

Survey and Research Themes of FY2001 Expert Committees

I. The First Patent Committee

1. Proposals regarding ideal patent systems for responding to “Information Technology (IT) Era”
 - (1) Current status regarding “publicly known” aspects of the Internet and related problem points
 - (2) New subjects for rights within IT technologies and methods of enforcing such rights
 - (3) Study concerning patent system innovations towards trilateral cooperation and harmonization on a global scale
2. Proposals regarding quality improvements within patent applications and examinations
 - (1) Study and proposals concerning patent law amendments, corrections of examination standards and collection of examination precedents
 - (2) Problem points of patent systems as extracted from recent appeal and trial decisions
 - (3) Study and proposals concerning policies for improving the clarity of inventions and claims and the transparency of examinations

II. The Second Patent Committee

1. Proposals regarding patent litigation systems
 - (1) Study and proposals concerning judicial system reform (patent court, trial system of patent invalidation, etc.)
2. Comparison between courts and the Patent office regarding the granting of rights and the interpretation of rights (requirements for patentability, scope of rights, etc.)
3. Recent problems concerning rights enforcement (ways of considering indirect infringement, implied license, etc.)

III. The First International Affairs Committee

1. Responses to patent-related treaties (including the determination of policies in response to PCT reforms, the PIX, etc.)
2. Monitoring of trends in the amended U.S. patent law, and survey and research on appropriate responses by Japanese companies
3. Survey and research regarding case precedents within U.S. (equivalent theory, etc.)

IV. The Second International Affairs Committee

1. Proposals towards the construction of a global intellectual property users’ alliance (tie-ups with intellectual property-related groups and organizations within each country)
2. Monitoring the trends in EPC amendments and EC patents, and survey and research regarding on appropriate responses by Japanese companies
3. Monitoring the trends in patent right infringement cases occurring within European countries, and survey and research case precedents

V. The Third International Affairs Committee

1. Fostering a movement towards the construction of a global patent system

2. Survey and research regarding the operation of patent systems within Asian countries (chiefly focusing on needs and desires concerning the actual current status of examinations)
3. Survey and research regarding appropriate responses to patent right infringement cases that occur within Asian countries

VI. Biotechnology Committee

1. Proposals regarding quality improvements in biotechnology applications, examination, and rights protection, and to harmonize them
 - (1) Comparison of trial decisions within the biotechnology field made by the trilateral patent offices, and the extraction therefrom of recent intellectual property-related issues and problems
 - (2) The granting of rights for inventions within the biotechnology field, and methods of enforcing such rights

VII. Software Committee

1. Legal protection of computer software (patents, copyrights, trade secrets, etc.)
 - (1) Survey and research regarding the granting of patent rights for software-related inventions
 - (2) Survey and research regarding the enforcement of software-related patent rights, and related proposals to the Japan Patent Office, etc.
 - (3) Survey and research regarding the copyright of computer programs, the protection of such programs through trade secrets, etc., and related licensing
 - (4) Survey and research towards more complete prior precedents related to software and business method inventions, and related proposals to concerned government ministries and agencies
2. Legal protection of business methods (applications, examinations)
 - (1) Survey and research regarding the granting of patent rights for business methods, and related proposals to the Patent Office
 - (2) Survey and research regarding the enforcement of business method-related patent rights, and related proposals to the Patent Office, etc.

VIII. Digital Contents Committee

1. Review of the amended Copyright Law, etc.
2. Survey and research regarding trends in the legal amendments of the Copyright Law, etc.
3. Survey and research regarding handling guidelines for contents and software within the Antimonopoly Law
4. Research of case precedents regarding copyrights and electronic commercial transactions
5. Issue a document on questions and answers (Q&A) regarding copyrights in today's digital environment

IX. The First Intellectual Property Management Committee

1. Proposals regarding methods of intellectual property management under consolidated management systems (including in regards to the independence of intellectual property functions, etc.)
2. Proposals for reducing patent-related costs (including the use of machine translations, etc.)
3. Knowledge management and intellectual property
4. Survey the actual current status of intellectual property management (FY 2001 version)

X. The Second Intellectual Property Management Committee

1. Ideal methods for intellectual property division engagement/participation in creative activities and business activities, and evaluation thereof
2. Research concerning patent portfolio management
3. Proposals regarding ideal intellectual property systems for the 21st century

XI. Intellectual Property Information System Committee

Study the intellectual property information systems easy to use for business activities, and related proposals

1. Study the “paperless” systems at patent offices, and related proposals
 - (1) Next-generation “paperless” systems
 - (2) “Paperless” manuscript systems
 - (3) Survey current status of “paperless” systems in various countries and organization
2. Investigation of standard-type functions of next-generation management systems and information systems within private companies, and related proposals
 - (1) Effective use of arranged and standardized SGML and XML data provided by patent offices
 - (2) Electronic data usage methods, and standard-type functions of systems

XII. Intellectual Property Information Search Committee

Study policies for private companies to effectively use intellectual property information, and related proposals

1. Study commercial databases, and related proposals
 - (1) Investigation of patent search manuals (chiefly based on an overseas survey)
 - (2) Research concerning methods of obtaining information for making rights-related decisions (including an investigation of patent evaluation methods)
 - (3) Investigation of collections used for search system evaluations
 - (4) Investigation of the functions of next-generation commercial databases (including a comparative study of search functions, and research on effective usage methods from the perspective of end-users)
2. Study databases of patent offices, and related proposals
 - (1) Research regarding patent information services provided by the patent offices of each country (all-aspect disclosures and methods of actively using such)
 - (2) Study examination methods of examiners at the trilateral (and WIPO member) patent offices

XIII. License Committee

1. Survey and research concerning licensing regulations in Asian countries, and promotion of reforms (Continued study)
2. Survey and research concerning computation of royalties (Continued study)
3. Company reorganizations and licensing prowess (Continued study)
4. Issues and problems of delegated researches, joint researches, licensing agreements, etc., involving national governments, research organizations, and universities (Continued study)
5. Commercial acts that occur in “cyberspace” and licenses (New study)
6. Investigation of various agreements for realizing business schemes that include a license (New study)
7. Recent trends regarding the Antimonopoly Act and licensing agreements (continued study)
8. Technical standardization and licenses (Continued study)

XIV. Design Committee

1. Research on design application strategies for the active use of part designs
2. Research towards an expansion of design protection
3. Research regarding design systems within Asia as well as response strategies against copies/imitations within Asia

XV. Trademark Committee

1. Follow-up on the Madrid Protocol
2. Survey and research towards actual and practical harmonization
3. Study product and service classifications and classification comparisons
4. Survey and study regarding examination trends
5. Survey and study regarding figure classifications
6. Study regarding trademark problems in the Internet
7. Responses to the WIPO SCT
8. Survey and study regarding overseas trademark systems

XVI. Fair Trade Committee

1. Alliance Project for response strategies against the counterfeits in Asia
2. Study on problems about Information Technology (IT) under the Unfair Competition Prevention Law
3. Survey and research regarding issues/problems in Japanese court cases involving the Unfair Competition Prevention Law

XVII. Publication and Public Affairs Committee

1. Examine whether the manuscripts meet the quality for JIPA's monthly bulletin "*CHIZAI KANRI*" (Intellectual Property Management)
2. Consider releasing 12 issues of "*CHIZAIRANRI*" in one CD-ROM
3. Study regarding the publication of an English-language version of "*CHIZAIRANRI*"
4. Publicity activities (JIPA News, JIPA Internet Home Page, press releases and reports)
5. Release of a CD-ROM version of "Judicial Precedence"
6. Planning regarding "Q&A"
7. Manuscript planning
8. Planning of the "Case Law and Practice" Series
9. Follow-up on the "Case Law and Study" Series
10. General manuscript planning

XVIII. Training Committee

1. Operate training courses
2. Reflect opinions of members concerning training
3. Draw a mid- and long-term vision for training appropriate for the 21st century
4. Regularize lecture courses for technical leaders experimental holding of lecture courses on IP related law for business practitioners
5. Plan and Operate overseas training courses
6. Shore up and strengthen the committee activities

XIX. General Affairs and Planning Committee

1. Study concerning inquiry particulars requested from the JIPA President