



Part 3

Activities of the JPO

Discussion Sessions Between Enterprises and the JPO

In order to reinforce Japan's industrial competitiveness, it is important that companies develop intellectual property strategies as part of their corporate strategies. To this end, the JPO arranges opportunities for discussions between corporate executives and the managing staff of the JPO, and informs the fact that in order to reinforce corporate competitiveness, the integration of business strategies, research and development strategies, and intellectual property strategies is important.

The JPO held discussions with a total of 282 companies in 2003 and a total of 207 companies in 2004.

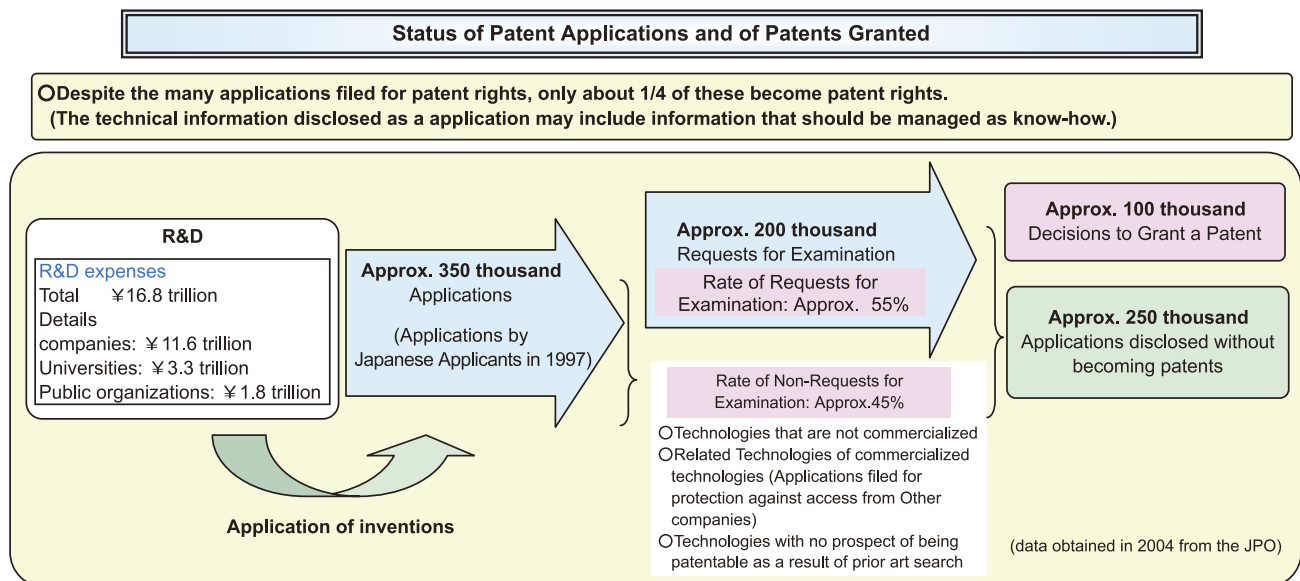
1. Main Topics of Discussion

(1) Outline of the Explanations by the JPO

In addition to presenting Japanese government's policy toward realization of a nation built on intellectual property, further details were provided regarding efforts toward timely and high quality examinations, efforts toward a global patent system, revisions of employee's invention system, measures against counterfeit goods and pirated copies, and reinforced protection of trade secrets.

Moreover, the JPO provided information about the status of patent applications and of patents granted of Japanese companies. In fact, Japanese companies file up to about 350,000 applications per year to the JPO, but in the end only about 100,000 applications are granted, which is approximately 1/4 of the entire number of applications. Meanwhile, they also file applications abroad, and it is estimated that roughly 30,000 to 40,000 applications become patent rights. In other words, only 1/10 of the total number of applications are protected by patent rights in and outside Japan (Fig. 1).

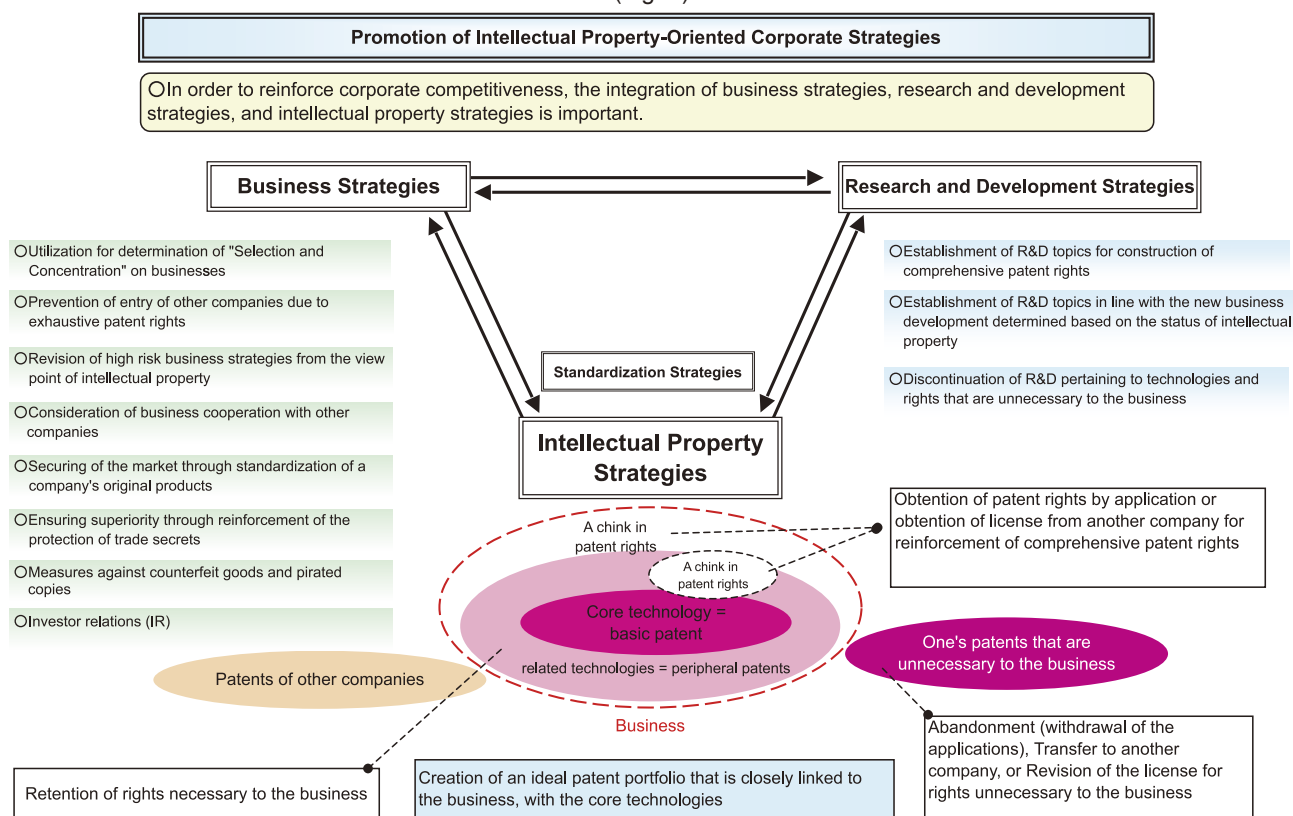
(Fig.1)



As shown in the figure above, the number of applications that were disclosed but without being protected by patent rights was approximately 250,000, and these applications were disclosed to the world only through the Industrial Property Digital Library (IPDL). The JPO explained that there are risks of such thoughtless applications with no strategies leading to technology leakage, and that careful management of patent applications is important.

Furthermore, the JPO explained that in order to reinforce corporate competitiveness, the integration of business strategies, research and development strategies, and intellectual property strategies is important (Fig. 2).

(Fig. 2)



In addition, while presenting data related to patents of other companies which the JPO possesses, discussions were held about the company's intellectual property strategies. Moreover, the JPO requests to the companies the cooperation for rationalization of applications, etc. by promoting the improvement and enhancement of their IP right management.

(2) Outline of the Explanations by Companies

The companies provided explanations regarding their efforts in the field of intellectual property. The following are typical activities performed by companies.

- 1) Business strategies, research and development strategies, and intellectual property strategies are positioned within the corporate strategies
 - Sort out intellectual property according to business development, etc.
 - Select research directions based on factors such as the acquisition of one's intellectual property or of that of another company
 - Actively obtaining patents of one's expertise technologies or of technologies that are expected to contribute to the expansion of business
- 2) Shifting to the concept of obtaining intellectual property rights, which focuses not only on quantity but also on quality
 - Although a certain number of intellectual property rights is required, shift to the concept of obtaining intellectual property rights, which focuses not only on quantity but also on quality
 - With regards to quality, promoting not the obtention of patent rights (for example manufacturing methods) which are difficult to be exercised from the other party, but the obtention of patent rights which are possible to exercise to the other party
- 3) Make a distinction between technologies used to obtain patent rights and those that are considered as know-how and that are kept as secrets
 - Secure a prior user's right for technologies that are considered as know-how and that are kept as secrets
- 4) Actively seek to develop globalization of patent applications in line with market conditions
 - Increase the number of patent applications filed in the United States, Europe, and China
- 5) Strengthen Cooperation with the standardization section and the judicial affairs section
 - Strengthen cooperation with a section such as the judicial affairs section for measures against counterfeit goods,

Discussion Sessions Between Enterprises and the JPO

etc., and obtain feedback regarding which patents should the intellectual property section obtain to ensure effective measures against counterfeit goods

6) Development of the Service / Employee's Invention System

- ☐ Development the service / employee's invention system in response to the revised Patent Law
- ☐ Even regarding know-how, maintain the motivation of employees by dealing with it in the same way as with an invention, and ensure the protection of the know-how

(3) Main Opinions and Requests from Companies

The following list describes the main opinions and requests given by several companies.

1) Patent examination

- ☐ Expeditious examinations
- ☐ Demand for examinations that are not only timeliness but that are more high quality
- ☐ Establishment of stable rights (unification of examination standards, strict examination for parameter patents, etc.)
- ☐ Enhanced communication with patent examiners

2) Service / Employee's invention

- ☐ Respect for agreement between companies and employees regarding determination of remuneration

3) Overseas-related issues

- ☐ Building of a globally unified patent system
- ☐ Measures against counterfeit goods in East Asian countries

4) The Industrial Property Digital Library (IPDL)

- ☐ Increased speed and easier search

5) Others

- ☐ Relaxation of verification of prior user's right

(4) Measures of the JPO Based on Opinion Exchange

In addition to introducing measures which have already done at the JPO about opinions and requests above, subjects which should be tackled from now on are being studied at the relevant internal departments of JPO. Particularly regarding the relaxation of verification of prior user's right, because there were requests from a great number of companies, the JPO has begun studying the prior user's right system in 2005 from a broad perspective, such as its utilization, the system in foreign countries, and their operation of the system.

Support for Activities at Universities, etc

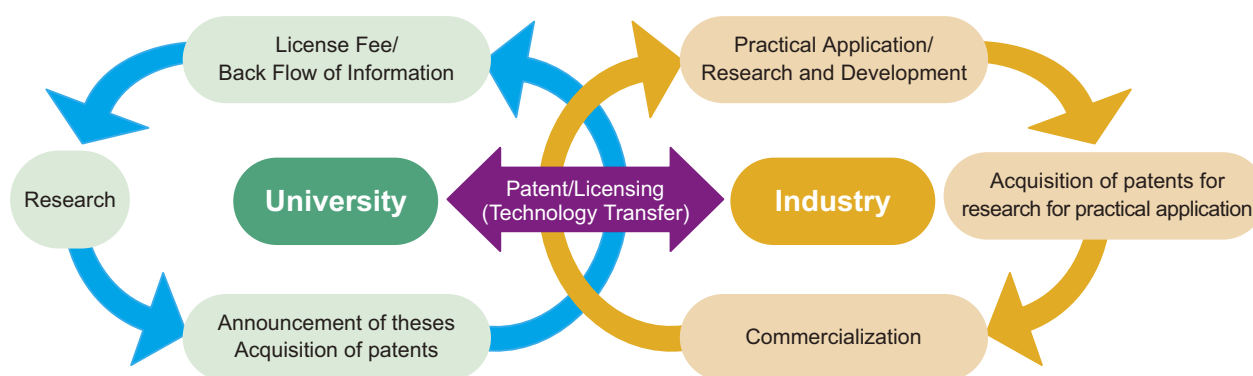
1. Necessity for Intellectual Property Activities

The potentials for research and development Japanese universities to do well in the world are high. For instance, about 19% of funds for research and development are invested in universities, and approximately 36 % of all Japanese researchers conduct research there. In other words, universities in Japan are fully equipped to generate high quality research achievements. For effectively turning these achievements to practical use 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 granted to university researchers used to be personally managed by them, but with 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.

[Importance of Application for Patent for the Result of Research]



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

(1) Dispatch of Intellectual Property Management Advisors

In order to realize industrial revitalization 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. To this end, it is necessary to establish a proper IP management structure within the university, which would serve as the core of the creation of new industries. Therefore, the JPO has dispatched specialists (Intellectual Property Management Advisors) to universities to support the establishment of the intellectual property management unit since 2002.

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

The university committed to receive IP management advisors must assign specialized staff and funds for the operation of the IP management unit, and in cooperation with the IP management advisor, develop an IP management structure in principle within 3 years. In 2005, 17 universities received these advisors.

Based on the accomplishments of the programs of the IP management structure development, a manual of know-how acquired through projects 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 organized so that universities nationwide would gain the proper knowledge to adequately manage intellectual property rights.

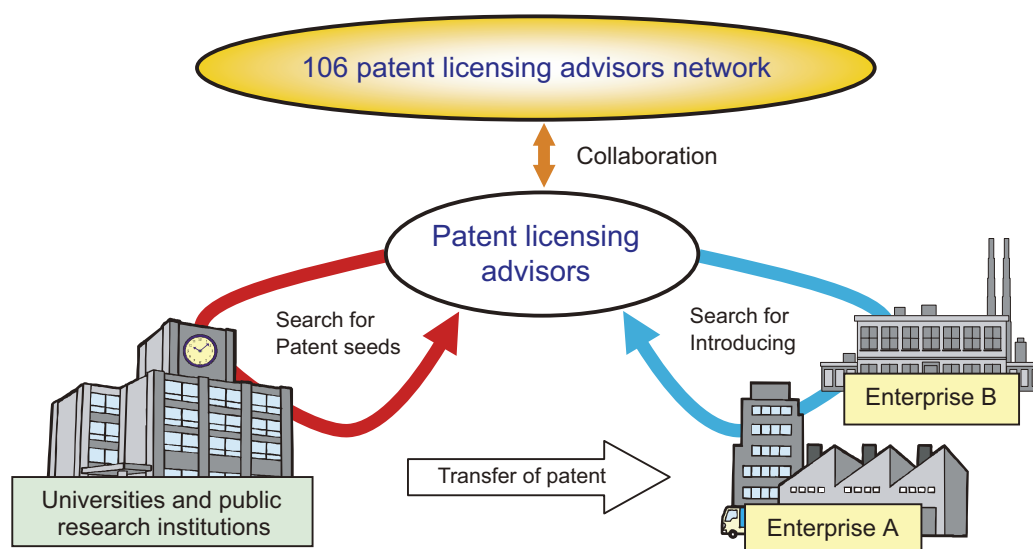
Support for Activities at Universities, etc

(2) Dispatch of Patent Licensing Advisors for TLOs

The National Center for Industrial Property Information and Training (NCIPI), an independent administrative agency, has dispatched Patent Licensing Advisors on the request of TLOs. In order to match the technologies of universities, etc. with the small and medium-sized companies' needs of technology introduction, Patent Licensing Advisors, who are specialists with abundant knowledge and experience in the field of intellectual property and technology transfer are being dispatched.

[Image of the Concept of Exploiting Patent Licensing Advisors]

As of April, 2005



(3) Provision of Patent Licensing Database

To promote licensing of transferable patents possessed by universities and public research institutes, The NCIPI offers a database where exploitable and licensable patents can be collectively searched in a common format. As of April 2005, approximately 58,000 licensable patents are registered in the database. Of which approximately 17,000 cases are transferable patents possessed by universities and public research institutes. In addition, the database is equipped with a function where the access from each university's website allows for the licensable patents of these universities to be virtually displayed (virtual database), which encourages transfers of technologies of university research results.

(4) Dispatch of Consultants to Universities

Since 2001, the JPO has been dispatching experts on industrial property (such as patent attorneys) for consultations regarding patent applications to the universities located in areas with few patent attorneys in order to give appropriate protection and exploit intellectual property created in universities etc. Starting 2005, the JPO plans to organize seminars for university researchers and researchers of public research institutes.

[Outline of Business]

Method: Individual consultations regarding patent applications of research results of university researchers. Consultations cover evaluations of the invention, application procedures, examination procedures, licensing right setting and other rights exploitation items, patent disputes and other items concerning intellectual property in general.

[Support Results]

2002: 110 consultations at 29 universities

2003: 90 consultations at 38 universities

2004: 110 consultations at 40 universities

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

The JPO has supported the efforts of 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 and the Law for Enhancing Industrial Technology, etc.

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

Content of support	Results of support (as of end of March 2005) ¹
Reduction of patent fee and examination request fee for authorized TLO (Section 12)	1 agency of the Ministry of Economy, Trade, and Industry, 1 agency of the Ministry of Agriculture and Fishery, 1 agency of the Ministry of Health, Labor and Welfare, and 1 agency of the Ministry of Internal Affairs and Communications

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

Content of support	Results of support (cumulative) (as of end of March 2005)
Reduction of patent fee and examination request fee for approved TLO (Section 32)	Reduction of patent fee 56 (108) Reduction of examination request fee 350 (601)

[Industrial Technology Reinforcement Law]

Content of support	Results of support (cumulative) (as of end of March 2005)
Reduction of patent fee and examination request fee for universities and university professors (Section 16)	Reduction of patent fee 18 (92) Reduction of examination request fee 126 (261)

(6) Accelerated Examination System

It is possible to have applications examined earlier than regular applications when the PROs and approved/authorized TLOs submit the "explanation of circumstances concerning accelerated examination". The PROs and approved/authorized 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 provide explanations on how to include research results in patent specifications and to talk about the significance of social exploitation of 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 119 times nationwide in 2004 to which 3,182 people participated.

The JPO also dispatches staff as instructors to universities on intellectual property. In addition, as of April 2004, the JPO has been dispatching staff members as instructors to the law schools and other professional graduate schools in response to their requests.

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

Article 30 of the Patent Law 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 to the lack of novelty. When universities etc are designated as scientific associations by the Commissioner of the Patent Office, exception to the lack of novelty is 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 meetings.

¹ Source: Ministry of Economy, Trade, and Industry

Support for Activities at Universities, etc

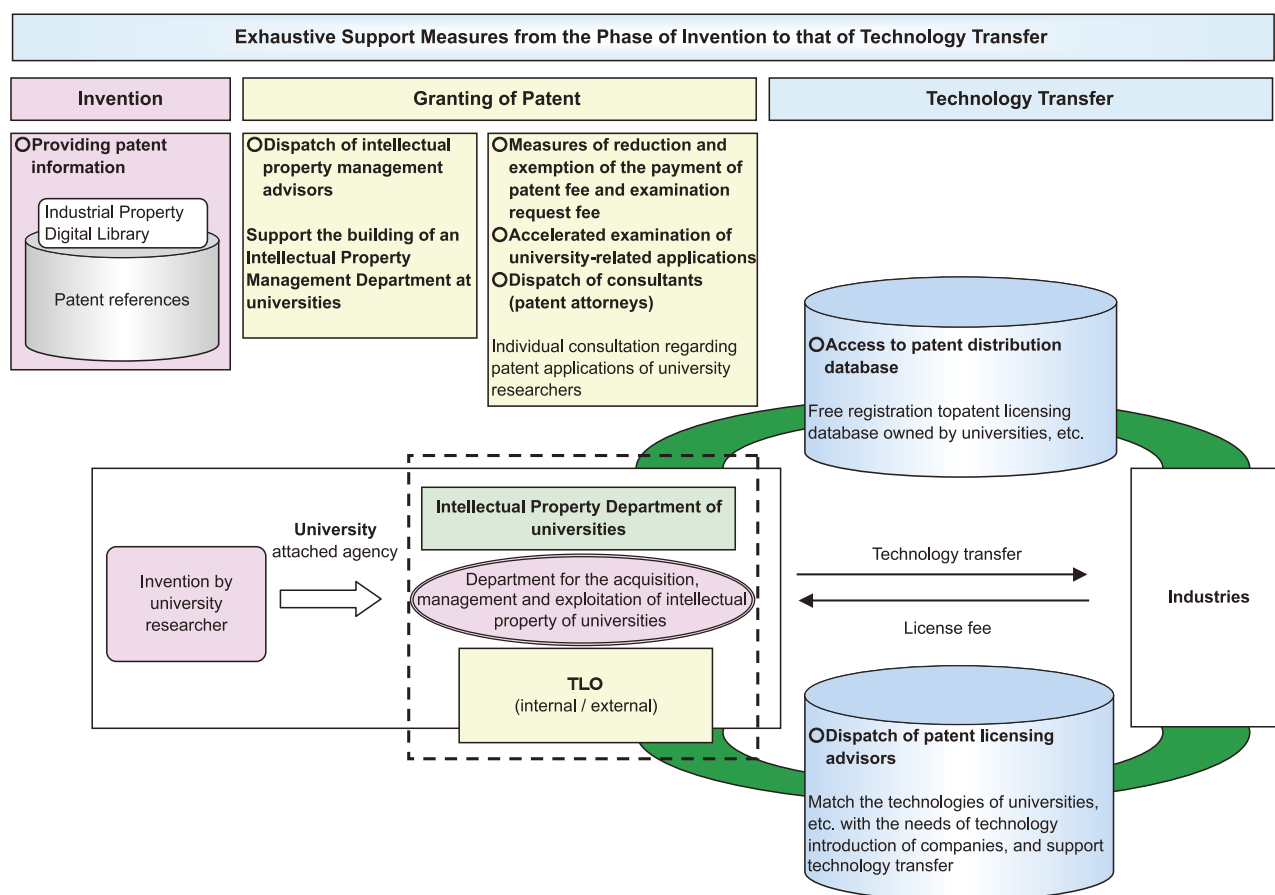
The number of designated institutes as of March 31, 2005 was 140 universities, 25 technical colleges, 4 institutes joined with universities, 25 independent administrative institutions and 50 public testing laboratories.

Meanwhile, the JPO is offering university researchers seminars on the issue because it is important to submit an application before research presentation for appropriate protection of IPRs.

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

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 on "How to Apply for Patent for Research Results" for the researchers and patent managers at universities etc., which introduces the key points to consider when filing an 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 methods on how to acquire appropriate rights for the research results at universities etc. by using PC application software which the JPO is distributing free of charge upon request, and fundamental information to acquire rights in foreign countries.

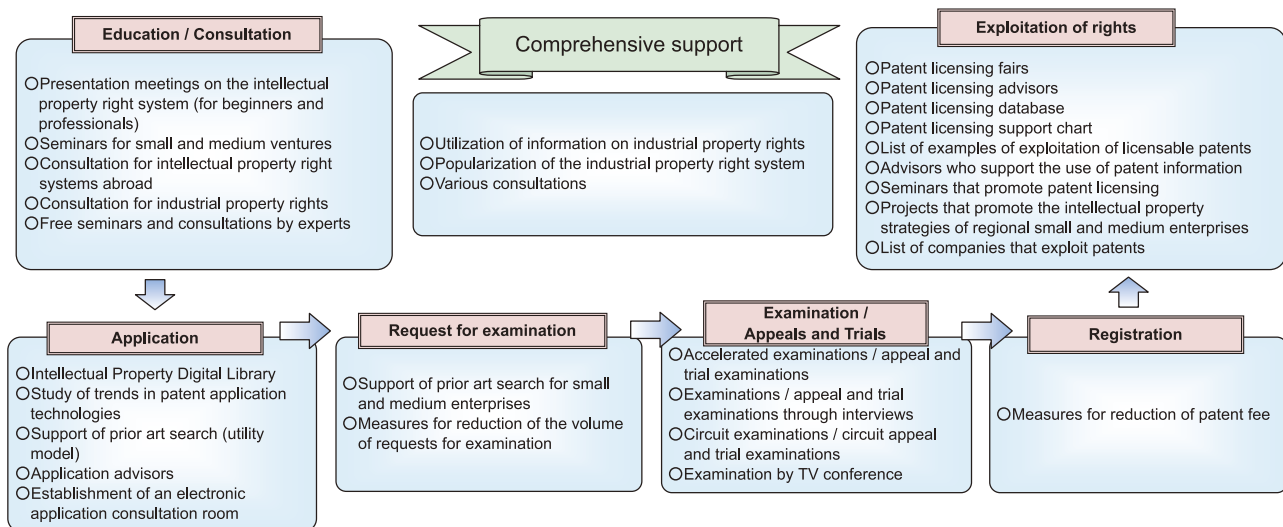


Support for Small and Medium Enterprises and Venture Companies

1. Support for Small and Medium Enterprises and Venture Companies

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

Outline of Comprehensive Support to Small and Medium Enterprises and Venture Companies



The JPO has developed a system to provide support to make it easier for small and medium enterprises to acquire more industrial property rights through effective exploitation of the above policies dedicated to small and medium enterprises. The followings are descriptions of the above policies.

(1) Major Support Policies for Small and Medium Enterprises

1) Lectures on Intellectual Property Right System (for beginners and professionals)

The JPO conducts lectures on intellectual property rights for those at the beginner's level who wish to learn about intellectual property rights, and those who were just transferred to the company's Patent Department.

In addition, the JPO also holds lectures on issues such as examination management standards or international application (PCT) system, management of the appeals and trials system, International Patent Classification, and other systems that are necessary to conduct business for those who deal with international property right businesses.

2) Seminars for Small and Medium Ventures

The JPO organizes seminars on strategic acquisition of intellectual property rights that meet the regional needs and on how to exploit such rights for people such as business executives and research and development directors.

3) Consultation for Intellectual Property Right Systems Abroad

The JPO offers consultation services to domestic small and medium enterprises regarding intellectual property right systems of other countries.

4) Consultation for Intellectual Property Rights

Professional staff members of each Patent Office such as Bureaus of Economy, Trade, and Industry offers regular consultation services regarding basic issues from application to registration or specific application methods.

In addition, the National Center for Industrial Property Information and Training now offers consultation services even to those who have an idea but don't know how to obtain rights for it or those who wish to file an application patent but don't the correct procedures. These consultation services are offered in person, by e-mail, or by telephone.

5) Free Consultations and Seminars by Experts

The JPO offers individual consultation services by experts regarding specific issues pertaining to industrial property rights nationwide. In addition, in response to requests for deeper understanding of the industrial property right system and for more specific individual consultations, the JPO also organizes "lectures and guidance consultation services" which combine lectures and consultation services.

(2) Support for Exploitation of Intellectual Property Right Information and Application Procedures

1) Industrial Property Digital Library (IPDL)

The National Center for Industrial Property Information and Training offers the opportunity to access some 54,000,000 gazettes regarding patents, utility models, designs, and trademarks online. These can be searched by document number or by category, and industrial property right information on the course of examinations, etc. which allows for users to easily check the examination status is available.

Furthermore, the IPDL Help Desk offers information services regarding the operation and use of the IPDL.

2) Study of Trends in Patent Application Technologies

The JPO selected 8 topics, namely life science, information and telecommunications, environment, nanotechnology materials, energy, manufacturing technology, social infrastructure, and frontier, and performed comprehensive analyses with a focus on "trends in patent application technologies". Information regarding the technological issues of these topics and future direction of technological developments is available on the JPO website.

3) Support of Prior Art Search (Utility Model)

Prior to application of utility model, full-time technical assessors search prior art that applies or is similar to the technique of the clients from a huge volume of past technical documents, and mail a report of the search to the clients.

4) Application Advisors

Application advisors who work full-time in electronic application consultation offices of invention association nationwide offer consultation services for application procedures, use of shared computers, and the electronic application system. When clients do not have the time to go to electronic application consultation offices, or to participate in regional events, consulting services provided by dispatched advisors are also available.

5) Establishment of Common Computers for Electronic Applications

Invention associations nationwide are equipped with shared computers, which allow for those who do not have access to equipment necessary for electronic applications can have access to electronic applications. These associations not only have the latest models, but these computers are also equipped with document editing and correcting functions, and file conversion functions as options to allow users to effectively work.

(3) Support for Requests for Examination of Industrial Property Rights

1) Support of Prior Art Search for Small and Medium Enterprises

In order to support proper assessment as to whether examination should be requested or not, private institutes commissioned by the JPO perform prior art search (free of charge) for applications of small and medium enterprises prior to requests for examination and deliver the results of the search by mail.

2) Measures for Reduction of Volume of Requests for Examination

The JPO applies measures of exemption from or 50% reduction of examination request fees for individuals or companies with less financial resources if they comply with certain requirements. In addition the JPO applies measures of 50% reduction of examination request fees for small and medium companies dedicated to research and development.

(4) Support for Examinations and Appeals / Trials of Industrial Property Rights

1) Accelerated Examinations / Accelerated Appeal and Trial Examinations

In the case where an applicant is a small or medium enterprise or an individual, or if the applicant is already working

the invention, examination or appeal / trial examination is conducted earlier than in the case of regular applications if the applicant submits an "explanation of circumstances concerning accelerated examination (accelerated trial / appeal examination)". (For details, see Part 2, Chapter 1, 1. "Patent Examinations")

Although there are accelerated examination and accelerated appeal / trial examination systems for designs and trademarks, the requirements are different from those for patents. (For details, see Part 2, Chapter 1, 2. "Design Examinations" or Part 2, Chapter 1, 3. "Trademark Examinations")

2) Examinations and Appeal / Trial Examinations through Interviews, Circuit Examinations, and Examinations by TV Conference, etc.

The JPO supports more accurate acquisition of rights by offering opportunities for applicants or their representatives and examiners or appeal examiners to meet in person and deepen their understanding of applications and technologies / designs.

In addition to interview examinations and interview appeal / trial examinations held at the JPO, the examiners or appeal examiners of the JPO also visit all areas in Japan to conduct circuit examinations and circuit appeal examinations in remote regions, or the JPO conducts interview examinations and appeal examinations by connecting the TV conference system installed at patent offices of Bureaus of Economy, Trade and Industry.

(5) Support for Registration of Intellectual Property Rights

1) Measures for Reduction of Patent Fee

The JPO grants exemption from patent fees (from the 1st year to the 3rd year) or a grace period of 3 years to individuals or companies with less financial resources if they comply with certain requirements. In addition the JPO grants a 50% reduction in patent fees (from the 1st year to the 3rd year) for small and medium enterprises dedicated to research and development.

(6) Support for Exploitation of Industrial Property Rights

1) Patent Licensing Fairs

The JPO organizes events where companies that wish to adopt patents, companies that wish to provide patents, universities, research institutes, agencies, technical consultants, etc. are offered the opportunity to meet, conduct presentations on licensable patents, and hold meetings.

2) Patent Licensing Advisors

The JPO dispatches patent licensing advisors, who are public experts of technology transfers, to TLOs nationwide. Through mainly corporate visits, they take note of licensable patents owned by companies, universities, and research institutes, study the needs for small and medium companies to introduce patents, and offer advice on which patents they would benefit from. A network also exists between the advisors, allowing for matching procedures to be carried out on a national level.

3) Patent Licensing Database, Patent Licensing Support Chart, and List of Examples of Exploitation of Licensable Patents

The patent licensing database is a licensable patent database where users can collectively search online licensable patents of companies, universities, and public research institutes. The database includes approximately 58,000 entries, and users can register into the database and search licensable patents for free. In addition, this database is linked to the IPDL and thus users also have access to patent gazettes.

The patent licensing support chart is a patent map, which analyzes patent information of the past 10 years by technical category and clearly explains trends in technical maturity and solutions to issues related to developing technologies.

The list of examples of exploitation of licensable patents selects from the licensable patents registered in the patent licensing database those with the potential to be commercialized, and provides this information along with ideas of new products and new businesses.

4) Advisors who Support the Use of Patent Information

These advisors are experts in patent information exploitation and offer consultation services for search methods or exploitation methods of patent information, and methods of use of the IPDL. In addition, they also visit small and medium enterprises to offer consultation services or hold seminars for free.

5) Seminars that Promote Patent Licensing

These seminars are designed to provide easy-to-understand information on exploitation methods of patent information, exploitation examples of licensable patents, and important points in patent agreements, etc.

6) Projects that Promote the Intellectual Property Strategies of Regional Small and Medium Enterprises

The JPO dispatches intellectual property experts to small and medium enterprises that have their own infrastructure technologies and that are planning to develop businesses based on intellectual property strategies as part of management strategies to support them in the development of intellectual property strategies and provide information that may serve as reference.

7) Distribution of Patent Exploitation Company Examples

The JPO published the "Patent Exploitation Company Examples, 2nd Edition" in January 2005, which includes 68 companies that are vigorously exploiting intellectual property as the mainstay for business, selected from small and medium enterprises nationwide, for reference purposes for small and medium enterprises that have the intention to improve business by exploiting intellectual property. Copies of these are widely distributed through the patent offices of Bureaus of Economy, Trade, and Industry.

2. Regional Efforts (Regional Headquarters for Intellectual Property Strategy)

In order to develop an environment where regional small and medium enterprises can fully exploit intellectual property, the JPO established "Regional Headquarters for Intellectual Property Strategy" at regional bureaus of Economy, Trade, and Industry in 2005, which are composed of members of the regional private sector including support organizations of small and medium enterprises, intellectual property support organizations, patent attorneys, universities, and regional public organizations. Based on the regional intellectual property strategy promotion program developed by the Regional Headquarters for Intellectual Property Strategy, the JPO plans to, in addition to continue working on existing policies, cooperate with industrial clusters, and focus on developing consultation sessions, seminars, and intellectual property support organizations / human resources database. Moreover, it plans to reinforce regional intellectual property-related organizations and human resource networks.

Support for Activities Through Information Technology

1. Further Promotion of Information Technology

(1) Further Improvement of Electronic Filing

The JPO led the world in promoting the paperless project since 1984 and started receiving online applications for patents and utility models in December 1990. Around 34,000 applicants/agents have filed application through the PC electronic filing software by the end of 2004. The electronic application rates for patents / utility models, designs, trademarks, and appeals in FY2004 were 97%, 90%, 83%, and 98%, respectively, achieving high electronic application rates.

Today, electronic applications are conducted through ISDN circuit. The JPO plans to deploy Internet application system by October 2005. In the Internet applications, the JPO plans to use digital certificate conforming with the Government Public Key Infrastructure (GPKI), which is currently under preparation, for user identification and prevention of document alteration. Moreover, as a payment method of service fees to the JPO, in addition to direct withdrawal from the deposit account or cash payment using statements of payment of treasury funds, the JPO plans to introduce the "electronic payment" system where service fees are paid using an electronic revenue payment system which is linked to the multi-payment network¹. Furthermore, in order to build a highly user-friendly system, the JPO plans to start offering a 24 hours 365 days service (excluding maintenance time) where users can file applications whenever they wish.

(2) Further Improvement of Information Technology through International Standardization of Application Formats

Electronic data received by online applications are useful to enhance the efficiency of general administrative operations at the JPO through comprehensive computerization of the administrative processing of applications, and examinations and appeal/trial procedures, as well as to reduce examination periods. They are 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.

Moreover, with regards to the international standardization of online applications for patents, the WIPO prepared electronic documents of PCT international applications at the international phase and has brought into effect as of January 2002 the PCT International Technical Standard for higher efficiency in the document exchanges among international bureau and receiving offices.

Along with the entry into force of the technical standard, the JPO unified the application format for patents and utility models in Japan to the international application format, and adopted internationally standardized electronic format (XML format) in July 2003. In addition, as of January 2004 for publications of patent applications, published Japanese translations of PCT international publication for patent applications, domestic republications of PCT international publication for patent applications, and publications of registered utility model applications, and as of July 2004 for Patent Gazettes, the JPO adopted the XML format, and data medium has been changed from CD-ROM to DVD-ROM. Meanwhile, digitalization of the international phase of the PCT international filing process commenced in April 2004 was built in accordance with the international standard. Moreover, in December 2004, the WIPO Standard ST.36, which is recommended worldwide as the technical standard for XML electronic patent applications has been developed mainly by the Trilateral Offices and WIPO and published.

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.

¹ The multi-payment network is an infrastructure where tax payment agencies and financial institutions are connected via a shared network to allow for transmission of data regarding payments. Users can make various payments such as service fees with this network.

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

April
2004

Development of a Paperless PCT (international phase procedures)

2. Promotion of Industrial Property Right Information Provision

(1) Industrial Property Digital Library (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 launched the Industrial Property Digital Library (IPDL) on its website in March 1999 to be able to access and obtain the industrial property information easily. The IPDL services were transferred in October 2004 to the National Center for Industrial Property Information and Training (NCIPI).

The IPDL enables users to access official gazettes of patents, utility models, designs, and trademarks published since the Meiji era by document numbers, classifications or keywords, etc. (For details, see Part 3, Chapter 7, 5. "Information Dissemination")

Active use of industrial property right information through the IPDL is expected to further contribute to society in various forms, such as obtaining ideas for new inventions, designs, or names, avoiding overlapping investments by having trends in other research and development projects or applications, or preventing the occurrence of useless disputes.

(2) Enhancement of Industrial Property Information Provision

In order to enhance industrial property information services, it is necessary not only to satisfy standard public needs by providing services for free through the IPDL, but also to prepare an environment in which private 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 working on the establishment of an environment in which industrial property information can be provided for active use.

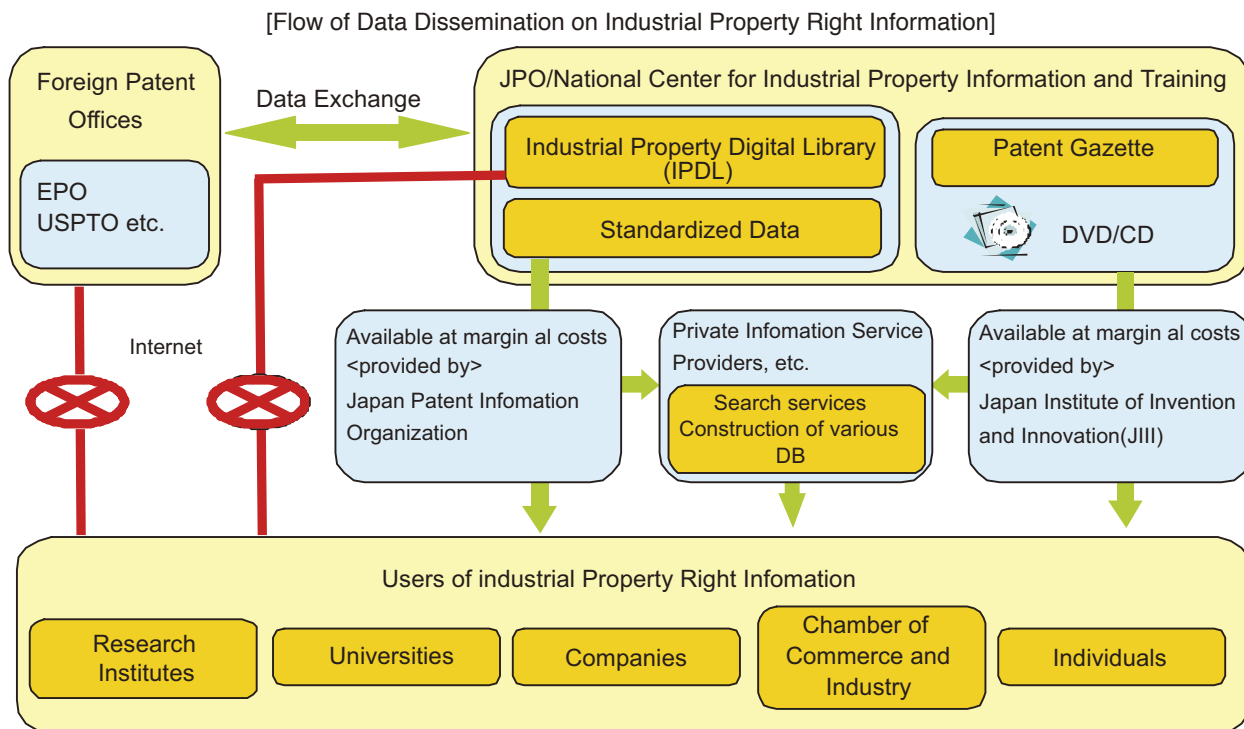
In particular, the JPO began providing CD-ROM gazettes as of April 1998, at marginal costs¹ and constructed an environment where the public can use Gazette data actively at a low price. Additionally the JPO adopted the XML format for the publications of unexamined patent application and registered utility model as of January 2004, the examined patent application and the examined utility model application as of July 2004, and then changed the media from CD-ROM to DVD-ROM to provide user-friendlier services.

In March 1999, the JPO also launched the standardized data processed in user-friendly formats of the legal status information etc as of March 1999. The creation of standardized data has been transferred to the NCIPI in October 2004. (For details, see Part 3, Chapter 7, 5. "Information Dissemination")

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 "Intellectual Property Policy Outline", the JPO will strive to improve the convenience of industrial property right information.

¹ Refers to additional expenses for data reproduction, price for empty storage media, and sending costs, and do not include data creation and maintenance costs.

Support for Activities Through Information Technology



3. Information Regarding the JPO and Various Other Information on the JPO Website

The JPO website provides various information regarding the patent administration and offers industrial property right information, such as the Industrial Property Digital Library (IPDL).

JPO Website (Top Page)
<<http://www.jpo.go.jp/index.htm>>



<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 of the JPO
Information on press releases, patent distribution, prompt granting of a right, measures against counterfeit goods and other industrial property policies, amendments of laws, international activities and cooperation, invitation to seminars, examination for patent attorney, etc.
- Reference Room
Council meeting reports, laws and orders, examination standards, statistical reports, search reports, etc.

Development of Awareness of Intellectual Property and Education of Experts

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

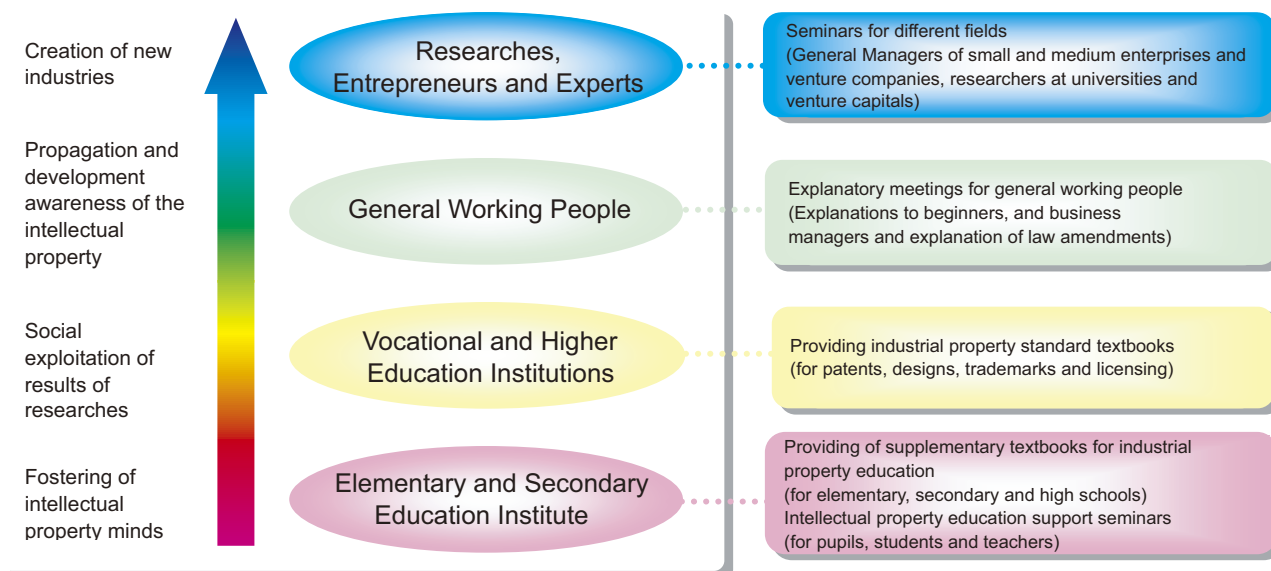
It is necessary to establish a nationwide environment for raising awareness and cultivating knowledge on the intellectual property system through fostering intellectual property minds from early childhood, cultivating human resources equipped with abundant knowledge on intellectual property at universities, etc. promoting understanding and interests in intellectual property to 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 nationwide since FY1998 as part of the efforts to propagate and develop awareness of intellectual property system.

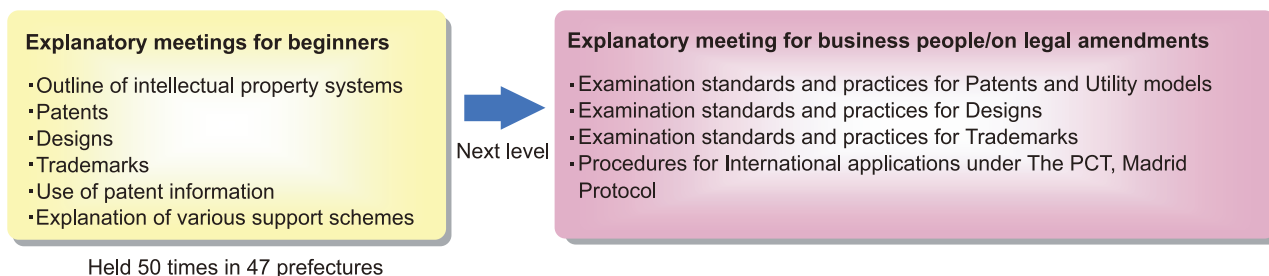
Meanwhile, the JPO has also been providing the industrial property standard textbooks for vocational and higher educational institutions with the objective to have the students master knowledge and fundamental business practice on intellectual property as a means to educate human resources with practical 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 nationwide. 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 nationwide as efforts to propagate the intellectual property system and raise awareness of intellectual property.



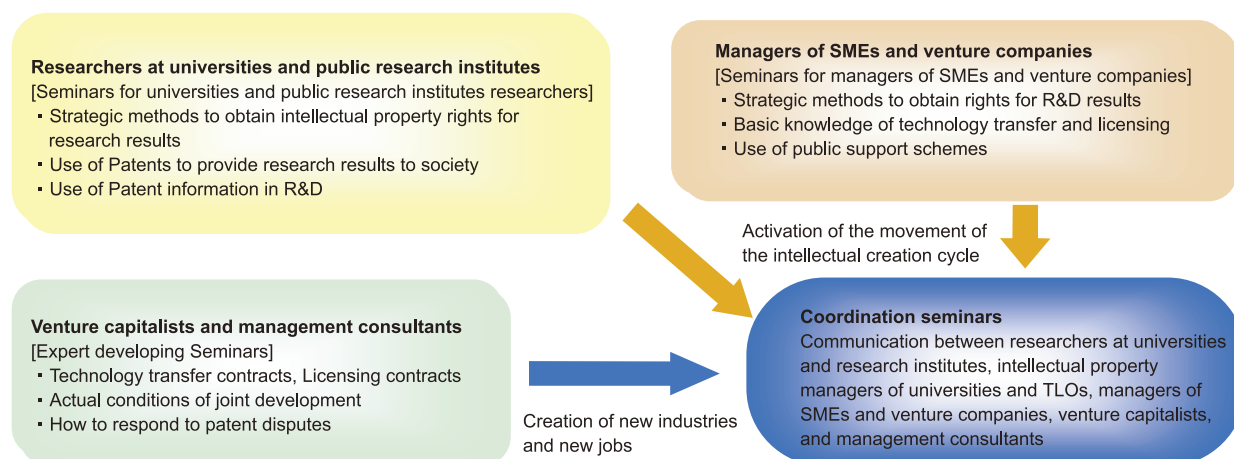
(2) Various Support Activities for the General Working People

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 methods used 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 with intellectual property acquisition businesses.

[Explanatory Meeting on Intellectual Property Systems]



[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 school and to provide intellectual property education at different age levels in order to establish an intellectual property-based nation. The JPO has been offering 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 these standard textbooks and other teaching materials and seminars for students using the industrial property standard textbooks nationwide. The JPO also provides supplementary textbooks for industrial property education at different age levels in the elementary and secondary education stages and holds intellectual property education support seminars for teachers as part of the efforts to propagate and to get intellectual property education entrenched in the schools.

Development of Awareness of Intellectual Property and Education of Experts

[Support for Vocational and Higher Educational Institutions]

Universities and technical colleges

<Provision of standard textbooks and other materials>

- Patents : 55,000 copies for 770 schools
- Designs : 32,000 copies for 670 schools
- Trademarks : 31,000 copies for 660 schools
- Licensing : 34,000 copies for 640 schools

<Seminars for students>

- Outline of intellectual property systems
- Basic skills to obtain and exercising patent rights
- Use of industrial property rights information in R&D

<Schemes for pilot technical colleges>

- Lectures and courses using the standard textbook in 15 technical colleges and study on use of the textbooks

Industrial and commercial high schools

<Provision of standard textbooks>

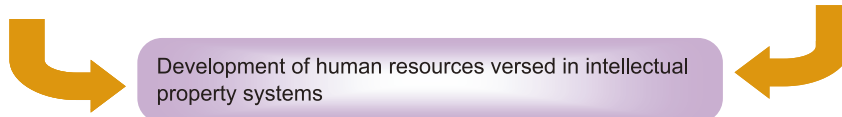
- Textbooks on Patents for all technical high schools (133,000 copies for 642 schools)

<Seminars for students and teachers>

- Outline of intellectual property systems
- Basic skills for the process from filing applications to obtaining rights
- How to use the standard textbook

<Schemes for pilot schools>

- Classes using standard textbooks in 54 technical high schools (FY2004), and study on use of the textbooks in extra curricular activities
- Support to commercial high schools from FY2002 and agricultural high school from FY2003
- Prepare and provide examples of use of the standard textbooks



[Support for Elementary and Secondary Educational Institutions]

Elementary, junior high, and high schools

<Provision of supplementary textbooks for intellectual property education>

- For elementary schools : about 130,000 copies to 2,700 schools
- For junior high schools : about 180,000 copies to 2,500 schools
- For high schools : about 150,000 copies to 2,600 schools

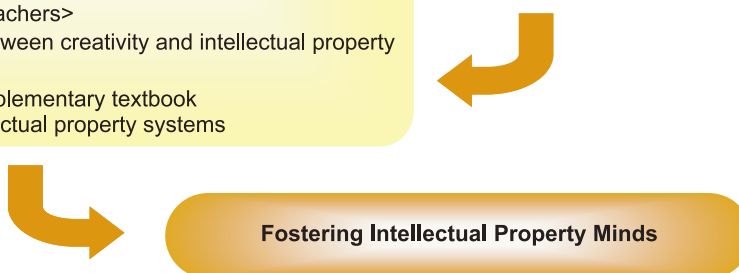
<Seminars for teachers>

- Relationship between creativity and intellectual property mind
- How to use supplementary textbook
- Outline of intellectual property systems

Study on intellectual property education

<Education study in faculties of education of universities>

- Effect of intellectual property education on education as a whole
- How to develop teachers who can teach acquisition of intellectual property minds
- Study on methods for intellectual property education for teachers



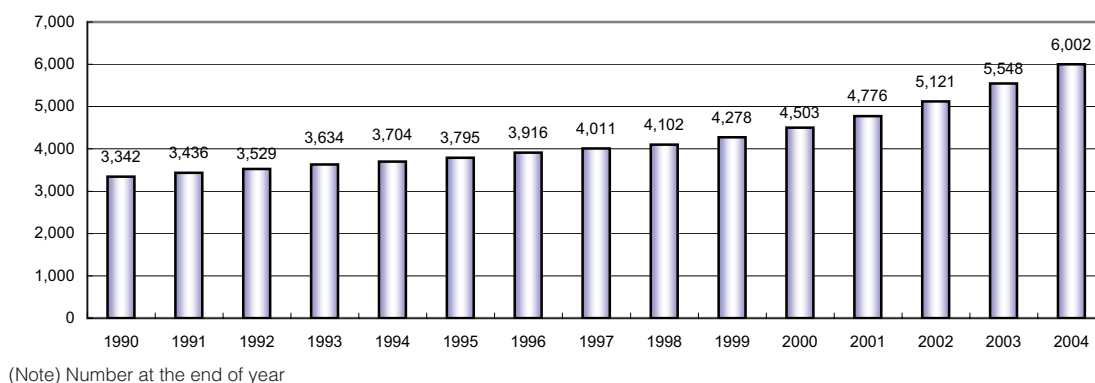
2. Education of Intellectual Property Specialists

(1) Foundation for Human Resources

Japan is expected to become 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 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 in 2000 and partial amendment of the Patent Attorney Law in 2002 with the objective to further educate and exploit patent attorneys who have professional and technical knowledge on intellectual property as the mainstay in establishment of the intellectual property based nation. The amended law stipulates significant extension of the range of activities of patent attorneys where they would also 1) conduct dispute arbitrations outside the court, 2) clearly define the agency and representation duties for intellectual property transaction contracts, and 3) be granted procedural representations at specified infringement suits¹ (limited to cases the attorney is appointed by the same client), and the attorney examination system was amended as part of efforts to enlarge the number of attorneys and enhance their quality.

[Change in Number of Patent Attorneys]



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

Japan March 31, 2005	Patent Attorneys ("Benrishi")	6,127
	Attorney specializing in intellectual property (Attorneys at law who have registered as patent attorneys)	339
United States May 5, 2005	Patent Agents	7,014
	Patent Attorneys	23,553

Japan: as of March 31, 2005, United States: as of May 5, 2005

(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).

¹ Refers to infringement suits regarding rights related to patents, utility models, designs, trademarks, or layout of semiconductor circuits, or related to business profits from specific unfair competition.

(2) Execution of the Patent Attorney Law Amended in 2002

In an effort to further improve and accelerate procedures in the court regarding specific infringement suits, the law that partially amends the Patent Attorney Law was enacted on January 1, 2003 to grant patent attorneys who have special knowledge concerning intellectual property the right to conduct procedural representations 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 by the Japan Patent Attorney Association, and 1,646 patent attorneys participated in the course of 2 years.

A total of 1,774 patent attorneys who completed the above training took the examination, of which 1,166 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). Among those who passed the examination, 1,061 (as of March 2005) have completed the registration procedures, and are working as procedural attorneys only for cases where the attorney has accepted specific infringement suits from the same client.

Strategic Plan for Optimized Administrative Operation and System Development

1. Background to the Strategic Plan for Optimized Administrative Operation and System Development

Ever since the JPO started the paperless project in 1984, it has worked tirelessly toward the realization of online procedures and has been gradually achieving its goal¹.

In addition, in conjunction with the realization of online application procedures, the JPO has also been making efforts toward computerization of office work, and through computerization of not only applications and intermediate procedures, but also of all other procedures, from formality check, substantive examination, registration, gazette publication, to appeals, it has been promoting efficient office work as well as timely and high quality examinations.

As a result, the rate of online applications for patents increased to 97%, which have become a precondition for highly efficient office work. In addition, the JPO adopted a server for the peripheral system for patent / utility model examinations, which was launched in July 1993, the search system which used to be composed of mainframe computers (large multipurpose computers) was rebuilt as a client-server system² in 1997. The JPO thus made active efforts toward the opening and downsizing of the system itself, and it took the initiative in breaking away from the legacy system³ with the e-Japan strategy project.

Meanwhile, the "e-Government Building Program" (adopted by CIO Liaison Meeting in July 2003) aims at increasing convenience for citizens as well as simplifying, promoting streamlining, and increasing reliability and transparency of administrative management through revisions of the utilization of information technology (IT) in the administrative fields along with those of related businesses and systems. In other words, the plan aims at "providing user friendly, highly transparent, efficient, and safe administrative services" and at "optimizing administrative operation and systems (promotion of streamlining and rationalization)".

In addition, in order to study the possibility of further innovation of the legacy system, etc., the JPO had external experts perform system auditing in February 2003, and examined the efficacy, economical efficiency, and general efficiency of the current patent office systems.

The JPO has always been promoting the realization of online procedures, etc. with enhanced services to applicants, based on the abovementioned direction of the "e-Government Building Program" and feasibility study, the JPO aims for overall optimization of business and systems, and thus developed and announced in October 2004 the "Strategic Plan for Optimized Administrative Operation and System Development", based on revisions of the business process, future of the administrative operation and systems, and revisions of the legacy system.

[Background to Strategic Plan for Optimized Administrative Operation and System Development]

July 2003: e-Japan Strategy II (IT Strategic Headquarters)

- Form a plan regarding optimization of each business and system as early as possible before end of 2005.

July 2003: e-Government Building Program (CIO Liaison Meeting)

- As a government, strategically and cross sectorally promote simplification, efficiency, and rationalization of administrative management through optimization of businesses and systems realized with IT introduction.

August 2003: e-Japan Priority Policy Program 2003 (IT Strategic Headquarters)

- Based on the "e-Government Building Program", ministries and agencies form an optimization plan concerning each business and system as early as possible before end of 2005 for businesses that are expected to greatly contribute to business optimization or system integration, etc.

March 2004: Feasibility Study

October 2004: Strategic Plan for Optimized Administrative Operation and System Development

¹ See Part 3, Chapter 4, 1.

² System where the server is connected to a computer called "client", which uses information resources managed by the server.

³ Systems in government ministries and agencies which are information systems requiring annual expenses of more than ¥1,000,000,000, and which correspond to either one of the followings: 1) a system using multipurpose computers or business computers (mid-sized computers equipped with the developer's original operating system) or system that connects to such system, or 2) system where a private contract remains in effect after 1994.

2. Outline of the Strategic Plan for Optimized Administrative Operation and System Development

(1) Objectives of the Optimization Plan

The "Strategic Plan for Optimized Administrative Operation and System Development" aims for increased efficiency through fundamental revisions of the businesses and for system reform using the latest information technologies, with the purpose of achieving the following three main objectives:

- 1) Improve convenience for applicants and representatives and enhance information services in order to revitalize the "cycle of intellectual creation", which includes strategic creation, protection, and exploitation of intellectual property.
- 2) Build a system infrastructure that is necessary to realize the "world's highest level of timely and high quality examinations".
- 3) Perform fundamental revisions of the administrative operation and seek to reduce system expenses in order to realize the objective of "performing fundamental revisions of the businesses and systems and seek to promote streamlining of administrative management and to improve administration effectiveness".

(2) Specific Measures and Anticipated Results

The following lists the specific measures performed to realize the above 3 objectives and the anticipated results.

- 1) Improve convenience for applicants and representatives and enhance information services in order to revitalize the "cycle of intellectual creation", which includes strategic creation, protection, and exploitation of intellectual property.
 - a. Provide 24 hours / 7 days a week services
⇒ Example: Allows for real-time online filing, etc.
 - b. Online and real-time publication of gazettes
⇒ Example: Allows for reduced gazette publication periods (period from registration of rights until publication of the gazette)
 - c. Allows for real-time provision of application information, etc. (organized and standardized data, patent document data, etc.) from a one-stop portal
⇒ Example: Allows for real-time obtaining of application / examination status information
Allows for real-time obtaining of organized and standardized data
 - d. Interactive applications (Application assistance service)
⇒ Example: Allows for applicants to create accurate applications by using the JPO database to reflect the information concerning application contents on the application documents
- 2) Build a system infrastructure that is necessary to realize the "world's highest level of timely and high quality examinations".
 - a. Increased sophistication of the examination environment
(improvement of the prior art search functions, etc.)
 - b. Improved functions such as automatic accumulation or analyses of examination-related information
(examination knowledge management, etc.)
- 3) Perform fundamental revisions of the administrative operation and seek to reduce system expenses.
 <Fundamental revision of administrative operation>
 Improve the JPO's administrative operations through the realization of electronic applications, etc., which are more accurate than traditional applications, with interactive applications.

<Departure from the Legacy System and reduction of system expenses>

a. Departure from the data communication service¹

- Copyrights shall belong to the JPO through collective payment of 2004's residual liabilities for software, allowing for independent system development.
- Perform competitive bidding of system management / operation services in 2005 (WTO procurement).
- Also perform competitive bidding that complies with WTO procurement rules for software in the case of new developments.
- With regards to hardware, already transferred to direct procurement from 2002.

b. Policy of departure from the mainframes

- Aims for the realization of open systems with local hosts (system that manages registered information) and overall management hosts (backbone system that manages the original copies of the applications).

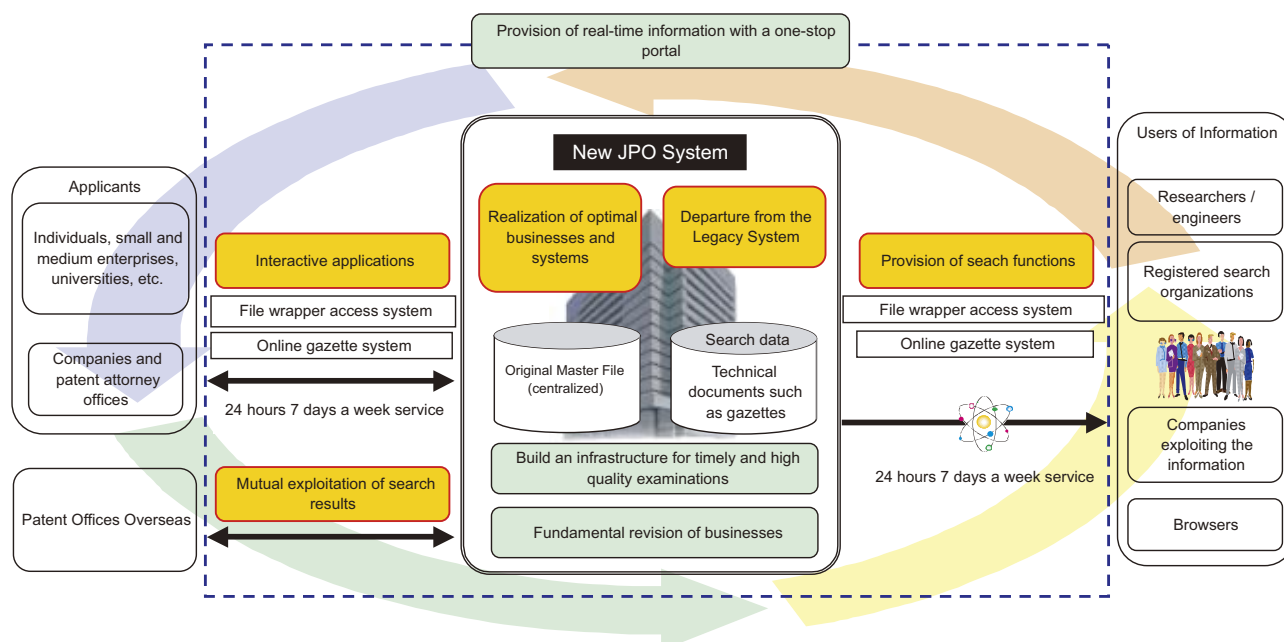
c. Others

- Increased efficiency of development through revision of the system development methods
- ⇒ Through the above efforts, aim for about 20 to 30% reduction in current system expenses after realization of the optimization plan, which is at least about ¥4,000,000,000.

3. Future Plans

The JPO is planning to develop and publish a Revised Edition of the Optimization Plan (tentative), which would include specific measures for the future and a road map which will be covering about 5 to 10 years.

[Image of Strategic Plan for Optimized Administrative Operation and System Development]



¹ An agreement where the service provider performs general IT work such as system development, operation, and management, and the user pays an annual fee for the services received.

Various Support Activities by the National Center for Industrial Property Information and Training

The National Center for Industrial Property Information and Training (NCIPI), an Independent Administrative Institution (IAI) was transformed into an independent administrative institution in April 2001, and in October 2004, it added information dissemination services and human resource development services to its portfolio, and started afresh by changing its name from "National Center for Industrial Property Information" to "National Center for Industrial Property Information and Training".

With the purpose of developing and strengthening the foundation, which is composed of "information" and "people" that support the industrial property right system and "environment" in which these exist, the NCIPI works hand in hand with the JPO to support various activities such as access to gazettes, etc., consultation, promotion of patent licensing, information dissemination, training, and development of human resources.

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

Total Number of Officers and Employees: 81 (excluding 2 part-time auditors)

Chairman, Executive Director, Auditor

- General Affairs Department (overall coordinating functions, etc.)
- Reference Library Department (browsing of patent gazettes, gathering and browsing of examination documents)
- Licensing Promotion Department (promotion of the licensing of patents, etc.)
- Information Dissemination Department (industrial property right information services such as the IPDL)
- Consultation Department (consultation services regarding industrial property rights)
- Training Department (training for patent examiners, etc.)
- Human Resources Development Department (training for searchers, patent attorneys, and small and medium enterprises, etc.)

Executive Manager for the Human Resources Department

National Center for Industrial Property
Information and Training Logo



2. Gazette Retrieval

About 140 retrieval equipment with exclusive lines are installed in the gazettes library on the 2nd floor in the JPO building, where IPDL is available for retrieval free of charge. The same equipment is installed in regional libraries at 8 locations (Sapporo, Sendai, Nagoya, Osaka, Hiroshima, Takamatsu, Fukuoka and Naha) for gazette retrieval with other services. The number of users in 2004 was about 72,000.

[Gazettes Library]



3. Examination / Appeal Examination Material Supply

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

The collected technical documents are also available to the general public.

[Technical documents]



4. Patent Licensing Promotion

The NCIPJ executes a variety of projects for the promotion of patent licensing in order to stimulate the creation of new businesses or development of new products in small and medium enterprises and venture companies by smoothly transferring licensable patents between companies and between universities / public research institutes and companies.

(1) Promotion of Patent Licensing by Exploiting Human Resources

1) Patent Licensing Advisors

The NCIPJ dispatches upon request from prefectures, etc. patent licensing advisors who are experts with abundant knowledge and experience in the field of intellectual property rights and technology transfers, with the objective to search and match the licensable patents owned by enterprises, universities, public research institutes, etc. and the needs for technology transfers at small and medium enterprises and venture companies (106 advisors as of April 2005).

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 suppliable 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, research and development in collaboration with other agencies



2) Patent licensing seminar

The NCIPI holds seminars nationwide introducing the important points in patent agreements and the latest topics, with the aim to popularize and promote technology transfers exploitation of patent information in small and medium regional companies.

3) Patent Business Market

The NCIPI holds fairs where companies with proprietary technologies present the contents of their technologies and business plans, and participants offer various forms of cooperation such as obtaining licenses for those technologies, providing opportunities for joint research projects, or offering financial assistance.

(2) Provision of Licensable Patent Information, etc.

1) Patent Licensing Database, Idea Database

In order to smoothly distribute licensable patents in the industrial world and regional companies and promote practical application, the NCIPI built a database of licensable patents owned by companies, universities, and public research institutes, etc., and posts it online. Not only is this database an open system where anyone can register data pertaining to "license information (including transfers)" and "information on needs (information of requests for license introduction)", users can access relevant patent information because the database is linked to the Intellectual Property Digital Library (IPDL) or corporate information because it is linked to the corporate website.

The number of registrations of "license information" to the patent licensing database has increased since 1997, and has reached 58,000 as of April 2005.

In addition, for license information in the Patent Licensing Database, NCIPI gives simple explanations on the "potentials of a patent (how and where can it be used)", and it has also launched an "Idea Database" where it suggests applications that exceed the right holder's expectations, and the number of registrations as of April 2005 has exceeded 14,000.

2) Examples of Licensable Patent Utilization

The NCIPI selected patents with high potentials for commercialization among the license patents registered in the Patent Licensing Database, and created a collection of licensable patent exploitation examples. In addition to distribution of brochures, this information is also available on the NCIPI website.

If a person wishes to contact the patent holder regarding the listed patent technology, such person can directly contact the patent holder or through a patent licensing advisor.

<Patent technologies listed in the list of licensable patent exploitation examples>

FY1998: 100, FY1999: 200, FY2000: 150, FY 2001: 200, FY 2002: 213, FY 2003: 206, FY 2004: 209

3) Charts for Supporting Patent Licensing

The NCIPI is creating a patent map of technologies from patent information called a "Charts for Supporting Patent Licensing" to serve as reference material for small and middle companies that wish in particular to introduce technologies from different fields (88 topics created until FY2004).

The Charts for Supporting Patent Licensing analyze patent information of the past 10 years by technical category

and clearly explains trends in technical maturity and solutions to issues related to developing technologies. These maps are useful when examining opportunities for entering into different fields or developing new businesses. They can also be used as useful references for identifying technical needs and finding companies that own the relevant patents.

These patent maps are available for free on the NCIP website and are also available for free in CD-ROM format starting from the 2002 edition.

4) Patent Information Advisors

In order to support revitalization measures of regional industries through exploitation of patent information, the NCIP dispatches patent information advisors, who are experts in patent information exploitation, in prefectures nationwide (52 advisors as of April 2005). These advisors provide guidance on how to search patent information, offer consultation services regarding its exploitation, and hold workshops, meeting the needs of various requests concerning patent information.

(3) Education of Human Resources

1) Patent Licensing Agents Database

In order to stimulate patent licensing businesses, the NCIP is building a database whose purpose is to provide an opportunity for those who are looking into licensing patents and agents who mediate the transactions.

2) International Patent Licensing Seminars

The NCIP invites experts engaged in patent licensing and technology transfers at overseas universities, companies, and local governments, etc. to enhance the business skills and build a human network of business people dealing with transactions of intellectual property rights in Japan, and organizes joint discussions and workshops with those who are active in the front line in Japan.

3) Training Seminars for Fostering Patent Licensing Experts

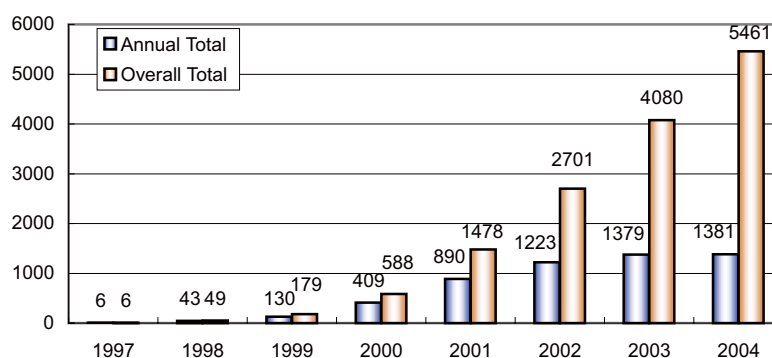
The NCIP organizes a basic course, an intermediate course, and an advanced course with the purpose to develop human resources involved in patent licensing agent services in Japan, an area with insufficient human resources.

<Course Participation in FY2004>

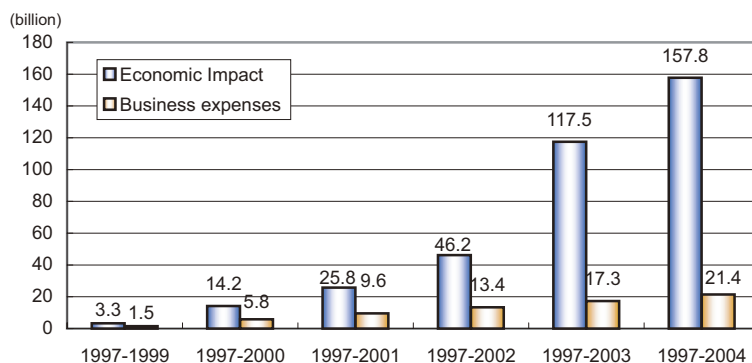
- Basic course 9 sessions(2-day course) 633 participants
- Intermediate course 3 sessions(12-day course) 237 participants
- Advanced course 3 sessions(14-day course) 60 participants

As a result of such comprehensive patent licensing promotion activities, the number of successful transactions aided by patent advisors was 5,461 by 2004, and the economic impact reached a cumulative total of 157.8 billion yen.

[Trends in the number of technology transfers by patent licensing advisors (cumulative)]



[Economic impact and expenses of patent licensing promotion projects]



5. Information Dissemination

Industrial property information is important for prevention of redundant research and development, promotion of research and development that use existing technologies, and preventing infringement of rights. In this light, the NCIPI provides IP information in various forms and develops a range of activities toward its dissemination.

(1) Provision of Standardized Data

Information such as legal status information, which is provided by the JPO, is standardized in SGML format and is available at marginal costs (patent and utility model data are offered in XML format, a format which excels in information processing). In addition, the NCIPI also provides comprehensive document database containing image data of paper gazettes.

These measures have encouraged companies to establish their databases and private information service providers to provide wide variety of high-value added services.

(2) Industrial Property Digital Library (IPDL)¹

The NCIPI manages the Industrial Property Digital Library (IPDL) via the internet, which supplies industrial property information for free. Through the IPDL, users can access and search approximately 54 million industrial property-related documents such as gazettes regarding patents, utility models, designs and trademarks that have been published since 1885 with document number or various classifications. The NCIPI has been regularly improving convenience in using IPDL and expanding its service.



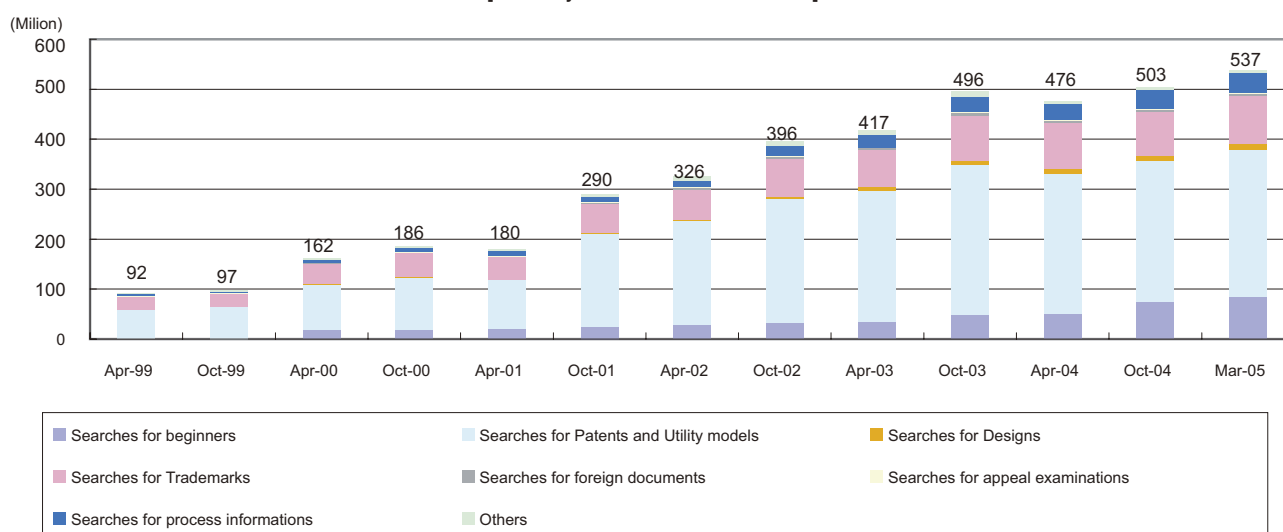
[IPDL Top Page]

In addition to the Internet service, the JPO has installed special terminals at the 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 number of searches per month of the IPDL was approximately 1 million, when the services launched in April 1999. And then with expansion of the service, users immediately increased and there are approximately 5 million searches per month at present.

¹ Top page of the IPDL http://www.ipdl.ncipi.go.jp/homepg_e_ipdl

[Monthly Searches at the IPDL]



(3) Exchanges of Industrial Property Information among Foreign Patent Offices and Utilization of the Information

Based on the agreements of the Trilateral Office (JPO / USPTO / EPO) Cooperation and of Bilateral Patent Offices (State Intellectual Property Office of the People's Republic of China [SIPO] Patent Office, Korean Intellectual Property Office [KIPO], etc.), industrial property information data are being exchanged.

1) Provision for Foreign Patent Offices and International Organizations

Based on the agreements, NCIP processes JP industrial property information to provide it for foreign patent offices.

2) Production and Provision of Japanese Abstract Data

Japanese abstract data are created with U.S. patent specifications, U.S. unexamined patent specifications, and European unexamined patent specifications with advanced and extensive technical contents, and are provided as examination materials for the JPO. This information is also available to the general public through the IPDL.

3) Production and Provision of the Patent Abstracts of Japan (PAJ)

Abstract data in the English language of publications of unexamined patent applications are created, and are distributed to foreign patent offices in the form of CD-ROM as minimum documentation of prior art search for international applications based on the Patent Cooperation Treaty (PCT).

6. Industrial Property Right Consultation

A consultation corner is available on the 2nd floor of the JPO building for general consultation on applications procedures for acquisition of industrial property and other issues concerning industrial property. In addition to the consultation booths, this service is also offered by telephone, e-mail, and correspondence. The number of consultations in 2004 was approximately 61,000 including by telephone, e-mail, and correspondence.



[Consultation booth]

7. Development of Human Resources

In order to develop human resources that support intellectual property businesses, the NCIPI offers training courses on topics such as acceleration of examination / appeals and trials of the JPO, development of intellectual property strategies in companies, etc., and adequate right protection and exploitation.

(1) Training Offered to Employees of the JPO

1) Training for Employees Related to Examinations / Trials and Appeals, and Training for Employees of the Administrative Divisions

Based on the basic policies and plans, etc. designed by the JPO, the NCIPI offers an appeal examiner's course and a beginner's course for fixed-term employees (assistant examiner) as training for employees related to examinations / trials and appeals. In addition, it offers a Trial Court Clerk course and a Specialist for Intellectual Property Rights course, etc.

2) Training of Fixed-term Examiners

A project has been undergoing since 2004 where every year for 5 years, approximately 100 fixed-term assistant examiners are employed and undergo a 2-year training course aimed at acquiring the legal knowledge and practical skills, etc. necessary to become examiners. The NCIPI also offers special courses where outside personnel including people with experience in the field of examinations and appeals / trials serve as instructors.

3) Training to Improve Expert Knowledge

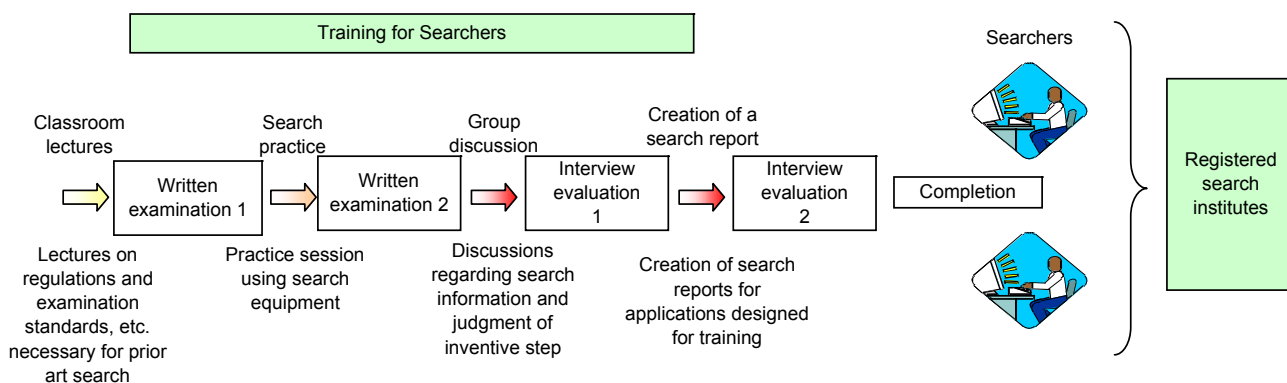
In order to improve overall knowledge of employees working at the JPO, the NCIPI offers various training aimed at improving the ability to respond to internationalism, strengthening the ability to respond to computerization, increasing sensitivity to changes in administrative needs, enhancing expert legal knowledge, etc.

(2) Training for People Other than Employees of the JPO

1) Training for Searchers

The NCIPI offers legal training for those aspiring to become searchers of registered search institutes (in accordance with Article 37 of the Law Concerning the Special Provisions to the Procedure, etc. Related to Industrial Property Rights).

The proper training of searchers performing highly detailed prior art search is particularly important to realize acceleration of patent examination. Therefore, this training course aims at providing fundamental skills that are required as a searcher and includes contents necessary for prior art search such as lectures on the Patent Law and practice sessions using actual search equipment.



2) Training for Intellectual Property Experts

Intellectual property experts such as patent attorneys are required to have accurate understanding of the patent system and examination standards in order to adequately protect the increasingly sophisticated and complex research and development results of companies and universities. In addition, even in terms of exploiting the acquired rights, in order to appropriately manage these rights or accurately judge their scope of application, these experts are also required to have a deep understanding of the patent system and examination standards. Therefore, the NCIPJ offers seminars which target patent attorneys and members of intellectual property departments in companies on examination standards, with the purpose of increasing the skills of intellectual property experts.

3) Training for Small and Medium Enterprises and Venture Companies

Small and medium enterprises and venture companies are required not only to simply have knowledge on intellectual property but also to be able to actively exploit intellectual property as a management measure to protect against attacks. Therefore, the NCIPJ offers practical courses related to cautions against patent infringements, with the purpose to strengthen response to patent infringements and to increase the intellectual property minds of small and medium enterprises and venture companies.

4) Training for the Government and Administrative Agency Employees

In order to back up a new movement of having intellectual property support revitalization of regional industries, the NCIPJ offers training courses to employees of local authorities, etc. with the purpose of supporting the acquisition of basic knowledge on intellectual property.

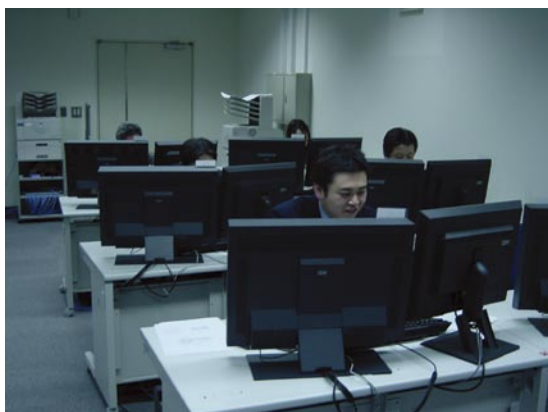
5) Development of Human Resources Using Information and Communication Technologies (IP e-Learning)

In order to expand and improve the contents of training sessions of intellectual property-related human resources, the NCIPJ offers e-learning, which is gaining popularity as a self-educational system where people can efficiently learn anytime, anywhere.

6) Strengthening Cooperation with the Private Sector

In order to promote mutual cooperation concerning the development of intellectual property human resources and to clearly define the roles of the public and private sectors, the NCIPJ regularly holds conferences on the development of intellectual property human resources with major human resources organizations.

[Practice session using search equipments]



[Discussion-type training]

