

# MASANOBU KATO

Kyakuin

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Mr. Kato is active not only in the courts, but also in academia. As an academic, Mr. Kato has written papers in various fields of private law, while also teaching the Japanese Civil Code at university. As a practicing lawyer, he has substantial experience in very complex business cases concerning civil, commercial, patent, labor and tax laws. Mr. Kato revels in handling complex cases in which a judge has difficulty in making findings of fact, especially those cases in which a client is appealing a prior ruling adverse to the client.

A brief summary of Mr. Kato's extensive legal career follows. In the field of academia, Mr. Kato has lectured as a professor at Nagoya University's Graduate School of Law, a professor of law at Sophia University School of Law, a professor of law at Nagoya Gakuin University, a visiting fellow at Harvard University and the University of London, and a visiting professor at the University of Hawaii, University of Washington, Columbia University and Beijing University. In the field of legislation, Mr. Kato contributed significantly to various governmental bodies, including the Civil Law Subcommittee of the Legislative Council of the Ministry of Justice and the National Bar Examination Committee. He also has been engaged in framing significant conventions in the international business world, including the UNIDROIT Convention on International Financial Leasing and the UNIDROIT Convention on International Factoring.

Mr. Kato is considered to be one of Japan's leading civil code scholars. He has authored a series of five civil code textbooks titled "Contemporary Civil Code System of Japan". In addition, he has authored books and articles in the areas of commercial law, civil procedure, international transactions, intellectual property, labor, administration, tax, environmental law, American law and Chinese law. Mr. Kato's works on product liability, torts, unjust enrichment and financial leasing contracts are regarded as the definitive treatises in Japan.

As a renowned Civil Code scholar, Mr. Kato worked with the Ministry of Justice staff during the early stages of the process to amend Japan's Civil Code. However, due to a difference of opinion, Mr. Kato elected to discontinue his involvement with the Ministry of Justice until the amended Civil Code of Japan was promulgated in June 2017. Mr. Kato was critical of the ideas of the Ministry of Justice in his two books titled "Civil Code (Obligatory Law) Amendment—Wandering Japanese Civil Code" and "Day of Civil Code Amendment Presses". At the same time, he and his fellow scholars published two books in which they issued their own proposal for the recodification of the Japanese Civil Code. These books were entitled "A Proposal of Japanese Civil Code Book I—Proposed Provisions and Amendment Reasons" and "An Overall Amendment of the Japanese Civil Code—By the People, Lawyers and Academics".

These proposals, particularly those contained in the first book, garnered international attention and were translated into Simplified Chinese by Beijing University Publishers in Mainland China and into Traditional Chinese by Angel Publishing Co., Ltd. in Taiwan. In addition, Mr. Kato gave a lecture on the history of codifications of the world at a symposium held in the Parliament of Mongolia.

Taking advantage of this experience, Mr. Kato's practice encompasses the entire civil law with a particular focus on

product liability, compensation law for damages, unjust enrichment, leasing, trust law, and Chinese civil law (in which fields he has authored many books and theses) as well as complex cases of civil and commercial litigation.

## RELATED INSIGHTS

### PUBLICATIONS Publications

On Law of Unjust Enrichment,  
Collected KATO's Works vol.3

2016.09.01

Books

A Proposal of Amendment of the  
Japanese Civil Code I, Book I...

2016.06.01

Books

An intensive review on the Civil  
Code Amendment Bill

2015.09.01

Books

## CAREER

Mar 1965	Graduated from Toyama High School
Jun 1969	The University of Tokyo (LL.B.)
Jul 1969 - Mar 1973	Research Fellow, the University of Tokyo, Faculty of Law
Apr 1973 - Jun 1982	Associate Professor, Nagoya University, Faculty of Law (currently Nagoya University, Graduate School of Law)
Jan 1976 - Dec 1978	Expert in environmental issues, the United Nations Economic and Social Commission for Asia and the Pacific
Nov 1979 - Mar 1980	Member, "Research Committee on Tort Damage", Office of Cabinet Meeting on Public Enterprise
Sep 1980 - Aug 1981	Visiting Fellow, Harvard University Yenching Institute
Sep 1981 - Jul 1982	Visiting Fellow, Columbia University School of Law
Jul 1982 - Mar 2007	Professor, Nagoya University Faculty of Law (currently Nagoya University, Graduate School of Law)
May 1985 - Jul 1985	Visiting Professor, University of Hawaii
Sep 1986 - Aug 1987	Visiting Professor, Columbia University School of Law
Oct 1986	The University of Tokyo (Ph.D.)
Apr 1988 - Mar 2004	Family Conciliator, Nagoya Domestic Court
May 1988	Deputy Delegate of the Japanese Government & Member of the Drafting Committee, Diplomatic Conference on Adoption of "UNIDROIT Convention on International Financial Leasing" and "UNIDROIT Convention on International Factoring"

Apr 1989 - Mar 2007	Civil Arbitrator, the Nagoya District Court and the Nagoya Summary Court
Feb 1991 - May 1991	Visiting Professor, Beijing University
Jun 1991 - Mar 2007	Member, "Disciplinary Committee", Aichi Bar Association
Jan 1993 - Dec 1995	National Bar Examiner
Apr 1996 - Dec 1998	Member, "Labor Relations Law Research Council", the Ministry of Labor (currently the Ministry of Health, Labor and Welfare)
May 1996 - Mar 1997	Visiting Fellow, University of London
Mar 1998 - Mar 2000	Member, "Legislative Council Civil Law Subcommittee", the Ministry of Justice
Sep 1998	Testimony, Special Council on "Debt Disposal of Japanese National Railways Settlement Corporation and National Forestry Services Reform Grant", Lower House
Oct 1998	Testimony, Special Council on "Debt Disposal of Japanese National Railways Settlement Corporation and National Forestry Services Reform Grant", Upper House
Oct 1998 - Mar 2005	Chair, "Participative Committee of Labor Disputes", Aichi Labor Bureau, the Ministry of Labor (currently the Ministry of Health, Labor and Welfare)
Feb 1999 - Dec 2000	Chair, "Committee on Amendment of Railway Business Act", the Ministry of Transport (currently, Ministry of Land, Infrastructure and Transport)
Apr 1999 - Mar 2005	Chair, "Bidding Surveillance Committee", the Fifth Harbor and Port Bureau, the Ministry of Transport; Deputy Chair, "Bidding Surveillance Committee", Chubu Regional Development Bureau, the Ministry of Land, Infrastructure and Transport
Jun 2005 – Present	Chair, "Law School Improvement Committee", Shinshu University
Apr 2006 - Mar 2009	Collaborative Researcher, International Research Center for Japanese Studies
Apr 2006 - Present	Vice Chair, "Project Appraisal Surveillance Committee", Chubu Regional Development Bureau, the Ministry of Land, Infrastructure and Transport
Aug 2006 – Present	Cooperative Member, Science Council of Japan
Sep 2006 - Mar 2007	Member, "Assistance Committee for Improvement on Laws and Regulations in Uzbekistan", Japan International Cooperation Agency
Oct 2006 - Mar 2009	Member, "Research Committee on Civil Code Amendment"
Apr 2007 - Mar 2013	Professor, Sophia University Law School
Sep 2007	Joined to Anderson Mori & Tomotsune
Apr 2009 - Mar 2013	Vice Chair, "Law School Certified Accreditation Committee", Japan University Accreditation Association
Oct 2009 - Mar 2011	Chair, "Law School Standards Accreditation Committee", Japan University Accreditation Association

Apr 2013 - Mar 2021

Professor, Nagoya Gakuin University

Feb 2015

Affiliate Professor, The University of Washington, School of Law

## QUALIFICATIONS

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Japan (2007)

## PROFESSIONAL AND ACADEMIC ASSOCIATION

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Daini Tokyo Bar Association

## LANGUAGES

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Japanese (first language)

English