

Non-disclosure of Patent Applications

The Draft Act on Promotion of Ensuring Security by Taking Economic Measures in an Integrated Manner was submitted to the 208th Diet session, enacted on May 11, 2022 and promulgated on May 18, 2022.

This Act contains provisions on the non-disclosure of patent applications and will be enforced within two years after promulgation.

Background and purpose of establishment

Due to complicating international affairs, changes in social and economic structures and other matters, it is becoming more important to prevent actions performed in connection with economic activities that impair the security of the nation and its citizens, for the purpose of ensuring security. Considering this situation, the Act aims to provide for the basic policy for the promotion of ensuring security by taking economic measures in an integrated manner and establish necessary systems as economic measures to ensure security in order to comprehensively and effectively promote economic measures to ensure security.

More specifically, the Act establishes the following four systems to respond to the issues that urgently require legislative measures: (1) a system to ensure the stable supply of important materials; (2) a system to ensure the stable provision of basic infrastructure services; (3) a system to support the development of important advanced technology; and (4) a system related to the non-disclosure of patent applications.

The details are published below on the website of the Cabinet Office.

Act on Promotion of Ensuring Security by Taking Economic Measures in an Integrated Manner (Economic Security Promotion Act)

(Act No. 43 of 2022)

https://www.cao.go.jp/keizai_anzen_hosho/index.html

At the Patent Committee, the Japan Patent Attorneys Association is investigating the systems of foreign countries where the non-disclosure of patent applications has already been introduced.