

# Difference between the METI's Guidelines and the JPO's Guide

- The METI's Guidelines are the norms of good faith negotiations provided by the Japanese government.
- The JPO's Guide is a document objectively summarizing issues concerning licensing negotiations based on domestic and foreign facts.
- Both of them are not legally binding and do not forejudge future judicial rulings.

## 【The METI's Guidelines】: Good Faith Negotiation Guidelines for Standard Essential Patent Licenses



- The norms of good faith negotiations provided by the Japanese government to be followed by SEP holders and implementers involved in SEP licensing negotiations including Japanese patents.
- Established considering opinions of domestic and foreign companies, etc., industries and experts on intellectual property and competition law in Japan.
- Not legally binding and do not forejudge future judicial rulings.

## 【The JPO's Guide】: Guide to Licensing Negotiations Involving Standard Essential Patents



- Not the norms.
- Objectively summarizes issues concerning licensing negotiations based on domestic and foreign court rulings, competition authorities' judgments, and licensing practices.
- Not legally binding and does not forejudge future judicial rulings.

\*The JPO's Guide will also reference the METI's Guidelines at the time of revision.