

Preface



The year 2010 is a memorable year marking the 125th anniversary of the establishment and proclamation of the Patent Monopoly Act which was enacted in 1885 (18th year of the Meiji era) in Japan. During the past 125 years, from the early stage of Japan's industrial development to the present day in which Japan is a leading global economic power, the industrial property rights (IPR) system has played an important role in Japan.

The recent environment surrounding IPR systems has been drastically changing due to the development of the open innovation accompanying globalized corporate activities and advanced technology. Playing a central role in IPR policy, the Japan Patent Office (JPO) has instituted a succession of innovation enhancement measures to increase the growth potential of the Japanese economy while coping with the change surrounding IPR systems and striving to create an IPR system that will meet the demands of this new age.

During the past year, the JPO established the Patent System Study Group, which was an informal study group that focused on the tasks and challenges relevant to the patent system. In December 2009, the Patent System Study Group prepared a report that is currently being examined in detail by the Industrial Structure Council Intellectual Property Policy Committee.

In addition, as a new measure related to patent examination for promoting innovation, the JPO has made green-related applications as eligible for accelerated examination/trial in order to readily protect R&D results concerning eco-friendly "green technology" and further enhance R&D. Moreover, with respect to patent protection in the advanced medical field, the Patent Examination Guidelines have been revised to expand the scope of protection of inventions concerned with new usage and dosage medicines and measuring methods for diagnosis.

With respect to designs, in order to specify the scope of design similarity, the handbook titled "Examination Procedures" was publicized and added to the Design Examination Guidelines.

With respect to trademarks, in order to enhance the strategic IP management activities of applicants, the Trademark Examination Manual published in October 2009 explained how applications for trademark registration of names of historical figures (names of famous/well known person who are deceased) should be treated.

With respect to global applications, the network of the Patent Prosecution Highway (PPH), which was first introduced to the world by the JPO, has steadily been expanding and, as of September 2010, included 12 countries/organizations engaged in PPH programs with Japan.

In this Annual Report, current situations and measures involving the IP system are mentioned in Parts I, II, III and IV respectively.

In Part I, the trends and activities of application/registration as well as examination/appeal and trial concerning patents, utility models, designs and trademarks in Japan are introduced and analyzed.

In Part II, government IP measures, including measures related to patent examination and appeal/trial examination, designs and trademarks, and the enhanced use of IT are explained.

In Part III, various support measures are introduced that can be used by small- and medium-sized enterprises as well as by universities when obtaining and utilizing industrial property rights such as a patent right.

In Part IV, IP-related global trends and measures for combating counterfeiting are explained in detail.

We are grateful if this report deepens your understanding of the current situation and challenges of IPR administration and is of aid in further developing the Japanese IP system which is commemorating its 125th anniversary in 2010.

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