



# IP Strategic Programme 2006

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**T**he Intellectual Property Policy Headquarters (IP Policy Headquarters), an organization within the Cabinet of Japan, decided on the Intellectual Property Strategic Program 2006 (the Programme) on June 8 2006.

In Japan, IP legislation is governed by the Ministry of Economy, Trade and Industry and the Japan Patent Office for *Patent Law*, *Trademark Law* and their Acts regarding industrial rights. The *Copyright Law* is governed by the Ministry of Education, Culture, Sports, Science and Technology. The *Seeds and Seedlings Law* is governed by the Ministry of Agriculture, Forestry and Fisheries.

The IP Policy Headquarters was established within the Cabinet in 2003 according to Article 24 of the *Basic Law on Intellectual Property* to promote intensive and deliberate measures on intellectual property. The IP Policy Headquarters has revised and published the Programme every year since 2003, which is one of the important documents by which to know Japan's legislative trends on intellectual property.

The 160-page Programme consists of five chapters:

- i) the creation of IP;
- ii) the protection of IP;
- iii) the exploitation of IP;
- iv) the efforts to create culture with the use of content, and
- v) the developing human resources and improving public awareness. The Programme lists various measures, from abstract ones to specific.

## Creation of IP

A revision of IP law will be submitted to the Ordinary Diet by 2007 to enable a discount on the patent registration fee for graduate school students in order to promote IP creation in universities. The Integrated Search System for Patents and Article Information (tentative name) will be developed in early 2007.

## Protection of IP

Patent examination at the Patent Office will be accelerated so that the waiting period from application to beginning of examination is reduced to 29 months in 2008 and down to 11 months by 2013. In order to decrease the number of just-for-protection patent applications and to promote utilization of prior user rights, guidelines will be composed in the former half of 2006<sup>1</sup>. The IP Policy Headquarters together with relevant authorities, will promote measures to improve

IP protection in the areas of agriculture and fishery. As one of the countermeasures to counterfeit goods, prohibition of private import and private possession of counterfeits will be discussed.<sup>2</sup>

## Exploitation of IP

The Fair Trade Commission will amend and publish Guidelines for Patent and Know-how Licensing Agreements under the *Antimonopoly Act* in 2006.<sup>1</sup>

## Efforts to create culture with the use of content

A bill to revise the *Copyright Law* will be submitted to the Diet in early 2006 to treat the simultaneous relay of TV broadcasting as equal to cable broadcasting under the *Copyright Law*.

## Developing human resources and improving public awareness

The Programme lists "fostering and securing of internationally viable IP specialists." in order to develop human resources and improving public awareness.

You can view the full text of the Programme on the website of the Office of the Prime Minister at [Kantei.go.jp/jp/singi/titeki2/kettei/060609keikaku.pdf](http://kantei.go.jp/jp/singi/titeki2/kettei/060609keikaku.pdf) (Japanese). An English translation of older versions is available on the website of the Secretariat of the Intellectual Property Strategy Headquarters at [lpr.go.jp/e\\_materials.html](http://lpr.go.jp/e_materials.html).

## Endnote

- 1 The full text of the current Guidelines is available at <http://hrsk.jftc.go.jp/dk/> and its English translation at <http://www.jftc.go.jp/e-page/legislation/ama/patentandknow-how.pdf>.
- 2 This guideline has already been available at [http://www.jpo.go.jp/torikumi/puresu/press\\_senshiyouken.htm](http://www.jpo.go.jp/torikumi/puresu/press_senshiyouken.htm) (Japanese).

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