

## Conciliation Rather than Extended Litigation

As of October 1, 2019, parties involved in disputes over intellectual property may seek to resolve these disputes through conciliation before a conciliation board.

By filing a petition for conciliation with either the Osaka District Court or the Tokyo District Court, the parties involved in the dispute would be allowed to present their evidence to a board consisting of three members (one judge and two intellectual property attorneys). It is hoped that a decision can be handed down by the board within a series of three hearings (within 3 to 6 months), however, both parties are free to withdraw their request for conciliation or re-file the complaint for the same dispute. In the latter case, a new judge would be appointed to preside over another series of hearings.

The board's decision serves as its impression of the case and may go so far as to suggest that litigation is necessary to resolve the case. Alternatively, it may offer a suggested settlement that both parties may agree upon. For some intellectual property - related disputes, it is hoped that, in the same manner as the Japan International Dispute Resolution Center (JIDRC), the conciliation system may eliminate the need for expensive and lengthy litigation, which would ultimately benefit small and medium sized enterprises.

Source:

[http://www.courts.go.jp/tokyo/saiban/13/Vcms3\\_00000618.html](http://www.courts.go.jp/tokyo/saiban/13/Vcms3_00000618.html)

(Japanese)