



## Une entrevue au Japon

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During its trip to Japan, the inno<sup>3</sup> team met with **Nguyen Minh**, researcher at the [JAIST University](#) and responsible of research work on Machine Learning applied to Law (LegalTech). He had been recommended to us in the context of exchanges with the French Court of Cassation.

### Presentation

Nguyen Minh is professor and researcher at the JAIST University (Japan Advanced Institute of Technology), a public university specializing in science and technology. With Artificial Intelligence as main field of study, he has been specializing for several years in the field of Machine learning and Language understanding applied to the legal sector (and more particularly to the technological branch known as Legal tech). His research work aims at making the legal sector more accessible and understandable, in particular through several questions: How should and how can laws be applied to the technological sector? How can the understanding of legal documents be improved and through which concrete applications? Etc.

### The challenge of data

Nguyen Minh manipulates public and private datasets as part of his work. In Japan, public data are still partially publicly available and few data from private companies are easily manipulated, although research usually benefits from a more favourable framework for exploiting such data for research purposes only. Data represent a major challenge in Japan because of its random and unregulated management. The General Data Protection Regulations (GDPR) that came into force in May 2018 in Europe resonates abroad as a new path towards better control, sharing and reuse of data from public administrations, but also from private companies. Since very recently Japan has been working on drafting a new legislation, as well as adapting certain laws to comply with the GDPR's expectations, although this prospect of opening up is still too controversial in Japan. Added to this barrier are the legal specificities of each country, thus hindering the application of a harmonized framework of open data to the field of law. The example of France and Europe are often cited.

During our interview the researcher has shown a strong interest for open models and working methods based on inter-company collaboration. Thus, the experience of the association *Open Law\**, *le Droit Ouvert*, co-founded and chaired by Benjamin Jean, is particularly inspiring for research, for industry, and even for Japanese public sector. For the application of AI research applied to law, this is even more interesting since the Japanese legal system, although it remains very specific – particularly in its application –, is strongly inspired by Latin law. The technologies and methodologies used in France and Japan are therefore clearly convergent. Thus, the «IA & Droit : Datasets d'apprentissage» (*AI & Law : Learning Datasets*) program is a particular source of inspiration.

The evolution of the Open data application project requires patience and perseverance, as the project has not yet been accepted by all sectors in Japan. It is today mainly targeted to the research field, which sees it as an essential asset to drive research forward in many fields (health, technology, etc.) through the pooling of knowledge and results obtained by a third party. Unfortunately, many players do not see their interest in opening up and sharing these data (in terms of company policy and economic challenges), thus slowing down the project's concrete implementation.

## **Des relations vers l'extérieur encore prudentes**

Japan is a closed, inward-looking and still very compartmentalized ecosystem. If this description is valid for the country as a whole, it is also valid for the very structuring of its various sectors and its public and private entities. For example, researchers in the field of law will have poor communications with the technological sector, although it would be in their best interest to share their knowledge. This is also true within a same team, since the rigid respect of the hierarchy in Japan still plays a dominant role in the management of relations between members of the same team and leaves room for communication issues and generates inertia.

Added to this lack of openness and communication between the different scientific disciplines, the Japanese research funding model, which relies heavily on private funding, gives a prominent place to commercial interests. Thus, research conducted in the legal field is strongly influenced by consultancy missions led by the private sector that finance them. On a more positive note, research is benefiting from current feedback from the field and plays an important rôle in supporting these new uses.

Aware of the low level of national and international exchanges, more and more research centers and Japanese companies turn to more open approaches heavily influenced by North American and European trends. Despite the proximity, collaborations with China are still weak – and this in spite of a significant immigration of Chinese students. Collaborations with Europe seem to be, from an international perspective, the most promising to date.

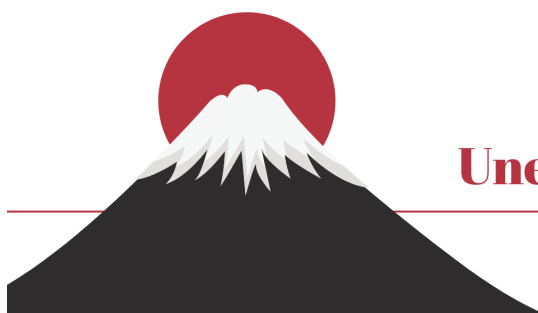
## **Context**

*In July 2019, the inno<sup>3</sup> team travelled to Japan to meet local players from the digital, open source, open data, etc. sectors and to exchange on their open innovation practices and projects. Indeed, the Japanese scene fascinates many Westerners for its evolving and innovative digital and*

*technological market, for its singularity and its ancestral approach. One could then characterize the Japanese island of stimulating curiosity.*

*But what do we really know about the archipelago, its actors and their projects, particularly in terms of open innovation? Too many projects are still unknown in France, although there are certainly many opportunities for sharing and learning. In other words, what can we learn from them and what can we bring to them in order to contribute together to the evolution of the market?*

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