

KCLC

KYOTO COMPARATIVE LAW CENTER

The Kyoto Comparative Law Center (KCLC) was founded in 1981 as an academic research institute authorized by the Ministry of Education (present Ministry of Education, Culture, Sports, Science and Technology).

Led by Professor Zentaro Kitagawa of Kyoto University (as of the foundation of KCLC; the former Chief Director), KCLC has aimed at the promotion of the international exchange of learning through its Legal Information System (LIS) by conducting interdisciplinary research among various fields of law, information science, and natural sciences; comparative studies of legal cultures and legal policies; and by providing information based on the collection and analysis of materials on both domestic and foreign law.

KCLC, as a think tank in the legal field, engages in a wide range of activities. For example, KCLC conducts legal research in collaboration with academics, the legal profession, governmental and administrative agencies, and the business world, in areas having important social impact. In addition, KCLC plays an active role in introducing Japanese law relating to commercial and economic activities to people in other countries.

Shinzaburo Nagata
Chief Director
Kyoto Comparative Law Center
(Professor Emeritus, Kansai University)

KCLC is involved in the following research activities utilizing the Legal Information System (LIS).

Independent Research Activities / Support for Research Activities

With the support of grants from both public and private organizations, KCLC carries out research on contemporary legal issues. And we also carry out cooperation and support for research universities or other institutions conduct.

■ **Research on legal information of foreign countries (since 2012)**

While trade and investment in developing countries have been increasing important recently, legal information in Japanese about these countries is rather limited. Through its human network with law professionals and/or government officials in those countries, KCLC collects and provides the legal information which is useful for doing business, and carries out the research on a particular subject, which aims to contribute to business activity.

■ **Medical-Legal Network (since 2010)**

KCLC has established “Medical-Legal Network” in September, 2010, in order to bridge and deepen the mutual understandings especially between medical and legal professionals, through the activities of relevant issues related to “law and medicine” and dissemination of the output to the public. “Medical-Legal Network” aims to be a “forum of discussion” between medical and legal professionals on the role and the application of the law in the field of medical environment, the practical balance of law and medicine, the appropriating ideal medical system for the future, etc. Regular seminar and public forum are provided. Please refer to the website for more information (Japanese only): <http://www.kclc.or.jp/medical-legal/>

< Past topics and achievements >

- Research on ethical issues in the promotion of new medicine using genomic information (2006-2008) (Health Labour Sciences Research Grant, Ministry of Labour and Health)
- Comparative study on legal policy related to the biodiversity crisis in Asia — focusing on conservation, utilization and profit-sharing of biological resources — (2006-2008) (The Sumitomo Foundation)
- Construction of problem-solving model corresponding to the development of DNA research (2003) (in collaboration with the Japan International Institute for Advanced Studies)
- Life insurance as property rights (2003, Research Monographs #9)
- Tax law and exchange law (2003, Research Monographs #8)
- Technology innovation and international patent litigation (2003, Research Monographs #7)

< Past research support >

- Faculty of Law, Kyoto University, “Current international status and trend of unjust enrichment law” (2008-2010) (Science Research Grants)
- Faculty of Law, Kyoto University, “Program for the reconstruction of legal ordering in the twenty first century” (2006-2007) (The 21st Century COE Program (Society for the Promotion of Science))

Commissioned Research

Another main activity conducted by KCLC is its undertaking of research on legal problems in areas such as consumer protection, intellectual property rights, and foreign legal information commissioned by national and local governments, private companies, and law firms. The following are some of the recent study topics undertaken by KCLC from 2000 onward. The names of the commissioning bodies appear in the parentheses.

■ Studies on Consumer Protection

- Study on concealment, dissipation measures to prevent property and economic disadvantage imposed by administrative system relating to property damage of consumers in other countries (2012, Consumer Affairs Agency)
- Survey on the whistleblower protection system (2012, Consumer Affairs Agency)
- Study on the trends in whistleblower protection system in foreign countries (2011, Consumer Affairs Agency)
- Study on remedies for collective consumer damage in the U.S, Canada, Germany, France and Brazil (2009, Consumer Affairs Agency)
- Study on pecuniary remedy available to consumer in Germany, France, the U.S and Australia (2008, Cabinet Office)
- Study on operation and actual situation on ADR system regarding consumer disputes in foreign countries (2007, Cabinet Office)
- Study on actual situation on information service, non-solicitation invitation and suitability rule in the field of consumer contracts (2006, Cabinet Office)
- Survey on OECD member countries' approaches to consumer contracts (2005-2006, OECD)

■ Studies on Intellectual Property Rights

- Study on intellectual property information in China, Korea, Taiwan, Brazil, Vietnam, Singapore, Russia and Malaysia (2013, Japan Patent Office)
- Study on cooperation for the establishing of intellectual property office in Myanmar (2013, Japan International Cooperation Agency)
- Study on intellectual property information in China, Korea and Taiwan (2012, Japan Patent Office)
- Study on industrial property laws in Asia, Oceania and NIS Countries (2011, Japan Patent Office)
- Study on industrial property laws in American Continent, Middle East, Africa and international treaties in the field of intellectual property (2011, Japan Patent Office)
- Study on anti-piracy measures in Thailand (2011, Agency for Cultural Affairs)
- Study on collective management of copyright and competition policy in foreign countries (2011, Agency for Cultural Affairs)
- Study on way of creation, protection and utilization at research consortium (2009, Japan Patent Office)
- Study on industrial property laws in Asia and Oceania (2009, Japan Patent Office)
- Study on patent term extension in medical field and way of protection of medical treatment (2008, Japan Patent Office)
- Study on patent applications abroad policy in international research alliances of universities (2008, Japan Patent Office)
- Study of handling of patents in joint research (2008, Japan Patent Office)

- Study on technology transfer policy in U.K. and Germany (2007, Ministry of Economy, Trade and Industry)
- Study on way of protection and management of technology information as intellectual property (2007, Japan Patent Office)
- Study on value of information as intellectual property (2007, Japan Patent Office)
- Survey on handling of intellectual property at foreign universities (2006, Cabinet Office)
- Study on ideal method of teaching intellectual property at high school (2005, Japan Patent Office/Kansa Bureau of Economy, Trade and Industry)
- “Academic Frontier” Project- Copymart Japanese Law Online (2003-2005, Ministry of Education, Culture, Sports, Science and Technology) (Joint Research with Copymart Institute of Meijo University)
- Study on issues related to intellectual property in traditional industries (2003, Kyoto Digital Archives Research Center)
- Study on intellectual property policy and technology transfer contract at universities (2000-2002, Japan Patent Office) (Joint Research with Copymart Institute of Meijo University)
- “Academic Frontier” Project — Copymart: research and development of knowledge information system in highly information-oriented society (1998-2002, Ministry of Education, Culture, Sports, Science and Technology) (Joint Research with Copymart Institute of Meijo University)
- Future Project of the Japan Society for the Promotion of Science — Legal models of information market in the near future (1998-2002, Japan Society for the Promotion of Science) (Joint Research with International Institute of Advanced Studies)

■ Studies on Competition law

- Study on international enforcement of competition law (2009, Ministry of Economy, Trade and Industry)
- Comparative law study on enforcement procedure of competition law and control procedure of concentrations between undertakings (2009, Ministry of Economy, Trade and Industry)

■ Studies on Other Themes

- Study on business law in Iraq (2012, 2013, Japan Cooperation Center for the Middle East)
- Study on the laws related to indigenous people in foreign countries (2012, Ministry of Land, Infrastructure, Transport and Tourism)
- Study on Article 6 of State Redress Act — treatment in cases where the victim is a foreign national (2011, Ministry of Justice)
- Comparative Study of the constitutions (2000-2003, Commission on the Constitution of the House of Councillors)
- Study on legal issues related to contents business of professional baseball (2002, Nippon Professional Baseball Organization)

Research Groups and Seminars

KCLC organizes and operates a variety of study groups, seminars, and lectures on topics of contemporary interest aimed at persons involved in the business and legal profession and those who are scholars and researchers.

■ Study Groups/Seminars

- Antimonopoly Law Study Group (1992-)
- Intellectual Property Rights Case Study Group (1997-)
- Compliance (Internal Control) Study Group (2006-)
- < Some of the past Study Groups/Seminars >
- America Invents Act Seminar
- Anti-piracy Seminar : Copyright infringement in Thailand
- Overseas business development and cross-border transaction Study Group
- Seminar on United Nations Convention on Contracts for the International Sale of Goods(CISG)
- Business Law Study Group
- Entertainment Business & Law Study Group
- Study Group on Information Business & Law
- Seminar on Foreign Law

■ International Conferences

- < held in Japan >
- Mexican Intellectual Property Rights Forum (yearly since 2013)
- Investment Workshop “Investment trends in developing countries” (yearly since 2012)
- Iraqi Investment Forum (yearly since 2010)
- Vietnamese Intellectual Property Rights Forum (yearly since 2010)
- International Symposium on Intellectual Property Rights (yearly 1990-2012)
- African Intellectual Property Rights Forum (yearly 2006-2011)
- African Investment Forum (yearly 2009-2011)
- International Investment Forum (yearly 1996-2011)
- Symposium on Chinese Intellectual Property System (yearly 2002-2009)
- International symposium on “technology innovation and international patent litigation” (2000)

- < held overseas >
- Intellectual Property Awareness Seminars (2013, 2014, Myanmar)
- Berlin Copymart Symposium (2002, Germany)
- China Symposium on Intellectual Property Right (2001, China)

Education/Training

KCLC conducts commissioned training based on the special needs of public organizations and private enterprises. For instance, it offers lectures on legislation and other aspects about countries to which employees are to be dispatched, individual tutoring on international transactions to legal department personnel, compilation of contract-drafting manuals, and support by domestic/foreign experts to meet individual needs.

Furthermore, KCLC has administered law-related study programs on intellectual property and promotion of

direct investment for government-related officials of developing countries. This training is conducted for the Japan International Cooperation Agency (JICA), as part of the Japanese Overseas Development Assistance (ODA) program.

Materials/Publications

KCLC maintains a collection of legal literature and materials on areas such as transaction and intellectual property laws of Europe, the United States, as well as those of China and Southeast Asian nations. These materials are available for members' research. Furthermore, to keep members informed of its activities, KCLC distributes among its members a compilation of its research results. In addition, the results of KCLC's independent research activities are occasionally published by KCLC as compilations of articles to be used as reference materials for researchers and practitioners alike.

The following compilations have been published as serial works: "Computer System and Transaction Law," "Research Study on International Tax Law," "International Patent Infringement Disputes," "Computer-related Intellectual Property Rights," "Legal System for Intellectual Property Rights," and "International Patent Infringement: Study on Patent Dispute Settlement from the Perspective of Comparative Law," "Innovation and International Patent Litigation," "Tax Law and Transaction Law," and "Property Law Aspect of Life Insurance."

Collection and Distribution of Legal Information

■ Research on legal information of foreign countries

KCLC collects and provides the legal information that is useful to business, and carries out the research on a particular subject, which aims to contribute to business activity. (See above "Independent Research Activities / Support for Research Activities")

■ Editing Supplements to "Doing Business in Japan"

"Doing Business in Japan" (DBJ) is a multi-volume treatise in English focusing on Japanese law closely related to commercial and economic activities and written by leading specialists in each field. Since its initial publication in 1980 by the New York publisher Matthew Bender, regular supplements have been issued incorporating the latest information pertaining to Japanese law. LexisNexis JAPAN has started editing and updating DBJ since 2014.

■ Websites

Results of research outputs conducted by KCLC and information on lectures, seminars, and research groups are available on its website: <http://www.kclc.or.jp/>

Results of research outputs conducted by "Medical-Legal Network" and information on seminars are available on its website: <http://www.kclc.or.jp/medical-legal/>

Members

Members of the Center include: "research members" (scholars), "regular members" (attorneys-at-law, patent attorneys, certified public accountants), and "corporate members" (business persons)

MILESTONES

- 1977 Kyoto Comparative Law Center founded. (December)
- 1978 “English Contract Drafting Practice Seminar” established. (afterward entitled, “International Transactions Practice Seminar”) (until 1979)
“Business Law Research Group” established. (January)
Legal culture forum: “Research Group on Consumer Relief System,” established. (October)
Newsletter first published. (December)
- 1980 Consumer-related Case System published. (March)
Doing Business in Japan (vols. 1-5) published. (August)
Japan-Germany-U.S. Symposium on “Equal Access to Law” held. (September)
Awarded Asahi Prize for the Encouragement of Learning for the research of “Consumer-related Case System.”
- 1981 “Taxation and Private Law Research Group” established. (January)
Kyoto Comparative Law Center established as an incorporated foundation (zaidan-houjin). (October)
- 1982 Doing Business in Japan (vols. 6-9) published. (January)
Legal policy forum “High Technology and the Legal Response: Focusing on Copyright” held. (May)
“U.S. Labor Law Seminar” held. (July)
Japan-Germany Information Symposium “Law and Computers: Now, What?” held. (October)
- 1983 “Consumer Issues in Changing Times” Symposium held. (March)
University of Washington Symposium and Law School Seminar held. (April)
“U.S. Company Acquisition Seminar” held. (October)
- 1984 “Seminar on Software Protection” held. (April)
Ceremony commemorating the 3rd anniversary of the Center's foundation. (October)
- 1985 “Technology Law System Forum” held. (July)
International Seminar on “Patent Infringement in Major Countries” held. (October)
- 1986 Moved to new premises in the Kyoto International Conference Hall. (March)
The Monthly Bulletin first published. (May)
Ceremony commemorating the 5th anniversary of the Center's foundation. (October)
- 1987 “Intellectual Property Rights Research Group” established. (February)
“Introductory Seminar on Business Law” established. (July)
- 1988 “Modern Chinese Law Course” established. (April)
Symposium on “Insider Trading and Self Regulation” held. (December)
- 1989 “Berlin Symposium on Reverse Engineering of Computer Programs” held in Germany. (April)
“High Tech/IPR Seminar” held. (May)
“M&A (Mergers & Acquisitions) Symposium” held. (October)
- 1990 Training course on “International Trade and Technology for China” launched for the Japan International Cooperation Agency (JICA). (February) (until 1994)
“Legal Seminar for Investment in the U.S.” held. (April)
JICA Training Course on “Intellectual Property Rights in Technology Transfer” launched. (November) (until 2012)
- 1991 Ceremony and gathering commemorating the 10th anniversary of the Center's foundation held. (October)
- 1992 “International Patent Infringement Seminar” held. (April)
“Antimonopoly Law Research Group” established. (May)
- 1993 JICA Training Course on “Foreign Direct Investment Promotion” launched. (April) (afterward, entitled “Advocating A Law-oriented Infrastructure to promote Foreign Direct Investment”)
“Legal Seminar for Investment in the U.S.” held. (June)
- 1994 Moved to new premises in Kyoto Research Park. (May)
- 1995 Established “Committee on Condominium Restoration Model.” (February)
Guide for Condominium Restoration released. (April)
“Study Group on Derivative Lawsuit Cases” established. (April)
“Japan-China Symposium on the Modernization of Contract Law of Both Countries” held. (December)
“Multimedia-related Copyright Seminar” established. (December) (until 1997)

- 1996** “Study Group on Products Liability law” established. (February)
 “Entertainment Law Research Group” established. (February) (until 1997)
 Established homepage on Internet (<http://www.kclc.or.jp/>). (July)
 “EU-JAPAN LEGAL DIALOGUE” held. (November)
- 1997** “Research Group on Intellectual Property Rights Cases” established. (April)
- 1998** “Entertainment Business & Law Research Group” established. (October) (until 1999)
 “Research Group on Information Business & Law” established. (October) (until 1999)
- 1999** COPYMART homepage (<http://www.copymart.jp/>) established.
 COPYMART Meijo Institute (Nagoya) opened. (March) (until 2004)
 COPYMART Institute (Tokyo) opened. (May) (until 2001)
- 2000** JICA Training Course on “Administrative Law in China” launched. (October) (until 2001)
 International symposium on “Technology innovation and international patent litigation” held. (October)
- 2001** Sino-Japanese Symposium on Intellectual Property Right held in Beijing. (August)
 The English version of the website (<http://www.kclc.or.jp/>) opens. (October)
 The 20th anniversary (October)
- 2002** “Copymart: The Product and Its Prospects, a Copymart symposium,” held in Berlin. (September)
 JICA Training Course on “Chinese Intellectual Property Right” launched. (October)
- 2003** The Copymart Institute, a nonprofit organization, is established in Kyoto. (February) (until March 2014)
- 2004** Started academic publishing for the International Institute for Advanced Studies (September) (until 2012)
- 2005** JICA Training Course on “Intellectual Property Rights Protection in China” launched. (until 2009)
- 2006** Study Group on Compliance (Internal Control) established. (May)
 JICA Training Course on “Intellectual Property Rights in Africa” launched. (November) (until 2008)
 The 25th anniversary (October)
- 2009** JICA Training Course on “Industry development and technology transfer promotion through protection and utilization of intellectual property rights such as Copyright, Trademark and Patent”, targeted for Africa, launched. (November) (until 2011)
- 2010** JICA Training Course on “Intensive Seminar on Advocating A Law-oriented Infrastructure to promote Foreign Direct Investment” launched. (March) (until February 2012)
 JICA Training Course on “Advocating A Law-oriented Infrastructure to promote Foreign Direct Investment”, targeted for IRAQ, launched. (October) (until July 2011)
 JICA Training Course on “Intellectual Property Rights (B)”, targeted for Viet Nam, launched. (September) (until October 2012)
 “Medical-Legal Network” started operation and launched its website (<http://www.kclc.or.jp/medical-legal/>). (September)
- 2011** **Kyoto Comparative Law Center was authorized as an “general incorporated foundation (ippan-zaidan-houjin)”.** (September)
 The 30th anniversary (October)
- 2012** JICA Training Course on “Foreign Direct Investment Promotion”, targeted for IRAQ, launched. (August)
 Support for holding the ALAI (The International Literary and Artistic Association) Congress Kyoto 2011 (October)
- 2013** A Secretariat of the ALAI JAPAN undertook. (April)
 Memorial reception for Professor Zentaro Kitagawa, the Founder of KCLC, held. (June)
 JICA Training Course on “Intellectual Property Rights Enforcement”, targeted for Viet Nam, launched. (October)
 JICA Training Course on “Intellectual Property Rights (short term)” on Japan-Mexico Training Program for the Strategic Global Partnership, targeted for Mexico, launched. (November)
 “Intellectual Property Awareness Seminar” held in Yangon, Myanmar. (December)
- 2014** Memorial essays for Professor Zentaro Kitagawa, the Founder of KCLC, was published. (January)
 “Intellectual Property Awareness Seminars” held in Nay Pye Taw and Mandalay, Myanmar. (February)

(as of June, 2014)

Chief Director

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