

The JPO's Efforts to Become the Intellectual Property Based Nation

Part 4

Chapter 1

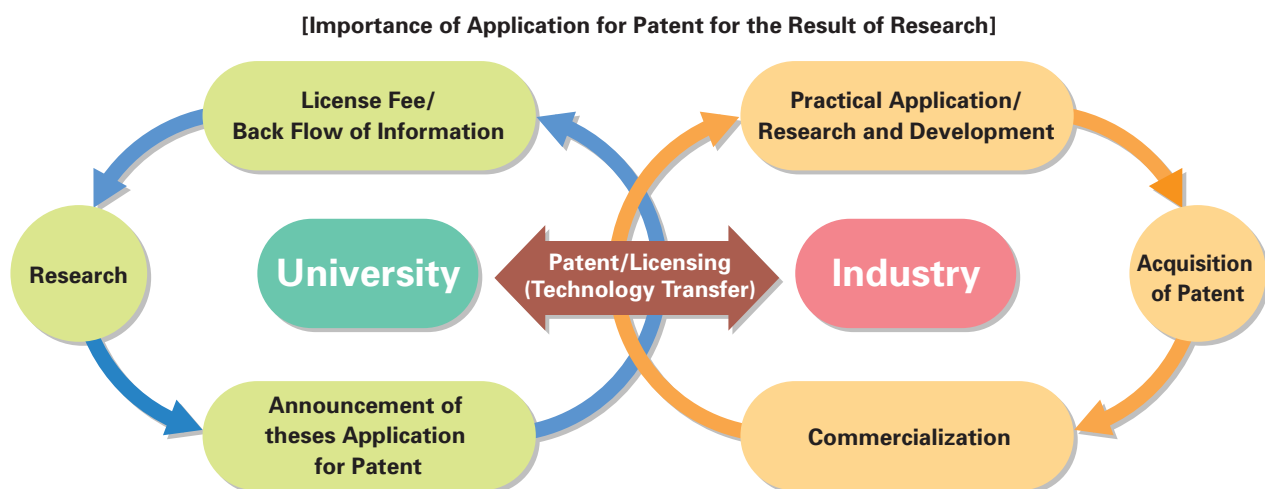
Support for Activities at Universities etc.

1. Necessity for Intellectual Property Activities

The research and development potential of Japanese universities is on a high level in the world. For instance, about 20% of funds for research and development are invested in universities, and approximately 37 % of all Japanese researchers conduct research in them. In other words, universities in Japan are replete with basis for creating high quality research achievements. For turning to practical use these achievements effectively in society, proper management of IP is required.

The advent of institutionalization of national universities in April 2004 greatly changed the circumstances surrounding them. Patent rights intended by university researchers traditionally have been managed by them on personal basis, however, in the new system, the university is in principle to manage these patents.

Under these conditions, systematic management of IP by the university is important, but establishment of rules to facilitate a series of steps of IP management from uncovering promising inventions to securing rights and technical transfer to the industrial world, establishment of the structure for this process and securing human resource for the purpose still remain to be addressed.



2. Measures to Support Intellectual Property Activities at Universities and Public Research Institutes.

(1) Dispatch of Intellectual Property Management Advisors

In an effort to vitalize industry through promotion of university-industry cooperation, rather than leaving IP such as inventions created within the university laboratories in the hands of individual researchers, it would be more efficient for them to belong in principle to the university. Toward accomplishment of this end, it would be necessary to establish a proper IP management structure within the university to comprise the core of the creation of new industries. Therefore, the JPO has dispatched specialists (Intellectual Property Management Advisors) to universities to support establishment of the intellectual property management unit since FY2002.

The dispatch service of IP management advisors is a project to dispatch private sector IP managers for 3 years to the university and the IP advisor directs the university staff in IP management, thereby enabling the university in the future to operate its own IP management unit.

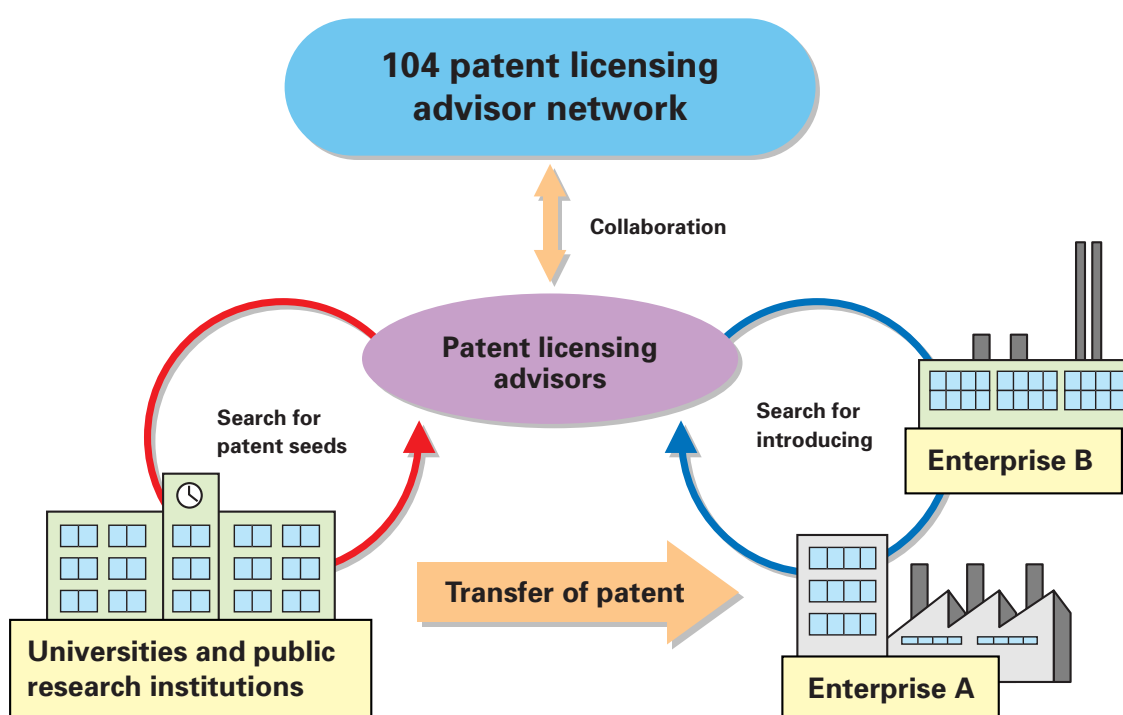
The university committed to receive IP management advisor must assign specialized staff and fund for the operation of IP management unit, and in cooperation with the IP management advisor and develop an IP management structure in principle within 3 years.

On the basis of the accomplishments of the programs of IP management structure development, a manual of a collection of know-how in the endeavor will be compiled for the purpose of dissemination among other universities. In addition, seminars and symposia in support of universities in IP management will be convened so that nationwide universities are able to manage intellectual property right.

(2) Dispatch of Patent Licensing Advisors for TLOs

An independent administrative agency, the National Center for Industrial Property Information (NCIPI) has dispatched Patent Licensing Advisors on the request of TLOs. Patent Licensing Advisors are specialists with abundant knowledge and experience of intellectual property and technology transfer aiming to match the technologies of universities etc with the SME's needs of technology introduction.

[Image of the Concept of Exploiting Patent Licensing Advisors]



(3) Provision of Patent Licensing Database

To promote licensing of transferable patents in possession of universities and public research institutes. The JPO has provided the Patent Licensing Database of meta-searchable of expliutable and licensable patents. As of April 2004, 55,658 licensable patents are registered in the database. Of which 14,643 cases are transferable patents in possession of universities and public research institutes. The database is equipped with function displaying transferable patent which is virtual consolidated data of each university by link to Website of each university to facilitate technical transfer of university research accomplishments.

(4) Dispatch of Consultants to Universities etc.

The JPO has dispatched experts on industrial property (such as patent attorneys) for consultations such as patent applications to the universities related to the TLOs in the regions with few patent attorneys in order to give appropriate protection and exploit intellectual property created at universities etc.

[Outline of Business]

Individual consultations for application of patent for the results of the research with researchers in universities. Consultations cover evaluation of the invention, application procedure, examination procedure, licensing right setting and other rights exploitation items, patent disputes and other items concerning all intellectual property.

[Support results, etc.]

FY 2002: 110 consultations at 29 universities (7 TLOs)

FY 2003: 90 consultations at 38 universities (11 TLOs)

(5) Reduction and Exemption of the Payment of Patent Fee and Examination Request Fee

The JPO has supported the efforts for university-industry cooperation and technology transfer at universities and TLOs by reduction/exemption of the payment of patent fee and examination request fee based on the rules of the Law for Promoting University-Industry Technology Transfer, the Law on Special Measures for Vitalizing Industrial Activities and the Law for Enhancing Industrial Technology.

[Support in Compliance with the Law promoting Technology Transfer from Universities to Industry]

Content of support	Results of support (as of end of March 2004) ¹²
Reduction of patent fee and examination request fee for authorized TLO (Section 12)	2 agencies of the Ministry of Education, Culture, Sports, Science and Technology, 1 agency of the Ministry of Economy, Trade and Industry, and 1 agency of the Ministry of Agriculture and Fishery, and 1 agency of the Ministry of Health, Labor and Welfare

[Support in Compliance with the Industrial Revitalization Special Measure Law]

Contents	Results of support (cumulative) (as of end of March 2004)	
Reduction of patent fee and examination request fee for approved TLOs (Section 32)	Reduction of patent fee	32 (52)
	Reduction of examination fee	109 (248)

[Industrial Technology Reinforcement Law]

Content of support	Results of support (cumulative) (as of end of March 2004)	
Reduction of patent fee and examination request fee for universities and university instructors (Section 16)	Reduction of patent fee	25 (74)
	Reduction of examination request fee	23 (131)

(6) Accelerated Examination System

It is possible to receive examinations earlier than ordinary applications when the PROs and authorized/approved TLOs submit the "explanation of circumstances concerning accelerated examination". The PROs and authorized/approved TLOs are expected to more actively exploit the accelerated examination system in order to promote commercialization of the research results through earlier acquisition of rights.

(7) Seminars for Universities and Public Research Institutes Researchers

The Patent Offices in every Bureau of Economy, Trade and Industry, and the Cabinet Office, Okinawa General Bureau of Economy, Trade and Industry Department are conducting "seminars for universities and public research institutes researchers" for researchers at universities and public research institutes to explain the method to write down the research results as the patent specifications and significance of social exploitation of the research results by acquiring patent with the objectives of acquisition of rights for research results and promotion of exploitation of the rights. The seminars were held 127 times countrywide in FY2003 with the attendance of 3,800 persons.

The JPO also dispatches staff as instructors to universities on intellectual patent. The JPO has dispatched staff as instructors to the law schools (started receiving students from April, 2004) and other professional graduate schools.

¹²Source: Ministry of Economy, Trade and Industry

(8) Designation of Universities etc as the Scientific Associations Stipulated in the Patent Law Section 30

The Patent Law Section 30 stipulates that "giving written presentation at a research assembly held by a scientific association designated by the Commissioner of the Patent Office" is treated as an exception in loss of novelty. When universities etc are designated as scientific associations by the Commissioner of the Patent Office, exception for loss of novelty will be approved for the contents of research result presentation at research assemblies held by the said universities etc in a similar manner as the presentation at academic society meeting. The number of designated institutes as of July 1, 2004 was 114 universities, 13 technical colleges, 2 institutes joined with universities, 24 independent administrative institutions and 44 public testing laboratories

JPO is enlightening university researchers through seminars because it is important to submit an application before re-search presentation for appropriate protection of IPRs.

(9) Distribution of a Brochure "How to Apply for Patent for Research Result"

It is necessary that researchers and patent managers at universities etc. recognize the significance of having adequate knowledge on the patent system, acquiring appropriate rights for the research results and exploiting the results. The JPO prepared a brochure "How to Apply for Patent for Research Result" for the researchers and patent managers at universities etc. that introduces the key points at application for patent and various efforts by the JPO as a means to promote acquisition of rights for the research results.

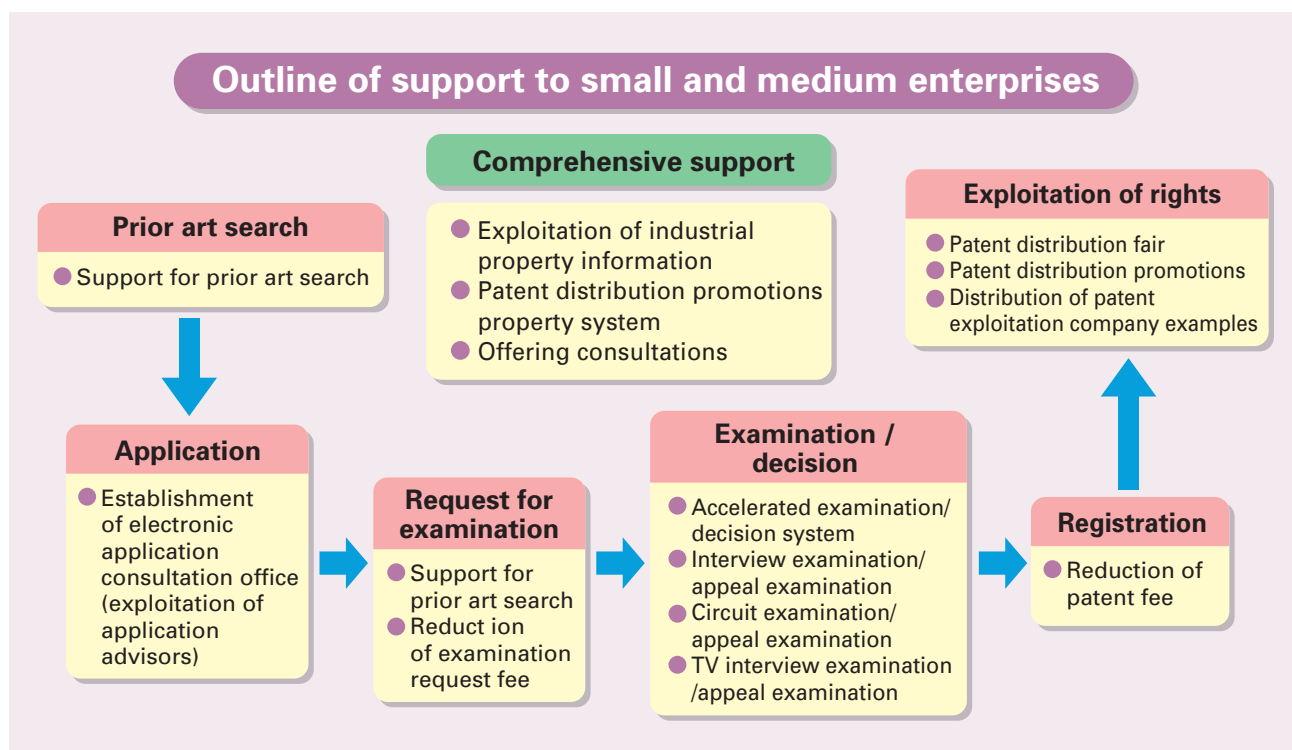
The brochure also introduces the method to acquire appropriate rights for the research results at universities etc. by using the software of application from PCs which the JPO is distributing free of charge upon request and fundamental information to acquire rights in foreign countries.

Chapter 2

Support for Small and Medium Enterprises

1. Support for Small and Medium Enterprises

The JPO provides comprehensive support through various policies to small and medium enterprises that sustain the industrial foundation in Japan and play a significant role as the driving force in regional economy as well as the venture companies that are expected to create new industries.



The JPO has structured a system to provide support to make it easier for the small and medium enterprises to acquire more industrial property through effective exploitation of the above policies dedicated to small and medium enterprises. The following is the explanation of the policies shown above.

(1) Major Support Policies for Small and Medium Enterprises

(i) Support for Prior Art Search (Patent)

For the purpose of providing information used for decision to request examination, a civilian search organization under contract with JPO conducts prior art search and submits the search report in compliance with requests from applicants. (Program started effective from June 1, 2004.)

(ii) Support for Prior Art Search (Utility Model)

In compliance with the new utility model system introduced in January 1994, the special technical assessors search prior art that applies or is similar to the technique of the advisees free of charge from a huge volume of past technical documents to support the required prior art search, and mail the report of the search to the advisees.

(iii) Establishment of Electronic Application Consultation Office

The JPO has installed public terminals (free of charge) for online applications in the electronic application consultation offices established in the branches of the Japan Institute of Invention and Innovation in all 47 prefectures, assigned application advisors who instruct the application procedure (now to use the terminal) and offer

consultations on the electronic application system, etc.

(iv) Reduction of examination Request Fee

The JPO provides reduction of the examination request fee to small and medium enterprises and venture companies with less financial resources in compliance with the Patent Law.

The JPO also provides reduction of examination request fee for the small and medium enterprises and venture companies dedicated to research and development, researchers at universities, technical colleges and university cooperative institutes and public test research institute in compliance with the Industrial Technology Reinforcement Law.

(v) Accelerated Examination

a. Patent and Utility Model

The JPO conducts accelerated examinations upon submission of the document for explanation of the circumstances for small and medium enterprises, universities, technical colleges, public research institutes, TLO and individuals with the objectives of promotion of early exploitation of the results of fundamental researches, support for applicants with creative research and development and other measures to reinforce industrial competitiveness of Japan, in addition to applications that concern licensing or foreign nations.

b. Design

The JPO provides accelerated examinations and trials upon submission of the document for explanation of circumstances for the applications related to licensing and to foreign nations that urgently need granting of the rights. (For details, see Part 2, Chapter 1, Section 2 "Design Examinations" above)

c. Trademark

The JPO conducts accelerated examinations and trials upon submission of the document for explanation of circumstances for the applications with urgency for the rights, e.g. when applicants are using or preparing to use the subject trademark and a third party is using the same without approval. (For details, see Part 2, Chapter 1, Section 3 "Trademark Examinations" above)

(vi) Interview Examination and Appeal Examination

The JPO conducts interview examinations and trials where the applicants or their agents and the Patent Office examiners or appeal examiners (hereinafter referred to as "examiners") directly meet as an important supplementary method for communications in granting of the right, etc.

(vii) Circuit Examinations and Appeal Examinations

The examiners of the JPO visit all areas in Japan and conduct circuit examinations and circuit appeal examinations by interviews to small and medium enterprises, etc. in remote regions.

(viii) TV Interview Examinations and Appeal Examinations

The JPO conducts interview examinations and appeal examinations by connecting the TV conference system installed in the JPO with the patent offices in the Economy and Industry Bureaus, etc. or others installed at the applicants' premise so that interview with examiners may be conducted without the applicants having to visit the Patent Office.

(ix) Reduction of Patent Fee

The JPO provides a grace period for the patent fee for 1 to 3 year for small and medium enterprises and venture companies with less financial resources in compliance with the Patent Law.

The JPO also provides a grace period for the patent fee for 1 to 3 year for the researchers at small and medium enterprises and venture companies dedicated to research and development, universities, technical colleges and university cooperative institution in compliance with the Industrial Technology Reinforcement Law.

(x) Patent Licensing Fairs

The JPO conducts Patent Licensing Fairs as the effort to establish the environment to invigorate the patent market jointly with the Economy and Industry Bureaus, etc. The fairs offer the "opportunities for encounters" where the enterprises, universities, research institutes, agencies, technical consultants, etc. who offer or wish to introduce patents meet with one another directly.

(xi) Patent Licensing Promotions

The National Center for Industrial Property Information (NCIPI) is developing patent licensing promotion activities in order to invigorate creations of new businesses and development of new products at small and medium enterprises and venture companies through enabling smooth transfer of patents whose holders have intention to release (released patents) among enterprises and between universities/public research institute and enterprises (for details, see "Various Support Activities by NCIPI" in the later Column).

(xii) Distribution of Patent Exploitation Company Examples

The JPO published the "Patent Exploitation Company Examples" in November 2001 carrying 161 companies that are vigorously exploiting intellectual property as the mainstay for business selected from major small and medium enterprises in Japan to reference for small and medium enterprises who have the intention to improve the business by exploiting intellectual property, and broadly distributed the copies through the patent offices at Economy and Industry Bureaus, etc.

*Chapter 3***Support for Activities through Information Technology****1. Further Promotion of Information Technology****(1) Further Improvement of Electronic Filing**

As the pioneer in the world, the JPO has promoted the paperless project since 1984 and started receiving online applications for patents and utility models in December 1990. Around 29,000 applicants/agents have filed application through the PC electronic filing software by the end of FY2003, and the electronic filing application rate for patents and utility models for 2003 was as high as 97%. The JPO started receipts of online applications for designs and trademarks, appeal procedures and the procedure for PCT after shifting to the domestic stage in January 2000. The electronic filing rate in 2003 was 91% for design applications, 83% for trademarks, 98% for appeals and 99% for PCT domestic procedure. The JPO started online procedure for PCT in the international application phase as well in April 2004.

At the present time, electronic application filing is conducted through ISDN circuit. JPO plans to deploy a system operation through the Internet by the end of FY2005. In the Internet electronic filings of application, JPO plans to use the Government Public Key Infrastructure (GPKI), which is being readied for use at present, for user identification and prevention of document alteration. Electronic payment will be allowed through the use of the revenue funds electronic payment system developed in the Ministry of Finance.

(2) Further Improvement of Information Technology by International Standardization of the Filing on Format

Electronic data accepted in online applications is useful to enhance the efficiency of general administrative operations at the JPO through comprehensive computerization of the administrative processing of applications, examinations and appeal/trial procedures. It is also effectively used for publishing DVD-ROM and CD-ROM gazettes, providing industrial property rights information, exchanging data with foreign countries and providing search services.

In regard to the international standardization of the online applications for patents, the WIPO is preparing prepared electronic data on the international phase of the PCT international applications and is preparing the PCT International Technical Standard for higher efficiency in the document exchanges among international offices and receiving offices.

The JPO unified the application format for patents and utility models in Japan to the international application format, and executed international standardization of the electronic format (XML system) in preparation for compliance when the technical standard has become effective. The JPO plans to comply with the international standardization of the electronic format for the publications of unexamined applications and of registered applications from January 2004 by adopting XML system. The data medium has been changed from CD-ROM to DVD-ROM. From July 2004, the JPO also plans to publish XML formatted Patent and Utility Model Gazette by DVD-ROM. Incidentally, digitalization of the international phase of the PCT international filing process commenced in April 2004 was built in accordance with the international standard.

As a result, the electronic format for international patent applications, etc. will be standardized and electronic data exchange with other countries will become easier. Adoption of the standardized electronic format for the industrial property data supplies service, search system, etc. will enable more efficient and standardized electronic data exploitation and distribution.

History of the Paperless System



Electronic inspection services for the comprehensive document database



January Publication of CD-ROM gazettes



New registration system

Acceptance of online filing from PCs

January Exchange of electronic data of priority documents with the EPO

March Industrial Property Digital Library (IPDL)

January Integration of terminals for filing applications into PCs (abolition of dedicated terminals)

July Exchange of electronic data of priority documents with the Korean Industrial Property Office (KIPO)

July
1984

Paperless Project inauguration

March
1985

Patent document search system (F-term)



October
1986

December
1990

Acceptance of online filing for patents and utility models

1993

July Peripheral examination assistance system (electronic drafting), including online demand and online inspection



October
1996

Cash payment system

April
1997

April
1998



1999

January
2000

Paperless System for designs, trademarks, PCT (national phase) and appeals

2001

July
2003

Internationally Standardized Formats (XML formats) for patents and utility models application documents

2. Industrial Property Digital Library (IPDL)

(1) IPDL

Industrial property information includes the latest technological information as well as information that defines the scope of rights. For this reason, it is important to promote its active use in planning business strategies, research and development strategies, etc. The JPO started the IPDL on its website in March 1999 in order for the public to be able to access and obtain the industrial property information easily.

In the IPDL, users can access and search approximately 53 million of industrial property-related documents such as gazettes regarding patents, utility models, designs and trademarks that have been published since the 1885 with document number or various classifications. Additionally the IPDL also offers the legal status information of applications, registrations and appeals/trials.

The IPDL provides "Search for beginners" service in Japanese (for patents, utility models and trademarks) for industrial property information beginners. The JPO also started to provide a part of the database (bibliographic data only) for patent examination concerning computer software (CSDB). On the other hand, the JPO provides information services in English for foreign users, such as PAJ (Patent Abstracts of Japan), FI/F-Term search services, English version of trademark filing and registration information, machine translation service for gazettes. In March 2004, the JPO started providing Design Gazette DB in English. As shown above, the JPO has been making efforts to expand the services contents to meet diversified needs.

In response to the Action Plan developed by the "Committee for Promotion of Utilization of IP Rights Information (Commissioner's personal advisory round-table discussion group to establish the future direction in promotion of IP rights information)" on the basis of consideration of the rationale for promotion of utilization of the IP rights information indicated in the "Intellectual Property Policy Outline", system improvements including the replacement of the server and implementation of measures to prevent large volume downloads and robot access that may interfere with processing normal services for users.

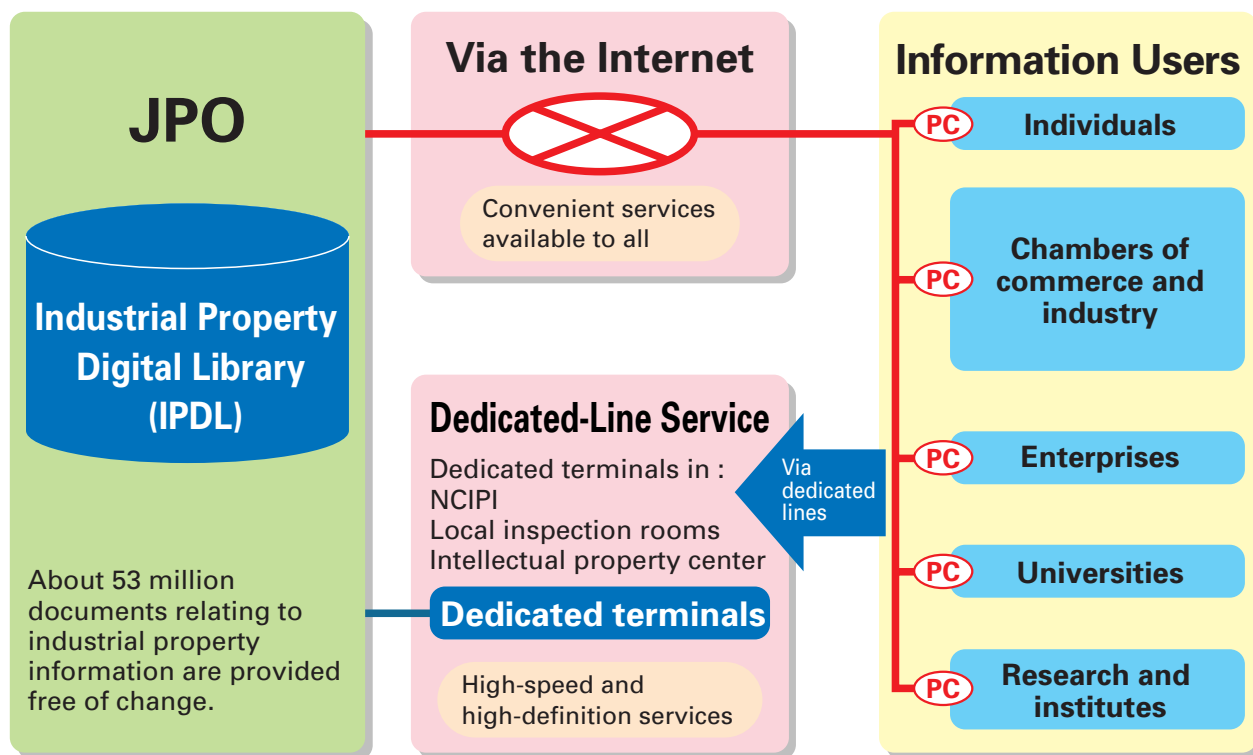
In addition to the Internet service, the JPO has installed special terminals at the National Center of Industrial Property Information (NCIPI), regional reference rooms of the NCIPI, intellectual property centers at each prefecture, etc. to provide the high-speed and high-definition service through dedicated lines for further convenience of the users.

The IPDL services will encourage the use of industrial property information in identifying application, the research and development trend and application trend of competitors, preventing duplicate investment, avoiding unnecessary disputes when deciding the product designs or brand names.

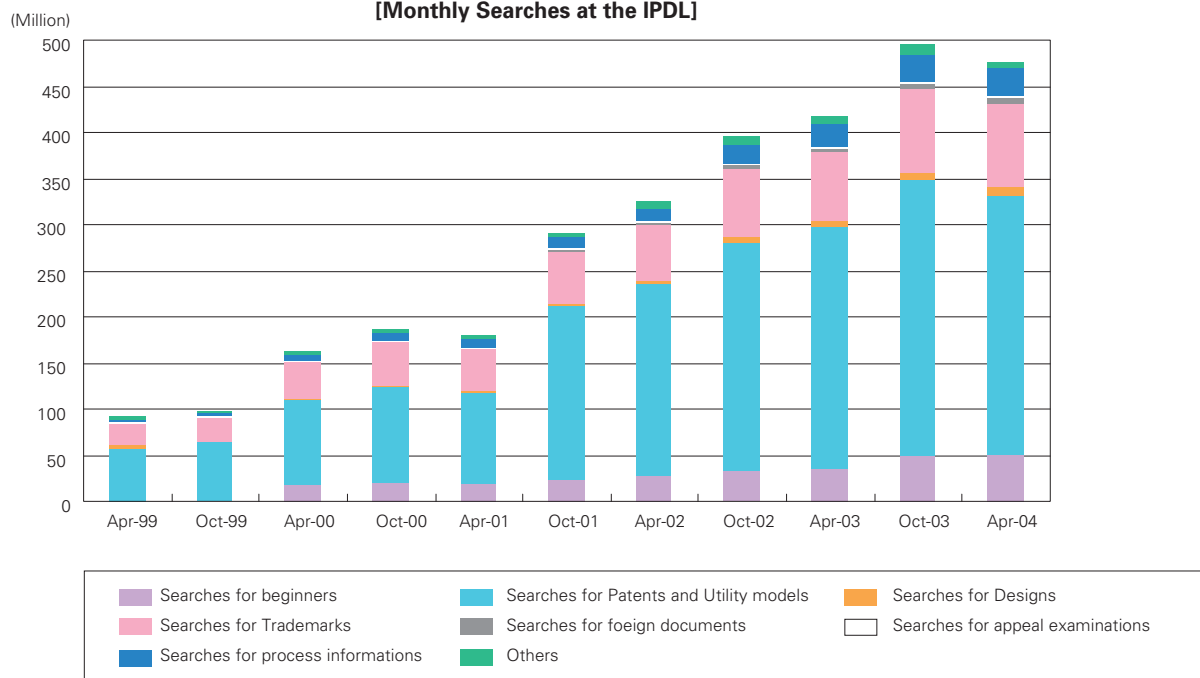
The number of accesses to the IPDL per month rapidly increased, due to the enhancement of services, from approximately 1 million in April 1999 immediately after the service started to approximately 4.5 million now. The most frequently used service is the search for patent and utility model which occupies around 60% of the total, followed by search for trademarks at 20% and search for beginners at 10%, and these three services occupy 90% of the total usage of the IPDL.

The Industrial property digital library services will be transferred on October 1, 2004 to the National Center for Industrial Property Information and Training and will be reachable at http://www.ipdl.ncipi.go.jp/homepg_e.ipdl.

[Outline of the IPDL]



[Monthly Searches at the IPDL]



3. Promotion of Industrial Property Information Provision

(1) Enhancement of Industrial Property Information Provision

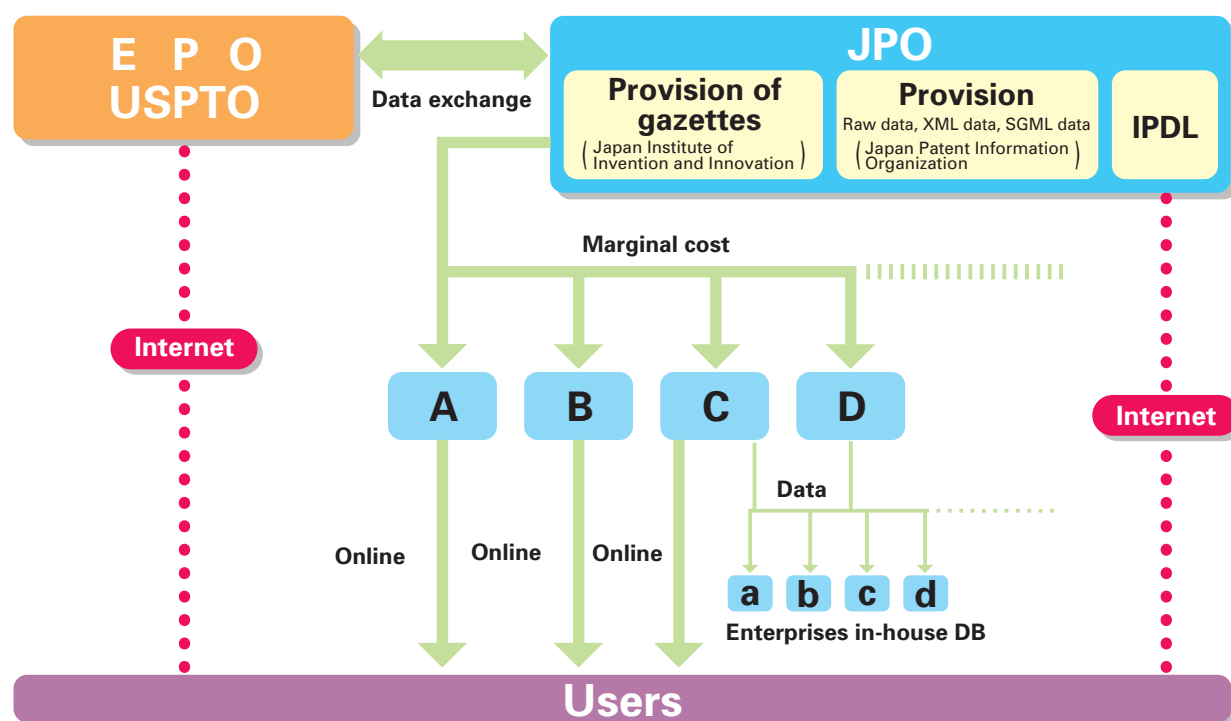
In enhancing industrial property information services, it is necessary not only to satisfy standard public needs by providing services free of charge through the IPDL, but also to prepare an environment in which the private sector information service providers can provide high-value added services and satisfy the public's diverse needs. To achieve this goal, the JPO reviewed the conditions for providing its data and is going on establishment an environment in which industrial property information can be provided for active use.

In particular, the JPO began providing CD-ROM gazettes, published in and after April 1998, at marginal cost¹³ and improved the environment that the public can use Gazette data at a low price. Additionally the JPO has adopted the XML format for the publication of unexamined patent application and utility model registration from January 2004 and changed the media from CD-ROM to DVD-ROM as user-friendly form. From July 2004, granted patent and utility model publication will be issued in the same format and media.

In March 1999, the JPO also started to organize and standardize data on the legal status of examination into SGML format at its own expense and provide it at marginal cost. In order to increase accessibility to the JPO databases, the JPO changed the media for providing legal status information from MT to DVD-R in March 2002 and started to provide CD-ROM gazettes for past issues (gazettes issued in or before March 1998) at marginal cost. The JPO also started to provide the bibliographic data of CSDB in April 2003 and is endeavoring to offer comprehensive data in the database. In April 2004, the JPO began to release data for patents and utility models (excluding those of appeals and trials) in sorting and standardization format of XML.

These measures have encouraged companies to establish their databases and private information service providers to provide wide variety of high-value added services. In response to the provisions of the "Strategic Program for the Creation, Protection and Exploitation of the Intellectual Property", the JPO will continue to raise the level of convenience in obtaining IP information by the users.

[Flow of Data Dissemination]

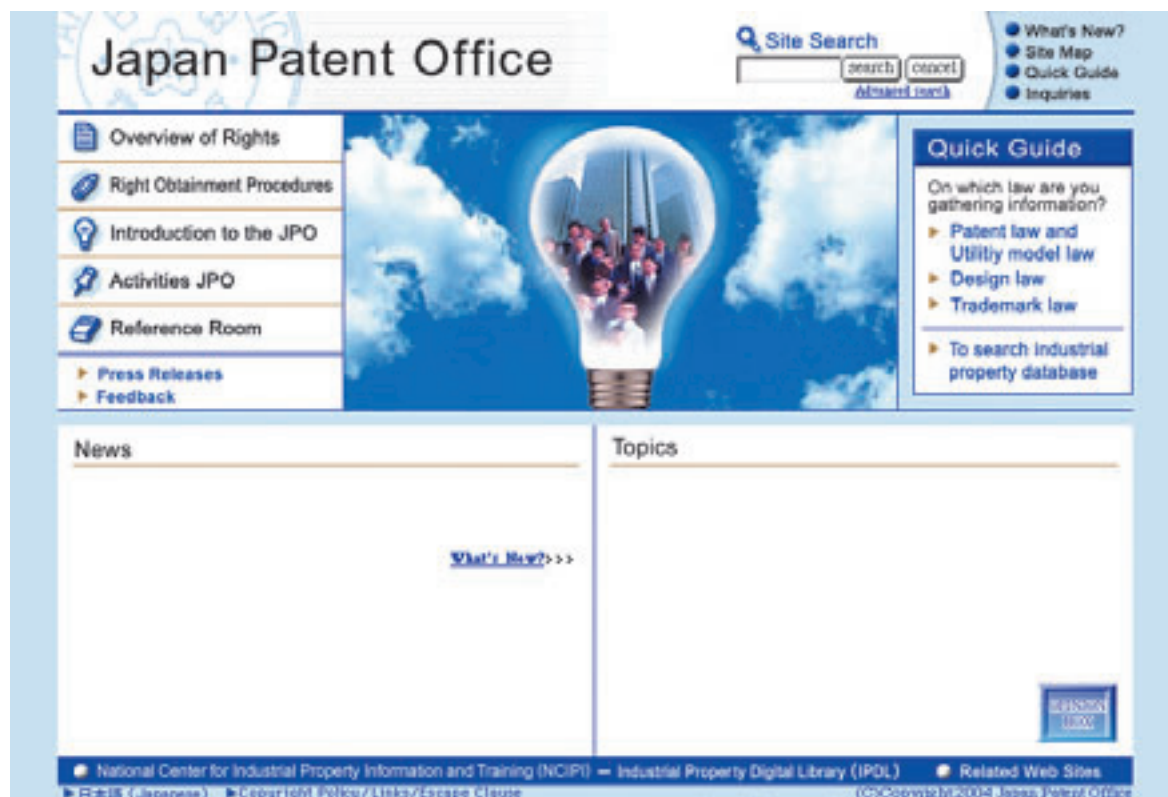


¹³ Additional expense for data reproduction, price for empty data storage media and sending cost, which does not include the data creation and maintenance costs.

(2) Introduction of Information Supply in the Website of the JPO

(<http://www.jpo.go.jp/index.htm>)

The website of the JPO has been transmitting various information on the patent administration, the IPDL and other industrial property information, and the JPO conducted a comprehensive renewal in February 2003 to respond to increased volume of data and the users' needs and to improve convenience even further.



<Five main categories>

- Overview of Rights
Information on the industrial property system and the history of the system
- Right Obtainment Procedures
Information on the procedures and operations of applications, formality checks, substantive examinations, trials and appeals and registrations
- Introduction to the JPO
Information on the organization and employment of officials at the JPO
- Activities JPO
Information on press release, patent distribution, prompt granting of a right, imitation measures and other industrial property policies, amendments of laws, international activities and cooperation, invitation to a seminar, examination for patent attorney, etc.
- Reference Room
Information on the IPDL, council meeting reports, laws and orders, examination standards, statistical reports, investigation reports, etc.

[Column]

Various support activities by the independent administrative institution, National Center for Industrial Property Information

(<http://www.ncipi.go.jp/english/index.html>)

The National Center for Industrial Property Information (NCIPI), an Independent Administrative Institution, was established on April 2001. The center provides comprehensive information on industrial property through a wide range of measures for encouraging patent licensing. These include gathering and reading official gazettes on industrial property; providing consultations on industrial property, gathering and reading the JPO's industrial property reference materials, and utilizing licensable patents.

(1) Gazette Retrieval

About 150 retrieval equipment with exclusive lines are installed in the first gazette reading room on the 2nd floor in the JPO building, where the IPDL are provided for retrieval free of charge. The same equipment is installed in the regional reading rooms in 8 locations (Sapporo, Sendai, Nagoya, Osaka, Hiroshima, Takamatsu, Fukuoka and Naha) and retrieval and other services are providing. The number of users in FY2003 was about 85,000.

[Gazette reading room]



(2) Examination/Trial Material Supply

The NCIPI collects various technical documents (books, etc.) to be used at examinations and appeal examinations at the JPO and offer them as the materials for examinations and appeal examinations by the JPO.

The collected technical documents are also offered for reference by the general public.

[Technical documents]



(3) Industrial Property Consultation

A consultation corner is always available on the 2nd floor of the JPO building for general consultation on the application procedure for acquisition of industrial property and other issues concerning industrial property. In addition to the consultation booths, consultations are welcome through telephone, e-mail and correspondence. The number of consultation in FY2003 was about 51,000 including phone calls, e-mail and correspondence.

[Consultation booth]



(4) Patent Licensing Promotion

The NCIPI provides variety of programs/ projects for encouraging patent licensing, in order to support active exploitation of intellectual properties by small and medium enterprises, venture business, universities and research organizations.

(i) Promotion of Patent Licensing by Exploiting Human Resources

a. Patent licensing advisors

The NCIP dispatches upon request from prefectures, etc. patent licensing advisors who are specialists with abundant knowledge and experience in intellectual property and technology transfer with the objectives to search and match the licensable patents owned by enterprises, universities, public research institutes, etc. and the needs for technology transfer at small and medium enterprises and venture companies (109 advisors as of July 2003).

Stage 1 Propagation (popularization)

The key point is how to win trust from as many enterprises as possible

- Visit companies (explain patent licensing promotion activities)
- Propagate and popularize knowledge on patents (various consultations)
- Renovate awareness on exploitation of patents (indication of successful examples, etc.)



Stage 2 Collection of needs seeds

The key point is precise evaluation of the business content of the companies and the technology in their possession

- Visit companies (understand business content and technologies in possession)
- Collect technology introduction needs and supplyable technical seeds from the companies
- Investigate the technical seeds that match the needs from patent information
- Exchange information with other advisors or agencies



Stage 3 Specific proposals

The key point is finding optimal counterpart and match them

- Visit both places of the needs and the seeds
- Give advice to preparation of business plans
- Give advice for product development, etc.
- Introduce various support activities (commercialization support measure, etc.)

Stage 4 Support for success

The key points are negotiation capability, knowledge on contracts and after-care (management support)

- Give advice on contracts
- Support fund procurement and research and development in collaboration with other agencies



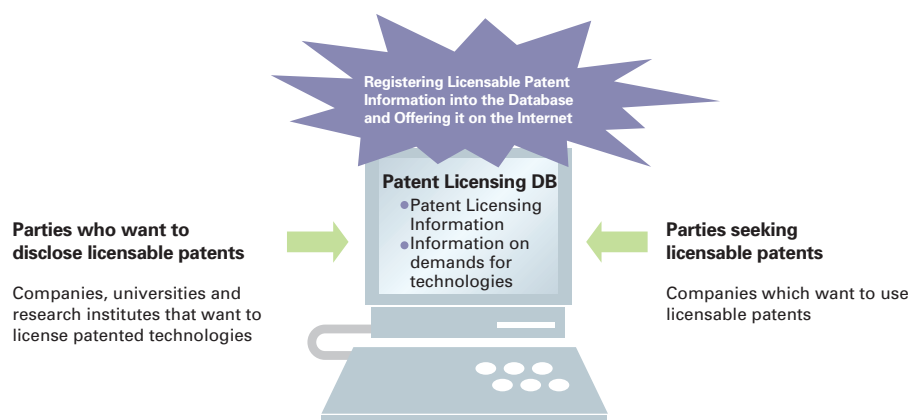
b. Patent licensing seminar

The NCIP holds seminars introducing successful examples of patent licensing with the objective to enhance awareness on patent licensing.

(ii) Licensable Patent Information Supply

a. Patent Licensing Database (<http://www.ryutu.ncipi.go.jp/en/index.html>)

This is a database on which one can retrieve, in only a single search, licensable patents of companies, universities and research institutes on the Internet. About 56,000 licensable patents (including 15,000 licensable patents from universities and research institutes) were registered at the end of September 2004. Registration to and retrieval from the patent licensing database are free-of-charge.



b. Examples of Licensable Patent Utilization

The NCIPI selected the patents with high feasibility for commercialization among the license patents registered in the patent licensing database, and prepared the collection of licensable patent utilization examples as an aid for business ideas with the aim for effective utilization of those patents (213 cases were carried in FY2003 version).

c. Chart for Supporting Patent Licensing

For selected technological themes, these patent maps, created by analyzing patent information, illustrate the maturity of related technologies and the trend in technical development solutions. These maps will be useful when examining opportunities for advancing to different fields or developing new business. Also, these maps can be used as a useful reference for identifying technical needs for finding companies that own the relevant patents. These patent maps are offered on NCIPI's website and in CD-ROM format (21 themes were selected in the FY2003 version).

d. Patent Information Advisor

In the current process for promoting creation, protection, and utilization of intellectual property, it is an important strategic key to effectively use patent information, which contains both information on rights and information on the latest technologies. In order to help SMEs, universities, and research institutes effectively use patent information, Patent Information Advisors are dispatched to each prefecture (IPDL Search Advisor are dispatched to some prefectures) to respond to various requests regarding the use of patent information, giving instruction and advice on how to search and use patent information (including demonstration of searching) and holding workshops.

(iii) Education of Human Resources for Patent Licensing

a. International patent licensing seminar

The NCIPI invites specialists engaged in patent licensing and technology enterprises, local governments, etc. to enhance the business skills of those transaction and structure human network in Japan and hold joint discussions and are active in the front line in Japan.

[Schedule of Seminars in FY2003]

Place	Date	Keynote speakers
Royal Park Hotel (Hakozaki, Tokyo) Total number of Participants : 2,830	January 26 (Monday) to 28 (Wednesday), 2004	Mikio Sasaki, President & CEO, Mitsubishi Corporation
		Phillip B. Stern, CEO, yet2.com Inc.
		Hajime Sasaki, Chairman of the Board, NEC Corporation
		Henry Chesbrough, Executive Director, Center for Technology Management, Haas School of Business, University of California-Berkeley
		Patricia Harsche Weeks, President, AUTM
		Melvin F. Jager, Immediate Past President, LESI/Managing Director, ICMB Ocean Tomo
		Hisamitsu Arai, Secretary-General, Intellectual Property Strategy Promotion, Cabinet Secretariat

b. Training course in IP distribution assistance

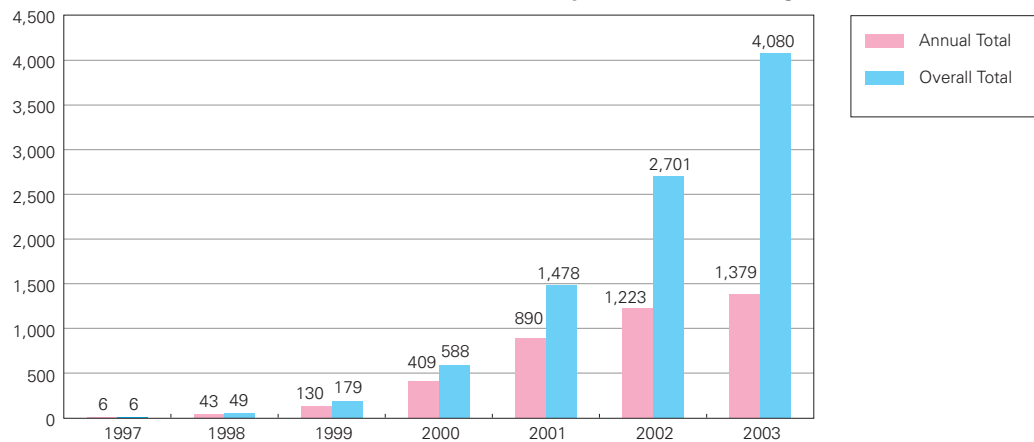
The NCIPI has held seminars for participants to acquire the necessary knowledge in order to engage in patent licensing agent services and technology transfer services, at various places in Japan. This year, the NCIPI will hold 3 seminars: basic course, intermediate course, and advance course. The NCIPI expects that students or other people who have the intention to become involved in the patent licensing business, as well as persons who are already engaged in the patent licensing business will actively participate in these seminars.

[Course participation in 2003]

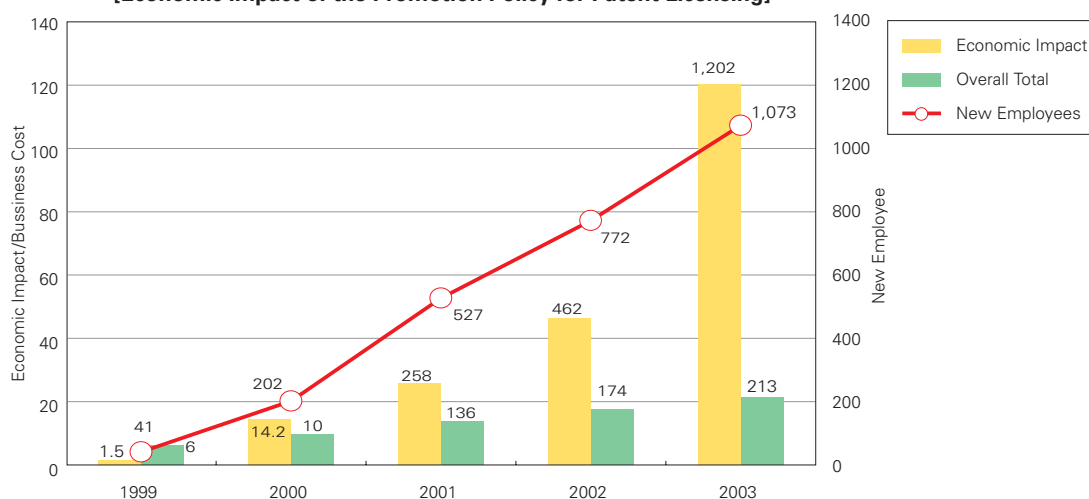
• Basic Course (2 days)	11 sessions	664 participants
• Intermediate Course (12 days)	2 sessions	173 participants
• Advance Course (12 days)	3 sessions	52 participants

As results of such comprehensive patent licensing promotion activities, the number of successful transactions aided by patent licensing advisors was 4,080 by FY2003, and the economic impact has reached a cumulative total of 120.2 billion yen.

[Contacts Concluded under the Promotion Policy for Patent Licensing]



[Economic Impact of the Promotion Policy for Patent Licensing]



Chapter 4

Development of Awareness of Intellectual Property and Education of Experts

It is important to educate and secure necessary human resources in order to realize the intellectual property based nation, and it is essential for the entire nation to raise the awareness of protection and exploitation of intellectual property.

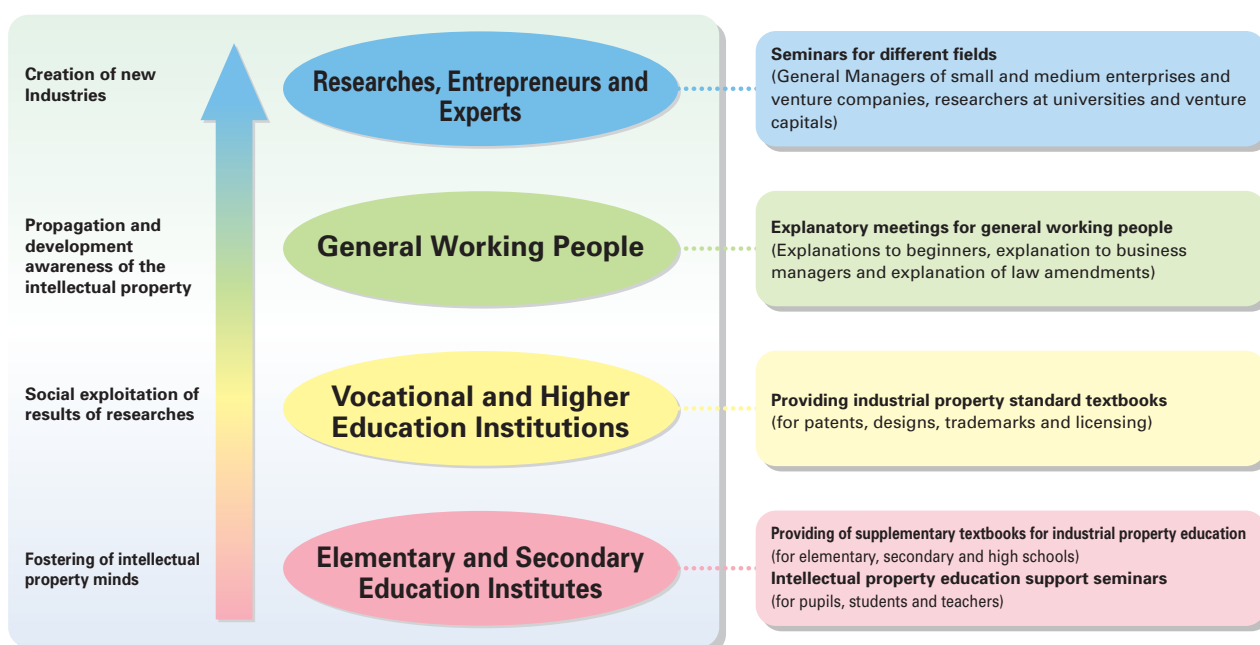
It is necessary to establish the environment for raising awareness and cultivating knowledge on the intellectual property system in the entire nation through fostering intellectual property minds since early childhood, cultivating human resources equipped with abundant knowledge on intellectual property at universities, etc. promoting understanding and interests in intellectual property in the researchers at universities, small and medium enterprises and venture companies.

1. Development of Awareness

(1) Past Efforts

The JPO has held "intellectual property system explanation meetings" for the general working people and "intellectual property system seminars" for different fields countrywide since FY1998 as part of the efforts to propagate and develop awareness of intellectual property system.

The JPO has also provided the industrial property standard textbooks for vocational and higher educational institutions with the objective to have the students master knowledge and fundamental business practice on intellectual property as a means to educate human resources with practical knowledge on intellectual property system since FY1998, and held seminars for teachers to explain how to utilize the standard textbooks and other teaching materials and other seminars for students using the industrial property standard textbooks countrywide. The JPO provides industrial property education supplementary textbooks suitable for each age group in the elementary and secondary education stages through school educational institutions in order to raise awareness on protection of and respect for intellectual property, and holds intellectual property education support seminars for school teachers countrywide as efforts to propagate the intellectual property system and raise awareness of intellectual property.



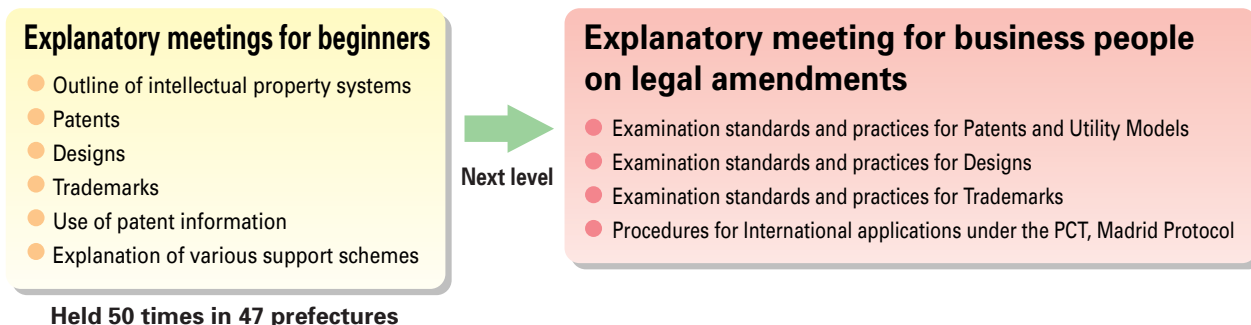
(2) Various Support Activities for the General Working People

The JPO holds explanation meetings on the system and the latest development of the law amendments, etc. to various levels of attendance (beginners and professionals) in order to deepen understanding and recognition of the significance of the intellectual property system in Japan. The JPO also holds "seminars for researchers at universities and public research institutes" to explain the method to acquire rights and their management and exploitation to researchers at universities, etc., the "seminars for small and medium enterprises (SMEs) and venture companies" to explain the strategic exploitation of intellectual property and licensing contracts of technology transfer, etc. for the general managers and managers in charge of research and development at small and medium enterprises and venture companies, and the "experts developing seminars" for management and technical consultants and the general managers of companies that deal intellectual property acquisition business.

(i) Explanatory Meetings for Intellectual Property System for the General Working People

The JPO holds explanatory meetings for the system and the latest development of law amendments, etc. at various levels of attendees (beginners and professionals) countrywide to raise the awareness on intellectual property in Japan. Specifically, the JPO conducts the "explanation meetings for beginners" for those who wish to learn industrial property for the first time and those who have been appointed to the intellectual property department in the enterprises to master the fundamental knowledge of the intellectual property system (50 meetings in FY2003 in all 47 prefectures with the attendance of around 7,700), the "explanation meetings for professionals" for those who are engaged in the intellectual property business to master the patent examination standards, international application procedures and other necessary knowledge in their daily business (held in 14 cities in FY2003 with the attendance of about 12,000) and the "explanatory meetings for legal amendment" to explain the latest system and legal amendments (held in 15 cities in FY2003 with the attendance of about 5,900).

[Explanatory Meeting on Intellectual Property Systems]

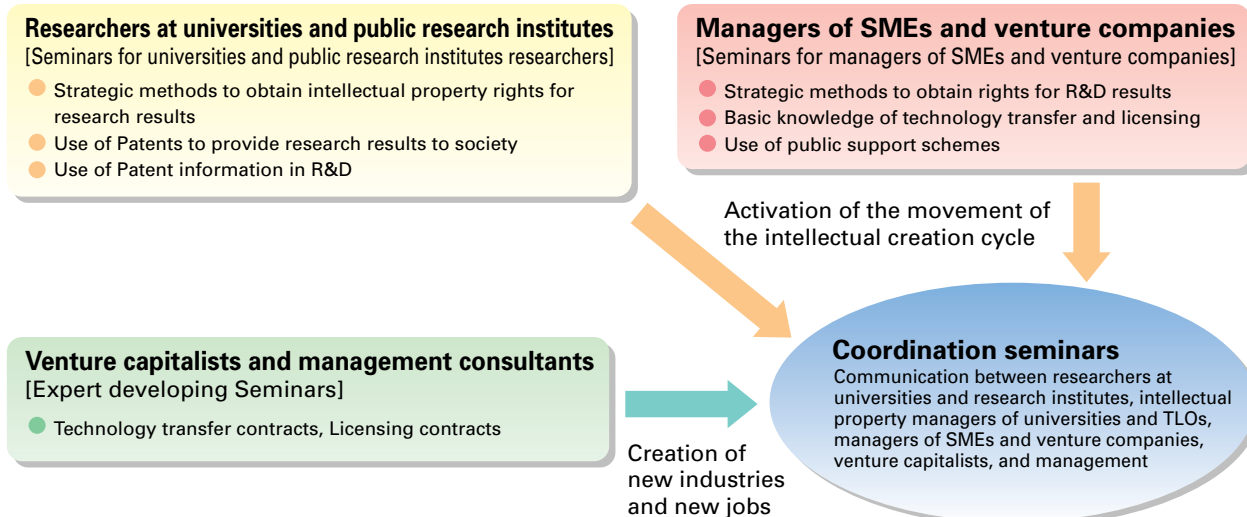


(ii) Seminars for Different Fields

The JPO holds seminars of different contents to suit each different field for researchers at universities and public research institutes, general managers of small and medium enterprises and venture companies, business and technical consultants, etc.

- The JPO holds the "seminars for universities and public research institutes researchers" to explain the method to describe the research results as specifications for patent applications, significance of making the research results available to the society through acquisition of rights and exploitation of the rights to researchers at universities and public research institutes with the objective to promote patent acquisition of research results.
- The JPO holds the "seminars for small and medium enterprises (SMEs) and venture companies" to explain the examples of intellectual property exploitation with actual products, strategic exploitation methods of industrial property information, etc. to promote strategic acquisition and exploitation of intellectual property that will play an important role in creation of new businesses.
- The JPO holds the "expert developing seminars" with the objectives to educate and enhance capabilities of intellectual property specialists (venture capital, management and technical consultants, small and medium enterprise assessors, etc.) who advise the intellectual property evaluation methods, patent dispute settlement methods, licensing and technical transfer procedures and other strategic exploitation methods of intellectual property, etc. to small and medium enterprises and venture companies.
- The JPO holds the "coordination seminars" with the objective to offer opportunities for the attendance of the seminars to tie up and contribute to development of economy in the regions.

[Seminars for Different Fields]



(3) Various Support Activities for Educational Institutions

It is necessary to raise awareness for protection and respect of intellectual property at an early stage of Elementary schools and provide intellectual property education at different age levels in order to establish the intellectual property based nation. The JPO has offered the industrial property standard textbooks with the objective to provide correct knowledge on intellectual property and mastery of fundamental business practice to the higher and vocational educational institutions since FY1998 and held seminars for teachers to explain how to use the standard textbooks and other teaching materials and seminars for students using the industrial property standard textbooks countrywide. The JPO also provides the supplementary textbooks for industrial property education at different age levels in the elementary and secondary education stage and holds intellectual property education support seminars for teachers as part of the efforts to propagate and anchor down intellectual property education.

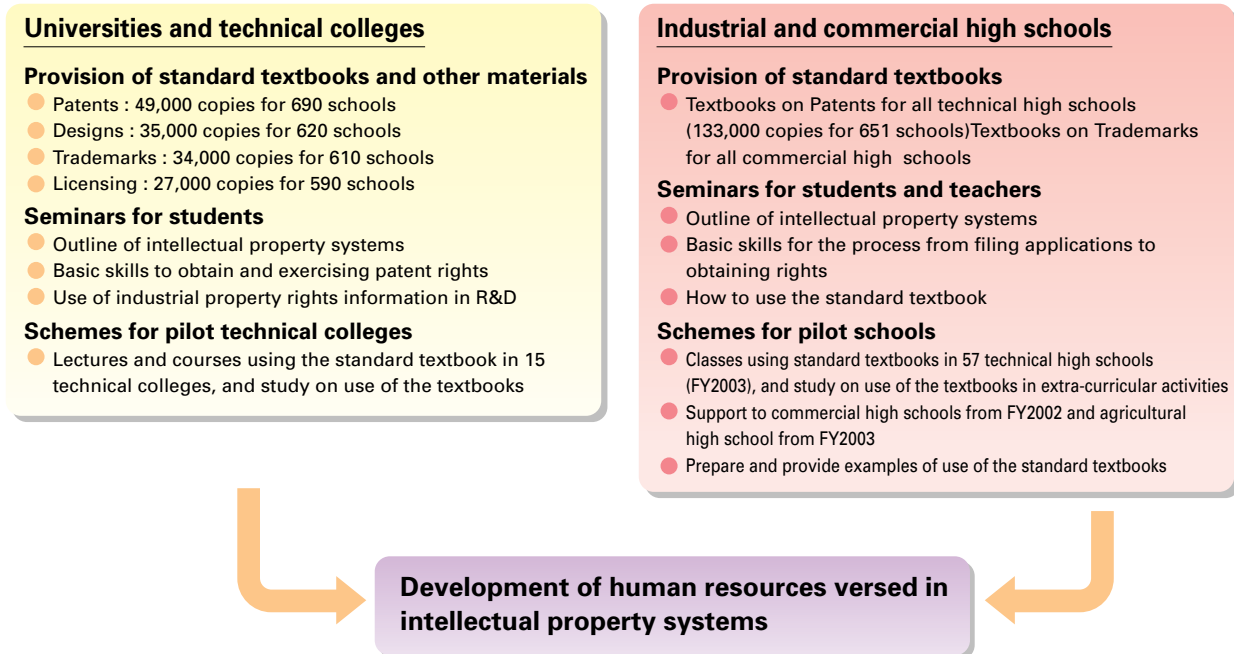
(i) Support Activities for Vocational and Higher Educational Institutions

The JPO has created and offered standard textbooks that introduce the "Patents and Utility Models", "Designs", "Trademarks" and "technology transfer (patent distribution)" to the vocational and higher educational institutions with the objective to have the students learn the fundamental knowledge and master the business practice of industrial property.

The JPO has developed support activities to promote fundamental understanding and correct exploitations of rights of industrial property to teachers to help them give replete lessons promptly without confusion because the "basic industrial skills" newly established by the revised course of study in FY2003 will cover industrial property.

The JPO also offers standard textbooks and textbooks for seminars for different fields and introduce/dispatch instructors when it is necessary as the number of courses on intellectual property is increasing at universities and technical colleges.

[Support for vocational and Higher Educational Institutions]



a. Free industrial property standard textbooks and textbooks for seminars for different fields

The JPO has prepared and provides free of charge four types of industrial property standard textbooks that describe the fundamental knowledge on the intellectual property system concerning protections of the results of intellectual creations, fundamental procedures for application filing, etc. and other applicable knowledge necessary to exploit the acquired rights in the industry.

b. Schemes for pilot schools and technical colleges

The course of study from FY2003 adds the "basic industrial skills" at technical high schools, and it stipulates to "cover the industrial property briefly".

The JPO has therefore conducted industrial property education at the school education with cooperation of technical high schools etc. since FY2000 and collected the data on the results. The JPO compiled the collected results as the "case examples", distributed them to technical high schools etc. nationwide and provided support to desirable education for industrial property. The JPO commissioned research to 57 technical high schools, 15 national colleges of technology, 17 commercial high schools and 7 agricultural high schools as pilot schools and technical colleges.

c. Intellectual property seminars for students and intellectual property education support seminars for teachers

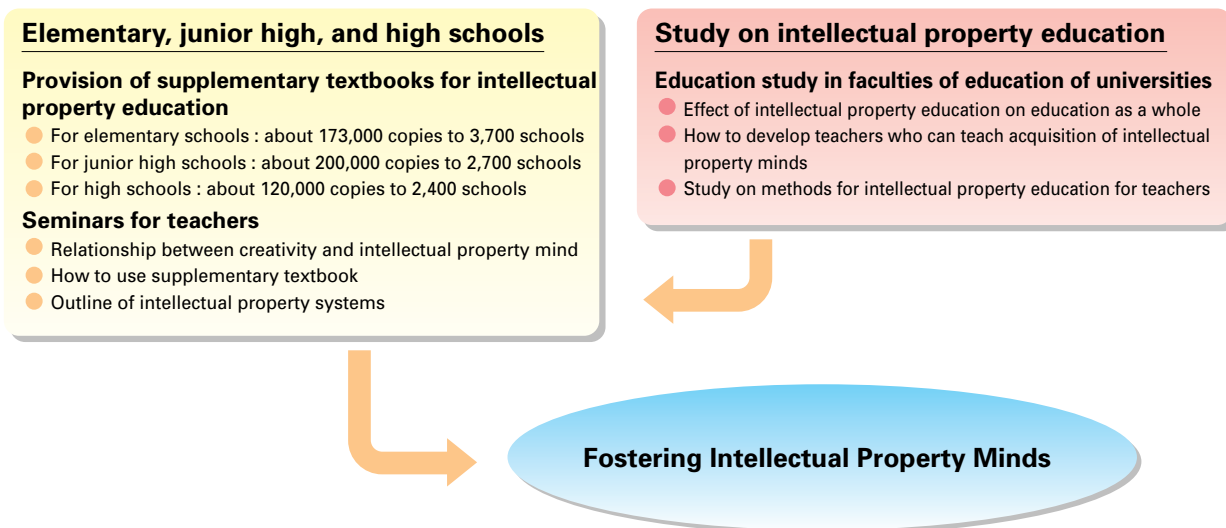
The JPO has conducted seminars using the standard textbooks to make students master the fundamental business capabilities in the intellectual property system 174 times countrywide. The JPO has also held seminars for teachers who will be required to teach the overall information on intellectual property 23 times countrywide.

(ii) Support Activities for Elementary and Secondary Educational Institutions

The JPO is providing supplementary textbooks prepared for each level of age groups from early childhood through various educational institutions to foster intellectual property minds. The study on the intellectual property education from all aspects was conducted in faculties of education of universities, and the effect of intellectual property education, handling of intellectual property and method to raise awareness of the teachers at school education premises, was reviewed on. The JPO plans to reflect the reports toward propagation of intellectual property education.

The JPO also holds events on inventions, etc. in which schoolchildren can participate, distributes teaching materials to public libraries and science museums and takes other thoroughgoing measures.

[Support for Elementary and Secondary Educational Institutions]



- a. Free provision of teaching materials for intellectual property education for elementary and secondary educational institutions

The JPO has prepared various teaching materials, for example supplementary textbooks, for intellectual property for different age levels free of charge, provides them to elementary schools, junior high schools and high schools and provides other necessary support for intellectual property education.

- b. Seminars for intellectual property awareness for schoolchildren and seminars for intellectual property education support for teachers

The JPO has held 130 seminars (classroom visits) for schoolchildren using the teaching materials for intellectual property education in order to raise the interest of schoolchildren in inventions and contrivance and foster respect for creative ideas. The JPO has also held 13 seminars for teachers to provide the overall knowledge on intellectual property and instruct how to use the teaching materials necessary in intellectual property education.

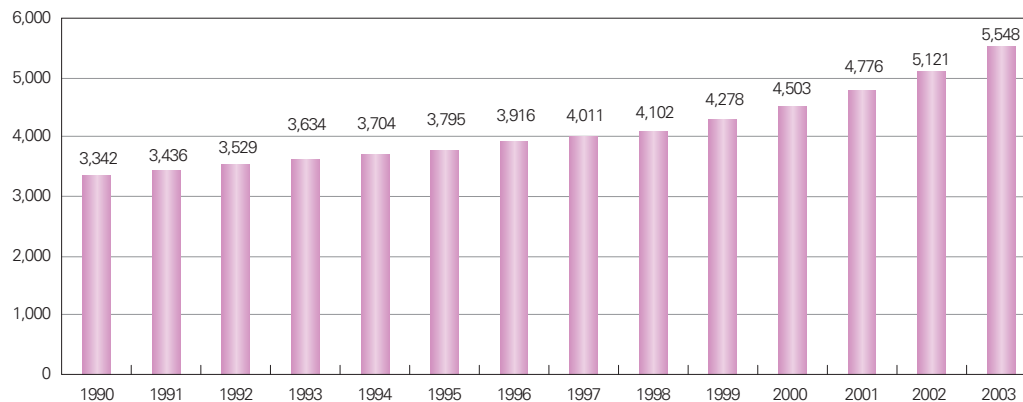
2. Education of Intellectual Property Specialists

(1) The Foundation for Human Resources

It is expected for Japan to be an intellectual property based nation through strategic creation, protection and exploitation of intellectual property. To attain this goal, it is important to improve the quality and quantity of intellectual property dedicated services that support commercialization and transactions of intellectual property as well as settlement of disputes.

Under this situation, the JPO made complete amendment of the Patent Attorney Law ("Benrishi-ho") in 2002 and partial amendment of the Patent Attorney Law in 2002 with the objective to further educate and exploit patent attorneys ("Benrishi") who have professional and technical knowledge on intellectual property as the mainstay in establishment of the intellectual property based nation. The amended law stipulates to significantly extend the range of activities of patent attorneys ("Benrishi") to 1) conduct dispute arbitrations outside the court (ADR), 2) clearly define the agency and representation duties for intellectual property transaction contracts, and 3) be granted procedural representations at specified infringement suits (limited to cases the attorney is appointed by the same client), and the attorney examination system was amended as part of the efforts to enlarge the number of attorneys and enhance their quality.

[Changes in Number of Patent Attorneys]



(Note) Number at the end of year

[Number of Patent Attorneys ("Benrishi") and Other Intellectual Property Specialists in Japan and the United States]

Japan June 18, 2004	Patent Attorneys ("Benrishi")	5,690
	Attorneys at law specialized in intellectual property (Attorneys at law who have registered as patent attorneys)	321
United States June 10, 2004	Patent Agents	6,956
	Patent Attorneys	22,576

(Note) Patent agents: Qualified personnel who passed the examination conducted by the USPTO (granted to act as an agent for patent filing procedures to the USPTO).

Patent attorneys : Patent agents who have also acquired the qualification of attorney at law at each state (granted to represent the procedure for both patents and trademarks by the USPTO and conduct procedural representations. The qualification of the attorney at law alone allows only the procedural representation for trademarks at the USPTO).

(2) Execution of the Patent Attorney Law (Relative to the attorney ship at specified infringement suits) amended in 2002

In an effort to make further improvements and acceleration of procedure in the court, the law that partially amends the Patent Attorney Law ("Benrishi-ho") was enacted on January 1, 2003 to grant the patent attorneys ("Benrishi") who have special knowledge concerning intellectual property to conduct procedural representation at specified infringement suits.

The training course consisting of seminars and practice was given for a total of 45 hours mostly on the practical aspects of civil suits from May to September 2003 by the Japan Patent Attorney Association, and 850 patent attorneys ("Benrishi") participated in the course.

804 patent attorneys ("Benrishi") who have completed the above training, have taken a examination, of which 533 passed the examination for procedural representation for specified infringement suits (that covers the laws, orders and actual practice concerning the Civil Law, Civil Procedure Law and other laws and orders concerning specified infringement suits) and the successful result is certified in the registration for the patent attorney ("Benrishi").