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WIPO/IPLT/BEI/01/1(b)
ORIGINAL: English
DATE: July 2001

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the People's Republic of China

and with the assistance of
the Japan Patent Office (JPO)

Beijing, July 23 to 27, 2001

THE NEW CHALLENGES TO INTELLECTUAL PROPERTY EDUCATION AND TRAINING FOR THE NEW ECONOMY; POLICY AND INSTITUTIONAL CONSIDERATION

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New Challenges to Intellectual Property Education and Training for the New Economy

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July 2001, Beijing

New Economy

- Information Technology (IT)
- Globalization
  --- Liberalization of Trade and Investment
- Further Development of the New Economy

Gene-related Inventions (1)

- Change of R&D
  In the Past:
  Find Useful Protein→Isolate DNA

  Recently:
  Isolate DNA→Predict Function or
  Usefulness of DNA→Generate Protein

From Hardware Technology to Software Technology

- Electronic Calculator (1970's)
- Microcomputer (Early 1980's)
  ---Electronic Rice Cooker
- Japanese Word Processor (Mid 1980's)
- Software Media (Mid 1990's)
  ---Floppy Disk, CD-ROM, etc.
- Network (Present)
  ---Programs are Distributed on the Internet

Software-related and Business Model Inventions

- JPO Experiences
  (a)Clarification of Examination Standards
  ---Scope of Invention
  ---Inventive Step
  (b)Accumulation of Prior Art Information
  (c)Utilization of Experts; Training of Examiners
  (d)Joint Research by EPO, USPTO and JPO
  (e)Dissemination of Business Model Invention-related Information

Examples of Lack of Inventive Step (1)

- Application to Other Fields
  ---Application of a Publicly-known File Search System to create a Medical File Search System

- Digitization of Operations Previously conducted by Humans
  ---Use of an Internet Home Page to Receive Orders Previously handled through Telephone or Fax

Examples of Lack of Inventive Step (2)

- Change based on Artificial Agreement ---Universally-known Cooling-Off System applied to E-Commerce

Gene-related Invention (2)

- Joint Research by USPTO, EPO &JPO

  -DNA Segments not having Definite Functions or Usefulness are Unpatentable

Internet related Matters

- Infringement of Foreign Trademarks
- Domain Names

IP Enforcement Issues

- Recent Counterfeits
  Easier, Advanced, Speedier, Global
- Jurisdiction
- Asian Region: Center of Production & Distribution for Counterfeits
- Damage
  Over 5% of World Trade: 300 Billion Dollars

Development of Advanced Technology and IP Rights

- Asia-Pacific Region
  ---Factory to the World
  ---Consumption Region
  ---Entrepreneurship
  ---Technical and R&D Capability
- Intellectual Property Rights
  ---Smooth Operation
  ---Effective Use

Education of Entrepreneurs

- Company Goal for Number of Inventions and Patent Applications
- Financial Incentive for Inventors
- Respect others' Patent Rights
- Strategic Patent Applications
- Prior Art Survey Before Filing
- Utilize Patent Information for R & D

Effective Enforcement

- Ability of Officials
  ---Customs, Police, Court, etc.
- Public Awareness of Seriousness of IPR Infringement
- Cooperation among Government Authorities

Protection of New Technology

- Study Protection Systems
  ---Working with Specialists
  ---International Protection Trends
- Training for Practitioners, General User and Students
- Understanding of New Technology

Development of Capable Lecturers

- Importance of Development of Lecturers
- Take an Active Role in your Home Country

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Thank you for your kind attention

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