

Analytical study on the international intellectual property system

1. The situation surrounding intellectual property in the international framework

First, in the "Recent Situation on Medicines, taking up novel COVID-19 infection, which has been a serious social problem, it was reported on the recent trends of the TRIPS waiver, the status of discussions in international organizations such as the Pandemic Convention and the revision of the International Health Regulations (IHR) in the WHO, and trends related to intellectual property in various countries and private companies. In addition, the results of a questionnaire and interview survey of companies and universities regarding industry-academia collaboration in the event of a pandemic were also reported. The committee members also made presentations on the pharmaceutical industry's thoughts and efforts on MPPs and the trends of discussions on the "patent thicket" of biopharmaceuticals and the entry of subsequent products.

Second, with regard to "the status of discussions in specialized intellectual property forums such as WIPO and WTO/TRIPS Council," the general trends of discussions in the forums in recent years were reported. In addition, a report was presented on developments in the negotiation of treaties at WIPO on international legal instruments relating to requirements for the disclosure of the origin of genetic resources and design law.

2. The situation surrounding intellectual property in bilateral and regional economic partnership agreements

In 2022, on both Israel and Bangladesh, where joint studies on EPAs have been launched with our country, an overview of the IP system, an analysis of the IP chapter disciplines in the concluded EPAs, and a comparison and analysis of the relationship with the provisions of the TRIPS Agreement and major EPAs/FTAs that Japan has concluded, such as RCEP and CPTPP, were presented and opinions were exchanged.

3. The situation surrounding the intellectual property system in each country

First, a report was made on the background of Unitary Patent system in Europe, an overview of the system, issues and challenges, and its impact on Japanese companies (merits and demerits, etc.), followed by a presentation by a committee member on the trends of the Unitary Patent and Unified Patent Court systems.

Second, with regard to recent notable IP-related judgments and IP system reform trends in Europe, it was reported on notable IP-related judgments by the Court of Justice of the European Union (CJEU), the General Court of European Union (GCEU), etc. and major countries (the UK, Germany, France, etc.), as well as reports were made on the EU (trends in amendments to regulations, etc., and progress on various items of the 'Action Plan on Intellectual Property') and trends in the revision of IP systems in major countries.

4. Discussion of international intellectual property systems

A report on the geographical indication protection systems in other countries, including relevant legislation, the definition of geographical indications, scope of protection, efficacy and coordination with provisions on trade marks, as well as trends in the protection of geographical indications and international agreements was made. In addition, the Ministry of Agriculture, Forestry and Fisheries of Japan made a presentation on Japan's system for the protection of geographical indications.