

E
N
I
S
H
I

縁家

IP Friends Connections

No.21
April
2019

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 FY 2018 JPO/IPR Training Course on Design Examinations under the Hague System**
- 2. FY2018 Training Courses Completed (Yearbook)**
- 3. Report of FY2018 Follow-up Seminar (India)**
- 4. FY2018 Follow-up Seminar Completed (Yearbook)**
- 5. Questionnaire Results IPR training course in Japan and appreciation for your cooperation**
- 6. Training course experience in Japan (10th Anniversary of OPET/PPTT)**
 - 1) My PPTT Training Experience in Japan and its Outcome
A. Ambigaapathy (India)
 - 2) PPTT 2009 - An insight into Japan and the JPO
Mr. Thiagaraja Guptha.D (India)
 - 3) OPET 2017 Achievements from the Perspective of a Turkish Patent Examiner
Ms. Zumrut Yar (Turkey)
- 7. Articles from the former trainees (Trademarks)**
 - 1) MEXICO AND THE NEW SUI GENERIS PROTECTION SYSTEM
Ms. Miroslava Ramos (Mexico)
 - 2) TRADE MARKS IN THE WORLD:
COMPARING SOME REGULATIONS (Part I) Mr. Jack Cieza Pastor (Peru)
- 8. Contributions from FY2018 long-term fellowship research**
 - 1) My experience in Japan defined in one word: Marvelous
Ms. Monica Isabel García Mora (México)
- 9. Message from lecturers**
Mr. Zentaro Hasebe, Patent Attorney
Ochanomizu International Patent Office
- 10. Column: 10 Years**
Mr. Takao Ogiya, Director General of APIC
- 11. Happenings in Japan (Four-Frame Cartoon)**
- 12. Editor's Note**

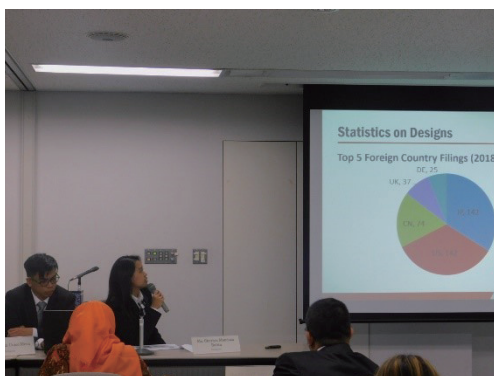
1. Report of FY2018 JPO/IPR Training Course on Design Examinations under the Hague System

The JPO/IPR Training Course titled “Design Examinations under the Hague System” took place from January 10 to 17, 2019, hosting 21 trainees from countries that have not signed the Hague Agreement (namely: China, Indonesia, Laos, Malaysia, Mexico, the Philippines, Thailand and Vietnam).

Trainees were all those who may potentially go on to be design examiners or team members of projects to pursue future accession to the Hague Agreement. By highlighting Japan’s experience, the JPO provided a practical training course to explain the advantages and disadvantages of accession to the Hague Agreement.

An orientation session was held on the first day, followed by a country report presentation meeting where trainees were provided with a meaningful opportunity for mutual understanding regarding the design systems of the eight countries, and the future prospects of such systems. The trainees asked questions and exchanged opinions following each presentation, showing great enthusiasm toward signing the Hague Agreement in the future.

Ms. Van Wou, who is in charge of receiving design applications at the Japan Office of WIPO, delivered an afternoon lecture on the outline of the Hague Agreement, which was again followed by an active session of questions and answers.



In the morning of the second day, the trainees made a courtesy visit to the director of the Design Division at the JPO’s provisional office in Roppongi. Ms. Shoko Ito then demonstrated how to examine design applications, and in the afternoon, JPO design examiner Mr. Hiroyuki Ito gave a lecture titled “Sharing the Japanese Experience on the Hague Agreement Affiliation” in the APIC seminar room. He provided a thorough explanation regarding the advantages and disadvantages of accession to the Hague Agreement, and answered all questions from trainees during his lecture. Trainees reported that they found his presentation to be very interesting and beneficial.



In the morning of the third day, Ms. Mayako Oe gave a lecture titled “The Role of the Applicant’s Contracting Party (Indirect Filing) and the Designated Contracting Party.” The trainees were invited to visit the place where the JPO receives applications, which enabled them to gain a clear picture of how their offices will be handling newly required tasks after signing the Hague Agreement.

In the afternoon, Mr. Yoshinori Nakamura gave a lecture titled “Procedures for Examination under the Hague Agreement.” He provided a detailed explanation on the key points of examination, and carefully listened to questions and comments from the trainees in order to promote interactive communications during his lecture.



On the fourth day, Mr. Hidetoshi Hatta gave a lecture titled “Advantages of the Hague Agreement System for Private Companies,” while Mr. Tadao Urimoto delivered one titled “Advantages of the Hague Agreement System for Attorneys” . Both lecturers explained the advantages of the Hague system from the viewpoint of applicants, and the questions and answers that were exchanged during the lectures enabled the trainees to deepen their understanding of the benefits that applicants would enjoy by introducing the Hague Agreement.



A comprehensive discussion session was held among the trainees on the last day, with JPO staff members serving as lecturers. Before this session, a questionnaire was distributed among the trainees in order to collect information about the differences among the participating countries and the questions that have not been resolved in this training course. This comprehensive discussion session, where the lecturers did their best to solve those remaining questions, contributed to the high satisfaction level of the trainees who participated in this training course.



Many trainees reported that the curriculum of this training course was very meaningful, and would help them make significant progress toward accession to the Hague Agreement after returning to their home countries. Both the lecturers and the trainees were able to learn a lot from each other.

Some trainees requested that for future training courses, they would like to learn not only about the procedures following accession to the Agreement, but also about the procedures and steps that are required in advance.

This training course will help the trainees make a great leap in their careers. We hope to see their further success in their endeavors.

2. Training Courses Completed (Yearbook)



IP Trainers



Patent Examination in Specific Technical Fields for Latin American Countries



Trademark Examination under the Madrid System



Patent Examinations (Basic Program)



Promoting Public Awareness of IP



Patent Examination Practices for Vietnam



Trademark Examinations under the Madrid System for Indonesia



Substantive Examination of Design



Patent Examination Management



Operational Patent Examination Training Program



Trademark Examinations under the Madrid System for Thailand



Establishing Patent Examination Guidelines for ASEAN



Practitioners Specializing in Patents



Patent Examination Practices for Thailand



Substantive Examination of Trademarks



IP Protection Lawyers



Academia-Industry Collaboration and Technology Transfer



Information Technology



Design Examinations under the Hague System



Trademark Examinations under the Madrid System for Malaysia



Practitioners Specializing in Trademark



Trial and Appeal System for ASEAN



Anti-Counterfeiting Measures for Practitioners

3. Report of FY2018 Follow-up Seminars (India)

On January 19, 2019, we held a training program follow-up seminar in Delhi, India that was organized by the Japan Patent Office (JPO) and supported by the Department of Industrial Policy and Promotion (DIPP). We invited IP specialists in India to attend the seminar, with a special invitation extended to those who had participated in the training programs offered in Japan.

The theme of the seminar was “Promoting Public Awareness of IP, IP Education and Fostering Creativity among Youth.” The morning session, “Intellectual Property Education for Youth,” featured lectures given by Japanese and Indian experts, and presentations from four ATL (Atal Tinkering Laboratories) schools. In the afternoon was a workshop-style session titled “Workshops for IP Education and Fostering Creativity Among Youth”, which aimed to provide IP education for Japanese and Indian students.

Mr. Akiyoshi IMAURA, Director of the Regional Cooperation Office in the JPO Policy Planning and Coordination Department's International Cooperation Division, noted in the opening speech that the JPO and the DIPP had concluded a Memorandum of Cooperation (MoC) concerning industrial property in 2015. The agreement emphasized the importance of establishing deeper relationships between the JPO and the DIPP, understanding the importance of initiatives related to IP education and IP awareness-raising, and promoting such education and activities through mutual cooperation. He also mentioned that the seminar was held based on the joint announcement between the JPO and the DIPP publicized in August 2018, which stated that the two organizations agreed to conduct a joint IP promotion workshop in Delhi for Japanese and Indian students. Dr. Ashish Kumar, Senior Development Officer of the DIPP, gave a speech and talked about India's efforts to formulate and implement various policies under the slogans “Creative India” and “Innovative India”, which were established in 2016 in order to raise awareness of the economic, social, and cultural benefits of IP rights in all segments of Indian society. His speech was followed by a presentation given by high school students, who introduced the specific problems they wished to solve and the characteristics of their inventions. Their presentations were impressive, and seminar attendees listened very enthusiastically. Japanese lecturers also explained the IP education provided in Japanese primary schools.

During the afternoon workshop, students were divided into four groups. Those led by Japanese instructors were requested to create a self-standing tower using A4-size paper, and competed with each other to make the highest tower. They were also requested to make a container by combining paper cups and paper plates in a creative way so that the container could be held with one hand. Meanwhile, the groups led by the Cell for IPR promotion and Management (CIPAM) participated in a group workshop to deepen understanding of the intellectual property in daily life.

This seminar provided a wonderful opportunity to recognize the importance of IP education, as well as to share information about how such education has been provided in the two countries. We believe that the Japanese and Indian IP education providers who participated in this seminar will greatly contribute to the further development of IP education.

(1) Dr. Ashish Kumar, Senior Development Officer, Department of Industrial Policy & Promotion, Ministry of Commerce & Industry, Government of India



(2) Mr. Akiyoshi IMAURA
Director, Regional Cooperation Office, International Cooperation Division, Policy Planning and Coordination Department, Japan Patent Office



(3) Lecturers and other attendees



(4) Scenes from the seminar



4. FY2018 Follow-up Seminar Completed (Yearbook)



Follow up Seminar in Thailand



Follow up Seminar in the Philippines



Follow up Seminar in Cambodia



Follow up Seminar in India

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

As you know, we requested that everyone who completed our seminar from April 2015 to September 2018 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: November 14, 2018 - December 21, 2018

2) Area of survey:

1. Trainees that completed WIPO short term training courses and WIPO long term research programs from FY 2015
2. Trainees that completed JICA training courses from FY 2015 - FY 2018
3. Trainees that completed JPO short term training courses and JPO long term research programs from FY 2015 - FY 2018

excluding those whose contact information (email) is unknown.

Government employees: 912 trainees, private sector employees: 319 trainees (total: 1231 trainees)

3) You may respond either by completing this online questionnaire

■ Number of replies

	Valid responses (Number of people)	Number of questionnaires sent	Response rate (%)
Government sector	371	912	41%
Private sector	157	319	49%

■ 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	345	839	41%	65%
	Court	8	23	35%	2%
	Prosecutor's Office	0	0	0%	0%
	Police Office	0	1	0%	0%
	Customs Office	7	26	27%	1%
	Other	11	23	48%	2%
Private sector	Research Institute	3	10	30%	1%
	University or Educational Institution	41	81	51%	8%
	Government-related Organization	1	3	33%	0%
	Employee of a private company	27	64	42%	5%
	Employee of a legal or consulting firm	85	161	53%	16%

※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.

1-1. What kind of activities did you conduct after completing the training? (Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
1) Reporting [Submitted a written report (details/results of the training) to the office]	295	80%	1) Reporting [Submitted a written report (details/results of the training) to the office]	64	41%
1) Reporting [Reported verbally the details/results of the training to the office]	166	45%	1) Reporting [Reported verbally the details/results of the training to the office]	112	71%
2) Self-improvement [Utilized the training text as a reference book or as a useful reference tool for my work]	245	66%	2) Self-improvement [Utilized the training text as a reference book or as a useful reference tool for my work]	111	71%
2) Self-improvement [Reviewed what I had learned in Japan after returning to my home country]	229	62%	2) Self-improvement [Reviewed what I had learned in Japan after returning to my home country]	111	71%
2) Self-improvement [Became increasingly aware of Intellectual Property and have started studies on my own after returning to my home country]	154	42%	2) Self-improvement [Became increasingly aware of Intellectual Property and have started studies on my own after returning to my home country]	99	63%
3) Spreading knowledge to others [Held a study group or seminar]	174	47%	3) Spreading knowledge to others [Held a study group or seminar]	85	54%
3) Spreading knowledge to others [Submitted articles to a research journal or magazine]	25	7%	3) Spreading knowledge to others [Submitted articles to a research journal or magazine]	17	11%
3) Spreading knowledge to others [Exchanged information with other trainees from a different country that attended the same course]	178	48%	3) Spreading knowledge to others [Created materials or documents regarding IP]	63	40%
4) Other [Did not engage in any specific activities]	51	14%	3) Spreading knowledge to others [Exchanged information with other trainees from a different country that attended the same course]	94	60%
4) Other	31	8%	4) Other [Did not engage in any specific activities]	8	5%
			4) Other	8	5%

1-2. What did you find useful in the training- (Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
1) Awareness of IP [It increased my awareness of IP trends in Japan, and the IP policies of the JPO]	292	79%	1) Awareness of IP [It increased my awareness of IP trends in Japan, and the IP policies of the JPO]	144	92%
1) Awareness of IP [I strongly felt the need to improve the IP landscape of my home country in order to fully make use of what I had learned in the training]	229	62%	1) Awareness of IP [I strongly felt the need to improve the IP landscape of my home country in order to fully make use of what I had learned in the training]	106	68%
1) Awareness of IP [It increased my opportunities to utilize AIPN and J-PlatPat (IPDL)]	116	31%	1) Awareness of IP [It increased my opportunities to utilize AIPN and J-PlatPat (IPDL)]	54	34%
2) Improvement of skills [It allowed me to see IP from a broader range of perspectives]	248	67%	2) Improvement of skills [It allowed me to see IP from a broader range of perspectives]	131	83%
2) Improvement of skills [It increased my knowledge that can be used at work]	313	84%	2) Improvement of skills [It increased my knowledge that can be used at work]	140	89%
2) Improvement of skills [I was able to use the training text as a reference book]	198	53%	2) Improvement of skills [I was able to use the training text as a reference book]	95	61%
2) Improvement of skills [I was able to take on a leadership role in my daily work through the knowledge I gained in the training]	120	32%	2) Improvement of skills [I was able to take on a leadership role in my daily work through the knowledge I gained in the training]	69	44%
2) Improvement of skills [It enabled me to respond to consultations with my co-workers]	189	51%	2) Improvement of skills [It enabled me to respond to consultations with my co-workers]	103	66%
2) Improvement of skills [It led to the resolution of work-related issues]	136	37%	2) Improvement of skills [It led to the resolution of work-related issues]	64	41%
2) Improvement of skills [It helped clarify the judgment criteria used in assessments]	158	43%	2) Improvement of skills [I improved at drafting documents (specifications, etc.)]	56	36%
2) Improvement of skills [As a trainee that completed the training course in Japan, I have an increased awareness and more confidence in my work]	236	64%	2) Improvement of skills [As a trainee that completed the JPO training course in Japan, I have an increased awareness and more confidence in my work]	118	75%
3) Professional relationships [Someone I got to know during the training became a person I could discuss questions and issues]	163	44%	3) Professional relationships [Someone I got to know during the training became a person I could discuss questions and issues]	92	59%

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
3) Professional relationships [It allowed me to establish a human network with relevant people in Japan, which is beneficial for my work]	166	45%	3) Professional relationships [It allowed me to establish a human network with relevant people in Japan, which is beneficial for my work]	80	51%
3) Professional relationships [It allowed me to establish a human network with trainees from other countries that attended the training, which is beneficial for my work]	229	62%	3) Professional relationships [It allowed me to establish a network with trainees from other countries that attended the training, which is beneficial for my work]	127	81%
4) It was not useful. [It increased my knowledge of IP. However, this did not benefit me after I returned to my home country]	30	8%	4) It was not useful. [It increased my knowledge of IP. However, this did not benefit me after I returned to my home country]	8	5%
4) It was not useful. [I was unable to experience the kind of lectures that I had expected prior to going to Japan, so it was not particularly useful]	23	6%	4) It was not useful. [I was unable to experience the kind of lectures that I had expected prior to going to Japan, so it was not particularly useful]	2	1%
5) Other	33	9%	5) Other	9	6%

1-3. Is the training you received in Japan proving useful in your work?

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
The content of the lectures was directly relevant to my work. Therefore, the lectures were very useful.	199	54%	The content of the lectures was directly relevant to my work. Therefore, the lectures were very useful.	73	46%
There were some lectures that have proved to be useful in my work. Therefore, the lectures were useful to a certain degree.	92	25%	There were some lectures that have proved to be useful in my work. Therefore, the lectures were useful to a certain degree.	59	38%
There was a change in my work after attending the training, after which I was able to make better use of the knowledge I had gained in the training.	57	15%	There was a change in my work after attending the training, after which I was able to make better use of the knowledge I had gained in the training.	18	11%
The knowledge related to IP has been beneficial in itself. However, this knowledge has not been relevant to my work.	11	3%	The knowledge related to IP has been beneficial in itself. However, this knowledge has not been relevant to my work.	4	3%
There was a change in my work after attending the training. Therefore, I was unable to make use of the knowledge I had gained in the training.	10	3%	There was a change in my work after attending the training. Therefore, I was unable to make use of the knowledge I had gained in the training.	3	2%
Other	2	1%	Other	0	0%

2-1. Based on your experiences during the training, what do you feel would be necessary to make the JPO training better?
(Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
1) Establishing new courses [Establishing courses with new themes]	235	63%	1) Establishing new courses [Establishing courses with new themes]	100	64%
1) Establishing new courses [Implementing higher level courses]	252	68%	1) Establishing new courses [Implementing higher level courses]	115	73%
2) Introduction of new methodology for training [Improving interactive methods]	279	75%	2) Introduction of new methodology for training [Improving interactive methods]	125	80%
2) Introduction of new methodology for training [Setting pre-assignments]	89	24%	2) Introduction of new methodology for training [Setting pre-assignments]	42	27%
2) Introduction of new methodology for training [Implementing achievement tests]	96	26%	2) Introduction of new methodology for training [Implementing achievement tests]	37	24%
3) Provision of tools [Conducting courses in English that do not require an interpreter]	153	41%	3) Provision of tools [Conducting courses in English that do not require an interpreter]	81	52%
3) Provision of tools [Conducting courses in the native language of the trainees attending the training]	101	27%	3) Provision of tools [Conducting courses in the native language of the trainees attending the training]	15	10%
3) Provision of tools [Providing tools that enable participants to take courses online]	143	39%	3) Provision of tools [Providing tools that enable participants to take courses online]	66	42%
3) Provision of tools [Providing study materials for review and further studies]	201	54%	3) Provision of tools [Providing study materials for review and further studies]	99	63%
4) Enhancement of support systems [Establishing a system in which one can consult with the JPO officials or experts in Japan after completing the training]	287	77%	4) Enhancement of support systems [Establishing a system in which one can consult with the JPO officials or experts in Japan after completing the training]	121	77%
4) Enhancement of support systems [Providing a place where former trainees can communicate with each other after completing the training]	196	53%	4) Enhancement of support systems [Providing a place where former trainees can communicate with each other after completing the training]	94	60%
4) Enhancement of support systems [Other]	4	1%	4) Enhancement of support systems [Other]	0	0%

3-1. What do you feel as a problem in your current work- (Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Lack of knowledge/understanding	76	20%	Lack of knowledge/understanding	36	23%
Lack of experience]	120	32%	Lack of experience	48	31%
Lack of relationship with other departments/institutions]	97	26%	Lack of relationship with government institutions	40	25%
Delay in introduction of information tech0logy (IT)]	122	33%	Low work efficiency	20	13%
Lack of human resources]	188	51%	Low public awareness of IP	97	62%
Low work efficiency]	72	19%	Lack of structures that enable consultation with professionals about daily issues	64	41%
Slow implementation of business processes in your IP Office]	80	22%	Lack of motivation to improve the IP system	42	27%
A large number of backlogs]	160	43%	Other	8	5%
Lack of structures that enable consultation with professionals about daily issues]	94	25%			
Lack of motivation to improve the IP system]	73	20%			
Other]	6	2%			

3-2. What do you feel would be necessary to solve the above issues? (Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Accession to a treaty	39	11%	Accession to a treaty	11	7%
Revision of laws, rules and guidelines	156	42%	Revision of laws, rules and guidelines	39	25%
Establishment of new policies	161	43%	Establishment of new policies	59	38%
Increase in budget	187	50%	Increase in budget	54	34%
Securing human resources	187	50%	Securing human resources	57	36%
Development of IT infrastructure	210	57%	Establishment/improvement of work manuals	56	36%
Establishment/improvement of work manuals	149	40%	Promotion of education on IP	117	75%
Promotion of education on IP	228	61%	Outreach activities	62	39%
Outreach activities	101	27%	Support from WIPO	69	44%
Support from WIPO	171	46%	Support from other IP Offices	79	50%
Support from other IP Offices	172	46%	not sure	3	2%
not sure	13	4%	Other	2	1%
Other	3	1%			

3-3. What kind of support would you desire from the JPO to help address the above problems? (Multiple answers allowed)

Number of valid responses by government employees			Number of valid responses by employees in the private sector		
	(Number)	(%)		(Number)	(%)
Conducting training in Japan	303	82%	Conducting training in Japan	112	71%
Conducting training in my country	210	57%	Conducting training in my country	97	62%
Sending experts to my IP Office	179	48%	Sending experts to my IP Office	53	34%
Holding seminars that last for one to several days	173	47%	Holding seminars that last for one to several days	74	47%
Conducting distance learning by using IT systems	163	44%	Conducting distance learning by using IT systems	80	51%
Sending information on a regular basis through email, newsletters, etc.	126	34%	Sending information on a regular basis through email, newsletters, etc.	78	50%
Other	10	3%	Other	6	4%

6. Training course experience in Japan (OPET/PPTT)

My PPTT Training Experience in Japan and its Outcome



A. Ambigaapathy

Assistant Controller of Patents and Designs
Patent Office, Chennai Branch, India.

(17 September - 29 November, 2013)

The three months PPTT training program conducted by JPO, APIC-JIPII and HIDA in 2013 was an eye opener and it enabled me to learn new perspectives in the field of IPR. It also enhanced and paved the way for my transition to the next level in the Indian Patent Office from Examiner to Assistant Controller. As a Controller at the IPO, the duties and goals as well as targets to be fulfilled are exhaustive and rigorous. This 3 months training served as a basic platform on which I could build my skill-sets and mould myself to a better person to step into the shoes as a Controller of Patents.



As a Patent official, one of our duties is to spread awareness about IPR among general public including Universities, Colleges and Schools. The lecture delivered by Mr. Kenichi HATORI, Project Professor, Keio University on the topic "IPR management in Universities (Academic-Industrial collaboration/Technology Transfer)" was very useful in understanding the initiatives taken by Japanese Universities and their focus on converting their new ideas/concepts/research into Patents and the link between the University-Industry collaboration for the benefit of the society. Whenever I get an opportunity to conduct awareness program about IPR in Indian Universities/Colleges I suggest that Research oriented output to the benefit of society by converting them into products should be an important mission apart from Education and Research.

Due to the large number of awareness programmes conducted by the Indian Patent Office, the universities/Colleges have been come up with setting up of IPR cells in their campus to encourage research activities and converting the research outputs into Patents. While processing Patent applications, it is clear that there has been a steady increase in patent application filings from the universities/Colleges in India when

compared with previous years. Till I can never forget the example for the Technology Transfer discussed by Mr. Kenichi HATORI during which the discussion was focused on a patent application titled "Method for the measurement of tiny droplets".

Another important feature which I came to know during my training was that the Japanese government has introduced IPR awareness/education in schools at high schools itself which spreads awareness about the IP among students studying in the schools, colleges and universities and in turn it makes them to file lot of patent applications. I had a thought to include a visit to one of the schools directly in Japan as a part of PPTT training schedule itself so as to know how the schools implement the IP education in their curriculum. So after coming back to India from the training course I have given this as one of my many suggestions to my superiors that the Government of India may also introduce subjects related to IPR in school level to improve the domestic filing in future. Now I am happy to see that our Government has also started conducting IP awareness/education in schools through Patent office.

I was promoted as Assistant Controller of Patents and Designs in the year December 2015 and I have been allotted Examiners to work under my supervision. During the PPTT program Mr. Takao OGIYA had given a lecture on 15.11.2013 titled "What Applicants Expect from Examiners". I felt that the topic was important also for Controllers. This has greatly enhanced me in coordinating with my Examiners and instructing them about the expectations of the Applicants from the Patent Office. Also, the discussion about the "Examination Practices in Participant's Countries" on 16.10.2013 conducted by Mr. Takao OGIYA, Director General, APIC was thought provoking and the comments given by Mr. Takao OGIYA were helpful in improving our examination standard and he gave insights in approaching the claims of an invention.

On 01.10.2013, 31.10.2013 and 1.11.2013 Mr. Zentaro HASEBE had given a lecture on a topic titled "The Practice Exercise (Requirement for Description and Claims)" and discussed the points to be noted in drafting a notification of reasons for refusal. This has been very useful in issuing First Examination Report (FER) both in my capacities as an Examiner and as of now, a Controller. I also stress my Examiners about the points to be kept in mind while preparing a FER. Items to Note 1 and Items to Note 2 were given for understanding patent specification to analyze Novelty and Inventive Step. A case study titled 'Production method of instant noodles' was discussed as an example for understanding patent specification. It was an interesting case study as the instant noodles was very famous in India too. The case study shows an idea about how an invention should be compared with cited documents by plotting a table. It was helpful in teaching the concept of novelty and inventive step to the newly appointed Examiners in understanding the novelty and inventive and concept of preparing reasons for refusal. Another important point which I noticed in the delivered lecture was "Overly late examination cannot provide justice". I follow the same which has improved my work efficiency and also I insist the same to my Examiners to follow.

Section 57 and 59 of the Indian Patents Act which talk about amendment of an application for a patent can be correlated and compared with Article bis (3) which provide light with respect to the amendments of the specification. In light of the above context the lectures delivered by Ms. Junko SUGIMURA on the topic "Examination Guidelines: Amendment" on 03/10/13 and Practice Exercises (Amendments) on 07.11.2013 were of great significance. The Practice exercises are helpful for me even now, in understanding and analyzing the allowability of amendments made in description, claims and drawings of the specification. The lecture clarified through various examples, that amendment is possible only for what is stated in the specification, claims or drawings attached to the original request (prohibition of addition of new matter). (Art. 17-2, Para. 3) and Restriction of the scope of claims.

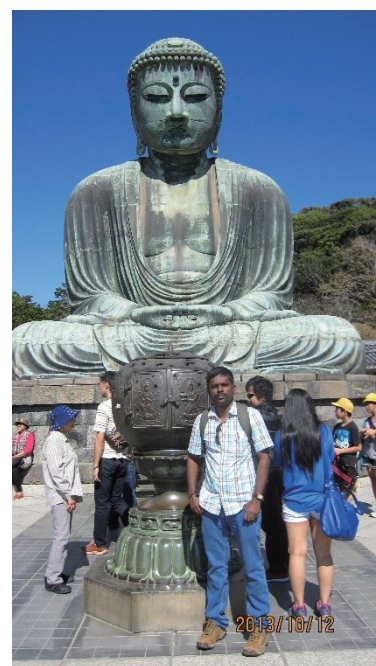
During the On-the-job training the teaching of JPO Examiners Mr. Harada and Mr. Hayakawa regarding

preparing reasons for refusal using prior art documents from their experience is really helpful in my present day-to-day work.

The Indian Patent law provides two kinds of patent opposition proceedings i.e., pre-grant and post-grant opposition to challenge the validity of a pending patent application and granted patent, respectively. The lectures on “Practices of Appeal” (Trial for Patent Invalidation) given by Mr. Yukio NUMAZAWA and Patent Infringement Trial (Case Studies) by Mr. Kazuhiro MATSUDA are very useful for me to conduct the opposition proceedings as a part of Controller’s duty in line with Indian Patents Act.

The PPTT training has widened my knowledge especially in areas like infringement, search methodologies, specification mining and preparing FER. The knowledge gained during the course of training is beneficial in processing patent applications in a better manner. Apart from the technical and legal knowledge which I gathered from this training, the most important part which I learnt from this trip to Japan is about its culture, its people, their positive attitude and hard work, unconditional love and respect shown towards fellow human beings and their affection towards pet animals. I really feel proud of them and I always wanted to say them...

“Arigato Gozaimashita.”



PPTT 2009 - An insight into Japan and the JPO's training: PPTT2009

Mr. Thiyagaraja Gupta.D

Assistant Controller of Patents and Designs
The Patent Office, Office of Controller General of Patents,
Designs and Trade Marks



(26 August – 10 November, 2009)

The PPTT program was designed by THE JPO in the year 2009 especially for the senior examiners from India which helped the Indian examiners to have an insight into Japan and The JPO. I am proud to be one of the first members of this program, as I participated in the year 2009, and it gives me immense pleasure to know that this program has been implemented every year without fail to date. The course was attended by a total of 3 participants from India. The PPTT program in later years has transformed to include patent examiners from Brazil, too.

The PPTT program for Fiscal 2009 for India was conducted from August to November, 2009, and the program was divided into three phases. The first phase from August to September was designed to focus on theories. The second phase from September to October was designed with practical exercises. And the last phase from October to November was designed with case studies in patent examination, on-the-job training (OJT), trial and appeal cases, industrial visits, interactions with experts on patents, and industrial and academic institutions.

Not only did the work style and the dedication to work of the Japanese people attract me, but also the culture and their life style.

Religion of Japan

Shinto and Buddhism are Japan's two major religions. Shinto is as old as the Japanese culture, while Buddhism was imported from the mainland in the 6th century. Since then, the two religions have been co-existing relatively harmoniously and have even complemented each other to a certain degree. Most Japanese consider themselves Buddhist, Shintoist or both. Religion does not play a big role in the everyday life of most Japanese people today. The average person typically follows the religious rituals at ceremonies like birth, weddings and funerals. They may visit a shrine or temple on New Year's and participate at local festivals (matsuri), most of which have a religious background.

Japanese cuisine

Once known either in the form of "sukiyaki" or the more exotic "sushi", Japanese cuisine has in recent years become more familiar and appreciated around the world. Many visitors to Japan would have already sampled the pleasures of raw fish. But few first-time visitors to Japan are prepared for the variety of food as

it is traditionally prepared. Eating in Japan is an experience to be enjoyed and remembered fondly for the rest of one's life.

Types of cooking:

1. Sukiyaki is prepared right at the table by cooking thinly sliced beef together with vegetables.
2. Tempura is the type of food that is deep fried in vegetable oil after being coated with a mixture of egg, water, and wheat flour.
3. Sushi is a small piece of raw seafood placed on a ball of vinegary rice.
4. Kaiseki Ryori is regarded as the most exquisite culinary refinement in Japan. The dish is mainly composed of vegetables.
5. Shabu-shabu is tender thin slices of beef held by chop sticks and swished in a pot of boiling water and then dipped in a sauce.
6. Japanese "sake", or rice wine, goes extremely well with a variety of Japanese dishes.

First Phase of training

The first phase started with country report presentation and was designed to be focused on theories. The first phase covered Japan Intellectual Property Basic Act, IP national strategy in Japan, and outline of Utility Model law. There were detailed lectures on examination guidelines related to industrial applicability, novelty, specification and description requirement of claims, inventive step which were followed by detailed discussions.

Prof. Hiroshi KATO's lecture was helpful in understanding the social trends in IPR. We came to know that prior to 2002, though Japan was an IP based country, it was only in its pre-nascent stage. There was only IP filing and no proper IP strategy existed. It was in July 2002 that the IP policy outline was established by the then PM of Japan, Junichiro Koizumi. Now Prime Minister Shinzo Abe is Chairman of the IP strategy team. The members were Ministers from the parliament, industrialists, and academicians. There were about 20 members on the IP strategy framing team and they planned the IP strategy program. Every 10 years the IP strategy was revised to meet the growing technology.

The lectures by various professors and patent attorneys were helpful in understanding the examination guidelines of the JPO, and also I came to know that the JPO invests a huge volume of effort to update the examination guidelines from time to time. The examination guidelines were periodically reviewed, depending on the situation, such as systematic revision, new court decisions, development of new technology and changes in international circumstances.

There was a discussion on the amendment requirement as per Japan Patent Act. The Indian Patent Act sec 57 to 59 gives the provision for amending the specifications, and similarly Japan Article 17 bis (3) provided the guidelines for the applicants with regard to the amendment of the specifications. Most of the provisions related to amendments were similar in both the countries. There was also a discussion related to computer software, related inventions, and bio medical inventions. I was astonished to learn that the JPO had framed the guidelines for examining computer software related inventions way back in the year 1975 when the computer industry was itself in its nascent stage. There was a lecture about international application (Paris Convention, PCT). This was one of the excellent sessions wherein I learnt in depth about the

international patent system and the timeline for PCT and the international scenario related to PCT application.

There was another discussion about the product-by-process claims in Japan and India. Use claims were allowed in the JPO, i.e., the expressions defining products by their functions/characteristics/use/manufacturing processes. Isolation of microorganisms from the soil/nature is patentable in Japan. Regarding software related inventions, program source codes were not allowable even though the JPO granted software patents. Also, the JPO has granted patents for the surgical/diagnostic methods involving only animals, whereas in India both these technologies were non-patentable under the provisions of Section 3(K) and Section 3(i).

The subsequent sessions were about IPR management of companies, IPR management in universities, and an overview of Appeals and Trial system and the Role of Patent Attorneys.

I also had an opportunity to learn about the role of patent attorneys at the JPO. The discussion was towards the membership, the training being given by Japan Patent Attorneys Association (JPAA) to become a patent attorney, and the examination being conducted by JPAA. I came to know that Articles 29 and 39 are important in the patent law of Japan. Article 29 talks about the patentability of inventions and Article 39 is related to the first-to-file rule. It was interesting to learn that Article 39 came into the picture when two or more patent applications relating to the same invention were filed on the same date and only one applicant agreed upon, after mutual consultation among all the applicants, to obtain a patent. It was more interesting to learn that for trademark for the same scenario, if no agreement was arrived at among the applicants, then a lottery system would be followed to choose that one applicant. In Japan there is no pre-grant and post grant opposition as being executed in India and invalidation of a patent could be asked only by the parties and not by any other third party.

Second Phase

The second phase was designed to give in-depth practical exercises on inventive step, novelty and requirements for description and claims, identity and amendments. I was given an extensive training on search technology utilizing F and FI terms designed in the JPO for the JPO examiners. I also learnt the role of the examiners and utilization of IPDL (PAJ searches), utilization of commercial databases. IPDL was managed by an external departmental body of the JPO. There was also a visit to the Japan Patent Information Organization (JAPIO).

Introduction to JAPIO

Japan Patent Information Organization (JAPIO) was established on August 1, 1985 with a capital fund of 1.1 billion yen, with annual budget of 4.8 billion yen (FY2012).

Business of JAPIO:

- Patent information processing
- Operation of IPDL
- Trade mark examination support
- Information utilization support
- Other activities

Patent information processing

- Standardization of the JPO's official patent information in XML/SGML form
- Translation and production of patent abstract of Japan (PAJ)
- Marking Japanese language abstracts from the US/EP patent documents.

Operation of IPDL

- Overall management of IPDL
- Operation and maintenance
- System development
- Help desk

Other activities

- Copying services of documents in the JPO file wrappers and other literature
- Prior art search for SME
- Research and development on Patent information and technical Japanese

There was training in patent search techniques that focused mainly on search methodologies. The trainers elaborated on the various features of FI and F-Term and PAJ on the JPO site. The prior art documents were thus easily mined using PAJ or FI and F-Terms. The F-Terms were specific key word indices developed by the JPO examiners based on their vast experience. They were dependent on the file index which in turn was based on the IPC. The other methodology adopted by the Japanese examiners included keyword search with the help of Patents Abstract of Japan (PAJ). There were lots of sessions explaining the usage of IPDL and AIPN. The session also focused on the importance of specification reading and identifying the problem and the invention in a specification. The trainers supported each concept with examples and practice sessions. Many sessions were devoted to the real time search of prior art documents. The trainers also gave a list of free and commercial non- patent literature sites and taught the way of using the same. The trainers also informed us about various free websites for accessing patent information. The speaker showed the database of various countries, especially the US, EPO and India. Finally, the second phase completed with the overall discussion by each of the participants who presented their ideas on the respective topics which were followed by a question and answer session, after which there was a group discussion among the members present.

Third Phase

The third phase was mind blowing and was mostly conducted outside the office premises which included industrial visits to Sumitomo Electric Industries, Ltd. (SEI). There was a session which allowed me to interact with JIPA members. Japan Intellectual Property Association (JIPA) is a non-profit, non-governmental organization, which has approximately 1190 members. It represents industries and users of the intellectual property (IAP) system, and provides related institutions all around the world with well-timed, suitable opinions on improvement of their IP systems and their utilization.

JIPA is actively conducting the following activities:

Strengthening ties around the world between organizations / institutions that deal with counterfeits; creating an alliance between non-governmental organizations in Japan, Europe and the U.S. Encouraging an active participation in activities conducted by the International Intellectual Property Protection Forum

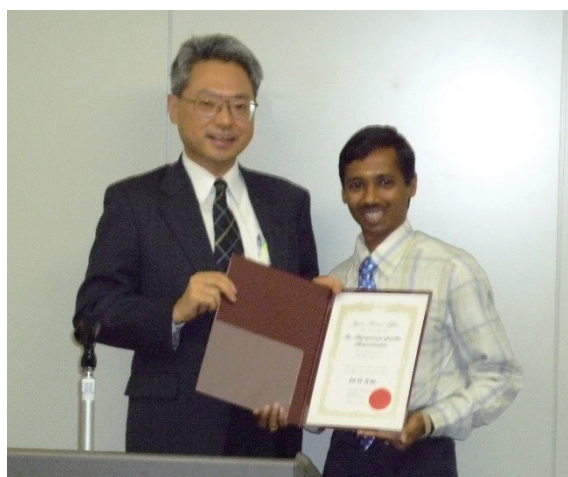
(IIPPF) in Japan.

Substantial Harmonization in the IPR systems:

The standardization of patent application forms, usage of the same prior arts, standardization of the examination criteria, and the undertaking of simultaneous examinations achieve substantial harmonization. JIPA is aiming to form a world IP user federation to encourage cost reductions for patent applications and create substantial harmonization. In this regard, since February 2004, JIPA held several meetings with the non-governmental organizations in Europe and the U.S. As a result of those meetings, they handed a resolution concerning the standardization of application forms to the Trilateral Patent Offices. As the next step, they are now consulting on “One Search” with them.

Finally, after almost three months of trainings, discussions, interactions, get togethers at parties, and exchange of ideas with the patent attorneys, patent examiners, industrialists and academicians from Japan, industrial visits and personal touring of the country, I was over awed by their advanced work ethics, vast knowledge, intelligence, cultural depth, technological growth, disciplined life style and hospitality yet humble to the core.

Arigato.



OPET 2017 Achievements from the Perspective of a Turkish Patent Examiner

Ms. Zumrut Yar (Turkey)
Patent Examiner (Patent Department)
Turkish Patent and Trademark Office



(OPET: 12 Sept. - 1 Nov. 2017)

1. Training Experience

General Information on Operational Patent Examination Training Program 2017

OPET 2017 was a comprehensive and well-organized training program starting on September 12, 2017 and ending on November 1, 2017 with a period of about two months.

I, as a patent examiner from the Turkish Patent and Trademark Office, was invited for a total of 10 people including me. The other participants were also working as patent examiners in the IP offices of their countries. The selected countries were all international search and examination authorities. Participating countries were Brazil (2 participants), Egypt (2), India (4) and Turkey (2). The fields of the training were “chemistry” and “electricity” and the trainees were selected from those who conduct examinations in these fields.

The trainees were all self-educated and experienced people in different fields, and the majority of the lecturers had previously worked in the Japan Patent Office and then became patent attorneys after a change in careers.

In the program, the patent system in Japan was dealt with in detail through examples. We exchanged information and each participant explained the reasons for the differences with the patent system in their country, creating a definitely fruitful discussion environment.

Training Program

1st Week: On the first day of the program, each participant made a presentation about their expectations, after that we discussed the training process. On the second day we made a visit to the Japan Patent Office from the Asia-Pacific Industrial Property Center, the training site, and were informed about the office departments. The following day we made detailed presentations on the system of intellectual property in our countries. For the remainder of the first week, details of the Patent Cooperation Treaty (PCT) and the contents of the Patent Examination Guidelines were discussed.

2nd Week: We discussed the submitted description of a patent application and the requirements that the claims should fulfil. We studied examples through J-PlatPat, the office database, given in general terms of information technology used by the Japan Patent Office. On the last day of the same week a visit was made to two companies which work in the field of electronics and chemistry. The company employees attending to us made presentations about the market places and patent strategies and showed their manufacturing facilities.

3rd Week: We worked on search strategies and examples by using patent classification systems (especially

the FI (file index) -Fterm). Additionally, we used various databases. In the same week, a visit was made to one of the commercial database companies. On the last day of the week, the JPO was visited again, and this time we were informed about the search and examination conditions of patent examiners. Later, after returning to APIC, there was a lecture about the duties of international authorities.

4th Week: We had the opportunity to use JPO internal database studying with the patent examiners in the JPO. By searching the applications with this database, patentability criteria were evaluated at the same time. Apart from this, the JPO database which is open for public use was studied. We conducted patent searches both individually and as a group, then a search report was prepared and discussed.

And for one day each of us presented examples of search-examination that we had prepared in our own country.

5th Week: We were divided into two groups, the “chemistry” and “electricity” branches, all week. During this week the criteria for novelty and inventive step was assessed. At the end of the week, we made another company visit.

6th Week: The examples in the chemistry and electricity groups continued to be solved. In these examples, we discussed how to write the description and the claims, the amendments in the application. In addition, the points to be taken into consideration during search and examination had been evaluated in order to avoid the likelihood of an objection appeal after the decision of the patent examiner. These discussions were really useful for us as examiners. In addition, examples of patent infringement were mentioned.

7th Week: Various examples were studied with the examiners from the JPO. They informed us on the JPO's approach as a PCT search and examination authority. We prepared a search report, written opinion and other notifications for various cases.

8th Week: A session meeting was held for opinion exchange with separate private companies and patent attorneys. In addition, we re-presented and discussed the case studies we personally presented in the previous lectures in light of our learning outcome. The focus was mainly on inventive step criteria. On the last day, a general evaluation of the training program was made.



A photo from our training

My Goals

I wanted to understand the point of view of how the other patent office's approach the applications about chemistry and pharmacy. Especially enhancing my knowledge of interpreting inventive step due to the possibility of different perspectives.

When the application is about a chemical synthesis it is sometimes very difficult to determine the technical effect. Markush claims could be difficult to interpret, too. For chemical applications, sometimes there is no generic name given in the description. Or when only the chemical formula is drawn there could be hardly any appropriate results. These were the most important points for me that came into question.

I wanted to discuss the functions of different databases with patent examiners to enable myself to perform a more complete search.

Gaining information about the IP system in Japan and other participant countries was also one of my goals besides learning about how the JPO is organized as an ISA/IPEA.

My Achievements and Contributions to My Career

This training by all means enhanced my patent knowledge. The program covered almost every different stage of the patent process and supporting tools centring upon examination.

Opinion Exchange about the evaluation of inventive step broadened my perspective of examination. Now I use the search strategies I concluded from the discussions.

While conducting chemical a formula search, I learned how to focus on functional groups of the structure.

I had the chance to try several databases (especially JPlatPat) during the training, therefore thanks to practice I can find the information I want in a shorter time. Especially, FI-Fterm classification provides a large scale of subgroups which really helps searching the invention.

The patent system is open to improving changes and always adapting itself to new implementations. For this reason, learning about patent regulations of other countries is valuable. It is sure to have a positive influence on future amendments of our IP office during drafting.

In particular, preparing PCT forms in the training was informative since our office is a new PCT authority for search and examination.

2. About the Turkish Patent and Trademark Office

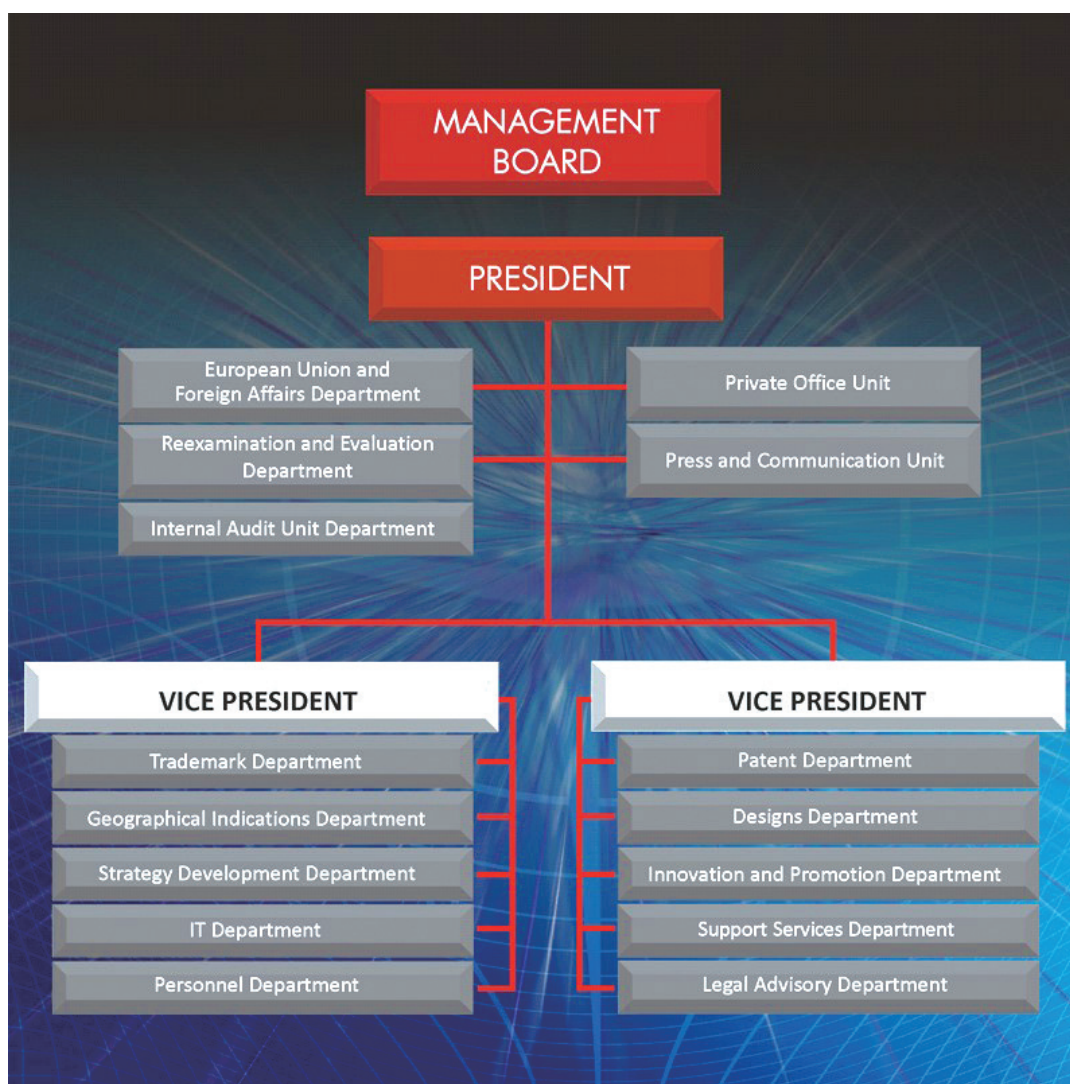
General Overview

The Turkish Patent and Trademark Office (Turkpatent) is a public organization reporting to the Ministry of Industry and Technology.



Outlook of Turkpatent

Our office is the authorized body regarding industrial property rights, besides contributing to the technological progress of Turkey, establishing a free competition environment and promoting research and development activities within the country.¹



Organization of Turkpatent

Turkpatent is a member of several international collaborations including being a party to the European Patent Convention (EPC) and Patent Cooperation Treaty (PCT). The main changes about the office lately (2017) are:

- a new “Industrial Property Law” came into force (Law No: 6769) aiming at harmonizing and updating the procedures,
- starting to operate as an International Searching Authority (“ISA”) and International Preliminary Examining Authority (“IPEA”) under the Patent Cooperation Treaty (“PCT”) at WIPO.

PPH (Patent Prosecution Highway) between JPO and Turkpatent

The PPH enables an application which was determined to be patentable in the Office of First Filing (OFF) to undergo an accelerated examination in the Office of Second Filing (OSF) with a simple procedure upon

¹ www.turkpatent.gov.tr

a request from an applicant on the basis of bilateral office agreements.²

In this context, JPO and Turkpatent signed a PPH agreement in February 2018.³ This change is going to be useful for both offices providing a faster process. I hope the collaboration between two offices goes on in terms of training programs, meetings and agreements.

3. Sightseeing in Japan

During OPET 2017 training in Tokyo, I had wonderful time exploring Japanese culture. It is impossible to mention all the details, but I wanted to mention the things that impressed me most.

First of all, Tokyo is a really beautiful city with innumerable tourist attractions: Shibuya, Ginza, Tokyo Tower, Tsukiji Market, Odaiba, Imperial Palace... There is a great harmony of past and present, old and new. Such as Senso-ji Temple – Asakusa, impressive with people in kimonos, ritualised smoke around enthusiastic crowd and gorgeous structures.



Senso-ji Temple

Meanwhile, landscape gardening like Hama-rikyu and Rikugien Gardens was fascinating to me. It is an admirable art in Japan.

I am actually interested in cinema. Luckily, when I was in Japan, the 30th Tokyo International Film Festival was held. I had the chance to watch a movie named “Queen Kelly” and join an interview about the film collection of the George Eastman Museum.

As an animation fan (particularly Hayao Miyazaki’s works) I wanted to visit Ghibli Museum but the tickets were already sold out. Still I went there and took some photos outside the museum, then went to beautiful Inokashira Park nearby.

The traditional Kabuki-za theatre was also stunning. I saw a series of plays including one about Osaka

² www.jpo.go.jp

³ www.turkpatent.gov.tr

Castle that I really enjoyed. The acting was very good.

I attended a tea ceremony thanks to one of our company visits during training, which was fun. I also learned some rules about the ceremony like how to hold and turn the tea plate.

Nikko is my favourite place regarding natural beauties. The shrines and Kegon Falls were what I liked most. During my visit to shrines, I saw “Three wise monkeys” engravings representing “see no evil, hear no evil, speak no evil”. There is a different version of the three-monkey idiom in Turkish too, so I realized once more how different cultures resemble each other.



Photos from Nikko

For one weekend I went to Hiroshima which influenced me deeply. The historical past of Hiroshima with peace monuments and memorials is impossible to forget.



Hiroshima Memorials

When I was in Hiroshima I tried Momiji and Okonomiyaki and they were delicious. I can recommend them everyone who has not yet eaten them.



Okonomiyaki



Momiji

With Castles, Palaces, Shrines, Gardens, Temples and Museums, Kyoto is the cultural capital of ancient Japan and is known to all. It is hard to choose something to mention, but I especially liked Kiyomizu Temple.

Yokohama, historical marine city, is near Tokyo with a colourful Chinatown and is worth seeing.

I joined a Mount Fuji and Hakone tour, and I enjoyed the view of Mount Fuji from the fifth station and Hakone in the rope railway.

We went to Kamakura on a one-day trip organized by AOTS. We had experienced guides accompanying us, and this group visit was very fun.

This is only a small part of my Japan experience. It was an opportunity for me to live this atmosphere.



7. Articles from the former trainees (Trademarks)

MEXICO AND THE NEW SUI GENERIS PROTECTION SYSTEM



Miroslava Ramos (Mexico)

(FY2018 JPO/IPR Training Course for IP Trainers, 19 June - 3 July, 2018)

Undoubtedly, 2018 has been a year of winds of change for Mexico, not only in political issues, but also in industrial property issues that break the traditional paradigm of distinctive signs. On March 13 and May 18, both of 2018, ambitious reforms to the Industrial Property Law were published in the Official Gazette of the Federation. That is to say, Mexico only foresees the figure of “**Appellations of origin**”, as the name of a geographical region of the country that serves to designate a product originating from it, and whose quality or characteristics are due exclusively to the geographical environment (natural and human factors), included in this one. So that we currently have 16 Protected **Appellations**: Tequila, Mezcal, Olinalá, Talavera, Bacanora, Amber from Chiapas, Veracruz Coffee, Sotol, Chiapas Coffee, Charanda, Mango Ataúlfo del Soconusco Chiapas, Papantla Vanilla, Habanero Chile of the Yucatan Peninsula, Rice of the State of Morelos, Cacao de Grijalva and Yahualica.

GEOGRAPHICAL INDICATIONS, challenges and opportunities for Mexico.

On the morning of August 10, 2017, the Notice was published that made known and submitted to consultation the **GIs** that the European Union sought to protect in Mexico within the framework of the modernization of the Economic Partnership Agreement, involving 340 products and their respective distinctive signs. Eg. **Manchego cheese**¹ (Mexican cheese vs Spanish cheese), **Feta cheese**² (Greek). Complying with the requirements agreed with the European Union, on March 13, 2018, the Mexican system is updated in terms of sui generis protection, incorporating the figure of **Geographical Indications**. Following the definition of TRIPS as the name of a geographical area or containing that name, or another indication known to refer to the aforementioned area, which identifies a product as originating from it, when certain quality, reputation and other characteristics of the product is fundamentally attributable to its geographical origin³. Allowing its use to those people engaged in the extraction, production or processing of products protected by the GI, and sanctioning their illegal use through acts of unfair competition.

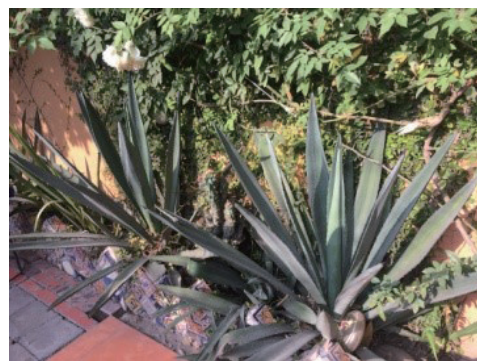
Mexico continued advancing with the reform of May 18, 2018, integrating the long-awaited “certification marks” into the industrial property system, a figure that has served over the years, in many countries as guarantee seals to the compliance of certain quality standards. This new figure also certifies components of products; processing conditions, quality, processes, will also certify the geographical **origin of the products**⁴.

In relation to this last point, the certification marks will be governed, in which there is no special provision

for what is established for the brand, authorizing its use to any person that meets certain standards of origin, quality, production, transformation. In the event that the certification mark involves a **GI** the applicant must also prove that it is engaged in the extraction, production or processing of the products protected by the **GI**, that the activity is carried out within the territory of the geographical area determined in the declaration, and that it complied with the Official Mexican Standard.

Challenges or opportunities:

If a group of Mexican producers from the state of Hidalgo, which in addition to producing Pulque⁵, want to certify users who meet certain standards of production, processing, labeling, etc. So they seek to obtain the certification mark “Pulque de Hidalgo”⁶. This denomination is in process of protection as **IG**, and since it is a good property of the Federation, it can only be used through the authorization issued by the Mexican Institute of Industrial Property. If we take into consideration that the average time to obtain a trademark registration that meets the legal requirements of form and fund in Mexico is 6 months. In the case of “Pulque de Hidalgo”, we should expect the **GI** protection declaration process to be exhausted, since the legal interest is accredited; demonstrate the form of extraction of the product and its method of production; present the Official Mexican Standard that establishes the characteristics and specifications that the product must fulfill for its commercialization (process foreseen in the Law of Metrology and Normalization, not less than two years), until a technical study issued by a public or private authority or institution sustains this information. Once we have traveled this road, we face the second part, the authorization for the use of the **GI** in favor of the producers of the “Pulque de Hidalgo”. All that is left then is to process the registration of the certification mark and display all the information that proves the verification procedure and the quality controls on the production.



In this way we see how practical it will be to look for a certification mark based on a geographical indication, which can also be subject to other administrative procedures because it is a property owned by the Federation versus a collective trademark that does not require more requirements than co-ownership.

REFERENCES:

1. The protection of the GI “Manchego” allows the coexistence of Spanish cheese {sheep’s milk} and Mexican {cow’s milk} since Mexico demonstrated that the term “**manchego**” is of common use, as long as both keep their own specifications.
https://www.gob.mx/cms/uploads/attachment/file/416567/25.__Cap_tulo_Propiedad_Intelectual.pdf
2. The protection of the GI “feta” authorizes its use for 8 years to those people who have used the term “feta” historically for cheese, within the Mexican territory.
https://www.gob.mx/cms/uploads/attachment/file/416567/25.__Cap_tulo_Propiedad_Intelectual.pdf
3. Article 157 of the Industrial Property Law.
4. Article 98 of the Industrial Property Law.
5. Alcoholic drink of high graduation, thick, white color that is obtained from the fermentation of the maguey.
6. Application in process of declaration of protection filed with the Mexican Institute of Industrial Property on June 25, 2018.

TRADE MARKS IN THE WORLD: COMPARING SOME REGULATIONS (Part I)



Jack Cieza Pastor¹(Peru)

(FY2017 JPO/IPR Training Course on Trademark Examination Practices (Basic Program), 6 February - 16 February, 2018)

A BRIEF INTRODUCTION*

Throughout the world exist different regulations and systems about intellectual property rights especially about trademarks². Without a doubt, it is one of the most important and commonly used distinctive signs for companies and industries in the market and as a mean of protecting its reputation.

According to the statistics of the World Intellectual Property Office (WIPO):

‘An estimated 9.11 million trademark applications covering 12.39 million classes were filed worldwide in 2017. The number of classes specified in applications grew by 26.8% in 2017, marking the eight consecutive year of growth’³.

In 2017, 146,406 applications were received by the European Union Intellectual Property Office (EUIPO)⁴. This statistic includes European trade marks and International registrations of trade marks. Meanwhile, during the same period of time, almost 200 thousand applications were filed in Japan⁵. These figures are clearly sufficient to justify briefly researching and explaining in an introductory fashion all these systems.

* The views and opinions set out in this article are strictly personal and should not be attributed to either the EUIPO or INDECOPI.

- 1 Lawyer graduated from the Pontifical Catholic University of Peru with master studies concluded in Competition Law and Intellectual Property. He has worked in Peruvian public institutions, among them the National Institute for the Defense of Competition and the Protection of Intellectual Property and he currently works as Secondment National Expert in the European Union Intellectual Property Office (EUIPO) in Spain.
- 2 Please note that in this article we will use ‘trade mark’ and ‘trademark’ indistinctively. Likewise, although in English there is a difference between a brand and a trade mark, in Spanish there is not. In both cases the Spanish language uses the word ‘marca’. In Spanish, the language spoken in the Andean Community, when necessary we can refer specifically to a trade mark by saying ‘marca registrada’.
- 3 Information extracted from the WIPO on 03/12/2018 at https://www.wipo.int/pressroom/en/articles/2018/article_0012.html
- 4 Information extracted from the EUIPO on 03/12/2018 at https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/about_euipo/the_office/statistics-of-european-union-trade-marks_en.pdf
- 5 Information extracted from The Statics Portal on 03/12/2018 at <https://www.statista.com/statistics/614361/japan-total-trademark-applications/>

Therefore, the aim of this first intellectual effort is to help the academic community and lawyers of Japan, European Unión (EU) and the Andean Community understand how these systems work. To that purpose, at the beginning, it is necessary to compare the similarities and the differences between European Union, Japanese and the Andean Community⁶ legal definitions of trade mark.

EU, THE ANDEAN COMMUNITY AND JAPANESE DEFINITIONS OF TRADE MARK

First of all, it is important to clarify that an applicant in Europe has different options in registering a trade mark depending on their trade needs. One of them is to register directly at a National IP Office. A second, depending on the circumstances, it is to register at the Benelux Office of Intellectual Property if you are looking for protection in Belgium, Luxembourg and the Netherlands. A third is to apply for an international registration under the Madrid Protocol, while the last means of registering a trademark and the main reason for this article is when an applicant applies for an EU trade mark, when they want protection in the whole EU.

The Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (codification)⁷, here below, 'European regulation'⁸, defines a trade mark in its the Article 4 as follows:

'An EU trade mark may consist of any signs, in particular words, including personal names, or designs, letters, numerals, colours, the shape of goods or of the packaging of goods, or sounds, provided that such signs are capable of:

- (a) distinguishing the goods or services of one undertaking from those of other undertakings; and
- (b) being represented on the Register of European Union trade marks ('the Register'), in a manner which enables the competent authorities and the public to determine the clear and precise subject matter of the protection afforded to its proprietor.'

It is important to point out that when one applies for a European Union trade mark one can do it in two languages, one of which can be any of the 23 that are officially spoken in the EU, but the other language, must necessarily be one of the five official EUIPO languages (English, French, German, Italian or Spanish). Europe represents a market of more than 500 million of inhabitants and spans over 4 million km².⁹

In another continent, to be more precise, in South America, the Andean Community (CAN) represents a territory of almost 5 million km² with a population of more than 120 million inhabitants¹⁰, and in its system an applicant only has the possibility to register a national trade mark¹¹. This regulation has not developed a

6 The Andean Community includes four South American country members, namely: Bolivia, Colombia, Ecuador, and Peru.

7 Information extracted from EUIPO portal on 04/12/2018 at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R0626&from=EN>

8 The European regulation also includes 'the Commission Delegated Regulation (EU) 2018/625 of March 2018 supplementing Regulation (EU) 2017/001 of the European Parliament and of the Council on the European Union trade mark, and repealing Delegated Regulation (EU) 2017/1430' and 'the Commission Implementing Regulation (EU) 2018/626 of 5 March of 2018 laying down detailed rules for implementing certain provisions of Regulation (EU) 2017/1001 of the European Parliament and of the Council of the European Union trade mark, and repealing Implementing Regulation (EU) 2017/1431'.

9 Information extracted from the European Union on 17/12/2018 at https://europa.eu/european-union/about-eu/figures/living_en

10 Information extracted from The Ministry of Agriculture of Peru on 17/12/2018 at <http://minagri.gob.pe/portal/especial-iv-cenagro/179-exportaciones/grupos-economicos/512-comunidad-andina-de-naciones-can>

11 Therefore, each state member has developed its own national regulation in the aspects not treated by their common regulation.

community trade mark, unlike the European Union.

The Decision 486 Establishing the Common Industrial Property Regimen¹² of 14 September 2000, here below, 'Andean regulation', defines in its Article 134 what a trade mark is:

'For the purposes of these Provisions, any sign capable of distinguishing goods and services on the market shall constitute a mark. Signs that are susceptible of graphic representation may be registered as marks. The nature of the product or service to which a mark is to be affixed shall in no case be an obstacle to registration thereof.

The following signs, among others, may constitute marks:

- (a) words or word combinations;
- (b) images, figures, symbols, graphics, logotypes, monograms, portraits, labels, emblems and shields;
- (c) sounds and aromas;
- (d) letters and numerals;
- (e) a color within an outline, or a color combination;
- (f) the shape of the goods, their containers or their packaging;
- (g) any combination of the signs or elements specified in the foregoing subparagraphs.'

As any reader can realize straightaway, there are not many differences between these definitions, in essence they are the same and in both cases they talk about signs that are capable of distinguishing goods and services (on the market, of course). This is the core of what we can understand by a trade mark. Nevertheless, no longer in substance but for registration considerations, one can notice a subtle but significant difference. In the case of the European regulation, a trade mark can be any sign capable of being represented, although in the case of the Andean regulation it requires the graphic representation of the signs. Without doubt, it can be a difficult requirement to satisfy.

Because of limits of scope, this article will not be able to delimit what a trade mark may consist of (i.e. words, images, figures, colours, sounds) or the types of signs that may be registered (e.g. positions marks, three-dimensional marks, figurative marks, shape marks and so on). Besides, a subsequent article will assess what the differences in absolute and relative grounds are. But for now it is necessary to go over the definition of what the Japanese regulation understands a trade mark to be.

Finally, what is meant by trade mark in the Japanese system can be explained by the Article 2 of the Trademark Law, Law No. 127 of April 13, 1959¹³, as follows:

'(1) "Trademark" in this Law means characters, figures, signs, three-dimensional shapes, colors, or any combination thereof, sounds or other marks perceptible by human beings as prescribed by Cabinet Order (hereinafter referred to as a "mark") in the following:

- (i) which are used in respect of goods by a person who produces, certifies or assigns such goods in the course of business;
- (ii) which are used in respect of services by a person who provides or certifies such services in the course of business (other than as in (i) above).

(2) "Service" in paragraph (1)(ii) shall include an act of providing a customer with convenience and benefit in retail or wholesale trade.

(...)'

12 Information extracted from WIPO portal on 04/12/2018 at https://www.wipo.int/wipolex/es/text.jsp?file_id=223718#LinkTarget_1006

13 The Japanese law has been amended several times since then.

As one can see, the Japanese regulation does not have a definition of what a trade mark is in the way it is defined in the other two systems. It already has its particularities focused in description of what can be a trade mark. The issue is to consider that a trade mark has to be perceptible by human beings. This approach gives a preliminary idea that there are a huge variety of signs that can be registered as trademarks.

Japan represents a territory of 145,936 km² and a population of more than 126 million inhabitants.¹⁴

Here is a comparative table to facilitate the comparison between these three trade mark regulations:

	European Union	Andean Community	Japan
Definition of a trade mark	Yes	Yes	No
Distinctiveness requirement	Yes	Yes	-
Graphic representation requirement	No	Yes	-
Territory (km ²)	4 million	4.7 million	145 thousand
Population	508 million (approx.)	120 million (approx.)	126 million (approx.)

CONCLUSION

To sum up, an approach to these regulations that rule trade marks in three different markets, in three different continents, with a population in total of more than 700 million of people, show us that European and Andean systems have a similar definition (except for the requirement of graphic representation in the Andean one), while they both differ with the Japanese regulation in which there is no definition at all.

¹⁴ Information extracted from The Government of Japan on 17/12/2018 at <https://www.japan.go.jp/japan/>

8. Contributions from FY2018 long-term fellowship research

My experience in Japan defined in one word: **Marvelous**

Ms. Monica Isabel García Mora (México)

Intellectual Property Agent
University of Guadalajara



(Long-Term Fellowship Aug. 14 - Dec. 11)

My name is Monica, I am Mexican, and I work at the University of Guadalajara. My job is to support professors, researchers and students in protecting their inventions through industrial property rights. For that reason I have a broad interest in intellectual property and technology transfer themes.

When the Mexican Institute of Industrial Property (IMPI) sent the invitation to my University for nominating someone to participate in the Long-term Research Fellowship Program, I honestly could not believe that there was a Program for doing research related to intellectual property themes sponsored entirely by the Japan Patent Office, but later it was harder to believe that they had accepted me.

In Japan, I had the best professional and personal experience, and it changed my life for good. Professionally it was a unique opportunity which allowed me to understand how and why Japan is one of the most innovative countries; a country with the clear and ambitious goal of “being a country based on intellectual property.”

The experience of the Fellowship Program cannot be better structured and designed. It provides you with all possible and available tools and experiences for learning, and the support given is unconditional.

As a part of the Program, I could conduct my research with liberty and with the extraordinary guidance of a supervisor and the support of two advisers. I was fortunate to have Dr. Suwa as my supervisor. His support, as well as the contribution of my advisers Mr. Hatori and Ms. Sekiguchi, allowed me to focus and orient my research.

The responsible authorities of the program backed me up in attending two short training courses on intellectual property, as well as a valuable WIPO Conference on the Okinawa Island where I learned about Technology Transfer in Asian Universities. The support was absolute, and the opportunity to listen, understand and learn from people with extensive experience left me with a cumulus of valuable knowledge. The possibility of building a network is another benefit that the Program allowed me to think about, and I consider it very valuable.

The learning experience in the professional area was extraordinary, interacting with people with long

careers in my field of work, and this allowed me to educate myself and expand my abilities, which I hope to apply in my university and share with my colleagues.

On the other hand, related to my personal experience, it was the best one I ever had. Traveling and understanding different cultures have always interested me, and I can surely say that the experience I had in Japan was fascinating. Since I landed at Narita Airport and I had my first interaction with the Japanese, I experienced their extraordinary kindness, and I must say that their willingness to orient themselves to me was fantastic.

My first experience of astonishment was the silence that prevails in the public transportation, which contrasts with the bustle in the Mexican transportation system. I feel admiration for the cleanliness of the streets in Tokyo, and I could see the tremendous respect towards nature that is evident everywhere.

In the streets of Tokyo, I enjoyed a feeling of security and tranquility which I believe is the product of a broad culture of respect and honesty of the Japanese people. Their proactivity, organization, and punctuality are to be admired. All these are embodied, for example, in the fact that since 2018 Tokyo and other hosting cities are ready to receive the Olympic Games in the year 2020. Even some buildings and taxis already have labels of "Tokyo 2020".

The memory of the dazzling, captivating, elegant and cheerful city of Tokyo will remain in my mind for the rest of my life. Dazzling as the beautiful Tokyo Tower which I enjoyed colored in orange every night, captivating as the Bon Odori festival, and elegant as the beautiful architecture of its palaces, temples, and shrines, which by the way, I consider excellent nourishment for the soul. The revitalizing joy that I experienced at a baseball game at the Yakult Swallows stadium is something unmatched, the peaceful and incredible time I had while visiting Hakone, and the diversity rooted in every district in Tokyo will undoubtedly remain in my heart and soul forever.

I must thank all the people in APIC and the JPO, without whom I would not have been able to adapt as fast as I had in a country with a culture so different from mine. The exceptional support that every person gave me was crucial for me to naturally connect with this beautiful country. I cannot mention all, but Aiko-san, Suwa-san, Mitty-san, Ogiya-san, Hiroko-san, Yoko-san, Mineko-san, Satoko-san, Chiho-san, Atsue-san, Kenjiro-san, Shibuya-san, Shibata-san and especially the fantastic Tomoko-san made me feel protected, supported and as part of a beautiful family. Now I even have brothers from other countries; the intelligent and active Dhiya-san (Malaysia) who was my accomplice in every adventure, the kindhearted and sweet Fabrice-san (Cameroon) and the friendly and nice Vagner-san (Brasil).



All of them became my family for four months and for a lifetime, and each of them left me with beautiful memories and marks in my life that will prevail.

I only have infinite gratitude, honestly. Japan has become my favorite country, and I hope to return one day.

9. Message from Lecturer

Mr. Zentaro Hasebe, Patent Attorney
Ochanomizu International Patent Office



I've been lecturing for this training program for about 10 years, since the start of this program. When I offer this program, I always enjoy stimulating discussions with the trainees. I find myself very lucky to be given such opportunities. I'm also very grateful that Ms. Okazaki has been helping me as an interpreter over the course of this long journey. After the classes, Ms. Okazaki kindly answered many questions from the trainees. Her dedication meant a lot to the trainees. This training program would not be so successful without her contribution. The staff members of the Japan Institute for Promoting Invention and Innovation also made a great contribution by planning and operating this program. Thanks to their contribution, the development and continuation of this training program has been made possible.

This program started by inviting examiners from India. Initially, my impression was that they were very assertive and fond of discussions. However, in recent years, people from India are quieter in general, changing my first impression. Then examiners from Brazil started to join us, increasing the total number of members of the discussion group to eight or so. Last year examiners from Egypt, Turkey, India, the Philippines, and Brazil also joined us, increasing the number of participating countries. I think this indicates that the world has started paying attention to intellectual property and recognizing the importance of the patent system. Such a trend can be seen in the US-China Trade Talks where intellectual property was chosen as one of the major agendas.

The patent system is the basis of global economic activities and domestic industrial promotion. The reliability of the patent system cannot be maintained without a patent examination system and examiners that can ensure fair and standardized patent examination. This training program plays an important role in inviting experienced examiners from different countries to Japan and providing them with an opportunity to exchange information and understand the differences in their patent examination practices.

I always carefully chose a discussion topic that can be shared by all the participating countries. However, it became more difficult as the number of participating countries increases.

I always choose "instant noodles" as a basic discussion topic. This was invented in Japan, spread around the world, and became very familiar to all of you. The basic examination check points are the same for advanced technology and for basic technology. I remember that "instant noodles" was the topic of the new examiners' training that I received 45 years ago. I used the same topic for the training program that I offered to new JPO examiners in 2010. This topic was also used in many other training programs that I offered, such as training programs for examiners from ASEAN countries. In order to deepen mutual understanding among examiners, it is important to choose a topic that can be shared by them regardless of their specialty and nationality. I think that it would be nice if this topic were covered by the training materials used in other countries. I would appreciate it if you could propose this idea to the relevant organization in your

home country.

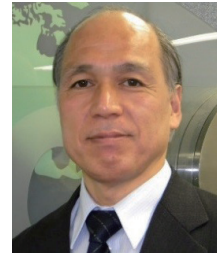
During this training program I will invite you to an Indian restaurant to enjoy a relaxing moment. I choose an Indian restaurant partly because the first participants in the training program came from India. I think Indian food is popular among a wide range of people from different countries. I hope the trainees can have casual conversations, while enjoying Indian dishes.

If you work as an examiner, you will inevitably experience hardship because you have to face new inventions and assertive applicants all the time. You need to think that hardship is a part of your job. You have to think and make a decision by yourself because it is the role of an examiner. You are expected to grow as an examiner through continuous education and training and make decisions confidently. Of course, your decision is not always perfect and flawless. We know that you are not God. But society needs and appreciates your decision.

I'm looking forward to having opportunities to exchange opinions with you.



10. Column: Ten Years



Mr. Takao OGIYA
Director General of APIC

Japan has an old saying, “Jyūnen hitomukashi” (Ten years is a long time). This means that the pace of change is so fast that everything from 10 years ago is now obsolete. Sometimes it means that we need to think about time by dividing it into 10-year segments.

Every year, Interbrand announces a worldwide brand value ranking of the “Best Global Brands.” I made a comparison between the ranking of 2008 and that of 2018. In 2018, the top ten brands were Google, Apple, Amazon, Microsoft, Tencent, Facebook, Visa, McDonald’s, Alibaba, and AT&T. The top ten brands in 2008 were Coca-Cola, IBM, Microsoft, General Electric, Nokia, Toyota, Intel, McDonald’s, Disney, and Google. These two rankings share only three companies in common. Ten years is long enough to make a big change in the world.

In 2016, Japan made the realization of Society 5.0 a national goal. Society 5.0 is the society that comes after the hunting society (Society 1.0), agricultural society (Society 2.0), industrial society (Society 3.0), and information society (Society 4.0). In Society 5.0, all people and things will be connected through IoT, creating new values. Necessary information will be provided by AI when necessary. Thanks to the advancement of technology such as robotics, the possibilities of human beings will be expanded. Various needs will be fulfilled through innovations. (Fig. 1)

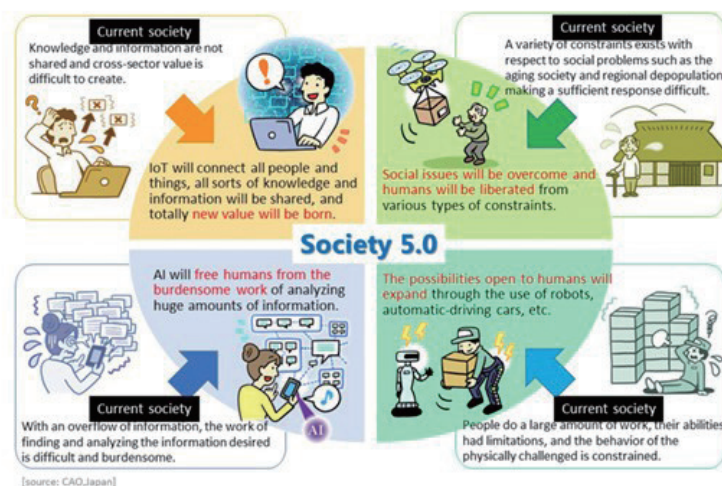


Fig 1. Society 5.0
Source: CAO (Cabinet Office)

In 2015, the United Nations adopted SDGs. SDGs are a collection of global challenges and sustainable development goals related to 17 fields including poverty, industrial and technological innovation and infrastructure, and the environment (Fig. 2).



Fig 2. SDGs
Source: CAO/UN

Over the last couple of years, a paradigm shift took place.

It has been 10 years since I retired from the JPO and joined the Japan Institute for Promoting Invention and Innovation (JIPII). During these 10 years, great changes have occurred.

The structure of our organization has also changed. Our branch offices, which used to be located in 47 prefectures in 2011, became independent local organizations. In 2012, the Japan Institute of Invention and Innovation (JIII) was divided into two organizations, namely, Japan Institute of Invention and Innovation (JIII; public interest incorporated association) and JIPII (general incorporated association). APIC belongs to JIPII.

There have been significant changes in the operations of APIC as well. While the number of training courses has remained almost the same, more specifically, 21 courses in 2008 and 23 courses in 2018, the number of trainees invited from other countries significantly increased from 242 in 2008 to 430 in 2018.

The content of those courses has also changed. The trainees are expected to participate in interactive activities such as discussions, training sessions, and case studies, and also to create something specific such as a case study book and study materials and teachers' manuals for high schools. In some training courses, the trainees are requested to take a mid-course achievement test in order to check the level of their understanding. In this way, the training courses have been greatly diversified and sophisticated.

How about myself? How have I changed over the last 10 years?

I'm confident that I haven't changed so much in terms of physical strength. After I left the JPO and joined the JIPII, I started going to a gym. Weekly training would not turn me into a man with bulging muscles, but, it would allow me to maintain my body shape. My weight has not changed for the last 10 years. I do not yet

need reading glasses either.

The biggest change was the number of friends I have overseas. During my JPO years, my work was mostly related to domestic operations. I had an overseas business trip only on several occasions and had only a few overseas acquaintances with whom to exchange candid opinions.

In contrast, today, my work is mostly related to international operations. The annual number of long-term researchers and short-term trainees has been more than 400 in recent years. I have many opportunities such as lectures, discussions, and follow-up seminars to exchange opinions with them. I have many good friends in Asia, Africa, and Latin America.

I was surprised that a dream and a vision were brought to my life unexpectedly. To tell the truth, I did not choose JIPII, but someone chose me for JIPII. When I first received the offer to join JIPII, I was working for the JPO. The offer was a surprise to me. I contemplated what I should do and came to the conclusion that this is my fate. I thought that this must be the path opened up for me to achieve something.

Gradually, “something” has been taking shape. As I kept walking the path, my dream and vision have become clearer to me. I will explain the details of “something” on another occasion. Now I know what my encounter with JIPII 10 years ago was for.

People of my age usually retire in Japan. But I have a dream and a vision to pursue. In this sense, I’m very lucky.

Come to think about it, the old Japanese saying “Ten years is a long time” does not apply to me. If you live to realize your dream, you are beyond the flow of time because you are truly living in the moment eternally. Your dream will be handed down to the next generation and keep spreading across individuals.

What this means is that I do not “have” a dream, but that I feel as if a dream is somehow leading me forward.

I think this is an unbelievably wonderful thing.

11. Happenings in Japan (Four-Frame Cartoon)



12. Editor's note



Hello. This is Mitty.

Spring has come to Japan. The theme of this issue of Enishi is “trademark.” A trademark provides the ability to differentiate, it appeals to consumers, and it enhances the value of products.

The same can be said for one's name. In Japan, when naming children, it is important to consider the meaning of the kanji characters. My name, Michiko (美智子), is the same as that of the Japanese Empress, and has the same characters: MI (美) means “beauty,” CHI (智) means “intelligence,” and KO (子) means “child.” One's name is very important in identifying the individual. There is a Japanese proverb which says that “Names and nature often agree.” I sometimes worry that I am “failing to live up to my name,” but then I am encouraged to do better so that my name fits me better.

A trademark can also differentiate a product as “trustworthy and reliable” as it identifies the origin. I sincerely hope to work closely with each of you so that you will feel that “Michiko is trustworthy and reliable” as well.

When this issue of Enishi is published, maybe the cherry blossoms will be in bloom throughout Japan. The season of cherry blossoms is a very beautiful time in Japan and instills a sense of peace and hope in people.

I would like to thank you for your kind support and cooperation over the past fiscal year, and look forward to working with you closely in the next fiscal year as well.



Gengo (era names)

Hello, it's Hiroko. Do you know that there are two ways used to indicate what year it is in Japan; with the Western calendar or the Japanese one (in which an era is called gengo)?

This year marks the year of Heisei 31. Heisei means “achieving peace”. When the current Emperor abdicates on the last day of April in 2019, a new Emperor will take the throne and a new era will begin. We do not know what the new era name will be until April 1.

As for the gengo of the past 150 years, the Meiji era was followed by the Taisho, the Showa and the current era, the Heisei era. The first letters of these eras are M, T, S, H. Each new era uses a different first letter in order to avoid confusion.

In Japan, when writing the date, both the Western calendar and the gengo calendar are used in daily life. For example, 25 December 2018 can be written as 25 December H30.

I look forward to the official announcement of the new era name, hopefully a name with a prayer for peace.

By the way, because a gengo has no distinguishing features, it cannot be registered as a trademark in Japan.

Publication of this Magazine is consigned to the Japan Institute for Promoting Invention and Innovation by the Japan Patent Office.

[Consigner]



Japan Patent Office(JPO)

Address: 4-3, Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 100-8915, Japan
Telephone/Facsimile: 81-3-3503-4698 / 81-3-3581-0762 (International Cooperation Division)
Web site: <http://www.jpo.go.jp/torikumi/kokusai/kokusai2/training/index.htm>

[Publisher]



Asia-Pacific Industrial Property Center(APIC),

Japan Institute for Promoting Invention and Innovation (JIPII)
Address : 4-2, Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 100-0013, Japan
Telephone/Facsimile: 81-3-3503-3026 / 81-3-3503-3239
Email: apic-jiii@apic.jiii.or.jp

