

## **本誌創刊以降の知財をめぐる動向**

### **Chronological Table of Developments in IP**

## 本誌発刊以降の知財をめぐる動向

| 期間              | (1) 世界の政治・経済                                                                                                                             | (2) 海外の知財制度・判例                                                                                                                               | (3) 日本の知財制度・判例                                                                                                                    |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| ①<br>2009～2010年 | <ul style="list-style-type: none"> <li>◆リーマンショック後のG20 協調路線強化</li> <li>◆中国経済刺激策とインフラ投資加速</li> <li>◆米国・欧州でグリーン経済政策始動</li> </ul>            | <ul style="list-style-type: none"> <li>◆シンガポール条約発効(2009)</li> <li>◆米国：特許制度改革論議が本格化</li> <li>◆欧州特許庁：バイオ特許適格性に関する議論進展</li> </ul>               | <ul style="list-style-type: none"> <li>◆商標審査基準改訂(識別力判断)</li> <li>◆意匠審査基準に関する改訂準備</li> <li>◆知財人材育成基本方針の策定</li> </ul>               |
| ②<br>2011～2012年 | <ul style="list-style-type: none"> <li>◆東日本大震災と世界的サプライチェーン再考</li> <li>◆ユーロ圏債務危機の長期化</li> <li>◆中国のGDP世界2位定着</li> </ul>                    | <ul style="list-style-type: none"> <li>◆北京条約採択(2012)</li> <li>◆Samsung v. Apple 米国判決(巨額賠償)</li> <li>◆単一特許制度(EU) 準備段階へ進展</li> </ul>           | <ul style="list-style-type: none"> <li>◆違法ダウンロード刑事罰化(2012)</li> <li>◆職務発明制度見直し議論の始動</li> <li>◆特許異議申立制度の復活検討開始</li> </ul>          |
| ③<br>2013～2014年 | <ul style="list-style-type: none"> <li>◆TPP交渉と経済連携の加速</li> <li>◆データ経済とIoT市場拡大</li> <li>◆新興国の台頭とBRICSの影響力拡大</li> </ul>                    | <ul style="list-style-type: none"> <li>◆米国：先願主義導入(AIA 施行)</li> <li>◆中国：不正競争防止法改正</li> <li>◆WIPO：国際意匠出願制度拡大</li> </ul>                        | <ul style="list-style-type: none"> <li>◆職務発明制度改正検討(報酬合理化)</li> <li>◆特許分類(FI/Fターム) 制度整備</li> <li>◆知財金融支援策の明文化開始</li> </ul>         |
| ④<br>2015～2016年 | <ul style="list-style-type: none"> <li>◆SDGs採択(2015)</li> <li>◆英国EU離脱決定(Brexit)</li> <li>◆AI・自動運転技術への注目高まる</li> </ul>                    | <ul style="list-style-type: none"> <li>◆Alice判決：抽象的アイデアの特許性制限(米国)</li> <li>◆Google v. Spain：忘れられる権利(EU)</li> <li>◆中国：悪意商標出願への規制強化</li> </ul> | <ul style="list-style-type: none"> <li>◆職務発明制度改正(原始使用者帰属)</li> <li>◆意匠法改正検討(内装等)</li> <li>◆地域団体商標制度の運用強化</li> </ul>               |
| ⑤<br>2017～2018年 | <ul style="list-style-type: none"> <li>◆米中貿易摩擦の激化と制裁関税の応酬</li> <li>◆第4次産業革命(AI・IoT) 政策の本格化</li> <li>◆ESG・SDGs経営の広がり</li> </ul>           | <ul style="list-style-type: none"> <li>◆Waymo v. Uber(営業秘密侵害)</li> <li>◆WIPO：AI発明の国際議論開始</li> <li>◆EU：著作権指令改正案可決</li> </ul>                  | <ul style="list-style-type: none"> <li>◆意匠法改正に向けた国際比較調査開始</li> <li>◆AI創作物に関する文化庁報告書</li> <li>◆IPランドスケープ活用指針策定</li> </ul>          |
| ⑥<br>2019～2020年 | <ul style="list-style-type: none"> <li>◆COVID-19パンデミック発生</li> <li>◆デジタル化・DXの急進展</li> <li>◆経済安全保障と供給網再構築が国際課題に</li> </ul>                 | <ul style="list-style-type: none"> <li>◆AI発明「DABUS」問題(特許性否定)</li> <li>◆DSM著作権指令施行(EU)</li> <li>◆Booking.com事件：一般名称と商標</li> </ul>             | <ul style="list-style-type: none"> <li>◆意匠法改正(建築・内装保護) 施行</li> <li>◆リモート出願・審査対応体制整備</li> <li>◆スーパー早期審査の導入</li> </ul>              |
| ⑦<br>2021～2022年 | <ul style="list-style-type: none"> <li>◆ワクチン格差と知財アクセス論争</li> <li>◆半導体供給制限と経済ブロック化進展</li> <li>◆サステナブル知財への注目高まる</li> </ul>                 | <ul style="list-style-type: none"> <li>◆WIPO：コロナ関連技術のIP共有呼びかけ</li> <li>◆EU：AI法案の枠組み策定進行中</li> <li>◆中国：知財司法制度の専門化推進</li> </ul>                | <ul style="list-style-type: none"> <li>◆意匠法ガイドライン改訂(応用製品対応)</li> <li>◆AI著作物の帰属に関する政策議論継続</li> <li>◆中小企業向け知財支援事業拡充</li> </ul>      |
| ⑧<br>2023～2025年 | <ul style="list-style-type: none"> <li>◆第2次トランプ政権発足(2025)と再保護主義</li> <li>◆生成AI普及(ChatGPT・Gemini等)</li> <li>◆デジタル覇権争いの先鋭化(米中欧)</li> </ul> | <ul style="list-style-type: none"> <li>◆GRATK条約発効(2024) ◆生成AIと著作権を巡る訴訟多発(米国)</li> <li>◆リヤド意匠条約採択(2024)</li> </ul>                            | <ul style="list-style-type: none"> <li>◆イノベーションボックス税制導入(2025)</li> <li>◆AI創作支援に関する制度設計開始</li> <li>◆知財関連ガイドライン改訂と金融連携強化</li> </ul> |

## Chronological Table of Developments in IP

| Period         | (1) Global Political & Economic Trends                                                                                                                                                                                 | (2) Developments IP System & Cases outside Japan                                                                                                                                                                                       | (3) Developments IP System & Cases in Japan                                                                                                                                                                                                               |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ①<br>2009–2010 | <ul style="list-style-type: none"> <li>◆ Post-Lehman G20 policy coordination</li> <li>◆ China launches major stimulus package</li> <li>◆ Green economic policies emerge in the US and EU</li> </ul>                    | <ul style="list-style-type: none"> <li>◆ Singapore Treaty on the Law of Trademarks enters into force</li> <li>◆ US patent reform debates accelerate</li> <li>◆ EPO discussions on patent eligibility in biotech intensify</li> </ul>   | <ul style="list-style-type: none"> <li>◆ Trademark examination guidelines revised (distinctiveness)</li> <li>◆ Design examination framework preparation begins</li> <li>◆ National policy for IP human resource development</li> </ul>                    |
| ②<br>2011–2012 | <ul style="list-style-type: none"> <li>◆ Great East Japan Earthquake impacts supply chains</li> <li>◆ Prolonged Eurozone debt crisis</li> <li>◆ China consolidates position as world's No.2 economy</li> </ul>         | <ul style="list-style-type: none"> <li>◆ Beijing Treaty adopted (2012)</li> <li>◆ Samsung v. Apple : \$1B damages ruling in US</li> <li>◆ Preparations for EU Unitary Patent progress</li> </ul>                                       | <ul style="list-style-type: none"> <li>◆ Criminal penalties introduced for illegal downloading</li> <li>◆ Reform debate begins on employee inventions</li> <li>◆ Consideration of patent opposition system restoration</li> </ul>                         |
| ③<br>2013–2014 | <ul style="list-style-type: none"> <li>◆ TPP negotiations intensify</li> <li>◆ Rise of IoT and data-driven economies</li> <li>◆ BRICS countries increase global influence</li> </ul>                                   | <ul style="list-style-type: none"> <li>◆ US switches to first-to-file under AIA</li> <li>◆ China amends Anti-Unfair Competition Law</li> <li>◆ WIPO expands Hague System for design applications</li> </ul>                            | <ul style="list-style-type: none"> <li>◆ Reform proposals for employee inventions (fair compensation)</li> <li>◆ Revisions to patent classification system (FI/F-terms)</li> <li>◆ Launch of IP finance support initiatives</li> </ul>                    |
| ④<br>2015–2016 | <ul style="list-style-type: none"> <li>◆ UN adopts SDGs (2015)</li> <li>◆ UK votes to leave EU (Brexit)</li> <li>◆ Global focus on AI and autonomous vehicles</li> </ul>                                               | <ul style="list-style-type: none"> <li>◆ Alice ruling restricts patentability of abstract ideas (US)</li> <li>◆ Google v. Spain : right to be forgotten (EU)</li> <li>◆ China tightens rules on bad-faith trademark filings</li> </ul> | <ul style="list-style-type: none"> <li>◆ Default employer ownership of employee inventions</li> <li>◆ Review of Design Act (interior, architecture)</li> <li>◆ Enhanced use of regional collective trademarks</li> </ul>                                  |
| ⑤<br>2017–2018 | <ul style="list-style-type: none"> <li>◆ US–China trade conflict escalates</li> <li>◆ Industry 4.0 policies advance globally</li> <li>◆ Expansion of ESG and SDGs-linked management</li> </ul>                         | <ul style="list-style-type: none"> <li>◆ Waymo v. Uber (trade secret misappropriation)</li> <li>◆ WIPO begins global discussion on AI-generated inventions</li> <li>◆ EU passes revised Copyright Directive</li> </ul>                 | <ul style="list-style-type: none"> <li>◆ Preparations for major Design Act reform begin</li> <li>◆ Cultural Affairs Agency issues AI-generated works report</li> <li>◆ IP landscape strategic guideline published</li> </ul>                              |
| ⑥<br>2019–2020 | <ul style="list-style-type: none"> <li>◆ COVID-19 pandemic disrupts economies</li> <li>◆ Accelerated digitalization and remote work</li> <li>◆ Global restructuring of supply chains and security policy</li> </ul>    | <ul style="list-style-type: none"> <li>◆ DABUS case : AI inventions denied patent status</li> <li>◆ DSM Directive (EU digital copyright) takes effect</li> <li>◆ US Supreme Court : Booking.com eligible for trademark</li> </ul>      | <ul style="list-style-type: none"> <li>◆ Design Act amendment : protection extended to buildings/interiors</li> <li>◆ Legal framework adapted for remote IP procedures</li> <li>◆ Launch of “super accelerated” patent examination</li> </ul>             |
| ⑦<br>2021–2022 | <ul style="list-style-type: none"> <li>◆ IP access and vaccine equity debates</li> <li>◆ Semiconductor supply disruptions drive economic blocks</li> <li>◆ Rising focus on sustainable IP systems</li> </ul>           | <ul style="list-style-type: none"> <li>◆ WIPO promotes voluntary tech sharing amid pandemic</li> <li>◆ EU progresses on AI Act legislation</li> <li>◆ China reforms IP litigation and judicial systems</li> </ul>                      | <ul style="list-style-type: none"> <li>◆ Design guidelines revised for digital/complex products</li> <li>◆ Ongoing policy debate over authorship of AI-generated works</li> <li>◆ Expanded IP support programs for SMEs</li> </ul>                        |
| ⑧<br>2023–2025 | <ul style="list-style-type: none"> <li>◆ Second Trump administration begins (2025)</li> <li>◆ AI tools like ChatGPT, Gemini reshape tech landscape</li> <li>◆ US–China–EU digital power rivalry intensifies</li> </ul> | <ul style="list-style-type: none"> <li>◆ GRATK Treaty enters into force (2024)</li> <li>◆ Multiple lawsuits over AI-generated content (US)</li> <li>◆ Riyadh Agreement on Design Law adopted (2024)</li> </ul>                         | <ul style="list-style-type: none"> <li>◆ Introduction of innovation box tax regime (2025)</li> <li>◆ Deliberation begins on legal frameworks for AI-assisted patent filings</li> <li>◆ IP related guideline revised for financial institutions</li> </ul> |