

TOSHIYUKI KONO

Curriculum Vitae

Personal data

-Name: Toshiyuki KONO

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Faculty of Law

Kyushu University 23

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Current Positions:

Distinguished Professor, Professor of Law, Kyushu University

Vice President and Titular Member of the International Academy of Comparative Law

Director of the International Academy of Commercial and Consumer Law

Chairman of the Committee for Cultural Affairs of UNESCO National Commission,
Japan

Board Member of the Japanese Association of International Law

Board Member of the Japanese Association of Private International Law

Board Member of Japanese National Committee of the International Council of
Monuments and Sites

Member of Heritage Law Committee of the International Law Association

Director of LL.M./ LL.D. Programs of Kyushu University

Education and Previous Positions

Visiting Professor at Chulalongkorn University (2000, 2001, 2003), Munich University
(1993/4, 2001/2), Leuven Catholic University (1990/1), Hong Kong City University
(2010)

2006-2009 Senior Program Officer of the Research Centers of Science Systems at the

Japan Society for the Promotion of Science

1986-1996 Tenured Associate Professor at Kyushu University

1983 LL.M. (Kyoto University)

1981 LL.B. (Kyoto University), Japanese Bar Exam

Research and editorial work

- Advisor of the research project on IP, Jurisdiction, Applicable Law and Judgments, by the American Law Institute (2001-2007)
- Visiting Scholar at New York University, Law School (2001)
- Visiting Scholar as a Fellow of the Alexander von Humboldt Foundation at Free University Berlin and Max-Planck-Institute for Comparative and International Private Law (1997)
- Visiting Scholar as a Fellow of DAAD at Munich University (1986-1988)

Selected Lecturer in Seminars, Conferences and Post-graduate courses organized by (selection limited to foreign institutions):

- 2013: Special lectures on “Efficiency in Private International Law” at the Hague Academy of International Law (scheduled)
- 2010: General reporter of the session on IP and Private International Law at the 18th Congress of the International Academy of Comparative Law, (Washington DC);
- 2009: expert of the 15th session of the Intergovernmental Committee to Promote the Return of Cultural Property (Paris)
- 2008: Panelist of the Asia-Europe Meeting (ASEM) Cultural Diversity Seminar, co-organized by UNESCO and the European Commission, and Vietnamese Government (Hanoi)

Moderator and panelist of the Experts Meeting/ Extraordinary Session of the Intergovernmental Committee to Promote the Return of Cultural Property in Celebration of its 30th Anniversary, (Seoul)

General reporter of the session on Impacts of Uniform Law and Cultural Property at the first thematic Congress of the International Academy of Comparative Law, (Mexico City)

- 2007: the chairperson of the Legal Committee of the 34th UNESCO General Conference (Paris)
- 2006: panelist of the Symposium on the occasion of the 60th anniversary of UNESCO: "UNESCO: Sixty Years of Standard-Setting in Education, Science and Culture, (Paris)

Selected Publication

English - Articles and Book Chapters

- Chaen S./Kono T./Yokomizo D., "Jurisdiction in Intellectual Property Cases: The Transparency Proposal", in Basedow J./ Kono T./ Metzger A. (eds.), *Intellectual Property in the Global Arena*, Mohr Siebeck, Tübingen, (2010) pp.77-145.
- Kono T./ Tada N./ Shin M., "Recognition and Enforcement of Foreign Judgments Relating to IP Rights and Unfair Competition", in Basedow J./ Kono T./ Metzger A. (eds.), *Intellectual Property in the Global Arena*, Mohr Siebeck, Tübingen, (2010) pp.293-340.
- Kono T./ Wrbka S., General Report, in Kono T.(ed.), *The Impact of Uniform Laws on the Protection of Cultural Heritage and the Preservation of Cultural Heritage in the 21st century*, Martinus Nijhoff, Leiden/Boston, (2010) pp.1-230.
- Kono T., Japanese National Report, in Kono T.(ed.), *The Impact of Uniform Laws on the Protection of Cultural Heritage and the Preservation of Cultural Heritage in the 21st century*, Martinus Nijhoff, Leiden/Boston, (2010)469-463.
- Kono T., "Japanese Swords Taken During the Occupation After the Second World War", in Prott L.(ed.) *Witness to History – Documents and Writings on the Return of Cultural Objects*, UNESCO Publishing (2009), pp.173-181.
- Kono T., "Convention for the Safeguarding of Intangible Cultural Heritage: unsolved Issues and Unanswered Questions, in Kono T.(ed.), *Intangible Cultural Heritage and Intellectual Property – Communities, Cultural Diversity and Sustainable Development*, Intersensia, Antwerp/Oxford/Portland, (2009), pp.3-39.
- Kono T., "Progressive Development of International Law through UNESCO - focusing on the field of cultural heritage", *Soochow Law Journal*, Vol.6, No.1, (2009) pp.1-63.
- Kono T. "Geographical Indication and Intangible Cultural Heritage", in Ubertazzi B. and Espada E.M., *Le indicazioni di qualita degli alimenti*, Giuffre Editore, Milano, (2009) pp.289-299.
- Kono T., *Critical and Comparative Analysis of the Rome II Regulation on Applicable Laws to Non-contractual Obligations and the New Private International Law in Japan*, in Basedow J./ Baum H./ Nishitani Y., *Japanese and European*

Private International Law in Comparative Perspective, Mohr Siebeck, Tübingen,(2008), pp.221-241.

- Kono T., Chapter 25 “The UNESCO Convention for the Protection and Promotion of the Diveristy of Cultural Expressions”, in Alexander K. and Andenas M. (eds.),The World Trade Organization and Trade in Service, Martinus Nijhof, Leiden/Boston (2008) pp.845-902.
- Kono T. /Cornett J.,What is Intangible Cultural Heritage? - An Analysis of the Convention for the Safeguarding of Intangible Cultural Heritage and the requirement of compatibility with human rights, in Blake J. (ed.) Safeguarding the Intangible Cultural Heritage - Challenges and Approaches, (Institute of Art and Law, 2007), pp.143-174.
- Kagami K/ Kono T./ Nishitani Y., “Economic Analysis of Conflict-of-Laws Rules in Tort – Lex loci Delicti Principle vs. Interest Analysis Approache, in Basedow J./ Kono T., (eds.), Economic Analysis of Private International Law, Mohr Siebeck, Tübingen, (2006) pp. 121-142.
- Kono T., “UNESCO and Intangible Cultural Heritage from the viewpoint of Sustainable Development, in Yusuf A., Standard-Setting in UNESCO, Sixty Years of Normative Action in Education, Science and Culture, UNESCO Publishing/Martinus Nijhoff Publishers, (2007), pp.237-265.
- Kono T., “Intellectual Property Rights, Conflict of Laws and International Jurisdiction: Applicability of ALI Principles in Japan?”, Brooklyn Journal of International Law, Vol. 30, No.3, (2005) pp.865-883.
- Kono T., “Keynote Speech - The Basic Principles of the Convention for safeguarding of Intangible Heritage: A Comparative Analysis with the Convention for Protection of World Natural and Cultural Heritage and Japanese Law”, in Okinawa International Forum 2004, Utaki in Okinawa and Sacred Spaces in Asia, Community Development and Cultural Heritage, the Japan Foundation (2004), pp. 37-43.
- Kono T., “Some Considerations on International Jurisdiction and the Draft Convention on Jurisdiction and Foreign Judgments in Civil and Commercial Matters from a Japanese Perspective”, in, Charmody C., Iwasawa Y./ Rhodes S. (eds.), Trilateral Perspectives on International legal Issues: Conflicts and Coherence, The American Society of International Law, Washington D.C., (2003) pp.157-170.
- Kono, T., “Return of cultural property displaced during occupation and/or armed conflict: a Japanese point of view”, in Korean National Commission for

- UNESCO, Cultural Properties Administration of the Republic of Korea, UNESCO (ed.), *International Expert Meeting on the Return of Cultural Property and the Fight against its Illicit Trafficking*, (2002) pp. 55-78.
- Kono T., “Internet Auction and Its Critical Analysis from the Viewpoint of Contract and Commercial Law”, in Kono T./ Paulus C./ Rajak H., (eds.), *Selected Legal Issues of E-Commerce*, Kluwer Law International, London, (2002) pp.41-55.
- Kono T., “Deregulation in the Field of Securities Law and Private International Law from a Japanese Perspective”, in Basedow J./Baum H./Hopt K./Kanda H./Kono T., (eds.), *Deregulation and Legal Issues*, Kluwer Law International, London, (2002) pp.287-301.
- Kono T., “The significance of the Buffer Zone under the 1972 World Heritage Convention”, *Art Antiquity and Law*, Vol.5, No. 2, (2001) pp.177-184.
- Kono T., “Recent Trends in Japanese Civil Procedure - Reform of the Code of Civil Procedure”, *The European Journal of Law Reform*, Vol.2, No.1 (2000) pp.155-164.
- Kono T., “Enforcement of Foreign Intellectual Property Rights in Japan: Jurisdiction and Applicable Law”, in CASRIP (The Center for Advanced Study and Research on Intellectual Property, University of Washington) (eds.), *Rethinking International Intellectual Property*, CASRIP Publication Series, Seattle, (2000) pp.20-30.
- Kono T., “The Recognition of Foreign Insolvency Proceedings and Private International Law”, in Basedow J./Kono T. (eds.), *Legal Aspects of Globalization*, Kluwer Law International, London, (2000) pp.213-226.
- Kono T. , “The Recent Reform of the Law for the Protection of Cultural Properties in Japan – the introduction of the Listing System for Immovable Cultural Properties, in Spain ICOMOS (eds.), *Protection through Planning: Public Participation in Planning and Listing Processes*, (1999) pp. 120-124.
- Koh S/ Kono T. , “Law of International Civil Procedure”, in *Asian Year Book of International Law*, Vol.6 for 1996, Kluwer Law International, London, (1998) pp.62-202.
- Kono T., “The Public Benefit Corporation and Taxation in Japanese Law”, in ICOMOS Deutschland (ed.), *Legal Structures of Private Sponsorship*, (1997) pp.59-63.
- Kono T., “Judges and Mediators in Japan - The Regulatory Administration as Motionless Mediator”, in, Baum H. (ed.), *Japan - Economic Success and Legal System*, Walter de Gruyter, Berlin/New York, (1996) pp.69-88.

English - Books as editor

- Kono T.(ed.), *The Impact of Uniform Laws on the Protection of Cultural Heritage and the Preservation of Cultural Heritage in the 21st century*, Martinus Nijhoff, Leiden/Boston, (2010), pp.786.
- Basedow J./ Kono T./ Metzger A. (eds.), *Intellectual Property in the Global Arena*, Mohr Siebeck, Tübingen, (2010), pp.404.
- Kono T.(ed.), *Intangible Cultural Heritage and Intellectual Property – Communities, Cultural Diversity and Sustainable Development*, Intersensia, Antwerp/Oxford/Portland, (2009), pp.415.
- Basedow J./ Kono T., (eds.), *Economic Analysis of Private International Law*, Mohr Siebeck, Tübingen, (2006) pp. 246.
- Kono T./ Paulus C./ Rajak H., (eds.), *Selected Legal Issues of E-Commerce*, Kluwer Law International, London, (2002) pp.171.
- Basedow J./Baum H./Hopt K./Kanda H./Kono T., (eds.), *Deregulation and Legal Issues*, Kluwer Law International, London, (2002) pp. 331.
- Basedow J./Kono T. (eds.), *Legal Aspects of Globalization*, Kluwer Law International, London, (2000) pp.230.

German – Articles and Book Chapters

- Kono T., “Eine Skizze der Entwicklung des Bereicherungsrechts in Japan”, *Archiv für die civilistische Praxis*, Vol. 200, Heft 3/4 (2000) pp.519-525.
- Kono T. “Theorienrezeption und Theorienfunktion, *Zeitschrift für Europäisches Privatrecht*, 3/1999 (1999), pp.417-423.
- Kono T., “Neuere Tendenzen im japanischen Zivilverfahrensrecht”, *Zeitschrift für Japanisches Recht*, Heft 6, (1998) pp. 174-184.
- Kono T., “Kulturgüterschutz im japanischen IPR unter besonderer Berücksichtigung des Gutgläubenserwerbs im japanischen Zivilrecht”, in, Dolzer R./ Jayme E./ Mußgnung R. (eds.), *Rechtsfragen des internationalen Kulturgüterschutzes*, C.F.Müller Heidelberg,(1994) pp.105-122.
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- Kono T./Trunk A., “Anerkennung und Vollstreckung ausländischer Urteile in Japan”, *ZZP* Vol.102, (1989) pp. 319-357.

German Books as editor

Heldrich A./ Kono T. (eds.), Herausforderungen des Internationalen
Zivilverfahrensrechts, J.C.B.Mohr, Tübingen, (1994) pp. 254.