

Guidelines Committee Report for Fiscal Year 2015

The Guidelines Committee held discussions on the operation status of the “Guidelines for the Prevention of Distribution of Internet IPR Infringing Goods,” revised during FY2010, as well as on the latest infringement cases.

As a result of discussions, it is confirmed that no specific problems have arisen during the approximately five years of operation since the previous revision made in 2010. In addition, the Guidelines Committee reaffirmed that it is effective for both platform providers and right holders to exchange up-to-date information including new infringement types because the world of the Internet changes on a daily basis.

1. Participants

Union des Fabricants

Recording Industry Association of Japan

Japan and International Motion Picture Copyright Association, Inc.

Japanese Society for Rights of Authors, Composers and Publishers

Chanel K.K.

Honda Motor Co., Ltd.

Association of Copyright for Computer Software

Japan Electronics and Information Technology Industries Association

Japanese Society for Rights of Authors, Composers and Publishers

Yahoo Japan Corporation

DeNA Co., Ltd.

Stardust Communications Inc.

Mercari, Inc.

Rakuten Auction, Inc.

(Honorifics omitted; listed in random order)

2. Date of Meeting

Guidelines Committee meeting: Friday, December 18, 2015 and Thursday, March 31, 2016

3. Details and Results of Discussions

- Review of the guidelines

As a result of discussions based on the current operation status, we found that no specific problem has arisen so far.

Also, based on the opinion that the Keyword Annex should be changed in keeping with the changing times, we reached the conclusion that we will proceed with review of the Keyword Annex while continuing to share information with a view to revising the guidelines. In addition, we decided that any information on infringing goods and infringing keywords related to certain products will be shared mutually between both rights holders and platform providers prior to reviewing additions to the guidelines because the latest information should be shared as appropriate; and we also invited the opinions of participants by e-mail, for example, after holding the committee meetings. However, we have reached the conclusion that there was no specific information to be shared right away.

Otherwise, in order to make the coverage of the guidelines clearer, we discussed expanding them to platform providers and right holders other than the current members. In line with the view that the Guidelines are effective for the flea market application service as well, we decided that we will approve, in the next meeting, changing the name of and term ("auction") in the current Guidelines to those in line with the actual circumstances (e.g., "C-to-C marketplace") after asking for opinions from three flea market application providers. We also concluded that we would separately discuss shopping malls. In addition, we have confirmed separately the three flea market application providers' intention to participate.

- Sharing of information

Platform providers and right holders shared with each other:

Trend of infringing goods and infringement keywords, and new modes of auctioning infringing goods.