

企画セッション

◆ POLICY CHALLENGES OF INTELLECTUAL PROPERTY IN MEXICO AND JAPAN UNDER TRANS-PACIFIC PARTNERSHIPS ◆

ABSTRACT

In 1888, Mexico established a treaty with Japan which was Japan's first equal treaty with a Western country. Japan already has a long history of relations and trade with Mexico. In maturing negotiations for the Trans-Pacific Partnership (TPP), Intellectual Property provisions are critical factors and will have a significant effect on IP systems in both countries. Under the TPP, markets will expand and intensify competition among member states. As a consequence, an IP system which contributes to the development of industry and the smooth operation of the economies will become more important. Therefore, in this session, we will discuss the relevant IP policies focusing on Mexico, a crucial country in Latin America for Japan as it tries to create new markets. Firstly, two comparative research results are reported: first, copyright piracy and its enforcement strategies in emerging countries; second, the role of software patents which have not been protected yet in Mexico. Then, this session presents a panel discussion covering the following topics: IP situations in Japanese traditional industries as examined the project activities in the Osaka Institute of Technology and IP's role in the creative economy and cultural diversity.

PANELISTS

Ms. Anaís Ibarra González (Main Panelist I: detailed after)

Mr. Jonathan Gomez Ceballos (Main Panelist II: detailed after)

Ms. Kyoko Takada (Moderator), Associate Professor at Osaka Institute of Technology:

Speaking about Protecting Traditional Knowledge with IP Strategy

Mr. Ryu Kojima (Panelist), Associate Professor at Kyushu University:

Speaking about IP's role for Creative Economy and Cultural Diversity

SESSION LANGUAGE

English

Main Panelist I

Ms. Anaís Ibarra González

“Copyright Piracy and its Enforcement Strategies”

As it is known, nowadays society lives in a globalized world where information is shared daily without barely any restrictions. Copyrights are a very valuable asset in terms of creations and piracy is taking over, making the authors receive fewer royalties than expected. An analysis on Copyrights Piracy in Taiwan, Japan, and Mexico will be presented, along with its main enforcement strategies to improve the Intellectual Property System in Mexico. Mexico is currently looking forward Mexico is currently looking forward to improve and eradicate the piracy issue in order to create a safer environment for the country.

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Piracy in Mexico is related to crime so it is an immediate need to eliminate this concern and create a peaceful and securer atmosphere within legal procedures.

Main Panelist II

Mr. Jonathan Gomez Ceballos

“The role of Software Patents in the Promotion of Innovation and Technology Transfer”

The purpose of the research is to explore if strengthening the intellectual property protection by granting software patents are convenient for enabling innovation and technology transfer practices. The research focuses on the analysis of worldwide trends and best practices in granting software patents. It is compound by three chapters: i) IT industry economic relevance and development; ii) The evolution of software and worldwide protection trends; and iii) leading countries best practices and Japanese companies experience in carrying out a software patent exploitation strategy. Moreover the patent indicators shown at the second chapter let us understand the software industry behavior and users' preferences in protecting software through patent rights, as well as the keenness of maintaining long patent life cycles. The third chapter is a quite qualitative research; it analyzes the experience of two Japanese companies in carrying out a software patent exploitation strategy. The outcomes let us contrast the patent protection theory with industry trends and market challenges.

Finally, personal considerations are expose regarding the pertinence of promoting software protection through patents in Mexico. Likewise further recommended actions supported on the outcomes of this report.

Ms. Anaís Ibarra González (Attorney at Law)

Minor studies on Administration, Business and International Law at Frankfurt School of Finance and Management in Frankfurt, Germany, from February to August 2012.

Law Degree at Universidad de Monterrey (August 2008 – May 2013), Concentration Modality on “International and Corporate Law” and Minor in “International Experience”.

Graduated with Honors and Publication of Thesis “Image Right as a limitation to Freedom of Speech”.

Lawyer in Legal Affairs Department on the Secretariat of Public Security of the State specialized in Protection of Constitutional Rights and Trial Advocacy (Mexican figure known as “Amparo”) from October 2014 to January 2015.

Mr. Jonathan Gomez Ceballos

He holds a Master in Public Administration and Public Policy from Instituto Tecnológico de Estudios Superiores Monterrey (ITESM) and a Master in Innovation Management of Information and Communications Technology from INFOTEC. Has worked at the Mexican Institute of Industrial property from 2005 – 2011. Nowadays, he works as Head of the Patenting Center at INFOTEC.