

Preface to the Initial Edition

Almost twenty years have flown since Professor Akira Mikazuki (present Minister of Justice) advised me to write this book. Being a youth of less than 30 years of age at the time, I accepted his offer without knowing the immenseness of the trouble of writing a book on a legal system. This was the beginning of my hardship. Nevertheless, I had never forgotten about this book even when I was studying in Germany or writing commentaries on the Patent Law. Ultimately, my various researches were all directed to writing this book. In that sense, this book played a critical role in deciding my path as a scholar. I am heartily grateful to Professor Mikazuki for giving me this opportunity.

We are said to be in the era of advanced information. Information is rapidly increasing its value as a new type of property. In the past, information, unlike tangible goods, had the nature of being distributed freely, and its use was also free. In that sense, information was considered as mankind's common property, just like air. The only way to protect it was by concealment. However, as time moved on, the meaning of information changed and a need arose to securely protect certain types of information from counterfeits, as a kind of property. Since information is something that should basically be distributed freely, its protection requires careful system planning and global-level efforts to implement appropriate practices. While various legal systems can be used to protect information, the intangible (intellectual) property law constitutes the main means of protection. This book explains patent rights, which serve as the core of intangible property, taking the aforementioned trend of the times into consideration.

Thus, I took up my pen with such an intention. Nevertheless, since this field is basically practice-oriented and many excellent treatises have been written by those actually engaged in patent affairs, it is an extremely hard task for a scholar to even understand patent practices. I spared no effort to have exchanges with lawyers and patent attorneys, as well as staff members engaged in legal affairs, patent matters and engineering in private enterprises, but I still have not gained sufficient understanding of the matter. In particular, the world of patents always involves the cutting-edge technologies of the time, so merely catching up with the latest technologies takes considerable work. I would appreciate your advice on possible improvements to this book, and hope to make revisions in the due course of time.

This book is my first textbook as well as the summary of my past researches. I am deeply indebted to all of those who have guided and instructed me for being able to

publish this book. Particularly, I would like to express my highest gratitude to the late Prof. Keiichi Yamamoto, who taught me when I was studying as a student and later teaching as an assistant in university, Prof. Ichirou Katou, Prof. Saburo Kurusu, the late Prof. Jun Yazawa, Prof. Masami Itou, Prof. Tsuneo Ootori, who provided me support in the research laboratory at the University of Tokyo, Prof. Akio Takeuchi, and the late Prof. Koue Toyosaki of Gakushuin University.

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