
Contents & Abstracts

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Masayasu ISHIDA

■ The Legal Nature of Remuneration for Employee Inventions 5

SHIMANAMI Ryo

A correct understanding of the legal nature of remuneration for an employee invention, which may be determined by whether the distribution of the value of the invention based on a contract or a “special incentive to invent” grounded in industrial policy, is necessary to achieve consistent practical consequences. This article examines the basis of the law and policy regarding remuneration and asserts the necessity of consistent dealings.

■ Japan’s Strategy to Combat Counterfeiting and Piracy 13

Kunihiko SHIMANO

Counterfeits and pirated goods are prevalent throughout the world. These goods are not only damaging the legitimate economic activity, but also threatening the consumer’s health and safety. Government of Japan takes comprehensive measures to combat counterfeits and pirated goods.

■ Study on Inventive Step, Novelty and Description Requirements under Japanese Patent Law (2) -
Focusing on Inventions with Numerical Range Limitations- 21

Yoshimi OKADA

Part 2 researches judicial precedents relating to inventive step of inventions with numerical range limitation(s) as technological means to solve problem(s), studies the relation between a prominent effect and inventive step evaluation, and clears out that one can consistently understand the relation without distinction of combinatorial invention or selection invention if one considers the reasoning of affirming inventive step on the ground of a prominent effect as the result of interpretation of the section 29 (2) of the Patent Law to serve its purpose, i.e. the invention with a prominent effect should be promoted by being granted a patent, instead of as the result of empirical rule that a prominent effect is an indirect evidence of the nonobviousness of the invention. Finally, novelty and the inventive step of inventions with unusual or complex parameter(s) are discussed based on all the findings.

■ A case in which the court denied that a trademark “*Miura Hayama Gyu*”, which consists of a name of place (“*Miura Hayama*”) and a word meaning beef (“*Gyu*”), has acquired distinctiveness through use thereof 44

Naho EBATA

Trademarks that consist of a name of place and a name of product, such as those called “Regional Brand”, cannot be registered unless they fulfill the requirements under Article 3, Section 2 or Article 7^{bis} (Regionally Related Collective Trademarks) of the Trademark Law. In this article, the author introduces a recent case of the Intellectual Property High Court, in which whether a trademark “*Miura Hayama Gyu*” can be regarded as fulfilling the requirement under Article 3, Section 2 was in issue, and discusses what kind of evidence should be produced with regard to the trademark of “Regional Brand”.

■ Control of Technology Transfer in Japan 57

Hiromichi TANOUE

Due to the rapidly increasing technology transfers from Japan, the negative effects are concerned including unintentional technology diffusion and military diversion. This article focuses on the current situation on technology transfers and the legal systems of technology transfers in Japan.

■ Commission on Intellectual Property Rights, Innovation and Public Health, *Public Health: Innovation and Intellectual Property Rights (Chapter 6: Towards a Sustainable Plan to Promote Innovation and Access)* 65

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