



Knowledge Co-Creation Program (Group & Region Focus)

GENERAL INFORMATION ON

IMPROVED INTELLECTUAL PROPERTY SYSTEM FOR PROMOTING DIRECT INVESTMENT FROM OVERSEAS 課題別研修「直接投資を促すための知財制度整備に向けて」 JFY 2016

NO. J1604331 / ID. 1684670

Course Period in Japan: From August 17, 2016 to September 17, 2016

This information pertains to one of the JICA Knowledge Co-Creation Program (Group & Region Focus) of the Japan International Cooperation Agency (JICA), which shall be implemented as part of the Official Development Assistance of the Government of Japan based on bilateral agreement between both Governments.

'JICA Knowledge Co-Creation (KCC) Program' as a New Start

In the Development Cooperation Charter which was released from the Japanese Cabinet in February 2015, it is clearly pointed out that *"In its development cooperation, Japan has maintained the spirit of jointly creating things that suit partner countries while respecting ownership, intentions and intrinsic characteristics of the country concerned based on a field-oriented approach through dialogue and collaboration. It has also maintained the approach of building reciprocal relationships with developing countries in which both sides learn from each other and grow and develop together."* We believe that this 'Knowledge Co-Creation Program' will serve as a center of mutual learning process.

I. Concept

Background

Intellectual Property Rights (IPRs) system is necessary for the foreign direct investment and the technology transfer promotion. The facilitation of the IPRs system leads to the improvement of international competitiveness and the sound socio-economic development.

For what?

This program aims to develop and ease the sound business environment in respective countries, and therefore promote foreign direct investment, technology transfer and international competitiveness.

For whom?

This program is made to strengthen the knowledge and practical use of IPR. Mid-Level or more experienced officers related to IPR in respective countries are recommendable to participate in the program.

How?

The participants will have opportunities to attend lectures regarding creation, protection, utilization, and training for specialists in IPRs, visits to public institutions and private enterprises, group works, discussions and presentations. Through these experiences, the participants can increase their understanding on issues and visions on policies and measures for IPRs which respective countries will face in the future as well as learn how to handle the current situation of IPRs

II. Description

1. **Title (J-No.): Improved Intellectual Property System for Promoting Direct Investment from Overseas (J1604331)**
2. **Course Period in JAPAN:** August 17 to September 17, 2016
3. **Target Regions or Countries:** Algeria, Iraq, Indonesia, Ghana, Samoa, Serbia, Brazil, Myanmar
4. **Eligible / Target Organization:**
This program is offered to IP office and/or agencies related to IPR in each countries.
5. **Course Capacity (Upper limit of Participants):** 9 participants
6. **Language to be used in this program:** English
7. **Course Objective:**
The infringement of IPRs is becoming a transnational problem and hindering global and local economic development. Therefore, participants will (1) acquire IPRs protection system (2) comprehend the Japanese system including IPRs protection/utilization/creation and (3) consider better IP system for the participants' country
8. **Overall Goal**
Establishment and enforcement of legal systems regarding human resource development, creation, protection and utilization of intellectual property rights will be promoted toward the betterment of economy.
9. **Expected Module Output and Contents:**
This program consists of the following components. Details on each component are given below:
【Outcome】
The participants are:
 1. To comprehend the importance of IPRs protection, and to analyze the challenges of respective countries.
 2. To propose measures for the way of collaboration and effective legal framework to protect IPRs, through case-study, observations of control and relief measures regarding IP in Japan, and examination of each country's system.
 3. To review and propose desirable measures for respective countries to improve public awareness and education for IPR protection/utilization/creation referring to cases from Japan and other countries.
【Preliminary Phase 】
Preparation/submission of the Country Report on IPR situations of their countries.

【Core Phase】
 1. Lecture and observation

- (1) Intellectual Property System and Economic Growth through the Promotion of Foreign Direct Investment
 - (2) Relation between measures to IPR protection (Judiciary (civil and criminal) and Administration) and company's requests to IPR protection
 - (3) Measures to IPR protection in companies / IP Management
 - (4) Measures to IPR protection in Ministries of Japan
 - (5) IPR system for promoting technology transfer
 - (6) Border control of counterfeit products/IPR infringing goods by the customs
 - (7) Domestic control of counterfeit products/IPR infringing goods by the police
 - (8) Prior Art Search and Acceleration of IPR Examination
 - (9) Human resource development/IPR Awareness Program
2. Presentation on Country Report
 3. Achievement Session

【Finalization Phase】

Submission of progress report by the end of March 2017 (6 months after finishing the program).

III. Conditions and Procedures for Application

1. Expectations for the Participating Organizations:

- (1) This program is designed primarily for organizations that intend to address specific issues or problems identified in their operation. Participating organizations are expected to utilize the program for those specific purposes.
- (2) This program is enriched with contents and facilitation schemes specially developed in collaboration with relevant prominent organizations in Japan. These special features enable the program to meet specific requirements of applying organizations and effectively facilitate them toward solutions for the issues and problems.
- (3) Participating organizations are also expected to make the best use of the results achieved by their participants in Japan by carrying out the activities of the Finalization Phase described in section II-9.

2. Nominee Qualifications:

Applying Organizations are expected to select nominees who meet the following qualifications.

(1) Essential Qualifications:

- 1) Current Duties: be either **officers in charge of administration, legislation, policy making, or making technical suggestions in the field of intellectual property**
- 2) Experience: **more than 3 years' practical experience in IPRs field**
- 3) Educational Background: be a graduate of university or equivalent,
- 4) Language: have a competent command of spoken and written English
(This program includes active participation in English).
- 5) Health: must be in good health, both physically and mentally, to participate in the program in Japan. Pregnant applicants are not recommended to apply due to the potential risk of health and life issues of mother and fetus.
- 6) **Participants are subject to belong to the same organization for at least 3 years hereafter.**

3. Required Documents for Application:

- (1) **Application Form:** The Application Form is available at **the JICA office (or the Embassy of Japan)**.
- (2) **Photocopy of passport:** to be submitted with the Application Form, if you possess your passport which you will carry when entering Japan for this program. If not, you are requested to submit its photocopy as soon as you obtain it.
*Photocopy should include the followings:
Name, Date of birth, Nationality, Sex, Passport number and Expiry date.
- (3) **Nominee's English Score Sheet:** to be submitted with the Application Form. If you have any official documentation of English ability (e.g., TOEFL, TOEIC, IELTS), please attach it (or a copy) to the Application Form.

- (4) **Country Report:** to be submitted with the Application Form.
Detailed information is provided in the ANNEX "Country Report".

4. Procedures for Application and Selection :

(1) Submission of the Application Documents:

Closing date for applications: **Please inquire to the JICA office (or the Embassy of Japan).**

(After receiving applications, the JICA office (or the Embassy of Japan) will send them to **the JICA Kansai Center in JAPAN by June 17, 2016**).

(2) Selection:

After receiving the documents through proper channels from your government, the JICA office (or the Embassy of Japan) will conduct screenings, and then forward the documents to the JICA Center in Japan. Selection will be made by the JICA Center in consultation with concerned organizations in Japan. *The applying organization with the best intention to utilize the opportunity of this program will be highly valued in the selection. Qualifications of applicants who belong to the military or other military-related organizations and/or who are enlisted in the military will be examined by the Government of Japan on a case-by-case basis, consistent with the Development Cooperation Charter of Japan, taking into consideration their duties, positions in the organization, and other relevant information in a comprehensive manner.*

(3) Notice of Acceptance:

Notification of results will be made by the JICA office (or the Embassy of Japan) **not later than July 15, 2016**.

5. Document(s) to be submitted by selected participants:

Presentation material (MS Power Point) based on the Country Report

You are requested to make a 30 min presentation (20 min presentation per person, 10 min Q&A) on your Country Report.

This presentation material is to be submitted **by August 3, 2016** by e-mail to Ito.Noriyuki@jica.go.jp and jicaksic-unit@jica.go.jp.

6. Conditions for Attendance:

- (1) to strictly adhere to the program schedule,
- (2) not to change the program topics,
- (3) not to extend the period of stay in Japan,
- (4) not to be accompanied by family members during the program,
- (5) to return to home countries at the end of the program in accordance with the travel schedule designated by JICA,
- (6) to refrain from engaging in any political activities, or any form of employment for profit or gain,
- (7) to observe Japanese laws and ordinances. If there is any violation of said laws and ordinances, participants may be required to return part or all of the program expenditure depending on the severity of said violation, and

(8) to observe the rules and regulations of the accommodation and not to change the accommodation designated by JICA.

IV. Administrative Arrangements

1. Organizer:

(1) **Name:** JICA Kansai

(2) **Contact:** Mr. ITO Noriyuki (Ito.Noriyuki@jica.go.jp, jicaksic-unit@jica.go.jp)

2. Implementing Partner:

(1) **Name:** Kyoto Comparative Law Center (KCLC)

(2) **Contact:** Ms. KIZAKI Chikako (kizaki@kclc.or.jp)

(3) **URL:**

http://www.kclc.or.jp/wp-content/uploads/2015/09/kclc_pamph_en.pdf

(4) **Remarks:** Kyoto Comparative Law Center was founded as a non-profit foundation under the supervision of the Ministry of Education, Culture, Sports, Science and Technology in 1981, whose main objectives are to provide law-related training and education for oversea participants, and to promote interdisciplinary research activities in the interdisciplinary fields of law, natural science and technology.

3. Travel to Japan:

(1) **Air Ticket:** The cost of a round-trip ticket between an international airport designated by JICA and Japan will be borne by JICA.

(2) **Travel Insurance:** Coverage is from time of arrival up to departure in Japan. Thus, traveling time outside Japan will not be covered.

4. Accommodation in Japan:

JICA will arrange the following accommodations for the participants in Japan:

JICA Kansai

Address: 1-5-2, Wakinohama-kaigandori, Chuo-ku, Kobe, Hyogo 651-0073, Japan

TEL: +81-78-261-0397 FAX: 81-78-261-0465

Please refer to facility guide of JICA Kansai at its URL, <http://www.jica.go.jp/english/about/organization/domestic/index.html>.

[Internet connection with your own PC]

In all the guest rooms, cable connection is available but Wireless LAN access is **NOT** available.

Free Wi-Fi service is available only on the 1st floor in JICA Kansai. By signing a form at the reception, ID and Password will be provided.

When you stay out of KOBE city or there is no vacancy at JICA Kansai, JICA will arrange alternative accommodations for the participants.

5. Expenses:

The following expenses will be provided for the participants by JICA:

- (1) Allowances for accommodation, meals, living expenses, outfit, and shipping,
- (2) Expenses for study tours (basically in the form of train tickets),
- (3) Free medical care for participants who become ill after arriving in Japan (costs related to pre-existing illness, pregnancy, or dental treatment are not included), and
- (4) Expenses for program implementation, including materials.

For more details, please see “III. ALLOWANCES” of the brochure for participants titled “KENSU-IN GUIDE BOOK,” which will be given before departure for Japan.

6. Pre-departure Orientation:

A pre-departure orientation will be held at the respective country’s JICA office (or Embassy of Japan), to provide participants with details on travel to Japan, conditions of the participation in the program, and other matters.

V. Other Information

1. Participants who have successfully completed the program will be awarded a certificate by JICA.
2. For the promotion of mutual friendship, JICA Kansai encourages international exchange between JICA participants and local communities, including school and university students as a part of development education program. JICA participants are expected to contribute by attending such activities and will possibly be asked to make presentations on the society, economy and culture of their home country.
3. Participants are recommended to bring laptop computers for your convenience, if possible. During the program, participants are required to work on the computers, including preparation of Action Plan(AP), etc. Most of the accommodations have internet access. Also, there is a computer room in JICA Kansai where 14 desk-top computers are available with internet access.
4. Allowances, such as for accommodation, living, clothing, and shipping, will be deposited to your temporary bank account (opened by JICA) in Japan after 2 to 5 days after your arrival in Japan. It is highly advised to bring some cash / traveler's check in order to cover necessary expense for the first 2 to 5 days after your arrival.
5. It is very important that your currency must be exchanged to Japanese Yen at any transit airport or Kansai International Airport (KIX) in Osaka, Japan soon after your arrival. It is quite difficult to exchange money after that, due to limited availability of facility or time during the program.

VI. ANNEX:

Country Report Instruction

You are requested to write your Country Report based on the instruction below (following format) and **submit together with Application Form.**

The reasons to follow the format are as follows:

1. This report is used for screening participants.
2. It will make a comparative study easy regarding current intellectual property environment among participating countries.
3. Your country reports submitted are to be compiled in booklet and distributed to the cooperators of the course such as lecturers.

The Country Report consists of the following six(6) parts, whose detailed contents are in the 'Country Report Format':

- 1. Outline of the IP system in your country**
- 2. Law and regulations relating to enforcement**
- 3. Current situation of border control and market surveillance of counterfeit products**
- 4. Policy, Law and regulation relating to Technology Transfer**
- 5. IP awareness and Education**
- 6. Challenges**

Country Report Format

Name of course	Improved Intellectual Property System for Promoting Direct Investment from Overseas
Name of participant	
E-mail	
Name of Country	
Name of Organization /Position	
Organization Chart	Please prepare/draw an organization chart (starting from 'section' as the lowest level) of your organization (circle the section you belong to).

1. Outline of the IP system in your country

(1) Describe about outlines of IP laws and regulation in your country, which includes industrial properties (patent, utility model, industrial design, trademark, geographical indication), copyrights (and neighboring rights), new plant variety, semiconductor layout design, trade secret (undisclosed information), etc.

(2) Describe about current amendment situation of IPR laws and regulations.
(3) Additionally, please provide statistical data on patent and trademark application /granted, foreign/domestic application, etc. (you can attach annex)
2. Law and regulations relating to IP enforcement
(1) Describe about your enforcement system including IPR law, customs law, Penal, civil code.
(2) Describe about current amendment situation of the above laws.
3. Current situation of border protection (control) and market surveillance or control of counterfeit products
(1) Describe roles and functions of your concerned agencies such as customs office, police and IP office, etc. .

(2) Please provide statistical data regarding enforcement. (you can attach annex)

4. Policy, Law and regulation relating to Technology Transfer

(1) Describe about outline of policy and legal framework to regulate and promote technology transfer from foreign company or institute.

5. IP awareness and Education

(1) Describe about outlines of IP awareness activities and IP education situation with introducing concrete examples, if you have any.

6. Challenges (issues to be solved)

(1) Describe what your current challenges (concerns to be solved) in the field of intellectual property.

For Your Reference

JICA and Capacity Development

The key concept underpinning JICA operations since its establishment in 1974 has been the conviction that “capacity development” is central to the socioeconomic development of any country, regardless of the specific operational scheme one may be undertaking, i.e. expert assignments, development projects, development study projects, Knowledge Co-Creation programs (until 2015, so called “training”), JOCV programs, etc.

Within this wide range of programs, Knowledge Co-Creation Programs have long occupied an important place in JICA operations. Conducted in Japan, they provide partner countries with opportunities to acquire practical knowledge accumulated in Japanese society. Participants dispatched by partner countries might find useful knowledge and re-create their own knowledge for enhancement of their own capacity or that of the organization and society to which they belong.

About 460 pre-organized programs cover a wide range of professional fields, ranging from education, health, infrastructure, energy, trade and finance, to agriculture, rural development, gender mainstreaming, and environmental protection. A variety of programs are being customized to address the specific needs of different target organizations, such as policy-making organizations, service provision organizations, as well as research and academic institutions. Some programs are organized to target a certain group of countries with similar developmental challenges.

Japanese Development Experience

Japan was the first non-Western country to successfully modernize its society and industrialize its economy. At the core of this process, which started more than 140 years ago, was the “*adopt and adapt*” concept by which a wide range of appropriate skills and knowledge have been imported from developed countries; these skills and knowledge have been adapted and/or improved using local skills, knowledge and initiatives. They finally became internalized in Japanese society to suit its local needs and conditions.

From engineering technology to production management methods, most of the know-how that has enabled Japan to become what it is today has emanated from this “*adoption and adaptation*” process, which, of course, has been accompanied by countless failures and errors behind the success stories. We presume that such experiences, both successful and unsuccessful, will be useful to our partners who are trying to address the challenges currently faced by developing countries.

However, it is rather challenging to share with our partners this whole body of Japan’s developmental experience. This difficulty has to do, in part, with the challenge of explaining a body of “tacit knowledge,” a type of knowledge that cannot fully be expressed in words or numbers. Adding to this difficulty are the social and cultural systems of Japan that vastly differ from those of other Western industrialized countries, and hence still remain unfamiliar to many partner countries. Simply stated, coming to Japan might be one way of overcoming such a cultural gap.

JICA, therefore, would like to invite as many leaders of partner countries as possible to come and visit us, to mingle with the Japanese people, and witness the advantages as well as the disadvantages of Japanese systems, so that integration of their findings might help them reach their developmental objectives.



CORRESPONDENCE

For enquiries and further information, please contact the JICA office or Embassy of Japan. Further, address correspondence to:

JICA Kansai International Center (JICA Kansai)

Address: 1-5-2, Wakinohama-kaigandori, Chuo-ku, Kobe, Hyogo 651-0073, Japan

TEL: +81-78-261-0397 FAX: +81-78-261-0465