

# 長官挨拶

## Message from the Commissioner

世界がスピードを上げて変革する中、各企業は、競争力を高めるために、事業の選択と集中、そして海外展開を進めており、知的財産戦略も高度化・グローバル化しています。

統計情報に目を向けると、2016年の我が国における特許出願件数は318,381件と、近年漸減傾向である一方、出願年別の特許登録の割合は増加傾向にあり、知的財産戦略において量から質への転換が着実に進んでいます。また、2016年に日本国特許庁を受理官庁としたPCT国際出願は44,495件、2015年に世界全体で出願された特許出願件数は2,889千件といずれも過去最高を記録しております。

このような状況の中、特許庁は、我が国で特許を取得すれば、その審査結果が海外でも通用して、海外でも権利を速やかに取れるような「世界最速かつ最高品質の知財システム」の実現を目指しています。

その一環として、2023年度までに特許の「権利化までの期間」を平均14か月以内とすることを目指しております。加えて、我が国の審査結果を有効に活用し、各国における審査を効率的に進めるために、「特許審査ハイウェイ (PPH)」の拡充にも取り組んでおります。

With the world undergoing remarkably rapid transformation, companies are now paying closer attention to more carefully selecting and consolidating their business activities and also expanding their business operations overseas. This is to enable them to become more competitive in the global market. As a result, their IP strategies are also becoming more sophisticated and globalized.

Looking at statistical information, the number of patent applications filed with the Japan Patent Office (JPO) was 318,381 in 2016. While the number of filings have been gradually decreasing in recent years, the ratio of patent registrations by filing year has been increasing. This indicates that applicants have been steadily shifting their IP strategies from quantity to quality. In 2016, 44,495 PCT international applications were filed with the JPO as their receiving office, setting a new record high. In addition around 2.889 million patent applications were filed worldwide in 2015, which was also a record high.

Under such circumstances, the JPO has been aiming to realize the “world’s fastest and utmost quality examination in IP system” so that once applicants obtain patents in Japan, they may also be able obtain patents abroad, even smoothly, on the ground that the JPO’s examination results are used as trustworthy judgements when foreign IP Offices conduct examinations.

As a part of it, the JPO has been aiming to realize the shortening of the “total pendency” period to 14 months or less on average by FY2023. In addition, we have been working to expand the Patent Prosecution Highway (PPH) with other countries, as a means to efficiently advance examinations in other countries by making effective use of the JPO’s examination results.

The JPO has also been implementing initiatives in the area of

品質向上のための取組についても、2014年に策定した品質ポリシーに基づいて、継続して実施しております。また、2016年にも、社会情勢等の変化を踏まえて、特許・実用新案、意匠、商標の各審査基準について改訂を行いました。

海外知財関係機関との連携との観点でも、企業の海外展開の支援を強化してきました。2016年にも、特許庁で主催した第9回五大特許庁長官会合や第56回世界知的所有権機関(WIPO)加盟国総会時に開催された数々のマルチ・バイ会合等を通じて、制度や運用の調和のために議論を進めてまいりました。さらに、特許庁主催の日欧知的財産司法シンポジウム2016等を通じて、知的財産の紛争処理に関する議論を深めることにも貢献してきました。

また、2016年には、インド特許意匠商標総局、タイ知的財産局の新人特許審査官の研修に講師として特許審査官を派遣するなど、新興国・途上国に対する職員の派遣、現地の関係職員を研修生として受け入れること等を通じて、各国の適切な制度や運用の確保に向けて、協力を行ってきました。さらに、我が国で登録された特許と同様の特許の海外での早期取得、及び、海外特許庁における特許付与までの手続の負担軽減を

quality improvement, based on the quality policy formulated in March 2014. In addition, in responding to societal changes, etc., the JPO revised its Examination Guidelines for Patent, Utility Model, Design, and Trademark in 2016.

The JPO has been working on a number of initiatives with IP organizations in terms of providing more support to companies so as to enable them to expand their businesses overseas. In 2016 also, the JPO continued advancing discussions on harmonizing IP systems and practices by hosting The 9th IP5 Heads Meeting and holding various multilateral and bilateral meetings during the 56th Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO). Furthermore, the JPO has contributed to deepening discussions on IP dispute resolution by hosting the Symposium on Patent Litigation in Europe and Japan 2016, etc.

In 2016, the JPO cooperated with other IP offices to establish patent systems and operating practices suitable to their respective circumstances by sending experts to emerging and developing countries. Two examples include sending JPO patent examiners to lecture at training sessions for new patent examiners at the Office of Controller General of Patents, Designs & Trade Marks Department of India; and at the Department of Intellectual Property of Thailand. In addition, the JPO welcomed trainees from other countries, who attended training courses in Japan. Furthermore, the JPO commenced the Cooperation for facilitating Patent Grant (CPG) with the Ministry of Industry and Handicraft of Cambodia and the Department of Intellectual Property of Laos so that applicants who are rights holders of patents registered in Japan can acquire patent rights earlier for their same inventions overseas. The aim of this is to reduce workloads at foreign IP offices in terms of granting patent rights.

目的とした、特許の付与円滑化に関する協力（CPG）をカンボジア工業手工芸省、ラオス知的財産局との間で開始しました。

地域・中小企業の支援も積極的に行っていました。2015年に引き続き、2016年にも、巡回特許庁を実施し各地域における知的財産活動の強化を図ってきました。また、中小企業のグローバル展開の支援のため、海外での知財係争に備えた、海外知財訴訟費用保険制度を創設し、中小企業の掛金補助を開始しました。そして、2016年9月には、産業構造審議会での議論を経て、支援の基本指針となる「地域知財活性化行動計画」を取りまとめ公表した通り、今後とも一層の支援の強化を行ってまいります。

また、IoT、人工知能が普及する第四次産業革命では、多くのモノがインターネットにつながることで利活用可能なデータが大きく増加します。そうしたデータやその分析技術、データを活用したビジネスモデルは、重要な知的財産として、多くの企業の競争力の源泉となるほか、経済社会にイノベーションをもたらすことが期待されております。

このような背景の下、2016年10月に、特許庁が経済産業

省内の関係部局と連携し、産学の有識者で構成する「第四次産業革命を視野に入れた知財システムの在り方に関する検討会」を設置しました。本検討会では、新たな産業構造に対応する、知的財産、標準及びデータに係る制度や運用の在り方について、2017年4月に中間とりまとめを行いつつ、検討を進めてまいります。

このような特許庁の政策の成果及び統計情報をいち早く国内外へ向けて発信することを目的として、この度、『特許庁ステータスレポート2017』を発行いたします。

知的財産制度は、技術革新を産業や社会生活の変革につなげ、未来への投資を推し進める上で、ますます重要な役割を担っていきます。特許庁は、我が国の知的財産制度の更なる充実を図り、イノベーションを強化し、産業の発達に大きく貢献するため、今後とも全力を挙げて取り組んでいきます。

特許庁長官

小宮義則

The JPO has also been actively supporting local communities and SMEs. As in 2015, the JPO in 2016 also enhanced support for activities involved with IP in local communities by conducting the Circuit Japan Patent Office program. In addition, to support SMEs in expanding their businesses outside Japan, the JPO established the overseas IP litigation insurance system to be prepared for IP litigation overseas, and started subsidization of the insurance premiums for SMEs. In September 2016, after deliberations at the Industrial Structure Council ended, the JPO developed and released its "Action Plan for Regional Intellectual Property Revitalization" as a basic guideline governing its support initiatives, to which it is committed to continuously enhancing.

In the Fourth Industrial Revolution, which is driving the rise of the Internet of Things (IoT) and artificial intelligence (AI), more and more things are connected to the internet, so that the amount of usable and applicable data will increase dramatically. Such data, data analysis technologies and business models based on the data are highly expected not only to become the major source of competitive advantages for many companies, serving as important intellectual property, but also to bring about socioeconomic innovation.

Under these circumstances, the JPO, in cooperation with other relating authorities under the Ministry of Economy, Trade and Industry, set up the "Intellectual Property System Study Group for the Fourth Industrial Revolution" in October 2016, which consists of experts from industry and academia. This Study Group considers the institutional and operational ways related to IP, standardization, and data that adapt to the new industrial structure. The Study Group is scheduled to report an interim summary in April 2017.

The JPO has published this "JPO Status Report 2017", in order to promptly share its policy outcomes and statistical information to stakeholders both inside and outside Japan.

IP systems are expected to play increasingly important roles in converting technological innovations into industrial and social advances and in promoting investments for the future. The JPO will continuously do its utmost to provide an even better IP system in Japan, promote the creation of innovation, and greatly contribute to industrial growth.

小宮義則

Yoshinori Komiya  
Commissioner

