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IP Friends Connections

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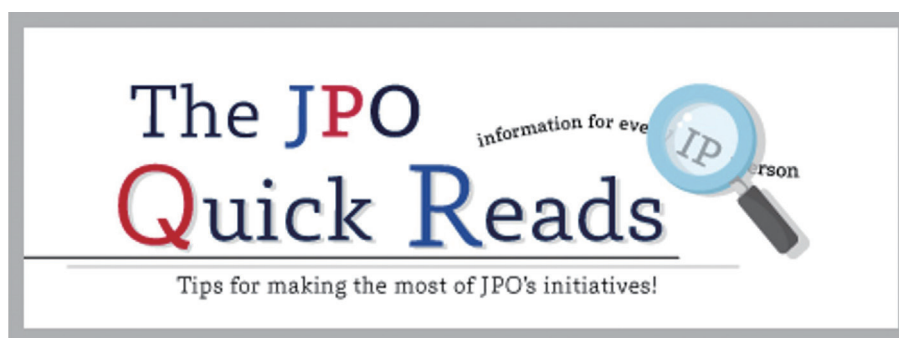
The aim of this Magazine is to follow up on training programs through the dissemination of information to IP Friends, those who have completed training courses of the above program.

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.

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chapter 1



In “The JPO Quick Reads,” the JPO introduces its initiatives and relevant information. Weekly updates help users understand and take advantage of various JPO measures. We hope users feel welcome to the JPO service. We have received positive feedback on X and LinkedIn saying that the JPO Quick Reads are informative and enlightening, and that the updates are frequent. The URL and some recent popular topics are as follows:

[The JPO Quick Reads]

<https://www.jpo.go.jp/e/news/quickreads/index.html>

Updates have also been posted on the following social media platforms:

[JPO Official X] https://x.com/JPO_JPN

[JPO Official LinkedIn] <https://jp.linkedin.com/company/japan-patent-office>

[Recent Popular Topics]

- The 61st APEC’s Intellectual Property Rights Experts Group (IPEG) Meeting (25 August 2025)

The APEC’s Intellectual Property Rights Experts Group (APEC/IPEG) is a long-established and primary platform for IP professionals across the Asia-Pacific region, which the JPO has been actively supporting and participated in for many years!

On August 8-9, 2025, the 61st APEC/IPEG Meeting was held in Incheon, Korea. Participants shared their countries’ latest initiatives in areas such as IP finance, support for SMEs, the promotion of emerging technologies including AI, and IP enforcement.

The JPO presented its initiatives, including the accelerated examination and appeal systems for design applications from startups, research on IP framework and IP policies for inventions and designs created by generative AI, and the Judicial Symposium on Intellectual Property (JSIP).

- Opening of Special Website for the international forums in EXPO 2025 (7 July 2025)

The international forums on promoting Intellectual Property Utilization for the SDGs will be held in EXPO 2025!

On October 4, 2025, the JPO will hold a series of international forums during the Osaka-Kansai EXPO, which will be supported by heads of WIPO and IP offices from various countries.

During these forums, the JPO will hold talk sessions on using IP to address climate change issues. In addition, the forums will promote the active participation of a diverse range of individuals within the field of IP.

The EXPO 2025 JPO-WIPO AWARD ceremony will also honor companies that utilize IP to design better future societies in areas such as climate change, as well as the participation of women.

Details will be released on our newly opened special website for the forums.

➤ PPH eXtra (30 June 2025)

I am pleased to present one of our international initiatives to improve predictability of the examination timing for PPH applications!

To improve the predictability of examination timing, the JPO and USPTO have launched an initiative to publicize both the target and actual average pendency for the First Office Action and the Subsequent Office Actions related to PPH applications. This initiative has been named “PPH eXtra” and is currently being implemented by JPO and USPTO, followed by CNIPA and KIPO. Furthermore, the Austrian Patent Office is beginning the initiative on July 1, 2025.

➤ The IP5 Heads of Office Meeting & The IP5 Heads of Office and IP5 Industry Meetings (23 June 2025)

JPO Commissioner had fruitful discussions with the Heads of the IP5 Offices and IP5 Industry!

On May 28, 2025, Mr. ONO Yota, JPO Commissioner, attended the 18th IP5 Heads of Office Meeting, hosted by the China National Intellectual Property Administration (CNIPA) in Tianjin, China. He engaged in productive discussions with attendees from the IP5 Offices and the WIPO.

The discussions focused on strategies to promote the utilization and commercialization of IP in order to effectively support innovative development of the economy. Each office presented its initiatives in the areas of patent licensing and IP finance. The meeting also explored future IP5 cooperation acknowledging ongoing cooperation in the field of New Emerging Technologies & Artificial Intelligence (NET/AI) based on the operational roadmap established in 2021.

On the same day, a meeting of the IP5 Heads of Office with IP5 Industry was held, where they exchanged their views on promoting economic growth through IP. The release of the booklet titled “The role of IP in fostering the growth of SMEs” and the latest version of the overview table summarizing the common requirements for patent drawings from each office were also announced.

➤ JPO Booth Exhibit at INTA 2025 (9 June 2025)

We exhibited a JPO booth at the INTA Annual Meeting!

From May 17 to 21, 2025, the 2025 INTA Annual Meeting (INTA 2025) took place in San Diego, California, USA.

Throughout the event, we focused on the theme of “Protect your brand. No bad faith trademarks” at the JPO booth. We introduced our measures, shared case studies, and highlighted our international efforts to combat bad faith trademark applications. Additionally, we showcased both genuine and counterfeit products, and distributed pamphlets for EXPO 2025. Through these presentations, we built new connections with over 1,300 IP professionals from 82 countries and regions.

Introduction of FY2025 Long Term Fellowship Researchers

A Journey into Japanese IP: Strengthening Indonesia's SMEs through IP Education

Ms. Widiya Murti Astrini (Indonesia)

National Cooperation Staff (Intellectual Property Analyst)
Cooperation Division, Directorate General of Intellectual Property (DGIP),
Ministry of Law, Republic of Indonesia



I am a Junior IP Analyst from the Directorate General of Intellectual Property (DGIP), Ministry of Law of the Republic Indonesia. I joined DGIP in January 2019. I'm incredibly grateful to be here in Japan for this Study-cum-Research Fellowship Program. This is my first time in Japan and my first experience with a Japan Patent Office program, and it's already been an eye-opening journey.

My job at DGIP is all about connecting with people—from government ministries and universities to businesses and local communities. Through these interactions, I've observed that IP awareness and utilization remain low, especially among Micro, Small, and Medium Enterprises (MSMEs). Of Indonesia's 30.1 million MSMEs¹, only 11% have registered their IP². However, there has been a significant increase in IP registration, particularly for brands from MSMEs, from 1,695 in 2015 to 20,368 in 2024³. In order to maintain this positive trend, there is a need for a more massive and structured IP education program through collaboration between DGIP and other relevant ministries and institutions. We need to do a better job of educating people about IP, especially since SMEs are so vital to our economy.

1 Ministry of Micro, Small and Medium Enterprises. (n.d.) One Data for MSMEs [Infographic], <https://satudata.umkm.go.id/>

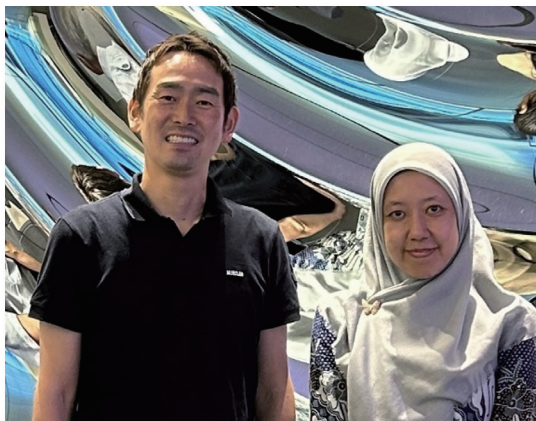
2 CNN Indonesia. (2023, September 4). Out of 64 million Indonesian MSMEs, a mere 11 percent have registered with the DGIP, <https://www.cnnindonesia.com/ekonomi/20230904013550-92-994264/dari-64-juta-umkm-ri-baru-11-persen-terdaftar-di-ditjen-ki-kumham>

3 Directorate General of Intellectual Property. (2025). A Decade of Intellectual Property in Numbers (2015-2024) (p. 108).

Right now, we're facing some challenges in our education efforts. Indonesia is a huge country, and we have limited resources. But we're hopeful that our new "Indonesia IP Academy" platform, which just launched on August 17, 2024, will help us reach more people.

I believe we have a lot to learn from Japan. Japan's innovation system is highly developed, and it shows in their 13th ranking on the Global Innovation Index (GII) 2024, while Indonesia ranks 54th⁴. We can learn how Japan simplifies complex IP concepts for MSMEs and how the government supports their development. This is why I've chosen to focus my research on "Increasing the Awareness and Utilization of IP for Indonesian SMEs: Learning from Japan's Experience." I hope my work can make a small yet meaningful contribution to the future of Indonesian businesses.

I've already had great meetings with my advisors: Mr. NAKAHATA Minoru, Representative of One ip Patent (on September 16th) and Mr. OZAKI Noriaki, Representative of S-Factory (on September 25th), along with my supervisor, Dr. SUWA Yorimasa, Senior Researcher of APIC, JIPII. From their meetings, I've gained valuable insights into the development of Japanese MSMEs and the support they receive from the government. These findings have both motivated and challenged me to fulfill my research objectives.



With Mr. NAKAHATA Minoru (left)



With Mr. OZAKI Noriaki (right)

Finally, I'd like to extend my sincere gratitude to Mr. NITTA Minoru, Director of the International Cooperation Division of the Japan Patent Office, for this opportunity, and for the incredible welcome at my research space, and to all APIC members for their continued support since the day of my arrival.



With Mr. NITTA Minoru (left)

4 World Intellectual Property Organization. 2024. Global Innovation Index 2024 GII 2024 results. <https://www.wipo.int/web-publications/global-innovation-index-2024/en/gii-2024-results.html>

Beyond Borders: Lessons on Improving Patent Examination through Outsourcing Practices in Japan

Ms. Rungrawee Impiew (Thailand)

Patent examiner, professional level
Department of Intellectual Property (DIP), Ministry of Commerce



In today's world, competitiveness has become a defining measure of how well nations can adapt to rapid change and also foster innovation. Thailand placed 30th in the IMD World Competitiveness Yearbook 2025, moving from 25th in 2024. Rather than being a setback, however, this highlights the importance of strengthening the foundations of competitiveness—wherein intellectual property protection is crucial. In this regard, the patent system plays a pivotal role in supporting Thailand's innovation capacity. Although the current examination framework faces challenges, including a growing number of applications and a lengthy pendency, these issues also present opportunities to explore new approaches that can enhance efficiency and credibility. With the forthcoming Patent Act amendment providing fresh momentum, this is an opportune time to strengthen Thailand's examination management by enhancing strategic measures, such as outsourcing prior art searches and related processes.

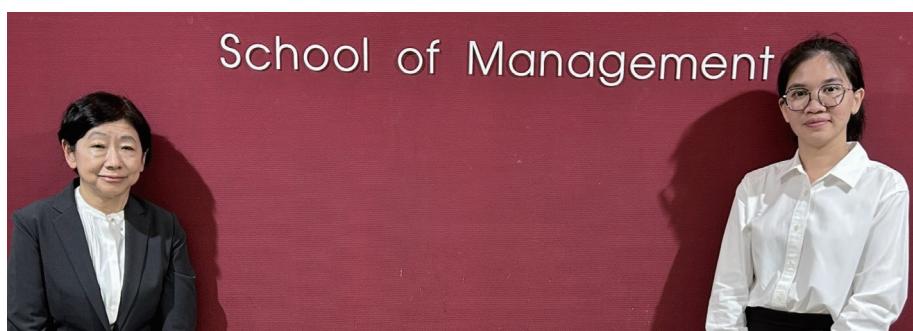
Thailand has recognized this imperative by revising its Patent Act. A key highlight is the removal of redundant preliminary examination steps, and their consolidation into the substantive examination phase. The draft patent law also requires applicants to request substantive examination within three years from the filing date, which will help to bring applications into the examination stage more quickly. As the new Patent Act is expected to be enacted in the near future, the DIP must be prepared to address the anticipated increase in examination workload—particularly at the substantive stage of examination. To effectively manage this change, a robust system for handling patent applications is essential. Amidst the increasing volume of patent filings, outsourcing prior art searches to qualified external agencies will serve as a vital strategy for maintaining examination quality and timeliness. Looking back at how outsourcing has been utilized in the past, only 516 such requests were submitted. Among these, 80% was performed by domestic agencies, and 20% by international ones. Moreover, although 18 agencies were officially designated by the DIP, only a few have remained operational. Drawing on this experience, Thailand is currently exploring approaches to improve and manage the outsourcing system in order to ensure its effectiveness.

This research focuses on how outsourcing arrangements, especially for prior art searches and related tasks, can be strategically integrated into patent examination management. The experience of the Japan Patent Office, with its structured framework for outsourcing, offers valuable perspectives on both technical practices and policy design. By studying these approaches, I aim to identify lessons that may guide Thailand in building a more responsive and sustainable examination system, including determining the appropriate scope of outsourced tasks, establishing effective management and quality control mechanisms, incentivizing searchers to conduct high-quality searches, and maximizing the use of search output for examination decisions.

Undertaking this study has been both a professional responsibility and a personal dedication. It reflects the belief that strengthening the patent system requires more than addressing immediate backlogs, and it also involves ensuring that the system remains credible, efficient, and adaptable over the long term. Drawing from Japan's practices, I aim to contribute insights that inform improvements in Thailand's patent examination process—ultimately optimizing benefits for inventors, businesses, and society as a whole.

I would like to express my sincere and deepest appreciation to those who have supported me throughout this endeavor. I am deeply grateful to my supervisor, Dr. SUWA Yorimasa, for his invaluable guidance and encouragement. I would also like to express my sincere thanks to my advisors, who are as follows:

Professor TSUBAKI Michiko, Director, School of Management, Tokyo University of Science, whose expertise as the Leader of Examination Quality Control Subcommittee, Intellectual Property Committee of Industrial Structure Council, has been instrumental in shaping my understanding of sustainable patent office practices.



With TSUBAKI Michiko (left)

Ms. MUKOHYAMA Mai, Manager, Business Promotion Division/Policy Planning Department/Policy Planning Office, Industrial Property Cooperation Center (IPCC), who provided me with essential perspectives on the operational realities of outsourced organizations.

The insights from both of my advisors have greatly enriched this research, and will continue to guide my future work. This will ensure that the findings are not only valuable for the study itself, but also applicable to the management and enhancement of Thailand's patent examination system.



With Ms. MUKOHYAMA Mai (left)

Articles from Former Trainees

CERTIFICATION MARKS IN THE CONTEXT OF THE GOALS OF THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

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Trademark Examiner, DIRMA/DITEC VIII
National Institute of Industrial Property (INPI)



*JPO/IPR Training Course on Substantive Examination of Trademarks
(February 13–February 21, 2025)*

1 The 2030 Agenda and Sustainable Development Goals

The United Nations (UN) developed an agenda for the various needs that must be met in order to achieve a less unequal and more sustainable society, by interconnecting environmental and social components through industrial and technological development in order to enable the world to prosper in a sustainable way—thereby enabling a more sustainable future for the next generations (UN WSS, 2017). The 2030 Agenda for Sustainable Development aims to stimulate changes in thinking and behavior in society in order to seek more sustainable development of the planet.

The 2030 Agenda for Sustainable Development is the result of a global participatory process coordinated by the UN, together with the collaboration of governments, civil society, private sector and research institutions. Its main objective is to ensure human development, and to meet citizens' basic needs through an economic, political and social process that respects the environment focus on sustainability (UN, 2015). It was adopted in September 2015 by the 193 UN Member States, and came into force on January 1, 2016. It presents 17 Sustainable Development Goals (SDGs), and 169 targets that contribute toward their fulfillment, with the goal set to achieve them by the year 2030. The SDGs proposed in the Agenda cover the environmental, economic and social dimensions of sustainable development in an integrated

and interrelated manner. The 2030 Agenda defines a wide range of economic, social, and environmental objectives, and envisions more peaceful and inclusive societies. The 17 Sustainable Development Goals (Figure 1) and the 169 targets were conceived to establish guidelines within a global environment, and to reinforce the interconnection and balance of the three dimensions of sustainable development: economic, social and environmental (UN, 2015a).



Figure 1 - The 17 Sustainable Development Goals – SDGs
Source: <https://brasil.un.org/pt-br>

The SDGs aim to stimulate actions, decisions and the definition of policies in five integrated and fundamentally important dimensions: people, planet, prosperity, peace and partnerships, known as the five “Ps” of sustainable development (Figure 2).



Figure 2 - The 5 dimensions of Sustainable Development
Source: <https://www.cell.com/heliyon/fulltext/S2405-8440%2824%2901511-1#fig1>

Companies must play a central role in contributing toward global efforts to mitigate environmental impacts, as well as in improving individuals' quality of life. While companies are pressured by public and private policies to take on a leading role in the field of sustainable development, they are under even greater pressure from consumers. "Green" consumers, especially those belonging to younger generations, are increasingly aware of what they consume, and the impact their consumption causes; and therefore, increasingly demand sustainable action from companies.

In addition to strengthening their reputation, and gaining trust (and consequently, loyalty) from consumers, those companies' brands that truly stand out in the market by adopting sustainable practices have enormous potential for differentiation and being competitive. This tends to be even greater if the provided products/services are certified, thereby allowing them to be even more globally competitive.

Certification Marks stand out in this sense, since by guaranteeing compliance with certification criteria for certain characteristics of products/services, these marks can represent considerable added value in the field of sustainability. This is even more so if they cover the SDGs, which offer guidelines and indicate global trends within the field of sustainable development.

2 Certification Marks

The certification mark is defined by the World Intellectual Property Organization – WIPO as “a sign which is used or intended to be used to distinguish goods or services dealt with or provided in the course of trade and certified by the proprietor of the certification mark in relation to origin, material, mode of manufacture of goods or performance of services, quality, accuracy or other characteristics, from other goods or services dealt with or provided in the course of trade but not so certified” (WIPO, 2010, p.4).

Certification marks indicate the conformity of certain products and services with a certain standard or specific characteristics, as stipulated by the owner/holder of the mark. The certification mark's owner or holder may be an individual or legal entity, under either private or public law, as long as there is no direct commercial or industrial interest in the product or service provided. While it is not necessary for the owner or holder to be a certifying entity, in either case there must be the impartiality typical of one. The certification mark's owner/holder is not a user, since it must be used by third parties and authorized by the certification mark's owner/holder, since its use complies with the conditions previously established in the technical documentation. It is up to the owner/holder not only to grant authorizations for the use of the sign, but also to establish and apply control measures, as well as sanctions in the event of non-compliance with the rules of use.

The purpose of the certification mark is to ensure and attest that products or services from different producers or service providers have certain common characteristics, thereby guaranteeing that such products or services have been tested and approved, and that they have undergone prior control and been deemed suitable. Through technical documentation, the holder of the certification mark determines the characteristics or attributes to be certified in the products or services, thereby meeting the demands of consumers or the market in general. Technical documentation is the instrument through which the technical aspects and characteristics of certified products/services, control measures, scope of the certification mark and limitations, rights, duties and sanctions of its users will be regulated. It is a legal requirement and a condition for the legal protection of the certification mark itself, since this is essential in order to make it effective.

Certification is one of the best ways for the end consumer to recognize the presence of certain properties in products or services that characterize and/or qualify them, once they have been subjected to a control system carried out by a third party independent of the manufacturer or retailer with economic and

technical suitability (ANGULO, 2006). In this sense, certification marks are shown to be effective instruments for attesting to socio-environmental properties associated with products or services, giving them added value and functioning as a tool for differentiation and gaining a reputation for the companies that use them. In addition to informing the adoption of socio-environmental responsibility measures by companies, certifications protect the consumer from green and social washing practices in a certain way, since the certification symbols give credibility and legitimize the information attributed to the certified mark.

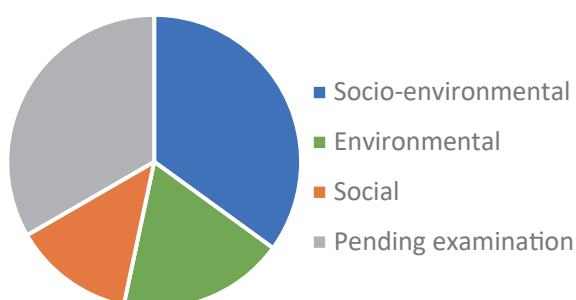
In order to comply with the global guidelines that are proposed by the UN and are in line with market and consumer demands, certification marks are expected to establish technical documentation criteria for assessing compliance that take into account the SDGs.

3 Case Study

The data collected for this article was obtained from analyzing the content of technical documentation belonging to active certification marks in the database of the Brazilian National Industrial Property Institute (INPI). The research sample includes the certification marks whose registration applications at INPI were filed between January 1st, 2016 and September 1st, 2022, and only certification marks focused on sustainable development were selected. The analysis of the technical documentation belonging to the active certification marks considered for the research sample aimed to verify whether there is a direct or indirect relation to the technical criteria used to certify the products/services specified by them, and the SDGs established by the 2030 Agenda.

From the total amount of 132 active trademark registration applications, 60 of them present (or are eligible to present) technical requirements for certification covering criteria focused on sustainable development. Among the technical criteria listed in the technical documentation analyzed, 21 presented socio-environmental criteria, 11 presented only environmental criteria, and 8 presented only social criteria. The remaining 20 (from among the 60 total certification marks analyzed) could not be included in this classification because they are pending examination (graph 1).

Criteria listed in the Technical Documentation

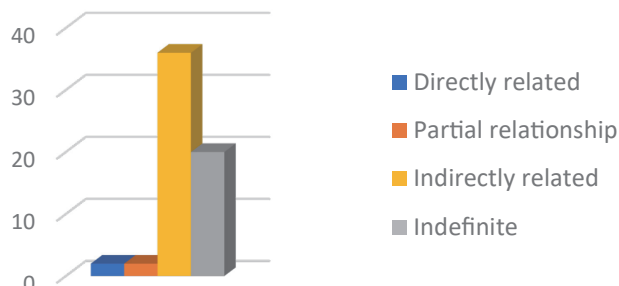


Graph 1 - Overview of technical criteria when filing technical documentation of certification marks (created by the author)

Considering the relationship between the technical certification criteria established in the certification mark technical documentation and the goals/targets listed in the 2030 Agenda for Sustainable Development, only two among the 60 documents analyzed establish certification criteria that are directly related to the SDGs. Another two show a partial relationship, while 36 present content that is indirectly related to the targets established by the SDGs. The remaining 20 present content that was not subject to

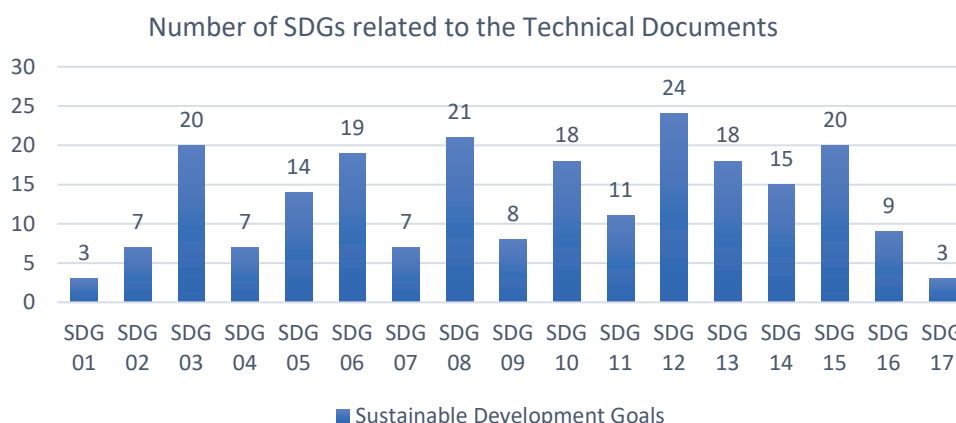
definition at the time of analysis, due to inconsistencies in the content of the technical documentation (graph 2).

Degree of correspondence between the certification criteria listed in the Technical Documentation and the SDGs



Graph 2 - Requirements regarding the content of the technical documentation (created by the author)

Finally, the number of SDGs related to the technical documentation belonging to them was extracted from the analysis of certification marks aimed at sustainable development, either directly or indirectly, as shown in graph 3 below.



Graph 3 - Number of SDGs related to the technical documentation (created by the author)

It is important to note that all 17 SDGs were directly or indirectly referenced in the technical documentation sampled. However, the reasons for the greater or lesser incidence of each of them are not clear, and should be subject to a more in-depth study due to the complexity and diversity of the factors involved.

CONCLUSION

Based on an analysis of the documents selected for the research sample used in this study, we can conclude that despite being part of a global agenda that establishes guidelines for the promotion of sustainable development, the SDGs were not significantly considered when preparing the certification criteria listed in the technical documentation of the certification marks analyzed within the INPI's trademark database.

Although many of the 169 targets are covered indirectly in the aforementioned documents, the fact that only two documents present certification criteria explicitly based on the SDGs, while only another two mention them at all, reveals that, these goals did not have significant coverage in this area. This may be due to several factors, such as a lack of knowledge on the part of the certification mark holders/applicants, either due to insufficient dissemination of the agenda or a lack of interest or opportunity for access on their part. The lack of public policies to promote the SDGs, and incentive mechanisms for achieving them, may also have contributed to the insignificant result. Investigation of the motivations requires more in-depth study, and should be the subject of future research.

Finally, it is worth highlighting that we are just over five years away from the deadline for meeting the Sustainable Development Goals and Objectives of the 2030 Agenda. Therefore, it is imperative and urgent that instruments and strategies for promoting them, such as the certification marks discussed in this article, be disseminated and encouraged within both the public and private sectors. After all, the SDGs must be achieved by everyone, and for everyone.

REFERENCES

- ANGULO, A. C. U. (2006). As marcas de certificação. Tese de Doutorado em Direito, Área de Relações Internacionais pela Universidade Federal de Santa Catarina. Santa Catarina.
- ECONOMIDES, N. S. (1987). *The economics of trademarks*. *Columbia Department of Economics Working Paper*, p. 353.
- ELKINGTON, J. (1994). *Triple bottom line revolution: reporting for the third millennium*. *Australian CPA*, v. 69, p. 75, 1994.
- INPI – Instituto Nacional da Propriedade Industrial (2016). Instrução Normativa nº 59, de 25 de agosto de 2016. Dispõe sobre o pedido de registro da marca de certificação. Available at: https://www.gov.br/inpi/pt-br/servicos/marcas/arquivos/legislacao/copy_of_IN_592016certificacao.pdf Accessed on 18 aug. 2022.
- LAGES, N. S; VARGAS NETO, A. (2002). Mensurando a consciência ecológica do consumidor: um estudo realizado na cidade de Porto Alegre. *Anais do Enanpad*, Salvador.
- LANDES; POSNER (1987). *Trademark law: an economic perspective*, *Journal of Law & Economics*, vol. XXX, p265-311.
- ORGANIZAÇÃO DAS NAÇÕES UNIDAS – ONU (2015). Transformando nosso mundo: a Agenda 2030 para o Desenvolvimento Sustentável. Available at: <https://brasil.un.org/sites/default/files/2020-09/agenda2030-pt-br.pdf> Accessed on 20 jul. 2022.
- _____. (2015a). *Transforming Our World: The 2030 Agenda for Sustainable Development*. Nova Iorque: ONU.
- _____. (2015b). *Press Kit for the Sustainable Development Summit 2015: Time for Global Action for People and Planet*. Available at <https://openknowledge.fao.org/server/api/core/bitstreams/73580adf-cdb5-461b-af7d-d2051eb76a63/content> Accessed on 20 oct. 2022.
- _____. (2011) PNUMA – Programa das Nações Unidas para o Desenvolvimento. Towards a GREEN economy. Pathways to Sustainable Development and Poverty Eradication. A Synthesis for Policy Makers. Available at <https://wedocs.unep.org/bitstream/handle/20.500.11822/12099/GLOCIGESummaryPolicyMakers.pdf?sequence=1&map%3BisAllowed> Accessed on 18 aug. 2022.
- POSNER, R. (2005). *Intellectual property: the law and economics approach*, *Journal Economic Perspectives*, vol. 19, nº 2, pp. 57-73.
- SACHS, J. D. (2012). *From Millennium Development Goals to Sustainable Development Goals*. *The Lancet*, 379(9832), 2206–2211. Available at [https://doi.org/10.1016/s0140-6736\(12\)60685-0](https://doi.org/10.1016/s0140-6736(12)60685-0). Accessed on 14 sep. 2022.
- SCHEYVENS, REGINA, GLENN BANKS, E EMMA HUGHES. (2016). *The Private Sector and the SDGs: The Need to Move Beyond ‘Business as Usual’: The Private Sector and the SDGs: Moving Beyond ‘Business-as-Usual’*.

- Sustainable Development* 24 (6): 371–82. Available at <https://doi.org/10/f9gbn8>. Accessed on 09 sep. 2022.
- UN, (United Nations). (1992a). *Report of the United Nations Conference on Environment and Development, Annex I: Rio Declaration on Environment and Development*. Available at: https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.151_26_Vol.I_Declaration.pdf Accessed on 14 sep. 2022.
- UN GA (United Nations General Assembly). (2015). *Transforming our world: the 2030 Agenda for Sustainable Development. Resolution adopted by the General Assembly on 25 September 2015*. Available at <https://sdgs.un.org/2030agenda>. Accessed on 08 sep. 2022.
- UN WSS, (United Nations Web Services Section). (2017). *Sustainable Development Goals*. Available at <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>. Accessed on 09 oct. 2022.

A Brief Glimpse of Public Order and Morality Rules in Biotechnological Patents

Ms. Ebru ÖZDOĞAN (Türkiye)

Turkish Patent and Trademark Office
Attorney at Law, LL.M.



*JPO/IPR Training Course on Anti-Counterfeiting Measures for Practitioners
(November 18–November 25, 2024)*

The intersection of biotechnology, law, and ethics

In the context of contemporary scientific progress, biotechnology has emerged as an interdisciplinary field that facilitates the optimization of the functional and structural characteristics of living organisms. This process entails the comprehensive study and systematic modification of genetics, biochemistry, and cellular processes. Advancements in this field have precipitated substantial transformations in critical sectors, including healthcare, agriculture, and industry. At the same time, biotechnological patent mechanisms legally safeguard the technical superiority and industrial applicability of these original inventions. Patent claims in sensitive applications, however, such as human genome manipulation, cloning, and genetic intervention, are not solely constrained by technical and economic criteria. Instead, they underscore the imperative to observe public order, ethical norms, and natural balance. Such technological interventions have the potential to engender risks, including the destabilization of ecosystems, loss of biodiversity, and long-term environmental negativity.

General perspective on public order and morality rules

Many legal regulations ensure the protection of innovation by defining patentability criteria and maintaining process consistency not only at the national level, but also internationally. While fundamental criteria such as technical novelty, industrial applicability, and inventive step are adopted by disparate legal systems; some jurisdictions also incorporate public order and ethical norms into the evaluation process.

In this context, the European Patent Convention (EPC) and Agreement on Trade-Related Intellectual

Property Rights (TRIPS) serve as the cornerstone of international patent standards, playing a crucial role in shaping a unified framework among member states.

Member states are obligated to adhere to a set of common standards in accordance with the provisions stipulated by frameworks such as TRIPS and EPC. However, members also maintain the prerogative to exercise regulatory oversight over matters that have the potential to impact public order, morality, or environmental integrity. In particular, TRIPS Article 27(2) permits the exclusion of inventions from patentability when their commercial exploitation within a member's territory is deemed necessary to safeguard public order or morality—especially in matters concerning the protection of human, animal, or plant life and health, or the prevention of significant environmental harm. Furthermore, TRIPS Article 27(3) stipulates the non-patentability of certain categories, including diagnostic, therapeutic, and surgical methods, along with the general biological processes involved in the production of plants and animals. Similarly, EPC Article 53 restricts the granting of European patents for inventions whose commercial exploitation might conflict with public order or morality, as well as for plant or animal varieties and essential biological production processes, while delineating exceptions for products used in such methods. This Article provides members with the flexibility to exclude the following from patent protection: those inventions which run contrary to public order and morality; plants and animals other than microorganisms; and biological processes other than microbiological ones for producing plants or animals.¹

In this regard, developing countries have strategically employed the flexibility inherent in their national patent laws to address both innovation and ethical concerns in a balanced manner. For instance, Article 82 of Türkiye's Industrial Property Law No. 6769 includes a provision that broadly excludes inventions conflicting with public order and moral values. In this context, it aims to ensure that technological progress does not endanger social or environmental interests, in line with TRIPS and EPC. It also envisages that sensitive technologies be evaluated not only in terms of technical and economic merits; but also ethical standards and public welfare.

It is important here to note that the concepts of “*morality*” and “*public order*” in the provisions in question are not defined. The underlying reason for this phenomenon is attributable to the multifaceted nature of belief systems, linguistic and cultural variations, and historical backgrounds that characterize diverse societies. This situation leads to the formation of different social dynamics and changes in moral rules and public order, even in different time periods. It is important, however, to outline the general framework of these concepts for the applicability of the aforementioned articles.

Public order and morality interpretations in European law

The concepts of public order or morality have been discussed in important judicial decisions, beginning with the patent case in *Plant Genetic Systems* for genetically modified seeds and plant cells. According to this case, the idea of morality is associated with a belief that certain actions are appropriate and right; while other actions are immoral. This belief is based on the totality of established standards which are deeply ingrained in a given society. Regarding the EPC, it was stated that the culture in question was the one fundamental to European society and civilization, and that inventions whose use would violate the generally-accepted norms of behaviour related to this culture would therefore be excluded from patentability on the grounds that they were immoral under Article 53(a) of the EPC. It was also stated that the concept of public order should be interpreted in a way that would cover the protection of

¹ Sreenivasulu N. S., ‘Law Relating to Biotechnology’, *Intellectual Property Rights in Biotechnology* (Oxford University Press 20 October 2016) 120

public safety, as well as both environmental and ethical issues.

The OncoMouse decision is one of the first to discuss limitations on morality. The invention relates to a genetically modified oncogenic mouse for use in cancer treatment research. Primarily, the EPC review section did not consider the public limitation related to morality and order. However, the EPC Technical Board of Appeal evaluated that this could lead to problems such as animal suffering, as well as the genetic manipulation of mammals. It has also been stated that releasing genetically modified mice into nature may cause the unpredictable adverse effects mentioned before. The Board requested that the exceptions to patentability be interpreted narrowly, and that the patenting of the invention be examined in detail.² Consequently, it dismissed the immorality objection on the following grounds: that the public opinion survey report submitted to the case would not reflect the moral understanding of the entirety of Europe; that in order for the invention to be excluded from the scope of patentability, the subject matter of the invention must be universally considered immoral, that there must be an overwhelming consensus not to grant the patent; and that while the protection of the environment may concern public order, sufficient evidence was not submitted that the environment would be harmed as a result of the application of the invention subject to the patent.³

Another important decision in patent law was reached in the Oliver Brüstle v Greenpeace case, which directly addressed the contentious issue of embryonic stem cell patentability. The case involved a legal battle after German researcher Oliver Brüstle applied for a patent on neural stem cells, and Greenpeace rejected his application. The European Court of Justice ruled that human embryo-derived cells are not eligible for patent protection, resulting in Brüstle's patent rejection. The decision included an assessment that embryonic stem cells represent the beginning of human life; and therefore, cannot be patented for commercial or industrial purposes. It is evident that the decision in question establishes the ethical limits of embryonic stem cell research and applications.

Another ethically controversial case is Eli Lilly v Human Genome Sciences⁴, which concerns DNA sequences. This case involves an important judicial decision on the patentability of genetic material. This case between two pharmaceutical companies brought about many debates on the use of genetic information for commercial purposes and patent rights. As a result of the case, the court ruled that the isolation and identification of certain genetic sequences is not enough, and that the functional use of these sequences must also be shown in the patent application. The case outlined the limits of using genetic information as a commercial commodity, and stipulated that certain criteria must be met in the patenting process. In this context, the decision ensured that research in this field is carried out for the general benefit of society, while also limiting the use of genetic information for commercial purposes.

U.S. patent law: Distinct approaches to public order and morality

On the other hand, patent law in the United States does not explicitly mention “public order” or “morality” as grounds for exclusion from patentability. This liberal approach of the U.S. judiciary was supported by the U.S. Patent Office by granting patents to biotechnological inventions. The Chakrabarty decision laid the foundation for biotechnology patent law, marking a turning point. The issues taken into consideration in the decision regarding patentability involve how the novelty condition is to be met, and whether the subject matter of the invention is a discovery or an actual invention. Although objections

² Brad Sherman Lionel Bently, Dev Gangjee, Philipp Johnson, *Intellectual Property Law* (Sixth edn, Oxford University Press 09 November 2022) 539

³ Ibid 540

⁴ UKSC 2010/0047



were raised on the grounds of ethical and moral objections, these remained in the background since the aim at that point was to advance science and technology.

When the liberal approach adopted by the U.S. is considered, the adopted policy is clearly different. Herein, technology and science are prioritized; and—as with biotechnological inventions—an approach is followed to remove non-universal obstacles facing patents, such as morality and public order.

A view on different approaches of U.S. and European law

Although ethical rules are based on values such as justice, equality and honesty, these concepts vary even from person to person. Societies, and the societies they encounter, along with their historical pasts, have been effective in the formation of moral rules, and the dynamics that create public order. Since the political history of the U.S. began more recently than European countries, and since its citizens are composed of various nationalities, the moral rules are more flexible since the common values created are built to cover all societies. European countries' deep-rooted history has united their society around common values based on the past, and provided sufficient time for the formation of common moral codes.

In Europe, it is seen that human and social order are prioritized within the rules of morality and public order. From this perspective, it is accepted that humanity is in a higher position; and that technology and science should serve humanity. Therefore, as technology and science advance, it is desired to prevent issues that may harm humanity and its future.

Final remarks

In conclusion, the concepts of morality and public order are inherently dynamic, and are moulded by the unique historical, cultural, and social contexts of each society. Attempting to establish a universal definition or application is both impractical and counterproductive. Therefore, legal frameworks such as TRIPS, EPC and Türkiye's Industrial Property Law No. 6769 should maintain flexibility and sensitivity to these internal dynamics, ensuring that ethical standards and public welfare are addressed in ways that are compatible with local values. This tailored approach not only preserves national identity, but also fosters a more nuanced balance between the promotion of technological innovation and the safeguarding of societal interests.

Utilizing “Assessment Conclusions” by the Vietnam Intellectual Property Research Institute, and “Expert Opinions” by the Vietnam Intellectual Property Office in the Enforcement of Industrial Property Rights in Vietnam

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*JPO/IPR Training Course for Practitioners Specializing in Patents
(October 28–December 13, 2021)*

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Terminology Note: For the purposes of this article, the following abbreviations are used:

- **“VIPRI”:** Vietnam Intellectual Property Research Institute;
- **“IP VIET NAM”:** Intellectual Property Office of Vietnam;
- **“Assessment Conclusions”:** Written conclusion issued by the Vietnam Intellectual Property Research Institute;
- **“Expert Opinions”:** Written opinion issued by the Intellectual Property Office of Vietnam;
- **“IP Law”:** Vietnam’s Intellectual Property Law (2005), as amended in 2009, 2019, and 2022;
- **“Decree 105/2006/ND-CP”:** Decree 105/2006/ND-CP amended by Decree 119/2010/ND-CP and Decree 154/2018/ND-CP, detailing and guiding the implementation of a number of articles of the Law on Intellectual Property on the protection of intellectual property rights and state management of intellectual property;
- **“Decision No. 1879/QĐ-BKHCN”:** Decision dated 07 March 2018 on the organizational structure and functions of VIPRI, issued by the Ministry of Science and Technology;

- **“Decision No. 156/QD-BKHCN”**: Decision dated 03 March 2025 on the organizational structure and functions of IP VIET NAM, issued by the Ministry of Science and Technology;
- **“Enforcement Authorities”**: Authorities including Courts, Inspectorates, Market Managements, Customs, Polices, and People’s Committees at all levels with jurisdiction to handle IP infringements.

INTRODUCTION

According to IP Law, in Vietnam, there are three measures to handle intellectual property infringement, namely civil measures, administrative measures and criminal measures (Article 199.1¹ of the IP Law). When handling cases, based on evidence and legal grounds, Enforcement Authorities, including the Courts, Inspectorates, Market Managements, Customs, Polices, and People’s Committees at all levels (Article 200.1² of the IP Law) are responsible for issuing their Judgment Orders/Decisions to resolve the case under their authority. However, in complicated cases, the Enforcement Authorities often seek opinions from organizations or individuals with in-depth expertise in intellectual property to supplement expert assessments and enhance objectivity and accuracy before making final decisions. From the perspective of **Industrial Property infringement cases**, the **Vietnam Intellectual Property Research Institute**, with the right to provide **Assessment Conclusions**, and the **Intellectual Property Office of Vietnam**, with the right to provide **Expert Opinions**, are two organizations that are often consulted by Enforcement Authorities. This article aims to provide information for readers to better understand the legal and practical aspects of using Assessment Conclusions and Expert Opinions as a strategy, thereby flexibly applying these two documents in industrial property enforcement cases they encounter.

1. Right to provide Assessment Conclusions and Expert Opinions

a. VIPRI has the right to provide Assessment Conclusions

According to IP Law, “Assessment Conclusions” are one of the sources of evidence for competent authorities to handle and resolve disputes over intellectual property rights (Article 201.5 of the IP Law). In addition, according to Decision No. 1879/QD-BKHCN (see full text in Vietnamese at [https://www.most.gov.vn/Images/editor/files/1879-Q%C4%90-BKHCN%20-%20Dieu%20le%20Vien%20KHSHTT\(1\)\(1\).pdf](https://www.most.gov.vn/Images/editor/files/1879-Q%C4%90-BKHCN%20-%20Dieu%20le%20Vien%20KHSHTT(1)(1).pdf)), VIPRI has the function of “Receiving and providing intellectual property assessments upon request or commission” (Article 2.5³ of Decision No. 1879/QD-BKHCN).

b. IP VIET NAM has the right to issue Expert Opinions

IP Law does not directly mention the term “Expert Opinion”. However, Decision No. 156/QD-BKHCN (see full text in Vietnamese at <https://ipvietnam.gov.vn/documents/20182/0/156Q%C4%90-TC+Cuc+SHTT.pdf/371b9ef2-8927-4913-913a-673338cb10d3>) affirms that IP VIET NAM has the func-

1 **Article 199. Measures to handle acts of infringement of intellectual property rights – IP Law**

1. Organizations and individuals who infringe upon the intellectual property rights of other organizations and individuals may, depending on the nature and extent of the infringement, be subject to civil, administrative or criminal measures.

2 **Article 200. Competence to handle acts of infringement of intellectual property rights – IP Law**

1. Within the scope of their tasks and powers, the Courts, Inspectorates, Market Managements, Customs, Polices, and People’s Committees at all levels have the authority to handle acts of infringement of intellectual property rights.

3 **Article 2. Functions and Powers – Decision No. 1879/QD-BKHCN**

5. Intellectual property assessment, including:

a) Developing tools (such as databases, search systems, and software) to support intellectual property assessment.
b) Receiving and providing intellectual property assessments upon request or commission.

tion of “providing Expert Opinions to support the resolution of disputes and violations of industrial property laws” (Article 2.13⁴ of Decision No. 156/QD-BKHCHN).

Summary:

Thus, regarding the authority to provide, both VIPRI and IP VIET NAM have their own and separated authority to provide expert assessments in the form of written documents, relatively as “Assessment Conclusions” and “Expert Opinions” to support the Enforcement Authorities in resolving disputes and/or handling violations of industrial property.

2. Right to request Assessment Conclusions and Expert Opinions

a. Right to request or commission an assessment

According to Decree No. 105/2006/ND-CP, the following groups are entitled to request or commission VIPRI to conduct an assessment: (i) Enforcement Authorities; (ii) Right holders; (iii) Organizations and individuals subject to handling for acts of infringement; and (iv) Other organizations and individuals whose legitimate rights and interests are involved (Article 40.1⁵ of Decree No. 105/2006/ND-CP).

b. Right to request the provision of an Expert Opinion

As presented above, IP VIET NAM has the function of “providing Expert Opinions to support the resolution of disputes and violations of industrial property laws”. Accordingly, IP VIET NAM does not explicitly specify, nor directly restrict, any particular group of entities or individuals from requesting an Expert Opinion.

Summary:

In broad terms, the groups entitled to request or commission VIPRI to conduct assessments include: (i) Enforcement Authorities; (ii) Right holders; (iii) Organizations and individuals subject to handling acts of infringement; and (iv) Other organizations and individuals whose legitimate rights and interests are involved. These same groups may also have the right to request IP VIET NAM to provide Expert Opinions in support of resolving disputes and violations of industrial property laws.

3. Statistical Data on Assessment Conclusions and Expert Opinions

VIPRI has not officially published the number of Assessment Conclusions issued in recent years. However, in practice, most cases involving the enforcement of industrial property rights often require the

4 **Article 2. Functions and Powers – Decision No. 156/QD-BKHCHN**

13. Participate in the resolution of industrial property disputes and commercial disputes related to industrial property within the scope of authority as prescribed by law; provide Expert Opinions to support the resolution of disputes and violations of industrial property laws.

5 **Article 40. Authority to Commission Intellectual Property Assessment and Right to Request Intellectual Property Assessment - Decree No. 105/2006/ND-CP**

1. The authorities competent to commission intellectual property assessment include the authorities responsible for resolving disputes, handling infringements, and addressing complaints or denunciations related to intellectual property as specified in Article 200 of the Intellectual Property Law.

2. Organizations and individuals entitled to request intellectual property assessment include: a) The intellectual property rights holders; b) Organizations or individuals subject to enforcement actions for infringement or those being investigated or denounced regarding intellectual property; c) Organizations or individuals with related rights or interests in the dispute, infringement, complaint, or denunciation concerning intellectual property.

rights holders to request VIPRI to conduct and provide Assessment Conclusions as supplementary documentation for submitting to the Enforcement Authorities in the request for handling infringement and/or in the lawsuit filing.

According to the “2023 Intellectual Property Activities Annual Report” (the full version in bilingual Vietnamese and English languages is available at <https://www.ipvietnam.gov.vn/documents/20195/1718424/BCTN+SHTT+2023+Final+view+%C4%91%C3%B4i.pdf/6bf7523b-aff0-4319-b30e-eb5992489b86>), IP VIETNAM received and processed requests for Expert Opinions from enforcement agencies, including the Ministry of Science and Technology’s Inspectorate, Market Management, Economic Police, and Customs, to resolve 115 cases, which include: 6 cases involving patents; 95 cases involving trademarks; 7 cases involving industrial designs; 7 cases involving other subjects.

4. Practical use of Assessment Conclusions and Expert Opinions in lawsuit cases

a. First Instance Judgment Order No. 36/2018/KDTM-ST of the People’s Court of Hanoi regarding a Design Patent dispute lawsuit case

Case Content:

- Source Reference: View and download the full text in Vietnamese at <https://congbobanan.toaan.gov.vn/2ta225689t1cvn/chi-tiet-ban-an>
- Date of Judgment: October 19, 2018
- Plaintiff: PIAGGIO & C. S.p.A.
- Defendant: DETECH Technology Development Joint Stock Company
- Dispute Content: The Plaintiff claimed that the Defendant had infringed upon the Plaintiff’s industrial design of a “motorcycle” under Industrial Design Patent No. 20652 by using this design for the Defendant’s electric motorcycle products without the Plaintiff’s permission.
- Assessment Conclusion: The Plaintiff requested VIPRI to conduct an assessment and proactively provided the Assessment Conclusion to the Court. According to Assessment Conclusion No. KD001-17YC/KLGD dated January 13, 2017, it was concluded that the electric motorcycle design produced by the Defendant had infringed upon the rights of the Plaintiff’s Industrial Design Patent No. 20652.
- Expert Opinion: Not mentioned in the judgment order.
- Court’s Conclusion on the Infringement: The Defendant was found to have infringed upon the Plaintiff’s rights.

Analysis:

First Instance Judgment Order No. 36/2018/KDTM-ST demonstrates that the Court considered the Assessment Conclusion as a basis for its ruling. In this case, the Court agreed with the Assessment Conclusion regarding the infringement of rights. Therefore, the Plaintiff’s proactive submission of the Assessment Conclusion played a significant role, providing a strong advantage to the Plaintiff by adding beneficial evidence to the case.

b. Appellate Judgment Order No. 110/2023/KDTM-PT of the High People's Court in Ho Chi Minh City regarding an Invention Patent dispute lawsuit case

Case Content:

- Source Reference: View and download the full text in Vietnamese at <https://congbobanan.toaan.gov.vn/2ta1365838t1cvn/chi-tiet-ban-an>
- Date of Judgment: October 17, 2023
- Plaintiff: Novartis AG
- Defendant: Dat Vi Phu Pharmaceutical Joint Stock Company (now Davi Pharm Co., Ltd.)
- Dispute Content: The Plaintiff claimed that the Defendant had infringed upon a patent related to the active ingredient “Vildagliptin” under the Plaintiff’s Patent No. 5529 by using active ingredient “Vildagliptin” in the Defendant’s pharmaceutical product named “Vigorito” without the Plaintiff’s permission.
- Assessment Conclusion: Not mentioned in the judgment order.
- Expert Opinion: IP VIET NAM issued an Expert Opinion according to Document No. 5514/SHTT-TTKN dated June 25, 2015, concluding that the active ingredient “Vildagliptin” in the Defendant’s product named “Vigorito 50mg” is equivalent to the product protected under Patent No. 5529 held by the Plaintiff.
- Court’s Conclusion on the Infringement: The Defendant was found to have infringed upon the Plaintiff’s rights.

Analysis:

Appellate Judgment Order No. 110/2023/KDTM-PT demonstrates that in complex cases, the Court carefully considered and relied on the Expert Opinion as a reference before concluding on the infringement of rights. Thus, obtaining an Expert Opinion from IP VIET NAM confirming the infringement was a strong advantage for the Plaintiff, which the Plaintiff utilized to strengthen their case and provide beneficial evidence in the dispute.

c. First Instance Judgment Order No. 01/2023/KDTM-ST of the People's Court of Dak Lak Province regarding a Trademark dispute lawsuit case

Case Content:

- Source Reference: View and download the full text in Vietnamese at <https://congbobanan.toaan.gov.vn/2ta1171854t1cvn/chi-tiet-ban-an>
- Date of Judgment: February 8, 2023
- Plaintiff: Dat Xanh Group Joint Stock Company
- Defendant: Dat Xanh 47 Real Estate Co., Ltd.
- Dispute Content: The Plaintiff claimed that the Defendant had infringed on the Plaintiff’s trademarks under Trademark Registration Certificates No. 120848, 252282, 346564, 346565, 346566, and 346567 for real estate services by using the element “Đất Xanh” in the Defendant’s company name without the Plaintiff’s permission.
- Assessment Conclusion: Not mentioned in the judgment.
- Expert Opinion: Not mentioned in the judgment.
- Court’s Conclusion on the Infringement: The Defendant was found to have infringed upon the Plaintiff’s rights.



Analysis:

First Instance Judgment Order No. 01/2023/KDTM-ST demonstrates that the Court had sufficient authority to conclude on the infringement based on the available grounds and evidence, without needing to commission or request an assessment or consider an Assessment Conclusion or Expert Opinion. Therefore, not every case requires the Plaintiff, Defendant, or related parties to use these two documents (Assessment Conclusion or Expert Opinion), especially in cases where the infringement is very clear.

CONCLUSION

From the legal references and practical examples in Vietnam, it can be seen that Assessment Conclusions and Expert Opinions are highly effective, objective, and transparent documents that assist Enforcement Authorities in strengthening their stance in resolving industrial property rights infringement cases. Thus, by understanding and knowing how to effectively utilize Assessment Conclusions and Expert Opinions, the parties involved will have a stronger legal foundation to protect their legitimate rights and interests.

Training Course Experience

Bridging Innovation and Culture: My Journey Through the JPO/ IPR Training Program in Japan

Mr. Isaac NKETIAH (Ghana)

Founding Technology Transfer Officer
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*JPO/IPR Training Course on Academia-Industry Collaboration and Technology Transfer
(November 20–November 29, 2024)*

In November 2024, I had the rare and rewarding opportunity to participate in the JPO/IPR Training Course on Academia-Industry Collaboration and Technology Transfer in Tokyo, Japan. Organised by the Japan Institute for Promoting Invention and Innovation (JIPII) and the Association for Overseas Technical Cooperation and Sustainable Partnerships (AOTS), with sponsorship from the Japan Patent Office (JPO), this two-week intensive course brought together 22 experts and professionals from 16 different countries to explore effective models for intellectual property (IP) management, technology transfer, and university-industry collaboration.

This article recounts my transformative journey by highlighting key insights gained, cultural experiences cherished, and the professional growth I attained over ten unforgettable days in Japan.

A Journey Begins: From Ghana to Japan

This was my first time travelling to Asia, and the journey marked a significant personal milestone. Upon arrival at Narita International Airport, along with some colleagues from Kazakhstan (Ms. Ulkhanova, Aruzhan), Nigeria (Ms. Usen, Eno-Obong Young), and Rwanda (Mr. Nyiringango, Pascal), we were warmly welcomed in the arrival lobby by a staff member from the meeting service agency, who was holding a signboard that read “AOTS-IPAT”. The staff member guided us to the Narita Airport

railway station, and explained how we could get to the AOTS Tokyo Kenshu Center (TKC). This was after we had exchanged our money into Japanese yen. This thoughtful gesture from the organisers was an early indication of the hospitality and efficiency I would come to associate with Japan.

The following day began with an orientation and welcome briefing, where participants were introduced to the objectives of the training, the schedule, and the expectations. A daily subsistence allowance was provided, ensuring that we could comfortably focus on learning without financial distractions. This was a thoughtful gesture by our hosts.

Learning from Japan's Innovation Ecosystem

The training sessions were rich in content, covering core themes such as IP management, industry-university collaboration, technology transfer policies, university venture startups, utilisation of IP, technology evaluation, commercialisation strategies, contract negotiation, and joint research/ development and licensing. These were delivered by a well-selected team of experts, each with significant experience in Japan's innovation ecosystem.



At Narita Airport



In the seminar room

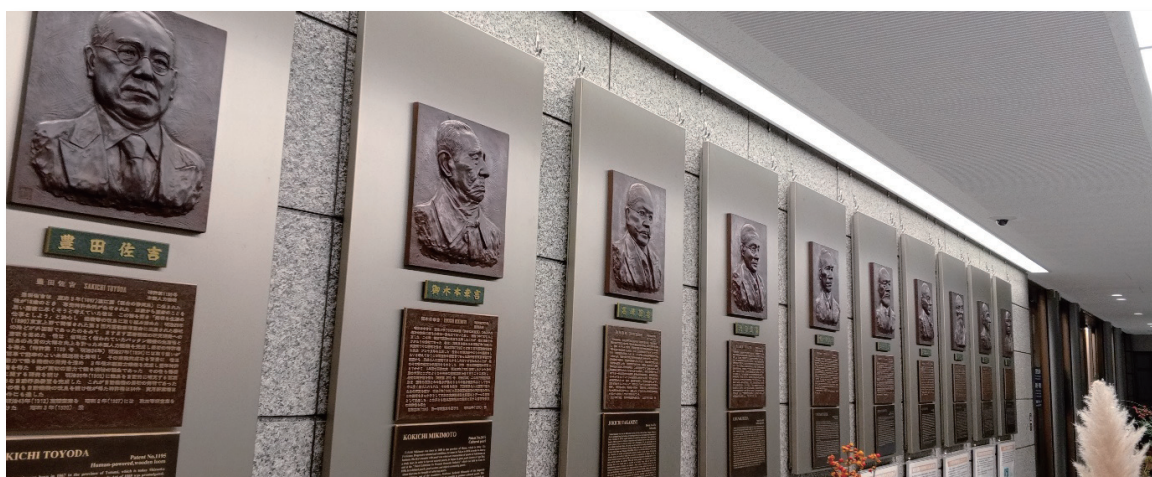
One of the program's highlights was our institutional visit to the Institute of Science Tokyo (formerly known as Tokyo Tech). As an international guest, I toured advanced labs where scientists develop everything from earthquake-resistant materials to AI-driven robotics. Researchers shared insights on sustainable urban development, showcasing Japan's commitment to solving global challenges. The collaborative energy was inspiring, reinforcing how science transcends borders. This glimpse into Japan's innovation hub left me in awe of the future being built today.

We also engaged with faculty and technology transfer officers who shared best practices in managing university-owned IP, licensing strategies, and university start-up incubation. Their integrated approach to supporting research commercialisation through dedicated technology licensing offices and entrepreneurial mentorship offered practical models for adaptation in our home institutions.



A visit to the Institute of Science Tokyo

Our tour of the Japan Patent Office (JPO) was an inspiring experience. Here, we saw brilliant inventors whose groundbreaking work drives scientific progress and societal benefit. The highlight was visiting the JPO courtroom, where some of us even role-played as judges and legal officers, gaining first-hand insight into patent dispute proceedings. Walking through the offices, we observed the dynamic work environment where innovation is protected and nurtured. This immersive visit deepened our appreciation for intellectual property and the vital role that the JPO plays in fostering technological advancement globally.



Japan Patent Office

Culture, Cleanliness and Courtesy

Outside the classroom, Japan presented itself as a living classroom in terms of discipline, beauty, and cultural sophistication. The cleanliness of the streets, even in the busiest parts of Tokyo, was astounding. There were few public trash bins, yet litter was virtually nonexistent.

Equally remarkable was the time consciousness of the Japanese people. Trains operated with minute-level punctuality, and every activity in our training program began precisely on schedule. This reinforced the importance of time management and planning, especially in academic and policy environments.

The orderliness and courtesy of everyday life in Japan were also notable. Whether at convenience stores, train stations, or academic institutions, the people we interacted with displayed unmatched politeness, efficiency and humility. These values are deeply embedded within Japanese society and serve as subtle yet powerful lessons in leadership and personal conduct.

Networking and Cultural Exchange

One of the most enjoyable aspects of the program was the opportunity to interact with participants from various countries across Europe, Asia, Africa and Latin America. Each evening, after formal sessions, small groups of us ventured into the vibrant city to explore Tokyo's culinary scene, experiencing traditional Japanese tea ceremonies and visiting historical landmarks.

Stepping into teamLab Planets in Tokyo felt like entering another dimension. As an international visitor, I removed my shoes and waded through knee-deep water, surrounded by swirling digital projections that responded to every movement. The Infinity Room's mirrored walls and floating lights left me breathless, while the Garden Area's towering LED installations pulsed with vibrant energy. The interactive exhibits blurred the line between art and participant, making me part of the experience. A surreal, sensory journey I'll never forget. TeamLab Planets is a must-visit for anyone seeking awe-inspiring, boundary-pushing art.

These informal outings enriched our learning experiences, as conversations often revolved around our respective countries' IP challenges and the potential for collaborative projects in the future. The shared learning environment fostered professional networks and enduring friendships.

A Privilege and a Pledge

To conclude the program, I had the distinct honour of being selected by my colleagues to deliver the closing remarks on behalf of all participants. Standing at the podium before a distinguished audience of organizers, facilitators and fellow participants was both humbling and empowering.



Enjoying Japanese cuisine



Delivering the closing remarks

In my remarks, I expressed our collective appreciation to JPO, JIPII and AOTS for organizing such a well-executed and impactful training program. I acknowledged the invaluable contributions of the expert facilitators, the hospitality of the Japanese people, and the relevance of the content we had absorbed. I also emphasised our shared responsibility to return home as change agents committed to advancing innovation, strengthening technology transfer systems, and building robust IP frameworks in our respective countries and institutions.

From Insight to Impact

Professionally, the program expanded my understanding of how robust institutional frameworks and clear policies can transform research outputs into marketable innovations. The emphasis on developing institutional IP policies, supporting start-ups, and establishing Technology Transfer Offices (TTOs) provided a roadmap that I believe can be adapted to the Ghanaian context. One critical insight was the need for universities and research institutions in developing countries to build capacity in IP management, and to foster stronger linkages with industry. Technology transfer should not be an afterthought; but an integral part of research planning and execution.

As nations seek to bridge the gap between research and real-world impact, the insights from Japan's innovation landscape offer a compelling case for what can be achieved through deliberate policies, effective academia-industry collaboration, and a culture that values precision, respect, and responsibility.

The JPO/IPR Training Program was more than a professional development opportunity: it was a life-changing experience that offered a model of excellence worth emulating. I returned to Ghana equipped with enhanced technical knowledge and deep respect for Japanese culture and a strong sense of global citizenship.

Milestones: Beyond the Training

Learning in Japan, Leading at Home: A Journey of Growth and Contribution

Mr. Sanjaykumar Maganbhai Patel (India)

Founder - Patent & Trademark Attorney
EXCELON IP



*JPO/IPR Training Course for Patent Experts
(August 27–September 14, 2012)*



Every professional journey has defining milestones: moments that transform not only our careers, but also the way we look at life itself. For me, one such milestone was my participation in the **Intellectual Property Training Program organized by JPO, JIPII and APIC in Japan.**

This opportunity was special for many reasons, but most significantly, it was my **first international trip**. Boarding a plane to Japan, a country I had long admired for its culture and innovation, was a deeply



humbling experience. I felt immense gratitude toward JIPII and APIC for giving me this chance. What awaited me in Japan was more than training—it was an experience that reshaped me as a professional, a teacher, and a human being.

Immersed in a Global Learning Environment

The training was much more than classroom sessions. While the lectures were highly informative and practical, what made the program unforgettable was the **international exposure**. We were participants from more than **ten different countries**, each bringing unique perspectives and challenges faced in their own jurisdictions. The discussions, case studies, and debates in class were enriched by this diversity.

For the first time, I witnessed how intellectual property is not just a legal tool—but also a **shared language of innovation and progress across nations**. We compared laws, exchanged strategies, and learned from each other's challenges. The program allowed us to see how the same principles of IP play out differently across borders, shaped by history, culture, and industry.

Outside the classroom, the conversations were equally enriching. Over meals, walks, and cultural outings, we learned not only about each other's professional work, but also about our cultures, traditions, and ways of life. These friendships have lasted beyond the program, reminding me that learning is most powerful when it connects people.



Learning from Japan: Culture, Discipline, and Respect

The training in Japan was as much about personal growth as it was about professional knowledge. Japan is known worldwide for its culture of **discipline, punctuality, and respect**, and I was fortunate to experience this firsthand.

Everywhere I went—from the classroom to public transport—I observed how deeply embedded these values are in Japanese society. People respected time, paid attention to detail, and worked with a sense of collective responsibility. This was a revelation to me.

Inspired by these observations, I began to integrate **discipline and punctuality into my own life**. What started as small changes in daily routines soon became core values in my professional journey. Today, I can confidently say that this cultural learning has had a profound and lasting impact, shaping the way I approach both work and relationships.

How the Training Transformed My Professional Journey

Beyond teaching, the training also had a **direct impact on my career trajectory** in several key ways.

1. An International Network of Experts

Thanks to the program, I built lasting relationships with IP professionals across multiple countries—and this network became invaluable when I later started my **own IP firm**. Several of my fellow alumni referred clients to me, helping me establish my practice in its early days. What started as friendships in Japan eventually evolved into professional collaborations and business opportunities.

2. Collaborative Research and Publishing

The spirit of academic exchange during the program also continued after it had finished. I had the privilege of co-authoring a **joint research paper with a fellow JIPII alumnus**, combining our perspectives to contribute to the global IP dialogue. This experience highlighted the strength of collaborative scholarship that transcends borders.

3. Teaching Across Borders During COVID

Even during the difficult days of the COVID-19 pandemic, the alumni network kept us connected. I was invited to deliver an **online lecture for students at Hanoi University in Vietnam**. Speaking virtually to an international audience, I was again reminded of how the training had expanded my reach as an educator.





Each of these milestones reinforced how one well-designed program can change the course of a professional life, not just through knowledge—but also through networks, collaborations, and opportunities.

From Knowledge to Action: Spreading IP Awareness

The greatest responsibility after receiving knowledge is to **share it forward**. When I returned home, I was determined not to let the training remain only a personal achievement. Instead, I wanted to multiply its impact.

I started conducting **awareness programs on intellectual property** across different platforms:

- **Schools and universities:** To introduce young students to IP at an early stage, encouraging them to see creativity and innovation as assets worth protecting.
- **Startup platforms and incubators:** To guide entrepreneurs on how IP can safeguard their ideas, attract investment, and create long-term value. I am now an empaneled startup mentor at various incubation and accelerator centers across the globe, and when I am not travelling, I do an average of 2-3 mentoring session weekly (totally as a pro-bono activity).
- **SME forums:** To help small and medium enterprises understand how protecting their innovations can give them a competitive edge in local and global markets.

Each session is an opportunity to empower people who may not have otherwise had access to this knowledge, and what inspires me most is the curiosity and excitement I see in students and entrepreneurs alike. Their questions and eagerness to learn have fueled my resolve to keep going.

Building a Mission: Educating 100,000 People

The more I shared, the more I realized that this was not just a short-term activity; it was my calling. Out of this realization was born **a mission: to educate 100,000 people about intellectual property.**

This mission is not merely about numbers. It is about creating an ecosystem where people—from students and researchers to entrepreneurs and business leaders—see IP as a powerful enabler of growth and protection. By educating more people, I believe we can cultivate a culture of respect for creativity and innovation that strengthens both individuals and nations.

Expanding Reach Through Digital Platforms

To take this mission beyond physical classrooms, I turned to technology. I started a **YouTube channel dedicated to intellectual property awareness named “Simplify IP with Sanjay** (<https://www.youtube.com/@SimplifyIPWithSanjay>)”, **which is currently available in the Hindi language.** Through this platform, I am able to break down complex legal concepts into simple, relatable language that is accessible to a wider audience.

This channel allowed me to reach people who may not have the opportunity to attend my sessions in person, including students in remote areas, budding entrepreneurs seeking guidance, and curious individuals who simply want to learn. This step was a direct outcome of the encouragement and inspiration I received during my training in Japan.

Fulfillment Beyond Clients

I have worked with clients across various industries within my professional practice, wherein I help them with intellectual property protection, strategy, and enforcement. And yet, the satisfaction I felt from spreading IP awareness often exceeded that of working for paying clients.

Every time I received feedback from a student or entrepreneur who benefited from my sessions, I was reminded of the transformative power of education. To see people empowered with knowledge, and making better decisions for their futures, gave me a joy that no professional fee could match.

The Ripple Effect: Impacting Lives

Over time, I began to see the ripple effect of my work. Students I taught went on to pursue research in IP. Entrepreneurs I guided took concrete steps to protect their innovations. SMEs began integrating IP strategies into their business models.

These outcomes reinforced my belief that education is the seed from which real change grows. And in many ways, this was exactly the essence of what I had experienced in Japan: how a well-designed training program can spark long-term impact far beyond the classroom.

Gratitude and Reflection

Looking back, I feel immense gratitude to JIPII and APIC for giving me this opportunity, and to my fellow participants for enriching my learning journey. The training was not just a professional development program; it was a **turning point in my life**. I would also like to say thank you to the JPO (Japan Patent Office) for this initiative through JIPII-APIC for such training for all IP professionals.

It gave me knowledge, yes. But it also gave me discipline, global friendships, and a mission. It helped me grow my career, build an international firm, collaborate with colleagues across borders, and reach students in other nations. It reminded me that intellectual property is not a subject confined to legal professionals—it is a tool that belongs to everyone who dares to create and innovate.

Continuing the Journey

My journey is far from complete. With every lecture delivered and every video uploaded, I take another step toward my mission of educating 100,000 people. The road ahead is long, but I walk it with the values I learned in Japan and the inspiration that continues to guide me.

I firmly believe that the true success of training programs like these lies not only in what participants learn, but in how they carry forward that learning into the world. For me, this milestone was not an end, but a beginning—one that continues to shape my path each day.

And for that, I will always remain grateful.

Information from a Lecturer

On Patent Examination that Users (Applicants/Agents) Expect

Mr. TAMURA Chikashi

Patent Attorney

SUGIMURA, TAMURA & PARTNERS. International Patent & Trade Mark Office



I have been a lecturer for many years in training programs organized by APIC, who invites overseas intellectual property specialists to participate in the trainings. I have had various training course opportunities covering patent examination standards and intellectual property education. Among these, the subject of Patent Examination that Users (Applicants/Agents) Expect has provided an opportunity to share insights gained from my own experiences. Moreover, I believe that this subject serves as educational material that can provide important perspectives to patent examiners working at patent offices.

I was engaged in examinations and trials at the Patent Office for about 15 years. After retiring from the Patent Office, I have mainly worked as a patent attorney. Herein, I have handled rights acquisition tasks such as patent applications and intellectual property dispute resolution for over 20 years. In other words, the training content of Patent Examination that Users (Applicants/Agents) Expect was developed as a realistic solution from the standpoint of both a Patent Office employee and a user's agent.

The main focus of this training course is on how to increase user satisfaction. When I was working at the Patent Office during the late 1990s, terms like Intellectual Property creation cycle and user satisfaction became buzzwords within the office. The concept of the Intellectual Property creation cycle, which involves creating inventions, acquiring and utilizing rights, and returning to new inventions, expresses the social role of patent examination in an easily understandable way.

Meanwhile, user satisfaction reminds us that patent examination is not a one-way act performed as an official duty by central government officials; but is, rather, one of the administrative services provided to applicants and other users. Since this is an administrative service, it is important not only to simply enforce the results; but also to consider how to enhance the sense of acceptance among users who benefit

from those results.

During the training, I first point out that since patent examination is also an administrative service, it is important to recognize how this differs from other administrative services. Secondly, I provide a perspective on how examiners can use their discretion to enhance user satisfaction.

When I joined the Patent Office, the examination request period was seven years; and there were cases where more than ten years had already passed between the application and examination. Currently, the FA (First Action) period is less than 11 months, meaning that the reduction in examination time is remarkable compared to those of patent offices in other countries. However, how does this compare to general administrative services? Are there any such services where a notification comes from the administrative agency a year after initiating procedures? While not many people would question the examination period of patent examination due to its unique nature, I believe we must not forget that this is an unusually long period of time as an administrative service. Therefore, the training emphasizes the importance of enhancing the predictability for users in terms of when actions will come from the administrative agency. Although this is not something that can be achieved by a single examiner, I strongly recommend that administrative agencies prepare accordingly by drawing on examples from the Japan Patent Office.

Next, I will explain the importance of the examiner's discretion. Ideally, an examination should yield the same results regardless of who conducts it. However, satisfaction can vary greatly among users. For example, the feelings that users have toward a single patent application can differ greatly between a large company that files hundreds to thousands of patent applications annually, and a small or medium-sized enterprise that files only about one application every one to two years. This does not mean that we should lower the examination standards for small and medium-sized enterprises: I am saying, rather, that more thorough examinations are desired. Both examiners and applicants are human, and so by carefully conveying our feelings to one another, we can gain a deeper understanding of each other's perspectives.

While observing the faces of the participants during such trainings, I feel that examiners are the same no matter what country they are from. I hope that this serves as an opportunity to rekindle the common sense and sensibilities that have become buried within the course of daily examinations.

There were times during the COVID-19 pandemic when we couldn't meet in person, but I still feel that talking face-to-face conveys my thoughts more effectively.

Finally, I would like to express my gratitude to the Patent Office and everyone at APIC for providing these types of valuable opportunities.



June 30, 2025



June 27, 2024

A lecture on "Patent Examination that Users (Applicants/Agents) Expect"

IP Activities in Japan

Introduction to WIPO GREEN (Part 2)

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WIPO GREEN researcher explanations and activities will be published in three issues.

4. Success cases of Environmental technology transfer in WIPO GREEN

As introduced in Part 1, in 2015, two years after its launch, the “Developing Countries Environmental Technology Needs Survey Project” was launched with the aim of realizing the overseas transfer of environmental technology, again at the suggestion of JIPA and with financial support from the JPO and other IP offices.

Initially, this project was carried out on an annual basis, selecting specific regions and target technology fields and holding matching events in each region. I participated in these events, introducing the technology seeds of Japanese companies to need owners, and in some cases, potential matching was discovered. However, the difficulty of raising funds for overseas demonstration experiments and the difficulty of precisely matching the technical level have been obstacles to successful technology transfer.

Since 2019, the project has been reorganized into “Acceleration Projects” and has focused on a different approach. The acceleration projects are not inherently focused on overseas technology transfer but look more broadly at promoting the most suitable technology for the specific need identified. This may very well include international technology transfer, but not necessarily. Also, international technology transfer can go in several directions and not only from developed to developing countries.

This project has produced a lot of successful cases of technology transfer to date. Let me introduce some of them.

4-1. From projects in South America

(1) Chile's Cherry Farms: Ready for Climate Change - Green Technologies for Resilient Agriculture

https://www3.wipo.int/wipogreen/en/news/2023/news_0021.html

- Background: Chile's cherry industry faces increasing risks from droughts, frosts, and irregular rainfall. These climate threats endanger both yields and livelihoods of farming families.



Agrícola Tambo, a Cherry orchard in Malloa, Chile, has received less rain over the past few years.
(Photo: Courtesy of IALE Tecnología)

- Innovative Solution: WIPO GREEN worked with the Chilean Fruit Exporters Association (ASOEX), local cherry producers, German company VOEN, irrigation technology companies, and agricultural universities. Precision irrigation systems with soil sensors and weather monitoring were introduced, supported by farmer training workshops.
- Results & Next Scope: Farmers cut water waste, stabilized yields, and improved fruit quality. Export markets regained confidence, while partnerships between cooperatives, exporters, and technology providers grew stronger.

(2) Mapping Misiones' Forests from Space - Harnessing Satellites and AI for Conservation

https://www3.wipo.int/wipogreen/en/news/2024/news_0002.html

- Background: Misiones province in Argentina faced biodiversity loss from illegal logging and agricultural expansion.
- Innovative Solution: WIPO GREEN, the Misiones provincial government, satellite imaging firms, and AI research teams collaborated to launch real-time monitoring. Authorities used the system to identify high-risk areas.
- Results & Next Scope: Illegal logging was detected earlier, enforcement strengthened, and conservation strategies became data-driven. Protected forests contributed to climate goals.

(3) Resilient Harvests in Peru: Climate-Smart Solutions for Cocoa and Coffee

https://www3.wipo.int/wipogreen/en/news/2024/news_0006.html

- Background: Peruvian cocoa and coffee farmers faced El Niño, droughts, and pests like fruit flies and yellow rust.
- Innovative Solution: WIPO GREEN supported Fundo Cristina cocoa farm and Nogalpata coffee farm. Cooperatives distributed hydrogel and organic pest-control products (GF-120). Local suppliers and farmer organizations were key partners.
- Results & Next Scope: Cocoa farmers reduced irrigation by up to 85%, and coffee farmers controlled pests sustainably. Cooperatives spread knowledge across 300+ farmers.

4-2. From the project in Indonesia: Sustainable Palm Oil in Indonesia

https://www3.wipo.int/wipogreen/en/news/2023/news_0010.html

- Background: Indonesia is the world's largest producer of palm oil, a commodity central to its economy but heavily criticized for links to deforestation, greenhouse gas emissions, and biodiversity loss. Millions of smallholders rely on palm oil for their livelihoods, yet face international scrutiny and unstable market access due to environmental concerns. The need for sustainable transformation has never been more pressing.



Empty Fruit Bunches (EFBs) pile in the mill
(Source: Winrock International)

- Innovative Solution: WIPO GREEN collaborated with a consultant, WINROCK, which played a key role. The main focus is on the valorization of Palm Oil Mill Effluent (POME) and Empty Fruit Bunches (EFB), building on joint work since 2021. There are two major innovations. The technologies matched focus on EFB composting (to produce compost) and POME treatment (to produce biogas).
- Results & Next Scope: WINROCK facilitated one formal match and deployment with Palm Oil Mill Bungo Limbur, PT Indmira, and QTA1. They are now in the third project phase to implement composting technology to convert leftover fruit bunches into fertilizer/compost. At the same time, we continue advocacy for POME treatment through new matchmaking projects.

4-3. From projects in Central Asia: Clean Water for Children in Tajikistan

https://www3.wipo.int/wipogreen/en/news/2024/news_0011.html

- Background: In the Hisor district of Tajikistan, a boarding school for children with disabilities, including cerebral palsy and poliomyelitis, faced chronic shortages of clean water. Students struggled with inadequate hygiene, limited access to drinking water, and frequent disruptions to daily life. The lack of basic infrastructure undermined the school's mission to provide a safe and nurturing environment for vulnerable children.
- Innovative Solution: WIPO GREEN, together with the Ministry of Education and Science of Tajikistan, local engineers, and philanthropists, introduced a comprehensive solution. Two large water tanks equipped with smart sensors and installed with automated valves were connected to a network of pipelines supplying the school's kitchens, laundry, and heating systems. The project was carefully coordinated to minimize disruption to the school community.
- Results & Next Scope: The improvements were transformative: children now enjoy uninterrupted access to safe drinking water, and hygiene standards have risen dramatically. Teachers reported fewer illnesses, while students gained greater dignity and confidence. The Ministry recognized the project as a model for other institutions, praising its demonstration of how public-private collaboration can deliver real social benefits.



Photo of the water tanks in the school
(Image: Qurbonali Mirov, Moores Rowland Tajikistan)

As introduced above, WIPO GREEN's acceleration projects have produced many successful examples of various types of environmental technology transfer in various regions. I am deeply impressed by the great efforts of the WIPO GREEN team in Geneva in this regard and would like to provide further updates on the acceleration projects in the next issue.

However, I myself have a strong desire to achieve more global technology transfer, and ideally from Japan. Therefore, in the next issue, I would also like to discuss the challenges in this matter and ask for cooperation from ENISHI readers.

chapter 8



Get to know your IP Friends



In this edition, we heard about your amusing experiences here in Japan. Reading everyone's responses showed us a new perspective on things that are commonplace to locals and made us laugh. We hope you enjoy them as much as we did!

Q: What was one thing that was funny and made you laugh when you visited Japan?

- One day in Japan, my friend and I were walking back to our hotel. It was getting dark, but the streets were quiet and safe. Our map app showed us a shortcut that went under an overpass, so we decided to take it. As we walked through, we suddenly saw a black-and-white furry animal by the side of the road. It was small and fluffy, but looked a little strange. We both stopped and stared at it. Then we looked at each other at the same time. "Is that... a skunk?!" The animal was looking right at us. It even looked like it was about to lift one of its back legs. Right then, we remembered what skunks do when they feel scared — they let out a really bad smell! Without thinking, we both shouted, "RUN!" and turned around to go back the way we came. We didn't care about the shortcut anymore — we just wanted to get out of there. When we finally got to the hotel, we searched for it online. Turns out, there's an animal in Japan called a tanuki. It looks kind of like a raccoon or a skunk. Most likely, that's what we saw. But to us, that night, it was 100% a skunk. And we were just glad we didn't end up smelling like one! (*Türkiye*)
- One genuinely funny moment was seeing a group of tourists (myself included!) trying to use a super high-tech Japanese toilet for the first time. The number of buttons was overwhelming—one flushed, another played music, one sprayed water, and someone accidentally hit the "bidet" while still figuring things out. The surprise reactions and sudden scramble to escape the toilet were comedy gold! (*India*)

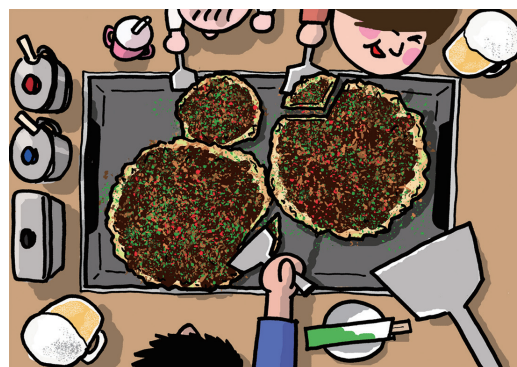


A Japanese raccoon dog (tanuki) in a summer coat¹



¹ Photo by Prue Simmons, A raccoon dog pictured in Shiraishijima, Japan., 2007. CC BY 2.0
https://commons.wikimedia.org/wiki/File:Tanuki_the_%60Raccoon_Dog%60.jpg

- When I was at university, we had a lot of activities with transfer students from Chuo University, Japan, especially making Okonomiyaki (a Japanese savory pancake) together under the step-by-step guidance of my friend. Although 12 years have passed since then, I have always hoped to have a chance to visit Japan for the first time, but I have not yet had a chance. So, for me, when we talk about Japan, the funny thing shall be “making Okonomiyaki and sharing the dish with my friends”. *(Viet Nam)*



- I accidentally ordered an alcoholic drink, the first iced one on the menu, right after eating something spicy because I didn't have the patience to Google translate the menu. I drank it too fast, got a splitting headache, and had to sit outside Uniqlo, watching a magic show to recover before I could even make it back to our hostel. I still laugh about it to this day! *(Malaysia)*
- People dressed in costumes at Asakusa (especially with those wooden clogs). *(Brazil)*
- When I visited Japan, I saw how Japanese people keep their environment clean, with no air pollution, no sound pollution, and even senior citizens contributing to the effort. Aside from technology, there are many things we have to learn from Japanese society. I found myself to be the unusual and funny guy there. *(Bangladesh)*
- One thing that made me laugh was seeing a group of people with cameras and phones patiently waiting to take pictures at Shibuya Crossing. What was even funnier is that I joined the people to take pictures of the view. *(Liberia)*



- People sleep on trains and still manage to wake up at their stop. *(Ghana)*
- On my first day in Tokyo, I found myself completely disoriented in the vast Shinagawa Station. I kept turning corner after corner, only to find myself right back where I started. It was like being trapped in a loop of confusion, and honestly, I couldn't help but laugh at the absurdity of it all. Thankfully, I had the tourist Suica card with an unlimited metro pass, so I wasn't stressed about fare costs. Instead, I embraced the situation, hopping on and off trains as I aimed to find my way, each wrong turn adding to the comedy of the moment...and that was just day 1! After that, I became a “metro expert” — no more getting lost. For anyone visiting Tokyo, I highly recommend grabbing a Suica card with an unlimited metro pass. It's a great way to make sure that even when you're lost, you're never really lost. *(Tunisia)*
- The catchy melody and vibrant rhythm of the theme song of a certain store in Japan has a way of sticking with me, evoking memories and emotions that linger long after I've heard it, making it impossible to get it out of my mind wherever I go. *(Indonesia)*

chapter 9



Watershed

Mr. OGIYA Takao
Director General of APIC



Have you ever heard the term ‘watershed’? It refers to a boundary line that causes rainwater falling on a mountain to flow in different directions, forming separate water systems.

Mountain ranges are situated like a backbone along the Japanese archipelago (figure 1). When it rains on the ridgeline—that is, the line connecting the highest points of the mountains—rain that falls on the right side flows toward the Pacific Ocean, while rain that falls on the left side flows toward the Sea of Japan. A slight difference in where rain lands can drastically change its destination. This ridgeline is a watershed.

While watersheds are generally found along the ridgelines between mountains, these can also occur on flat land. In this photo (figure 2), you can see a watershed located in Sakaida, Mogami Town, Yamagata Prefecture. As shown in the photo, water flowing from the north divides here, with one side flowing to the Pacific Ocean and the other to the Sea of Japan.



Figure 1. Mountain ranges of the Japanese archipelago



Figure 2. Sakaida Watershed¹

¹ Photo by kome66, Provided by photoAC
<https://www.photo-ac.com/main/detail/25836328/1>

Although the term “watershed” literally refers to a place where the flow of water is divided, by extension, it can also be used to describe a major turning point that determines the direction of a person’s life or the course of history.

Events such as the Battle of Sekigahara, the Meiji Restoration, and the Pacific War can be considered watershed moments in Japan’s history. If Ishida Mitsunari had won the Battle of Sekigahara instead of Tokugawa Ieyasu, the Edo period might never have existed, and Tokyo might never have become the capital of Japan. If the Edo Shogunate had not collapsed during the Meiji Restoration, and if politics, the economy, industry, and trade had not made a significant turn toward modernization, Japan might not have become a modern Western-style country. And if Japan had chosen a different path in the Pacific War, it might not have experienced such despair, and conversely, Japan may not have realized the peace it enjoys today.

We also experience events and encounters in our lives that become watershed moments.

It is said that Francis Xavier brought Christianity to Japan in 1549 (figure 3). Xavier was a nobleman from the Kingdom of Navarre in Spain and was very wealthy. At the age of 19, he studied abroad at the University of Paris. But when he was about to graduate with excellent grades, his family had fallen into ruin due to war. As a result, he planned to return to Spain after graduation to become a priest or a university professor to gain wealth and honor.

However, when he met Ignatius of Loyola, who was 15 years older, Loyola quoted to him from the Bible, “what shall it profit a man, if he shall gain the whole world, and lose his own soul?” This made him consider what it truly means to live his life, his true self, to the fullest. He received a calling from God to evangelize and spread Christianity from India to Southeast Asia and then to Japan.

Xavier landed in Kagoshima in 1549 and reached Shimonoseki, the first point of entry on Honshu, in 1550. Both Kagoshima and Shimonoseki have landing memorial monuments (figure 4) . On these monuments are inscribed the words, “What does it profit a man to gain the whole world....” I believe this shows just how profoundly these words influenced Xavier.



Figure 3. Portrait of St. Francis Xavier
(artist unknown, 17th century)



Figure 4. Xavier Landing Monument (Shimonoseki)²
The words are carved on the monument on the lower right.

2 Photo by ゆずきんぐ, Provided by photoAC

<https://www.photo-ac.com/main/detail/4981878&title=聖フランシスコザビエル下関上陸の地>

For Xavier, this encounter with Ignatius Loyola and the words, “What does it profit a man to gain the whole world and forfeit his soul?” were a significant turning point. It can be said that these words determined the course of Xavier’s life and work thereafter.

In essence, the encounter with Ignatius Loyola and these words were a turning point—a watershed moment—in Xavier’s life.

I can look back on my own life and see three events that became turning points.

One is my employment at the Patent Office (figure 5). At university, I majored in naval architecture in the engineering department. When I entered university, Japan was considered a shipbuilding powerhouse, accounting for over 40% of the world’s tanker construction, and it was also viewed as a leader in technology. By the time I graduated, however, there was a global recession in shipbuilding, and private shipbuilding companies had virtually stopped hiring new graduates. So, my options were to either get a job in another industry or try to become a public servant. I decided to take the national civil service exam and barely passed, just managing to get into the Patent Office, which was an external agency of the then Ministry of International Trade and Industry (now the Ministry of Economy, Trade and Industry). Honestly, I didn’t even know that there was an organization called the Patent Office, and of course, I had no idea what kind of work examiners did. It can only be said that I attained this job as the result of a mysterious twist of fate.



Figure 5. Japan Patent Office³

A second turning point was a job change to the Japan Institute of Invention and Innovation (JIII), now known as the Japan Institute for Promoting Invention and Innovation (JIPPI) (figure 6). After working in the Patent Office for about 30 years, I was encouraged to take early retirement, and was offered reemployment at the Japan Institute of Invention and Innovation. There, I became involved in the APIC project (figure 7), which was one of the main tasks of this organization. During my time in the Patent Office, I had only a few overseas business trips and very little contact with foreigners. However, through the APIC project, I was able to welcome many overseas trainees from ASEAN, India, China, Latin America, Africa, and the Middle East every year, go on many overseas business trips for follow-up seminars, and make many friends overseas. Gaining international friendships through this APIC project was something I could never have imagined during my time at the Patent Office.

The third turning point was meeting my wife. There is no doubt that this was a watershed in my life. Had I chosen a different path and not married my wife, I do not believe I could have had such a fulfilling life. By now, I would probably be retired, suffering from health issues, and feeling lonely and isolated.

3 Photo by風龍, Provided by photoAC

<https://www.photo-ac.com/main/detail/25805610&title=行政機構%E3%80%80経済産業省%E3%80%80特許庁>



Figure 6. Japan Institute of Invention and Innovation



Figure 7. APIC Project

Looking back, I realize that when I encountered events that became turning points in my life, I did not think deeply before deciding the path I should take. In each case, it seemed that when one path closed, another opened, revealing a world I had never seen before as I proceeded down it. Once I accepted this new world, yet another path opened, and this process repeated itself.

It is as though a great invisible hand were guiding me, inviting me into a world far beyond anything I could have imagined. It has resulted in great blessings that far exceed my expectations.

I believe there will be more encounters with people and words in the future that will be turning points for me.

Similar to how rainwater flows naturally without actually “deciding” whether to go right (towards the Pacific) or left (towards the Sea of Japan) at the watershed, I truly believe that we do not determine the turning points in our lives. These moments are not achieved solely through our own efforts. Rather, they are suddenly presented to us one day, or they gradually develop into such situations, becoming the natural course of our lives.

Until such moments, we must do our best to diligently and humbly engage in the roles, jobs, and challenges we are presented with in our current situation.

Your watershed moment may come tomorrow.

Editor's Note



Hi, this is KEN. ENISHI features training reflections from its graduates. Many begin by describing their arrival in Japan by air. While trainees used to arrive exclusively at Narita Airport, Haneda Airport is now frequently used as well.

Japan's capital, Tokyo, has two major international airports: Haneda Airport (Tokyo International Airport) and Narita Airport (Narita International Airport). Haneda Airport opened in 1931 and long served as Japan's most important airport, handling both domestic and international flights. As air travel demand grew, Narita Airport opened in 1978 and began full-scale operations as Japan's hub for international aviation. Haneda Airport was then reorganized primarily as a domestic-only airport.

However, efforts to bring international flights back to Haneda gained momentum. With the opening of a new international terminal in 2010, many international flights began operating there. In recent years, the roles of Haneda and Narita have become complementary, allowing travelers to choose an airport based on their purpose and destination. Haneda is characterized as "close to the city center, convenient for short-haul international and domestic flights," while Narita is known for "offering a wider selection of international flights, particularly strong on long-haul routes."

Both airports boast clean, efficient facilities, a wide range of shops and restaurants, and a high level of service, allowing visitors to experience authentic Japanese hospitality. Haneda Airport and Narita Airport are indispensable, enhancing the beginning and end of their "Training Experience".



Hi, I'm Ayako. This summer in Japan felt hotter and longer than usual. Many people were longing for cooler days to arrive. I imagine that our IP Friends who joined the JPO/IPR training courses this summer felt the same way. Now autumn has finally come, and the air has turned pleasantly cool. Having gone through such a long summer, I'm more grateful than ever for this cool air.



Hello, I am Kayoko. When I read the writers' anecdotes in response to our prompt "What was one thing that was funny and made you laugh when you visited Japan?" I couldn't help bursting into laughter at the answers mentioning toilets, people sleeping on trains, and the labyrinth of Japanese roads.

Japanese toilets are remarkably multifunctional—they can play music, and they include bidets, spray water, and more. I certainly have not encountered such toilets in Canada, which I visited this summer with my family. It makes me wonder why Japanese toilets are so advanced.

One writer also mentioned feeling disoriented by the roads here in Japan, and I could relate—Japanese streets really do feel like a maze at times. As for sleeping on trains, I personally don't do that, but a friend of mine told me she often dozes off on her way home from work, only to wake up just before her stop. Isn't that curious?

Looking at Japan from an outsider's perspective has made me notice many unique aspects of my own country. I'd love to continue learning more about its wonders.

[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.

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

[Consigner]



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