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TATE INTELLECTUAL PROPERTY OFFICE
THE PEOPLE'S REPUBLIC OF CHINA

WORLD INTELLECTUAL
PROPERTY ORGANIZATION
GENEVA

JAPAN PATENT OFFICE

WIPO ASIAN REGIONAL TRAINING COURSE FOR TRAINERS AND INSTRUCTORS OF INTELLECTUAL PROPERTY

organized by
the World Intellectual Property Organization (WIPO)

in cooperation with
the State Intellectual Property Office (SIPO) of
the People's Republic of China

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

Beijing, July 23 to 27, 2001

SYSTEMATIC INTELLECTUAL PROPERTY (IP) TEACHING AND TRAINING; LESSONS TO BE LEARNED; THE EXPERIENCE OF JAPAN

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Systematic IP Teaching and Training

July 26, 2001

China Intellectual Property Training Center

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Purpose of Training

1) For candidates for appointment to acquire knowledge essential for performing operations
2) To respond to more sophisticated and complicated tasks
3) To respond to globalization and the computerization of the intellectual property system

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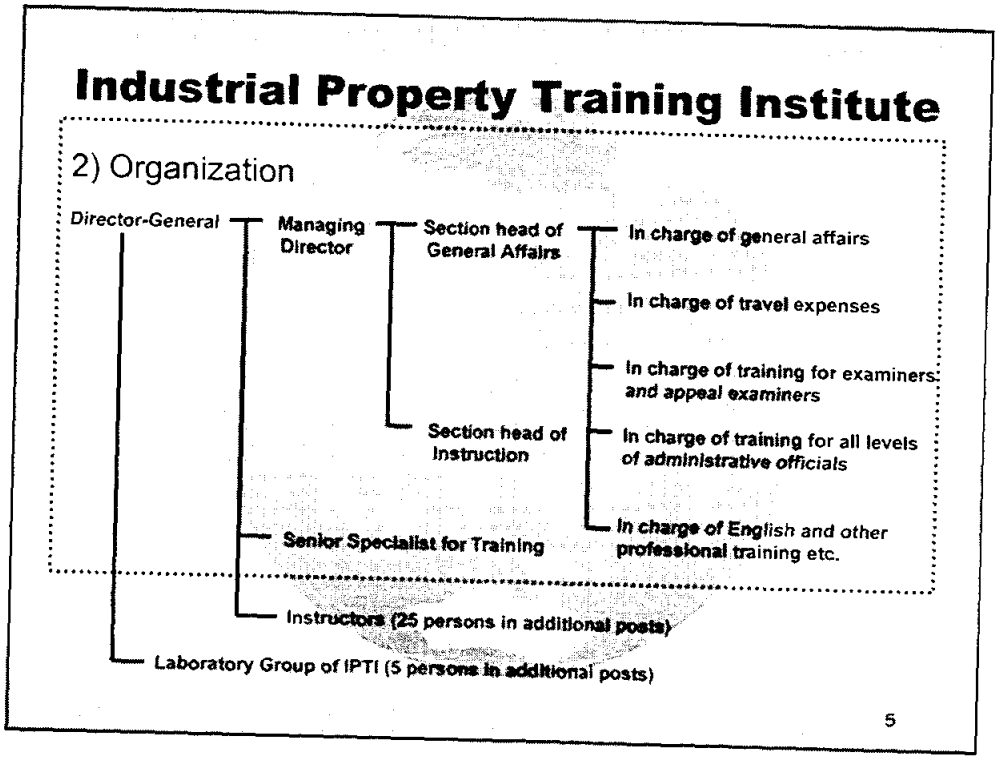
Industrial Property Training Institute

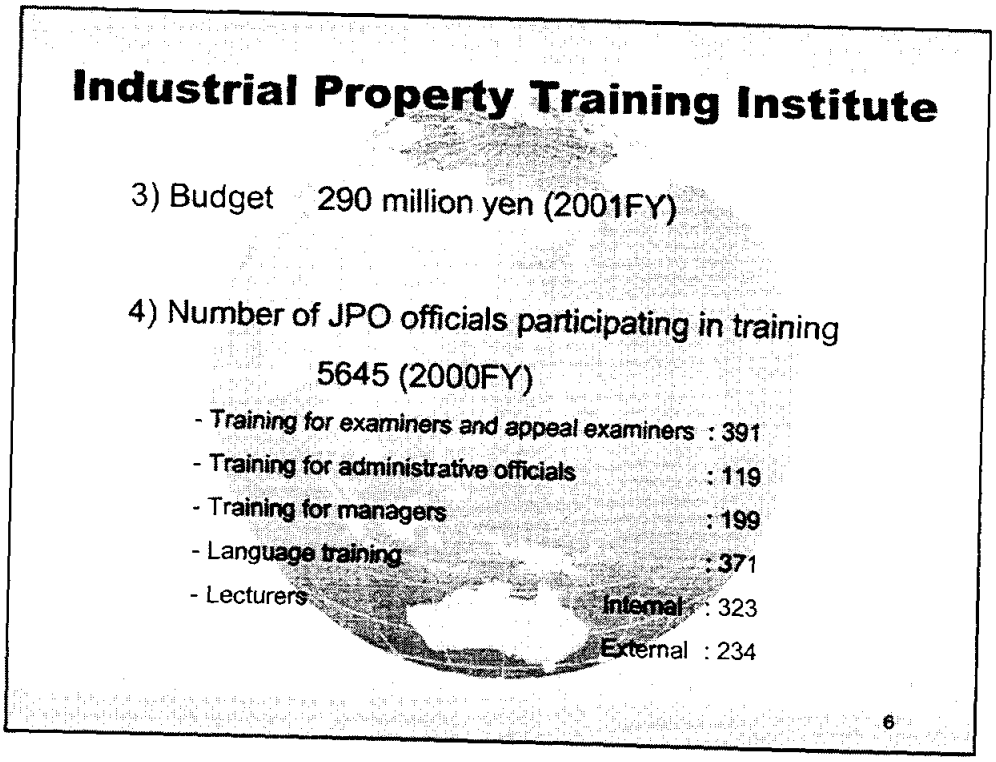
1) Purpose

- Providing training necessary for industrial property-related operations to JPO officials

- Providing training for outside attorneys with strengthening of attorney ability in affairs pertaining to inter partes trials and cutting edge technology fields

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Industrial Property Training Institute
2) Organization
Director-General
Managing Director
Section head of General Affairs
In charge of general affairs
In charge of travel expenses
In charge of training for examiners and appeal examiners
Section head of Instruction
In charge of training for all levels of administrative officials
In charge of English and other professional training etc.
Senior Specialist for Training
Instructors (25 persons in additional posts)
Laboratory Group of IPTI (5 persons in additional posts)
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Industrial Property Training Institute
3) Budget 290 million yen (2001FY)
4) Number of JPO officials participating in training
5645 (2000FY)
- Training for examiners and appeal examiners : 391
- Training for administrative officials : 119
- Training for managers : 199
- Language training : 371
- Lecturers Internal : 323
External : 234
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Industrial Property Training Institute

5) Training Schedule

- Review at the end of every fiscal year and draw up for the next fiscal year
- Report this new training schedule to the Patent Office Council

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Industrial Property Training Institute

6) Training for examiners and appeal examiners

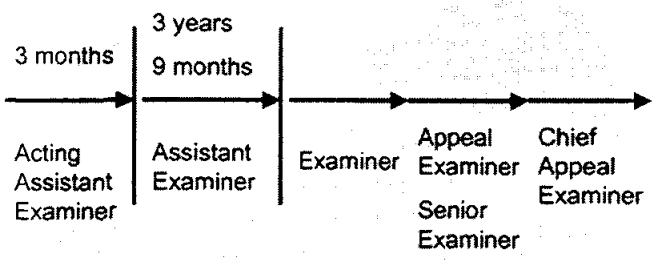
- State-of-the-art technical knowledge
- Practical ability and knowledge of laws required to perform examination, appeals and trials
- Mandatory / Voluntary training

7) Training for administrative officials

- Knowledge essential for performing examination support operations and patent administration

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Mandatory Training



Assistant examiners engage in the preparation of notification drafts to inform applicants of the contents of prior art searches and examinations under the instruction and supervision of an examiner.

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Mandatory Training

To become examiners

- Acquire a certain amount of experience as assistant examiners
- Complete a specified training curriculum

To become appeal examiners

- Acquire a certain amount of experience as examiners
- Complete a specified training curriculum

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Training Course for Assistant Examiners

1) Basic knowledge of laws and examination standards (lecture style)
2) Using mock and actual applications, and practical training such as prior art searches, drafts of notification are prepared (small group style)
3) Tours of private sector research and development departments
4) Two more lectures added from this fiscal year
   - Examination of Computer Software-related Inventions
   - Prior Art Document Search
5) Results of this training are confirmed by
   - submission of a report
   - oral examination at the end of training



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Training Course for Examiners

1) In the 2nd (2 months) and 4th (2 weeks) years
2) Deeper knowledge of laws concerning
   - Industrial property rights
   - Paris Convention
   - Patent Cooperation Treaty (PCT)
   - Examination guidelines
3) To acquire high-level knowledge on examination practice
4) Tours of research and development departments in the private sector
5) Two more lectures added from this fiscal year
   - Japanese Writing (with corrective guidance)
   - Debate (with debate practice)

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Training Course for Examiners

6) Results of this training are confirmed by
- submission of a report
- tests on each subject

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Training Course for Appeal Examiners

1) Examiners with around 5 years of experience (having worked for the JPO for a total of around 9 years)
2) Knowledge of laws concerning
- appeals and trials practice
- the Code of Civil Procedure
3) Appeal/trial examination practices
4) Results of this training are confirmed by
- submission of a report on the Code of Civil Procedure
- preparation of a draft of an appeal/trial decision
5) Tours of the Tokyo High Court



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Post-appointment Training Course

Training Course for Senior Examiners

1) In the 8th (1 week) and 13th (3 days) years
2) For mid-level examiners responsible the instruction of assistant examiners as well as the working-out of processing measures
3) Discussions with patent attorneys and staff members of private sector intellectual property departments
4) Feed back results of this training into
   - the instruction of assistant examiners
   - the planning and working-out of processing measures

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Training Course for Chief Appeal Examiners

1) Improvement of the abilities of the Chief Appeal Examiner, who presides over the trial
   - to analyze laws as well as apply them practically
2) Established this fiscal year
   - a great increase in the number of inter parts decisions

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Voluntary Training

To perform tasks smoothly in terms of technical fields ;

- requiring the ability to handle increasingly sophisticated and complicated technology
- requiring international cooperation

Training on technology, laws and language in addition to the mandatory training

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Technological Training

1) Technological training is necessary

- To acquire state-of-the-art technical knowledge
- For proper determination of inventive step, to have common knowledge specifically concerning state-of-the-art as persons skilled in the art

2) Menu of technological training

- Visit private sector research and development departments
- Internship
- Courses and technical seminars within the JPO
- Class auditing at universities within Japan
- Study at domestic and overseas universities
- Dispatch to academic conferences

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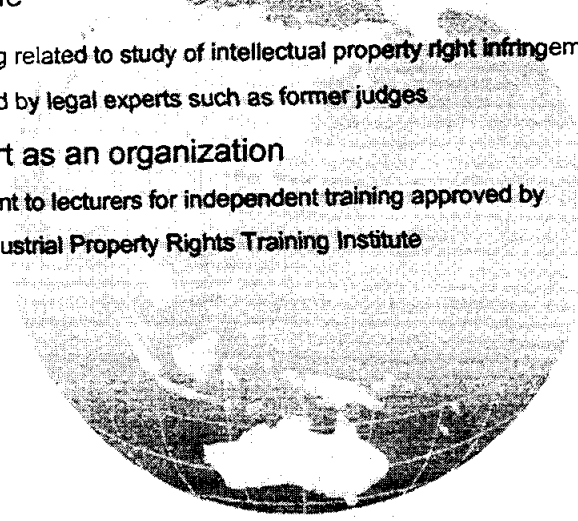
Legal Training

1) Knowledge of laws such as Copyright Law, Unfair Competition Prevention Law
   - Required for planing and implementing measures concerning IPR
2) Knowledge on the interpretation of laws and proceedings
   - Useful for examination and appeal/trial examination practice
3) Menu of the Legal Training
   - Class auditing at the Faculty of Law of the University of Tokyo
   - Lectures on the Civil Code
   - Dispatch to law school in the United States for periods of 2 years since 2000
   - Dispatch to summer schools at law school in the United States since 2001

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Independent Training

1) Example
   - Training related to study of intellectual property right infringement lectured by legal experts such as former judges
2) Support as an organization
   - payment to lecturers for independent training approved by the Industrial Property Rights Training Institute



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Language Training

1) Strengthen language training (especially English)
   - Harmonization of patent systems and examination practices
     Mutual exchanges of search results
   - Enrichment of foreign documents searches
   - Making English ISR/IPER of PCT applications filed in English
2) Provided through external language institutions
3) Curricula are planned according to trainee level

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Language Training

4) necessary for assistant examiners with 2 / 3 years experience
5) Training results are evaluated through the TOEIC test before and after the training
6) Training in French, German, Chinese and Korean is provided through external language educational institutions

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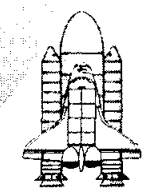
Other Training

1) National Personnel Authority

- Training for civil servants in order to develop a wide perspective as administrators
- 1 year study-abroad program to enable civil servants to research and study administrative practice in foreign countries

2) Ministry of Education, Culture, Sports, Science and Technology

- 1 year study-abroad program to acquire overseas state-of-the-art technology in nuclear energy and space development fields



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Training Course For Administrative Officials

To acquire the knowledge necessary for performing examination support operations and patent administration

- Administrative training for newly hired officials
- 1st stage of administrative official training
- Training course for assistant administrators
- Results of this training are confirmed by submission of reports

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Specialists For Formality Examination Training Course

1) Responsible for patent application formality checks

2) To become a specialist for formality examination

- complete a training course
- acquire knowledge on formality examination standards and laws related to the Administrative Appeal Law

3) Results of this training are confirmed by submission of reports

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Clerical Officials for Appeal Training Course

1) Responsible for drawing up accurate records of oral proceedings

2) To become a clerical official for appeal

- complete a training course
- acquire practical ability and knowledge of necessary laws

3) Results of this training are confirmed by examinations and submission of reports

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Training Course For Administrators

1) Administration

- Maintaining work levels of individual examiners as well as the quality of examinations
- Implementing human resource policy
- Processing policy
- Health management

2) Administrative operations affect

- motivation of individual examiners
- work atmosphere
- efficiency of examinations and appeal/trial examinations

3) Training is provided for administrative level candidates

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Lecturers

1) Internal lecturers (323 in 2000FY)

- In house courses for the acquisition of technical knowledge (ex. electronic circuits) and examination practice
- Aiming at increasing lecture skills for internal lecturers by providing presentation training

2) External lecturers (234 in 2000FY)

- Judges, university professors, corporate executives



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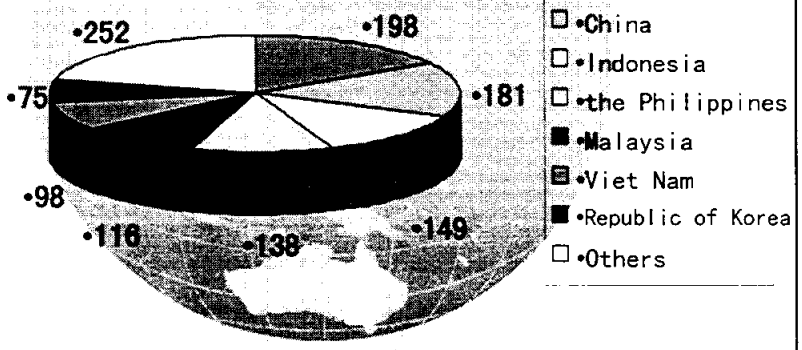
Japan Patent Office(JPO) Cooperation towards Human Resource Development in Developing Countries



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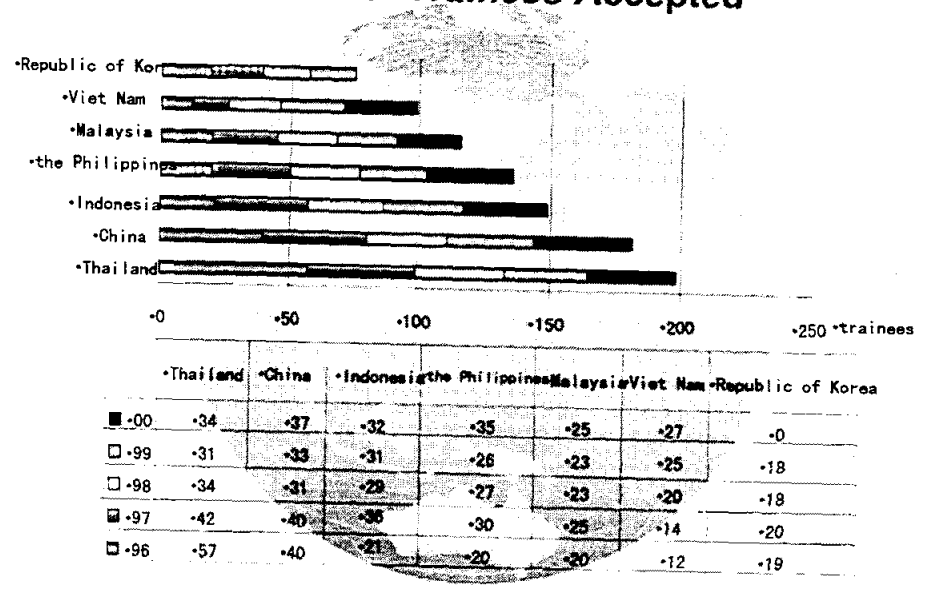
Training Program

The JPO invited 1,207 trainees from 40 countries and one region between FY 1996 and FY 2000.



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Number of Trainees Accepted



	•Thailand	•China	•Indonesia	the Philippines	Malaysia	Viet Nam	•Republic of Korea
■ •00	•34	•37	•32	•35	•25	•27	•0
□ •99	•31	•33	•31	•26	•23	•25	•18
□ •98	•34	•31	•29	•27	•23	•20	•18
▨ •97	•42	•40	•36	•30	•25	•14	•20
□ •96	•57	•40	•21	•20	•20	•12	•19

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Training Program

13 Group Training Courses per Year

1. JICA (1 course)

- Intellectual Property Course for APEC Economies (8 weeks)

2. WIPO (4 courses)

- Enforcement of IP Course (2 weeks)
- IP Administration Course (2 weeks)
- Use of Information Technology in Industrial Property Administration Course (2 weeks)
- Examination Practices of IP Course (3 weeks)

3. AOTS (8 courses)

- Courses for Management (2 weeks - 2 courses)
- Course for Lawyers (3 weeks)
- Courses for Operational Staff (4 weeks - 1 course, 3 weeks - 4 courses)

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Training Program

Training Programs Overseas

1. Intellectual Property Seminar for IP-Enforcement Staff Members (FY 2001)

- These seminars are geared towards government officials in the IP Enforcement field and aim at strengthening the enforcement of intellectual property in each country.
- The seminars are co-organized by the Republic of Korea (KIPO) and Singapore (IPOS). More seminars are planned.

2. Follow-up Seminars (FY 2000)

- Follow-up seminars were held targeting trainees who completed training in cooperation with seminar alumni associations, etc. of each country (Republic of Korea, the Philippines, China, Thailand, Indonesia).

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Dispatch of IP Experts

1. Dispatch of IP Experts under the JICA and the WIPO/FIT Programs

- JICA Program (short/long terms)
- WIPO Funds-in-Trust/Japan Program (short term only)

2. Fields of Cooperation

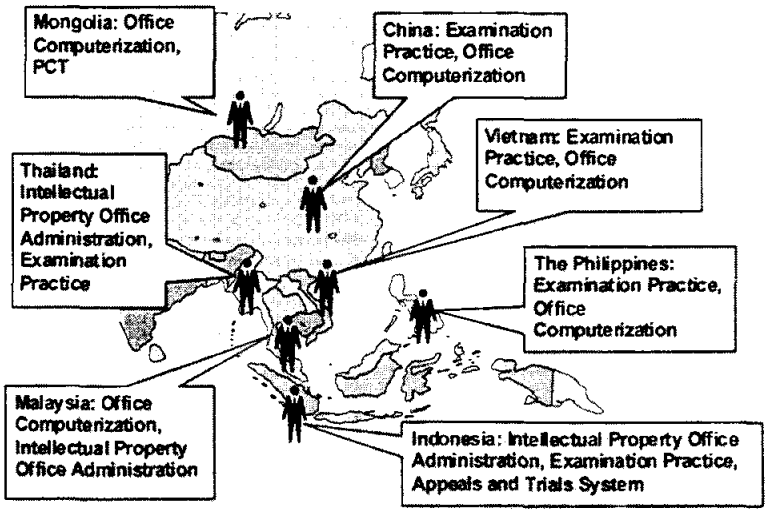
Examination Practice, Appeals and Trials System, PCT, Intellectual Property Office Administration, Office Computerization, etc.

3. FY 2000 Results

- Short term : 28 experts
  China, Indonesia, Malaysia, Mongolia, Thailand, the Philippines, Vietnam
- Long term : 7 experts
  Indonesia, Thailand, the Philippines, Vietnam

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Results of IP Expert Dispatch (FY 2000)



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Training Texts

Chinese

Industrial Property Rights Standard, Outline of the Japanese Patent Law and Utility Model Law, Patent Dispute and Countermeasures, Outline of the Trademark Law, Trademark Disputes and Their Handling

Vietnamese

Industrial Property Rights Standard, Writing Patent Specifications, Practical Procedures for Prosecuting Software Patents, Procedures for Filing to Registration of Trademark, Protection of Well-known and Famous Trademarks

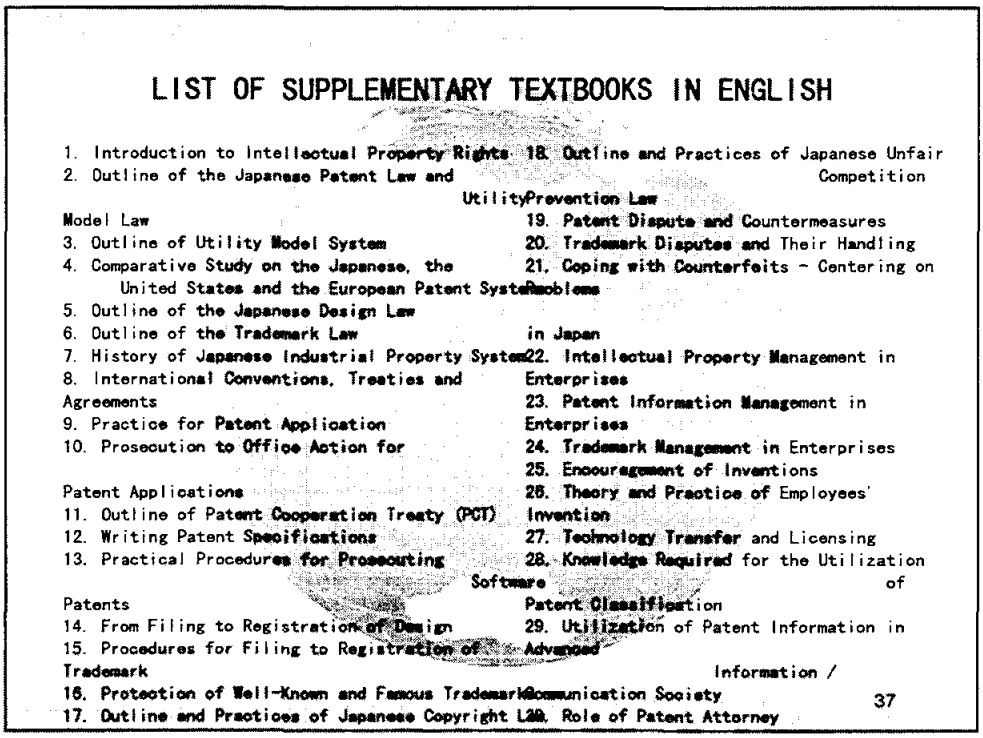
Indonesian

Industrial Property Rights Standard, Utilization of Patent Information in Advanced Information/Communication Society, From Filing to Registration of Design, Encouragement of Inventions, Trademark Disputes and Their Handling

Thai

Industrial Property Rights Standard, International Conventions, Treaties and Agreements, Patent Dispute and Countermeasures, Trademark Disputes and Their Handling, Technology Transfer and Licensing

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