

General Statement by Japan at the 57th Series of Meetings of the Assemblies
of the Member States of the World Intellectual Property Organization (WIPO) in 2017

1. Opening Remarks

Thank you, Mr. Chair.

On behalf of Japan, may I extend my gratitude for your dedicated work as the chair of the General Assembly, and also express my appreciation to Director General Francis Gurry and the Secretariat for all their work.

2. Intellectual Property 4.0 (IP4.0)

Let me take this opportunity to discuss the issues that new technologies have brought about and the posture we should adopt in tackling them so that we can open up a new era for the IP system.

Looking back at our history, three major events have shaped the IP system today. First, the Paris Convention introduced an international framework. Second, the international filing systems such as the PCT eliminated procedural duplication for both Offices and applicants. Third, the TRIPS Agreement established high standards of IP protection.

Emerging technologies and changing social structures, at the same time, have spawned problems. For instance, IT advances have led to abuses of patent rights such as patent trolls and patent hold-ups in relation to standard essential patents, or SEPs.

Another example is the issue of trademark squatting. Simple e-filing systems combined with the more relaxed filing STLT requirements have opened the floodgates for bad-faith trademark applications that avoid paying fees.

Also, in an IoT era, everything will be connected to the Internet, exposing all industries to the risk of involvement in patent disputes. These and other problems have created some skepticism toward IP rights, but none are actually so fundamental as to shake the entire IP system, and nor is the advance of IT and emerging technologies in itself problematic. The importance of the IP system for rewarding and encouraging risk-taking innovators remains unchanged. Therefore, we should solve these hitches one by one, and to prevent any further spread of anti-IP sentiment.

Once we overcome these obstacles and the IP system is ready to accommodate emerging

technologies, the reformed IP system could be called “IP4.0” following the three eras marked by the Paris Convention, the PCT, and the TRIPS Agreement.

3. Our Expectations for WIPO and Our Contributions to WIPO

(1) WIPO’s Role in the Establishment of IP4.0

Japan is committed to lead in our efforts for realizing IP4.0 in conjunction with WIPO and its member states. In that context, I would like to introduce some recent initiatives that Japan has been working on with WIPO.

(2) Enhancing Global IP Services - the PCT, Madrid and Hague Systems

As stated in Article 3 of the Convention Establishing WIPO, one of the objectives of the organization is “to promote the protection of intellectual property throughout the world.” In order to make WIPO an even more attractive organization for users, Japan looks forward to more discussion on measures and policies based on that objective. Specifically, WIPO should place utmost importance on enhancing global intellectual property (IP) services based on the fact that the majority of WIPO revenue derive from fees paid by users for global IP services such as the Patent Cooperation Treaty (PCT), the Madrid Protocol, and the Hague Agreement.

(3) Cooperation Programs for Developing Countries Organized through Japan’s Voluntary Contributions (30th Anniversary of the Japan Funds-in-Trust at WIPO)

I am proud to say that the Government of Japan has made the largest voluntary contribution to WIPO again this year—around 5,900,000 Swiss francs. The Japan Funds-in-Trust at WIPO has been used primarily to support the development of IPR-related human resources in Asia and Africa. This includes bringing to Japan more than 1,800 trainees from 57 countries and four regions since 1996, sending more than 300 of our own experts to 35 countries since 1987, and holding various forums and workshops. The WIPO Japan Office, or WJO, has played an active role in these activities in collaboration with the Japan Patent Office, or JPO.

With the Japan Funds-in-Trust celebrating its 30th anniversary this fiscal year, the JPO plans to mark the occasion by holding a high-level forum in Tokyo in February 2018. Top-level members from around 50 IP offices in the developing world and elsewhere will be invited to engage in policy dialogue on intellectual property issues. Japan is committed to continuing its assistance activities through the Japan Funds-in-Trust, and we look forward to

further collaboration between WIPO and the WJO to realize more effective and more valuable assistance.

(4) Establishing Global IP Infrastructure

Japan formally joined WIPO-CASE in 2015. As of July 2016, anyone can access and refer to dossier information from both IP5 Offices and those offices participating in WIPO-CASE by using the Japan Platform for Patent Information, or J-PlatPat. We hope that WIPO will continue to increase the number of offices participating in WIPO-CASE and expand the use of this common platform for sharing dossier information worldwide.

In regard to the electronical filing platform, or ePCT, WIPO has been improving and adding various functions to this platform since the service began in 2011. Japan has just started discussions with WIPO to launch ePCT in Japan.

Since IT infrastructure is one area in which we can easily and flexibly enhance user satisfaction, Japan hopes that WIPO will continue to focus on investment in this area.

(5) Norm-setting (the Design Law Treaty and the Treaty on the Protection of Broadcasting Organizations)

With regard to norm-setting activities, Japan will contribute proactively to the discussions being held on the Treaty on the Protection of Broadcasting Organizations so that a diplomatic conference can be convened to adopt the treaty at the earliest possible timing. Japan will also work to have the Design Law Treaty adopted.

4. Japan's Initiatives

Taking this opportunity, I would also like to talk about Japan's recent IP initiatives. In order to respond to the Fourth Industrial Revolution that is now underway, Japan has been examining the impact that emerging technologies such as the Internet of Things, artificial intelligence and big data will have on intellectual property. This has led to the development of an examination regime specifically geared to dealing with IoT-related inventions, establishment of new patent classifications for IoT, and publication of examples of IoT examination results.

Japan has also been actively working on its international exchange activities in the judicial field of intellectual property. In November last year, the Symposium on Patent Litigation in Europe and Japan 2016 was held in Tokyo, attended by more than 400 people, among them

judges from both Japan and Europe. From October 30 to November 1 this year, Japan will hold the Judicial Symposium on Intellectual Property/Tokyo 2017, inviting judges from China, Korea and ASEAN.

5. Concluding Remarks

The globalization of corporate activities and the advance of emerging technologies such as IoT and AI will inevitably create an increasingly important role for intellectual property rights. Moreover, given that strengthening intellectual property systems has the potential to further advance technological innovation, Japan believes that WIPO's role too will continue to grow in importance.

We look forward to drawing on our substantial experience and achievements to date in continuing to contribute to WIPO activities and the ongoing evolution of WIPO itself toward the development of a global IP system that will promote and nurture innovation.

I thank you, Mr. Chair.

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