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Expansion of countries covered by PPH PPH対象国が拡張

An agreement was reached on September 1, 2014 to trial a Patent Prosecution Highway (PPH) between the JPO and the Colombia Industrial Property Office. Also, on October 1, 2014, an agreement was reached to trial a PPH between the JPO and the Malaysia Patent Office.

Colombia is the first country in South America with which the JPO has established a PPH. Lateness of examinations is a concern in several countries in South America, and in future it is expected that the PPH system will be expanded to cover more countries in the region.

Of the nations of ASEAN, Malaysia is the fifth country with which the JPO has established a PPH, after Singapore, the Philippines, Indonesia and Thailand.

日本国特許庁は、コロンビア商工監督局との間で2014年9月1日より、マレーシア特許庁との間で2014年10月1日より、「特許審査ハイウェイ (PPH)」を試行することに合意した。

南米においては、日本国特許庁がPPHを締結したのはコロンビアが初めてである。南米諸国においては審査の遅れが懸念されており、今後、PPHの南米諸国への更なる拡大が期待される。

また、ASEAN諸国においては、シンガポール、フィリピン、インドネシア、タイに続きマレーシアが5か国目となる。

Locarno Agreement Establishing an International Classification for Industrial Designs Comes into Effect in Japan 「意匠の国際分類を定めるロカルノ協定」日本で発効

On September 24, 2014, the Locarno Agreement Establishing an International Classification for Industrial Designs came into effect in Japan.

The Locarno Agreement establishes international design classifications as well as procedures for amending and adding to said classifications, etc. As of September 2014, 54 countries are participating in the Locarno Agreement, and each participating country is obliged to indicate the international design classification on its publications of designs, etc. The international design classification system is made up of 32 categories and 219 subcategories, and includes around 7,000 classifications of articles. Compared to the Japanese design classification system (13 groups, 77 major categories, 3,196 minor categories), there are fewer categories and the categorization system is less refined.

Previously, Japanese enterprises have often had the opportunity to carry out searches of design publications at a national level using the Japanese design classification system. However, in recent years with the globalization of the international product market, increasingly opportunities have arisen for carrying out searches of foreign design publications using the international design classification system. This has led to more voices calling for the greater subdivision of the international system. In response to this and other factors, with the understanding that increasing the usability of the international design classification system is extremely important, Japan has entered the accord in order to have its opinions included in the recent revisions to the system.

2014年9月24日、「意匠の国際分類を定めるロカルノ協定」が我が国で発効した。

ロカルノ協定は国際意匠分類の制定、修正および追加の手續等について定めた協定である。2014年9月現在、ロカルノ協定には、54か国が加盟しており、加盟国は自国が刊行する意匠公報等に国際意匠分類を記載することが義務付けられている。国際意匠分類は、32の類と219の小分類で構成されており、約7000の物品を分類している。日本意匠分類（13のグループ、77の大分類、3196の小分類）と比べると、分類肢が少なく分類構成が粗いものとなっている。

従前は、日本企業は日本意匠分類によって国内の意匠公報を調査する機会が多かったが、近年の製品市場のグローバル化によって国際意匠分類による外国意匠公報の調査機会が増加するにつれて、国際意匠分類の細分化を希望する声を多く聞くようになったこと等を背景として、国際意匠分類の利便性を向上させていくことが極めて重要であると考え、今後の国際意匠分類の改定の際に我国の意見を反映させるために、我国は本協定に加入した。

Nobel Prize for Physics Awarded to Mr. Shuji Nakamura Known for His Role in Debate Over Compensation for Employee Inventions
職務発明の対価を巡って争ったことで有名な中村修二氏がノーベル物理学賞受賞

Mr. Shuji Nakamura, inventor of the blue LED, has been awarded the Nobel Prize for physics. The blue LED is a revolutionary invention that has enabled energy-saving and which is kind to the environment. It has greatly changed people's everyday lives and has opened the way for the creation of new industries.

The Japanese Prime Minister commented on the award, expressing his respect for the achievements of the three recipients, including Mr. Nakamura. He also stated that the receipt of the Nobel Prize reaffirmed, both in Japan and abroad, that Japan's high standard of academic research and its talented people are its greatest assets, of which it can be proud before the world.

The blue LED is also well-known for being at the center of a court case regarding appropriate compensation for employee inventions. The case concluded with a settlement, but the initial trial at the Tokyo District Court was discussed greatly, as the court found that the level of appropriate compensation was 60.4 billion yen.

青色LED（発光ダイオード）を発明した中村修二氏がノーベル物理学賞を受賞した。省エネを実現し、また、環境にも優しい画期的な発明が、私たちの生活を大きく変え、新たな産業創出を導いた。

同氏を含む3名の受賞について、内閣総理大臣は、業績に心から敬意を表するとともに、日本の学術研究の水準の高さと人材こそが日本が世界に誇る最大の資源であることを改めて国内外に示されたとコメントした。

また、青色LEDといえば、職務発明の相当対価を巡って裁判所で争われたことでも有名である。最終的には和解により訴訟が終了したが、第一審の東京地裁は、職務発明の相当対価を604億円と認定したことが話題となった。

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長年の経験で培ったノウハウと、国際特許事務所ならではの能力を組み合わせた質の高いサービスを提供致します。

[詳細はこちらへ](#)

Easing of Requirements for Consolidated Examinations for Business Strategy Handling 事業戦略対応まとめ審査の要件緩和

On October 1, 2014, The Ministry of Economy, Trade and Industry (METI) announced a revised version of its 'Guidelines Regarding Consolidated Examinations for Business Strategy Handling.'

Consolidated examinations for business strategy handling have been available since April 2013, and are a method by which the examinations and granting of rights for several intellectual properties necessary for business can be timed to occur together and thereby coincide with business development. According to METI, during a trial conducted since April 2012, 49 applications were made, and over 600 patent applications etc. were subject to consolidated examinations.

Until now, consolidated examinations could only be requested for collections of applications made by the same applicant, meaning that group companies and affiliated companies etc. controlling groups of applications that include different applicants could not use the system. This revision to the guidelines allows a different applicant may request a single consolidated examination for a group of applications made up of patents etc. that is contained in a single business. Other revisions have been made which make it easier for users to make use of the system, such as allowing the addition or substitution of cases subject to a consolidated examination during a fixed period.

経済産業省は、2014年10月1日に「事業戦略対応まとめ審査ガイドライン」の改訂版を公表した。

事業戦略対応まとめ審査とは、事業に必要な複数の知的財産が事業展開の時期に合わせて同一のタイミングで審査・権利化が可能となる審査手法であり、2013年4月から開始されている。経済産業省によれば、2012年4月からの試行を踏まえると、49件の申請があり、600件を超える特許出願等が対象となったという。

これまでは、同一出願人からの出願群でなければ申請することができなかったため、グループ会社や関連会社など出願群に異なる出願人が含まれる場合は申請することができなかった。今回の改訂により、一つの事業の中に位置づけられる特許等からなる出願群であるならば、異なる出願人からの一つのまとめ審査の申請ができることとなった。また、申請に係る案件の追加や差替えも一定期間認められるなど、ユーザーにより利用しやすく改められた。



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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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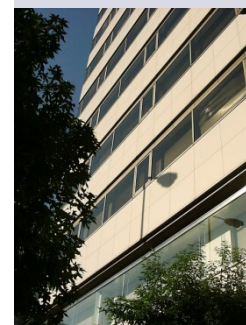
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