

## (2) Countermeasures against counterfeits

### [1] Present situation of damage due to counterfeits

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In recent years, damage due to production and sale in the Asian area, by countries such as China, Taiwan and Korea, of counterfeits of products of Japanese enterprises has become serious. According to a survey carried out in FY 2000, counterfeits produced in this region are distributed not only domestically in the producing countries but also widely in the other Asian countries, further increasing resulting damage.

If the counterfeit issue is left unaddressed, it is feared that Japanese enterprises may lose markets and lose brand image and become involved in product liability suits. We must deal with counterfeits in the Asian area as soon as possible.

### [2] JPO efforts against counterfeit damage overseas

For several years, since the counterfeit issue in overseas countries began to increase in seriousness, the JPO has been carrying out counterfeit fact-finding surveys and has prepared a counterfeit countermeasures manual for enforcement on the spot by businesses. As a result of the surveys, the general trends of counterfeit damage were identified and it has become possible to present a manual for legal systems, procedures, etc., dealing with enforcement.

Henceforth, the JPO will make particular efforts toward collecting concrete information and will endeavor by means of further intensive efforts to change the actions of central governments and national regulatory agencies from abstract to concrete demands. The JPO will also intensify support for promoting "cooperation between enterprises", and improving the intellectual property right attitudes of enterprises and industries in the infringing countries.

Efforts concerning countermeasures against overseas counterfeits

#### 1. Conducting counterfeit damage fact-finding surveys

The actual situation of counterfeit damage to Japanese enterprises overseas has been analyzed and the results widely distributed.

#### 2. Anti-counterfeiting Help Desk

In March 1998, a counterfeit consultation desk (Anti-counterfeiting Help Desk) was

established to intensify the role of consultation and advice concerning cases of infringement of industrial property rights and support enforcement by rights holders.

### 3. Collection and presentation of information concerning counterfeit issue in overseas countries

The JPO has concluded advisory contracts with local law offices in Peking, Shanghai, Hong Kong, Taipei and Seoul to collect information concerning on-site enforcement. It prepares and distributes manuals on measures against counterfeiting. This information is also presented through the Internet.

In addition, on-site seminars are held for Japanese enterprises.

### 4. Support for establishing cooperation among enterprises

Representatives of anti-counterfeit organizations in advanced countries in Europe and America are invited to hold seminars concerning the basic concepts and the importance of cooperative work in taking countermeasures against counterfeits.

### 5. Influence on the governments of the countries concerned

Taking the opportunities presented by bilateral government conferences, Japan urged the governments of the countries concerned to intensify action against counterfeits.

## [3] JPO efforts against domestic counterfeit damage

The JPO extends the following cooperation to domestic regulatory agencies dealing with counterfeits imported into Japan and advises consumers on counterfeits.

### 1. Inquiries

In order to support regulatory activities against intellectual property rights infringement cases, the JPO cooperates with domestic regulatory agencies in responding to inquiries concerning such cases. There were 343 inquiries from domestic regulatory agencies in the first half of 2001.

### 2. Provision of lecturers for the training of customs staff, etc.

Lecturers are provided by the JPO for the training in judgment of trademark and design similarity, etc., of customs staff who deal with intellectual property.

### 3. Education activities for consumers

Educational booklets and the like are distributed to raise awareness among general consumers and merchants.