

EEM210 Basic Knowledge of Intellectual Property Rights

3rd and 4th quarters, Sophomore

Instructor	TAKASHIMA TOSHIRO
Style of Class	Lecture
Number of Credits	2
Day and Period	Friday, period 3

Course Description

Japan is a country of manufacturing, and the only and effective measure for revitalization of the country is to promote manufacturing. The intellectual properties are the deliverables generated from manufacturing activities and should be effectively utilized as a means for the business and national strategies. The basic knowledge concerning the intellectual property rights is requisite for today's engineers and researchers. This course will offer to the students an intelligible opportunity to study expanding what the intellectual property rights are to what the corporate and national strategies related to the intellectual properties would be.

The course will first explain the outline of the intellectual property rights, including types of the IP rights, and survey the characteristics of the IP system in Japan along with the points in common with or difference from those of foreign countries. The students will then examine the requirements under the provisions of the Patent Act that need to be satisfied in order to achieve registration of the patent rights. The procedures from submission of application through achievement of the patent right will be studied and how the patent rights so acquired can be utilized will be discussed. At the same time, the students will practice to acquire the skill of searching the patent information. As the number of registered cases of patent information is considered to be in the order of tens of millions, we will utilize, among others, the Industrial Property Digital Library released on the Internet to actually obtain necessary information from the search. The students' understanding will also be fostered in the areas of the relevance of marketing and intellectual properties and their passive and proactive strategies. Cases of acts amounting to infringement, balance theory, indirect infringement and responses and legal actions to be taken against upon occurrence of infringement will be studied, through the case studies as appropriate.

Course Objectives

- To acquire fundamental knowledge and method for avoiding conflicts with or repetitions of other companies' patents which are important when research and development are started.
- To acquire fundamental knowledge for protecting research accomplishments as intellectual properties.
- Technology/product development and the IP strategies in enterprises.
- To acquire the skill of patent-search by using a patent information platform.

Prerequisites

None.

Class Materials

<Text Books>

Outlines prepared by TAKASHIMA

<Supplementary Materials>

Sagae Takayoshi, Nikkei Bunko: *Chiteki shoyuken no chishiki <shinpan>* (Knowledge of Intellectual Property Rights <new edition>), Nikkei Inc., 1998.

Takeda Kazuhiko, *Tokkyo ga wakaru 12 sho (5 han)* (Twelve chapters to understand patent rights (5th edition), Diamond Inc., 2000

Nakayama Nobuhiro, *Tokkyoho (dai 2 han)* (Patent Act (2nd edition)), Koubundou, 1998.

Takeda Kazuhiko, *Tokkyo no chishiki (dai 6 han)* (Knowledge of Patents (6th edition)) Diamond Inc., 1999.

Course Method

Explanations of the contents will be given according to the outline prepared by the instructor. For the exercises of patent information searching (once during the course), manuals and example cases will be offered to the students, and the students will actually work on the personal computers connected with the Internet.

Evaluation/Assessment

Evaluation will be based on report of search exercises and examinations.

Grading

40% Report of search exercises

60% Examinations

Course Schedule

Week 1 [Lecture]: Overview of Intellectual Properties

Overview of the intellectual properties in general and their significance.

Week 2 [Lecture]: Intellectual Property Systems in Japan and Foreign Countries

Definition of intellectual properties and the systems to protect intellectual properties in effect in Japan and foreign countries.

Week 3 [Lecture]: Definition of Invention and Patentability (1)

Basic concept of invention.

Week 4 [Lecture]: Definition of Invention and Patentability (2)

Requirements for an invention to be a patent.

Week 5 [Lecture]: Definition of Invention and Patentability (3)

Cases where the patentability of an invention is negated and countermeasures therefor.

Week 6 [Lecture]: Exception to Loss of Novelty (Treatment in Japan and Foreign Countries)

Negation of the patentability by prior documents upon making patent application of inventions.

Week 7 [Lecture]: Inventions by Employees and Utilization of Patent Rights

Inventions by employees and requirements to utilize patent rights.

Week 8 [Lecture]: Practice of Patent Application, Necessary Documents and their Roles, How to make entries

Flow of the process to apply for patent registration, and points to be noted when proceeding with the procedures and preparing the necessary documents.

Week 9 [Lecture]: Patent Information and Searching

Patent information searches for prior patent investigations.

Week 10 [Seminar]: Exercises of Patent Information Searches

Exercise of the patent information searches by using the information of the Japan Patent Office.

Week 11 [Lecture]: IP Strategies

Business strategies utilizing patent and other intellectual properties.

Week 12 [Seminar]: Rejections and Other Intermediate Procedures and Restriction on Amendment

Requests for patent examinations and notice of refusal and decisions given to such requests.

Week 13 [Seminar]: Infringement on Right and Countermeasures (1)

Case studies of countermeasures to be taken against patent infringement or other similar incidents.

Week 14 [Seminar]: Infringement on Right and Countermeasures (2)

Case studies of countermeasures to be taken against patent infringement or other similar incidents.

Week 15 [Presentation]: Contracts, etc. concerning Intellectual Properties

Patent and other contracts as regard their execution and effectiveness.

Week 16 [Presentation]: Final Examination

Preparation and Follow-up

- Preparation: Prepare for the class by referring to the relevant sections of the supplementary materials as well as by reading the newspapers, etc. to collect information relevant to the class (about 1 hour).
- Follow-up: Review the outline of the class and sort out any points of uncertainty (about 1 hour).