

Curriculum Vitae

Date: November 24, 2024

Personal Information

Name Shinichi Koike

Sex (optional) Male

Date of Birth January 23, 1967

Home Address

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Education

April, 1986 – March, 1992 The University of Tokyo, Faculty of Law
September, 2002 – June 2003 The University of Washington, IPLLM

Work Experiences and Awards/Honors

April, 1995 – February, 2014 Haruo Okada International Law Office, as attorney
February, 2014 - KOIKE PARTNERS, as attorney
April, 2016 – March, 2023 Doshisha University School of Law, as lecturer of IP law

Licenses

Attorney at Law of Japan

Membership in Professional and social activities

Osaka Bar Association
Japan Federation of Bar Associations
Japan Intellectual Property Arbitration Center

List of JP Domain Name Dispute Resolution

Decisions as Panelist, Japanese only at JPNIC site

2021/11/11 JP2021-0012 <https://www.nic.ad.jp/ja/drp/list/2021/JP2021-0012.pdf>
2022/4/22 JP2022-0003 <https://www.nic.ad.jp/ja/drp/list/2022/JP2022-0003.pdf>
2023/12/6 JP2023-0007 <https://www.nic.ad.jp/ja/drp/list/2023/JP2023-0007.pdf>

List of IP Litigations

Judgements for ten years (cases as a main or chief representative),
partially available in English at the court site

2014/3/26 Tokyo District Court (2011 (Wa) 3292) (patent/civil)
https://www.ip.courts.go.jp/app/files/hanrei_en/244/001244.pdf (English)
2014/9/10 IP High Court (2012 (Ne) 10091) (patent/civil)
2015/4/28 IP High Court (2014 (Gyo-Ke) 10229) (patent/administrative)
2019/8/27 Osaka District Court (2018 (Wa) 2554) (patent/civil)
2020/7/15 IP High Court (2019 (Gyo-Ke) 10068) (patent/administrative)
2021/9/16 Osaka District Court (2019 (Wa) 9113) (patent/civil)
https://www.ip.courts.go.jp/app/files/hanrei_en/199/003199.pdf (English)
2022/6/20 IP High Court (2021 (Ne) 10088) (patent/civil)
https://www.ip.courts.go.jp/app/files/hanrei_en/240/003240.pdf (English)
2024/4/25 IP High Court (2021 (Ne) 10086) (patent/civil)
2024/4/25 IP High Court (2022 (Gyo-Ke) 10057) (patent/administrative)
https://www.ip.courts.go.jp/app/files/hanrei_en/527/003527.pdf (English)
2024/4/25 IP High Court (2022 (Gyo-Ke) 10054) (patent/administrative)
2024/4/25 IP High Court (2023 (Gyo-Ke) 10002) (patent/administrative)
https://www.ip.courts.go.jp/app/files/hanrei_en/526/003526.pdf (English)

List of Publication

Japanese Publications for twenty years, Japanese only


(Books)

- 2004 Law of Digital Contents (Shojihomu) (contributing author)
- 2006 Legal Consultation on International Intellectual Property Dispute Resolution (Shojihomu) (contributing author)
- 2011 Latest Intellectual Property Cases - (Seirinshoin) (contributing author)
- 2012 Theory and practice of intellectual property rights and damages (NBL SE 139) (contributing author)
- 2013 Model injunctive relief claims (Shin Nihon Hoki) (contributing author)
- 2015 Handbook for Joint Research and Development Agreements (NBL SE 149) (contributing author)
- 2015 Analysis of Patent Decision Cancellation Decisions (NBL SE 148) (contributing author)
- 2016 Legal Consultation on Unfair Competition II (Seirinshoin) (contributing author)
- 2017 Legal Consultation on Trade Mark I (Seirinsha) (contributing author)
- 2017 Intellectual Property Consultation Handbook (Osaka Bar Association Cooperative) (contributing author)
- 2018 Estimation of Damage, Collection of Essays in Commemoration of Esq. Youichiro Komatsu's 70th birthday (Seirinsha)
- 2018 Q&A Patent Law (Industrial Research Committee) (contributing author)
- 2019 Legal Consultation for Patents and Utility Models I (Seirinshoin) (contributing author)
- 2019 Legal Consultation for Intellectual Property related to Agriculture, Forestry and Fisheries I&II (Seirinshoin) (contributing author)
- 2021 Legal Consultation for Industrial Design and Design II (Seirinshoin) (contributing author)
- 2022 Intellectual Property Contract Practice, Theory and Formats, "Patents", "Designs, Trademarks, Copyrights", "Advanced Technology and Information" (Seirinsha) (chief editor)

(Articles)

- 2009 Case Study: Invalidity Defense and Prior Use (Chizai Prism, 2009/11)
- 2010 Case Study: Invalidation of patents in duration of patent license Agreement (Chizai Prism, 2010/7)
- 2017 Case Study: Judgments in favor of counter assertion based on the correction of patents and the manner in which they are heard (Chizai Prism, 2017/7)
- 2017 Case Study: How prior art statements affect claim construction and the doctrine of equivalents (Chizai Prism 2017/10)
- 2018 Case Study: A case where a claim of lack of inventive step based on publicly known technology described in the same publication, which was used as the basis for well-known technology in an invalidation trial of JPO, was not accepted in a administrative lawsuit for revocation of the trial decision (Chizai Prism 2018/9)
- 2019 Case Study: A case in which an invalidation decision made during the damages hearing in the first instance of an infringement lawsuit was upheld and a judgment dismissing the claim in the infringement lawsuit was made in the appeal court - Problems in the practice of bifurcation system of the trial and an examination of the two-stage litigation procedure system (Chizai Prism 2019/4)
- 2019 Reconsideration of the Supreme Court en-banc Case on Knitting Machine Meriyasu-Amiki (Law & Technology SE 5)
- 2020 Case Study on the Application of Article 114, Paragraph 4 of the Copyright Law in the aftermath of the TPP Revision: The Principles of Compensatory Damages and the Pros and Cons of Introducing Statutory Damages to Paragraph 3 of the Law (Chizai Prism 2020/1)
- 2020 Case Study: Unexpected effects as patent requirements (novelty and inventive step) in selection inventions (Chizai Prism 2020/8)
- 2021 Case Study: Tokyo District Court Judgement 2020/09/25, case for the patent of the structure of frame of bed and etc. (Chizai Prism 2021/5)
- 2021 Case Study: Regarding the possibility of extension of patent registration for an active moiety Invention due to approval of a change of use of a drug that contains a salt compound as an active ingredient (Chizai Prism 2021/6)
- 2021 A case in which the doctrine of equivalents was found to be infringing DVD software used by a user (Chizai Prism 2021/11)
- 2022 A case in which injunction and damages claim for infringement of a patent right for system invention that crosses borders was denied based on the territoriality principle (Chizai Prism 2022/6)
- 2023 Case Study: Selection of primary cited invention for invalidation grounds for lack of inventive step (Chizai Prism 2023/1)
- 2023 A case in which a patent was invalidated due to lack of novelty from the viewpoint of eligibility as a use invention having a novel mechanism and use (Chizai Prism 2023/5)
- 2023 Case Study: Clarifying and challenging the concept of implementing cross-border inventions (AIPPI Japan No.68-3)
- 2023 A case in which infringing products had no substantial constituent features and the doctrine of equivalents was denied due to non-satisfaction of the second and fourth requirements (Chizai Prism 2023/8)
- 2023 Scope of review in lawsuits seeking the cancellation of trial decisions: A consideration from the perspective of administrative law, Collection of Essays in Commemoration of Esq. Misao

2024 Shimizu's 70th birthday (Nihon Kajo Publishing)
Scope of review in lawsuits seeking cancellation of trial decisions - Consideration from the perspective of administrative law In the same invalidation trial case, while there was a previous ruling that cancelled a non-validation trial decision for invalidation due to non-satisfaction of the support requirement, this case found that the invention after correction satisfied the support requirement and cancelled the non-validation trial decision for violation of the clarity requirement, I & II (Chizai Prism 2024/5, 7)

SIGNATURE:  **DATE:** November 24, 2024
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