of innovation ecosystems that have been written covering the public and private organisation environment. This article focuses on the practical development of innovation culture in government-owned research in Malaysia as an example of knowledge and organisational performance in this regard.

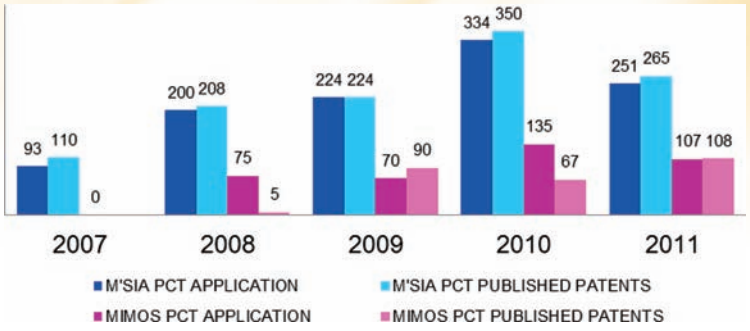
MIMOS Berhad has more than 25 years of experience in the research and development of Information and Communication Technology ("ICT") and semiconductors in Malaysia. A full company bibliography can be read at www.mimos.my.

Since its inception, MIMOS has grown its R&D and delivered a strong intellectual property portfolio in Malaysia in the sectors of ICT and semiconductor technology. Being a non-profit organisation, MIMOS has the advantage of bridging R&D collaboration between universities, research institutions and industries.

The outcome of the R&D is increased innovation performance in the forms of patents, industrial designs, copyrights, trademarks and trade secrets. This can be witnessed from MIMOS Berhad ranking 6th among the top 30 PCT applicants in the government and research institutions category as reported in the WIPO 2013 PCT Yearly Review. (Page 36 of WIPO PCT Yearly Review-http://www.wipo.int/ipstats/en/).

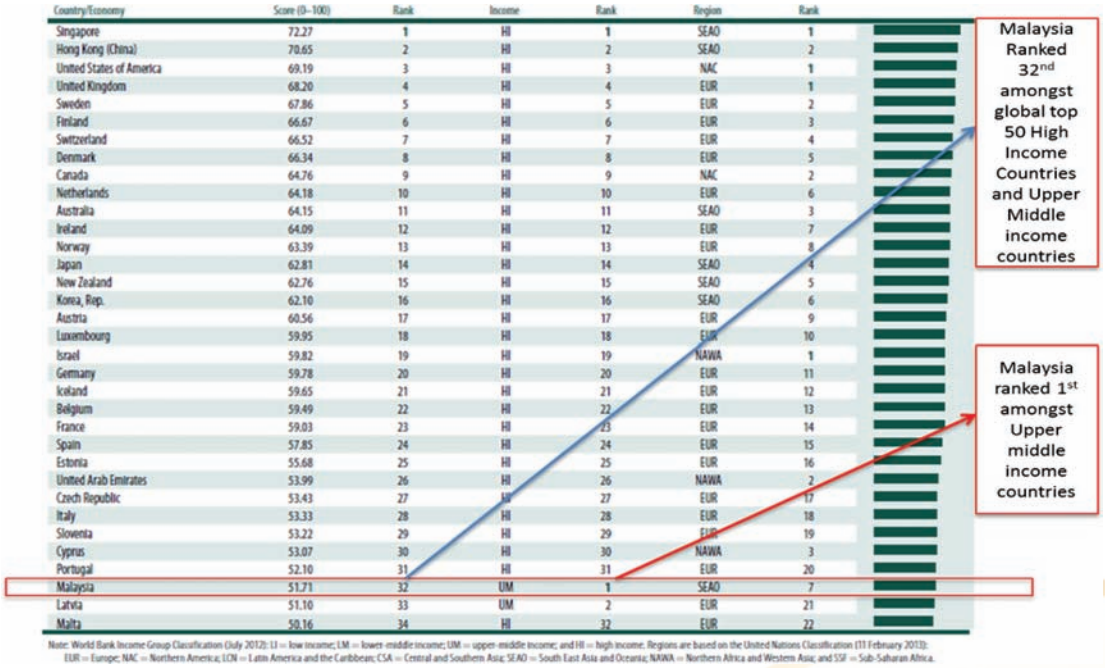


This chart shows the contribution percentage of PCT applications filed yearly in Malaysia.



Both of the above graphs shows the total number of patents filed in the PCT application contributed by MIMOS to the total PCT applications filed in Malaysia, and the total PCT applications published over total Malaysian PCT applications published.

Table 2: Innovation Input Sub-Index rankings

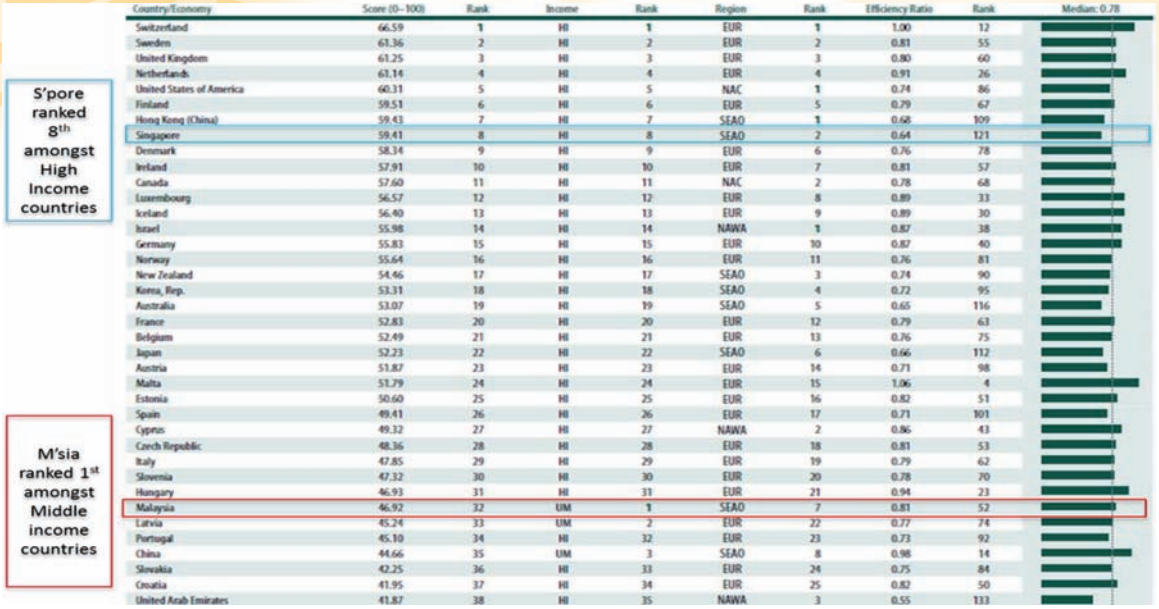


Country/Economy	Score (0–100)	Rank	Income	Rank	Region	Rank
Singapore	72.27	1	HI	1	SEAO	1
Hong Kong (China)	70.65	2	HI	2	SEAO	2
United States of America	69.19	3	HI	3	NAC	1
United Kingdom	68.20	4	HI	4	EUR	1
Sweden	67.86	5	HI	5	EUR	2
Finland	66.67	6	HI	6	EUR	3
Switzerland	66.52	7	HI	7	EUR	4
Denmark	66.34	8	HI	8	EUR	5
Canada	64.76	9	HI	9	NAC	2
Netherlands	64.18	10	HI	10	EUR	6
Australia	64.15	11	HI	11	SEAO	3
Ireland	64.09	12	HI	12	EUR	7
Norway	63.39	13	HI	13	EUR	8
Japan	62.81	14	HI	14	SEAO	4
New Zealand	62.76	15	HI	15	SEAO	5
Korea, Rep.	62.10	16	HI	16	SEAO	6
Austria	60.56	17	HI	17	EUR	9
Luxembourg	59.95	18	HI	18	EUR	10
Israel	59.82	19	HI	19	NAWA	1
Germany	59.78	20	HI	20	EUR	11
Iceland	59.65	21	HI	21	EUR	12
Belgium	59.49	22	HI	22	EUR	13
France	59.03	23	HI	23	EUR	14
Spain	57.85	24	HI	24	EUR	15
Estonia	55.68	25	HI	25	EUR	16
United Arab Emirates	53.99	26	HI	26	NAWA	2
Czech Republic	53.43	27	HI	27	EUR	17
Italy	53.33	28	HI	28	EUR	18
Slovenia	53.22	29	HI	29	EUR	19
Cyprus	53.07	30	HI	30	NAWA	3
Portugal	52.10	31	HI	31	EUR	20
Malaysia	51.71	32	UM	1	SEAO	7
Latvia	51.10	33	UM	2	EUR	21
Malta	50.16	34	HI	32	EUR	22

Note: World Bank Income Group Classification (July 2012): LI = low income; LM = lower-middle income; UM = upper-middle income; and HI = high income. Regions are based on the United Nations Classification (11 February 2013): EUR = Europe; NAC = Northern America; LCN = Latin America and the Caribbean; CSA = Central and Southern Asia; SEAO = South East Asia and Oceania; NAWA = Northern Africa and Western Asia; and SSF = Sub-Saharan Africa.

This report is taken from the 2013 Global Innovation Index, which reported on the innovation performance for upper middle income countries.

Global Innovation Index rankings

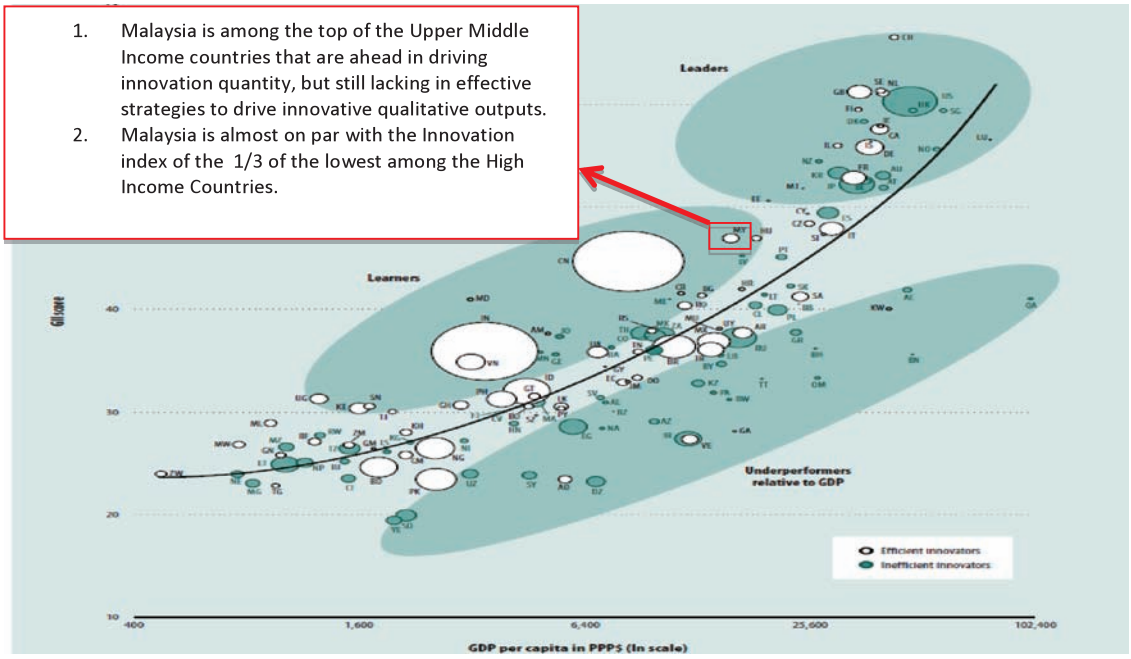


Country/Economy	Score (0–100)	Rank	Income	Rank	Region	Rank	Efficiency Ratio	Rank
Switzerland	66.59	1	HI	1	EUR	1	1.00	12
Sweden	61.36	2	HI	2	EUR	2	0.81	55
United Kingdom	61.25	3	HI	3	EUR	3	0.80	60
Netherlands	61.14	4	HI	4	EUR	4	0.91	26
United States of America	60.31	5	HI	5	NAC	1	0.74	86
Finland	59.51	6	HI	6	EUR	5	0.79	67
Hong Kong (China)	59.43	7	HI	7	SEAO	1	0.68	109
Singapore	59.41	8	HI	8	SEAO	2	0.64	121
Denmark	58.34	9	HI	9	EUR	6	0.76	78
Ireland	57.91	10	HI	10	EUR	7	0.81	57
Canada	57.60	11	HI	11	NAC	2	0.78	68
Luxembourg	56.57	12	HI	12	EUR	8	0.89	33
Iceland	56.40	13	HI	13	EUR	9	0.89	30
Israel	55.98	14	HI	14	NAWA	1	0.87	38
Germany	55.83	15	HI	15	EUR	10	0.87	40
Norway	55.64	16	HI	16	EUR	11	0.76	81
New Zealand	54.46	17	HI	17	SEAO	3	0.74	90
Korea, Rep.	53.31	18	HI	18	SEAO	4	0.72	95
Australia	53.07	19	HI	19	SEAO	5	0.65	116
France	52.83	20	HI	20	EUR	12	0.79	63
Belgium	52.49	21	HI	21	EUR	13	0.76	75
Japan	52.23	22	HI	22	SEAO	6	0.66	112
Austria	51.87	23	HI	23	EUR	14	0.71	98
Malta	51.79	24	HI	24	EUR	15	1.06	4
Estonia	50.60	25	HI	25	EUR	16	0.82	51
Spain	49.41	26	HI	26	EUR	17	0.71	101
Cyprus	49.32	27	HI	27	NAWA	2	0.86	43
Czech Republic	48.36	28	HI	28	EUR	18	0.81	53
Italy	47.85	29	HI	29	EUR	19	0.79	62
Slovenia	47.32	30	HI	30	EUR	20	0.78	70
Hungary	46.93	31	HI	31	EUR	21	0.94	23
Malaysia	46.92	32	UM	1	SEAO	7	0.81	52
Latvia	45.24	33	UM	2	EUR	22	0.77	74
Portugal	45.10	34	HI	32	EUR	23	0.73	92
China	44.66	35	UM	3	SEAO	8	0.98	14
Slovakia	42.25	36	HI	33	EUR	24	0.75	84
Croatia	41.95	37	HI	34	EUR	25	0.82	50
United Arab Emirates	41.87	38	HI	35	NAWA	3	0.55	133

The above chart is taken from the 2013 Global Innovation Index report which shows two countries from the same region. Malaysia is reported in the middle income countries, while Singapore is in the high income countries. Malaysia is reported with a higher innovation index.

Development of innovation culture

1. Malaysia is among the top of the Upper Middle Income countries that are ahead in driving innovation quantity, but still lacking in effective strategies to drive innovative qualitative outputs.
2. Malaysia is almost on par with the Innovation index of the 1/3 of the lowest among the High Income Countries.



The above graphic is taken from the 2013 Global Innovation Index report. This graphic visualises the position of several countries by measuring their innovation impact onto the economy stature.

The above graphs are just an example of how an organisation innovation performance can have an impact upon the country's innovation and economic index performance. So how can

the organisation produce a domino impact upon the country's innovation performance?

MIMOS first encounter with the innovation ecosystem began in 2004. In 2006, innovation was fast-tracked under the new realm of industry-experienced management. Almost overnight, MIMOS lived and breathed with innovation. Clearly, what contributes to an organisation's innovation-related achievements are its human capital. This is something that is true for any organisation. What enables people to innovate? One main factor contributing to this achievement is knowledge, and driving through such a mist or myth of innovation requires strong navigation knowledge and skills.

Consequently, the journey begins with embedding the right culture. Almost all R&D has its own culture, which is based on a selected vision and mission. MIMOS' selected culture is that of innovation, which is blended into every aspect of management and leadership from top to bottom. However, the teething phase of enrolling the culture faced a gap in terms of knowledge. How and what is, or should be, innovation? This phase involved several facets of trial and error, with time wasted and continuous effort invested. The ecosystem and innovation infrastructure were crafted, and best practices introduced. Still, there is a gap which can be seen from the statistics on patent filings. The quality thereof during the early inception of innovation as a culture witnessed an immature quality, and further studies were embarked to solve the gap.

The people are the key to innovation. This is no secret. The next journey is to mould the people's mindset, and so analysis on the current ways and methods of producing innovative ideas were studied, while a blend of industrial practices and research practices were carefully selected and mixed. All processes in the innovation ecosystem went through several revisions.

Choosing a starting point

Identifying gaps in processes is not difficult. Recommending solutions is also not difficult. The real challenge, no doubt, is to choose a starting point. And it is only after the journey begins and examination of the filed patents has taken place, moreover, that one can know if the path has begun from the right point, or if it will reach the desired destination. This is also a very long journey, with no early detection regarding the quality of innovation performance. The patent route was heavily adopted to reflect the innovation milestone, but gaps still exist. Innovation success uses granted patents as a partial primary measurement, and this is quite challenging as there are no indicators to be used, and it is therefore not measurable.

The journey has begun, however, and navigation is required in order to steer innovators and inventors to ensure that investments bring positive returns in terms of granted patent, for a start.

Again, the human behaviour factor is very robust. Innovation is a creation of total freedom; it can be neither dictated nor curbed. Human brains develop beyond restrictions, and innovation ecosystems are therefore required to adopt the volatility of such behaviour.

If human capital requires freedom to innovate, and the innovation ecosystem enables the

freedom to innovate, therefore, will the innovation vision be achieved? Investment in innovation is normally coupled with economic interests, and an innovation is expected to drive economic opportunities toward product or technology owners. Such innovation is required to have a legal protection, moreover, in order to enable such rights to these innovative opportunities. Compliance to the respective regulations on intellectual properties is a must, while additional issues must also be visited, such as business-related (i.e. legal and financial) risks.

The crux of innovation culture, therefore, is cultivated through the development of innovation knowledge—which covers a large spectrum of understanding regarding innovation portfolios and their behaviour.

The problems that people face include the following:

1. Uncommon mix of legal and technical terminologies

The organisation's employees were educated regarding the company's R&D, including patents, industrial designs, copyrights, trademarks and trade secrets, with respect to most related innovation portfolios, with teachings focused on setting a predictive measurement on the required quality outcome. For example, in order to enable a patent to be granted, the invention should be found to be novel and inventive, and can be reduced to practice. It should also be free from obviousness. It is quite a challenge for the Information and Communication Technology (ICT) sector to produce software-related patents, since software-related developments usually involve computer programming, which is more relevant for copyrights. The challenges faced by the employees in this organisation focused upon the gap in know-how regarding appropriate terminologies that are used in describing patent claim which is a mixed of science and art. This caused difficulties when describing the novelty and inventive aspects of the inventions with clarity. The employees also faced challenges in identifying the invention, and did not know how to identify the technicality of the inventions. The lack of such description rendered non-patentability reports on the ideas and inventions, which contributed to dissatisfaction and de-motivation among most of the inventors and innovators. The lack of knowledge in this area had impacted the ability to write and describe an invention amongst the employees and had caused the reduction in the total disclosures productivity at one point. And this impact flowed over to the organisation long term performance.

2. Various innovation evaluation parameters

The patentability measurement is cross-referencing between legal and technical requirements in proving the newness aspects of an innovation vs. a technical solution. The innovation ecosystem in the organisation has provided a filtering process by a committee comprising experts in the relevant field of technology and an evaluation process. The evaluation process is conducted by experts whose knowledge may vary in terms of the patentability requirements, and who may be confused in terms of distinguishing between technical advantages and technical solutions. There is a mismatch of intellectual property knowledge and skill levels between the evaluators and the inventors. In the beginning it was thought that the organisation only requires developing the knowledge on inventing. Later, the organisation founds out that there are also gaps in the innovation evaluation knowledge.

3. Research divisions

Like most organisations with multiple researches focus areas, it is common to have multiple

technology cross-referencing. Under normal circumstances, such environments would enable creative thinking and spark new innovative creations. This factor is considered as one positive contribution to the innovation ecosystem. Due to lack of in-depth research in the other cross-referencing field of technology, it is notable that the quality of creations in the multi-technology discipline is lacking patentability justification, and obvious to those skilled in the respective field of technology. It seems that communication and ability to foresee the technology requirement of respective cross-referencing areas is required to change this shortcoming into a fruitful outcome, and to close existing gaps. The gap had also caused non-patentability report outcome on the multi-technology discipline inventions. Hence, the outcome from the gap further impacted the organisation innovation performance.

Overcoming gaps in the innovation ecosystem

1. Grooming innovation maturity

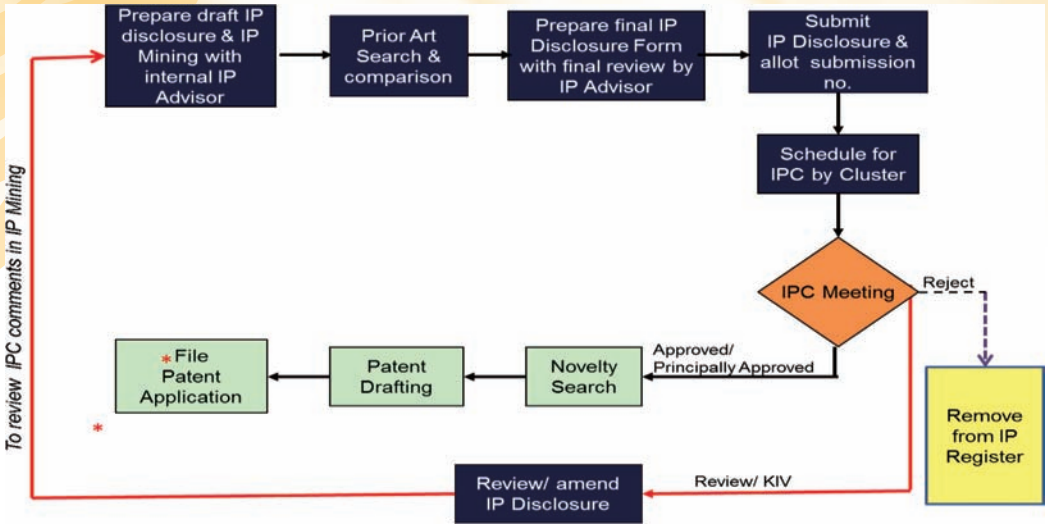
Through consistent encouragement and knowledge-enhancing programs on innovation, various perspectives on innovation with respect to regulations, techniques and technology were studied in order to provide a clear indicator on patentability measurements. Each parameter—that is, novelty, inventiveness, manufacturability and obviousness were studied to provide a deep understanding on what indicators are used to contribute accuracy towards innovation patentability measurements.

For example, to achieve patentability, the innovation must be novel. Novelty can be determined by identifying if the technical problem being solved is new, current, or has several solutions. The solutions innovated from the technical problem are further studied in order to find the unattended gaps upon comparison with prior arts. In this approach, the practicality aspects are further enhanced to ensure that the solution can be implemented—with such implementation not foreseen or obvious to those people who are skilled in the same technicalities and technology discipline.

After the knowledge is embedded into the people, more hands-on trainings were conducted and trainers' program developed. All supervisors were also trained and coached on evaluation and measurement of quality innovation. It took four years to develop the knowledge and skill, with, the maturity level increasing and the achieved quality evaluation was fully executed by staff and supervisors—only in the fifth year. This means that the adoption and implementation of the patentability knowledge and evaluation must starts from the beginning of the innovation life-cycle process, which is the stage of creation or ideation. All employees were assigned with innovation accountability in their performance matrices. This is to coach on adoption and adaptation of the innovation knowledge and skill. Innovation based merits were also used for promotion considerations.

2. Continuous process improvement and re-development.

Innovation management process requires continuous improvement. This is due to the two main factors of innovation which are people and technology. Both factors are volatile in nature. Both factors interact and can change or can be influenced towards change. It is also important for innovation management process is continuously revisited and enhanced. Freedom to conduct further research and improvise operating procedures and processes can be seen from the following process:-



The above diagram shows one process improvement conducted to enable the innovation quality improvement process.

The innovation knowledge and process are combined to enable the use of correct knowledge at or for the relevant and correct process. The process is been added with a check and balance approach between the employee and their supervisors. This process also has a feedback loop to enable the innovator to improve their ideas and innovation becomes more effective under the circumstances wherein those involved in the evaluation process have technical qualifications and experience that are relevant to the areas of innovation. If the innovation ideas are of multi-technology disciplines, all of the areas should be represented accordingly to enable accurate feedback to the inventors and innovators.

3. Embedding innovation culture into working etiquettes and leadership values

Apart from building knowledge on innovation, it is also critical that the same amount of knowledge development is contributed toward work etiquette and leadership values—which are both driven based on innovation. Innovative principles were adopted to ensure that the supervisors and managers strive for achieving innovative vision and mission.

Innovative cultures are characterized by the following:

1. Uncompromising integrity

Consistently acting in accordance with standard moral judgement

2. Envisioning technology leadership

Demonstrating eagerness to acquire necessary technical knowledge, skills and competencies to accomplish or to serve customer needs effectively

3. Shared vision amongst team members

Demonstrating an understanding of the link between one's own job responsibilities and overall organisational goals and needs, and performing one's job with the broader goals in mind.

4. Flawless execution of commitments

Demonstrating concern and executing tasks in a manner that provides satisfaction to internal and external stakeholders.

5. Edge in performance

Producing quality results or services that exceed organisational standards

6. Culture of innovation, creativity and productivity

Adapting easily to change; seeing the merits of differing positions and strategies in response to new information or changes in situation

7. Accountability for all actions

Making decisions authoritatively and wisely after adequately contemplating various available courses of action and taking responsibility for all decisions and actions

Moving forward and studying more gaps

Cultivating innovation-related knowledge is a never-ending pursuit. Just like innovation, knowledge itself is growing rapidly due to volatility in the growth of technology, innovation, management principles and practices of this perspective, and the business or organisation's vision and mission.

More research and studies are currently taking place with regard to foreseeing innovation success, technology green avenues, economic opportunities and sustainability, and commercialisation peaks/ profits. New innovation-related adventure requires adequate balance of growth in terms of knowledge and culture. For instance, the new practices of the non-practising entity (NPE) which operations is related to investments, valuation and financing collateralisation on innovation based business or products too will have an impact on the organisation innovation culture.

Another on-going study seeks to identify the core strength of the organisation innovation sector or profile, as well as decision-making on the furtherance of technology research and development-thereby enabling open innovation platforms and building sovereign innovation landscapes for the country.

It is hoped that more articles can be produced hereafter to discuss past, current and future initiatives, as well as the impact on development of innovation knowledge and culture in a research and development institution in Malaysia—thereby enabling a comparison with other successful organisations in order to identify the most effective innovation-related knowledge and culture.

(JPO/IPR Patent Expert, September 17-October 4, 2013)

Questionnaire Results IPR training course in Japan and appreciation for your cooperation

As you know, we requested that everyone who completed our seminar from July to December 2013 fill out our questionnaire in order for us to evaluate the effectiveness of the seminars.

In order to continue advancing JPO's "Cooperation in Human Resource Development," we would also like to ask for your active participation as IP Friends in various projects for our course alumni.

Thank you again for your cooperation with our survey.
The tallied results for each question are as follows:

Details of the Survey

1) Survey period: July 1, 2013- December 31, 2013

2) Area of survey:
   1. Trainees that completed WIPO short term training courses and WIPO long term research programs from FY 2010 - FY 2012
   2. Trainees that completed JICA training courses from FY 2010 - FY 2012
   3. Trainees that completed JPO short term training courses and JPO long term research programs from FY 2010 - FY 2012

excluding those whose contact information (email) is unknown .

Government employees: 483 trainees, private sector employees: 162 trainees (total: 645 trainees)

3) You may respond either by completing this online questionnaire, or returning the questionnaire by email or fax.

■ Number of replies

	Valid responses	Number of questionnaires sent	Response rate
	(Number of people)		(%)
Government sector	66	483	14%
Private sector	40	162	25%
Total	106	645	

■Breakdown of respondents (classification by field)

		Number of valid responses (Number of people)	Number of questionnaires sent (Number of people)	Response rate① (%)	Response rate② (%)
Government sector	Intellectual Property Office	59	439	13%	56%
	Court	4	10	40%	4%
	Prosecutor's Office	2	7	29%	2%
	Police Office	1	9	11%	1%
	Customs Office	1	5	20%	1%
	Other	5	13	38%	5%
Private sector	Research Institute	0	2	0%	0%
	University or Educational Institution	8	36	22%	8%
	Government-related Organization	2	2	100%	2%
	Employee of a private company	21	46	46%	20%
	Employee of a legal or consulting firm	25	76	33%	24%
	Other	6	0	0%	6%

※Response rate① indicates the ratio of valid responses to questionnaires sent within each field.
※Response rate② indicates the ratio of valid responses of each field to the total number of valid responses.

1. Occupation of the course alumni (Questions 1-2)

Number of valid responses from government employees			Number of valid response from the employees in the private sector		
	(Number)	(%)		(Number)	(%)
Examiner	38	58%	Executive	3	8%
Trial Examiner or Hearing Officer	5	8%	Manager	8	20%
IT Officer	6	9%	Research or Development	1	3%
Administrative Officer in IP Office	10	15%	IP Administrator in a private company	9	23%
Judge	2	3%	Patent attorney	12	30%
Administrative Officer in the Court	2	3%	Lawyer	10	25%
Prosecutor	1	2%	IP Administrator in a legal or consulting firm	3	8%
Administrative Officer in the Prosecutor's Office	1	2%	Research Institute	0	0%
Police Officer	1	2%	University or Educational Institution	8	20%
Customs Officer	1	2%	Government-related Organization	2	5%
Other	5	8%	Other	6	15%
Total	72		Total	62	

2. Job promotion or transition after the training course (Question 1-3)

	Number of valid responses by government employees		Number of valid responses by employees from the private sector		Total number of valid responses	
	(Number)	(%)	(Number)	(%)	(Number)	(%)
Promoted	14	21%	13	33%	27	25%
Will be promoted soon	5	8%	3	8%	8	8%
Same position	44	67%	17	43%	61	58%
Other	3	5%	7	18%	10	9%
Total	66		40		106	

3. On the job utilization of skills gained in training course (Question 2-1)

	Number of valid responses by government employees		Number of valid responses by employees in the private sector		Total number of valid response	
	(Number)	(%)	(Number)	(%)	(Number)	(%)
Utilized	66	100%	40	100%	106	100%
Not utilized	0	0%	0	0%	0	0%
Total	66		40		106	

4-1. Specific ways of utilizing skills gained in training on the job (Question 2-2-1)

(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Activities within my organization/department	45	35%	Activities within my organization/department	30	28%
Shared knowledge or training materials	50	38%	Shared knowledge or training materials	33	31%
Shared information with domestic user	32	25%	Disseminated and promoted information about intellectual property	32	30%
Other	3	2%	Countermeasures to rights infringement	10	9%
			Other	1	1%

4-2. Specific areas affected by the training(Question 2-1-2)

(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Policy proposals	16	7%	Proposal submissions	10	5%
Issue resolution	14	6%	Issue resolution	19	10%
Improvement and revision of laws and regulations	21	10%	Application procedures	22	12%
Development and amendment of policies measures, etc.	13	6%	Consulting	26	14%
Development and revision of examination standardsetc.	23	11%	Countermeasures to rights infringement	10	5%
Examination judgments	30	14%	Commercialization and promotion of intellectual property system	14	7%
Lawsuits, trials and hearings	7	3%	Technology transfer and licensing contracts	15	8%
Computerization of intellectual property-related procedures, IPDL, etc.	14	6%	Training at Office	24	13%
Provision of instructions within and outside the organization	8	4%	Seminars	18	9%
Seminars	24	11%	Dissemination and promotion of intellectual property system	23	12%
Dissemination and promotion of intellectual property system	27	13%	Transactions with Japan-affiliated companies	8	4%
Countermeasures to counterfeits	6	3%	Other	1	1%
International cooperation	12	6%			
Other	1	0%			

5. The effectiveness of the training at work (Question 3-1)

	Number of valid responses by government employees		Number of valid responses by employees in the private sector		The total number of valid responses	
	(Number)	(%)	(Number)	(%)	(Number)	(%)
Effective	62	94%	37	93%	99	93%
Ineffective	4	6%	3	8%	7	7%
Total	66		40		106	

6-1. Effectiveness of the training at work by category

(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Improvement of domestic intellectual property environment	31	28%	Improvement of business performance	27	32%
Streamlining and speeding up of business procedures	24	22%	Streamlining and speeding up of business procedures	12	14%
Improvement of user services	23	21%	Improvement of customer service	19	23%
Improvement of users' intellectual property awareness	27	25%	Raising of third parties' intellectual property awareness	24	29%
Other	5	5%	Other	2	2%

6-2. The effectiveness of the training at work in specific tasks (Question 3-1-2)

(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Improvement of laws, regulations, guidelines, etc.	21	16%	Increased number of commercialized and branded products	5	3%
Establishment of intellectual property policies/measures	17	13%	Increased number of acquired IP rights	18	10%
Increased opportunities to utilize AIPN and IPDL	21	16%	Reduction of time required for processing transactions	13	7%
Increased number of transactions processed	16	12%	Increased number of technology transfer and licensing contracts	6	3%
Reduction of time required for transaction processing	23	18%	Improvement of drafting documents	26	15%
Clarification of judgment criteria	25	19%	Improvement of knowledge re. PCT/Madrid Protocol applications	17	10%
Increase in number of counterfeit/pirated goods seized	5	4%	Increased number of transactions and exchanges with Japan-affiliated companies	9	5%
High evaluation from users	1	1%	Improvement of ability to provide appropriate advice	32	18%
Other	0	0%	Increased opportunities to serve as a lecturer	18	10%
			Increased number of people around me who understand intellectual property	32	18%
			High evaluation from third parties	0	0%
			Other	0	0%

7. Utilization of personal contacts (networking) established in the training course (Question 4-1)

	Number of valid response by government employees		Number of valid response by employees in the private sector		Total number of valid responses	
	(Number)	(%)	(Number)	(%)	(Number)	(%)
Used contacts	46	70%	35	88%	81	76%
Did not use contacts	20	30%	5	13%	25	24%
Total	66		40			

8. How utilization of personal contacts (networking) established in the training course were used (Question 4-1-1)

(Multiple answers allowed)

	The number of valid response by government employees		The number of valid response by employees in private sector	
	(Number)	(%)	(Number)	(%)
Domestic trainees from government agencies	31	27%	22	19%
Domestic trainees from private companies	13	11%	19	16%
Foreign trainees from government agencies	29	25%	13	11%
Foreign trainees from private companies	10	9%	28	24%
Lecturers (Related parties in Japan)	7	6%	9	8%
JPO Officers(Related parties in Japan)	19	16%	13	11%
Personnel of Japan-affiliated companies (Related parties in Japan)	6	5%	11	9%
Other	1	1%	1	1%

9. The purpose of utilizing these personal contacts (Question 4-1-2)

(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Information collection	34	28%	Information collection	22	18%
Information exchange	42	34%	Information exchange	32	27%
Facilitation of communication with JPO	15	12%	Facilitation of communication with JPO	13	11%
Referral to lecturers	8	7%	Facilitation of communication with Japan-affiliated companies	14	12%
Announcement of seminars, etc.	8	7%	Referral to lectures	9	8%
Issue resolution	13	11%	Announcement of seminars, etc.	16	13%
Other	2	2%	Issue resolution	11	9%
			Other	3	3%

10. Interest in attending course follow-up activities such as seminars, workshops, etc. (Question 4-2)

	Number of valid responses by government employees		Number of valid responses by employees in the private sector		The total number of valid responses	
	(Number)	(%)	(Number)	(%)	(Number)	(%)
Wish to attend	60	91%	37	93%	97	92%
Not interested	6	9%	3	8%	9	8%
Total	66		40		106	

11. Reasons for interest in follow-up sessions (Question 4-2-1)

(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Few opportunities to learn about intellectual property	27	14%	Few opportunities to learn about intellectual property	16	11%
To disseminate information on intellectual property	40	21%	To disseminate information on intellectual property	22	15%
To obtain the latest information on intellectual property	52	27%	To obtain the latest information on intellectual property	35	24%
To maintain the network of trainees	34	18%	To maintain the network of trainees	34	24%
To develop/maintain personal networks with Japanese IP professionals	39	20%	Difficult to hold such sessions in one's country	6	4%
Other	0	0%	To develop/maintain personal networks with Japanese IP professionals	30	21%
			Other	1	1%

Column: "Japanese People and Rice"

Mr. Takao Ogiya
Director General of APIC

Mr. Takao Ogiya

My father, who runs a rice retailing business, says, "Nowadays, Japanese people eat much less rice than they did in the old days." Indeed, the annual consumption of rice per capita in Japan has dropped nearly in half, from about 120 kg 50 years ago to about 60 kg today. Records show that during the Edo period about two centuries ago, the per capita rice consumption was more than 200 kg. This drop in consumption is because Japanese people have come to eat highly nutritious foods in recent years, such as meat, eggs, and milk and have thus became less dependent on rice.

Rice used to be the staple food for Japanese people. Nearly 90% of rice protein consists of amino acids essential for the human body, and rice also contains many calories. Since 100 g of rice contains about 356 kcal, eating 400 g of rice per day can cover the basal metabolic rate of an adult man. As long as you have rice, you only need some soy beans, vegetables, small amounts of fish and seaweed (kelp, wakame, or hijiki), and a little bit of salt for a perfect longevity diet.

In addition, the productivity of rice can be enhanced, with harvests able to be increased by devoting time and effort. Japanese people are diligent, and find joy in making efforts. Because the efforts put into rice farming are rewarded by the visible results of the harvest, it seems natural that Japanese people became dedicated to growing rice. In other words, the rice food culture fits the nature of the Japanese people.

Here is one example. Rice is originally a tropical plant that grows in climates with a rainy and a dry season. In Japan, the conditions of these two seasons are artificially created by flooding the paddy fields when planting rice, and then draining the water upon harvesting. Meanwhile, there are two factors that make rice tastier: plenty of good-quality water, and a large temperature difference between daytime and nighttime. The Uonuma area in Niigata Prefecture, a cold area with heavy snowfall during winter that is well-known for rice farming, has both of these factors. People in the region developed cold-resistant rice varieties, and endeavored to make tasty rice through many years of efforts in narrow parcels of land. As a result, Uonuma Koshihikari rice has come to constantly boast the top rating in Japan.

Furthermore, group work is suitable for rice farming. The steps in the series of work necessary for rice farming—from preparing paddy fields, rice-planting, and constant weeding to harvesting—are better to be conducted all at once by a group of people at specific times of the year. In addition, if many people devote time and effort by using a large paddy field, a far more abundant harvest can be expected than by working individually in small paddy fields. Because of this, groups were gradually formed for the purpose of rice farming. Through such organized rice farming, Japanese people began to prioritize the determination of the group

over the ideas of individuals. This is considered to have led to the mentality of always being sensitive toward the people's thoughts, and trying to provide service that goes beyond expectations—the spirit of *omotenashi*. On the other hand, there was a need for a ruler to lead the group, and people's reluctance to becoming ruled diminished. This may be one of the reasons why Japanese people today often tend to feel hesitant about stating their opinions, and tend to wait for instructions from others.

Considering these factors, it would be no exaggeration to say that Japanese people's identity has been formed through rice farming.

With Japanese people's spirit of *omotenashi* winning high praise, Tokyo was chosen as the venue for the 2020 Olympic and Paralympic Games. Behind this accomplishment, however, was the presence of a British advisor who suggested that the presenters should more actively emphasize the good parts of Japan that even Japanese people may not be aware of. Moreover, although a boom in Japanese cuisine is presently existing around the world, it should be noted that this trend was not triggered by Japanese people, either.

If Japanese people cannot state their own opinions in an era of global competition, Japan cannot be expected to achieve sustainable growth.

Japanese people are today no longer dependent on rice, as various new foodstuffs have been incorporated to form the current Japanese cuisine. Moreover, Japanese people's identity is also likely to have transcended its rice-derived identity. We should now be striving to interact with many people overseas, experience different cultures, and increase our diversity.

Through this process, just as we may rediscover how tasty rice is, we should realize the attractiveness of Japanese people's sensitivity and the spirit of *omotenashi*, in order to further improve these positive aspects and actively draw attention to them throughout the world. I believe that this is what Japanese people ought to do in the future.

The Tokyo 2020 Olympic and Paralympic Games also provide a good opportunity to review what Japanese people should be like. I hope that many people visiting Japan from all over the world will find Japan to be a very nice country. The devotion of time and effort to that end is the assignment given to Japanese people today.

Introducing New Technology from "Cool Japan! *MONOZUKURI* Japan!" ~"Sendo no Itteki"~ (Yamasa Corporation)

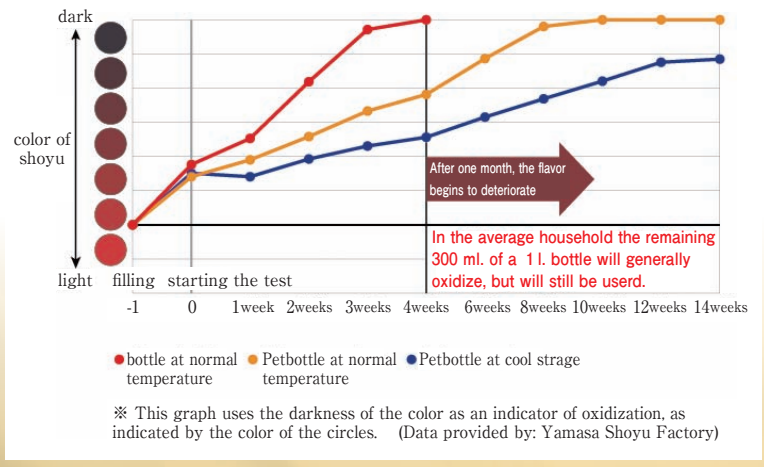
New Standard of Value for Soy Sauce—"Sendo no Itteki" for Providing Soy Sauce Always Kept Fresh (Yamasa Corporation)

Soy sauce, which is called *shoyu* in the Japanese language, is one of the major Japanese seasonings. Some people say that they notice the scent of soy sauce when they arrive at the airport in Japan. *Washoku*, traditional Japanese cuisine, has recently been registered as an UNESCO intangible cultural heritage. As soy sauce is used as the basis for cooking many *washoku* dishes, it is the most popular seasoning, a sauce that ordinary households in Japan always have ready.

What color do you think soy sauce is? You might say it is black. Yes, the soy sauce we usually see is black. However, its true color is red. It turns black when it comes in contact with the air and becomes oxidized.

Here is the story of a project to develop "Drop of Freshness," a new type of soy sauce that can always be kept fresh, by people who wanted consumers to enjoy the true taste of fresh soy sauce in every drop.

Since soy sauce is a kind of preserved foodstuff, it may be difficult to associate it with the keyword "freshness." Once a bottle of soy sauce is opened, the soy sauce comes in contact with the air and turns black due to oxidization in one month. Nobody has questioned this phenomenon,



※ This graph uses the darkness of the color as an indicator of oxidization, as indicated by the color of the circles. (Data provided by: Yamasa Shoyu Factory)

as soy sauce has traditionally been used this way.

As a matter of fact, oxidation deteriorates soy sauce, making it sour and bitter and changing its flavor. Although soy sauce maintains its *umami*, the taste unique to Japanese cuisine, it becomes difficult to discern the *umami* as the soy sauce deteriorates.

To Mr. Isao Fujimura, manager of the Household MD Office, Marketing Department, Yamasa Corporation, soy sauce was always fresh and tasty when he saw it in his office. Then, he came to think that consumers might not be enjoying delicious dishes due to using oxidized, deteriorated soy sauce.

At Yamasa Corporation, new recruits are taught that "soy sauce is varnish, Worcester sauce is paint." This is an allegory meaning that while soy sauce is translucent and can bring out the flavors of ingredients, Worcester sauce covers and suppresses the flavors of ingredients. Seeing that black soy sauce is usually used, Mr. Fujimura came to think that soy sauce, too, is paint now.

The development project began in 2001. Soy sauce becomes oxidized when it comes to contact with the air. After a bottle of soy sauce has been opened, the air in the bottle is inevitably replaced each time the soy sauce in the bottle is used. The first thing that Mr. Fujimura came up with in order to prevent this was to put a small lid in the bottle. Through trial and error, this idea evolved into the invention of a new type of bottle for containing liquid, which was later patented (Patent No. 4379781). He exhibited this new bottle at an in-house presentation, but the company did not adopt it for commercialization because it had a poor appearance and it would increase production costs. Although his first attempt failed, Mr. Fujimura's desire to prevent oxidation of soy sauce spread within the company.

One day in 2005, Mr. Fujimura received a paper from the company's soy sauce laboratory about a new package that can keep soy sauce fresh. This ended up being the original model of the package for "Drop of Freshness." Mr. Katsunori Futase, President of Yushin Kabushiki Kaisha. Mr. Futase, who is also a lover of soy sauce, developed this package that can preserve soy sauce in its optimal condition. This package coincided with Mr. Fujimura's desire.

What is most astonishing about this new package, which is a type of pouch, is that one can pour soy sauce just by tilting the package. If soy sauce is contained in a conventional pouch-type package, it is necessary to squeeze the package in order to pour the soy sauce. The newly developed package has films at its opening, and soy sauce serves as a "lid" when it flows into the narrow space between the films. When the package is tilted, the space between the films is opened wide in proportion to the weight of the flow of soy sauce. This mechanism is called capillary action. Furthermore, when soy sauce is put into the package, it seals the package, entering the space between the films, thereby making the inside of the package almost a vacuum. Thus, this new package has a structure that can keep its contents away from air and prevent oxidization.

Mr. Fujimura made an offer to Mr. Futase to work together to produce delicious soy sauce using this new package. Mr. Fujimura had to wait two more years until he obtained Mr. Futase's consent because Mr. Futase asked for more time to further improve the package.

They ran into various obstacles while working to improve the package with the hope of enhancing convenience for consumers and providing them with delicious soy sauce. The most difficult challenge of all was to establish mass production technology. Though repeated discussions and adjustments, Mr. Fujimura and Mr. Futase finally reached the stage toward commercialization.

One key factor in the process of marketing a product is the "product name." The project team tried not to make the new product a "commodity," demonstrating it as a new type of soy sauce that does not deteriorate due to oxidization and differentiating it from conventional soy sauce. The product was named "Drop of Freshness." This name represents the attempt to make the product appear as a luxury item as well as the wish to provide fresh soy sauce to the last drop.

Another key to the marketing strategy is the outer design of the product. A pouch was chosen as the package for the new product instead of a bottle. Although pouches have been popular as packages for shampoo and other commodities, efforts were made to establish a new standard of value that is applicable to this new type of soy sauce packed in pouches.

In April 2007, Mr. Fujimura was transferred from the development department to the marketing department. Thus, he was committed to the entire process from developing to marketing "Drop of Freshness."

The marketing approach that Mr. Fujimura put emphasis on was tribal marketing. In the information-intensive society of today, the flood of information makes it extremely difficult for manufacturers to directly reach the targeted consumers of their products. With this in mind, Mr. Fujimura used different information channels to get to different "tribes," that is, diversified groups of people. Among these channels, the Internet enabled interactive communication with consumers, through which he could hear their frank opinions and find out how he could make them loyal users of "Drop of Freshness." Actually, although the marketing campaign on the Internet initially targeted young people, the major users of the Internet, favorable comments about the new product have also been posted by elderly people who liked the traditional taste of soy sauce in the new product. Soy sauce, which stands at the center of *washoku*, is loved by everybody in Japan, irrespective of age and gender. In order to provide more delicious soy sauce, the endeavor to establish a standard of value for the "freshness" of soy sauce will continue.

Soy sauce in Japan will go back to its basic role of "varnish," which is indispensable to creating *washoku* dishes as works of art with excellent flavor and freshness, in addition to seasoning the ingredients. "Drop of Freshness" is the first step. We hope you enjoy *washoku* dishes to your hearts' content in combination with fresh soy sauce.

Happenings in Japan

Introduction about our website page

【Introduction of the "Training Program (long)"】

The contents of the "Training Program (long) portion of our website consists of the published theses of our two Long-term Fellowship Researchers, and are kept on our website for 6 months. Their theses are based on a comparison of the IP systems of Japan and their home country, the scope of Intellectual Property, and their opinions. Their final reports are published on our site both in Japanese and English. The contents of these reports may prove to be very useful to you. So please take a look!

Editor's Note

The seasons in Japan are changing to become spring now. How are you?
Many people associate spring in Japan with cherry blossoms. What do you associate with "WASHOKU" (Japanese food)?

"WASHOKU" was granted Intangible Cultural Heritage status by UNESCO on December 4, 2013. I was surprised by this news as we are so used to eating "WASHOKU". But I'm very glad that "WASHOKU" is appreciated all over the world.

All through the year, there are variations of "WASHOKU" according to the four seasons of Japan.

"SHUN" is very comforting food for us, specialty dishes available for a limited period. Though rice is a staple for us, newly-harvested rice is a real luxury.

In his column this issue, our director has written about what is rice to the Japanese. The article on technology introduces "SHOYU" - a Japanese flavoring that is very famous all over the world. We can't talk about "WASHOKU" without mentioning "SHOYU". How do the Japanese feel about it? I hope you find out from this article.

Food connects us in the world; Intellectual Property also connects us in the world. Both seem to connect us for respect and understanding. We hope that we can continue to work together around the world to build our common resource of intellectual property.

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