第明治三二十種五郵年三月物三十一認可日

Article 12.6
Promotion of Public Awareness concerning Protection of Intellectual Property

The Parties shall take necessary measures to enhance public awareness of protection of intellectual property including educational and dissemination projects on the use of intellectual property as well as on the enforcement of intellectual property rights.

Article 12.7
Patents

1. Each Party shall ensure that any patent application is not rejected solely on the ground that the subject matter claimed in the application is related to a computer program. Nevertheless, the provision of this Article shall not prejudice the autonomy of each Party to exclude from patentability computer programs as such in accordance with the laws and regulations of each Party.

2. Each Party shall ensure that an applicant may, on its own initiative, divide a patent application containing more than one invention into a certain number of divisional patent applications within the time limit provided for in the laws and regulations of the Party.

Article 12.8
Industrial Designs

Each Party shall provide adequate and effective protection of industrial designs of an article as a whole, and, where appropriate, of a part thereof.

Article 12.9
Trademarks

1. Each Party shall refuse or cancel the registration of a trademark, which is identical or similar to a trademark well-known in either Party as indicating the goods or services of the owner of the well-known trademark, if use of that trademark is for unfair intentions, *inter alia*, intention to gain an unfair profit or intention to cause damage to the owner of the well-known trademark, and/or if such use would result in a likelihood of confusion.

Note: Each Party may determine in accordance with its laws and regulations whether a trademark is a well-known trademark.

2. Each Party shall ensure that an applicant may file a request to the competent authority that examination of its application for registration of a trademark be accelerated, subject to reasonable grounds and procedural requirements. Where such a request has been filed, the competent authority shall, where appropriate, accelerate the examination of the application.

Article 12.10
Copyright and Related Rights

1. Each Party shall provide to authors, performers and producers of phonograms the right to authorize the making available to the public of their works, performances fixed in phonograms and phonograms respectively, by wire or wireless means, in such a way that members of the public may access them from a place and at a time individually chosen by them.

2. Each Party shall provide to broadcasting organizations the right to prohibit the following acts when undertaken without their consent:

(a) the rebroadcasting of their broadcasts;

(b) the fixation of their broadcasts; or

(c) the reproduction of fixations of their broadcasts.