

JIPA Action Plan 2016

May, 2016

JIPA SLOGAN *Creating IP Vision for the World*

The Japan Intellectual Property Association (JIPA) was founded in 1938 as a non-profit, non-governmental organization and has since grown into the world's largest IP user group.

In order to contribute to the creation of a better IP environment, we will continue studying global IP-related issues and IP policies of various countries, maintain our independent status as a private institution, and express our opinions to relevant agencies and organizations in and outside Japan, while keeping in mind our roles in society.

We would greatly appreciate our membership's continuous cooperation.

The world economy has been growing slowly and steadily thanks to the strong U.S. economy. However, due to the slowdown of the Chinese economy and the drop in the prices of oil and other resources, the risk of downward pressure on the world economy is increasing. Depending on the future of the U.S. economy, the world economy could start to slow down. The future is quite unpredictable.

The Japanese economy is under the fourth year of "*ABENOMICS*", which is a set of economic policies designed to revive the Japanese economy. This year is crucial for "*ABENOMICS*". As you know, the "three arrows" of "*ABENOMICS*" consist of an audacious monetary policy, a flexible fiscal policy, and a growth strategy that encourages private sector investment. The first and second arrows have already been released. The remaining arrow is "growth strategy," which is the key to "*ABENOMICS*". Prime Minister Abe said that the purpose of the growth strategy is to promote creative activities in the private sector and to drive borderless innovation.

One of the changes in the environment surrounding innovation, which is the key to economic growth, is closer economic collaboration, which has led to the establishment of global rules not only for goods but also for investments, international mobility of people, and IP protection. These rules would create a fair, free, equal environment for competition and would expand economic zones

and intensify global competition as a result. In order to survive and thrive in such an environment, radical innovations have never been more important than today.

There is also a change in the innovation process. Due to the advancement and complexity of recent technologies and the increase in the speed of product development, it has become difficult for a single company to develop products independently. It has become increasingly important to collaborate with other companies, universities, the national government, etc. and pursue open innovation. Such environment is expected to result in the integration of knowledge from various fields and the creation of radical innovations that will have great social impacts and create new markets.

The development of digital networks has also been causing rapid changes in terms of economy, society, etc. and has removed geographical restrictions and allowed access to a significant amount of information from anywhere in the world. Moreover, recently, we have seen the spread of a system called the "Internet of Things" (IoT), which allows us to grasp what is going on around the world on a real-time basis by connecting everything via the Internet. These recent developments are expected to lead to the creation of innovations that take advantage of these newly available technologies.

The promotion of closer economic collaboration, the spread of open innovation, and the development of digital networks as described above will rapidly transform the world into a so-called borderless society, which allows unrestricted movement of information, knowledge, technologies, funds, goods, and people. At the same time, this transformation has made us realize the limitations of the current IP-related legal systems and the implementation practices thereof, which have been developed based on the principle of territorial jurisdiction. In order to promote further innovation, it is necessary to establish a next-generation IP system.

Under these circumstances, the IP Strategic Program of this fiscal year emphasized the importance of the establishment of a next-generation IP system that is compatible with the widespread digital networks and the enhancement of IP management to pursue open innovation.

As a world-leading organization, JIPA is determined to examine issues related to IP systems and IP management from the viewpoint of the industrial sector and make proposals by using our unique strengths.

Regarding the idea that has been studied since the previous fiscal year that the IPs in Japan should be reinvigorated, we will conduct a multi-perspective examination regardless of the change in the Japanese dispute resolution system

and propose an IP reinvigoration plan that will promote the creation of innovation.

Furthermore, in order to submit such proposal and reinvigorate Japanese IPs, we will continue focusing on nurturing IP experts who can pursue and achieve the maximum potential of IPs in search of the ways to promote innovation by using IPs.

This fiscal year, we will continue using the JIPA slogan placed on the top of "*Creating IP vision for the World*" and build up a unifying JIPA in the world IP industry.

Based on the aforementioned basic strategy, in accordance with the basic policy as detailed below, we will steadily implement the Action Plan. Through the activities specified therein, we will make every effort to help JIPA members fully satisfy their social and business obligations.

I. Basic Policy

1. We will actively engage in various activities with the goal of achieving the following: refinement of Japanese IP systems, making them a model for the world and strengthening Japan's competitiveness; harmonization of the IP systems of different countries through various meetings; and improvement of the IP environment and legal framework in emerging countries, including control of counterfeit goods and pirated materials. We will also work to enhance our networks with the relevant bodies and organizations at home and abroad and take measures to expand JIPA activities outside Japan
 - (1) Strengthen activity framework
 - (2) Drive global action
 - (3) Invigorate JIPA's internal activities

2. We will work to generate IP specialists to lead Japan to the future. More specifically, we will devise training programs to develop human resources capable of addressing global IP system changes and global business operations, and provide them with opportunities to use their talents.
 - (1) Enhance the base for IP activities by developing human resources via training programs that meet the changing situation.
 - (2) Launch and keep improving training programs designed to develop human resources capable of dealing with global business and making strategic use of IPs.

3. Strive to enhance management efficiency and implement the Action Plan steadily in accordance with the JIPA slogan, thereby contributing to the IP activities of our member companies.

II. Strategic Plan to Enforce the Basic Policy

1. Organizational structure for FY2016 Actions

(1) Committees

Special Committees (3 Committees)

Comprehensive Strategy Committee,

Training Planning Committee,

Publication, Journal and Public Relations Affairs Committee,

Expert Committees (18 Committees)

First Patent, Second Patent, First International Affairs, Second International Affairs, Third International Affairs, Fourth International Affairs, Pharmaceuticals and Biotechnology, Software, Copyright, First IP Management, Second IP Management, IP Information System, IP Information Search, First License, Second License, Industrial Design, Trademark, and Fair Trade committees

(2) Policy Projects (7PJs)

Asia PJ, Japan-China Corporate Cooperation PJ, International Policy PJ, JIPA IP Symposium PJ, WIPO PJ, IP Activation PJ, Next Generation Contents PJ

(3) Others

In order to deal with various unexpected issues related to IP systems in a flexible manner, JIPA is willing to make organizational changes even in the middle of the term, such as establishing a new committee or study group.

2. Specific Measures

(1) Reinvigorate JIPA activities

We will review the existing projects and the 3 abolished projects, and the newly created projects for 2 topics respectively that are attracting attention recently in order to reinvigorate JIPA activities.

One of those new projects is designed to hold symposiums for business managers and devise other measures in order to raise Japanese companies' awareness of the importance of the global use of IPs. The other new project concerns new-generation content policies established in order to devise

appropriate systems and policies for new-generation content that has been examined by the national government in connection with the issue of copyrights.

On the other hand, the projects that have been abolished include the project concerning the newly introduced systems of employee inventions and trade secrets, and the projects concerning economic collaboration about which the TPP negotiations have ended. These projects have been abolished, while some of the officers in charge of the projects have remained. Future developments related to any of the abolished projects will be monitored by relevant officers and relevant expert committees.

Furthermore, according to "(3) Others" of the aforementioned "1. FY 2016 Activity Framework," in order to closely monitor the issues in and outside Japan with regard to IP systems and to present opinions or propose policies if necessary, study groups will be established, when necessary, under the supervision of the president or the executive managing director of JIPA.

(2) Promotion global actions

(i) International policy action to harmonize patent systems

- Continue to hold the Trilateral Users Conference and present concrete proposals to the trilateral IP offices (JPO, USPTO, and EPO) and conduct activities to promote patent system harmonization in a manner beneficial to user companies in cooperation with five IP offices including the patent offices of China and South Korea (SIPO and KIPO).
- Continue to hold the periodic presidential-level "Quality Meeting" with the EPO in order to exchange opinions about the quality of EPO examination.
- Participate in WIPO's Standing Committee on the Law of Patents (SCP) and offer opinions on IP system harmonization from a strategic and policy perspective.
- Consider and request the future establishment of a regional patent system in Asia and get involved in the Asian countries' effort to establish and reform domestic IP systems, propose the content of the IP-related chapter of an Economic Partnership Agreement or request improvement in the manner of implementation thereof to any country or region not limited to Asia as the first step toward negotiations about inclusion or revision of such chapter in said agreement.

(ii) Other global action

- Continue to hold the Japan-China Corporate Cooperation Conference

China is rapidly improving its IP capabilities. We have made great efforts to establish and successfully maintain an infrastructure to share information with Chinese companies. We will use this infrastructure to obtain accurate IP-related information about China and try to create an environment where member companies can smoothly conduct business in the Chinese market.

In this fiscal year, one of the three venues for meeting, namely, Beijing, Shanghai, and Guangzhou, will be replaced with a Japanese city so that member companies can directly learn about the IP systems, etc. of Chinese companies. We will make further efforts to implement this system of three-city meetings in a more efficient and effective manner.

- Promotion of anti-counterfeiting/piracy action

Seek and promote more effective anti-counterfeiting activities by use of connections with the central and local governments of China as the coordinator of the First Project in the International Intellectual Property Protection Forum (IIPPF) jointly with relevant government agencies such as the Office for Intellectual Property Right Infringement and International Trade.

- (iii) Cooperation with WIPO for globalization of IP systems

Cooperate with WIPO to increase the number of cases where the WIPO GREEN database is utilized, analyze various obstacles to the spread of WIPO's international IP systems, such as the issues related to the geographical indication system and the IP system to protect genetic resources and traditional knowledge, and devise and propose countermeasures.

- (3) Invigorate JIPA's internal activities (Expert Committees, Policy Projects, etc.)

- (i) Research on the future IP vision for 2020

Continue researching, at the Comprehensive Strategy Committee and the Board of Advisers, general issues such as the issue as to what strategy Japan should adopt in light of global IP trends, more specifically, determine JIPA's approach to IP rights to deal with new problems including the emergence of non-practicing entities (NPEs) and also on JIPA's organizational issues such as the issue as to how to revitalize JIPA's regional organizations.

- (ii) Provision and Improvement of updated IP information on emerging countries

Continue to send delegations to emerging countries of increasing international business importance, collect information on IP issues that Japanese companies need to address, and provide such information to JIPA

members.

(iii) Support regional memberships of their IP activities

Continue to promote activities of the Chugoku, Shikoku, and Kyushu Region Councils established for JIPA members in regional areas and the JIPA IP Forum Kansai, etc. and discuss a system to provide further support to regional IP activities this fiscal year.

(iv) Enhancement of public relations activities

- Continue to publish an English newsletter "Newsletter – IP Message from Japan -" and to open an English website.
- Continue to actively exchange opinions and information this fiscal year with the Japan Patent Office, courts, and various Japanese and overseas organizations while disseminating useful information via JIPA's magazine titled Chizai Kanri, JIPA's website, and other media.
- Hold the JIPA IP Symposium on January 31, 2017, at the Tokyo International Forum

(4) Human resources development

(i) Develop IP human resources at the JIPA member companies which constitute our foundation, enabling them to adapt to changing times and systems

- Encourage not only IP personnel but also a wide range of personnel at member companies—including engineers in general, sales personnel, and legal and administrative personnel—to acquire basic IP knowledge in order to improve the overall IP capabilities of member companies.
- Provide training programs designed to teach basic knowledge and a wide range of skills required by IP businesses, thereby improving the competence of member companies' IP personnel to develop IP human resources capable of actively addressing changes in the business environment and in IP systems.
- Continue to consistently hold seminars to contribute to the development of JIPA's human and financial foundations.

(ii) Development of global IP leaders, etc.

Design and implement human resources development programs as soon as possible to foster future global IP leaders and IP experts who can utilize IP strategically, while upgrading the existing global training courses such as overseas training courses.

(iii) Combining IP knowledge and corporate management skills

- Raise the IP awareness of top executives
- Enhance the training programs to nurture IP experts with the sense of corporate management (the training program to nurture leaders of IP reform and the training program to nurture IP strategy staff) and also improve the general training programs (for IP managers).

(5) Improvement of JIPA's governing structure

(i) Review and update JIPA's regulations, manuals, etc.

- Continue to revise and maintain JIPA's regulations, manuals, etc.

(ii) Strengthen the capacity of the JIPA Secretariat and the secretariat support system

- Continue to establish and improve the necessary systems as a general incorporated association in order to cooperate with external experts such as lawyers and industrial physicians versed in labor management.
- Secure human resources capable of handling various global issues and supporting JIPA's activities

After JIPA's incorporation, it has become increasingly important for JIPA to express its opinions both domestically and internationally. Therefore, it is necessary to clarify the missions of such global human resources (networking with overseas IP government agencies and various private organizations, managing logistics, supporting the formation of opinions in policy projects, etc.) and to continuously build a system to accept competent human resources from both member companies and non-member companies.