

ひらの すすむ
Prof. Dr. Susumu HIRANO **平野 晋**

—PROFESSOR OF LAW + DOCTOR OF POLICY STUDIES—

CHUO UNIVERSITY
FACULTY OF POLICY STUDIES
 742-1 Higashi-Nakano,
 Hachioji-shi, Tokyo 192-0393, JAPAN

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とうきょうと はちおうじし ひがしなかの
 東京都 八王子市 東中野742-1
ちゅうおうだいがく そうごうせいさく がくぶ
 中央大学 総合政策学部

Employment

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| 2004-Present | Professor of Law (tenured), FACULTY OF POLICY STUDIES / GRADUATE SCHOOL OF POLICY STUDIES, CHUO UNIVERSITY , Tokyo, Japan |
| 2006-08 | Deputy Chair, University-wide Admission Committee, CHUO UNIVERSITY |
| 2005-07 | Deputy Dean, FACULTY OF POLICY STUDIES, CHUO UNIVERSITY |

Prior Employment

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| 2000-04 | General Counsel, NTT DoCoMo, INC. ^{*1} , Tokyo, Japan |
| 1999-2000 | Senior Counsel, NTT COMMUNICATIONS CORP. ^{*2} , Tokyo, Japan |
| 1995-99 | Senior Counsel, NTT INTERNATIONAL CORP. ^{*3} , Tokyo, Japan |
| 1999-2010 | Adjunct Lecturer of Law, FACULTY OF LAW, MEIJI UNIVERSITY , Tokyo, Japan |
| 1997-2004 | Adjunct Lecturer of Law, GRADUATE SCHOOL OF POLICY STUDIES, CHUO UNIVERSITY , Tokyo, Japan |
| 1995-2004 | Adjunct Lecturer of Law, FACULTY OF POLICY STUDIES, CHUO UNIVERSITY |

^{*1} **NTT DoCoMo** is the dominant and leading common carrier for the mobile (cellular) telecommunications services (including the mobile internet service a.k.a. “i-mode”) in Japan.

^{*2} **NTT Communications** is the common carrier for the fixed (as opposed to mobile) services of international and domestic long distance telecommunications along with the Internet.

^{*3} **NTT International** was incorporated mainly to conduct global business of telecommunications for NTT (Nippon Telegraph & Telephone Corporation), then the exclusive common carrier for all of the domestic markets in Japan.

- 1994-95 Associate, **OCHANOMIZU LAW OFFICES**, Tokyo, Japan
- 1993 Associate, **WHITE & CASE**, Tokyo, Japan
- 1984-1993 Legal Counsel, **FUJI HEAVY INDUSTRIES, CO., LTD. (FHI)** ^{*4}, Tokyo, Japan
- Summer 1991 Summer Clerk, **MORGAN, LEWIS & BOCKIUS**, Los Angeles, CA
- 1989-91 Cornell Law Student, Ithaca NY
- Summer 1989 Georgetown University Law Center's Summer Program on Introduction to the U.S. Laws for Foreign Lawyers, Washington, DC

Degrees

- 2007 **Doctor (Policy Studies)**, GRADUATE SCHOOL OF POLICY STUDIES, **CHUO UNIVERSITY**, Tokyo, Japan (based upon my doctoral dissertation published as, *infra*, "**AMERICAN TORTS: MULTI-DISCIPLINARY THEORIES**")
- 1990 **LL.M.**, **CORNELL UNIVERSITY**, Ithaca, NY
- 1984 **LL.B.**, FACULTY OF LAW, **CHUO UNIVERSITY**

Education

- 1990-91 Special Student, **CORNELL UNIVERSITY**, GRADUATE SCHOOL (LAW SCHOOL), Ithaca, NY (Associate, **CORNELL INTERNATIONAL LAW JOURNAL**)
- Summer 1990 Took and passed the New York State Bar Examination
- 1989-90 **CORNELL UNIVERSITY**, GRADUATE SCHOOL (LAW SCHOOL), LL.M. program
- 1980-84 FACULTY OF LAW, **CHUO UNIVERSITY**, Tokyo, Japan

^{*4} **FHI**—富士重工業株式会社— is a manufacturer of various products including aircrafts, trains, robots, and SUBARU vehicles. FHI is the successor of **Nakajima Aircraft Company**—中島飛行機株式会社—, the leading aircraft manufacturer before the end of World War II, having produced famous combat aircrafts including *Oscar* 1939 Army Fighter (Nakajima Ki-43 *Hayabusa*—隼—), *Frank* 1943 Army Fighter (Nakajima Ki-84 *Hayate*—疾風—), and *Kikka* 1945 Navy Experimental Land-based Jet Interceptor (Nakajima J9Y *Kikka*—橘花—); Nakajima also produced aircraft engines including *Nakajima Sakae*—栄— engine series that were used by, *inter alia*, Navy's *Zero Fighters*—零戦—.

Major Awards

- 2010 Heisei-22-nendo, Jōhō Tsūshin Gekkan Suishin Kyōgikai Kaichō Hyōshō, Jōhō Tsūshin Kōseki-shō (Kojin)—平成 22 年度 情報通信月間推進協議会会長賞 情報通信功績賞(個人)—[**The Contribution-to-Info-Communications Award for an Individual** (not for a corporation or artificial entity), **Awards of the President of the Council for Info-Communications-Promotion Month of FY2010**]^{*5} (awarded by **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**—総務省—and the **Council for Info-Communications-Promotion Month**).
- 2010 Anzen Igaku-shō, Sai-yūshū-shō—安全医学賞 最優秀賞—[**The Highest Award, Medical Safety Awards (for my Article, *infra*, “Safety Standards and Their Limitations”)**] (awarded by **Japan Society of Risk Management for Preventive Medicine**—日本予防医学リスクマネジメント学会—).
- 2000 Dai-16-kai, Denki Tsūhin Fukyū Zaidan-shō, Terekomu (Shakai-kagaku-shō) Shōrei-shō—第 16 回電気通信普及財団賞 テレコム(社会科学)奨励賞—[**The Telecommunications Encouragement Award for Social Studies, the 16th Telecommunications Advancement Foundation Awards (for my Book, *infra*, “ELECTRONIC TRANSACTIONS AND CYBER-LAW”)**] (awarded by the **Telecommunications Advancement Foundation (TAF)**—(財)電気通信普及財団—).
- 1989-91 FHI’s Grant for legal study in the U.S.

Fields of Interests

Products Liability and Torts; Contracts; Cyberspace Law; and Interdisciplinary Legal Studies (*e.g.*, Law and Cognitive Psychology, Cultural Studies of Law, Law and Eco-

^{*5} It was awarded for my contributions to improve usage and environments of info-communications by mainly helping stakeholders reach an agreement regarding the zone of responsibility that each of them should bear when a problem occurs in the age of the new telecommunications networks depending on the Internet Protocol where numerous parties take part in, by using their diverse (sometimes un-coordinated) equipment for, various end-user services. The agreement was reached at the Next Generation IP Network Promotion Forum where I assumed the role of the Chairperson of the Responsibility Division Model Working Group, described, *infra*, in the Major Professional Activities.

nomics, Law and Literature, Law and Film Studies)

Major Teaching Activities (in Japanese)

Kokusai Keiyaku Hō Nyūmon [Introduction to the International Contracts],
2008-Present, Chuo Univ.

Fuhō-kōi Hō [Torts], 2005-Present, Chuo Univ.

MINPŌ [CIVIL CODE: General Rules-Offer, Acceptance, Revocation, Agency, Validity,
Conditions, and Statute of Limitations-; Property; Contracts and *Culpa in Con-*
trahendo; Right in *Personam* -Third Parties and Discharge-; Restitution; and
Torts], 2004-05, Chuo Univ.

Hikaku Minji Hō Seido [Comparison of Private Law Systems], 2004, Chuo Univ.

Hō to Keizaigaku [Law and Economics], 2004-Present, Chuo Univ.

Hō to Bungaku [Law and Literature], 2007-Present, Chuo Univ. (with K. Tsutsumi et
al.) (focusing especially upon “To Kill a Mockingbird” and “Twelve Angry Men”
along with “The Verdict,” “The Rainmaker,” and “12 Gentle Japanese Persons”)

Jirei Kenkyū 1 [Seminar on Case Studies I (Laws Relevant to Legal Practices in a Cor-
porate Legal Department)], 2005-Present, Chuo Univ.

Jirei Kenkyū 2 [Seminar on Case Studies II (International Contracts Focusing upon
Practices of Contracts between the U.S. and Japan)], 2006-Present, Chuo Univ.

Kiso Enshū [Seminar on Fundamental Academic Research and Writing], 2005-Present,
Chuo Univ.

Saibā Hō / Jōhō Hō [Cyberspace Law], 1999-2010, Meiji Univ.

Professional Memberships

Japanese American Society for Legal Studies—Nichibei Hō Gakkai: 日米法学会—, Tokyo,
Japan

The Information Network Law Association Japan^{*6}—情報ネットワーク法学会—, Tokyo,
Japan (Co-founder; Ex-board Member Nov. 2004-Dec. 2006 assuming the chief of
referees for its journal)

New York State Bar (Admitted in and after 1991)

^{*6} The predecessor to the Association, the Cyber-law Study Group—Saibā Hō Ken-
kyū-kai: サイバー法研究会—, led by me, T. Natsui, M. Ibusuki, and H. Okamura, inter-
ested in both cyber-law and public accessibility to legal information, invited jointly with
Meiji Univ. Professor Peter W. Martin of Legal Information Institute (LII) at Cornell
Law School for an international symposium held in Tokyo, Japan in May 2001.

American Bar Association (ABA)

Major Publications (in Japanese)

Books

KOKUSAI KEIYAKU NO KIAN-GAKU: HÔRITSU EIGO NO CHIKYŪ HYÔJUN—『国際契約の起草学：法律英語の地球標準』— [CONTRACT DRAFTING IN ENGLISH: THE GLOBAL STANDARD IN TRANSNATIONAL BUSINESS TRANSACTIONS] (Bokutaku-sha—木鐸社— Jan. 2011, pp. 472) (a treatise on legal drafting as an independent discipline covering various subjects such as *shall/may* clauses; speech words; simplicity, clarity, nominalization, and hedge words; ambiguity and vagueness; Old English, Law Latin, and Norman French; plain English movement; and editing and proofreading).

TAIKEI AMERIKA KEIYAKU-HŌ: EIBUN KEIYAKU NO RIRON TO HŌMU—『体系アメリカ契約法：英文契約の理論と法務』— [AMERICAN CONTRACTS: LEGAL PRINCIPLES BEHIND TERMS AND CONDITIONS] (Chuo Univ. Press Mar. 2009, pp. 630) (a treatise covering comprehensively and in a structured manner subjects on Contract Law, from formation to discharge of contracts, including introduction—history of, and economic and cultural analyses of, American Contract Law—; remedies; enforceability; third parties—assignment of rights and delegation of duties—; and warranties).

CHŌ SOSHŌ SHAKAI—『超訴訟社会』— [HYPER LITIGIOUS SOCIETY] (Bizinesu-sha Dec. 2008, pp.180) (a small-sized paperback book comparing public perceptions of law and legal culture in the U.S. with those in recent Japan focusing upon such topics as trial by jury/lay assessors-*saiban'in*; distorting effects caused by med mal and products liability litigation; and increase of complainers—those who blame others— in Japan).

AMERIKA FUHŌ-KŌI HŌ: SHUYŌ GAINEN TO GAKUSAI HŌRI—『アメリカ不法行為法：主要概念と学際法理』— [AMERICAN TORTS: MULTI-DISCIPLINARY THEORIES] (Chuo Univ. Press Oct. 2006, pp. 480) (introducing overview of American torts from intentional torts to negligence, strict liability, med mal, and products liability; thereafter, analyzing fundamental principles thereof such as law and economics; Aristotelian/Kantian justice, fairness, libertarianism, paternalism, communitarianism, reciprocal principle of recovery, and other moral approaches; and theories based upon cognitive psychology and behavioral decision).

DENSHI SHŌ-TORIHAKI TO SAIBĀ HŌ—『電子商取引とサイバー法』— [ELECTRONIC TRANSACTIONS AND CYBER-LAW] (NTT Publishing Aug. 1999, pp.260) (covering civil law on the Internet including *ProCD v. Zeidenberg*, UCITA and materials criticizing it; selective cases on, and statutes (*i.e.*, DMCA and CDA §230) limiting, intermediary liability; and selective cases and materials on intellectual property). Translated into Korean language, and published, by the **Korean Industrial Property Office**, Apr. 2000.

HANREI KOKUSAI INTĀNETTO HŌ: SAIBĀ-SUPĒSU NI-OKERU HŌRITSU JŌSHIKI [GLOBAL INTERNET LAW WITH CASES: COMMON SENSE IN CYBERSPACE] (with K. Makino) (Meibun-tosho Apr. 1998, pp. 304) (introducing fundamental structure of and culture on the Internet; theories of Cyberspace Law; and selective cases and materials thereon).

AMERIKA SEIZŌBUTSU SEKININ NO SHINTENKAI: MUKASHITSU SEKININ NO SHI—『アメリカ製造物責任の新展開：無過失責任の死』— [NEW DEVELOPMENT IN AMERICAN PRODUCTS LIABILITY: THE DEATH OF STRICT LIABILITY] (Seibundoh—成文堂— Aug. 1995, pp. 344) (analyzing American Products Liability and arguing that products liability is, and should be, based upon in principle fault rather than absolute/enterprise liability).

Articles, Book Chapters, and Other Writings

UMG Rekōdingu-sha tai Vio Netto-wāku-sha Jiken: Zōchi Probaidā ga Dī Emu Sī Ei ni-oite Sēfu Hābā Menseki wo Kyōju suru Zentei to-shiteno Chosaku-ken Shingai Tōkō Fairu wo Hakken-to suru Jōken/Futan no Shatei ni-kansuru Daihyō Jirei, [UMG Recording, Inc. v. Veoh Network, Inc.: A Leading Case with Respect to the Zone of Conditions Precedent for a Hosting Provider to Enjoy the Safe Harbor Immunity under the Digital Millennium Copyright Act of 1998], Kaigai Jōhō Tsūshin Hanrei Hōkokusho (Dai-Nishū)—「海外情報通信判例研究会報告書（第二集）」—[Report (Second) on Overseas Cases concerning Information and Communications] — (Institute for Information and Communications Policy (IICP)—情報通信政策研究所—, MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)—総務省—, forthcoming Spring 2011).

Amerika ni-okeru Rappu-gata Keiyaku ni-tsuite [About American Wrap Contracts], Kaigai Jōhō Tsūshin Hanrei Hōkokusho (Dai-Isshū) [Report (First) on Overseas

Cases concerning Information and Communications] 103 (Institute for Information and Communications Policy (IICP), MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC) Jan. 2010).

Anzen Kijun no Kōka to Sono Mondaiten: Seizōbutsu Sekinin Hō no Baai [*Safety Standards and Their Limitations: Analogy of Products Liability Law to Medical Malpractices*], ANZEN IGAKU—『安全医学』—[JAPANESE JOURNAL OF MEDICAL SAFETY], Vol.5, No.2 at 3 (Japan Society of Risk Management for Preventive Medicine—日本予防医学リスクマネジメント学会— Oct. 2009).

Sābisu Robotto ni-okeru Anzen Sekkei no Datōsei Handan Kijun: Kuritikaru Hazādo to Gōriteki na Daitai-Sekkei Kijun [*Criterion for the Validity of Safety Design of Service Robot: Critical Hazard (CH) and Reasonably Alternative Design (RAD) Standard*], NIHON KIKAI GAKKAI RONBUN-SHŪ — 『日本機械学会論文集』 — [TRANSACTIONS OF THE JAPAN SOCIETY OF MECHANICAL ENGINEERS], Vol. 75 (No. 758) at 2837 (Oct. 2009) (with T. Kabe et al.).

Robotto Anzen-sei Kakuho: Seizōbutsu Sekinin to Anzen Kijun [*Ensuring Safety of Robots: Products Liability and Safety Standards*], TOSHI MONDAI KENKYŪ—『都市問題研究』—[URBAN STUDIES], Vol. 61, No. 8 at 80 (Toshi Mondai Kenkyū-kai in the Office of the Mayor, City of Osaka Aug. 2009).

Roiyā Jōku to Hōka Shakai: Taishū Hō Bunka no “Gakusai Hōgaku (Rō anzu)”-teki Nichi-bei Hikaku [*Lawyer Jokes and Legalized Society: Comparison of Public Legal Cultures in the US and Japan from a Viewpoint of “Law Andz”*], in ARATANA SEISAKU TO BUNKA NO YŪGŌ—『新たな政策と文化の融合』—[NEW INTEGRITY OF POLICY AND CULTURE] 91 (Chuo Univ. Press Fall 2009) (book chapter).

Easterbrook-hanji no Hōtei-iken to “Hō to Kōdō-kagaku” [*The Court Opinion by Easterbrook, J. of the 7th Cir. in McMahon v. Bunn-O-Matic and a Comparative Analysis Applying “Law and Cognitive Psychology” to Liebeck v. McDonald’s*], in MINJI SHIHŌ NO HŌRI TO SEISAKU: KOJIMA TAKESHI SENSEI KOKI SHUKUGA (GEKAN)—『民事司法の法理と政策：小島武司先生古稀祝賀』（下巻）—[LEGAL PRINCIPLES AND POLICY IN PRIVATE LAW: IN CELEBRATION OF PROFESSOR TAKESHI KOJIMA’S THREE-SCORE YEARS AND TEN], Latter Volume at 213 (Shōji Hōmu—商事法務— Aug. 2008) (book chapter).

Hotsui AMERIKA FUHŌ-KŌI HŌ: Hanrei to Gakusetsu (1)-(37) [**AMERICAN TORTS: Cases and Materials Nos. 1 to 37** (to be continued)], KOKUSAI SHŌJI HŌMU—『国際商事法務』— [JOURNAL OF THE JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW], Vol. 35, No. 10, at 1375 to Vol. 38, No.4, at 554, No. 6, at 848 to No. 7, at 999, No. 11, at 1589 to No. 12, at 1747; Vol. 39, No. 1, at 119 to No. 2, at 271 (Dec. 2007 to present) (quasi-monthly series as the supplement to the book, AMERICAN TORTS, *supra*).

Saibā Hō to Keiyaku-kōdō: “Yakujō wo Yomazu ni ‘Hai’ to Kurikku Oshi” [**Cyber-law and Human Behavior in Making Contracts: Clicking on the “Yes” Button without Reading Terms**], CHUO HYŌRON—『中央評論』—[CHUO UNIVERSITY REVIEW], Vol. 59, No.2 at 59 (Chuo Univ. Press Summer 2007). *Reprinted in DEJITARU JIDAI NO NINGEN KŌDŌ*—『デジタル時代の人間行動』— [HUMAN BEHAVIOR IN DIGITAL AGE] ____ (Chuo Univ. Press forthcoming Mar. 2011) (as a book chapter); and *also in SOGOSEISAKU KENKYU*—『総合政策研究』—[JAPAN JOURNAL OF POLICY & CULTURE], No. 19 at ____ (Chuo Univ. Press forthcoming Mar. 2011).

Saibā Hō to Fuhō-kōi [**Cyber-torts: Technologies, Cultures, and Cases**], JAPAN JOURNAL OF POLICY & CULTURE, No. 15 at 95 (Chuo Univ. Press Mar. 2007).

Robotto Pī Eru [**Products Liability in Robots**], JAPAN JOURNAL OF POLICY & CULTURE, No. 13 at 171 (Chuo Univ. Press Mar. 2006).

Robotto Pī Eru to Fāsuto Fūdo Soshō ni Manabu “Seihin Bunrui-betsu Sekinin” [**Products Liability in Robots and Learning Products Category Liability from Fast Food Litigation in the U.S.**], ROBOTTO—『ロボット』—, No. 168 at 17 (Japan Robot Association Jan. 2006).

Shakai Mondai-ka shita Funsō no Daitai-teki Kaiketsu Shudan [**Alternative Resolution of a Dispute that Has Become a Social Problem**], in NIHON HIKAKU HŌ KENKYŪ-JO KENKYŪ GYŌSHO 68: EĪ DĪ ĀRU NO JISSAI TO RIRON (II) —『日本比較法研究所研究叢書 68 : ADR の実際と理論(II)』— [RESEARCH ACHIEVEMENT NO. 68 OF THE INSTITUTE OF COMPARATIVE LAW IN JAPAN, CHUO UNIV.: PRACTICAL AND THEORETICAL APPROACHES TO ADR (II)] 68 (Takeshi Kojima ed., Chuo Univ. Press Mar. 2005) (book chapter).

Meiwaku Mēru ni-kansuru Beikoku Hō tonō Hikakuhō-teki Kōsatsu [*A Comparative Analysis of Anti-Spam Laws in Japan and U.S.*], LAW AND COMPUTERS—『法とコンピュータ』—[JOURNAL OF THE LAW AND COMPUTER ASSOCIATION OF JAPAN], No. 21 at 25 (July 2003).

Nifty-Serve Supamu Mēru Sōshin Sashitome Jiken (Kari-shobun Kettei) [*Injunctive Relief for Nifty-Serve (Preliminary Injunction) against a Spammer*], BESSATSU NBL [ENU BĪ ERU—NEW BUSINESS LAW—] No. 79: SAIBĀ HŌ HANREI KAISETSU—『別冊NBL(No. 79): サイバー法判例解説』—[NBL'S SPECIAL ISSUE (No. 79): ANALYSES OF CYBER-LAW CASES IN JAPAN] 2 (Shōji Hōmu Kenkyū-kai—(社)商事法務研究会—[Commercial Law Center, Inc.] Apr. 2003).

Beikoku Pī Eru Hō: FUHŌ-KŌI HŌ DAI-SANJI RISUTEITOMENTO SEIZŌBUTSU SEKININ Happyō go no Hanrei—Kisō-sha ni-yoru Bunseki-tō kara— [*Products Liability in the U.S.: Cases after Publication of the RESTATEMENT (THIRD) OF TORTS: PROD. LIAB.—Based upon the Analyses by the Reporters and Others—*], Ryūtsū Gōrika Sokusin-tō (Higaisha Kyūsai Taisei no Seibi ni-kansuru Chōsa) Hōkoku-sho—「流通合理化促進等(被害者救済体制の整備に関する調査)報告書」—[Report on Promotion of Efficiency of Distribution (Research on Improvement of a Victim Compensation System)] 88 (Seihin Anzen Kyō-kai—(財)製品安全協会—[Consumer Product Safety Association (CPSA)] Mar. 2003).

Kokusai, Hōmu, Sen'ryaku [*International Transactions, Legal Practices, and Strategies*], in SEN'RYAKU KEIEI HANDOBUKKU—『戦略経営ハンドブック』—[STRATEGIC MANAGEMENT HANDBOOK] 466 (S. Hayashi & H. Takahashi ed. Chuo Keizai-sha May 2003) (book chapter). Reprinted as *Kokusai Hōmu Sen'ryaku* [*Global Legal Strategy*], in KIGYŌ HŌMU SEN'RYAKU—『企業法務戦略』—[CORPORATE LEGAL STRATEGIES] 67 (T. Fukuhara ed. Chuo Keizai-sha—中央経済社—Apr. 2007) (book chapter).

Meiwaku Mēru Mondai to Beikoku ni-okeru Bunseki [*Spam Problems and Analyses in the United States*], NIHON DĒTA TSŪSHIN—『日本データ通信』—[JOURNAL OF THE JAPAN DATA COMMUNICATIONS ASSOCIATION], No. 127 at 53 (Sept. 2002).

Jōhō Nettowāku to Hō: Beikoku no Netto kanren Hanrei Dōkō [*Information Network and Law: The Trend of Internet-related Cases in the U.S.*], HŌRITSU NO HIROBA—『法律のひろば』—[LAW FORUM], Vol. 55, No. 4 at 68 (Apr. 2002).

Kokusai Hōmu kara “Seisaku Hōmu” he (Jō)(Chū)(Ge) [***From Global Legal Practices to Legal Practices Participating in Policymaking Nos. (1) to (3)***], JOURNAL OF THE JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW, Vol. 30, No.3, at 295 to No. 5, at 648 (Mar. to May 2002).

“Hō to Bungaku” to Hōshoku Rinri (1)-(31) [***Professional Responsibility in Law and Literature Nos. 1 to 31***], JOURNAL OF THE JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW], Vol. 29, No. 4, at 426 to Vol. 31, No. 10, at 1490 (Apr. 2001 to Oct. 2003).

Saibā Hō wa Kanō-ka? [***Is It Possible to Establish Cyber-law as an Independent Legal Discipline?***], in AI TĪ NISEN ICHI: NANIGA MONDAI-KA—『IT2001: なにが問題か』—[WHAT ARE THE ISSUES IN IT-2001?] 80 (K. Hayashi et al. ed. Iwanami Shoten—岩波書店— Sept. 2000) (book chapter).

Shurinku Rappu Keiyaku to Kurikku Rappu Keiyaku [***Shrink-wrap Agreements and Click-wrap Agreements***], in INTĀNETTO SOSHŌ NISEN—『インターネット訴訟2000』—[INTERNET CASES IN 2000] 94 (H. Okamura ed. Softbank Publishing July 2000) (book chapter).

Nettowāku Chūkai-sha/Kanri-sha no Sekinin: Amerika Saibā Hō kara-no Shisa [***Intermediary Liability: Lessons from American Cyber-law***], CYBER SECURITY MANAGEMENT, Vol. 4 at 42 (Japan Cyber Security Institute Feb. 2000).

Yūzā no Meiyokison-kōi ni-taisuru Ai Esu Pī no Minji Sekinin (Jō)(Ge) [***ISP’s Civil Liability for Defamation Caused by Its User Nos. (1) & (2)***], HANREI TAIMUZU—『判例タイムズ』—, No. 1002 at 39 to No. 1003 at 81 (Aug. 1999).

Kaisetsu “Zeran tai AOL” Jiken, [***An Analysis of Zerán v. AOL, 129 F.3d 327 (4th Cir. 1997)***], HANREI TAIMUZU, No. 985 at 73 (Dec.1998) (w. N. Sagara).

Saibā Hō towa Nanika [***What Is the Cyber-law?***], HANREI TAIMUZU, No. 984 at 72 (Dec. 1998) (with T. Natsui & H. Okamura) (declaration of the Cyber-law Study in Japan^{*7}).

^{*7} T. Natsui, I, and H. Okamura jointly prepared and published the statement (i) that argued for the necessity and importance of developing the cyber-law study in Japan and

Intānetto Hō Hanrei Shōkai (1)-(153) [*Cyberspace Law Cases Nos. 1 to 153* (to be continued)], **JOURNAL OF THE JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW**, Vol. 26, No.6, at 648 to Vol. 39, No.2, at 288 (June 1998 to present) (a monthly analysis of an American cyber-law case) (The latest No. 153 analyzing *Arista Records v. Doe 3*, 604 F.3d 110 (2d Cir. 2010) that was based upon heightened pleading standards by *Twombly* and *Iqbal*).

Amerika Fuhō-kōi Hō Dai-Sanji Risuteitomento Seizōbutsu Sekinin Hō ni-okeru “Kinō-teki” Sekkei Kekkan Kijun (Jō)(Chū)(Ge) [*The Functional Standard for Design Defect under American RESTATEMENT (THIRD) OF TORTS: PROD. LIAB. Nos. (1) to (3)*], SONPO KIKAKU—『損保企画』—[NON-LIFE INSURANCE PLANNING], No. 663 at 2, No. 664 at 2, No. 666 at 2 (Songai Hoken Kikaku—損害保険企画— Dec. 15 & 25, 1997, Jan. 25, 1998).

“Saibā-supēsu Hōgaku” to Intānetto: “Hakkā” no Rinri to “Serufu Gabanansu” no Seishin (1)-(15) [*“Cyberspace Law” and the Internet: The “Hacker” Ethic and the Spirit of “Self-Governance” Nos. 1 to 15*], **JOURNAL OF THE JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW**, Vol. 25, No.11, at 1177 to Vol. 27, No. 1, at 76 (Nov. 1997 to Jan. 1999).

Saibā Hō no Ryōiki to Serufu Gabanansu [*Domain of Cyber-law and Self Governance*], **INFOCOM REVIEW**, No. 12 at 96 (InfoCom Research, Inc.—情報通信総合研究所— Oct. 1997).

Saibā-supēsu Hō to Intānetto-jō no Saiban Kankatsuken: Den'nō Kūkan ni-okeru Serufu Gabanansu no Shuchō to Taijin Kankatsuken ni-kansuru Beikoku Shuyō Hanrei no Tachiba no Bunseki (1)-(9) [*Jurisdiction in Cyberspace: An Analysis of the American Leading Cases and Self-Governance Arguments Nos. 1 to 9*], **JOURNAL OF THE JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW**, Vol. 25, No. 8, at 807 to Vol. 26, No. 4, at 416 (Aug. 1997 to Apr. 1998).

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(ii) that showed their intent to develop the study mainly through the Cyber-law Study Group—Saibā Hō Kenkyū-kai: サイバー法研究会—, the predecessor of the Information Network Law Association Japan, described, *supra*, in the Professional Memberships.

Costs for Corporate Management in the United States and Effects of Antitrust Law], JAPAN JOURNAL OF POLICY & CULTURE, No. 2 at 161 (Mar. 1997).

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JAPANESE INSTITUTE OF INTERNATIONAL BUSINESS LAW, Vol. 21, Nos.5-7, at 587, 719, 847 (May to July 1993). *Also* the summarized translation *in* **NBL**, No. 510 at 6 (**Commercial Law Center, Inc.** Dec.1, 1992).

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Note, *Drafts of the Japanese Strict Product Liability Code: Shall the Japanese Manufacturers Also Become the Insurers of Their Products?*, 25 **CORNELL INT'L L. J.** 643 (Cornell Univ. 1992).

Major Professional Presentations and Lectures (in Japanese)

Beikoku Purobaidā Sekinin Seigen-Hō: Dejitaru Mireniamu Chosakuken Hō 512-jō tō ni-kansuru Ikutsuka no Saibanrei no Shōkai [Presentation, **Internet Service Providers' Liability Limitation Statutes in the United States: Major Cases on §512 of Digital Millennium Copyright Act of 1998 [and §230 of Communications Decency Act of 1996]**], Purobaida Sekinin Seigen-Hō Kenshō WG—プロバイダ責任制限法検証WG—[**Working Group on the ISP's Liability Limitation Statute in Japan**], **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**—総務省—, Tokyo, Japan, Dec. 2010.

Ōpun Sisutemu Dipendabiriti ga Sekai wo Kaeru: Dipendabiriti to Setsumei Sekinin [Symposium, **An Open System Dependability Will Change the World: Accountability in Dependability**], **Dependable Embedded OS R&D Center**—ディペンダブル組込みOS 研究開発センター—, **JAPAN SCIENCE AND TECHNOLOGY AGENCY**—(独)科学技術振興機構—, Yokohama, Japan, Dec. 2010 (panel commentary on liability caused by defect in software).

Chosakuken Shingai ni-kansuru Chūkaisha Ai Esu Pī no Sekinin: Beikoku Dī Emu Sī Ei Saibanrei wo Chūshin ni [Presentation, **Intermediary Liability of ISP for Copyright Infringement: Focusing upon Cases on American DMCA**], Kaigai Jōhō Tsūshin Hanrei Kenkyū-kai—海外情報通信判例研究会—[**Study Group on Overseas Cases concerning Information and Communications**], Institute for Information and Communications Policy (IICP)—情報通信政策研究所—, MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC), Tokyo, Japan, June 2010.

Shin-Jidai Netto Sābisu no Hikari to Kage: Aratana Fuguai-heno Torikumi [Keynote Address, **Light and Shadow of the Internet Services in the New Era: Wrestling with New Problems**], Sōmu-shō Tokubetsu Simupojiumu—総務省特別シンポジウム—, Dōsuru? Benri-na Netto Sābisu to Aratana Fuguai [**Special Symposium by Ministry of Internal Affairs and Communications, What Shall We Do?: Convenient Internet Services and New Problems**], MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC) and **Next Generation IP Network Promotion Forum**—次世代IPネットワーク推進フォーラム—, Tokyo, Japan, Mar. 2010 (keynote address and panel chair).

Iryō no Anzen Kijun no Hōteki Mondai: Anzen Kijun no Genjō to Shōrai [Presentation, **Legal Problems and Safety Standards in Medical Malpractices: A Current Status and Problems of Safety Standards**], Kenpō Kinen Shimupojiumu [Symposium at the Anniversary of Japan's Constitution], **Japan Society of Risk Management for Preventive Medicine**—日本予防医学リスクマネジメント学会—, School of Medicine, Keio Univ., Tokyo, Japan, May 2009.

“*Southwest Airlines tai BoardFirst*” ni-miru “Rappu gata Keiyaku” no Yūkōsei: Saibā Keiyaku Hō to Ningen Kōdō [Presentation, **Validity of Wrap Contracts and *Southwest Airlines v. BoardFirst*: Cyber-contracts and Human Behavior**], Kaigai Jōhō Tsūshin Hanrei Kenkyū-kai [Study Group on Overseas Cases concerning Information and Communications], Institute for Information and Communications Policy (IICP), MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC), Tokyo, Japan, May 2008.

Baishō Sekinin to, Musekinin to, Yokushi [Presentation, **Liability, Irresponsibility, and a Deterrent**], IP-ka Jidai no Tsūshin-Tanmatsu ni-kansuru Kenkyū-kai—IP化時代の通信端末に関する研究会—[**Committee on Customer Premises Equipment in the IP-era Telecommunications**], MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC), Tokyo, Japan, May 2007.

Kigyō ni-okeru Jūgyōin no Denshi Mēru no Kanshi [Presentation, **Surveillance of Employees' E-mail Messages at Their Working Places**], Yubikitasu Netto Shakai no Seido Mondai Kentō-kai—ユビキタスネット社会の制度問題検討会—[**Study Group on Problems in the Systems of Ubiquitous Network Society**], MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC), Tokyo, Japan, Feb. 2006.

Hōtei Iken (Opinions) kara Yomitoru Amerika no Koyō Sabetsu Kinshi Hō (Employment Discrimination): Sei-sabetsu (Sex Discrimination) to “Shinsei-na Shokugyō Yōken (BFOQ)” wo Chūshin-ni [Lecture, **Learning from Court Opinions on Equal Employment Opportunity: Focusing upon Sex Discrimination and *Bona Fide* Occupational Qualification**, Human Rights Lecture Series No.49 by Chuo Univ. —中央大学「人権問題についての講演会」シリーズNo. 49—, Tokyo, Japan, June 2005.

Robotto Pī Eru: Robbotto Fukyū Suishin to Seizōbutsu Sekinin Hō [Presentation, **Products Liability in Robots: Promotion to Make Robots Come into Wide Use and Products Liability Law**], Robotto Seisaku Kenkyū-kai—ロボット政策研究会—[**Committee on Robot Policy Study**], MINISTRY OF ECONOMY, TRADE AND INDUSTRY (METI)—経済産業省—, Tokyo, Japan, Mar. 2005.

Denshi Mēru Hōsei wo-meguru Shomondai [Symposium, **Various Problems in the Legal System for Electronic Mail**], the Information Network Law Association Japan—情報ネットワーク法学会—, Ritsumeikan Univ., Kyoto, Japan, Nov. 2002 (panel chair).

Ai Tī Kakumei to Denshi Shō-torihiki Hōsei no Dōkō [Symposium, **IT Revolution and Trend of Law for Electronic Commerce**], Mori Seminar (Mori, Hamada & Matsumoto), Tokyo, Japan, Apr. 2001 (panel commentary with Takashi Uchida—内田貴— et al.).

Intānetto to Hōteki Sekinin [Symposium, **The Internet and Liability**], Saibā Hō Kenkyū-kai—サイバー法研究会—[**Cyber-law Study Group**], Meiji Univ., May 1999 (panel commentary).

Wagakuni Pī Eru Seido no Kigyō heno Eikyō to Sono Taisaku [Presentation, **Effects of Products Liability in Japan on Corporations and Appropriate Responses Thereto**], Shōhisha Kanren Senmonka Kaigi—(社)消費者関連専門家会議—The Association of Consumer Affairs Professionals (ACAP), Tokyo, Japan, Jan. 1994.

Nichibei Seizōbutsu Sekinin no Hikaku [Symposium, **Comparison of Products Liability in Japan and the U.S.**], Seizōbutsu Sekinin Mondai Kentō-kai—製造物責任問題検討会— [Products Liability Study Group], Tokyo, Japan, May 1993 (presentation and panel commentary with **J. A. Henderson, Jr. & S. Yoshino**).

Amerika no Seizōbutsu Sekinin Hō [Lecture, **American Products Liability**], Yokohama Chihō Saiban-sho Hanji-ho Kai—横浜地方裁判所 判事補会— [The Assistant Judge Association in Yokohama District Court], Yokohama District Court, Yokohama, Japan, Jan. 1992.

Major Public Activities (Mainly Relevant to National Policymaking or Rulemaking by Japan's Governmental or Quasi-Governmental Bodies or Institutions)

- Oct. 2010 - Present Purobaida Sekinin Seigen-Hō Kenshō WG—プロバイダ責任制限法検証WG— [Member, **Working Group on the ISP's Liability Limitation Statute in Japan**], **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**—総務省—.
- Sept. 2010 - Present Tsūshin Sābisu Riyōsha WG—通信サービス利用者WG— [Member, **Working Group for Users of Telecommunications Services**], **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- July 2010 - Present **Special Executive Researcher, Institute for Information and Communications Policy (IICP)**—情報通信政策研究所—, **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- July 2010 - Present Sekinin Buntan Moderu SWG, Ai Pi Tanmatsu WG, Shin-sedai Netto-wāku Suisin Fōramu—新世代ネットワーク推進フォーラム IP 端末WG 責任分担モデルSWG— [Chairperson, **Sub-working Group on the Responsibility Division Model, Working Group on User Premises IP-equipment, New Generation Network Promotion Forum**], **National Institute of Information and Communications Technology (NICT)**—(独)情報通信研究機構— and **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- Jan. - June 2010 Intānetto-jō no Chosaku-ken Shingai Kontentsu Taisaku ni-kansuru Wākingu Gurūpu—インターネット上の著作権侵

- 害コンテンツ対策に関するワーキンググループ—[Member, **Conference on Copyright Infringement on the Internet**], Intellectual Property Strategy Headquarters (headed by the Prime Minister), **CABINET SECRETARIAT**—内閣官房—.
- May 2009 - Mar. 2010 Saitaku Shinsa-Finkai, Seikatsu Shien Robotto Jitsuyōka Purojekuto—採択審査委員会 生活支援ロボット実用化プロジェクト— [Member, **Budget Screening Committee, Life-Support Robot Realization Project**], **New Energy and Industrial Technology Development Organization (NEDO)**—(独)新エネルギー・産業技術総合開発機構—.
- Mar. 2008 - Present Kaigai Jōhō Tsūshin Hanrei Kenkyū-kai—海外情報通信判例研究会—[Member, **Study Group on Overseas Cases concerning Information and Communications**]^{*8}, **Institute for Information and Communications Policy (IICP)**, **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- Mar. 2008 - Feb. 2009 Denki Tsūshin Sābisu Riyōsha Kondan-kai—電気通信サービス利用者懇談会—[Member, **Round Table Conference for Users of Telecommunications Services**], **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- Dec. 2007 - July 2010 Sekinin Buntan Moderu WG, Ji-sedai Ai Pi Netto-wāku Suisin Fōramu—次世代IPネットワーク推進フォーラム 責任分担モデルWG—[Chairperson, **Responsibility Division Model Working Group, Next Generation IP Network Promotion Forum**], **National Institute of Information and Communications Technology (NICT)** and **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- Dec. 2006 - Present **Chair of the Section of Robot Insurance & Secretariat, Robot Business Promotion Council**—ロボットビジネス推進協議会—, **Japan Robot Association**.
- Dec. 2006 - July 2007 IP-ka Jjidai no Tsūshin-Tanmatsu ni-kansuru Kenkyū-kai—IP化時代の通信端末に関する研究会—[Deputy Chair, **Committee on Customer Premises Equipment in the IP-era Telecommunications**], **MINISTRY OF INTERNAL AFFAIRS AND COM-**

^{*8} The name of the study group has changed into “Jōhō Tsūshin Hō-gaku Kenkyū-kai—情報通信法学研究会—[**Study Group on Information and Communications Law**]” since November 2010.

- MUNICATIONS (MIC).**
- Dec. 2006 - May 2007 Jisedai Robotto Anzen-sei Kakuho Gaidorain Kentō I'inkai—次世代ロボット安全性確保ガイドライン検討委員会— [Member, **Committee on Next-Generation Robot Safety Guidelines**], **MINISTRY OF ECONOMY, TRADE AND INDUSTRY (METI)**—経済産業省—.
- Feb. - Sept. 2006 Yubikitasu Netto Shakai no Seido Mondai Kentō-kai —ユビキタスネット社会の制度問題検討会— [Member, **Study Group on Problems in the Systems of Ubiquitous Network Society**], **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- Jan. 2005 - May 2006 Robotto Seisaku Kenkyū-kai—ロボット政策研究会— [Member, **Committee on Robot Policy Study**], **MINISTRY OF ECONOMY, TRADE AND INDUSTRY (METI)**.
- Feb. 2003 - Sept. 2004 Denki Tsūshin Jigyō Bun'ya ni-okeru Puraibashī-jōhō ni-kansuru Kondan-kai—電気通信事業分野におけるプライバシー情報に関する懇談会— [Member, **Round Table Conference on the Privacy of Information in the Telecommunications Service Sector**], **MINISTRY OF INTERNAL AFFAIRS AND COMMUNICATIONS (MIC)**.
- Dec. 2001 - Mar. 2002 Sōgō Sekyuritī Taisaku Kaigi—総合セキュリティ対策会議— [Member, **Comprehensive Security Measures Conference**], **National Police Agency (NPA)**—警察庁—.

Others

Having occasionally given lectures to the Members of Congress (MC), including an **ex-Minister of Finance**—元財務大臣— (LDP), on policymaking issues relevant to various legal subjects; in the last year (on Feb. 19, 2010) gave a lecture, to Mr. Keisuke Tsumura (MC, DPJ), **Parliamentary Secretary of Cabinet Office**—内閣府大臣政務官—, on Counter-measures against Copyright Infringement on the Internet from the Viewpoints of the Cyberspace Law and Torts (with respect to Japan's policymaking on international negotiations of the Anti-Counterfeiting Trade Agreement (ACTA)).

Having been serving as a lecturer on Contracts and Drafting International Contracts in the seminars that have been held periodically by the Japanese Institute of International Business Law, Inc.—Kokusai Shōji Hō Kenkyū-jo: (社)国際商事法研究所—, the

non-profit association specially approved by the **MINISTRY OF JUSTICE (MOJ)**—法務省—.

Participated in preparation of, and promoted, the bill for legislation of the Japanese version of the anti-spam act (特定電子メールの送信の適正化等に関する法律—**ACT ON REGULATION OF TRANSMISSION OF SPECIFIED ELECTRONIC MAIL**—, Law No. 26 of 2002), 2001-02.

Appeared in multiple articles in newspapers and magazines; on TV news programs; and on a radio program with respect to legal subjects including the followings:

- *Gekijō-gata Baishin Saiban ga Kagi: Pī Eru Soshō to-iu Gēmu ni Katsu-tameni* [**The Key Factor Is Jury Trial: Managing Products Liability Litigation**], **BUSINESS LAW JOURNAL**, No. 30 at 53 (**LexisNexis Japan** Sept. 2010) (interviewed comment).
- O'hayō Nippon: Intānetto jō no Bengoshi Jōhō [Good Morning, Japan: **Information on Attorneys on the Internet**], **NHK [Japan Broadcasting Corporation]**, Aug. 30, 2010, 7:18 am (interviewed comment at a national TV news program).
- Kunimaru Akademī: Saibā Hō [Academic Topics with Mr. Kunimaru: **Cyber-law**], **Bunka Hōsō [Nippon Cultural Broadcasting Inc.]**, Sept. 25, 2006, 10:00 am (interviewed comment at a national radio program).
- *Opinion: Kojin Jōhō Hogo Hō* [*Opinion: **Personal Information Protection Law***], **The Asahi Shimbun**, June 7, 2006, Morning ed. at p.13 (interviewed comment at a national newspaper on 個人情報保護に関する法律—**ACT ON THE PROTECTION OF PERSONAL INFORMATION**, Law No. 57 of 2003—).
- *DoCoMo Wins Injunction against Firm Sending E-Mails*, **The Asian Wall Street Journal** Oct. 30, 2001, at p. 4 (comment, as the General Counsel of NTT DoCoMo, on my success in having obtained injunctive relief, at the first time in history of Japan in the mobile internet services, against a spammer).

Personal

Birth Year and Place: Born in 1961 (the Thirty-Sixth Year of Shōwa period; the year of the Ox), Tokyo, Japan