

# **JIPA: The position of the Japanese Industry**

**Naoto Kuji**

President of JIPA

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# The Position of Japanese Industry

- common application format & step by step resolution -
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Naoto Kuji  
President of JI PA



Japan  
Intellectual  
Property  
Association

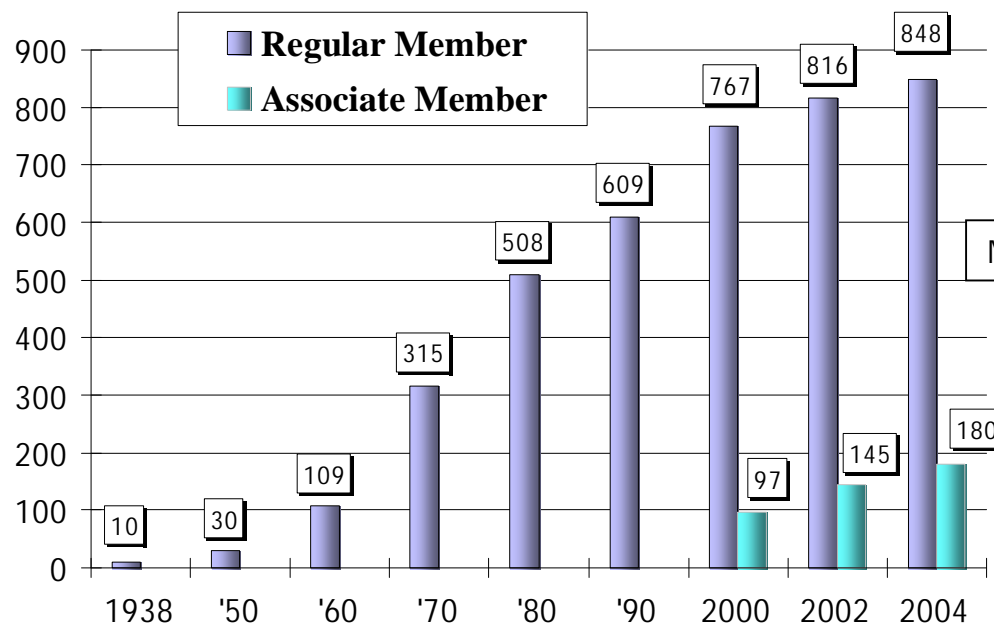
# JIPA's Membership



JIPA represents the opinion of the Japanese Industry.

- About 75% of Japanese patent applications are filed by our members.
- JIPA includes many field of Japanese industries.  
Recently, the companies in the new business field joined JIPA Members.  
Such as bank, internet provider, amusement planning•

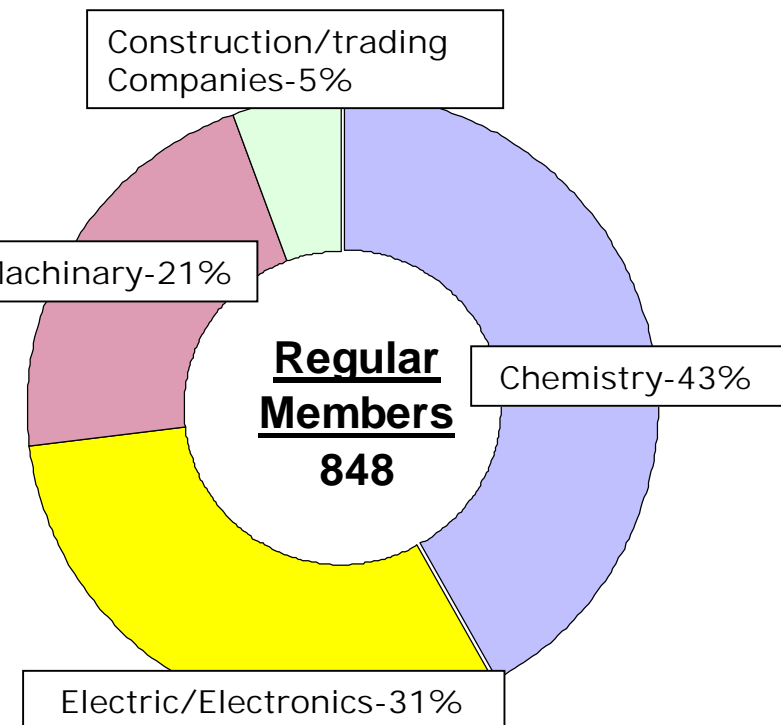
Transition membership



(As of May 12, 2004)

F/Year

Industry

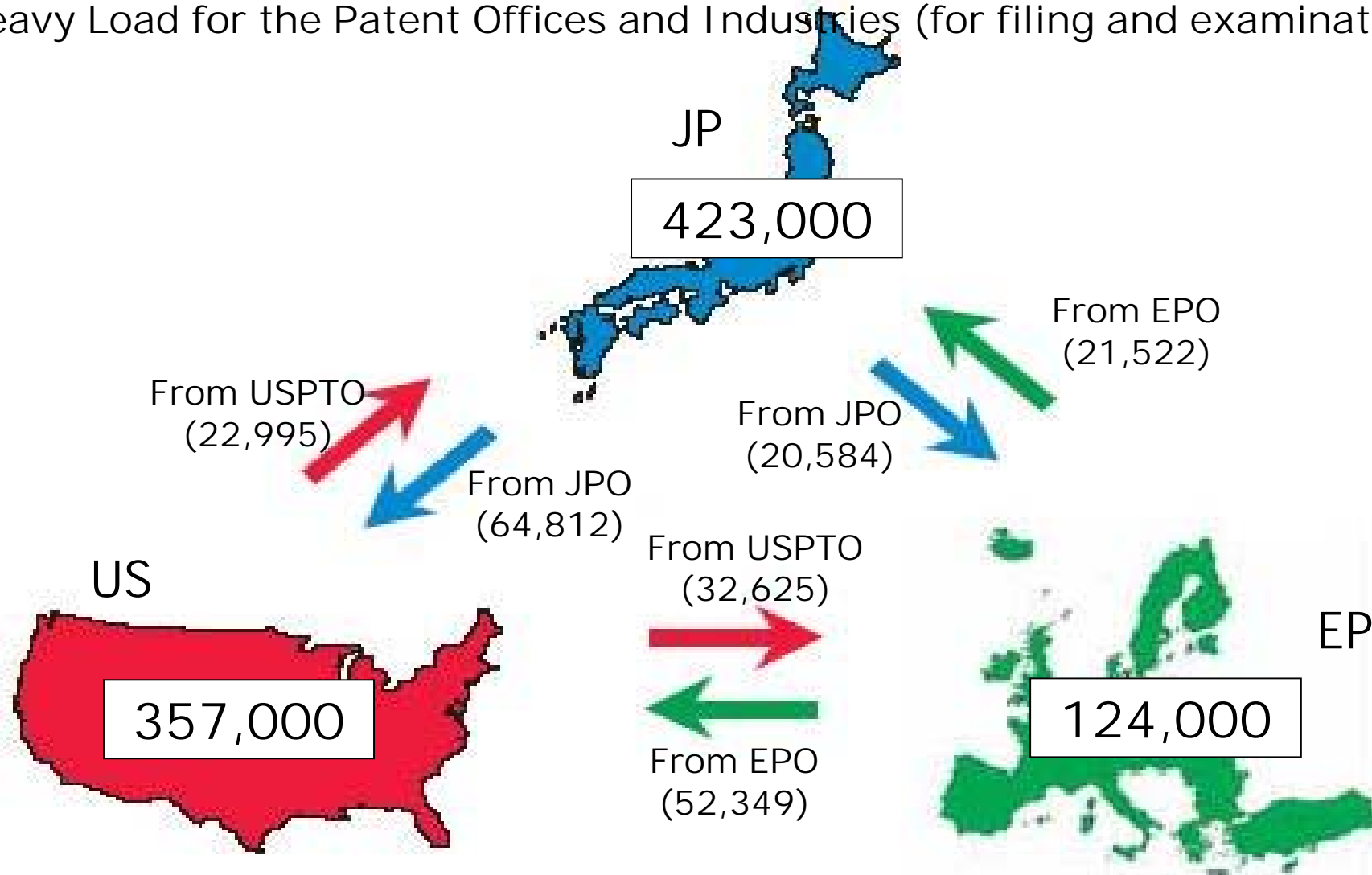


# Application of Trilateral (2004)



About 25% of applications are overlapped in the Trilateral Patent Offices.

Heavy Load for the Patent Offices and Industries (for filing and examination)



# Format comparison of Trilateral & PCT



JP	US	EP	PCT
<b>Claims</b>		<b>Claims</b>	<b>Claims</b>
<b>Specification</b> [Title of the invention]  [Technical field] [Background art] [prior arts information]  [Disclosure of the invention] [issues be solved by the invention] [Means for solving the problem] [Effect of the invention]  [Best mode for working the invention] [embodiment]  [Industrial applicability] (added)  [Brief description of the drawings] [Figure 1]... [Explanation of numerals]	<b>Specification</b> Title of the invention Cross reference to related art Background of the invention Field of the invention Description of related art  Detailed description of the invention  <b>Claims</b> <b>Abstract</b>	<b>Description</b> Title of the invention  Technical field Background art  Detailed explanation of the ways of carrying out the invention  The ways of exploitation in industry (optional Article 57; Rule 27(1)(f))  <b>Claims</b> <b>Abstract</b>	<b>Description</b> Title of the invention  Technical field Background art  Detailed description of the invention  Best mode for carrying out the invention (Mode(s) for carrying out the invention) Industrial applicability  <b>Claims</b> <b>Abstract</b> List of reference signs  <b>Drawings</b> Figure 1  <b>Abstract</b>
<b>Drawings</b> [Figure 1]...	<b>Drawings</b> Figure 1	<b>Drawings</b> Figure 1	<b>Drawings</b> Figure 1
<b>Abstract</b>		<b>Abstract</b>	<b>Abstract</b>

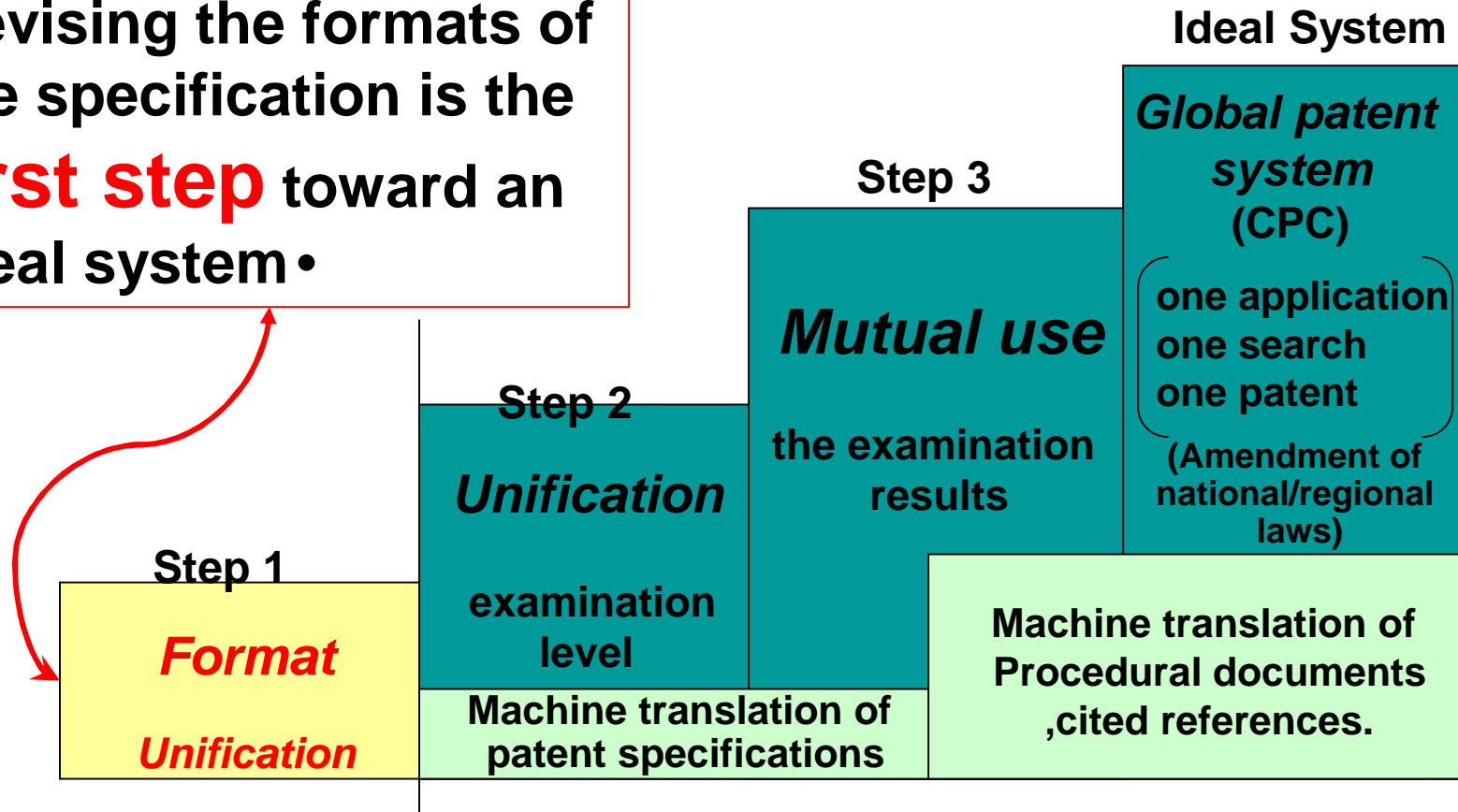
**Minor differences, nevertheless  
Much Manpower Required.**

No described order in XML format

# Multiple steps resolution



Revising the formats of the specification is the **first step** toward an ideal system •



Aim: **Reduce the workload of format changes & translations** (Lower filing costs; Lessened workload) •



## Current Status

- different Patent system in each region•
- different Application Formats in the different Electronic Filing procedures•
- need to accommodate the examination procedure of each region•

## Issues

- requires the companies much cost and manpower
- impossible to file applications in all business areas



## 5. Promoting Efforts to Establish a **Global Patent System**

(1) Aiming to Achieve the Mutual Recognition of Patents among the Trilateral Patent Offices •

(2) Promoting Unification of Formats of Patent Specifications among the Trilateral Patent Offices •

(3) Promoting the Acquisition of Patents in Developing Countries •

(4) Promoting International Harmonization of Patent Systems •

(5) Promoting International Networks for Exchanging Information on Patent Examination •

(6) Facilitating the Acquisition of Rights in Developing Countries •

(7) Promoting International Harmonization of Patent Systems •

(8) Establishing International Networks for Exchanging Information on Patent Examination •

2005 program newly  
Includes **the Same Format** •

HQ considered JIPA's proposal.



# Proposal to the Trilateral Offices

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The Trilateral Industries are supportive of , particularly, the following projects:

1. Effective access to and use of work results/strategic issues.

We support the promotion of an efficient system, in which the **search and examination results** of the first filing by any of the Trilateral Offices is provided in a timely manner, for the other Trilateral Offices to conduct the second filing.

2. Comparative studies in new technologies.

We welcome the establishment of a working group to identify trends in emerging technologies and **exchange information** among the Trilateral Offices in this area.

# Proposal to the Trilateral Offices

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## 3. Electronic business system.

We support the project of which aim is to achieve the goal of author-once-file-anywhere in an operational **electronic filing environment**. We hope to make recommendations on accomplishing the author-once-file-anywhere system by next Spring.

## 4. Priority documents.

We welcome the objective of the Trilateral Offices, to further work on a technical standard for Trilateral Offices to **exchange Priority Documents**.

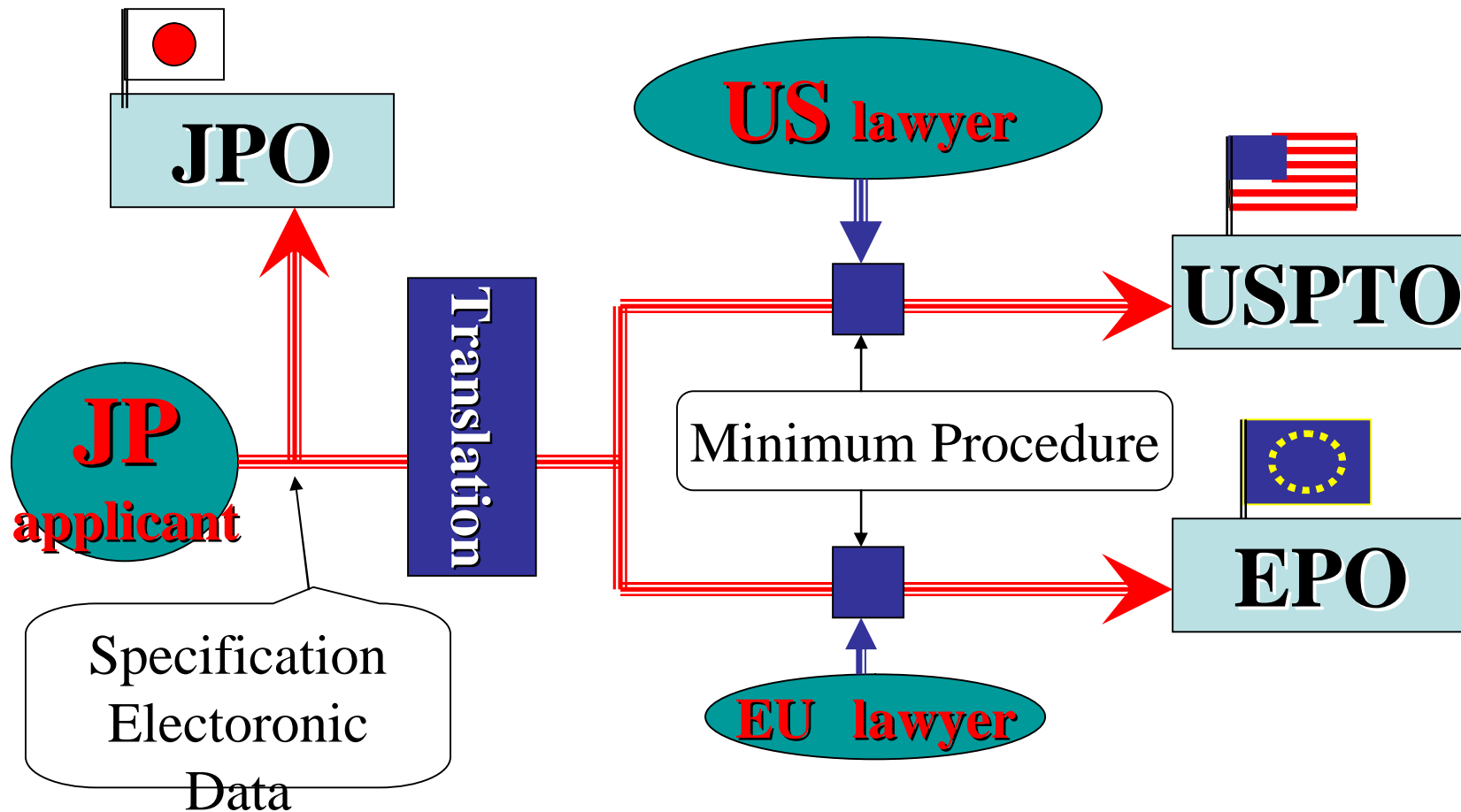
## 5. Linguistic tools.

We support to scrutinize how **machine translation** can be improved in order to make progress in the use of search and examination results.

# Ideal System



- No additional procedure than minimum •

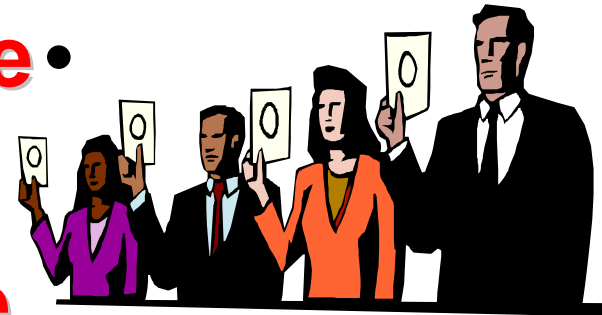


# Electronic Filing€EF•

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- Differences exist
  - Not only in the formats •
  - But also in **EF procedure** •



- Needs **unified procedure**  
**for World Wide Based Users.**

# Document Production in EF



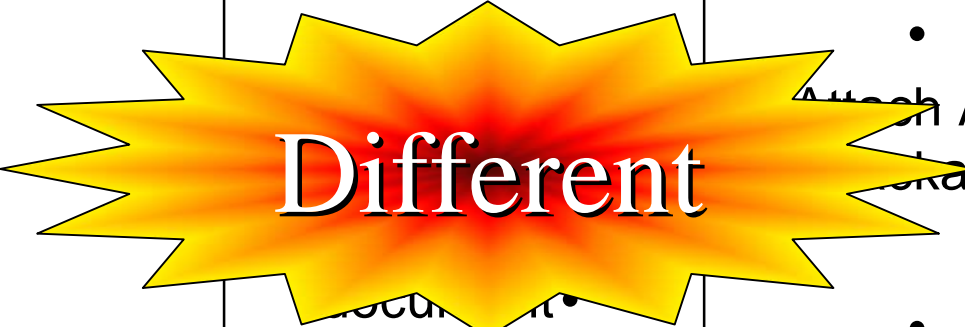
Office	JPO	EPO	USPTO
Software	Word®	Word® + PatXML	Word® + EFS-ABX
Procedure	<p>Prepare Word® documents with marks that indicate places to insert images + GIF images of tables, equations, figures</p> <ul style="list-style-type: none"> <li>• Insert images in Word® documents</li> <li>• Save as HTML documents</li> </ul>	<p>Prepare Word® document with images</p> <ul style="list-style-type: none"> <li>• Produce PatXML</li> </ul>	<p>Prepare Word® document with images</p> <ul style="list-style-type: none"> <li>• Produce ABX package (XML document + PDF document) by EFS-ABX</li> </ul>

**Different**

# Filing Operation



Office	JPO	EPO	USPTO
Software	PC filing software	epoline	ePAVE
Procedure	Select HTML documents	Input application information	Input application information
	<ul style="list-style-type: none"> <li>Produce XML document</li> </ul>	<ul style="list-style-type: none"> <li>Produce XML document</li> </ul>	<ul style="list-style-type: none"> <li>Produce XML document</li> <li>Attach ABX package</li> </ul>
	<ul style="list-style-type: none"> <li>Check &amp; submit</li> <li>Check receipt</li> </ul>	<ul style="list-style-type: none"> <li>Check &amp; submit</li> <li>Check receipt</li> </ul>	<ul style="list-style-type: none"> <li>Check &amp; submit</li> <li>Check receipt</li> </ul>

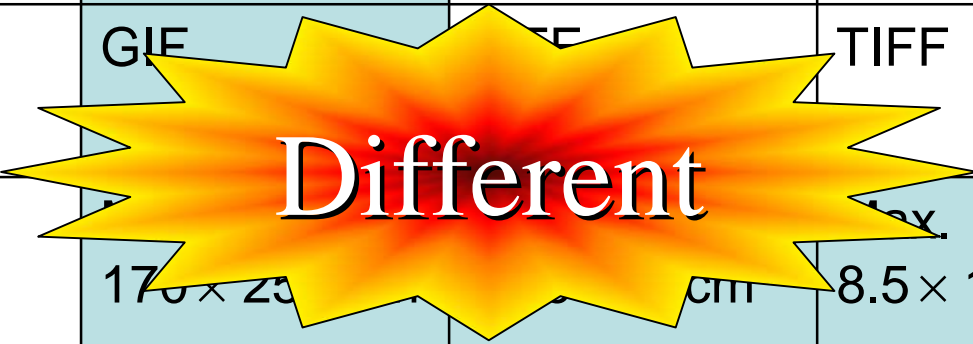


# Differences in Document Production for EF

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Office	JPO	EPO	USPTO
Word® Table, Equation	Unacceptable	Acceptable	Acceptable
Image format	GIF	EPS	TIFF
Image size	170 × 25 cm	max. cm	8.5 × 11"

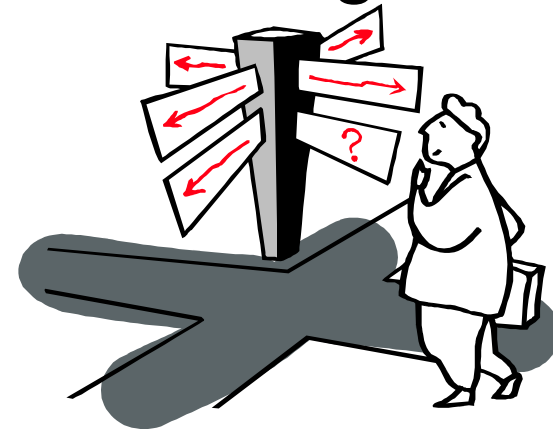


# Ideal System

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- Without any additional procedure for changes,
- Applicant can use the same electronic data of the application as the foreign counterpart application.

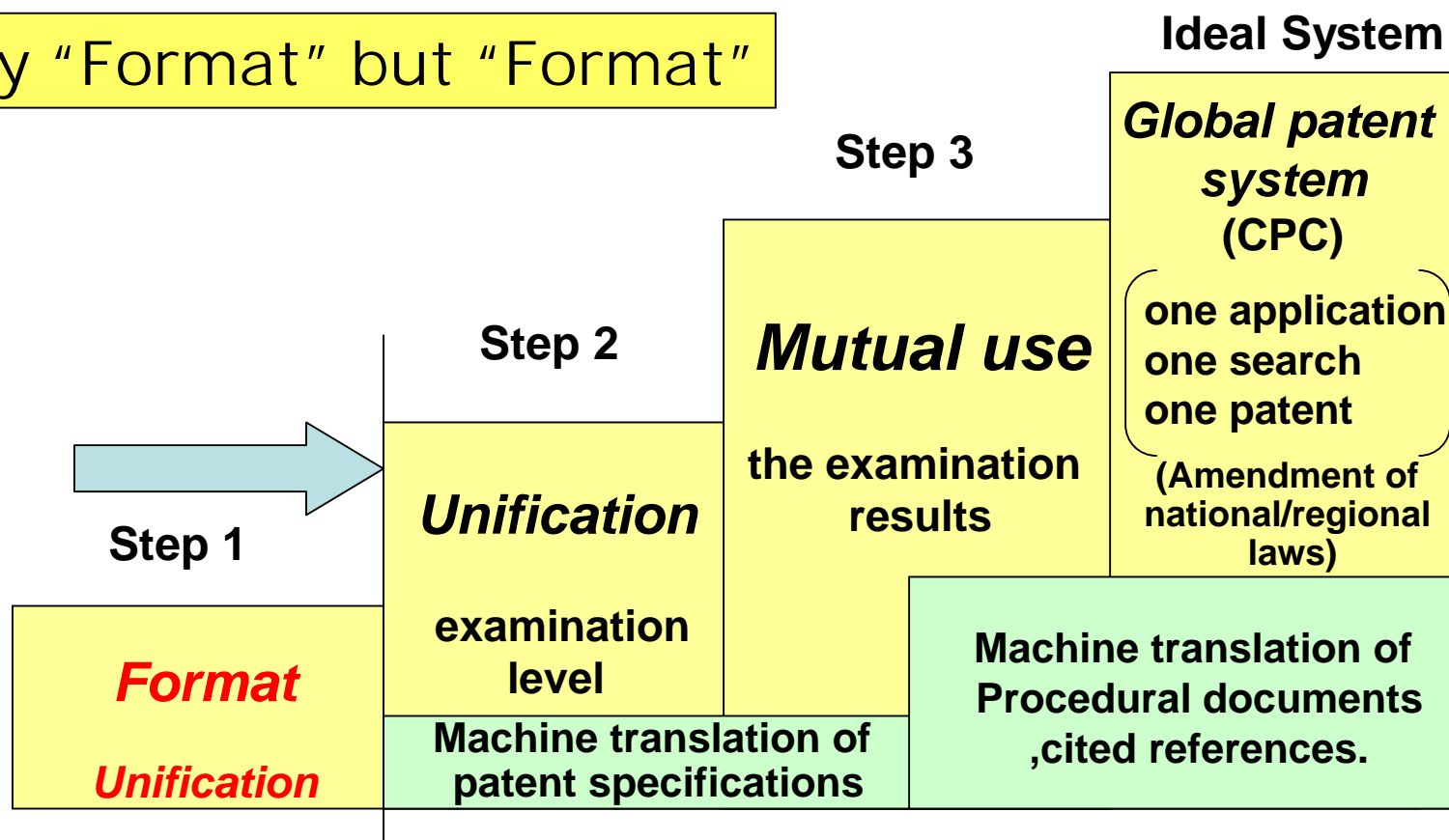




# Conclusion



Merely "Format" but "Format"



"Application Format" is the first step to establish Patent Right procedure. Once a common format established, patent harmonization will be promoted.

Trouble-free environment for electronic filing, machine translation, exchange search and examination results.



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Thank you •  
**By JIPA**  
**Nov • 2005 •**  
**Trilateral in Munich**



Japan  
Intellectual  
Property  
Association