

APPLICATION GUIDELINES
RESEARCHER INVITATION PROGRAM 2021
Foundation for Intellectual Property, Institute of Intellectual Property*

Deadline for Application: must arrive by Feb. 22, 12:00 (JST), 3:00 (GMT), 2021
The deadline may be extended under circumstances.

**Another Entity than IIP possibly implements 2021 program*

The Foundation for Intellectual Property, Institute of Intellectual Property (IIP), since its establishment in 1989 as a nonprofit organization approved by Ministry of Economy, Trade and Industry, has carried out researches and studies on various issues concerning intellectual property and has been providing information related to this field by holding international symposia and by publishing research reports. Amongst its international activities, IIP has been entrusted by the Japan Patent Office (JPO) to invite foreign researchers to Japan for promoting studies on industrial property systems in Japan and other countries by means of literature researches and interviews from Japanese researchers or practitioners on industrial property field in Japan.

1. Purpose of the Researcher Invitation Program

For introduction of an appropriate industrial-property right system that enables Japanese companies to enhance their overseas activities, this program aims to engage researchers who are well acquainted with the Japanese industrial-property right system in collaborative research on subjects concerning the industrial-property right system necessary for the medium term, exemplifying research themes recruited in JPO, and to promote the harmonization of industrial-property right system by utilizing the research results and the researchers' network. The obtained research results will also be used, if necessary, as basic materials for the improvement of the industrial-property right laws.

With this aim and as part of the Collaborative Research Project on Harmonization of Industrial Property System entrusted by the JPO, IIP will conduct the Researchers Invitation Program, in which we invite foreign researchers and provide opportunities for them to engage in collaborative research on a subject necessary for harmonization of the industrial-property right system among countries including Japan.

This program 2021 solicits collaborative research themes related to "the way of intellectual property distribution in post-coronavirus".

Against the backdrop of the spread of COVID-19 infections, global discussions are underway on an intellectual property platform to promote technological development. Examples include:

- An open patent information database enabling search for patents that can be countermeasures against COVID-19 by National Center for Industrial Property Information and Training (INPIT),
- Trend to free release of patents by Japanese universities¹,
- Proposal by G7 to establish a "patent pool" that centrally manages patent rights internationally so that vaccines and curative medicines will spread to each country²,
- "Patent 4 Partnership" by USPTO to provide a list of licensable patents, etc.,
- Free patent license framework in the United States; COVID-19 Technology Access Framework, Open COVID Pledge,

¹ Hope This Helps Project by Tokyo Institute of Technology
https://www.ori.titech.ac.jp/socialreboot/tf1_hthproject.html

² Patent sharing for the spread of coronavirus drugs, G7 aid plan proposed by Japan, barrier to realize (in Japanese)
<https://www.sankeibiz.jp/macro/news/200706/mca2007060500003-n1.htm>

- Guidance to promote the use of COVID-19-related intellectual property by the University of Oxford, UK,
- MEDICINES PATENT POOL (Switzerland) as a reference framework for the "patent pool".

In this way, intellectual property platforms are being established to promote technology development in each country. This program solicits collaborative research themes that will contribute to the examination of the state of intellectual property distribution in post-coronavirus by, for example, clarifying the usability and improvements of each country's platform from the perspective of platform users, as well as the common framework and challenges of the world, we invite research and joint research themes.

Examples of research themes:

- The way and role of compulsory license, etc. in post-coronavirus
- How to build a patent pool to promote the use of curative medicines and vaccines for the new coronavirus

2. Overview

(1) Invitation Periods

There are two types of programs corresponding to the period of invited researchers' stay in Japan, namely a short-term program and a long-term program. The short term shall be 1 - 3 months and the long term shall be 4 - 6 months. There is no restriction on applicants' nationality or countries where applicants are based. The beginning of both periods shall be June 2021 at the earliest, and the end of the periods shall be February 2022 at the latest.

(2) Number of Researchers

A few invited researchers will be fairly chosen by the dedicated IIP Selection Committee. This program application guideline is assuming the fy2021 budget will be established. The number of invited researchers or their research periods might be arranged according to the budget. If immigration is restricted to prevent the spread of infectious disease, IIP might not be able to invite researcher(s), or a quarantine period might be needed before the research period.

(3) Activities

Based on their research proposal, the invited researchers shall set a research subject related to the industrial-property right system of which international harmonization would be needed in the medium term, and set a research plan for carrying out the research. Then, the invited researchers shall implement the research activities faithfully in accordance with the research plan. The proposed research subject and research plan shall fit the proposed period.

The research under the program may not be merely collecting information on the Japanese system, or constituting simply a part of other research or study currently conducted in another framework, but shall be a pro forma independent and completed research. IIP may request to revise the research plan. The research may include literature research, interview, and collaboration with Japanese researcher or practitioner, and may visit relevant organization or attending a seminar or symposium in Japan.

Examples of past research themes presented by the JPO are as follows.

(Patent systems)

- Research on intellectual property systems suitable for the AI / IoT era (or comparative study between countries)
- Research on the stability of rights
- Research on intellectual property and economic growth
- International comparative study on the values of patent rights granted in each country

- Research on patent examination systems that contribute to regional innovation and SME support
- Comparative study on prior-use rights in major countries (Japan, the US, China, Korea, European countries, etc.)
- How to protect patent embodiments across borders (how to write claims and protect when servers are overseas, such as blockchain)
- The impact on harmonization by the accuracy improvement in machine-translation using AI

(Appeal and Trial systems)

- Regarding the status of development of the opposition/trial systems in ASEAN countries
- Comparative study on procedures for invalidating patents after grants at the five major offices
- Regarding the validity/invalidity of rights at patent infringement lawsuits in Japan, the US, Germany, the UK, China, and Korea

(Examination Standards)

- Research on the protection of inventions of "structured data" and "data structure"
- Research on the protection of cloud-computing-related inventions
- Research on subject matters of patent protection (what at all should be protected by patents?)
- Comparative study on "simulated or expected test results and prophetic embodiments (embodiments on paper)" described in specifications in various countries' patent examination

(Support for dissemination)

- Policy and economic analysis of industrial-property-right systems to promote business in foreign countries
- Quantitative analysis of economic effects of the utilization of industrial-property-right systems at SMEs, ventures, and universities
- Changes in organizations and intellectual-property strategies of companies and industrial-property-right systems
- Economic analysis of the contribution of the industrial-property-right systems to the business models of highly profitable companies

(Design systems)

- Study on evaluation indicators of design rights
- Comparative study on the operation of design classification in each country
- Comparison of design-right utilization methods in each country
- Economic effects of investment in design
- Historical development and comparison of design systems in Japan, the US, Europe, China, and Korea
- Comparative study of judicial cases related to design rights in each country
- Comparative study on requirements for drawing representations of designs in each country
- Study on the correlation between economic trends and design applications in each country

(Trademark systems)

- International comparison of calculation of damages for trademark infringement
- Study on trademark similarities and consent systems
- Study on the rescission system of trademarks that have lost distinctive abilities after registration

(IP and business)

- Study on evaluation method (or economic analysis method) of intellectual property values
- Status of the utilization of intellectual-property-related statistical data for intellectual-property policy
- Relationship between patents and competition laws in foreign countries such as the US and Europe
- Investigation on standard-essential patents (e.g., essentiality determination)
- Research on the situation of IP business overseas
- Research on the handling of intellectual properties in M & A
- Survey of the utilization of AI in IP businesses

For your information, past invited researchers and their research themes are at the following URL:
<https://www.iip.or.jp/e/fellow/index.html>

3. Requirements for Applicants

(1) Applicants shall have interest in the Japanese industrial-property right system and its analysis and can conduct research in Japan on such a subject related to the industrial-property right system of which international harmonization would be needed in the medium term.

*Japanese industrial-property right system means patent, utility model, design, and trademark under the jurisdiction of the Japan Patent Office (for more details, see the JPO website of the following URL

< <https://www.jpo.go.jp/e/system/patent/gaiyo/seidogaiyo/index.html> >

(2) Applicants shall be a professor class researcher, a postdoctoral researcher or a doctoral or Ph.D. student as of April 1, 2021 or be supposed to be either equaling or surpassing the above in research capability and achievement.

(3) Applicants shall conduct active discussions and collaboration with Japanese researchers.

(4) Applicants shall or will have a valid Passport from the home country.

(5) Applicants shall be able to obtain an appropriate “Certificate of Eligibility” from the Immigration Bureau of Japan and a corresponding visa from a Japanese diplomatic office, if necessary.

(6) Applicants may not receive any other financial support for the research to be carried out under this Program.

(7) Applicants may not conduct any other business, such as giving a lecture in a seminar in no relation to the research at IIP, which is not permitted under the given Status of Residence in Japan.

(8) Applicants may not combine the roundtrip between the domicile and IIP with any private or other business trip or any other business.

(9) Applicants must have recommendations or approval from their superiors if they are working as full-time employees in companies and organizations.

(10) Applicants shall fulfill the obligations of an Invited Researchers shown in section 5(1).

(11) Applicants shall be mentally and physically sound enough to conduct the research at IIP.

(12) Applicants shall comply with Japanese laws and regulations as well as IIP’s rules.

(13) Applicants shall have a suitable language skill in either English or Japanese to make daily communication with other researchers and staff in IIP.

(14) Applicants shall be able to adapt to Japanese life and community at IIP.

(15) Applicants shall be encouraged to go around alone in Tokyo without the others’ help.

(16) Applicants shall not do any research misconduct (fabrication, falsification or plagiarism) in the past.

4. Procedure for Application and Selection

(1) Submit application documents

Applicants shall be requested to send a set of application documents described below, preferably

in Word file, via e-mail to the e-mail address of IIP. The documents must be arrived by Feb. 22, 12:00 (JST), 3:00 (GMT), 2021. The documents may be submitted to the JPO in advance of the selection.

Applicants may download the Application Form from URL:
< <https://www.iip.or.jp/application-CRIP21.html> >

In case of any ambiguity in the draft application, IIP may contact the applicant by e-mail, phone call or any other means, to request to supplement or revise the draft application, by setting a due date. If no reply, supplementation, and revision are made by the due date, it may be regarded that the applicant has no will to do so.

IIP may regard the application is invalid or may cancel the invitation decision if it is found that the application documents contain any false statement.

(4) The Set of Application Documents to be Submitted

Applicants should send the following documents to IIP:

- The final version of the completed Application Form:
- ID photo (3 cm x 4 cm, should be attached to the completed Application Form)
- A copy of the applicant's Representative Paper indicated in the C.V.

Applicants must use the designated Form and cannot change the Form nor attach separate sheets. Any attached sheets except for the Representative Paper will not be considered by the Selection Committee. Please carefully read the notes indicated in the Form before filling out it. If the applicants have a question in filling out, please ask us in advance.

Applicants should describe the Research Proposal at an easier level for laymen being not in the specific field, by adding the explanation of terminology, if necessary.

Applicants must have recommendations or approval from their superiors if they are working as full-time employees in companies and organizations. The Certified Recommendation Letter(s) should be sent to IIP directly from the recommender(s) by e-mail.

(5) Telephone Interview

IIP will make a telephone interview with each applicant to confirm the description of the application documents. The language for the interview shall be English (and Japanese, if applicable) without an interpreter.

(6) Selection

The dedicated IIP Selection Committee shall examine the application documents in consideration of the information obtained during the telephone interviews and will decide a few researchers to be invited among the applicants.

[Major Criteria for the Selection]

- The applicant is found to have knowledge and demonstrate research ability enough to conduct the research described in the Research Proposal.
- The research subject should be related to the industrial-property right system of which international harmonization would be needed in the medium term, and the Research Proposal is found to be specifically and concretely detailed and feasible under the desired period.
- The other requirements are fulfilled.

(7) Delivery of Notices of Results

The Notice of results of the Selection Committee will be delivered to each applicant via e-mail by the end of March 2021.

5. Other Important Reminders

(1) Obligations of Invited Researcher

1. The invited researcher shall carry out the research in accordance with the research plan agreed between the researcher and IIP.

2. The invited researcher shall make a research diary during his/her stay.
3. The invited researcher shall engage in research work at IIP office (Tokyo, Japan) during his/her stay in principle.
4. The invited researcher shall make a presentation on the research results at the presentation session designated by IIP during his/her stay.
5. The invited researcher shall submit a report on the research results by the due date designated by IIP (at the earlier of within one month of leaving Japan or by February 18th, 2022). The report shall include the main part between 10,000 and 12,000 words including footnotes and the summary around 3,000 words in English (or the corresponding volume in a reasonable native language).
6. The invited researcher shall cooperate with IIP to correct/edit and translate the report and prepare the final version of the report until it is submitted to the JPO (by the end of March 2022).
7. The invited researchers shall assign Foundation for Intellectual Property the copyrights of the presentation materials for the presentation in the above 4. and the report in the above 5. and 6. without compensation, and shall not exercise the author's moral rights thereon. After your report is delivered to the Japan Patent Office (JPO), the copyright therefor will be transferred to the JPO. The invited researchers may exploit their report in the above 5. and 6. for other papers by means of copy, translation, or adaptation, etc. thereof on condition of such an acknowledgment of the source that the other paper is based on the report of the research under this program.
8. More details shall be set out in a written agreement and a handbook.

(2) Payment of Expenses

IIP shall pay invited researchers expenses including round-trip airfare, daily allowance, and lodging allowance, insurance as well as visa fee, entry and departure taxes, and airport tax, etc. The amount of daily allowance and lodging allowance shall be decided in consideration of the invited researcher's career and period of stay (Daily allowance and lodging allowance cover all the necessary cost for carrying out research activities and living satisfactorily in Tokyo.). Also, IIP shall pay lodging allowance for the quarantine period if necessary. The invitation program does not constitute employment nor is the allowance considered to be remuneration. However, income tax is likely being imposed on the payment of expenses according to the Japanese tax-law.

(3) Preparation

In consideration of generally few literature available on the Japanese system written in foreign languages, the invited researchers are highly requested to well prepare how and what to study in Japan. In particular, if the invited researchers will conduct a comparative study, the invited researchers are required to collect necessary information on other countries than Japan as much as possible before coming to Japan, and to concentrate on studying about Japanese system during the research period in Japan.

(4) Others

The invited researchers are given the loan of dedicated booths within the IIP office with a desk and a desktop PC (OS Windows 10, Microsoft Office (Word, Excel, PowerPoint, and Outlook)) with the Internet connection, and able to use IIP's library and other facilities. The invited researchers may not connect their notebook PCs with IIP network. The research activities will be supported, upon their requests, in providing relevant materials which may be translated within the limits of time and budget as well as the arrangement of interviews. They will be assisted in entry formalities and arrangements of living conditions in Japan.

Inquiry and Mailing Addresses

If you have any questions regarding the programs, please contact us.

Please send your final set of application documents to the following e-mail address, and ask your recommender(s) to send recommendation letter(s) to the same address:

IIP English Homepage URL: <https://www.iip.or.jp/e/index.html>

E-mail address: fellow21CR@fdn-ip.or.jp

Tel: +81-3-5281-5674 Fax: +81-3-5281-5676