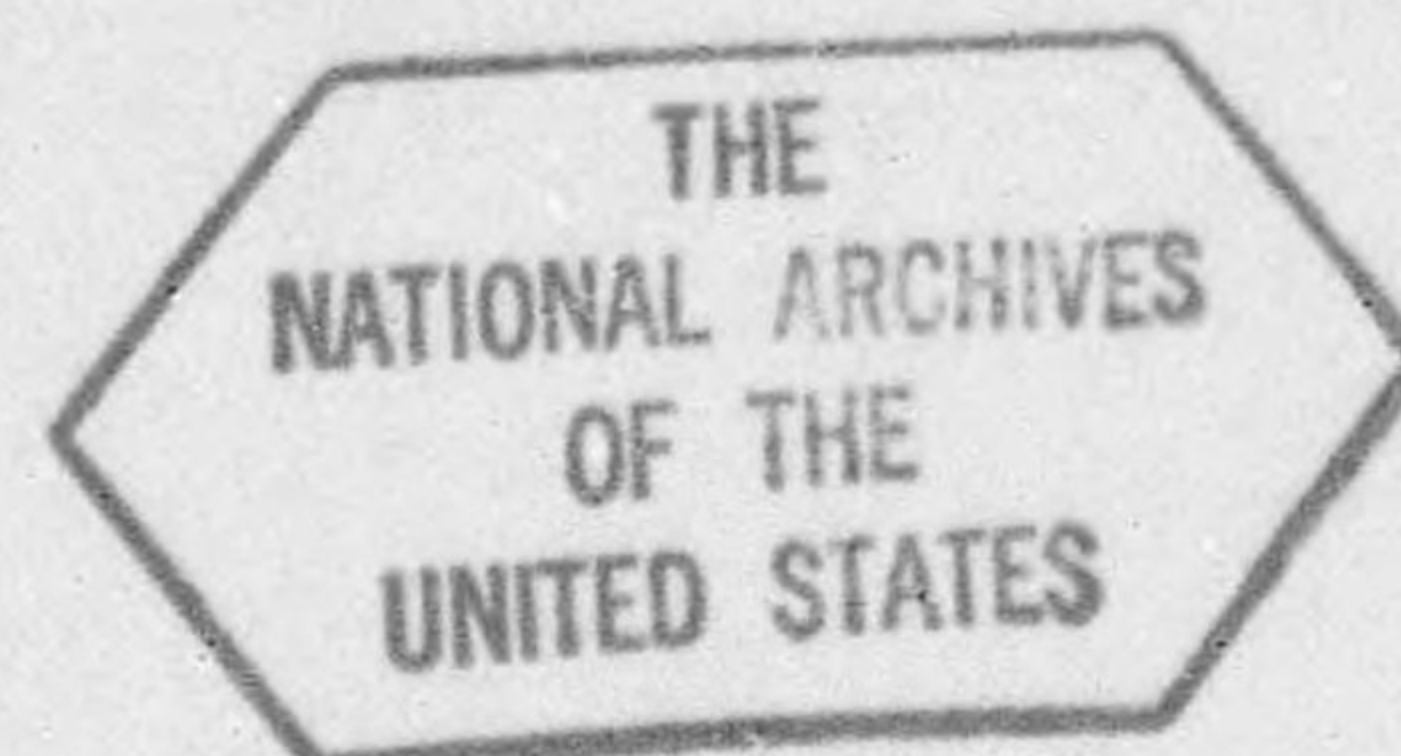


GHQ/SCAP Records(RG 331)
Description of contents



- (1) Box no. 3384
- (2) Folder title/number: (8)
170
- (3) Date: Dec. 1948 - Oct. 1951

(4) Subject:

Classification	Type of record
620, 631	s

(5) Item description and comment:

(6) Reproduction: Yes No

(7) Film no.

Sheet no.

ITEM 7 Imitation Trademarks Flooding Market - Yomiuri - 31 Dec 48.
Translator: F. Seiki. (JTK)

170
Summary:

With the inflation causing serious havoc among shopkeepers, they are now resorting to selling inferior merchandise bearing imitation trademarks. With hopes of concluding contracts with foreign firms and engaging in export trade many turn to illegal use of famous trademarks of which noted drugs are most common; among them "SANKYO" "TAKEDA," and "DAIICHI." Among trademarks appropriated by food manufacturers are: "AJINOMOTO" and "Anchor Brand" sauce. Cosmetics: "MENUA," "UTENA," "SHISEIDO" and "NISSAN." The "Brothers" sewing machine is even imitated. On the occasion of a recent order from Siam for "KINCHO" mosquito incense which was an object of flourishing export trade before the war, a certain dealer attempted to send out merchandise of an inferior quality bearing the famous label.

The Patent Bureau, which controls registration of trademarks, has launched a campaign to control such evil practises which will result in loss of confidence in future Japanese export merchandise. A Trademark Infringement Round Table Conference was held in OSAKA last month. The Patent Bureau actually has no authority to control such infringements: it has authority only to the extent of determining infringements of trademarks, and must rely on procuratorial authorities to enforce control. Since the termination of the war there has been only one case of prosecution of this nature. More cases have not appeared as detection between the true and false trademarks cannot readily be determined. The penalty for using or marketing an exact replica or one similar to another registered trademark is maximum imprisonment of five years, or a fine of not more than 50,000 yen.

Therefore, students engaging in part-time work and labor unions selling imitation commodities in money-raising campaigns, will be subject to this penalty. As some copied trademarks are so like the original, retailers place great trust in the merchandise and therefore, customers must inspect the merchandise rather than the trademark in order to assure themselves of superior quality. The Attorney-General's

Office has requested that fraudulent trademarks be reported to the office. According to MATSUHARA, chief of the Trademark Designing Section of the Patent Bureau, there are 2,000 registrations per month due to the removal of regulations, and because of the rapid appearance of fake trademarks the prevention of infringement becomes an important problem. Therefore the selling of imitation and inferior quality merchandise will first be controlled. It is hoped that in this way manufacturers of inferior merchandise will gradually be suppressed. A member of the Ginza Shiseido sales department stated that after the termination of the war, inferior cosmetics were packed in Shiseido-labeled containers and sold, and recently, in EHIME prefecture, a blackmarket soap bearing the Shiseido mark was confiscated and the dealer severely warned against further infringement. The fact that Shiseido soap is not sold on the market and can be obtained only through rationing was subsequently published in the papers.

ITEM 5 Trade Mark Abuses Must Be Stamped Out - Nihon Keizai - 8 Feb 49.
 Translator: Z. Konishi. (UG)

170
 Full Translation:

The increasing use of forged and fraudulent trade marks in the present economic chaos is evidenced by the recent SCAP directive specifically prohibiting the unauthorized use of the Singer Sewing Machine Company trade mark.

This situation cannot be overlooked from the standpoint of maintaining confidence in international trade and preventing trade mark infringements. In particular, the sale of spurious brands of alcoholic beverages and foodstuffs is even jeopardizing the lives of the consumers.

The following are some of the recent abuses practiced among Japanese merchants.

Alcoholic drinks top the list of fraudulent marketing practices. Some traders say that four to five fictitious brands of Suntory whisky have been discovered after customers bought them. It is a common practice to change a part of the name of a popular brand. For example, an "R" might be changed to an "L" or a "P" to an

"F" as a means to evade trade mark regulations.

Reports indicate that traders themselves are hoodwinked by spurious brands of whisky because genuine bottles are used. It is also reported that a soft drink called "CALPIS", which is of entirely different quality from the genuine drink, is being sold openly with that label.

As for fancy articles, JAPAN-made COTY powder is sold at a cosmetic store on the GINZA, with a design just like its namesake in FRANCE. Authorities have already exposed some fraudulent brands of Papilio cream and SHISEIDO soap. Cigarette lighters called ZIPO, which were imitated from the American-made ZIPPO lighter, and those called GUNHILL imitated from the English-made DUNHILL are reportedly sold.

These are deliberate attempts to deceive customers. In cooperation with illicit manufacturers, some traders are procuring empty boxes, bottles and packing papers carrying labels of well-known commodities. It is reported that by using these, methyl-whisky can be sold as first-grade whisky, faked brands of AJINOMOTO can be made by using wheat flour, while margarine can be sold as superior quality butter.

The Welfare Ministry has intensified the system of inspecting certificates and labels on foodstuffs since last August for the purpose of stamping out inferior quality goods from the markets. However, there is currently no alternative but to take such inadequate measures as warning customers to buy properly labeled commodities at reliable stores. In view of the Trade-mark Registration Act providing for the protection of trade marks, the abuses mentioned above deserve to be condemned as piracy of trade marks.

The Patent Standard Bureau, which is responsible for this, is currently pressed by the business of registering trade marks and designs, submitted by new manufacturers who mushroomed after the surrender. Of the 2,000 applications received monthly, the Bureau is now scarcely disposing of half the number, with approximately 30,000 applications still unregistered. It is said that at least one year is required before licences are granted to applicants because newly-submitted labels must be publicly announced for two months after inspections are completed.

This affords illicit manufacturers the opportunity of stealing these labels. It is hoped that the Government streamlines its policies for the purpose of stamping out spurious brands.

KOREA'S FIRST PATENT OFFICE TO BE OPENED

170
171

SEOUL, KOREA -- Korea's first patent office, established by Military Government ordinance January 28, will probably be open for business within six weeks, according to Maj. Oswald H. Milmore, Berkley, Calif., Commissioner of Patents.

Previous to the country's recent liberation, Japanese patent laws were in effect, but applications were registered in Japan. Two inventor associations were permitted in Korea, but activities were restricted to registration advice.

The new law will be based on the present Japanese system, which was established in 1921 as a model of existing world patent customs. Regulations will also conform with international patent practices established at the Paris Convention in 1883 and later amended by treaties, to which most of the world's leading nations have adhered or ratified.

Most important provision of the new law provides that application for patents filed in foreign countries within twelve months of original filing, will date back to first filing date. Where American patent laws provide seventeen year's protection for inventors, the new system will require yearly renewal of registration fees.

Patents, utility models, designs and trade marks owned by residents of Korea and valid in Korea as of December 7, 1941, may be re-registered if property title can be proved. This provision is to compensate for disruption of fee payments during the war years. Nearly 4,000 such claims were owned by residents of Korea.

Plant patents, which provide protection for agricultural developments and which until now have been recognized only in the United States, will be included in the new law. 931.5 16 Feb 46

SCAP ORDERS JAPANESE GOVERNMENT TO REPORT ON PATENTS HELD

170
The Japanese government today was directed by SCAP to report all patents held in the name of the Japanese government or its agencies and which, at any time since 1 January 1930, have been declared "secret" patents.

SCAP officials said it had been learned that various ministries of the government, as a wartime measure, were empowered to take possession of all applications for patents, declare them "secret" and then use them.

The officials said establishment of a "patent custodian" has been recommended by the Pauley reparations mission. The custodian would control all patent rights granted to Japanese nationals with a view to recovering such assets as may be obtained from these sources.

MAR 11 1946

PRESS RELEASE - AFPAC

170
SCAP APPROVED PROPOSED ORDINANCE OF JAPANESE GOVERNMENT
PROHIBITING CMA EXCEPT BY AUTHORITY OF SCAP CMA MAKING ANY CONTRACTS INVOLVING PATENT RIGHTS HELD IN NAME OF JAPANESE GOVERNMENT AND ANY SUB DASH DIVISION CMA OR MAKING ANY NEW APPLICATION FOR PATENTS IN FOREIGN COUNTRIES PD PROPOSED ORDINANCE PROVIDES LEGISLATION FREEZING ALL PATENTS HELD IN GOVERNMENT NAME

27 MAY 1946

OUTGOING MESSAGES - SRS *conf*

ITEM 5 Recent Patents - Nippon Keizai Shimbun - 19 Jun 46. Translator: Y. Kurata.

Summary:

170
Application for patent rights have recently increased in number for salt manufacture, electric heaters, food and drinks, farming tools, medicines, and flour mills. Those for salt manufacture top the list, with 77 cases in March and 126 cases in April. Among the above patent rights applied for, seven cases including flour mill patents were selected as important inventions and made public on 17 June by the Patent Board. Major inventions published are as follows.

(1) Flour mill invented by the OKUMURA, Kiyoshi, TOKYO: Both the upper and lower mill plates of this flour mill have a spherical surface instead of a level surface so that materials may be ground smoothly.

(2) Electric cooking apparatus invented by Mr. AWOKI, Michio, IBARAGI-Ken. This apparatus is used for the automatic cooking of rice.

(3) A method by which malt and papaya yeast can be made into food.

RIGHTS OF JAPANESE INVENTORS TO BE RESTORED

170
No objection was offered by SCAP today to a Japanese government proposal to restore full court privileges to inventors and protect the rights of both inventors and patent holders.

The action of the government is contained in a proposed law abrogating the Wartime Exceptions to Industrial property law, said Lt. R. J. Morre, of the legal division of SCAP's Economic and Scientific section.

Passed in 1943, the Wartime Exceptions Law took away from inventors the right of appeal to the supreme court for protection or issuance of patents.

The law also denied patent holders the privilege of appealing to the Japanese Appeals Court against infringements on patent rights.

Lieutenant Moore said the law further suppressed the publication of a Patent Gazette and Design Gazette, "probably for security reasons." The publication of these two gazettes is restored by the proposed abrogating action, he said. JUL 2 1946 PRESS RELEASE - AFPAG

SCAP ORDERS GOVERNMENT TO LIST PRE-WAR FOREIGN PATENTS

SCAP today directed the Japanese government to furnish a list of all patents, utility models, designs and trademarks registered on December 7, 1941, to non-Japanese.

W. B. Spencer, legal advisor for the Foreign Property division of SCAP's Civil Property Custodian office, said SCAP seeks, among other things, "details of all licensing agreements or changes made in existing agreements after December 7."

He said Japanese authorities have readily admitted the government cancelled patent rights or gave Japanese nationals permission to use foreign patent rights "without compensation."

170
In some instances it was discovered the Japanese government had licensed foreign patents to their own nationals.

Besides this, he said, the government cancelled 54 trademarks outright, and "others may have been automatically cancelled because the trademark term expired during the war."

Mr. Spencer said SCAP's directive to the Japanese government asks for the following information:

Registration numbers; name, nationality and address of owners; date right was granted; title of invention or description of trademark, and, if cancelled, date of and reason for cancellation. 18 JUL 1946

FUEL COMBUSTION EXPERIMENTS SEEN IMPORTANT TO JAPAN

WITH THE EIGHTH ARMY, KYOTO --- Two Kyoto Imperial University professors and an American soldier have successfully carried out experiments with a Junker's injector in an internal combustion engine.

The three men, Professor Fujio Hagao, head of the mechanical engineering department; Shuinichi Oshigashi, and T/5 Val D'Ancona, New York City, a member of I Corps Headquarters, were attempting to prove that a Junker's injector could take the place of a carburetor in an engine.

In February, 1946, at the Kyoto Imperial University, the first test was made. Four injectors were successively tried out, but failed due to faulty equipment, high gas temperature, incomplete atomization of the fuel, and, therefore, incomplete combustion. Finally the Junker's injector was tried, and the ensuing experiments proved successful, the experimentors said.

170 The Junker's injector was German-invented, and was originally designed for Diesel-Junkers engines. It delivers a fan form spray of gas into the cylinder head. The carburetor performs the same job, but Junker's injector gives better atomization and a richer fuel mixture can be used when desired in the combustion chamber, the men said. They claimed the Junker's injector proved superior to the carburetor and other injectors, the engine operating smoother, giving greater horsepower, and having a lower fuel consumption.

Although injector systems are more expensive, in the long run they will pay the motor industry because they can run on low vaporizing fuels such as kerosene or light oil where gasoline is expensive and scarce in a nation like Japan, the trio added.

This experiment will be reported to the Japanese Society of Mechanical Engineers.

T/5 D'Ancona, the only American involved in the experiment, was inducted into the army in October, 1944, and, after receiving infantry training at Camp Blanding, Fla., sailed overseas in July, 1945. He was graduated from Yale University in 1944 and is a member of the

American Society of Mechanical Engineers, and the Yale Engineering Association, His mother, Mrs. Flora L. D'Ancona, lives in Chatham,

170 Va. 19 JUL 1946 PRESS RELEASE - AEPAC

SOCIAL SERIES: 1103 (Continued)

ITEM 4 Many Applicants For Patents On Invention - Mainichi Shimbun -
1 Sep 46. Translator: S. Sakata.

Full Translation:

170
The street-stalls are now flooded with many patent utensils, such as cigarette rollers, rapid vermicelli-makers, electric bread-making machines, etc.. There is even a rumor that the patent right of a cigarette roller was sold for 300,000 yen in cash. The Patent Bureau is being deluged by applications from amateur inventors, and from factories reconverted to peacetime industries, who wish to register new, queer inventions. Applications as of 31 July reached 11,390, establishing a record. The trend in inventors' circles in recent months has been as follows:

Among the new crop of inventions there is an epoch-making hulling device which hulls rice by a sudden lowering of the air pressure; there is also a device for raising sunken ships. However, due to the present economic crisis, most of the inventions have to do with livelihood, food, and building materials. Electric machines for making bread and heating water for baths are most numerous with 1,093 applications, followed by electric salt manufacturing machines, with 756, and devices for treating food substitutes and sweet potatoes, third. There are kitchen utensils such as knives, beverage makers, grinders, cement substitutes, materials for construction, sporting and amusement goods, footgears, stationery, distillation methods, newly devised fertilizers and fuels, and so on. On the other hand, conspicuously on the decrease are scientific inventions. This is attributed to the fact that laboratories of big companies such as MITSUI and MITSUBISHI, which were called the parents of patent applicants, are now only half hearted in their research, due to the cancellation of compensation to munition plants.

However, the number of applicants are increasing with many "street inventors" entering the field. Visitors to the invention consulting room in the Patent Bureau alone amounted to 1,023 during the period starting from 11 February this year (when the consulting room opened) to the end of July. Of these, 407 were company employees and 261 were manufacturers of middle and minor classes. Such being the circumstances, the authorities are now contemplating measures to encourage them, and will shortly hold an exhibition of inventions. Moreover, a nation-wide exhibition of excellent inventions is expected to be held in TOKYO early next year.

DISTRIBUTION "X"

170 Patent Law: Ordinance No. 91, dated 5 October, title: "Patent Law"; effective 15 October, promulgated Patent Law to promote useful Arts and Sciences and to encourage manufacture of new inventions and devices and their utilization in Korea. 12 OCT 1946

170 SCAP SEEKS INFORMATION ON PATENTS USED BY JAPANESE

In an effort to search out the use of United Nations patents by the Japanese during the war, SCAP has directed the Japanese Government to report all bank deposits made since December 7, 1941, which represent royalties on patents owned by Allied nationals.

According to the Civil Property Custodian, the report will include the name of the possessor, the name and owner of the account to which the deposit was made, the bank of deposit, and the amount of the account. 4 DEC 1946 PRESS RELEASE - AFFAC

BLOCK JAPANESE USURPATION OF INDUSTRIAL AND LITERARY RIGHTS

170 Japan's indiscriminate use, from June 1, 1941 to Dec. 1, 1945, of patents, utility models, designs, trade marks and copyrights belonging to any of the United Nations will be ended by a SCAP directive to the Japanese government, it was announced today by D. H. Blake, Foreign Property Division Chief for the Civil Property Custodian.

The order requires a complete report on the use of all industrial and literary property, owned by United Nations nationals, which were filed or registered on or after Dec. 7, 1941.

At the same time, registration of these property rights in the names of Japanese individuals or firms which had special agreements with UN persons or companies must be secured by the Japanese government. This information will provide foreign owners with a basis for claims of royalties and damages sustained, Mr. Blake said.

Additionally, the Japanese government will be charged with placing direct responsibility on all private individuals and firms in determining whether any have used or are now using rights, models or designs owned by UN nationals. Appropriate penalties will be prescribed by the Japanese government to individuals or companies which fail to investigate and report such mis-usages, Blake stated.

The SCAP directive advised that the Japanese government will require all individuals and firms to maintain records on the use of UN industrial and literary property. 21 DEC 1946

Korea's 1st Patent Office

G.H.Q., U.S. ARMY FORCES, PACIFIC, P.R.O., SEOUL, Korea.—Korea's first patent office established by Military Government ordinance January 28, will probably be open for business within six weeks, according to Maj. Oswald H. Milmore, Commissioner of Patents.

170
MAINICHI FEB 22 1946

SCAP Orders Listing Of Secret Patents

The Japanese government Monday was directed by SCAP to report all patents held in the name of the Japanese government or its agencies which had, at any time since January 1, 1930, been declared "secret" patents.

SCAP officials said that it had been learned that various ministries of the government, as a wartime measure, were empowered to take possession of all applications for patents, declare them "secret" and then use them.

The officials said that establishment of a "patent custodian" was recommended by the Pauley reparations mission. The custodian would control all patent rights granted to Japanese nationals in order to recover any assets obtainable from these sources.

STARS & STRIPES MAR 12 1946

Report On Patents Ordered

G.H.Q., U.S. ARMY FORCES, PACIFIC, P.R.O.—The Japanese Government has been directed by SCAP to report all patents held in the name of the Japanese Government or its agencies and which, at any time since January 1, 1930, have been declared "secret" patents.

170
MAINICHI MAR 14 1946

Waste Paper Burner Invented In Kyoto

KYOTO, May 11.—The city of Kyoto, which has not been bombed, should be more sanitary than other cities—such is the opinion among the members of the Occupation Forces as well as the Japanese public.

In this respect, Ukichi Nakamura, director of the Kyofumi Sanitary Institute, Gojo Sayamachi, this city, has invented a new type waste paper burner and donated it to the city and to the prefectural office.

The city welfare department experimented its value at Maruyama park on May 10 with 150 members of neighborhood association heads attending.

It was decided that hereafter this neighborhood unit will employ the newly acquired device to keep the streets sanitary by their own efforts. The streets will be cleaned to the extent that the Occupation Forces will not have to frown about the unsanitary conditions, it is expected.

MAINICHI 16 MAY 1946

Freezes Secret Patents

G.H.Q., U.S. ARMY FORCES, PACIFIC, P.R.O., May 27.—SCAP today offered no objection to a proposed Japanese ordinance which, in effect, freezes all "secret" patents held by the Government and its agencies, and prohibits new applications for foreign patents.

The patents held by the government were taken over when the value of the inventions was considered vital to war-like Japanese policy, according to Lt. Col. E. R. Minnich, chief of the legal division of SCAP's Economic and Scientific Section.

170
MAINICHI MAY 30 1946

United Nations Patents

Radiopress

TOKYO, Dec. 4.—In an effort to search out the use of United Nations patents by the Japanese during the war, SCAP has directed the Japanese Government to report all bank deposits made since December 7, 1941, which represent royalties on patents owned by Allied nationals.

170
MAINICHI DEC 6 1946

Seeks Data on Patents

In an effort to search out the use of United Nations patents by the Japanese during the war, SCAP has directed the Government to report all bank deposits made since December 7, 1941 which represent royalties on patents owned by Allied nationals. According to the Civil Property Custodian, the report will include the name of the possessor, the name and owner of the account to which the deposit was made, the bank of deposit, and the total amount of the account.

NIPPON TIMES DEC 8 1946

New SCAP Office To Handle Patent Property Matters

Brig. Gen. Patrick H. Tansey, Civil Property Custodian of SCAP, revealed that a Patent Property Division has been set up in his section.

Purpose of the new division, which will be headed by Lt. Col. F. R. Sibert, former Deputy custodian, is to handle all Japanese patent property matters and to establish machinery to protect patents, trade-marks, copyrights and similar intangible property of Allied nations and their nationals.

Additional divisional duties, General Tansey explained, will include handling all patents, utility models, trade-marks, designs and copyrights of Axis nations now under SCAP custody. It was pointed out that Germany, in particular, possesses valuable property in this category.

STARS & STRIPES APR 26 1947

Patent Property Div.

G.H.Q., FAR EAST COMMAND, PRO, Apr. 24.—The establishment of a Patent Property Division for the Civil Property Custodian Section was announced by Brig. Gen. Patrick H. Tansey, SCAP's CPC.

The Division will be established to handle all matters relating to Japanese patent property, plus complete machinery to protect the patents, trade-marks, copyrights and related intangible property of Allied Nations and their nationals, General Tansey explained.

170
MAINICHI APR 27 1947

Directive Forbids Japan Using UN Industrial, Literary Rights

170
Japan's indiscriminate use, from June 1, 1941 to December 1, 1945, of patents, utility models, designs, trade marks and copyrights belonging to any of the United Nations will be ended by a SCAP directive to the Japanese Government, it was announced yesterday by D. H. Blake, Foreign Property Division Chief for the Civil Property Custodian.

The order requires a complete report on the use of all industrial and literary property, owned by United Nations nationals, which were filed or registered on or after December 7, 1941.

At the same time, registration of these property rights in the names of Japanese individuals or firms which had special agreements with UN persons or companies must be

secured by the Japanese Government. This information will provide foreign owners with a basis for claims of royalties and damages sustained, Mr. Blake said.

Additionally, the Government will be charged with placing direct responsibility on all private individuals and firms in determining whether any have used or are now using rights, models or designs owned by UN nationals. Appropriate penalties will be prescribed by the Japanese Government to individuals or companies which fail to investigate and report such mis-usages, Mr. Blake stated.

The SCAP directive advised that the Government will require all individuals and firms to maintain records on the use of UN industrial and literary property.

DEC 22 1946

170
NIPPON TIMES

ITEM 16 Application for Patents Doubled - Nippon Keizai Shimbun - 28 Oct
46. Translator: S. Sakata.

170

Full Translation:

Enthusiasm towards inventions which was at its lowest ebb at the end of the war has increased again, keeping pace with the industrial reconstruction. The number of applications at the Patent Standard Bureau has increased steadily. The Bureau's investigation shows that while applications for patents and utility models and the registrations of designs and trade marks numbered 107,000 in 1936, they decreased to a mere 11,000 or 10 per cent of the former figure in 1945. This decrease worried the Bureau authorities and the Patent Agents Association. However, matters have taken a favorable turn with the general public's enthusiasm for reconstruction. Statistics reveal that 23,000 applications have already been made up to September, twice that of last year. A good future is anticipated in this field.

The Patent Standard Bureau has established a consultation room for inventors on the second floor of its building since February to arouse enthusiasm for inventions. The room is visited by a daily average of 30 inventors, almost all of whom apply for patents after consulting with officials in charge. Among them, ex-servicemen and unemployed persons are most predominant. They have good ideas on salt manufacturing methods, farming tools, toys, etc. thought up during their army life. Applications for patents on electric bread baking apparatus have reached 20 or 30. The following are the details of the applications made to the patent office during the period from January to September of this year: Patents: Salt manufacture heads the list with 650 applications, followed by food and drink with 480. Electric heaters such as hotplates and bread baking apparatus applications is third with 320. Among the remainder it is interesting to note that there are a considerable number of inventions in the chemical field. This may mean that the people are trying to make something out of nothing. Inventions on ship building, motorcars, airplanes, shoes and other leather goods manufacturing machines, and other machines are conspicuously missing.

Out of 5,641 applications for patents, 1,739 were issued. It is also noticed that the majority of applications are related to commodities which can be manufactured with minor capital. It is said that almost all of these inventions are made by those trying to make a fortune at one stroke. Applications for patents

on spinning and weaving machines connected with exports have not been found as yet. The Bureau's officials explained that promising inventions with firm foundation directly bearing on industrial reconstruction, are practically nil.

Utility models: Electric heaters number 1,061 applications; farming implements, 405; and sport and amusement goods, 345. The figures clearly indicate the recent trend towards a 100 per cent utilization of electric heat and sports craze. On the other hand, patent application for kitchen utensils reached the considerable number of 230, reflecting the difficulties by the 500 yen economy.

Inventions for rolling cigarette and other smoking goods number 186. As in the case of bread making apparatuses, smoking commodities manufactured from these utility models are so abundant on the market as to cause disputes on infringement on patent rights and demands for decisions of courts. It is noticed that applications on working machines decreased conspicuously. Of 9,147 applications for utility models, 1,888 were registered.

ICHIKAWA, Kan, chief director of the Patent Agents Association said, "It is noted that many applications are made for electric salt manufacturing devices and pulverizing machines. Those for bicycles and farming utensils also number considerably. However, of the three fields of electricity, mechanics and chemistry, the least popular is electricity, followed by mechanics. Minor capitalists, with 100,000 to 150,000 yen, are conspicuous among the applicants. We are also visited by many unfamiliar customers, and in direct contrast to that, our regular customers seldom give us work."

170



Use Of Junker Injector Perfected In Kyoto With Aid Of T/5 D'Ancona

KYOTO, July 19.—A new light toward the solving of mechanical fuel problem was introduced by two Kyoto Imperial University professors and an American T/5 who successfully carried out experiments with Junker injector in an internal combustion engine.

Details of the experiment which proved that the Junker injector gives better atomization and richer fuel mixture in the combustion chamber than the carburetor, will be reported to the Japanese Society of Mechanical Engineers.

Goes Back To Feb. 1946

The story goes back to February, 1946 when Dr. Fujio Nagao, head of the mechanical engineering department of Kyodai, Professor Shin-ichi Ohigashi and T/5 Val D'Ancona of the I Corps headquarters, three followers of the injector theory, vowed to prove that the injector was superior to the carburetor as fuel saver.

After constructing testing equipments the three engineers delved into their five-month experiment with zeal. Many obstacles had to be met. Engines needed occasional regulation and adjustments. Four different kinds of injectors were tried but all failed to make the grade.

Finally the Junker injector was used and the ensuing experiment proved successful.

Better Atomization.

Junker injector is a German invention and was originally designed for Diesel Junker engines. It delivers a fan-form spray of gas into the cylinder head. The carburetor is said to perform similar functions but the Junker injector gives better atomization and a richer fuel mixture can be used when desired in the combustion chamber.

The three engineers claim that the Junker injector is superior to the carburetor because the engine operates smoothly, gives greater horsepower output and has a lower fuel consumption.

They also pointed out that the injection system is more expensive but it will pay in the long run because the motor industry can run on low vaporizing fuel such as kerosene or light oil.

T/5 D'Ancona graduated from Yale University in 1944 and is a member of the American Society of

Mechanical Engineers and the Yale Engineering Association.

(Photo shows Dr. Nagao, T/5 D'Ancona and Assistant Igai testing the Junker injector at the Kyoto Imperial University).

Rural Roundup

FUEL COMBUSTION EXPERIMENTS MADE

KYOTO—Two Kyoto Imperial University professors and an American soldier have successfully carried out experiments with a Junker injector in an internal combustion engine.

The three men, Professor Fujio Nagao, head of the Mechanical Engineering Department; Shunichi Ohigashi, and T/5 Val D'Ancona, New York City, a member of I Corps Headquarters, were attempting to prove that a Junker's injector could take the place of a carburetor in an engine.

The Junker's injector was German-invented, and was originally designed for Diesel-Junkers engines. It delivers a fan form spray of gas into the cylinder head. The carburetor performs the same job, but Junker's injector gives better atomization and a richer fuel mixture can be used when desired in the combustion chamber, the men said. They claimed the Junker's injector proved superior to the carburetor and other injectors, the engine operating smoother, giving greater horsepower, and having a lower fuel consumption.

NIPPON TIMES
JUL 25 1946

JAPAN RESTRICTED IN INDISCRIMINATE UN PATENT USAGE

Japan's indiscriminate use of patents utility models, designs, trade marks and copyrights belonging to any of the United Nations will be ended by a SCAP directive to the Japanese Government. It was announced.

The order requires a complete report on the use of all industrial and literary property, owned by United Nations nationals, which were filed or registered on or after Dec. 7, 1941.

At the same time the Japanese Government will be ordered to obtain the names of Japanese individuals or firms which had special agreements with UN persons or companies. This information will provide foreign owners with a basis for claims of royalties and damages, it was said.

Stassen Legislation Would Curb Strikes

ST. PAUL, Minn., Dec. 22 (UP)—Former Minnesota Governor Harold E. Stassen, first declared candidate for Republican presidential nomination, said he had a campaign for legislation to provide a "curb against strike abuses."

He said it would require a "cooling off" period before a strike could be called.

STARS & STRIPES' DEC 23 1946

PATENT PROPERTY DIVISION IS ESTABLISHED BY CPC

**Protecting All Trademarks And
Copyrights of Allied Nations**

The establishment of a Patent Property Division for the Civil Property Custodian Section has been announced by Brig. Gen. Patrick H. Tansey, SCAP's CPC.

The Division will be established to handle all matters relating to Japanese patent property, plus complete machinery to protect the patents, trademarks, copyrights and related intangible property of Allied Nations and their nationals, Gen. Tansey explained.

Additional duties will include handling all patents, utility models, trademarks, designs and copyrights of Axis nations, particularly Germany, now under SCAP custody. The primary function of this division will be to evaluate and inventory this valuable category of property; make recommendations for its control, custody and disposition and maintain complete records for SCAP, he said.

Lt. Col. F. R. Sibert, former Deputy Custodian, who has recently returned from a two-month trip to Washington on business involving restoration of property, restitution and claims, will head the new Division.

MIRINHO
JUL 20 1946

NIPPON TIMES APR 26 1947

170

170 (Z-31880) Patents: 345 temporary applications for patents received by Bureau of Patents, Department of Commerce. 21 JAN 1947 Daily Radio Conf

170 Patents: All persons who have filed caveats for patents and those holding Japanese patents have been directed to submit applications by 14 April or forfeit their rights; also, persons holding Japanese utility patents and patents for designs should register them by 14 October. 1 MAR 1947 Daily Radio Conf

170 PATENT PROPERTY DIVISION ESTABLISHED BY CPC

The establishment of a Patent Property Division for the Civil Property Custodian Section was announced today by Brig. Gen. Patrick H. Tansey, SCAP's CPC.

The Division will be established to handle all matters relating to Japanese patent property, plus complete machinery to protect the patents, trade-marks, copyrights and related intangible property of Allied Nations and their nationals, General Tansey explained.

Additional duties will include handling all patents, utility models, trademarks, designs and copyrights of Axis nations, particularly Germany, now under SCAP custody. The primary function of this division will be to evaluate and inventory this valuable category of property; make recommendations for its control, custody and disposition and maintain complete records for SCAP, he said.

Lt. Col. F. R. Sibert, former Deputy Custodian, who has recently returned from a two month trip to Washington on business involving restoration of property, restitution and claims, will head the new Division. 24 APR 1947 PRESS RELEASE - AFPAO

ITEM 3 Promising Inventions to be Financed by Industrial Rehabilitation Corporation - Daiichi Shimbun - 1 Apr 47. Translator: Z. Konishi (WM).

Full Translation:

170
The Industrial Rehabilitation Corporation (SANGYO FUKKO KODAN) is planning to encourage the manufacture of promising inventions and patents, the immediate productions of which is hampered by lack of funds. In order to achieve this end, the corporation will finance its production through loans and assign the manufacture to private entrepreneurs.

As an immediate project, the corporation will construct a penicillin plant in SHIMIZU Shi with a budget of 5,000,000 yen. Its plan is now being speedily worked out. Following this, the corporation is expected to industrialize other promising inventions and patents which are in the same category.

ITEM 2 Enthusiasm for Inventions Stifled by Materials Shortage - Nihon Keizai - 21 Apr 47. Translator: H. Sato.(GS)

Full Translation:

170
Spurred by demands for economic reconstruction, a growing enthusiasm for invention has been in evidence. The number of patent applications filed during last year was twice that of the year before. This year, over 5,600 applications have been filed up to the end of March. It is predicted that if this continues, this year's applications will number twice as many as last year's, and the Patent Standards Bureau (TOKKYO HYOCJUN KYOKU) is now busily engaged in examining patent applications.

These inventions, regarding that inventors must have experienced great hardships due to the lack of materials are largely confined to innovations relative to foodstuffs, farm implements, fertilizer, chemicals, and fermentation processes. Outstanding contributions in the field of daily necessities are comparatively few.

Inventions relative to salt manufacture, once frequently seen, now seem to be on the wane. Typical ideas for which patents are sought are:

(1) A device for fountain pens to regulate the flow of ink by turning a valve near the point; (2) A method by which soy sauce and MISO (bean paste) can be made simultaneously; (3) A method by which Sake can be made by the use of X-rays on sweet potatoes; (4) A farm implement designed for hulling rice in an air-tight chamber by means of compressed air; (5) A process for making non-perishable food products; and (6) A method for producing fertilizer, either by extracting it from sea water or by chemical fermentation. This would meet the shortage of potassium, a raw material used in fertilizer manufacture.

ITEM 3 Inventions Need Money and Materials - Mimpo - 19 Jun 47. Translator: H. Shindo. (FST)

Summary:

The Invention Promotion Association (HATSUMEI SHINKO KAI) and the Tokyo branch of the Invention Society (HATSUMEI KYOKAI) announced in May, that they would welcome ideas by unknown amateurs, and would give aid in the form of funds and materials as a means of promoting industrial reconstruction and reasonable living.

During the three months since then there have been about 100 applications. These were in the form of mere ideas, with the object of

gaining money. Not one has any practical possibilities. However, if great inventive potentialities should be thwarted by the Government's lack of enthusiasm and failure to provide funds, JAPAN's cultural development would be hindered.

TERAJIMA, Takeshi, auditor of the Invention Promotion Association, and SUZUKI, Ichiro, director of the Invention Society Tokyo branch, voiced their complaints as follows:

The promotion of inventions has always lagged behind in JAPAN. This is attributable to the fact that the Government has never betrayed any enthusiasm for it. The Cabinet meeting on 22 November last year laid down a program designed to promote inventions and make practical use of them through the reorganization of the Imperial Invention Society (TEIKOKU HATSUMEI KYOKAI). However, it ended in mere wishful thinking.

"Worthwhile inventions require time and money. The Patent Bureau, Ministry of Commerce and Industry, and Invention Society sign documents, which is a vastly different thing from providing materials. Moreover, bankers are reluctant to loan funds.

"Although, we have promised to assist inventors, we are in dire need of materials and money. Government officials are indifferent about such matters. Unless such difficulties are overcome no new inventions will be forthcoming and our country's progress will be retarded. The Katayama Cabinet should try to exert some influence in this direction.

ITEM 11 Most Foreign Classical Music and Jazz Broadcasts Temporarily Banned - Jiji - 26 Jun 47. Translator: H. Iuchi. (DD)

Full Translation:

As a result of the Government's decision on foreign copyrights, broadcasts of works by foreign composers who died within the last 50 years will hereafter not be permitted and the Music Section of the Broadcasting Corporation is now very busy with the re-organization of its program. In prewar days, rights to stage works of foreigners had been obtained by paying a fixed amount to the office of the Federation of Writers' and Composers' Copyright Administration Unions (SAKKA SAKKYOKU BUNGEI CHOSAKUKEN KANRI KUMIAI REMMEI) in PARIS. However, during the war when JAPAN had been entirely isolated from foreign countries, works of foreigners were staged after charges had been paid to the Tokyo Deposit Bureau (TOKYO KYOTAKU KYOKU) under the decisions made by the Home Ministry. It was only a short time ago that the complexity of this problem caused the so-called PRAGUE Cyclone."

With the termination of the war, the decisions by the Home Ministry was ignored, and the Broadcasting Corporation, in spite of its feeling of uneasiness had been broadcasting works by foreigners unauthorized. According to the new restriction, no work by foreign composers who died within the last 50 years (52 years in the case of an American) will be permitted for broadcast except for those recordings which the Japan record companies produced on arrangement with the said Federation. Accordingly, classical works by BRAHMS narrowly escapes being restricted while compositions by Johann STRAUSS, have been affected. Names of all noted foreign composers, such as French modern composers LALO, RAVEL, and DEBUSSY, with the exception of Cesar FRANCK, GRIEG, SMETANA, and DVORAK, of "New World Symphony" have all disappeared from the radio program since 18 June. Jazz programs are most seriously affected. As far as the Broadcasting Corporation is concerned, they are totally out. However, it is reported that this ban is only a temporary measure.

MAKI, Sadatada, of the Music Section of the Broadcasting Corporation, said: "I think we will be unable to use works of these composers until the exchange rate is decided. The New Record Concert now being put on will have to be suspended."

170
Handling Copyright Business

Business concerning copyrights hitherto handled by the Home Ministry has been transferred to the Education Ministry simultaneously with the enforcement of the new Constitution. Protection of copyrights, negotiations with foreign countries on translation rights, and investigation on general publication business are now to be conducted by the Culture Section of the Social Education Bureau of the Education Ministry although matters concerning paper allocation and juridical control will still be handled by the Prime Ministers' Office and Justice Ministry respectively.

NIPPON TIMES JUN 1 4 1947

THE EFFECT OF REPARATION
UPON THE POPULATION OF JAPAN

170

To Publish Patent Data ¹⁷⁰

The Japanese Government has been directed by SCAP to publish specifications of all hitherto unpublished patents (except "secret" patents) and utility models registered in the Japanese Bureau of Patents from Dec. 8, 1941, to the present, SCAP's Civil Property Custodian announced.

NIPPON TIMES AUG 4 1947

'Publish Patents Data' ¹⁷⁰

Radiopress
TOKYO, Aug. 4.—The Japanese Government has been directed by SCAP to publish specifications of all hitherto unpublished patents (except secret patents) and utility models registered in the Japanese bureau of patents from December 8, 1941, to the present, SCAP's Civil Property Custodian announced.

MAINICHI AUG 5 1947

170

JAPANESE PATENT SPECIFICATIONS TO BE PUBLISHED

170
171
The Japanese Government has been directed by SCAP to publish specifications of all hitherto unpublished patents (except "secret" patents) and utility models registered in the Japanese Bureau of Patents from Dec. 8, 1941, to the present, SCAP's Civil Property Custodian announced today.

The publication of patent specifications will continue in the future on a current basis.

According to CPC, Japanese publications of the patent specifications will be completed within six months, and of the utility models within 12 months, after receipt of the SCAP directive. Twenty copies of each publication will be reserved for distribution under SCAP's future direction.

All "secret" patent specifications will be published separately and the process will be completed within nine months. No distribution of the "secret" patents have been authorized, and they will be held by the Japanese Government until future distribution is ordered by SCAP.

PRESS RELEASE - AFPAC

AUG 2 1947

170
ITEM 6 Establishment of Trademark Rights and Commercial Morality - Nihon
Koizai - 13 Sep 47. Translator: J. Wada. (FST)

Summary:

While many companies, associations and organizations are being dissolved or reorganized along the lines of enterprise reconstruction and industrial democracy, it is also true that an excessive number of enterprises and organizations, large and small and individual and corporate, are being created to take advantage of existing inflationary conditions. This transitional confusion in business circles is being utilized by doubtful companies and individuals in deliberately using similar firm names and trademarks as those of companies and individuals of good reputation. In some cases, newly-established companies go so far as to adopt the same firm names and trademarks as those of existing companies to earn unjust profits or as a means of committing fraud and intimidation. Both the Government and the people are very indifferent to infringement upon these commercial rights which are protected by law.

Since piracy of firm names and trademarks is a problem which concerns intangible assets, it may be natural that both sufferers and the public at large often fail to become fully conscious of the actual evils. However, this is evidence of the inadequate legal sense and low commercial morality on the part of the public.

It is especially important to raise the level of commercial morality in JAPAN which has just entered trade relations with foreign countries. Higher commercial morality is a prerequisite in securing and increasing the reputation of JAPAN's merchandise in foreign markets. From this point of view also, the courts and procurators must pay more attention to the problem of infringement on firm names and trademark rights, and at the same time, take more positive steps for control and punishment of this type of illegal act.

170

What Will Happen To Prewar Patent Case Between Japanese Inventor And US Firm?

KYOTO, Sept. 7.—Parallel with the resumption of private international commercial relations, the question arises as to what became of the protracted case of Genzo Shimadzu and Northeastern Engineering Corporation vs. The Electric Storage Battery Co. which was dissected by the war.

The pending case involves the suit in equity for the infringement of six patents, all of which have to do with the production of fine powder of lead in a dry state. The powder of lead is indispensable for the manufacture of plates for the making of storage batteries. Various claims of the six patents cover process, product and apparatus.

The international suit began in 1933 precluded by the Hall-Shimadzu conflict which lasted for five and a half years. In the preliminary sparring, Hall, an engineer for The Electric Storage Battery Co., claimed priority to the manufacturing process but the Board of Appeals for the Patent Office awarded priority to Shimadzu and this decision was affirmed by the Court of Customs and Patent Appeals.

Shimadzu Files Suit

Genzo Shimadzu and the Northeastern Engineering Corporation then filed suit of patent infringement through the law firm of Hunt, Hill and Betts of New York City.

George Yamaoka, member of the defending attorney's group in the Tokyo War Tribunal, was one of the active lawyers representing the plaintiff.

The District Court of United States for the Eastern District of Pennsylvania issued a favorable decision to Genzo Shimadzu on October 5, 1936. The plaintiff also won the legal fight carried into the United States Circuit Court of Appeals for the Third Circuit Judge on August 8, 1938, but the verdict of the Supreme Court somersaulted to a pro-Electric Storage Corporation decision on April 17, 1939.

Decision of the Supreme Court favored Hall's alleged prior public use and ruled Shimadzu's U.S. patent No. 1584150 invalid. The court, however, ordered a recheck of patent No. 1584149 in the district court on grounds of insufficient material.

Priority Given

When the scene shifted once again to the District Court, Shimadzu won. The magistrates of the Eastern District of Pennsylvania ruled on September 13, 1940 that patent No. 1584150 and 1584149, were identical in nature thereby giving priority over Hall's public use.

The seesaw battle then moved into the Court of Appeals for the second time. This time the defendant won. The decision was announced 12 days before the outbreak of the Pacific War.

Prior to the decision Lawyer Betts of Hunt, Hill and Betts cabled the following message to Shimadzu on November 26, 1941, "Court decided 1584149 invalid because same invention Japanese patent 42563 and 417281. One judge dissenting. Believe dissenting opinion sound. Applying rehearing. If unsuccessful applying supreme court for certiorari." The message reached Shimadzu on the following day.

What Was Decision?

Was the case ever carried into the Supreme Court? If so what was its decision? These are the questions which Genzo Shimadzu and the Nippon Denchi Ltd., maker of the G.S.

batteries are anxious to have answered.

If the plaintiff wins they will be awarded damages caused by patent infringement. If they are defeated they have nothing to lose other than legal expenses.

The legal question of whether the patent monopoly period includes war years or not is another question. Shimadzu's U.S. patent expired on May 11, 1946 if counted under normal condition.

The Nippon Denchi Ltd., recently received inquiries for G.S. (Genzo Shimadzu) batteries from Hongkong.

SEP 8 1947

MAINICHI

170

170
ITEM 7 Implications of Shiseido Trade Mark Attachment Aired -
Mainichi - 20 Jan 48. Translator: T. Mitsuhashi. (U)

Full Translation:

The Shiseido Company has had its factory and trade-mark attached as a result of the tax arrears settlement drive. This raises an interesting point; namely, what effect will the attachment of a mere trade-mark have?

ISONAGA, official of the Patent Bureau expressed his views: "The attachment of their trade-mark will prevent the SHISEIDO from putting its commodities on the market under its old trade-mark. And, with the factory confiscated too, they won't be able to produce any commodities. This will mean the complete suspension of business!"

Investigations by the Special Tax Arrears Settlement Teams which were organized by the Finance Ministry and the Tokyo Tax Bureau and dispatched to the seven tax offices in TOKYO, have revealed that the results of the six days' drive from 12 to 17 Jan were very successful with tax payments increasing.

Results of the settlement by large tax delinquents involving more than one million yen are as follows: (Unit 10,000 yen)

ECONOMIC SERIES: 2299 (Continued)

ITEM 7 (Continued)

	Tax arrears as of 12 Jan	Number of cases	Taxes paid	Balance	Attachments	Amount of attachment
KOJIMACHI	12,928	43	1,064	11,864	20	2,859
NIHONBASHI	7,251	24	1,047	6,203	5	3,944
KYOBASHI	2,190	17	590	1,497	11	1,223
SHINAGAWA	1,014	9	479	460	1	261
OMORI	3,338	11	218	3,120	—	—
SHIBUYA	2,344	13	17	2,119	—	—
SUMIDA	3,094	16	412	2,682	13	2,670
TOTAL	32,159	133	3,827	27,945	50	10,957

ECONOMIC SERIES: 2299 (Continued)

ITEM 7 (Continued)

The Shiseido Company has had its factory and trade-mark attached for failing to pay a commodity tax of about 26,000,000 yen and the Tokyo-Shibaura Electric Machine Co (TOKYO SHIBAURA DENKI), one of the large delinquents, is expected to have part of its assets attached for failing to pay corporation taxes and other taxes of 42,000,000 yen.

On the other hand, the Mitsubishi Electric Machine Co (MITSUBISHI DENKI) paid 3,000,000 yen of the 12,000,000 yen, which had remained unpaid from November, in December with the prospect of paying the balance of about 4,000,000 yen by March. The Niigata Iron Factory (NIIGATA TEKKOJO) and the Hitachi Precision Machinery Co (HITACHI SEIKI) are expected to be able to pay in full by March, while the Kanto Electric Industry Co (KANTO DENKIKOGYO), the Mitsui Shipbuilding Co (MITSUI ZOSEN) and several other companies as well as individuals have completed tax payments.

NAGATA, managing director of SHISEIDO, stated, "Our trade-mark has been attached but we will not let matters rest, as we are now planning to expand our business through capital increase. As all tax arrearage will be paid eventually, the problem will naturally solve itself.

"Our commodity transactions had hitherto been carried out with bills, but, since last March with the promulgation of the funds measures, bill transactions have been prohibited; however, through special arrangement, commodity and other taxes for last November amounting to 6,500,000 yen were paid by bill.

"This time we again approached the Tokyo Tax Bureau and having received authorization to pay taxes in discounted bills, are now approaching the Bank of Japan and the Economic Stabilization Board on the subject."

170

MORE PEOPLE APPLYING FOR PATENTS RECENTLY

Contrivances for Manufacture Of Food Top List

We see in the show windows of department stores and shops nowadays many articles bearing the marks of patents or utility models. In fact, there has lately been a considerable increase in the number of visitors to the Patent Bureau to apply for patents for their inventions in order to protect them from encroachments by others. Some inventors are zealous pursuers of scientific research who are actuated by unalloyed motives of contributing to the building of scientific Japan, but most applicants for patents are seekers after big profits.

According to the figures recorded at the Patent Bureau, the number of such applications and that of the registrations secured for a period from January to November last year were as follows:—

	Number of Applications	Number of Registrations
Patents	8,477	1,001
Utility models	13,312	1,424
Designs	1,689	670
Trade marks ..	14,593	3,857

When classified according to kinds, we find that contrivances concerning the manufacture of eatables and drinkables head the list with 474, and next come those concerned with agricultural work with 232. Electric appliances which at one time figured prominently have become less, presumably due to the restrictive supply of electricity. They now stand third on the list. Then follow in order those relative to medicine, brewing, and salt-manufacturing. Of all applications, about one third secure registration both in the section of patents and in that of utility models.

Quality Deteriorates

There has a marked decline in both quality and quantity in contrivances elaborated since the termination of the war. Let, last year's record shows a 20 or 30 per cent increase, compared with the previous year. Applications from big companies, which were quite numerous during the war, have witnessed a big decrease. The inactivity of heavy industries is reflected in the decrease of inventions with bearings on motive power.

Eatables and drinkables: Though applications under this head are dominant, none is worthy of special mention, as, in these days of the shortage of food, primary products find a good market without processing. Inventive minds are chiefly active in the direction of making powder food out of hitherto unutilized substances with flavor added in some way or other while reducing the percentage of flour that enters into the composition. By way of helping people to pull through the present dire shortage of food, methods are invented by which to smoke fish to preserve it as long as possible or the ways and means are devised to make "miso" or soy through the utilization of albumen contained in fish.

Encouraged by Trade

Agricultural and fishing implements: Mowing machines, spades and fishing-nets predominate the new designs invented under this head. Presumably encouraged by the re-opening of trade, there has been an increase in the number of fishing tackles invented. Windmills which have hitherto been comparatively neglected have come to figure somewhat, stimulated by a short supply of power. The new devices for use in the textile industry include automatic reeling machines and cocoon cropping machines. These machines are exciting interest in the silk reeling industry as helpful in reducing mounting personnel expenditure.

Among the new inventions of considerable interest are a novel method of pearl culture and lamps for collecting fish. It is said that by the newly invented means of pearl culture 400,000 young shells yielding pink pearls of good quality can be obtained from a tank six tsubo in area and five feet in depth in which pearl-oysters are raised. Fish-collecting lamps are so designed as to attract fish by the suitable amount of light they shed and as they are brought together the light is suddenly put out and the shoals are netted.

Medicines: A specific remedy for whooping-cough has recently been invented. It consists in injecting specially-prepared vaccine. This medicine was tested at the Nichidai Hospital and the result showed that of the patients experimented upon, 70 or 80 per cent were cured within a fortnight.

Chemicals: Quite recently a method of manufacturing carbide, not by use of coal, but by means of only inferior-quality cokes, was patented. Much importance is attached to this method by fertilizer manufacturers as profitable for producing nitrolime. An apparatus for making caustic soda through the process of direct electrolysis of sea water was also invented. As the consumption of large quantities of salt can be dispensed with by this method, the rayon industry stands to benefit thereby considerably. —Nihon Keizai.

NIPPON TIMES JAN 1 1 1948

170

170

Lt. Col. Allen Stresses Patent Respect Need

Japanese manufacturers must respect patent rights if they wish to gain the world-wide respect essential to Japan's industrial recovery, an official in SCAP's Economic and Scientific Section warned today.

Lt. Col. E. C. Allen, of the section's Scientific and Technical Division, said this can be accomplished through strict adherence to the industrial property laws, where rights of both Japanese and non-Japanese nationals are involved.

STARS & STRIPES MAR 1 '9 1948

PATENTS LAWS VITAL TO RECOVERY HERE

170

SCAP Officer Warns Japanese Must Respect Statutes If Overseas Capital Needed

Japanese manufacturers interested in the introduction of overseas capital and technology to help the nation's industrial recovery must show the world they can respect patent rights, an official in SCAP's Economic and Scientific Section warned yesterday.

Lt. Col. E.C. Allan, of the section's Scientific and Technical Division, said this can be accomplished through strict adherence to the spirit and letter of industrial property laws where rights of both Japanese and non-Japanese nationals are involved. He added that Japanese manufacturers, now receiving only a limited amount of information on recent technological advances in other parts of the world should show greater reliance upon their own inventive ingenuity.

Colonel Allan said that before the war overseas manufacturers and traders had the impression that it did little good to obtain a patent or register a trade mark in Japan because such rights were extremely difficult to uphold and were frequently violated. He said this impression is fixed even more deeply in their minds today.

"If overseas manufacturers continue to have little faith in the efficacy of their patent rights in Japan, they naturally will be reluctant to risk investment of capital in new ventures here, particularly those based on patented inventions or processes. They will also be reluctant to transmit techniques needed to put new ideas into practice," the SCAP officer said.

Colonel Allan pointed out that published technical information describing inventions can be freely and legally used by persons in countries where the inventions are not patented, but in countries where the invention is patented, a license from the patentee is required.

The present Japanese Patent Law has been in force since 1921, Colonel Allan said. It is administered by the Patents and Standards Bureau in the Commerce-Industry Ministry.

NIPPON TIMES MAR 1 9 1948

170

170
170

RESPECT FOR PATENT LAWS ESSENTIAL TO JAPAN'S
INDUSTRIAL RECOVERY, SCAP OFFICIAL WARNS

Japanese manufacturers interested in the introduction of overseas capital and technology to help the nation's industrial recovery, must show the world they can respect patent rights, an official in SCAP's Economic and Scientific Section warned today.

Lt. Col. E.C. Allan, of the section's Scientific and Technical Division, said this can be accomplished through strict adherence to the spirit and letter of industrial property laws where rights of both Japanese and non-Japanese nationals are involved.

He added that Japanese manufacturers, now receiving only a limited amount of information on recent technological advances in other parts of the world should show greater reliance upon their own inventive ingenuity.

Colonel Allan said that before the war overseas manufacturers and traders had the impression that it did little good to obtain a patent or register a trade mark in Japan because such rights were extremely difficult to uphold and were frequently violated. He said this impression is fixed even more deeply in their minds today.

"If overseas manufacturers continue to have little faith in the efficacy of their patent rights in Japan, they naturally will be reluctant to risk investment of capital in new ventures here, particularly those based on patented inventions or processes," the SCAP officer said.

They will also be reluctant to transmit techniques needed to put new ideas into practice, Colonel Allan added. He said implementation of new ideas and inventions in the best and easiest manner, often requires a "know how" which does not appear in the published descriptions.

"This extra knowledge is usually preserved by the owner and originator and its transmission requires the gaining of his good will," the officer explained.

Colonel Allan pointed out that published technical information describing inventions can be freely and legally used by persons in countries where the inventions are not patented, but in countries where the invention is patented, a license from the patentee is required.

170
The present Japanese Patent Law has been in force since 1921, the SCAP officer said. It is administered by the Bureau of Patents and Standards in the Ministry of Commerce and Industry.

PRESS RELEASE - AFPAC

MAR 17 1948

170

ITEM 8 Use of State Patent Rights to Be Granted - Kogyo - 21 Jun 48.
 Translator: Z. Konishi. (TK)

Full Translation:

The announcement that general applicants are authorized to use the government patent rights, which had been held by the Communications Ministry and the Army and Navy Departments during the war, is welcome news inasmuch as they are considered to play an important role in industrial rehabilitation.

The number of patent rights, the use of which is now authorized, is estimated to be more than 10,000 including those conducive to industrial rehabilitation and the stabilization of public welfare. Since SCAP released the patent rights for general use, the Patent Standards Bureau decided to hold a conference of government offices concerned to take appropriate measures.

On this subject, KUBO, director of the Bureau, stated:

"The Government received a SCAP memorandum which authorizes general applicants to use government patent rights. Authorities will decide concrete measures at a conference to be held in a few days with government official concerned. The number of government patent rights is estimated to be more than 10,000 cases.

"Private applicants will, as a rule, be authorized to use the necessary ones among these. In case the contents of patent rights are important, the Government will see that reliable factories will have immediate access, without awaiting application. The latest measure means, however, that only the use of the patent rights will be granted to private individuals, with the Government retaining all ownership rights.

"A patent fee will be collected. Two methods have been proposed for collecting this fee. One is to collect the fee on the basis of the original price and the other is to collect a certain amount of patent fees every year. Concrete measures will be decided shortly."

SCAP WARNS JAPANESE GOVERNMENT ON TRADEMARK INFRINGEMENTS

170
170
Officials of SCAP's Civil Property Custodian announced today that a memorandum had been issued to the Japanese government directing attention to the fact that proper protection has not been afforded to the foreign owners of trademarks registered in Japan.

The case cited was that of the Eastman Kodak Company of Rochester, New York. The Eastman Company has had its trademark registered in Japan since 1909, and additional trademarks have been registered from time to time as new products were developed.

The memorandum directs the Japanese government to take the necessary action to insure that the trade name "Kodak" is not infringed upon. This applies to cameras and the developing and printing of films. **PRESS RELEASE - AFPAC SEP 3 1948**

TO ACCEPT FOREIGN APPLICATIONS FOR PATENT RIGHTS

170
Foreign applications for the registration of patent property rights may now be accepted by the Japanese Patent Office and processed under the Japanese law, it was announced today by SCAP's Civil Property Custodian.

Heretofore, the acceptance of applications for patent rights from persons outside of Japan has been prohibited. A SCAP directive issued today to the Japanese Government removes all restrictions on the filing of such applications and permits the Board of Patents and Standards to register patents, utility models, and designs in the names of foreign applicants under the provisions of the Japanese law and the International Convention for the Protection of Industrial Property. At the same time, a change is being made in the censorship regulations to permit sending of patent specifications through the mails. This will permit foreign applicants to send descriptions of their inventions into Japan in connection with their applications for property protection under the law.

Col. E. C. Miller, Deputy Civil Property Custodian, today pointed out that, as a result of the new directive, a foreign applicant for patent property registration in Japan will get the benefits of the priority provisions of the International Convention. These provide, in effect, that an applicant for a patent who has filed application in another member country within twelve months preceding shall have priority rights over a Japanese user of the invention who may have filed application during that period. Since most of the leading industrial countries are members of the International Convention, this means that inventors in those countries may obtain the protection of a Japanese patent on inventions filed for registration elsewhere within the past twelve months.

As a result of this important forward step in property administration, recently patented inventions may now be introduced into Japan, Colonel Miller pointed out, to the benefit of the nation's economy and with full protection to the foreign inventor. It is expected that many such inventors will seek this protection now in order that they may later enter into licensing agreements with Japanese manufacturers.

The Deputy Civil Property Custodian, however, stated that under existing Japanese law no priority rights can be granted to applicants who filed in their home countries more than twelve months prior to filing in Japan, nor can such applicants be granted registration under this law if a foreign patent was issued and published more than 12 months prior to application in Japan. No change in these rules has been made by SCAP's new patent property directive. Officials of the Japanese Patent Office expressed their enthusiastic approval of SCAP's action and announced their intention to resume exchange of official publications with the patent offices of other countries throughout the world.

PRESS RELEASE - AFPAC SEP 14 1948

170

ITEM 2 Liberation of Government Patents - Provincial Paper: Sangyo Keizai
(Osaka) - 12 Oct 48. Translator: H. Konishi. (DD)

170
Summary:

The liberation of Government patents as of 1 Oct 48 promises great developments in JAPAN's industries. The Government at this opportunity must protect and aid with complete understanding the industrialization and thorough liberation of the patents. It must also endeavor to improve the qualities of the patents.

Postwar application of patents has increased extremely. Approximately 175,000 patents have been recorded since the beginning of the Meiji Era, and at present an average of over 50 articles is recorded. The figures show great developments but the qualities have actually degenerated. Out of all the applications, patents which aim to amass quick riches have greatly increased.

The principal causes for the degeneration of quality are that it takes at least one year from time of application to receive a patent; the cost rises to a stupendous amount, and the Government's patent protection policies are surprisingly tepid. Thus, an invention which may be industrially effective may not materialize.

In the future when many foreigners will be applying for patents, JAPAN cannot become the center of Asiatic industries unless the qualities of Japanese applications improve. In view of these facts more concern must be given to the improvement of qualities which was rather ignored in the past.

Another problem is the industrialization of the Government secret patents. The secret patents which were made public on 1 October were held by the various ministries concerned during the war. Of these patents, all patents except those concerning armaments were made public. Some patents, such as the methods of refining mineral oil and analytic distillation have significant missions in industries.

With the liberation, these patents should have been immediately transferred equally among the public, but there seems to be no sign of an early transfer. The liberation of patents must be more thoroughly announced through various organs, distributed equally among the industries according to the nature and the utilization of the patents must be aided by the Government.

The Patent Bureau was heretofore criticized as being a patent bureau for the sake of patents. True, of the many past patents, a great number of them were industrially important, but the inventors did not have the zeal to industrialize their inventions and, moreover, the Government was extremely indifferent. With this attitude, the improvement of JAPAN's industrial standard and technic is absolutely impossible.

The Government at this juncture must create a trend in which good quality patents are applied for, expand and strengthen the Patent Bureau, and make possible the mobilization of all sanctioned patents in the industrial rehabilitation of JAPAN.

ITEM 8 Foreigners' Patent Rights to Be Re-examined - Nihon Keizai -
11 Oct 48. Translator: U. Futonaka. (WM)

70
Full Translation:

The Government, which earlier decided on a policy to make a sweeping revision of the Antimonopoly Law now in force to improve conditions for the induction of foreign capital, will abolish the provisions in Article 6 of the law pertaining to international agreements and contracts. These provisions have been particular hindrances to the introduction of foreign capital.

Registration of patents by foreigners, one of the prerequisites to introduction of foreign capital, had been banned, but acceptance of the registration was permitted by a GHQ directive dated 14 September.

The need to provide a proper legal basis for this measure had led to a partial revision of the wartime regulations governing the ownership of factories. Application of the wartime regulations, with partial modifications, created a controversy. However, considerations of legal procedure have resulted, as an immediate measure, in adoption of the above-mentioned revision. Fundamental revision will be made at some future date.

The effective legal basis provided by the revision in question will affect the Tokyo Shibaura Electric, the Mitsubishi Electric, the Japan Electric, the Toyo Nitrogen and other companies, which purchased patents and introduced capital from foreign countries during prewar years. These companies will promote agreements concerning resumption of patents, the Monopoly Bureau predicts. The gist of the revision is as follows:

1. Applications by foreigners (excepting nationals of neutral countries) pertaining to patents, designs, and trade marks will be accepted, but will not be registered. Registration will be administered following revision of Article I.
2. In consequence, foreigners' patents suspended in the past under the provision in Article 2 will be subject to re-examination.
3. Claims concerning foreigners' patents shelved in wartime will be reconfirmed. In order to protect them, the special provisions in Articles 3 and 4 related to Article 4 of the International Industrial Ownership Protection Pact will be abolished.

In addition, a proposal for partial revision of the Wartime Industrial Ownership Law will be introduced to the special Diet session in order to promote agreements on foreigners' patents as well as on the protection thereof. Preparations are now being pushed.

ITEM 4 New Theory on Cause of Magnetic Storms Proposed - Asahi - 1 Sep 48.
Translator: C. Akashi. (SS)

Summary:

The Solar Eclipse Observation Committee held a meeting 31 August at the auditorium of the Japan Academy, at which time interim reports on the results of observations of the 9 May solar eclipse were made public. On 31 August, the meeting heard reports from 12 persons including KATO and OTA, professors of Tohoku and Kyoto Universities respectively, on such problems as the relationship between terrestrial magnetism at WAKKANAI and various other districts in the Main Island and cosmic rays, atmospheric electricity and the Heaviside layer. Prof. KATO submitted to the meeting new data which support his contention that magnetic storms are caused by the influence of certain particles and ultra-violet rays. The results of observations of the latest solar eclipse at Rebun Island and other reports are to be presented at the second-day session of the meeting on 1 September.

The explanation in regard to the cause of magnetic storms of Prof. CHAPMAN, American scholar, has been accepted as an established theory for the past 10 years. However, Prof. KATO has a different opinion on this problem. He contends that magnetic storms caused by ultra-violet rays radiating from explosions on the sun as well as neutral and electrified particles which are also emitted by these explosions.

In view of previous records on the occurrence of magnetic storms before and after solar eclipses, he was confident that the eclipse of the sun to be observed at Rebun Island would also produce such a magnetic storm. He then set up at WAKKANAI and at ONAGAWA, MIYAGI Ken, special measuring instruments by which variations in terrestrial magnetism during the solar eclipse could be directly measured moment by moment.

Just as KATO expected, a magnetic storm occurred two days before the solar eclipse. As a result, he came to the conclusion that since the speed of particles is much slower than that of a ray of light, a magnetic storm which occurs at the time of an explosion on the sun must be caused by the influence of the ultra-violet rays emitted by the sun.

The Committee declined to make any definite comment on this new theory. If it proves true, it will overthrow CHAPMAN's theory, now accepted all over the world, and may help predict the occurrences of magnetic storms. OGIWARA, chairman of the Committee and chief of the Tokyo Astronomical Observatory, said this study of KATO's on magnetic storms was an ambitious work.

170

Alien Patent Misuse Cited

170
 Officials of SCAP's Civil Property Custodian announced today that a memorandum had been issued to the Japanese Government directing attention to the fact that proper protection has not been afforded to the foreign owners of trademarks registered in Japan.

The case cited was that of the Eastman Kodak Company of Rochester, N.Y. The Eastman Company has had its trademark registered in Japan since 1909 and additional trademarks have been registered from time to time as new products were developed.

The memorandum directs the Japanese Government to take the necessary action to insure that the trade name "Kodak" is not infringed upon. This applies to cameras and the developing and printing of films.

SEP 5 1948
 STARS & STRIPES

Ban On Foreign Application For Patents Lifted

170
 Foreign applications for the registration of patent property rights may now be accepted by the Japanese Patent Office and processed under the Japanese law, it was announced by SCAP's Civil Property Custodian.

Heretofore, the acceptance of applications for patent rights from persons outside Japan has been prohibited. Now a SCAP directive issued to the Japanese Government has removed all restrictions on the filing of such applications and permits the Board of Patents and Standards to register patents, utility models and designs in the names of foreign applicants under the provisions of Japanese law and the International Convention for the Protection of Industrial Property.

At the same time, a change is being made in censorship regulations to permit sending of patent specifications through the mails. This will permit foreign applicants to send descriptions of their inventions into Japan in connection with their applications for property protection under the law, it was said.

STARS & STRIPES SEP 15 1948

SCAP Lifts Ban On Trademarks

170
 Foreign applications for the registration of trademark property rights may now be accepted by the Japanese Patent office and processed under the Japanese law, it was announced by SCAP yesterday.

Heretofore, the acceptance of applications for registration of trademarks from persons outside of Japan has been prohibited. A SCAP directive to the Japanese Government removes all restrictions on the filing of such applications and permits the Board of Patents to register trademarks in the names of foreign applicants under the provisions of the Japanese law and the International Convention for the Protection of Industrial Property.

A prior SCAP directive to the Japanese Government removed all restrictions on the acceptance of applications for registration of patents, utility models and designs from persons outside Japan.

Col. E. C. Miller Jr., deputy Civil Property Custodian, said that as a result of the new directive, a foreign applicant for trademark property registration in Japan will receive the benefits of the priority provisions of the International Convention. These provide, he said, in effect, that an applicant for the registration of a trademark who has filed application in another member country within six months preceding shall have priority rights over a Japanese user of the trademark who may have filed an application during this period.

OCT 14 1948
 STARS & STRIPES

Patent Rights Change Seen

170
 With an eye on foreign capital, Japan's Patent Bureau has decided to take applications from foreign residents for the establishment and registration of patent, utility model, design and trade mark rights, it was learned through Jiji Press today.

OCT 24 1948
 STARS & STRIPES

SCAP Moves To Protect Rights Of U.S. Concern

170
 SCAP has directed the Japanese Government to take immediate steps to investigate the failure to provide protection for copyrights and trademarks owned by the Singer Sewing Machine Company of Elizabeth, N.J.

This action followed complaints filed with SCAP that there had been continued infringement by the Japanese of trademarks, design types, numbers, accessories and—in many cases—the operational manual for the machine has been copied verbatim.

This is the second notice in the interest of protecting copyrights and trademarks of the Singer Sewing Machine Company. SCAP has given the Japanese 30 days to prepare a report as to what corrective action has been taken.

OCT 25 1948
 STARS & STRIPES

170

APPLICATIONS ACCEPTED IN JAPAN FOR FOREIGN TRADEMARKS

170 Foreign applications for the registration of trademark property rights may now be accepted by the Japanese Patent Office and processed under the Japanese law, it was announced today by SCAP.

Heretofore, the acceptance of applications for registration of trademarks from persons outside of Japan has been prohibited. A SCAP directive to the Japanese Government removes all restrictions on the filing of such applications and permits the Board of Patents to register trademarks in the names of foreign applicants under the provisions of the Japanese law and the International Convention for the Protection of Industrial Property.

A prior SCAP directive to the Japanese Government removed all restrictions on the acceptance of applications for registration of patents, utility models, and designs from persons outside of Japan.

Col. E. C. Miller Jr., Deputy Civil Property Custodian, pointed out that, as a result of the new directive, a foreign applicant for trademark property registration in Japan will receive the benefits of the priority provisions of the International Convention. These provide, in effect, that an applicant for the registration of a trademark who has filed application in another member country within six months preceding shall have priority rights over a Japanese user of the trademark who may have filed an application during this period.

Since most of the leading industrial countries are members of the International Convention, this means that persons, residents or doing business in those countries, may obtain the protection of registration in Japan of trademarks filed for registration in member countries within the past six months.

170 As a result of this important forward step in property administration, persons outside of Japan may export their recently trademarked products to Japan, Colonel Miller pointed out, with full protection under Japanese laws against copying or simulation of such trademarks by Japanese firms.

However, the Deputy Civil Property Custodian stated that, under existing Japanese laws, no priority rights can be enjoyed by applicants who filed in their home countries more than six months prior to filing in Japan. No change in these regulations has been made by SCAP's new trademark directive. Officials of the Japanese Patent Office expressed their enthusiastic approval of SCAP's action in completing the reopening of the Patent Office for normal functioning with regard to acceptance of new applications for all patent and trademark property rights from persons outside of Japan.

PRESS RELEASE - AFPAC , OCT 12 1948

170

170 Repeal of Articles 1, 2, 3, 4, and 7 of the Wartime Law of Industrial Property, which had prohibited the Board of Patents from registering patent applications from enemy nationals, was also directed 7 September.

20 SEP 1948

170 Under existing Japanese law no priority can be granted to applicants who filed in their home countries more than 12 months prior to filing in Japan nor can such applicants be granted registration if a foreign patent was issued and published more than 12 months prior to application in Japan. No change in this law has been made.

20 SEP 1948

170 Consorship regulations have also been amended to allow transmission by mail of patent specifications, drawings and descriptions.

OUTGOING MESSAGES-SRS 20 SEP 1948

170 Japanese Board of Patents was authorized 7 September to accept and process under existing Japanese patent laws, applications for patents, utility models, and designs from persons outside Japan, with priority rights as provided by the International Convention for the Protection of Industrial Property.

OUTGOING MESSAGES-SRS 20 SEP 1948

170 Japanese Board of Trade was directed 7 October to adopt following procedure in regard to the export of an item which appears to infringe on a patent in the importing country: advise prospective purchaser of the patent, asking confirmation of the order; upon receipt of confirmation and at time of delivery of goods for shipment; notify patentee of name and address of purchaser and the quantity of goods supplied; and refer to current directives in handling complaints from patentees.

OUTGOING MESSAGES-SRS 20 OCT 1948

170 Japanese Board of Patents was authorized 5 October to accept and process, under existing Japanese patent laws, applications for registration of trademarks by persons outside of Japan, with such priority rights as provided by the International Convention for Protection of Industrial Property. As a result of the new directive, an applicant for the registration of a trademark who has filed application in another member country within six months preceding will have priority rights over a Japanese applicant who may have filed application during this period.

OUTGOING MESSAGES-SRS

18 OCT 1948

170 Under existing Japanese law no priority can be granted to applicants who filed in their home countries more than six months prior to filing in Japan. No change in this rule has been made by the new directive.

OUTGOING MESSAGES-SRS

18 OCT 1948

Hucksters Goof Off On Whiskey Labels

170
A Japanese bootlegger has beaten Columbus' time in discovering America by eight years.

A fifth of contraband Japanese bourbon picked up by GHQ Criminal Investigation agents in a Tokyo night club carried the label "King-heather Special Blended Whisky"

and purportedly was manufactured in Philadelphia. A line under the brand name said: "Famous Since 1484."

The bottle was one of dozens of imitations of American whiskeys confiscated recently in the Tokyo-Yokohama area by Army CID agents. The label of nearly every well-known American whiskey brand has been forged by blackmarketeers. Liquids found in the bottles have included kerosene, wood alcohol and gasoline.

As agents opened a drive to find and arrest the counterfeiters, Col. William May, Tokyo Provost Marshal, warned Allied personnel and Japanese not to accept liquors or wines from blackmarket dealers.

A typical mistake encountered by agents was a label for Gordon's Gin (which normally comes in a square bottle) on a round bottle. Another operator clipped words from advertisements in American magazines and stuck them on bottles.

4 MAR 1949

STARS & STRIPES

SCAP Directs Allied National Patent Restoral

170
Patent properties in Japan owned by Allied nationals will be revalidated and restored to their owners upon request, under the terms of a SCAP directive issued yesterday to the Japanese Government.

One of the most important directives relating to restitution of Allied properties, according to Brig. Gen. Patrick H. Tansey, Civil Property Custodian, the order will affect approximately 5,000 patents, utility models, and designs which had been registered in Japan prior to the war.

Most of the patent property rights involved had been terminated by the Japanese Government under the terms of the Wartime Law of Industrial Property, or had been cancelled for nonpayment of required annual fees, or had lapsed by passage of the 15-year period of duration.

Revalidation at the request of the owners will put these patent property rights back into a state of validity, and their life terms may be extended upon request for a period equivalent to that during which the owners had lost control.

Extension of the term of a patent, however, will be at the option of the owner who may otherwise elect to recover in lieu of extension any funds which have been deposited or
(Continued on Page 4)

SCAP Directs Allied National Patent Restoral

170
(Continued From Page 1)
set aside as royalties by the Japanese manufacturer for use of the invention without authority during the war.

Extension of the terms of Allied patents when chosen by their owners as a alternative to the recovery of royalties for wartime use will be the basis for new contractual agreements with Japanese manu-

facturers for use of Allied inventions in the future.

A number of American, British, and French concerns have indicated readiness to invest capital in Japanese industry and to assist Japanese manufacturers with foreign patents but have hesitated to do so because of the lack of protection of their patented inventions in Japan up to the present time.

STARS & STRIPES
26 FEB 1949

170
**FEC Discusses Rights
Of Alien Patent Holders**
190
WASHINGTON, Feb. 26 (AP)—Sources close to the Far Eastern Commission said rights of foreign patent holders in Japan were discussed at the last meeting. Details of the discussion were not revealed but there were indications that the commission expects to make a decision shortly. A directive probably will cover patents, utility models and designs. The problem has been before the FEC for two years and has proved so complex that any agreement has been difficult. It was learned also that the FEC is considering a ruling on Japanese patents in foreign countries and it is probable that a third directive will be issued shortly concerning copyrights, both foreign-held in Japan and Japanese-held abroad.

As protection of foreign patent property rights must apply not only to prewar inventions but to those patented developments made abroad during the war, the Japanese Government has also been ordered to accept and process applications for patents with a right of priority based on applications filed in other countries as early as 1940 and ultimately registered. In case patents were issued to Japanese during this period covering similar inventions, the Board of Patents has been ordered to grant a priority to the Allied inventors.

SCAP's patent property director, J. E. Jackson, pointed out that the new directive provides wide protection to Allied patentees as it covers the revalidation, restoration, and extension of prewar patents in Japan and further priority filing of more recent inventions patented in Allied countries.

To effectuate the patent property program which has been sent to the Japanese Government it was ordered that the Wartime Law of Industrial Property be repealed in all its parts, and further that the Board of Patents eliminate all possibility of secre-

cy in connection with patent property registered in Japan. Full disclosure of all details essential to the operation of a patented invention is also inquired in all future property registrations.

One of the most serious obstacles to foreign investment in Japan has been removed by the restoration of Allied patentees' rights under this directive, which will be administered by the Civil Property Custodian. As procedures have already been developed whereby patentees may enter into licensing agreements with Japanese manufacturers it is expected that there will be a substantial renewal of business relations between Japanese concerns and those in Allied countries.

The Japanese Government is now engaged in effectuating the patent property policy directive through appropriate procedures.

Patent property owners in Allied countries desiring information concerning procedures to be followed in recovering and establishing patent property rights under the new program should communicate with their diplomatic missions in Japan.

STARS & STRIPES

12 APR 1949

170
**Foreign Applications
 For Patent Rights
 Now Acceptable Here**

**Change Also Being Made
 In Rulings To Allow
 Sending Of Specifications**

GHQ, FEC, PIO, Sept. 14.—Foreign applications for the registration of patent property rights may now be accepted by the Japanese Patent Office and processed under the Japanese Law, it was announced today by SCAP's Civil Property Custodian.

Heretofore, the acceptance of applications for patent rights from persons outside of Japan has been prohibited. A SCAP directive issued today to the Japanese Government removed all restrictions on the filing of such applications and permits the Board of Patents and Standards to register patents, utility models, and designs in the names of foreign applicants under the provisions of the Japanese law and the International Convention for the Protection of Industrial Property.

At the same time, a change is being made in the censorship regulations to permit sending of patent specifications through the mails.

May Send Descriptions

This will permit foreign applicants to send descriptions of their inventions into Japan in connection with their applications for property protection under the law.

Col. E.C. Miller, Deputy Civil Property Custodian, today pointed out that, as a result of the new directive, a foreign applicant for patent property registration in Japan will get the benefits of the priority provisions of the international convention.

These provide, in effect, that an applicant for a patent who has filed application in another member country within 12 months preceding shall have priority rights over a Japanese user of the invention who may have filed application during that period.

Since most of the leading industrial countries are members of the International Convention, this means that inventors in those countries may obtain the protection of a Japanese patent on inventions filed for registration elsewhere within the past 12 months.

As a result of this important forward step in property administration, recently patented inventions may now be introduced into Japan, Col. Miller pointed out, to the benefit of the nation's economy and with full protection to the foreign inventor. It is expected that many such inventors will seek this protection now in order that they may later enter into licensing agreements with Japanese manufacturers.

Foreign Applications

(Continued From Page 1)

The Deputy Civil Property Custodian, however, stated that under existing Japanese law no priority rights can be granted to applicants who filed in their home countries more than 12 months prior to filing in Japan, nor can such applicants be granted registration under this law if a foreign patent was issued and published more than 12 months prior to application in Japan.

No change in these rules has been made by SCAP's New Patent Property Directive. Officials of the Japanese Patent Office expressed their enthusiastic approval of SCAP's action and announced their intention to resume exchange of official publications with the patent offices of other countries throughout the world.

MAINICHI 16 SEP 1948

170
**Applications Accepted Here
 For Foreign Trademarks**

Foreign applications for the registration of trademark property rights may now be accepted by the Japanese Patent Office and processed under the Japanese law, it was announced Tuesday by SCAP.

Heretofore, the acceptance of applications for registration of trademarks from persons outside of Japan has been prohibited. A SCAP directive to the Japanese Government removes all restrictions on the filing of such trademarks in the names of foreign applicants under the provisions of the Japanese law and the International Convention for the Protection of Industrial Property.

A prior SCAP directive to the Japanese Government removed all restrictions on the acceptance of applications for registration of patents, utility models and designs from persons outside of Japan.

Col. E. C. Miller, Jr., Deputy Civil Property Custodian, pointed out

that, as a result of the new directive, a foreign applicant for trademark property registration in Japan will receive the benefits of the priority provisions of the International Convention. These provide, in effect, that an applicant for the registration of a trademark who has filed application in another member country within six months preceding shall have priority rights over a Japanese user of the trademark who may have filed an application during this period.

Since most of the leading industrial countries are members of the International Convention, this means that persons or residents doing business in those countries, may obtain the protection of registration in Japan of trademarks filed for registration in member countries within the past six months.

As a result of this important forward step in property administration, persons outside of Japan may export their recently trademarked products to Japan, Colonel Miller said, with full protection under Japanese laws against copying or simulation of such trademarks by Japanese firms.

However, Colonel Miller stated that, under existing Japanese laws, no priority rights can be enjoyed by applicants who filed in their home countries more than six months prior to filing in Japan. No change in these regulations has been made by SCAP's new trademark directive.

NIPPON TIMES 14 OCT 1948

170
**Japan Can Accept Foreign Applications
 For Registration Of Trade Mark Rights**

GHQ, FEC, PIO, Oct. 15.—Foreign applications for the registration of trade mark property rights may now be accepted by the Japanese Patent Office and processed under the Japanese law, it was announced by SCAP.

Heretofore, the acceptance of applications for registration of trademarks from persons outside of Japan had been prohibited. A SCAP directive to the Japanese Government removes all restrictions on the filing of such applications and permits the Board of Patents to register trademarks in the names of foreign applicants under the provisions of the Japanese law and the international convention for the protection of industrial property.

Patents Utility Models

A prior SCAP directive to the Japanese Government removed all restrictions on the acceptance of applications for registration of patents, utility models, and designs from persons outside of Japan.

Col. E. C. Miller Jr., Deputy Civil Property Custodian, pointed out that, as a result of the new directive, a foreign applicant for trade mark property registration in Japan will receive the benefits of the priority provisions of the international convention. These provide, in effect, that an applicant for the registration of a trade mark who filed application in another member country within six months preceding shall have priority rights over a Japanese user of the trade mark who may have filed an application during this period.

May Obtain Protection

Since most of the leading industrial countries are members of the international convention, this means that persons, resident or doing business in these countries, may obtain the protection of registration in member countries within the past six months.

As a result of this important forward step in property administration,

persons outside of Japan may export their recently trademarked products to Japan, Col. Miller pointed out, with full protection under Japan laws against copying or simulation of such trademarks by Japanese firms.

Under Existing Laws

However, the Deputy Civil Property Custodian stated that, under existing Japanese laws, no property rights can be enjoyed by applicants who filed in their home countries more than six months prior to filing in Japan.

No change in these regulations has been made by SCAP's new trademark directive. Officials of the Japanese Patent Office expressed their enthusiastic approval of SCAP's action completing the reopening of the Patent Office for normal functioning with regard to acceptance of new applications for all patent and trade mark property rights from persons outside of Japan.

MAINICHI 16 OCT 1948

170

PATENT RIGHTS TO BE REVALIDATED

170

Patent property rights in Japan owned by Allied nationals and which were cancelled or sequestered during the war will be revalidated and restored to their owners under a policy directive of the Far Eastern Commission, it was announced yesterday by General Headquarters, SCAP.

This long awaited directive, which covers registered patents, utility models, and designs, also provides for recovery of any funds which have been set aside as royalties, by an Allied national whose patent properties were used without his authority during the war or, at his option, to have his patent property rights extended into the future to compensate him for loss of those rights during the war.

Revalidation and restoration of Allied owned patents will be at the request of the owners thereof, who will be afforded a reasonable time within which to make such requests through SCAP. They will, thereafter, be entitled to all the rights and privileges afforded by the Japanese patent laws and will be excused from payment of any special or regular fees that may have accrued to the Japanese Government during the war period.

Extension of patent property rights of Allied owners, at their option, will be for a period equal to that from the date of loss to the date of restoration or to the normal expiration date of the patent, whichever is earlier, provided that such owner waives all claim for the use of the patent during that period and remits any funds received by him or credited to him in a blocked account as royalties for such use. The Allied owner, however, may elect to receive royalties for the use of his patent property rights during the war period in lieu of an extension of those rights mentioned above.

The Supreme Commander is not responsible for obtaining, or attempting to obtain, on behalf of Allied nationals, compensation for any use made of the patents prior to the date of restoration. SCAP will, however, upon request, make available to Allied patent owners information as to funds credited to their accounts which constitute royalties for unauthorized use of patent rights.

An Allied national, for purposes of this policy directive, is one whose property was treated as enemy property by the Japanese Government, or whose property rights lapsed owing to the existence of hostilities between Japan and the country of that national. An Allied national is deemed to have lost control of his patent property rights in Japan on the date of entry of the country of that national into war with Japan.

It was stated that nearly 5,000 patents, utility models, and designs in Japan owned by Allied nationals are subject to revalidation and restoration under the terms of this directive, and that the Office of the Civil Property Custodian is prepared to receive requests from Allied patentees for appropriate action.

In a separate directive SCAP was also authorized to require the Japanese Patent Office to accept applications from nationals of countries at war with Japan who had filed in any country applications for patents within twelve months before the outbreak of hostilities and to register such patents in Japan with a right of priority based upon the previous first filing of the application.

In effect, this will allow persons outside of Japan who filed applications for patents in their own countries as early as 1941 to obtain Japanese patent rights even though patents have been issued to other persons in Japan on similar inventions during the war.

The long priority provision of this directive is expected to encourage foreign patentees to send their latest inventions into Japan and thereby contribute to the modernization of its industry. Assurance that such new technology will be protected under Japanese law has been held as a necessary factor in the re-entry of many foreign business concerns who formerly operated here.

170

2 Firms Here Told to Remove Name From American Machine

170
Japanese manufacturers of centrifugal type sludge removal machines were ordered Monday by SCAP's Civil Property Custodian to remove the trademark names of the Sharples Speciality Corporation of Philadelphia, Pennsylvania, from future copies of Sharples machines.

Two Japanese firms are subject to the order which prohibits continued use of the Sharples name on Japanese copies of Sharples products. No legal means is available, according to SCAP's Civil Property Custodian patent branch, to prevent Japanese firms from continuing to manufacture exact copies of Sharples products because under wartime patent seizure practices the Japanese Government took possession of Sharples patents.

At the time when the Japanese Government took possession of designs covered by Sharples patents, they overlooked taking official possession of the Sharples copyrighted machine names. On the premise that the Japanese Government failed to use her wartime right, to possession of

enemy patents to take possession of the Sharples' name, SCAP has ordered the name removed from future Sharples type machines.

In a complaint to SCAP the Sharples company charged that the Japanese users of Sharples patents had illegally appropriated sales pamphlets issued by the Sharples company and that retouched photos of American factories were being used to further the sale of Japanese copies of American machines.

The two firms named in SCAP's directive to the Japanese Government are the Fuji High-Speed-Machine Manufacturing Company, Ltd., Tokyo, and the Dokken Company, Ltd., Tokyo. Both firms were ordered to supply SCAP with production records revealing the number of machines which have been manufactured since December 7, 1941 which bear the name of the Sharples company.

So accurate were the Japanese copies of the American product that a number of Allied agencies acquired the machines in the belief that they were American products.

19 JAN 1949

NIPPON TIMES

170

Manufacturers Ordered To Remove Trade Marks

TOKYO, Jan. 19.—Japanese manufacturers of centrifugal-type sludge removal machines were ordered by SCAP's Civil Property Custodian to remove the trademark names of the Sharples Speciality Corporation of Philadelphia from future copies of Sharples machines.

Two Japanese firms are subject to the order which prohibits continued use of the Sharples name on Japanese copies of Sharples products.

No legal means are available, according to SCAP's Civil Property Custodian patent branch, to prevent Japanese firms from continuing to manufacture exact copies of Sharples products because under wartime patent seizure practices the Japanese Government took possession of Sharples patents.

MAINICHI 20 JAN 1949

ITEM 16 TO SPEED UP PUBLICATION OF PATENT PROPERTY RIGHTS

(Full Translation)

SEP 1949

170
KOGYO SHIMBUN, 1 Apr - According to a UP dispatch of 28 March, the Far Eastern Commission, urging the return to normalcy of the Japanese Patent Bureau's operation, has decided on a policy which will ensure the publication of all patents rights in JAPAN and restore to Allied nationals those patent property rights lost during the war. Regarding this FEC directive, the Patent Bureau expressed its view as follows:

It is necessary to speed up the announcement of applications for and registration of patent property rights by issuing the Patent Property Gazette twice a week, as before the war. At present, it is issued three times a month. It will also be necessary to restore the patent property rights of foreigners who lost them during the war

because of non-payment of charges resulting from the suspension of communication, and make them as effective as when a peace treaty is signed. The Patent Bureau anticipates that when the above steps are taken, applications for patent rights by foreigners will increase.

Some circles believe that a revision plan of the existing Patent Law will inevitably be considered. However, there is no sign of this at present.

SEP 1949

170

MAKERS HERE INFRINGE SINGER'S TRADEMARKS

SCAP Demands Investigation Of Sewing Machine Firms

SCAP has directed the Japanese Government to take immediate steps to investigate the failure to provide proper protection for copyrights and trademarks owned by the Singer Sewing Machine Company of Elizabeth, New Jersey.

This action followed complaints filed with SCAP that there has been continued infringement by the Japanese of trademarks, design types, numbers, accessories, and in many cases, the operational manual for the machine has been copied verbatim.

This is the second notice in the interest of protecting copyrights and trademarks of the Singer Sewing Machine Company. SCAP has given the Japanese 30 days to prepare a report as to what corrective action has been taken.

Last May, representatives of the Singer Sewing Machine Company, officials of SCAP's Economic and Scientific Section and Bureau of Standards of the Commerce and Industry Ministry, met in a conference to assist the Japanese manufacturers in establishing new markings and designs for the machines, needles and accessories. However, continued infringements on these rights have resulted in issuance of a second SCAP directive.

Manufacturers who have continued to violate the first directive are: The Fuji Industrial Company, Yamato Sewing Machine Manufacturing Company, Minami Sewing Machine Company and the Mima Sewing Machine Industrial Company.

24 OCT 1948

NIPPON TIMES

SCAP Orders Investigation Re Singer Trademarks

GHQ, FEC, PIO, Oct. 25.—SCAP has directed the Japanese Government to take immediate steps to investigate the failure to provide proper protection for copyrights and trademarks owned by the Singer Sewing Machine Co., Elizabeth, N.J.

The action followed complaints filed with SCAP that there has been continued infringement by the Japanese of trademarks, design type numbers, accessories, and in many cases, the operational manual for the machine has been copied verbatim.

MAINICHI 26 OCT 1948

POLICE TO UTILIZE 2 RADIO PATENTS

Equipment Will Be Used in Building Communications Apparatus, Says SCAP

By International News Service

Two United Nations patents covering the manufacture of very high-frequency, frequency-modulated radio equipment will be used in the construction of apparatus for the Japanese police radio communications networks, Gen. Douglas MacArthur's headquarters disclosed Friday.

Twenty Japanese communications equipment manufacturing companies have received SCAP authorization to use the patents. Royalties will be credited to the owners in the SCAP custody account, an operations released report here said.

A five-year program for the creation of a nation-wide police radio network is now under way. When completed, the project will provide two transmitters, one fixed and one mobile, in each of Japan's 1,130 police stations, according to H. S. Eaton, SCAP's chief police administrator. Mr. Eaton said that he expected the Japanese police to install two-way radio equipment in automobiles, a system adopted by numerous American and European police administrations.

28 NOV 1948

NIPPON TIMES

PATENT BUREAU OFFERS HINTS TO INVENTORS

Lis's 104 Items Vital to Aid Postwar Industries

Valuable information was passed on to inventors in this country when the Invention Stimulation Committee attached to the Patent Bureau of the Commerce-Industry Ministry compiled a list of 104 items which if invented or devised would greatly develop the nation's industry in the postwar period.

The recommendations were handed to the Commerce-Industry Minister who, in May, last year, requested the committee to make a survey in this field.

Some of the 104 items follow:

(1) Rice harvesting machine. This equipment would replace the sickle currently used by Japanese farmers and contribute toward the mechanization of the nation's farming method.

(2) Substitute roofing materials to take the place of asbestos and slate and other synthetic building materials.

(3) Medicine which can take the place of santolin.

(4) New method of processing and storing sweet potatoes.

The Commerce-Industry Ministry is currently considering on sponsoring a contest for the stimulation of new devices or inventions within the scope of the 104 items with prizes to be granted as an incentive.

30 AUG 1948

NIPPON TIMES

JAPANESE ARE WARNED ON TRADEMARK BREACH

Proper Protection Not Given Foreign Owners, CPC Says

Officials of SCAP's Civil Property Custodian announced yesterday that a memorandum had been issued to the Japanese Government directing attention to the fact that proper protection has not been afforded to the foreign owners of trademarks registered in Japan.

The case cited was that of the Eastman Kodak Company of Rochester, New York. The Eastman Company has had its trademark registered in Japan since 1909, and additional trademarks have been registered from time to time as new products were developed.

The memorandum directs the Japanese Government to take the necessary action to insure that the trade name "Kodak" is not infringed upon. This applies to cameras and the developing and printing of films.

4 SEP 1948

NIPPON TIMES

Govt. Directed To Prevent Violation Of Trade Marks

GHQ, FEC, PIO, Sept. 3.—Officials of SCAP's Civil Property Custodian announced today that a memorandum had been issued to the Japanese Government directing attention to the fact that proper protection has not been afforded to the foreign owners of trade marks registered in Japan.

The case cited was that of the Eastman Kodak Company of Rochester, New York. The Eastman Co. has had its trade mark registered in Japan since 1909, and additional trade marks have been registered from time to time as new products were developed.

The memorandum directs the Japanese Government to take the necessary action to insure that the trade name "Kodak" is not infringed upon. This applies to cameras and the developing and printing of films.

MAINICHI 4 SEP 1948

As a result of this important forward step in property administration, recently patented inventions may now be introduced into Japan, Colonel Miller pointed out, to the benefit of the nation's economy and with full protection to the foreign inventor. It is expected that many such inventors will seek that protection now in order that they may later enter into licensing agreements with Japanese manufacturers.

The Deputy Civil Property Custodian, however, stated that under existing Japanese law no priority rights can be granted to applicants who filed in their home countries more than 12 months prior to filing in Japan, nor can such applicants be granted registration under this law if a foreign patent was issued and published more than 12 months prior to application in Japan. No change in these rules has been made by SCAP's new patent property directive. Officials of the Japanese Patent Office expressed their enthusiastic approval of SCAP's action and announced their intention to resume exchange of official publications with the patent offices of other countries throughout the world.

15 SEP 1948

NIPPON TIMES

on the filing of such applications and permits the Board of Patents and Standards to register patents, utility models and designs in the names of foreign applicants under the provisions of the Japanese law and the International Convention for the Protection of Industrial Property. At the same time a change is being made in the censorship regulations to permit sending of patent specifications through the mails. This will permit foreign applicants to send descriptions of their inventions into Japan in connection with their applications for property protection under the law.

Col. E. C. Miller, Deputy Civil Property Custodian, pointed out that, as a result of the new directive, a foreign applicant for patent property registration in Japan will get the benefits of the priority provisions of the International Convention. These provide, in effect, that an applicant for a patent who has filed application in another member country within 12 months

preceding shall have priority rights over a Japanese user of the invention who may have filed application during the period. Since most of the leading industrial countries are members of the International Convention, this means that inventors in those countries may obtain the protection of a Japanese patent on inventions filed for registration elsewhere within the past 12 months.

CPC PATENT RIGHTS RECEIVED



(U.S. Army Photo)
Col. E. C. Miller, Jr., of Highland Park, N.J., Deputy Civil Property Custodian, hands a copy of SCAP's new directive authorizing the reopening of the Japanese Patent Office to foreign applicants to Keijiro Kubo, Director General of the Board of Patents of the Japanese Government. Looking on is Julian E. Jackson, Washington, D.C., SCAP's patent property adviser.

Applications Accepted Here For Foreign Patent Rights

Foreign applications for the registration of patent property rights may now be accepted by the Japanese Patent Office and processed under the Japanese law, it was announced yesterday by SCAP's Civil Property Custodian.

Heretofore, the acceptance of applications for patent rights from persons outside of Japan has been prohibited. A SCAP directive issued Tuesday to the Japanese Government removes all restrictions

170

SINGER COMPANY HITS BOGUS LABEL

¹⁷⁰
Sewing Machine Firm in
Osaka Ordered to Cease
Using Trademarks

In a directive to the Japanese Government yesterday, SCAP ordered that the counterfeiting of labels of the Singer Manufacturing Company of Elizabeth, New Jersey, cease and that a Japanese label manufacturer in Osaka reveal a list of his customers so that the Singer Company may seek redress, it was announced by the Civil Property Custodian. Records of the label counterfeiting company since December 7, 1941 have been requested by SCAP.

The Civil Property Custodian said a complaint was filed by the Singer Company charging that Japanese sewing machine manufacturers were using trademarks simulating those of the Singer machines. Copies were labeled with reproductions of trademarked Singer seals and one Japanese sewing machine model bore a picture of a sphinx similar to the trademark of the American original on the Singer Sewing Machine.

SCAP investigators discovered that reproductions of American trademarked labels were being manufactured by an Osaka firm which allegedly distributed its counterfeit labels among a number of Japanese sewing machine makers who were producing models similar to those manufactured by Singer. These labels further assisted in selling these machines as American made products.

FEB 5 1949
NIPPON TIMES

Japan Patent Problem Discussed By FEC

¹⁷⁰
Kyodo-AP
WASHINGTON, Feb. 25.—Sources close to the Far Eastern Commission said rights of foreign patent holders in Japan were discussed Thursday.

Details of the discussion were not revealed but there were indications that the commission expects to make a decision shortly.

A directive probably will cover patents, utility models and designs.

The problem has been before the FEC for two years and has proved so complex that any agreement has been difficult.

It was learned also that the FEC is considering Japanese patents in foreign countries and it is probable that a third directive will be issued shortly concerning copyrights, both for foreign-held in Japan and Japanese-held abroad.

FEC is continuing to study the basic problems of reparations, the level of Japanese industry and other long-pending issues, but prospects for agreement continue slim.

FEB 26 1949
MAINICHI

170

FEC Reaches Accord On Japanese Patents

Kyodo-AP
 WASHINGTON, Mar. 10.—The Far Eastern Commission has virtually agreed on a directive governing Japanese patents and also foreign patents held in Japan, it was authoritatively learned.

The Commission declined comment, but it was further learned that the group also is considering similar directives on trademarks and copyrights.

It is possible the Commission may approve the patents directive at its weekly session, although no announcement is expected until after the directive reaches General Douglas MacArthur.

The decisions on trademarks and copyrights also are expected shortly.

American and other foreign businessmen are following these deliberations closely, believing they bear importantly on the future of business in Japan, and also outside of Japan where the Japanese may be expected to try to sell their products.

MAR 11 1949
 MAINICHI

Patent Rights To Be Returned To Owners

FEC Issues Directive To Restore Properties

United Press
 TOKYO, Mar. 28.—Patent property rights in Japan owned by Allied nationals which were cancelled or taken over by the Japanese Government during the war will be revalidated and returned to their owners under a policy directive of the Far Eastern Commission announced here.

Officials estimated that nearly 5,000 patents and utility models and designs in Japan owned by Allied nationals are subject to restoration under terms of the directive.

The long-awaited directive from the Occupation policy-making body also provides for recovery of royalties due Allied nationals whose patent properties were used without their permission during the war, or for extension of patent expiration dates into the future to compensate for the loss of rights during the war years.

An official statement said SCAP is not responsible for obtaining compensation on behalf of Allied nations for any use made of the patents prior to the date of restoration.

"SCAP will, however, upon request, make available to Allied patent owners information as to funds credited to their accounts which constitute royalties for unauthorized use of patent rights."

In a separate directive SCAP also was authorized to require the Japanese patent office to accept applications from nationals of countries at war with Japan who had filed in any country applications for patents within 12 months before the outbreak of war and to "register such patents in Japan with a right of priority based upon the previous first filing of the application."

This will allow persons outside Japan who filed applications for patents in their own countries as early as 1941 to obtain Japanese patent rights, even though patents may have been issued to other persons in Japan on similar inventions during the war.

This provisions is expected to encourage foreign patent-holders to send their latest inventions into Japan with assurance of protection and thereby contribute to the modernization of Japan's industry.

MAR 29 1949 MAINICHI

Patent Property Rights

Those Cancelled or Sequestered During War to Be Restored to Allied Owners

Patent property rights in Japan owned by Allied nationals and which were cancelled or sequestered during the war will be revalidated and restored to their owners under a policy directive of the Far Eastern Commission, it was announced yesterday by General Headquarters, SCAP.

This long awaited directive, which covers registered patents, utility models, and designs, also provides for recovery of any funds which have been set aside as royalties, by an Allied national whose patent properties were used without his authority during the war or, at his option, to have his patent property rights extended into the future to compensate him for loss of those rights during the war.

Revalidation and restoration of Allied patents will be at the request of the owners thereof, who will be afforded a reasonable time within which to make such requests through SCAP. They will, thereafter, be entitled to all the rights and privileges afforded by the Japanese patent laws and will be excused from payment of any special or regular fees that may have accrued to the Japanese Government during the war period.

Extension of patent property rights of Allied owners, at their option, will be for a period equal to that from the date of loss to the date of restoration or to the normal expiration date of the patent, whichever is earlier, provided that such owner waives all claim for the use of the patent during that period and remits any funds received by him or credited to him in a blocked account as royalties for such use. The Allied owner,

however, may elect to receive royalties for the use of his patent property rights during the war period in lieu of an extension of those rights mentioned above.

The Supreme Commander is not responsible for obtaining, or attempting to obtain, on behalf of Allied nationals, compensation for any use made of the patents prior to the date of restoration. SCAP will, however, upon request, make available to Allied patent owners information as to funds credited to their accounts which constitutes royalties for unauthorized use of patent rights.

An Allied national, for purposes of this policy directive, is one whose property was treated as enemy property by the Japanese Government, or whose property rights lapsed owing to the existence of hostilities between Japan and the country of that national. An Allied national is deemed to have lost control of his patent property rights in Japan on the date of entry of the country of that national into war with Japan.

It was stated that nearly 5,000 patents, utility models, and designs in Japan owned by Allied nationals are subject to revalidation and restoration under the terms of this directive, and that the Office of the Civil Property Custodian is prepared to receive requests from Allied patentees for appropriate action.

In a separate directive SCAP was also authorized to require the Japanese Patent Office to accept applications from nationals of countries at war with Japan who had filed in any country applications for patents within twelve months be-

fore the outbreak of hostilities and to register such patents in Japan with a right of priority based upon the previous first filing of the application.

In effect, this will allow persons outside of Japan who filed applications for patents in their own countries as early as 1941 to obtain Japanese patent rights even though patents have been issued to other persons in Japan on similar inventions during the war.

The long priority provision of this directive is expected to encourage foreign patentees to send their latest invention into Japan and thereby contribute to the modernization of its industry. Assurance that such new technology will be protected under Japanese law has been held as a necessary factor in the re-entry of many foreign business concerns who formerly operated here.

MAR 28 1949
 NIPPON TIMES

170

170

170

GENERAL HEADQUARTERS
FAR EAST COMMAND
Public Information Office

Press release

1330
12 September 1949

170 TRADE MARK RIGHTS TO BE RESTORED

The Japanese government has been directed to restore prewar trade mark rights to nationals of countries at war with Japan and to take steps to ensure that trade marks of United Nations nationals are adequately protected in the future.

The directive, issued today by GHQ, SCAP, also requires that merchandise will not be marked with false or misleading marks of origin, quality, quantity or content.

Another important provision of the directive will enable nationals of countries at war with Japan who registered new trade marks in any country during the war, but who could not register them in Japan because of circumstances arising out of World War II, now to file corresponding applications in Japan with a right of priority based upon the date of the first foreign application. These applications will thus have priority of date over any intervening registration by a Japanese national.

For the guidance of nationals of countries at war with Japan and United Nations nationals having an interest in these matters it was stated that further information concerning restoration of prewar registrations may be obtained from the Civil Property Custodian, whereas officials of Economic and Scientific Section will advise on other aspects of the policy.

The directive specifically provides:

- 1) Trade mark rights in Japan belonging to nationals of countries at war with Japan and which expired or were cancelled because of circumstances arising from World War II shall be restored on request.
- 2) Upon restoration these rights will remain in force for a period equivalent to the period of protection to which they were entitled at the date of outbreak of hostilities or, in some circumstances, at the date when the rights could not be exercised.
- 3) Upon request, prewar pending applications of such nationals shall be reinstated and processed in the usual manner.
- 4) A national of a country at war with Japan who had filed the first application for a trade mark in any country not earlier than six months before the date of loss of opportunity to file a corresponding application in Japan, shall be entitled to apply for registration in Japan with a right of priority based on the previous first filing in a foreign country.
- 5) The Japanese government shall adopt and enforce regulations to prevent future registrations of marks which are similar to marks or names of foreign nationals which are used by them anywhere and are well-known in Japan. United Nations nationals shall be permitted, within a reasonable time, to apply for cancellations of trade marks registered in Japan which so resemble trade marks or trade names previously used by the petitioners and well-known in Japan, as to be likely to cause confusion or mistake or to deceive purchasers.
- 6) Merchandise manufactured in Japan or exported from Japan shall not be marked so as to suggest it is made elsewhere than in Japan and shall not convey any false impression of their quantity, quality, or content.
- 7) The foregoing provisions shall apply, wherever applicable, to trade names and to commercial or corporate names or marks.
- 8) The various requests must be made by nationals of countries at war with Japan or other United Nations nationals within 12 months after the promulgation of legislation designed to carry the provisions of this directive into effect.

170

PRESS RELEASE - AFPAC
(over)

12 SEP 1949

170

**FEC Issues Directive
Re Patents In Japan**

AFP
WASHINGTON, Apr. 4.—The Far Eastern Commission issued a directive putting the Japanese patent system on a normal basis and including provisions guaranteeing patent rights to foreigners whose interests were damaged during the war.

At the same time, the United States Government sent a directive to General MacArthur so that he may protect the patent rights of foreigners in Japan. Consequently, foreigners will have priority rights on applications for patents filed before the war.

MAINICHI 5 APR 1949

**ALLIED NATIONALS
TO HAVE PATENTS
MADE VALID HERE**

SCAP Directs Government to
Restore Rights to
Foreign Owners

Patent properties in Japan owned by Allied nationals will be revalidated and restored to their owners upon request, under the terms of a SCAP directive issued yesterday to the Japanese Government.

One of the most important directives relating to restitution of Allied properties, according to Brig. Gen. Patrick H. Tansey, Civil Property Custodian, the order will affect approximately 5,000 patents, utility models, and designs which had been registered in Japan prior to the war.

Most of the patent property rights involved had been terminated by the Japanese Government under the terms of the Wartime Law of Industrial Property, or had been canceled for nonpayment of required annual fees, or had lapsed by passage of the 15-year period of duration.

Revalidation at the request of the owners will put these patent property rights back into a state of validity, and their life terms may be extended upon request for a period equivalent to that during which the owners had lost control.

Extension of the term of a patent, however, will be at the option of the owner who may otherwise elect to recover in lieu of extension any funds which have been deposited or set aside as royalties by the Japanese manufacturer for use of the invention without authority during the war.

Extension of the terms of Allied patents when chosen by their owners as a alternative to the recovery of royalties for wartime use will be the basis for new contractual agreements with Japanese manufacturers for use of Allied inventions in the future.

A number of American, British, and French concerns have indicated readiness to invest capital in Japanese industry and to assist Japanese manufacturers with foreign patents but have hesitated to do so because of the lack of protection of their patented inventions in Japan up to the present time.

As protection of foreign patent property rights must apply not only to prewar inventions but to those patented developments made abroad during the war, the Japanese Government has also been ordered to accept and process applications for patents with a right of priority based on applications filed in other countries as early as 1940 and ultimately registered. In case patents were issued to Japanese during this period covering similar inventions, the Board of Patents has been ordered to grant a priority to the Allied inventors.

(Continued on Page 2)

**Allied Nationals
To Have Patents
Made Valid Here**

(Continued from Page 1)

SCAP's patent property director, J. E. Jackson, pointed out that the new directive provides wide protection to Allied patentees as it covers the revalidation, restoration, and extension of prewar patents in Japan and further, priority filing of more recent inventions patented in Allied countries.

To effectuate the patent property program which has been sent to the Japanese Government it was ordered that the Wartime Law of Industrial Property be repealed in all its parts and further, that the Board of Patents eliminate all possibility of secrecy in connection with patent property registered in Japan. Full disclosure of all details essential to the operation of a patented invention is also required in all future patent property registrations.

One of the most serious obstacles to foreign investment in Japan has been removed by the restoration of Allied patentees' rights under this directive, which will be administered by the Civil Property Custodian. As procedures have already been developed whereby patentees may enter into licensing agreements with Japanese manufacturers it is expected that there will be a substantial renewal of business relations between Japanese concerns and those in Allied countries.

The Japanese Government is now engaged in effectuating the patent property policy directive through appropriate procedures.

Patent property owners in Allied countries desiring information concerning procedures to be followed in recovering and establishing patent property rights under the new program should communicate with their diplomatic missions in Japan.

12 APR 1949

NIPPON TIMES

170

170

Cabinet Orders Patent Restoral

Japanese patents owned by Allied nationals at the outbreak of the war and which lapsed or were cancelled by the Japanese government may now be revalidated and restored upon request of their owners, it was disclosed Thursday.

The validity of such patents and those which expired during the war may also be extended to compensate their owners for loss of rights during the war period.

These provisions were written into Japanese law Thursday by a cabinet order promulgated in response to a SCAP directive to the Japanese government.

A further provision of the cabinet order allows owners of patents registered in their own countries during the war to apply for registration in Japan with priority rights extending back to the date of the first filing of the application in another country.

Full information may be obtained from the office of the Civil Property Custodian, General Headquarters, Supreme Commander for the Allied Powers.

20 AUG 1949

STARS & STRIPES

170

Restoration Set For Trademarks

The Japanese government has been directed to restore prewar trademarks rights to nationals of countries who were at war with Japan and to insure that trademarks of United Nations nationals are adequately protected in the future, it has been announced by General Headquarters.

The directive, issued by SCAP, also requires that merchandise will not be marked with false or misleading marks of origin, quality, quantity or content.

For the guidance of nationals of countries at war with Japan and United Nations nationals having an interest in these matters, it was stated that further information concerning restoration of prewar registrations may be obtained from the Civil Property Custodian, whereas officials of ESS will advise on other aspects of the policy.

STARS & STRIPES 13 SEP 1949

170

JAPANESE TOLD TO REMOVE AMERICAN NAME FROM COPIED PRODUCT

170
170
Japanese manufacturers of centrifugal type sludge removal machines were ordered Monday by SCAP's Civil Property Custodian to remove the trade mark names of the Sharples Specialty Corporation of Philadelphia from future copies of Sharples machines.

Two Japanese firms are subject to the order which prohibits continued use of the Sharples name on Japanese copies of Sharples products. No legal means is available, according to SCAP's Civil Property Custodian patent branch, to prevent Japanese firms from continuing to manufacture exact copies of Sharples products because under wartime patent seizure practices the Japanese government took possession of Sharples patents.

At the time when the Japanese government took possession of designs covered by Sharples patents, they overlooked taking official possession of the Sharples copyrighted machine names. On the premise that the Japanese government failed to use her wartime right to possession of enemy patents to take possession of the Sharples' name, SCAP has ordered the name removed from future Sharples type machines.

In a complaint to SCAP the Sharples company charged that the Japanese users of Sharples patents had illegally appropriated sales pamphlets issued by the Sharples company and that retouched photos of American factories were being used to further the sale of Japanese copies of American machines.

170
170
In comparing Sharples catalogues with those issued by Japanese users of Sharples patents, it was discovered that a bi-lingual text had been added to the American original. In the Japanese edition of the Sharples brochure, banks of Sharples machines located in an American plant were described as belonging to "satisfied users of Japanese products."

The two firms named in SCAP's directive to the Japanese government are the Fuji High-Speed-Machine Manufacturing Company, Ltd., Tokyo and the Dokken Company, Ltd, Tokyo.

Both firms were ordered to supply SCAP with production records revealing the number of machines which have been manufactured since Dec. 7, 1941 which bear the name of the Sharples Company.

So accurate were the Japanese copies of the American product that a number of allied agencies acquired the machines in the belief that they were American products.

PRESS RELEASE - AFPAAC

18 JAN 1949

SCAP TAKES ACTION ON ALLEGED VIOLATIONS OF TRADEMARKS

170
170
Discovery of a Japanese firm which allegedly specialized in the counterfeiting of American trademarks has brought action by SCAP through the Civil Property Custodian, it was announced today.

A complaint which originated with the Singer Manufacturing Company, Elizabeth, N.J., charged that Japanese sewing machine manufacturers were using trademarks simulating those of the Singer machines. Copies were labeled with reproductions of trademarked Singer seals and one Japanese sewing machine model bore a picture of a sphinx similar to the trademark of the American original on the Singer Sewing Machine.

SCAP investigators discovered that reproductions of American trademarked labels were being manufactured by an Osaka firm which allegedly distributed its counterfeit labels among a number of Japanese sewing machine makers who were producing models similar to those manufactured by Singer. Those labels further assisted in selling these machines as American made products.

Doubtful legality is given Japanese manufacturers who produce copies of American products under patents granted them by the Japanese government. Under wartime regulations governing seizure of enemy patents, the Japanese took possession of all American patents which were useful in conducting the war. A few of these Japanese manufacturers are still using their wartime patent rights to produce copies of American patented items.

Because there was no wartime need for the seizure of American registered trademarked names, the Japanese government failed to use the war's emergency as an excuse to take possession of American brand names. Thus, American or Allied trademark owners are protected against sharing their brand names with Japanese manufacturers.

In a directive to the Japanese government, SCAP ordered that the counterfeiting of Singer labels cease and that the label manufacturer reveal a list of his customers so that the Singer Manufacturing Company may seek redress.

Records of the label counterfeiting company since Dec. 7, 1941 have been requested by SCAP.

PRESS-RELEASE - AFPAC

3 FEB 1949

ALLIED NATIONALS PATENT RIGHTS TO BE RESTORED 170

Patent properties in Japan owned by Allied nationals will be revalidated and restored to their owners upon request, under the terms of a SCAP directive issued today to the Japanese government.

One of the most important directives relating to restitution of Allied properties, according to Brig. Gen. Patrick H. Tansey, Civil Property Custodian, the order will affect approximately 5,000 patents, utility models, and designs which had been registered in Japan prior to the war.

Most of the patent property rights involved had been terminated by the Japanese government under the terms of the Wartime Law of Industrial Property, or had been cancelled for non-payment of required annual fees, or had lapsed by passage of the 15 year period of duration.

Revalidation at the request of the owners will put these patent property rights back into a state of validity, and their life terms may be extended upon request for a period equivalent to that during which the owners had lost control.

Extension of the term of a patent, however, will be at the option of the owner who may otherwise elect to recover in lieu of extension any funds which have been deposited or set aside as royalties by the Japanese manufacturer for use of the invention without authority during the war.

Extension of the terms of Allied patents when chosen by their owners as an alternative to the recovery of royalties for wartime use will be the basis for new contractual agreements with Japanese manufacturers for use of Allied inventions in the future.

A number of American, British, and French concerns have indicated readiness to invest capital in Japanese industry and to assist Japanese manufacturers with foreign patents but have hesitated to do so because of the lack of protection of their patented inventions in Japan up to the present time.

As protection of foreign patent property rights must apply not only to prewar inventions but to those patented developments made abroad during the war, the Japanese government has also been ordered to accept and process applications for patents with a right of priority based on applications filed in other countries as early as 1940 and ultimately registered. In case patents were issued to Japanese during this period covering similar inventions, the Board of Patents has been ordered to grant a priority to the Allied inventors.

170
SCAP's patent property director, J. E. Jackson, pointed out that the new directive provides wide protection to Allied patentees as it covers the revalidation, restoration, and extension of pre-war patents in Japan and further, priority filing of more recent inventions patented in Allied countries.

To effectuate the patent property program which has been sent to the Japanese government it was ordered that the Wartime Law of Industrial Property be repealed in all its parts and further, that the Board of Patents eliminate all possibility of secrecy in connection with patent property registered in Japan. Full disclosure of all details essential to the operation of a patented invention is also required in all future patent property registrations.

One of the most serious obstacles to foreign investment in Japan has been removed by the restoration of Allied patentees' rights under this directive, which will be administered by the Civil Property Custodian. As procedures have already been developed whereby patentees may enter into licensing agreements with Japanese manufacturers it is expected that there will be a substantial renewal of business relations between Japanese concerns and those in Allied countries.

The Japanese government is now engaged in affectuating the patent property policy directive through appropriate procedures.

Patent property owners in Allied countries desiring information concerning procedures to be followed in recovering and establishing patent property rights under the new program should communicate with their diplomatic missions in Japan.

PRESS RELEASE - AFPAC 11 APR 1949

PATENT REGISTRATIONS ABROAD AUTHORIZED

170
General MacArthur has authorized the Japanese government to establish procedures under which Japanese inventors may register patents in foreign countries having laws permitting such registration, it was announced today.

A directive, just issued, advised the Japanese government that the Supreme Commander will consider requests to make foreign exchange available to pay fees and charges to register patents abroad on inventions registered in Japan subsequent to Jan. 1, 1946.

The Japanese government was directed also to prevent dissipation of foreign exchange by reviewing applications for assurance that the invention concerned has a definite potential for useful implementation in the country in which patent rights are sought. This will not be required, however, if the applicant is able to arrange the payment of fees by persons having legal access to foreign exchange.

It was pointed out that the new procedure is another step toward inclusion of Japan in international relations pertaining to scientific development. It will provide a means also of earning foreign exchange since the sale or licensing of patents in foreign countries will be subject to the condition that the foreign exchange return therefrom shall be paid into SCAP commercial accounts with the Japanese patentee receiving the equivalent in yen.

Additionally, the new procedure will give Japanese manufacturers normal patent right protection on newly developed export goods.

PRESS RELEASE - AFPAC 31 MAY 1949

CABINET ORDER ON RESTITUTION OF PATENT PROPERTY

170 Japanese patents owned by Allied nationals at the outbreak of the war and which lapsed or were cancelled by the Japanese government may now be revalidated and re-stored upon request of their owners.

The validity of such patents and of those which expired during the war may also be extended to compensate their owners for loss of rights during the war period.

These provisions were written into Japanese law today by a Cabinet Order promulgated in response to a SCAP Directive to the Japanese government. Most of the Allied-owned patents, utility models and designs in Japan were terminated during the war. Many such property rights lapsed because of failure to pay the required annual fees, and others were cancelled by the government under the provisions of the Wartime Law of Industrial Property.

The new Cabinet Order requires the Japanese Patent Office to revalidate such patent rights upon request and to restore them to their owners without payment of any regular or special fees. Such patent owners, furthermore, may elect to have their rights extended into the future for a period equivalent to that of the war provided all claims for damages or royalties for war-time use are waived. Likewise Allied owners of Japanese patents which expired during the war may request extension of their rights for a period equivalent to that between the outbreak of the war and the date of expiration.

A further provision of the Cabinet Order of interest to Allied nationals allows owners of patents registered in their own countries during the war to apply for registration in Japan with priority rights extended back to the date of first filing of the application in another country. Such first filing, however, must have been not earlier than 12 months before the outbreak of the war.

Full information about procedures and forms for use in obtaining restoration and extension of patent rights may be obtained from the Office of the Civil Property Custodian, General Headquarters, Supreme Commander for the Allied Powers.

Allied nationals seeking patent protection in Japan for their wartime inventions, however, should apply for patents through Japanese patent attorneys, just as they did before the war. Such applications should be accompanied by documents attesting the name of the country of first filing and the date of that filing.

PRESS RELEASE - AFPAC 19 AUG 1949

170

PATENT REGISTRY ABROAD APPROVED

170
SCAP Rules Japanese May
Register Inventions in
Foreign Countries

General MacArthur has authorized the Japanese Government to establish procedures under which Japanese inventors may register patents in foreign countries having laws permitting such registration, it was announced yesterday.

A directive, just issued, advised the Japanese Government that the Supreme Commander will consider requests to make foreign exchange available to pay fees and charges to register patents abroad on inventions registered in Japan subsequent to January 1, 1946.

The Japanese Government was directed also to prevent dissipation of foreign exchange by reviewing applications for assurance that the invention concerned has a definite potential for useful implementation in the country in which patent rights are sought.

It was pointed out that the new procedure is another step toward inclusion of Japan in international relations pertaining to scientific development. It will provide a means also of earning foreign exchange since the sale or licensing of patents in foreign countries will be subject to the condition that the foreign exchange return therefrom shall be paid into SCAP commercial accounts with the Japanese patentee receiving the equivalent in yen.

Additionally, the new procedure will give Japanese manufacturers normal patent right protection on newly developed export goods.

1 JUN 1949
NIPPON TIMES

BOY INVENTOR APPLIES FOR MORE PATENTS



Asahi Shimbun
Three more patents on his new inventions have been submitted to the Patent Office by 12-year-old Koichi Akimoto who is shown in his Tokyo workshop with an animal toy that can receive foreign radio broadcasts.

12-YEAR-OLD STUDENT AMAZES PATENT OFFICE

Asahi Shimbun-Nippon Times

Koichi Akimoto, 12, of Setagaya, Tokyo, boy inventor, who had amazed the officials at the Patent Office for taking out patents in November last year for a small vacuum tube repairing set the size of about two match boxes, has this time applied for three patents, including a megaphone powered by the pedalling of a bicycle while the cyclist is going about making election campaign speeches.

Koichi, who is a sixth-year pupil at the Seijo Gakuen Elementary School, has also designed animal toys that can receive foreign radio broadcasts and a burglar alarm that can be sounded while in bed from under the bedclothes.

5 JUN 1949

NIPPON TIMES

170

170 SCAP 24 January ordered the Japanese Government to prevent counterfeiting of Singer Sewing Machine labels. The local manufacturer involved was required to reveal a list of his customers so that the Singer Manufacturing Company may seek redress. Records of the company since 7 December 1941 have been requested by SCAP.

OUTGOING MESSAGES-SRS

14 FEB 1949

170 SCAP 8 April directed that patent properties in Japan owned by Allied nationals will be revalidated and restored to their owners upon request. This order will affect approximately 5,000 patents, utility models and designs which had been registered in Japan prior to the war.

OUTGOING MESSAGES-SRS

18 APR 1949

170 SCAP 27 May authorized the Japanese Government to establish procedures under which Japanese nationals may register, in those foreign countries having laws permitting such registration, patents on inventions made subsequent to 1 January 1946. SCAP will consider requests to make foreign exchange available to pay fees and charges to register those patents which the Japanese Government recommends as having definite potentialities of being worked or imported into the country to which the patent application is sent; the potential value of the subject invention need not be taken into consideration in those cases in which the applicant is able to arrange the payment of fees by persons having legal access to foreign exchange. The sale or licensing of patents in foreign countries will be subject to the condition that the foreign exchange return therefrom will be paid into SCAP commercial accounts, with the Japanese patentee receiving the equivalent in yen.

OUTGOING MESSAGES-SRS

6 JUN 1949

170 Japanese patents owned by Allied nationals at the outbreak of the war and which lapsed or were cancelled by the Japanese Government may now be restored upon request of the owners. Their validity and that of those which expired during the war may also be extended to compensate their owners for loss of rights during the war period. A cabinet order promulgated in response to a SCAP directive 19 August provided for the restitution of patent property.

OUTGOING MESSAGES-SRS

25 AUG 1949

170 SCAP directed the Japanese Government 12 September to restore or extend upon request prewar trademark rights to nationals at war with Japan which were interrupted, expired or were cancelled owing to the war. Prewar pending applications of such nationals shall be reinstated and processed on request. The SCAP directive requires the Japanese Government to adopt and enforce regulations to ensure that trademarks of the United Nations nationals are adequately protected in the future. It prohibits false or misleading marks of origin, quality, quantity or content on merchandise manufactured in or exported from Japan. Another provision will enable a national of a country at war with Japan, who had filed the first application for a trademark in any country six months preceding the loss of opportunity to file a corresponding application in Japan, to apply for registration in Japan with a right of priority based on the date of the first foreign application. These applications will thus have priority of date over any intervening registration by a Japanese national.

OUTGOING MESSAGES-SRS

15 SEP 1949

Trade Mark Protection Ruled in FEC Decision

Australia and Russia to Ask Clarification of U.S. Labor Policy Here

Kyodo-UP

WASHINGTON, July 29.—The Far Eastern Commission adopted a policy decision protecting trade marks and trade names registered in Japan by Allied nationals and companies.

Informed sources said the commission at its regular weekly meeting approved a resolution providing protection for all trade marks and trade names registered before the war and also protection for the rights of those who had applications pending.

The second part of the resolution requires Japanese in the future to refrain from marking any of their own products "incorrectly."

Meanwhile, Russia and Australia at Thursday's meeting

served notice that they intended to pursue demands for a clarification of United States labor policy in Japan.

The FEC representatives of both countries, noting that the commission was recessing until Sept. 8, said they wished to serve notice that their failure to discuss the labor question Thursday did not mean that they did not intend to pursue the subject as soon as the commission reconvened.

Russia had been particularly bitter in her attacks in the commission against the American labor policy in Japan.

Australia had been more moderate in her approach, limiting herself to requesting a clarification of United States labor policy.

FEC Adopts Policy Decision Re Trade Marks In Japan

United Press

WASHINGTON, July 29.—The Far Eastern Commission adopted a policy decision protecting trade marks and trade names registered in Japan by Allied nationals and companies.

Informed sources said the Commission at its regular weekly meeting approved a resolution providing protection for all trade marks and trade names registered before the war and also protection for the rights of those who had applications pending.

The second part of the resolution requires Japanese in the future to refrain from marking any of their own products "incorrectly."

30 JUL 1949
MAINICHL

30 JUL 1949

NIPPON TIMES

170

170

**MAIL REGULATION
RELAXED BY SCAP**

**Legal Papers on Patents
and Property Rights
Can Be Sent Abroad**

Restrictions on the transmission of papers of legal procedure in the international mails to and from Japan have been relaxed to permit the mailing of such papers pertaining to patents, design or utility model applications and rights.

According to SCAP's Civil Communications Section yesterday, this relaxation is a corollary of the recently issued SCAPIN setting out the procedures whereby Japanese nationals may apply for and obtain patents and other forms of industrial property rights in those foreign countries which will grant them.

Persons obtaining patents or registering designs in foreign countries will now be able to transmit any legal papers relating to such matters. The relaxation also permits foreign nationals to transmit such papers to Japan in connection with any industrial property rights which they may apply for and obtain in Japan.

4 AUG 1949
NIPPON TIMES

**PATENT RESTITUTION
ORDERED BY CABINET**

Japanese patents owned by Allied nationals at the outbreak of the war and which lapsed or were cancelled by the Japanese Government may now be revalidated and restored upon request of their owners.

The validity of such patents and of those which expired during the war may also be extended to compensate their owners for loss of rights during the war period.

These provisions were written into Japanese law Friday by a Cabinet Order promulgated in response to a SCAP Directive to the Japanese Government.

The new Cabinet Order requires the Japanese Patent Office to revalidate such patent rights upon request and to restore them to their owners without payment of any regular or special fees. Such patent owners, furthermore, may elect to have their rights extended into the future for a period equivalent to that of the war provided all claims for damages or royalties for wartime use are waived. Likewise Allied owners of Japanese patents which expired during the war may request extension of their rights for a period equivalent to that between the outbreak of the war and the date of expiration.

21 AUG 1949
NIPPON TIMES

CPO Mark Banned

Asahi Shimbun-Nippon Times
An ordinance prohibiting the use of the Central Procurement Office mark or similar marks was issued yesterday by the International Trade and Industry Ministry. The mark had recently been misused by some Japanese.

30 AUG 1949
NIPPON TIMES

**Allied-Owned Patents
Will Now Be Revalidated
Upon Request Of Owners**

GHQ, FEC, PIO, Aug. 19.—Japanese patents owned by Allied nationals at the outbreak of the war and which lapsed or were cancelled by the Japanese Government may now be revalidated and restored upon request of their owners.

The validity of such patents and of those which expired during the war may also be extended to compensate their owners for loss of rights during the war period.

These provisions were written into Japanese law today by a Cabinet Order promulgated in response to a SCAP Directive to the Japanese Government. Most of the Allied-owned patents, utility models and designs in Japan were terminated during the war.

Many such property rights lapsed because of failure to pay the required annual fees, and others were cancelled by the Government under the provisions of the Wartime Law of Industrial Property.

21 AUG 1949
MAINICHI

EDITORIAL

Re Author's Copyright

Disputes and controversies over the question of author's copyright have increased of late. One reason lies in the heated competition among the publishing houses since the surrender to publish both old and new literary works. Proper procedures connected with author's copyright and publication rights were widely neglected.

In addition to this "publication inflation," there is another factor involved in the larger number of disputes coming to the attention of the public. This arises from the stipulations of the new Constitution which have clarified the rights of the individual and guaranteed the freedom of speech and press.

The authors who are in a position to assert their rights have become more actively concerned about the author's copyright question.

This development has revealed the fact that the existing Author's Copyright Law has many outdated stipulations. The law is inadequate for the disposition of the increasing number of disputes.

The existing law was enacted in 1899. Though it has been revised several times, it basically centers around the copyright of literary works.

Today, when all phases of cultural work such as music, radio broadcasting, phonographic records, news and photo service, paintings, sculpture and architecture have greatly advanced and expanded their sphere of action, the old law is definitely outmoded.

There are numerous aspects of the copyright question which are not covered by the old law. Some sections of the law are inconsistent with present day practice. All these irrational points must be carefully scrutinized in preparation for the revision of the law.

In connection with the revision of the said law, there are also delicate issues relative to foreign copyrights.

Recently, it has been decided that non-Government circles such as newspapers, news agencies and the publishing firms will take the lead in stimulating public opinion regarding the author's copyright in order to forestall disputes in publishing circles.

It is learned that the UNESCO has also taken up the problem of international author's copyright and the safeguarding of personal rights.

Thus both at home and abroad, much expectation is placed in the active effort to safeguard the freedom of speech and the freedom of the press in order to guarantee free and unrestricted ideological and cultural interchange among individuals and among nations.

Author's copyright is therefore an important element in advancing international friendship and understanding.

We hope that the antiquated Author's Copyright Law will be revised as soon as possible so that it will be becoming to a nation of high cultural standards fully respected by the world.

29 AUG 1949
MAINICHI

170

170

Japanese Inventors May Register Patent In Foreign Nations 170

**Authorization By SCAP
Will Provide Means
To Earn Foreign Exchange**

GHQ, FEC, PIO, May 31.—General MacArthur has authorized the Japanese Government to establish procedures under which Japanese inventors may register patent in foreign countries having laws permitting such registration, it was announced today.

A directive, just issued, advised the Japanese Government that the Supreme Commander will consider requests to make foreign exchange available to pay fees and charges to register patents abroad.

The Japanese Government was directed also to prevent dissipation of foreign exchange by reviewing applications for assurance that the invention concerned has a definite potential for useful implementation in the country in which patent rights are sought. This will not be required, however, if the applicant is able to arrange the payment of fees by persons having legal access to foreign exchange.

It was pointed out that the new procedure is another step toward inclusion of Japan in international relations pertaining to scientific development.

It will provide a means also of earning foreign exchange since the sale of licensing of patents in foreign countries will be subject to the condition that the foreign exchange return therefrom shall be paid into SCAP commercial accounts with the Japanese patentee receiving the equivalent yen.

Additionally, the new procedure will give Japanese manufacturers normal patent right protection on newly developed export goods.

MAINICHI JUN 2 1949

170

170

Japan Told to Restore Prewar Trade Marks

170

The Japanese Government has been directed to restore prewar trade mark rights to nationals of countries at war with Japan and to take steps to ensure that trade marks of United Nations nationals are adequately protected in the future.

The directive, issued yesterday by GHQ, SCAP, also requires that merchandise will not be marked with false or misleading marks of origin, quality, quantity or content.

Another important provision of the directive will enable nationals of countries at war with Japan who registered new trade marks in any country during the war, but who could not register them in Japan be-

cause of circumstances arising out of World War II, now to file corresponding applications in Japan with a right of priority based upon the date of the first foreign application. These applications will thus have priority of date over any intervening registration by a Japanese national.

For the guidance of nationals of countries at war with Japan and United Nations nationals having an interest in these matters it was stated that further information concerning restoration of prewar registrations may be obtained from the Civil Property Custodian, whereas officials of Economic and Scientific Section will advise on other aspects of the policy.

SEP 13 1949

NIPPON TIMES

Prewar Trademark

170

Govt. Directed To Restore Rights To UN Nationals

TOKYO, Sept. 13.—The Japanese Government has been directed to restore prewar trademark rights to nationals of countries at war with Japan and to take steps to ensure that trademarks of United Nations nationals are adequately protected in the future.

The directive, issued by GHQ, SCAP, also requires that merchandise will not be marked with false or misleading marks of origin, quality, quantity or content.

Another important provision of the directive will enable nationals of countries at war with Japan who registered new trademarks in any country during the war, but who could not register them in Japan because of circumstances arising out of World War II, now to file corresponding applications in Japan with a right of priority based upon the date of the first foreign application.

These applications will thus have priority of date over any intervening registration by a Japanese national.

For the guidance of nationals of countries at war with Japan and United Nations nationals having interest in these matters it was stated that further information concerning restoration of prewar registrations may be obtained from the Civil Property Custodian, whereas officials of Economic and Scientific Section will advise on other aspects of the policy.

MASSACHUSETTS SEP 14 1949

Faked Japanese Trade Marks Reported by Bombay Merchant

170

By The Associated Press

The Japanese took steps yesterday to protect their goods from trade mark imitators. They have received complaints that somebody is selling cheap cotton cloth in India bearing the same brand as one of Japan's highest grades.

R. D. Cleaves, chief of the Textile Division of SCAP's Economic and Scientific Section yesterday showed The Associated Press the original brand and the imitation and samples of the materials. Both bore brilliantly colored paper labels depicting the "Flying Dragon" brand Number 16,000.

One was made by Toyo Boseki, the largest mill in Japan which regards Number 16,000 as its best known and

one of the highest quality.

Mr. Cleaves said the other was a grey shirting also made in Japan and processed in India then marked under the Flying Dragon label. He explained the Japanese maker probably was unaware his cloth is being marketed under the appropriated label.

A Bombay merchant complained the lower grade cloth was being sold cheaper than his authentic goods.

Mr. Cleaves said "during the war Japanese mills were unable to pay charges in many foreign lands for registration of their trademarks. The

Toyo Company now is doing so and all Japanese mills are taking steps to obtain foreign exchange to revive their registration."

SEP 23 1949

NIPPON TIMES

170

**Britain To Check
Design Copies Here**

United Press

LONDON, Nov. 8.—The Federation of British Industries has appointed Air Vice-Marshal C.A. Bouchier as head of an economic intelligence service to keep track of Japanese trade competition.

He will search for any evidence that certain Japanese traders are copying British designs, using trade names with British sound, describing goods as "British types" or severely undercutting world prices on exports.

A remarkably handsome Japanese trade catalog which arrived in London some weeks ago contained some features which were regarded as along the foregoing lines.

Some items were described as of "Raleigh type" or "BSA" or "Hercules type."

Vice-Marshal Bouchier will leave for Japan on November 18, returning the New Year.

It is expected that he will be given facilities for opening an office in Japan.

10 NOV 1949
MAINICHL

U.S. OFFICER INVENTS
ELECTRONIC 'NOSE'

170

Capt. Charles F. Hutcheson, AG, GHQ, applied for a Japanese patent here through Alexander Nagai, his agent, for his latest invention of an electronic "nose" which is believed to detect all kinds of dangerous fumes.

The newly invented "watch dog" is a rectangular box, smaller than the average portable radio. When the switch is turned on, a test signal is heard. This signal indicates that all operating parts are in order. The job is then taken over by the electronic brain, remaining silent until natural gas, coal gas, benzine fumes, smoke or fire becomes present, at which time a series of alarms will be sounded.

The electronic brain can be placed in a mine, warehouse, home or hotel in order to save human lives as well as to prevent fires.

The operation of the unit is very inexpensive costing about the same daily rate as the operation of a small radio.

6 OCT 1949
NIPPON TIMES

170

170

RESTORATION OF TRADE MARK RIGHTS

170

Allied nationals who owned trade marks registered in Japan prior to the war will be enabled to apply for restoration of such rights, effective Feb. 1, under a new Cabinet order, it was announced today.

The Cabinet order implements most of the provisions of a memorandum issued to the Japanese government last Sept. 1 in compliance with a Far Eastern Commission policy decision, according to Lt. Col. E. C. Allan, chief of the Technology and Patents Branch, Scientific and Technical Division, Economic and Scientific Section.

Under terms of the order, trade mark rights of Allied nationals which were canceled under the wartime law of industrial property or which lapsed during the war, may be restored upon application of the owners or their successors filed with the Japanese Patent Agency at any time up to Feb. 1, 1951.

Persons holding merchandise with trade marks similar to those which are restored to an Allied national are allowed six months after the restoration of his trade mark rights for the disposal of their merchandise. After this time the restored rights are fully effective against such persons as well as others.

One of the most important provisions of the Order is that trade marks registered in Japan which are so similar to the marks or names of United Nations nationals as to cause confusion may be canceled on application of the United Nations national at any time up to Feb. 1, 1951, if the registered marks come within the scope of all of the following conditions:

- 1) That the registered trade mark is so similar to the trade marks or trade names of United Nations nationals as to be considered likely to confuse the public.
- 2) That it is used on merchandise which is identical with that on which the foreign national uses his trade mark or trade name, or which is so similar that it is likely to cause mistake or be confused with merchandise handled by the United Nations national.
- 3) That the trade mark or trade name of the foreign national is well known in Japan.
- 4) That the trade mark or trade name of the United Nations national was used by him in any country prior to the registration in Japan of the trade mark sought to be canceled.

Provisions are made for the expeditious handling of such trials in the Japanese Patent Agency and in the courts, and for the discontinuance of the sale of merchandise bearing the canceled trade marks.

Provision is also made for the registration of the mark of the United Nations national immediately following the cancellation of the registration of the Japanese mark.

Another provision is that Allied trade mark owners who registered marks in foreign countries during the war may register the same marks in Japan by applications which will be deemed to have been filed here on the same date as the foreign application. In view of the fact that in Japan the first applicant for registration obtains the rights in a trade mark, irrespective of the length of period of use by another, this priority right is an important measure.

Colonel Allan said that other provisions of the memorandum of last September relating to false or misleading markings on merchandise as to origin, quality, quantity and content and also provisions relating to measures to prevent future registrations in Japan of trade marks which are confusingly similar to well-known foreign marks are being dealt with separately.

PRESS-RELEASE - APPAC

FEB 27 1950

170

170

Rights Restoral Set

TOKYO (AP) — Allied nationals who had trade marks registered in Japan before the war can apply for renewal of those rights starting Feb. 1 under a new cabinet order. The order implements a Far Eastern Commission policy directive issue to the Japanese government last Sept. 1.

170

JAN 28 1950
STARS & STRIPES

170

14 Inventors Given Blue Ribbon Medals 170

Kyodo
TOKYO, Jan. 15.—Blue Ribbon Medals have been awarded to 14 inventors for the first time after the war, the Cabinet Board of Decoration announced.

Included among the medal recipients were Dr. Masataro Kawarada, professor of Waseda University, who invented a special watch which correctly indicates the time even when the electric current is suspended; Ei-kichi Sakuma of the Nishin Industry Company, Tokyo, who improved the manufacturing method of asphalt roofing tiles; Hisashi Anezaki of the Nihon Silk Textile Company of Nagano Prefecture who completed a new method of manufacturing knitted goods and Takeshi Uchida of Fukuoka Prefecture who found a powerful insecticide.

JAN 17 1950
MAINICHI

Japanese Businessmen

To the Editor: 170
During the past year many Japanese businessmen have complained to me about the opposition and "misunderstanding" they encounter in trying to develop foreign markets, particularly the United States. I recently received a letter from a friend who is general superintendent of one of America's largest copper smelters and refineries. I had made an inquiry regarding the sale of lead pipe and lead sheet. The following extract from his letter should interest Japanese suppliers of these items:

"December 30, 1949
.....For your information Japanese lead is in the dog house in the United States anyway. The quality is not satisfactory and all users have been warned. Furthermore the "Selby" trade mark has been crudely counterfeited and buyers, as well as our Company, are up in arms."

All American businessmen are not perfect and some have been guilty of the practices mentioned above. However, it is obvious that the worldwide demand presently enjoyed by American products was not built on technical and moral standards that permit such practices.

Only a short time ago I read a news item citing a Japanese textile mill's complaint that its trademark had been forged by an Indian distributor. Japanese businessmen will get little sympathy on their complaints until they alter their own standards and policies to conform to what they expect of others. And when they do, I am sure that much of the "misunderstanding" they encounter will disappear.

ROBERT W. RUSSELL
Tokyo

JAN 22 1950
NIPPON TIMES

3 TRADEMARKS BANNED BY GOV'T 170

Law Affecting Mitsubishi, Mitsui and Sumitomo Is Effective February 3

Use of the trademarks of the three former Zaibatsu—Mitsui, Mitsubishi and Sumitomo—or any similar trademarks will be prohibited from February 3. A Cabinet order to this effect was promulgated January 21, reported Kyodo.

According to the order, those who possess the trademarks of the three former Zaibatsu should file applications for cancellation by June 30.

After the users of these Zaibatsu trademarks adopt new trademarks, they may use the old ones until June 30.

Those who possess stocks of goods bearing these Zaibatsu trademarks may sell them by December 31, this year.

Such trademarks of the companies having no connection with the Zaibatsu as the "Mitsubishi Pencil" may be used as before, provided that they were registered before September 1, 1945.

However, this order is to become null and void after July 1, 1953, when trademarks similar to these Zaibatsu trademarks will be permitted.

Restoring Trademarks

Right of trademark, annulled under the wartime laws, will be restored to Allied nationals on February 1.

An administrative ordinance to that effect was promulgated January 21 to be enforced from the beginning of next month.

JAN 23 1950
NIPPON TIMES

Cabinet Ruling Made As To Trade Marks Of Allied Nationals 170

TOKYO, Jan. 27.—Allied nationals who owned trade marks registered in Japan prior to the war will be enabled to apply for restoration of such rights, effective February 1, under a new Cabinet order, it was announced today.

The Cabinet order implements most of the provisions of a memorandum issued to the Japanese Government last September 1 in compliance with a Far Eastern Commission policy decision, according to Lt.-Col. E.C. Allan, Chief of the Technology and Patents Branch, Scientific and Technical Division, Economic and Scientific Section.

Under terms of the order, trade mark rights of Allied nations which were canceled under the wartime law of industrial property or which lapsed during the war, may be restored upon application of the owners or their successors filed with the Japanese Patent Agency at any time up to February 1, 1951.

Persons holding merchandise with trade marks similar to those which are restored to an Allied national are allowed six months after the restoration of his trade mark rights

for the disposal of their merchandise. After this time the restored rights are fully effective against such persons as well as others.

One of the most important provisions of the order is that trade marks registered in Japan which are so similar to the marks or names of United Nations nationals as to cause confusion may be canceled on application of the United Nations national at any time up to February 1, 1951, if the registered marks come within the scope of the following conditions:

- 1 That the registered trade mark is so similar to the trade marks or trade names of United Nations nationals as to be considered likely to confuse the public.
- 2 That it is used on merchandise which is identical with that on which the foreign national uses his trade mark or trade name, or which is similar that it is likely to cause mistake or be confused with merchandise handled by the United Nations national.
- 3 That the trade mark or trade name of the foreign national is well known in Japan.
- 4 That the trade mark or trade name of the United Nations national was used by him in any country prior to the registration in Japan of the trade mark sought to be canceled.

Provisions are made for the expeditious handling of such trials in the Japanese Patent Agency and in the courts, and for the discontinuance of the sale of merchandise bearing the canceled trade marks.

Provision is also made for the registration of the mark of the United Nations national immediately following the cancellation of the registration of the Japanese mark.

Another provision is that Allied trade marks owners who registered marks in foreign countries during the war may register the same marks in Japan by applications which will be deemed to have been filed on the same date as the foreign application.

In view of the fact that in Japan the first applicant for registration obtains the rights in a trade mark, irrespective of the length of period of use by another, this priority right is an important measure.

Col. Allan said that other provisions of the memorandum of last September relating to false or misleading markings on merchandise as to origin, quality, quantity and content and also provisions relating to measures to prevent future registrations in Japan of trade marks which are confusingly similar to well-known foreign marks are being dealt with separately.

JAN 29 1950
MAINICHI

TRADEMARK RULE FIXED BY CABINET 170

Allied Nationals 'Are' Given Protection Under New Government Order

Allied nationals who had trademarks registered in Japan before the war can apply for renewal of those rights starting February 1 under a new Cabinet order.

The order implements a Far Eastern Commission policy directive issued to the Japanese Government last September 1.

Under the order Japanese or other nationals holding merchandise with trademarks similar to those restored to Allied citizens will have six months to dispose of such merchandise.

An important section of the Cabinet ruling provides that trademarks which are so similar to those restored as to cause confusion can be canceled on application of the Allied patent holder any time before February 1, 1951. But registered trademarks will be canceled only if they meet the following conditions:

1. If they are so similar to renewed Allied trademarks as to confuse the public.
2. That the mark is used on merchandise similar to that carrying the Allied mark.
3. That the trademark or name is well known in Japan.
4. That the Allied national's trademark was used in any country before the trademark to be canceled was registered in Japan.

Another provision of the order gives Allied nationals the right to have trademark applications dated in Japan with the same date as the application made in any foreign country during the war. In Japan the application with the earliest date obtains the trademark rights applied for.

JAN 29 1950
NIPPON TIMES

'Jap Trickery'

To the Editor:

The January 9 issue of News-week, criticizing in a two-column article (Page 24) fraudulent practices concerning trade-mark resorted to by the Japanese exporters, concludes that "the U.S. Trademark Association wants to make the ban iron-clad by persuading

the State Department to spell it out in any future peace treaty with Japan."

We wish, dear Editor, to draw your attention to the description on lead ingots in that article. The Selby-branded lead ingots of between 100 and 200 tons, bought from G.H.Q. by Bers & Co. of Philadelphia and K. Hettleman & Sons of Baltimore, about three months ago, the said articles asserts, were neither uniform nor up to specification. Moreover, not only some of them had the mark "Selby" spelled backward, but they contained as much as 13 per cent impurities.

Actually, at the end of September 1949, about 580 tons of Selby-branded lead were sold by G.H.Q. to foreign buyers. The above-referred lead could easily be recognized as being a part of this sale. Under the direction of the Civil Property Custodian, G.H.Q., this office has traced various properties claimed to have been looted by the now-extinct Japanese armed forces from their occupation areas. This office impounded these properties in the absence of any conclusive evidence that they were non-loots and restituted them to the claimant nations. Those properties evidently seized and subsequently brought to Japan by the former Japanese armed forces but not identifiable as to their origin, have been put to auction by G.H.Q. for the benefit of the claimant nations.

The lead in question is just a part of these unidentified properties disposed of by G.H.Q. The very fact that it has been sold by G.H.Q., therefore, precludes the possibility of its having been fabricated in Japan. Thus, we are confident that it is not suitable to cite this case as an example of the postwar "Jap Trickery".

In the belief, dear Editor, that we are in the best position to correct the error of the news, we would be highly obliged if you would be kind enough to insert the gist of this letter in one of your columns.

May these words be useful for self-criticism and future efforts of the Japanese exporters and makers as well!

MASAO YAGI

Chief of the Looted Property
SectionCivil Property Division
Reparations AgencyFEB 9 1950
NIPPON TIMES

170

170

**Department Set Up
To Prevent Copying
Of Foreign Designs**

United Press

TOKYO, Mar. 16.—Japanese textile dyers, in answer to complaints from abroad, have set up a department to prevent the illegal copying of registered foreign textile designs.

It was described by Donald Abbey, an official of the Patent and Technology Branch of ESS, as an important step toward improving Japan's reputation for fair trade practices.

An exhibition room will soon be opened by the Japanese Society of Textile Dyers to show Japanese and foreign textile designs, thereby placing textile dyers on notice that these designs are the property of others. Photographs of copied designs exported in unfair competition have already been circulated among the member companies.

The new textile designs department hopes to receive the approval of the Board of Trade in Manchester, England, and the Textile Designs Institute in the United States.

MAR 17 1950
MAINICHI

0 2 1

170

U.K. TO ALLOW PATENTS

Japanese May Again Register Designs and Trade Marks ¹⁷⁰

Japanese may now again apply for and obtain registration of patents designs and trade marks in the United Kingdom, Donald Abbey, Patents Branch official of the Scientific and Technical Division, Economic and Scientific Section, announced Tuesday.

The United Kingdom Liaison Mission in Japan has advised the Japanese Government through SCAP officials that recently promulgated orders under the United Kingdom Trading with the Enemy Act of 1939 will allow this to be done.

Residents of Japan may apply to the Japanese Patent Agency if they desire to forward applications for the registration of industrial property rights in the United Kingdom.

Mr. Abbey said the development was "one more right given to the Japanese to hasten their return as an accepted member of the family of nations."

Keijiro Kubo, Commissioner of the Japanese Patent Agency, was instrumental in obtaining this recognition, Mr. Abbey added.

APR 6 1950

NIPPON TIMES

Can Now Register Trademarks In UK ¹⁷⁰

Radiopress

TOKYO, Apr. 4.—Japanese may now again apply for and obtain registration of patents, designs and trademarks in the United Kingdom, Donald Abbey, Patents Branch official of the Scientific and Technical Division, Economic and Scientific Section, announced.

The United Kingdom Liaison Mission in Japan has advised Japanese Government through SCAP officials that recently promulgated orders under the United Kingdom Trading with the Enemy Act of 1939 will allow this to be done.

Residents of Japan may apply to the Japanese Patent Agency if they desire to forward applications for the registration of industrial property rights in the United Kingdom.

Abbey said the development was "one more right given to the Japanese to hasten their return as an accepted member of the family of nations."

Keijiro Kubo, Commissioner of the Japanese Patent Agency, was instrumental in obtaining this recognition, Abbey added.

MAINICHI APR 6 1950

NEW LAW TO PUNISH TRADEMARK VIOLATORS

Amendment Protects Foreign Owners of Brand Names ¹⁷⁰

Foreign national businesses with trademarks, trade names, or other such evidence of ownership unregistered in Japan henceforth will be able to protect themselves against copying, misrepresentation, or other acts creating confusion or false impressions, Lt. Col. E. C. Allan, acting Chief of the Scientific and Technical Division of SCAP's Economic and Scientific Section, said Wednesday.

The Japanese 1934 Unfair Competition Prevention Law has been amended by legislation promulgated by the Diet on March 31.

Under the law as amended any person who has intentionally or through negligence committed an act falling under one of six specific provisions, shall be liable to damages. The law becomes effective April 30.

If trademarks, trade names or other indications are copied with intent to gain unfair competitive advantage, criminal proceedings may ensue with penalties not exceeding three years in jail, or a fine not exceeding ¥200,000.

Protective provisions of the law apply to nationals of countries belonging to the International Convention for the Protection of Industrial Property of which Japan is a member.

Col. Allan said that the law provides by statute for most of the protection afforded by common law in the United States, the United Kingdom and elsewhere where common law is recognized.

APR 28 1950

NIPPON TIMES

170

JAPANESE PATENTS RECOGNIZED IN UNITED KINGDOM 170

Japanese may now again apply for and obtain registration of patents designs and trade marks in the United Kingdom, Donald Abbey, Patents Branch official of the Scientific and Technical Division, Economic and Scientific Section, announced today.

The United Kingdom Liaison Mission in Japan has advised the Japanese government through SCAP officials that recently promulgated orders under the United Kingdom Trading with the Enemy Act of 1939 will allow this to be done.

Residents of Japan may apply to the Japanese Patent Agency if they desire to forward applications for the registration of industrial property rights in the United Kingdom.

Abbey said the development was "one more right given to the Japanese to hasten their return as an accepted member of the family of nations".

Keijiro Kubo, Commissioner of the Japanese Patent Agency, was instrumental in obtaining this recognition, Abbey added.

PRESS RELEASE - APR 4 1950
F E C

NEW LAW PROVIDES TRADEMARK PROTECTION 170

Foreign national businesses with trademarks, trade names, or other such evidence of ownership unregistered in Japan henceforth will be able to protect themselves against copying, misrepresentation, or other acts creating confusion or false impressions, Lt. Col. E. C. Allan, acting Chief of the Scientific and Technical Division of SCAP's Economic and Scientific Section, said today.

The Japanese 1934 Unfair Competition Prevention Law has been amended by legislation promulgated by the Diet on March 31.

Under the law as amended any person who has intentionally or through negligence committed an act falling under one of six specific provisions, shall be liable to damages. The law becomes effective April 30.

If the act is done unwittingly, Colonel Allan said, an injunction can be sought. If it is proved that the defendant committed an act with knowledge of the complainant's mark beforehand, damages can be obtained and an injunction also rendered.

However, if trademarks, trade names or other indications are copied with intent to gain unfair competitive advantage, criminal proceedings may ensue with penalties not exceeding three years in jail, or a fine not exceeding 200,000 yen.

Protective provisions of the law apply to nationals of countries belonging to the International Convention for the Protection of Industrial Property of which Japan is a member.

Any person whose business interests are threatened or injured by anyone committing any of the following acts may seek relief under provisions of the law:

- 1) Acts creating confusion by use of the same trademarks or similar trademarks, names or other indications of other concerns or persons, or any other indication, or by selling, distributing, or exporting merchandise bearing such misleading indications.
- 2) Acts creating confusion between his and another's business facilities by using the same or similar indications.
- 3) Acts creating misconceptions as to place or origin by using false indication on merchandise or advertising.

4) Acts indicating on merchandise that it was produced, manufactured or processed in places other than the country where it was actually produced, manufactured or processed.

5) Acts of making such indications on merchandise as create a false or mistaken impression with respect to quality, contents or quantity of merchandise.

6) Acts of making or spreading false statements which are detrimental to the business reputation of another, with whom one is in competition.

The amended law, however, stipulates that the following acts are fair and legal: Use of a common name on merchandise or indication customarily used in business transactions for the same kind of merchandise or business, use in good faith of one's own name, and the use of an indication, in good faith, before the indication became generally known.

Colonel Allan said that the law provides by statute for most of the protection afforded by common law in the United States, the United Kingdom and elsewhere where common law is recognized.

-0-

PRESS RELEASE
F E C

APR 26 1950

**French Author Files 170
Protest Against Iwanami**

TOKYO, May 17.—A strong protest was recently lodged with the Iwanami Publishing Co. by Charles Vildrac, world-famous contemporary French author, against the company's infringement on his copyright.

In a protest sent to the company through Tatsuko Tamura, his old acquaintance, the foremost French writer charged the company having published a Japanese version of his noted work "Michel Auclair" without his permission.

After the termination of the war, Tatsuko Tamura sent a letter to the French writer and asked for his permission for the publication of Japanese translations of his works.

In his reply dated on August 30, 1945, the writer gave his permission. But when he discovered that the book in question had already been published in Japan by the Iwanami Publishing Co. in the list of Japanese versions of his works published since after the war which was sent from Tatsuko Tamura, the French author filed a strong protest with the company.

The Iwanami Publishing Co. has decided to pay the royalty on the book hitherto earned by the company plus some amount of apology money to Tatsuko Tamura, who has been entrusted with exercising the copyright of the French author in Japan.

MAY 18 1950
MAINICHI

**Japan Trademarks 170
Are Pirated Abroad**

TOKYO, May 21.—Trademarks of famed Japanese cotton textiles are being surreptitiously used in overseas market by vicious foreign traders, adversely affecting world confidence in cotton goods of Japanese make, it is learned.

This unfair action of foreign traders, which has been rumored since after the war, has been confirmed by American traders who recently traveled in Southeast Asia, Africa and the Near East.

According to the American traders, cotton textiles of inferior quality with trademarks of Japanese textile goods such as "Sekaicho," of the Kanegafuchi Spinning Co., "Hiryu" of the Toyo Spinning Co. and "Neko-bo" and "Tsurushiva" of the Dai Nippon Spinning Co. are being offered for sale in the markets of Southeast Asia, Africa and India. Some of them are found even in Australia, Colombo and Aden.

The piracy of Japanese trademarks is believed to have been made by foreign traders who took advantage of the facts that these marks have not yet been registered in the countries of those areas and that the Japanese peace treaty is yet to be concluded.

In view of the greatly adverse effect on the future export of Japanese textile goods to those areas, the Japan Cotton Exporters' Association has submitted a formal report of the fact to the International Trade and Industry Minister.

The ITI Ministry has decided to start an extensive investigation.

MAY 23 1950
MAINICHI

**TRADE MARK BAN
MAY BE IMPOSED**

— 170 —
**29 Corporations Under 7
Zaibatsu Combines Face
CILC Action**

Twenty-nine corporations under seven Zaibatsu combines may have their trade names and marks prohibited, reports Kyodo.

The Closed Institute Liquidation Commission, after taking such action against corporations under the Big Three (Mitsui, Mitsubishi and Sumitomo), is now investigating the effect similar action would have on the corporations under seven other Zaibatsu combines.

Companies under investigation are those connected with the Yasuda, Nomura, Okura, Asano, Nissan, Nakajima and Furukawa interests.

The corporations are:
(Yasuda combine): Yasuda Fire Insurance, (Nomura combine): Nomura Mining, Nomura Trade, Nomura Securities, Nomura Construction Industry, Nomura Gomei, (Okura combine): Okura Building, (Asano combine): Asano head office, Asano Bussan, Nippon Cement, Kokura Steel, Nippon Steel Pipe, Kanto Electric Industry, (Nissan combine): Nissan Co., Nissan Fire Insurance, Nissan Engineering, Nissan Steamship, Nissan Motors, Nissan Chemical, Nissan Agriculture-Forestry, Nissan Mining, Nissan Oil and Fat, Nissan Marine Product, (Nakajima combine): Nakajima Industry, Tokyo Nakajima Electric, Nakajima Precision Industry, (Furukawa combine): Furukawa Mining, Furukawa Electric Industry, Furukawa Foundry.

MAY 13 1950
NIPPON TIMES

170

Plan to Ban Trade Marks Of Big 7 Is Seen Shelved

*Export Business Reportedly Would
Suffer if Action Taken*

The proposed ban on the use of trade marks and names of seven large prewar financial concerns has apparently been shelved, according to Kyodo quoting the Holding Company Liquidation Commission.

The commission was recently instructed by Chief E.C. Welsh of the Fair Trade Practices Division, ESS, SCAP, to arrange for the prohibition of trade names and marks of seven financial concerns—Yasuda, Furukawa, Nakajima, Nissan, Asano, Okura and Nomura—just as in the case of the three leading financial interests, Mitsui, Mitsubishi and Sumitomo.

The commission was also directed to hold an extraordinary general meeting Satur-

day to decide on the matter. However, the commission chairman has been for some time past endeavoring to find a solution to the question in view of various difficulties arising out of the proposed ban.

The commission Friday afternoon was finally permitted by GHQ not to open its general meeting as originally instructed.

Since the seven financial interests have already been liquidated in effect, it was viewed that the prohibition of their trade names and marks would place an unnecessary financial burden on the 29 affiliated corporations.

The prohibition, it was also feared, might have an unfavorable effect on exports.

JUN 11 1950 NIPPON TIMES

Industrial Property Rights May Be Registered Abroad

TOKYO, June 17.—Japanese may now register their industrial property such as patent, design, trade mark, and utility model rights with foreign countries, the International Trade and Industry Ministry announced.

Such registering had been restricted since the war's end but was lifted effective June 15 in accordance with a GHQ memorandum dated June 1, subjecting Japanese industrial property under the same protection in foreign countries as in this country.

Prior to the announcement, the Ministry had inquired 42 member countries of the industrial property protection league whether they would accept such Japanese applications, and obtained favorable replies from 10 countries, including United States, England, Canada, and Pakistan.

JUN 18 1950
MAINICHI

170

PATENT QUESTION RAISED ON 'COLA'

Use of Word in Brand Name of Japanese Soft-Drink Meets Objection

The Patent Board is puzzled whether "cola" is a general term denoting a kind of soft drink like "cider" or a proper noun limited to a single brand, according to the Nihon Keizai.

The question arose after a certain foreign firm objected to the registration with the board of the name of a Japanese soft drink, "Nihon Cola", on the ground that it resembled Coca-Cola, says the paper.

The Japanese soft drink maker who is applying for official recognition however, claims that "cola" already has become a general term like "cider." He maintains that there are ten-old brand-names in America using "cola" including Pepsi-Cola.

The board also is studying the possibility of Nihon Cola creating the impression on the part of the public that it is a Japanese version of Coca-Cola adapted for the Japanese taste, the journal said.

The Japanese concern claims that it uses a syrup made by an American company which has no connection whatever with the maker of Coca-Cola.

Even if those issues are settled in favor of the Japanese firm, the Nihon Keizai continued, there will remain the question of the close resemblance of the Nihon Cola bottle to Coca-Cola's, which may constitute a violation of the law concerning unfair competition.

All those questions will become legal issues if and when the Coca-Cola company files a suit with the Japanese firm. But the Patent Board is studying them because several other Japanese firms also are applying for recognition of names bearing "cola," the vernacular said.

JUL 25 1950
JIPPON TIMES

170

82 Inventors Honored 170

TOKYO, Oct. 2.—Celebrating the 60th anniversary of the enforcement of the Patent Law, the Invention Society honored 82 inventors with due ceremony held in the presence of His Majesty the Emperor at Hibiya park, today at 12.30 p.m.

OCT 3 1950
MAINICHI

INVENTION WEEK STARTS

75th Anniversary of Patent Law to Be Commemorated

Commemorating the 75th anniversary of the enforcement of the Patent Law in Japan, Invention Week will be held from today in order to arouse public interest in new scientific inventions.

Events of the week include a public meeting to be held at 1:30 p.m. Monday at the Hibiya Public Hall where the Emperor and Prince Takamatsu are expected to be present.

Kansaburo Higuchi, winner of the Asahi Shimbun Invention Prize for his "rotating sieve" and 29 other inventors will receive official commendations.

Brig. Gen. J. W. O'Brien, Economic and Scientific Section, GHQ, and Japanese Government officials concerned will also attend the ceremony.

Other events of the week include a special exhibition of new inventions at the Patent Office at Toranomon and teen-agers' invention contests to be held in local cities.

Patent Office officials state that applications for patent have been on the increase recently following a wartime drop, with an average of 115 applications received daily. In 1936, which was the peak year, the rate was 181 applications per day.

OCT 1 1950
NIPPON TIMES

O'BRIEN EXHORTS LOCAL INVENTORS

Individualism Stressed by GHQ Head of Scientific and Technical Unit 170

The value of individualism in encouraging invention was stressed by Brigadier General John W. O'Brien, chief of the Scientific and Technical Division, GHQ, in an address before the Invention Association meeting held October 2 at the Hibiya Hall, Tokyo.

Noting that Japan is replacing its feudalistic form of society by the individualism of a free democracy, Gen. O'Brien declared that the present is a most favorable period for the field of invention.

The speaker continued:

"It is not shameful, and indeed it is most necessary to borrow legitimately from the experiences of others. But Japan, in endeavoring to narrow and span the gap of achievement separating Japan and the more industrially mature countries, has often placed undue emphasis on imitation to compensate for those basic essentials which were glossed over during the earlier stages of its industrial development. Often this use has been both illegal and unethical; often, also, it has been unnecessary for, with proper guidance, training, and experience, Japan need not be any less ingenious than other peoples.

"Japan has already made great contributions to human knowledge in the fundamental and allied sciences—Takamine with insulin and adrenalin, Noguchi's work on yellow fever, Honda's magnetic steels and Yutawa's meson discovery are but a few. On the other hand, Japan's industrial sciences have produced no Edison, no Watt, no world-famed name. Perhaps that happy event will soon come to pass; perhaps, through the efforts of the Invention Society, a figure will emerge from these prize-winners assembled here today to prove that Japan is attaining full industrial maturity and that the days of excessive dependence on the achievements of others belong to the past."

OCT 7 1950
NIPPON TIMES

S'mycin Patent Fee For Science Work Here 170

Patent fee to be paid by Japanese manufacturers of Streptomycin to Dr. Waxman of Rutgers University in the United States, discoverer of the medicine, will be donated to a Japanese organization specializing in the study of anti-bacteria materials to help Japanese scientists carry on their study.

This was revealed by Dr. Yusuke Sumiki, professor at Tokyo University, who recently returned from the United States after attending an international medical conference held in Brazil.

When Dr. Sumiki visited Dr. Waxman at his university in September this year and explained about the present conditions of the study of anti-bacteria materials in Japan, the discoverer of Streptomycin proposed that the patent fee for the amount of this medicine to be sold in Japan per annum be donated to an organization specializing in the study of anti-bacteria materials in order to help it achieve good results, according to Dr. Sumiki.

Leaving the distribution of the donation among Japanese scientists to the organization, however, Dr. Waxman hoped that expenses needed by his university students who will wish to engage in the study of anti-bacterial materials in Japan and vice versa be covered by the donation.

The expected donation will be given to Rokuzo Kobayashi, director of the Streptomycin Research Council; Yusuke Sumiki, director of the Preventive Measures Research Laboratory of the Council; and Kenta Omori, director of the Clinics Department of the Council.

Since approximately five tons of streptomycin is now being sold in Japan yearly, the donation is expected to amount to some \$125,000 or ¥45-million per year. 16

OCT 16 1950
MAINICHI

0 2 1

170
To Destroy 747,000 Bottles**Cola Execs Order
Bottles Scrapped** 170By Cpl. James L. Cooper
S&S Staff Writer

TOKYO—The Nihon Cola bottling company, with three soft drink plants, voluntarily started a drive to destroy the company's 747,000 bottles Wednesday, Donald Abbey, patents director, Scientific and Technical Section, ESS, SCAP, announced.

The company's move began after it realized its violation of good business practices. Abbey said that the Japanese com-

pany officials ordered the bottles broken because of unfair business competition with American companies.

The Nihon company bottles a soft drink for sale to Japanese in a bottle similar to that of the Coca-Cola company in the United States.

At ceremonies witnessed by members of the local Coca-Cola representatives and the Economic and Scientific Section, SCAP, the Japanese company began to dispose of the questioned bottles, 6000 of which are full.

The bottle breaking drive was started throughout the three Nihon Cola plants in Tokyo.

The Japanese company now plans to contain their product in bottles that will not be confused with foreign brands.

JAN 11 1951

STARS & STRIPES

FORMER GERMAN-OWNED PATENTS TO BE AVAILABLE TO JAPANESE

170 Former German-owned patents, utility models and design patents in Japan will be made available to the Japanese people, it was announced in Tokyo today by the Supreme Commander for the Allied Powers (SCAP).

Affected are a majority of the still unexpired, vested German patent property and all of such property rights which already have expired.

The decision, which grants to the Japanese the same rights to the use of former German-held patents as are granted citizens of Allied nations in accordance with the 1946 London Accord on German-owned industrial property, was reached at a recent meeting of the Tri-Power Advisory Committee consisting of representatives of the French, United Kingdom and United States Governments who are owners of the property.

Disposition will commence shortly in line with procedures outlined in a directive delivered to the Japanese Government today.

This directive provides that the patent property shall be disposed of by (1) release from custody; (2) sale; (3) expiration, or (4) cancellation.

Which of these forms of disposition shall apply in any given case will depend on circumstances of former ownership and present status of the patent property.

In the case of cancellation, a 60-day period is provided, commencing with the date the cancellation is published, in which any person, other than former German owners, having an interest in the patent property sufficient to prevent cancellation, may submit an appeal against disposition to the Japanese Patent Agency.

In cases of release from custody or sale, time periods are set by the directive to allow for payment of accrued annual fees in order to prevent subsequent cancellation for non-payment of these fees.

All dispositions will be published in the official Japanese Patent Agency gazette and will be identified by registration numbers of the disposed property, except in those cases where the patent property has already expired. In such cases registration numbers will not be given.

Patents, utility models and design patents, which are disposed of by expiration or cancellation--and applications therefor which are disposed of by cancellation and publication in full--may be freely used by the public without express authority from any source after the date of expiration, in the first case, or the effective date of cancellation in the second.

Patent property which has not expired or been cancelled can be used only with the permission of its owner.

Persons interested in this class of property or in the possibility of using any of the patent property in the future were advised to keep themselves informed of dispositions by reference to future issues of the Japanese Patent Agency gazette.

The announcement also suggested that owners of unexpired patents, utility models or design patents--and applications therefore--who are of

170 German nationality and reside in Japan, should communicate in writing with the Office of the Civil Property Custodian, General Headquarters, Supreme Commander for the Allied Powers, if they wish to have this property returned to them.

None of these procedures, according to the announcement, apply to the disposition of trade-marks which will be accomplished at a later date.