

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: 929733  
Mark: o.k. (with figurative elements)  
Date of international registration: 2006/06/19  
Holder of the international registration:  
MIP METRO Group Intellectual Property GmbH & Co. KG
- 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 June/20/2008 by  
  
OMORI Tomoko (Ms.)  
Examiner  
Madrid Protocol Division  
Facsimile: +81-3-3593-2398  
Telephone: +81-3-3501-2392
- IV. The trademark of this application can be protected subject to amendments to be made by the holder of the international registration as suggested under Item VI. The amendment must be made through the intermediary of a representative domiciled in Japan within three months from the date of pronouncement, as indicated below. If any, the holder may submit to the JPO a written opinion against this provisional refusal through the intermediary of a representative domiciled in Japan by the same date. Alternatively, the holder may request a limitation of the list of goods and/or services in accordance with Rule 25(1)(a) of the Common Regulations. This request must be presented to the International Bureau of WIPO by Official Form MM6.

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\* A request for territorial extension to Japan under the Protocol relating to the Madrid Agreement is deemed as a trademark application made in Japan in accordance with Section 68-9 of the Japanese Trademark Law.

The date of pronouncement: 2008/07/03

Continuation sheet

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 01 Chemical products for industrial and scientific purposes;

chemical products used in agriculture, horticulture and forestry, namely natural and artificial fertilizers and other chemical agents for conditioning soil and crops;

=>chemical products used in agriculture, horticulture and forestry, namely natural and artificial fertilizers and other chemical agents for conditioning soil and crops (excluding fungicides, insecticides and herbicides);

denaturated alcohol.

Class 02 Repair materials for the treatment of subsurfaces (priming colors); precoating compositions.

Class 03 Brightening and smoothing agents for laundry use; impregnated or wet tissues or wipes for personal hygiene; underbody protection agents for motor vehicles; cleaning agents and care products for furniture.

Class 04 Combustibles (including motor fuels).

Class 05 Drugs (as far as they are not pharmacy-only drugs); scented preparations and blocks for use in toilets and urinals, filled first-aid boxes.

Class 06 Locks,  
=>locks (other than electric);

tool sheds of metal;

=>tool sheds (prefabricated constructions of metal);

ironmongery;

=>bolts of metal; bottle caps of metal; boxes of common metal; buckles of common metal; cattle chains; chests of metal; clothes hooks of metal; ice nails; junctions of metal for pipes; keys; memorial plates of metal; money boxes of metal; statues of common metal;

small items of metal hardware,

in particular nails,

=>nails;

nuts,

=>nuts of metal,

hooks.

=>hooks (metal hardware),

Class 07 Machines for use in kitchens and canteen kitchens; electrical kitchen machines and apparatus for processing foods; electrical mixers, vacuum cleaners and (electrical) floor waxing machines, electrical machines for furniture care and floor care; apparatus for compressing, mixing, pumping and electric power generation; electrical and pneumatic tools for the building industry, for the timber industry, for craftsmen and do-it-yourself, in particular drilling

Continuation sheet

machines, suction devices, grinders, thread cutters, adapters, valves for water bottles.

Class 08 Paper cutting machines: sand paper grinding machines, wire brushes and wheels, sticks.

Class 09 Scientific, nautical, surveying, electric, photographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; notebooks, monitors, digital video units, computer products and software, network software, compact flash memo cards; recorded and writeable storage media, namely disks, helmets, bicycle computers, heart rate measuring devices.

Class 11 Percolators;

sanitary facilities;  
=>sanitary apparatus and installations;

devices for dispensing water;  
=>water-pipes for sanitary installations;

devices and apparatus (as well as equipment composed of these) for feeding, discharging, supplying, holding, distributing and extracting water;  
=>water conduits installations;

hot water installations; thermostat fittings; washing room accessories.

bathroom accessories (included in this class),  
=>set units of bathroom, parts and accessories thereof;

electric light hoses; safety inserts (mats) for showers and tubs.

Class 12 Paddles; vehicles; motor vehicle parts, namely transport devices for the transport of luggage with and on motor vehicles included in this class.

Class 14 Table decorations and dinner services of precious metal.

Class 16 Paper and paperboard goods, included in this class,  
=>paper, boxes of paper, table cloths of paper, table napkins of paper, cardboard and cardboard articles;

office supplies (except furniture), namely non-electric office machines;

highlighters,  
=>highlighter pen;

requisites for painting and drawing, namely board chalk,  
=>requisites for painting and drawing, namely chalk board,

finger colors,  
=>finger colors, namely paint boxes [articles for use in school],

water colors,  
=>paint boxes [articles for use in school],

poster colors, oil paints.

brushes,  
=>paintbrushes;

handicraft folders,

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=>file folders,

sliding rules and disc calculators.

pinboards and magnetic boards as well as letters and numbers for pinboards and magnetic boards;

=>memo boards and magnetic boards as well as letters and numbers for memo boards and magnetic boards;

plastic file envelopes,

=>document files (stationery),

punched pockets,

=>punched pockets for file,

document pockets and loose leaf binders;

=>document pockets for file and loose leaf binders;

filers and folders,

=>file folders,

registry and archiving systems (office supplies), in particular hanging file folders, hanging file pockets, hooking binders and eyelet binders;

=>registry and archiving systems (office supplies), namely hanging file folders, hanging file pockets, hooking binders and eyelet binders;

letter baskets,

=>letter rack;

appliances for office organization (office machines), in particular desk files, appointments desk files and signature folders;

=>appliances for office organization (office machines), namely desk files, appointments desk files and signature folders;

laminators.

Class 17 Rubber, mica and goods made of these, not included in other classes.

Class 18 Wallets card cases.

Class 20 Slatted frames; bottle cases, baskets (not of precious metal), wooden roller shutters, roller tubes (non-metallic).

non-metallic actuating devices for blinds (non-electric),

=>pulleys of plastics for blinds,

pivoting rods.

Class 21 Wipes, hand brushes, cans, pouring vessels,

boxes,

=>boxes of glass,

table centrepieces namely ornaments, cutlery handles, honey dispensers, napkin rings, cookware and boiling apparatus; lids, egg cutters.

Class 22 Tow ropes, belts, wind protection fabrics, visual protection fabrics, dismountable garden pavilions of metal braces covered with fabric of textile or plastic; strings and ribbons (non-metallic) for binding and packaging; gift ribbons and decoration ribbons for binding, both of textile material.

## Continuation sheet

Class 24 ~~Blinds, window shades, gathering window shades and canopies, sun blinds of textile material,~~

fabrics and textile goods, not included in other classes,  
=>fabrics; face towels of textile; sheets[textile]; table napkins of textile;  
table linen of textile; tapestry [wall hangings] of textile;

~~napkins, table cloths, bathroom rugs and toilet rugs, textile wall paneling and window shades; textile sunshades for indoor use, coverings for ironing boards.~~

Class 27 ~~Wallpapers of textile products.~~

Class 28 Steppers.

Class 29 Convenience food and half-finished convenience food as well as ready-to-serve salads, essentially consisting of meat and/or fish and/or poultry and/or sausage and/or game;  
=>prepared meals consisting primarily of meat and/or fish and/or poultry and/or sausage and/or game; ready-to-serve salads

soup preparations,  
=>preparations for making soup;

finished and half-finished goods as well as ready-to-serve salads, essentially consisting of fruits and/or vegetables,  
=>prepared meals consisting primarily of fruits and/or vegetable;

fatty spreads and spreads on vegetarian basis (except chocolate creme and nougat creme);  
=>meat-based spreads, vegetable spreads, cheese spreads;

soy dishes as meat surrogate,  
=>soy-based meat alternatives,

nibbles, included in this class.

potato based products for alimentary purposes and made by extrusion, included in this class,  
=>processed food, not for medical purposes based on potato in the form of liquid;

onion rings made from potatoes;  
=>onion rings made from potatoes (fried);

dietetic food or nutritional supplements for non-medical use on the basis of egg white, fats, fatty acids, under addition of vitamins, mineral nutrients, trace elements, singly or in combination, included in this class.  
=>processed food, not for medical purposes, mainly consisting of egg white, fats, fatty acids, vitamins, mineral nutrients and trace elements in the form of tablets, pills, capsules;

Class 30 Aromatic preparations of vegetable origin for use in beverages (except ethereal oils), essences for alimentary purposes (except ethereal essences and oils),

convenience food and half-finished convenience food, essentially consisting of rice,  
=>prepared dishes in which rice predominate,

muesli,

cereal-based snacks,

Continuation sheet

=>food products made from cereal as snacks;

products on the basis of wheat, rice and corn, for alimentary purposes and made by extrusion,

=>processed food, not for medical purposes based on wheat, rice and corn in the form of liquid,

onion rings made from corn,

=>onion rings made from corn (confectionery),

salt sticks,

=>salted stick crackers,

sweet spreads, included in this class,

=>spread containing chocolate (confectionery),

sweets and desserts (on the basis of wheat),

=>sweets and cakes (on the basis of wheat),

half-liquid jelly from red fruits,

=>half-liquid jelly from red fruits (confectionery),

convenience food and semi-finished convenience food, essentially consisting of pasta,

=>prepared dishes essentially consisting of pasta, pre-cooked pasta,

pasta case filled with forcemeat, cheese or vegetables,

=>pasta filled with forcemeat, cheese or vegetables,

fruit sauces,

dietetic foodstuffs or nutritional supplements for non-medical use on the basis of carbohydrates, roughage, under addition of vitamins, mineral nutrients, trace elements, singly or in combination, included in this class,

=>processed food, not for medical purposes, mainly consisting of carbohydrates, roughage, vitamins, mineral nutrients and trace elements in the form of tablets, pills, capsules,

spreads on vegetarian basis (chocolate and nougat creme).

=>spreads on vegetarian basism, namely chocolate and nougat creams being spreads;

Class 31 Agricultural, horticultural and forestry products and grains, included in this class.

=>barley; grains(cereals); seedlings; trees;

Class 33 Wine-based beverages,

=>wine-based cocktails,

champagne and sparkling wines.

=>sparkling wines.

[NOTE]

Underlined terms have no proposal. Those terms should be limited referring to the alphabetical list of the Nice Agreement.

Please refer to examples for amendment of other goods and/or services in item VI.

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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.: 475119                      - Registration date: 1956/01/09
- National application No.: S30-008833              - Application date: 1955/04/04
- Name and address of the holder: OK Shokuhin Kabushiki Kaisha  
8-32, Shimo-Kawahara 2-chome, Suruga-ku, Shizuoka-ken,  
JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 30 covered in this application:

International class 30:

みそ, 甘酒, こしょう, 粉わさび, ねりわさび, おろしわさび, おろし生姜, おろしにんにく

No. 2

- National registration No.: 531202                      - Registration date: 1958/12/12
- National application No.: S32-006614              - Application date: 1957/03/05
- Name and address of the holder: Okamoto Shokuhin Kabushiki Kaisha  
17, Kaname-cho 3-chome, Minami-ku, Nagoya-shi, Aichi-  
ken, JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 05, 29, 30, 31 and 32 covered in this application:

National class 45:

他類に属しない食料品及び加味品

No. 3

- National registration No.: 679575-1                      - Registration date: 1965/06/28
- National application No.: S36-028427              - Application date: 1961/09/22

Continuation sheet

- Name and address of the holder: Okura Sangyo Kabushiki Kaisha  
3-17, Koraibashi 1-chome, Chuo-ku, Osaka-shi, Osaka,  
JAPAN

Mark:

オーケー

Conflicting goods and/or services and their class(es), corresponding to class 21, 24 and 25 covered in this application:

International class 05:

失禁用おしめ

International class 24:

布製身の回り品

International class 25:

セーター類, ワイシャツ類, 寝巻き類, 下着, 水泳着, 水泳帽, 和服, エプロン, えり巻き, 靴下, ゲートル, 毛皮製ストール, ショール, スカーフ, 足袋, 足袋カバー, 手袋, 布製幼児用おしめ, ネクタイ, ネッカチーフ, バンダナ, 保温用サポーター, マフラー, 耳覆い, ずきん, すげがさ, ナイトキャップ, ヘルメット, 帽子

No. 4

- National registration No.: 679575-2 - Registration date: 1965/06/28  
- National application No.: S36-028427 - Application date: 1961/09/22  
- Name and address of the holder: Okamoto Kabushiki Kaisha  
27-12, Hongo 3-chome, Bunkyo-ku, Tokyo, JAPAN

Mark:

オーケー

Conflicting goods and/or services and their class(es), corresponding to class 21, 24 and 25 covered in this application:

International class 09:

事故防護用手袋, 防じんマスク, 防毒マスク, 溶接マスク, 防火被服

International class 10:

医療用手袋

International class 17:

絶縁手袋

International class 21:

炊事用ゴム製等の手袋, その他の家事用手袋

No. 5

Continuation sheet

- National registration No.: 859103      - Registration date: 1970/06/04
- National application No.: S43-037188      - Application date: 1968/05/31
- Name and address of the holder: Okura Kogyo Kabushiki Kaisha  
1515, Nakazu-cho, Marugame-shi, Kagawa-ken, JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 06, 11, 17, 19 and 20 covered in this application:

National class 07:

建築又は構築専用材料、セメント、木材、石材、ガラス

No. 6

- National registration No.: 1016897      - Registration date: 1973/06/07
- National application No.: S44-004190      - Application date: 1969/01/22
- Name and address of the holder: Oji Paper Co., Ltd.  
7-5, Ginza 4-Chome, Chuo-Ku, Tokyo 104-0061 JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 16, 24, 27 and 34 covered in this application:

International class 01:

試験紙

International class 02:

謄写版用インキ, 絵の具

International class 05:

防虫紙

International class 08:

パレットナイフ

International class 09:

計算尺

International class 16:

紙類, 文房具類

International class 17:

コンデンサーペーパー, 石綿紙, バルカンファイバー

International class 24:

布製ラベル

Continuation sheet

International class 27:

壁紙

International class 34:

紙巻きたばこ用紙

No. 7

- National registration No.: 1329552      - Registration date: 1978/03/27
- National application No.: S46-017701      - Application date: 1971/02/27
- Name and address of the holder: Okura Kogyo Kabushiki Kaisha  
1515, Nakazu-cho, Marugame-shi, Kagawa-ken, JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 11, 17, 19 and 20 covered in this application:

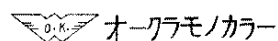
National class 07:

パーティクルボード、硬質繊維板、強化ポリエステル板、網入硬質塩化ビニル板、難燃合板

No. 8

- National registration No.: 1329553      - Registration date: 1978/03/27
- National application No.: S47-008863      - Application date: 1972/01/18
- Name and address of the holder: Okura Kogyo Kabushiki Kaisha  
1515, Nakazu-cho, Marugame-shi, Kagawa-ken, JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 20 covered in this application:

National class 07:

合板

No. 9

- National registration No.: 2131730      - Registration date: 1989/04/28
- National application No.: S62-015583      - Application date: 1987/02/16
- Name and address of the holder: Kabushiki Kaisha Lotte  
20-1, Nishi-Shinjuku 3-chome, Shinjuku-ku, Tokyo, JAPAN

Mark:

Continuation sheet

オーケー  
O K

Conflicting goods and/or services and their class(es), corresponding to class 30 covered in this application:

National class 30:

菓子、パン

No. 10

- National registration No.: 3345098      - Registration date: 1997/09/05
- National application No.: H06-083665      - Application date: 1994/08/17
- Name and address of the holder: The Coca-Cola Company  
One Coca-Cola Plaza, Northwest, Atlanta, Georgia, USA

Mark:

オーケー

Conflicting goods and/or services and their class(es), corresponding to class 05, 29, 32 and 33 covered in this application:

International class 32:

ビール、清涼飲料、果実飲料（但し、トマトジュースを除く。）、乳清飲料

No. 11

- National registration No.: 4119906      - Registration date: 1998/03/06
- National application No.: H04-306322      - Application date: 1992/10/27
- Name and address of the holder: Kabushiki Kaisha Kakudai  
4-4, Itachibori 1-chome, Nishi-ku, Osaka-shi, Osaka,  
JAPAN

Mark:

Continuation sheet

㊦ オーケー

Conflicting goods and/or services and their class(es), corresponding to class 06, 08, 11, 20 and 21 covered in this application:

International class 20:

プラスチック製ブラグ, タオル用ディスペンサー (金属製のものを除く。)

No. 12

- National registration No.: 4198965      - Registration date: 1998/10/16
- National application No.: H09-033039      - Application date: 1997/03/28
- Name and address of the holder: Omata Kutsushita Kabushiki Kaisha  
14-3, Maruyama 2-chome, Isogo-ku, Yokohama-shi,  
Kanagawa-ken, JAPAN

Mark:

**OK**  
COLLECTION

Conflicting goods and/or services and their class(es), corresponding to class 21, 24 and 25 covered in this application:

International class 25:

靴下

No. 13

- National registration No.: 4756919      - Registration date: 2004/03/19
- National application No.: 2003-061484      - Application date: 2003/07/23
- Name and address of the holder: Seiwa Hiryo Kogyo Kabushiki Kaisha  
3-4, Bingo-machi 4-chome, Chuo-ku, Osaka-shi, Osaka,  
JAPAN

Mark:

**OK**  
**オーケー**

Conflicting goods and/or services and their class(es), corresponding to class 01 covered in this application:

International class 01:

肥料

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No. 14

- National registration No.: 4756920      - Registration date: 2004/03/19
- National application No.: 2003-061485      - Application date: 2003/07/23
- Name and address of the holder: Seiwa Hiryo Kogyo Kabushiki Kaisha  
3-4, Bingo-machi 4-chome, Chuo-ku, Osaka-shi, Osaka,  
JAPAN

Mark:



Conflicting goods and/or services and their class(es), corresponding to class 01 covered in this application:

International class 01:

肥料

- 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 13 remains unchanged.

Classes 19, 32 and 33 should be deleted.

- 1 Photosensitive, unexposed films; chemical impregnating agents, especially for tents, articles of clothing, footwear; chemical preparations for industrial and scientific purposes (other than for medical or veterinary use); chemicals for the treatment of water, swimming pools, baths and hot water tubs; adhesives for industrial purposes; agents for preserving cut flowers; chemical defrosting agents, antifreeze agents for radiators, antifreeze agents for windscreen washer systems; salt, included in this class; putties for vehicle bodies.
- 2 Paints, varnishes, lacquers; preservatives against rust; preservatives against deterioration of wood, wood varnishes; wood stains; coating materials for producing primer coats; coating materials for producing primer coats, metal and wood preserving agents, coating preserving agents, (colors); preservatives against rust, preserving agents for use on wood and iron.
- 3 Washing and bleaching preparations, fabric softeners for laundry use, dishwashing liquid, spot removers/spot removing agents, starch for laundry purposes, brightening and smoothing agents for household purposes (laundry); cleaning, polishing, scouring and abrasive preparations, cleaning agents, oven cleaning agents, toilet cleaning agents, agents for cleaning glass surfaces, decalcification agents for household purposes, cleaning liquid for windshields, cleaning agents for cars, lacquer polish agents, cleaning sprays, preferably for use in cars in the dashboard region, lacquer cleaners, car waxes, car shampoos, car polishing agents; soaps; perfumery, ethereal oils, preparations for body and beauty care, cosmetics, lotions for cosmetic purposes, shower gel and bath gel, deodorants for personal use, hair tonics, hair lacquer, hair setting lotions, shampoos, dentifrices, mouth washes, not for medical use, cosmetic cotton products such as cotton swabs, cosmetic cotton, cotton pads, cotton balls as well as tissues impregnated with cosmetic lotions, impregnated or wet tissues or wipes with cosmetic lotions; cleaning agents for office machines and office furniture, cleaning agents for automatic writing machines; abrasive agents, cleaning agents and polishes for furniture.
- 4 Fuel (including motor fuels), fire lighters for barbecue units and firesides, charcoal; camping gas; industrial oils and greases, lubricants, in particular for vehicle engines; Christmas tree candles, candles (for illumination purposes), scented candles, fumigating candles.
- 5 Pharmaceutical and veterinary products, drugs; sanitary products for medical purposes; plasters, dressing material; hygienic articles for women, in particular menstruation bandages, sanitary pants, panty liners, tampons; tooth stopping preparations and molding compounds for dental use; disinfectants; preparations for destroying vermin; fungicides, herbicides; deodorants (not for personal use),

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- medicine case [portable][filled]; pads with dressing materials.
- 6 Cashboxes of metal, safes; ladders of aluminium, ladders of metal, hinged steps made of metal, packing containers of metal, baskets of metal; metal blinds, springs, all of metal and for blinds and net curtains, roller tubes of aluminium, cables and wires of metal (not for electrical use); boxes of common metal; cattle chains; chests of metal; ice nails; junctions of metal for pipes; memorial plates of metal; money boxes of metal; statues of common metal; bottle caps of metal; buckles of common metal; clothes hooks of metal, embeddable pipes of metal; petrol cans of sheet metal; petrol cans of sheet metal, including attachments.
- 7 Electric kitchen machines for house hold use and commercial use; electrical juice squeezers, electric food mixers; electrical centrifuges, electrical cutting machines, washing machines, dishwashers (all aforementioned apparatus included in this class); sewing machines and parts therefor, knitting machines and parts therefor, vacuum cleaner accessories, namely vacuum cleaner bags, vacuum cleaner filters and vacuum cleaner hoses, electrical cleaning apparatus for the household, vacuum cleaners and (electrical) floor wax-polishing machines, electrical shoe cleaners, electrical cleaning machines for furniture and floor; accessories for all aforementioned goods, included in this class; binding apparatus; electrical and battery-powered cleaning machines and apparatus as well as parts therefor; dynamos for bicycles; rubbish compressing machines; electric stirring and mixing apparatus; pumping devices (machines); apparatus for electric power generation; spark plugs and spark coils for automobiles; air filters and oil filters for automobiles; electrical and pneumatic tools for the building industry, for the timber industry, for craftsmen and do-it-yourself, namely drilling machines, hammer drills, power screwdrivers, suction machines for pumps or vacuum cleaners; electric grinders, saws (machines), hot air blowers, smoothing planes, hot glue guns, milling machines, scissors, threading machines, nibbling machines, agitators, tackers, soldering guns, scrapers, paint spraying pistols, wallpaper removers, chaff cutters, hedge shears and high-pressure cleaners, as well as insert tools therefor, namely drills, drill bits, chisels, adapters therefor, abrasive sheets, abrasive disks, abrasive belts, polishing sponges, disk wheels, saw blades, planer blades, milling cutters, drive belts, screwdriver blades; machines and apparatus for making beverages and/or meals; pumps (included in this class); agricultural machines; kitchen machines (electric), paper cutting machines.
- 8 Shavers (electric or non-electric) and accessories for shavers included in this class, epilators (electric and non-electric), hair cutting machines (electric and non-electric), razor blades, cases for shavers, razors, shaving accessories, cutters for nasal hairs; flatware, also made of precious metals or plated therewith, namely knives, forks, spoons, service pieces, namely soup spoons and sauce spoons, cake shovels, sugar tongs, fondue forks; hand-operated tools for bicycles and other pieces of sports equipment; cutlery including scissors, knives and special purpose cutters; hand tools and hand-operated tools, not operated electrically or pneumatically, in particular hammers, awls, files, planes, screwdrivers, saws, caulking tools, wrenches, sand paper grinding tools, push drills, hand-held drills, routers, stapling machines, nail drivers, pliers, wrenches; drilling bits, saw blades and frames for hacksaws; screwdriver inserts, skewed planes, clips, vices, wire brushes, trowels, spatulas, hatchets (axes), crimping tools, tweezers, carving tools, gouges, Allen key sets, ratchet handle boxes, mitre boxes and mitre planing boxes; agricultural apparatus (hand-operated) and cultivation and horticultural implements, picks, spades, forks, rakes, shovel, cotton sticks for cosmetic purposes; scissors, knives; hand-operated lawn mowers and lawn edge cutters; parts and components for all aforementioned goods, included in this class.
- 9 Nautical, surveying, photographic, optical and weighing apparatus and instruments; electric regulating apparatus; measuring apparatus; luminous or mechanical signals; electric monitoring apparatus; life-saving apparatus and equipment; teaching apparatus; electric flat irons, batteries of any kind and size, rechargeable batteries of any kind and size, charging sets for electric accumulators, electric foil welding apparatus, computer hardware, computer, notebooks (computers); desktop computers, computer monitors; projectors, printers, scanners, digital sound reproducing apparatus, digital video disc players, computer peripheral devices, in particular printers, keyboards, mouse; portable computers, pocket PCs, personal and

## Continuation sheet

- digital assistants, telephones, cellular phones, pagers, wireless e-mail apparatus, computer and computer software, accessories (included in this class), parts and components for all aforementioned goods; computer software, namely operating system software, network computer software, network managing software, training software; CD ROMs incorporating user instructions, manuals, schooling material and product information; optical disks for recording, storing and reproducing of sound, images and data, including compact disks (CDs), magneto-optical disks (MDs, MOs) and digital versatile disks (DVDs); magnetic disks and magnetic disks with large capacity for recording, storing and reproducing data; portable storage media, in particular USB sticks, digital cards, virgin smart media cards, compact flash memory cards, recorded and writeble storage media, namely disks, CDs, DVDs, audio and video cassettes; equipment and apparatus for displaying, coding, decoding, transmitting, receiving, storing and processing sound signals and/or picture signals and/or picture data, in particular digital and analogue satellite-supported compact units, DVBT receivers, DVBT antennas, SAT receivers and SAT dishes, amplifiers, receiving devices, audio/video receiving devices, audio/video processors, tuners, video players, DVD players, DAT players, CD players, MP3 players, remote control units, integrated audio devices, radios, TV sets, display screens (LCD and TFT); video cassette recorders, CD recorders, MP3 recorders, DVD recorders, DAT recorders, headphones, microphones, loudspeakers, in particular vehicular loudspeakers; connecting cables for audio and video equipment; remote control units; photographic and optical apparatus and instruments, including digital cameras; films (exposed); mechanical weighing instruments; protective helmets; bicycles speedometers; heart rate monitors for fitness training, sports and recreational use; warning triangles, locks (electrical); navigation implements, in particular for bicycles (on-board computers); measuring cups; measuring instruments; cash registers and text printers.
- 11 Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating and water supply; light bulbs; microwave devices; electrically operated extractor hoods; electric percolators, electrically operated household devices, also for use in canteen kitchens, namely popcorn machines; lamps (electric), floor lamps, table lamps, ceiling lamps, lamp tubes and cylinders, oil lamps, halogen lamps and spot beams, lamp shades, lamp shade holders, skin tanning apparatus, ultraviolet lamps, not for medical purposes, line light fixtures, luminescent tubes, reflector lamps, candle-like lamps; radiant heaters; pocket lamps; teapot warmers, rechauds with candles, gas burners or also electrically operated, pressure cooking pots (electric), pressure cooking pans (electric); bicycle lamps; devices and apparatus for supplying water, electric hot water appliance; fittings and valves for feeding and discharging water for bath and showers; thermostatic valves (parts of heating installations); filters for retaining contaminations in water; thermostatically controlled mixing faucets and mixing faucets which are operated in a contact-less manner (parts of sanitary equipment); controlling, regulating, mixing, closing and self-closing valves for water conduits and sanitary equipment; showers, spraying nozzles, spraying heads, showers, shower seats, shower columns, shower hoses, wash hand bowls (parts of sanitary installations), tub handles, grab handles of metal or plastic for baths and showers, toilet tanks; toilet seats of plastic, wood or metal, single components and spare parts for all aforementioned goods, included in this class; electrical rope and string lights.
- 12 Bicycles and bicycle accessoires (included in this class); bicycles with auxiliary engine, motor scooters, mopeds, covers for bicycle seats or motorbike seats; bicycle supports and wheel supports, bicycle brakes, two-wheeler brakes, bicycle rims, bicycle forks, bicycle chains, bicycle bells, bicycle baskets, bicycle handle bars, bicycle motors, hubs of bicycle wheels, bicycle carriers, bicycle pedals, bicycle pumps, bicycle tires, bicycle bogie wheels, bicycle tubes, bicycle spokes, bicycle saddles, bicycle panniers, bicycle front mounts, bicycle saddle tubes, bicycle bottom brackets; boats and additional parts and spare parts therefor included in this class; paddles for canoes, aircraft; automobiles; bicycles; motorcycles; rolling stock for railways; ships; motor vehicle parts, namely luggage racks, roof racks, trunk mounts, ski racks, racks for bicycles, racks for surfboards, luggage awnings, luggage spiders for attaching loads, luggage trailers (vehicles), trailer couplings, windshield wipers, snow chains and spoilers.
- 14 Watches; chronometric instruments; containers and vessels of precious metal for

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- household and kitchen; tea sets, dinner services of precious metal; alarm clocks.
- 16 Boxes of paper, table cloths of paper, table napkins of paper; exercise books, brochures, journals and magazines, books; non-electric office machines namely franking machines (stamping machines), sealing machines and addressing machines; aquarelle colors, drawing equipment, ticketing equipment, namely manual embossing devices and ticketing devices (office machines), letters and numbers, spine gluing apparatus; photographs, photographic prints, adhesive agents for photos; electrically and mechanically operated document shredders (office machines); mechanical and electrical typewriters; document laminators for office use.
- 17 Packaging and insulating means; plastic pipes for laying, included in this class; hoses (non-metallic); raw or semi-worked rubber, raw or partly processed gum, raw or partly processed mica, insulating mats.
- 18 Leather and imitations of leather, and goods made of these materials, included in this class, small articles of leather, included in this class, animal skins and hides; trunks and travelling bags, umbrellas, parasols, walking sticks; bags, included in this class, in particular wallets, camping bags, sport bags, travelling bags, bags for transporting children, wallets, card cases, handbags, shopping bags; satchels; rucksacks.
- 20 Furniture, mirrors, frames; bedding (included in this class), namely mattresses, overlay mattresses, pillows, slatted frames for beds; ladders and hinged steps (non-metallic), packaging containers of plastic, bottle casings of wood, all-purpose trolleys (furniture), baskets (not of metal), bottle case racks (non-metallic), coat-hangers, shelves and shelving systems (furniture) (non-metallic), coat stands, also movable ones; blinds, window shades, blade-type blinds, cassette window shades, foldable blinds, pleating blinds, window shades, all non-metallic and non-textile and for indoor use; curtains of braided wood, wooden net curtains, gathering window shades (non-textile), door curtains of wood; air mattresses and air cushions (not for medical purposes), sleeping bags for camping, mattresses, camping mats, garden furniture and their parts of wood, rattan, metal or plastic; petrol cans of plastic, including mountings, drawing tables, plate drain racks.
- 21 Ironing boards, rotary clothes drier, laundry baskets, clothes pegs, drying racks for laundry purposes and other devices for drying laundry (not included in other classes), storage and sorting systems for laundry use, namely devices and containers for the household (not of precious metal or plated), garbage cans, baskets for household use (not of precious metal), washtubs, cleaning utensils, household sponges, steel wool, shoddy wool, cotton waste for cleaning purposes, leather for cleaning purposes, polishing leather, wet mops, apparatus for waxing parquet flooring (non-electric), cleaning wipes, polishing apparatus and machines (non-electric) for household purposes, cleaning devices (hand-operated), window cleaning equipment (hand-operated), scrapers for cleaning containers, scrubbing brushes, dusters, feather dusters, furniture dusters, carpet sweepers (non-electric), brushes (except paint brushes), brooms, hand brushes for household purposes, dust pans, goods of porcelain, namely porcelain dishware, in particular dinner services, coffee services, tea sets, hot chocolate sets, mocha sets and breakfast dishes as well as household and kitchen appliances of porcelain; articles of daily use and ornamental objects of ceramic materials, namely plates, bowls, dishes, cups, cans for confectionery, mugs, jars, drinking vessels, vases, china ornaments, cutlery handles, not of metal; honey dispensers of glass, egg cups, napkin rings, not of precious metal, napkin racks; figures for ornamental purposes of porcelain, earthenware, glass and similar ceramic materials (included in this class); glass ware and crystal glass ware, namely drinking glasses, bowls, dishes, vases, jars and napkin racks; cookware and boiling apparatus (non-electrical); cooking pots, frying pans, thermos flasks, plates and dishes, tableware for arranging, serving tableware (not of precious materials or plated therewith); sieves, tumblers, egg beaters, graters, corkscrews, cookie cutters; pot lids, knife-blocks, microwave crockery; paper tableware, plastic tableware, in particular mugs, cups, plates, glasses, flatware; thermos flasks and cups; implements for body and beauty care (cosmetic devices); salvers (not of precious metal), ironing tables.
- 22 Tents, ropes, tow ropes for automobiles, belts, not of metal, for handling loads, awnings and sails, included in this class; tents, namely dismountable garden pavilions of metal braces covered with fabric of textile or plastic; strings (non-

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- metallic) for binding and packaging; tarpaulins.
- 24 Blinds (outdoor), all of textile material, sun blinds (outdoor) of textile material, net curtains of textile material and plastic, all aforementioned goods for indoor use; fabrics, bedspreads and table cloths, bed linen and table linen; tapestry [wall hangings] of textile; bed linen and table linen, quilts, net curtains, curtains, decoration curtains, eiderdowns, bedding (included in this class), blankets, bed linen, sheets, coverlets, bed linen, duvets, bedcovers, pillow cases, plaids for furniture, curtains, table linen, table napkins of textile, table cloths [not of paper], table mats made of cloth or plastic, dishrags, dishtowels, glass towels, pillow cases, textile napkins, toilet seat covers, upholstery cloths and blankets, wall hangings of textile; bedspreads.
- 25 Waist belts of leather; shoes for women, men and children; working clothes.
- 27 Carpets, rugs and mats, also for use in motor vehicles; included in this class, wall hangings of paper and plastic; bathroom mats (included in this class), insulating floor coverings.
- 28 Games, playthings, gymnastic and sporting equipment (included in this class); balls for sporting, bats for ball games, in particular for tennis, squash, badminton; golf clubs; gymnastic and sporting equipment (included in this class) for tennis, squash, golf and badminton, home exercisers, fitness trainers, steppers for physical exercise, skateboards, inline skates, roller skates; wheels for skateboards and roller skates, skates, scooters; special purpose bags for pieces of sporting equipment, bags for storing and transporting skates and roller skates; equipment for playing, climbing and swinging for outdoor use.
- 29 Edible oils and fats, margarine.
- 30 Coffee, coffee substitutes, coffee-based beverages, espresso, tea, tea-based beverages, iced tea, aromatic preparations of vegetable origin for use in beverages (except essential oils), essences for alimentary purposes (except ethereal essences and essential oils), cocoa, cocoa-based beverages, sugar, natural sweeteners, rice, tapioca, sago; flour and preparations made from cereals, baking-powder, oat flakes, cereals mainly consisting of processed grains, nuts and dried fruits; cornflakes, cake dough; pasta, noodles of any type, spaghetti, honey, molasses; yeast, vinegar, sauces (condiments), soy sauce, fruit sauces (condiments); salad dressings, ready-to-use sauces, tomato sauce, ketchup, mayonnaise, remoulade, ice for cooling purposes.
- 31 Seeds, flower bulbs and tubers, straw mulch and litter peat, animal litter, cat litter, bird sand; living animals; fresh fruits and vegetables, nuts; living plants and natural flowers; feedstuff, pet food, malt.
- 34 Tobacco, tobacco products, tobacco goods, cigarettes, cigars, small cigars; smoker's articles, cigarette filters, cigarette mouthpieces, pocket apparatus for rolling cigarettes, cigar cases and cigarette cases (not of precious metals), ashtrays (not of precious metals), cigar cutters, pipes, pipe cleaners, flint stones; matches, lighters for smokers, gas cartridges for lighters.

## Extract from the Japanese Trademark Law

### Art. 3. Requirements for trademark registration

(1) Any trademark to be used in connection with goods or services pertaining to the business of an applicant may be registered, unless the trademark:

(i) consists solely of a mark indicating, in a common manner, the common name of the goods or services;

(ii) is customarily used in connection with the goods or services;

(iii) consists solely of a mark indicating, in a common manner, in the case of goods, the place of origin, place of sale, quality, raw materials, efficacy, intended purpose, quantity, shape (including shape of packages), price, the method or time of production or use, or, in the case of services, the location of provision, quality, articles to be used in such provision, efficacy, intended purpose, quantity, modes, price or method or time of provision;

(iv) consists solely of a mark indicating, in a common manner, a common surname or name of a legal entity;

(v) consists solely of a very simple and common mark; or

(vi) in addition to what is listed in each of the preceding items, a trademark by which consumers are not able to recognize the goods or services as those pertaining to a business of a particular person.

(2) Notwithstanding the preceding paragraph, a trademark that falls under any of items (iii) through (v) of the preceding paragraph may be registered if, as a result of the use of the trademark, consumers are able to recognize the goods or services as those pertaining to a business of a particular person.

### Art. 4. Unregistrable trademarks

(1) Notwithstanding the preceding article, no trademark shall be registered if the trademark:

(i) is identical with, or similar to, the national flag, the imperial chrysanthemum crest, a decoration, a medal or a foreign national flag;

(ii) is identical with, or similar to, the coats of arms or any other State emblems (except national flags of any country of the Union to the Paris Convention, member of the World Trade Organization or Contracting Party to the Trademark Law Treaty) of a country of the Union to the Paris Convention (refers to the Paris Convention for the Protection of Industrial Property of March 20, 1883, as revised at Brussels on December 14, 1900, at Washington on June 2, 1911, at the Hague on November 6, 1925, at London on June 2, 1934, at Lisbon on October 3, 1958 and at Stockholm on July 14, 1937, the same shall apply hereinafter), a member of the World Trade Organization or a Contracting Party to the Trademark Law Treaty designated by the Minister of Economy, Trade and Industry;

(iii) is identical with, or similar to, a mark indicating the United Nations or any other international organization which has been designated by the Minister of Economy, Trade and Industry;

(iv) is identical with, or similar to, the emblems or titles in Article 1 of the Law Concerning Restriction on the Use of Emblems and Titles of the Red Cross and Others (Law No.159 of 1947) or the distinctive emblem in Article 158(1) of the Law Concerning Measures to Protect Japanese Citizens During Armed Attacks and Others (Law No.112 of 2004);

(v) consists of a mark identical with, or similar to, an official hallmark or sign indicating control or warranty by the national or a local government (hereinafter referred to as "Government, etc.") or by those who are not the Government, etc. but designated by the Commissioner of the Patent Office, or at an international exhibition held in a foreign country by the Government, etc. of the foreign country or those authorized thereby (except those used by the recipient of such a prize as part of his/her own trademark);

(vi) is well known among consumers as that indicating goods or services in connection with another person's business or a trademark similar thereto, if such a trademark is used in connection with such goods or services or goods or services similar thereto;

(vii) is identical with, or similar to, another person's registered trademark which has been filed prior to the filing date of an application for registration of the said trademark, if such a trademark is used in connection with the designated goods or designated services in connection with which the said registered trademark is registered in relation to goods or services designated in accordance with Article 6(1) (including cases where it is applied mutatis mutandis pursuant to Article 65(1), hereinafter the same) or goods or services similar thereto;

(viii) is identical with a registered defensive mark of another person (refers to a mark registered as a defensive mark the same shall apply hereinafter), if such a trademark is used in connection with designated goods or designated services in connection with which the defensive mark is registered;

(ix) is a trademark of another person (excluding those which had not been used by the said person for a period of one year or longer from the date the trademark right became extinguished) the right to which has been extinguished for a period of shorter than one year from the date of the extinguishment of the said trademark right or the date on which a ruling to the effect that the trademark registration is to be rescinded or a trial decision to the effect that the trademark registration is to be invalidated is rendered, the same shall apply hereinafter) or a trademark similar thereto, if such a trademark is used in connection with the designated goods or designated services in connection with the trademark right of such other person or goods or services similar thereto;

(x) is identical with, or similar to, the name of a variety registered in accordance with Article 18(1) of the Agricultural Seed and Seedlings Law (Law No. 93 of 1938), if such a trademark is used in connection with the variety or goods or services similar thereto;

(xi) is likely to cause confusion in connection with the goods or services pertaining to a business of another person (except those listed in items (x) to (xv), inclusive);

(xii) is likely to cause confusion as to the quality of the goods or services;

(xiii) is comprised of a mark indicating a place of origin of wines or spirits of Japan which has been designated by the Commissioner of the Patent Office, or a mark indicating a place of origin of wines or spirits of a member of the World Trade Organization which is prohibited by the said member from being used on wines or spirits not originating from the region of the said member; if such a trademark is used in connection with wines or spirits not originating from the region in Japan or of the said member;

(xiv) consists solely of a three-dimensional shape of goods or their packaging which is indispensable for such goods or their packaging to properly function; or

(xv) is identical with, or similar to, a trademark which is well known among consumers in Japan or abroad as that indicating goods or services pertaining to a business of another person, if such trademark is used for unfair purposes (referring to the purpose of gaining unfair profits, the purpose of causing damage to the other person, or any other unfair purposes, the same shall apply hereinafter) (except those provided for in each of the preceding to (xv));

(2) Where the State or a local government, an agency thereof, a non-profit organization undertaking a business for public interest, or a person undertaking a non-profit activity for public interest files an application for trademark registration falling under the said item (vi) of the preceding paragraph shall not apply.

(3) Items (viii), (x), (xi), (xii) and (xiii) of Paragraph (1) shall not apply to a trademark falling under any of the said items which does not fall under the said item at the time of filing of an application for trademark registration.

(4) Where a trial decision to the effect that a registration of a trademark is to be rescinded pursuant to Article 53-2 becomes final and conclusive, and the defendant of the said trial files a trademark application for the trademark pertaining to the rescinded registration following the said decision, or a trademark similar thereto, from item (vi) of Paragraph (1) shall not apply.

### Art. 6. Single trademark on each application

(1) An application for trademark registration shall be filed for each trademark and designate one or more goods or services in connection with which the trademark is to be used.

(2) The designation provided for in the preceding paragraph shall be made in accordance with classifications of goods and services specified by Cabinet Order.

(3) The classifications of goods and services provided for in the preceding paragraph shall not be perceived as prescribing the scope of similarities of goods or services.

### Art. 7. Collective trademarks

(1) Any incorporated association established pursuant to Article 34 of the Civil Code (Law No. 89 of 1896), any other incorporated association (except those which are not legal entities or corporations), or other association established pursuant to a special law including business cooperative (except those which are not legal entities), or a foreign legal entity equivalent thereto shall be entitled to obtain a collective trademark registration with respect to a trademark to be used by their members.

(2) For the purpose of the application of Article 3(1), in the case of the preceding paragraph, "applicant" in the said Article shall read "applicant or its members."

(3) Any person who desires to register a collective trademark pursuant to Paragraph (1) shall, at the time of filing of an application for trademark registration pursuant to Article 5(1), submit to the Commissioner of the Patent Office a document certifying that the applicant for trademark registration is a legal entity that falls under Paragraph (1).

### Art. 7-2. Regionally based collective trademark

(1) Any association established by special law, including a business cooperative (except those which are not legal entities and limited to those which are established by a special law prescribing that the association shall not refuse the enrollment of any person who is eligible to become a member without a justifiable reason or that the association shall not impose on any of its prospective members any condition that is heavier than those imposed on its existing members) or a foreign legal entity equivalent thereto (hereinafter referred to as an "association, etc.") shall be entitled to obtain a regionally based collective trademark with respect of any of the following, provided that the trademark is used by its members and, as a result of the use of the said trademark, the said trademarks is well known among consumers as indicating the goods or services pertaining to the business of the applicant or its members, notwithstanding the provision of Article 3 (except a case falling under item (i) or (ii) of Article 3(1)).

(i) a trademark consisting solely of characters indicating, in a common manner, the name of the region and the common name of the goods or services pertaining to the business of the applicant or its members;

(ii) a trademark consisting solely of characters indicating, in a common manner, the name of the region and the name customarily used as a name indicating the goods or services pertaining to the business of the applicant or its members; or

(iii) a trademark consisting solely of characters indicating, in a common manner, the name of the region and the common name of the goods or services pertaining to the business of the applicant or its members or the name customarily used as a name indicating thereof, and characters customarily added in indicating, in a common manner, the place of origin of the goods or the location of provision of the services.

(2) The term "name of the region" as used in the preceding paragraph shall mean the place of origin of the goods or the location of provision of services for which the trademark pertaining to the said application has been used by the applicant or its members even prior to the filing of such application, or the name or abbreviated name of the region which is considered to have a close relationship with the said goods or services to the equivalent extent.

(3) For the purpose of the application of Article 3(1) (limited to those relating to item (i) and (ii)) in the case of Paragraph (1), "applicant" in the said Paragraph shall read "applicant or its members."

(4) Any person who desires to register a regionally based collective trademark pursuant to Paragraph (1) shall, at the time of filing of an application for trademark registration pursuant to Article 5(1), submit to the Commissioner of the Patent Office a document certifying that the applicant for trademark registration is an Association, etc. and documents necessary to prove that the trademark for which the registration is sought contains the name of a region as set forth in Paragraph (2).

### Art. 8. Prior application

(1) Where two or more applications for trademark registration relating to identical or similar trademarks which are to be used in connection with identical or similar goods or services have been filed on different dates, only the applicant who filed the application for trademark registration on the earlier date shall be entitled to register the trademark in question.

(2) Where two or more applications for trademark registration relating to identical or similar trademarks which are to be used in connection with identical or similar goods or services have been filed on the same date, only one applicant shall be entitled to register the trademark in question, to be determined by consultations between the applicants who filed such applications.

(3) Where an application for trademark registration is abandoned, withdrawn or dismissed, or an examiner's decision or a trial decision on an application for trademark registration becomes final and conclusive, such application shall, for the purposes of the application of the preceding two paragraphs, be deemed never to have been filed.

(4) In the case of Paragraph (2), the Commissioner of the Patent Office shall require the applicants for trademark registration to arrange consultations between the applicants as set forth in the said Paragraph and to report the result thereof, designating a reasonable time limit for such purpose.

(5) Where no agreement is reached in the consultations held pursuant to Paragraph (2), or a report is submitted within the designated time limit set forth in the preceding Paragraph, only one applicant, selected by a lottery in a fair and just manner conducted by the Commissioner of the Patent Office, shall be entitled to register the trademark in question.

### Art. 15. Examiner's decision of refusal

Where an application for trademark registration falls under any of the following items, the examiner shall render a decision to the effect that the application is to be refused:

(i) the trademark pertaining to an application for trademark registration is not registrable pursuant to the provisions of Articles 3, 4(1), 7-2(1), 8(2), 8(5), 51(2) (including the case of its mutatis mutandis application under Article 52-2(2)), 53(2) of this Law or Article 25 of the Patent Law as applied mutatis mutandis under 77(3) of this Law;

(ii) the trademark pertaining to an application for trademark registration is not registrable pursuant to the provisions of a relevant treaty; or

(iii) the application for trademark registration does not comply with the requirements provided in Article 6(1) or 3(2).

### Art. 15-3.

(1) Where a trademark pertaining to an application for trademark registration is identical with, or similar to, another person's trademark pertaining to an application for trademark registration filed prior to the filing date of the said application, if the said trademark is intended to be used for goods or services identical with, or similar to, the designated goods or designated services pertaining to such other person's trademark, the examiner may notify the applicant for trademark registration of the fact that the said application for trademark registration will fall under Article 15(1) when the said other person's trademark is registered, and provide the applicant with an opportunity to submit a written opinion, designating a reasonable time limit for such purpose.

(2) Where the notification set forth in the preceding paragraph has already been served and the said other person's trademark is registered, the examiner shall not be required to serve the notification set forth in the preceding article.

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### I. The Japanese Patent Law

(Effect of treaties)

26- Where there are specific provisions relating to patents in a treaty, such provisions shall prevail.

### The Japanese Trademark Law

(Application mutatis mutandis of Patent Law)

77-4) Section 26 (effect of treaties) of the Patent Law shall apply mutatis mutandis to trademark and defensive mark registrations.

Sussection (1) to (3), and (5) to (7)) are omitted.

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### Notice

With the revision of the Trademark Law, Article 7-2 (regionally based collective trademark) was introduced, and a reference to 7-2 (1) was added in Article 15.

This revision shall be applied to an international application for which the date of international registration or date of subsequent designation is on or after April 1, 2006.

These are unofficial translations. Only the original Japanese texts of the Laws have legal effect.