

Tentative Vision for the Training Activities of JIPA* —Grooming an IP Talent Pool—

Training Planning Committee

(Abstract)

Over the eight years since the Japan Intellectual Property Association (below: “JIPA”) formulated its the Middle and Long Range Visions of Training Activities of JIPA¹⁾ in December 1996, the circumstances surrounding intellectual property (IP) have significantly changed, and the number of persons taking related courses has also dramatically increased. The Training Planning Committee (below: “Committee”) is consequently preparing to formulate a new Middle and Long Range Visions.

This report summarizes, as references, matters discussed within the Committee as well as exchange of opinions with other expert committees of JIPA and opinions of experts, and introduces the tentative vision for the training activities of JIPA in consideration of the need to groom an IP talent pool, desired education methods and constraints that need to be overcome.

In addition, this report emphasizes curriculum restructuring as an important and urgent task in the tentative vision for the training activities of JIPA, and discusses the necessity of curriculum restructuring and the desirable concept thereof.

This report finally introduces the concept and part of the content of “Training to Change Leaders in Intellectual Property,” which in advance puts into practice part of the Middle and Long Range Visions.

For the purpose of formulating new Middle and Long Range Visions, we would like to use this report as an opportunity to invite a wide range of constructive criticism from persons involved in training as well as JIPA members.

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<ol style="list-style-type: none"> 1. Present Situation of Training Activities of JIPA <ol style="list-style-type: none"> 1.1 History and Composition of the Committee <p style="margin-left: 40px;">The Committee changed its name from the Training Committee to the Training Planning Committee in fiscal 2003 and has become dedicated to planning and reorganizing training</p> |
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courses. Meanwhile, the management of workshops is completely consigned to the Training & Educational Staff (below: T&E Staff), which was formed from experienced retirees of member companies. The Training Group of the JIPA Secretariat conducts overall management.

The First Subcommittee (Kanto area) and the Second Subcommittee (Kansai and Tokai areas) of the Committee reorganize existing training courses (in terms of curriculum, lecturers and texts) and plan themes for special one-off training courses, while the Third Subcommittee is mainly responsible for planning new courses and the formulation of Middle and Long Range Visions. Furthermore, working groups are also established beyond the boundaries of subcommittees to conduct a variety of related activities.

The Committee infiscal 2004 and has consists of 37 members: one chairman, two acting chairmen, 17 members of the First Subcommittee (one subcommittee chairman who also serves as the acting chairman of the committee, one assistant subcommittee chairman, three vice-chairmen, and ten members), 15 members of the Second Subcommittee (one subcommittee chairman, four vice-chairmen, and ten members), and 5 members of the Third Subcommittee (one subcommittee chairman, two assistant subcommittee chairmen, one vice-chairman and one member).

The Secretariat's Training Group consists of seven members (five in Tokyo and two in Osaka) and the T&E Staff of 18 members, specifically, eight members in the First Operation Team (in charge of Kanto area) and ten members in the Second Operation Team (in charge of Kansai and Tokai areas).

1.2 Workshops

With respect to workshops in fiscal 2003, 162 persons considered an authority in their field were received as lecturers. Sixty-eight regular courses were set up in total, specifically, 35 courses in Kanto, 27 courses in Kansai, and 6 courses in Tokai, and 13,237 persons participated in these courses. Timely themes were dealt with in special one-off courses, and 17 such courses were set up with 3,682 participants. A total of 16,919 persons participated in these courses. In this way, training activities of JIPA

are unparalleled in the world in both qualitative and quantitative terms.

This seems to largely stem from the long-time members' understanding of and cooperation with JIPA, in addition to their deeper interest in IP and increased importance of education due to changes in the social environment surrounding IP.

However, since training in this field covers a broad range, it is not sufficient to modify individual training courses and it is necessary to drastically review the training system itself. JIPA has made efforts to match participants' expectations for training with the content of training by monitoring individual courses in the conventional training activities. However, for example, while Courses A (introductory) and B (elementary) were originally intended for those who are new to the IP area, participants from non-IP areas in fact account for 80% and 50% of total participants, respectively, and there has been a mismatch between the kind of participants expected to participate in the courses and those that actually do so. Moreover, for Courses C to E (intermediate and advanced), training programs have been created for IP-related specialists with the aim of further deepening their expertise, but even in these courses, the number of participants from non-IP areas has been increasing every year. Moreover, as the IP sector has come to play a more important role in each company, it has become more necessary to enhance the expertise of the specialists. However, it is hard to conclude that the current training programs fully respond to this need. In particular, the conventional knowledge transfer-based training is insufficient for some parts of the training programs for specialists, so training methods must be considered in addition to the training content.

1.3 Toward the Formulation of Middle and Long Range Visions and Curriculum Restructuring

The Committee is holding discussions to promote the formulation of Middle and Long Range Visions and curriculum restructuring for the purpose of solving problems in training activities of JIPA.

More than eight years have passed since the previous Middle and Long Range Visions

were established. During this period, the circumstances surrounding IP have significantly changed and the number of participants in training courses has dramatically increased from 10,000 to 17,000 due to expansion in the number of supporting members. Consequently, there is great significance in formulating new Middle and Long Range Visions using new perspectives, and the new Middle and Long Range Visions will be formulated in fiscal 2005. Curriculum restructuring will implement measures contained in the Middle and Long Range Visions, and it is regarded as an urgent task and has been promoted in parallel with the formulation of the new visions. We would like to put curriculum restructuring into practice wherever possible.

2. Formulation of Middle and Long Range Visions

2.1 Perception of the Times

Moves toward a globally-integrated market economy (globalization) have advanced rapidly since the destruction of the Iron Curtain, while the transition from an industrial society to a knowledge-based society has dramatically progressed, as pointed out by Peter F. Drucker. Reflecting these trends of the times is a transition from an economic era when goods necessary for consumers sell well to an era when goods that are valuable for consumers (non-necessity economy)²⁾ sell well. In other words, the source that makes individual goods valuable to consumers is knowledge created by humans itself, and knowledge now plays a more important role than ever. Although making Japan a nation built on intellectual property is now advocated as a means of bringing about an economic rebound, this is also considered to be a natural response in light of the above-mentioned trends of the times, which has been only rather belatedly noticed.

Amid such trends, IP strategy has become important for each member company, but an IP strategy cannot be established in isolation and should be thoroughly discussed in the contexts of business strategy and technology strategy. An IP division head is expected to play the role of developing and actively proposing IP strategies for the company's individual businesses in such

contexts. However, it is hard for the head to perform the duties alone, and it is needless to say indispensable to obtain cooperation from the company's IP strategy staff and IP technical staff. Furthermore, it is also necessary to obtain cooperation from persons on the business side who consider IP strategy as their own issue as well as technology development managers. For truly effective IP strategies, the business side and the technology development side need to have some independence in planning and exercising IP strategy.

2.2 Definition of "Intellectual Property" from the Viewpoint of Learning and Education

In conventional training activities of JIPA, training programs were created with a focus on IP rights. At present, however, IP itself, i.e. the basis of the IP rights, is considered important. If the perspective is changed from IP rights to IP itself, the training area covered will expand. For example, Akira Amari, a member of the House of Representatives, states that IP consists of the area where management, technology and legal matters cross over each other. Specially Appointed Professor Kenichiro Senoh of the Research Center for Advanced Science and Technology, University of Tokyo, states that IP is a combination of management, technology and IP-related legal affairs, i.e., an advanced fusion/composite area. Furthermore, Executive Managing Director Isamu Sojyo of JIPA states that IP is the core knowledge of a complex system, that is, tacit knowledge of the system, and points out the importance of this core knowledge in relation to IP. It is therefore important to plan training courses focusing on IP from the perspective of these areas.

2.3 Professor Senoh's Theory of Grooming an IP Talent Pool³⁾

If IP is a multi-disciplinary skill area, how should talent pools that play an active role in that area be groomed? Regarding this question, Professor Senoh proposes the following idea.

The personnel to be most urgently cultivated for this advanced multi-disciplinary area are neither experts nor scholars in each of the respective fields of management, technology or

IP, but are professional personnel who perform actual duties while utilizing knowledge in all areas. Professional personnel are required to have the capacity to utilize uncertain, fragmentary and fluid information.

In the advanced multi-disciplinary area, conventional knowledge transfer-based education has limitations, and education in this area has to be distinct from education for teaching knowledge of law and judicial precedents. It is necessary to develop mutual learning-based education in which persons with different backgrounds and knowledge learn from and educate each other through discussion.

Meanwhile, persons in charge of related talent pool grooming are also lacking. Many practitioners can give a speech but cannot deliver a lecture. Even if practitioners can deliver a lecture, few of them can properly conduct a class. There is therefore an urgent need to groom practitioners who can do so.

2.4 Desired Education Method

The word “educate” means to bring out potential. It is said that persons can acquire 10% of a required body of knowledge through lectures but they can acquire 50% through group discussion, 75% through practical training, and 90% if they act as lecturers or put the knowledge into practice.

Amid increased expectations for achievement as a result of JIPA members’ participation in courses, case studies and mutual learning-based education proposed by Professor Senoh have to be utilized, in addition to knowledge transfer- and learning assistance-based education. Given such education opportunities, motivated participants will enrich programs by actively participating in lectures, especially in advanced courses.

In addition, it is possible to educate about methodology but not about the sense of values. Such education, which cannot be taught, is necessary to improve real awareness.

Furthermore, JIPA need to consider employing consultants that are specialized in education, as well as examining education methods and development of educational infrastructure, including cultivating and utilizing facilitators (persons who work on facilitating mutual intellectual interaction in a group) and employing

coaching and IT (e-learning).

If facilitators are cultivated in the IP-related multi-disciplinary area, this will enable more advanced training to be carried out. Meanwhile, for fields that have hitherto not been established as learning areas, education and research have to be grasped together. However, the activities of the Committee have already been functioning effectively as opportunities for such education, so we should think of positioning the activities of the Committee, as well as future training programs, as one of the member training systems in a broad sense and utilizing them. In this regard, further future cooperative work between the Committee and other expert committees are regarded as an important task.

In addition, the activities of JIPA’s executive office are also greatly functioning as opportunities for grooming high-level IP talent pools that are required for Japan. Member companies are desired to actively participate in these opportunities.

2.5 Desired In-House IP Talent Pools

As mentioned in 2.1 Perception of the Times, in the case where a company establishes an IP division and implements IP-related activities based on the division, it is hard for the IP head alone to perform duties and it is indispensable to obtain cooperation from IP strategy staff and IP technical staff who support the leader. The following describes desirable personnel for IP leaders, IP strategy staff and IP technical staff.

(1) IP Heads (Top)

IP heads are proposal-oriented personnel who can create visions and concepts. They must be business-savvy and capable of uniting other staff to their cause. At the same time, as shown in the phrase “essence resides in details” (Executive Managing Director Isamu Sojyo of JIPA), real IP heads have to have a deep understanding of IP.

In this regard, “Training to Groom Leaders in Intellectual Property Change” (described later) has been held since fiscal 2004 as a training program based on non-conventional concepts.

(2) IP Strategy Staff (Assistant Staff)

IP strategy staff who support IP leaders

are problem solving-oriented personnel who have several specialized areas and can choose approaches and tools by themselves.

They can choose from Courses C to E (intermediate and advanced), but many training courses are now based on knowledge transfer and do not always deal with several specialized areas in a combined manner.

(3) IP Technical Staff (Experts)

IP technical staff are personnel who should solve problems in their specialized area by the optimal means available. These practitioners make up the majority of course participants.

They can choose from Course B (elementary) and courses of a higher level. Courses C to E are subdivided based on specialty, but criticism has been voiced that these courses are not organized by order of difficulty in the true sense of the term. For example, for the intermediate processing area, it is considered necessary to provide courses of elementary, intermediate and advanced levels in that area.

(4) Sectors Other than the IP Sector

In addition to education for the above-mentioned three classes of personnel in the IP sector, it has become an important issue how to provide training to personnel in the technology and business areas. As mentioned above, an IP strategy cannot be established in isolation, and it can play an important role in companies only with its active utilization by the business and technology staff. It is therefore also important to groom personnel working in these latter two areas. Nevertheless, the degree of training allocated for them should be discussed bearing in mind the manpower constraints of persons engaged in the current training planning and JIPA's emphasis on training. For the time being, programs will be reorganized while clearly positioning Course A as an introductory course for personnel in these two areas, and the training system for engineers will be enriched.

2.6 Role of In-House IP Talent Pools in the Era of Globalization

As phenomena occurring in globalization, information is the most easy to flow, followed by money, IP rights and articles in this order. The flow of persons tends to occur last. This is

the same in the IP field, and when patent lawsuits were actively filed in the United States, an increasing number of companies stationed IP resident officers in Washington D.C. and New York. When IP became more important in Europe, many companies stationed IP resident officers there too. Recently, some companies have stationed personnel in charge of IP in China in relation to the exercise of IP rights and technology exports in China. In this manner, the flow of persons has been occurring in the IP field along with the globalization of business. In training activities of JIPA, several overseas training programs have already been launched, but the concept of these programs mainly emphasizes learning IP-related knowledge in other countries. We will take steps to broaden the outlook of course participants by providing opportunities to hear and learn from resident officers abroad about the challenges they face and economic conditions overseas.

2.7 Main Target of Training Activities of JIPA

The following picture emerged from discussion among related parties on the reasons member companies utilize training activities of JIPA. Training will need to be planned bearing in mind the following.

(1) Large Companies that Cannot Cover All Areas by In-House Training

Most large companies have their own training systems for IP education, and they often utilize training activities of JIPA for areas beyond the reach of their own in-house training programs. For example, while educating personnel working in areas other than IP is now an issue, education for engineers is an especially heavy burden for large companies and the large companies thus want to leave education of non-IP staff to outside workshops.

(2) Medium-Sized Companies that Have Difficulty Providing In-House Training (15 or less staff work in the IP area)

Medium-sized companies, which make up the largest portion of JIPA members, depend greatly on IP-related training provided by JIPA and other outside organizations, and many completely lack adequate resources to provide in-

house training for non-IP staff.

(3) Supporting Members

Since we have not acquired sufficient understanding of the needs of our rapidly-increasing supporting members, we need to start by identifying their needs.

2.8 Constraints and Change

The Committee consists of members selected from the employees of JIPA member companies, and their term is one and a half years. They therefore can hardly participate in the planning of training as committee members for long time periods. Consequently, it is indispensable for JIPA to implement operations by employing the characteristics of the Committee as a flexible organization and the characteristics of the Secretariat as an established organization.

On the other hand, income from workshops supports JIPA's activities as a major source of funding, and reform that can keep the entire JIPA well-balanced is thus desired. Therefore, we have to advance reform of the existing training system based on an appropriate vision.

2.9 Formulation of Middle and Long Range Visions

When considering the Middle and Long Range Visions of Training Activities of JIPA, the basic vision will become clear if the historic background of the training and future planned training are considered comprehensively. This can be summarized as the following phrase.

“Aiming at intellectual property training of the members, by the members and for the members”

Historically, training activities of JIPA have been characterized by tailor-made workshops corresponding to member needs. This also constitutes the significant reason for their future existence. The elements of the above phrase are defined below.

(1) Of the Members

The training shall be of JIPA members.

(2) By the Members

The Committee and the Secretariat's Training Group shall play the main role in the

planning and management of training, and promote the use of business-savvy lecturers at member companies.

(3) For the Members

Training corresponding to member needs shall be provided. We believe that not only themes but also the types of skills and goals to be achieved through the training should be clearly specified for each training course.

3. Curriculum Restructuring

Prerequisites for considering Middle and Long Range Visions and basic concepts have been introduced in the above. The Committee has recognized that it must urgently review the current training system based on the basic vision, that is, “Aiming at intellectual property training of the members, by the members and for the members.” To this end, the Committee needs to restructure the curriculum within two to three years, and it is now holding active discussions on this subject.

Although the Committee has not yet reached its final conclusion, the major points of the discussions are introduced below.

3.1 Training Planning that Corresponds to Member Needs

(1) Training for IP Heads

“Training to Change Leaders in Intellectual Property” has already started (described later).

(2) Training for Engineers' Leaders

The well-reputed “Training for Engineers' Leaders” will be maintained as it is or upgraded mainly in strategic terms. Efforts will be poured into the area of inventions' concept and structure.

(3) Training for IP Strategy Staff and Business Persons

New training courses will be designed utilizing case studies.

(4) Training for IP Technical Staff and Technology Developers

Targets will be clarified through improvement of the existing Courses A and B (introduc-

tory and elementary).

(5) Training for IP Technical Staff

Discussion-based training will be expanded through introduction of case studies into the existing Courses C to E (intermediate and advanced). In addition, practical courses for intermediate processing will be started.

(6) Overseas Training

More diversified courses will be provided in light of the globalization trend. Following the F4 course (Europe), a Chinese Patent Workshop (including interaction with resident officers stationed in China) is now under consideration.

(7) Special Training

Efforts will be made to identify needs, including needs for training of sales representatives and marketing staff.

3.2 Specific Review of the Existing Training System

(1) Members' Needs

The training system will be reviewed in line with the training plan that corresponds to the above-mentioned members' needs.

(2) Arrangement and Explanation of the System

The courses and systems will be arranged in a theoretical manner and be put in writing, and an explanation thereof will be given to members in an easy-to-understand manner.

(3) Non-IP Areas

Training for employees in non-IP areas (technology, research, sales, marketing, planning, etc.) will be incorporated into the system.

(4) Flexibility of Choice of Training Courses

It is necessary to consider the introduction of a system for choosing unit lectures from courses and review fees.

(5) Collaboration with Other Training Organizations

In the interests of the members, unfavorable course overlap will be avoided taking into account cooperation with other training organizations, while healthy competition with such

organizations will be promoted.

(6) Utilization of Experienced IP Personnel in Companies

Training to match experienced IP personnel in companies with universities or small- and medium-sized companies will be provided to meet social needs.

(7) Plan for Reshuffling Lecturers

Training largely depends on lecturers in terms of both content and quality, so it is necessary to reevaluate whether or not selection of lecturers emphasizes their knowledge. In addition, with curriculum restructuring, it is necessary to try employing lecturers who fit the purposes of the training courses, as well as actively employing lecturers with practical knowledge from the expert committees.

For this purpose, it is considered necessary to introduce a uniform fixed-term system and to create a system for receiving information about new lecturers and IP education from member companies and other expert committees.

In order to develop lecturers' skills, it is also worth considering a) having education expert staff hold lectures on education methods and b) enabling the lecturers to receive guidance from such staff.

3.3 Trial and Feedback

(1) Flexible New System Suitable for a Nation Built on Intellectual Property

We will contribute to society through the new Medium and Long Range Visions and new flexible curriculum that is put into practice in line with these visions.

(2) Trial and Feedback

A mechanism of evolution through trial and feedback will be built into the new system. For example, the following cycle will be maintained: (1) new training programs are planned (expression) based on training activities of JIPA and the Secretariat's experience (implicit knowledge) through application of the SECI model (Professor Ikujiro Nonaka, Graduate School of Hitotsubashi University), (2) knowledge obtained thereby is applied to other programs (connection) and is put into practice (internalization) to acquire new experience (sharing), and (3) the

new experience is utilized for planning of future training.

In addition, we will post planned matters, such as formulation of the relevant Middle and Long Range Visions and IT-based training, on the journal "Intellectual Property Management" to hear opinions from JIPA staff and persons outside JIPA.

(3) Organization

The Committee has responsibility for and authority over the tentative vision for the training activities of JIPA, and the Secretariat's Training Group and T&E Staff will support the Committee.

4. Training to Change Leaders in Intellectual Property

Finally, we introduce "Training to Change Leaders in Intellectual Property," which in advance puts into practice part of the Middle and Long Range Visions. The planning for this training started in fiscal 2003, and the training itself was started in November 2004.

This training course aims to groom personnel who contribute to management through multi-disciplinary involvement in their companies, by means of actively giving proposals for IP policy in anticipation of the political and economical trends of Japan and abroad, as well as personnel who can make a wide contribution by accounting for international perspectives to problems. The course has been implemented with the cooperation of Professor Ikujiro Nonaka of the Graduate School of Hitotsubashi University, who is famous for proposing creative knowledge management, based on a sense of obligation to groom personnel who can be true leaders with strong ambitions, a broad culture based on expertise, the ability to put ideas into action, and personal magnetism.

The major feature of this training is that each trainee submits a reform plan to be newly implemented at his/her own company at the end of the first round, tries out the plan in the second

round and summarizes her/his own experience in the third and last round. Furthermore, this training is also characterized by emphasis on the enlightenment of course participants or mutual enlightenment.

5. Conclusion

Amid rapid changes in the overall economy, it has become urgent to groom personnel who will take charge of IP management. The Committee is dedicated to advancing consideration toward formulating the new Middle and Long Range Visions of Training Activities of JIPA, which will sustain over the next decade. We would like to invite constructive opinions from broad-ranging persons related to training and JIPA members.

Incidentally, the members of the Training Planning Committee for fiscal 2004 who were in charge of preparing this report are Takashi Momose (Chairman; DAICEL CHEMICAL INDUSTRIES, LTD.) and Takuya Kakuta (Acting Chairman; Nissan Chemical Industries, Ltd.).

In compiling this report, we exchanged opinions with volunteers from the Sixth Subcommittee of the Second Patent Committee for fiscal 2003. In addition, we received highly suggestive advice from Specially Appointed Professor Kenichiro Senoh of the Research Center for Advanced Science and Technology, University of Tokyo. We would like to express our appreciation for them here.

Notes:

- 1) Intellectual Property Management, vol.47, No.8 (1997): 1161-1167.
- 2) Works, No.64 (2004): 37-38.
- 3) Patent Quarterly Journal, No.2 (2004): 34-39; Journal of the Patent Office Society, No.235 (2004): 35-43.

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