



知的財産推進計画 2026 と特許戦略

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2026年6月12日に内閣府の知的財産戦略本部が公表した「知的財産推進計画 2026」は、特許を出願・管理する制度から、成長戦略を実装する経営基盤へと位置付け直しています。国内外の特許実務者にとって重要なのは、第一に、戦略17分野での競争優位の確保に、IP ランドスケープを結び付けた点です。特許情報は先行技術調査や権利化の素材にとどまらず、技術の代替可能性、共同研究・M&Aの相手方、標準化の主導権、サプライチェーン上の脆弱性を読む経営情報となります。代理人には、請求項の作成と同時に、事業仮説に資する特許情報の解釈を示す役割が期待されます。

第二に、AIをめぐる課題です。計画は、AI技術の進展に伴う特許実務でのAI利活用を視野に入れつつ、発明の創出・保護・活用の全過程で人間の責任と説明可能性を確保する方向を示します。AIを用いた先行技術検索、発明抽出、明細書作成は有用ですが、機密情報の入力管理、根拠文献の検証、発明者認定、記載要件を満たす技術的裏付けは、なお実務者の中核的責務です。利用ツールの選定、ログ保存、秘密保持条項の見直しも、品質管理の一部として不可欠となるでしょう。

第三に、標準化と国際展開です。計画は、標準必須特許を含む標準戦略と知財戦略の一体化、スタートアップ・大学の知財活用、海外での権利保護を重視しています。企業は、標準化参加の前に必須性を意識した出願時期・クレーム・開示方針を設計し、海外出願、ライセンス、営業秘密を一つのポートフォリオとして運用すべきです。また、大学・スタートアップとの共同研究では、初期段階から発明の帰属、改良発明、実施権、データ利用を明確にしておく必要があります。今後の競争力は、特許件数ではなく、事業化と国際展開を支える権利群を構築できるかで決まります。特許実務者には、国別手続の専門家にとどまらず、技術・事業・標準・規制を接続する戦略的な翻訳者としての役割が求められています。

Japan's Intellectual Property Promotion Plan 2026 and Patent Strategy

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Japan's Intellectual Property Promotion Plan 2026, issued by the Cabinet Office's Intellectual Property Strategy Headquarters on June 12, 2026, reconceives patents not merely as a legal system for filing and managing rights, but as an essential foundation for implementing a growth strategy. For patent practitioners in Japan and abroad, its first important message is the link between securing competitive advantage in 17 strategic fields and the use of IP landscape analysis. Patent information is no longer limited to prior-art searches and prosecution. It has become business intelligence for assessing technological substitutability, identifying potential partners in collaborative research and M&A, anticipating leadership in standardization, and recognizing supply-chain vulnerabilities. Patent professionals are therefore expected to provide not only well-drafted claims but also interpretations of patent data that inform business hypotheses.

The second issue concerns artificial intelligence. The Plan recognizes the expanding use of AI in patent practice while pointing toward accountability and explainability throughout the creation, protection, and exploitation of inventions. AI-assisted prior-art searches, invention harvesting, and patent drafting can be highly useful. Yet the management of confidential inputs, verification of supporting references, determination of inventorship, and technical substantiation necessary to satisfy disclosure requirements remain core professional responsibilities. The selection of AI tools, preservation of relevant records, and review of confidentiality provisions must likewise form part of a firm's quality-control system.

Third, the Plan emphasizes the integration of standardization and IP strategy, including standard-essential patents, together with IP support for startups and universities and the protection of rights abroad. Before participating in standardization, firms should design their filing timing, claim scope, and disclosure strategy with potential essentiality in mind. Foreign filings, licensing, and trade-secret protection should be managed as a single portfolio. In joint research with universities and startups, ownership of inventions, improvements, licenses, and data use should be settled at an early stage. Future competitiveness will depend less on the number of patents than on the ability to build a portfolio that supports commercialization and international expansion. Patent practitioners must therefore serve not only as experts in national procedures, but also as strategic translators connecting technology, business, standards, and regulation.