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SONODA & KOBAYASHI
INTELLECTUAL PROPERTY LAW



May 2019

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- News about Sonoda & Kobayashi -

Welcoming our newest IAD member !

Sonoda & Kobayashi is pleased to welcome a new International Affairs Department member, Ms. Alison Santino.

Ms. Santino studied Social Sciences and Humanities in Sciences Po Paris before specializing in Business Law during her graduate program. While an undergraduate, she engaged in an extensive Asian studies program which included a one-year exchange in Shanghai, an experience that allowed her to significantly improve her Mandarin. Her experiences in both China and Japan enabled her to develop a deep understanding of both cultures which remains a strong asset.

After a four-month internship in Sonoda & Kobayashi where she conducted Intellectual Property related research, she officially became a member of the International Affairs Department in 2019. She is currently working on increasing her knowledge of comparative law with a focus on Japan, China and Europe.

[Read Ms. Santino's full profile here](#)

- Latest IP News in Japan -

1. Cabinet Decision on the Bill for the Act of Partial Revision of the Patent and Design Acts

March 1, 2019, Ministry for Economy, Trade and Industry (METI)

The Ministry of Economy, Trade and Industry (METI) has announced on its website that the Cabinet has approved the Bill for the Act of Partial Revision of the Patent and Design Acts and that the bill will be submitted to the ongoing 198th ordinary session of the Diet. It is likely that the bill will be passed and that the reformed acts will be implemented in January or April 2020.

Regarding the partial revision of the Patent Act, the bill is to create a new inspection procedure system for the on-site inspection of suspected infringers and revises the method of calculating compensations for damages.

Regarding the partial revision of the Design Act, the bill is to expand the scope of designs subject to protection under the Design Act and newly cover graphic images that are not recorded or shown on articles as well as interior and exterior designs of buildings. Also, the bill is to change the duration of design rights from 20 years from the registration date to 25 years from the filing date and will enhance the Related Design system. Also, the bill is to allow an applicant to file an application for multiple designs and to register a design similar only to the related design. Finally, the bill is to expand the provisions for direct infringement.

[Read the full article here.](#)

2. Japan considers allowing patent litigation in English

March 15, 2019, Nikkei Asian Review

According to the Nikkei Asian Review, the Japanese government is discussing with business leaders and lawyers steps to make the country more attractive for intellectual-property litigation, including the establishment of an international division within the Intellectual Property High Court where cases could be heard in English.

A group of representatives from the Justice Ministry, the Supreme Court, the Japan Federation of Bar Associations and the private sector (including the Japan Business Federation lobby and Toyota Motor) is considering a new system for international disputes over issues such as patents and held its first meeting in March.

In addition to the new system, proposed revisions to Japanese patent law have been submitted to parliament, such as directions to make it easier to collect evidence in cases involving alleged intellectual property violations.

[Read the full article here.](#)

3. Japan presses China on intellectual property safeguards

April 3, 2019, Nikkei Asian Review

On April 2nd, Japan encouraged the Chinese government to enhance protections for intellectual property at their inaugural dialogue on innovation, as Beijing seeks to develop economic and technological cooperation with Tokyo in the context of the trade war with the U.S.

Japanese companies reportedly face demands from regional governments and Chinese enterprises to disclose technology, while pirated movies, anime and other content are widely available on Chinese websites. Beijing has made some efforts to address the concerns, such as new legislation last month to strengthen protections for foreign intellectual property and ban forced technology transfers, but many Japanese companies remain concerned.

[Read the full article here.](#)

4. Toyota to allow free access to 24,000 hybrid and electric vehicle tech patents to boost market

April 3, 2019, The Japan Times

Toyota Motor Corp. announced that it will allow royalty-free access to its nearly 24,000 patents for hybrid and other vehicles using electrification technology in order to increase competition in the market, as the industry adopts stricter emissions regulations.

Instead of excluding competitors, Toyota expects that making its motor and battery technology accessible to other companies will expand the market, specifically for hybrids, a field in which the carmaker is a leader with its Prius vehicles.

[Read the full article here.](#)

5. FY2018 Collection of Case Examples of Successful Projects under the IP Acceleration Program for Startups (IPAS) Released

April 5, 2019, Ministry for Economics, Trade and Industry (METI)

The Japan Patent Office compiled the FY2018 Collection of Case Examples of Successful Projects under the IP Acceleration Program for Startups (IPAS), an initiative for supporting startups building customized IP and business strategies. The collection of case examples reflects the achievements and knowledge that the selected startups attained through the program and aims to inform other startups of such achievements and inspire them to make use of the strategies presented in the management of their own IP.

The collection is focused on the case examples uncovered in the FY2018 program and presents the nine IP-related challenges faced by businesses and solutions to those problems, but also key points of support measures that may be useful not only for startups but also for their supporters from both business and IP perspectives.

[Read the full article here.](#)

6. Digital dilemma : Japan flirts with overly aggressive online copyright law

April 15, 2019, Japan Today

According to Japan Today, the Japan's Agency for Cultural Affairs (JACA) is considering significant changes in Japanese copyright's law based on proposals that were initially presented in a bill on February 13th. If those changes are adopted, sharing song lyrics on social media accounts and other common activities such as downloading a photo or taking a screenshot could give rise to criminal liability and

people found responsible for such actions could be subject to imprisonment for up to two years and a maximum fine of ¥2 million

The proposed changes are intended to combat the piracy of works such as manga, and the loss of revenue for manga artists and publishers that results from such piracy. Also, according to Tatsuhiro Ueno, professor of law at Waseda University, those changes are an attempt to remedy the impact that manga piracy has on the Japanese economy.

The bill in its current state has raised concerns as it could affect the online behavior of millions of citizens and jeopardize free expression. Due to such concerns, Japan's ruling Liberal Democratic Party (LDP) decided on March 13 to postpone a vote on the bill.

[Read the full article here.](#)

7. Series of Explanatory Meetings of Intellectual Property Rights in 2019 to be Held Targeting IP Beginners

April 23, 2019, Ministry for Economics, Trade and Industry (METI)

The Japan Patent Office and the National Center for Industrial Property Information and Training (INPIT) will hold a series of free explanatory meetings concerning the intellectual property rights systems, such as patent rights, in all 47 prefectures across Japan. These meetings will explain basic knowledge on IP rights, measures for supporting SMEs provided by the JPO and the INPIT and other information.

[Read the full article here.](#)

8. Japan drafting guidelines to stop technology leaks from universities working with foreign firms

April 24, 2019, The Japan Times

According to an article published by the Japan Times, the Japanese government will set guidelines by the end of March 2020 for preventing technology leaks from universities that conduct research with foreign firms, as reported by sources close to the issue.

This initiative comes as a result of the United States and China being cautious about advanced

technologies such as artificial intelligence being converted for military use.

Concerns were raised by experts about the risk of information leaks as university laboratories have been managing irregular agreements on their own, though Japan already regulates the disclosure of sensitive technologies and products by the nation's state organizations and companies to overseas firms under a foreign exchange and foreign trade law.

The intended guidelines would require universities and other research institutions to set regulations on joint projects involving foreign entities and they will be based on the inclusive innovation strategy adopted by the Cabinet in 2018 designed to stimulate university research on Artificial Intelligence, biotechnology and other leading technologies.

[Read the full article here.](#)

About

SONODA & KOBAYASHI is a law firm offering dependable legal services for intellectual property. Our multinational team of about 90 experts in technology, law, languages and international communication has served companies worldwide and gained a reputation for thoroughness and reliability.

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