

PREFACE

長官挨拶

Message from the Commissioner

この度、特許庁は、2014 年における特許庁の政策の成果及び統計情報をいち早く国内外に向けて情報発信することを目的として、『特許庁ステータスレポート 2015』を発行する運びとなりました。本書は、例年発行されている特許行政年次報告書とは別に、今年初めて作成したものです。

2014 年の日本における特許出願件数は、325,989 件となっており、2006 年以降漸減傾向である一方、出願年別に見た設定登録件数に目を向ければ、中長期的には増加傾向にあり、企業において出願の厳選が進んでいることが窺われます。また、日本から海外への特許出願件数は 201,410 件 (2013 年)、PCT 国際出願は 41,292 件 (2014 年) であり、10 年前と比べると約 2 倍に増大していることから、企業活動がグローバル化し、国境を越えて技術を保護する必要性が高まっているという状況を読み取ることができます。

出願を厳選する企業の動向に対応して、特許庁は「世界最速・最高品質の審査」を目指して審査体制の強化を進めております。2014 年 3 月、特許庁は 10 年来の長期目標であった「審査請求から一次審査通知までの期間を 11

か月以内にするとする」という目標を達成しました。また、産業構造審議会知的財産分科会での審議を受けて、今後 10 年間で「権利化までの期間」を平均 14 か月以内とする新たな審査迅速化の目標を定めるとともに、審査の品質管理について、2014 年 8 月に審査品質管理小委員会を設置し、外部からの客観的な評価システムの検討を行っています。

特許庁は、グローバル化する企業活動を支援するため、海外知的財産庁との協力・連携も強化してまいりました。出願人の海外での早期権利取得を容易にする「特許審査ハイウェイ」を現在 30 の国・地域と実施しております。さらに、グローバル・ドシエ構想の下、各国・地域の知的財産庁のシステムを連携させ、特許庁間での出願・審査関連情報の共有やユーザーのデータアクセスを容易にする取組にも積極的に貢献しています。また、ASEAN 諸国を始めとする新興国との協力も進めており、審査官協議等を通じて互いの審査への理解を深めております。加えて、グローバルな知的財産制度の整備に向けた議論を進めるため、2014 年 7 月には日米欧の三極特許庁と欧州主要国知的財産庁が参加する特許制度調和に関する国際シンポジウムを、同年 12 月

The Japan Patent Office (JPO) has decided to publish its “JPO Status Report 2015” as a means of providing more information to the international community on the recent results of measures and initiatives undertaken by the JPO, as well as means of sharing statistics on the JPO in 2014 in a timely manner. The Status Report was prepared for the first time this year, which is in addition to the Annual Report that is published every year.

The number of patent applications filed in Japan in 2014 was 325,989. The number of filings has been gradually decreasing since 2006. However, when we look at the number of patent registrations by filing year, the number is actually on the increase in the medium to long term, indicating that companies are more careful in selecting which patents they file applications for. The number of patent applications filed from Japan to abroad was 201,410 in 2013 and the number of PCT international applications filed was 41,292 in 2014, showing that the number has almost doubled compared to 10 years ago. Based on these statistics, we can see that business activities are becoming globalized and that there is an increased need for protecting technology beyond national boundaries.

In response to companies' more carefully selecting which patents to file applications for, the JPO is strengthening its patent examination system, aiming at “the world's fastest and utmost quality”. In March 2014, the JPO achieved its ten-year goal of shortening the first-action (FA) pendency to 11 months or less, i.e., the length of time it takes for the JPO to issue its first actions. Furthermore, based on deliberations conducted by the Intellectual Property Subcommittee under the Industrial Structure Council, the JPO has set a new goal,

which is to accelerate the examination process in order to shorten the “total pendency period” over the next 10 years to 14 months or less on average. In addition, the JPO has established a Subcommittee on Examination Quality Management in August 2014 for the purpose of conducting an objective evaluation of quality management for examination.

The JPO has also enhanced its cooperation with other IP Offices around the world in order to support globalized business activities. We are currently conducting Patent Prosecution Highway (PPH) programs with 30 countries/regions. This program is designed to enable applicants to acquire rights more quickly. Furthermore, under the Global Dossier Initiative, we are actively contributing to efforts aimed at linking IP Offices' systems so as to facilitate sharing information with each other on filings and examination, as well make it possible for users to access such information. We are also promoting cooperation with emerging countries such as those in the ASEAN Region, by having examiners meet and discuss their respective examination practices with each other, and thus, enable them to gain a better mutual understanding of examination. In addition, in order to advance discussions on global IP system, the JPO hosted an international symposium in July 2014 attended by the Trilateral Offices of the JPO, USPTO and EPO and the major European IP Offices and a TM5 Meeting on trademarks attended by the five IP Offices in Japan, the United States, Europe, China and Korea in December 2014, both of which were held in Tokyo. At the TM5 Meeting, agreement was reached to spin off the discussions on designs, which used to be one of the sessions of the TM5 Meetings, and make them a whole, separate, new meeting framework called the Industrial Design 5 (ID5) Meeting.

には日米欧中韓の五庁による商標五庁会合を、いずれも東京で開催しました。商標五庁会合では、これまで一つのセッションとして開催されてきた意匠についての議論を分離し、意匠五庁会合を新たに創設することに合意がなされました。

特許庁は地域を支える中小企業・ベンチャー企業への支援にも取り組んでいます。2014年度から、各都道府県に設置された「知財総合支援窓口」に弁護士や弁理士といった知的財産の専門家を配置し、知的財産に関する専門的な相談にも迅速に対応できるように体制強化を行いました。また、地域ブランドによる地域活性化の事例が増加していることに対応するため、2014年5月、地域団体商標の登録主体を拡充する法改正も行いました。

さらに、2014年3月より特許制度小委員会にて、我が国のイノベーションシステムを支える知的財産権の制度的課題に関して審議し、「世界最高の知財立国」の実現を図るべく、職務発明制度の見直しや各国の国内出願手続を統一する特許法条約及び商標法に関するシンガポール条約への加入や、特許

料金等の引下げを含む料金改定について検討し、2015年1月に、同小委員会にてとりまとめた報告書を公表したところです。引き続き、知的財産権の制度的課題につき、検討を進めてまいります。

2015年は日本で産業財産権制度が確立されてから130年であり、これまでに登録された特許の件数は米国に次ぐ約530万件に上ります。また、意匠の国際登録に関するハーグ協定のジュネーブ改正協定に加入し、「色彩」や「音」の商標を新たに保護対象とする商標法改正が施行される節目の年でもあります。これからも産業の競争力の源泉となるイノベーションが促進されるよう、またユーザーにとって知的財産制度がより活用しやすいものとなるよう、特許庁は全力を挙げて取り組んでまいります。

特許庁長官

伊藤 仁

The JPO is also working to assist SMEs/venture companies that form the backbone of economic support in local regions. Starting in FY2014, as means of enhancing its support, the JPO is assigning IP experts such as lawyers and patent attorneys to work at the JPO's "Comprehensive IP Support Service Counters" located in every prefecture, in order to provide technical consultations on IP issues more promptly. Furthermore, in response to the increasing number of cases in which regions are being revitalized by regional brands, Japan revised its law on regional collective trademarks in May 2014. After the revision, more organizations have become eligible to register regional collective trademarks.

From the perspective of making Japan the world's leading IP-based nation, the Patent System Subcommittee from March 2014 has been discussing system-related issues, which support the innovation system. For example, the Subcommittee is reviewing the Employee Invention System; Japan's accession to the Patent Law Treaty that standardizes domestic filing procedures in every country; the Singapore Treaty on the Law of Trademarks; and the scheme to revise the JPO's fee structure, which includes reducing patent annual fees. In January 2015, the Subcommittee published a report it compiled on

the issues. The Subcommittee will continue to deliberate on system-related issues concerning IP rights.

The year 2015 marks the 130th year since the industrial property system was established in Japan. The number of patents registered in Japan until now is approximately 5.3 million, second to the United States. It is also a milestone year for Japan. During 2015, Japan will accede to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs. In addition, non-traditional marks such as "colors" and "sounds" will become eligible for protection. The JPO is fully committed to implementing initiatives that promote innovation, which is the source of industrial competitiveness, and make the IP system more user-friendly.

Hitoshi Ito
Commissioner

