

## The Third JIPA Intellectual Property Symposium

On February 24 2004, the 3rd JIPA Intellectual Property Symposium was held at the Tokyo Big Sight. The main theme of the symposium was “How Should Litigation on Intellectual Property Be?” The discussion went from the viewpoint of “How to Change Litigation on Intellectual Property with the Stream of Reform of Judicial System”. The symposium gathered about 1000 audience.

### **The outline of the program was as follows:**

10:45 ~ 11:45 Keynote Lecture



“The Management Strategy and Intellectual Property Strategy of Honda”

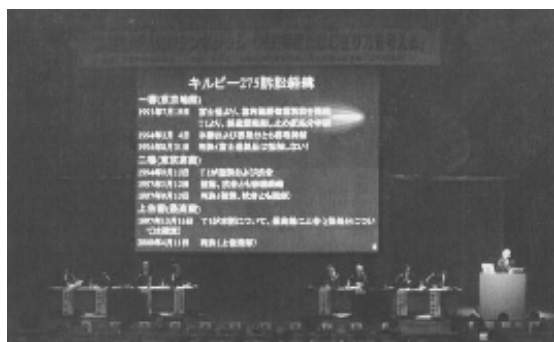
Mr. Hiroyuki Yoshino Director and Advisor of Honda Motor Co., Ltd.

13:00 ~ 14:30 Lectures

“ Current Situation of and Legal Problems on Litigation on Intellectual Property in each Country”

- Mr. Dee V. Benson, Judge of Federal District in Utah, USA
- Sir Hugh Laddie, Judge of the Patent Court, UK
- Mr. Toshiaki Iimura, Judge of Tokyo District Court, JAPAN

15:00 ~ 17:00 Panel Discussion



“Speedy and Proper Litigation on Intellectual Property”:

- 1) One time resolution of dispute in the court (especially decision of the validity of patent right)
- 2) Enlargement of procedure for gathering evidences (including protection of trade secret)
- 3) Role of the court which carries out the trial about intellectual property specially

### Coordinator:

Mr. Isamu Sojyo, Executive Managing Director of JIPA

### Panelists:

- Mr. Dee V. Benson, Judge of Federal District in Utah, USA
- Sir Hugh Laddie, Judge of the Patent Court, UK
- Mr. Toshiaki Iimura, Judge of Tokyo District Court, Japan
- Mr. Kazuaki Yamashita, Judge of Tokyo High Court, Japan
- Mr. John T. Johnson, AIPLA, USA ( Patent Attorney, Fish & Richardson P.C. )
- Mr. Thierry Sueur, UNICE, EU ( Vice President, Intellectual Property and Vice President, European & International Affairs of AIR LIQUIDE )
- Mr. Sadakazu Igeta, Senior Executive Managing of Fujitsu Techno Research Ltd., Japan



**The main utterances were as follows:**

- 1) Industry desires that the infringement and validity of a patent right are judged simultaneously.
- 2) A judge who is knowledgeable on both law and technology should handle intellectual property lawsuit swiftly and accurately.
- 3) In Japan, the Intellectual Property High Court is established in Tokyo High Court.
- 4) In USA and UK, tremendous amount of time and money for trial has been a problem.
- 5) In the Markman case, the Supreme Court concluded that the judges should determine the interpretation of claims. This means there will be no need for a jury trial.
- 6) In UK, discovery system was reformed 5 years ago.

