

Annexes

Annexe 1 : La circulation des données au sein des entreprises japonaises

日本の企業におけるデータ流通量の推移



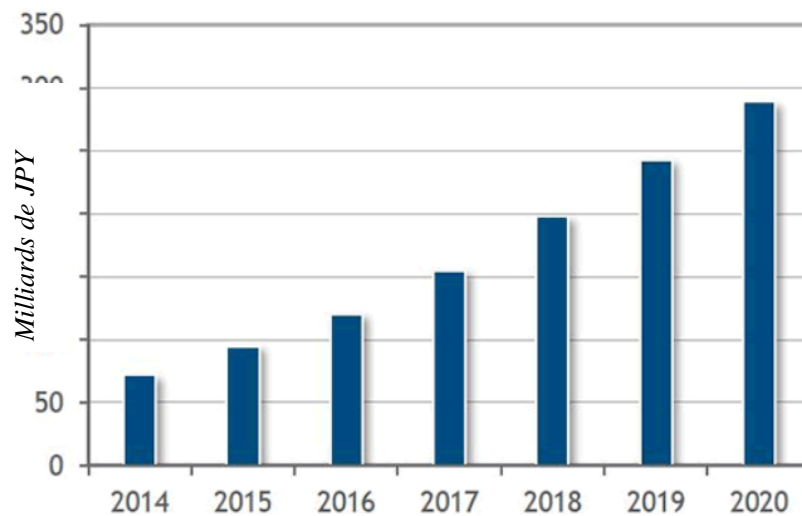
TB = Terabyte, soit 1000 gigabytes

Source : Ministère de l'Intérieur et des Communications

Annexe 2 : Prévisions de croissance du marché des Big Data (Technologies + services) au Japon d'ici 2020

<参考資料>

国内ビッグデータテクノロジー / サービス市場予測：2014年～2020年

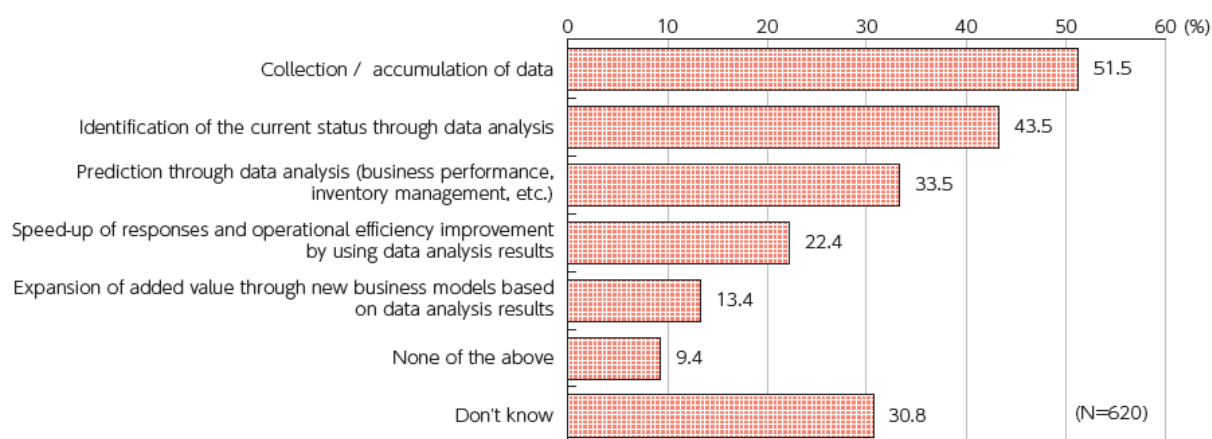


Note: 2015年までは実績、2016年以降は予測

Source: IDC Japan, 6/2016

Annexe 3: Enquête sur l'état de l'utilisation des données par les entreprises japonaises

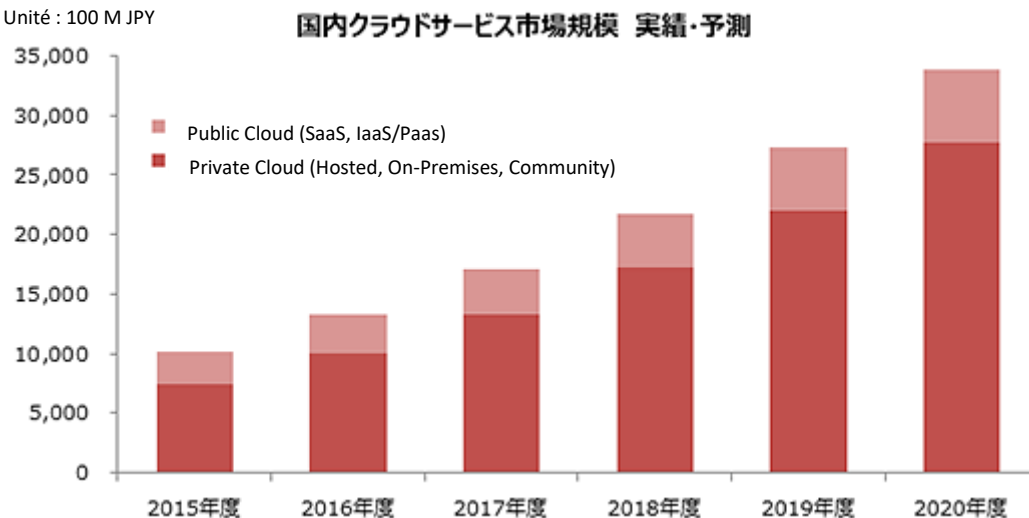
Figure 2-3-2-1 State of data use and application by Japanese enterprises



(Source) "Study Report on a Structural Analysis of the ICT Industry In the IoT Era and Verification of ICT's Multifaceted Contributions to Economic Growth," MIC (2016)

Annexe 4 : Prévisions du marché des services de cloud au Japon d'ici 2020

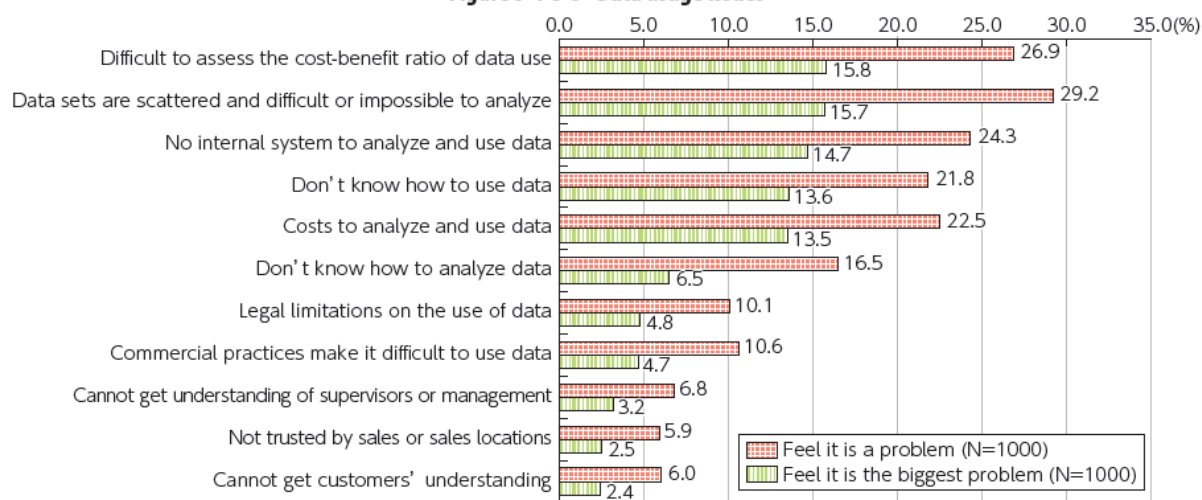
Unité : 100 M JPY



Source : IDC, 2016

Annexe5 : Les principaux obstacles à l'utilisation des données au Japon

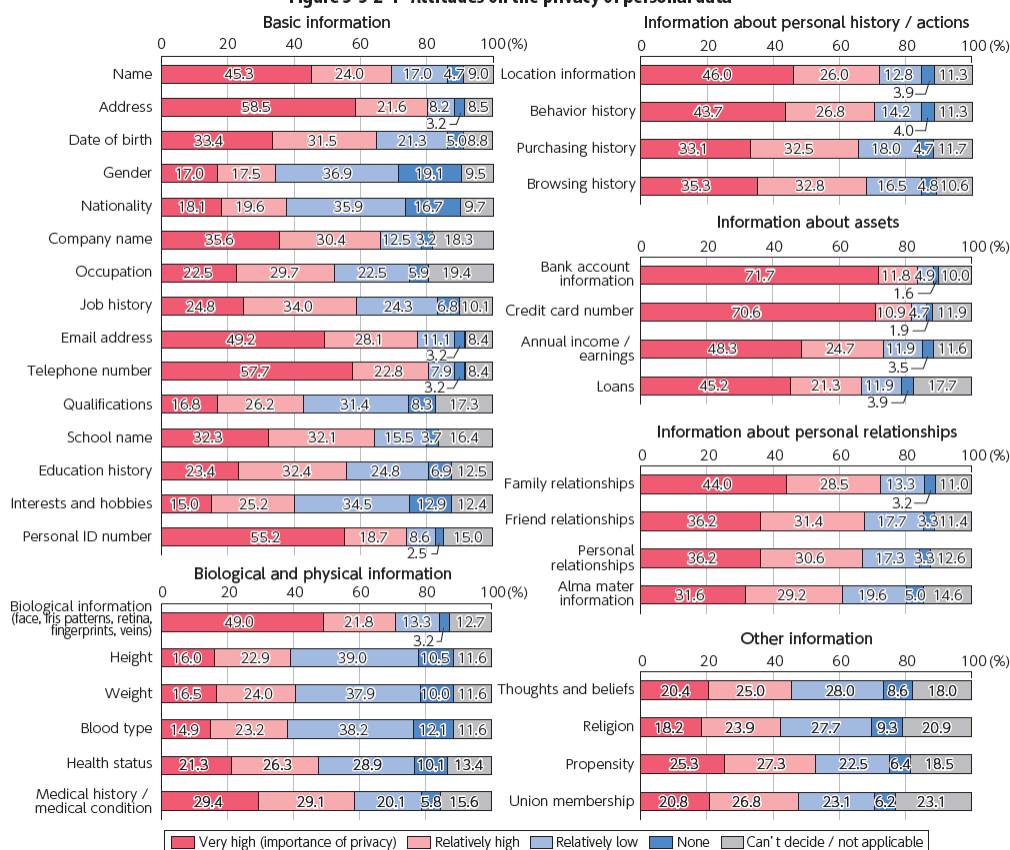
Figure 3-1-3-3 Data usage issues



(Source) "Study Report on the Ripple Effects of Operational and Service Innovation through Advanced Data Usage on Japan's Economy and Society," MIC (2014)

Annexe 6 : Evaluation de l'attitude des citoyens japonais sur l'importance de la protection des données personnelles

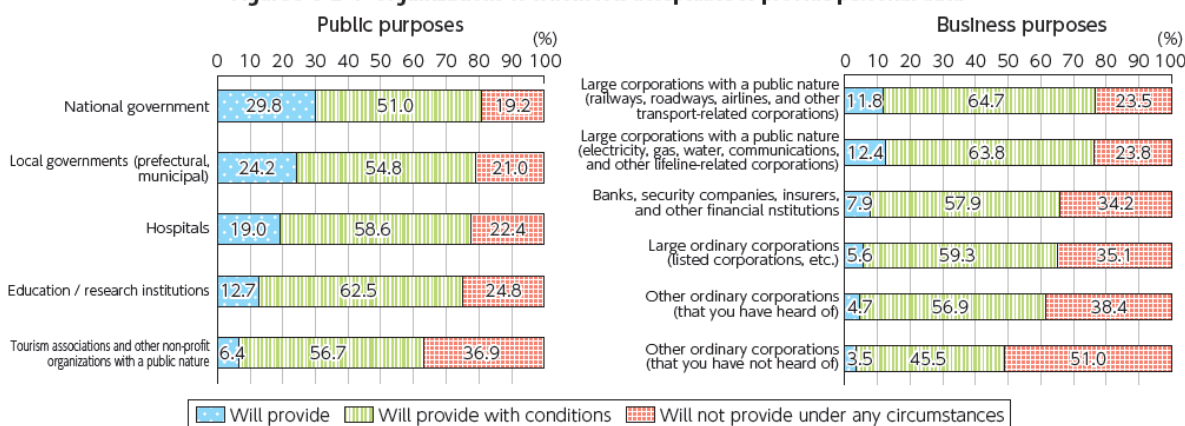
Figure 3-3-2-1 Attitudes on the privacy of personal data



Source : MIC, 2014

Annexe 7 : Organisations pour lesquelles il est acceptable de transmettre des données personnelles (Enquête)

Figure 3-3-2-4 Organizations to whom it is acceptable to provide personal data



(Source) "Study Report on the Social Impacts of ICT Advancement," MIC (2014)

Annexe 8 : Résumé des guidelines sur les droits d'utilisation des données dans le cadre de contrats BtoB

Outline of Contract Guidelines on Data Utilization Rights ver. 1.0

Purpose of the Contract Guidelines

To provide ideas for fairly determining data utilization rights in contracts

Outline of the Contract Guidelines

● Consensus building process

Proposal

*Unreasonable rejection may pose a problem under the Unfair Competition Prevention Act.

Data selection

Parties select data they wish to utilize.

Presentation of selected data and harmonization of views

Preparation of a data catalog

Key points

- Data for which rights should be clarified is to be selected and listed in a catalog considering relevance to transactions and actual or potential utilization.
- Data on which views differ among the parties is to be ascertained.

Determination of data utilization rights

Key points

- The existence of data utilization rights should be examined **fairly and objectively** in light of the levels of contribution and other factors as exemplified below.

<Factor 1> Creation/acquisition

Level of contribution, financial burden, ownership of equipment (leasing or other type of contract), operating entity, originality, etc.

<Factor 2> Preservation/management

Financial burden, safety measures, confidentiality (prevention of data distribution), consistency with the handling of intellectual property, locus of responsibility concerning data, etc.

<Factor 3> Utilization

Consideration, areas of cooperation and competition, existence or non-existence of merits and incentives, necessity and effectiveness of data, usage of data, public nature of data, etc.

- Data utilization right is not always vested in one party. The possibility of data sharing should be taken into account in making comprehensive judgements based on these factors.

Drafting

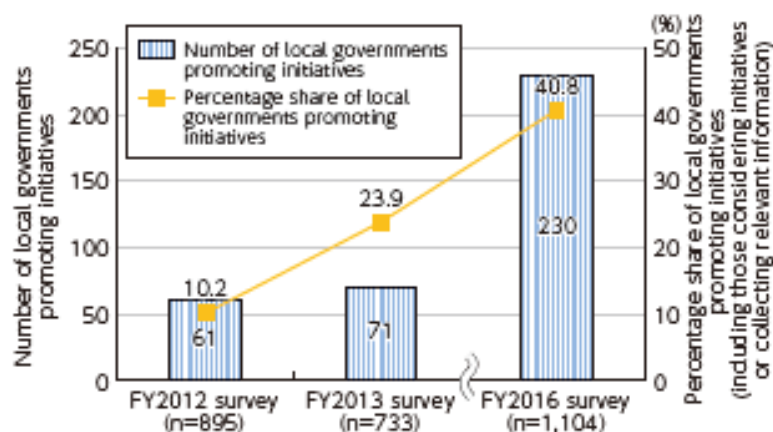
Reference should be made to the model contract clauses.

● Use Cases

- A manufacturing company purchases a machine from a machine tool manufacturer and operates the machine at its factory using middleware purchased from a software vendor, and thus generating machine operating data.
- A manufacturing company provides its own data to a service provider and receives services from the provider based on AI and other analysis, thereby engaging the provider to create analytical data.

Annexe 9 : Mise en œuvre d'initiatives d'open data par les autorités locales japonaises

Figure 2-2-2-1 Implementation of open data initiatives at local governments



(Source) "Survey Research on Present Status of Regional ICT Utilization." MIC (2017)