



Joint Minutes of the Second Meeting of the Committee on Intellectual Property under the Agreement between Japan and the United Kingdom of Great Britain and Northern Ireland for a Comprehensive Economic Partnership

9 April 2025 (videoconference)

The second meeting of the Committee on Intellectual Property (IP) under the Agreement between Japan and the United Kingdom of Great Britain and Northern Ireland for a Comprehensive Economic Partnership (“the Agreement”) took place on 9 April 2025 via videoconference.

The Japanese participants included the Ministry of Foreign Affairs of Japan (MOFA), Ministry of Finance (MOF), Financial Services Agency (FSA), National Tax Agency (NTA), Ministry of Agriculture, Forestry and Fisheries (MAFF), Ministry of Economy, Trade and Industry (METI), Japan Patent Office (JPO) and the Embassy of Japan in the UK, and the United Kingdom’s (UK) participants included the Department for Business and Trade (DBT), Department for Environment, Food and Rural Affairs (DEFRA), Intellectual Property Office (IPO) and the British Embassy in Japan.

1. Opening remarks and introduction

Japan and the UK both noted their achievements through mutual cooperation since the first meeting of the committee, including the recent addition of GIs, and expressed that they looked forward to a fruitful and constructive exchange of views on matters related to the implementation of the IP Chapter of the Agreement.

2. Adoption of the agenda

The enclosed meeting agenda was adopted.

3. Exchange of information on developments in the area of Intellectual Property since the last Committee meeting

Japan provided two presentations on amendments to its IP related laws. The first presentation was on the amendments to the Trademark Act in

2023 which revised the registration requirements for trademarks that include the name of another person and introduced the consent system, which allows concurrent registration of trademarks under the condition that the prior registered trademark holder consents to the registration and that it will not cause confusion among consumers. The second presentation was on the amendment to the Unfair Competition Prevention Act in 2023, which made the conduct of providing goods imitating the form of another person's goods in digital space newly subject to this act, thereby strengthening the protection of goods in the digital space.

The UK provided an update on the UK IP regime, sharing the amendment that it made to its law on copyright to expand eligibility for performance rights to more foreign nationals to ensure conformity with the national treatment provisions in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) in time for the UK's accession in December 2024.

4. Artificial Intelligence (AI)

The UK provided an explanation about the consultation they conducted on Copyright and AI from 17 December 2024 to 25 February 2025. The consultation sought views on topics such as increasing transparency on the use of copyrighted works to train AI models, giving rights holders greater control over the use of their materials to train AI models and supporting their ability to be remunerated, and enhancing the ability of AI developers to access training material for their AI models. The UK is currently at the stage of analyzing the responses received through the consultation.

Japan provided a presentation on its report "General Understanding of AI and Copyright in Japan" published in March 2024. The report covers matters such as examples where text and data mining are not permitted under Article 30-4 of the Copyright Act, the differentiation between the development stage and the utilization stage, and the copyrightability of AI-generated material.

5. IP-backed Finance

The UK provided an explanation of its work on IP-backed finance, giving context that investment into intangible assets in the UK is around 200 billion pounds as of 2022 and, over time, usually exceeds investment into tangible assets. The UK seeks to improve the flow of capital to SMEs that hold IP rights and for the last couple of years has been looking at the

evidence to refresh its understanding of ecosystem issues. The IPO is especially interested in debt financing, where there is demonstrable market failure.

Japan provided a presentation on the JPO's initiatives on IP-backed finance. The initiatives involve promoting relationship banking through business feasibility evaluation from an IP perspective by financial institutions. The JPO aims to promote dialogue between SMEs and financial institutions through the provision of the "FY 2024 IP Business Report" which includes the current analysis of IP and intangible assets as well as future-oriented business strategies.

6. IP Insurance

The UK shared that it recognizes the importance of IP insurance for SMEs especially in relation to giving them confidence when exporting. The UK expressed its interest in hearing about Japan's IP insurance schemes.

Japan provided a presentation on the "Overseas IP Litigation Expense Insurance" established in 2016 to compensate SMEs for the costs of responding to lawsuits filed against them by companies overseas. When an SME is enrolled in this insurance, 1/2 of its premium (or 1/3 of the premium from the second year onward) is subsidized by the government.

7. Performers and Producers of Phonograms

The UK cited Article 14.12 of the Agreement and asked for Japan's updates on the rights of performers and producers of phonograms.

Japan explained that the Copyright Subcommittee of the Council for Cultural Affairs is currently analyzing relevant issues associated with this topic. The UK appreciated those continuous efforts by Japan and showed the UK's willingness to share its experiences and any relevant information with Japan.

8. Artist's Resale Right

The UK cited Article 14.15 of the Agreement and asked Japan for an update on its latest thinking regarding the introduction of an artist's resale right.

Japan explained that it will continue deliberation on this matter while continuing to monitor efforts in other countries. The UK acknowledged

Japan's efforts in this field and demonstrated willingness to share its experiences and any relevant information with Japan.

9. Geographical Indications (GI)

The UK provided a presentation on amendments to its GI laws and systems to ensure conformity with the CPTPP, such as the addition of the right to oppose applications for agri-food GIs likely to cause confusion with a pre-existing trademark or trademark application; the addition of the right to apply to cancel GIs if it can be demonstrated that they were not eligible for protection under the rules that applied when they were initially registered, and the obligation for the UK to inform CPTPP partners when a new GI application under an Agreement is published for opposition.

Japan and the UK each shared their internal processes in accordance with their respective domestic laws for amending the name and/or product specifications of a GI listed in Annex 14-B and exchanged views on communication processes between the Parties. The UK also provided an update on amendments to UK GIs protected through the Agreement, including slight changes to the specifications of Gower Salt Marsh Lamb and Beacon Fell Lancashire Cheese and the name change of the UK GI Scottish Farmed Salmon to Scottish Salmon. Japan commented on the importance of prompt communication to the other side regarding any changes in the name of GIs or the content of the specifications. Japan and the UK concurred in the continuance of discussion on this matter.

The UK explained that Japanese GIs can use the UK GI logo when protected in the UK through the Agreement or via direct applications and asked if it would be possible for this to be reciprocated for UK GIs protected in Japan through the Agreement. The UK considers this would help promote UK GIs in Japan as the products would be more recognisable as GIs by consumers. Japan explained that, in accordance with the Japanese GI Law, the Japanese GI logo is intended to indicate to consumers that the Japanese government carries out quality control for Japanese GIs, and that the UK GIs which are not quality-controlled by the Japanese government cannot use the Japanese GI logo. The UK raised challenges encountered on locating the UK GIs on the Japanese GIs websites. Japan explained that on the English version of MAFF's website, both information on Japan's registered GIs and information on designated GIs by exchange of lists are properly listed on the same page and that Japan can guarantee the integrity. The UK expressed their wish to continue discussions with Japan on these requests through written

correspondence. Japan concurred in the continuance of discussions with the UK on this matter if necessary.

10. Closing Remarks / AOB

Japan and the UK both expressed mutual gratitude for the cooperative, productive, and informative meeting, noting that they look forward to future engagements.



**The Second Meeting of the Committee on Intellectual
Property
Japan – United Kingdom of Great Britain and Northern
Ireland (UK)**

(Time 09:00-11:25 BST / 17:00-19:25 JST, 9 April 2025)

Agenda

- 1. Introductions and opening remarks** *10 minutes – JP lead*
- 2. Adoption of the agenda** *– JP lead*
- 3. Exchange of information on developments in the area of Intellectual Property (IP) since the last Committee meeting** *15 minutes – JP lead*
- 4. Artificial Intelligence (AI)** *20 minutes – UK lead*
- 5. IP-backed Finance** *20 minutes – UK lead*
- 6. IP Insurance** *20 minutes – UK lead*
- 7. Performers and Producers of Phonograms** *15 minutes – UK lead*
- 8. Artist's Resale Right** *15 minutes – UK lead*
- 9. Geographical Indications (GI)** *20 minutes – UK lead*
- 10. Closing remarks / AOB** *10 minutes – JP lead*