

Part 1

Trends of Industrial Property Rights

Part 2

Government Efforts in  
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**Part 3**

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**Government Support for  
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Part 4

International Trends and Efforts

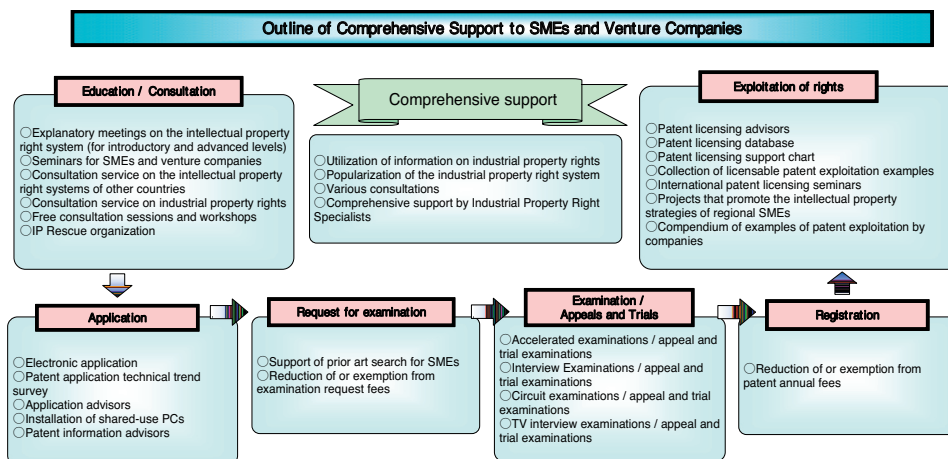
Part 5

Statistical Data

# Support for SMEs

## 1 Comprehensive Support Measures for SMEs

The JPO provides comprehensive support through various measures to SMEs that sustain the industrial foundation in Japan and play a significant role as the driving force of regional economies, as well as to venture companies that are expected to create new industries.



### (1) Support in the Areas of Diffusion, Human Resources Development, and Consultation Concerning Industrial Property Rights

#### 1) Explanatory Meetings on the Intellectual Property Rights System (for introductory and advanced levels)

The JPO holds explanatory meetings on intellectual property rights for those at the introductory level who wish to start learning about intellectual property rights, and those who have just been transferred to the intellectual property division in their companies.

In addition, the JPO also holds explanatory meetings for those who engage in intellectual property affairs. These meetings cover the various systems that are indispensable for intellectual property affairs, such as examination standards, the PCT international application system, operation of the appeals and trials system, and the International Patent Classification (IPC).

#### 2) Seminars and Training for SMEs and Venture Companies

The JPO holds seminars on strategic acquisition of intellectual property rights that meet regional needs and on how to exploit such rights, for people such as corporate managers and persons responsible for R&D.

In addition, training programs for SMEs and venture companies have been implemented at the National Center for Industrial Property Information and Training (NCIPI).<sup>1</sup>

#### 3) Consultation Service on the Industrial Property Rights Systems of Other Countries

The Asia-Pacific Industrial Property Center of the Japan Institute of Invention and Innovation (JIII) provides a consultation service on industrial property right systems in other countries for domestic SMEs.

#### 4) Consultation Services on Industrial Property Rights

Dedicated staff members in the Patent Offices in the respective Regional Bureaus of Economy, Trade, and Industry offer regular consultation services regarding basic matters from the filing of applications to registration and the actual procedure for filing an application.

In addition, the NCIPI offers a consultation service for all types of inquiries, such as having an idea but not knowing how to obtain rights for it or wishing to file a patent application but not knowing the actual procedure. The consultation service is offered in person, by e-mail, or by telephone.

<sup>1</sup> See Part 3, Chapter 4, 2. (3) 2) d.

## Part3 Government Support for Intellectual Property Activities

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### 5) Free Consultation Sessions and Workshops

The JPO offers individual consultation services by experts on specific matters related to industrial property rights nationwide. In addition, in order to deepen the users' understanding of the industrial property rights system and to respond to the request for individual consultation services on even more specific matters, the JPO also holds "training/guidance consultation sessions," which combine workshops and consultation sessions, at the JIIL.

### (2) Support for Exploitation of Intellectual Property Rights Information and the Application Procedures

#### 1) Industrial Property Digital Library (IPDL)

The IPDL provides access to some 55.5million official gazettes of patents, utility models, designs, and trademarks via internet. These can be searched by various document numbers or by various classifications. It also provides industrial property information including information on the legal status, which allows users to easily check the examination status of specific applications.

Furthermore, the IPDL Help Desk of the NCIP offers information services on how to operate and use the IPDL.

#### 2) Patent Information Advisors<sup>1</sup>

In order to support stimulation of local industries through use of patent information, the NCIP dispatches patent information advisors, who are experts in exploiting patent information, to various locations in response to requests by prefectural governments (54 advisors as of April 2006). It also provides visit consultation services and workshops for SMEs free of charge.

#### 3) Patent Application Technical Trend Survey

The JPO selects themes, mainly in 8 fields of life science, information and communications, environment, nanotechnology materials, energy, manufacturing technology, social infrastructure, and frontier science, and performs comprehensive analyses with a focus on "technical trends in patent applications." Information regarding the technological issues related to these themes and the future direction of technological development is available on the JPO website.

#### 4) Application Advisors

Application advisors who work full-time in the electronic application consultation offices of JIIL branches nationwide offer consultation services on filing procedures, how to use the shared-use PCs, and the electronic application system. When users do not have the time to go to the electronic application consultation offices, or request the advisors to provide explanations at regional events, the application advisors provide visit consultations and guidance services.

#### 5) Installation of Shared-use PCs for Filing Electronic Applications

Shared-use PCs are installed at JIIL branches nationwide in order to allow those who do not have the necessary equipment for filing electronic applications from PCs to file electronic applications. These PCs not only consist of the necessary equipment, but also provide optional document editing and checking functions and an optional file conversion function to enable efficient operations.

### (3) Support Related to Examination Requests for Industrial Property Applications

#### 1) Support of Prior Art Searches for SMEs

In order to support proper assessment as to whether an examination should be requested or not, private searching organizations commissioned by the JPO perform prior art searches free of charge for patent applications of SMEs and individuals prior to requests for examination, upon request of the applicant, and deliver the search results by mail.

#### 2) Reduction of or Exemption from Examination Request Fees

The JPO grants an exemption from or a 50% reduction of examination request fees for individuals or

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<sup>1</sup> See Part 3, Chapter 2, 2. (7) 2) b.

companies that lack funds if they comply with certain requirements. In addition, the JPO grants a 50% reduction of examination request fees for SMEs dedicated to R&D

#### **(4) Support for Examinations and Appeals/Trials of Industrial Property Applications**

##### **1) Accelerated Examinations/Accelerated Appeal and Trial Examinations**

In cases in which a patent applicant is an SME or an individual, or if the applicant is already employing the invention, examination or appeal/trial examination is conducted more quickly than in the case of regular applications if the applicant submits an "explanation of circumstances concerning accelerated examination (accelerated trial/appeal examination)."

Although there are accelerated examination and accelerated appeal/trial examination systems for designs and trademarks, the requirements are different from those for patents.

##### **2) Interview Examinations and Interview Appeal/Trial Examinations, Circuit Examinations, and TV Interview Examinations**

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

In addition to interview examinations and interview appeal/trial examinations conducted at the JPO, the JPO examiners or appeal examiners also visit various locations nationwide to conduct circuit examinations, regional interview appeal/trial examinations, and circuit appeals/trials. Also, the JPO conducts TV interview examinations using a TV conference system installed at the patent offices of the respective Regional Bureaus of Economy, Trade and Industry.

#### **(5) Support for Registration of Intellectual Property Rights**

##### **1) Reduction of or Exemption from the Patent Annual Fees**

The JPO grants an exemption from patent annual fees (from the first year to the third year) or a grace period of three years to individuals or companies that lack funds if they comply with certain requirements. In addition, the JPO grants a 50% reduction in annual patent fees (from the first year to the third year) to SMEs dedicated to R&D.

#### **(6) Support for Exploitation of Industrial Property Rights**

##### **1) Patent Licensing Advisors<sup>1</sup>**

With the aim of uncovering licensable patents owned by universities, public research institutions, and companies, understanding the technological needs of SMEs and venture companies, and meeting those needs, the NCIPD dispatches patent licensing advisors, who are experts with a wealth of knowledge and experience on intellectual property rights and technology transfers, upon request of prefectural governments and TLOs (106 advisors as of April 2006).

Patent licensing advisors have contributed to successful patent licensing to SMEs and venture companies in many cases.

##### **2) Patent Licensing Database,<sup>2</sup> Collection of Licensable Patent Exploitation Examples, and Patent Licensing Support Chart**

In order to smoothly distribute licensable patents in the industrial world and local companies and promote their practical application, the NCIPD has built a database of licensable patents owned by universities, public research institutes, and companies, and releases it online. Not only is this database an open system where anyone can register data concerning "license information (including transfers)" and "information on needs (information of licenses sought)," users can access relevant patent information through the link to the Intellectual Property Digital Library (IPDL) or corporate information through the link to the corporate website.

The NCIPD has selected patents with high potential for commercialization among the licensable patents registered in the patent licensing database, and created a collection of licensable patent exploitation examples, which shows such patents along with potential product images as ideas for

<sup>1</sup> See Part 3, Chapter 2, 2. (7) 1) a.

<sup>2</sup> See Part 3, Chapter 2, 2. (7) 2) a.



## Part3 Government Support for Intellectual Property Activities

business. In addition to the distribution of brochures, this collection of examples is also available on the NCIP website.

The patent licensing support chart is a patent map that has analyzed patent information according to technology themes and visually indicates the maturity of technology and the trend in the means for solving problems related to technology development. It serves as a reference material for SMEs and venture companies when considering to advance into a different type of business or to launch a new business. The chart is available for 108 themes on the NCIP website.

### 3) International Patent Licensing Seminars<sup>1</sup>

In order to develop intellectual property transaction business in Japan, exchange relevant information, and build interpersonal networks to this end, the NCIP holds panel discussions and workshops by inviting experts engaged in patent licensing and technology transfers from overseas universities, companies, and local governments, etc. as well as those who are playing leading roles in Japan.

### 4) Projects for Supporting the Intellectual Property Strategies of Local SMEs

- Project for Supporting the Formulation of Intellectual Property Strategies

SME support centers of prefectural governments intensively dispatch intellectual property experts for certain periods to local SMEs and venture companies in coordination with the prefectural intellectual property centers in order to support the companies in their formulation of business plans for using intellectual property and their creation of intellectual property strategies.

- Project on Model Exploitation of Intellectual Property Rights

The Organization for Small & Medium Enterprises and Regional Innovation, JAPAN (SMRJ) has contributed to the emergence of successful model cases in which SMEs have used the support of local intellectual property experts and commercialized technology through strategic use of intellectual property. The SMRJ has released a "Manual on Intellectual Property Strategies of SMEs and Venture Companies," which is a report created based on such achievements, and holds Symposia on Intellectual Property Strategies of SMEs as part of its efforts to provide information on the achievements of the project and to spread and raise public awareness of the project.

### 5) Distribution of a Compendium of Examples of Patent Exploitation by Companies

The JPO published a "Compendium of Examples of Patent Exploitation by Companies, 2nd Edition" in January 2005, which covers 68 companies that are dynamic in their utilization of intellectual property as the mainstay for business, selected from SMEs nationwide, in order to provide reference for SMEs wishing to improve their corporate management by utilizing intellectual property. Copies of this are widely distributed through the Patent Offices of Regional Bureaus of Economy, Trade, and Industry.

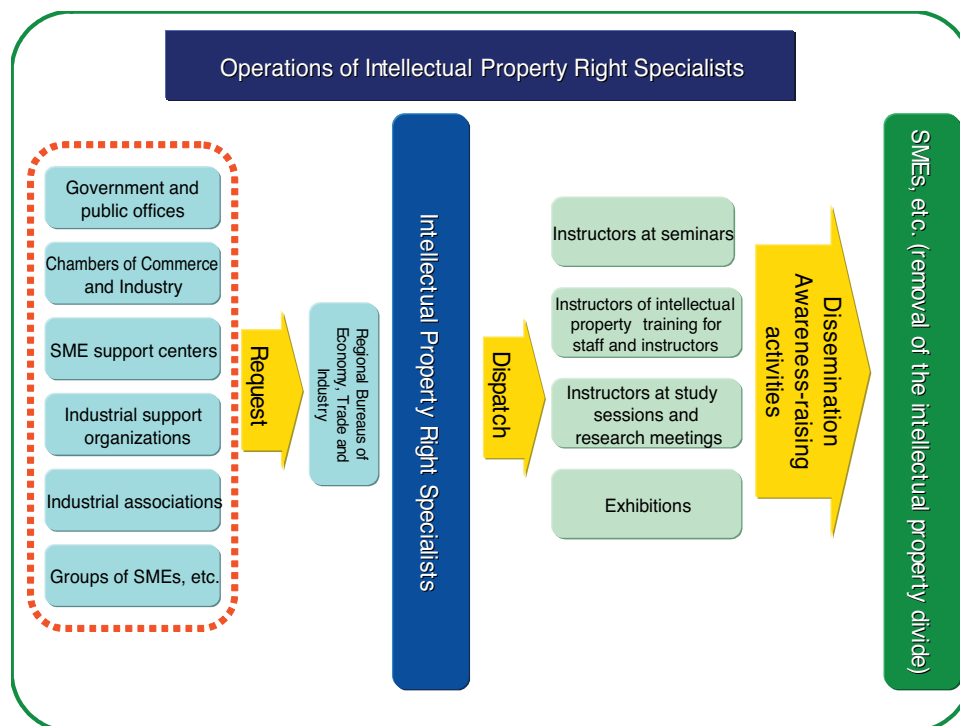
## (7) Comprehensive Support for SMEs by Intellectual Property Right Specialists

In April 2005, the JPO introduced Intellectual Property Right Specialists as experts for providing comprehensive support for SMEs. These specialists disseminate the intellectual property system and its support measures to local companies and SMEs, provide consultation services for these, as well as engage in awareness-raising activities and human resources development activities related to intellectual property for local companies and SMEs. The following are the activities conducted in FY2005.

- Extensive dissemination, awareness-raising, and human resources development activities through seminars (114 times)
- Human resources development activities through study sessions upon request of SMEs (9 times)
- Diffusion and awareness-raising activities on various measures through exhibitions (23 exhibitions; visiting exhibition booths of a total of 245 companies)
- Diffusion of measures through directly visiting companies (114 companies)

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<sup>1</sup> See Part 3, Chapter 2, 2. (7) 3) c.



## 2 Regional Support Frameworks

In order to develop an environment in which local SMEs can fully exploit intellectual property, the JPO established a "Regional Headquarters for Intellectual Property Strategy" in each region under the jurisdiction of Regional Bureaus of Economy, Trade, and Industry in FY2005. The regional headquarters is composed of local members from both the public and private sectors, such as SME support organizations, intellectual property support organizations, patent attorneys, universities, and local governments. Based on the regional intellectual property strategy promotion program developed by the Regional Headquarters for Intellectual Property Strategy, the JPO intensively implements measures such as the holding of consultation sessions and seminars as well as establishing intellectual property support organizations and human resources databases, including existing measures, in coordination with industrial clusters. Moreover, it is strengthening the network of local intellectual property-related organizations and human resources.

At the same time, a Patent Office has been established in each Regional Bureau of Economy, Trade and Industry in order to provide support that meets local needs, such as offering information on and promoting exploitation of industrial property rights in the region. These offices, along with the regional reference rooms of the NCIP and Intellectual Property Centers of prefectural government, constitute a comprehensive support framework. The JPO aims to establish an effective support framework for SMEs in close coordination with the aforementioned Regional Headquarters for Intellectual Property Strategy.

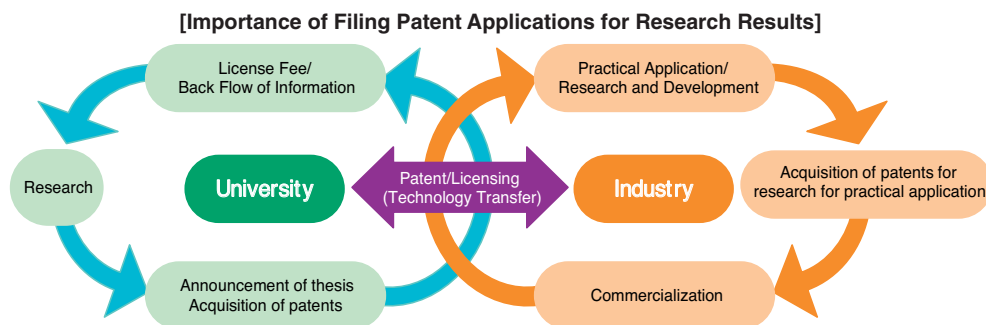
# Support for Universities

## 1 Necessity of Intellectual Property Activities for Universities

Japanese universities' R&D potential is at a high level by world standards. For instance, about 19% of R&D funds in Japan are invested in universities, and approximately 37 % of all Japanese researchers conduct research in universities (source: White Paper on Science and Technology 2006). In other words, universities in Japan have a sufficient base to create high quality research results. In order to effectively utilize the research results of those universities, which are "centers of intellectual creation," it is necessary to properly manage intellectual property in universities.

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.



## 2 Efforts to Support the Intellectual Property Activities at Universities, etc.

### (1) Dispatch of University Intellectual Property Advisors

In order to realize industrial revitalization through promotion of university-industry cooperation, it is more efficient to have universities and other institutions own inventions and other intellectual property created within these institutions rather than having individual researchers own them. To this end, it is necessary to establish a proper intellectual property management structure within the universities, and to have the universities function as key centers of creation of new industries. Therefore, the JPO has dispatched experts (intellectual property management advisors and intellectual property supervision advisors; collectively referred to as "university intellectual property advisors") to universities to support the establishment of the intellectual property management division since FY2002.

The dispatch service of university intellectual property advisors is a project in which people with experience in intellectual property management operations in the private sector are dispatched to universities. The JPO helps universities so as to eventually be able to run their intellectual property management divisions on their own by having the university intellectual property advisors who have been dispatched to universities instruct the university staff in affairs relating to intellectual property management.

University receiving intellectual property management advisors must designate specialized staff and the funds necessary for intellectual property management affairs, and in cooperation with the intellectual property management advisor, develop an intellectual property management structure within 3 years in principle (advisors dispatched to 10 universities in FY2006).

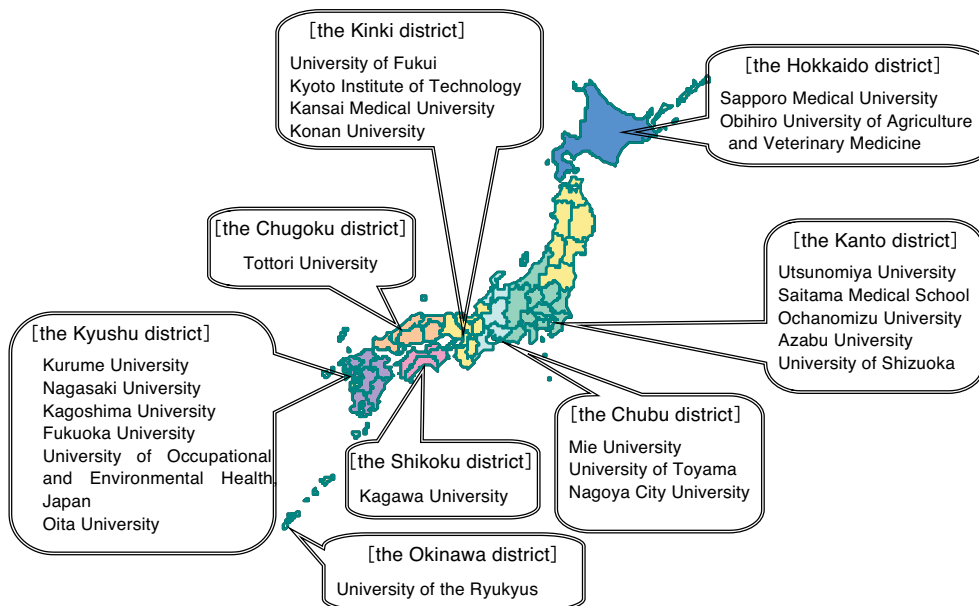
Furthermore, starting in FY2006, the JPO will support establishment of an intellectual property management system in more universities by dispatching, in addition to the conventional intellectual property management advisors who support a single university for 3 years, intellectual property supervision advisors who support multiple universities for a single fiscal year (dispatched to 13 universities in FY2006).

In order to disseminate the findings from the intellectual property management structure development project to other universities as well, the JPO has created a "Manual for Establishing an Intellectual

# Support for Universities

"Property Management Structure in a University" covering the findings acquired through this project. Also, the JPO holds various symposia and seminars with a view of enabling universities nationwide to properly manage their intellectual property.

**[Universities Receiving Intellectual Property Advisors in FY2006]**



## (2) Reduction and Exemption of the Payment of Patent Annual Fee and Examination Request Fee

The JPO supports the efforts of industry-academia-government collaboration and technology transfer at universities and TLOs through reduction/exemption of the payment of annual patent fees and examination request fees based on the Act Promoting Technology Transfer from Universities to Industry and the Act for Enhancing Industrial Technology, etc.

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

Content of support	Results of support (as of end of March 2006) <sup>1</sup>
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 Act]**

Content of support	Results of support (cumulative) (as of end of March 2006)
Reduction of patent fee and examination request fee for approved TLO (Section 32)	Reduction of patent fee 141 (260) Reduction of examination request fee 568 (1,219)

**[The Act for Enhancing Industrial Technology]**

Content of support	Results of support (cumulative) (as of end of March 2006)
Reduction of patent fee and examination request fee for universities and university professors (Section 16)	Reduction of patent fee 32 (124) Reduction of examination request fee 177 (441)

## (3) Accelerated Examination System

Universities and approved/authorized TLOs who have requested examinations for their patent

<sup>1</sup> Source: Ministry of Economy, Trade, and Industry



## Part3 Government Support for Intellectual Property Activities

applications can be eligible for accelerated examinations should they submit a written explanation of the needs of the accelerated examination. The universities and TLOs are expected to use the accelerated examination system more actively in order to promote the contribution of their research results to the society through earlier acquisition and exploitation of rights.

### **(4) Seminars for Universities, etc.**

The Patent Offices in the respective Regional Bureaus of Economy, Trade and Industry hold "Seminars for Researchers at Universities and Public Research Institutions" for researchers at universities and public research institutes. These seminars are held to provide explanations on how to express research results in the form of patent specifications and to talk about the significance of exploitation research results in society through patenting, with the aim of promoting acquisition of rights for research results and exploitation of the rights. The seminars were held 170 times nationwide in FY2005 in which 4,580 people participated.

The JPO also dispatches its officials as instructors to universities to provide education on intellectual property. In addition, the JPO has been dispatching its officials as instructors to professional graduate schools including law schools that began to admit students in April 2004, upon the request of these schools.

### **(5) Designation of Universities, etc. as the Scientific Bodies Prescribed in Article 30 of the Patent Act**

Article 30 of the Patent Act stipulates that an invention is exempted from lack of novelty if the person having the right to obtain a patent "has made a presentation in writing at a study meeting held by a scientific body designated by the Commissioner of the Patent Office." If universities and other institutions are designated as such scientific bodies by the Commissioner of the JPO, exception to the lack of novelty is approved for the research results presented at study meetings held by the said institutions in a manner similar to those presented at academic society meetings.

The number of designated bodies as of March 31, 2006 included 157 universities, 30 technical colleges, 12 inter-university research institute corporations, 26 independent administrative institutions, 56 public testing laboratories and 593 academic societies.

Meanwhile, because it is important to file a patent application before presenting the research results in order to acquire patent rights appropriately, the JPO conducts awareness-raising activities through seminars for university researchers.

### **(6) Distribution of the Pamphlet Called "How to File Patent Applications for Research Results"**

It is necessary for researchers and patent managers in universities and other institutions to recognize the significance of having adequate knowledge of the patent system, appropriate acquisition of patents for the research results and exploitation of results. The JPO prepared a pamphlet called "How to File Patent Applications for Research Results" for researchers and patent managers at universities and other institutions. It introduces the key points to consider when filing patent applications and the JPO's various support measures as a means to promote acquisition of patents for research results.

The pamphlet also introduces methods on how to appropriately acquire patents for research results of universities and other institutions by using PC application software, which the JPO distributes free of charge upon request. It also offers basic information on acquiring patents in foreign countries for research results related to basic inventions that are created through continuous research in the university system.

### **(7) National Center for Industrial Property Information and Training (Measures for Encouraging Patent Licensing)**

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

The National Center for Industrial Property Information and Training (NCIPI) provides various measures for encouraging patent licensing in order to activate the creation of new businesses and the development of new products in SMEs and venture companies by smoothly transferring licensable patents (patents owned by large companies and universities, etc., which are available for exploitation by others) between companies, or from universities and public experiment and research institutions to

companies.

As FY2006 marks the start of the second medium-term goal/plan period, the JPO will make efforts to take the patent distribution market to the next level with an aim to eventually establish autonomous markets among local governments and the private sector, under the following medium-term goal:

#### NCIPI's second medium-term goal (Excerpt)

From the viewpoint of encouraging patent exploitation, which is an important element in the intellectual creation cycle, the NCIPI will smoothly provide relevant information so that licensable patents are effectively exploited by SMEs and venture companies, as well as encourage development of experts on patent licensing. Through these activities, the NCIPI aims to create an environment in which licensing of licensable patents is autonomously conducted among the people concerned, such as the private sector and local governments, and patent licensing markets can continue to develop.

### **1) Promoting Patent Licensing through Use of Intellectual Property-related Human Resources**

#### **a. Patent Licensing Advisors**

With the aim of grasping licensable patents owned by universities, public research institutions, and companies, understanding the needs of SMEs and venture companies for introducing technology, and matching those needs, the NCIPI dispatches patent licensing advisors, who are experts with a wealth of knowledge and experience on intellectual property rights and technology transfers, upon request of prefectural governments and TLOs (106 advisors as of April 2006).

In addition to the above activities, patent licensing advisors will develop human resources engaged in this field through instruction and awareness of the knowledge they have acquired to date.

#### **Stage 1 Propagation (awareness)**

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

- Visit companies (explain measures for encouraging patent licensing)
- Aware 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

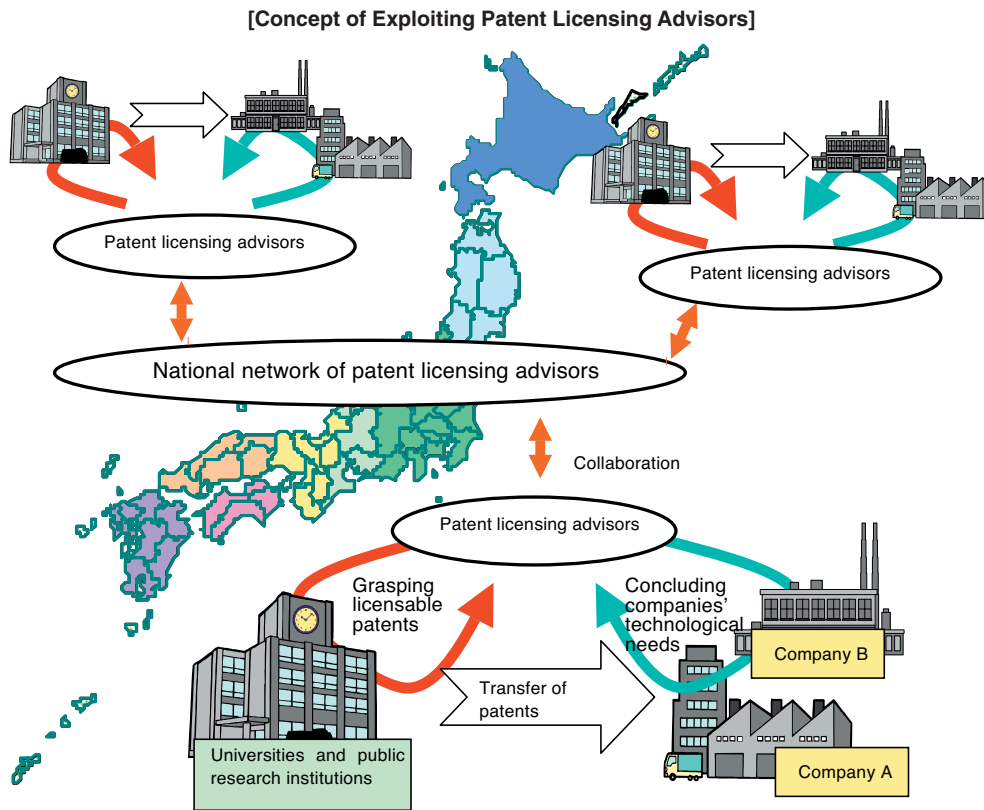
- Visit both places of the needs and the seeds
- Give advice to preparation of business plans
- Give advice for product development, etc.
- Introduce various support activities (commercialization support measure, etc.)

#### **Stage 4 Support for contracts**

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) Providing and Promoting Exploitation of Information on Licensable Patents

#### a. Patent Licensing Database

In order to ensure a smooth transfer of licensable patents within the industrial sector and between local companies and to promote their practical application, the NCIP has built a database of licensable patents owned by universities, public research institutes, and companies, which it makes available to the public via the Internet. Not only is this database an open system where anyone can register data concerning "license information (including transfers)" and "information on needs (information of licenses sought)," users can access relevant patent information through the link to the Intellectual Property Digital Library (IPDL) or corporate information through the link to the corporate website.

The number of "license information" stores in the patent licensing database was about 58,000 as of April 2006. Of these, about 21,000 stores represented licensable patents of universities and public research institutions. The transfer of technology developed through university research is also promoted by providing a function with which a user (e.g. a university) can establish a link to the patent licensing database in its own website, and directly search the licensable patents of each university using the search form within its website (virtual DB function).

The NCIP has selected patents with high potentials for commercialization among the licensable patents registered in the patent licensing database, and has created a collection of licensable patent exploitation examples, which highlights such patents along with potential product images as possibilities for business sector application. In addition to its distribution in brochure form, this collection of examples is also available on the NCIP website.

#### b. Patent Information Advisors

In order to support local industry become active through use of patent information, the NCIP dispatches patent information advisors, who are experts in exploiting patent information, to various locations in response to requests by prefectural governments (54 advisors as of April 2006). The advisors provide instruction on how to search for patent information and provide consultation services on how to exploit such information, as well as hold workshops in response to various requests related to patent information.

### 3) Establishing an Environment Conducive to the Development of Intellectual Property Transaction Activity

#### a. Intellectual Property Agent Database

In order to stimulate intellectual property transaction activity, the NCIP is building a database for the purpose of providing opportunities for those who wish to conduct trade in intellectual property and agents who mediate such transactions.

#### b. Patent Business Market

The NCIP holds fairs in which companies that own technology seeds such as patented technology present the details of their technological developments and business plans, and seek various forms of cooperation from participants, such as the conclusion of licensing agreements, the conducting of joint research, and the offering of financial assistance.

#### c. International Patent Licensing Seminars

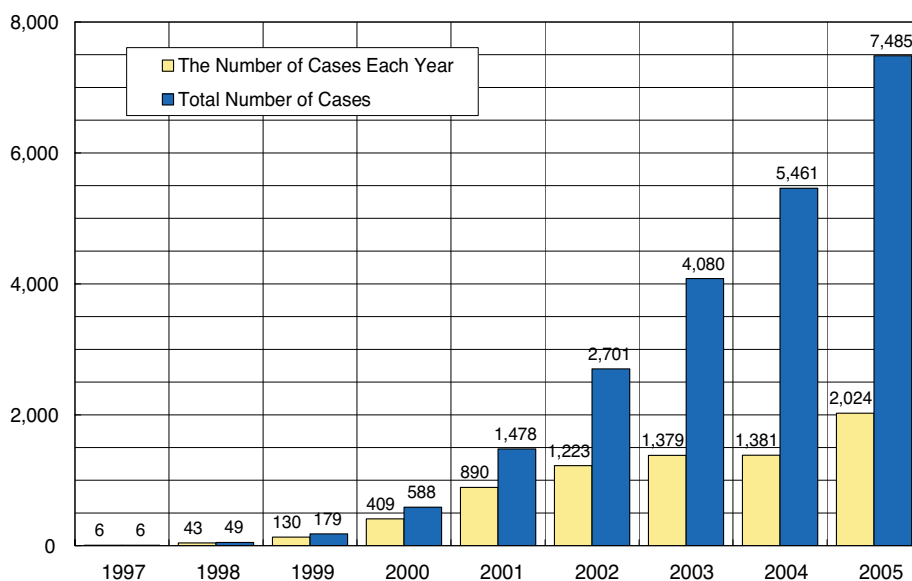
In order to develop trade in intellectual property in Japan, exchange relevant information, and build interpersonal networks to this end, the NCIP holds panel discussions and workshops featuring experts engaged in patent licensing and technology transfers at overseas universities, companies, and local governments, etc. and those who are playing leading roles in this field in Japan.

#### d. Training Seminars for Fostering Patent Licensing Experts

The NCIP provides training seminars for fostering patent licensing experts (introductory and advanced levels) as part of its awareness with a view to increasing the number of patent licensing market participants.

As a result of these comprehensive patent licensing promotion projects, the number of technology transfers achieved with the involvement of patent licensing advisors by the end of December 2005 totaled 6,927, having a total economic impact of 204.5 billion yen. (Cumulative total of the number of technology transfers achieved by the end of March 2006 was 7,485.)

[The Number of Contracts Made through Measures of Encouraging Patent Licensing]

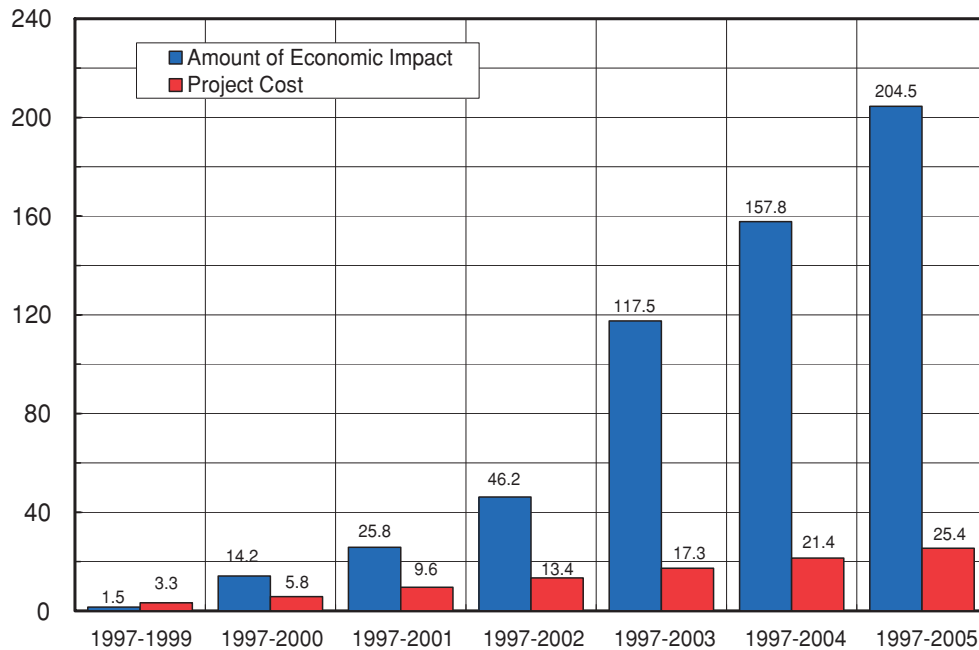


Source: NCIP

### Part3 Government Support for Intellectual Property Activities

[The Economic Impact of Measures for Encouraging Patent Licensing and Project Cost]

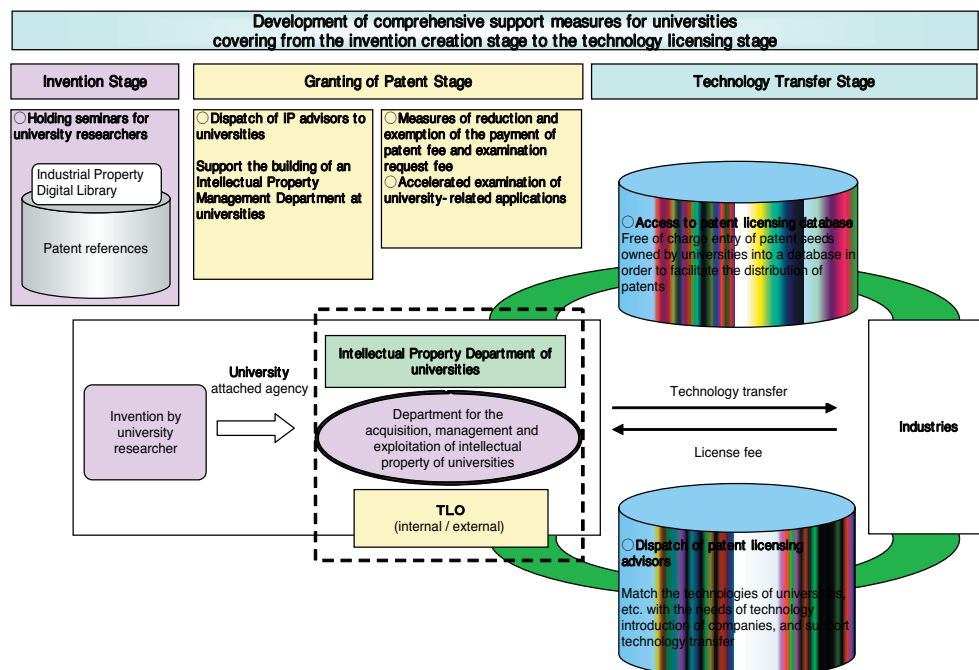
(billion)



Note:

Figures on economic impact indicate the total amount of money moved as a result of patent licensing advisors' activities (excluding the project expenses). Specifically, it represents the total cost incurred by the sales of products that were manufactured based on introduced patented technology, funding for development and investment in manufacturing, licensing income, and personnel cost incurred by the hiring of new workers.

Source: NCIP





# Support for Activities through Information Technology

## 1 Further Promotion of the Use of Information Technology

### 1) Further Improvement of Electronic Filings

The JPO has led the world in promoting the "paperless project" since 1984 and started receiving electronic applications for patents and utility models in December 1990. Around 38,000 applicants/agents have filed applications using the PC electronic filing software by the end of FY2005. The electronic application rates for patents/utility models, designs, trademarks, and ex parte proceedings in 2005 were 97%, 90%, 83%, and 98%, respectively, all very high rates.

In addition to the conventional electronic applications filed through ISDN lines, it became possible in October 2005 to file electronic applications via the Internet. The hours for accepting electronic applications were extended to around the clock and throughout the year. For electronic applications via the Internet, the JPO uses electronic certificates supporting the Government Public Key Infrastructure (GPKI) for user identification and prevention of document alterations. Moreover, the JPO introduced an "electronic payment" system for paying fees related to filings and other procedures through Internet banking, in coordination with the Ministry of Finance's electronic revenue payment system and the multi-payment network.

### 2) Further Use of Information Technology through International Standardization of Application Formats

In regards to the international standardization of patent application digitization, the PCT International Technical Standard went into effect in the World Intellectual Property Organization (WIPO) in January 2002 so as to digitize the documents of PCT applications in the international phase and efficiently exchange documents between the International Bureau and receiving offices.

In line with the effectuation of this technical standard, the JPO unified the application format for patents and utility models in Japan to the PCT international application format, and adopted an internationally standardized electronic format (XML format<sup>1</sup>) in July 2003. In addition, the format of publications of patent applications, published and republished Japanese translations of PCT international patent applications, and publications of registered utility model applications was changed to XML in January 2004, and that of Patent Gazettes in July 2004, while the data medium was also changed from CD-ROM to DVD-ROM. In addition, digitalization of the international phase of the PCT international filing process commenced in April 2004 and has been implemented in compliance with the international standards. Moreover, in December 2004, WIPO Standard ST.36, which is recommended worldwide as the technical standard for XML electronic patent applications, was developed mainly by the Trilateral Offices and WIPO and was published.

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

## 2 Promotion of Provision of Industrial Property Information

### (1) Industrial Property Digital Library (IPDL)

The JPO launched the Industrial Property Digital Library (IPDL), which provides industrial property information free of charge via the Internet, in March 1999, in order to develop an environment in which industrial property information is used more widely and easily.

The IPDL allows users to search 55.5 million official gazettes of patents, utility models, designs, and trademarks as well as related information such as the legal status of examination, registration, and appeals/trials, based on the document numbers, classifications, and key words. The management of the IPDL was shifted to the National Center for Industrial Property Information and Training (NCIPI) in October 2004, and the IPDL is currently provided on the NCIPI website.<sup>2</sup>

<sup>1</sup> XML (eXtensible Markup Language) is a data description language suitable for exchanging and distributing electronic documents on the Internet. It allows easy searching and management of documents by adding codes called tags to the respective elements of the documents. It is also extensible and flexible because the tags can be set freely.

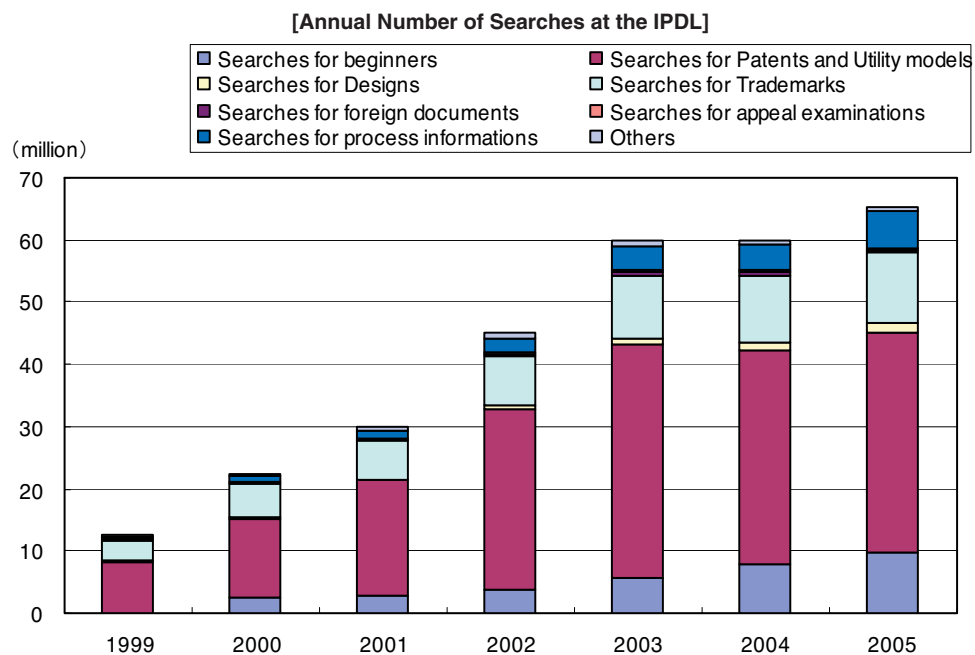
<sup>2</sup> IPDL top page ([http://www.ipdl.ncipi.go.jp/homepg\\_e.ipdl](http://www.ipdl.ncipi.go.jp/homepg_e.ipdl))

## Part3 Government Support for Intellectual Property Activities

The IPDL is upgraded every year in terms of improved usability and a broadened range of services. In March 2006, a function that allows users to batch download and print out data from patent and utility model gazettes was added. Additionally, file wrapper documents that in the past could only be inspected by paying a fee are now partially provided free of charge on a trial basis. Furthermore, the IPDL also started to provide documents of publicly known designs and documents from foreign design gazettes.

Active use of industrial property information through the IPDL is expected to further promote exploitation of industrial property rights.

While the annual number of searches was about 12.7 million immediately after the launch of the IPDL service (FY1999), the number of users increased in line with the subsequent upgrading of the service, and the annual number of searches in FY2005 reached about 65.3 million.



### (2) Enhancement of Provision of Industrial Property Information

In order to meet the diverse needs for industrial property information, it is necessary not only to support the standard use of the information by the general public through the IPDL, but also to prepare an environment in which private industrial property information service providers can provide high-value added services. To achieve this goal, the JPO reviewed its conditions for disseminating data and is working on the establishment of an environment in which users can easily access and use industrial property information.

First of all, the JPO launched a project to provide its industrial property information that has been converted and processed into a generally accessible format such as XML (organized and standardized data) in a batch at marginal costs.<sup>1</sup> The work to create the organized and standardized data was transferred to the NCIP in October 2004. In May 2006, the JPO started to provide data that supports the Eighth Edition of the International Patent Classification since the Eighth Edition became effective in January 2006.

As for gazettes, the JPO began providing CD-ROM gazettes at marginal cost in April 1998, upgraded its publication styles to improve the usability based on technological progress and demands from users. Additionally the JPO changed the format of patent and utility model gazettes to the XML format, in addition to changing the media from CD-ROMs to DVD-ROMs. The JPO also began to issue publications of registered utility model applications free of charge via the Internet in January 2006.

These measures would encourage private information service providers to offer high-value added services and would promote diverse uses by companies, such as building an in-house database. The JPO will continue to strive to improve the usability of industrial property information.

<sup>1</sup> Refers to additional expenses of data reproduction, the price for empty storage media, and sending costs, and does not include data creation and maintenance costs.

# Support for Activities through Information Technology

## (3) Exchange of Industrial Property Information with Overseas Patent Offices and Exploitation of Such Information

The JPO regularly exchanges industrial property information based on a trilateral agreement with the Trilateral Offices (JPO, USPTO, and EPO) and on a bilateral basis with other overseas patent offices (including the State Intellectual Property Office of P.R.C. [SIPO] and the Korean Intellectual Property Office [KIPO]), and uses such data both inside and outside the office, for such purposes as creating Japanese abstracts of the exchanged data.

### 1) Exchanging Industrial Property Information with Overseas Patent Offices and International Organizations

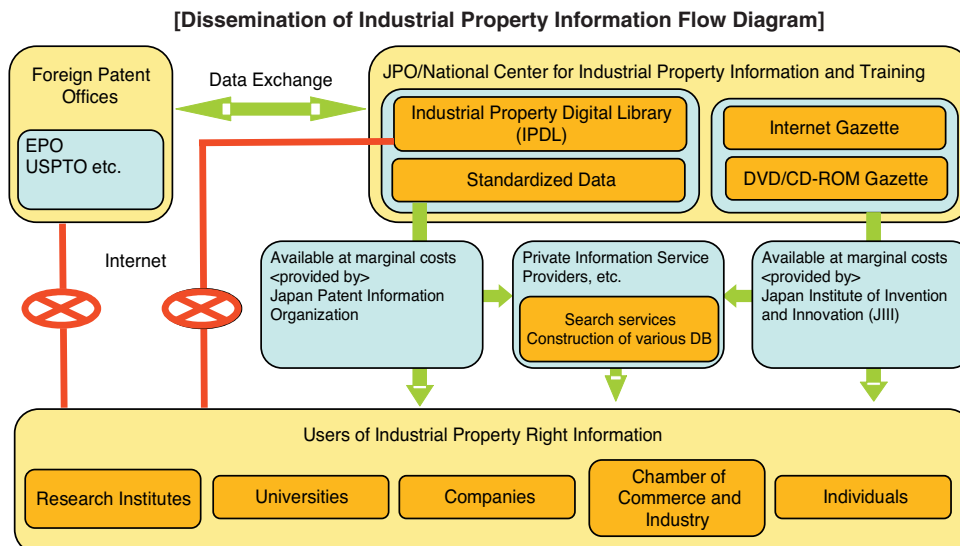
In order that patent applications filed with the JPO are properly taken into consideration as prior art in other countries, the JPO processes its industrial property information and provides it to overseas patent offices and international organizations. At the same time, it also receives industrial property information from overseas patent offices.

### 2) Providing Japanese Abstracts Data

The JPO provides abstract data of US patent documents, US publications of patent applications, and EP publications of patent applications all in Japanese, which cover advanced and extensive technical content. It uses the data as materials for patent examination at the JPO, and also provides this data to the general public through the IPDL.

### 3) Providing Patent Abstracts of Japan (PAJ)

In order that the patent applications published in Japan are at least used as minimum documentation in prior art searches for PCT applications, the JPO provides English abstracts of publications of patent applications (Patent Abstracts of Japan) and provides them to overseas patent offices.



### 3 Information Provided on the JPO Website

The JPO website provides extensive information regarding patent administration and offers industrial property information through the Industrial Property Digital Library (IPDL).

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



<Five main categories>

- Overview of Rights
  - Outline and history of industrial property rights systems
- Rights Obtainment Procedures
  - Information on the procedures and practices of the filing, formality checks, substantive examinations, appeals and trials, and registrations; examination guidelines
- Introduction to the JPO
  - Organization of the JPO and recruitment information
- Activities of the JPO
  - Press releases, information on patent distribution, measures for SMEs, prompt granting of rights, measures against counterfeit goods and other industrial property policies, amendments of acts, international activities and cooperation, and seminar information
- Reference Room
  - Council meeting reports, statistical reports, search reports, etc.

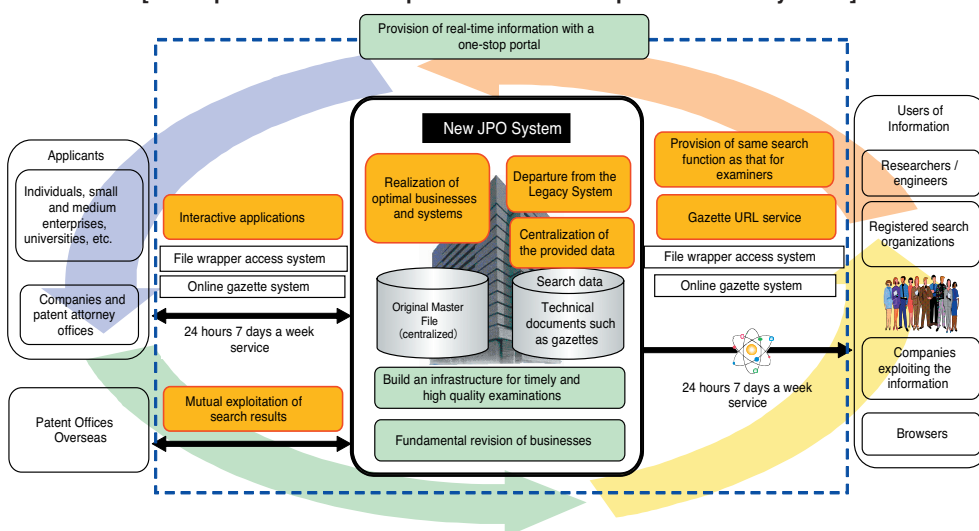
## 4 Plan for Optimization of JPO Operations and Systems

### (1) Optimization of JPO Operations and Systems

Ever since the JPO introduced online filing procedures for patents and utility models in December 1990, it has successively introduced online procedures for designs, trademarks, appeals/trials, and PCT applications.<sup>1</sup> In addition, it has worked on the computerization of JPO intra-office operations. It has effectively achieved computerization of all procedures, including acceptance of applications and intermediate procedures, formality checks, substantive examinations, registration of rights, gazette publication, and appeals/trials, and has improved the efficiency of operations and promoted timely and high-quality examinations and appeal/trial examinations.

Meanwhile, the "e-Government Building Program" (adopted by CIO Liaison Meeting in July 2003) was formulated in July 2003 as an effort to realize a simple and efficient government. Based on this program, the JPO formulated a "Plan for Optimization of JPO Operations and Systems" consisting of a review of the operational processes, explanation of ideal operations and systems, and a review of legacy systems,<sup>2</sup> with an aim to optimize the overall operations and systems of the JPO. After further clarifying the contents of the plan and discussing the detailed schedule, the JPO formulated and released the "Plan for Optimization of JPO Operations and Systems" (Revised Edition) in August 2005.

[Concept of the Plan for Optimization of JPO Operations and Systems]



### (2) Three Goals of the Optimization Plan

With an aim to further improve its public services by innovating systems through application of the latest information technology and to further improve the efficiency of operations through a fundamental review of its operations, the JPO will work to achieve the following three goals based on the "Plan for Optimization of the JPO's Operations and System" (Revised Edition).

#### 1) Improve convenience for applicants and agents and enhance information services in order to revitalize the "intellectual creation cycle," which consists of strategic creation, protection, and exploitation of intellectual property.

##### a. Accepting Internet Applications around the Clock and throughout the Year

→ In addition to the conventional ISDN applications, the JPO began accepting filings via the Internet as of October 2005. The JPO accepts both types of applications around the clock and throughout the year (except during maintenance time).

<sup>1</sup> See Part 3, Chapter 3, 1.

<sup>2</sup> Information systems of the central government that cost over one billion yen annually and fall under either of the following: (i) systems using general-purpose computers or office computers (medium-sized computers mounting the developer's original operating system) and systems for accessing such systems; or (ii) systems that have been under direct purchase contract from a single supplier since 1994.



## Part3 Government Support for Intellectual Property Activities

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### b. Publication of Gazettes via the Internet

→ This measure enables quicker publication of gazettes (reducing the period from about seven weeks to about four weeks). It also improves the usability of gazettes. The JPO began to issue publications of registered utility model applications via the Internet in January 2006, and plans to undertake the same measures for design gazettes starting in January 2007.

### c. Interactive Application form Preparation (support for preparing application forms) (FY2010)

→ The JPO will provide a function to support applicants' preparation of application forms. Specifically, when preparing various application forms for a single, already filed application, the applicant will be able to acquire the latest information on the content of the application from the JPO's database, and prepare the application forms based on this information.

### d. Real-time and Free-of-charge Provision of JPO Information on Applications (FY2010)

→ The latest JPO information on applications will be made available via the Internet free of charge to allow companies to use it in creating their business strategies and intellectual property strategies.

### e. Provision of Information Related to Examinations and Appeal/Trial Examinations

→ The JPO will enhance external provision of examination-related information including information related to searches, such as information on cited documents.

### f. One-Stop Portal (FY2013)

→ The JPO will establish a portal website on the Internet for one-stop access to JPO information on applications and search functions.

## **2) Develop the necessary system infrastructure for achieving "timely and high-quality examinations of the world's highest standard"**

### a. Increased International Collaborations with the USPTO, the EPO, and other Patent Offices (FY2006)

### b. Enhancement of Search Functions (enhancing the Internet search functions, and providing the same search tools as those used by patent examiners) (FY2013)

### c. Sophistication of the Examination Environment (improvement of prior art search functions, etc.) (FY2013)

### d. Improvement of Functions such as Automatic Accumulation or Analyses of Examination-related Information (examination knowledge management, etc.) (FY2013)

## **3) Performing fundamental revisions of operations and seeking to reduce system expenses**

### a. Streamlining of Operations through Reform of the Operation Processes and Further Promotion of the "Paperless Project"

- The JPO will improve the efficiency of operations by reviewing all of its internal operations and increasing automated processing through further promotion of the "paperless project."

### b. Breaking away from the Data Communication Service<sup>1</sup> and Securing Transparency

- Regarding hardware, the JPO has already shifted to the open bid system since the equipment renewals in and after FY2002.
- Regarding software, the JPO acquired software copyrights when it completed a lump-sum payment of its outstanding loans for software in FY2004. Now it is conducting independent system development.
- Regarding system administration, the JPO conducted an open bid in compliance with WTO agreements for comprehensive system administration services and operation services in FY2005.

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<sup>1</sup> An agreement in which the service provider performs general IT work such as system development, administration, and management, while the user pays an annual fee for the services received.

# Support for Activities through Information Technology

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## c. Breaking away from Mainframes (FY2010)

- The JPO will transform its overall management hosts (the backbone system that manages the original copies of the applications) and local hosts (the system that manages registered information) into open systems.

## d. Reduction of Expenses

- The JPO will shift from systems optimized for individual operations to systems optimized for overall operations.
  - Through building a system for accumulating and managing the filing documents in a centralized manner and other such measures, the current operating expenses (system expenses and data provision expenses) are expected to be reduced by about 40% (about 9.6 billion yen) after the completion of the optimization plan.
- The JPO will conduct open bids compliant with WTO agreements.
  - The JPO will use the skills of external experts and CIO assistants for preparing technical specifications and assessing technology, so as to reduce costs while securing transparency in procurement.

# Raising Public Awareness of Intellectual Property and Development of Experts

In order to make Japan an intellectual property-based nation, the necessary human resources need to be developed and secured, and it is essential to raise individual citizens' awareness of protection and exploitation of intellectual property.

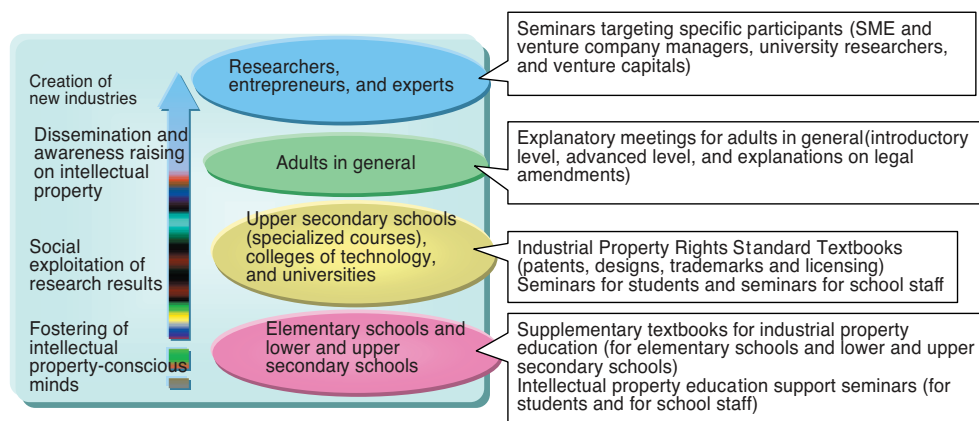
Therefore, it is important to establish a nationwide environment for raising awareness and cultivating knowledge on the intellectual property system through fostering intellectual property-conscious minds from early childhood, developing human resources with good knowledge of intellectual property at universities, etc., and promoting understanding and interest in intellectual property among university researchers, SMEs and venture companies.

## 1 Raising Public Awareness

### (1) Past Efforts

The JPO has held explanatory meetings on the intellectual property right system targeting adults in general and intellectual property system seminars targeting specific participants nationwide since FY1998 as part of its efforts to disseminate and raise public awareness on the intellectual property system.

Meanwhile, as a means to develop human resources with practical knowledge on the intellectual property system, the JPO has also been providing Industrial Property Rights Standard Textbooks (hereinafter referred to as the "standard textbooks") to upper secondary schools (specialized courses), colleges of technology, and universities since FY1998 for acquiring knowledge and basic practical skills concerning intellectual property. In addition, it has held workshops for teachers to explain how to utilize the standard textbooks and other teaching materials, as well as seminars for students using the standard textbooks nationwide. Also, in order to raise public awareness on the protection of and respect for intellectual property from the school education stage, the JPO has provided industrial property education supplementary textbooks (hereinafter referred to as the "supplementary textbooks") that are suitable for each age group in elementary schools and lower and upper secondary schools through school educational institutions, and held intellectual property education support seminars for school staff nationwide as an effort to disseminate the intellectual property system and raise public awareness of intellectual property.

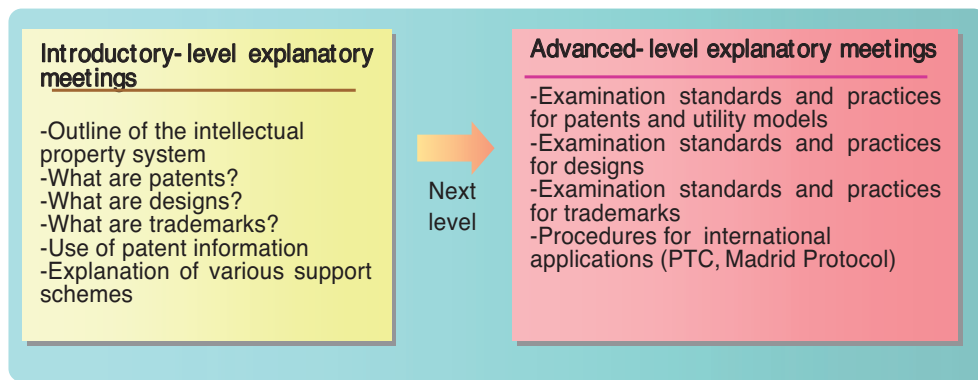


# Raising Public Awareness of Intellectual Property and Development of Experts

## (2) Various Support Activities for Adults in General

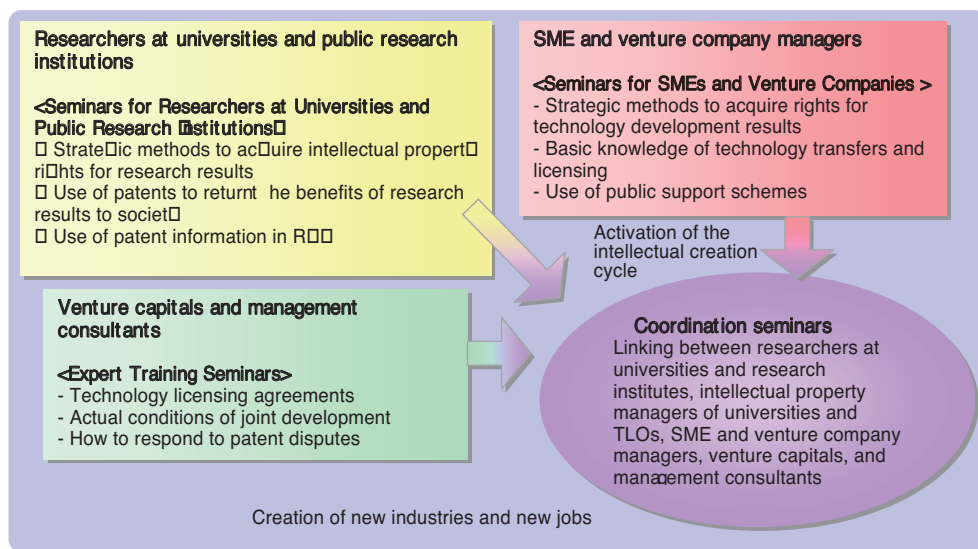
In order to deepen citizens' understanding and recognition of the significance of the intellectual property system, the JPO holds explanatory meetings on the system and on latest developments such as legal amendments targeting various levels of participants (introductory level and advanced level) throughout Japan.

### [Outline of Explanatory Meeting on the Intellectual Property Right Systems]



The JPO also holds "Seminars for Researchers at Universities and Public Research Institutions" to explain how to acquire rights for research results and how to manage and exploit the rights to researchers at universities and other institutions. It also holds "Seminars for SMEs and Venture Companies" to explain strategic exploitation of intellectual property and licensing agreements including technology transfers for SME and venture company managers and persons responsible for R&D. Additionally, the JPO holds "Expert Training Seminars" for management and technical consultants and the companies that trade intellectual property rights.

### [Outline of Seminars Targeting Specific Participants]

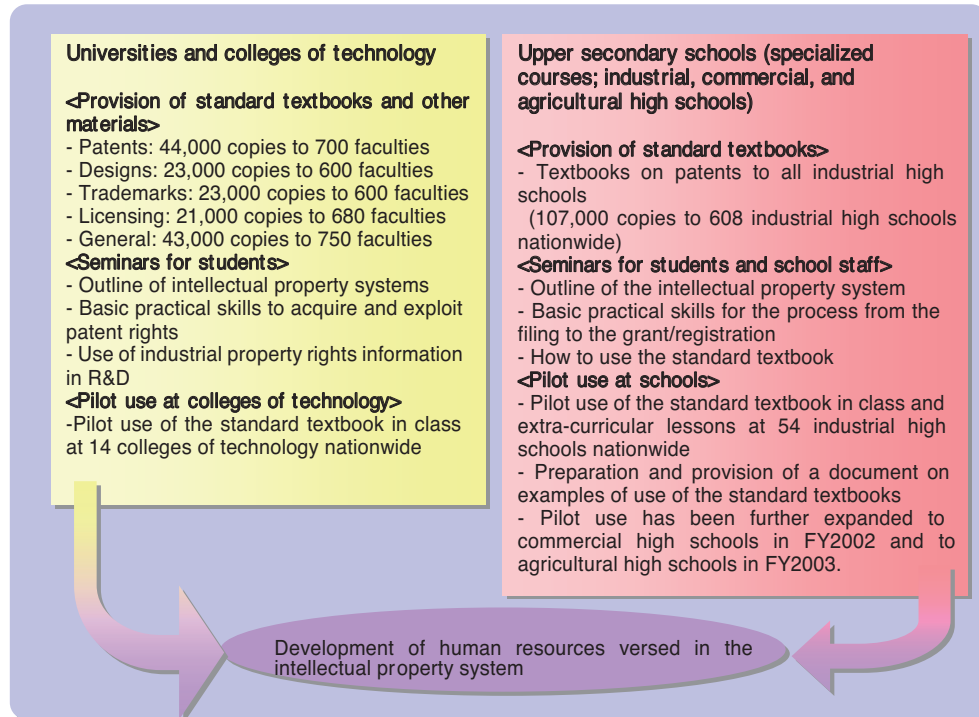


## Part3 Government Support for Intellectual Property Activities

### (3) Various Support Activities for Educational Institutions

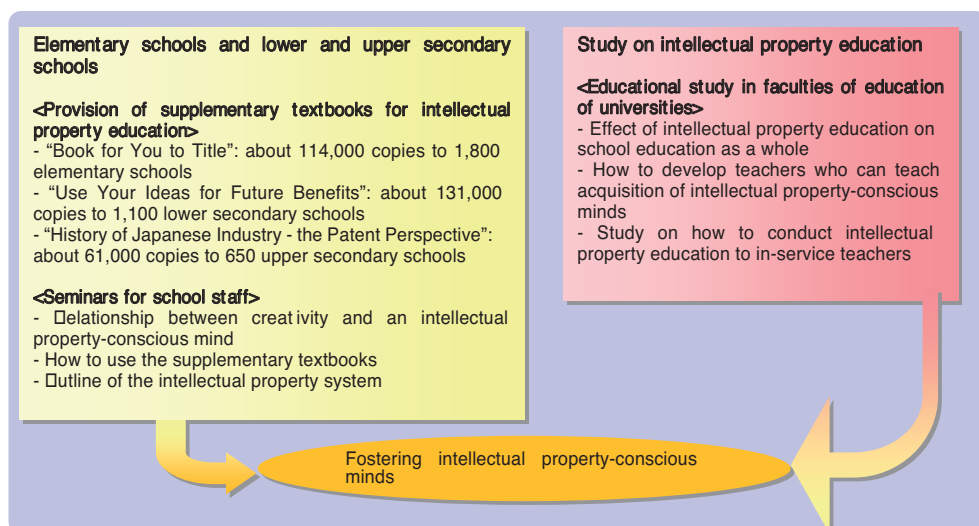
As a means to develop human resources with practical knowledge on the intellectual property system, the JPO has been providing standard textbooks to upper secondary schools (specialized courses), colleges of technology, and universities since FY1998 for acquiring the correct knowledge and basic practical skills concerning intellectual property. In addition, it has held workshops for teachers to explain how to utilize the standard textbooks and other teaching materials, as well as seminars for students using the standard textbooks nationwide.

[Support for Upper Secondary Schools (Specialized Courses), Colleges of Technology, and Universities (FY2005)]



Also, in order to raise public awareness on the protection of and respect for intellectual property from the school education stage, the JPO has provided supplementary textbooks that are suitable for each age group in elementary schools and lower and upper secondary schools through school educational institutions, and held intellectual property education support seminars for school staff nationwide as an effort to disseminate and establish intellectual property education.

[Support for Elementary Schools and Lower and Upper Secondary Schools (FY2005)]





# Raising Public Awareness of Intellectual Property and Development of Experts

## 2 Development of Intellectual Property Experts

### (1) Foundation for Human Resources

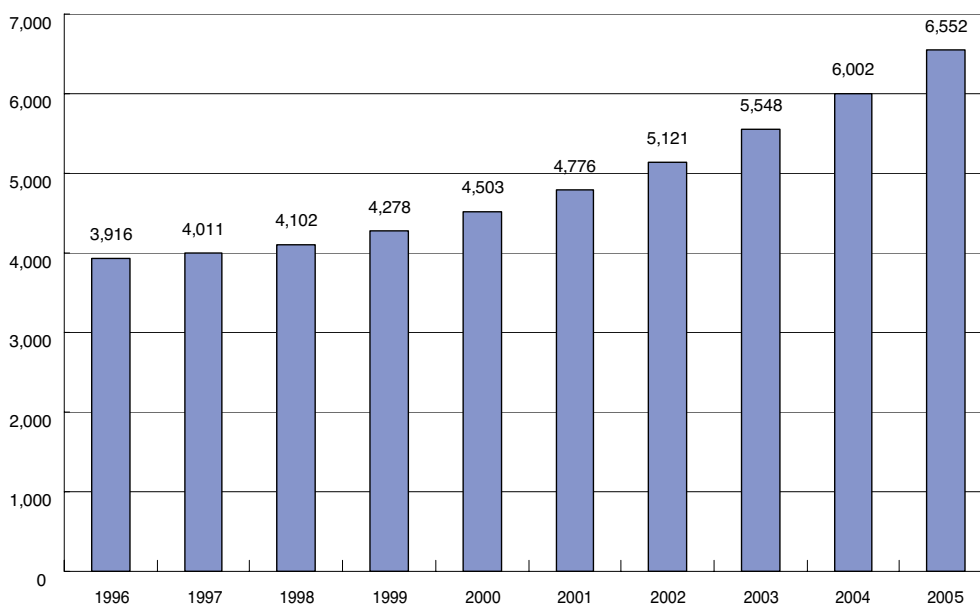
Japan is expected to become an intellectual property-based nation that creates wealth through strategic creation, protection and exploitation of intellectual property. To attain this goal, it is important to improve the quality and quantity of specialized intellectual property services that support commercialization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

Under this situation, the JPO made complete amendment of the Patent Attorney Act in 2000 and partial amendment of the Patent Attorney Act in 2002 and 2005 with the objective to further develop and exploit patent attorneys who have expert technical knowledge on intellectual property as the key players in the establishment of an intellectual property-based nation. The amended law stipulates significant extension of the range of activities of patent attorneys where they would also:

- 1) engage in alternative dispute resolution (ADR);
- 2) act as intermediaries or agents in concluding intellectual property transaction agreements, and provide consultation services concerning such agreements; and
- 3) be granted the right to act as procedural representations in specified infringement suits<sup>1</sup> (limited to cases in which lawyers are also appointed as procedural representations).

The patent attorney examination system was also amended as part of efforts to enlarge the number of patent attorneys and enhance their quality.

[Changes in the Number of Patent Attorneys]



(Note) Number at the end of year

<sup>1</sup> Refers to infringement suits related to rights concerning patents, utility models, designs, trademarks, or layout of semiconductor circuits, or to business profits gained through specific acts of unfair competition.

## Part3 Government Support for Intellectual Property Activities

### [Number of Patent Attorneys and Other Intellectual Property Experts in Japan and the United States]

Japan		United States	
Patent attorneys (Benrishi) (excluding lawyers)	6,334 persons	Patent agents	7,711 persons
Lawyers specializing in intellectual property (lawyers who are also qualified as Benrishi)	361 persons	Patent attorneys	24,894 persons

Notes:

Japan: data as of March 31, 2006; source: Japan Patent Attorneys Association statistics

United States: data as of June 26, 2006; source: USPTO statistics

Patent agents: Qualified persons who passed the examination conducted by the USPTO (qualified to act as an agent for patent filing procedures with the USPTO).

Patent attorneys: Patent agents who have also acquired the qualification of a lawyer (attorney at law) of a relevant state (qualified to act as an agent for the procedures for both patents and trademarks with the USPTO and act as procedural representations. The qualification of the attorney at law alone allows the person to act only as an agent for trademark-related procedures with the USPTO).

### (2) Status of Implementation of the Patent Attorney Act Amended in 2002

In an effort to further improve and accelerate the court proceedings regarding specific infringement suits, an Act for Partial Amendment of the Patent Attorney Act took effect on January 1, 2003 to grant patent attorneys who have expert knowledge concerning intellectual property the right to act as procedural representations in specified infringement suits.

A training course consisting of lectures and practical training has been conducted for a total of 45 hours, mostly on the practical aspects of civil suits, from May to September each year, by the Japan Patent Attorneys Association. Over a period of three years, 2,059 patent attorneys took the course.

Patent attorneys who completed the above training can take an examination for acting as procedural representations in specific infringement suits (covering matters concerning the Civil Code, the Code of Civil Procedure, and other laws and ordinances related to specified infringement suits, as well as the actual practices), which is conducted once a year. A total of 2,414 persons have taken the examination, and 1,600 persons have passed the examination to date. Among those who passed the examination, 1,479 (as of March 2006) have completed the registration procedures for the qualification, and are acting as procedural representations only in specified infringement suits in which lawyers are also acting as procedural representations.

### (3) The National Center for Industrial Property Information and Training (Development of human resources)

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

The National Center for Industrial Property Information and Training (NCIPI) offers training courses with the aim of developing human resources that will support intellectual property services. This in turn will promote expeditious examination and appeal/trial examination at the JPO, formulation of intellectual property strategies at companies, and proper protection and exploitation of intellectual property rights.

#### 1) Training for JPO Officials

a. Training for Officials Engaged in Examinations and Appeal/Trial Examinations, and Training for Officials Engaged in Administrative Affairs (number of participants in FY2005: 1,006)

According to the basic policies and plans designed by the JPO, the NCIPI offers patent examination courses and appeal examination courses as training for officials engaged in examinations and appeal/trial examinations. For fixed-term officials (assistant examiners) who have been hired to accelerate patent examinations, the NCIPI provides an induction course for fixed-term officials (assistant examiners). It also offers a trial court clerk course and an Intellectual Property Right Specialist course for officials engaged in administrative affairs.

b. Training for Improving Expert Skills (number of participants in FY2005: 4,881)

In order to help JPO officials improve their knowledge and skills as required in their duties, the NCIPI

# Raising Public Awareness of Intellectual Property and Development of Experts

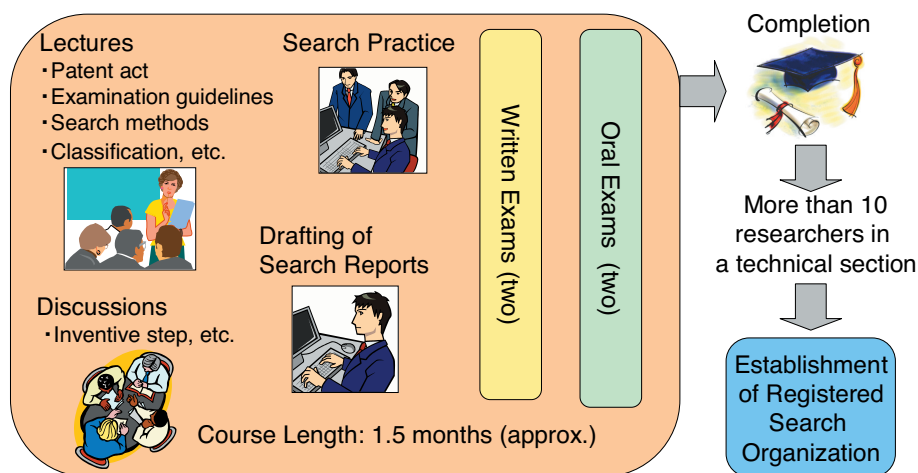
provides various training courses aimed at honing officials' skills so as to better respond to globalization, computerization, and changes in administrative needs, in addition to enhancing knowledge in relevant legal matters.

## 2) Human Resources Development Activities for People other than JPO Officials

### a. Training for "Searchers" (number of participants in FY2005: 100)

The NCIPJ offers statutory training for those who wish to become "searchers" (staff that conduct prior art searches) in registered searching organizations (Article 37 of the Act on the Special Provisions to the Procedure, etc. concerning Industrial Property Rights).

The proper training of searchers performing highly accurate prior art searches is particularly important to the realization of expeditious patent examinations. Therefore, this training course aims at having trainees acquire the fundamental skills that are required of them as searchers and the knowledge necessary for prior art searches by systematically acquiring this basic knowledge through lectures and applying that knowledge through practical training and debate.



### b. Development of Search Experts (number of participants in FY2005: 33)

The NCIPJ provides intermediate-level and advanced-level training courses that teach the JPO examiners' knowledge and expertise concerning patent document searches to participants.

The intermediate-level course is mainly oriented towards researchers, staff of the intellectual property headquarters of universities, and staff of technology licensing organizations (TLOs). It aims at developing human resources who can, through exploiting patent information, conduct investigations for deciding themes or directions for research or investigations for determining whether a patent application or an examination request should be filed.

The advanced-level course targets people who have already acquired sufficient knowledge of patent act through engaging prior art searches. It aims at developing human resources that can help eliminate unnecessary filings of patent applications and examination requests through further improving participants' prior art search skills.

### c. Training for Intellectual Property Experts (number of participants in FY2005: 60)

The NCIPJ conducts debate-style training for intellectual property experts including lawyers, patent attorneys, and companies' intellectual property division staff. The participants can learn from each other through debating on the concepts of patent and utility model examination standards from their different viewpoints. Also, the NCIPJ actively provide patent examiners information on examination standards in order to further increase the practical skills of intellectual property experts.

### d. Training for SMEs and Venture Companies (number of participants in FY2005: 113)

In order to strengthen SME and venture company managers' abilities to respond to patent infringement warnings and to enhance their intellectual property-conscious mind, the NCIPJ provides practical training in which managers engage in realistic scenarios involving written patent infringement

### Part3 Government Support for Intellectual Property Activities

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warnings.

e. Training for Intellectual Property Experts of Administrative Agencies (number of participants in FY2005: 268)

The NCIP provides training for officials who engage in intellectual property affairs in administrative agencies. The training aims to contribute to the smooth implementation of intellectual property systems and the active exploitation of intellectual property rights by having these officials acquire the necessary knowledge for the performance of their duties.

f. Development of Human Resources Using Information and Communications Technology (IP e-Learning)

The NCIP provides e-learning educational materials that have been developed based on JPO knowledge, experience, and expertise, intended for use not only by the JPO, but also by people involved in intellectual-property nationwide.

g. Provision of Training Materials

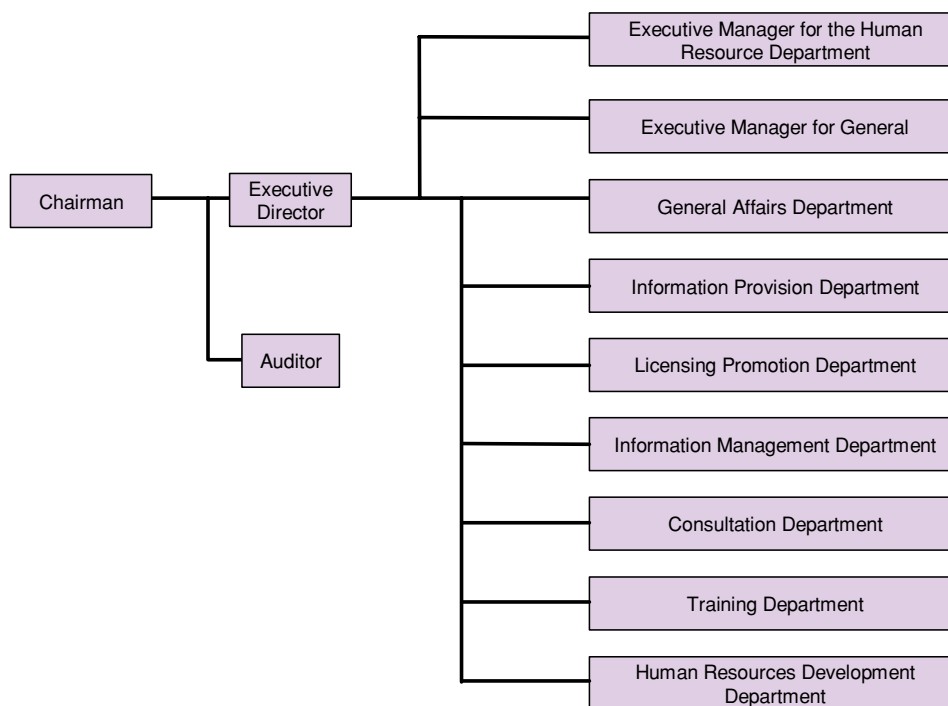
Textbooks used in the NCIP training courses that can be made public are published on the NCIP website so that they can be used by any person engaged in intellectual property.

# Raising Public Awareness of Intellectual Property and Development of Experts

## Column: The National Center for Industrial Property Information and Training (NCIPI)

The National Center for Industrial Property Information and Training (NCIPI), an Independent Administrative Institution, provides industrial property rights information through the Industrial Property Digital Library (IPDL), provides consultation services on how to file applications and other procedural matters, and provides training for intellectual property-related human resources. Along with the JPO, the NCIPI plays a key role in making Japan an Intellectual property-based nation, as a comprehensive supporting organization involved in "information dissemination services" and "human resources" that are indispensable for achieving this goal. The NCIPI became a non-public servant type independent administrative institution in April 2006, and entered the second medium-term plan period. With this as a turning point, the NCIPI is actively supporting the creation and exploitation of intellectual property from a user perspective while fully taking advantage of the mobility and flexibility that comes with being an Independent Administrative Institution.

### Organization



\* Total number of officers and staff: 79  
(excluding two part-time auditors)  
As of April 2006



## Part3 Government Support for Intellectual Property Activities

### NCIPI's Activities

#### Industrial Property Gazette Reference Service

As a "special industrial property service" that is required to be established under the Paris Convention for the Protection of Industrial Property, the NCIPI provides gazette reference services and reference support by installing IPDL-dedicated computer terminals in the regional reference rooms in Tokyo and eight other locations nationwide (Sapporo, Sendai, Nagoya, Osaka, Hiroshima, Takamatsu, Fukuoka and Naha) in order to provide public access to domestic and foreign industrial property gazettes.

[Number of users in FY2005: about 66,000]

#### Provision of Documents Related to Examination and Appeal/Trial Examination

The NCIPI provides the "minimum documentations" subject to international searches as prescribed in the Patent Cooperation Treaty (PCT). In addition, it gathers, organizes, stores, and offers for public reference technical documents such as materials (including the filing documents) necessary for examinations and appeal/trial examinations, including such minimum documentations.

[Number of documents stored: about 50,000 (as of the end of March 2006)]

#### Industrial Property Consultation Services

The NCIPI provides guidance in regards to filing procedures and other procedures inherent in the acquisition of industrial property rights such as patents, and offers consultation services on general industrial property matters such as examinations, appeal/trial examinations, registration, standards, and practices.

[Number of consultations in FY2005: about 64,000]

#### Industrial Property Information Dissemination

In addition to managing the IPDL service in which industrial property information can be searched free of charge via the Internet, the NCIPI standardizes the JPO data and makes them available to the public at marginal cost. It also creates abstracts of U.S. and European patent specifications and provides them as examination materials for the JPO. At the same time, it creates English abstracts of Japanese publications of patent applications (Patent Abstracts of Japan) and provides them to overseas patent offices. The NCIPI also exchanges industrial property information in electronic form based on a trilateral agreement among the JPO, USPTO, and EPO, and on bilateral agreements with other overseas offices.

[Number of searches in the IPDL in FY2005: about 65.3 million]

#### Patent Licensing Promotion

In order to create new businesses and improve the technical capacities of SMEs, the NCIPI gathers and provides technology-related information such as licensable patents, and support development of intellectual property transaction business, which is necessary for promoting patent licensing.

[Number of successful transactions supported by patent advisors: about 7,485 (as of the end of March 2006)]

#### Development of Human Resources

The NCIPI provides the statutory training necessary for the qualification of patent examiners and other experts, training in cutting-edge areas of technology such as nanotechnology, and various other training courses aimed at improving the knowledge and abilities required of JPO officials. It also provides training for developing searchers for registered searching organizations based on the Act on the Special Provisions to the Procedure, etc. Concerning Industrial Property Rights as well as instruction in JPO's knowledge, experience and expertise for those who engage in industrial property affairs, such as patent attorneys and companies' intellectual property division staff. The NCIPI also provides educational materials for e-learning and other types of training.

[Number of training participants in FY2005: about 6,000 JPO officials; about 600 persons who are not JPO officials]