

Trilateral Users Meeting
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**An Intellectual Property-based Nation
and
the New Route**

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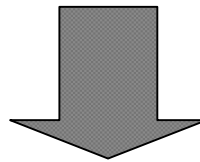


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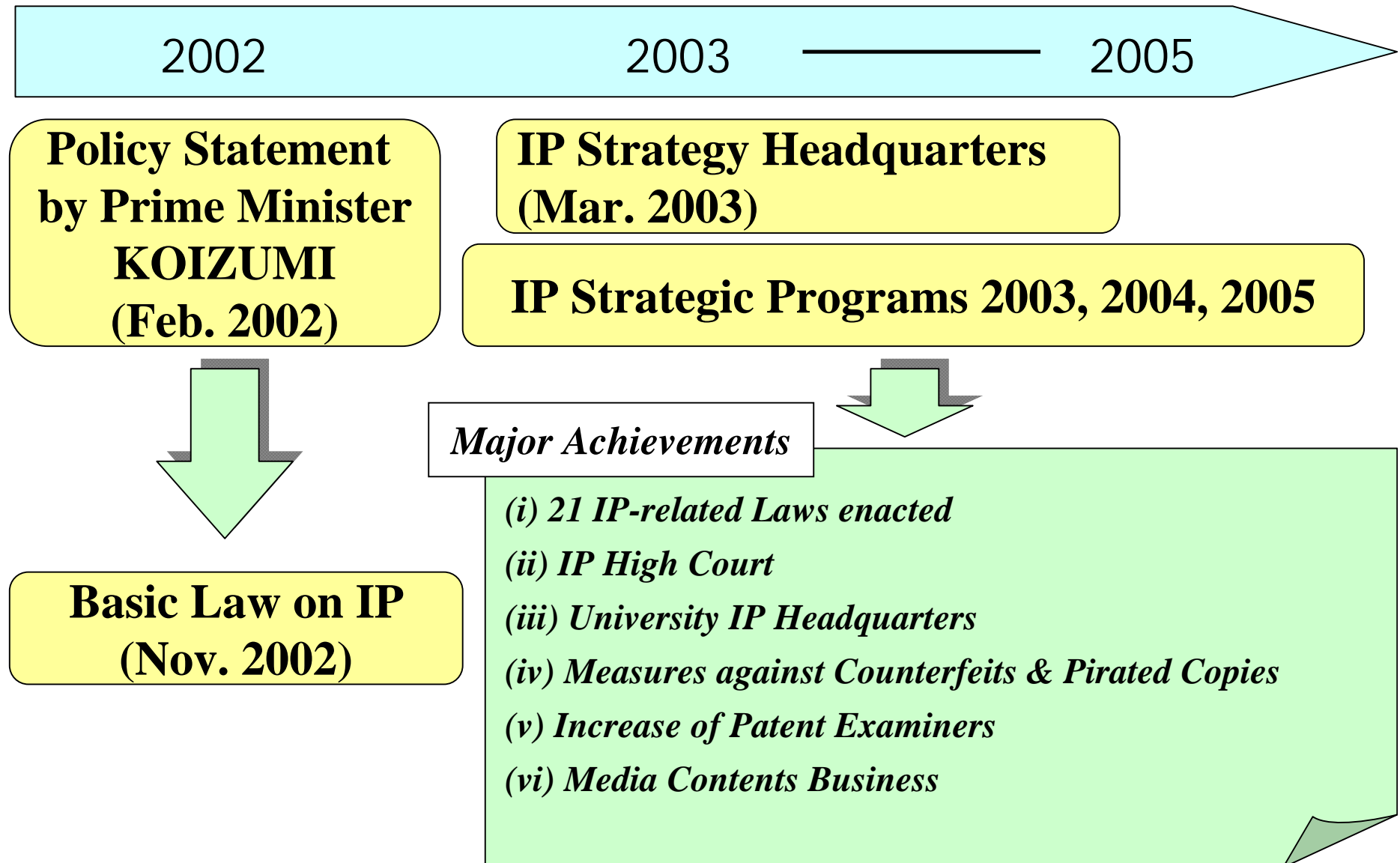
1. Government Efforts toward IP-Based Nation

- Japan's economic slump in the 1990s
- Deteriorating international competitiveness
- Growing importance of technological innovation



Product and Intelligence based society

Rapid Progress of IP Strategy



Revision of Laws (2003-2005)

ØPatent Law

- Revision of the structure of patent fees
- Outsourcing of prior art searches to private sector
- Introduction of regionally-based collective marks

ØLaw to Establish the Intellectual Property High Court

ØCustoms Tariff Law

Expansion of the system for stopping the import of infringing goods to protect patents and designs

ØUnfair Competition Prohibition Law

Enhanced protection of trade secrets

ØCode of Civil Procedure

Patent-related lawsuits to be solely handled in Tokyo and Osaka court

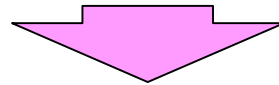
ØCopyright Law

Efforts to Establish a Global Patent System

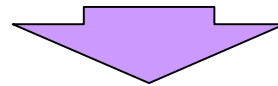
-IP Strategic Program 2005-

Steps in Realizing a Global Patent System

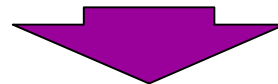
1st step: Commencement of the a next-generation Dossier Access System in 2005 (FY)



2nd Step: Establishment of the Patent Prosecution Highway System



3rd Step: Creation of a *de facto* mutual patent recognition system

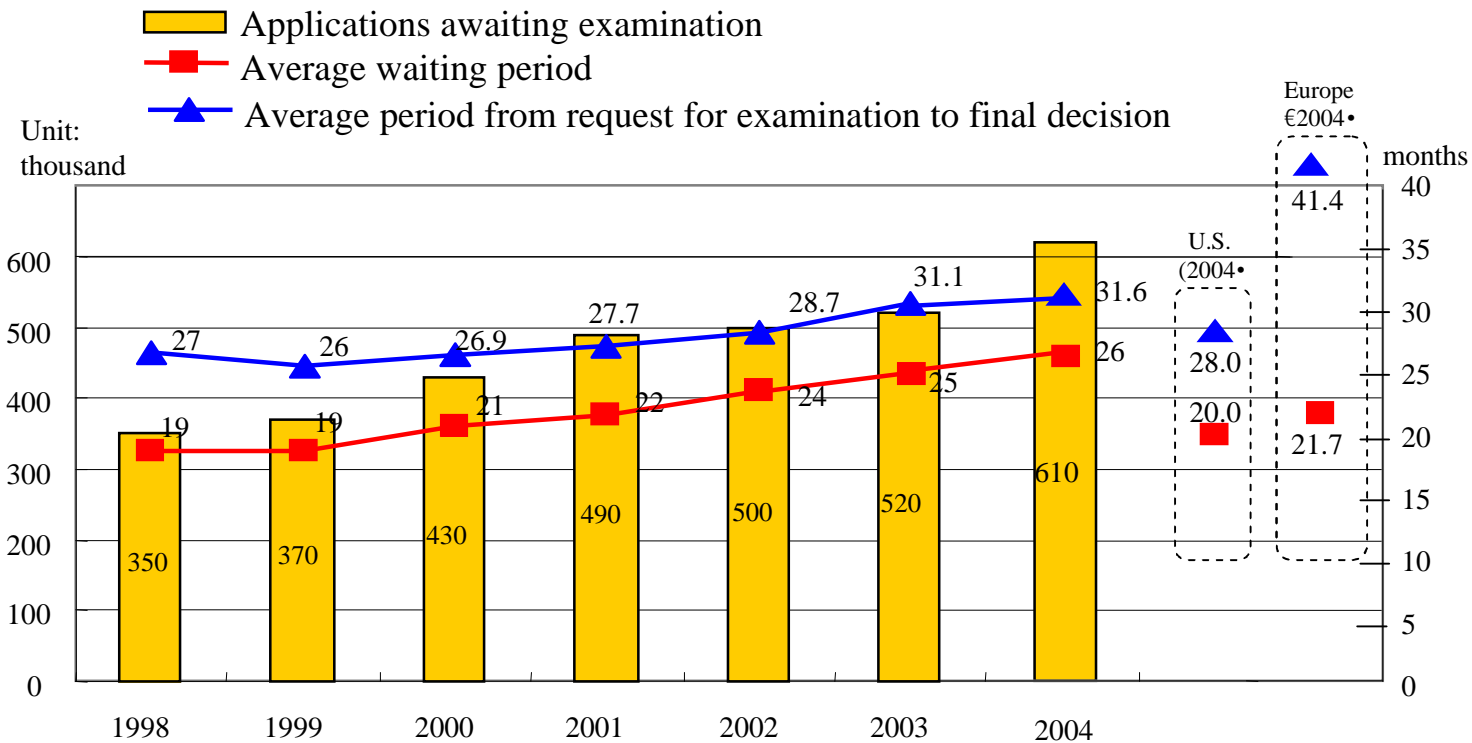


Final Goal: Achievement of a mutual patent recognition system in other IP Offices and the realization of a global patent system

2. JPO Efforts toward a Global Patent System

Current Situation in the JPO

- Requests for examination > Examination start-ups (1999-2004)
- Backlog : 610,000 (at the end of 2004)
- Examination waiting period: 26 months



Expeditious Examination of Patent Applications

Comprehensive Measures

Employment of fixed-term examiners

- 500 fixed-term examiners hired over 5 year period from 2004 to 2008

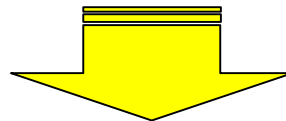


Outsourcing of prior-art searches to the private sector



Selective filing of an application and an examination request

- Improvement of the utility model system
- “Rationalization of the examination fee” and “introduction of the refund system”



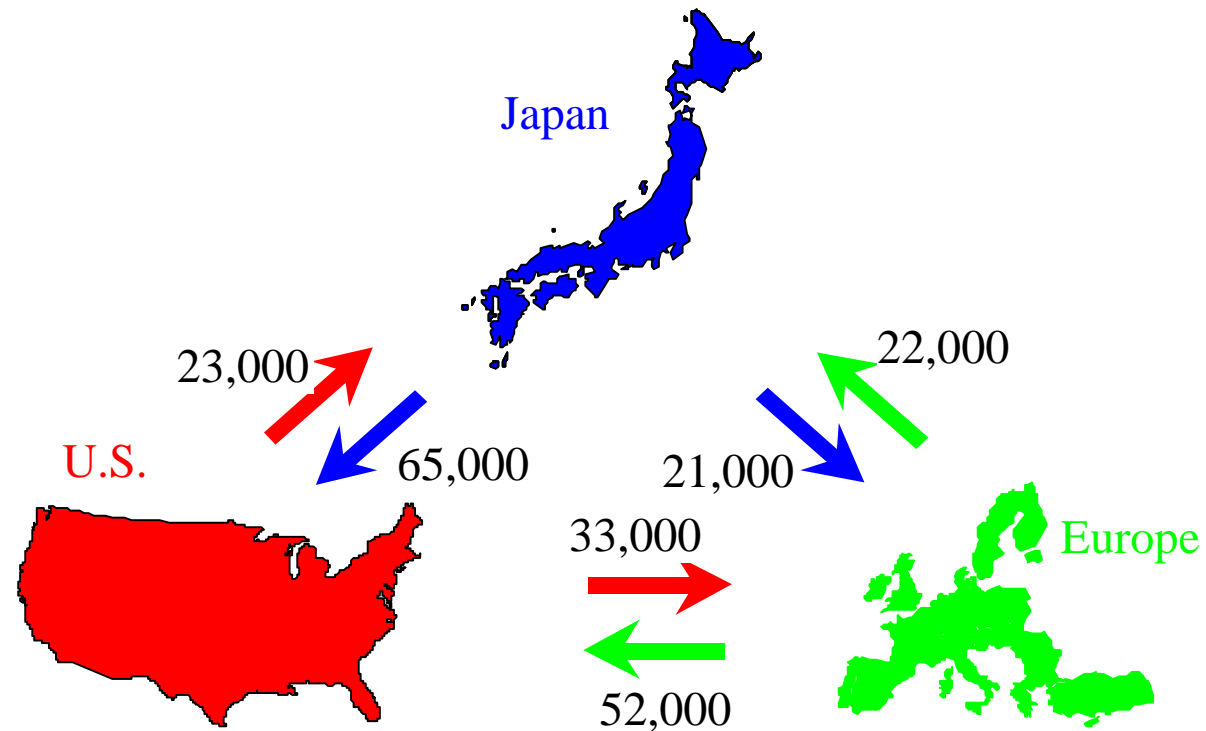
Now: 26 months

2008: 29 months (maximum of waiting time)

2013: 11 months >>> final goal: 0 months

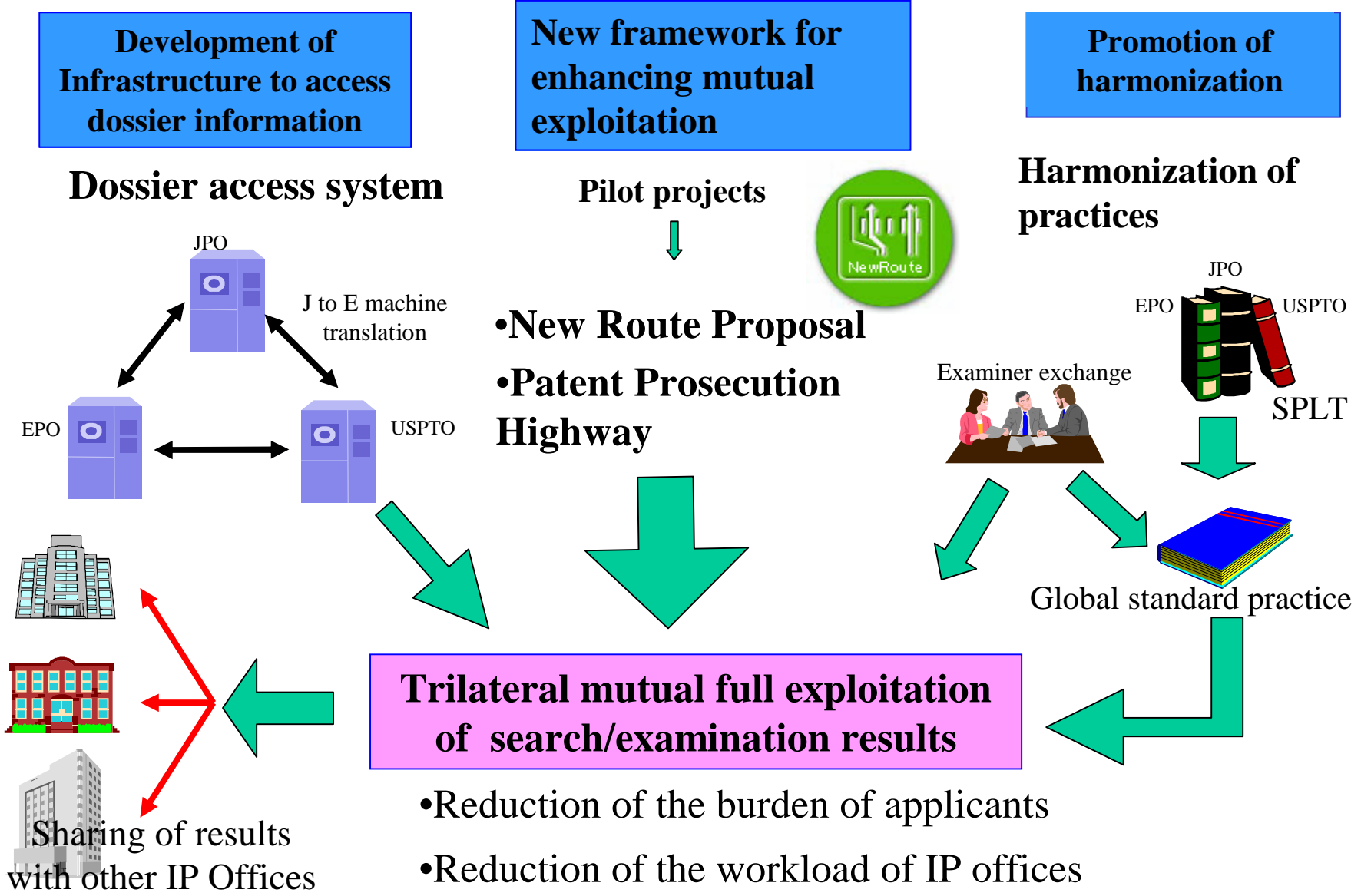
Patent Applications in Trilateral Offices

- | The JPO, USPTO and EPO (Trilateral Offices) account for about 80 percent of global patent applications.
- | Among those applications, 210,000 applications are duplicated.



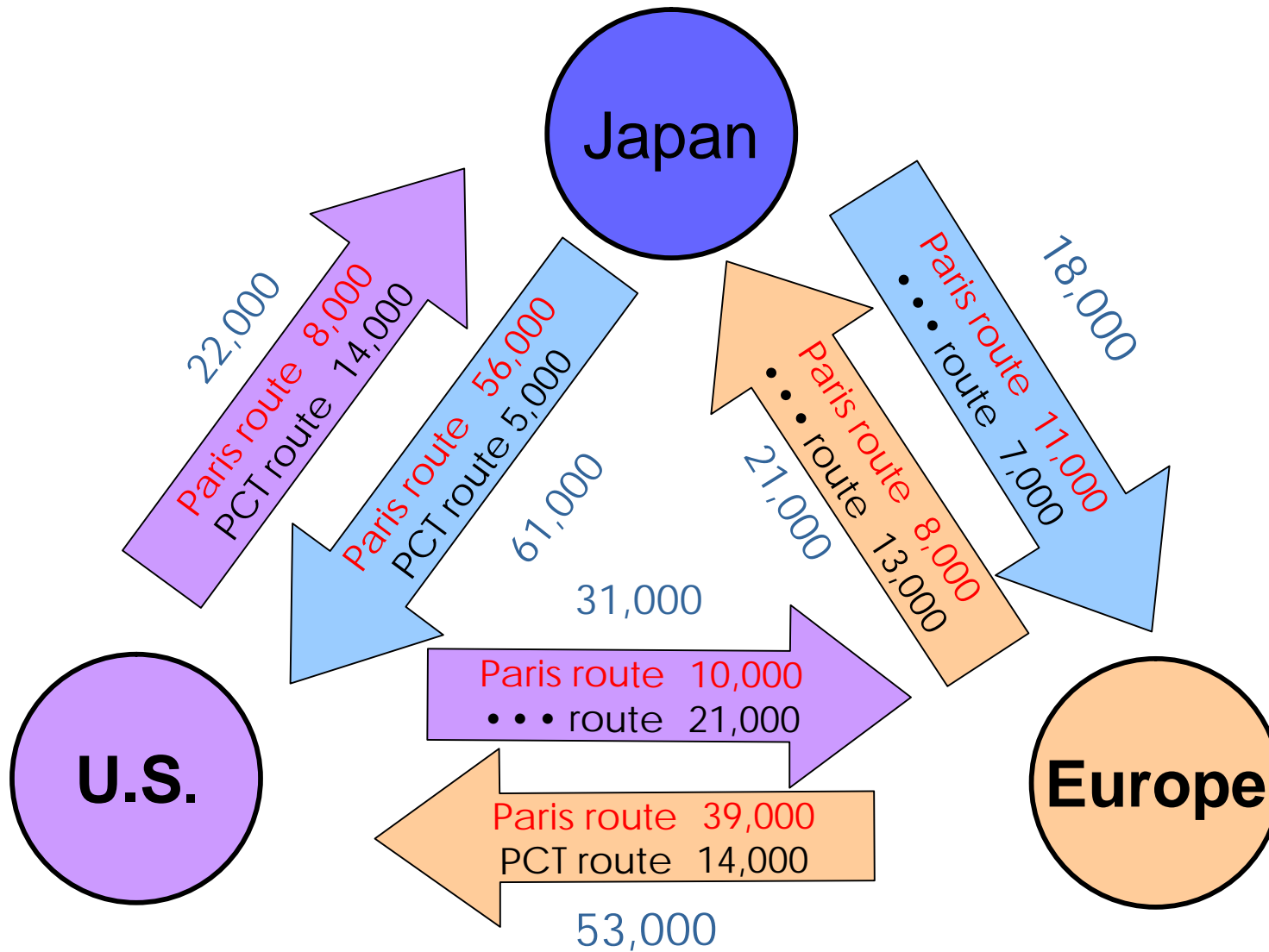
Source: JPO Annual Report, USPTO Annual Report, and EPO Annual Report (2004)

Trilateral Efforts for Mutual Exploitation



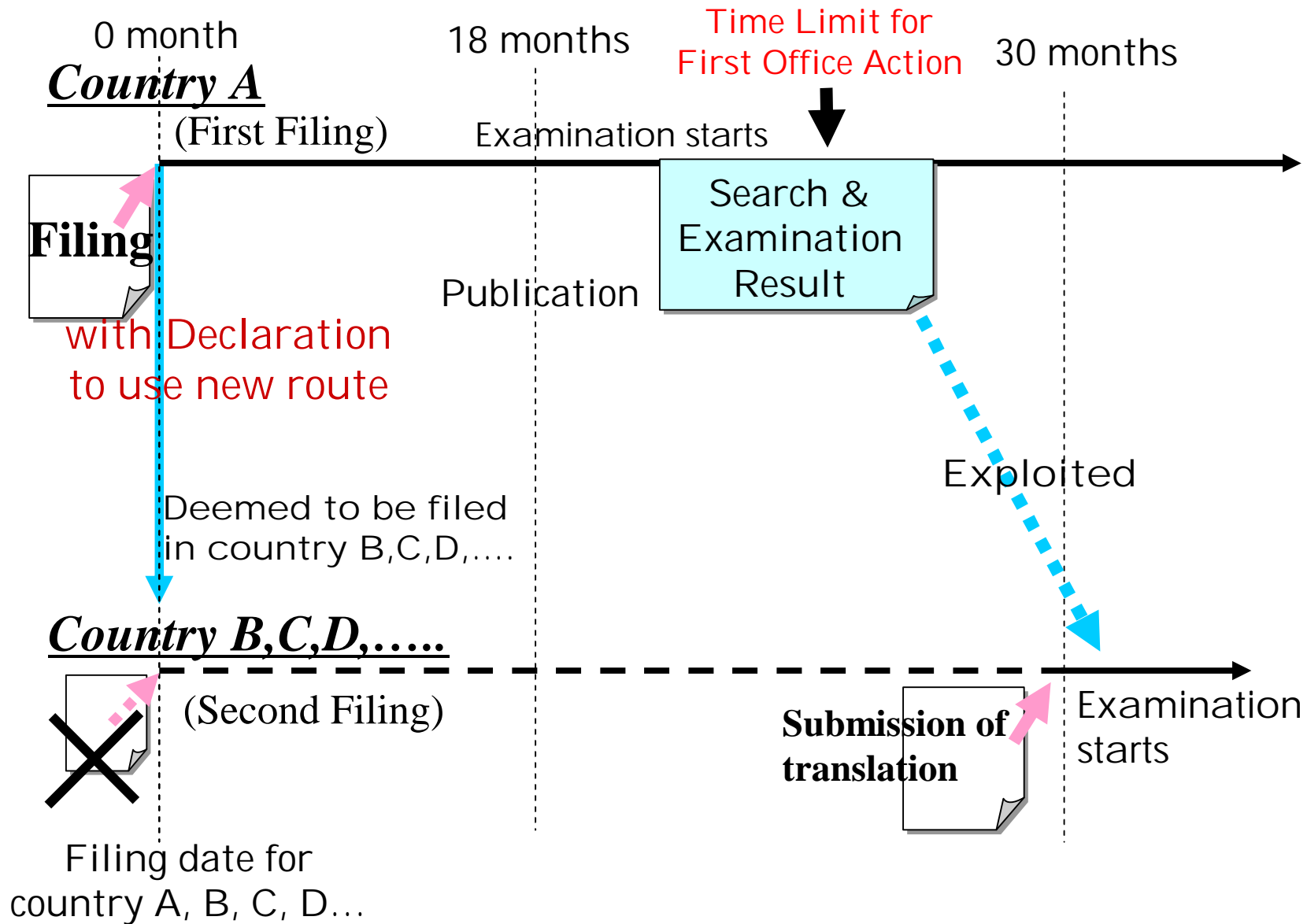
3. New Route Proposal

Number of applications among JP, US, EP (2003,PCT/ Paris)

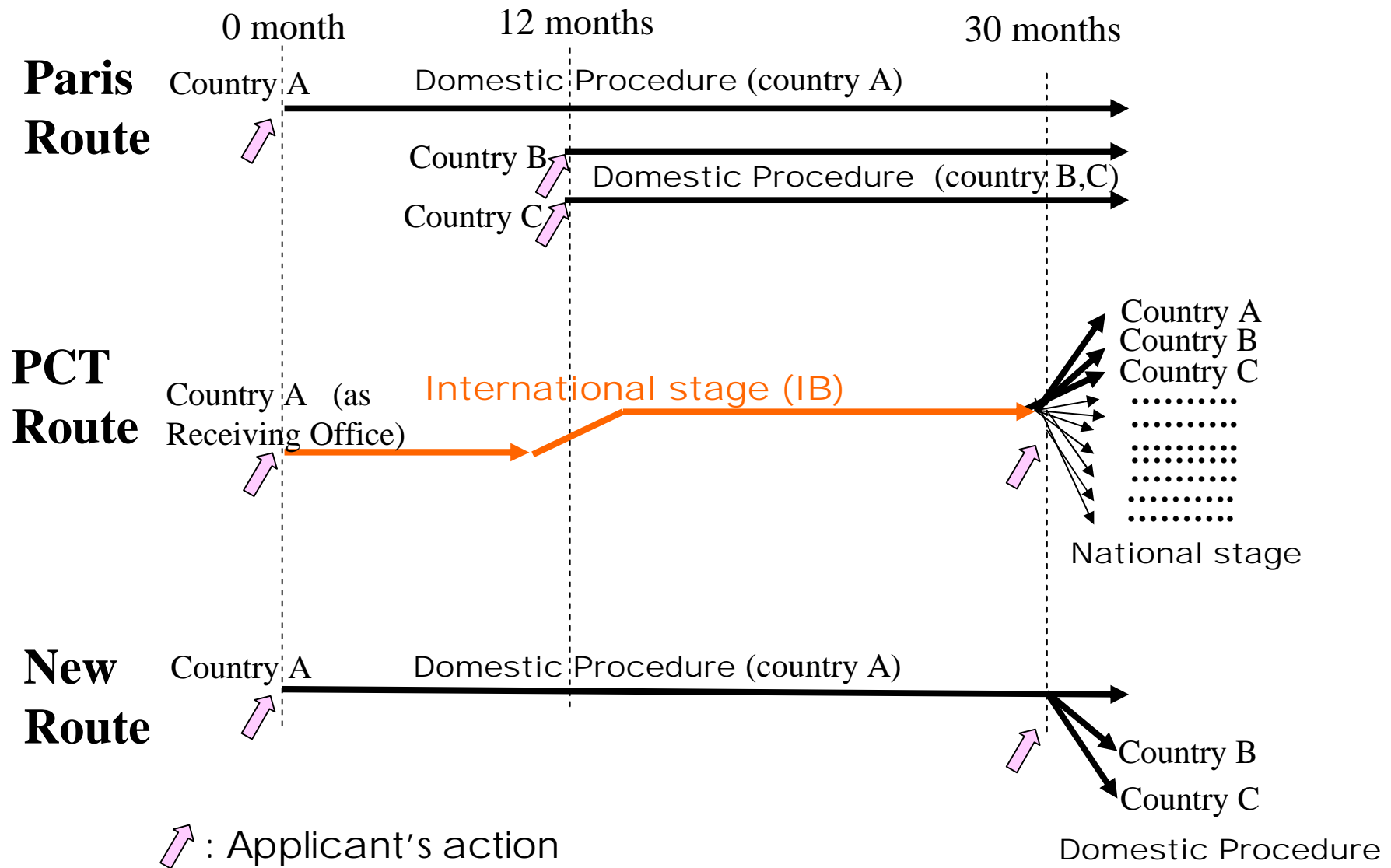


Data source: EPO annual report, USPTO annual report, JPO annual report, WIPO statistics

New Route Proposal (for non-PCT applications)



New Route Proposal - Comparison with two existing routes



Comparison of characteristics among 3 routes

	Use		Advantages	Disadvantages
Paris Route	Few countries	Applicant	Low cost	12-month moratorium
		Patent Office		Little mutual exploitation
PCT	Many countries	Applicant	30-month moratorium	High cost
		Patent Office	Full mutual exploitation	
New Route	Few countries	Applicant	Low cost color: blue;"> 30-month moratorium	Patent in limited number of countries (NR member countries)
		Patent Office	Full mutual exploitation	

Thank you!