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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.

【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.

Table of Contents

1. Report of Training Course Under the WIPO Funds-in-trust/JAPAN for Patent Examiners on the Specified Technology (pharmaceutical) from APIC

2. Report of Training Course Under the WIPO Funds-in-trust/JAPAN for Patent Examiners on the Specified Technology (pharmaceutical)

Ms. Xu Lei (China)

3. FY2014 Follow-up Seminar Completed (Thailand)

4. Report of FY 2014 Patent Practical and Tailored Training Program training course

Mr. Manivasakam Marimuthu Ramaswamy (India)

5. Report of JPO/IPR Training on Trademark for Myanmar

Ms. Aye Aye Maw (Myanmar)

6. Report of Training course Under the WIPO Funds-in-trust/JAPAN on IP Management and the Formulation and Implementation of Results Based IP Office Plans

Mr. Yao Jingwei (Singapore)

7. Contributions from FY 2014 Long Term Fellowship Researchers

Ms. Chhouk Roth (Cambodia)

8. Articles from Former Trainees

“The Role of the Registry of Trademarks, Patent & Designs in the protection of Intellectual Property Rights in Nigeria”

Mr. Shafiu Adamu Yauri (Federal Republic of Nigeria)

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

10. Information of IPAA “IPAA in Philippines Elects New President”

11. Column: “The Age of Sensibility ”

Mr. Takao Ogiya, Director General of APIC

12. Selection from TOP 100 Japanese Innovations ~“Wash let”~

13. Happenings in Japan (Four-Frame Cartoon)

14. Introduction of Website Feature: “IPAA”

15. Editor’s Notes

Report of Training Course Under the WIPO Funds-in-trust/JAPAN for Patent Examiners on the Specified Technology (pharmaceutical) from APIC

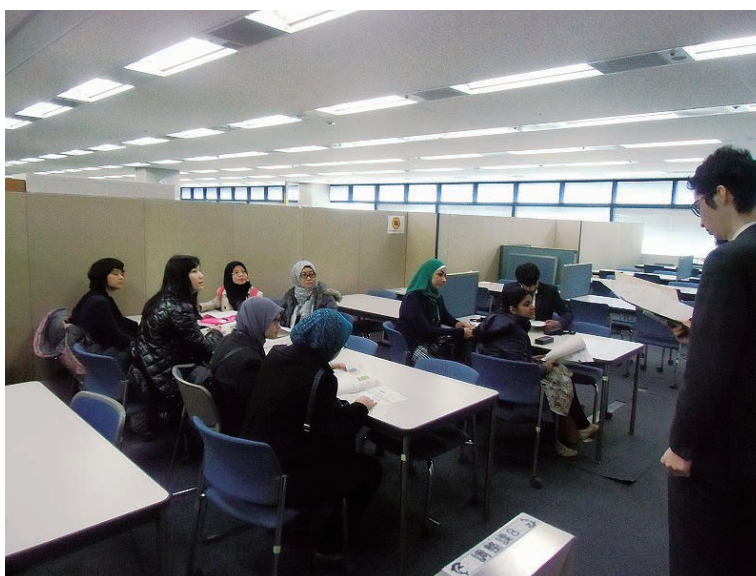
February 19-26, 2015

WIPO/Japan Funds medical and pharmaceutical training course in designated technological fields

A WIPO/Japan Funds training course was held, covering specified technologies, and the fields of medicine and pharmaceuticals. A total of 17 trainees from China, Egypt, India, Indonesia, Malaysia, the Philippines, Thailand, Turkey, Vietnam and ARIPO (the African Regional Intellectual Property Organization) participated in the course.

The trainees were patent examination officers in their own countries, in charge of medical and pharmaceutical-related patents covered by technological fields designated by the Japan Patent Office (JPO). The training course therefore focused on these fields, particularly patent examination standards and examination procedures.

On the first day, the trainees visited the National Center for Industrial Property Information and Training, set up within the JPO, and the JPO's office in charge of patent examination in medical and pharmaceutical fields, where the trainees received a briefing from patent examination officers Mr. Sawada and Mr. Kato about how to operate their terminals. A question-and-answer session held along with the briefing focused on patent examinations.



In the afternoon, two officers from the JPO's Third Patent Examination Department (Chemistry, Life Science and Material Science)—Mr. Nishiyama and Mr. Yoshida—delivered lectures on the patent examination process and examination standards. In the first half of the afternoon session, Mr. Nishiyama explained the patent examination standards used by the JPO while referring to actual patent cases. In the second half of the afternoon session, led by Mr. Yoshida, the trainees discussed how patent examinations are conducted in each other's countries based on the case studies introduced by Mr. Nishiyama. Each country's situation regarding patent examinations was compared and the session, peppered with many questions, became interactive, with all participants, including the lecturers, actively taking part.



On the second day, a practical seminar on conducting research to obtain patent information was held, with Ms. Yamada of Ochanomizu Patent Office invited to deliver a speech. Ms. Yamada briefed the trainees about search methods using the Japanese classifications “FI” and “F Term,” while referring to actual cases. The trainees appeared very impressed with her lecture, which focused on patent information searches, a key part of carrying out patent examinations. As specific search tools were used, the trainees must have felt like asking many questions. This lecture must have been extremely useful for the trainees, as they said in the assessment session held on the final day that it would have been better if more time had been allotted to the topic.

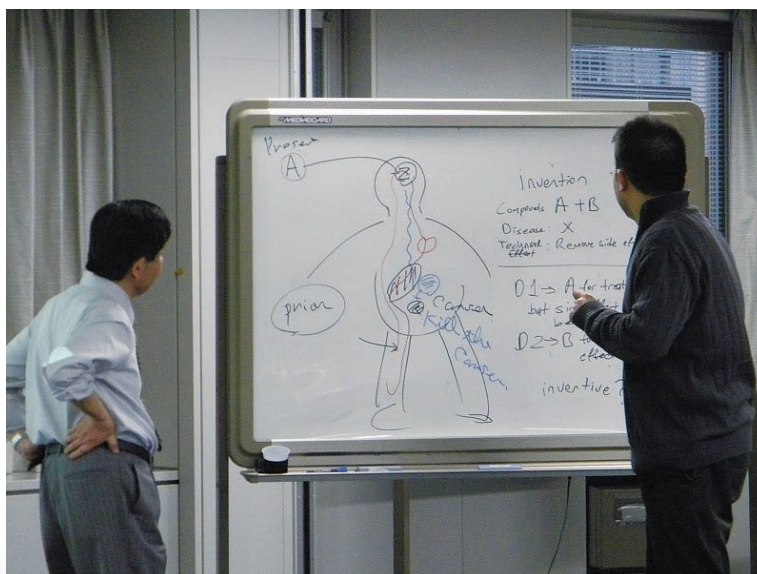


On the third day, the trainees visited the Tsukuba Research Center of Astellas Pharma Inc., where they were briefed about the situation surrounding pharmaceutical companies and their intellectual property strategies. Following the briefing, the trainees directed many technical questions to the briefer. The answers were frank, and a lively question-and-answer session ensued. Visiting the Tsukuba Research Center, the trainees witnessed the most up-to-date pharmaceutical development technologies and had a first-hand look at worker-friendly and environmentally-friendly building structures and workplace layouts. The trainees directly

observed research facilities run by Astellas, a major pharmaceutical company, and learned about its intellectual property management, which must have impressed them greatly.



On the fourth day, Mr. Tsukanaka, a patent attorney at Sugimura International Patent and Trademark Attorneys, delivered a lecture focusing on actual patent examination cases (freshness and progress). The session took the form of a two-way dialogue in which the trainees looked into actual cases in Japan and also presented their positions regarding what they would do if certain cases occurred in their own countries. The trainees asked many questions regarding the cases being introduced, leading to a lively discussion. The trainees were able to compare patent examinations in Japan with those in other countries, thus helping to broaden their study framework. Many of the participants said more time should have been allotted to this session.



On the fifth day, Mr. Hirota of Hirota, Nagase & Associates was invited to speak about patent disputes. Having previously worked for a pharmaceutical company, Mr. Hirota introduced various cases of patent disputes, including judicial precedents and judgments. He presented these cases from the viewpoints of all sides, including those who filed the patent application,

as well as demandants and demandees. The trainees directed many questions to Mr. Hirota while commenting on his presentation. This lecture session was effective in deepening the trainees' understanding of patent dispute cases.



On the sixth and final day, Mr. Fujita, a patent attorney at Hiraki & Associates, was invited to speak to the trainees. Mr. Fujita had previously served as a patent examination officer at the JPO and a judge at the JPO's patent court in connection with appeals. Having expertise in patent examinations in the medical and pharmaceutical fields, Mr. Fujita responded accurately to whatever difficult question the trainees would ask. In the day's case study session, the trainees were divided into four groups. In each group, the trainees discussed actual patent cases and made presentations, followed by comments by the lecturer and a question-and-answer session. On the final day, discussion was lively and robust, just like a symposium. The session was received favorably by the participants, who said what they learned on the day could be reflected in their patent examination work after returning home.



Many of those who participated in the training program said the curriculum was good and that their participation would help them in their patent examination work after returning

home. The program was meaningful both for those who planned it and the participants because its effects were felt by both sides. The program will become even better if more time could be allotted to patent examination work, as shown in comments by the participants—a challenge to be addressed next time.

The latest program is expected to provide significant leverage to the participants as they build their careers in their respective countries in the future. We are looking forward to seeing them play a key role in their country's patent sector.



Report of Training Course Under the WIPO Funds-in-trust/JAPAN for Patent Examiners on the Specified Technology (pharmaceutical)

My Special 2015 Spring Festival

Ms. Xu Lei (China)

Patent Examiner, the pharmaceutical and Biological examination Department, SIPO



Ms. Xu Lei

February 18, 2015, was a very special day. It was New Year's Eve in China. Normally, the family spends this day together, however, I had to go to Japan to start a lonely journey and was forced to spend the whole festival on my own. The purpose of this journey was to attend the Training Course for Patent Examiners on Specified Technology (pharmaceutical) supported by the WIPO Funds-in-trust/JAPAN. Because it was festival time in China, I went to Japan with very complex emotions, which blended excitement for learning new things with sorrow over having to leave home during the festival.

Upon arriving, it was raining, and during the night, the rain increased my sadness. However, the next day, when I began to study, I abandoned this sadness because the people in my class were so kind and the training was very interesting and helpful. My classmates came from 11 different countries, and when I met some unexpected difficulties, they all cared for and helped me. I was very fortunate to make the acquaintance of so many good friends.

Our training can be divided into two parts: training and visiting. The training courses included: Practices and Standards of Patent Examinations; Practices and Guidelines for Patent Examination regarding Medical Invention (Case study); Patent Information Search Practices; Patent Practice Case Studies (Novelty, Inventive Steps); Patent Dispute Case Studies. I learned about the examination practices in different countries according to their different patent laws.

In addition to the training courses, we visited a pharmaceutical company, Astellas Pharma Inc. I was surprised at the degree of automation in their laboratory and learned about the role of IP in the company and the company's management of IR rights.

I learned a lot through this training. For example, I understood that there must be some differences among patent examination practices in different countries because of their different legal provisions, therefore, the consideration of the differences in such legal provision is an important foundation for understanding the patent examination reports of other countries. In any case, even for the same invention, you will reach a different conclusion if you take a different point of view, therefore, it is very important to consider a problem in all its aspects, and make objective judgments as much as possible.

The nine days were fleeting, and it was the end of the training course and I had to go back to China. While in Japan, I deeply felt the friendliness of the Japanese people and my classmates. Every city has its own identity, and the strongest impression I have of Tokyo is, no doubt, the people's politeness and friendliness. I will miss the people I met here and hope we can keep in touch with each other in the future. I know in my heart that we will.



2014 Training Courses Completed - Thank You for Your Cooperation



JPO/IPR IP Trainers



JPO/IPR Advanced IP Protection Practitioners



JPO/IPR IP Management



JPO/IPR IP Administration for LDCs



JPO/IPR Patent Examination Practice for ASEAN



JPO/IPR Trademark Experts



JPO/IPR Patent Experts



JPO/IPR Protection Lawyers



JPO/IPR Trademark for Myanmar



JPO/IPR the Practices for Madrid Protocol Trademark Filings for ASEAN Countries 1



JPO/the Practices for Madrid Protocol Trademark Filing for ASEAN Countries 2



WIPO Funds-in-trust/JAPAN the Use of Information Technology in Industrial Property Administration



WIPO Funds-in-trust/JAPAN the Examination Practice of Industrial Property (Intermediate/Advanced Program)



WIPO Funds-in-trust/JAPAN The Enforcement of Intellectual Property Rights



WIPO Funds-in-trust/JAPAN Industrial Property Examination (Basic Program)



WIPO Funds-in-trust/JAPAN The IP Management and the Formulation and Implementation of Results-Based IP Office Plans



WIPO Funds-in-trust/JAPAN Patent Examiners on the Specified Technology (Pharmaceutical)

FY2014 Follow-up Seminar Completed (Thailand)

Follow-up Seminar in Thailand

The Japan Institute for Promoting Invention and Innovation (JIPII) held a follow-up seminar in Thailand's capital city of Bangkok on January 21, 2015. The seminar was conducted as part of the Japan Patent Office's outsourcing project titled "Cooperation in Human Resource Development Program," whose purpose is to sustain and follow up on the training course results. This was the twelfth seminar conducted in Thailand under this program.

The seminar was hosted by the Japan Patent Office (JPO) and the Department of Intellectual Property (DIP), Ministry of Commerce in Thailand; and was implemented by the Intellectual Property Promotion Association of Thailand (IPPAT) and the JIPII. The proceedings began with opening addresses from Mr. Chayatawatch Atibaedya, President, IPPAT; Mr. Thosapone Dansuputra, Deputy Director General, DIP, Ministry of Commerce; and Mr. Kuni-hisa Ito, Director, International Cooperation Division, JPO. The seminar was attended by approximately 180 people, including many law firm staff, government officials, and individuals associated with universities and companies.

The seminar, whose theme was "IP Management within the Global Economy," included sessions on both patent and trademark management. Prior to beginning the sessions, an introductory lecture titled "Thailand's Framework for the ASEAN IP Master Plan" was given by Mrs. Auramon Supthaweethum, Director of the IP Promotion and Development Division of the Department of Intellectual Property (DIP), Ministry of Commerce.

This was followed by several seminar lectures given by both Thai and Japanese presenters, which were as follows: "IP Policy for Sustainable Economic Development in Japan" by Mr. Kuni-hisa Ito, Director of the International Cooperation Division, JPO; "Process of Joining the Madrid Protocol in Thailand" by Dr. Thanapol Aekyokye, Head of the Madrid Group of the Trademark Office, DIP; "Current Status of Patent Management in Thailand" by Mr. Chayatawatch Atibaedya, President, Intellectual Property Promotion Association of Thailand (IPPAT); "Special Speech: Report on IP in ASEAN Member States" by Mr. Motoki Takada, Director, IP Dept. for S.E. Asia Attache of Japan Patent Office, Bangkok, Japan External Trade Organization (JETRO); "IP Management and Utilization of Madrid Protocol in Japan" by Ms. Reiko Toyosaki, Attorney, Toyosaki & Associates; and "Japan's Experience of IP Management within the Global Economy" by Mr. Takao Ogiya, Director General, APIC-JIPII.

After all of the lectures concluded, there was a Q&A and opinion exchange session, where a number of active discussions took place. Participants also asked many questions concerning various issues, including the action plan for the integration of ASEAN, and the effects of joining the Madrid Protocol. In Thailand, various efforts are presently being made toward the integration of ASEAN. In the IP field, the Department of Intellectual Property (DIP), Thailand, is planning to prepare preferential treatment for small- and medium-sized enterprises, and to shorten the period for trademark registration. This seminar confirmed participants' high interest in the effects of changes in the economic structure toward further globalization and the utilization of IP-related systems.

Follow-Up Seminar Thailand (January 21, 2015), Alumni Meeting (January 22, 2015)
Title: "IP Management Within the Global Economy"
The number of participants: 182 participants (Alumni Meeting: 8 participants)



Alumni Meeting



Lecturers



Seminar

2014 Follow-UP Seminar Completed-Thank You for Your Cooperation

Follow-Up Seminar in the Philippines (September 24-25, 2014), Alumni Meeting (September 26, 2014)

Title: "Technology Transfer and Licensing of Intellectual Property Rights (IPR) in a Knowledge-Based Economy"

The number of participants: 119 participants on September 24, 116 participants on September 25, 235 participants to total. (Alumni Meeting: 10 participants)



Alumni Meeting



Follow-Up Seminar India (October 6, 2014), Alumni Meeting (October 7, 2014)
Title: "Strategic Protection and Utilization of IPR in Global Society"
The number of participants: 66 participants (Alumni Meeting: 5 participants)



Alumni Meeting



Lecturers



Seminar

Follow-Up Seminar Myanmar (October 13, 2014), Alumni Meeting (October 14, 2014)
Title: "Role of Intellectual Property Rights (IPR)"
The number of participants: 60 participants (Alumni Meeting: 14 participants)



Alumni Meeting



Lecturers



Seminar

Follow-Up Seminar Indonesia (February 10, 2015), Alumni Meeting (February 11, 2015)
Title: "IP Protection Within a Globalized Economy"
The number of participants: 116 participants (Alumni Meeting: 12 participants)



Alumni Meeting



Lecturers



Seminar

Report of FY 2014 Patent Practical and Tailored Training Program training course

Bon Voyage to the JPO through Patent Practical and Tailored Training (PPTT)



Mr. M.R. Manivasakam

Mr. M.R. Manivasakam (India)
Patent Examiner, Chennai Branch, Indian Patent Office

The long and much-awaited call to travel to a foreign land—none other than the land of technology, Japan—finally knocked on my door on May 19, 2014. The formality requirements went on for nearly three months, ending at last with the arrival of the schedule for the PPTT program, together with my air ticket. My family was very happy to send me off to Japan. I wish to thank the governments of Japan and India for this type of encouragement for people working in my field. Filled with dreams of learning about the Japan Patent Office, the culture of Japan, and gaining experience in next-generation technology, my journey began on September 14, 2014.

I travelled from Chennai to Delhi, where my colleagues from the Delhi Patent Office joined me to take Japan Airlines to Narita Airport. The flight reached Narita ahead of schedule, and an exhilarating feeling overcame me as I realized that I would soon be in the world's richest city by GDP: the technological giant of Tokyo. We arrived at Narita Airport Terminal 2 and went on to Keisei Sekiya station, and then to the marvelous AOTS building. The courtesy of the receptionists, their hospitality, and the arrangements made for us really cannot be expressed in words.

The program began on schedule on the morning of the 16th in the basement of the HIDA/AOTS building, wherein the unforgettable first speaker, Prof. Hiroshi Kato, introduced the IPR system to participants of two different programs from more than 20 nations, including lawyers/attorneys and patent examiners. For my program (PPTT), only the two nations of India and Brazil participated. We—Mr. Susanta, Mrs. Rajni Bala and Ms. Seema Gudden, in addition to myself—introduced ourselves to the friendly participants from Brazil, including Ms. Viviane Gomes and Ms. Karla.

The PPTT training program started its engine on the morning of the 17th at the APIC fourth floor seminar room. The coordinators, including Mr. Shibuya and Ms. Akai, as well as the interpreter, Ms. Yoko Okazaki, are the lifeline of the entire training program. The program was structured in three stages covering the following issues and subjects: Organization structure & Basic Act/Guidelines on Novelty & Inventive step/Unity of Invention/Amendment, Practice Exercises/Case studies/Overview of appeals and trial system/IP High Court/Search Tactics-Introduction to Database/IT and Practical Exercises with JPO Examiner/OJT/Discussion.

The training program also included various company visits. Before the actual sessions on PPTT started, we each presented a pre-training report before the APIC Director, wherein we

shared our expectations of the training program. In addition to general matters, I also hoped to learn how IT evolved in the JPO, as well as about search techniques used by JPO examiners during examinations, and also any relevant software.

Stage 1 started with the presentation of country reports from India and Brazil. I presented for India, and Ms. Karla presented for Brazil. It was interesting to learn about the similarities and differences between Brazil and India, such as the fact that Brazil has utility model protection, and also that its novelty and inventive step assessments are almost the same as the Indian practice. The APIC Director, Mr. Ogiya, introduced the JPO system in its entirety, with his lecture serving as the entryway to the PPTT program.

During Stage 1, I learnt a lot about the JPO examination guidelines. The lectures on examination guidelines given by various experts, and the way they presented the information, were extraordinary. Some examples are as follows:

- i. The reduction of the period of request for examination from 7 years to 3 years
- ii. The stipulation that the applicant must respond to the notice of reasons for refusal within 60 days for domestic applicants and 3 months for non-resident applicants
- iii. The extension period of 5 years in case of drug patents
- iv. The impact of the utility model on the definition of Article 2(1)
- v. Various important articles like 29,29bis,36,39,39bis and 17bis

At this stage, I had a very good interaction with Mr. Shimomichi, an experienced intellect in the field of IPR, regarding the self-designation of international applications under Article 8 of the PCT, wherein he compared the scenarios of Brazil and India. I clarified with him Sections 153(3) and 11(B) of the Indian Patents Act relating to this issue of self-designation.

I learnt in Stage 1 (the period from September 17 to October 14) about how IPR is managed in different corporate sectors, such as Hitachi, Suntory, Nissan Motors, and Astellas Pharmaceuticals. The lectures were interactive and lively. It was interesting to hear from the Suntory lecturer that their genetically modified “blue rose” had been patented in 2004. The highlight of the Nissan Motors lecture was learning about the challenges that they face in preventing counterfeiting. The presenter from Astellas Pharma opined that the drug industries generally prefer selling products to licensing, and that they go for patent invalidation rather than licensing due to overhead costs.

The various systems and procedures for trials and appeals were also exhaustively dealt with during this stage by Mr. Akira Kohno, who explained, for example, the appeals against the examiner’s decision of refusal, trials for patent invalidation, trials to invalidate registration for extension of duration and trials for correction, as well as the “Hantei” system (advisory opinion on the technical scope of a patented invention). It was interesting to learn that the appeal examiner can produce new evidence during trials. Mr. Kohno also kindly explained to us the prohibition of double jeopardy, wherein the concerned party cannot ask for a trial using the same evidence. He further informed us that there will be restrictions on third party invalidation cases. I commented that the trial mechanism of JPO does not exist within the Indian Patent System. It was additionally interesting to learn that two timelines—such as infringement and invalidation trials—may commence simultaneously.

There was also an interesting discussion on the role of patent attorneys with Ms. Sugimura, Ms. Ichikawa, and Mr. Ogiya. The total number of patent attorneys is around 10,800, of which 14% are women. Ms. Sugimura also informed us that agents must undergo 70 hours of orientation training every five years, and that they face penalties for failing to do so.

During the session given by Mr. Kenichi Hattori, I learnt how universities are managing IPR—and also came to know that the image of Mr. Yukichi Fukuzawa appears on the ¥10,000 bill for his extraordinary contribution to industrial revolution by bringing the patent system from Europe to Japan. During this part of the lecture, Mr. Hattori explained the 1999 Bayh Dole Act and why it was enacted in Japan. He also explained the case of Prof. Yamanaka vs. Prof. Jaenich while discussing the timing to file, and, more precisely, the grace period of various nations and regions, such as the US, the EU, Japan, China, and Korea. Of course, I told him about the Indian scenario, whereby there is a grace period of 12 months.

We visited two industrial sites during Stage 1 of the program. The first was the Terumo Corporation, and it was a wonderful experience to travel on the roads of Tokyo's outskirts. I was very much overwhelmed by the General Manager of R&D at Terumo Corporation Headquarters, as well as his colleagues, who received us in their courtyard and planned an extraordinary day for us. Terumo's contributions to cardiovascular treatments are laudable, and this visit was an unforgettable highlight of my trip to Japan.

The second visit was to the Japan Aerospace Exploration Agency (JAXA) Tsukuba Space Centre, and the National Institute of Advanced Industrial Science and Technology (AIST). I still remember it well. We enjoyed the mental therapy robot "Paro", the activities of Choromet, the dance by HRP-4C, the dinosaurs, and finally, the hyper mirror. The geological museum inside AIST was also a treat, as we had wondered about Japan's development alongside such hurdles of nature as active volcanoes, earthquakes and moving tectonic plates, along with the different stones and unearthed archaeological objects.

Stage 2 of the program, from October 15 to November 14, commenced with a company visit to Soken Chemicals, which is located in Sayama city. During this stage, we took part in lots of Practical exercises with eminent personalities. An unforgettable moment occurred during the session led by Mr. Shoji Hadate, when he explained the concept of novelty using the simple example of "a bookmark with light". During the Practical exercises on inventive step, I came to know that the JPO grants patents for 'inventions already in use'. There was an exchange session on examination practices in Brazil and India, wherein all participants made presentations that included case studies in their respective fields. At the Practical exercises on amendments, Ms. Sugimura explained that amendments are not possible in the IP High Court, referring to the first court case of this kind, which concerned the manufacturing of polarization film.

I learnt about the JPO's six different activities during the lecture by Mr. Ogiya. One of these is through JIII, a non-profit body carrying out activities for society, which I regard as extremely laudable. Of course we also have many non-profit organizations in India that help to spread awareness of IPR, but there is no specific body operated by the Patent Office as such.

Another important feature of the IPR system is patent mapping by companies. This was

explained by Mr. Hajime Tokuno, who introduced us to the various types of software used by different companies to analyze where and when to file.

We also had an opportunity to visit the IP High Court and witness the proceedings inside the court room, which was a wonderful experience. Prior to our visit, the judge—Ms. Rika Nishi, who has 20 years of experience in the field—gave us an introduction to the IP High Court's role and the current situation in the courts.

From the program's second stage, I came to learn about how to utilize the services of IPDL (Industrial Property Digital Library), as well as how to search in PAJ (Patent Abstract of Japan). My favorite topic, FI/F-term* searches, was dealt with by Mr. Hiroshi Kato very exhaustively. I learnt searching techniques using these terms in the AIPN**/IPDL databases, and I also learnt during this session that the JPO maintains a separate database for computer software applications (CSDB). Prof. Kato discussed the PPH***and PPH-Mottainai, along with the AIPN, very exhaustively—and I also clarified with my office counterparts that the Indian Patent Office is part of the AIPN.

* Search Code designated by the JPO for smoother search

** Advanced Industrial Property Network

*** Patent Prosecution Highway

Another important moment organized by Mr. Hiroshi Kato was a performance called “shorinji” done by the JPO examiners. It was mind-blowing. Kudos to Mr. Kato's team for rendering such a memorable event! This one hour in the evening went by just like that—and it sowed the seeds for me to keep fit in this stressful world.

We were also able to visit the IPCC (Industrial Property Cooperation Center), where I had the opportunity to learn about an automatic preprocessing system known as the OWAKE system. Only half a day was spent at IPCC, and I felt that one full day should have been allotted for the visit. We later had another session covering the systems of Quality Management and IT at the JPO, as well as tools for work-sharing of patent examinations. This session was similarly insufficient for fully understanding the topic. On the other hand, there was also a visit to Thomson Innovation under the heading of “commercial databases”, which I feel could have been avoided.

One of the most memorable discussions took place with the members of JIPA. The session was planned such that questions from the Indian and the Brazilian sides, as well as from JIPA, were taken in advance, and the answers prepared by the members prior to the session. Unfortunately, due to a shortage of time, we skipped the discussions, and it was merely a brainstorming session. Furthermore we—the PPTT participants—had already discussed these questions with Mr. Ogiya prior to the discussion with the members.

The third stage of the program (from November 17 to 28) comprised sessions such as case studies, on-the-job training (OJT) and the practice of appeals, along with the presentation of results. The way that the case study sessions were handled took me back to my college days. These sessions were combined with another trainee group that was attending the WIPO/ Japan Funds training course under the Japan Funds-in-trust. All participants were divided

into four teams, and each team had to present their study on the case that was discussed. It was interesting to attend such interactive sessions. I learnt a new concept—“Teaching Away”—an obstructive factor during the case study analysis on the Inventive step.

The highlight of the training course was the “On-the-Job Training” at the JPO. As each of the PPTT participants was from a different technical field, we were separated during these two days. My OJT was in the Materials Processing Division. The two examiners, Mr. Ikenoya and Mr. Kawasaki, made me feel comfortable and explained the JPO examining divisions to me. It was interesting to learn about the organizational structure of this division and the functions of the officials. I feel that the functions are almost the same as those in the Indian Patent Office. I am very thankful for the cordial lunch provided by Mr. Sato, the Division Director, and his examiners. The second day of the OJT started with a case study related to the continuous casting of metals. During the discussion, I learnt about the functions of JPO examiners. They are performing really great work. I also learnt about the movement of applications in the group, the hierarchy of the group’s personnel, and probable reasoning by the examiner in the Notice of Refusals/Notice of Office Actions. We met the Director General of this group, and I was excited to be present in his office.

Among the sessions on trial procedures, Prof. Matsuda’s session was very interactive, and we felt that his session should have been scheduled earlier in the program rather than on the last day. The claim language is the basic principle of literal infringement, and was explained by the professor using the basic example of a pencil with/without an eraser. Also, he discussed open- and close-ended claims, and the impact upon infringements. Similarly, he exhaustively discussed the differences between direct and indirect infringements. It was very interesting to learn about the DOE (Doctrine of Equivalents). He also discussed the 1950 Graver Tank case (US). Finally, he discussed remedies, injunctions, and damages, including the jurisdiction in Japan and global litigation such as possible forum shopping and forum running. I felt very much enriched by this session.

I also admired the feedback session (evaluation meeting) after we presented our lectures on the training. The delegates at the evaluation meeting were very cordial as they listened to the participants’ feedback and suggestions to improve the training sessions.

So, that was my great experience during the 2014 PPTT program at the JPO! During the training, we also saw parallel training courses going on in neighboring seminar rooms. We witnessed two 21-day programs, one 5-day program, and one 15-day program. It was so well-coordinated that some of our sessions were combined with those of the other programs. In addition, the participants of the six-month program also joined in. The result was an intermingling of people from many different cultures. In a way, the JPO training is a cultural meeting spot.

One may feel after reading through the above text that I was studious during the program, but that was not entirely the case. In the evenings (i.e. after the training sessions and on weekends), I, along with my fellow examiners, visited many places in and around Tokyo, including Meiji Shrine, Mount Fuji, Hakone, Asakusa, Tokyo Tower, Tokyo Skytree, the Imperial Palace, Kamakura, Odaiba, and Shinjuku. One unforgettable place was Renkōji Temple, which is a Buddhist temple that houses a statue of Shri. Netaji Subhas Chandra Bose, my

country's greatest personality, where his ashes are kept and protected. Another memorable place was the Temple of Confucius, located in Yushima Seido near Akihabara.

I also bought a lot of souvenirs from the Daiso Shop, which is in the basement of one of the Kasumigaseki buildings. My favorite souvenirs are my memories of the chiming sounds of Tokyo's railway crossings, the fresh air, and the very honest Japanese people. Incidentally, I was very happy to see a kind of little bird that is brownish in color—which is extinct in India because of the pollution—as well as the crows in the streets and gardens.

One day, when my friend Susanta and I were walking in the streets, we came across a lady walking her dog. The dog went to the toilet on the road and, within seconds, its owner picked it up in her gloved hand, put it in a plastic bag, and went away. We were taken aback on seeing that. Hats off to the people of Japan for maintaining strict cleanliness. I observed two more things: when Japanese people catch a cold, they often wear masks so that the cold does not spread to others. Also, they usually do not use perfumes that irritate others. I saw Buddha in each and every one of the Japanese people.

I would also like to praise the HIDA officials for their sincerity in delivering services to their guests. At the dinner, they kindly provided us with chappathi and dal—our favorite foods. I never felt that I was in a foreign land. My god Buddha lives in Japan. I don't know how to express my gratitude for the holiness, humanity, and hospitality, and I can say only THANKS! THANKS! AND THANKS! from my heart and soul.

I hope I will again visit this land of safety, security, and luxury along with my family.



Report of JPO/IPR Training for Trademark for Myanmar

JPO/IPR Training On Trademark for Myanmar

Ms. Aye Aye Maw (Myanmar)
IP Section, MOST



Ms. Aye Aye Maw

My name is Aye Aye Maw. I have been working as an assistant director at Ministry of Science and Technology (MOST) since 1997. I have got Doctor of Philosophy (PhD) Degree in Engineering Chemistry from Yangon Technological University; graduating in 2001. I have had many different experiences in my past time career as I moved from one department to another under the MOST. I was a teacher conducting lectures to engineering students at Mandalay Technological University and a researcher in the Myanmar Scientific and Technological Research Department. And also I worked as a technician in the National Analytical Laboratory.

Since 2012, I have been working in IP Section, Head Office of the MOST which is focal point for IP matters. MOST is responsible for drafting new Myanmar Intellectual Property laws and trying to establish the Myanmar IP office. I am participating in drafting IP laws, especially Trademark and Geographical Indication Law, and also taking part in IP related seminars, workshops, and training course during these years.

As an official intended to be assigned as a Trademark registrar in the future IP Office of Myanmar, I would like to learn Trademark registration system of other countries.

It was the first time I have been to Japan. When I was at University, I dreamed to study in Japan. But I didn't get an opportunity to go there. So, I felt very happy when I had a chance to go training at JPO and HIDA, Japan. This training course was specially arranged only for Myanmar Potential Trademark Examiners by JPO. I was very pleased to attend this special course on Trademark at APIC in Tokyo from November 25 to December 5, 2014.

Altogether four officials from our Trademark Group had a chance to attend this course. This course contained many useful and interesting topics for Myanmar, presented by different experienced experts in the IPR field in Japan. They have a lot of experiences in IP field. They explained Japan Trademarks Registration System, how to solve their problem with examples, case study, practices and field work (Trademark in action), study visit to law firms



(Trademark practice in action) and OJT (Trademark Examination practice; Trademark Classifications and searching). It was real great chance for us. As the course was a special program only for Myanmar, JPO provided a translator for us to understand clearly during the course.

When we had visited to Nissin Food Products Co., Ltd (Company visit) and their Cup Noddle Museum in Yokohama, we had a wonderful time and we enjoyed very much. We had a chance to study their best practice and success stories such as how to manage their trademark/brand success.

At weekend we also visited some interesting places in Tokyo such as Asakusa, Kamakura, Sky tree, Ginza, Roppongi hill and so on.

We admire and respect development of Japan Country, Japanese People, Japanese Culture (tea ceremony and traditional dinner by JPO), their traditional characteristics, behavior, their healthy foods as well as their Trademark Protection System.



Report of Training course Under the WIPO Funds-in-trust/JAPAN on IP Management and the Formulation and Implementation of Results Based IP Office Plans

Mr. Yao Jingwei (Singapore)
Internal Audit Department,
Intellectual Property Office of Singapore
6-13 February, FY 2014



Mr. Yao Jingwei

Freezing Weather filled with Warm People

On the afternoon of February 5th, after a seven-hour flight, I was finally in JAPAN! Here I was, coming from a tropical island to a winter land. This was my first trip to Japan and also my first time experiencing winter. I was filled with excitement for shopping, tasting great food and sightseeing, and most importantly about the mission of this trip and my expectations for the course. I thought about what I could bring back to Singapore and share with my fellow colleagues in terms of knowledge, expert views, practise and analysis.

After immigration clearance at Narita airport, while heading to the ticket office for a ticket to Nippori Station, I was overwhelmed by how my trip had begun. I was so busy looking at the beautiful airport and people around clicking their cameras. It was such a comfortable environment that I had already forgotten I was in a foreign land. I actually did not remember to be mindful of the different currency, “yen”, until after the counter staff reminded me about the 5,000 yen note I left on the counter. She was so kind and caring and kept repeating for me to be careful. She also taught me to differentiate between the various Japanese notes and coins.

I was greeted by a group of professional staff upon arrival at the Tokyo Kenshu Centre (TKC). The service provided was excellent; when assisting me with directions to Kawaguchi Lake, the TKC staff even took extra efforts to check on the weather conditions to ensure I would have the best view of Mount Fuji. The gestures and attitudes of these people from the airport to KTC warmed me up despite the freezing weather.

We had a very good orientation on the first day of the course conducted by Miss Ishizuka and Mr Takimi from the Asia-Pacific Industrial Property Center (APIC). They were very patient and polite throughout the process of showing us the building and the know-how. I would like to take this opportunity to thank Miss Ishizuka and Mr Takimi for their great job of hospitality during our period of stay in Tokyo.

IP Friends

I would also like to praise the strength of the Asia-Pacific Industrial Property Centre (APIC) and Japan Patent Office (JPO) in organising and arranging this training program. It would not



have been easy to get together 27 participants from 20 different countries without strong foundations, abilities and resources. The experience and the exchange of expert views that I have obtained out of this course are so insightful and eye-opening. It was a great experience to hear and learn from the 26 participants from 20 different countries around the world and all the participants were willing to share their views, knowledge and experiences from their own countries. Besides the exchanges of views, experiences and ideas at APIC, at the end of

the course I had made 26 more IP friends in this worldwide IP ecosystem. This is definitely beneficial and will help my future endeavours and my career in this field.

The JPO shared very meaningful and insightful information and experience on the provision of effective and efficient IP services, task management and quality control for patent examinations, and provision of IP support to Japan's SMEs. I am very impressed by the JPO's system of outsourcing prior art search to registered search organizations and the significant achievement of shortening the waiting period to 11 months. The use of "power value" to assess the workload of examination is a useful tool to learn from the JPO in terms of task management. Other IP Offices can learn from these practices shared by the JPO.



Last but not least, we had an enjoyable, fun and yet serious tour to the appeals court and National Center for Industrial Property Information and Training.



A big thank you to Miss Kristen Livshin from the World Intellectual Property Office (WIPO) for delivering this course successfully and professionally to us. Part of this course from the WIPO on Results-Based Management (RBM) enabled us to have a better understanding of the implementation of RBM. IP offices should first shift their focus to the achievements or results which would eventually have an impact, in order to work out different steps to achieve the immediate or intermediate outcomes from such results. IP offices could put in place a constant monitoring mechanism to monitor the progress of the output and outcome thereafter.

There was a balance of lectures and case studies on this course whereby the case studies



provided by the WIPO allowed us to apply the theory learned from the course to some typical issues faced by most IP offices, and the group discussion on the case studies allowed us to have a more in-depth talk about the particular issues.

Systematic and clean country

I am impressed by and salute the train network system in Tokyo, although I was very confused by the many different lines and different types of trains on the same line. If you go to Shinjuku Station, you can understand and experience the complexity of the whole train network. The trains always arrive on time and you can reach anywhere in Tokyo by train even though the whole train network is extremely complex. One tip to avoiding boarding the wrong train is to ask any person around you with a map and you will never get lost, especially when you are a first time Japan visitor like me. Thus, based on the train network system in Tokyo, I can see Japan as a systematic country with things all in order.

Tokyo is a very clean city. Wherever you go, you never see any dustbins along the street, but the street is always so clean and you hardly see any litter.

Nature walk around JPO

It would be great to explore some of the places around the JPO if you have any long lunch hours. I would highly recommend you to take a walk to Hibiya Park and the Imperial Palace if you are a nature lover. Both places have beautiful scenery to relax your mind and refresh you before your next lesson starts.

There are also beautiful buildings and landmarks near the JPO which you can explore too. One of these landmarks is Tokyo Tower! While walking to Tokyo Tower you will walk past the Toranomon Hills building which just opened in June 2014 and is the 2nd tallest building in Tokyo. Another magnificent building that you do not want to miss is the Parliament building which looks so grand and majestic.



Beautiful scenery at Kawaguchiko Lake

On the first weekend during my stay in Tokyo I decided to take a trip to see Mount Fuji. I went to the front counter at TKC to make an enquiry a day before the trip. The staff member was very helpful in finding information via the internet. She helped me search for information on the weather forecast for the next day, which lake has the best view of Mount Fuji and the best route to reach the lake. There were clear skies the next day and I started my journey to Kawaguchiko Lake with all information on hand.

Although I needed to travel to Shinjuku Station followed by a two-hour bus journey to reach my destination, Kawaguchiko Lake, the time spent was worth every minute upon seeing Mount Fuji, which was really beautiful.



This was also my first time to see snow! With a short journey of five minutes by cable car, you can reach a small hill that will allow you a fantastic view of Mount Fuji. The beautiful scenery of Mount Fuji easily brushes away the hectic pace of Tokyo and brings you closer to nature that is filled with calmness. I spent two hours on the small hill relaxing and enjoying the beautiful scenery. It allowed me to recuperate after a week of busy schedules. If you have more time at Kawaguchiko Lake, my suggestion is to take a boat ride to enjoy the scenery of the lake.

After a satisfying day trip at Kawaguchiko Lake, I headed back to Shinjuku Station where there is endless shopping and many food varieties. Although it was night time, the whole place was brightened up by the lights and there were so many activities going on.

This was my first trip to Japan and it definitely won't be my last. I had a fruitful trip in Tokyo and definitely hope to visit Japan again in the near future if circumstances allow. This is a beautiful and vibrant country filled with life and energy. From morning peak hour when people rush to work, to night time shopping and dining in the Shinjuku area, people work hard and play hard at the same time. I am looking forward to the opportunity to visit Japan again.

Lastly, I would like to use this platform to thank my boss and my company for sending me to participate in this course. I will be sure to apply and implement all the knowledge gained from this course in my work where it is deemed due and necessary.

Contributions from FY 2014 Long Term Fellowship Researchers

Ms. Chhouk Roth (Kingdom of Cambodia)
Trademark Examiner
Bureau of Mark Registration
Department of Intellectual Property (DIP)
Ministry of Commerce



Ms. Chhouk Roth

In February 27, 2014, I was informed that I was successfully selected to join the Six-Month Study-Cum-Research Fellowship Program from April 01 to September 30, 2014 in Tokyo, Japan. I was very happy and a bit nervous at the same time because it was my first time staying alone abroad for 6 months. By the way, I had only one month left, but there were many things to be prepared before departing for Japan, such as requesting for official documents approval, applying for a visa and so on. However, there was also a national holiday which made the time shorter, so I could not process the documents on time, and as a result my trip was delayed. Finally, I left Phnom Penh on April 21, 2014 after Khmer New Year.

The next day at around 3:00 pm my flight landed safely at Narita International Airport in Tokyo, and I had to find and to take the Limousine Airport bus which took me around 2 hours from the airport to the ANA Hotel, which was the nearest bus stop to the hotel where I had to stay as well as where I had to wait for Yukiko-san to take me to Mystay Hotel.

On the second day Yukiko-san took me to APIC. I met the Director and staff of APIC, and then my study in Japan began and I got a very strong support from Yukiko-san and Satoko-san. They prepared the detailed schedule about my research and all kinds of materials for me during my study in Japan.

As a long-term researcher, I was able to join many courses in APIC and I was really interested because it contained all aspects of intellectual property, and especially because the lecturers were from the JPO, Law firms and universities that have full experience in the Intellectual Property field. Joining those training courses I studied a lot about the standard process of the trademark examination system in JPO, especially the Japanese experience on the Madrid Protocol.

My supervisor, professor Chikako Hashimoto, allowed me to join seminars at Japan University and IP summer seminars at Tokyo University of Science with lecturers from China and Thailand, and I had never realized how broad the concepts of IP were. However, I got useful advice and constructive help from my professor. She is a very kind and supportive lecturer. She provided me with a lot of valuable materials and suggestions which made my study in Japan more enjoyable. She usually stressed the best methods concerning the Madrid Protocol that were very beneficial to my research and my future.

During the internship at the Patent Attorney, I had a very warm welcome from the staff in Yuasa and Hara. Furthermore, I got a lot of experience and knowledge on trademark exami-

nation and the Madrid Protocol. The program was very useful for my future career.

Apart from my studies and researches in my free time, I visited Asakusa temple and I bought some sweets and souvenirs. I also visited some places outside Tokyo. Japan is not only a place to visit, but it is also a historical and cultural place to explore. From my stay in Japan, I gained a lot of experience about the Japanese people, especially how to order and eat Japanese food.

Anyway, I was very lucky because my new friend, Ms. Sirisombath, called Mimi, who comes from Laos People's Democratic Republic, was very kind and friendly. I spent a happy time with her for six months and we became good sisters, and hopefully I will be able to meet her again in the near future.

Last but not least, I would like to express my sincere gratitude to JIPII-APIC, JPO and all staff for providing me with this unforgettable experience in my life. The Japanese people are very kind and helpful, and now I miss Japan very much and I hope to have another chance to visit Japan again in the future.



Articles from Former Trainees

THE ROLE OF THE REGISTRY OF TRADEMARKS, PATENT & DESIGNS IN THE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN NIGERIA

Mr. Shafiu Adamu Yauri, LL.M (Federal Republic of Nigeria)
Commercial Law Department, Trademarks, Patent and Designs Registry
Federal Ministry of Industry, Trade and Investment
(Under the WIPO Funds-in-trust/JAPAN on IP Management and the
Formulation and Implementation Based IP Office Plans)



Mr. Shafiu Adamu Yauri, LL.M

Introduction

Intellectual Property refers to the creations of the mind or intellect. It is a term often used to describe the result of creative and innovative endeavours in the field of science, technology, commerce or the arts. It is described as “intellectual” because it is the result of the application of the intellect. It is a “property” because just like any other property, it can be owned, sold, transferred or given away.

Intellectual Property Rights refer to a number of distinct types of creations of the mind for which a corresponding set of exclusive rights are conferred or recognised. These include “Patents” for invention in respect of new or improved product or process; “Designs” for the shape or configuration of articles or products; “Trademarks” for words or symbols used in trade to identify and distinguish products; and “Copyrights” for literary and artistic works. (Others are trade secrets, plant breeder’s rights and integrated circuits).

IP rights vary in the protection they provide, and in many cases more than one type of IPR may be necessary to fully protect a new creation. It is therefore necessary to identify the appropriate mode/system of protection, while taking necessary steps to identify the model of protection, and necessary steps to protect novelty of the inventions before their release into the market, altogether these form the basis for a successful packaging of R&D to the market.

The purpose of protection is therefore to create legal certainty to the rights of creators, which serves as an incentive to “create” and foster “innovation”. The exclusive rights granted by IP Rights allow innovators to derive benefit from their creations and to recover “associated costs.” Inventors and Innovators are reassured and as such persuaded to reinvest capital in new R&D activities and put more quality products in the markets. Undoubtedly, the protection of Intellectual Property Rights form part of the essential elements that enable industries and R&D institutions to further develop, refine and improve products for the markets. The absence of which would have served as a disincentive to inventive and innovative activities. The World Intellectual Property Organisation, in its publication “Background Reading Material on Intellectual Property,” emphasized the notion of the protection of IPRs as essentially:

“To give statutory expression to the moral and economic rights of creators in their creation and the rights of the public in access to those creations, and to promote, as a deliberate act of Government Policy, creativity and the dissemination and application of its results and to encourage fair trading which would contribute to economic and social development.”

Administration of IPRs in Nigeria: Both the Patent and Designs Act Cap 344 and the Trade-mark Act Cap 436, Laws of the Federation of Nigeria 1990, place the administration of Patents, Designs and Trademarks under the Registrar of Trademarks, Patents and Designs. The role of the Registry therefore in the registration and administration of Industrial Property is to create legal certainty to the rights of creators, which serves as an incentive for creativity and innovation.

The administration of Copyrights on the other hand, is placed under the direction of the Director-General, Nigeria Copyrights Commission, and deals with literary and artistic works as provided by CAP C28 LFN, 2004.

Protecting intellectual property

All businesses have intellectual property (IP), regardless of their size or sector. This could be Trademarks (your product name, or the logo of your company), Patents (inventions) or Designs (shapes & configurations).

Your IP is a valuable asset. Securing and protecting it is essential to your businesses and their future success, so it's vital to understand what Intellectual Property right protection is and how the law can help you.

The importance of protecting intellectual property

Protecting Intellectual property (IP) rights can:

- set your business apart from competitors
- be sold or licensed, providing an important revenue stream
- offer customers something new and different
- form an essential part of your marketing to distinguish from competing products

Getting legal protection for your intellectual property

There are four main ways in which the law provides protection for your intellectual property. Trademarks, Patents and Industrial Designs. The fourth is “Copyrights” which is administered in Nigeria by the Nigeria Copyrights Commission (an Agency of the Federal Ministry of Justice).

Trademarks

A trademark is the distinctive way in which your business' goods or services are represented - in the form of signs, symbols, words, logos, or any combination of words and symbols. Trademarks are protected for a period of 7 years at the first instance and thereafter renew-

able every 14 years as long as the trademarks remain in use.

To obtain statutory protection of a trademark, the trademark has to be registered with the Registry of Trademarks. To obtain registration, the trademark must be distinctive, and should not conflict with an earlier mark.

The protection under the Act gives the owner of a trademark exclusive rights to the use of the trademark in respect of the goods and/or services registered. A trademark is considered to be infringed if there is unauthorised use in the course of trade of an identical/similar mark in relation to identical/similar goods and/or services, where there exists a likelihood of confusion to the public. In the case of an infringement where the marks are identical and used in respect of identical goods or services, there is no need for the trademark owner to establish that there is a likelihood of confusion by the unauthorised use.

In addition to civil remedies, the registered owner of a trademark could also initiate criminal proceedings in cases of the following infringing acts:

- (a) Counterfeiting a registered trademark.
- (b) Falsely applying a registered trademark to goods or services
- (c) Making or possessing articles for committing offences.
- (d) Importing or selling, etc. goods with a falsely applied trademark.

Licensing of a trademark

In addition to the exclusive right to the use of a registered trademark in respect of the goods and/or services, the registered owner of a registered trademark can assign or license the trademark. A trademark registration can also be assigned by way of security.

Renewal

A trademark registration is valid for 7 years from the date of registration and is renewable for further periods of 14 years indefinitely.

Use Requirement

To maintain a registered trademark, apart from renewal of the registration, the trademark must be put to genuine use in the course of trade in Nigeria. Failure to use the trademark for 5 consecutive years without proper reasons can cause the trademark registration to be vulnerable for revocation on grounds of non-use.

It is very important to maintain registration of trademarks through the payment of renewals in order to safeguard them..

Patents

Patents protect inventions. Inventions are novel ideas or solution to technical problems for a period of 20 years from the date of application. A patent is a monopoly right conferred to

the owner of an invention to enable him to prevent others from using, copying or making the invention without his consent in the country in which he has obtained patent protection.

A patent may be granted for an invention which is a product or a process. The invention must satisfy the following conditions:

- (a) it is new;
- (b) it involves an inventive step;
- (c) it is capable of industrial application; and
- (d) the publication or exploitation of the invention would not generally be expected to encourage offensive, immoral or anti-social behaviour.

To be new, an invention must not be disclosed publicly in any way anytime before the filing date, or the priority date claimed, if applicable.

An invention is regarded as having an inventive step if, when compared to what is already known, it would not be obvious to an ordinary person skilled in the art of the relevant field and must not be anticipated by the state of the art.

To be capable of industrial application, the invention must be useful and have some form of practical application.

An invention of a method of treatment of the human or animal body by surgery or therapy or of diagnosis practised on the human or animal body is not considered capable of industrial application, and hence, is not patentable.

To check if there is no existing patent on record, you need to carry out a patent search at the registry.

Industrial Designs

A design is defined as the features, shape, configuration, pattern or ornament applied to an article by an industrial process. To qualify for registration, the design must be new. A design is not new if it has been registered previously for any article, or published anywhere for any article before the application to register it.

The following designs are not registrable designs:

- Method or principle of construction.
- Features of shape or configuration of an article dictated solely by the function of the article (because that is the function of Patents).
- Design contrary to public order or morality.
- Computer program or layout-design of an integrated circuit.

An application must include:

- A Statement of novelty, giving details of the object for which novelty is claimed.
- Representations of the design.

Registrar may refuse an application if, on the face of the application, the design is not new or is not registrable as a design.

Once the Registrar determines that an application satisfies the formal requirements the application shall be registered and published in the Designs Journal.

A design is registered as of the date of application and the registration date is deemed to be the application date. The term of registration under the Act is 5 years and may be extended for a second and third period of 5 years, i.e., a total of 15 years from the date of registration.

Copyright

This law protects literary, artistic or dramatic works and sound recordings, that are the result of intellectual effort or creative skill. This could cover books, films, instruction manuals, etc. Territoriality

IP protection is territorial, which means if you've registered your IP Right in Nigeria, it applies only within Nigeria. However, to obtain protection in other countries you have to seek protection in those countries by registering your IP Rights in those jurisdictions.

Prevent infringement

If your ideas get into the wrong hands before you have taken action by going to the Registry to protect them, you could find your intellectual property (IP) rights seriously compromised - or even lose them entirely. It's therefore very important that all your business' material in which there are IP rights is kept secure.

This is essential before IP protection is applied for or granted by the Registry. Any disclosure could jeopardise your claim to originality.

Conclusion

The objective of IP law is to permit fair trade, protect consumers, and foster innovation and competition. It is, however, through registration (which is the main function of an IP office), that the IP system grants certainty to owners' exclusive rights, and fosters economic growth and development.

In this connection, the IP system helps in the following :

- Establishes a Strong connection between a product and the source of the product in the mind of the consumers, making it easier to find and choose desirable goods.
- Implies a level of quality or taste to the consumer, thereby retaining loyalty.
- Protects reputation from being smeared by competitors
- Encourages investment and reinvestment in innovative, quality products, thereby creating wealth, generating employment and assisting in economic growth
- Promotes trade and helps maximise benefits for the producer

Arising from the above, statistics from the registry records show that there is a general demand for IP goods by Nigerians, which indicates that not only does demand for IP Rights exist, but that demand has been rising over time.

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 2014 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: August 20, 2014- December 31, 2014

2) Area of survey:

1. Trainees that completed WIPO/Japan Funds short term training courses and WIPO/Japan Funds long term research programs from FY 2011 – FY 2013
2. Trainees that completed JICA training courses from FY 2011 – FY 2013
3. Trainees that completed JPO short term training courses and JPO long term research programs from FY 2011 – FY 2013

excluding those whose contact information (email) is unknown.

Government employees: 562 trainees, private sector employees: 162 trainees (total: 724 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 | 93 | 562 | 17% |
| Private sector | 37 | 162 | 23% |
| Total | 130 | 724 | 18% |

■ 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 | 77 | 505 | 15% | 59% |
| | Court | 9 | 14 | 64% | 7% |
| | Prosecutor's Office | 1 | 10 | 10% | 1% |
| | Police Office | 2 | 9 | 22% | 2% |
| | Customs Office | 0 | 6 | 0% | 0% |
| | Other | 6 | 18 | 33% | 5% |
| Private sector | Research Institute | 1 | 4 | 25% | 1% |
| | University or Educational Institution | 4 | 31 | 13% | 3% |
| | Government-related Organization | 1 | 1 | 100% | 1% |
| | Employee of a private company | 20 | 45 | 44% | 15% |
| | Employee of a legal or consulting firm | 19 | 81 | 23% | 15% |
| | Other | 8 | 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 1-3)

| Number of valid responses from government employees | | | Number of valid response from the employees in the private sector | | |
|---|----------|-----|---|----------|-----|
| | (Number) | (%) | | (Number) | (%) |
| Examiner | 51 | 55% | Executive | 5 | 14% |
| Trial Examiner or Hearing Officer | 4 | 4% | Manager | 4 | 11% |
| IT Officer | 6 | 6% | Research or Development | 2 | 5% |
| Administrative Officer in IP Office | 16 | 17% | IP Administrator in a private company | 9 | 24% |
| Judge | 6 | 6% | Patent attorney | 11 | 30% |
| Administrative Officer in the Court | 3 | 3% | Lawyer | 5 | 14% |

| Number of valid responses from government employees | | | Number of valid response from the employees in the private sector | | |
|---|----------|-----|---|----------|-----|
| | (Number) | (%) | | (Number) | (%) |
| Prosecutor | 0 | 0% | IP Administrator in a legal or consulting firm | 3 | 8% |
| Administrative Officer in the Prosecutor's Office | 1 | 1% | Research Institute | 1 | 3% |
| Police Officer | 2 | 2% | University or Educational Institution | 4 | 11% |
| Customs Officer | 0 | 0% | Government-related Organization | 1 | 3% |
| Other | 6 | 6% | Other | 8 | 22% |
| Total | 95 | | Total | 53 | |

2. Job promotion or transition after the training course (Question 1-4)

| | 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 | 21 | 22% | 11 | 28% | 32 | 23% |
| Will be promoted soon | 1 | 1% | 2 | 5% | 3 | 2% |
| Same position | 62 | 64% | 17 | 43% | 79 | 58% |
| | 5 | 5% | 8 | 20% | 13 | 9% |
| Other | 8 | 8% | 2 | 5% | 10 | 7% |
| Total | 97 | | 40 | | 137 | |

3. Have you utilized the training information in your job? (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 | 90 | 97% | 37 | 100% | 127 | 98% |
| Not utilized | 3 | 3% | 0 | 0% | 3 | 2% |
| Total | 93 | | 37 | | 130 | |

4-1. How have you utilized the training information? (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 | 58 | 32% | | 31 | 28% |
| Shared knowledge or training materials | 76 | 42% | Shared knowledge or training materials | 34 | 31% |
| Shared information with domestic user | 40 | 22% | Disseminated and promoted information about intellectual property | 27 | 24% |
| Other | 7 | 4% | Countermeasures to rights infringement | 16 | 14% |
| | | | Other | 3 | 3% |

4-2. Specific actions utilizing the training information (Question 2-2-2)

(Multiple answers allowed)

| | Number of valid responses by government employees | | Number of valid responses by employees in the private sector | | |
|--|---|-----|--|----------|-----|
| | (Number) | (%) | | (Number) | (%) |
| Policy proposals | 26 | 10% | Proposal submissions | 10 | 5% |
| Issue resolution | 20 | 8% | Issue resolution | 20 | 10% |
| Improvement and revision of laws and regulations | 20 | 8% | Application procedures | 18 | 9% |
| Development and amendment of policies measures, etc. | 14 | 5% | Consulting | 28 | 14% |
| Development and revision of examination standards etc. | 24 | 9% | Countermeasures to rights infringement | 14 | 7% |

| | Number of valid responses by government employees | | Number of valid responses by employees in the private sector | | |
|---|---|-----|---|----------|-----|
| | (Number) | (%) | | (Number) | (%) |
| Examination judgments | 36 | 14% | Commercialization and promotion of intellectual property system | 6 | 3% |
| Lawsuits, trials and hearings | 10 | 4% | Technology transfer and licensing contracts | 6 | 3% |
| Computerization of intellectual property-related procedures, IPDL, etc. | 16 | 6% | Training at Office | 34 | 17% |
| Provision of instructions within and outside the organization | 11 | 4% | Seminars | 24 | 12% |
| Seminars | 28 | 11% | Dissemination and promotion of intellectual property system | 28 | 14% |
| Dissemination and promotion of intellectual property system | 37 | 14% | Transactions with Japan-affiliated companies | 10 | 5% |
| Countermeasures to counterfeits | 5 | 2% | Other | 0 | 0% |
| International cooperation | 10 | 4% | | | |
| Other | 9 | 3% | | | |

5. Were there any outcomes/effects produced as a result of utilizing the training information in your job? (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) | (%) |
| Yes | 85 | 92% | 33 | 89% | 118 | 91% |
| No | 7 | 8% | 4 | 11% | 11 | 9% |
| Total | 92 | | 37 | | 129 | |

6-1. What kind of outcomes were they? (Question 3-1-1)

(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 | 43 | 28% | Improvement of business performance | 22 | 27% |
| Streamlining and speeding up of business procedures | 25 | 16% | Streamlining and speeding up of business procedures | 14 | 17% |
| Improvement of user services | 37 | 24% | Improvement of customer service | 17 | 21% |
| Improvement of users' intellectual property awareness | 38 | 25% | Raising of third parties' intellectual property awareness | 22 | 27% |
| Other | 9 | 6% | Other | 6 | 7% |

6-2. Specific outcomes/effects (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. | 25 | 16% | Increased number of commercialized and branded products | 6 | 5% |
| Establishment of intellectual property policies/measures | 19 | 12% | Increased number of acquired IP rights | 14 | 11% |
| Increased opportunities to utilize AIPN and IPDL | 23 | 14% | Reduction of time required for processing transactions | 9 | 7% |
| Increased number of transactions processed | 21 | 13% | Increased number of technology transfer and licensing contracts | 4 | 3% |

| | Number of valid responses by government employees | | Number of valid responses by employees in the private sector | | |
|---|---|-----|--|----------|-----|
| | (Number) | (%) | | (Number) | (%) |
| Reduction of time required for transaction processing | 25 | 16% | Improvement of drafting documents | 19 | 14% |
| Clarification of judgment criteria | 29 | 18% | Improvement of knowledge re. PCT/Madrid Protocol applications | 13 | 10% |
| Increase in number of counterfeit/ pirated goods seized | 7 | 4% | Increased number of transactions and exchanges with Japan-affiliated companies | 10 | 8% |
| High evaluation from users | 6 | 4% | Improvement of ability to provide appropriate advice | 11 | 8% |
| Other | 5 | 3% | Increased opportunities to serve as a lecturer | 9 | 7% |
| | | | Increased number of people around me who understand intellectual property | 28 | 21% |
| | | | High evaluation from third parties | 7 | 5% |
| | | | Other | 2 | 2% |

7. Are you utilizing the personal network that you established during the training? (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) | (%) |
| Yes | 65 | 71% | 35 | 95% | 100 | 78% |
| No | 27 | 29% | 2 | 5% | 29 | 22% |
| Total | 92 | | 37 | | | |

8. Who do you keep in touch with? (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 | 34 | 24% | 17 | 13% |
| Domestic trainees from private companies | 12 | 9% | 27 | 20% |
| Foreign trainees from government agencies | 40 | 29% | 15 | 11% |
| Foreign trainees from private companies | 9 | 6% | 28 | 21% |
| Lecturers (Related parties in Japan) | 10 | 7% | 12 | 9% |
| JPO Officers(Related parties in Japan) | 25 | 18% | 18 | 14% |
| Personnel of Japan-affiliated companies (Related parties in Japan) | 8 | 6% | 9 | 7% |
| Other | 2 | 1% | 7 | 5% |

9. What is your purpose in utilizing these personal networks? (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 | 41 | 28% | Information collection | 22 | 19% |
| Information exchange | 57 | 38% | Information exchange | 33 | 29% |
| Facilitation of communication with JPO | 13 | 9% | Facilitation of communication with JPO | 9 | 8% |
| Referral to lecturers | 10 | 7% | Facilitation of communication with Japan-affiliated companies | 11 | 10% |
| Announcement of seminars, etc. | 10 | 7% | Referral to lectures | 11 | 10% |
| Issue resolution | 16 | 11% | Announcement of seminars, etc. | 15 | 13% |
| Other | 2 | 1% | Issue resolution | 12 | 10% |
| | | | Other | 2 | 2% |

10. Did you attend the follow-up seminars implemented through this project for those who had completed the training in your country? (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) | (%) |
| Yes | 25 | 28% | 12 | 33% | 37 | 30% |
| No | 63 | 72% | 24 | 67% | 87 | 70% |
| Total | 88 | | 36 | | 124 | |

11. If a follow-up session (such as a seminar or workshop) were to be held in your country with the aim of maintaining or improving the knowledge of training participants after the training was completed, what topics would you like to see covered? (Question 4-2-2)

(Multiple answers allowed)

| | Number of valid responses by government employees | | | Number of valid responses by employees in the private sector | |
|--|---|-----|--|--|-----|
| | (Number) | (%) | | (Number) | (%) |
| Intellectual property management by companies | 18 | 12% | Intellectual property management by companies | 23 | 15% |
| Intellectual property management by companies (SMEs) | 7 | 5% | Intellectual property management by companies (SMEs) | 14 | 9% |
| Intellectual property management by research institutions and educational organizations (universities) | 12 | 8% | Intellectual property management by research institutions and educational organizations (universities) | 17 | 11% |
| Connections between intellectual assets and economic development | 10 | 7% | Connections between intellectual assets and economic development | 16 | 11% |
| IP enforcement | 11 | 7% | IP enforcement | 26 | 17% |
| Brand strategies | 9 | 6% | Brand strategies | 18 | 12% |
| Patents for computer programs | 6 | 4% | Patents for computer programs | 17 | 11% |
| Affiliations between industry, academia and government | 7 | 5% | Affiliations between industry, academia and government | 10 | 7% |

| | Number of valid responses by government employees | | | Number of valid responses by employees in the private sector | |
|--|---|-----|--|--|-----|
| | (Number) | (%) | | (Number) | (%) |
| Public awareness about intellectual property | 13 | 9% | Public awareness about intellectual property | 14 | 9% |
| Cases of infringement, countermeasures | 14 | 9% | Cases of infringement, countermeasures | 24 | 16% |
| Effective acquisition of rights | 1 | 1% | Effective acquisition of rights | 13 | 9% |
| Know-how about examination | 13 | 9% | Know-how on preparing a specification | 17 | 11% |
| Systems to speed up examinations (such as PPH) | 16 | 11% | Systems to speed up examinations (such as PPH) | 17 | 11% |
| IP management (overseas expansion) | 12 | 8% | IP management (overseas expansion) | 25 | 16% |
| Other (please explain): | 3 | 2% | Other | 2 | 1% |
| Total | 152 | | Total | 253 | |

12. Did you know that alumni groups have been formed by training participants? (Question 4-3)

| | 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) | (%) |
| Yes | 50 | 57% | 26 | 67% | 76 | 60% |
| No | 38 | 43% | 13 | 33% | 51 | 40% |
| Total | 88 | | 39 | | 127 | |

13. Would you like to join an alumni group if you have the opportunity? (Question 4-3-1)
(Countries having alumni groups)
(Multiple answers allowed)

| | 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) | (%) |
| I would like to join. | 19 | 56% | 5 | 22% | 24 | 42% |
| I would like to join, but am not sure who to contact. | 6 | 18% | 9 | 39% | 15 | 26% |
| I do not want to join. | 2 | 6% | 1 | 4% | 3 | 5% |
| I have already joined. | 6 | 18% | 4 | 17% | 10 | 18% |
| Other | 1 | 3% | 4 | 17% | 5 | 9% |
| Total | 34 | | 23 | | 57 | |

14. Would you like to join an alumni group if one were to be formed in your country? (Question 4-3-1)
(Countries not having alumni groups)
(Multiple answers allowed)

| | 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) | (%) |
| I would like to join. | 48 | 87% | 14 | 100% | 62 | 90% |
| I would not like to join. | 7 | 13% | 0 | 0% | 7 | 10% |
| Other | 0 | 0% | 0 | 0% | 0 | 0% |
| Total | 55 | | 14 | | 69 | |

15. What aspects were most beneficial to you in attending the JPO training? (Question 5-1)
(Multiple answers allowed)

| | Number of valid responses by government employees | | | Number of valid responses by employees in the private sector | |
|--|---|-----|--|--|-----|
| | (Number) | (%) | | (Number) | (%) |
| I gained a better understanding of Japan's intellectual property system. | 85 | 22% | I gained a better understanding of Japan's intellectual property system. | 36 | 18% |
| I gained a better understanding of agreements on intellectual property, such as the Madrid Protocol and the Patent Cooperation Treaty, and international conditions. | 24 | 6% | I gained a better understanding of agreements on intellectual property, such as the Madrid Protocol and the Patent Cooperation Treaty, and international conditions. | 14 | 7% |
| I gained a better understanding of application screening. | 24 | 6% | I gained a better understanding of the preparation of specifications. | 17 | 8% |
| I gained a better understanding of patent searches. | 44 | 12% | I gained a better understanding of technology transfer and licensing contracts. | 17 | 8% |
| I gained a better understanding of counter-measures for counterfeit goods. | 28 | 7% | I gained greater knowledge of how Japanese companies manage intellectual property. | 30 | 15% |
| I gained a better understanding of the JPO organization and its operating structure. | 56 | 15% | I gained a better understanding of the JPO organization and its operating structure. | 28 | 14% |
| I was able to broaden my experiences of Japan in areas other than intellectual property. | 43 | 11% | I was able to broaden my experiences of Japan in areas other than intellectual property. | 25 | 12% |
| I gained a better understanding of intellectual property in other countries by exchanging views with other training participants. | 71 | 19% | I gained a better understanding of intellectual property in other countries by exchanging views with other training participants. | 34 | 17% |
| Other | 3 | 1% | Other | 4 | 2% |
| Total | 378 | | Total | 205 | |

16. Given the opportunity, would you want to attend this program's training course again?
(Question 6-1)

| | 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) | (%) |
| Yes | 91 | 98% | 37 | 100% | 128 | 98% |
| No | 2 | 2% | 0 | 0% | 2 | 2% |
| Total | 93 | | 37 | | 130 | |

17. (Those who answered "yes" to the previous question) What kind of training would you like to receive? (Question 6-2)

(Multiple answers allowed)

| | 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) | (%) |
| more training on the topics and curriculum covered in past training sessions | 24 | 16% | 14 | 19% | 38 | 17% |
| training on topics and curriculum other than those covered in past training sessions | 60 | 40% | 23 | 32% | 83 | 38% |
| an advanced course on topics covered in the past | 53 | 36% | 31 | 43% | 84 | 38% |
| Other | 12 | 8% | 4 | 6% | 16 | 7% |
| Total | 149 | | 72 | | 221 | |

18. (Those who answered “yes” to the previous question) What topics would you like to learn about? (Question 6-3)

(Multiple answers allowed)

| | Number of valid responses by government employees | | | Number of valid responses by employees in the private sector | |
|---|---|-----|---|--|-----|
| | (Number) | (%) | | (Number) | (%) |
| More detailed knowledge on Japan's patent laws, trademark laws and design law | 40 | 8% | More detailed knowledge on Japan's patent laws, trademark laws and design law | 19 | 7% |
| More detailed knowledge on patent laws, trademark laws and design law in countries other than Japan | 27 | 6% | More detailed knowledge on patent laws, trademark laws and design law in countries other than Japan | 15 | 6% |
| The Japanese government's initiatives to boost public awareness about intellectual property | 51 | 11% | The Japanese government's initiatives to boost public awareness about intellectual property | 17 | 6% |
| Collaborations between industry, academia and government | 39 | 8% | Collaborations between industry, academia and government | 19 | 7% |
| Technology licensing organizations (TLOs) | 21 | 4% | Technology licensing organizations (TLOs) | 14 | 5% |
| Intellectual property management | 52 | 11% | Intellectual property management | 27 | 10% |
| Techniques for evaluating value of intellectual property | 41 | 8% | Techniques for evaluating value of intellectual property | 25 | 9% |
| Commercializing and utilizing intellectual property and patent license operations | 29 | 6% | Commercializing and utilizing intellectual property and patent license operations | 25 | 9% |
| OJT on examinations | 23 | 5% | OJT on specifications | 9 | 3% |

| | Number of valid responses by government employees | | | Number of valid responses by employees in the private sector | |
|---|---|-----|---|--|-----|
| | (Number) | (%) | | (Number) | (%) |
| Case studies (examinations) | 51 | 11% | Case studies (specifications) | 23 | 9% |
| Case studies (infringement cases) | 37 | 8% | Case studies (infringement cases) | 27 | 10% |
| Overseas applications and examinations such as PCT and the Madrid Protocol | 31 | 6% | Overseas applications and examinations such as PCT and the Madrid Protocol | 14 | 5% |
| Points to note regarding intellectual property when expanding overseas | 14 | 3% | Points to note regarding intellectual property when expanding overseas | 15 | 6% |
| Intellectual property systems other than industrial property rights, such as copyright law and the Plant Seed Act | 22 | 5% | Intellectual property systems other than industrial property rights, such as copyright law and the Plant Seed Act | 15 | 6% |
| Other | 6 | 1% | Other | 3 | 1% |
| Total | 484 | | Total | 267 | |

Information of IPAA's "IPAA in Philippines Elects New President"

Ms. Maria Gladys C. Vilchez
(Philippines)

President, Intellectual Property Alumni Association, Inc.
Partner, Hechanova Bugay Vilchez & Andaya-Racadio



Ms. Maria Gladys C. Vilchez

I was fortunate to have been given the opportunity to participate three times in intellectual property (IP) seminar workshops in Japan. The first time was in 2001 when I attended the two-week WIPO/Japan Funds Training Course on the Enforcement on Intellectual Property Rights, as a Hearing Officer at the Bureau of Legal Affairs of the Intellectual Property Office (BLA-IPO). The second time was in 2006 when, as a private practitioner, I attended the three-week JPO/IPR Training Course for Advanced IP Practitioners. And the third time was in 2009 when I attended the three-week JPO/IPR Training Course for IP Trainers, as a trustee and project manager of the Institute for Studies on Intellectual Property (ISIP). Each time was a unique and memorable experience, as I learned and explored the intricacies of intellectual property protection and enforcement from three different perspectives: that of a government attorney tasked with the adjudication of IP cases; that of a private practitioner advocating my clients' IP rights; and that of an IP trainer involved in IP education. Each time I went to Japan, I learned new things, not only about IP but also about Japanese culture and a little bit about the Japanese way of life. Most importantly, I found new friends, some of whom I still constantly communicate with until now.

Now, I find myself to be the President of the Intellectual Property Association (IPAA), consisting of members who, like me, have had their own memorable and unique experiences of studying in Japan. I find it an exciting opportunity to work with my colleagues, with whom I have a common past, to work for a common future at least for the next two years of my term. With the trustees and officers of the IPAA, we have set our sights to accomplishing some major projects.

The primary project we seek to implement is to come up with IP comics that would be used in IPAA's IPR promotion activities. We want to come up with a material that would be appealing especially to grade-school and high-school students, for them to be interested in learning about IPR and how it applies in the Philippine context and our daily lives. This material will not be limited to IPAA's promotional activities but can also be disseminated at IPO sponsored information campaigns, such as the IP Youth Camp, which is an annual event. To jumpstart this project, we are considering the holding of an art competition for the creation of cartoon characters that would be used in the comics.

We also plan to continue our bi-annual Kapihan (coffee dialogues), to discuss current issues of concern to IP stakeholders from different fields, such as the academe, businesses and government. A major topic of interest at this time is the political and economic implications of the

ASEAN integration and our country's readiness for its implementation. Of particular concern to IP stakeholders is the impact of ASEAN integration with regard to IP protection and enforcement in the Philippines and in the region, which could be the theme for at least two Kapihan meetings.

As an association of IP alumni, we seek to encourage an even more active participation from our members. First in our list of activities for implementation, therefore, is the holding of a general assembly where we will ask our members to suggest activities or projects they would want to be included in our schedule for the next two years. For the activities that we will choose to implement, we will form steering committees, which we will ask our members to join. To support our projects, we intend to have some fund-raising activities which will include sponsoring at least two movie block screenings, which from past experience has proven to be a successful method of fund-raising.

Within the next two years, we also hope to be able to hold the regular IP follow up seminar with the APIC-JIII. This is an activity that the IPAA always looks forward to. If possible, we can hold the seminar in another city other than Metro Manila, where new attendees can also participate and learn from the seminar.

Column: “The Age of Sensibility”



Mr. Takao Ogiya
Director General of APIC

Mr. Takao Ogiya

I am not so particular about most products, but I like to use one specific ballpoint pen that is my very favorite to write with. I started using it more than five years ago after one of my friends recommended it to me, telling me how much he liked it. Since then I have never bought any other type of ballpoint pen!

The most attractive feature of this pen lies in the feeling of writing with it. It requires hardly any pressure, and the perfect amount of ink comes out for writing clear, strong strokes and letters. No matter how long you keep writing, your hand never becomes tired. The pen's design is smart, and its name, “Jetstream™,” evokes a nostalgic feeling in me because it is the name of the midnight radio show that I used to listen to in my youth. Until I came across this ballpoint pen, I didn't care which kind I used—but now nothing else satisfies me. I often check how much ink remains in mine, and when I go to a convenience store and find that they do not have this ballpoint pen, I think the store is worthless.

It is said that there are more than 100 different kinds of ballpoint pens in Japan. And even though there may be others that are even more comfortable to write with, still, I like this one best. The composition of the ink of this ballpoint pen is patented. The design and name are protected by IP rights. But these are not the reasons that I buy this product. I buy it because I like it.

What is the most important factor when people choose something? For example, what do people take into account before buying a mobile phone? The purchase price, the monthly payments, the number of usable applications, the number of camera pixels, the battery life, the feeling of holding the device in their hand, the design, the brand, or still something else? In fact, although there are likely many other factors, I am quite sure that consumers' final decision must be based simply upon whether they like a particular phone or not.

What will people buy with their incidental income? What will they eat for lunch? Where will they go on a trip with their friends? Most of these decisions are, I believe, made based upon simple personal likes and dislikes. That is: not *reason* but *sense*.

What, then, should be the most important to those who offer products and services? It is important for them to consider how they can incorporate ‘enjoyment’, ‘fun’, and ‘comfortable-ness’ within their products and services, since these are all factors that are desired by users. We are, in my view, now living in the “age of sensibility.”

In his book, *A Whole New Mind: Why Right-Brainers Will Rule the Future*, Daniel H. Pink says that after the “information age” will come the “conceptual age” of high concepts and high touch. He lists six senses that will generate things of high value in the coming age, which are as follows: 1) ‘design’ over function; 2) ‘story’ over argument; 3) ‘symphony’ over focus; 4) ‘em-

pathy' over logic; 5) 'play' over seriousness; and 6) 'meaning' over accumulation—all characteristics that precisely describe those companies that have recently become increasingly competitive.

I know of one Japanese company that was committed to manufacturing high-quality products and engaged in serious discussions about product development, yet it only focused on improving product function. As a result, valuable company secrets were leaked to its competitors. This company failed to make use of its technological superiority, and its competitors were able to access its innovative ideas. Consequently, it is now lagging behind the rest in design and sales activities, and has ultimately lost its competitiveness.

I also know a service-providing company that depends too much on its service manual to face the customers and pay attention to their needs. As a result, it has lost business. I once had an uncomfortable experience at a restaurant. When I was about to go out of the front door after eating breakfast, I heard a voice saying to me, "Have a nice day!" I thought it was very sweet of the employee to say this to me as I made my way to work. When I glanced back to see her face, however, she was looking in another direction instead of at me. While the restaurant's service manual may tell staff to say "Have a nice day" to customers after they pay their bill in the morning, no words can convey the employees' gratitude if they do not look at the customer. At that moment I decided I would never return to that restaurant again.

In the age of 'sensibility' a business heavily reliant on its manual will not achieve success. Even without any manual customers will become loyal as long as a business offers attentive and inspiring services that appropriately identify and respond to individual needs. Moreover, this is not limited to the business world. Now, more than ever, I think that we need "sensibility" in our daily personal relationships.

People should be considerate of others, accept others as they are without either affirming or denying them, think from the others' perspective about what needs to be done to make them feel pleasant and comfortable, and then do whatever they can in this regard. This kind of consideration seems to be the key to building good personal relationships.

Different people live in different environments and have different backgrounds. Therefore, they have different ways of thinking and hold different values. No service manual can give you a clue to how to respond to the needs of every diverse individual. We should respond to people individually.

The age of 'sensibility' may be synonymous with the time to respect every individual.



"Jetstream™"



Selection from TOP 100 Japanese Innovations~“Wash let”~

Overview

In 1980, TOTO Kiki, Ltd. (now TOTO, Ltd.; hereinafter “TOTO”) launched : the “Washlet®”, which is a toilet seat featuring a warm water spray. The Washlet was an innovative product that totally changed Japanese people’s negative image of toilets.

To prevent epidemics and make the living environment better, improvement of public health has been a big challenge for administrators since ancient times. As urbanization advanced, water supply and sewerage systems—including human waste treatment facilities—became part of the important infrastructure for which local governments are responsible. As the infrastructure improved, flush-type toilets became widespread in Japan during the post-war period.

Meanwhile, Japanese people have long had the fixed idea that toilets are impure and loathsome. The word for toilet, “*gofujo*” (“dirty”), tells all. The Washlet not only improved sanitary conditions significantly, but also changed the image of toilets from negative to rather comfortable.

TOTO, which created the Washlet, was spun off from Nippon Toki Gomei Kaisha (now Noritake Co., Ltd.; hereinafter “Nippon Toki”), which was established in the Meiji period. TOTO was created in order to engage in its own research and development, as well as sales of ceramic sanitary ware. TOTO successfully developed the Washlet, featuring water spray, which was a better toilet seat than in-licensed products. This was thanks to TOTO’s superior technical knowledge of ceramic sanitary ware and fittings for water faucets, which was accumulated through its long-term efforts dating back to the prewar period—as well as the development of technology within the company based on in-licensed products and technology transfer from external parties. By adopting a non-conventional marketing approach to achieve penetration of new added value into the market, TOTO additionally enjoyed a significant burst of popularity.

TOTO has steadily boosted sales of the Washlet ever since its launch in 1980. The Washlet is being sold in the U.S., Europe, China and other countries throughout the world—and more than 70 percent of households in Japan currently have a type of toilet seat featuring warm water spray.

Background of the innovation

TOTO’s history stretches back almost 100 years. Full-scale development of sanitary ware began in 1904, when Kazuchika Okura (hereinafter, “Okura”) founded Nippon Toki. Later, the sanitary ware department was spun off from Nippon Toki as Toyo Toki K.K. Okura actively collected information on sanitary ware used abroad, and established a laboratory within the company in 1912 to conduct research on manufacturing sanitary ware. Toyo Toki K.K. was established in 1917 in Kokura Kita-ku, Kitakyushu City, Fukuoka Prefecture, with Okura taking office as the first president. He located the company in the Kyushu region in anticipation of easy access to fuel from coal mining areas, as well as demand from other Asian countries.

While the demand for sanitary ware was low in the early period, the Great Kanto Earth-

quake that occurred in Tokyo in 1923 provided a turning point as heavy demand was created due to the numerous large buildings that sustained damage. Subsequent expansion of demand for sanitary ware occurred due to urbanization, while the development of the company was also sustained by large orders from the Allied Occupation during the postwar period, as well as special procurements generated by the Korean War. Triggered by orders from the Allied Occupation, the company also began manufacturing fittings for water faucets in 1946.

Public housing corporations introduced western-style toilet seats during the high-growth period in the 1960s, while ceramic-seated flush toilets also began to be widely used in private households. The rate of homes with flush toilets in Japan rose dramatically from 9.2 to 31.4 percent during the ten-year period from 1963 to 1973. In Tokyo, especially, the rate grew from 30.9 to 67.8 percent, with more than two thirds of households beginning to use flush toilets.

It was due to this high-growth period that efforts leading to the development of the Washlet later began at Toyo Toki. As other sanitary ware manufacturers entered the rapidly expanding market due to the more widespread use of flush toilets, Toyo Toki paid attention to new functions that could provide added value to traditional sanitary ware. In December 1964, Toyo Toki started importing and marketing the “Wash Air Seat”—a toilet seat featuring warm water spray, which was sold by a U.S.-based venture firm named the American Bidet Company. In 1967, Toyo Toki entered into a licensing agreement with American Bidet and started manufacturing and marketing the Wash Air Seat in Japan. However, the Wash Air Seat’s inconsistent warm water temperature and difficult operation restricted sales to the high-income bracket, as well as medical usage. Furthermore, the company’s competitors had also started developing toilet seats featuring a warm water spray around the same time. In fact, Japan’s first toilet seat featuring a warm water spray was the “Sanitarina 61”, which was launched by Ina Seito in October 1967—although toilet seats featuring a warm water spray did not become widespread at that time.

The brand name “Toyo Toki” was changed to “TOTO” in July 1969, and to TOTO Kiki, Ltd. in March the following year. This change was made to indicate that the company was not merely a manufacturer of ceramics, but a manufacturer of multiple products—including fittings for water faucets and other equipment. In those days, TOTO started manufacturing toilet seats featuring warm water spray with a toilet seat warming function. This product had several problems, however, including unstable water temperature and direction, which required further time to solve.

In summer 1978, TOTO conducted a survey of consumers that included questions about their image of toilets. The results of the survey showed that many consumers desired toilets without odor, as well as those that did not require the use of paper. Learning that consumers wanted toilets to be comfortable, TOTO’s product development department became determined to develop a toilet seat featuring a full-fledged water spray. The department started by collecting an enormous amount of data, and then continued its process of trial and error.

The Washlet was launched in June 1980. It spread through word of mouth in its early stages, and TOTO subsequently tried to increase the number of Washlet users by introducing it to restaurants, department stores, hotels and public facilities. In 1982, the visibility of the Washlet was boosted by an effective advertising campaign that appeared during prime time hours at 7:00 PM, with a television commercial featuring a TV celebrity, along with the words: “Your bottom wants to be washed, too.” It is said that the name “Washlet” was created by turning around the phrase “Let(s) wash,” which meant “The time to wash your bottom has come. Let’s wash it.” The television commercial was an effective way to directly communicate the concept, and added value of the Washlet to consumers. Since advertising toilets through

the mass media was taboo at that time, however, TOTO received a flood of calls from complaining viewers. Those in charge of the advertising campaign responded to the calls, however, by saying, “Everybody eats, and going to the toilet is a similarly important act. The Washlet is a product for making people’s lives comfortable. We are manufacturing this product with confidence and pride.” After that, the company rarely received any complaints.

Subsequently launched in 1983, after the visibility of the Washlet increased, were the “Washlet GII”—which featured a bidet function—and the “Washlet SII,” which self-cleaned using the head of the nozzle with water. This was followed by the U.S. launch of the Washlet in 1986—with total unit sales exceeding one million by November that the same year. It is said that by 2005—the 25th anniversary of the Washlet’s launch—total unit sales had reached 20 million.

Overview re. the development of invented technologies

Through the course of the Washlet’s development, repeated experiments were carried out at TOTO to find the best washing conditions in terms of sitting comfort, as well as additional factors including the water’s direction, temperature and intensity. In addition, an electronic control mechanism was introduced in order to achieve accurate temperature control, while an automatic temperature control function was developed featuring an integrated circuit and temperature sensor.

Data on the location of the anus, which differs from person to person, was collected during the beginning stages of the development process. The development team asked company staff members for help, and collected data from 300 men and women by having each person mark the location of their anus on a wired toilet seat. The ideal warm water temperature was then considered, with the development team conducting research by spraying warm water onto the anus in changing temperature increments of 0.1°C. In order to set the operating conditions and upper-limit temperature, the team next carried out experiments to see whether the product could be operated in a cold climate at -10°C, and a hot climate at 30°C. Based on these experiments, the team concluded that the most suitable temperature is 38°C for warm water, 36°C for toilet seats, and 50°C for warm air used in the drying process.

Next considered was the angle at which warm water should be sprayed. After carrying out various experiments, the team concluded that the most suitable angle was 28° for the fixed nozzle type, and 43° for the movable nozzle type that is currently in wide use. It was confirmed that these angles allow warm water to reach the anus, wherever it is located, and make it difficult for the water to fall back onto the nozzle.

Furthermore, the team studied the technology for keeping the warm water at 38°C. Temperature control had traditionally been carried out with bimetal switches, which use two sheets of metal with different thermal expansion coefficients. These are bonded together and rolled out into a plate, which is then punched into the form of a disc or polygon, and made into the shape of a dish. When the plate is heated, it instantly “snaps”—or reverses—at a set temperature, and when it is cooled, it “snaps” again at a different temperature. The team tried to control temperature using this switch for the Washlet, too—specifically, by transferring the snap action of the bimetal plate using a ceramic pole called a guide-pin to open and close the contact. The temperature could not be kept steady, however, and so the team considered introducing a mechanism for temperature control using an integrated circuit rather than a mechanical temperature control system. To this end, the team needed to obtain an integrated circuit and design a circuit that would not short-circuit. They approached a traffic light man-

ufacturer that owned the technologies of circuits that could withstand water exposure, which resulted in the introduction of Hybrid IC technology, whereby ICs are coated with special resin. The team used this technology for the circuit—covering it with a plastic cover for reinforcement—and confirmed normal operation of the circuit by spraying salt water onto it. The team thus solved the issue of short-circuiting.

After the issue of temperature control was solved, the Washlet was launched in June 1980. Three months after the nationwide launch, however, a failure of the temperature control system was discovered whereby warm water suddenly became cold. The cause of the failure was figured out by the end of the year. In order to keep the Washlet's water temperature at 38°C, on/off signals are transmitted from the IC to the heater 1,500 times a day. Each time a signal is transmitted, the electrically-heated wire contracts and expands. This caused metal fatigue, and the wire became disconnected. To solve this problem, TOTO started developing a new heater. Furthermore, the material of the electrically-heated wire was changed from aluminum to stainless steel, and its diameter was made larger to prevent the wire from disconnecting. As a result, it was confirmed that warm water at a temperature of 38°C was able to be sprayed for 3,000 hours nonstop.

An expanded bidet function was subsequently added to the Washlet. A bidet is a tool for washing one's genitalia and anus, and is popular in Europe. To develop the bidet function, experiments were carried out to find the best angle and comfort for washing—enlisting the help of the development team's family members, as well as female staff members. According to the experiments, the best nozzle angle for washing is 53°. Since bidets are used for washing more delicate parts, the number of jets on the nozzle was set to five. This nozzle-driven system cost more than the water pressure system adopted by TOTO's competitors. To address this issue, the team—inspired by automobile extendable antennas—decided to use the nozzle for both the anus and the genitalia by making the nozzle extendable. Furthermore, two warm water routes were designed in response to a request from women involved in the project, while a function was added to automatically wash the nozzle before and after the Washlet is used.

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Happenings in Japan



Introduction of Website Feature: “IPAA”

The content of the “IPAA” portion of our website consists of information published by IPAA. All participants of our short-term, medium-term and long-term training programs become part of our alumni network “IP Friends.” There are currently IPAA in five countries around the world, some of which run their own study sessions and seminars. Do join IPAA and expand both your network and your knowledge. Please take a look!



Editor's Notes



Spring has come to Japan! Throughout Japan people anticipate the blooming of the cherry blossoms and look forward to the festive activities and parties that take place under the cherry trees while observing the cherry blossoms in full bloom. As Japan's fiscal year is from March to April, spring is also the time of school entrance and graduation, giving a strong sense of the "budding" of life, much like the blooming of the cherry blossoms.

In our work we have the opportunity to meet many short, middle and long term trainees, but then very soon we have to bid our farewells in parting. "Meeting" allows us to expand our personal connections and is very positive, while "parting" is somewhat negative in that it implies ending that connection.

Therefore, the crucial step after parting is the Alumni Association (IP Friends). And through "Enishi" we can continue to stay connected. In the same way we anticipate the blooming of the cherry blossoms, we are excited about continuing our interaction with you through IP Friends.

We have been able to publish IP Friends this fiscal year and we would like to thank you for all of your support and cooperation. Please let us know if you have any comments on the articles or information in our publication. We greatly value your input.



Apple Inc. has announced the release of the 'Apple Watch', a wearable multi-function smartphone with which you can listen to music, respond to emails, consult maps, set alarms, check stock prices, plan your weekend, and look at the weather report. Although the small screen and letters may deter the senior population, its health-monitoring functions could become a lifeline that relays an emergency to a central monitoring office when it detects an abnormality in their pulse or when a patient with dementia wanders off. This is a truly innovative product.

It is wonderful to live in a prosperous civilization where ample R&D funds are available to bring about new inventions and enable our wish-lists to come true. Products with a 'wow factor' make us feel optimistic with a sense of hope for the future. I think that incredible inventions appeal to our primitive instincts. Invention means progress and transcendence, and "going beyond today's limits". People also like to see new records established in everything from the height of a skyscraper and the speed of a bullet train, to athletic competitions and so on. This might be because we can fallaciously feel that we may be able to beat our inevitable death when we come across such 'break-throughs.'

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