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more actively raise awareness of copyright protection and strengthen regulations with the cooperation of the police's cybercrime unit, these problems are unlikely to be resolved."

Securing IP protection in China has also been a struggle for many Japanese IP owners. Figures from Japan Customs show that the number of items seized by Customs originating from China to constitute 80 percent of all seized goods, Chen says. "While this statistic is not necessarily representative to the percentage of pirated goods originating from China, it provides a snap shot of the challenge faced by IP owners."

For patent owners, their patents containing product-by-process claims could face invalidation due to the Supreme Court's recent decision on product-by-process claims (see Key Cases below), says Hiroshi Uesugi, a partner at Nakamura & Partners in Tokyo.

In fact, the JPO revised the Examination Guidelines for Patent and Utility Models as of October 1, 2015. These revisions included changes in the examination of product-by-process claims in conformity with the recent Japan Supreme Court decisions on product-by-process claims, says Chen.

In view of the challenges above, partial revision of the patent law on patent term extension should be made, lawyers say. "While the current language of the Patent Act has been reinterpreted and reconstructed many times over the years, there is great