

Guidelines Committee Report for Fiscal Year 2016

The Guidelines Committee discussed the implementation of the “Guidelines for the Prevention of Distribution of Internet Intellectual Property Rights-Infringing Goods” (from here on referred to as the “Guidelines”) as well as the latest infringement cases. The current Guidelines were revised in fiscal 2010.

Following this committee’s decisions at our previous meeting to include flea markets under the Guidelines, we studied a draft to revise them in order to reorganize the whole structure. Also, we clarified the role of the Guidelines annex in combatting infringement and examined which categories, texts and goods should be added for verification purposes.

1. Participants

Union des Fabricants

Recording Industry Association of Japan

Japan and International Motion Picture Copyright Association, Inc.

Association of Japanese Animation

Chanel K.K.

Honda Motor Co., Ltd.

Association of Copyright for Computer Software

Japan Electronics and Information Technology Industries Association

Japanese Society for Rights of Authors, Composers and Publishers

Kering Japan

Yahoo Japan Corporation

DeNA Co., Ltd.

Stardust Communications Inc.

Mercari, Inc.

Rakuten, Inc.

Fablic, Inc.

Recruit Lifestyle Co., Ltd.

SynaBiz Co., Ltd.

(Honorifics omitted; listed in random order)

2. Dates of Meetings

First meeting: Thursday, September 29, 2016

Second meeting: Thursday, December 15, 2016

Third meeting: Monday, January 16, 2017

Fourth meeting: Friday, January 27, 2017

Fifth meeting: Friday, February 24, 2017

3. Details of Discussions and the Results

•Reviewing the Guidelines

Following our decisions at our previous meeting to include flea markets in the Guidelines, we studied a revised plan for the guidelines in order to reorganize the whole structure.

Also, we clarified the role of the Guidelines annex in combatting infringement and examined which categories, texts and goods should be added for verification purposes.

On the problem of distributing fake goods called novelties, we began to examine which brands, products or keywords should be dealt with. We could not agree on this matter in the current fiscal year and this issue has been forwarded to the next meeting.

•Sharing of information

Both the platform providers and the right holders shared information regarding the trends of affecting infringing goods, infringement keywords and the new modes of infringing goods.

•What we discussed

At the first meeting, we sorted out the issues related to non-auction services (flea markets, shopping malls, B2B=business-to-business=services etc.).

At the second meeting, we studied the definitions of texts or terms to be used in the Guidelines for non-auction services, which had been discussed and sorted out at the first meeting. Also we studied which additional conditions (such as prices for goods, the use of images and novelties etc.) should be added into the Guidelines based on the current situation. We confirmed the steps to be taken for reviewing a separate sheet for the Guidelines.

At the third meeting, we confirmed the points for revisions in the Guidelines as well as in the accompanying sheet. We exchanged opinions and studied the issues related to these

points.

At the fourth meeting, we confirmed a draft for revisions which reflected the discussions at the third meeting. We proposed a major revision shown in Annex 3 and had some discussions on this matter.

At the fifth meeting, we presented and examined the concrete revisions for Annex 3. Also, we decided on the revisions in the Guidelines and annex. We confirmed the steps to be taken from now on.