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■ **Mediation for Disputes Related to Industrial Property Rights : Perspectives from EU and French Law** 5

Asako WECHS HATANAKA

Mediation is in vogue throughout Europe. This article examines the function performed by mediation for disputes related to industrial property rights with the focus on the EU and France. To this end, an analysis will be made on the role of the dispute resolution providers as well as on the provisions that encourage the use of mediation on the one hand, and that limit the scope of mediation on the other.

■ **Requirements for Refusing a Patent Term Extension Application and the Scope of the Extended Patent Right : The Supreme Court Judgment for the bevacizumab (Avastin®) medicine Case and following Tokyo District Court Judgment for an Infringement Case of Extended Patent Right** 16

Ryoko ISEKI

The Supreme Court judgment for the bevacizumab medicine case in 2015 decided that every approval under the Pharmaceutical Affairs Act enables register an application for a patent term extension unless he/she already got prior approval for a medicine which includes approval of the medicine upon which the application relied.

A Tokyo District Court judgment for an infringement case in 2016 ruled that the scope of protection of an extended patent right is effective for the product to be used for the prescribed use by the approval and its equivalents and products that are evaluated substantially to be identical. And that the equivalents and substantially identical products mean products which differ from the prescribed product only in an addition, deletion, or conversion of a common, ordinary technology.

■ **Similarity of the Marks and Abuse of Rights** 31

Masashi TAKEO

Referring to “melonkuma” case, this paper discusses the meaning of “similarity of the marks” test and doctrine of abuse of rights in the case of trademark infringement where defendant’s mark is nationally

well-known.

■ **Intellectual Property High Court’s Judgment relating to the Concept of Public Policy under the Trademark Act** 46

Tsukasa ASO

This article provides a critical study on the judgment of Intellectual Property High Court relating to the concept of public policy under the Trademark Act. The court stated that this trademark was likely to cause damage to public policy of the Trademark Act Article 4(1)(vii) through a perspective of the purpose of the application for trademark registration. It cannot be said that there is no question as to this judgment because of the confusion between the public interest and the private interest.

■ **Protection of Regional Brand by Regional Collective Trademark** 59

Kazuhiro KIMURA

Last year, geographical indication of agriculture, forestry and fishery products is introduced, it is progressing the development of protection of regional brands in Japan. In this paper, for geographical indications and regional collective trademark to introduce the summary, it is to consider the use of regional collective trademark.
