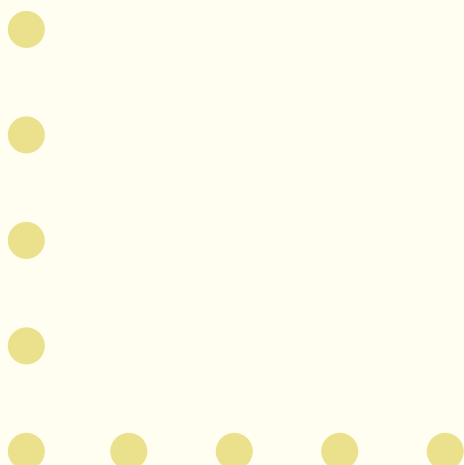


# Part 3

## Measures for Supporting Private Companies and Universities



# Chapter 1

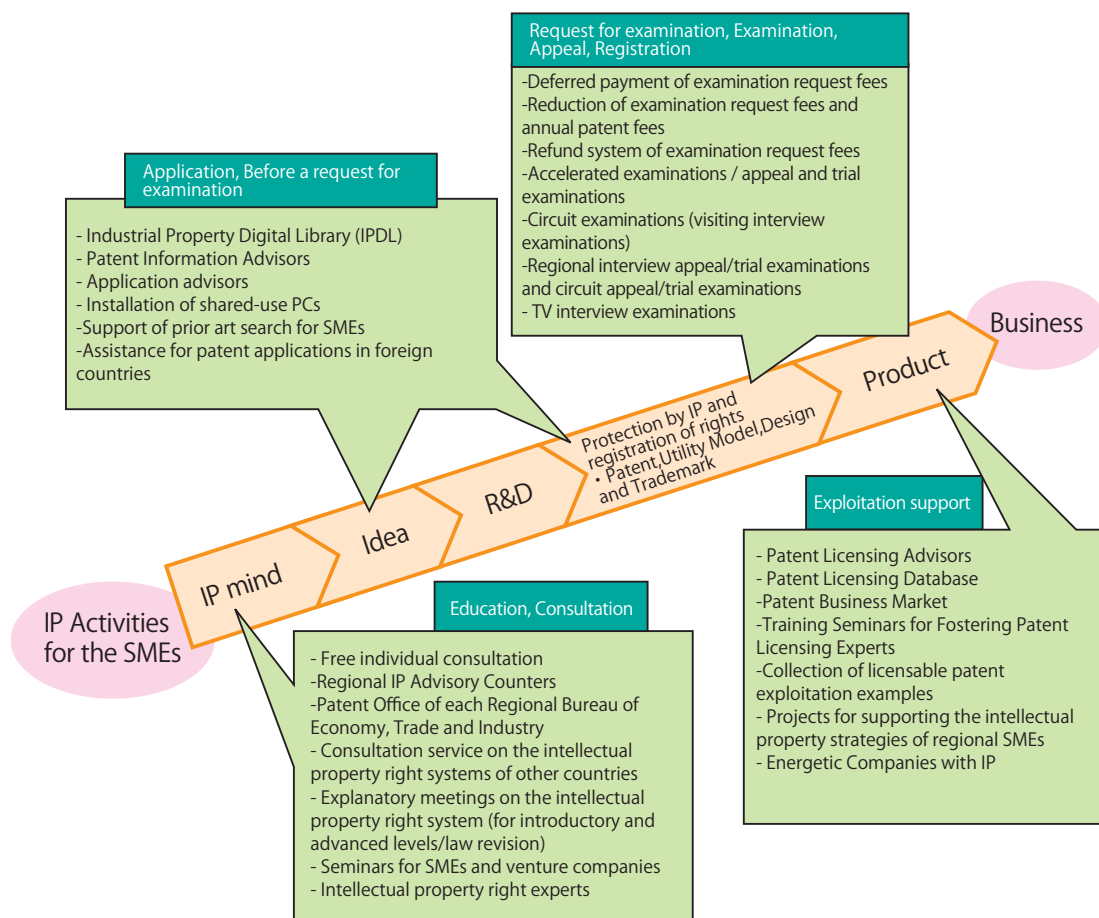
## Support for SMEs



### 1. Comprehensive Support Measures for SMEs

The JPO provides SMEs with comprehensive support through various measures from “intellectual creation” to “right utilization” 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.

#### Outline of Comprehensive Support for SMEs



## (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)<sup>1</sup>

The JPO holds explanatory meetings on basic knowledge of intellectual property rights and related information such as support measures for those at the introductory level who wish to start learning about intellectual property rights.

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 the content of examination standards, the principles for operation, the PCT system, the trial 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 utilize such rights, for corporate managers and people responsible for R&D.<sup>2</sup>

In addition, training programs for SMEs and venture companies have been implemented at the National Center for Industrial Property Information and Training (INPIT).<sup>3</sup>

### 3) 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 legislations and basic matters related to the industrial property rights system and the actual procedure for filing an application (Number of consultations conducted in FY2009: 15,992).

In addition, the INPIT 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 to any one in person, by e-mail, or by telephone, and the Industrial Property Rights Consultation Site was opened to provide information such as "frequently asked questions" and "a digest of formats of application procedures" (Number of consultations conducted in FY2009: 57,000).

### 4) Comprehensive Support by Intellectual Property Right Specialists for SMEs

The JPO has a staff of "industrial property right specialists" who provide comprehensive support to SMEs. They serve as lecturers at various seminars held by the JPO for SMEs and local government staff, and they visit SMEs to provide individual consultations, with the objective of raising awareness on the intellectual property system and support measures, and developing

<sup>1</sup> See Part 3, Chapter 5, 1, (1)1)

<sup>2</sup> See Part 3, Chapter 5, 1.(1)2)

<sup>3</sup> See Part 3, Chapter 5, 2.(2)2)d.

human resources.

(Achievements in FY2009)

**a. Visits to SMEs to provide individual consultations (272)**

**b. Lecturer at intellectual property seminars / training sessions (190 seminars / sessions)**

**c. Promotions of awareness on measures through exhibitions, etc. (23)**

### 5) Free Consultation Sessions and On-site Consultation Services by Experts such as Patent Attorneys

The JPO offers free individual consultation services by experts such as patent attorneys on specific matters related to industrial property rights nationwide (Number of consultations conducted in FY2009: 6,164).

In addition, on-site consultation services in which experts directly visit SMEs when there is an urgent case or it is necessary to confirm the content of art face-to-face (Number of consultations conducted in FY2009: 1,271).

### 6) Support for Regional IP Advisory Counters

The JPO provides established the Regional IP Advisory Counters, which were established in July 2006 at chambers of commerce and industry throughout Japan (close support organizations for regional SMEs), to support as a close consultation counter in the region by passing consultations on intellectual property from SMEs, etc. onto appropriate support organizations.

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

The JPO provides domestic SMEs with a consultation service on industrial property right systems in other countries and infringement cases inside and outside Japan, and also holds seminars on those matters nationwide.

(Achievement of FY2009)

**a. Number of consultations conducted: 953**

**b. Number of consultations seminars: 38, Total number of participants: 1,838**

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

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

The IPDL provides access to about 77.7 million official gazettes of patents, utility models, designs and trademarks via the INPIT. These can be searched by various document numbers or by various classifications. It also provides industrial property information including information on the examination status, which allows users to easily check the examination status of specific applications.

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

## 2) Patent Information Advisors

The patent information advisors are sent to local governments in order to support the vitalization of local industries using patent information. Please see Part 3, Chapter 3, 1. (2)1) for the major contents of support.

## 3) Application Advisors<sup>4</sup>

Application advisors who work in the electronic application consultation offices established in 47 prefectures nationwide offer consultation services on filing procedures, how to use the shared-use PCs thorough the ISDN line, and the electronic application system. When users ask the advisors to provide explanations at regional events, the application advisors provided visit consultation and guidance services (Number of consultations/guidance services provided in FY2009: 73,082).

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

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

In order to support proper assessment as to whether an examination should be requested or not and whether an application abroad should be filed or not, private searching organizations commissioned by the JPO perform prior art searches free of charge for patent applications of SMEs or individual prior to requests for examination, upon request of the applicant, and deliver the search results (Use achievements in FY2009: 6,393).

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

The JPO grants an exemption from or a 50% reduction of examination request fees for individuals, companies or R&D-oriented SMEs if they comply with certain requirements. Further, in the case of a shared-application (joint application), this measure is applied according to the share of the applicant subject to the reduction of or exemption from the examination request fee (Use achievement in 2009: 5,306)

<sup>4</sup> The application advisor project was completed at the end of FY2009, because the application system has been integrated into the Internet application since FY2010.

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

### 1) Accelerated Examination<sup>5</sup> / Accelerated Appeal and Trial Examinations<sup>6</sup>

In cases in which a patent applicant is an SME or an individual, or if the applicant is already working or plans to work the invention, an examination or a appeal/trial examination is conducted more quickly than in the case of ordinary applications if the applicant submits an "Explanation of the needs of the accelerated examination" or an "Explanation of the needs of the accelerated appeal/trial examination."

There are accelerated examinations and accelerated appeal/trial examination systems for designs and trademarks as well, the requirements are different from those for patents.

### 2) Interview Examinations and Interview Appeal/Trial Examinations

The JPO supports more precise acquisitions of rights by offering opportunities for applicants or their agents to meet examiners or appeals examiners in person and establish smooth communication with regard to the examination of applications.

In addition to interview examinations and interview appeal/trial examinations conducted at the JPO, examiners or appeals examiners also visit various locations nationwide to conduct circuit examinations,<sup>7</sup> and circuit appeal/trials examinations.

Also, the JPO conducts TV interview examinations using a TV conference system installed at the respective Regional Bureau of Economy, Trade and Industry.

〈Achievements in 2009〉

**a.Circuit interview examinations: 1,198**

**b.Regional interview proceedings: 68**

**c.Circuit trials: 14**

**d.TV interview examinations: 33**

### 3) Refund System on Examination Request Fee<sup>8</sup>

Under this system, if an applicant withdraws or abandons the application which does not need to be granted a right any longer prior to the examination (before the arrival of the notice of reasons for refusal) and requests the refund of the examination request fee within 6 months from it, 50% of the paid fee is refunded to the applicant.

## (5) Support for Registration of Industrial Property Rights

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

<sup>5</sup> Accelerated examination: for patents (See Part 2, Chapter 2, 4. (1)), for designs (See Part 2, Chapter 3, 3), for trademarks (See Part 2, Chapter 4, 1.)

<sup>6</sup> Accelerated Appeal and Trial proceedings: See Part2, Chapter 5, 2.

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

<sup>8</sup> For details of the Refund System on the Examination Request Fee, see the JPO website at URL: [http://www.jpo.go.jp/cgi/linke.cgi?url=/tetuzuki\\_e/ryoukin\\_e/half\\_refund\\_system.htm](http://www.jpo.go.jp/cgi/linke.cgi?url=/tetuzuki_e/ryoukin_e/half_refund_system.htm)

The JPO grants an exemption (from the first year to the third year)<sup>9</sup>, a grace period of three years, or a 50% reduction of patent annual fees, to individuals, companies or R&D-oriented SMEs if they comply with certain requirements. Further, in the case of a shared-application (joint application), this measure is applied according to the share of the applicant subject to the reduction of or exemption from the examination request fees (Use achievement in 2009: 1,769).

## (6) Support for Utilization of Industrial Property Rights

### 1) Patent Licensing Promotion Project<sup>10</sup>

#### a. Dispatch of Patent Licensing Advisors

- See Part 3, Chapter 3, 1. (1) 1).

#### b. Patent Licensing Database, Business Examples of Licensable Patent Utilization

- See Part 3, Chapter 3, 1. (2) 2) and 4).

#### c. Patent Business Market, Training Seminars for Patent Licensing

- See Part 3, Chapter 3, 1. (3) 2) and 4).

### 2) Support for Intellectual Property Strategies of Regional SMEs

#### a. Consulting Project for Supporting the Intellectual Property Strategies of Regional SMEs

The 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 (has supported about 400 companies from FY2004 to FY2009) in their formulation of business plans for utilizing intellectual property and their creation of intellectual property strategies.

#### b. Project for Supporting Foreign Application of Regional SMEs

For corresponding to international business development and intellectual property right infringing goods due to the economic globalization, the patent acquisition in overseas is important, so that the JPO conducts necessary aids for the activities of the SMEs supporting center of the prefectures conducting the projects for supporting the overseas developments of the SMEs which will conduct the overseas application strategically.

### 3) Distribution of a Compendium of Examples of Industrial Property Right Utilization

The JPO compiled a booklet "Companies Actively Utilizing Industrial Property Rights" which covers nationwide SMEs that actively utilize industrial property rights in their business strategies and strive for strategic industrial property right acquisition and utilization, in order to motivate management reforms focusing on industrial property rights and provides reference for SMEs wishing to utilize strategic industrial property rights. Copies of this are widely distributed through

<sup>9</sup> An exemption from the first year to the sixth year in the case of outcome from specified R&D performed in accordance with "the Act concerning advancement of basic manufacturing technology of SMEs."

<sup>10</sup> See Part 3, Chapter 3, 1.

the Patent Office of Regional Bureaus of Economy, Trade and Industry.

### 2. Regional Support Frameworks

In order to develop an environment that allows for IP promotion activities and strategic IP utilization in local areas, the JPO establishes a “Regional Headquarters for Intellectual Property Strategy” in each region (nine regions) under the jurisdiction of Regional Bureaus of Economy, Trade and Industry in FY2005. 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 raising SMEs’ awareness on IP and promotion of appropriate use of IP, while strengthening the network with local support organizations and networking intellectual property-related human resources.

The JPO, by placing Patent Offices of Regional Bureaus of Economy, Trade and Industry at its center, conducted the following major projects including consultation services.

- 1) Periodical reviews and follow-up work on the regional intellectual property strategy promotion program
- 2) Holding of symposia and seminars (themes set according to regional needs and contents decided according to their IP level)
- 3) Information provision by the website of the headquarter for intellectual property strategy and mail magazines



# Chapter 2

## Support for Universities

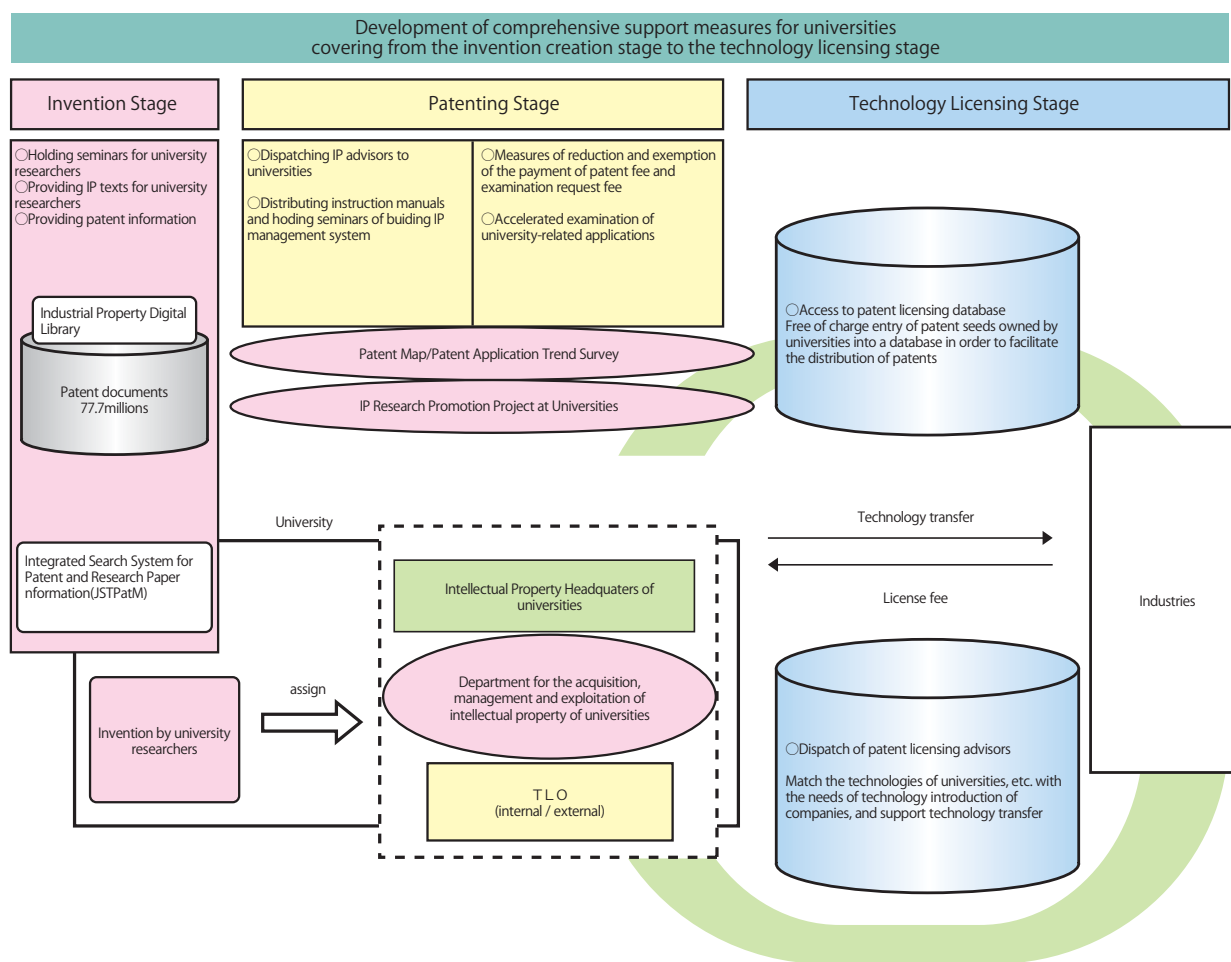


### 1. Current Circumstances of Intellectual Property Activities at Universities

In addition to their roles of providing education and conducting researches, universities and other institutions are expected to make a social contribution as the third role. The Intellectual Property Basic Act stipulates their social contributions through disseminating research results in Article 7 (1) by stating that “universities, etc. shall, in light of the fact that their activities are contributing to the creation of intellectual property in the whole society, endeavor voluntarily and positively to develop human resources, and disseminate research and the research results.”

Although the number of joint researches, funded researches and expenses thereof in Japanese universities have been increasing each year, it is important in promoting innovation in Japan to enhance cooperation between industry, academia and government so that research results by universities will be transferred to industries, thus further ensuring commercialization of the knowledge, and the needs in the industrial sectors are fed back to universities to conduct researches based on such needs.

Universities are expected to clarify the ownership and handling of IP that has resulted from their research and to implement strategic management and utilization of IP. Various support measures to meet those purposes have been implemented.



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

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

In order for universities to start intellectual property activities, it is necessary to establish a proper intellectual property management structure within universities. The JPO, with the aim of supporting the establishment of this structure within universities, has implemented the project of dispatching advisors to universities since FY2002. This project was transferred to the INPIT in January 2007.

In FY2010, the INPIT dispatched university intellectual property advisors to 18 universities including 8 universities newly receiving support for the establishment of IP management structure. A total of 60 universities have received university intellectual property advisors.

The know-how of constructing the intellectual property management structure in universities obtained in this project was summarized as the “Manuals for Constructing the Intellectual Property Management Structure in Universities” and disseminated at seminars, etc.

## (2) Promotion of Patent Information Utilization at Universities

### 1) IPDL Gazette Fixed Address Services for Universities, etc.

In order to support R&D in universities, etc., the JPO has started the gazette fixed address services by which users such as universities can directly access to patent gazette data since January 2007. As of the end of March 2010, 289 universities, etc. have been registered.

### 2) Integrated Search System for Paper Information and Patent Information

In order to efficiently acquire science and technology literature information and patent information, and effectively utilize them for research activities in universities, through the joint initiatives among the Intellectual Property Strategy Headquarters Cabinet Secretariat, MEXT, the JPO, the Japan Science and Technology Agency (JST), and the INPIT, they developed the Integrated Search System for Patent and Literature Information (JSTPatM) and launched the service in March 2007.

### 3) Patent Association Search Test System and Provision of Published Patent Application Text Data to Universities

The INPIT developed in FY2006, a prototype system capable of searching and displaying relatively high-speed and easily by researchers of universities, etc. even if they have no expert knowledge. In addition, for the purpose of conducting studies to enhance the function of the system, the INPIT has provided the system to 8 universities as of the end of March 2010.

## (3) IP Seminars for Universities

The Regional Bureaus of Economy, Trade and Industry hold "Seminars for Researchers at Universities."<sup>11</sup> These seminars are held to provide explanations on how to make use of research results by strategic application filing/acquisition of utilization of the rights. The seminars were held 192 times nationwide in FY2009, and 5,943 people participated.

In addition, targeting researchers of universities, etc. in the life science field or intellectual property-concerned persons of the university, for the purpose of publicizing the examination standards for the patents in the life science field, the Regional Bureaus of Economy, Trade and Industry hold "Seminars for the examination standard for the patent in the life science field." In FY2009, the seminars were held at 13 sites nationwide.

## (4) 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 a reduction/exemption of the payment of patent annual fees and examination request fees based on the Technology Transfer Promotion Act, the Act on Special Measures for Industrial Revitalization and Industrial Technology

<sup>11</sup> See Part 3, Chapter 5, 1.(1),2)

Enhancement Act.

### **(5) Accelerated Examination System<sup>12</sup>**

Universities and approved/authorized TLOs who have requested examinations for their patent applications can be eligible for accelerated examinations. They should submit “a written explanation of the needs of the accelerated examination.”

### **(6) Circuit Examination System**

The JPO conducts circuit examination for local universities and TLOs in which the JPO examiners visit interview sites nationwide and offer consultations with regard to their inventions and the contents of the application by talking with the applicant or its agent in person.

The details of circuit examination are publicized on the JPO website.

### **(7) Designation of Universities as Academic Groups 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 applicant “has made a presentation in writing at a study meeting held by an academic group designated by the Commissioner of the Patent Office.” If universities and other institutions are designated as such academic groups by the Commissioner of the JPO, exception to the lack of novelty is approved for the research results presented as study meetings held by the said institutions (e.g. presentations at a doctor thesis presentation held by the university) in a manner similar to those presented at academic society meetings.<sup>13</sup>

The number of designated bodies as of March 31, 2010 includes 189 universities, 55 technical colleges, 13 inter-university research institute corporations, 34 independent administrative institutions, 70 public testing laboratories and 684 academic societies.

Moreover, 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.

## **3. Efforts to Support R&D Activities at Universities**

### **(1) Dispatch of IP Producers**

In the process of R&D at universities, competition of academic papers and that of the intellectual property are happening at the same time, so that it is impossible to promote innovation as a world leader without winning not only the competition of papers but also that of intellectual property. That is to say, it is always to link R&D and IP.

However, there are few human resources who can grasp R&D with “eyes of IP” in the R&D scenes. Thus, strategic patent applications and acquisition of rights taking future

<sup>12</sup> Accelerated examination: for patents (See Part 2, Chapter 2, 4. (1)), for designs (See Part 2, Chapter 3, 3), for trademarks (See Part 2, Chapter 4, 1.)

<sup>13</sup> Thesis presentations held by a faculty or a department is not subject to “a study meeting held by an academic group designated by the Commissioner of the Patent Office” stipulated in Article 30(1) of the Patent Act. In order for a presentation to be subject to the stipulation, it must be held by the university.

commercialization into full consideration have not always been conducted. In addition, there is a problem that the attribution and management of IP rights are not administered thoroughly in a case where a R&D project is organized.

In order to solve such a situation, the JPO has started a project since FY2008 to dispatch an IP specialist team with an IP producer as its leader<sup>14</sup> for the purpose of supporting the formulation of the IP strategy of the project such as patent application and exploitation strategies, targeting the projects such as R&D consortium that several universities and research institutions are conducting in a collaborating manner funded by the government.

Such an IP specialist team was sent to 1 R&D consortium in FY2008 and 3 R&D consortiums in FY2009 as a trial. The IP producer project is planned to expand in the future.

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<sup>14</sup> An IP specialist team consists for example of an IP producer (team leader), a patent information advisor, and a patent licensing advisor.

# Chapter 3

## Support for Patent Utilization



### 1. Outline of Patent Licensing Promotion Project

The INPIT implements various projects comprehensively for promoting patent licensing to smoothly transfer patents ready for assignment or grant of license (licensable patents) between companies or universities / public organizations and companies and, to develop an environment for creating new business by SMEs and activating the development of new products. The projects consist of (1) Promotion of Patent Licensing by Using Experts, (2) Provision of Licensable Patent Information and Promotion of Active Utilization of the Information, and (3) Establishing an Environment Conducive to the Support for Fostering IP Trade Businesses.

#### (1) Promotion of Patent Licensing by Using Experts

##### 1) Dispatch of Patent Licensing Advisors

For the purpose of grasping patented technologies that are capable of transferring or granting a license owned by universities, public research institutions and companies, understanding the needs of SMEs and venture companies for introducing technology, and matching those needs for commercialization, the INPIT dispatches Patent Licensing Advisors.<sup>15</sup>

Starting in FY2007, the INPIT provides support activities to local governments to develop human resources and pass down the know-how on patent licensing promotion owned by Patent Licensing Advisors, in order to develop an environment in which patent licensing and patent utilizing activities take root in the region and become autonomous.

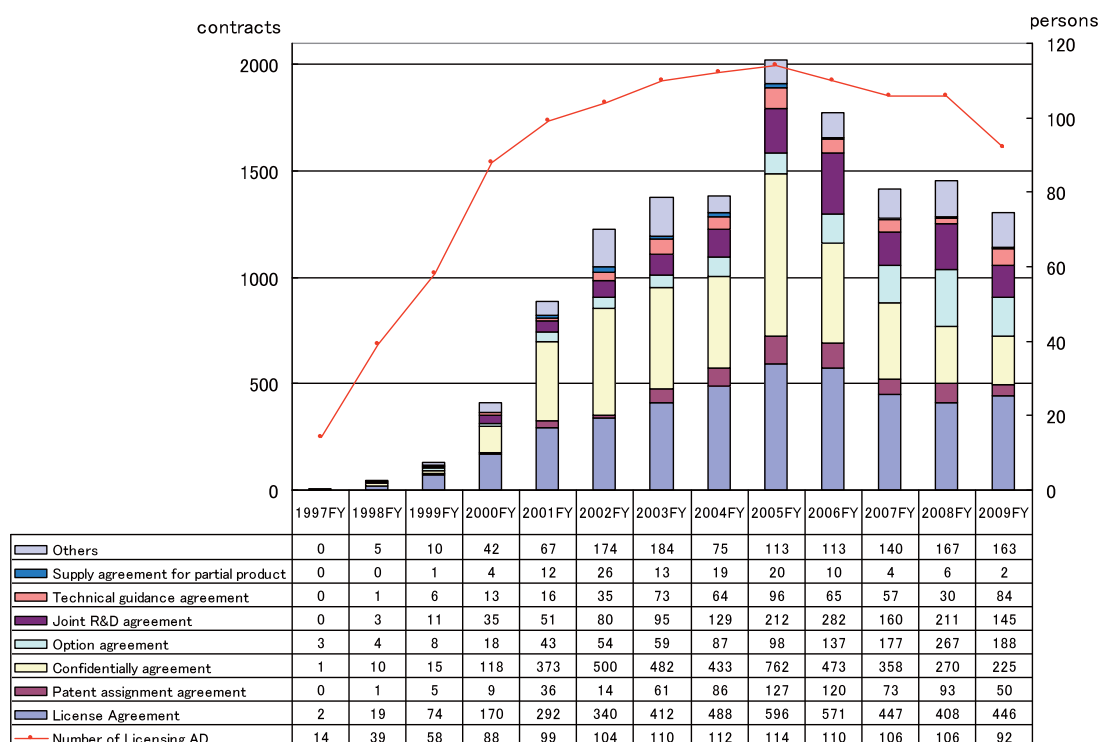
There are a number of successful patent licensing cases between companies and from universities to SMEs through the advisors' promotion.

Number of advisors sent: 92 (as of the end of March 2010)

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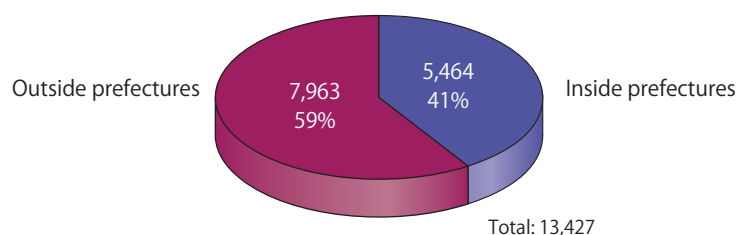
<sup>15</sup> Experts with a wealth of knowledge and experience on intellectual property rights and technology transfers.

## Changes in the number of contracts through patent licensing advisors' promotion



Patent Licensing Advisors form a nationwide network and conducts matching between local patent licensors and licensees in other prefectures in collaboration with Patent Licensing Advisors in other prefectures. As shown in the figure below, looking at a geographic relationship of the contracted cases of licensing agreements, the ratio of matching between patent licensors and licensees in other prefectures is higher than that of between patents licensing in the same prefecture.

## Geographic relationship between patent licensors and licensees



Note: The total number of contracts from 1997 to the end of March 2010

Source: INPIT

## (2) Provision of Licensable Patent Information and Promotion of Active Utilization of the Information

### 1) Dispatch of Patent Information Advisors

In order to help local industry's activities through use of patent information, the INPIT dispatches Patent Information Advisors, who are experts in utilizing patent information, to domestic local government units in response to their requests.

Patent Information Advisors provide mainly to universities and SMEs instructions on how to search for patent information using the IPDL, and they provide consultation services on how to utilize such information, as well as to hold workshops in response to the various requests related to patent information.

-Achievement in FY2009: Number of visits: 10,184 to SMEs and individuals: 648 to universities and research institutions.

Number of advisors sent: 53 (as of the end of March 2010)

### 2) Patent Licensing Database<sup>16</sup>

In order to ensure a smooth transfer of licensable patents within the industrial sector or between local companies and to promote their commercialization, the INPIT has built a database of licensable patents owned by universities, public research institutions and companies, which it makes available to the public as the Patent Licensing Database via the Internet.

In March 2010, the license package information function was added which provides users with particular uses by packaging plural license information.

-Number of registered patents: 46,736 (as of the end of March 2010)

(Owned by companies: 19,626, Universities/public research institutions: 27,110)

### 3) Research Tool Patent Database

In order to promote smooth utilization of the patented research tool in the field of life

<sup>16</sup> <http://www.ryutu.inpit.go.jp/en/db/>



science, the INPIT creates a database of research tool patents owned by universities, public research institutions and companies and publicize them via the Internet as the Research Tool Patent Database.

It is possible to search and inquire research tool patents via the Internet as in the case of the patent licensing database.

-Number of registered patents: 856 (as of the end of March 2010)  
(Owned by companies: 41, Universities/public research institutions: 815)

#### 4) Business Example of Licensable Patent Utilization

The INPIT has selected patents with high potential for commercialization among the licensable patents registered in the Patent Licensing Database, and has created "Business Examples of Licensable Patent Utilization," which highlights such patents along with images of a product and of commercialization of it. In addition to its distribution in brochure form, these examples are also available on the website free of charge.

-In FY2009, 50 examples were published in two brochures each. In addition, on the website, 1,585 examples since 1998 are published.

### (3) Establishing an Environment Conducive to the Support for Fostering IP Trade Businesses

#### 1) IP Trade Businesses Database

In order to stimulate IP trade businesses, the INPIT provides a directory of IP trade business companies for the purpose of providing opportunities for those who wish to conduct trade of intellectual property and companies who mediate such transactions.

The registration and search of information on business traders using this database are offered free of charge.

#### 2) Patent Business Market

The INPIT holds the Patent Business Market (fairs) in which companies that own patented technologies present the technological contents and business plans, and seek various forms of collaboration from participants, such as patent licensing contracts, the conducting of joint research, and the offering of financial assistance.

The INPIT also provides support and cooperation for regional Patent Business Markets planned and held by local governments.

-Achievement in FY2009

First Patent Business Market (Tokyo): held on September 16, 2009; 135 participants

Second Patent Business Market (Yokohama): held on October 9, 2009; 97 participants

Third Patent Business Market (Shiga): held on October 21, 2009; 56 participants

Fourth Patent Business Market (Nagoya): held on November 13, 2009; 61 participants

### 3) International Patent Licensing Seminar

In order to develop trade of intellectual property in Japan, exchange relevant information, and build interpersonal networks, the INPIT holds an international patent licensing seminar.

In this seminar, the INPIT provides lectures, panel discussions and workshops by experts of the patent licensing / transfer of technologies inside and outside Japan to learn a global way of thinking in patent licensing and to form a network with parties concerned from Japan and other countries.

### 4) Training Seminars for Patent Licensing

The INPIT provides Training Seminars for Patent Licensing nationwide with a view to increasing the number of participants in the patent-licensing market.

#### **-Contents of seminar**

The seminars aim at the acquisition of knowledge necessary to the patent licensing

#### **-Achievement in FY2009**

Number of seminars: 10 (Tokyo (three times), Nagoya, Osaka, Hiroshima, Fukuoka, Sapporo, Takamatsu, Sendai)

Total participants: 622

### 5) Patent Licensing News Mail

The INPIT delivers by e-mail free of charge the up-to-date information on seminars, symposiums, events and news related to patent licensing.

### 6) Patent Licensing Contents (moving image)

The INPIT provides on its website (moving image) free of charge the explanations for basic knowledge, such as the significance of patent licensing contracts, and points to consider at the time of making contracts.

# Chapter 4

## Support Concerning Industrial property information



### 1. Promotion of Provision of Industrial property information

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

In March 1999, the JPO launched the Industrial Property Digital Library (IPDL), which provides Industrial property information free of charge via the Internet in order to develop an environment in which industrial property information is used more widely and easily. Then, the management of the IPDL was transferred to the INPIT in October 2004, and the IPDL is currently provided on the INPIT website.

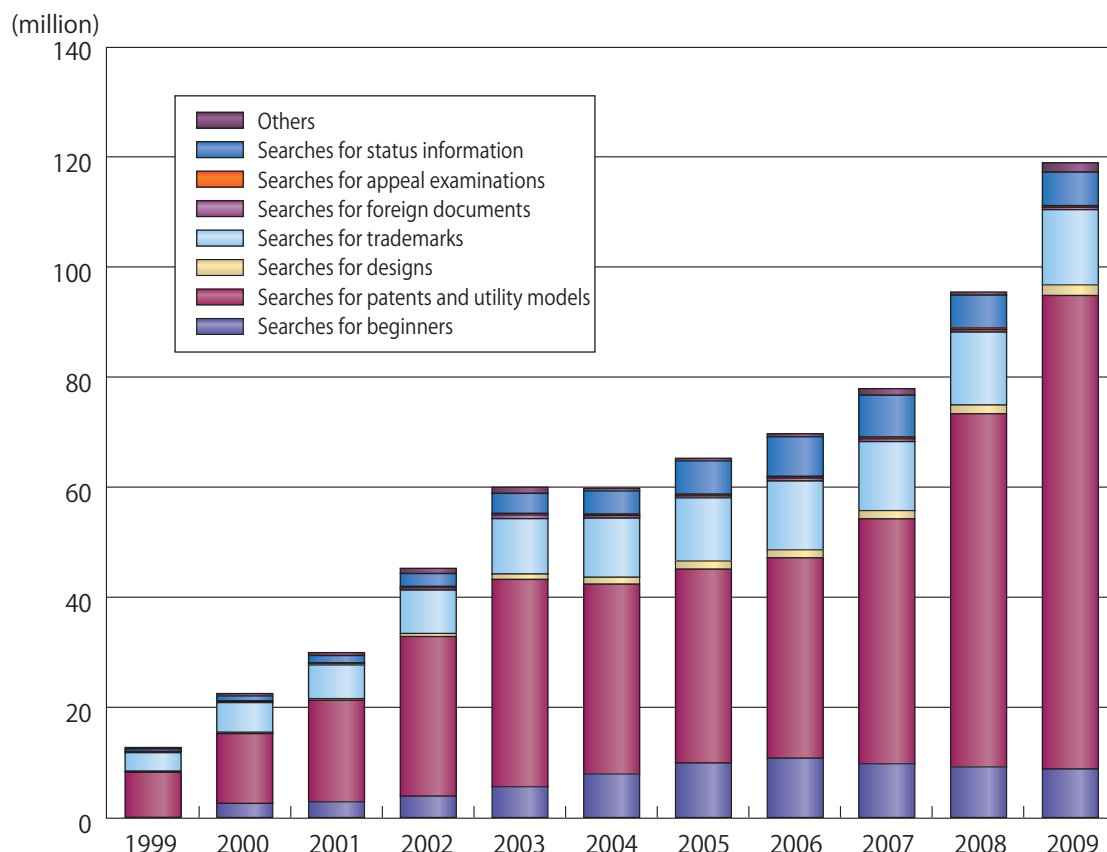
The IPDL contains 77.7 million gazettes of patents, utility models, designs and trademarks published since the end of the 19th century as well as gazettes published in other countries and allows users to search related information such as the status of examinations, registrations and trials by the document numbers, classifications and key words.

New services and functions are added to the IPDL every year to improve usability and enhance services for users. In 2009, a new service that allows users to search publicly-known designs and a new function that allows users to search trademarks that include characters in trademark applications/registration information by sound (reading) were added. In March 2010, Chinese Patent Abstracts (CPA) was added to the foreign gazette DB.

While the annual number of searches was about 12.7 million immediately after the launch of the IPDL service (FY1999), the number of users has increased in line with the subsequent upgrading of services. In FY2009, the annual number of searches reached about 119 million.

It is expected that the creation, protection and utilization of intellectual property will further progress in line with the increase of active use of information on industrial property rights via the IPDL.

Trends in the Number of Annual Number of Searches in the IPDL



## (2) Provision of Organized and Standardized Data

In order to meet the diverse needs for Industrial property information, it is necessary not only to support the standard use by the general public through the IPDL, but also prepare an environment in which private industrial property information service providers (hereinafter referred to as “private information service providers”)<sup>17</sup> can provide high value-added services. To achieve this goal, the JPO has reviewed its conditions for disseminating data owned and is working on establishing an environment in which users can easily access to and use Industrial property information.

In March 1999 when the IPDL service started, the JPO launched a project to provide various information such as information on the examination status that has been converted and processed into a generally accessible format such as XML (hereinafter referred to as “organized and standardized data”) in a batch at marginal costs. Patent Abstracts of Japan (PAJ) and various data created such as Japanese abstracts of patents filed at the USPTO are also provided in a batch at marginal costs.<sup>18</sup> The work to create the organized and standardized data was transferred to the INPIT in October 2004.

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

<sup>17</sup> There are more than 200 small and large-scale private information-service providers in Japan.

<sup>18</sup> It refers to additional expenses of data reproduction, the price for empty storage media, and sending costs, and does not include data creation maintenance costs.

usability of Industrial property information.

In addition, the INPIT installed the same search terminals as those used by examiners in the First Public Gazettes Reading Room, and made them available to the public in January 2007. This allows users to conduct quick searches for patent literatures in Japan and abroad excluding those undisclosed using the same spec terminal as patent examiners.

### (3) Provision of Gazettes via the Internet

As for the provision of gazettes, the JPO changed the format of publication of unexamined applications from paper to electronic media (CD-ROM) in January 1993. Since then, the JPO has reviewed on its publication styles based on technological progress and demands from users. In 2004, the JPO changed the format of patent and utility model gazettes from the SGML format to the XML format, in addition to changing the media from CD-ROM to DVD-ROM. The JPO began to issue Published Registered Utility Model Applications in January 2006, Published Registered Design Applications in January 2007, and Published Registered Trademark and Reclassification on Registered Trademark and Published Unexamined/International Trademark Applications in January 2010 free of charge via the Internet.

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

### (4) Patent Search Portal Site

To support appropriate and efficient prior arts search by applicants, JPO has implemented various measures as part of infrastructure improvement for expeditious patent examination; development of the IPDL, explanatory meetings for applicants, search expert seminars, public use of retrieval system for examiners, patent information advisor project, and creation of the Patent Search Guidebook.

JPO has also interviewed widely with applicants to obtain opinions on the information provision policy about such a prior arts search method. In these opinions, there have been some requests to increase usability of "Patent Search Guidebook" which introduces search method of JPO examiners, and to support prior arts search by applicants through the provision of relevant information including of search methods in integrated and comprehensible way. Based on these opinions and requests, JPO established the "Patent Search Portal Site" newly on the JPO website on a provisional basis in March 2009. In FY2009, JPO has promoted the use of portal site through exchange of opinions with public users as well as improved it based on the exchanged opinions.

By these efforts, JPO supports patent search and patent information use by applicants, and improves further convenience in prior arts search through official operation of the portal site.

### (5) Utilization and Analysis of Patent Information

The patent information can be used not only for assessing an invention and judging the necessity of patent application, but also for analyzing technical advantages/disadvantages of own company and competitors and deciding a theme and course of R&D. Therefore, the JPO established “Examples of Patent Information Analysis” in March 2010 that mainly feature patent information analyzing methods that contribute to IP strategies of companies, tools developed by several companies that develop patent information analyzing tools and their way of use.

### **(6) Exchange of Industrial Property Right 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 (State Intellectual Property Office of the Peoples Republic of China (SIPO) and Korean Intellectual Property Office (KIPO)). The exchanged data on Industrial property information is used for searching examination materials and prior arts in the JPO and a part of it is disclosed to the public through the IPDL, etc. The JPO creates abstracts of foreign publications in Japanese from the exchanged data for use inside and outside the JPO.

#### **1) Exchange of Industrial Property Right Information with Overseas Patent Offices and International Organizations**

In order for patent applications filed with the JPO to be 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 to utilize it as examination materials.

#### **2) Creation and Provision of Japanese Abstracts Data**

The JPO establishes abstract data of US patent documents, US publications of patent applications, and EP publications of patent applications that cover a wide range of technical contents in Japanese, and uses the data as examination materials for patent examination. Such data is widely available to the public through the IPDL.

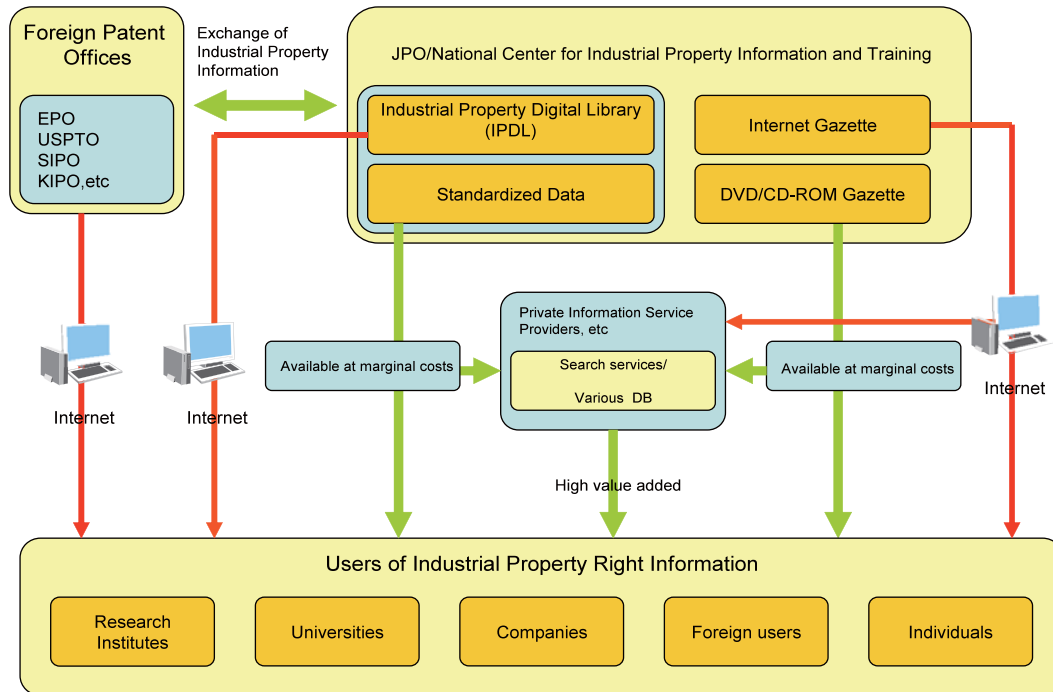
#### **3) Creation and Provision of Patent Abstracts of Japan (PAJ)**

In order for the patent applications published in Japan to be at least used as minimum documentation in prior art searches for PCT applications and international preliminary examination and as prior art document in examinations at the overseas Patent Offices in an appropriate manner, the JPO provides English abstracts of publications of patent applications and provides overseas Patent Offices such as PCT International Searching Authorities / International Preliminary Examining Authorities with them.

#### **4) Mutual Exchange of Gazettes**

Gazettes published in each country are exchanged free of charge based on the bilateral agreement. They are used for examination in the JPO and provided to the public for browsing.

### Dissemination of Industrial Property Information Flow Diagram



# Chapter 5

## Development of Human Resources Related to Intellectual Property



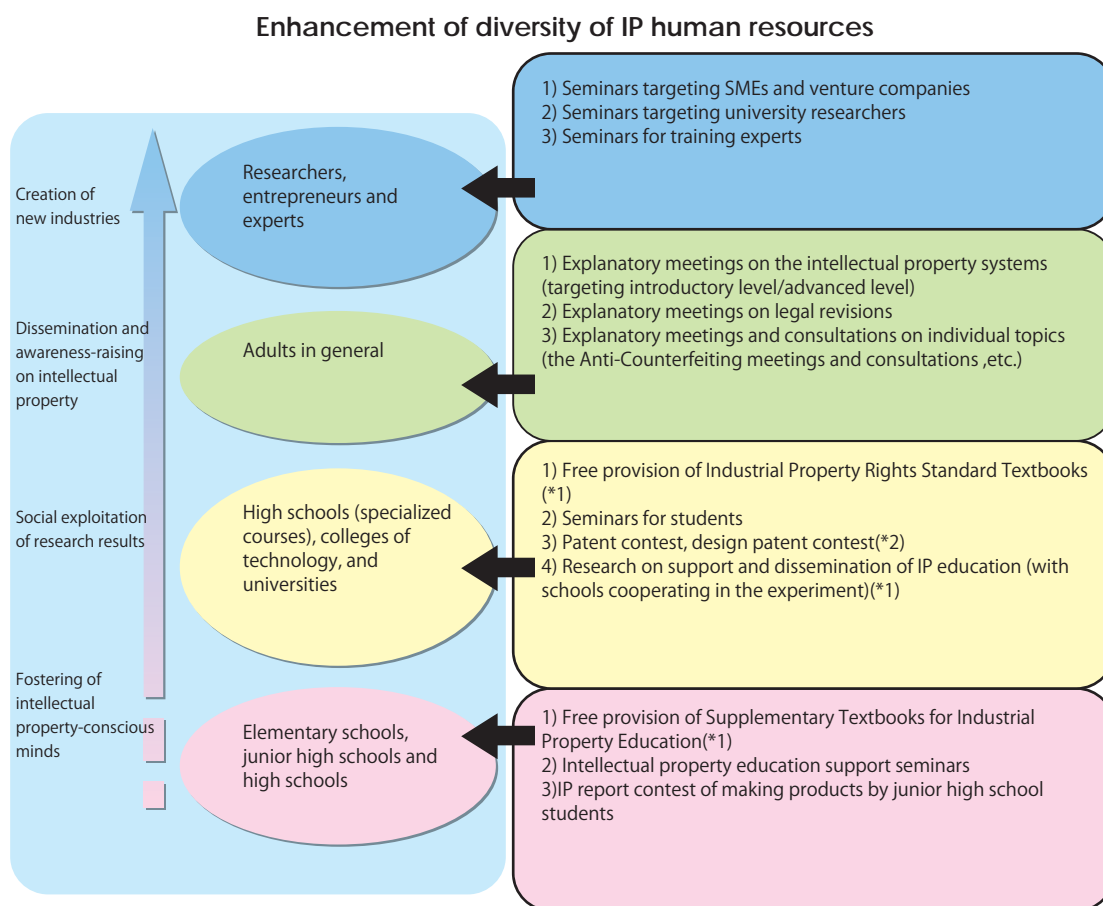
### 1. Enhancement of Diversity of IP Human Resources and IP-conscious Mind

In order to encourage IP activities and promote innovation, it is very important to develop human resources that take a major role in those activities. In addition to the development of IP experts who specifically handle intellectual property (hereinafter referred to as “IP specialized human resources”), it is critical to conduct IP education for students from elementary schools to universities who will be responsible for the future IP systems by creating and utilizing IP.

The Comprehensive Strategy for the Development of Human Resources Related to Intellectual Property, decided on January 30, 2006 at the Task Force on the Intellectual Creation Cycle by the Intellectual Property Policy Headquarters, also calls for development of a variety of human resources related to IP. It also calls for the development of IP specialized human resources and requires the entire nation to have a mentality to respect others’ intellectual property, that is, IP-conscious mind.

The JPO has conducted IP human resource development programs that are suitable for each group, such as elementary schools, junior high schools, high schools, universities, researchers, adults and experts for the purpose of developing diversified IP human resources and improving IP-conscious mind.





## Notes:

1. Implementation of projects at the INPIT
2. Implemented as a pre-design patent contest in FY2008 and fully implemented in FY2009

### (1) Seminars and Explanatory Meetings for Adults in General, Researchers, Undertakers and Experts

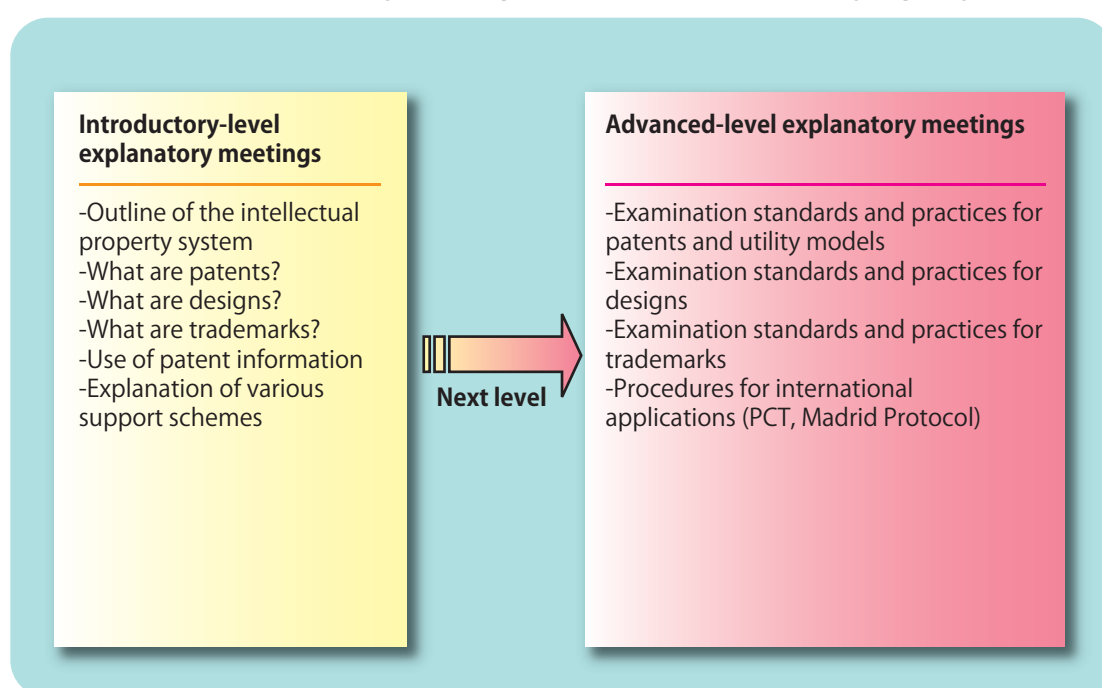
In order to deepen citizens' understanding and recognition of the significance of the intellectual property system, the JPO holds explanatory meetings on the system and on latest developments such as legal amendments targeting various levels of participants throughout Japan. The JPO also holds "Seminars for Researchers at Universities" to explain how to acquire rights for research results and how to manage and utilize the rights to researchers at universities and other public research institutions. It also holds "Seminars for SMEs and Venture Companies" to explain the importance of IP in corporate management and a method of strategic utilization of intellectual property for SME and venture company managers and persons responsible for R&D. Additionally, the JPO holds "Expert Training Seminars" for management and technical consultants<sup>19</sup> and the companies that trade intellectual property rights.

<sup>19</sup> Targeting specialists who give instructions and directions with regard to management and management know-how upon the consultation from clients (called as "management consultants") and to technical aspects such as machinery, environment and construction (called as "technology consultants").

## 1) Explanatory Meetings on the Intellectual Property Right Systems Targeting Adults in General

The JPO holds “Explanatory Meetings for Introductory Level,” (in FY2009 held a total of 56 times in 47 prefectures, about 7,281 participants) in which industrial property beginners and employees assigned to the intellectual property section of their companies can acquire basic knowledge on the intellectual property right systems. The JPO also holds explanatory meetings for those already engaged in industrial property-related works on a daily basis, such as “Explanatory Meetings for Advanced Level,” (in FY2009 held 73 times in 20 cities nationwide, with 11,512 participants) targeting acquisition of knowledge on the operation standards for patent examination and practical skills necessary for filing international applications.

### Outline of Explanatory Meeting on the Intellectual Property Right System



## 2) Seminars Targeting Specific Participants

Each Regional Bureau of Economy, Trade and Industry holds seminars nationwide targeting specific participants, such as university researchers, SME and venture company managers, venture capitalists, and management/technology consultants.

### a. Seminars Targeting Researchers at Universities

The JPO holds seminars targeting researchers at universities and public research institutions to explain strategic application filing, acquisition and utilization of rights using research results. (Achievement in FY2009: held 192 times, 5,943 participants)

### b. Seminars Targeting SMEs and Venture Companies

Targeting SME and venture company managers and R&D managers, the JPO holds seminars on the importance of IP in corporate management, strategic acquisition of IP rights

and right-utilization methods, according to the needs of the region.

(Achievement in FY2009: held 314 times, 10,967 participants)

### c. Expert Training Seminars

The JPO holds seminars to develop IP experts (venture capitalists, management/technology consultants and SME management consultants) who provide SMEs and venture companies with support for strategic utilization of IP rights and to enhance their capability, including the strategic utilization of IP rights, IP right-evaluation methods and how to respond to patent disputes.

(Achievement in FY2009: held 28 times, 1,439 participants)

#### Outline of Seminars Targeting Specific Participants

<p><b><u>Seminars for University Researchers</u></b></p> <p>Targeting: researchers at universities and public research institutions</p> <p>Contents:</p> <ul style="list-style-type: none"> <li>- Strategic application filing, acquisition of IP rights and exploitation thereof for research results</li> <li>- Use of patent information in R&amp;D</li> </ul>	<p><b><u>Seminars for SMEs and Venture Companies</u></b></p> <p>Targeting: SME and venture company managers</p> <p>Contents:</p> <ul style="list-style-type: none"> <li>- Strategic methods to acquire rights for technology-development results</li> <li>- Basic knowledge of technology transfers and licensing</li> </ul>	<p><b><u>Expert Training Seminars</u></b></p> <p>Targeting: venture capitalists and management/technology consultants</p> <p>Contents:</p> <ul style="list-style-type: none"> <li>- Technology-licensing agreements</li> <li>- Actual conditions of joint development</li> <li>- How to respond to patent disputes</li> </ul>
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## (2) Promotion of Intellectual Property and Educational Support for Educational Institutions

### 1) Development and Provision of Intellectual Property Education Materials

The JPO has been providing Industrial Property Rights Standard Textbooks free of charge to high schools (specialized courses), colleges of technology, and universities that wish to receive textbooks to teach the correct knowledge and basic practical skills concerning intellectual property. Also, in order to raise public awareness on the protection of and respect for intellectual property from the school education stage, the JPO has been providing Supplementary Textbooks for Intellectual Property Education that are suitable for each age group in elementary schools, junior high schools and high schools. They are provided free of charge to schools that wish to receive them.

These projects have been conducted since FY1998, and were transferred to the INPIT in January 2007.

## Number of Industrial Property Rights Standard Textbook Distributed in FY 2009

Targeting: universities and colleges of technology

- General: 50,000 copies to 640 faculties and departments
- Patents: 40,000 copies to 620 faculties and departments
- Designs: 22,000 copies to 590 faculties and departments
- Trademarks: 20,000 copies to 590 faculties and departments

Targeting: industrial, commercial and agricultural high schools

- General: 18,000 copies to 290 schools
- Patents: 7,000 copies to 260 schools
- Designs: 3,000 copies to 260 schools
- Trademarks: 4,000 copies to 260 schools

## Number of Supplementary Textbooks for Industrial Property Education Distribution in FY 2009

Targeting: students in elementary schools, junior high schools and high schools

- Elementary school: 58,000 copies to 650 schools
- Junior high school: 65,000 copies to 540 schools
- High school: 35,000 copies to 300 schools

### 2) Intellectual Property Education Seminar

With the aim of developing an IP-conscious mind, raising awareness on IP and providing educational support, each Regional Bureau of Economy, Trade and Industry holds seminars nationwide targeting students from elementary schools to universities and teachers, using the above-mentioned standard textbooks and supplementary textbooks. In FY2009, the seminar was held 696 times and 41,849 persons participated in it.

### 3) Research Study on Support and Promotion of Intellectual Property Education

The JPO compiles case examples of the efforts made in technical, commercial and agricultural high schools and colleges of technology that conduct intellectual property education using the above-mentioned standard textbooks. These case examples are provided to schools that will cooperate in the experiment (project with schools promoting and co-operating the intellectual property education).

This project has been conducted since FY2000 and was transferred to the INPIT in January 2007.

Meanwhile, in the new education guidelines for high schools publicized in March 2009, intellectual property is incorporated into a number of subjects. For example, they stipulate that the subject "basic industrial technology" should handle IP, the subject "product development" should handle the meaning and overview of trademark right, design right and copyright as well as a way of acquiring IP rights. It is expected that efforts for IP education in high schools would progress further in the future.

#### 4) Patent Contests and Design Patent Contests<sup>20</sup>

The JPO holds the patent contest since FY2002 for the purpose of raising IP-conscious mind of students of high schools, colleges of technology, and universities and promoting the understanding and utilization of the intellectual property system. Moreover, in FY2008, the patent contest for design was conducted as a trial basis as the pre-design patent contest. Both contests have the purpose that among inventions or creations applied to the contests, excellent ones selected as the subject to application support are actually filed to the JPO to acquire rights.

Students subject to application support of the selected patents or designs create application documents under the direction of patent attorneys and file them to the JPO for acquiring rights. 16 patents were selected as the subjects to application support among 262 applied in the patent contest in FY2009. In the design patent contest, 27 applications were designated as the subjects to application support among 90 applications.

So far, a total of 78 applications have been selected as the subjects to application support in the patent contest from a total of 1,040 applications, and 37 applications have been registered as patents (as of the end of April 2009).

In FY2010, the patent contest bureau started the acceptance of applications for the contest in July.

#### 5) IP Report Contest for Junior High School Students

In order to promote education on IP particularly in the junior high school education in raising awareness on IP of students of elementary schools, junior high schools, high schools and universities and people in general, the JPO holds seminars related to IP for junior high school teachers as a part of the IP education seminar and conducts the contest since FY2007 for the purpose of reflecting results of the seminars on the education of junior high schools and making students understand the respect for others' intellectual property through creation of products.

In FY2009, the JPO held the contest called "Robot Idea Challenge 2009" targeting robots made in classes of art/home domestics or club activities. Reports of the achievement (originality) were used as materials for examination. 234 applications were sent from 25 junior high schools nationwide, and teams that submitted better reports were given the prize.

## 2. Development of Intellectual Property Experts

### (1) Development of Patent Attorneys

Japan is expected to become an intellectual property-based nation that creates wealth through the 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.

<sup>20</sup> Co-hosted by the Ministry of Education, Culture, Sports, Science and Technology, the JPO, the Japan Patent Attorneys Association and the INPIT.

Under these circumstances, the JPO has made necessary amendments of the Patent Attorney Act with the objective of further developing and utilizing patent attorneys who have expert technical knowledge on intellectual property as the key players in the establishment of an intellectual property-based nation.

Main amended points are as follows:

(Amendments in 2000)

- Simplification and rationalization of patent attorney examination
- Expansion of the services corresponding to diversification of user needs

(Amendment in 2002)

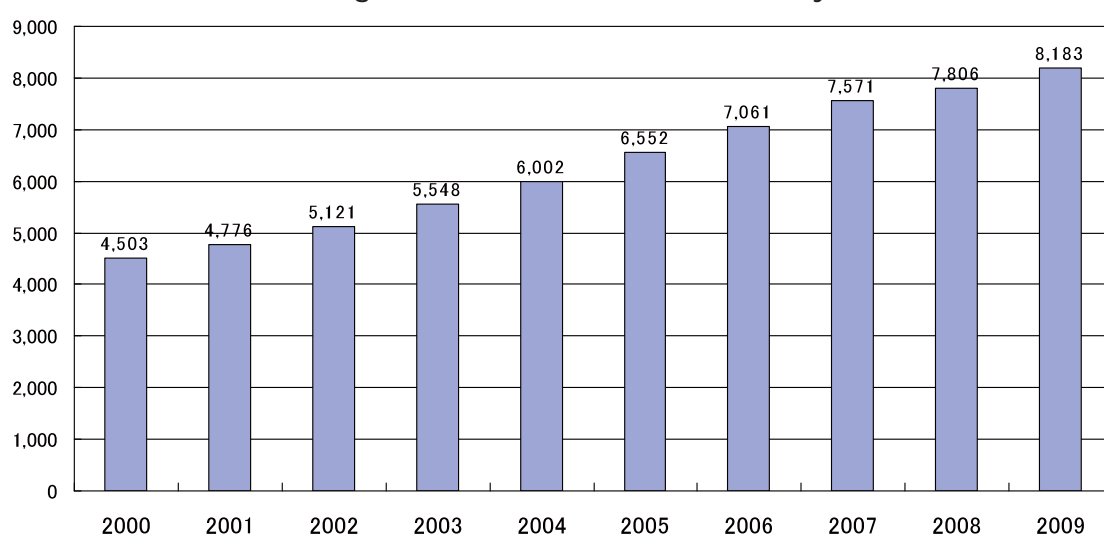
- Granting of the right to act as counsels in specified infringement lawsuits<sup>21</sup> (limited to cases in which attorneys at law are also entrusted by the same client)

(Amendments in 2007)

- Expansion of the services in a field in which the expert technical knowledge on intellectual property processed by the patent attorney can be utilized
- Expansion of the range for the exemption of patent attorney examination for expansion of the range of human resources
- Establishment of the training system for maintaining and improving the quality of patent attorneys
- Introduction of a regulation for prohibiting the name-lending

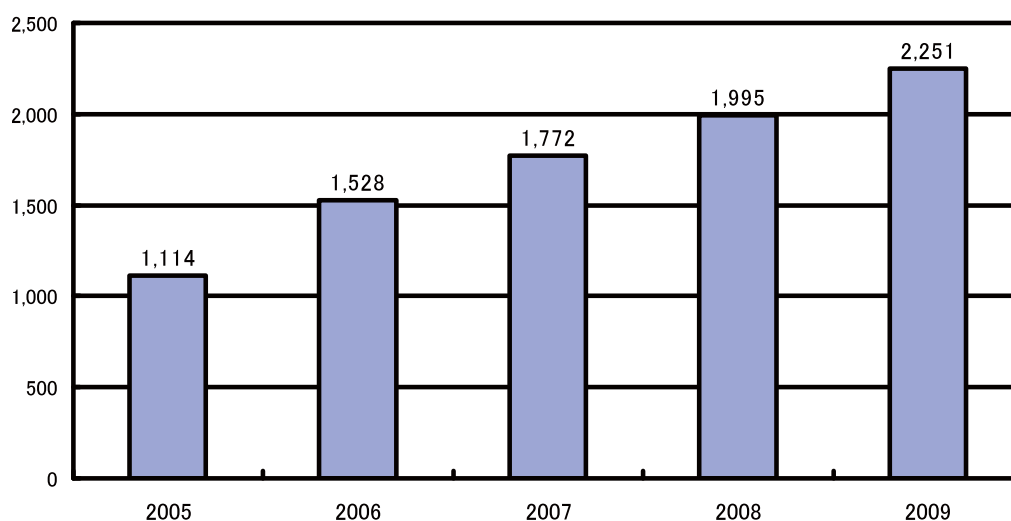
In recent years, the number of patent attorneys tends to increase and was 8,183 as of the end of 2009. In addition, the number of patent attorneys granted the right to act as counsels in specified infringement lawsuits also increased and was 2,251 as of the end of 2009.

**Changes in the Number of Patent Attorneys**



<sup>21</sup> Refers to infringement lawsuits 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

### Changes in the Number of Patent Attorneys Granted the Right to Act as Counsels in Specified Infringement Lawsuits



Notes: A patent attorney, who has completed the training course for securing the learning and practical ability required for the counsel and has passed the examination (the specific infringement lawsuits counsel examination) for judging whether a person possesses the above learning and practical ability or not, may act as a counsel only in specified infringement lawsuits in which attorneys at law are also entrusted by the same client by completing the supplementary registration procedures for the qualification of the above examination in the Japan Patent Attorney Association.

Source: JPAA data (at the end of December 2009)

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

Japan	
Patent attorneys (Benrishi) (excluding attorneys at law)	7,774
Attorneys at law specializing in intellectual property (lawyers who are also registered as Benrishi)	374

United States	
Patent agents	9,768
Patent attorneys	29,885

Notes:

1. Patent agents: Qualified people who have passed the examination conducted by the USPTO (qualified to act as an agent for patent-filing procedures with the USPTO)
2. Patent attorneys: Patent agents who have also acquired the qualification of an attorney at law (lawyer) of a relevant state (qualified to act as an agent for the procedures for both patents and trademarks with the USPTO and act as counsels; the qualification of the attorney at law alone allows the person to act only as an agent for trademark-related procedures with the USPTO)

Source: Japan: JPAA data (at the end of March 2010)

United States: USPTO website (at the end of March 2010)

### (2) Development of IP-specialized Human Resources at the JPO Staff and the Private Sector

The INPIT offers training courses with the aim of developing human resources that support intellectual property services. This, in turn, will promote expeditious and accurate examinations/trials at the JPO, formulation of intellectual property strategies at companies, and proper protection and utilization of IP rights.

#### 1) Training Projects for JPO Officials

##### **a. Training for Officials Engaged in Examinations and Trials, and Training for Officials Engaged in Administrative Affairs (Number of participants in FY2009: 1,161)**

According to the basic policies and plans designed by the JPO, patent examiner courses and trial examination courses are offered as training for officials engaged in examinations and trials. For fixed-term officials (assistant examiners) who have been hired to accelerate patent examinations, induction courses are for fixed-term officials are offered. Training courses for officials engaged in administrative affairs such as a trial court clerk course and an intellectual property right specialist course, etc. are also offered.

##### **b. Training for Improving Expert Skills (Number of participants in FY2009: 4,949)**

In order to help JPO officials improve their knowledge and skills as required in their duties, various training courses aimed at improving officials' skills so as to better respond to globalization, computerization and changes in administrative needs, in addition to enhancing knowledge in relevant legal matters.

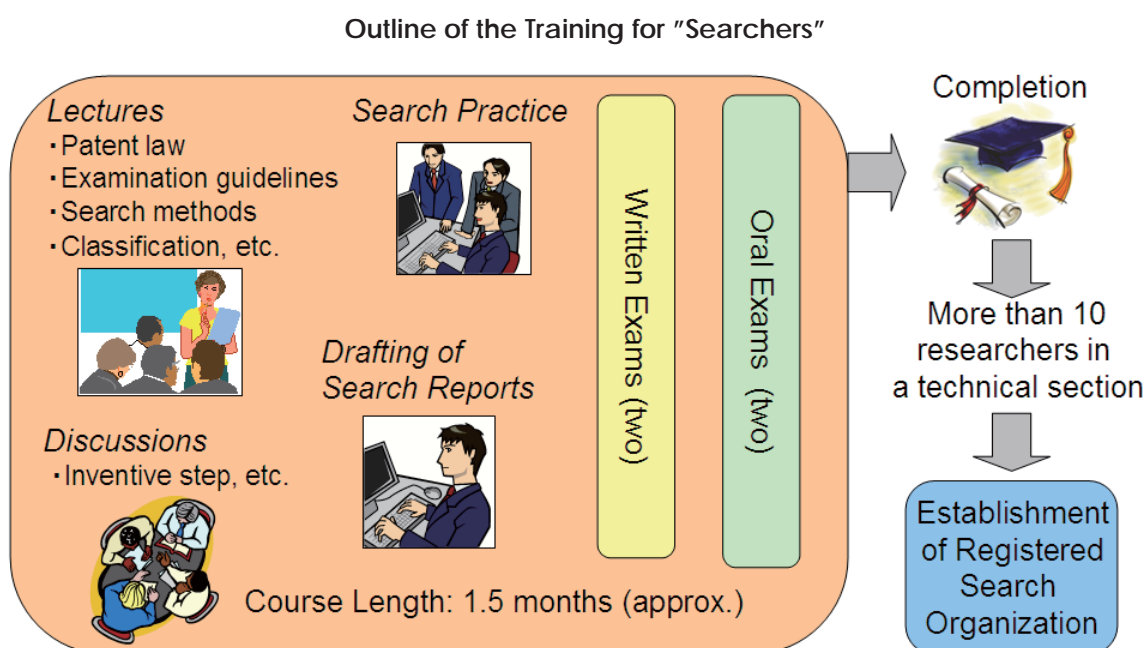
#### 2) Human Resources Development Projects for IP-specialized Human Resources in the Private Sector

##### **a. Training for Searchers (Number of participants in FY2009: 477)**

The INPIT 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 Right).

The steady training of searchers performing highly accurate prior art searches is particularly important for 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 comprehensively and the knowledge necessary for prior art searches by systematically acquiring this basic knowledge through practical training and debate.





### b. Development of Search Experts

(Number of participants in FY2009: 173 for advanced-level course, 46 for intermediate-level course, and 23 for design course)

The INPIT provides intermediate-level, advanced-level and design training courses that teach participants the JPO examiners' knowledge and expertise concerning methods of patent and design searches.

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, accurately 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 the Patent Act by engaging in prior art searches. It aims at developing human resources that can help appropriate filings of patent applications and examination requests by further improving participants' prior art search skills.

In addition, the design course targets people who have already acquired sufficient knowledge of the Design Act and it aims at developing human resources capable of grasping appropriately an effective protection of the product design by the design rights and the scope of the right after the right has been protected.

### **c. Training for IP Experts in Companies**

(Number of participants in FY2009: 85 for examination standards discussion trainings and 29 for training of response to notice of reasons for refusal)

The INPIT conducts debate-type training for intellectual property experts, including lawyers, patent attorneys and companies' intellectual property division staff.

The examination standards discussion trainings aim at learning mutually by way of discussion of people who engage in intellectual property from different positions about a way of thinking of the examination standards for patents/utility models and designs, and at further improvement of practical capability of intellectual property specialists by actively providing examiners' knowledge on the examination standards.

The training of response to notice of reasons for refusal of designs is conducted on designs. This training targets people who are in charge of IP in their companies and patent attorneys who have less practical experiences. The aim is to correctly understand the content of notices of reasons for refusal against applications and to acquire practical skills such as preparation for response and proper response through examination standard explanation and exercises.

### **d. Training for SMEs and Venture Companies (Number of participants in FY2009: 115)**

In order to strengthen SME and venture company managers' abilities to respond to patent infringement warning and to enhance their intellectual property-conscious minds, the INPIT provides practical training in which managers engage in realistic scenarios involving written patent infringement warnings. In FY2009, a training in which trainees mutually discuss on how to utilize intellectual property for corporate management in SMEs and venture businesses was conducted.

### **e. Training for Intellectual Property Experts of Administrative Agencies (Number of participants: 149)**

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

### **f. Human Resources Development in Collaboration with Other Domestic Organizations**

The INPIT offers various trainings in collaboration with private organizations, etc.

The follow-up training for intellectual property management engineers aims at maintaining and improving knowledge and techniques of intellectual property management engineers by offering specialized knowledge and know-how accumulated in the JPO targeting those who have qualifications for the first and second degrees of intellectual property management engineers (Number of participants in FY2009: 106).

The patent search practical training, offered in collaboration with universities, targets those who have knowledge in the intellectual property system such as people who are in charge of

IP in their companies and legal assistants in patent offices who have limited experiences of IP practical experiences and aims at developing human resources that can judge patentability based on the patent examination standards required before filing a patent through acquisition of a patent to utilization of a right and efficiently and appropriately conduct patent research (Number of participants in FY2009: 19).

The INPIT also provides teachers of high schools (mainly specialized subjects in technical high schools) with trainings in collaboration with the National Center for Teachers' Development (Number of participants in FY2009: 16).

#### **g. Development of Human Resources Using E-learning (IP e-learning)**

The INPIT provides e-learning educational materials that have been developed based on JPO's knowledge, experiences and expertise. These materials are used not only for the JPO, but also for the development of IP-related human resources nationwide.

In addition, IP e-learning is available not only by the learning using PCs, but also by watching and listening of learning subjects using portable terminals.

#### **h. Provision of Training Materials**

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

### **3) Cooperation with Private-Sectional Intellectual Property Human Resources Developing Organization**

The establishment of a consultation for promoting the intellectual property human resources development was proposed in the "comprehensive strategy for intellectual property human resources development" decided in the Intellectual Creation Cycle Specialized Investigation Committee, Intellectual Property Strategy Headquarters Meeting which was held in January 30, 2006. In response to this, the INPIT is participating in the established "Intellectual Property Human Resources Education Promotion Conference," conducting the mutual information exchange and mutual cooperation with educational and training organizations on IP human resources development, making suggestions on dissemination, public relations and policies regarding human resources development through event business etc.

### **4) Cooperation with Overseas Intellectual Property Human Resources Developing Organizations**

The INPIT has started agreed to continue to cooperate with the CIPTC, a Chinese intellectual property human resource developing organization, in considerations on information exchange of curriculums, holding of trainings for developing IP human resources and joint development of IP educational materials in September 2009, and concluded the memorandum of cooperation (MOC). The discussions for concluding the MOC are under way also with the IIPTI.

In addition, in June 2009, the INPIT participated in the training center directors' meeting held by the Global Network on Intellectual Property Academies (GNIPA) consisting of human resources developing organizations in various countries and regions, and exchanged opinions and information on the efforts made by human resources developing organizations in different countries and regions.

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

#### 1. The National Center for Industrial Property Information and Training (INPIT)

The INPIT collects, selects and provides information on gazettes of inventions, utility models and designs and documents of examinations/trials as well as other IP-related information. It also aims at promoting the protection and use of industrial property rights by holding seminars for the JPO officials and those who involve in duties related to intellectual property rights. The INPIT is an abbreviation of "National Center for Industrial Property Information and Training."

The "Industrial Property Information Center" which had provided the gazette reading room service and the patent licensing project as an organization of the JPO was changed to the "Industrial Property Information Center," an independent administrative agency, in April 2001 when the independent administrative agency system started.

In October 2004, the name of corporation was changed to the INPIT when the information dissemination function such as the IPDL and the human resources developing function were transferred to achieve further enhanced and improved administrative services of industrial property rights. In January 2007, the information system function such as the creation of "electronic application software" for filing applications by computers was transferred to the JPO.

#### 2. Outline of INPIT's Businesses

In order to strengthen the international competitiveness of Japanese industries and realize a sustainable economic growth, the role of the industrial property right system that protects the achievements of intellectual and creative activities and promotes their utilization is becoming more and more important. The INPIT is, in cooperation with the JPO, is conducting a range of operations, such as provision of access to gazettes, dissemination of information on industrial property rights, consultations on the industrial property right administration, promotion of distribution of information on industrial property rights and development of IP-specialized human resources to develop and strengthen the infrastructures, that is, "information" and "human resources" that support the industrial property right system.

##### (1) Industrial Property Gazette Reference Service

As a "central museum" that is obligated to be established under the "Paris Convention for the Protection of Industrial Property," the INPIT provide gazette reference services and reference

support by installing computer terminals in the regional reference rooms in Tokyo and other locations (Sapporo, Sendai, Nagoya, Osaka, Takamatsu, Fukuoka, Naha) in order to provide the public access to domestic and foreign industrial property gazettes.

(Number of users in FY2009: about 27,000)

## **(2) Project for Organizing Literatures Concerning Examinations/Trials**

The INPIT provides the “minimum documentations” prescribed in the Patent Cooperation Treaty. In addition, it gathers, stores and organizes technical documents and application documents such as literatures necessary for examinations and trials. They are provided to the JPO and the INPIT offers reference services for the general users.

(Number of documents stored: about 50,000 (as of the end of FY2009))

## **(3) Industrial Property Information Dissemination Project**

In addition to managing and operating the IPDL service in which industrial property information can be searched free of charge via the Internet, the INPIT converts data owned by the JPO into an easier-to-use format (XML format, SGML format) provides it as the organized and standardized data. In addition, the INPIT also creates abstracts of US and European patent descriptions and provides them as examination materials for the JPO. At the same time, it creates English abstracts of Japanese publications of patent applications and provides them to overseas patent offices, and exchange data of information on industrial property rights based on the Trilateral Agreement (see Part 3, Chapter 4, 1. (2), (3), (7))

## **(4) Industrial Property Right Consultation Services**

The INPIT provides consultation services in regards to filing procedures of patents and general industrial property matters such as examinations, trials and registrations.

Moreover, the industrial property right consultation site was opened to provide information such as “frequently asked questions.”

(Number of consultations in FY2009: about 57,000)

## **(5) Information System related Duties**

The INPIT develops an environment where users are able to download “electronic filing software” required for electronic applications to the JPO free of charge, supports users concerning electronic application by amending the system, improving the software for enhancing the usability and opening a support site. It also organizes and manages the gazette system and electronic data such as necessary materials for examinations and trials at the JPO.

## **(6) Patent Licensing Promotion Project**

From a viewpoint of promoting the utilization of patents which are an important factor of the intellectual creation cycle, the INPIT provides information smoothly so that patents ready for transfer of right or grant of working license (licensable patents) are effectively utilized in SMEs

and venture businesses. It also implements various projects in order for licensable patents to be circulated among parties concerned such as the private sector and local governments in an autonomous way and in order to organize an environment where the patent licensing market can develop by supporting the development of specialized human resources engaged in patent licensing (see Part 3, Chapter 3).

### **(7) Human Resources Development Project**

The INPIT provides the statutory training necessary for the qualification of patent examiners, training in cutting-edge areas of technology, and various other training courses aimed at improving the knowledge and capabilities 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 Concerning Industrial Property Rights as well as instruction on JPO’s knowledge, experiences and expertise for those who engage in industrial property affairs, such as patent attorneys and companies’ intellectual property division staff. The INPIT also provides educational materials for e-learning. Furthermore, the INPIT compiles instructional materials for IP education and support in order for universities to develop a system of IP management (see Part 3, Chapter 5, 1. (2), 2. (2)).