

## Greetings

We are very pleased to co-host the “Judicial Symposium on Intellectual Property / Tokyo 2019,” with the Supreme Court of Japan, the Ministry of Justice, the Japan Patent Office, the Japan Federation of Bar Associations and the Intellectual Property Lawyers Network Japan.

In the fall of two years ago, we held the symposium by inviting judges from Korea, China and ASEAN countries, and last fall we invited judges from 4 countries of the U.S. and European countries. This year, we invited judges anew from Australia and India as well, for the theme of the “IP Dispute Resolution in Asia-Pacific region.”

In the first day’s program provided by the Intellectual Property High Court, the judges and lawyers of Japan, Korea, China, Australia and India will conduct mock trials on the basis of a common case under the theme of “Claim construction in patent infringement lawsuits”, and we will then hold a panel discussion by the participants of the mock trials. The program will offer an opportunity to review the current practice in Japan and to deliver valuable information for those who engage in IP disputes abroad through comparison of claim constructions of each country and its analysis. Furthermore, a variety of programs are planned in the second day and forward with the overall intellectual property law system in the view, such as infringement of copyrights on the Internet and determination of inventive steps of patents.

IP disputes have been internationalized with the globalization of business activities and the rapid progress of information and communications technology. It goes without saying that deepening the understanding of legal systems of foreign countries has become more and more important. We believe that the success of this symposium will contribute to better resolutions of IP disputes as well as to the business activities overseas.

We are confident that the “Judicial Symposium on Intellectual Property / Tokyo 2019” will be a valuable opportunity to acquire the latest information surrounding the IP judiciary in and out of the country, and to enrich the understanding of the judicial system regarding intellectual property of Japan as well as Asia-Pacific region, for not only lawyers and patent attorneys engaging in IP litigations but also for those who are in the industry and research institutions.

Makiko Takabe  
Chief Judge of the Intellectual Property High Court

Thank you very much for coming today to the Judicial Symposium on Intellectual Property/Tokyo 2019.

This symposium has been held since 2017, co-hosted by the Ministry of Justice, the Supreme Court of Japan, the Intellectual Property High Court, the Japan Patent Office, the Japan Federation of Bar Associations, and the Intellectual Property Lawyers Network Japan, for the purposes of sharing and delivering the information about the legal systems and others regarding intellectual property of each country including ours through invitation of practitioners from overseas, as well as promoting the international cooperation in the area of intellectual property.

This is the third year of the symposium, and this time, under the subtitle of the “IP Dispute Resolution in the Asia-Pacific Region”, we are planning to have a program over a 3-day period with mock trials and panel discussions on the subjects of patent and copyright by the practitioners of Japan along with the practitioners having rich knowledge and experience in the area of intellectual property who have been invited from all member countries of ASEAN, China, Korea, India, and Australia.

The Japanese government promulgated the “Intellectual Property Promotion Plan of 2019” in June of this year, and positioned the adequate resolution and disposition of international legal disputes in the area of intellectual property as the globally important issue. The Asia-Pacific region including ASEAN that is seeing dramatic progress in recent years is no exception, and especially in the area of copyright, which is picked up by the Ministry of Justice this time, there has been a serious problem with infestation of counterfeit products and pirate copies through the Internet. To deal with it properly, it is necessary and indispensable for us not only to work on it domestically but also to cooperate with the countries of their production, distribution and sales. The Ministry of Justice has been engaging in various activities toward the resolution of these issues in cooperation with the relevant offices.

It would be our unexpected pleasure if this symposium will help deepening the understanding of the current condition and issues of legal system, etc. regarding intellectual property, and play the role of a platform to seek out better methods to resolve legal disputes and problems surrounding intellectual property, and contribute to further development of intellectual property systems of the countries that participated this time, including Japan.

Lastly, I would like to express my sincere gratitude to those who have made efforts for the opening of this symposium.

Hiroyuki Tsuji  
Vice-Minister of Justice

I am pleased to announce that the “Judicial Symposium on Intellectual Property / TOKYO 2019” will be held in Tokyo, Japan from September 25 through 27, 2019. The Japan Patent Office (JPO) is inviting judges, police personnel and lawyers from India, Australia, the Republic of Korea, the People’s Republic of China and ten ASEAN member states. It is an honor for the JPO to co-host this symposium.

With the progress of business expansion by Japanese companies overseas and the economic development and growing awareness of intellectual property (IP) in emerging countries, business environment surrounding IP has been significantly transformed. Moreover, there are no borders between countries with respect to effects of the latest technology including the rapidly progressed IoT, AI, etc. In response to such transformation and rapid progress, harmonization of IP systems and operations is required with not only developed countries but also emerging countries.

The JPO has been making various efforts including provision of support to develop the IP systems in emerging countries, etc. in addition to promotion of harmonization with major countries in their respective IP systems and operations. In particular, the JPO has supported the development of IP systems and cooperated with IP practitioners in emerging countries, etc. through the WIPO Japan Funds-in-Trust which already marked its 30th anniversary. I am pleased to invite IP practitioners to this symposium in order to develop a deeper understanding of judicial systems for IP in participating countries toward harmonization of IP systems and operations with countries including emerging countries, which is sought in the coming future.

Inviting judges from India, Australia, Singapore, the Republic of Korea and the People’s Republic of China to this symposium on the third day, the JPO will conduct a panel discussion with judges from the Intellectual Property High Court of Japan, patent attorneys as well as Executive Chief Administrative Judge of the Trial and Appeal Department of the JPO using a hypothetical case. One main theme will be an inventive step of patents which is likely to become a major issue between the parties, and thus consideration of statements in a description, when the patented invention is found, as well as finding of a prior art invention will be discussed at the panel discussion. A wide variety of programs including discussions on claim construction in patent infringement lawsuits and Internet Piracy will be also planned for the symposium on the first and second days.

I’m confident that this symposium will help all users of the IP systems, such as the industry, lawyers and patent attorneys, to develop a deeper understanding of IP systems and operations in participating countries and that it will eventually lead to IP dispute resolution in the Asia - Pacific region.

We look forward to welcoming as many guests and representatives as possible to the symposium.

Akira Matsunaga  
Commissioner of the Japan Patent Office

As a member of the sponsoring organization, It is my great honor to open the “Judicial Symposium on Intellectual Property / Tokyo 2019.” This symposium provides a valuable opportunity to help deepen the understanding of the judicial system on international intellectual property disputes, as well as the latest IP topics through conducting mock trials and mutual discussions, inviting attendees at the Lawyers Association Hall of legal professionals as well as government officials who are working at the forefront of IP legal practice in each respective country.

The symposium, including this, the third time it has been held, highlights the theme of “resolution of intellectual property disputes in the Asia-Pacific region,” with the very welcome participation of many panelists from 14 different countries, the largest number of participating countries so far. Thanks to the fulfilling programs scheduled, I am certain this will prove to be a very meaningful opportunity for all the participants.

In today’s world, many innovations in information and communication technologies have been developed, and the shift towards a borderless economy continue, resulting in the creation and distribution of intellectual property becoming more diversified, complicated and developed. More and more, we have seen this intellectual property crossing national borders. Also, now in the agriculture, forestry, and fishery industries, for example, with the protection of new plant varieties and inflection of big data, there may be room to explore and create intellectual property rights by virtue of added value and redefinition gained through an IP oriented approach.

In the present conditions, global rules are required to ensure fair transactions and support dispute resolutions to protect intellectual property rights. And the international stability and harmony in the legal system constitute a common interest on intellectual property rights. It would be our pleasure if this symposium provides us the chance to understand these approaches and the handling of specific problems of a similar nature in each country of the Asia-Pacific region, and also share the significance of the fair rules of law.

One of the most important goals of the Japan Federation of Bar Associations is to establish an easy-to-use and reliable civil judicature for its users. We will make continuous effort to work with you to towards the necessary evolution of the legal system on intellectual property rights and its global development from the standpoint of legal practitioners, who shoulder this legal system.

Yutaro Kikuchi  
President of the Japan Federation of Bar Associations

We are pleased and proud to be co-hosting the “Judicial Symposium on Intellectual Property / TOKYO 2019” (JSIP2019). The symposium will feature the participation of judges and lawyers who are experts on intellectual property ("IP") in India, Australia, the Republic of Korea, the People’s Republic of China and ten ASEAN countries (Indonesia, Cambodia, Singapore, Thailand, the Philippines, Brunei, Viet Nam, Malaysia, Myanmar, and Laos) as well as Japan.

The Intellectual Property Network Japan ("IPLNET") was founded in April 2005 when the Intellectual Property High Court was established in Japan. This was one of the achievements resulting from activities aimed at advancing intellectual property systems and services in Japan, which was possible with the assistance of the Japan Federation of Bar Associations ("JFBA"). Since its establishment, the IPLNET has hosted various events, including international symposiums.

We believe it is necessary for IP practitioners across the globe to proactively seek fair and efficient ways to resolve IP disputes. From that viewpoint, IPLNET has hosted and participated in various international symposiums around the world. As with the Judicial Symposium on IP last year, where we invited judges and lawyers who are IP experts from the US, the UK, Germany and France, the selection of countries this year largely reflects interest of Japanese judicial related personnel in IP dispute resolution. We are confident that this symposium, with the theme of IP dispute resolution in the Asia-Pacific region, will provide all participants with a fascinating and informative experience.

Currently, Japan is working on introducing IT in civil proceedings, where fruitful discussions are being held in light of global trends in digitalization. We sincerely expect that Japan’s judicial development will build on accomplishments to be achieved at this symposium.

Wataru Sueyoshi  
President of IP Lawyers Network Japan