



WIPO | MADRID

The International
Trademark System

Understanding Examination and Refusal Procedures in the IP Office of Japan

Webinar of the Madrid System

Masatoshi Otsuka

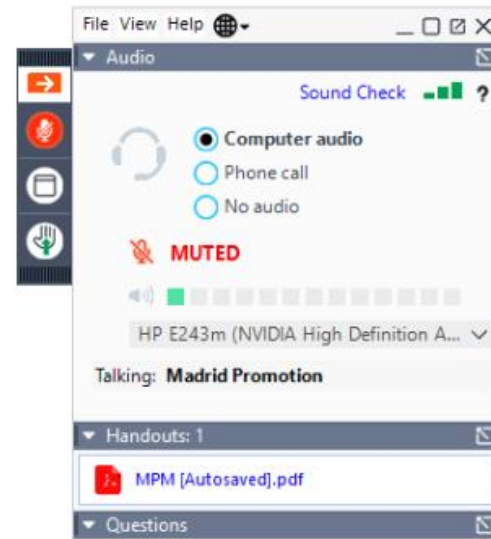
Associate Officer,
Madrid Information and
Promotion Division

Maiko Hagiya

Fellow, Madrid
Operations Division

Geneva
April 29, 2020

How to use GoToWebinar



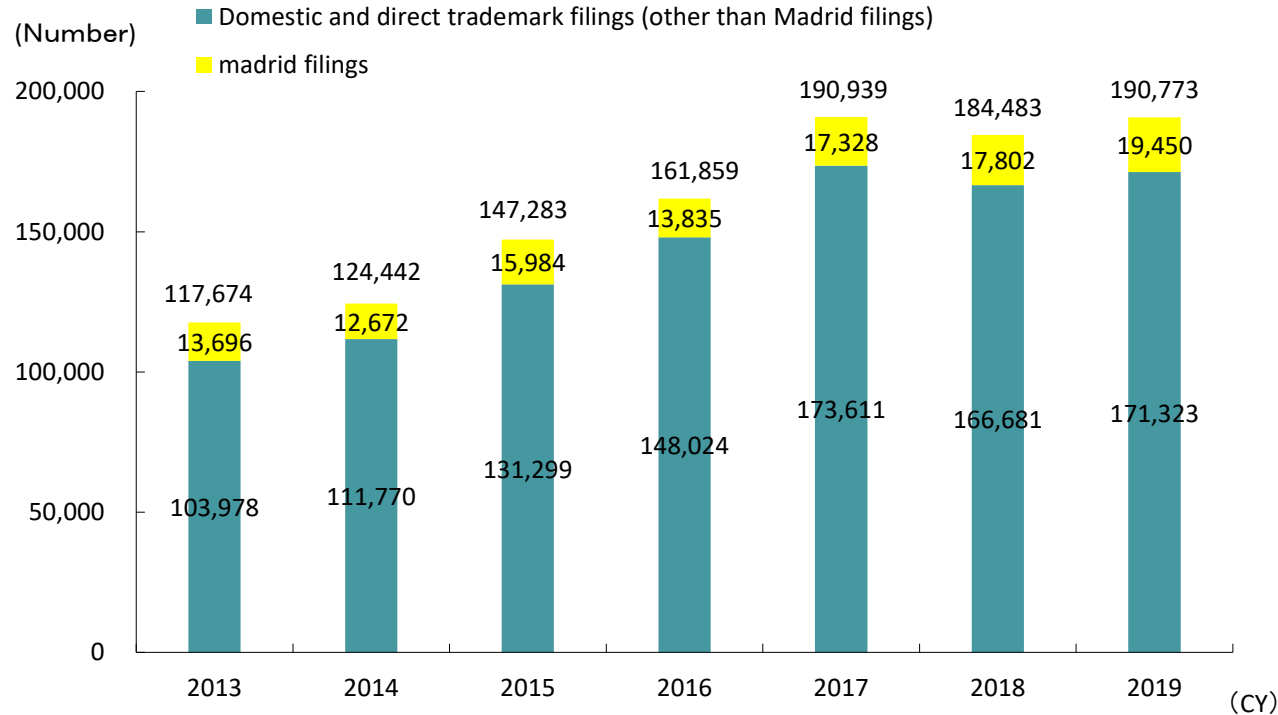
Structure of the Webinar

- Presentation: Understanding Examination and Refusal Procedures in Japan
- Interactive questions during the webinar
- Questions and answers session at the end
- Presentation slides available for download
- Recording will be uploaded on the [Madrid Webinar page](#)
- Short survey to provide feedback

Understanding Examination and Refusal Procedures in Japan

- Overview
- How to avoid provisional refusals
- How to respond to provisional refusals
- After receiving grant of protection

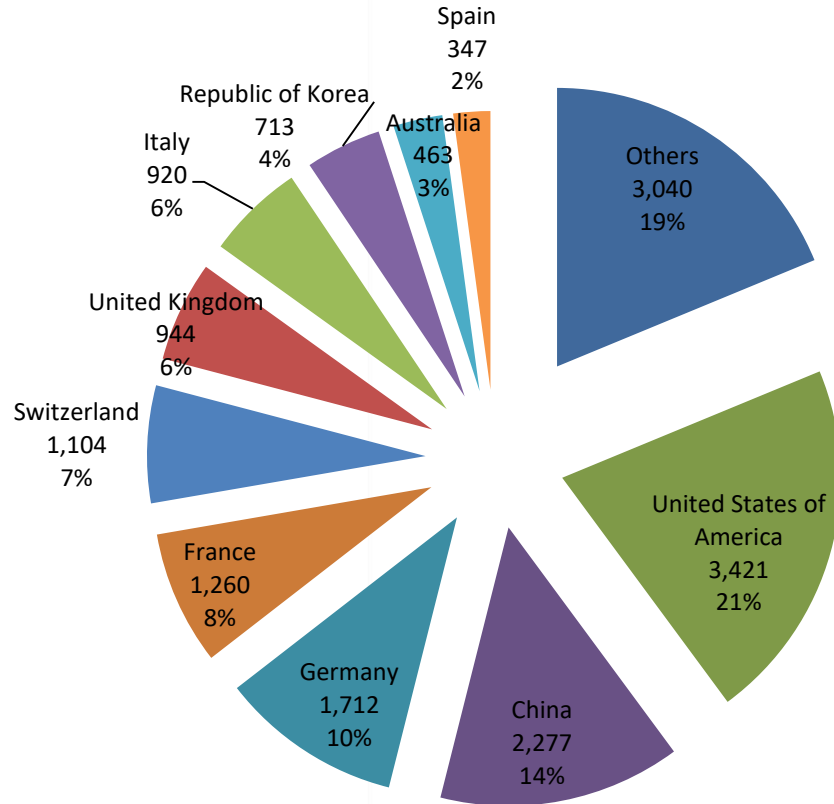
Numbers of TM Filing in JP



Question 1

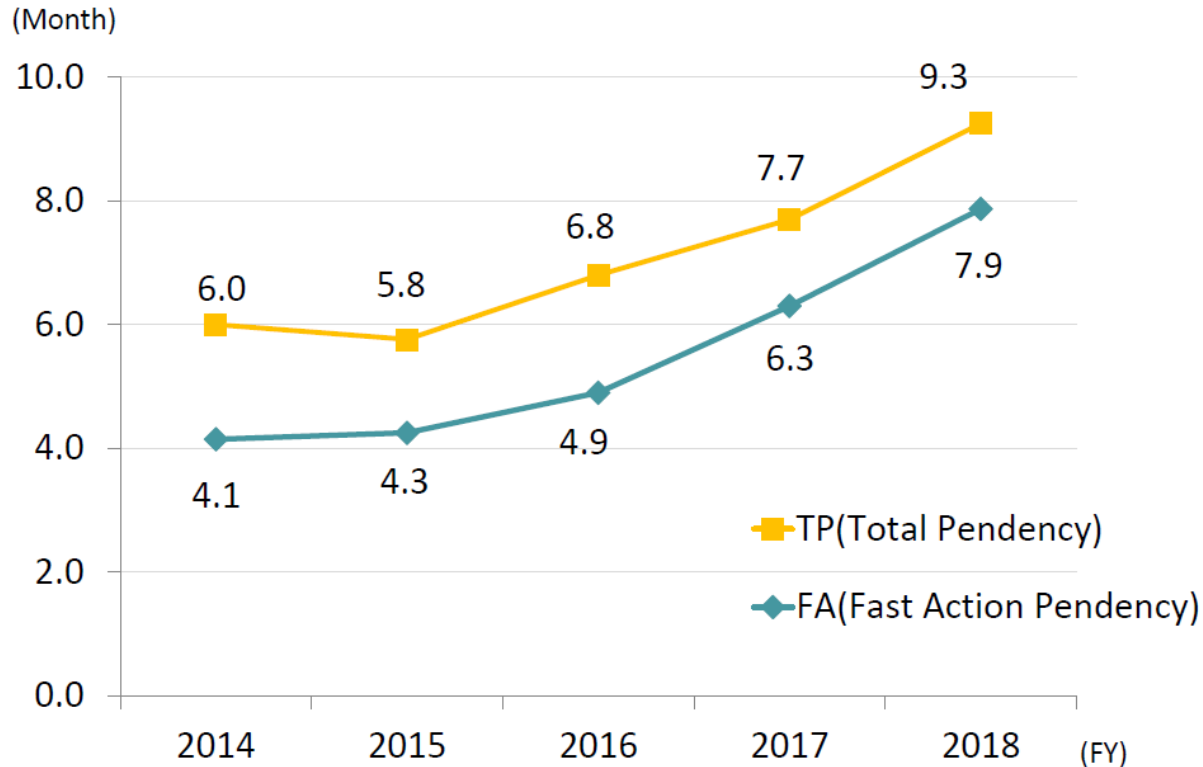
- Which country is the top filer through the Madrid protocol to Japan?
 - China
 - United States of America
 - Germany

Designations of Japan by Country of Holder



Designations of JP in international registrations & subsequent designations by Country of Holder (2019)

Pendency in TM Examination in JP

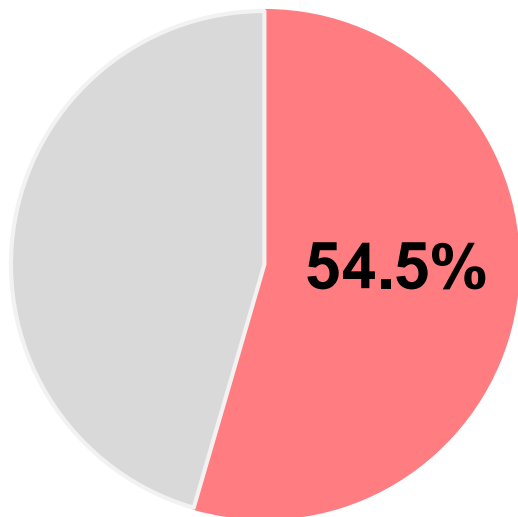


Question 2

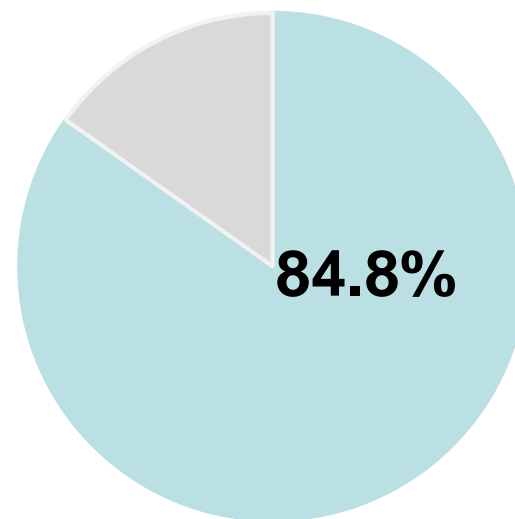
- What percentages of the provisional refusal issued by the JPO for Madrid filings?
 - Around 30 – 40 %
 - Around 40 – 50 %
 - Around 50 – 60 %

Provisional Refusal Rate and Final Registration Rate

Provisional Refusal Rate
(2018FY)



Final Registration Rate
(2018FY)

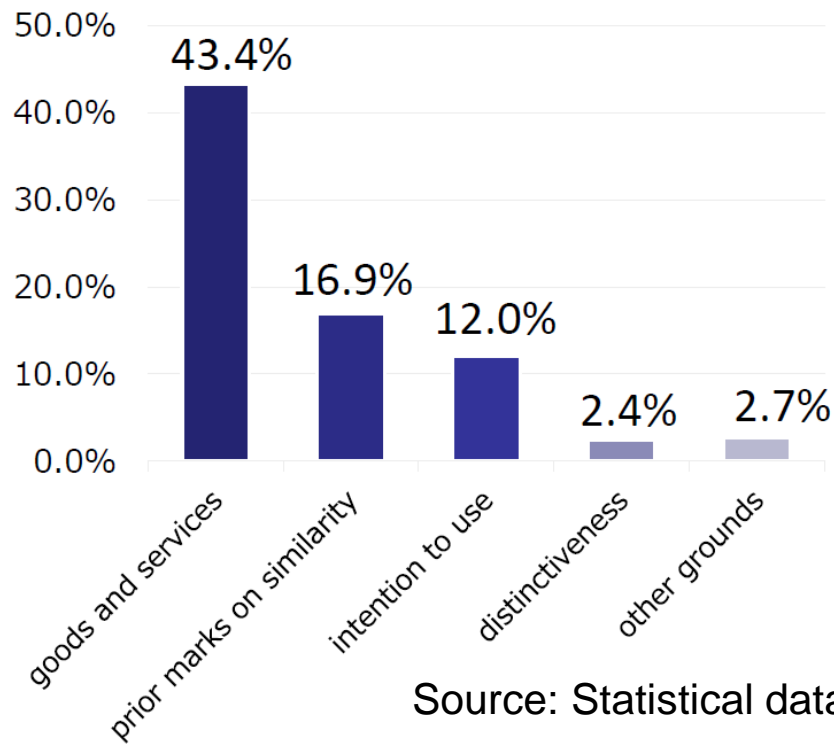


Question 3

- What ground for refusal is the most common in Japan?
 - Prior right on Similarity
 - Distinctiveness of Marks
 - Indication of G&S

Top Reason of Ground for Refusal

■ Ratio of ground for refusal out of First Actions issued by JPO



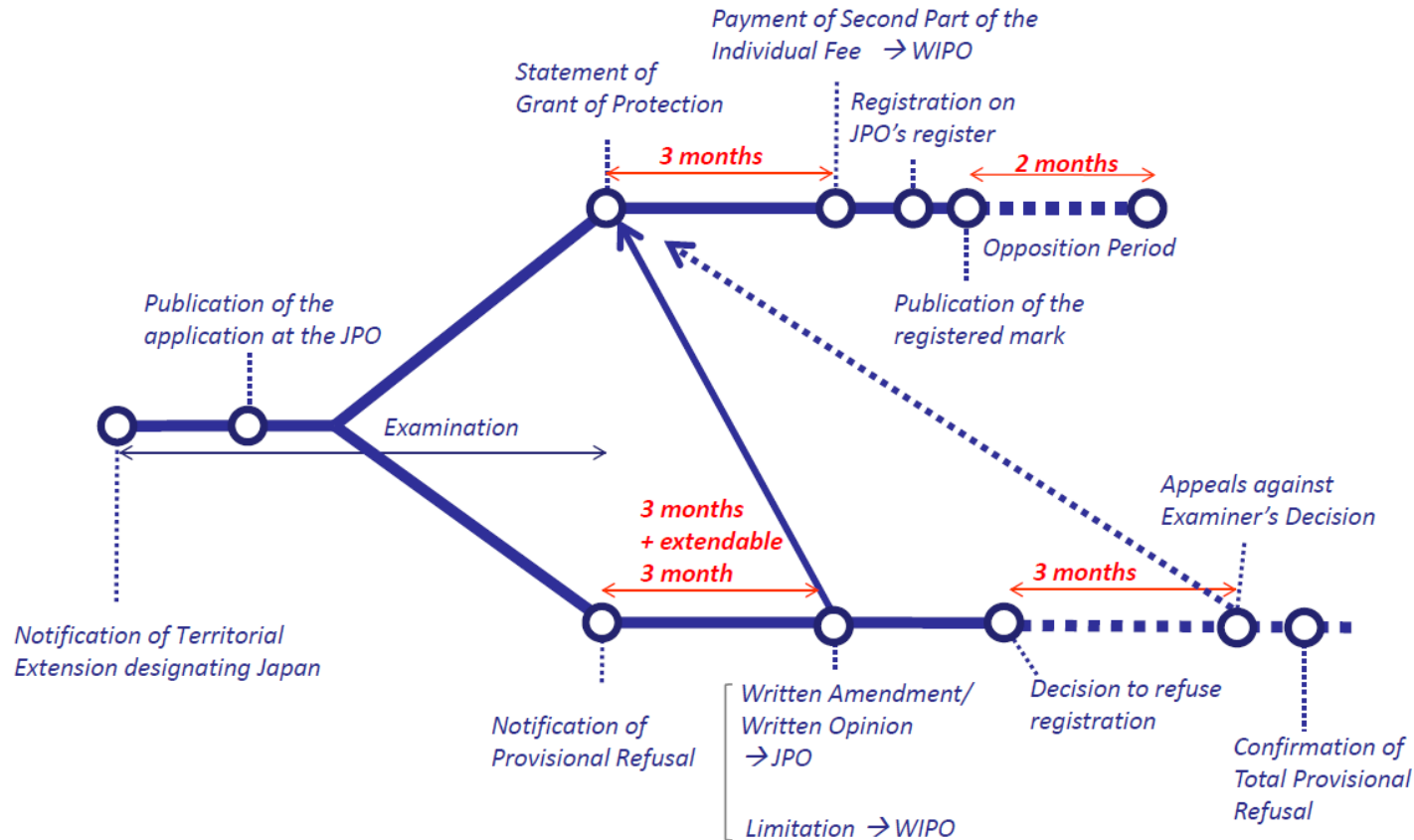
Source: Statistical data provided by JPO

How the Madrid System Works

The International Trademark Registration Process



Flow of Madrid Procedure in JP



How to avoid Provisional Refusals

- Search Acceptable Indications of Goods & Services
 - ✓ Madrid Goods & Services Managers
 - ✓ J-Plat Pat (Database for G&S provided by JPO)

How to avoid Provisional Refusals

■ Madrid Goods & Services Managers

The screenshot displays the WIPO Madrid Goods & Services Manager interface. The browser address bar shows the URL: `webaccess.wipo.int/mgs/index.jsp?lang=en`. The page header includes the WIPO IP PORTAL logo, a MENU button, the title "Madrid Goods & Services Manager", and options for HELP, ENGLISH, LOGIN, and the WIPO logo.

The main interface features a navigation bar with "Browse" and "Search" tabs. The "Search" tab is active, showing "Class 3" selected. Below the search bar, there are options for "Class..." and "NICE only".

The search results for Class 3 are displayed in a list format. The class description is: "3 Non-medicated cosmetics and toiletry preparations; non-medicated dentifrices; perfumery, essential oils; bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations." Below this, there are status indicators for "dCP": "Accepted by dCP" (green), "Rejected by dCP" (red), and "Status unknown" (grey).

The list of results includes the following items:

- JP 030160 abrasive cloth
- JP abrasive cloth and paper
- JP abrasive compositions used in the manufacture of metal polish
- JP 030166 abrasive paper
- JP abrasive pastes
- JP abrasive preparations
- JP abrasive rolls
- JP 030165 abrasives
- JP abrasive sand
- JP abrasive sheets
- JP abrasive strips
- JP acid drain cleaners
- JP adhesive removers
- JP adhesives for affixing false eyebrows

At the bottom of the interface, there is a status bar showing "Terms: 14 - Words: 40".

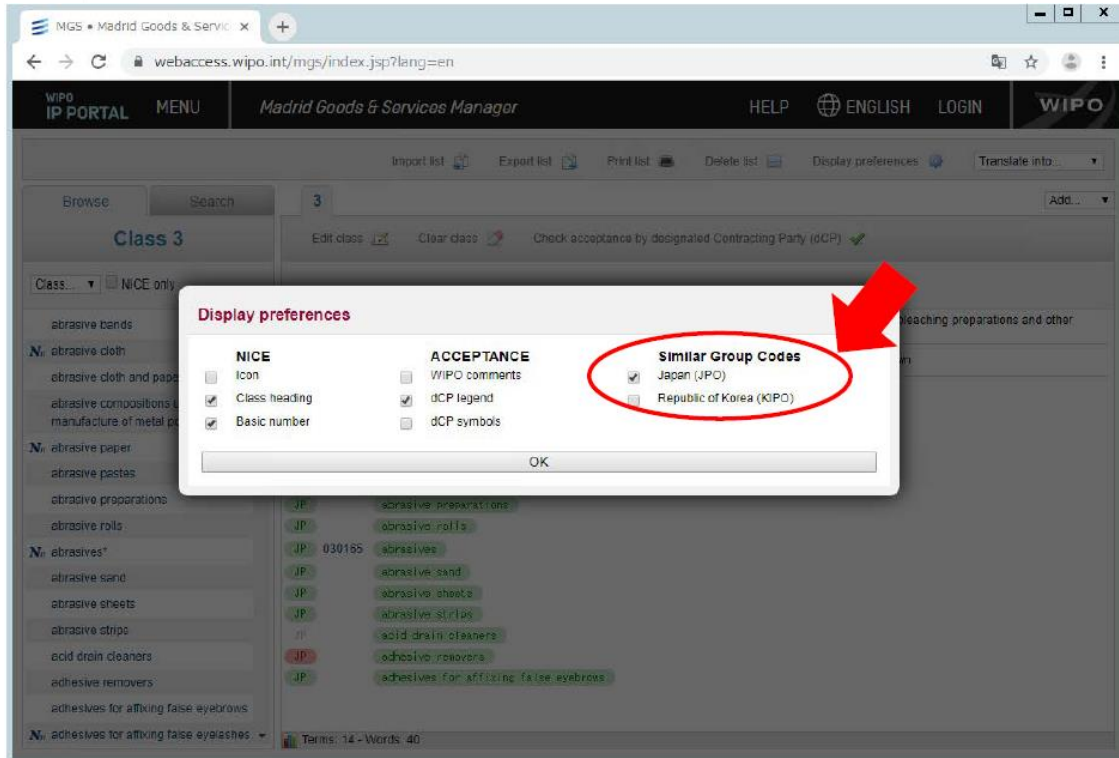
How to avoid Provisional Refusals

■ Madrid Goods & Services Managers

The screenshot displays the WIPO Madrid Goods & Services Manager interface. A red arrow points to the 'Display preferences' button, which is circled in red. The interface shows a list of goods and services for Class 3, including 'abrasive bands', 'abrasive cloth', 'abrasive cloth and paper', 'abrasive compositions used in the manufacture of metal polish', 'abrasive paper', 'abrasive pastes', 'abrasive preparations', 'abrasive rolls', 'abrasives*', 'abrasive sand', 'abrasive sheets', 'abrasive strips', 'acid drain cleaners', 'adhesive removers', and 'adhesives for affixing false eyebrows'. The status of each item is indicated by a colored circle: green for 'Accepted by dCP', red for 'Rejected by dCP', and grey for 'Status unknown'.

How to avoid Provisional Refusals

■ Madrid Goods & Services Managers



The screenshot shows the WIPO Madrid Goods & Services Manager interface. The browser address bar displays `webaccess.wipo.int/mgs/index.jsp?lang=en`. The page title is "Madrid Goods & Services Manager". The interface includes a navigation menu, a search bar, and a list of goods and services under "Class 3". A "Display preferences" dialog box is open, showing options for "NICE", "ACCEPTANCE", and "Similar Group Codes". The "Similar Group Codes" section is highlighted with a red circle, and a red arrow points to the "Japan (JPO)" checkbox, which is checked. The "Republic of Korea (KIPO)" checkbox is unchecked. The "OK" button is visible at the bottom of the dialog box.

Display preferences

NICE	ACCEPTANCE	Similar Group Codes
<input type="checkbox"/> Icon	<input type="checkbox"/> WIPO comments	<input checked="" type="checkbox"/> Japan (JPO)
<input checked="" type="checkbox"/> Class heading	<input checked="" type="checkbox"/> dCP legend	<input type="checkbox"/> Republic of Korea (KIPO)
<input checked="" type="checkbox"/> Basic number	<input type="checkbox"/> dCP symbols	

OK

How to avoid Provisional Refusals

■ J Plat-Pat

The screenshot shows the J-Plat-Pat website interface. At the top, there is a navigation bar with the J-Plat-Pat logo, contact information for the help desk (+81)3-3588-2751, and links for Japanese, Site Map, and Help list. Below this is a main navigation menu with categories: Patents/Utility Models, Designs, Trademark, and Trials & Appeals. The current page is titled 'Goods/Service Name Search' and includes a search bar with a magnifying glass icon and a 'Help' button. The page content explains that users can search for designated goods names and service names, and provides links to reference information, examination guidelines, and classification tables. At the bottom, there are two sections: 'Edition of international classification (term)' with three radio button options (selected: 11-2019 Edition), and 'Data type' with a list of checkboxes, all of which are checked.

Goods/Service Name Search | x +

← → C j-platpat.inpit.go.jp/11201

J-Plat-Pat
Japan Platform for Patent Information

Help desk (weekdays 9:00-21:00 JST)
(+81)3-3588-2751
helpdesk@j-platpat.inpit.go.jp

Japanese Site Map Help list

National Center for Industrial Property Information and Training

Patents/Utility Models Designs Trademark Trials & Appeals

Home > Goods/Service Name Search

🔍 Goods/Service Name Search [Help](#)

You can search for designated goods names and designated service names from product and service names. An OR search is performed when you separate search keywords with a space.
[Reference Information]
Materials about classes of goods/services or similar group code -> [Examination Guidelines for Similar Goods and Services](#), [International Classification Table of Goods and Services](#)
Notes -> [Notes when designating goods and services](#), [When Using Goods/Service Name Search](#)
Other -> [About publication of goods and services adopted at examination](#), [About goods/service names that cannot be adopted](#)

Edition of international classification (term)

International Classification 11-2019 Edition (Applicable to applications beginning on January 1 2019)
 International Classification 11-2018 Edition (Applicable to applications from January 1 2018 to December 31 2018)
 International Classification 11-2017 Edition (Applicable to applications from January 1 2017 to December 31 2017)

Data type

G Examination Guidelines for Similar Goods and Services
 N International Classification Table of Goods and Services (Nice Classification)
 T TMS ID list
 E Goods/service name (only Japanese or English) adopted by examination
 M WIPO Madrid Goods and Services Manager
 F Goods/Service names that cannot be adopted

How to avoid Provisional Refusals

J Plat-Pat

Goods/Service Name Search

Class

Similar group code (reference)

Hit count (19)

No.	Class	Data type	Application number/international registration number	Goods/service name (Japanese)	Goods/service name (English)	Similar group code (reference)
1	03	G N T	-	かつら装着用接着剤	adhesives for affixing false hair	01A02
2	03	N T	-	しみ抜き剤	stain removers	01A01
3	03	M	-	つけづめ又はつけまつ毛の固定用接着剤	adhesives for affixing false nails or eyelashes	01A02
4	03	T M	-	つけづめ固定用の接着剤	Adhesives for affixing false nails	01A02
5	03	T M	-	つけまつげ用・かつら用及びつけづめ用の接着剤	Adhesives for false eyelashes, hair and nails	01A02
6	03	G N T	-	つけまつ毛用接着剤	adhesives for affixing false eyelashes	01A02
7	03	M	-	つけまゆ毛用接着剤	adhesives for affixing false eyebrows	01A02
8	03	T	-	ネイルエナメル除去液	nail enamel removers	04C01

How to avoid Provisional Refusals

■ Key factors to be considered in examination

➤ Clear indication?

- ✓ Too vague, linguistically incorrect, or incomprehensible, etc.

➤ Proper class?

- ✓ Classification is done by the IB
- ✓ The IB applies the Nice Classification edition at the time of IR

➤ Proper similar group codes?

- ✓ These codes presume similarity of G&S
- ✓ Used as keys for searching trademarks

How to avoid Provisional Refusals

■ Similar Group Codes

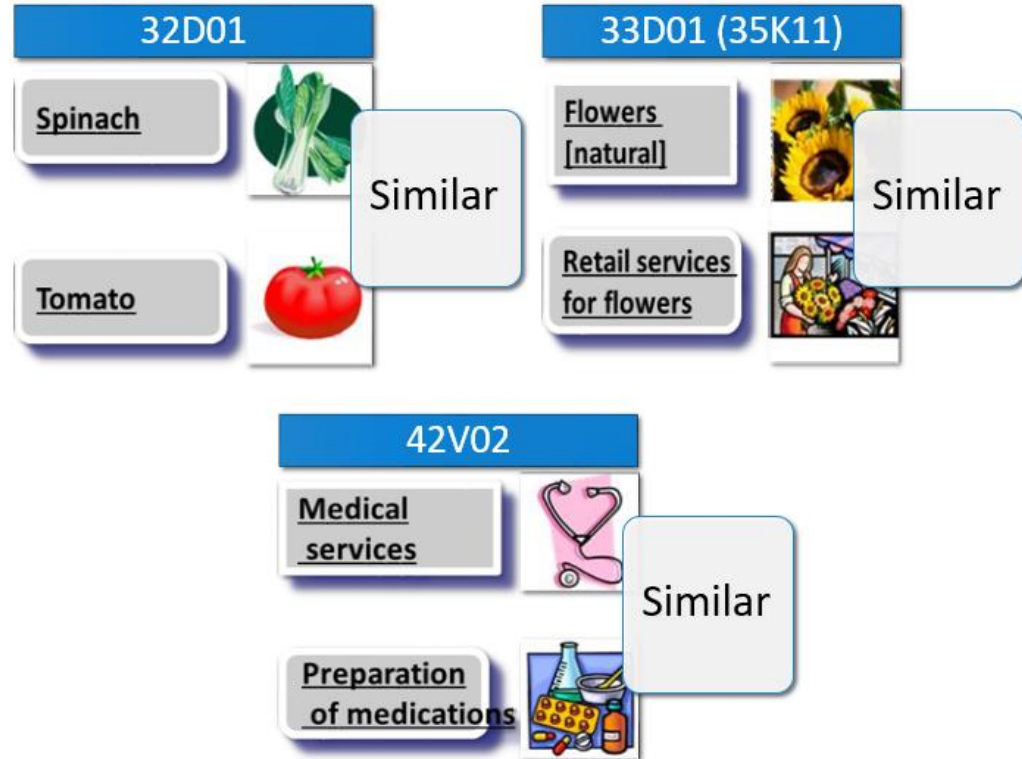
- Similar Group Codes are search keys for trademarks registered/applied in relevant field of G/Ss.
- G/Ss which have the same group code will be presumed to be similar in the Examination.
- They ensure consistency in determining similarity of G/S in examination and predictability for applicants.

How to avoid Provisional Refusals

■ How are Similar G/Ss Grouped?

Similar goods are grouped based on...

- Manufacturing / sales division
- raw materials
- quality
- intended use
- scope of consumers
- relevance between the finished product and spare parts, etc.



How to avoid Provisional Refusals

■ Similar Group Codes among several classes

- G&S can be similar among several classes.
- Similar Group Codes enable examiners to cross-search trademarks registered in other classes.
- Similar Group Codes among several classes

Class 18	Class 21	Class 28
Handbags 21C01	Cookware 19A05	Pet Toys 19B33
Umbrellas 22B01	Pet feeding dishes 19B33	Toys 24A01
Pet Clothing 19B33	Cleaning instruments, hand-operated 19A06	Reels for fishing 24D01

Question 4

- Will the JPO accept all of the indication of Class heading in Nice classification?
 - Yes
 - No

How to avoid Provisional Refusals

■ Unacceptable Indications – Nice Class Heading NCL (11-2019)

Class	Unacceptable class headings	Examples for alternative indications
7	Machines, machine tools, power-operated tools;	Metalworking machines and tools; construction machines and apparatus; textile machines and apparatus; food or beverage processing machines and apparatus; printing or bookbinding machines and apparatus; agricultural machines and implements; packaging or wrapping machines and apparatus;
9	Scientific, research, navigation, surveying, photographic, cinematographic, audiovisual, optical, weighing, measuring, <u>signalling</u> , detecting, testing, inspecting, life-saving and teaching apparatus and instruments;	Apparatus and instruments for scientific research in laboratories; nautical, surveying, photographic, cinematographic, optical, and weighing apparatus and instruments; measuring apparatus; luminous or mechanical signals; electric monitoring apparatus; life-saving apparatus and equipment; teaching apparatus;
12	Vehicles;	Aircraft; automobiles; bicycles; motorcycles; rolling stock for railways; ships;
12	Apparatus for locomotion by land, air or water;	Aircraft; automobiles; bicycles; motorcycles; rolling stock for railways; ships;
17	Packing, stopping and insulating materials;	Packing [cushioning, stuffing] materials of rubber or plastics; cotton wool for packing [caulking]; joint <u>packings</u> for pipes; stops of rubber; rubber stoppers; insulators; asbestos packing;
31	Raw and unprocessed agricultural, aquacultural, horticultural and forestry products;	Barley; grains (cereals); seeds; natural flowers; plants; seedlings; trees; fresh vegetables; fresh fruits; edible aquatic animals, live;
33	Alcoholic preparations for making beverages	Alcoholic essences

How to avoid Provisional Refusals

■ Unacceptable Indications – Nice Class Heading NCL (11-2019)

Class	Unacceptable class headings	Examples for alternative indications
36	Financial affairs;	Financial consultancy; financial evaluation [insurance, banking, real estate]; financial management;
36	Monetary affairs;	Capital investment; exchange money; fund investment; securities brokerage; stocks and bonds brokerage;
37	Installation and repair services;	Elevator installation and repair; telephone installation and repair; fire alarm installation and repair; burglar alarm installation and repair; heating equipment installation and repair; electric appliance installation and repair; Installation and repair of computer hardware;
40	Treatment of materials;	Cloth treating; leather staining; metal treating; water treating;
41	Sporting and cultural activities;	Sporting activities; organization of exhibitions for cultural or educational purposes;
42	Scientific and technological services and research and design relating thereto;	Scientific and technological research and development; computer software design; industrial design;
42	Quality control and authentication services;	Quality control; authentication of diamonds; providing user authentication services using single sign-on technology for online software applications;
45	Personal and social services rendered by others to meet the needs of individuals;	Clothing rental; crematorium services; detective agencies; marriage agencies;

How to avoid Provisional Refusals

■ Unacceptable Indications

✓ Indications relating to Retail/Wholesale Services (Class 35)

Unacceptable indications

Retail or wholesale services;
Retail store services;
Retail services or wholesale
services for all goods;



Alternative indication

Retail or wholesale services for [specified goods];

Ex)
Retail or wholesale services for clothing;
Retail or wholesale services for foods and beverages;
Retail or wholesale services for cosmetics, toiletries,
dentifrices, soaps and detergents;

How to avoid Provisional Refusals

■ Search prior trademarks

WIPO IP PORTAL
MENU
Global Brand Database
HELP
ENGLISH
LOGIN
WIPO

Perform a trademark search by text or image in brand data from multiple national and international sources, including trademarks, appellations of origin and official emblems. V: 2020-04-15 21:48

Data from Bhutan 2020-02-26
available Over 19,000 records added

Free webinars INN searches in 2019-11-29
the Global Brand Database Webinar

Data from Madagascar 2019-10-17
available Over 20,000 records added

Data from Uruguay 2019-08-01
available Over 266,000 records added

Data from states avai
added

SEARCH BY

Brand Names Numbers Dates Class Country

Text =

Image Class =

Goods/Services =

search ↗

FILTER BY

Source Image Type Status Origin App. Year

AE TM	180,401	AU TM	1,757,380	BH TM	51,668
BN TM	48,797	BT TM	19,398	BW TM	38,034
CA TM	1,701,048	CH TM	435,488	CL TM	602,514
CR TM	337,528	DE TM	2,136,624	DK TM	294,320
DZ TM	39,532	EE TM	61,469	EG TM	129,697
EM TM	1,798,122	ES TM	987,775	FR TM	2,866,671

Display: List Sort: Value - asc

filter ↗

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Trademark System

How to avoid Provisional Refusals

■ Search prior trademarks

Trademark Search | J-PlatPat

Japan Platform for Patent Information

Help desk (weekdays 9:00-21:00 JST) (+81)3-3588-2751 helpline@j-platpat.inpit.go.jp

Japanese Site Map Help list

National Center for Industrial Property Information and Training

Patents/Utility Models Designs Trademark Trials & Appeals

Home > Trademark Search

Trademark Search

You can search for application/registration information or publications by the trademark name, appellation, and other options. Select the search items and input search keywords. (An OR search is performed when you separate search keywords with a space.)
 Note that if the search target type is publication, the search target is limited to only some publications.
 [Reference Information]
 Materials about classes of goods/services or similar group codes -> [Goods/Service Name Search](#), [International Classification Table of Goods and Services](#), [Examination Guidelines for Similar Goods and Services](#)
 Notes on "Appellation (Search by Similarity)" -> [Notes on Use](#)

Search target type

Information on application/registration [?](#) Publication Only electronic publications (since 2000) are covered.

Trademark (mark)

Search item Keyword

Trademark (for search)

Delete AND

Appellation (simple text search)

Delete AND

Classification of figures, etc.

Delete Add

How to avoid Provisional Refusals

■ Search prior trademarks

The screenshot shows a web browser window displaying search results from the Japanese Patent Office (JPO) website. The page is titled "Information display on applic: x" and shows a search result for a trademark application. The search results are organized into two columns. The left column contains a list of goods and services, and the right column contains a list of similar group codes. A red arrow points from the text "Machine Translation" to the search results in the left column. Another red arrow points from the text "Similar Group Code" to the list of codes in the right column. The search results in the left column include a list of goods and services, such as "Laboratory apparatus and instruments, measuring or testing machines and instruments, power distribution or control machines and apparatus, batteries and cells, electric or magnetic meters and testers, electric wires and cables, photographic machines and apparatus, cinematographic machines and apparatus, optical machines and apparatus, spectacles [eyeglasses and goggles], processing glass [not for building], Telecommunication machines and apparatus, phonograph records, Applied electronic machines and apparatus And the part, ozonisers [ozonators], electrolyzers [electrolytic cells], lockets, amusement machines and apparatus for use in amusement parks, rotary converters, phase modifiers, electric flat irons, electric hair curlers, machines and apparatus for wax-polishing [electric], vacuum cleaners, electric buzzers, railway signal apparatus [luminous or mechanical], vehicle breakdown warning triangles, a luminescence type Or calculation of a mechanical road sign, fire extinguishers, fireplugs, fire hose nozzles, protective helmets, magnetic cores, resistance wires, electrodes, fuel dispensing machines for service stations, vending machines, mechanisms for coin-operated car parking gates, cash registers, and a coin or the machine for sorting, job recording devices, photo-copying machines, a manual calculator, For drafting Or the mechanical apparatus for designs, time and date stamping machines, time clocks [time recording devices], an electric computer, punched card office machines, voting machines, a billing machine, postage stamp checking apparatus, divers' apparatus [not for sports], an arc welder, home computer game toys, electric metal cutting machines, egg-candlers, Electric-welding equipment, electric door openers, metronomes". The search results in the right column include a list of similar group codes, such as "07E01 09A01 09A06 09A45 09D01 09E21 09E22 09E26 09E29 09G02 09G05 09G06 09G07 09G51 09G53 09G55 10A01 10B01 10C01 11A01 11A03 11A04 11A05 11A06 11A07 11B01 11C01 11C02 11D01 12A03 23B01 24A01 24E01 24E02".

Machine Translation

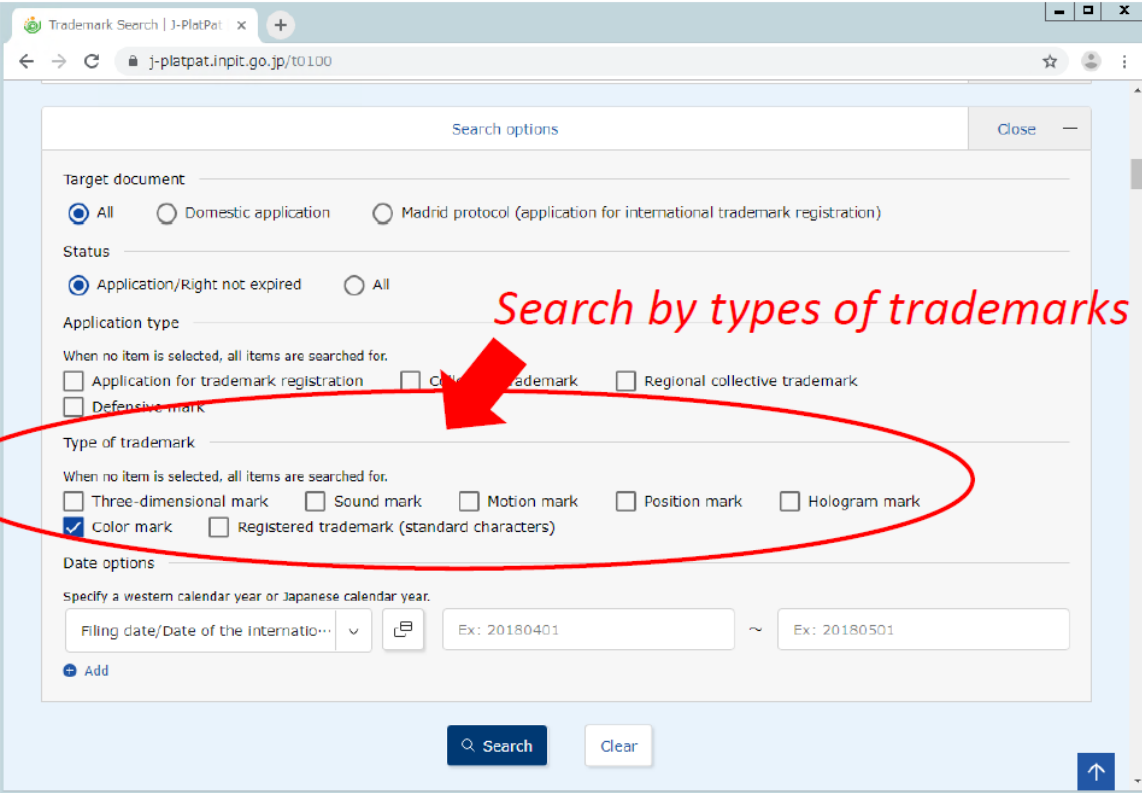
Enlarge and Rotate

SAMSUNG

Similar Group Code

How to avoid Provisional Refusals

■ Search prior trademarks



The screenshot shows the 'Search options' dialog box in the J-PlatPat system. A red oval highlights the 'Type of trademark' section, and a red arrow points to the 'Color mark' checkbox. A red text annotation 'Search by types of trademarks' is placed above the arrow.

Search options

Close

Target document

All Domestic application Madrid protocol (application for international trademark registration)

Status

Application/Right not expired All

Application type

When no item is selected, all items are searched for.

Application for trademark registration Defensive mark Regional collective trademark

Defensive mark

Type of trademark

When no item is selected, all items are searched for.

Three-dimensional mark Sound mark Motion mark Position mark Hologram mark

Color mark Registered trademark (standard characters)

Date options

Specify a western calendar year or Japanese calendar year.

Filing date/Date of the Internatio... Ex: 20180401 ~ Ex: 20180501

+ Add

Search Clear

WIPO | MADRID
The International
Trademark System

How to avoid Provisional Refusals

■ Prior trademarks: Consistency of names/addresses

- ✓ When determining conflict with prior marks, the JPO handle the identity of the holder of the applied mark and that of the prior marks in a strict manner.
- ✓ There are some cases, notifications of provisional refusal are issued, because names or addresses of the holder of applied mark and that prior marks are not consistent even though they are actually the same holder.
- ✓ When there is a change in name or address of the holder, it is recommended for holders submit a request for changes of name/address as soon as possible.

How to avoid Provisional Refusals

■ Intention to Use the Mark

- When it is reasonably questionable to whether the holder currently uses or will use the trademark for the designated G&S, the JPO will issue a provisional refusal to confirm the holder's use of or intent to use the mark.

- ✓ The number of Similar Group Codes assigned G&S in one class is **23 or more**;
- ✓ **Two or more Dissimilar “Retail/Wholesales Services”** are designated in Class 35;
- ✓ **General retails/wholesales services by an individual person.**

How to avoid Provisional Refusals

■ Intention to Use the Mark

- If you received a provisional refusal on the ground of intention to use the mark:

Measures to be taken

- ✓ Provide documents providing that the applicant is conducting business in connection with the designated G&S
- ✓ Provide documents confirming that the applicant has plans to conduct business related to the designated G&S
- ✓ Limit the list of designated G&S


How to respond to Provisional Refusals

■ Total Refusal

- The JPO only issues a total refusal even where the grounds for refusal concern only some of G&S

JPO Reference number: 2018-362085 (1 / 6)

Japan Patent Office (JPO)
4-3, Kasumigaseki 3-chome
Chiyoda-ku
Tokyo 100-8915
JAPAN



日本国特許庁
〒100-8915
東京都千代田区霞が関3-4-3

NOTIFICATION OF PROVISIONAL REFUSAL

This notification is issued by the Japan Patent Office (JPO) in accordance with Rule 17(1) and (2) of the Common Regulations under the Madrid Agreement concerning the International Registration of Marks and the Protocol relating to that Agreement and Section 15-2 and 15-3 of the Japanese Trademark Law.

I. International registration number: 1423364
 Mark: we (with figurative elements)
 Date of international registration: 2018/03/27
 Holder of the international registration:
 WeWork Companies Inc.

II. This trademark application* shall be totally refused protection. The grounds for refusal are indicated under Item V. A copy of the corresponding provisions of the Japanese Trademark Law is attached to this notification.

III. This refusal is issued on September/19/2019 by

Kukita Shun (Mr.)
 Examiner
 Madrid Protocol Division
 Facsimile: +81-3-3593-2398
 Telephone: +81-3-3501-2392

How to respond to Provisional Refusals

■ How to overcome refusals

✓ “Limitation” with WIPO

✓ “Written amendment/Opinion” with JPO

How to respond to Provisional Refusals

■ “Limitation” with WIPO

- ✓ Filing requests to limit the indications of designated G&S (MM6)
- ✓ Limitations can be requested by holders or their representatives for IRs with the prescribed fee to WIPO
- ✓ Limitation can be requested at anytime while the case is pending before the JPO in order to overcome grounds for refusals

How to respond to Provisional Refusals

- “Written amendment/Opinion” with JPO
 - ✓ Written amendments/Opinions must be submitted only through representatives domiciled in Japan using the JPO’s official form
 - ✓ The JPO does not require a payment of fees to submit a written amendments/Opinion
 - ✓ Written amendments/Opinions can be submitted via a local attorney while the case is pending at the JPO after the notification of provisional refusal issued

How to respond to Provisional Refusals

■ Suggestions for amendment/limitation in the provisional refusal

V. The grounds for refusal

Ground 1

This application does not conform to the requirements provided for under Section 6(1) of the Trademark Law because some of the designated goods and services are inappropriately described in this application in a vague/broad manner(see below).

[vague/broad description]

Class 09 Mobile apps; downloadable electronic reports.

[Examples for amendment]

—> Computer application software for mobile telephones; downloadable electronic publications in the nature of reports.

Class 42 Software development, programming and implementation; hosting services and software as a service and rental of software.

[Examples for amendment]

—> Computer software development, programming and implementation; hosting services and software as a service; rental of computer software.

* Please note that this suggestion is applied to Ground 1 only. This application, however, still falls under ground 2 for refusal even if the above description is appropriately amended.

How to respond to Provisional Refusals

■ Suggestions for amendment/limitation in the provisional refusal

Ground 2

The trademark of this application falls under Section 4(1)(xi) of the Trademark Law because this trademark is identical with or similar to the following trademark(s) and is to be used for the goods and/or services identical with or similar to the designated goods and/or services covered by this(these) trademark registration(s).

Cited registered trademark(s)

No. 1

- National registration No.: 5777229 - Registration date: 2015/07/10
- National application No.: 2014-037561 - Application date: 2014/05/13
- Name and address of the holder: United Spes, Inc.
3-12-4, Nihombashikayabacho, Chuo-ku, Tokyo, JAPAN

Mark:

BARO

Conflicting goods and/or services and their class(es), corresponding to class 09 covered in this application:

International class 16:

ギフト用カタログ

How to respond to Provisional Refusals

■ Suggestions for amendment/limitation in the provisional refusal

VI. The trademark of this application will be protected if the goods and services are amended/limited as follows: (Examples are underlined. The underlined goods/services are the examples of amendment/limitation of the goods/services shown in V. Sometimes there are no underlined goods/services.)

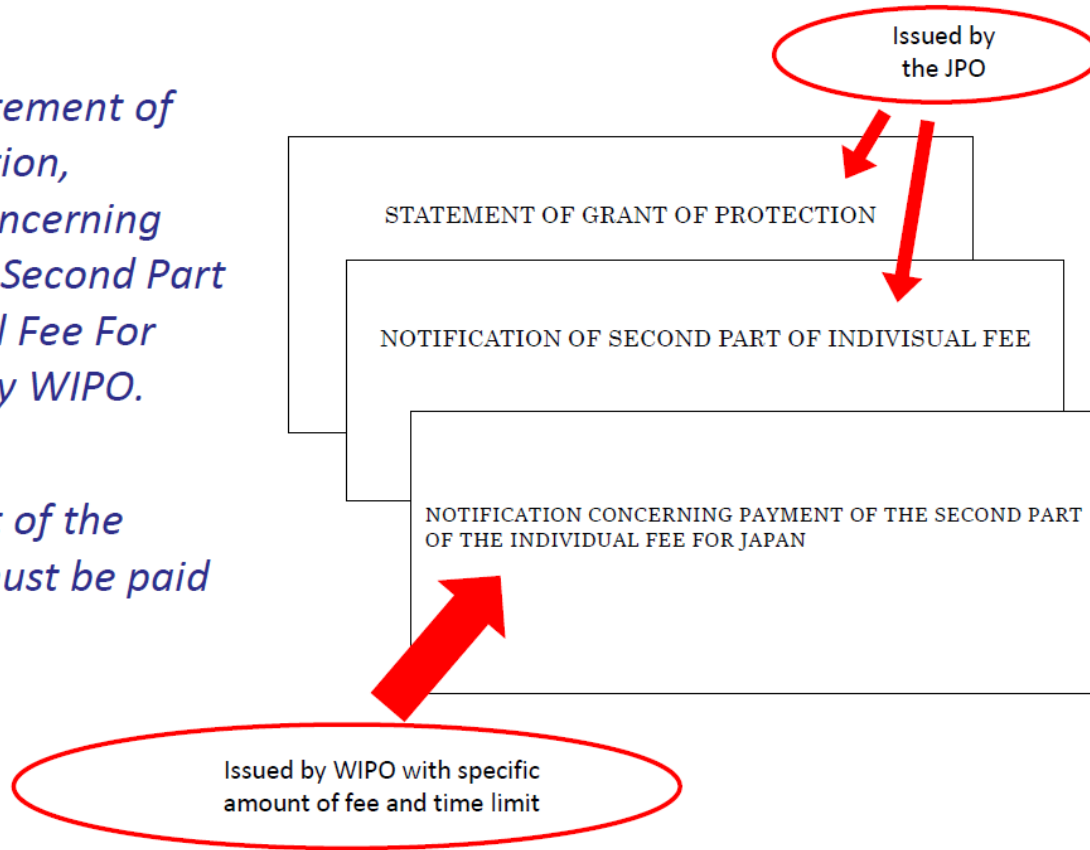
Class 38 remains unchanged.

9 Computers and computer hardware; computer software; intranet servers; servers for web hosting; computer application software for mobile telephones.

42 Computer software development, programming and implementation; homepage and webpage design; hosting services and software as a service; rental of computer software; intranet design, development and maintenance; advisory, consultation and information services relating to the foregoing.

After Receiving Grant of Protection

- ✓ *Following a statement of grant of protection, “Notification concerning Payment of the Second Part of the Individual Fee For Japan” is sent by WIPO.*
- ✓ *The second part of the individual fee must be paid to WIPO.*



After Receiving Grant of Protection

■ Certificate of Trademark Registration

- Certificate will be issued and sent directly to the holder or a representative domiciled in Japan (if any)



More information

■ Examination Guidelines

<https://www.jpo.go.jp/e/system/laws/rule/guideline/trademark/kijun/index.html>

The screenshot shows a web browser window displaying the JPO (Japan Patent Office) website. The page title is "Examination Guidelines for Trademarks". The navigation menu includes "HOME", "Announcements", "Systems/Procedures", "Related Services", "Statistics/References", "About JPO", and "FAQs". The main content area features a heading "Examination Guidelines for Trademarks" followed by introductory text. Below the text are links for a flow chart and a PDF download of the guidelines. A "Contents" section is also visible, listing the structure of the document.

Examination Guidelines for Trademarks

The basic concepts (including interpretation and operation) of the application of the Trademark Act in the performance of practical duties in trademark examination are summarized in the Trademark Examination Guidelines, which are classified as general guidelines for trademark examination and are broadly used in order to deepen trademark applicants' and their representatives' understanding of the practical duties performed at the JPO.

The current Trademark Examination Guidelines have been partially revised many times since the first version of the Guidelines was issued in 1971, in order to respond to revisions of laws, societal changes, and changes in the needs of users. However, extensive overall reviews and revisions of the Guidelines had not been made. In recent years, users have been requesting that the Guidelines be made clearer and more understandable, and the environment surrounding commercial transactions has been changing substantially. Therefore, an overall review and revision of the Guidelines has been deemed important, and the JPO is making efforts for such reviews and revisions under a two-year plan for FY2015 and FY2016.

The following Examination Guidelines will be effective on and after April 1, 2017.

[Flow-Chart Concerning Trademarks-Related Procedures \(PDF:41KB\)](#)

[Examination Guidelines for Trademark \(download all\) \(PDF:2,027KB\)](#)

Contents

[Table of contents \(PDF:12KB\)](#)

Part 1: Article 3(1) (Requirements for trademark registration)

[Chapter 1: Overall Article 3\(1\) \(PDF:102KB\)](#)



[Chapter 2: Main Paragraph of Article 3\(1\) \(PDF:583KB\)](#)

[Chapter 3: Article 3\(1\)\(i\) \(Common name of goods or services\) \(PDF:105KB\)](#)

More information

■ Madrid Member Profiles

<https://www.wipo.int/madrid/memberprofiles/#/>

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Step 2: What type(s) of information are you looking for?

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Afghanistan

All available information

Most frequently used information



Q&A Session about the Webinar

Masatoshi Otsuka
Associate Officer,
Madrid Information and
Promotion Division

Maiko Hagiya
Fellow, Madrid
Operations Division

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