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■ Structural Characteristics of Patent Applications and Examinations of Important Upstream Inventions in Life Science Area 5

Koichiro ONISHI, Sadao NAGAOKA

This paper examines the types of the applicants, the incidence of the patent applications and grants in three offices (Japan, the US and the EPO), and the use of continuation applications in the US, with respect to 47 important upstream invention in life science area. Major findings include the following: First, private firms, in particular, new biotech firms, have become increasingly important as the applicants for these patents. Second, the grant rates for even these important patents differ significantly among three offices, especially if we extend the comparison to all patents belonging to the families of these important patents.

■ Enforcement of Patents in the Field of Life Science 19

Eiji KATAYAMA, Shimako KATO

There are main two issues about the enforcement of patents in the field of life science. The first one is appropriate enforcement of patents of non alternative research tools, as typified by biological resources like gene. The other is how to ensure the appropriate patent term. With regard to those issues, recent developments have been studied.

■ Current Status and Issues on Patent Protection in a Life Science Field from a Point of Pharmaceutical Industry 32

Yuji WATANABE

Timely and proper improvement of the strategy on patent protection, enforcement and utilization is expected to promote pharmaceutical innovations based on rapid development of novel technologies in life science fields. Current status and important issues on patent protection on emerging novel technologies including cutting edge medical technologies are discussed in this article from a point of pharmaceutical industry.

■ Current Status and Issues Related to the Protection of Universities' Patents in Life Science 40

Chikako SAOTOME, Yutaka TERANISHI

Life science industry depends on knowledge from universities. In this paper, we discuss particular issues for universities' patent filing in life science area.

■ Patent Protection for Inventions in the Life Sciences and its Prospect 49

Akiteru TAMURA

Patent protection for inventions in the life sciences is being a main topic in Japan's Intellectual Property

Strategic Programs for some few years. While this paper picks up various topics in the life sciences on the basis of Intellectual Property Strategic Program 2009, it explains its present situation and comments on its prospect.

■ **Trends of Patent Applications in the Field of Regenerative Medicine** 57

Koji TAUCHI

The Japan Patent Office conducts Technological Trend Research of Patent Applications which analyzes technological trends in a multifaceted way based on patent information inside and outside Japan. This paper describes the result of the research regarding “Regenerative Medicine” which has recently attracted widespread interest in the field of Life Science.

■ **The Japanese Supreme Court’s Decision Concerning Whether the Permissibility of Correction of a Patent Should be Determined on a Claim by Claim Basis** 71

Masato TANAKA

It was appropriate that the court determined that where “a request for correction” regarding multiple claims is filed, the permissibility of the correction should be determined individually for each claim subject to the correction request. However, the Supreme Court's finding that “a request for trial for correction” regarding multiple claims should be treated as one request and reviewed as a whole, rather than on a claim by claim basis is problematic, even though it was *obiter dictum*.

■ **Measures for Supporting SMEs in Terms of IP Strategies** 80

Masaki KIMURA

This text (article) explains the situation of intellectual property (IP) in small and medium-sized enterprises (SMEs) in Japan and introduces the support measures mainly for IP strategies of SMEs and the development of human resources who would support IP strategies of SMEs in regions.

■ **Are IPR a Barrier to the Transfer of Climate Change Technology? (Report commissioned by the Trade Directorates General of the European Commission)** 87

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