

Preface



We, the Japan Patent Office (JPO), have been making efforts to raise transparency of our IP administrative policies and convenience for all users through various attempts.

On October 2006, Ministry of Economy, Trade and Industry (METI) held the second meeting of the Headquarters Expeditious and Efficient Patent Examinations headed by our new Minister, Mr. Akira Amari, adopted a new basic patent policy, the “AMARI (Advanced Measures for Accelerating Reform toward Innovation) Plan in Patent Examination.” Based on this Plan, we intend to provide continuous and reliant public patent administration and strengthen IP protection through the measures as follows.

In the midst of economic globalization and international competition, the timely establishment of industrial property rights contributes to the enlargement of R&D earnings and protection of IP in Japan. To aim this, the JPO is attaining a total of 500 fixed-term examiners based on the JPO’s five-year plan to reform the patent examination system and to motivate outsourcing of prior art searches by registered search organizations. We also pursue 11 month “FA (first action) period,” by 2013 and finally zero FA period.

We pursue harmonization of patent system and international cooperation with other IP offices. Together with the United States, European nations and other leading economic countries, we have been discussing to pursue patent harmonization among members. We also suggested the PPH (Patent Prosecution Highway), which will lead to accelerated patent examination and greater convenience on an international scale to enhance patent examination cooperation. The US-Japan PPH Pilot Program has been already launched in July 2006 and the Korea-Japan PPH will be started next spring as well. We aim to expand the PPH connections with some of other IP offices in developed countries. In Asia, we will encourage other countries to exploit JPO’s patent examination results in their examination process, and also cooperate with their efforts to develop IP systems and improve system operations so as to achieve a higher level of IP protection, assisting their efforts to improve examination system, develop human resources and computerization.

In the meantime, in order to increase our ability to protect the value-adding designs and brands of new goods, we have been making efforts to change the design registration system to allow corporations to strategically create and exploit designs, and to publicize “Regionally Based Collective Marks”, which provide regional brand protection and went into effect in last April. From the viewpoint of strengthening protection of IPR and reinforcing anti-counterfeiting measures, the amendment act of four industrial property acts (the Design Act, the Patent Act, the Utility Model Act, and the Trademark Act) and the Unfair Competition Prevention Act was officially announced in June 2006.

As for supports for SMEs (small and medium enterprises) and local entities, we will focus on enhancing strategic IP exploitation by providing best practices and successful experiences. Additionally, we will support “Regional IP Strategy Headquarters” in each region by assisting to hold seminars and other events, following the “Regional IP Strategies.” We will also enhance the program whereby experts support SMEs in conducting prior art searches so as to enable them to make decisions when requesting patent examinations or filing foreign applications.

Finally, we will improve the environment for the creation, protection and exploitation of IP, the “IP Creation Cycle,” in order to make Japan an “IP-based Nation.” We will strengthen the foundation of “information” and “human resources,” essential for this aim through the effective use of the National Center for Industrial Property Information and Training. We will also enhance collaboration and information sharing with corporate managers by holding high-level talks on the issues of strategic IPR protection and exploitation.

This report introduces our efforts relating IPR protection and examination system reformations. We hope that this report contributes to wide reference and debates among those who relate to IPR profession.



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