Revision of Unfair Competition Prevention Act in Japan

(a) Remedies for misappropriation of “shared data with limited access*”

* Data which is (a) is limited distribution, (b) protected by electromagnetic means, e.g. ID/password, etc. and (c) accumulated in a reasonable amount,

- Following is newly added as “acts of unfair competition”.
  (I) Unauthorized acquisition of “shared data with limited access”
  (II) Unauthorized use/disclosure of “shared data with limited access”
  (III) Use/disclosure of unauthorized acquired “shared data with limited access”
- The revised Act provides civil remedies, such as an injunction.

(b) Expanding scope of protection related to TRM*

*Technological Restriction Measures, such as encryption

- The revised Act newly
  - protects data restricted by TRM, and
  - prohibits providing services which circumvents TRM.

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