

[Home](#) > [Journal](#) > [Social Sciences & Humanities](#) > [BLR](#)[Indexing](#) [View Papers](#) [Aims & Scope](#) [Editorial Board](#) [Guideline](#) [Article Processing Charges](#)[BLR](#) > [Vol.3 No.3, September 2012](#)[Open Access](#)

Japanese New Patent Law: Lessons for China

PDF (Size: 65KB) PP. 133-136 DOI: [10.4236/blr.2012.33018](https://doi.org/10.4236/blr.2012.33018)

Author(s)

Meirong Guo

ABSTRACT

In this paper, I systematically analyze the new Japanese Patent Law and make a comparative study on Chinese and Japanese Patent Law to shed a new light on the improvement of the legal system of intellectual property in China. To begin with, I review the historical development of Japanese Patent Law and the modern patent legal system in Japan. Next, the aim and contents of the latest revision of Japanese Patent Law are described. I also pay close attention to the issues remaining unresolved. Regarding the problems faced by Chinese Patent Law, I identify the lessons that China could learn from Japanese New Patent Law. Finally, I suggest that there are still some unresolved issues in Chinese Patent Law even after learning from the new Japanese Patent Law.

KEYWORDS

Japanese Patent Law; Chinese Patent Law; Comparative Study

Cite this paper

M. Guo, "Japanese New Patent Law: Lessons for China," *Beijing Law Review*, Vol. 3 No. 3, 2012, pp. 133-136. doi: [10.4236/blr.2012.33018](https://doi.org/10.4236/blr.2012.33018).

References

- [1] L. Y. Yueh, "Global Intellectual Property Rights and Economic Growth," *Northwestern Journal of Technology and Intellectual Property*, Vol. 5, No. 3, 2007, pp. 437-448.
- [2] L. F. Wang and H. Wang, "The Protection of Chinese Enterprises' Intellectual Property Rights in the Globalization," *Science Technology and Law*, Vol. 8, No. 4, 2008, pp. 40-42.
- [3] K. E. Maskus and C. McDaniel, "Impacts of the Japanese Patent System on Productivity Growth," *Japan and the World Economy*, Vol. 11, No. 4, 1999, pp. 557-574.
- [4] D. M. Liu, "The Transplant Effect of the Chinese Patent Law," *Chinese Journal of International Law*, Vol. 5, No. 3, 2006, pp. 733-752. doi: [10.1093/chinesejil/jml035](https://doi.org/10.1093/chinesejil/jml035)
- [5] Y. Du, "The Latest Revising of Japanese Patent Law," *Journal of Guizhou Police Officer Vocational College*, Vol. 14, No. 4, 2002, pp. 24-27.
- [6] A. Muto, "Intelligence Activity and Innovation in Intellectual Property Strategy," *Journal of Information Processing and Management*, Vol. 45, No. 7, 2002, pp. 457465. doi: [10.1241/johokanri.45.457](https://doi.org/10.1241/johokanri.45.457)
- [7] M. Kotabe, "A Comparative Study of U.S. and Japanese Patent Systems," *Journal of International Business Studies*, Vol. 23, No. 1, pp. 147-168.
- [8] Y. Miyata, "An Economic Analysis of Cooperative R&D in Japan," *Japan and the World Economy*, Vol. 7, No. 3, 1995, pp. 329-345. doi: [10.1016/0922-1425\(94\)00043-S](https://doi.org/10.1016/0922-1425(94)00043-S)
- [9] Minister of Economy, Trade and Industry, "Proposal for the Act to Amend the Patent Act," 2011. <http://www.meti.go.jp/press/20110311005/20110311005.html>
- [10] Industrial Property Rights System Reform Deliberation Room Editing Patent Office, "Remarks of the

[BLR Subscription](#)[Free Newsletter Subscription](#)[Most popular papers in BLR](#)[Publication Ethics Statement](#)[About BLR News](#)[Frequently Asked Questions](#)[Recommend to Peers](#)[Recommend to Library](#)[Contact Us](#)

Downloads: 39,205

Visits: 140,174

[Sponsors, Associates, and Links >>](#)

Partial Revision of the Law of Industrial Property Rights (as a Part of the Patent Law), FY2011," Japan Institute of Invention and Innovation, Tokyo, 2011.

- [11] F. L. Yu, " Unresolved Problems in the New Chinese Patent Law," The Quarterly Review of Corporation Law and Society, Vol. 6, No. 1, 2009, pp. 82-85.