

Annex

EU-JAPAN ACTION PLAN ON IPR PROTECTION AND ENFORCEMENT

Protection and enforcement of intellectual property rights (IPR) is vital for innovation and competition as a major driving force behind economic growth in the global economy. This is especially the case for the EU and Japan, with advanced and knowledge-based economies. Sharing the mission of protecting the interests and rights of consumers and businesses and fostering innovation, the EU and Japan decide to renew their existing Joint Initiative (“EU-Japan Joint Initiative for the Enforcement of Intellectual Property Rights in Asia”) and expand their collaborative efforts to protect and enforce IPR worldwide both in a bilateral as well as multilateral framework.

To this end, the EU and Japan have adopted the EU-Japan Action Plan on IPR Protection and Enforcement as follows:

1. IPR ENFORCEMENT

(a) Bilateral Framework

- **Furthering cooperation on IPR protection/enforcement in third countries, in particular through strengthening information exchange in third countries**

Establish bilateral networks for information exchange on IPR either on regular or ad-hoc basis between Embassies/Representatives in third countries with major IPR concerns. Those Embassies/Representatives would proactively collaborate with industries by participating in IPR-related seminars/fora initiated by private sectors or authorities of third countries. The EU and Japan will continue to explore other effective ways of cooperation to promote IPR protection/enforcement in third countries.

- **Collaborative supports for SMEs**

Promote information-exchange on damages incurred to SMEs (small/medium-sized enterprises) operating in third countries as well as provide those SMEs with useful guidance and information to address their challenges against IPR infringement.

- **Promotion of customs cooperation**

Intensify work for an early conclusion of the EC-Japan Agreement on Customs

Cooperation and Mutual Assistance. Further strengthen cooperation among the customs authorities in border control for IPR enforcement, including the exchange of enforcement information and best practices.

- **Collaboration to combat counterfeiting and piracy for IPR protection**

Enhance information sharing on IPR infringement by counterfeiting and piracy in third countries as well as the EU and Japan. Discuss the status of infringement and ways to address the situations regarding the damages incurred against copyrights, design rights, brands and others. Coordinate messages to third countries of major concerns to request their further efforts to combat counterfeiting and piracy. Discuss ways to address the situation of the purchase of counterfeited and pirated goods by EU or Japanese consumers in third countries.

- **Government-business collaboration**

Strengthen collaboration in third countries between public and private sectors (including, for example, JETRO). Public sectors proactively participate in IPR-related events initiated by private sectors.

- **Others, including technical assistance in third countries**

Collaborate on technical co-operation activities for IPR protection/enforcement in third countries, aiming at synergy effects. This should be done through exchanging information between experts responsible for such areas as capacity-building and raising public awareness. Experts can meet in their respective capitals or in third countries.

(b) Multilateral Framework

- **Establishing an international legal framework to combat counterfeiting and piracy**

Explore the possibility of strengthening the international legal framework to combat global counterfeiting and piracy through establishing a common international standard for IPR protection and enforcement as well as promotion of international cooperation.

- **WTO/TRIPS**

Maintain close cooperation at the TRIPS Council meetings, in particular in the fields of IPR enforcement including the joint communication on IPR enforcement initially proposed by the European Commission.

2. IPR PROTECTION

(a) Bilateral Framework

- Improvement of patent prosecution at global level

Continue to explore possibilities for streamlining patent prosecution in competent patent authorities on both sides, including through mutual exchange of search and examination results.

- Geographical indications systems

Launch a network to exchange information on the technical aspects of protection related to GI, such as trademark protection related to GI, with a view to enhancing mutual understanding on each system related to GI and strengthening cooperation based on each system.

- Information exchange on copyrights compensation systems

Promote expert-level information exchange among responsible authorities to foster mutual understanding on the systemic aspects of copyrights protection especially in the areas of copyrights compensation systems.

(b) Multilateral Framework

- Patent harmonisation

(1) Attach special importance to the issue of securing predictable and stable international patent system. Support the cooperation between the competent patent authorities on both sides towards the harmonisation of the different patent regimes at the relevant fora.

(2) Japan welcomes the on-going efforts to reform the patent system in Europe, including in the areas of a Community patent and the judicial systems of European patent.

- WIPO

Actively co-operate at the WIPO meetings, working towards conclusion of a treaty on the protection of broadcasting organizations, currently being discussed at the SCCR (Standing Committee on Copyright and Related Rights) of the WIPO.