



# JAPAN IP CONFERENCE



**DATE:**  
15 APRIL 2014  
**VENUE:**  
TOKYO

## DRIVING INNOVATION, BRAND PROTECTION & GROWTH

"Japan aims to become the world's leading country regarding intellectual property in the next 10 years." Hideo Hato, Commissioner, Japan Patent Office

Despite challenges in digital piracy and anti-competitive IPR practices, the Japan Patent Office (JPO) and the Japan Fair Trade Commission (JFTC) have worked actively to fulfill the government's ambitious IP vision through enactment of the Anti-Counterfeiting Trade Agreement (ACTA) and enforcement of the Anti-Monopoly Act. Presenting unprecedented regulatory updates by the JPO and the JFTC, Asian Legal Business' Japan IP Conference offers legal, IP, technology and scientific experts quintessential know-how on how to balance between compliance with IP-related legislations and winning IP monetisation and brand protection strategies.



INNOVATE

REUTERS/Regis Daignau

### GOVERNMENT & IP EXPERTS FROM JAPAN, HK & SINGAPORE



Hideo Hato  
Commissioner,  
Japan Patent Office (JPO)



Masaki Okamoto  
Counsellor  
World Intellectual  
Property Organisation (WIPO)



Peter Cheung  
Director-General,  
Intellectual Property  
Department, Govern-  
ment of HKSAR



Hiroyuki Odagiri  
Commissioner,  
Japan Fair Trade  
Commission (JFTC)



Toyotaka Abe  
Director of Interna-  
tional Patents,  
Asia, Director of IP,  
Microsoft Japan



Joe Welch  
Vice-President for  
Government Relations,  
Asia,  
21st Century Fox



Ang Kwee Tiang  
Regional Director,  
IPI Asia



Shuya Hayashi,  
Professor of Law,  
Nagoya University  
Graduate School  
of Law



George Whitten  
Vice President,  
Patent Counsel  
Qualcomm  
Incorporated



Mizuho Kageshima  
Director of Legal  
Coach Japan



Japan Holdings K.K.  
Takayuki Kitajima  
Representative Director  
and General Counsel,  
Unilever Japan Hold-  
ings K.K.



Takamiki Nishikawa  
Senior Legal Counsel,  
Fox International  
(Japan)



Yuichi J. Nakagawa,  
Brand Protection  
Legal Manager,  
Unilever Japan Direc-  
tor, Unilever  
Holdings K.K.



Ayumi Nishino  
Manager and Attorney  
at Law, Intellectual  
Property Management  
Div., Licensing Dept.,  
NEC Corporation



Yoichiro Hata  
Director,  
Recording Industry of  
Japan (RIAJ)

### WHY YOU SHOULD ATTEND

- Learn how leading experts have bridged IP management efforts between Japan, Hong Kong, Singapore and across Asia
- Meet top IP experts from government, multilateral organisations, the technology, entertainment, e-commerce and consumer goods industries
- Localise your IP rights in Japan and monetise your brand/innovation globally
- Explore commercial opportunities in the swiftly developing international IP trading market
- Take note of the in-house counsel's increasing role in IP management and brand protection
- Establish streamlined anti-counterfeiting, anti-piracy and active reputation management strategies for effective brand protection
- Harmonise IP monetisation with anti-trust compliance frameworks
- Use e-discovery in the correct manner throughout IP litigation processes: following the US model

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## PROGRAM AGENDA

9:15

### Registration

9:40

### Chair's Opening Remarks

### The Latest Legislative Developments & Government Guidelines in IP

9:45

#### Government Keynote: Japan's experience in using IP-based strategies to promote innovation and growth

- The government's 2013 "Japan Revitalization Strategy" and the "Basic Policy Concerning IP Policy": achieving an IP-based nation?
- Planned revisions to the Design Act, the Trademark Act and the Patent Attorney Act
- International harmonisation providing strengthened IP protection in Japan and for Japanese businesses expanding overseas
- Enhanced support for SMEs, local regions and universities



**HIDEO HATO**  
Commissioner,  
Japan Patent Office (JPO)

### IP Collaboration Across Borders & International Best Practices

10:15

#### Keynote Address: WIPO's IP information strategy in the global digital era

- IP protection for Japanese businesses: WIPO's global services
- WIPO's take on IP cooperation in Asia/ Japan
- Digital data driven IP management
- Japan's initiatives in using IP-centric measures to drive economic development



**MASAKI OKAMOTO**  
Counsellor  
World Intellectual Property Organisation (WIPO)

### Commercialising IP in Japan and globally

10:45

#### Applying an international patent strategy in Asia: Microsoft's multi-jurisdictional case study

- Microsoft's patent management strategy
- Policy updates on advancing currently lacking user interface protection



**TOYOTAKA ABE**  
Director of International Patents, Asia, Director of IP, Microsoft Japan

11:15

### Refreshment Break

### The Impact of Antitrust and Competition Law on IP Monetisation

11:30

#### Government Keynote: IP monetisation vs. compliance with anti-trust regulations

- The Japan Fair Trade Commission (JFTC)'s perspectives on legal issues arising from the interaction between competition law and IP rights (IPR) protection
- Overview of JFTC's IP Guidelines and Guidelines on Standardization and Patent Pool Arrangements
- IP-related antitrust cases in Japan



**HIROYUKI ODAGIRI**  
Commissioner,  
Japan Fair Trade Commission (JFTC)

12:00

### Networking Luncheon

13:10

#### Government Keynote: Crusading IP Monetisation and International IP Trading: The story of the HK IP Department

- Bringing international IP trading to the forefront: successfully launching IP trading platforms
- The innovative concept of Trading of Virtual Goods (TVG)/International copyright digital exchange
- Collaboration across borders: streamlining IP protection and monetisation across different jurisdictions (the HK example)



**PETER CHEUNG**  
Director-General,  
Intellectual Property Department, Government of HKSAR (tbc)

13:35

#### IP monetisation on FRAND terms with case studies from the ICT industries

- Essential vs. improvement patents and the standard-setting process
- IP licensing on Fair, Reasonable and Non-Discriminatory (FRAND) terms
- Challenges: patent trolls, third party patents, transfer of patents and prohibitive royalties
- Reconciling conflicting standardisation and anti-trust law compliance
- Japan-specific case studies from the ICT industries
- Insight into Qualcomm's IP monetisation and protection strategy

Moderator:  
**SATORU TANAKA**  
Professor of Economics,  
Kobe City University of Foreign Studies



**SHUYA HAYASHI**  
Professor of Law,  
Nagoya University Graduate School of Law,  
Competition Review Advisory Board Member,  
Ministry of Internal Affairs and Communications (MIC)



**GEORGE WHITTEN**  
Vice President, Patent Counsel,  
Qualcomm Incorporated

### Anti-counterfeiting & Brand Protection

14:20

#### Online Brand Protection

**KOHEI SEGAWA**  
Product Planning and Marketing,  
**OKI Data Corporation**

**YUHEI ITASAKA**  
Intellectual Property,  
**OKI Data Corporation**

\*Session sponsored by Thomson Reuters IP & Science

14:50

#### Protecting your brand effectively: The case of Coach

- Top 3 issues/challenges created by the Internet for brand protection — Creating an effective online/offline "Watch" program for IP infringement
- Mechanisms to identify fraud, enforce IPR and prevent future infringements
- Evaluating successful counterfeit enforcement cases and the extent of possible damage recovery
- Implementing countermeasures via partnership and collaboration



**MIZUHO KAGESHIMA** Director  
Director of Legal,  
Coach Japan

15:05

#### Combating digital piracy across multiple jurisdictions

- The implications of copyright infringement on IP monetisation in the entertainment sector
- Effective remedies: take-down procedures (old approach) vs. updated and improved measures such as injunctive relief for overseas sites
- Examining the Japanese landscape - the effect of Japan's new anti-piracy law: criminal penalties for deliberate downloading of pirated content

Case study presentations followed by an interactive panel with:



**JOE WELCH**  
Vice-President for Government Relations, Asia,  
**21st Century Fox**



**ANG KWEE TIANG**, Regional Director,  
**IFPI Asia**



**YOICHIRO HATA**, Director,  
**Recording Industry Association of Japan (RIAJ)**

15:50

### Networking Break

16:05

#### Panel: Anti-counterfeiting collaboration between brands and marketplaces

- How do brand owners leverage the Internet as a business intelligence tool for fighting counterfeit products?
- What approaches do/should marketplaces take in the enforcement against unauthorised selling on their websites?

- How do Marketplaces work with government and all stakeholders to develop an effective policy to safeguard fair trade?
- What are the main challenges in implementing a proactive, long-term brand protection strategy?

Moderator:  
**ANG KWEE TIANG**,  
Regional Director,  
**IFPI Asia**



**KENSAKU TAKASE**  
Partner, Practice Leader,  
IP Group  
**Baker & McKenzie**



**TAKAMIKI NISHIKAWA**  
Senior Legal Counsel,  
**Fox International (Japan)**

**MIZUHO KAGESHIMA**  
Director of Legal,  
**Coach Japan**

16:35

#### Applying reputation management tools as part of overall brand protection: going beyond anti-counterfeiting efforts

- Adopting a proactive (as opposed to a reactionary) brand protection approach
- Dealing with "beyond anti-counterfeiting" issues: look-alike-products and reputation management on social media platforms



**TAKAYUKI KITAJIMA**  
Representative Director and General Counsel,  
**Unilever Japan Holdings K.K.**



**YUICHI J. NAKAGAWA**  
Legal Manager,  
**Unilever Japan Holdings K.K.**

### Optimising IP Dispute Resolution

17:05

#### What US IP litigation means to Japanese companies: the impact of discovery/e-Discovery processes on managing IP

- Breaking the stereotype of Japanese corporations shying away from litigations: taking control of IP dispute settlement
- Streamlining e-discovery in patent litigation to reduce procedural costs - the importance of reducing costs for any litigation, but especially for those against non-practicing entities (NPEs)
- Strengths Japanese companies have in IP litigation - using those strengths to our advantage
- Model Order, IPR, new technologies, joint defence group (JDG) etc. as tools for efficient and lower-cost litigations



**AYUMI NISHINO** Manager and Attorney at Law, Intellectual Property Management Div., Licensing Dept.,  
**NEC Corporation**

17:35

### Chair's Closing Remarks

End of the Japan IP Conference