

---

## *REQUESTS OR OPINIONS*

---

To: Mr. Shinjiro Ono  
Deputy Commissioner  
of the Japanese Patent Office

August 8, 2002

Masahiro Ezaki  
President  
Japan Intellectual Property Association

### Requests on Patent Information Policy - As to expansion of IPDL function - \*

Dear Mr. Ono,

In relation to the newly formed General Principles of Intellectual Property Strategies which called for establishment of “intellectual property-based nation,” we need to “reinforce industrial competitiveness” and “establish a cycle of intellectual creation” based on the cooperation between the industry and the academic.

In addition, patent information plays quite a significant role in promoting “utilization of patent information in research and development activities” and “establishment of infrastructure for intellectual property information search” as indicated in the General Principles.

Patent search is essential to know the technical level and thus desired to be developed to a user-friendly search tool.

Japanese patent information policy, however, is obviously less developed in terms of search tools than that of U.S., European or Korean system.

To be more specific, Intellectual Property Data Library (IPDL) is less useful, though contains an enormous amount of data, for thematic search and technical analysis because it does not cover the text data of published publication prior to introduction of electronic application system. In respect of functions, available search methods and responses cannot be said as good enough.

IDPL originally started as “inspection system” of patent information, and has expanded its searching functions to meet the needs of the public basically anticipating the “standard use by the public,” as a result of which it in fact plays an important role as “search system.”

Accordingly, we believe that many users will be able to benefit from the system if its usability and performance is improved under the governmental policy, through further expansion of functions, while mere improvement in accessibility and speed of responses, that is to say, a kind of maintenance of status quo, will reinforce the vicious circle.

We fear that Japan will be left behind in the world if no measures are taken, and thus believe that IDPL should be expanded its functions as soon as possible to play an important role in building “intellectual property-based nation.” Based on the foregoing, we hereby request the following measures.

---

\* “CHIZAI KANRI” (Intellectual Property Management) Vol.52, No.9, pp.1417-1419 (2002)

(1) Addition of Text Data of Past Patent Laid-open Gazettes

Those engaged in research and development mainly conduct key-term search. Addition of the text data will allow them to easily conduct patent search and technical analysis with a specific purpose, contributing to the “reinforcement of industrial competitiveness” and “establishment of a cycle of intellectual creation.”

Volume of text data stored at IDPL is significantly smaller than that at USPTO, EPO or Korean Patent Office though text data of statutory patent laid-open gazettes constitutes the basic part of the patent information.

We request early digitalization of a significant amount of statutory patent laid-open gazettes as it is believed to be worth encouraged under governmental policy.

In addition, distribution of such data at a sophisticated price covering the marginal cost will further enhance utilization of Japanese patent information.

In this respect, we made the same request last year and hereby make a repeated request as we believe that it should be given a high priority.

(2) Addition of “Legal Status Data of Old Applications” and “File Wrapper Data”

We request to add to the basic patent information service and make publicly available the “legal status data of old applications” and “file wrapper data,” which is common at U.S. and European patent offices.

(3) Improvement in Search Functions and Usability

We request to expand search functions to allow efficient search and improve accessibility to ensure high-speed search so that the Japanese patent information services will be useful as those provided by foreign patent offices including U.S. and European patent offices.

(4) Target Users

We request not to make limitations on use by the types of users such as business entities and organizations, other than universities, small- and medium-sized ventures, because the system should be equally accessible to each national public to realize the intellectual property-based nation.

However, we believe that it is unavoidable to make certain limitations on certain individuals to ensure the fairness who use the system in the way not normally anticipated.

**[Appendix]**

“Patent Information Services (Internet Publication Services) Provided by Trilateral Patent Offices and Korea (KIPI)”

[APPENDIX]

August 8, 2002  
Japan Intellectual Property Association

General Principles of Intellectual Property Strategies  
Establishment of “Intellectual Property-based Nation” Based on the Cooperation between the Industry and the Academic  
Reinforcement of Industrial Competitiveness Utilizing Intellectual Property  
Formation of Intellectual Property Creation Cycle

Importance of Intellectual Property Information Policy and Measures

Patent Information Services (Internet Publication Services) Provided by Trilateral Patent Offices and Korea (KIPI)

	Japan Patent Office	U.S. Patent and Trademark Office	European Patent Office	Korea Intellectual Property Institution
Search Subjects	Title of invention; abstract; claim	Title of invention; abstract; Full text of specifications	Title of invention and; abstract;	Title of invention; abstract; claim
Collection Period	1993 -	1976 -	1978 -	1947 -
Full Text Collection Period	1993 -	1976 -	1978 -	1947 -
Others	English database (PAJ) is available for search and retrieval for collection in and after 1976 while Japanese database in and after 1993.	—	Data of more than fifty countries are collected.	Working language: Korean
Legal Status	Collection Period April 1998 and thereafter	Around 1980 and thereafter	1978 and thereafter	1947 and thereafter
File Wrapper (Prosecution History) Inspection	File wrapper inspection on website	×	○	○
	Note	—	File wrapper copy may be downloaded To the extent of applications in 1998 and thereafter or those to which opposition was filed on or after June 15 2002.	All cases including file wrappers of old applications become available from 2003.

- (Note) File wrapper: document produced during the prosecution of applications which contains Official Action and applicant's opinion.
- European Patent Office has digitalized all applications and U.S. Patent and Trademark Office has digitalized all publication information in and after 1976. All text have digitalized in Korea since 1947.
  - IPDL of Japanese Patent Office provides services of which collection/ retrievable period for the Japanese text, namely in native languages, is shorter than that for English translation text, a foreign language.
  - Legal status is collected for all applications at European Patent Office and for those filed around 1980 and thereafter at U.S. Patent and Trademark Office, both of which are longer than the collection period at Japan Patent Office.
  - European Patent Office and Korea discloses file wrapper on the websites. Korea especially will make file wrappers of old applications available in 2003.