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JPO Published a Collection of Case IP Strategies by Summarizing the Results of Company Hearings 特許庁、企業のヒアリング結果まとめた知財戦略事例集公表

The Ministry of Economy, Trade and Industry and the Japan Patent Office (JPO) have published a Collection of Case IP Strategies compiled so as to (i) help each company to formulate an IP strategy best suited to the company and (ii) show the company the points of view and concern that should be considered in implementing the strategy.

The Collection of Case IP Strategies was born out of an attempt to respond to the voice from companies facing real problems of what should be specifically done in formulating and implementing an IP strategy. The problems includes problems of building a system and improving an environment in accordance with type of industry, type of operation, and scale of operation. The Collection of Case IP Strategies contains about 600 case strategies obtained by conducting hearings with 150 domestic and international companies.

The JPO hopes that many companies make use of the Collection of Case IP Strategies for example by selecting, from the wide range of case strategies, case strategies that match their respective systems and environments, so that the formulation of advanced IP strategies is furthered in the industrial world.

経済産業省・特許庁は4月4日、各企業が自社に最適な知的財産戦略を構築し、それを具体的に実行するにあたり考慮すべき観点や留意点を示すことを目的としてまとめた知財戦略事例集を公表した。

企業が知的財産戦略を構築して実行しようとする場合、業種・業態・事業規模等に応じた体制構築や環境整備を含め、具体的には何をすべきかという現実的な壁に直面するという声に応えようとしたもので、国内外企業150社へのヒアリングから得られた約600の事例を掲載している。

特許庁では、豊富な事例の中から、自社の体制、環境等に適合するものを参考にするなど、多くの企業で本事例集が活用されることにより、産業界において、高度な知的財産戦略の構築が進むものと期待されるとしている。

Kodansha Made an Accusation of Putting a Scoop on the Net in Advance スクープを事前にネット掲載 講談社が告訴

Alleging that the article and photos of "Weekly Gendai", reporting that an ex-member of "Morning Musume" Ai Kago (aged 19) had smoked, were reprinted without permission on an Internet bulletin board "Ni-channel" two days before the release, the publisher Kodansha (Bunkyo-ku, Tokyo) and a photographer filed a written accusation with the Tokyo Metropolitan Police Department for breach of the copyright law without an suspect being identified.

According to the written accusation, the article and photos on "Weekly Gendai" released on March 26, 2007 had been reprinted without permission.

A Kodansha employee said, "when I was searching on "Ni-channel" at midnight on March 27, 2007, I found an address where the article can be browsed." The issue of "Weekly Gendai" that contains the article and photos was printed and bound the previous day (March 23, 2007), and hit the store shelves in urban areas such as Tokyo on March 26, 2007. However, it is unknown when in the process the article and photos were leaked.

Kodansha says, "We made this accusation partly in an attempt to remonstrate against the current situation in which the act of piracy is rampant on the Net."



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元「モーニング娘。」のメンバー、加護亜依さん(19)の喫煙を報じた「週刊現代」の記事及び写真を、発売2日前にインターネット掲示板「2ちゃんねる」に勝手に転載されたとして、発行元の講談社(東京都文京区)とカメラマンとが5日、著作権法違反罪で、被疑者不詳のまま警視庁に告訴状を提出した。

告訴状によると、無断転載されたのは3月26日発売の「週刊現代」に掲載された記事及び写真である。

講談社社員が同月24日深夜に「2ちゃんねる」を検索したところ、記事を閲覧できるアドレスが掲載されていたとのことである。「週刊現代」の上記記事等が掲載された号は、前日の23日に印刷・製本され、東京など都市部では26日に店頭に並んだが、同記事等が、いつの段階で流出したかは不明であるという。

講談社は「今回の告訴はネット上に著作権侵害行為が横行する現状に抗議する意味でも行った」としている。

Meeting between the Custom Leaders of Japan, China, and South Korea, Held on April 11, 2007, Antiterrorist Measures and Intellectual Property on the Agenda 日中韓の税関トップ会談、11日都内で開催、対テロや知財議題

The Ministry of Finance announced, on April 5, 2007, that the heads of the custom authorities of Japan, China, and South Korea would get together on April 11, 2007, to have a high-level meeting in which they discuss common issues on custom administration.

The common issues on custom administration to be discussed include facilitation of trade, effective waterside control, antiterrorist measures, contributions of the East Asia region to the field of custom, and the like. They also plan to frankly exchange views with one another on a further enhancement of their cooperative relationship.

Most of the intellectual property right violating articles such as counterfeit brand-name goods and pirated goods which are detected in Japan come from China and South Korea. In view of this, it is forecast that they will discuss reinforcement of their mutual cooperation in terms of hard-hitting measures against such articles and reinforcement of surveillance of illegal export and import of equipment relevant to weapons of mass destruction.

財務省は4月5日、日本、中国、及び韓国の税関当局の局長・長官が一堂に会し、税関行政上の共通の課題を話し合う初めてのトップ会談を4月11日都内で開催すると発表した。

税関行政上の共通の課題である貿易円滑化、効果的な水際取締り、テロ対策、及び東アジア地域の税関分野における貢献等について議論するとともに、一層の協力関係の強化について率直な意見交換を行う予定である。

日本で摘発される、偽ブランド品や海賊版などの知的財産権侵害物品は、その大半が中国と韓国とから入っており、その取り締まりの強化策や、大量破壊兵器関連機器の不正輸出入などの監視強化について、相互の連携強化が議題となる見通しである。

Support for Small and Medium Enterprises in Patent Prior-art Search Is Started in the New Fiscal Year with Its Target Widened 中小企業等の特許先行技術調査支援、対象拡げ新年度開始

On April 2, 2007, the Japan Patent Office (JPO) started accepting requests for the "Support Service for Small and Medium Enterprises in Patent Prior-art Search Concerning Patent Application" for the fiscal year of 2007. The support service deals with applications from small and medium enterprises (SMEs) and individuals. According to the support service, a private search company entrusted by the JPO conducts a search in accordance with a request from an SME or an individual, and sends a result of the search to the SME or the individual free of charge.

It has been four years since the "Support Service for Small and Medium Enterprises in Patent Prior-art Search Concerning Patent Application" was launched in the fiscal year of 2004, and its target has been widened in this fiscal year. For example, requests from patent attorneys can be accepted (however, the search report and the like are sent directly to the SME or the individual, and the recipient sends the receipt back to the search company). The JPO hopes that the support service is utilized to decide whether or not to file a request for examination.

As in the last fiscal year, the target of the support service includes a patent application which was filed on April 1, 2007 or later, which has been given an application number, and for which no request for examination has been filed yet. Excluded from the target are (i) an international application, (ii) an application having less than two months before the termination date of the period of examination request, and (iii) an application whose prior art was searched by the support service in the past.

Those who are eligible to make a request for search are SMEs, individuals, and their respective patent attorneys. An SME is defined, for example, as an enterprise engaged in manufacturing, construction, transportation, or other types of industry, employing not more than 300 employees, and having a capital of not more than ¥300 million. A request can be accepted until February 29, 2008. However, the support service may be stopped for a budget reason.

There are four currently available search companies: Japan Institute of Invention and Innovation (JIII), Hatsumei-tsushin Co., Ltd, PATOLIS Corporation, and Japan Patent Information Organization (JAPIO). However, the number of search companies will be increased to 20.

特許庁は、中小企業・個人の出願について、依頼に応じて特許庁委託の民間調査事業者が先行技術調査を行い、調査の結果を無料で送付する「特許出願に関する先行技術調査の支援事業」について、4月2日から平成19年度の受付を開始した。

「特許出願に関する先行技術調査の支援事業」は、平成16年度から開始され4年目となるが、今年度は、出願代理人からの依頼受付も可能(ただし、調査報告書等は、中小企業又は個人出願人へ直接送付され、受領書を返送)になるなど、対象が拡大された。特許庁では審査請求を行うか否かの見極めに役立ててほしいとしている。

対象となる特許は、昨年度と同じで、平成16年4月1日以降に出願した特許出願で出願番号が付与されており、まだ審査請求を行っていないもの。ただし、国際特許出願、審査請求期間の満了まで2ヶ月未満の出願、過去に本支援事業による先行技術調査を依頼した出願は除く。

調査を依頼できるのは、中小企業、個人、およびその出願代理人で、中小企業の基準は、製造業、建設業、運輸業その他の業種では、従業員300人以下、資本額3億円以下などの基準がある。依頼が可能な期間は来年2月29日までだが、予算の都合で早期に終了することもあるとしている。

利用できる調査事業者は、現時点では、発明協会、発明通信社、パトリス、日本特許情報機構(JAPIO)の4事業者だが、20事業者まで拡大される予定となっている。



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Please Contact us if You have any Comments or Require any Information.

Please acknowledge that the purpose of our column is to provide general information on the field of intellectual property, and that the description here does not represent our legal opinion on a specific theme.

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