

# 縁

IP Friends Connections

No.25 August 2020



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.

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## FY2020 JPO/IPR Training Course List



### Short Training Courses

	Course Title	Term of Course
1	Design Examination Under the Hague System	September 14 - 25, 2020
2	Trademark Examination Under the Madrid System	September 23 - October 7, 2020
3	IP Trainers	October 1 - 21, 2020
4	Patent Examination Management for Managers	October 5 - 14, 2020
5	Practitioners Specializing in Trademarks	October 12 - 30, 2020
6	General Management of IP Office	October 20 - 27, 2020
7	Academia-Industry Collaboration and Technology Transfer	October 26 - November 11, 2020
8	Anti-Counterfeiting Measures for Practitioners	November 2 - 13, 2020
9	Practitioners Specializing in Patents	November 9 - December 4, 2020
10	Substantive Examination of Trademarks	November 16 - December 3, 2020
11	Patent Examination (Basic Program)	December 1 - 11, 2020
13	Information Technology	December 9 - 18, 2020
14	Trial and Appeal System	January 25 - February 3, 2021
15	Promoting Public Awareness of IP	February 1 - 10, 2021
16	Design Policy for India	February 2 - 8, 2021
17	Patent Examination in Specific Technical Fields for Latin American Countries	February 9 - 25, 2021
18	IP Asset Management for African Countries	February 22 - March 2, 2021

### Middle Training Course

	Course Title	Term of Course
1	Operational Patent Examination Training Program (OPET)	Part 1: December 1 - 17, 2020 Part 2: January 12 - 28 2021

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## Contributions from a former long-term fellowship researcher



### Intellectual Property Knowledge Dissemination



Ms. Chayaknit Kanchanakaroon (Thailand)  
Trademark Registrar, Department of Intellectual Property, Trademark Office,  
Madrid Protocol group  
Department of Intellectual Property (DIP), Ministry of Commerce

JPO Long-term Fellowship Researcher  
(October 15 - December 13, 2019)



Intellectual property is relating to our life from the beginning of the day until before we go to bed. When you wake up in the morning, someone has to check the news and situation around the world by using your phone to open a social media application or website and the smartphone mechanism will be related to the layout-design of integrated circuits. The computer program that operated the application is protected by copyright. Then you go to work by driving a car or taking the train. Some parts or fittings of these vehicles will be innovations under patent and petty patent. In addition, the special design of the vehicle may be protected by a design patent. After work you will have a dinner or party with your colleagues, and the ingredient of your delicious dishes will consist of a signature recipe that we call a trade secret, and your favorite beverage will have a geographical indication on the products. Finally, when you arrived at home you will take a shower with your favorite brand of soap and set your well-known trademark alarm clock to the time that you will wake up tomorrow. According to this example, even though intellectual property is relevant to many activities throughout the day, the public is confused of the intellectual property type and definition. For example, what is the difference between copyright and trademark? Who is the owner of the copyrighted work? How many years does the design patent grant protection?

Regarding the Department of Intellectual Property, Ministry of Commerce, Thailand (DIP), we have the authority to protect and take care of intellectual property registration procedures that includes intellectual property knowledge dissemination. Not only announcing to the public, but also within our office.

According to knowledge dissemination to the public, DIP has many methods of announcing our activities and updated intellectual property information. Initially, there are six types of communication channels that are described below:

1. **DIP Hotline:** This is the call center that can answer all of the intellectual property information such as definition, overview of intellectual property registration process and how the applicant fills in the information on each application form. However, the DIP Hotline is the first communication channel that the people who have some confusion related to intellectual property topics will contact to get the answers that are useful regarding their rights and their knowledge.
2. **Printed material:** Initially, DIP has the documents in the form of books and leaflets that include all of the information from overview of intellectual property, basic information and details on each type of intellectual property, to the law and regulations that are enforced in Thailand. These documents are available at the DIP office and events that DIP participates in. Regarding the information that is convenient to obtain, DIP published these documents as electronic publications that were announced on our office Facebook page.
3. **Intellectual Property Innovation Driven Enterprise Center (IP IDE):** This center is located at DIP and has the authority to provide intellectual property information and consultancy, especially patent database search engines for the inventor, researcher, entrepreneur and general public who are interested in this field. That will be useful to development and planning for doing their business.
4. **Seminars and events:** Actually, DIP organizes most of the seminars, events and other activities ourselves. There are three examples in these categories.

The first one, “IP Fair” which is the DIP annual event that consists of a seminar and discussion sessions related to trends and updates of intellectual property data with knowledgeable speakers, intellectual property organization booth which introduces their activities to those of the public that interest their activities and support.

Second, the seminar that is organized in preparation for new procedure related to DIP. For example, when Thailand registered as a member in Madrid Union which is related to international trademark registration procedures, DIP organized a seminar on 22-23 March 2017 for entrepreneurs, exporters, attorneys and local representatives to inform the public and related organizations of the procedures.

As another example, on 7 September 2019, DIP organized an event called “Copyright on The Beat” which was related to songs that are one element of copyright and how to manage and generate money from your creation. In this event, we had speakers from Youtube Thailand, a well-known hip-hop song producer and well-known DJs like DeejayB, NINO, Hockhacker and DJ Pani. However, besides events organized by DIP ourselves, staff will also speak on disseminating intellectual property information in specific fields by invitation of other organizations.

5. **Website:** DIP has a website to announce the news, activities, important information and knowledge related to intellectual property procedure, such as primary trademark searching services, patent and design patent database search services. In addition, this website includes the DIP E-library which contains many types of electronic books that you can borrow and read anytime, especially related to intellectual property. These books are available in Thai and English.
6. **Social media:** As mentioned earlier, DIP has a Facebook account to announce our activities and usually disseminate intellectual property knowledge on this site that contains several types of media such as video clips, photos and infographics for understanding all of the information in a few minutes. Due to the special circumstances of the Corona Virus Disease (COVID-19), DIP

cannot disseminate information in seminars or annual events as usual. However, DIP choose this method to provide some interesting information related to the protective mask patent that DIP announced to their Facebook page on 13 April 2020. There are the “Surgeon’s protective mask” invented by Leonardo L Blanco, “Surgical face mask and hood” invented by Wayne J. Singer, “Conformable surgical face mask” invented by Carletta Grier-Idris, “Surgical face mask” invented by II Gerald I. Carlson, and, “Medical face mask” invented by Rex D., Reese, George D.Reese and Michael L. Bowen. This information shows the picture of the invention and provides references for those interested in reading it in detail later.

According to the categories of the communication channel mentioned above, DIP has organized the training that acknowledges, updates, and shares some experience related to intellectual property by DIP staff. Here are my impressions of the three activities in which I participated.

First, “DIP-USPTO workshop on Trademark Examination” on 1-3 May 2017. This event took place when I worked at DIP as a trademark examiner for 7 months examining distinctiveness, likelihood of trademark confusion. The speaker of this event was a USPTO trademark specialist that explained the authority of their office, the type of trademark that can be registered under the law and regulations, and a workshop. This event broadened my horizons and I learned how USPTO trademark specialists make decisions relating to trademark case studies.

Second, “Training Workshop on the Madrid System” on 24-26 September 2019. This event was related to international trademark application procedure under the Madrid Protocol in Japan. The speaker was a specialist from a related organization. There are Mr. Masatoshi Otsuka from Madrid Information and Promotion Division, World Intellectual Property Organization (WIPO), Mr. Yugen Sasaki from Intellectual Property Department of Japan External Trade Organization (JETRO) Bangkok, and Ms.



Ayune Fujii from the Office for International Design Applications under the Geneva Act of the Hague Agreement and International Trademark Applications under the Madrid Protocol, Japan Patent Office. This workshop helped me understand the international trademark application procedure, and had some case studies that could be adapted to my position as a trademark registrar, which had authorities examine international trademark applications that indicated Thailand as a designated country under the Madrid Protocol.

The last activity that I will mention is the knowledge management session. Initially, this session was organized when DIP staff participated in a training program abroad. After the staff members came back, they were assigned to share the knowledge with other DIP staff. Because of the “Two-month study-cum-research fellowship program” that I participated in and did research relevant to trademark examination in October-December 2019, I had the opportunity to talk to and share with my Trademark Office colleagues. This opportunity gave some advantage to many stakeholders, not only my colleagues, since they now know what I studied and learned from JPO trademark examiners, such as the substantive examination, especially related to Similar Group Code, which was the main part of my research, but also to practice my speaking skills. If I received some comments from my colleagues about my presentation, I would improve myself and make it better in the future.



## Contributions from the former Operational Patent Examination Training (OPET) Program



### The Land of The Rising Sun



Mr. Helmi Khalid (Malaysia)  
Patent Examiner, Semiconductor/ Electronics Engineering  
Intellectual Property Corporation of Malaysia (MyIPO)

FY2019 JPO/IPR Operational Patent Examination Training Program (OPET)  
(September 18 - November 08 2019)



First of all, I would like to express my gratitude to the government of Japan, the Japan Patent Office (JPO), and The Association for the Promotion of International Cooperation (APIC) for sponsoring the trip to Japan and making everything possible. This is actually my fourth visit, and my longest stay. My adrenaline rushed through me when I heard that I'll be staying in Japan for almost two months. Before this, I only had the chance to stay for two weeks. Staying for two months! I was like 'Wow'! I just can't wait for September to come and start packing my things. There are so many reasons why I like Japan very much.

#### Culture

I have fallen in love with this country because of its rich and fascinating culture. The first thing that impressed me that I really appreciate is that these people are time-conscious and very punctual. Another thing that I learnt is that the people of Japan are really hardworking and committed to their jobs. When disaster occurred, the recovery effort was so quick and 90% of the damages were fully recovered with no traces left behind. It always amazed me how Japanese did this. Besides, they respect their country and their language like anything. You can see everything written in the Japanese language. This is a nation where every action displays a culture of deference, respect and obedience. It encompasses daily life. That is why Japan will always be in my heart.



## Akihabara

I have never been bored in Japan. I love almost everything in Japan. I would like to come here every year. What is so special about Japan? I just cannot describe in words how amazing Japan is. I believe that everyone who has been here knows exactly what I am talking about. Every moment of every day is filled with new experiences. As for me, the most enjoyable experience is shopping. To be particular, it is Akihabara. As a gadget freak, Akihabara is a must-visit place for me. It's a hotspot for electronic shopping. I spent hours in Yodobashi-Akiba, strolling from one section to another. My favorite sections are definitely the wristwatches and toys. I got many orders from my friends in Malaysia, especially G-Shock and die-cast cars known as Tomica. It was quite funny, as the sale assistant could recognize me since I was there every weekend eyeing on the latest design of the wristwatches.

## Vending Machines

Tokyo is the land of colorful and cute vending machines. I got fascinated when I first came here in 2012. They are at every station and every building, and you will practically bump into a vending machine no matter where you are going. They are almost everywhere. There are egg vending machines, banana vending machines, umbrella vending machines, and even vending machines that give user mystery gifts. In short, there is a vending machine for just about everything. I was wondering why they are so easily available. I, finally came into the conclusion that Japan is no doubt a safe country. There is very little vandalism in Japan, so even though they are installed in public areas, they rarely get broken. How I wish my country had a lot of vending machines just like Japan! This is one of the things that makes me want to come back here.

## Ramen

I was first introduced to Japanese food back in 2012. The food was ramen. Every time I come to Japan, I will never fail to have a bowl of ramen. As a Muslim, I am obligated to eat food that is not only halal, but 'tayyib', which can be translated as 'good, clean, and wholesome'. I am very fortunate that I could find a Halal ramen restaurant which is located in Shinjuku City, namely Shinjuku Gyoen Ramen Ouka. The taste was amazing. I can still picture that steaming bowl of noodles, with its deeply satisfying broth and heavenly soy sauce fragrance. I tried ramen a few times back in my country. Unfortunately, nothing can beat Ramen from Shinjuku City. How pathetic is that. How I wish the chef from Shinjuku City would migrate here to Malaysia for the sake of feeding my craving.



## Training

During this training, we were divided into two groups, the Mechanical Group and the Electronics Group. I was in the Electronics Group. We focused on Inventiveness in Patent Examination. I prepared before coming to Japan, including reading a case study regarding Patent Examination



in my country as well as country report presentations. I am so grateful as I managed to complete all the tasks and assignments on time.

This training course covered 7 terms and all the participants must complete all the terms.

The terms are:

- i) Term 1 – Preparation for foundational lectures and presentations.
- ii) Term 2 – Careful reading and understanding of applications (specifications).
- iii) Term 3 – Prior art searches.
- iv) Term 4 – Judgment on examinations (Patent Examination Guidelines).
- v) Term 5 – Comprehensive instruction/exercises in Patent Examinations.
- vi) Term 6 – Creating International Search Reports (ISR) and PCT.
- vii) Term 7 – Summary of knowledge on Patent Examinations and training outcomes

I learned some topics that will be beneficial to me from the IP experts of Japan Patent Office (JPO). These are:

- i) Comparison of Patent Examination Guidelines of Japan, the US and Europe.
- ii) Operational Patent Examination Practice Exercises (Judgement of Examination on Inventive Step).
- iii) Hands-on Patent Searching using JPO Database.



The JPO/IPR Operational Patent Examination Training Program (OPET) training course was extremely useful for me. I believed that I have learned so much and it somehow could impact my Search and Examination skills. Therefore, I can share the knowlegde with my colleagues and Intellectual Property officers in Malaysia.

All in all, Japan is just great. I have learnt a lot about them. I had a great and wonderful experiences. I am very happy because my family can finally understand why I love Japan. In the end, it's not only me looking forward to come again to Japan, but my family as well.

Can you spot the difference? 😊



# 4

## Training course experience in Japan



### An Amazing Experience



**Ms. María Gabriela Piesco (Argentine)**  
Patent Examiner, National Patent Administration (Architecture, Mechanics, Patents)  
National Institute of Industrial Property (INPI)

JPO/IPR Training Course on Patent Examination in Specific Technical  
Fields for Latin American Countries (January 22 - 30, 2020)



My name is María Gabriela Piesco. I am from Argentina, a country characterized by a diversity of aspects, from the geographical, economic, social, cultural and climatic, but with a common denominator: a light blue and white flag with a rising sun in its center that embraces us all from the north south and east to west.

From an early age, when I was taking my steps through primary school, I was very fond of research work. I always liked to do in-depth, intense searches that allowed me to go a little further and thus experience the conquest of knowledge. I remember that to carry out my research, beyond looking for information in encyclopedias that were in my house in a large library, I also looked in my own database that I had designed with great dedication. It was made up of a small white closet where I filed folders labeled with names of the different subjects. These folders housed sheets of school magazines that were previously classified according to the study area.

Today, with my profession as an architect, I transferred that passion for research by entering the wide world of Industrial Property. I have been part of the team of patent examiners at the National Institute of Industrial Property (INPI) since April 2015, developing my tasks in the Technical Department of Substantive Examination in the division of mechanics and the area of architecture.

At the end of 2019, I had the honor of being invited by the Japan Patent Office to participate in the JPO/IPR Training Course on Patent Examination in Specific Technical Fields for Latin American Countries, which was held from January 22 - 30, 2020 in Japan. From that moment, there were many preparations to carry out, from both the professional and emotional point of view. Professionally, it was my first job-training experience in another language; and emotionally, it was the first time I went so far from my home.



Narita Airport, Tokyo

Regarding the course, it was very productive and positive for my work as a patent examiner because it allowed me to know the work methodology in the Industrial Property Office of Japan, including their organization and their structure in the different areas of study. This allowed me to deepen and venture into other points of view to evaluate applications in terms of patentability criteria, novelty, and inventive step.

It was very enriching to participate in the classes based both on theory and practice, which were very didactic, with practical exercises that allowed me to delve into other technologies within the specific field of my study area.

The country report presentation, and the individual exercises in front of the working group, led toward many positive aspects such as sharing knowledge, seeing the different points of view from other Patent Office professionals that participated in the course, and practice with writing and communicating content in another language.

From a professional point of view, this trip was an amazing experience for me, since it opened the doors to other knowledge and work methodologies, and toward developing great professional growth in the field of Industrial Property.



AOTS – Association for Overseas Technical Cooperation and Sustainable Partnership

During the training course, I had the opportunity to see the physical space of the Patent Office in Japan, which moved me greatly due to its order, cleanliness and absolute silence. The training exercises that I shared with my colleagues also allowed me to know their own database J-PlatPat, and its other way of classification: FI and F-terms. This increased and broadened my vision in the study of applications and search strategies.

Patent classification is essential in order to retrieve patent documents during the search for prior art. For example, by way of illustration, I presented two searches for certain technologies carried out through the International Patent Classification (CIP) <https://www.wipo.int/classifications/ipc/es/>. For the first search (Figure A), I used the IPC symbols E04H 9/02; and for the second search (Figure B), I used the IPC symbols A43B 3/00.

Figure A

The screenshot shows the IPC classification website interface. On the left, there is a navigation menu with options for version (2020.01), language (English, French, English/French), view (Path, Full, Hierarchic, Maingroup, Tree), and search filters (CPC, FI, Deleted entries, Subclass indexes, Guidance Headings, Notes). The main content area displays the class E04H 9/02 and its subclasses with their descriptions.

IPC Class	Description
E04H 9/02	withstanding earthquake or sinking of ground (foundations E02D 27/34) [2006.01]
E04H 9/021	Bearing, supporting or connecting constructions specially adapted for such buildings
E04H 9/022	and comprising laminated structures of alternating elastomeric and rigid layers
E04H 9/023	and comprising rolling elements, e.g. balls, pins
E04H 9/024	Structures with steel columns and beams
E04H 9/025	Structures with concrete columns
E04H 9/027	Preventive constructional measures against earthquake damage in existing buildings
E04H 9/028	Earthquake withstanding shelters
E04H 9/029	arranged inside of buildings (E04H 9/06 takes precedence)
E04H 2009/026	Anti-seismic devices with hydraulic or pneumatic damping
E04H 9/02,301	Structures per se with special structures
E04H 9/02,311	reinforced by braces
E04H 9/02,321	reinforced by earthquake-resistant walls
E04H 9/02,321A	characterised by layouts, e.g. flexible earthquake resisting structural surfaces connected to continuous layer earthquake resisting walls
E04H 9/02,321B	characterised by structures, e.g. damping function, restriction panels
E04H 9/02,321C	with weak portions provided inside, e.g. flexible earthquake resisting walls
E04H 9/02,321E	characterised by mounting, e.g. connections between posts and beams, and earthquake resistant walls
E04H 9/02,321F	using of deformable mounts, e.g. variable rigidity earthquake resistant walls, e.g. dampers
E04H 9/02,321H	Slits provided at boundary with posts
E04H 9/02,321Z	Others
E04H 9/02,331	with quake absorbing bearing means provided between ground and foundation
E04H 9/02,331A	by laminated rubber bearings
E04H 9/02,331B	with dampers
E04H 9/02,331D	by roller bearings
E04H 9/02,331E	by slide bearings
E04H 9/02,331Z	Others, e.g. earthquake resisting tanks for floating bodies, quake absorbing posts (triggering arrangements for quake absorbing F 16 F 15/02)
E04H 9/02,341	with additional weight provided on buildings
E04H 9/02,341A	solid weights
E04H 9/02,341B	weights supported with slide or roller bearings
E04H 9/02,341C	weights supported with elastic bodies (laminated rubber)
E04H 9/02,341D	characterised by weight control
E04H 9/02,341E	characterised by weight arrangements
E04H 9/02,341F	using of sloshing action of fluids
E04H 9/02,341G	characterised by liquid (tank) arrangements
E04H 9/02,341Z	Others
E04H 9/02,351	with means for damping earthquake between support and foundation

Figure B

The screenshot displays the IPC classification interface. On the left, a sidebar contains search filters: '2020.01' for the version, 'A43B 3/00' for the search term, and options for language (English, French, English/French), view (Full, Hierarchic, Maingroup, Tree), and classification systems (CPC, FI). The main area shows a list of classification codes under the heading 'Footwear characterised by the shape or the use [2006.01]'. The codes range from A43B 3/0005 to A43B 3/0094, with descriptions such as 'Footwear provided with electrical or electronic systems' and 'Footwear provided with light source'. The 'A43B 3/00' class is highlighted in orange, and the 'A43B 3/00,103' class is highlighted in yellow.

Classification Code	Description
A43B 3/0005	Footwear provided with electrical or electronic systems
A43B 3/001	Footwear provided with light source
A43B 3/0015	Footwear provided with generator
A43B 3/0021	Footwear provided with sound or music source
A43B 3/0026	Footwear for use in minefields; Footwear protecting from landmine blast; Footwear preventing landmines from being triggered
A43B 3/0031	Footwear provided with a pocket, e.g. for keys or a card
A43B 3/0036	Footwear characterised by a special shape or design
A43B 3/0042	with circular or circle shaped parts
A43B 3/0047	Footwear parts having a male and corresponding female profile to fit together, e.g. form-fit
A43B 3/0052	X-shaped or cross-shaped
A43B 3/0057	S-shaped
A43B 3/0063	U-shaped
A43B 3/0068	V-shaped
A43B 3/0073	Y-shaped
A43B 3/0078	Footwear provided with logos, letters, signatures or the like decoration (A43B 23/24 takes precedence)
A43B 3/0084	Arrangement of flocked decoration on shoes
A43B 3/0089	with means to identify the size of the shoe
A43B 3/0094	with means to differentiate between right and left shoe
A43B 3/02	Top-boots; Leg-boots; Shoes with batwing tabs [2006.01]
A43B 3/00,101	Split-toed heavy cloth shoes
A43B 3/00,102	Wooden clogs
A43B 3/00,102A	Base
A43B 3/00,102B	Shape or structure of the foot contact surface
A43B 3/00,102C	Material
A43B 3/00,102D	Soles
A43B 3/00,102E	Material
A43B 3/00,102F	Sole attached part
A43B 3/00,102G	Clog thong
A43B 3/00,102H	Material
A43B 3/00,102J	Thong attached part
A43B 3/00,102Z	Others
A43B 3/00,103	Japanese sandals
A43B 3/00,103A	Base
A43B 3/00,103B	Shape or structure of the foot contact surface
A43B 3/00,103C	Shape or structure of the ground contact surface
A43B 3/00,103D	Material
A43B 3/00,103E	Sandal thong
A43B 3/00,103F	Material
A43B 3/00,103G	Thong attached part
A43B 3/00,103Z	Others

By activating the boxes in the CPC and FI classifications, I was able to obtain different results for both forms of classification. From this search, I could especially see that the FI classification used by the Japan Patent Office (JPO) provides a broader, more specific and suitable search in certain technical areas, allowing more precise searches for documents regarding which they may already have disclosed the same characteristics of the object for which protection is requested.

It is very important that during the study of a patent application, an examiner be able to identify the essence of the invention; the problem and solution; the technical contribution that the said invention gives to the prior art; and the essential elements that make novel that invention in comparison to others. The answers to these questions will allow us to find the exact classification, and then start a more precise and appropriate search.

I am proud to have been able to participate in this course, and share it with Latin American colleagues from Brazil, Chile, Costa Rica, the Dominican Republic, Mexico, Paraguay and Peru, with whom we work deeply on issues related to Industrial Property, in terms of evaluating and examining patent applications in different specific technical fields.



Visit to Patent Examination Office (JPO Roppongi Office)

Also, from a personal point of view, this experience allowed me to broaden my vision of the world, by knowing a captivating culture with ancient customs that persist intact today. By touring the different city neighborhoods in Tokyo and the enigmatic city of Kyoto, I was able to breathe a different air, and experience aspects of daily life such as discipline, order, cleanliness, detailedness, perfection, foresight, punctuality, rigidity with tolerance, kindness, gratitude, balance, faith, and all other values that make Japan a unique place.



Tokyo –Ueno Park



Kyoto - Kinkaku-ji Golden Pavilion

I greatly thank all the organizers of this event for their seriousness, punctuality and trust, the teachers for their dedication, ability and methodology in the theoretical-practical classes, and Hiroko Oriyama for her kindness, attention and containment that allowed us to feel very near despite the geographical distance.



APIC – Asia Pacific Industrial Property Center

I also appreciate the invitation of the Asia-Pacific Industrial Property Center (APIC) and the Japanese Institute for the Promotion of Invention and Innovation (JIPII) to participate in this space, with the possibility of sharing the interesting and captivating world of Industrial Property with colleagues from other countries.



# The Best Combination: Tokyo, Designs and IP Friends



Ms. Katherine Ascurra Risco (Peru)

Patents and Designs Examiner, Directorate of Inventions and New technologies  
National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI)

JPO/IPR Training Course on Substantive Examination of Designs  
(September 2 - 13, 2019)



There are many educational experiences through our lives that can teach us not only the subject that we are trying to learn, but also give us experiences that stay with us as a nice beloved memory. For me, this kind of experience was the Training Course on Substantive Examination of Designs that I took in September 2019 in Tokyo. This course gave me the best combination that a person can have in their professional life: a city with an incredible culture like Tokyo, accurate information regarding the protection of designs outside my home country, and dearest friends from different countries.

I never imagined that a city so far from home would make me feel so much a part of it. Since the first day I arrived to Tokyo, I was amazed by people's kindness. The person that guided me in the airport, the people who received me in the Tokyo Kenshu Center, our guides from APIC, the teachers of the courses, the examiners from the JPO, and the people who gave us the most incredible tour in SONY: everybody treated us with respect and appreciation. Further, the transportation system in Tokyo was an interesting experience because even though it was crowded in rush hour, everybody was silent inside the wagons respecting everyone else's personal space. Something that caught my attention was the different wagons for women during the rush hours, which is a not a common thing to see in other cities. I felt very secure every day that I took the metro to go to the classes, and to move around the city afterward. My IP friends and I went together to many places including Akihabara stores, the Ueno zoo, Odaiba, the Asakusa temple, Tokyo Tower, and Shibuya stores. I loved the lights in the buildings, especially in Shibuya where we could find many stores to visit. Another thing that I liked about the city was the weather: it was warm even though it sometimes rained a lot. Tokyo was hit by a typhoon during our stay, but the guides and organizers of APIC gave us many recommendations to stay calm and keep safe. Even though we had to postpone one of our classes because of the typhoon, it was an experience of once in a lifetime. I still look at the photographs that I took in Tokyo, which remind me of the best time that I spent in all of those places.

In addition, the course program was very intensive and well-organized. I found all of the classes interesting, but my favorite ones were taught by Mr. Tomohiro Nakamura and Mr. Taro Nagayoshi. They both gave us many practical cases to understand how designs are protected in Japan. There are many different

aspects of Japanese law that we do not apply in Peru. In fact, Peru is not part of the Hague Agreement, which is one reason for our differences. I also remember the class with Mr. Narukiyo Nogami about history and designs in Honda Motor Co., Ltd., as he was very interested in some specific protection issues regarding designs in our respective countries. Another thing that got my attention was that during our first day of classes, we were able to visit the JPO office and speak to an examiner, who explained to us the system that they use for the examination of designs. I could notice that examiners in Japan need to have a high-level analytical capacity to use the information of prior searches, and to compare with the design application being examined. The process that the JPO office had implemented for design examination allowed them to examine 50 to 100 cases at one time, which is a totally different reality for the examination of designs in Peru. I believe that it is part of the Japanese culture to accomplish a high number of tasks with the best quality, since they developed many methodologies for continuous time-related improvements, such as the well-known Just in Time Method or the principles of Kaizen. Another activity that everyone looked forward to was the visit to the Sony Showroom, as everything we saw there was fascinating. It is incredible how technology is advanced in some countries like Japan. It was as if we took a tour to see the future in the present. We were not permitted to take photographs during the tour of SONY, but I believe nobody will be able to forget that experience. The last day of classes, representatives of JPO and APIC asked us about our opinion and recommendations for the next courses, but most one of



us had more words of thanks than recommendations. I think the representatives from the JPO and APIC were committed to the fact that we would learn and feel comfortable during the entire course. I also want to mention that the English translator that helped the teachers in some classes was also very committed to our learning, because she was able to understand and translate the words from Japanese to English and vice versa, according to the context in which they were expressed.

To complete this excellent experience, we made many friends from 13 different countries. I am not usually an extroverted person, but during this course, everybody could meet another part of my personality. Every one of my classmates were so open and kind with me that they gave me the confidence to express myself. For some of them, it was the second or third time in Japan, so they gave us many types of advice for the courses. Everybody could share their experience and knowledge regarding the protection of designs in our respective countries during a presentation. After each day of classes, we went to different places together to share. My closest IP friends from Chile (Sandra san), Brazil (Beatriz san and Marcelo san) and Cameroon (Marie san) and I had breakfast together every morning. My friends from the Philippines, Egypt, Malaysia, Myanmar and Egypt sometimes joined us to go around the city. On the weekend that we spent in Japan, some of us had the opportunity to go to Kamakura and visit the Great Buddha at the Kotoku-in temple. There were many people there from different countries, and some of them were praying with candles. After that, we went to the Hase-dera temple, which is well-known for its eleven-headed statue of Kannon. We all spent a nice time together and got know incredible places. The





great thing is that we are still in touch with everybody thanks to social media.

To conclude, I really appreciated the information that I received during this course. I believe that when someone studies outside their home country, it allows them to see and learn beyond what they are used to. During the two weeks that I spent in Japan, I had the possibility to learn something of the Japanese culture, the way that people move in the city, the respect for each other, the effort and commitment they put into their work, and also the other cultures of my IP friends. For me, this was the perfect combination of an educational experience abroad.

# One, Two, Three



**Ms. Aileen V. Sicat (Philippines)**

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JPO/IPR Training Course for Practitioners Specializing in Trademarks  
(February 13 - 27, 2020)



They say that great things happen thrice. That applies to me as a participant of the JPO/IPR programs. I had been fortunate to take part in not just one, but three programs of the JPO/IPR. Considering that I am from the private sector and do not work for the government, I would say that is indeed a huge blessing to be invited three times.

My first time was in June 2009 for the JPO/IPR Course for Advanced IP Practitioners. It was also my first time in Japan. Going to Japan at that time was not something anyone could easily do, because tourist visas were hard to come by. The doors to tourism relaxed a few years later, but as of 2009, having an official invitation to set foot on Japanese soil was extra special. It was a series of firsts for me that eventually sparked a long-term involvement with IP, education and Japan.

During that first stint, I met another Filipina who eventually became one of my maids of honor when I got married. Our friendship was solidified one crowded morning when we were like sardines in a train that took us to Tokyo Station. We were also seatmates during our first Shinkansen ride to Kyoto along with other JPO/IPR trainees. That first stint did not only help me grow as an IP practitioner, but also opened the door to a long friendship with this fabulous Filipina I may not have otherwise met.

In 2009, technology was not what it is now. There was no WiFi or mobile data that could provide us with internet on the go. To go to tourist spots, we had our trusty maps with us and navigated manually. I even remember making it to Sanrio Puroland clutching a paper with handwritten instructions for when to switch trains, and to what line.

The camera phones were not like the ones of today, too, and we all had our own tiny digital cameras with us. As I look back now, I smile wistfully and realize all over again how far technology has come in the past few years.

The H1N1 influenza was something that brought a scare to people in 2009, so during our first ten days as residents of the Tokyo Kenshu Center (TKC), there were temperature checks for each of us. Thankfully, no one in my course fell ill, and we all finished the program with no issue.



My second time was from August to September 2010 for the JPO/IPR Course for Patent Experts. Prior to that, I had been more comfortable with trademarks and less so with patents. But after that training course, I was a more confident patent practitioner.

After class hours were particularly interesting for me and my 2010 batchmates. We lorded over the Party Room of the TKC every Monday night, and had videoke sessions. We even invited the staff from the Asia Pacific Industrial Property Center (APIC), and some of them graciously joined us. They would hurry to make it to the last train before midnight, after having belted out their own rendition of Japanese songs.

I remember the late Yuichi Shibuya of APIC singing his heart out during our karaoke parties. He was quite a performer. Bless his soul. Indeed, that year we were a very social batch. When I visited Thailand a few years later, a friend who was a co-participant that 2010 welcomed me and my family. My Thailand trip was more memorable because of a connection I had made in Tokyo.

Uniqlo had not yet made its way outside Japan then, and I remember buying a good number of Uniqlo items that I would not otherwise be able to find in my country. Indeed, in 2010 I was already familiar with the surroundings, and felt more at ease navigating while armed with a map and my limited Japanese vocabulary. I was a student by day, and tourist by night and on weekends.

My interest in both Japan and IP grew exponentially because of the experiences I had in 2009 and 2010. So when it was time for me to take my Master of Laws overseas, I opted to explore Japanese universities. I ended up being a Monbukagakushoo scholar at Kyushu University from 2013 to 2014. My thesis was on intellectual property, naturally. I also did an internship for a law firm in Tokyo in 2014, and again found myself in the first Japanese city that captured my heart.



When I got married in 2015, two Japanese ladies who were former APIC staff flew to Manila to attend my wedding. I first met them in 2009, and our email and Facebook correspondence continued over the years long after they had already changed jobs. Another lovely APIC lady who is still working there at present couldn't attend my wedding because she was busy at work----coordinating a training program, of course! But indeed, gifts and well wishes were sent through the other two ladies who made it to Manila.

The third and most recent time came for me just weeks before the COVID-19 scare became imminent. I was in Tokyo in February 2020 as a participant at the JPO/IPR Training course for Practitioners Specializing in Trademarks.

It was a time when technology was highly advanced. I had internet wherever I went, but I still kept my trusty physical map in my bag. After all, we never know when the internet connection will be weak due to unforeseen circumstances. There was also WiFi in TKC and APIC, unlike 2009 when it was LAN cable all the way for us. Uniqlo is already in almost every major city in Asia, so I also no longer felt the need to buy a lot of their products in Japan.

We were given a CD with the notes from our lectures, so baggage space was not as big a deal as it was a decade ago, when I had my course materials shipped to my country. Unlike before, we also now took photos with each of our lecturers after class, and we were given a copy of each photo in the CD as well. Technology does have its advantages indeed.

The Coronavirus was at the back of everyone's mind, and masks were selling out left and right. We were even given the option to fly home a week earlier than intended if we wished to, because of the growing Coronavirus incidents. Temperature checks were also conducted before we were allowed to enter the premises of the place where we had our study tour.

In February 2020, I did not let the Coronavirus scare prevail over me. I wore masks, diligently washed



my hands a lot, and refrained from touching my face. I went on with all activities in normal fashion, and even enjoyed the two long weekends we had that month. Just about a week or two after we returned home, lockdowns were enforced in many places worldwide—and COVID-19 concerns grew exponentially, even in Japan.

There were plenty of differences from the first time I visited as a trainee, and yet, the fundamentals remained the same. I understand that stretching the yen may be a bigger challenge now than before, and hence, some of the old extras given to us a decade ago can no longer be accommodated in 2020. Yet, the quality of the course itself was not sacrificed. It was the same top-caliber lectures from the best of the best in their fields.

Each of the three times I participated in a JPO/IPR program are special in different ways. I learned a lot during the program proper as an IP practitioner, and grew as a person and as a global citizen during after-class hours. The learning never stopped inside the classroom. It carried on every second I was in Tokyo.

I felt somewhat nostalgic during my third go this 2020. I had seen the changing of the guards, so to speak, as the staff who were very efficient a decade ago either retired or resigned and were replaced by equally qualified people. Some old faces remained, and they sure did not age at all in the one decade I knew them. The way the training programs were handled has remained consistent at its core, and it is with utmost efficiency and resource-saving.

There is also a saying that the third time is a charm, and this third time, I felt more relaxed despite the pandemic. I enjoyed the lectures more, and I was concerned less about socializing, and more about exploring the quaint, non-touristy places and doing more of what I know I already am fond of doing when in Tokyo. I am grateful for the three programs I got to attend. Am I open to a fourth in the future? Sure, why not. Learning never stops, and I am still well within the qualified age for training programs.



# My First IP Training Course in Japan



**Mr. Pham Anh Tuan (Vietnam)**  
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Director, Hydraulic Research Center

JPO/IPR Training Course on Academia-Industry Collaboration and Technology Transfer  
(August 20 - 29, 2019)



I was a lucky person to be selected to participate in the training course of JPO/APIC/JIPII and visit the highest technology country, Japan. From the date of my arrival I enjoyed each and every day. I was proud to take part in the training program organized by APIC and JIPII. I express my thanks to the authorities who gave me the opportunity to learn about the practices of Academia-Industry Collaboration and Technology Transfer, and also the chance to join IP Friends.

This was my first time to go to Japan, so I was a little anxious, but when going to Japanese Embassy in Hanoi to submit my visa application, I received Japan's single-entry visa at no charge. At that time I learned that the Japanese Government's policy provided support for people to come to the Land of the Sun Rising with a grant from the JPO.

I attended the course titled "The JPO/IPR Training Course on Academia-Industry Collaboration and Technology Transfer (IPAT)" in Tokyo, Japan, from August 20-29, 2019 as an IP researcher from Vietnam Academy for Water Resources, representing the KLORCE (National Key Laboratory of River and Coastal Engineering), following an invitation from the Japan Institute for Promoting Invention and Innovation (JIPII) and the Association for Overseas Technical Cooperation and Sustainable Partnerships (AOTS).

As I mentioned above, I am grateful to them. I really appreciate their work culture of maintaining punctuality, calmness in approach, focusing the program and receiving the culture of the guests and lectures. This is my opportunity to appreciate and thank them from the bottom of my heart.

When I reached Narita Airport, I was little bit nervous about how I would manage to reach the hotel at Adachi-Ku – Senjuazuma. But care was taken by the Japanese people, especially the Tokyo Metro employees, who helped me reach the hotel without worry.

The opening ceremony was conducted by Machi Hasegawa and Miki Kusuhara, AOTS Industry Promotion Group, with a short introduction on the training course at APIC.

AOTS provides all necessary requirements for everyday comfort. It has a big dining room, lobby and breakfast place in which Japanese green tea was one the most favorite drinks. I could stay in touch with my family using the free-of-charge Internet service there. I also noted that it is possible for any foreigner to use the Internet free of charge at any metro or subway station, only by showing their passport. I express my thanks to beautiful AOTS staff.

From day one I remember that at around 8:30 AM the team of Ms. Michiko Hiyama and Kenjiro Nomura with their colleagues came to the AOTS Hotel at Adachi-Ku – Senjuazuma to receive us and

show us the way to the training center at APIC. The first two days of the program consisted of the common subjects. The remaining days dealt with the subject oriented to Academia-Industry Collaboration and Technology Transfer.

This course included participants from different countries in Asia and Latin America: Brazil, Brunei, Cambodia, India, Laos PDR, Malaysia, Mexico, Myanmar, the Philippines with two and three from Thailand and Vietnam. I learned that all participants had extensive experience in the field of patents, which was one of the requirements to attend the course. The course lasted two weeks and included several speakers from the JPO staff as well as professionals working in the private field.

We started our training with self-introductions. Every two hours the training would be changed with different topics on Academia-Industry Collaboration and Technology Transfer. The trainees were attorneys, professors, officials of the JPO, and wise scholars from the department.

A field trip to Tokyo Medical and Dental University provided me a deep understanding of Joint Research with Universities in Corporations, as well as know-how and the latest Japan technological instruments.

The most exciting was practicing on Technology Transfer. Professor Michihiro Izumi gave us the topic of modern-of-art umbrella patent that will be transferred to the Japanese market where umbrella products are of high quality with enormous brands and styles. Our team, led by a Malaysian IP officer, proposed a new umbrella patent controlled by a drone for which our classmates encouraged us with much applause and laughter. I learned of experiences of technological transferring from the Japanese Speaker.

All in all, it was an intense program that was very well-received by all participants, and whereby the



working hours were very participative. It is also important to note the willingness of the organizers, hosts and coordinators to participate when discussing and confronting concepts of industrial property and technology transfer, as well as note their recognition of our long years of experience as IP researchers.

In conclusion, I would like to say that these were two weeks of intensive work and advanced knowledge with regard to patent issues and technology transfer, which allowed the deepening and harmonization of concepts, and all aided by an excellent organization.

## Outreach activities

Mega malls and shopping centers were places that our classmates spent time after training hours. Beginning with sightseeing, shopping at various kiosks and finishing at some stalls to drink Japanese Suntory whisky with small species of special fish. It was so delicious.

When I walked through the city, I noted that it is exceptionally clean and safe. It is the cleanest city that I have ever walked in. The weather at this time was hot and barely humid, with sunny days. The city has an impressive and extensive subway and train network, where it is possible to go anywhere on new and comfortable trains very quickly and at reasonable prices. I bought a PASMO card and re-charged it three times.

One morning when I stepped into a crowded subway at Kitasenju station, I suddenly found that I was surrounded only by ladies. My classmate from the Vietnam IP office told me that I had to get into a different car, since this was only used for women during rush hour. I did so at the next station. I noticed the silence in the subway, because everybody was reading, resting, texting, or speaking in a quiet way. It was impossible or unusual to hear anybody shouting.

I spent hours at night-time in Ueno station in order to see and take a lot of pictures of the Bullet Train, Shinkansen, to watch the trains coming and leaving, and buy one model of the Shinkansen for my son as his dream. I hope that if I have free time, I will travel on the Shinkansen. Because in Vietnam, trains like the Shinkansen will still be a dream for many years. Also, night-time in Ueno park was special, with Latino dancing on the street. Many young Japanese girls danced professionally. Foreigners joined in actively with the sound and music. This is a public park with 9000 trees, and which has several museums. It is a place to visit if you have plenty of time. Walking around in it with my classmate, we met a Japanese architect who knew quite a bit about our countries.

On 26 August 2019, I took the Sky Bus to go around Tokyo city. During the trip we saw historical places like the Asakusa temple, Tokyo Tower, Tokyo Sky Tree, Fish Aquarium and Roppongi Hills. At Asakusa temple I saw the performance of spiritual rights of the Japanese people. The holiness of the place gave us a divine feeling. Memorial pictures I took with two beautiful young girls wearing traditional Kimono are the nicest shots in my album. I then visited the Fish Aquarium where I saw the different kinds of fish, large and small, especially the penguins which were small and made merry of the audience.

My classmate and I went to the Imperial Palace to visit a famous landscape and historical area with a large grass lawn and tree garden. This is wonderful site in a crowded city like Tokyo. Next, we went to Hibiya park. At that time, the Bon Odori festival had begun, and the entire area was covered with lights, people, foreigners and Japanese dancers. I joined in and learned to dance from one old man who instructed me. Beside me there were many such beautiful Japanese girls in traditional Kimono and wooden shoes. At Meiji Jingu, I met Vietnamese students who participated and sang Japanese songs on the Bon Odori stage. That moment will be unforgettable, and I felt that I was so lucky to have had the chance to attend the Summer Dancing Festival.



Because of the Vietnamese consumer attitude that most goods have to be labeled "Made in Japan," such as Honda motorcycles, Toyota cars, Sony televisions, Panasonic air conditioners, etc., before coming Japan my wife said that I should buy one Japanese brand rice cooker. So I went to Akihabara, the electronic city, where I bought the latest Tiger brand induction heating rice cooker for my wife's birthday present.

I love electronic gadgets, so the Akihabara neighborhood was the perfect place to discover state-of-the-art products. It is possible to spend all day there discovering and testing all types of electronic devices at affordable prices. It was hard to decide what brands to buy, and when buying a camera, I chose Nikon from among dozens of world-known brands.

I enjoyed my trip and gained knowledge, and I am sure I will visit again with my family and travel on the Shinkansen. Thanking you all.

# Tokyo in a Mask

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JPO/IPR Training Course for Practitioners Specializing in Trademarks  
(February 13 - 27, 2020)



It is in hot and bright summer now in Hanoi. I pick up small branches of “bang lang”, which are very popular violet summer flowers in tropical countries, to arrange them in limited-version Fuji mount CocaCola bottles I took home from my trip to Japan for the JPO/IPR Training course. Hanoi’s summer flowers are beautifully arranged in Tokyo’s sakura-spring-flower printed vases, which arouse twisted feelings in my heart. It is one of the most unique and memorable trips I have had, to a dream country during the worldwide outbreak of the most unexpected Corona virus.



I got on the plane with N95 face masks, hand sanitizer, hand soap, medical gloves and a box of medical face masks for daily use, which I had never packed for overseas trips before. I may have been the only one at the airport who was armed so comprehensively against the virus. My husband, who asked me to cancel the trip for fear of the virus, even told me not to remove my face mask to eat on the plane.

When I came to Tokyo, however, it seemed that even though people had a more cautious approach, they still led a normal life. I started my course and enjoyed Tokyo with masks, but without being updated with news on the outbreak of Coronavirus, I felt relief. One week before the course ended, JPO let those go who needed to leave early due to their home country’s virus- fighting policy, and my two Indian

buddies left first. The tropical virus spread more than human beings had expected, but I and others decided to stay until the last day of the course.

It was nearly March, and Tokyo was experiencing spring days. The weather was getting warmer and sunny, and the sky was so deep blue. We did not see such a blue sky in Hanoi, where the spring was still so rainy and humid. I saw and captured pictures of flowers in full bloom all the way from AOTS to the metro station. I love Japanese private houses, which are small and cosy with flowers and nice decorations. I feel peace of mind wherever I go in this city, though Tokyo streets and metro are crowded and busy all day long. Tokyo just looks like a girl with a face mask, but we can still feel and see her through her charm and beauty. I enjoyed so much every morning walking along curved alleys to the station, which I tried to remember and mark on google maps, but still got lost one time.



That evening, I went home by myself as all IP friends got engaged with their business, and my cell phone run out of battery. I stopped in the middle of the streets near Kitasenju station, felt at a loss, and could not figure out which way to go. I am not good at directions, and the streets at night with a flashlight were so different from what they were in daylight. What a relief that I kept an emergency card (AOTS must know for sure that we may have to use it sometimes). I showed the card to a young man, who was very kind to help me find my way home with his smartphone. I felt more calm, and continued walking. And to my surprise, the man followed me and walked me to AOTS. The man then rushed back to the station, and I felt so thankful and touched by his kindness.

We hung out here and there in Tokyo every evening after class, and stopped at random at whatever station we felt like, without having any plans. The feeling of being a stranger wandering around with no purpose, and getting lost in a big and beautiful city, was quite different for me. The most impressive sightseeing to me in Tokyo was Shinjuku Golden Gai, which is exactly a “collection of mismatched, tumbledown bars lining alleyways in a darkened corner of Shinjuku”, as described in travel guide. We just took our time to slowly move from narrow alley to narrow alley, which reminded me of Hanoi. All bars played music aloud, but I noticed only bars with soft and romantic music. It was a lovely and simply decorated bar, I said to myself, and I randomly went up the stuffy and tiny staircase to go inside. It was early in the evening, and there were only two of us



enjoying the music and cocktails. The bartenders were glad to know that we were from Vietnam, and shared his interest in reading Vietnamese novels. We tried to have conversation with the help of his translation device and body language in the friendly and pleasant environment. Mistia and Yamazaki never tasted better than that night in a charmingly scruffy part of the normally neon Shinjuku.

The 17 days in Japan passed by so quickly, and before I had realized it, it was already the closing ceremony. I was actually impressed by the way that Japanese friends at AOTS, APIC and JPO managed the course. I felt comfortable, secure and fully-informed, with every day being well taken care of. Apart from professional IP knowledge, I learnt a lot from my Japanese friends' dedication at work, meticulous attention to every detail, and thoughtfulness toward others. I will never forget the paper medals folded by hand, the wishes and our names in Japanese characters for each participant, and the warm kindness I got from Japanese friends who knew how to leave traces in our minds and hearts. I said to myself that I will learn and remember to pay it forward to those I meet or encounter in my life.



“Bang lang” flowers are still in blossom in Hanoi, and the Coronavirus has badly touched every part of the world. In countries worldwide, some IP attorneys go to work as normal, while some still work from home. I go to work every day with deadlines and responses to office actions for clients' trademarks. Sometimes on the way to work, I just think of Japan and the lovely days spent in such a beautiful country with unforgettable memories, which I will cherish for a long time.



## Articles from former trainees



### Risky Shipment in a Secure Container

Mr. Ahmed Ossama Tolba Ahmed (Egypt)  
Senior Officer, Combat Customs Evasion Dep.  
Egyptian Customs Authority



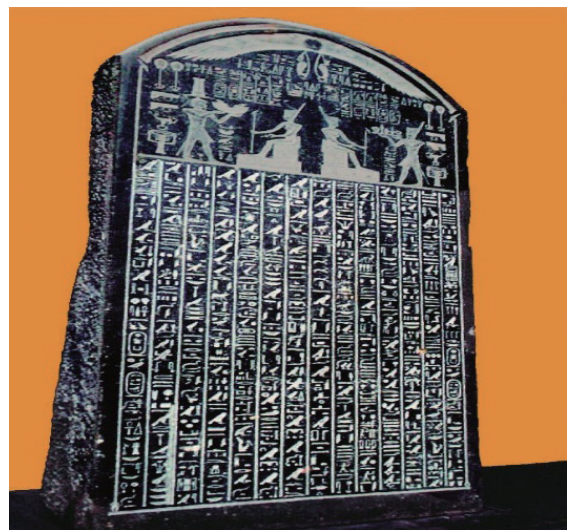
JPO/IPR Training Course on Anti-Counterfeiting Measures for Practitioners  
(February 6 - 14, 2020)



It wasn't about the journey to share knowledge, experience or to get more colleagues in the field of IP. It was only about the human power of the Japanese people, the culture and the kind history of this country. It was a dream, now it is reality.

Many years ago when I was a student in my school, our lessons about innovation, technology, leadership, and sacrifice was full of Japanese examples. So, I was a proud to meet the great people whose interests provided so much more for humanity. I was so excited to realize the ethics and values of that society, and of the successful gurus who led Japan to be one of the role models for other nations.

Also, the Egyptian civilization led by the Pharaohs was one of the oldest civilizations which cared about the further development of nations, like the processing of trade movements, evidenced by customs tariff decrees. The Stele of Naukratis, discovered in 1899, is the oldest Egyptian customs tariff decree. Founded between 650 and 630 BC on the Canopic branch of the Nile by Greek traders, Naukratis (in Greek the "city that has power over ships") was at the time the only port in Egypt open to Greek traders. Being a pros-



The Stele of Naukratis



perous city, it attracted the attention of the Pharaohs who saw it as a way to fill State coffers through taxes. Through the “Decree of Naukratis,” Nektanebos I. introduced a tax on goods imported by Greek merchants, as well as on products manufactured in Naukratis. The decree also stipulates that one tenth of the tithe collected in Naukratis should be assigned to the temple of the Egyptian Goddess Neith situated in Sais, a nearby Egyptian town. The stele is a witness to the ingenuity of ancient Egypt, as well as the early beginnings of a customs practice still in operation today.<sup>1</sup>

As the ancient Egyptian civilization is honored for its contributions to civilization, nowadays this is our incentive to add value for the future humanity.

Since 2007 when I began working with the Egyptian customs authority, I’ve believed in the effective role of customs, especially related to security, safety, health, and economics. The directorate of enforcement and compliance administration has the prime role of evaluating risks and working on protecting societies from threats that are an inevitable result of globalization of trade and the rapid growth of international cargo. This directorate also has non-routine functions and duties, and officials of this directorate should be able to handle sudden events, as the enforcement of laws and regulations with regards to traffickers seeking to circumvent border control, as well as the rise of traffickers inventing new methods to evade detection. The cooperation between authorities saves more work and time in reducing threats and keeping the world secure. Working in the field of enforcement is an honorable mission.



But how can we avoid the side effects of counterfeited goods? It will not be accomplished by only one side, but rather through cooperation between all partners, including the consumer, the producer and border protection & customs. With this cooperation we can create and disseminate a scenario on how to combat counterfeited goods through following:

**First partner** is the consumer of a majority of developing countries with combined problems. It is the consumer’s attitude that is based upon searching for the lower priced commodities to buy or to use, even if it’s counterfeit, because he isn’t aware that he is committing a crime. There no interest with any of the

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<sup>1</sup> this was our competition photo on 2012 introduced by our customs authority to wco  
<http://www.wcoomd.org/en/about-us/photo-competition.aspx>

critical aspects of deal he is going to make by acquiring a product of unknown origin, quality, legal entity of producer, etc., because he is concerned only with the monetary aspect and is omitting all other aspects even it concerns his health or safety. Sorry for that but it's the truth.

Conclusion: The governments should pervade a culture of awareness against using infringing goods (moral and economic side effects).

**Second partner** is the producer of commodities with a unique partnership. He is confronted with the following:

First, fraudulent. He is misleading the consumer in order to get part a market share possessed by original producer.

Second, the consumer's needs. How the company can fulfill consumer requirements of desired quality, price, etc.

Conclusion: Producers (companies) should perform a market survey at regular intervals to ensure that there are no counterfeits of its products available for consumers, as it may become a substitute for the original product.

The company should search for continuous improvement of its products with regard to prices, and possibly replace expensive products with more economic ones.

Social role towards communities through awareness campaigns about possible harm that can result from using counterfeit goods, as the consumer is reducing the value of their money in this way.

**Third partner** is border protection (customs). The customs officer should be cautious toward the issue of counterfeit goods through how he can track, seize and dispose of counterfeit products safely. He should be aware of the harmful and economic loss by permitting infringing goods. It's not only an IPR





issue, and it may also extend to financing terrorism.

Conclusion: Customs officers should get the necessary training to seize the counterfeit shipments, and the business community should concentrate on supplying customs with the sufficient data and information about the illegal activities and IPR infringement to update their database to combat IPR violations on borders.

In brief, in the case of neglecting the tools of boarder protection, it will require a very huge effort to treat its negative effects. More efforts on border by customs may avoid many losses for the country in many fields such as security, safety health and economy.

# Patent Literature Searching by Classification IPC, CPC and F-terms



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JPO/IPR Training Course for IP Trainers  
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## Introduction:

This article covers some useful basic concepts in patent searching, and the author's experience in carrying out patent searches by applying various strategies. The idea to throw light on this topic cropped up when I filed two patent application with the same title on the same day!

After two years, I asked one of my colleagues to search a patent application for a particular topic, and was surprised when he came up with only one application. (He was a newcomer in the office). I asked how he carried out searches, and his reply was simply classification searches. I verified it, and my understanding of doing patent searches using patent classification strategies changed that same day! Is it possible for similar patent applications to be classified in different classes? I observed many cases which I will present here, hoping this will give some insight to readers about patent searching using the Patent classification system, and the pros and cons as well!

## Importance of Patent Literature Searching

For technology assessments, patent documents generally convey the most recent information, including that which is not divulged in any other form of literature. Thus, it is wrong to consider that relevant information included in patent documents will come to one's attention by other means. An investigation made by the U.S. Patent and Trademark Office shows that as much as 70% of the technology disclosed in U.S. patent documents from 1967 to 1972 had not been disclosed in non-patent literature. However, there are many other genuine and justifiable reasons for searching patent literature as well, such as to gain information about technology players, legal status, and much more. Further, without information about the state-of-the-art, the risk is that the same product will be developed a second time. This is an obstacle for technical and economic development, and a hindrance to innovation. Hence, it is widely accepted that before initiating any research and development projects, one should do thorough patent searches to dig out the most relevant and closest prior arts. Now the question arises: How are effective patent searches

performed?

## Patent Literature Searching: Types and Sources

From the patent professional point of view, different types of patent searches can be carried out depending on the query one is going to solve! Broadly, these can be classified into the following: state of the art, prior art/novelty/patentability, freedom to operate, opposition, validity/invalidity searches, etc. One should also keep in mind that although the objective may be different, the way one carries out patent searches is broadly the same.

The next question is regarding the sources from where one can obtain the desired patent literature. These sources again can be of two types. One is that of publicly available free patent databases, such as Espacenet, PatentScope, IPO, JPO, etc. Precisely speaking, almost all patent offices worldwide who accept patent applications will publish them in a periodical manner. As per the World Intellectual Property Indicators 2019, which is published by WIPO, there were 3,326,300 patent applications filed worldwide in 2018. Secondly, there are paid databases that provide patent literature searching facilities in a finer and faster way, although one should remember that their primary source for collecting patent literature is the patent literature published by various patent offices.

Coming to the topic of how to carry out patent literature searches in these databases, a very quick reply is: keywords! Yes, one can do primary searches using keywords in the title field, or the title, abstract and claim field. In practice, I have seen many patents with titles such as NOVEL COMPOUNDS, PROCESS, HETEROCYCLIC COMPOUND, CHEMICAL COMPOUNDS, DEVICE, VALVES, METHODS, COMPOSITION. In such a scenario, thousands or millions of hits can appear. The situation becomes worse due to the use of synonyms, variation in patent languages, field of invention where the same word has different meanings, and so on. Further to say, many inventions in the field of chemistry and biology do not retrieve the desired patent literature if using keyword searches only. This puts a limitation to rely solely on keywords searches.

## Patent Literature Searching: Classification System

To ease the life of patent professionals and narrow down the number of hits, patent searches using classification systems are often recommended. There are some classification systems in place implemented by the major patent offices, which have been recognised internationally. These classification systems are nothing but an indexing of inventions according to their technological field. A number of different classification systems exist, such as IPC (administered by the World Intellectual Property Organization), CPC (implemented by the European Patent Office), US (implemented by the United States Patent and Trademark Office), and FI- F-term scheme, used by the Japan Patent Office. The International Patent Classification (IPC) was established by an intergovernmental agreement, and is now applied by many Patent Offices and widely accepted in patent searches. While searching various patent office databases, one may note that carrying out searches using one's own classification system often yields sweet results.

The strategy of using any patent classification system is to find the most relevant class for specific technological fields. A broad idea can be generated using a main classification system. In order to further refine the hits to narrow them down, one may use a subclass system as well. Patent documents belonging

to a given classification subdivision contain a highly concentrated supply of usually technically advanced information in a given technological field.

One should bear in mind that for the purposes of maintaining search files and performing searches for the state-of-the-art, patent offices classify patent documents according to the field or fields of technology to which their contents relate. So, it is summarily the patent office practice to assign the particular classification for an invention (read: patent application). I can also say that it depends somewhat upon the individual patent drafter in terms of which particular patent class s/he wants his/her invention to fall.

## Patent Literature Searching: Summary of Classification Systems

In order to identify the appropriate classifications, whether IPC, CPC, US or FI-F-term, one is required to have some preliminary familiarity with these classification systems. Here are some basics.

**(IPC):** The International Patent Classification (IPC), established by the Strasbourg Agreement 1971, provides for a hierarchical system of language-independent symbols for the classification of patents and utility models, according to the different areas of technology to which they pertain. It is arranged in a hierarchical, tree-like structure.

- ✓ The highest hierarchical level comprises the eight sections of the IPC, corresponding to very broad technical fields. For example, Section C deals with “Chemistry and Metallurgy”.
- ✓ Sections are subdivided into classes. (Class C21, for example, deals with the “Metallurgy of iron”.)
- ✓ Classes are further subdivided into more than 640 subclasses. Subclass A21B, for example, deals with “bakers’ ovens: machines or equipment for baking”.
- ✓ Subclasses are divided into main groups and subgroups.
- ✓ Main group symbols always end with “/00”. For example, the main group A21C 5/00 deals with “dough-dividing machines”.
- ✓ The hierarchy of subgroups under main groups is designated by dots preceding the titles of the groups.

**(CPC):** The Cooperative Patent Classification (CPC) system, in force from 1 January 2013, is a bilateral system that has been jointly developed by the EPO and the USPTO. It combines the best classification practices of the two offices. CPC is an extension of the IPC and is divided into nine sections, A-H and Y, which are in turn sub-divided into classes, sub-classes, groups and sub-groups. There are approximately 250,000 classification entries.

**(FI and F-term):** FI [File Index] and F-term [File-forming term] are Japanese patent classification systems consisting of approx. 190,000 and 360,000 entries respectively, which enable the efficient search of patent documents. Basically, FI is based on IPC, and further narrows down the technology fields. Guys I used it only for searching patent applications that do not have family members outside Japan. But it was quite difficult! May be a language constraint!

**(USPC):** The USPC classification scheme presented is primarily for historical purposes. After the implementation of the Cooperative Patent Classification (CPC), only the plant and design classification materials are updated within the USPC.

## Patent Literature Searching: Case Study of Classification System





Let's see one case study of using a classification system in patent searches. I was searching in IPC class C07 (ORGANIC CHEMISTRY), and got many hits. I further put a check along with IPC class C07, the applicant Dow. I found one patent application, as follows:

Results 1 - 1 of 1				
Title	Kind	Appl.No	IPC	Applicant
1. <a href="#">WO/2017/127791</a> PROCESS FOR THE PREPARATION OF 4-ALKOXY-3-ACETOXYPICOLINIC ACIDS	Initial Publication with ISR[A1]	US2017/01...	C07D 213/803	DOW AGROSCIENCES LLC

When I searched using class A01 for applicant Dow, I found the following two patent applications:

Results 1 - 2 of 2				
Title	Kind	Appl.No	IPC	Applicant
1. <a href="#">WO/2017/127794</a> PROCESS FOR THE PREPARATION OF 4-ALKOXY-3-HYDROXYPICOLINIC ACIDS	Initial Publication with ISR[A1]	US2017/01...	A01N 43/40	DOW AGROSCIENCES LLC
2. <a href="#">WO/2017/127281</a> CLOQUINTOCET SALTS FOR SAFENING PYROXSULAM COMPOSITIONS	Initial Publication with ISR[A1]	US2017/01...	A01N 43/40	DOW AGROSCIENCES LLC

To my surprise, both applications had almost the same invention and process claims, although they were assigned to different IPC classes.

WO/2017/127791	WO/2017/127794
<p>WHAT IS CLAIMED IS:</p> <p>1. A process for the preparation of a compound of Formula H</p>  <p>wherein R¹ is a C₁-C₃ alkyl;</p> <p>from a compound of Formula A</p>  <p>which comprises the following steps:</p> <p>a) creating a mixture containing the compound of Formula A and an acetylating agent;</p> <p>and</p>	<p>WHAT IS CLAIMED IS:</p> <p>1. A process for the preparation of a compound of Formula A</p>  <p>wherein R¹ is a C₁-C₃ alkyl;</p> <p>from a compound of Formula B</p>  <p>which comprises the following steps:</p> <p>a) creating a first mixture containing an alkali metal alkoxide of Formula C</p>

One more surprise was that on the bibliographic page of WO/2017/127791, both C07 and A01 were assigned but while searching, this application could be retrieved only by the C07 class, and not A01.

IPC main class assigned for this patent application is C07D and A01N

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)  
 (19) World Intellectual Property Organization  
 International Bureau  
 (43) International Publication Date  
 27 July 2017 (27.07.2017)  
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**WO 2017/127791 A1**



(51) International Patent Classification:  
**C07D 213/803** (2006.01) **C07D 213/79** (2006.01)  
**A01N 43/40** (2006.01)

(21) International Application Number: PCT/US2017/014527

(22) International Filing Date: 23 January 2017 (23.01.2017)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data: 62/286,013 22 January 2016 (22.01.2016) US

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(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DJ, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IR, IS, JP, KE, KG, KH, KN, KP, KR, KW, KZ, LA, LC, LK, LR, LS, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

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Declarations under Rule 4.17:  
 — as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))  
 — with international search report (Art. 21(3))

Published:

In the National Phase in the United States, only IPC class C07 is assigned. CPC is the same.



US10259789B2

(12) **United States Patent**  
**Whiteker et al.**  
 (10) Patent No.: **US 10,259,789 B2**  
 (45) Date of Patent: **Apr. 16, 2019**

(54) **PROCESS FOR THE PREPARATION OF 4-ALKOXY-3-ACETOXYPICOLINIC ACIDS**

(71) Applicant: **Dow AgroSciences LLC**, Indianapolis, IN (US)

(72) Inventors: **Gregory T. Whiteker**, Carmel, IN (US); **Peter Borromeo**, Fishers, IN (US); **Fangzheng Li**, Carmel, IN (US); **Gary Roth**, Midland, MI (US)

(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **16/071,512**

(22) PCT Filed: **Jan. 23, 2017**

(86) PCT No.: **PCT/US2017/014527**  
 § 371 (c)(1),  
 (2) Date: **Jul. 20, 2018**

(87) PCT Pub. No.: **WO2017/127791**  
 PCT Pub. Date: **Jul. 27, 2017**

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 US 2019/0047962 A1 Feb. 14, 2019

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**C07D 213/69** (2006.01)  
**C07D 213/79** (2006.01)  
**C07D 213/803** (2006.01)

(52) **U.S. CL.**  
 CPC ..... **C07D 213/79** (2013.01); **C07D 213/803** (2013.01)

(58) **Field of Classification Search**  
 CPC . **C07D 213/69**; **C07D 213/79**; **C07D 213/803**  
 USPC ..... **546/296**  
 See application file for complete search history.

(56) **References Cited**  
 U.S. PATENT DOCUMENTS  
 2016/0039760 A1\* 2/2016 Grandbois ..... B01J 31/1815  
 546.327  
 \* cited by examiner

*Primary Examiner* — Taylor V Oh

(57) **ABSTRACT**  
 4-Alkoxy-3-hydroxypicolinic acids may be conveniently prepared from 4,6-dibromo-3-hydroxypicolonitrile in a series of chemical steps selected from bromo substitution, nitrile hydrolysis and halogen reduction that are conducted as a single pot process. 4,6-Dibromo-3-hydroxypicolonitrile may be prepared from furfural in a series of chemical steps selected from cyano-amination, amine salt formation and bromination-rearrangement. 4-Alkoxy-3-acetoxypicolinic acids may be conveniently prepared from 4-alkoxy-3-hydroxypicolinic acids by treatment with acetic anhydride.

**3 Claims, No Drawings**

CPC system also it is C07D

In USPC it is 546/296

While in US the same invention assigned only IPC main class C07D, A01N ?

In the National Phase in Japan IPC, only class C07 is assigned. FI- term?



(19) 日本国特許庁 (JP)

(12) 公表特許公報 (A)

(11) 特許出願公表番号

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(P2019-502729A)

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JP FI term

(51) Int. Cl.

C07D 213/803 (2006.01)  
C07D 213/79 (2006.01)

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C07D 213/79

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最終頁に続く

(54) 【発明の名称】 4-アルコキシ-3-ヒドロキシピコリン酸を製造する方法

Now, I invite you to review the patent application pairs WO/2020/048830 and WO/2020/048831, and WO/2020/053364 and WO/2020/053365. Have fun analysing!

## Conclusion:

I found so many cases of a similar nature, and yet I still could not find out the precise and satisfactory reason behind the class assignment to particular patent applications/inventions/technology fields by respective patent authorities. Although I conducted a deep analysis on my end in the best possible way, I can infer that the devil is in the technical details: both those disclosed in the specification, and those that work their way into the claims. While the classification system is helpful, never forget that patents are classified as the Patent Office sees fit. In order to identify the appropriate classification, a broad search is necessary to make sure that you familiarize yourself with how inventors and patent attorneys routinely characterize certain inventions, features, scientific principles and concepts. In such circumstances, one may miss the relevant patent if relying solely on a classification search. To answer the question from the first paragraph of this article: One may suggest to use a combination of keywords (and synonyms) and classification terms for effective patent literature searches.

## General References:

<https://patentscope.wipo.int/search/en/search.jsf>

<https://www.uspto.gov/patents-application-process/search-patents>

<https://www.epo.org/searching-for-patents.html>

# Intellectual Property of Vaccines for Covid-19 - A Malaysian Perspective -



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JPO/IPR Training Course for IP Protection Lawyers  
(November 18 - December 4, 2019)



At the date of writing this article, at least 8 - 9 months have gone by since the outbreak of one of the worst pandemics to strike the modern civilization, in the form of a coronavirus disease known as Covid-19.

In outbreaks of viral diseases, vaccines are crucial in the containment and eradication of the diseases. Thanks to vaccines, the world saw the end of, among others, smallpox (1972), polio (1979), diphtheria (1920), and rubella (2015).<sup>1</sup>

Therefore, public and private institutions are competing to develop an effective vaccine for Covid-19 on a global scale. Malaysia is no exception, where the Malaysian government has identified several partners to collaborate with on the development of a Covid-19 vaccine, including China, Russia,<sup>2</sup> and Turkey<sup>3</sup>. Malaysia is also set to become the testing location for a potential Covid-19 vaccine in the 3<sup>rd</sup> phase of the vaccine research by China.<sup>4</sup>

With so many developments taking place, one issue of major concern for all stakeholders would be the issues concerning the intellectual property created in the process of researching and developing a vaccine for Covid-19.

This article attempts to take a birds-eye view of such issues.

## What Are Vaccines?

Vaccines are biological preparations that confer immunity against specific diseases, typically by provoking a response from the body's immune system.

It is important to note that vaccines consist to several components and existing inventions as the formulation of vaccines involves an interplay between several biochemical components to work together

1 [https://www.businessinsider.com/vaccines-infectious-diseases-you-wont-get-2019-6?utm\\_source=hearst&utm\\_medium=referral&utm\\_content=allverticals#polio-leaves-survivors-with-lifelong-disabilities-2](https://www.businessinsider.com/vaccines-infectious-diseases-you-wont-get-2019-6?utm_source=hearst&utm_medium=referral&utm_content=allverticals#polio-leaves-survivors-with-lifelong-disabilities-2), accessed as at 26 June 2020.

2 <https://www.freemalaysiatoday.com/category/nation/2020/06/12/kremlin-ready-to-talk-with-malaysia-on-covid-19-vaccine/>, accessed as at 30 June 2020.

3 <https://www.pmo.gov.my/2020/05/malaysia-turkey-to-collaborate-to-develop-covid-19-vaccine/>, accessed as at 30 June 2020.

4 <https://www.theedgemarkets.com/article/malaysia-may-be-location-covid19-vaccine-trials-%E2%80%94-health-dg>

in order to achieve immunity of targeted diseases.

They are explained further in the patents section below.

## Applicable IPs in Vaccines

### A. Patents

Patents, a monopoly for the use and manufacture for a product and/or process, are granted to owners of inventions which are, among others, novel, involves an inventive step and has industrial application.

Some of the key components of vaccines that may be granted patent protection, are:<sup>5</sup>

#### a. Antigens

Antigens are the components derived from the structure of disease-causing organisms, which are recognized as ‘foreign’ by the immune system and trigger an immune response to the vaccine.<sup>6</sup>

#### b. Antibodies

Antibodies are Y-shaped proteins produced by B cells of the immune system in response to exposure to antigens. Each antibody contains a paratope which recognizes a specific epitope on an antigen, acting like a lock and key binding mechanism.<sup>7</sup>

Antigens and Antibodies interact hand-in-hand and the disclosure of both components is necessary to achieve patent protection.

#### c. Stabilizers

Stabilizers are used to help the vaccine maintain its effectiveness during storage.<sup>8</sup>

#### d. Adjuvants

Adjuvants are added to vaccines to stimulate the production of antibodies against the vaccine to make it more effective.<sup>9</sup>

Further, manufacturing process of vaccines<sup>10</sup> and vaccine delivery devices<sup>11</sup> may obtain patent protection, provided that such processes and devices are novel and inventive.

In Malaysia, patents are governed by the Patents Act 1983 and the Patent Regulations 1980.

The latest development in cases involving pharmaceutical patents in Malaysia is the Federal Court case of *Merck Sharp & Dohme Group & Anor v Hovid Berhad*<sup>12</sup> where, among others, the Federal Court held that the invalidity of the independent claim of a patent does not necessarily render its dependent claims invalid as a matter of right. In general, this case was welcomed by many IP lawyers and patent holders as the judiciary has chosen to adopt a more holistic approach in interpreting patent claims, thus

5 <https://vaccine-safety-training.org/vaccine-components.html#:~:text=Assessment%20-,Components%20of%20a%20vaccine,products%20from%20the%20production%20process.>, accessed as at 30 June 2020.

6 Examples of relevant patents: International Application No.: PCT/EP2017/057481; US Patent Application No.: US9416186B2

7 Examples of relevant patents: Japanese Patent Application Nos.: JP6666905B2; US Patent Application No.: US9616112B2

8 Examples of relevant patents: US Patent Application No.: US4147772A; Japanese Patent Application No.: JP5586598B2

9 Examples of relevant patents: European Patent Application No.: EP1948782A2; US Patent Application No.: US7524509B2

10 Examples of relevant patents: US Patent Application No.: US8846049B2; US Patent Application No.: US7534596B2

11 Examples of relevant patents: South Korea Application No.: KR20050063762A; US Patent Application No.: US20050123565A1

12 [2019] 12 MLJ 66, at paragraph 169.

conferring a more comprehensive protection for patents.

## B. Trade Names / Trade Marks

Trademarks and trade names help to establish a link between vaccines, its owner, and provides a mark for distinction in the market for the public to identify genuine vaccines.

Famous examples include: Quadracel™ (for polio, manufactured by Sanofi); Pediarix® (for DTaP, hepatitis B, Polio, manufactured by GlaxoSmithKline); ProQuad® (for measles, mumps, rubella, varicella, manufactured by Merck); and Pneumovax® (for Pneumococcal, manufactured by Merck).

In Malaysia, trademarks are governed by the Trade Marks Act 2019 and Trade Marks Regulations 2019. Further, all trade names of medicines would need to be registered with the National Bureau of Pharmaceutical Board of Malaysia under the Control of Drugs and Cosmetics Regulations 1985.

## C. Confidential Information - Trade Secrets and Know-How

A trade secret is a type of confidential information, defined as some proprietary right that is not disclosed to the public, and in the case of vaccines, would relate to the formulation and/or manufacturing process. Know-how is defined as ‘practical knowledge and ability’<sup>13</sup>, and it may be a more specific form of confidential know-how and/or trade secret.

The know-how and/or trade secret in the development of vaccines may include specific technical insights in respect of its formulation and manufacturing process, and/or the culmination of many years of experience in testing and manufacturing vaccines.

In Malaysia, there is no legislation that protects confidential information such as trade secrets and know-how, unlike article 39.2 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement where the criteria for protection of information of confidential nature is clearly defined.<sup>14</sup>

Nevertheless, confidential information which is proprietary in nature is traditionally protected through common law principles in Malaysia where the owner of confidential information may initiate a tortious action of breach of confidence against unauthorized disclosure of such information, typically against ex-employees.<sup>15</sup>

## Managing IP for the Covid-19 Vaccine – Navigating The Issues

### I. Identify Potential IP Barriers to The Development of a Vaccine

As demonstrated above, a vaccine is a multifaceted puzzle-box requiring multiple key components to unlock it, with each component potentially having obtained prior patent protection or some other form of IP protection already.

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13 <https://dictionary.cambridge.org/dictionary/english/know-how>, accessed as at 30 June 2020.

14 Article 39.2 of the TRIPS Agreement provides:

*“Natural and legal persons shall have the possibility of preventing information lawfully within their control from being disclosed to, acquired by, or used by others without their consent in a manner contrary to honest commercial practices so long as such information:*

*(a) is secret in the sense that it is not, as a body or in the precise configuration and assembly of its components, generally known among or readily accessible to persons within the circles that normally deal with the kind of information in question;*

*(b) has commercial value because it is secret; and*

*(c) has been subject to reasonable steps under the circumstances, by the person lawfully in control of the information, to keep it secret.*

15 For example, see *Electro Cad Australia Pty Ltd & Ors v Mejati RCS Sdn Bhd & Ors* [1998] 3 MLJ 422

Therefore, it is crucial for inventors and stakeholders to: (1) identify relevant patents and/or IP in using patented components for vaccine research and development; (2) approach patent holders and/or IP owners for access if necessary; (3) in the event that access is not granted by patent holders and/or IP owners, to develop alternative work-arounds for the inventions.

## II. Ownership of IP

Ownership of the IP giving birth to Covid-19 vaccines is a crucial issue to be predetermined by parties as the IP owner would control the various aspects of the vaccine, including its manufacture, import, export, licensing and distribution, all of which would directly affect the accessibility to the vaccine by the general public.

In the event that the ownership of IP is not agreed beforehand, difficulties may arise in the event of a dispute as it may be impossible to correctly identify the party with the rights to the IP, which would give the party the necessary locus to protect the IP in dispute.

This proved to be problematic, in particular, for patents. Fortunately, most jurisdictions have provided a default mechanism under its laws to determine the ownership of patents in the event that there is no existing agreement between parties to decide the same.

For example, under the Malaysian Patents Act 1983, the rights to a patent shall belong to the inventor.<sup>16</sup> When 2 or more persons have jointly made an invention, the rights of a patent shall belong to them jointly.<sup>17</sup> If two or more persons have separately and independently made the same invention, and each of them has applied for a patent, the right to the patent for that invention shall belong to the person whose application has the earliest priority date.<sup>18</sup> Where the right to obtain a patent is owned jointly, the patent may only be applied for jointly by all the joint owners.<sup>19</sup>

## III. Conflict of Laws / Choice of Law

In the case of Covid-19, it is highly likely that the research and development for the vaccine would involve border-less collaboration on a global scale. The issues of governing jurisdiction and applicable laws would arise not only in respect to the contractual relationship between the collaborating parties, but also the intellectual property created as a result of the collaboration.

Therefore, it is important that collaborating parties, governmental and private parties alike, predetermine the governing jurisdiction and applicable laws for the IP of a vaccine.

Without resolving the potential conflict of laws, it is difficult, if not impossible, to determine the body or country with effective jurisdiction to adjudicate, determine and enforce awards and/or judgements arising in disputes on the development and/or delivery of Covid-19 vaccines.

## IV. Compulsory Licensing

Compulsory licensing is a tool utilized by the government to compel patent owners to grant licenses at an affordable price point to facilitate access to cheap medicines by the population.

In Malaysia, compulsory licensing is governing by, among others, sections 49, 52 and 53 of the Patents Act 1983 which set out the criteria for applications for compulsory licenses and conditions which may be fixed on the issuance of the compulsory license. Further, the Malaysian government may, either on its

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<sup>16</sup> Section 18(2), Patents Act 1983

<sup>17</sup> Section 18(3), Patents Act 1983

<sup>18</sup> Section 18(4), Patents Act 1983

<sup>19</sup> Section 22, Patents Act 1983

own or through an authorized 3<sup>rd</sup> party, use the patented invention without the patent owner's consent in the name of national emergency and/or public interest.<sup>20</sup>

Considering that Covid-19 is a global pandemic, it is very likely for all governments, including the Malaysian government, to utilize compulsory licensing and authorize governmental use of patented inventions to facilitate research and development of vaccines, and ultimately providing affordable access to the vaccines by its populations.

Coupled with the lengthy and time-consuming process to obtain patent registration, inventors may be dissuaded from protecting the IP of the vaccine through patents, and may rely on the protection of laws concerning confidential information of trade-secrets and know-how to retain control of the vaccine's IP.

However, this may be a short-sighted approach because the inventions that come out of the development of the vaccine may be applied to other diseases or in other fields of technology altogether, regardless of whether or not the vaccine works against Covid-19. In other words, there may be a 'second-use' for these inventions. Therefore, it may be prudent to file patent applications for the key components of the Covid-19 vaccine to ensure that past efforts and investments for these inventions are not wasted and can be developed further for other uses.

In short, patenting the Covid-19 vaccine as an invention may be unavoidable, however, the key lies on to what extent the vaccine should be patented so as to achieve a balance between public good (to avoid compulsory licensing and governmental use thus rendering patents academic), and inventor's rights (to preserve existing efforts on Covid-19 vaccine for potential second use).

The answer to this problem is a difficult one and it may be technically impossible to achieve the said balance. As such, only time will tell how bio-pharma companies and/or governmental institutions will manage the IP of the Covid-19 vaccine.

## Conclusion – The Big Picture

Regardless of the IP complications explained above, it is important to note that IP is only 1 of 6 components identified to ensure global availability of safe, effective, appropriate and affordable vaccines. The other 5 components that interplay with one another are (a) adequate support for research and development; (b) national regulatory systems to ensure safety and efficacy; (c) quality and manufacturing facilities; (d) national and local distribution systems and markets; (d) international distribution systems and markets.<sup>21</sup> Therefore, one could make the argument that IP is only 1 piece of the puzzle to achieve universal access to a Covid-19 vaccine, especially for poor and developing countries.

However, it is also crucial to understand that for many years, IP has been the main system to incentivize companies to invest in the research and development (R&D) of new drugs and medicines where the costs of R&D were traditionally recouped through the monopolistic rights granted by way of patents for a period of time. It is very unlikely that the would-be inventors of the Covid-19 vaccine would give up its IP rights of the vaccine in a pure altruistic move.

In the case for Covid-19, the author is of the view that considering the demand of a vaccine is universal, proper management of IP is crucial to facilitate the creation of a working Covid-19 vaccine and ease of access to the vaccine by the global population.

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20 Section 84(1)(a), Patents Act 1983

21 Vaccines: Accelerating Innovations and Access, World Intellectual Property Organization

# Toward Effective Intellectual Property Management Universities and Research & Development Organizations in Africa



Joseph Mbihayeimaana (Uganda)  
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JPO/IPR Training Course on IP Asset Management for African Countries in Cooperation with WIPO  
(July 18 - 24, 2019)



Research and development activities are becoming increasingly borderless in the current knowledge-driven economy. Accordingly, intellectual property (IP) becomes an extremely important tool for protecting and ensuring effective technology transfer, and commercializing such knowledge from research to industry—thereby stimulating industry-research collaboration and industrial development.

In most universities and research organizations in Africa, IP management has not been at the forefront. This is mostly because research has long been—and still is—funded publicly, and to some extent by donors. This brought forth a digressional notion that publicly-funded research leads to the “**public good**”, which is interpreted as “**free good**”. This notion was long-lived until institutions realized the following:

1. The public good is not synonymous with or necessarily free goods.
2. Most goods and problem-solving technologies ended up on shelves without being deployed to address the actual problems they were generated for.
3. The notion of publish or perish led to premature disclosure of would-be good or groundbreaking technologies—thereby affecting protection possibilities.
4. A decline in research funding on the part of both government and development partners essentially pushed institutions to think of possibilities to sustain research.
5. A number of technologies were misappropriated and accessed by third parties through various means without due recognition.

Besides all of the above, institutions are confronted by the most delicate question of how to ensure that the research results and technologies generated can best serve the public interest and contribute to societal transformation.

Following the JPO/IPR training course on IP asset management in Africa in 2019, which was organized in Tokyo, Japan by WIPO, ARIPO and the Government of Japan for African institutions selected to participate in the WIPO Pilot project for elaboration of IP polices and from an IP manager’s perspective, I noted that institutions in Africa have been making mistakes. Dissemination workshops organized at the

end of a research project, and the publishing of results, are undoubtedly one way to put research results in the public domain. However, these have not worked well in terms of commercializing the technologies, nor eventually causing societal transformation or even industrial development.

Secondly, some institutions find themselves in a “catch-22” situation where they are pushed to come up with ad-hoc IP policy frameworks. This exists, for example, in a situation where the development partner insists upon collaborating with an entity that has a clear IP policy. In the end, the policy is developed by the project participating teams or consultant, which results in a lack of ownership by the entire staff of the institution. Eventually, the policy never becomes operationalized.

Thirdly, research organizations and universities in Africa have put a greater focus upon teaching (education)/capacity building and research, and have not underscored the would-be third but very important mandate or mission, which is contributing to societal transformation. This brings a disconnection between institutions and the societies they serve. Ultimately, it leads to low chances of research-industry collaborations and industrial development.

Therefore, learning from the above mistakes and following the cross-spectrum benchmark, universities and research organizations in Africa can avoid the above situations by doing the following:

1. Establishing IP structures (Intellectual Property offices, or one can call them Technology Transfer Offices) within the institutions to primarily coordinate IP activities at the institution, ranging from the creation of awareness, identification of technologies with IP potential, and filing for protection, among others.
2. Developing all-inclusive IP policy frameworks that focus on stimulating creativity in the institution, but also striking a balance between the interests of the involved stakeholders. This is more important than ever before, given the fact that institutions in Africa have in most cases lost ownership of IP in collaborative research due to a lack of policy frameworks to guide management of research output.
3. Creating awareness, which remains the only way for institutions to raise IP appreciation levels amongst their constituencies in order to attain an IP conscious society wherein various IP issues are easily identified and detected at different levels of research.

Considering the traditional mandates of universities and research and development institutions, which are research and education, one may ask: Why should they consider IP Management as core? The response is simple. If institutions are to attract industry- research collaborations, which are critical to sustain research, the institutions ought to put in place strong IP systems to safeguard the research investment. Secondly, there is a clear need to protect knowledge from misappropriation. Thirdly, there is a need to stimulate technology transfer and commercialization, whereby the proceeds or revenue accruing from the commercialization of technologies would be ploughed back into research, while also taking care of the welfare of the people who are involved in generating such technologies. It is additionally important to note that in establishing an IP system, one must appreciate that it's never a one-off thing. It goes gradually, with one step leading to another.

### **Short case study at a glance: NARO's (Uganda) efforts toward effective IP Management**

- a. 2017: Management takes a decision to establish an intellectual property office, and recruit an officer dedicated to primarily handling and coordinating IP activities.
- b. 2017: Awareness and sensitization campaigns were initiated through seminars, and short brochures were produced.
- c. 2018: A NARO IP policy framework was developed and approved by the top governing body,



through a thoroughly consultative process of all stakeholders as spearheaded by the IP office and the constituted taskforce.

- d. 2018: The Intellectual Property Management Committee (IPMC) was constituted.
- e. 2018: Technology Innovation Support Centres (TISCs) were established at all 16 institutes of NARO.
- f. 2019: The IP office was expanded to establish the Incubation and Commercialization office.
- g. 2019: NARO was selected among five African institutions to participate in the JPO/IPR Training Course on IP Asset Management for African Countries in cooperation with WIPO.
- h. 2017 to date: 14 technologies have been filed for protection by patents and utility models at the ARIPO and National IP office, with two trademarks and one copyright registered.

### **Future plans moving forward:**

- Working toward establishing an incubation centre focusing on product and idea incubation, as well as capacity building.
- Intensifying commercialization of technologies, and strengthening negotiation and licensing components.

# Intellectual Property Policy in Uzbekistan: Current Process and Prospects for Development



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Head of Department Agency on Intellectual Property  
Under the Ministry of Justice

JPO/IPR Training Course on General Management of IP Office  
(December 5 - 11, 2019)



Reforms in the field of intellectual property management in Uzbekistan can be divided into three stages. Stage 1 covered the years 1991-2011, when individual government bodies worked in the fields of industrial property (State Patent Office) and copyrights (Republican Copyright Agency of Uzbekistan).

During the second stage, in 2011, the Intellectual Property Agency was created to combine the two above-mentioned agencies, thereby supporting a unified state administration in the field of intellectual property and optimizing the sector.

Stage 3 began in 2019, when the Intellectual Property Agency was transferred to the Ministry of Justice in order to ensure reliable legal protection and protection of intellectual property in Uzbekistan, along with inter-agency cooperation in this area.

Today, the Agency registers inventions, utility models, industrial designs, trademarks, selection achievements, computer programs and databases that constitute intellectual property.

It should be noted that in 2019 compared with 2018, there was an increase in Uzbekistan in the number of applications for computer programs and selection achievements by 65.7% and 54%, respectively.

In addition, the number of national applicants for intellectual property in 2019 increased by 20.4% compared to 2018, and the number of foreign applicants increased by 13.5%. In turn, according to the results of the examination, the amount of state intellectual property in 2019 increased by 10% compared to 2018.

The procedure for electronic filing of trademark registration applications was introduced on September 1, 2019. It is noteworthy that 56 percent of electronic applications were submitted after hours, and were automatically accepted. As a result of the ongoing global COVID 19 pandemic since April 2020, the practice of filing electronic applications for all intellectual property objects has been introduced.

Today, the agency is also involved in the process of Uzbekistan joining the World Trade Organization. Therefore, in order to introduce universally-recognized international standards in the field of intellectual property into national legislation, one of the priorities today is the accession of Uzbekistan to the following international treaties and conventions:

- International Convention for the Protection of Performers, Producers of Phonograms and

Broadcasting Organizations (October 26, 1961, Rome);

- Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (June 27, 2013, Marrakesh);

- Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (Geneva, 1999);

- Singapore Treaty on the Law of Trademarks (2006, Singapore).

Joining international documents in the field of intellectual property is an important factor not only for the country's image, but also for enhancing its investment attractiveness.

In recent years, special attention has been paid to the further development of this sector, which ensures the protection of rights and legitimate interests of copyright holders, and the widespread introduction of intellectual property objects in the commercialization process.

In particular, in order to become a member of the World Trade Organization and fully ensure the exclusive rights of foreign investors, inventors and authors in the process of economic and political integration, the Code of Administrative Responsibility of Uzbekistan introduced a new responsibility for violation of intellectual property rights (copyright, invention, useful model and industrial design) on May 2, 2019, along with the already fixed object of intellectual property: trademarks.

In addition, relevant government decisions were made in 2019 to further improve the activities of the Board of Appeals (the pre-trial dispute resolution body) in the field of industrial property for legal protection, and the institution of patent attorneys (providing training, retraining and changes related to their exam system).

It should be noted that narrow departmental interests prevail in the Appeal Council, which includes representatives of various departments (monopoly body, chamber of commerce and industry, and scientific institutions). This ensures openness and transparency when considering appeals.

At the same time, a system of six-month training for patent attorney candidates was introduced in a special training center, along with a system of advanced training for acting patent attorneys at least once every five years.

Currently, it is planned to strengthen criminal liability in order to limit the circulation of counterfeit products, and to apply strict measures to violate intellectual property rights.

In Uzbekistan, special attention is paid to the full protection of copyrights and related rights. This can be seen in the following international agreements and conventions ratified by our country in 2019:

1. Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of Their Phonograms (Geneva, October 29, 1971);
2. WIPO Performances and Phonograms Treaty (WPPT) (Geneva, December 20, 1996);
3. WIPO Copyright Treaty (WCT) (Geneva, December 20, 1996).

It is known that collective management organizations play a special role in protecting copyright and related rights, as well as legislative mechanisms in this area. According to the Decree of the President of the Republic of Uzbekistan dated May 26, 2020, the state duty is now deferred if CMOs apply to the court within the powers granted to them by their copyright holders or their heirs.

Currently, the activity of such public associations in our country is intensifying, and today their number is five. The formation of a spirit of respect among the general public and the expansion of legal knowledge in this area plays an important role in ensuring copyright protection. Particular attention is paid to work in this direction.

Event activities (seminars) are organized in the following three areas:



# INTELLEKTUAL MULK AGENTLIGI

Intellectual Property Uzbekistan Agency Symbol



Sample title document (patents)

1. Expanding legal knowledge among entrepreneurs and manufacturers (these measures are related to the brand) in cooperation with the Chamber of Commerce and Industry and the Monopoly Committee);
2. Activities in cooperation with universities of Uzbekistan, research institutes of the Academy of Sciences Uzbekistan, and TISCs (in the field of invention and industrial design);
3. Events organized in cooperation with territorial bodies of the Ministry of Justice are mainly aimed at preventing and eliminating violations in the field of intellectual property.

In addition to the above, special attention is paid to improving the legal knowledge of specialists in the field of intellectual property in the departments of tax, customs, telecommunications and monopolies.

Another important aspect is that the Department of Intellectual Property was launched in 2019, and a master's degree in this field became available at one of the most advanced universities in Uzbekistan, Tashkent State Law University.

Today, work is underway to develop a national strategy for the development of intellectual property, which is aimed at covering all areas of intellectual property. This strategy plans to identify copyrights and related rights as one priority.

Ensuring copyright protection in the telecommunications network, improving the activities of CMOs,



Photo one of the seminars organized by the Agency on Intellectual Property

fostering respect for copyrights among the general public, ensuring the use of licensed software in public and private administrations, and the use of mediation in disputes in this area are primary goals in the future.

# 6

## Message from Lecturer



**“Wonderful memories with long-term researchers, and honestly, thanks to them, I could learn how to keep our friendship beyond country borders.”**

TANAKA Yoshitoshi  
Professor Emeritus  
Tokyo Institute of Technology



When many people overseas hear the name of organizations such as JPO, APIC, AOTS, I guess that everyone will immediately remember their fruitful training activities and memorable experiences in Tokyo. I believe many people know the roles and contributions of these organizations. It was their daily routine to stay at AOTS and attend the training courses at APIC. Various programs are prepared according to the needs of the participants, and many people from various countries and various organizations such as government agencies, universities, law firms and companies have participated in these programs. Over the last 20 years, APIC has accepted more than 6,600 trainees in total. The acceptance of so many people has given us valuable experiences, and is a wonderful result of the efforts of many people involved. Indeed, I think it is one of the international activities that Japan can be proud of, in the environment and progress of socio-economic globalization.

From 2002 to the end of March 2020, I have been involved in IP education and research at Tokyo Institute of Technology. During my stay in the university for the past 18 years, I have accepted 32 long-term researchers from APIC and WIPO into Tanaka laboratory. Although the period of stay as long-term researchers in Japan has been shortened to 4 months in the past few years, most of the visiting researchers in my laboratory stayed in Japan for 6 months at that time. During their stay, they had their own tasks engaging in research activities focused on the unique IP issues in each country. I had been supervising the researchers, focusing on fundamental and indispensable research theories on how to formulate research framework, how to understand what research is, how to define research questions and hypothesis, and its verification processes. I believe that all long-term researchers successfully completed their tasks and returned back to their home countries with excellent research reports.



Ali-san and Joshi-san at the Tokyo Institute of Technology (2008)



Inviting Saber-san and Li-san to my home (2009)

I have a lot of wonderful memories with each of those 32 long-term researchers individually. I have visited them after they had returned back to their countries, and had heartfelt meetings in person to warm up old relations and be reminded of the memories of when they were staying in Japan. They kindly welcomed me and we enjoyed our time together when I visited there. Generally, we often say, “Seeing is believing”, but by having the opportunities to have visited them and have seen many places and their uniqueness, it was valuable experience for me to understand the people of the world.



Reunion with five members of CNIPA (formerly SIPO) in Beijing (2010)



Le-san's home party in Hanoi (2013)

For me, long-term researchers are very valuable friends, and we can maintain a long-term relationship together. It is often referred to as “one time, one meeting (once-in-a-lifetime meeting)”, which means “It’s only once in our life, so we’ll focus on it and we’ll do our best”. This is easy to say, but it’s not so easy to actually take concrete actions. Moreover, in these cases, since they should maintain cross-border relationships, they require great effort mutually for the people who have to overcome many inter-cultural factors such as language, lifestyle, institutions, sense of values, culture and religion, etc. How can we keep our international relations working together in the global era? Japan is an island nation having a mono-ethnic





Meeting Oyuntsetsen-san again at the IP Office in Mongolia (2014)

people and does not have a contiguous land border, and we have not been well accustomed to receiving foreign people from abroad. I am really impressed by the fact that APIC, which has supported the international training programs, has played a central role in making huge achievements.

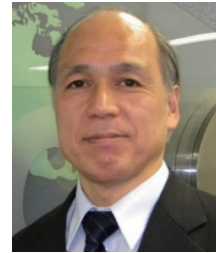
JPO and APIC have been promoting human resource development programs as one of the successful cases in the world. I really respect the efforts of the many staff members who have been promoting these activities. The responsible organization for implementation; APIC has a lot of nice people who have a thoughtful and warm heart, kind and considerate, and they have welcomed many participants with the “Japanese kindness of Omotenashi” to support training and daily life during their stay in Japan. This year, we have been facing the Covid-19 pandemic situation worldwide, and it’s not easy to receive many participants from overseas. However, we hope that JPO and APIC will continue to play a central role in contributing to the real globalization in the future during and after Covid-19.

To all our friends, please try to take effective actions to fight against and beat Covid-19, and open the route to fly to Japan again!

Your lovely friends Mitty and all other friends, await your arrival!

Yoshitoshi

## Column: Masks



Mr. OGIYA Takao  
Director General of APIC

Due to the global epidemic of the new coronavirus infectious disease (COVID-19) that occurred at the end of November 2019, approximately 6 million people have been infected worldwide, and approximately 370,000 have died as of June 1, 2020. The Tokyo Olympics have been postponed, and urgent measures such as citywide lockdowns and entry restrictions are being taken to prevent the spread of infections in countries around the world.

In Japan, the basic idea is not to lock down cities, but to avoid congested spaces with poor ventilation and places where many people gather, and to hold conversations and activities with others at arm's length from one other (Fig. 1). We are continuously requested to cooperate by wearing masks, washing our hands, and gargling (Fig. 2-1, 2-2). As people have responded appropriately to this request for cooperation, the number of new infected people has decreased as of June 1.

Most importantly, almost everyone wears masks when they go out. Although there have been times when it was difficult to obtain disposable masks, people have crafted their own simple masks such as handmade cloth masks, and have used handkerchiefs together with the strings of disposable masks. (Fig. 3 demonstrates how to make these.) Through such efforts, we have nearly achieved the 100% wearing of masks.

Masks began to be used as a countermeasure against infectious diseases during the outbreak of

Important notice for preventing COVID-19 outbreaks.

### Avoid the "Three Cs"!

- 1. Closed spaces** with poor ventilation.
- 2. Crowded places** with many people nearby.
- 3. Close-contact settings** such as close-range conversations.

One of the key measures against COVID-19 is to prevent occurrence of clusters. Keep these "Three Cs" from overlapping in daily life.

The risk of occurrence of clusters is particularly high when the "Three Cs" overlap!

In addition to the "Three Cs," items used by multiple people should be cleaned with disinfectant.

首相官邸 Prime Minister's Office of Japan | 厚生労働省 Ministry of Health, Labour and Welfare | MHLW COVID-19 Search | QR Code

Fig. 1. Countermeasure Poster of Covid-19 #1  
Ministry of Health, Labor and Welfare

Please cooperate in measures against infectious diseases.

## ! "Coughing manners"

The basic measures against infectious disease, as well as the novel coronavirus, are **washing hands** and **"coughing manners" including wearing a mask.**

■ **In order not to transmit viruses to others.**

It is possible that the droplets ejected when you cough or sneeze may contain viruses. Please observe the following "coughing manners".

- **Wear a mask.**
- **Cover your mouth and nose with a tissue etc.**
- **If you suddenly sneeze or cough do so into your elbow or inside your jacket.**
- **Keep as far away as possible from other people.**

**"Coughing manners"**  
Three "coughing manners"

Observe the manners on a train, at work, school or wherever people gather.

If you don't have a mask, Cough or sneeze into your sleeve.

**Correct way to wear a mask.**

1. Ensure both your nose and mouth are covered.
2. Place the rubber string over your ears.
3. Cover up to your nose so there are no gaps.

首相官邸 Prime Minister's Office of Japan  
厚生労働省 Ministry of Health, Labour and Welfare

Please cooperate in measures against infectious diseases.

## ! Washing hands

The basic measures against infectious disease, as well as the novel coronavirus, are **washing hands** and **"coughing manners" including wearing a mask.**

As you touch many objects like door knobs and the straps on trains it is possible that the virus is present on them.

**Frequently wash your hands, upon returning home, before and after cooking and before meals.**

**Washing hands**

**Correct way to wash hands.**

**Before washing hands**

- Keep your fingernails short.
- Remove wristwatches and rings.

1. After thoroughly wetting your hands with running water, apply soap and rub the palms well.
2. Rub the back of your hands up and down.
3. Thoroughly rub the fingertips and nails.
4. Wash between your fingers.
5. Twist and wash your thumbs with the palms of your hands.
6. Don't forget to clean your wrists.

After cleaning with soap thoroughly rinse with water and wipe dry with a clean towel or paper towel.

首相官邸 Prime Minister's Office of Japan  
厚生労働省 Ministry of Health, Labour and Welfare

Fig. 2-1, 2-2. Countermeasure Poster of Covid-19 #2  
Ministry of Health, Labor and Welfare

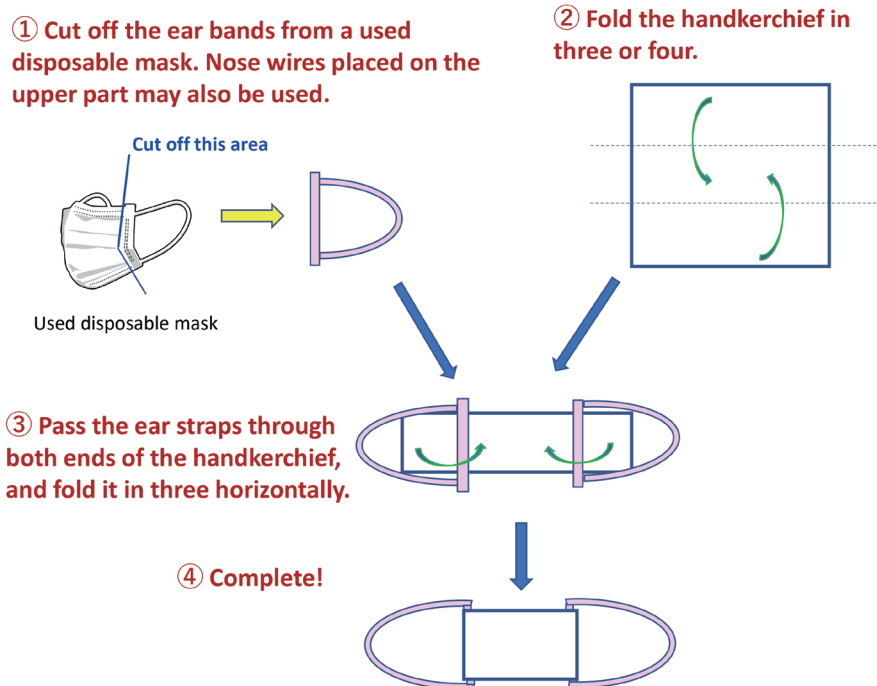
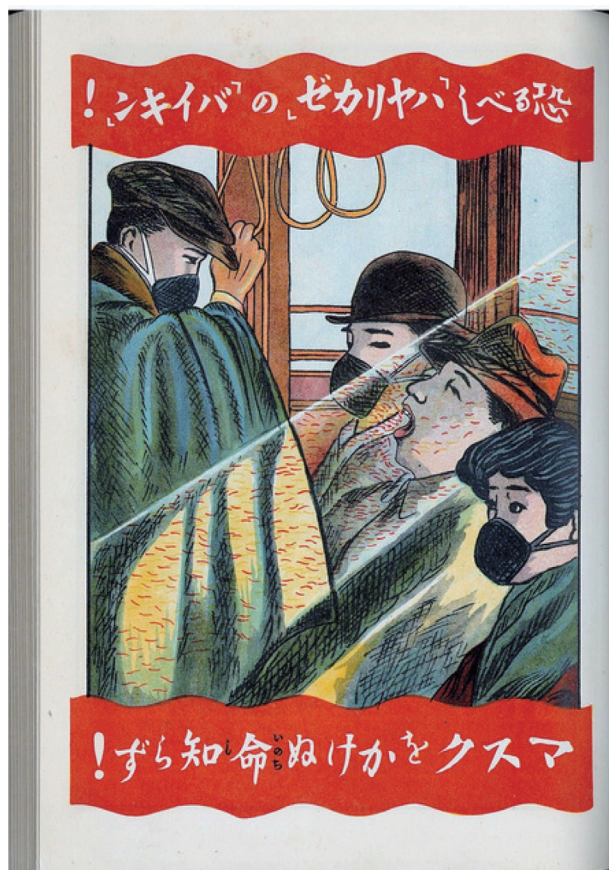


Fig. 3. How to Make a Simple Handkerchief Mask  
(Created by T. Ogiya)

the 1918 (Spanish) flu. The Spanish flu caused a pandemic between 1918 and 1920, and according to the World Health Organization (WHO), it was estimated that about 30% of the world population—around two billion people at the time—became infected. It is said that more than 20 million people were infected, and about 400,000 died, in Japan alone.

Since the existence of the virus could not be confirmed using science and technology at that time, it was an unknown infectious disease. As a countermeasure, the Japanese government called on the general public not to approach crowded places, to wear masks when gathering with others or riding trains, and to keep infected persons isolated.

At that time, masks were mainly used for dust protection by workers in coal mines. They began attracting attention as preventive products, however, and began to be recommended by the government. In those days, a poster message distributed by the government said: “Wear masks in order to protect lives!”, and showed a gentlemen and a lady wearing black masks (Fig. 4).



“How frightening!  
Bacteria spreading the flu.”

“How can he even dare  
to not wear a mask!”

Fig. 4. Spanish Flu Prevention Poster  
Ministry of Interior Hygiene Bureau

After 1934, the number of masks shipments increased with each outbreak of influenza, which occurred around once every decade. In addition, masks were also improved, and high-quality masks began to be available at low cost.

Hay fever became a social problem during the 1960s, and since masks were viewed as effective measures to combat it, Japanese families began keeping masks in their homes. I also have slight hay fever, and I always wear a mask when I go out between February and April every year. For this reason, I purchase a substantial number of masks in advance by January, and so I had no difficulties even when there was a shortage of masks in the market due to this coronavirus infection.

Despite this history of mask usage in Japan, things in this regard seem to have changed somewhat in recent years. Actually, around 2011, the act of simply wearing masks for show has been taken up as a social issue in Japan. Glasses are usually worn for the purpose of correcting vision or shading, but some-

times people wear them for different purposes, such as fashion or makeovers. Similarly, this phenomenon is referred to as wearing glasses for show.

There are various purposes for doing this. Some people wear masks for moisture retention, or protection from cold weather or UV rays. Also, people wear masks as fashion. Other than such purposes, however, it seems that there is a subtle hidden deep psychology at work.

When a media outlet recently researched the purpose of wearing masks for show, the most common reasons given were: “somehow I feel calmer”, “I don’t have to care about other people’s gaze”, and “I do not have to talk to other people”. The mask is a small cloth around the mouth, and it forms a private space that shields one from the outside. In this modern society, indirect communication such as e-mail and SNS has become mainstream. And, it is said that more and more people are not good at face-to-face direct communication. There are also many people who stare at the screen of their smartphones and cannot see their surroundings, such as when they are on a train. For those people, a mask that can avoid direct communication would be a very useful defense.

This tendency may be a phenomenon that is peculiar to Japanese people. Direct communication is fundamental in Europe, the United States, Latin America, etc., and conversation is regarded as important for this purpose. It is less common in western countries than in Japan to “read the surrounding atmosphere” or “catch the feelings of the other person by looking in others’ eyes”. It is obvious etiquette in Europe and the Americas to voice one’s opinions verbally, and to listen carefully to others’ words. In that sense, westerners seem to dislike having to hide their mouth when conversing. As a result, there was considerable resistance to wearing a mask in order to prevent the spread of the coronavirus.

Incidentally, many Japanese people feel resistance toward those who wear sunglasses. Accordingly, many Japanese service businesses do not allow employees to wear sunglasses even in places with strong sunlight. As mentioned above, the eye is an important organ for thinking about the feelings of other people, and hiding one’s eyes from others seems rude in Japan.

With the spread of the new coronavirus infection, wearing masks has become a standard all over the world. While this may be a culture shock to a large extent for Europeans and Americans, it has allowed Japanese people to openly avoid direct communication, which they are not good at. However, a certain percentage of the Japanese will flee to a “safe” place behind their mask, where they will be increasingly cut off from the outside world if this situation continues.

Positive communication is essential for ensuring good relationships. In other words, the abandonment of communication could destroy human relationships. In fact, this possibility may be scarier than a pandemic.

Directly or indirectly proactive, positive communication without escaping to the mask: Isn’t this what the Japanese people really hope for in their future?

## Introduction of JAPAN : Museums (1)

### Edo-Tokyo Museum & Edo-Tokyo Open-air Architectural Museum



Hello, alumni! This is the Editorial Department of the “Enishi—IP Friends Connections” magazine. We provide information on Japan’s tourist spots so that trainees coming to Japan from overseas can fully enjoy the country during their stay.

There were 5,738 museums in Japan as of October, 2018. We recommend that you visit the **Edo-Tokyo Museum** and **Edo-Tokyo Open Air Architectural Museum**. Both museums are very enjoyable and easy to get to.

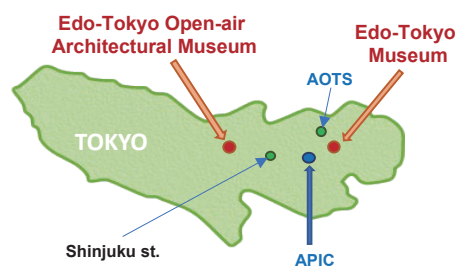
#### Edo-Tokyo Museum

This museum opened in **Ryogoku**, Tokyo on March 28, 1993 as a place to look back on the Edo period, and reflecting on that, to envision the future of Tokyo.

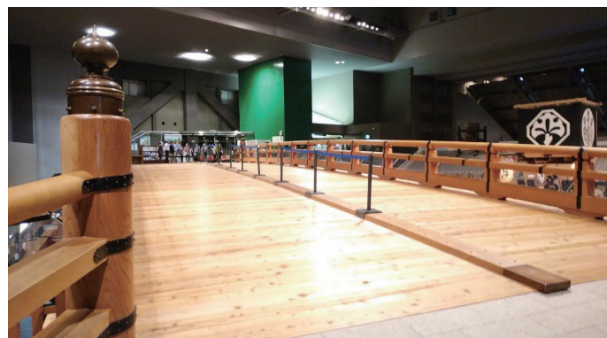
#### “What is Edo?”

Edo is the name of the era in Japan from 1603 to 1868, in which Shogun Ieyasu Tokugawa formed the Tokugawa Shogunate in Edo (also the former name of Tokyo). The Edo era lasted for 265 years and was known as the “era of peace and tranquility.” In 1868 the Meiji Restoration began, government control was given back to the Emperor, and the name of Edo city was renamed to Tokyo. Thus, today Edo refers to “old Tokyo” and Tokyo refers to the more modern post-Edo city.

The entrance of the museum is located on the 6<sup>th</sup> floor. As you enter the museum, you will first see the Nihonbashi Bridge, built from the same wood materials as the original, and to actual height and width, though half the original length. The actual bridge was the first bridge built in Japan, and was still made of wood until 1911. Now the bridge is

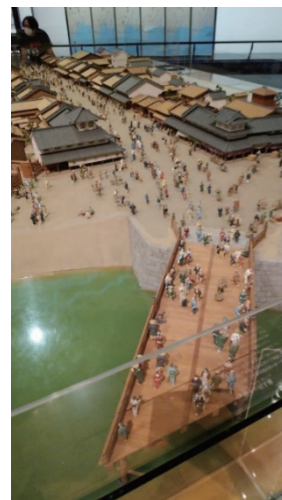


(Tokyo Metropolitan Edo-Tokyo Museum)



made of stone Once you cross this bridge, turning left takes you to the “Edo era” of the museum and turning right takes you to the “Tokyo area.”

First, we time-traveled into the Edo era. The diorama of the Nihonbashi area during the Edo period welcomes you with 800 models of people that each has a different facial expression. It looks like they are about to move around! I was about to shout “Cool Japan!” when I saw those buildings remodeled so finely. I was very impressed with the technical capabilities reproduced from the remaining materials.



(Tokyo Metropolitan Edo-Tokyo Museum)

As you follow the arrows, you will encounter the reproduced living area, a private school, a sushi stand, and a toilet. When you walk forward toward the center, you see a Kabuki stage that was people’s entertainment at that time. The five actual-size dolls with glittering costumes seem to jump right out at you. The stage name is "Sukeroku".

When the Edo Shogunate ended in 1886 and shifted into the Meiji era, Western culture permeated the country. A full-sized room from the 1930s is also exhibited.

The most recent exhibition is from 1960 to 2000. Displays included food samples of school lunches, popular toys from the era, a Walkman (small music player of Sony), and pocket beepers (young people today might not know what those are!). I felt very nostalgic, and at the same time I realized that I was that old!



(Tokyo Metropolitan Edo-Tokyo Museum)

To know more about Tokyo, visit the Tokyo Edo Museum! I am excited about the future development of Tokyo by visiting this museum and knowing the history of Edo and Tokyo.

### Mini Information about RYOGOKU

Ryogoku is the place where the Ryogoku Kokugikan (Sumo stadium) located. You can see this building from the Ryogoku station. You might see sumo wrestlers entering to the stadium during the sumo season.



Sumo wrestlers’ pictures are displayed inside of the Ryogoku St.



There is an actual -sized sumo ring at Ryogoku Edo NOREN building. The tourist information center is also located here.

## Edo-Tokyo Open-air Architectural Museum

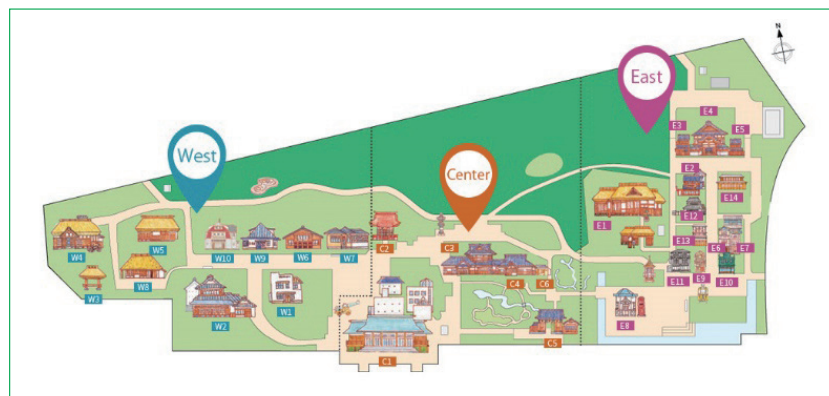
The Tokyo Metropolitan Government established the seven-hectare Edo-Toyo Open-air Architectural Museum as part of the Edo Museum in 1993. This museum is located in Koganei City which is about 20 km west of the center of Tokyo. This museum relocates, preserves and exhibits historical buildings of great cultural value that are impossible to preserve at their original locations. There are currently 30 structures on exhibit.

As you approach the entrance of the Museum, you will see a large visitor center in front of you. I felt very welcomed by such an open space with no buildings around.



Visitor Center (Former "Kokaden" Palace)

The park is divided into three zones, West zone and East zone are on both sides of the Center zone. You can enjoy it no matter which zone you start with. Let me introduce some of the buildings.



**Center Zone:** This area exhibits historical buildings

### House of TAKAHASHI Korekiyo (built in 1902)

I really want to introduce this one to you! The house of Korekiyo Takahashi.

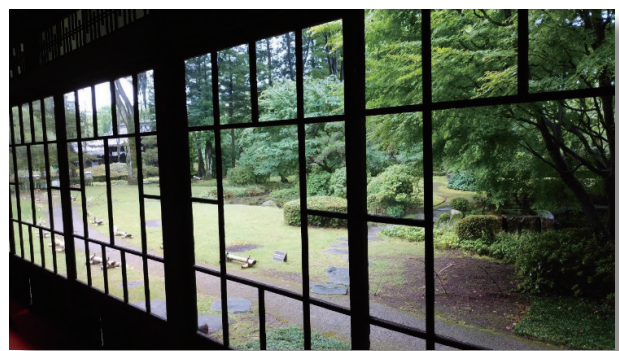
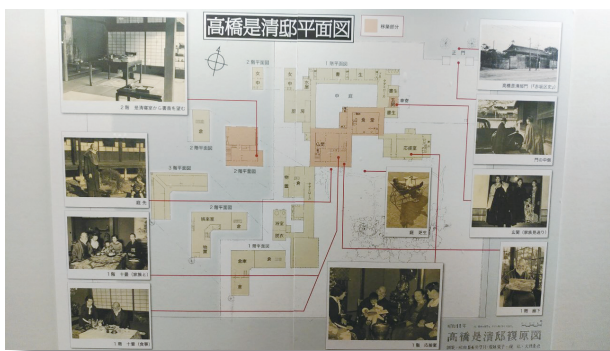
Korekiyo Takahashi was the first Commissioner of the Patent Office (1886-1889). The building in this photo was the residence in which Korekiyo lived, located in Akasaka at the time. An entrance area, dining





room, and an altar room are located on the first floor, and his study was located on the second floor along with his bedroom. The building was built to very high Japanese architectural specifications, and the sliding doors used luxurious glass. By using glass sashes, you can capture light and view the garden from any room. Korekiyo relaxed on the grass by sunbathing and taking walks in his Japanese garden.

The floor of the dining room is a beautiful parquet, and the other rooms are spacious Japanese-style rooms. While looking at the picture of Korekiyo with his family, I could easily image how he lived family life at that time.



**West Zone: Houses of various architectural styles are on display**

**House of Kunio Maekawa (built in 1942)**



This house was built as the home of the architect Kunio Maekawa. During the war, it was difficult to obtain building materials, and it was built with limited space. Items that might have been used at the time are on display, such as kitchen appliances and dining tables. That made me feel like I was in my Grandma's house. As expected in the house of an architect, I saw the ceiling of the colonnade and the western-style bathtub and toilet that were rare at that time.

### **East Zone: Downtown of the Edo era to the early Showa period**

There is an old stationery store, a dry goods store, public baths, etc. You can see inside of these stores. The tools and products that they use to sell and use are displayed.



If you have the chance to come to Japan, please experience a different “Tokyo”, a spacious museum one hour from city center!

#### ■ Edo-Tokyo Museum

<http://www.edo-tokyo-museum.or.jp/en/>

#### ■ Art Council Tokyo Traditional Culture Programs

<http://www.tokyo-tradition.jp/2019/eng/program/>

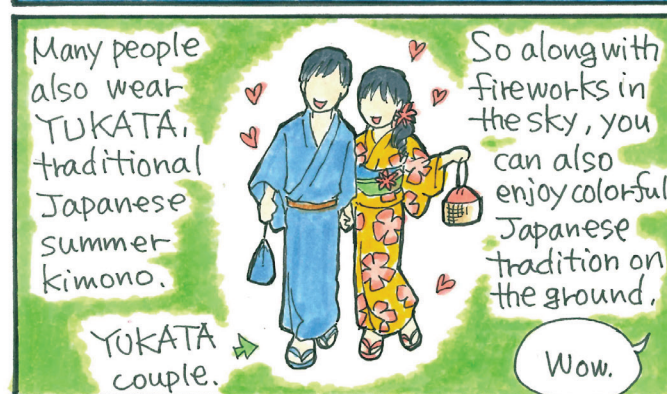
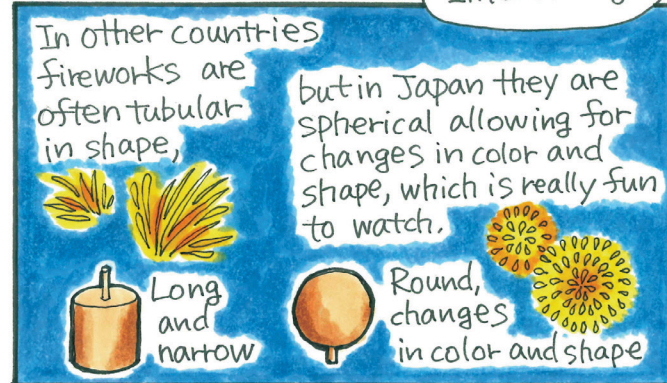
Audio guides are available in English, Chinese, Korean, French, Spanish, German, Italian, Russian, Thai, Portuguese and Malay. (\*A refundable security deposit of ¥ 1,000 is required.)

#### ■ Edo-Tokyo Open-air Architectural Museum

<https://www.tatemonoen.jp/english/>

\*Due to the influence of Covid-19, we were not allowed to go inside of those two houses introduced above, but we were welcomed to go inside for the interview!

## Happenings in Japan (Four-Frame Cartoon)



\*: Unfortunately, many fireworks shows have been cancelled this year due to the Covid-19 pandemic.

## Editor's Note



Hi! I'm Mitty, and I'll be in charge of editing the magazine again this year. This fiscal year, due to the impact of Coronavirus, we will hold remote-style classes where you can study at your home. We can connect on the Internet anywhere, although on the other hand, we feel sad that we cannot meet each other directly.

In Japanese, we have an expression that translates into “reading the air”, which means something like reading between the lines, or guessing your actions based on the situation around you. Sometimes, it is possible to show consideration toward others (sometimes referred to in Japanese as *omotenashi*) by observing them to make inferences. This has limitations, however, since meeting others in person enables us to feel each other—thereby creating a sense of familiarity that often leads to conversations.

Unfortunately, it's hard to meet face to face in this situation. But I hope you will take this opportunity to feel close to one another by “reading the air” through your screens!



Hello! I'm Minori Miyazaki, and I am an editor in charge of this year's APIC-JIPII “ENISHI- IP Friends Connections”.

For the prevention of COVID-19, in addition to avoiding the three Cs and wearing a mask, as introduced in the column, it is also recommended to wash our hands and gargle. Even before Covid-19 began spreading, we had the habit of washing our hands and gargling in Japan. But now that more rigorous and thorough preventive measures are needed, children have begun washing their hands for about 30 seconds by singing songs of around that length, so that they can easily understand. Children who are wearing masks and carefully washing their hands look very cute, but I cannot wait for the day when both children and adults can take off our masks and show each other our big smiles.

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[Consigner]

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