

Keynote Speech by H. E. Mr. Masakatsu Koike, Vice-Minister for
Foreign Affairs of Japan
at the Fourth Global Congress Combating Counterfeiting and Piracy
(Dubai, 3 February 2008)

His Highness Sheikh Mohammed bin Rashid Al Maktoum, Vice
President and Prime Minister of the United Arab Emirates and Ruler
of Dubai,

Mr. Michel Danet, Secretary-General of the World Customs
Organization,

Mr. Ahmed Butti Ahmed, Director-General of the Dubai Customs,

Distinguished guests,

Ladies and gentlemen,

It is a great honor for me to be here in this beautiful city of
Dubai for the Fourth Global Congress on Combating Counterfeiting
and Piracy hosted by the WCO and the Dubai Customs.

I would like to thank the hosts of the Congress, the WCO and
the Dubai Customs for organizing this important event, which
reflecting its growing importance, has grown tremendously in both
range and depths of the issues covered.

As many have already eloquently pointed out, the importance
of intellectual property (IP) in ensuring the sustainable development
of all economies and the health and safety of their citizens will only
grow in the knowledge economy of the 21st century.

From the latest technology to media contents such as music and
animation, Japan has achieved much of its economic growth by
actively pursuing innovation, and promoting and protecting the fruits
of it through the IP system. Today, in an increasingly changing

environment, we face serious threats from piracy and counterfeiting, but we also see opportunities for further growth through innovation. That is, we see IP as not something to simply protect and keep away but something that we can promote and put to good use. We are continuing to refine our IP strategy to reflect this. We hope to share these with you today.

1. Japan's IP strategy in the 21st century's knowledge economy

(1) Outline of Japan's path towards a national IP Strategy

Japan's IP policy in the 21st century's knowledge economy effectively commenced with the 2002 policy address by Mr. Koizumi, the then Prime Minister of Japan. In recognition of the importance of intellectual property in today's global economy, Mr. Koizumi, in his speech, emphasized the need to "protect and utilize the fruits of our research results and other creative endeavors" as our national strategy.

Based on this conviction, we earmarked IP as one of our national strategy foci. With this new found political momentum, we soon laid out our basic legal groundwork by enacting the "Basic Law on Intellectual Property" in November 2002. The establishment of the "Intellectual Property Strategy Headquarters", chaired by the Prime Minister, soon followed in 2003. The Headquarters now serves as the organization center of our national IP strategy.

(2) The structure of our national IP Strategy

IP strategy involves a wide range of actors. Hence, we have been promoting our national IP strategy as a government-wide effort with the collaboration of all relevant ministries and input from both the private sector and academia.

The ministries are responsible for the implementation of the each measures outlined in the "Intellectual Property Strategic Program" which has been published annually since 2003. To ensure

proper implementation of these measures, the Secretariat under the said Headquarters conducts an annual review of the program.

(3) The philosophy behind our national IP Strategy

In order to achieve concrete and effective results, the measures outlined in the Intellectual Property Strategic Program are wide-ranging yet specific. But, they stem from the basic concept called the “Intellectual Creation Cycle” which organizes each measure into “Creation”, “Protection” and “Utilization”. More specifically, this strategy is based on the idea of seeking a virtuous cycle, which consists of the “creation” of IP, such as R&D and cultural activities, the “protection” of its fruits as intellectual property rights (IPR) , and the “utilization” of these IPR through commercialization. The reinvestment of the profits from commercialization for the further pursuit of creation results in a positive cycle of continuous innovation. It is precisely an economy like this that we hope to realize, and we believe this to be a goal that all countries can pursue.

(4) Key results from our national IP Strategy

By taking concrete measures acting on the above basic concept, we have been able to achieve much in a relatively short period of time. Some notable examples include the establishment of an IP High Court and the strengthening of border enforcement. Furthermore, we have enacted over 30 IP related laws.

On top of the above, we have taken such government-wide initiatives as: the raising of criminal penalties for IPR infringement related crimes; the enactment of an “Act on anti-camcording of movies”; measures against the distribution of IPR infringing materials in Internet auction sites; the strengthening of cooperation between the government and private sectors; the strengthening of support at overseas diplomatic establishments; the designation of a one-stop-window for government consultation. On top of these, we have also carried out numerous capacity building projects, particularly in the Asian region, as part of our international cooperation efforts.

2. Towards the G8 Hokkaido Toyako Summit

(1) Introduction

As much as each and every country has a role to play, the transnational nature of intellectual property entail the need for international cooperation and the critical role that various international fora have come to play.

The G8 Summit, which Japan will host this year, has been playing a leading role in combating counterfeiting and piracy and has produced steady results since the Gleneagles Summit in 2005.

(2) Towards the G8 Hokkaido Toyako Summit

As the host of this year's G8 Summit Process, we envision that discussions on the world economy will be, alongside climate change and development, one of the important pillars. And mindful that the proliferation of counterfeiting and piracy continues to pose a grave threat to the global economy, health and welfare, we will continue to discuss ways to advance anti-counterfeiting and piracy measures. At the same time, we will seek to discuss the different aspects of the IP system. That is, we would like to see further discussions on how the existing IP system, by promoting innovation and productivity is conducive for sustainable economic development for all countries regardless of the degree of economic development.

To this effect, relevant international organizations present here today, including the INTERPOL, the WCO and the WIPO have provided much valued input to our discussions at the G8. In particular, we are reminded of the valuable contribution provided by the co-host WCO in composing the "Guidelines for Customs and Border Cooperation" and that from the WIPO in composing the "Guidelines for Technical Assistance on Intellectual Property Rights",

both of which were endorsed by the G8 leaders at Heiligendamm last year. As host of this year's Summit, we hope to strengthen our cooperation with these competent international organizations as we seek to tackle this globally important issue.

With the above points in mind, we hope to send a positive message out to the world at the G8 Hokkaido Toyako Summit to advance our work on the promotion and protection of IP.

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