

JAPAN INTELLECTUAL PROPERTY ASSOCIATION

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Thank you, Mr. Chair. I am privileged to offer my view today. I am Takeshi Ueno, and I am speaking on behalf of the Japan Intellectual Property Association, JIPA. JIPA is a cross industry association in IP, having membership of 1300 corporations and other organizations from 12 countries and representing the world's largest users of IP systems.

The IP system has promoted the development of industry and culture by providing protection to the right holders, while guaranteeing access by the users, and thereby promoting creative activities.

When it comes to data, today, the technology is advancing, and the volume of data is increasing at an accelerated pace. What's important is not to strengthen the protection of data as something of value, but rather to make available a large volume and a variety of data, including the spreading of open data. That will facilitate the use of data, promote learning by and therefore the development of AI, and boost the ability to extract value from data. By this, industry and culture will be developed.

JIPA's view is that, in principle, data should be freely available, and the use of data should be restricted only when protected by the current IP system.

Based on this view, as to the protection of data, JIPA believes that the current IP system provides sufficient protection and we do not need to strengthen its protection.

On the other hand, there are some situations where the utilization of data should be further promoted. Many of the IP laws were enacted many years ago without considering data. The use of data is restricted in some situations despite that such usage does not necessarily undermine IP right holders' interests which the laws intend to protect. In such case, some mechanism may be needed to secure the use of data.

Lastly, as to data, harmonization is worth considering because data crosses national

borders more frequently than products and services which the conventional IP laws protect. Also, a soft law approach is worth considering because of the exponential increase of data and rapid progress of frontier technologies such as AI which handle such data.

This is JIPA's view shared among our member companies across the various industries in view of the various areas of IP laws. Thank you.



Takeshi UENO
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