
Contents & Abstracts

■Mission of the “National Library” 2

Noritada OTAKI

■Compulsory Execution against Intellectual Property Right 5

Yoshihiko UMEMOTO

The pros and cons of the seizure of the right to obtain a patent is one of the most major concerns in compulsory execution and intellectual property. This is because the Patent Act has no provisions regarding such seizure. The most serious problem is how to specify the objective of the right to obtain a patent. Much the same is true on know-how. In this literature, focusing most of my attention on such serious problem, I consider of the possibility of said seizure.

■Private International Law on the liability of intermediary in Intellectual Property Rights infringement 20

Hisao SHIOMI

This paper examines the proposal by the CLIP Principles for applicable law rule, which characterizes the liability of Internet platform for the infringement of intellectual property rights as autonomous torts. This characterization is based on the reality and policy in secondary liability for intellectual property cases. Especially, this study focuses on the analysis of its problems: the scope of its rule, the relation with the regulation in ubiquitous infringement, defenses in direct infringement, and legal doctrines in substantial law, such as internet neutrality and De minimis rule.

■Laws and Regulations Protecting Sensitive Technologies for National Security: Current Situations and Challenges 39

Masamitsu MORIMOTO

This paper discusses the laws and regulations in Japan which protect sensitive technologies for national security. There remain some challenges while regulations have been enhanced including Foreign Trade Law and Unfair Competition Prevent Law.

■Intellectual Property and Competition Policy: Focus on JFTC (Japan Fair Trade Commission) Advisement Cases Regarding License Agreement 51

Katsuyuki IZUMI

This paper reviews relationship between intellectual property and competition policy, especially focus on

JFTC advisement cases regarding license agreement.

■ **The IP High Court Grand Panel Decision which gave a Instruction to apply the Article 102, Paragraph (2) of the Patent Act** 62

Nobuhide OTOMO

This paper provides a critical study on the decision of IP high court grand panel on the condition to apply article 102, paragraph (2) of the Patent Act. The decision construed that the paragraph does not require the patentee to work the patented invention. This conclusion may raise a discussion of the legal character of the paragraph.
