



September 26, 2013

Takeshi Ueno
President
Japan Intellectual Property Association (JIPA)
ASAHI SEIMEI OTEMACHI BLDG.18F
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Chiyoda-ku Tokyo, 100-0004, JAPAN

Submitted via: hori@jipa.or.jp

Re: Amending Article 35 of Japanese Patent Act

Dear Mr. Takeshi Ueno:

Intellectual Property Owners Association (IPO) is writing to address the issues JIPA recently raised regarding inventor remuneration in Japan. IPO generally supports the concepts described in JIPA's proposal and in particular the idea that inventor remuneration should not be controlled by the Patent Act or any other legislation.

IPO is a trade association representing companies and individuals in all industries and fields of technology who own or are interested in intellectual property rights. IPO's membership includes more than 200 companies and more than 12,000 individuals who are involved in the association either through their companies or law firms or as IPO individual members.

IPO understands that the current system in Japan requires a company to pay "reasonable value" to obtain an assignment of the right to an invention made by one of its employees in the course of employment. The meaning of "reasonable value" has been the subject of litigation and has created uncertainty for employers. IPO strongly supports efforts to limit this uncertainty by removing the "reasonable value" standard from Japanese law. In its place, IPO asserts that contracts between employers and employees should govern remuneration for and assignment of employee inventions.

While there are a number of factors that go into a company's decision to conduct research in a particular country, IPO believes that removing the uncertainty surrounding "reasonable value" by allowing employers and employees to agree to terms in advance would help make Japan a more attractive place to do research.

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IPO would welcome any further opportunity to assist JIPA's efforts on this issue.

Sincerely,

[Handwritten signature]

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