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IP Protection and Export Control

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- Patent Act
- Trademark Act
- Design Act
- Utility Model Act
- Copyright Act

- Unfair Competition Prevention Act
- Act on the Protection of Specially Designated Secrets
- Basic Act on Cybersecurity
- Act on Prohibition of Unauthorized Computer Access

- Foreign Exchange and Foreign Trade Act
- Customs Act
- International treaties (between Japan-UK and Japan-US)

- Secret Patent /Invention Secrecy
- Security Clearance System

- Patent System in General
- Types of Secret Patent System
- Defenses available?
- Patent Secrecy and Export Control

- Pre-war (and post-war, somewhat) Japanese system
- Abolished in 1953
- Limited application
 - Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan Concerning the Transfer of Arms and Military Technologies necessary to Implement Joint Research, Development and Production of Defence Equipment and Other Related Items (2013)d
 - Agreement between the Government of Jpan and the Government of the United States of America concerning Security Measures for the Protection of Classified Military Information (2007)

- Limited Application (cont'd)
 - Agreement Between The Government Of Japan And The Government Of The United States Of America Concerning Security Measures For The Protection Of Classified Military Information (2007)

- In General
 - “Vetting” of the subject person
 - System of Classification of Sensitive Information
 - Disclosure based on the need to know
- Act on the Protection of Specially Designated Secrets (2014)
 - Lack of systematic and comprehensive classification system
 - Clearance given on the basis of the subject matter/project
 - Information protected when in administrative agency’s possession

- http://www.japaneselawtranslation.go.jp/law/detail_main?id=174
- <https://www.archives.gov/founding-docs/constitution-transcript>
- <https://www.mofa.go.jp/mofaj/gaiko/treaty/pdfs/A-H25-118.pdf>
- Masahiro Yagi (2014), “Introduction Status of Secret Patent System in the world by classification” (CISTEC Journal 2014.11 No.154)
- Mika Yamana (2005), “Secret Patent System in Japan – Reality and Issues” (Journal of Japan Association of Industrial Property Law, No. 28)

THANK YOU !!

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Uchisaiwaicho Station (Toei Mita Line)

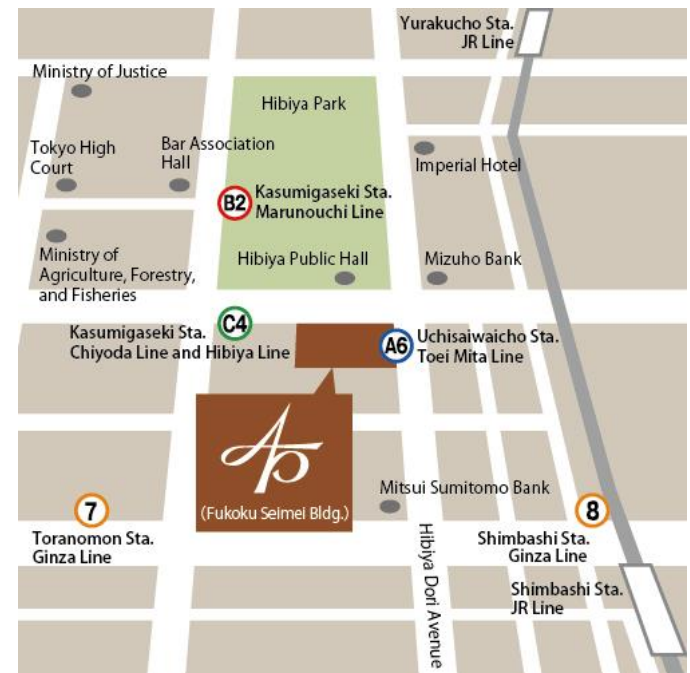
Directly connected via Exit #A6

Kasumigaseki Station (Chiyoda Line and Hibiya Line)

3 minutes walk from Exit #C4

Kasumigaseki Station (Marunouchi Line)

5 minutes walk from Exit #B2



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