

ERIA's PROJECT

RESEARCH of Patent Examination Practice on Emerging Technologies in ASEAN



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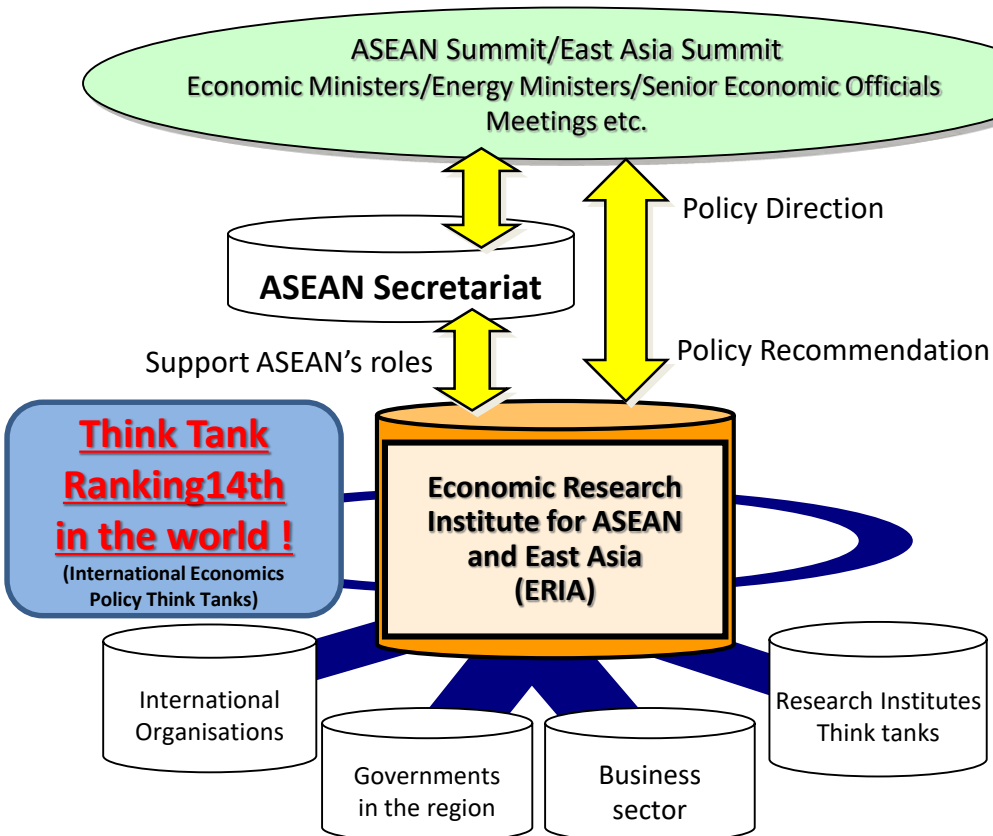
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OUTLINE OF ERIA

- ERIA was established in June 2008 as an **International Organisation** to conduct economic research and come up with policy recommendation, like the **'OECD of East Asia'**, with the aim of promoting economic integration in East Asia at the initiative of Japan.

Contribution to Economic Integration in East Asia



16 Member Countries

ASEAN 10 countries:

Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, Viet Nam

6 countries:

Japan, Republic of Korea, China, Australia, New Zealand, India

Executive Member

President:

Prof. Hidetoshi Nishimura

Chairman of ERIA Governing Board:

Mr Adrian S. Cristobal Jr
(Former Secretary of Department of Industry, Philippines)

2. Movement on patent examination guidelines among ASEAN and Japan



September
2018

The 8th ASEAN-Japan Heads of IP Offices Meeting

- ASEAN-Japan IPR Action Plan 2018-2019

November
2018

The 21st ASEAN-Japan Summit

- Chairman's Statement

August
2019

The 9th ASEAN-Japan Heads of IP Offices Meeting

- ASEAN-Japan IPR Action Plan 2019-2020
- Joint Statement



ERIA's Project

2018

2019

Now

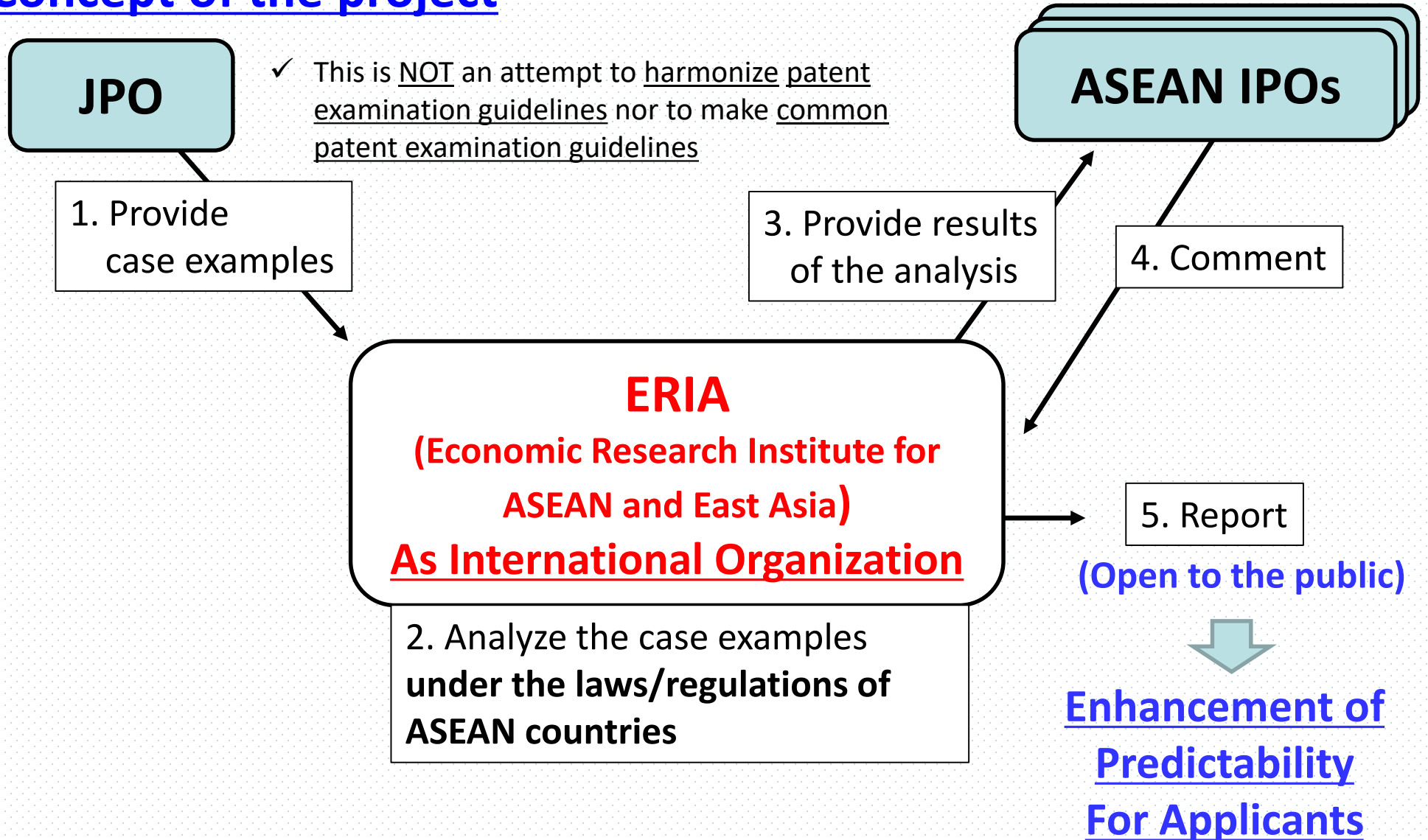
2020



3. Overview of ERIA's project



Concept of the project



4. ERIA's project - sharing case examples



The 3 case examples will be analyzed

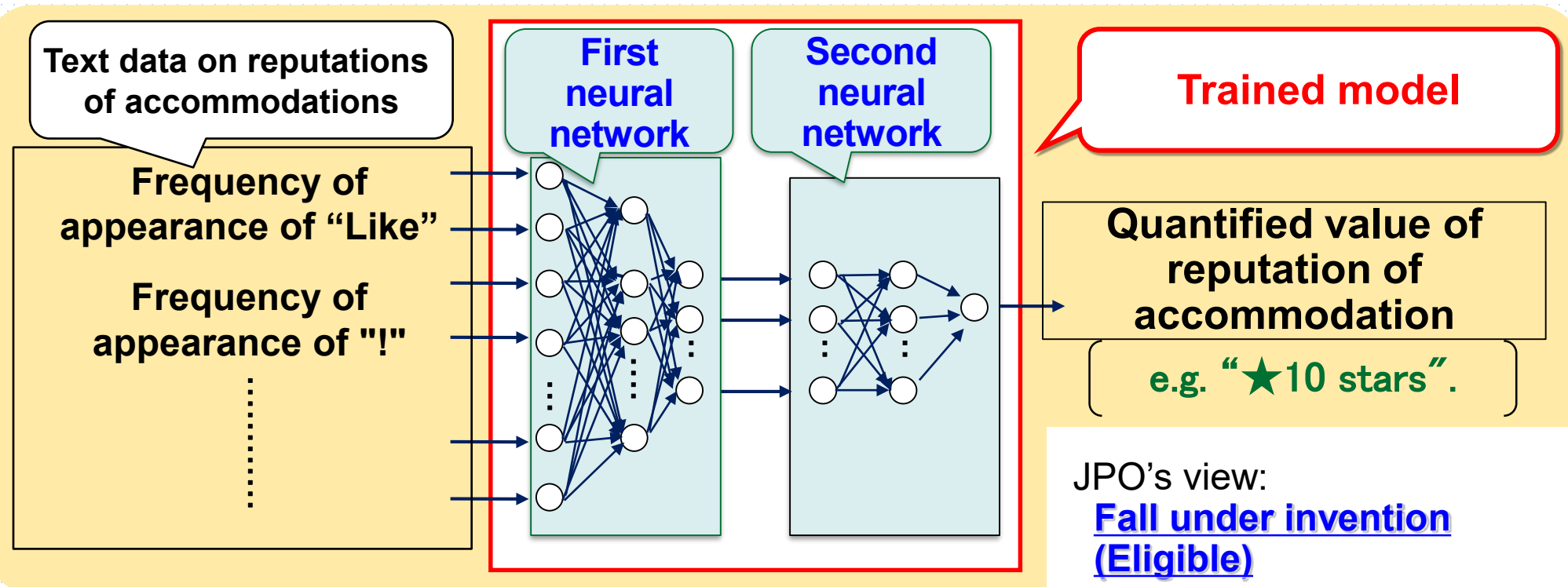
Name of Invention	Aspect to be analyzed	Point
Trained model for analyzing reputations of accommodations	patent eligibility	✓ Trained model (for AI) could be eligible as an invention to be patented?
Estimation system of Hydroelectric generating capacity	inventive step	✓ Simply replacing algorithm in prior art with AI could make inventive step? ✓ How about if the data to train the AI is specified?
Business plan design apparatus	description requirement	✓ What should be described in the description?

4. ERIA's project - sharing case examples

Case Example 1: **Eligibility** - Trained model for analyzing reputations of accommodations

[Claim 1]

A **trained model** for causing a computer to function to output quantified values of reputations of accommodations based on text data on reputations of accommodations, wherein; the model is comprised of a first neural network and a second neural network connected in a way that the said second neural network receives output from the said first neural network; ...

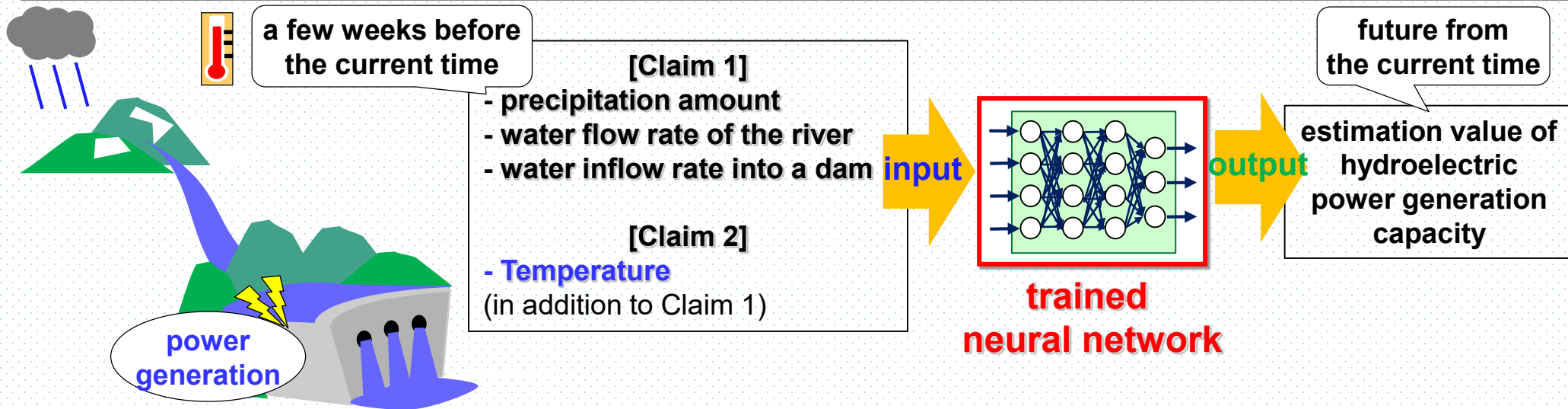


4. ERIA's project - sharing case examples

Case Example 2: **Inventive step** - Estimation system of Hydroelectric generating capacity

[Claim 1] An estimation system of a hydroelectric power generating capacity of a dam comprising: a **neural network** that is built by means of an information processor, ...

[Claim 2] The estimation system of a hydroelectric power generating capacity as in Claim 1, wherein the **input data** to the input layer further contains a **temperature of the upper stream of the river** during the predetermined period between the reference time and the predetermined time before the reference time.

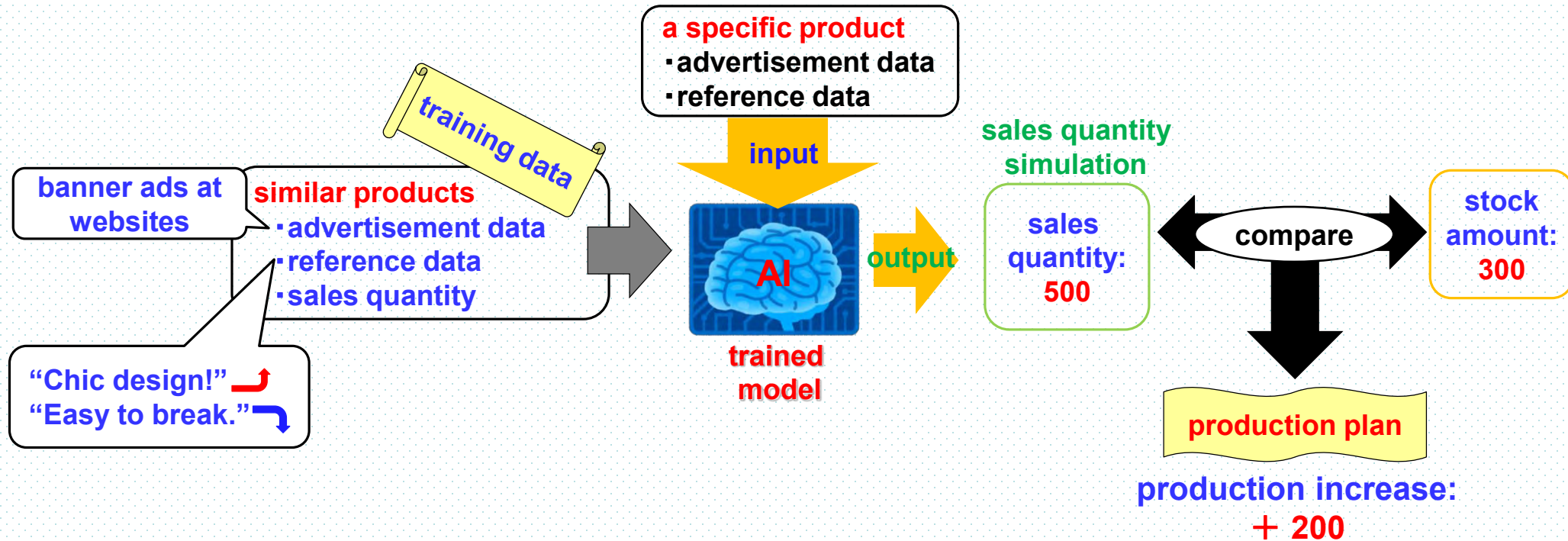


[Prior Art 1] An estimation system of a hydroelectric power generating capacity that carries out a multiple regression analysis by an information processor, comprising: a **regression equation model**, ...

JPO's view: invention of Claim 1 lacks an inventive step
invention of Claim 2 has an inventive step

4. ERIA's project - sharing case examples

Case Example 3: Description Requirement - Business plan design apparatus



[Description]

The description does not disclose a specific correlation among each data in a **training data**.

Note:

Specific correlation among data is a common general technical knowledge at the time of filing.

JPO's view:

the invention is disclosed in the description sufficiently clear and complete

5. Summary



- ERIA conduct **new project** to analyze a set of common case examples of patent examination in the field of emerging technologies among ASEAN and Japan
- ERIA, as International Organization, make **report including ASEAN IPOs view and practice** and open it to the public, together with basic information such as Laws, Regulations, Guidelines, etc.
- Sharing case examples among IP offices would easily **enhance the predictability** of the examination results of each offices and it will be beneficial to applicants.