

Guidelines Committee Report for Fiscal Year 2011

Last fiscal year the Guidelines Committee held discussions to revise the “Guidelines for the Prevention of Distribution of Internet IPR Infringing Goods” issued on March 14, 2008.

In response to the revision in the last fiscal year, the Guidelines Committee was set up again this fiscal year to check and review how they were subsequently operated or had any new problems and the like.

As a result of discussions in the Guidelines Committee, it is confirmed that any specific defects have not arisen during the about-one-year operation since last year’s revision. The Guidelines Committee found that it is effective for both operators and right holders to exchange up-to-date information including new infringement types because the world of the Internet changes on a daily basis. Accordingly, we suggest that as necessary the Guidelines Committee be set up in and after next fiscal year as a venue to share and discuss the latest knowledge of both operators and right holders.

1. Background to Setup of Guidelines Committee

The Guidelines Committee was set up last fiscal year with regard to the “Guidelines for the Prevention of Distribution of Internet IPR Infringing Goods” in order to organize the matters common both to right holders and auction operators for the purpose of sharing renewed common understandings based on the reality of the current distribution through auctions. After four meetings of discussions, we suggested the revision of the guidelines.

In response to the revision in the last fiscal year, setup of the Guidelines Committee was resolved at the 23rd meeting of the Council for Intellectual Property Protection on Internet (CIPP) to review the situation of subsequent operation, new modes of auctioning infringing goods, and other matters.

2. Participants

Yahoo Japan Corporation

DeNA Co., Ltd.

girls auction Co., Ltd.

Rakuten Auction, Inc.

Association of Copyright for Computer Software

Union des Fabricants

Recording Industry Association of Japan

Japanese Society for Rights of Authors, Composers and Publishers

Japan and International Motion Picture Copyright Association, Inc.

Chanel K.K.

Honda Motor Co., Ltd.

(Honorifics omitted; listed in random order)

3. Date of Meeting

First Guidelines Committee meeting: Friday, November 25, 2011

Second Guidelines Committee meeting: Thursday, March 1, 2012

4. Details and Results of Discussions

- Review of the guidelines

As a result of discussions based on the situation of operation after last fiscal year's revision, we found that no specific problem has arisen so far. As for the review of Keyword Annex, no additional requests were made.

Thus, we reached the conclusion that there is no need to revise the guidelines this fiscal year.

- Sharing of information

Operators and right holders shared with each other:

Trend of infringing goods and infringement keywords, and

New modes of auctioning infringing goods.