

IP Policy for Innovation

-The Case of Japan-

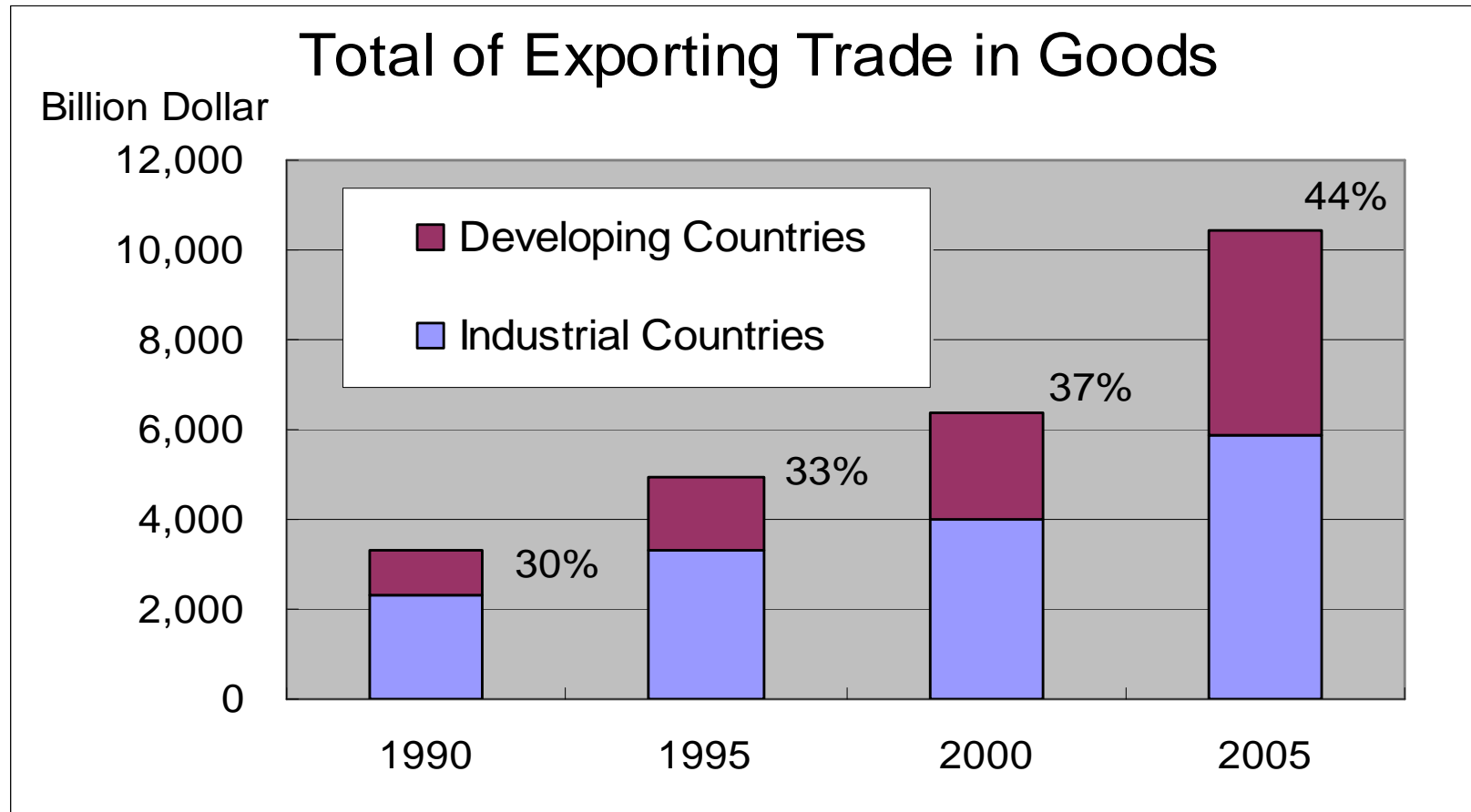
2nd Annual Global Forum on
Innovation, Creativity, and Intellectual Property
Feb. 27, 2008 – Mumbai, India

Shigeo TAKAKURA
Director General
Department of Appeals
Japan Patent Office

Summary

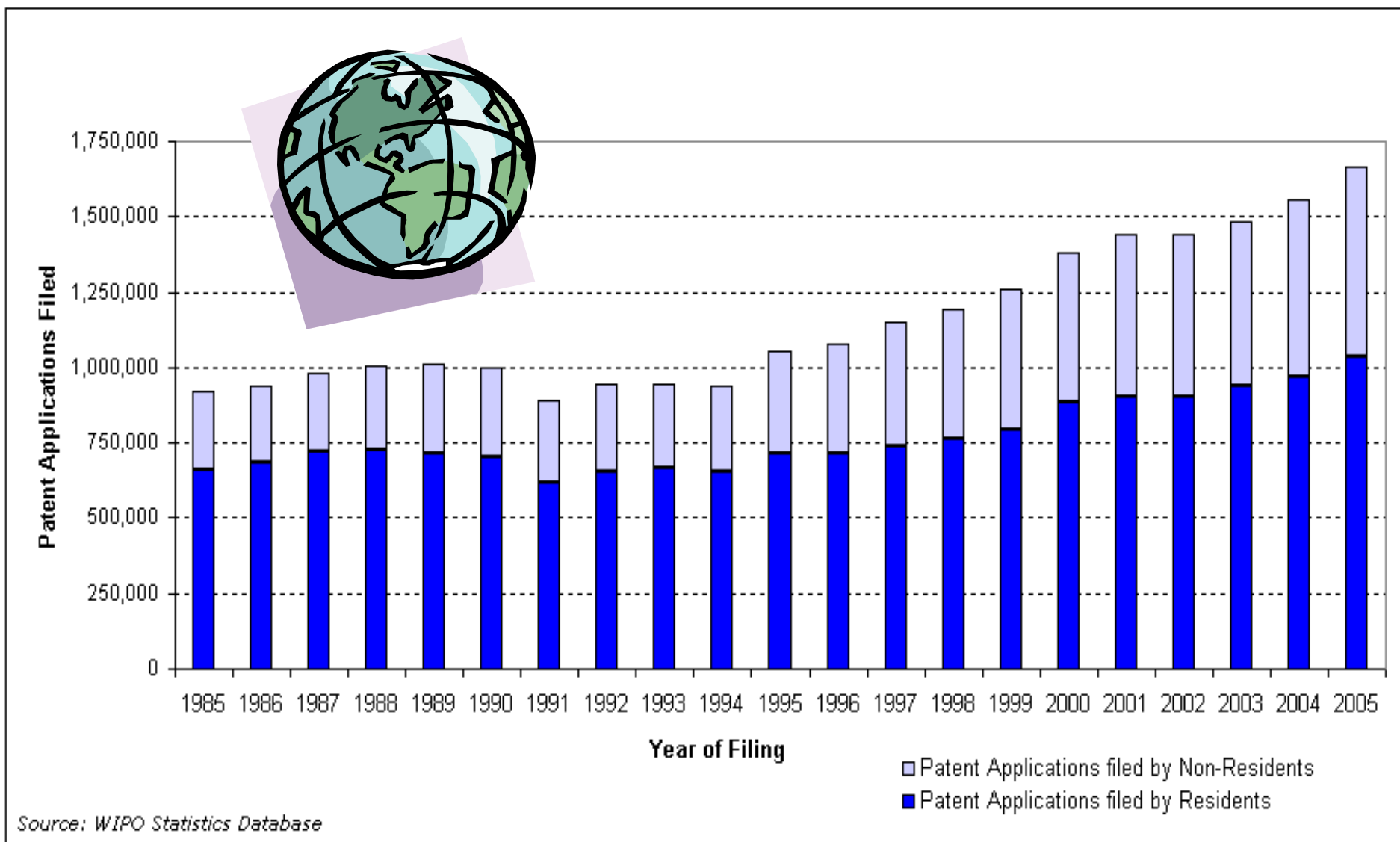
- In the global economy, IP management is a key to the competitiveness.
- Japan created IP Headquarters, and launched IP Strategic Program in 2003.
- Japan Patent Office is now coping with:
 - Systemic risk of the global patent system (sustainability of the substantive examination system),
 - Legal uncertainty of the validity of the patent, and
 - Change to open innovation from closed innovation.
- Use of IT should be maximized to accelerate work-sharing and mutual cooperation among IP offices.

Global Trend in Trade



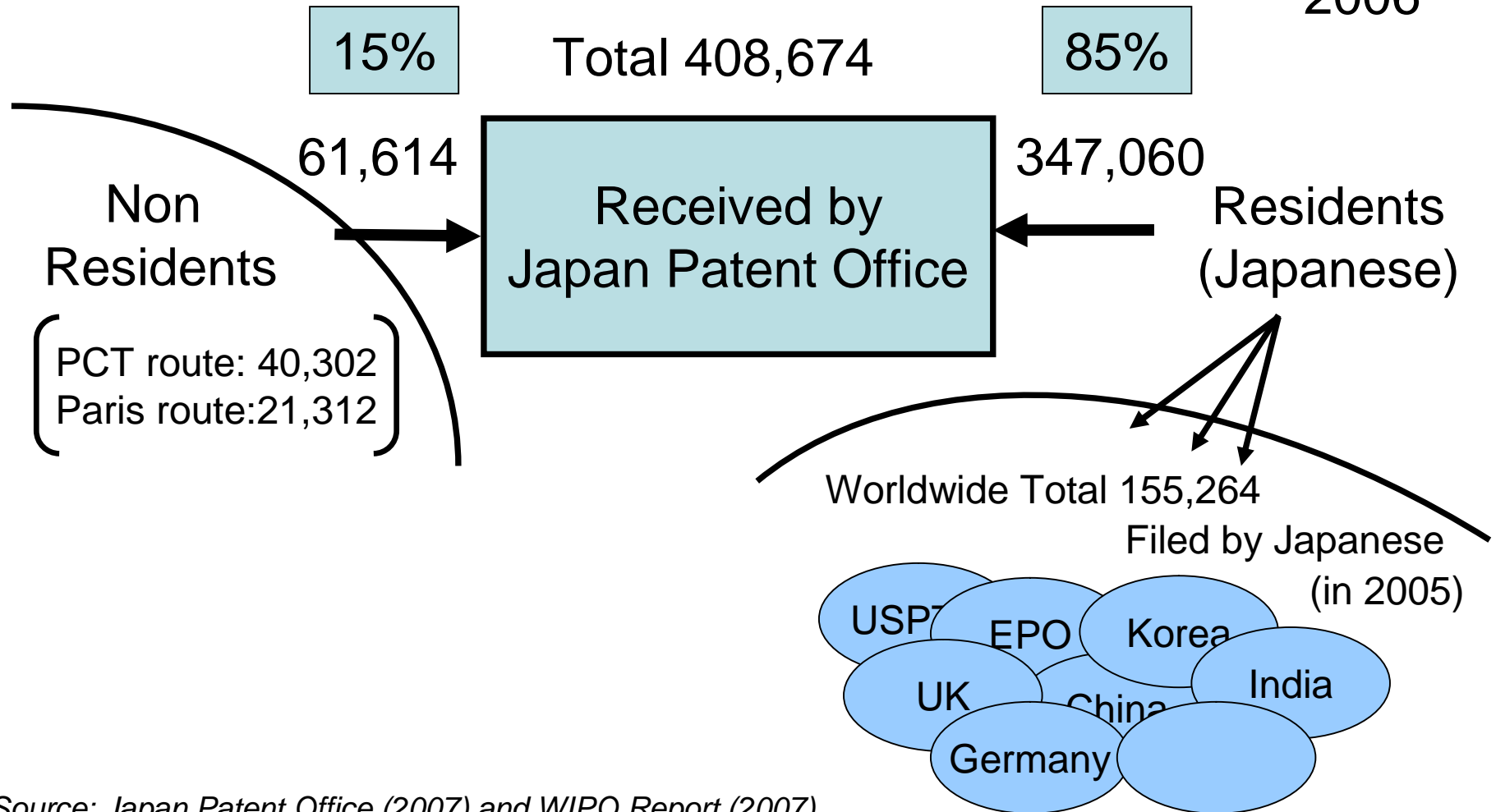
Source: Institute for International Trade and Investment

Global Trend in Patent Filings



Patent Activities in Japan

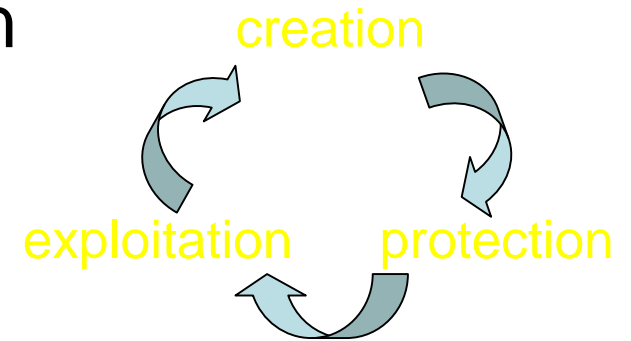
2006



Source: Japan Patent Office (2007) and WIPO Report (2007)

Japan's IP Strategy

- To Activate Creation-Protection-Exploitation Cycle for Sustainable Innovation
- IP Strategy Headquarters (2003)
 - Across-the-board nature
 - Chaired by Prime Minister
- IP Basic Law (2002)
- Annual IP Strategic Programs



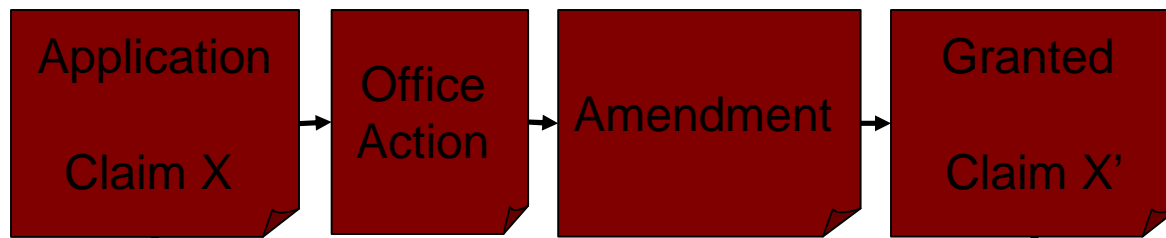
Meeting of IP Headquarters in PM's Office

Issues to be Coped with

- Sustainability of the patent system in the global economy
 - Work sharing among offices (ex. PPH)
 - Cooperation with developing countries
- Legal uncertainty of the validity of the patent
 - Increasing the predictability of patentability
 - Improving database and search engines for prior art search and making those available to the public
- Change to open innovation from closed innovation (→ see the last two slides)

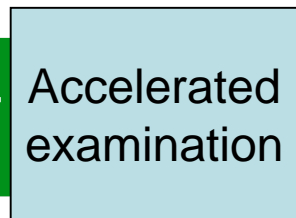
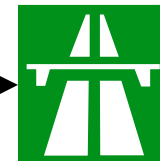
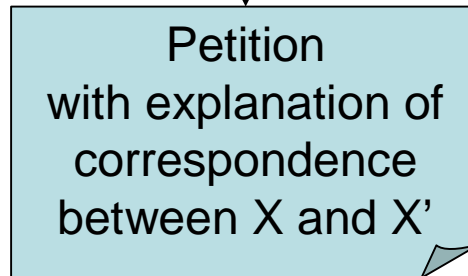
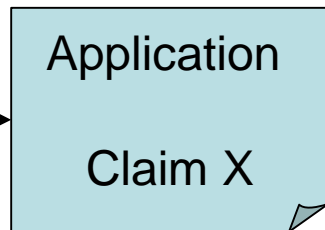
Patent Prosecution Highway

Office of First Filing



Office of Second Filing

Claiming the priority under the Paris Convention

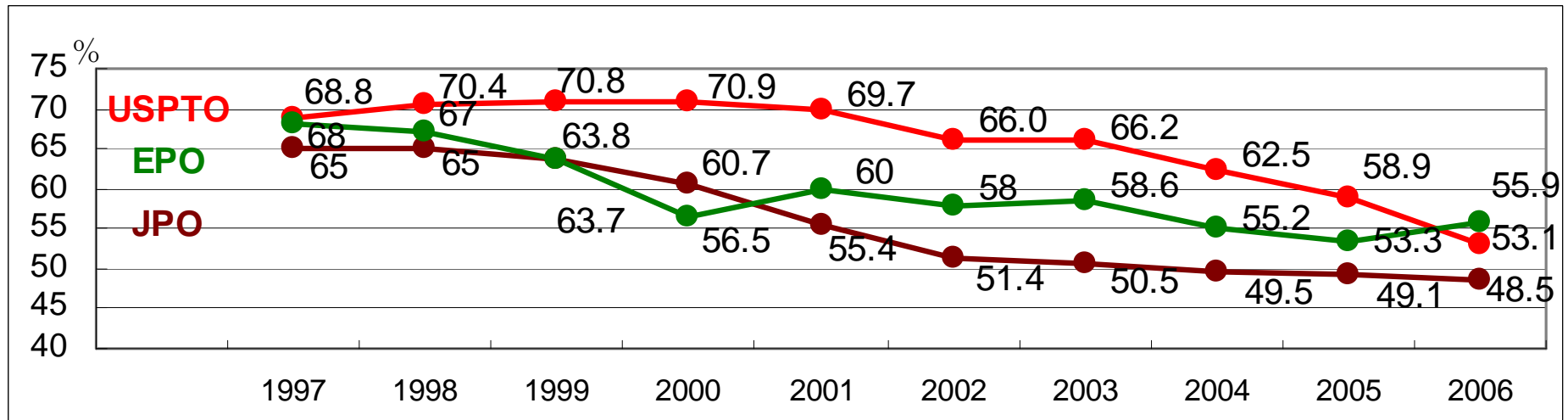


HRD Programs by Japan

- For government experts
 - Examination course
 - Administration course
 - Enforcement course
 - Information course
 - and other special courses
- For private sector experts
 - Lawyers
 - IP trainers
 - Practitioners
 - and other experts

Fiscal year	2004	2005	2006	Total 1996-2006
The number of countries	22	20	21	43
The number of participants	220	213	289	2,576

Decrease in Grant Rate

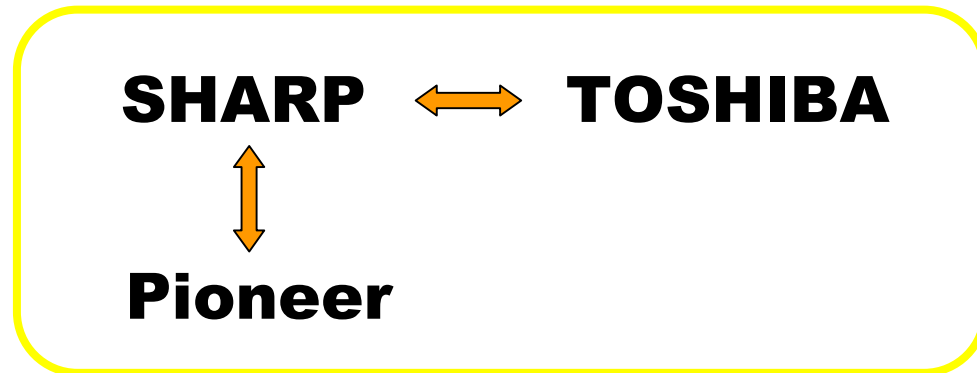
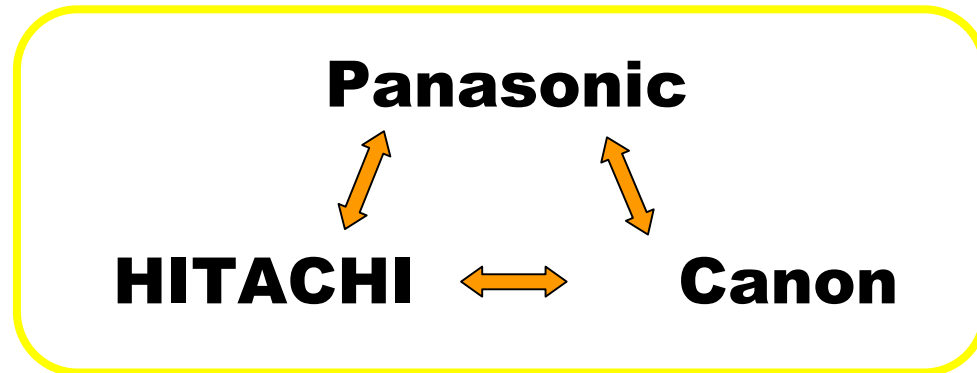


Sources: Trilateral Statistical Reports (2006)

- Why has the grant rate been decreasing ?
- What should be done to bridge a gap between examiners and applicants with respect to the understanding of requirements on patentability ?

An Example of Collaboration

LCD TVs



Sources: Nikkei Business, January 28, 2008

My view on IP for innovation

- Improve the public access to IP information.
- Facilitate R&D collaboration and IP licensing.
- Balance IP protection with technical standards.
- Encourage start-ups of IP-based entrepreneurs.

Strike a balance between IP protection and IP use in order to keep the patent system sustainable and effective for economic development.