

Japan's Perspective on Combating Counterfeiting and Piracy

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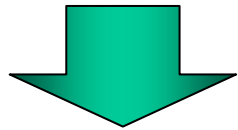
(Former Secretary General of IP Strategy Headquarters)



Fakes are a Serious Social Problem

Industrial Society

- Environmental Measures



Knowledge Society

- Anti-Counterfeit Measures



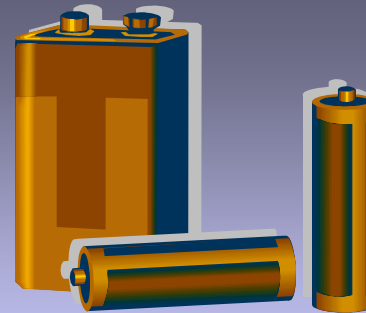
Threat to Safety



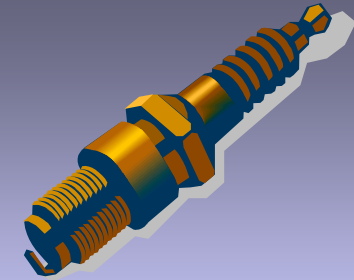
Fake Drugs



Fake Foods



**Fake
Batteries**

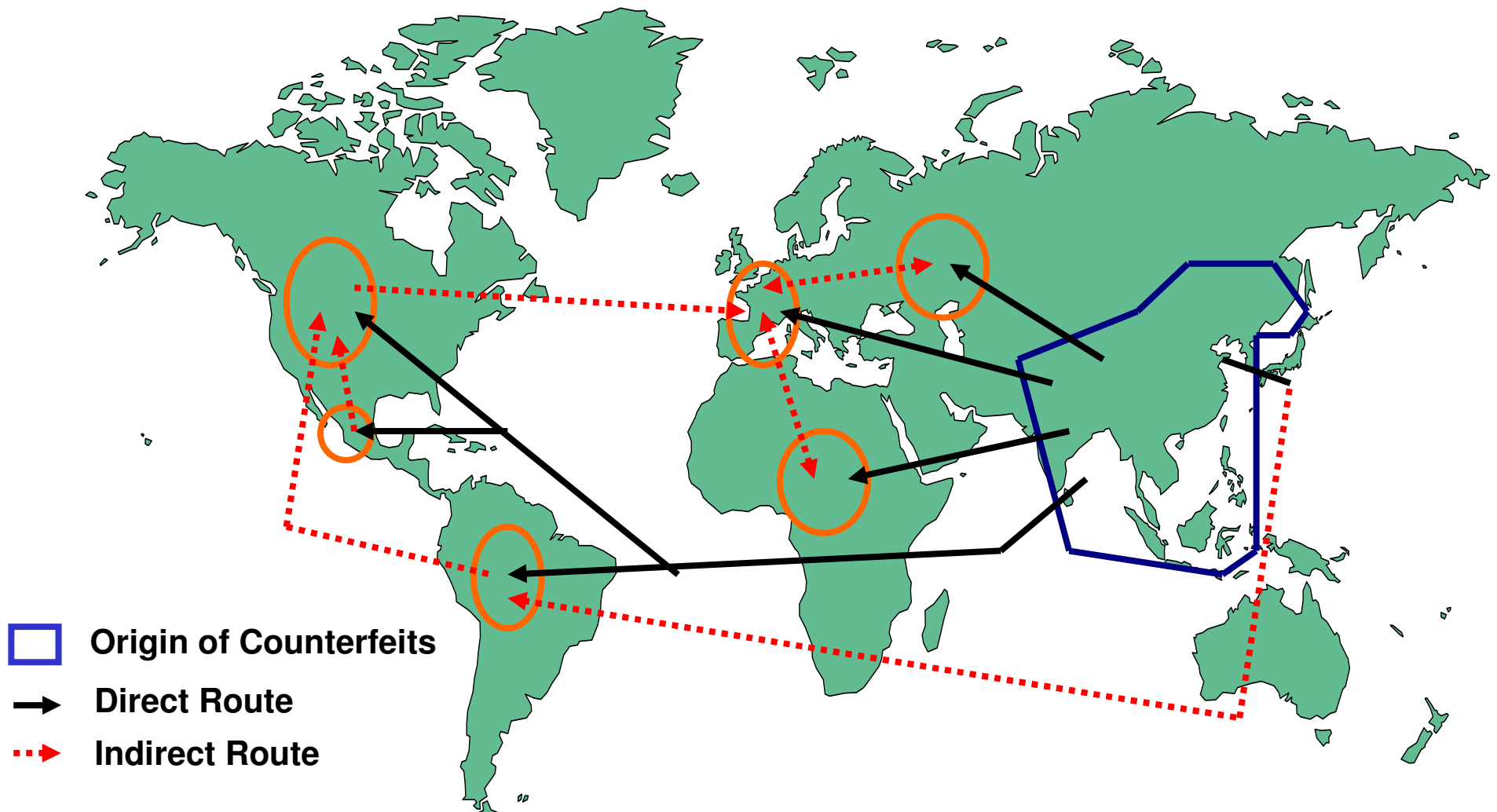


Fake Parts

**Serious Threat to
Safety and Human Health**



World Counterfeit Trafficking Route



Source: "Customs' Battle Against Counterfeiting and Piracy to Protect Intellectual Property"

European Commission http://trade-info.cec.eu.int/doclib/docs/2005/march/tradoc_112031.pdf 4

1. Border Measures

a. Legislative Measures

Law Revisions to Strengthen Customs Function

- Prohibition of Export
- Sample Inspection
- Exporter / Importer Information Disclosure

b. Administrative Measures

- Strengthen Control of De-minimis Imports
- Strengthen Inspection of EMS parcels



2. Domestic Measures

a. Legislative Measures

- **Toughen Criminal Penalty for IP Infringement**

b. Administrative Measures

- **Increase Law Enforcement Officials for IPR Infringement Cases**
- **Self-Imposed Guidelines of Internet Auction Providers**



3. International Measures

a. Legislative Measures

- **“Draft Treaty on Non-Proliferation of Counterfeits and Pirated Goods”**

b. Administrative Measures

- **Officials in Charge of IP in All Embassies**
- **Investigation System on IP Practice by Foreign Countries**
- **Capacity Building Strategy**



Chronology of New Treaty Proposal

Gleneagles G8 Summit

(July 2005)

Japan Proposed the Necessity of
New Treaty

St. Petersburg G8 Summit

(July 2006)

Necessity of Study on New Legal
Framework Recognized

Heiligendamm G8 Summit

(June 2007)

Bilateral and
Plurilateral Talks
in Progress



Necessity of New Treaty

- **No Single Country Can Prevent Counterfeit and Piracy**
- **Ensure Effective Counter Measures Against Spread Out of Fakes**
- **Strong Legal Framework Needed**



Basic Concept of New Treaty

■ Manufacturing Stage

- Forfeiture or Destruction of Manufacturing Equipments etc.

■ Distribution Stage

- Prohibition of exportation and transshipment

■ Consumption Stage

- Consumer Education and Awareness Raising

**Coordinated actions are
necessary**

Thank You!

