

# CWS/ATR/TM/2022/JP

## Annual Technical Report on Trademark Information Activities in 2022 submitted by Japan

Please provide links to your website where the requested information can be found in English, French, or Spanish. Alternately, you may provide text responses instead of URLs if desired. If the information is not available on your website in an ATR language, then please provide text.

URLs in responses should meet the following requirements:

- Link to pages with information in English, Spanish, or French
- The URL will remain stable over time (at least three years, preferably more)
- Goes to the specific information requested, not to a general homepage
- If the URL goes to a long PDF document such as an annual report, please indicate which sections or pages contain relevant information.
- Provide additional instructions for using the URL if needed. For instance, if the page requires the user to login first, or if the requested information requires selecting certain options or filters on the page that can not be included in the URL.

### I. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN TRADEMARK INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

Information on the following topics is desired:

1. **Outline of main policies and plans aimed at development of trademark information activities and expected time frames for their realization**
2. **New projects launched or resumed this year in the context of the policies and plans mentioned above, short description: aims, partners, tasks**
3. **Main areas of trademark information activities and related information and communication technology (ICT) practices which were in the focus of attention last year**
4. **Statistics: changes in terms of application filings and registrations with respect to previous year; trends or areas experiencing rapid changes**
5. **Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.**

#### 1. Outline of main policies and plans aimed at development of trademark information activities and expected time frames for their realization

The outline of main policies and plans of patent information activities have officially been announced in the following report.

"Toward further utilization of patent information" Report, submitted by the subcommittee on dissemination and utilization of patent information consisting of patent information experts, appointed under the Intellectual Property Committee under Industrial Structure Council, the Ministry of Economy, Trade and Industry, in May 2016

The future direction of the official patent information provision service operated by the JPO and the National Center for Industrial Property Information and Training (INPIT) has been summarized as below.

The JPO and the INPIT should continuously improve the infrastructure of patent information provision service to broadly disseminate the patent information with the efforts to provide the world's utmost quality service for the users in Japan with full considerations of the trends of globalization, advancement of IT, approaches to the related services by foreign IP offices and private business operators, and requests from users in Japan including small and medium-sized companies and individuals.

The following policies are mentioned in the report with the said fundamental concept.

- (i) Improving accessibility to foreign patent documents by using machine translation to Japanese.
- (ii) Provision of One Portal Dossier (OPD) service, which is to offer overseas dossier information collectively.
- (iii) Improving accessibility to unified database, which is internal and external to the JPO, through basic functions.
- (iv) Provision of the service to share Japan's world's fastest and utmost quality examination results.
- (v) External provision of substantive examinations/ appeal examinations related information regarding Design and Trademark.

#### 2. New projects launched or resumed this year in the context of the policies and plans mentioned above, short description: aims, partners, tasks

Refer to p.122(ii) of JPO Status Report.

<https://www.jpo.go.jp/resources/report/statusreport/2023/document/index/0203.pdf#page=9>

#### 3. Main areas of trademark information activities and related information and communication technology (ICT) practices which were in the focus of attention last year

Refer to p.122(ii) of JPO Status Report.

<https://www.jpo.go.jp/resources/report/statusreport/2023/document/index/0203.pdf#page=9>

**4. Statistics: changes in terms of application filings and registrations with respect to previous year; trends or areas experiencing rapid changes**

Refer to p.27 of JPO Status Report.

<https://www.jpo.go.jp/resources/report/statusreport/2023/document/index/0101.pdf#page=16>

**5. Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.**

(Annual Report in Japanese) <https://www.jpo.go.jp/resources/report/nenji/index.html>

(Status Report in Japanese and English) <https://www.jpo.go.jp/e/resources/report/statusreport/index.html>

## II. SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

Information on the following topics is desired:

1. Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) - URLs
2. Availability of the application dossier in electronic form
3. Matters concerning classifying
  - a. Classification and reclassification activities; classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of Marks (Vienna Classification), other classification
  - b. Use of electronic classification systems and pre-defined terms of the classification applied
4. Matters concerning processing of different types of non-traditional marks (e.g., three-dimensional, motion, hologram, color mark, etc.)
5. Other activities

**1. Information and support provided by the JPO to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) – URLs**

**a) Paper based application**

The INPIT provides the free consultation service on the procedures for industrial property rights at the Consultation Desk in the JPO office building.

Moreover, the portal site for consultation and support on intellectual property is available at:

<https://faq.inpit.go.jp/>

**b) Electronic application**

The e-filing software allows users to conduct administrative procedures such as the filing of applications for patents, utility models, industrial designs and trademarks, and PCT-RO international application, appealing for trials and payment of the annual fees, and receipt of documents dispatched from the JPO, on-line. The software may be downloaded for free.

<https://www.jpo.go.jp/system/process/shutugan/pcinfo/index.html>

**2. Availability of the application dossier in electronic form**

**a) On-line reference**

The software for electronic application allows users to request or refer to application documents and registers from computers from their home or office, and to make a request for issuing certifications on-line.

See 2. (1) b) for the software for electronic application.

**(3) Matters concerning classifying**

- Classification and reclassification activities; classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of Marks (Vienna Classification), other classification

- Use of electronic classification systems and pre-defined terms of the classification applied

**a) Nice Classification**

By adopting internationally common classification (Nice Classification), for the purpose of making it easier to search of domestic and international prior trademarks and to manage trademarks such as the procedure for the registration of a trademark etc., in April 1992, the JPO has adopted the Nice Classification which is an international classification of goods and services as the main classification system. Currently, the JPO adopts the international classification, 12th edition, version 2023 that came into effect on January 1, 2023.

**b) Vienna Classification**

The JPO had adopted its own figure classification as a classification of figurative element of mark, and then investigated comparative relations between the Japanese own figure classification and the Vienna Classification from April 1999 to March 2000, in order to use the Vienna Classification which is an international classification.

In consequence, the JPO started examinations based on a subdivided Vienna Classification made by subdividing the Vienna Classification (5th edition) in the context of the actual situation of Japan.

Specifically, the JPO created a subdivided original Vienna Classification by subdividing the Vienna Classification (5th edition) based on the actual situation in Japan and has utilized it as search keys of Figure trademark search system.

**4. Matters concerning processing of different types of non-traditional marks (e.g., three-dimensional, motion, hologram mark, color mark, etc.)**

In order to support various brand strategies of enterprises, the JPO added five types of non-traditional trademark, "motion marks," "hologram marks," "sound marks," "color marks" and "position marks" into the subject matter for protection in Japanese Trademark Law and has accepted their applications since April 1, 2015. Search for trademarks by type is available on the J-PlatPat.

**5. Other activities**

Nothing in particular

### III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE

Information on the following topics is desired:

1. Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online - URLs)
2. Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online, URL), etc.
3. Information products (coverage, medium, etc.) available to examiners, including external documentation and databases
4. Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)
5. Legal status information (kind of information, coverage, medium, etc.)
6. Other sources

**1. Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online – URLs)**

The JPO publishes the following major official gazettes via the Internet in 2022:

- Publication of Registered Trademark
- Publication of Unexamined Trademark Application
- Publication of International Trademark Application
- Publication of Registered International Trademark
- Publication of Decision on Appeal/Trial in Trademark

The following is the URL of publications provided through the Internet.

URL:<https://www.gazette.jpo.go.jp/scciidl010/onclickenglishbtn?hyouziFlag=2>

\*The renewal of the official gazette issuance website for the renewed official gazettes (release of the new official gazette system) was carried out on January 12, 2022.

**2. Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online (URL), etc.)**

Nothing in particular

**3. Information products (coverage, medium, etc.) available to examiners, including external documentation and databases**

Concerning the following points, the examiners of the JPO use the databases for searches.

a) Data of classified telephone directory

A database capable of searching for names, addresses, telephone numbers, types of businesses etc. of companies and self-employments

b) Newspaper/Magazine article information

A database capable of searching for entire texts of general newspapers, trade papers, and specialty journals

a) Foreign application/registration information database

A database capable of searching for foreign application/registration information

**4. Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)**

**a) Providing patent information via the Internet**

a-1) Providing official gazettes via the Internet

See 3. (1)

a-2) Japan Platform for Patent Information(J-PlatPat)

Refer to p.122(ii) of JPO Status Report.

<https://www.jpo.go.jp/resources/report/statusreport/2023/document/index/0203.pdf#page=9>

Introduction to J-PlatPat

<https://www.inpit.go.jp/english/library/index.html>

a-3) FOPISER

In August 2015, the JPO launched the FOPISER a search service to promptly provide the general users with patent information obtained from foreign IP Offices by data exchange between foreign IP Offices. Trademark documents of Russia, Taiwan, the European Union of Intellectual Property Office (the EUIPO), Vietnam, and Thailand, which are not available for a search on the J-PlatPat, are available for simplified search by using document numbers and English key words via Japanese user interface.

**b) Providing JPO data**

The following types of data is currently provided to commercial providers in Japan by bulk download service on the J-PlatPat.

New Standardized Data

This data is the JPO's bibliographical and status information converted and processed into TSV format for better usability for external users. The data has been provided since May 2019.

**c) Reference to trademark gazettes, etc.**

The INPIT has 4 access devices which are available in the Official gazettes reading room in the JPO office building. This allows free public access to the J-PlatPat Service, gazettes on CD-ROM/DVD-ROM, etc.

**d) Reference to examination and trial documents**

The INPIT is collecting various technical documents (books, etc.), which are used in the examinations and trials by the JPO, widely from inside and outside of Japan and making them available to the public.

**5. Legal status information (kind of information, coverage, medium, etc.)**

A service is provided that legal status information of applications registered in the past and filed in 2000 onwards can be searched on the J-PlatPat by using document numbers such as application numbers and registration numbers. In addition, easy-to-understand icons (TM5 Common Status Descriptors) of trademark status (LIVE or DEAD/REGISTRATION, on appeals, etc.) agreed at TM5 are posted on the J-PlatPat. Alert Service (RSS distribution) to notify of the status information update of designated applications is also available. RSS distribution has been expanded to cover all trademark applications from 2021.

#### 6. Other sources

Nothing in particular

## IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

Information on the following topics is desired:

1. Specific software tools supporting business procedures within the Office: general description, characteristics, advantages, possible improvements
2. Hardware used to supporting business processes of the Office
3. Internal databases: coverage, updates, interlinks with external sources
4. Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file
5. Administrative management electronic systems (register, legal status, statistics, and administrative support)
6. Other matters

#### 1. Specific software tools supporting business procedures within the JPO: general description, characteristics, advantages, possible improvements

A paperless trademark system has been available since January 2000. Systems for administrative work and examination processing based on electronic data were constructed, and all work including filing, formality and substantive examination, dispatch, registration, gazette issuing, viewing, and certification request are processed electronically. Thus, a remarkable improvement has been achieved in terms of operational efficiency, substantiating application and case management and so forth.

Furthermore, with the implementation of the real-time trademark search function, and a trademark examination scheme that actively takes advantage of data in electric form, resulting in the downsizing of the trademark search system, cost efficiency has been also improved. Of all the trademark applications filed in 2022, 84.9% was via online. On the other hand, on joining the Madrid Agreement and the Protocol, a Madrid Protocol system was developed, and put into operation in March 2000.

In addition, an examination system for the examination of international trademark registration application was constructed, and an electronic transmission system to the International Bureau was introduced in April 2005.

#### 2. Hardware used to support business processes of the JPO

Servers, network devices, PCs for business use etc.

#### 3. Internal databases: coverage, updates, interlinks with external sources

**a) On-line trademark search system**

The JPO has been electronically storing trademark applications and examination-related documents for trademark examination. At the end of March 2023, trademark-related data for about 6,360,000 documents were accumulated.

Trademark search system comprises of phonetic search, character string search, well-known/famous trademarks search and classified telephone directory search.

In order to protect famous trademarks, a well-known/famous trademark database was constructed, and the search system thereof was put into operation in March 2001.

**b) Figurative trademark examination system**

The figurative trademark examination system is to narrow down trademarks from figurative image data restored in trademark sample files by using search keys of a figure classification and similar group codes and to search figurative trademarks by high-speed screening.

Since April 2004, a figure classification used as search keys has shifted the search method from the one using a figure classification unique to Japan to the one using a figure classification which subdivides the Vienna Classification (version 5) based on the Vienna Agreement in line with the actual status of Japan.

**c) Search System for Appeal/Trial and Court Decisions (J-term search system)**

Appeal/trial and court decisions are accumulated in the form of electronic data with a search index, called "J-term," and searching and screening for the appropriate appeal/trial and court decisions are conducted by using "J-term."

In addition, a full-text search service is available for appeal/trial and court decisions issued after January 2000.

**d) Check table search system for indications of goods/services**

With regard to the indications of designated goods and designated services, those adopted by the JPO in the past which were judged to be clear are accumulated in this system in addition to indications listed in the international classification tables and the Examination Guidelines for Similar Goods and Services. This database is used to check classifications of goods and services listed in filing documents and to present appropriate indications.

**4. Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file**

Geographical indication lists exchanged with other Offices are accumulated in the system as examination materials and served for search.

**5. Administrative management electronic systems (register, legal status, statistics, and administrative support)**

See 4. (1)

**6. Other matters**

Nothing in particular

## V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF TRADEMARK INFORMATION

Information on the following topics is desired:

1. Office's library (if deals with trademark information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries
2. Publications related to different business procedures and trademark information sources available to users, for example, books, brochures, Internet publications, etc.
3. Cooperation with universities, technology and innovation support centers, etc.
4. Education and training: training courses, e-learning modules (URLs), seminars, exhibitions, etc.
5. Other activities

1. Office's library (if deals with trademark information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries

**a) Operation of the JPO Library, collection, and management of materials**

**a-1) Operation of the JPO Library**

The JPO Library, as a branch library of the National Diet Library, is located on the first basement of the JPO office building, and is operated in the following manner:

**1. Users**

- JPO staff and general users

**2. Open**

- 9:30 to 17:30

**a-2) Collection of materials**

The following are collected: Materials concerning IP right legislation and the peripheral laws inside and outside of Japan, related materials necessary for understanding IP rights, related materials necessary for study of IP rights, and reference materials for general administration.

**a-3) Preservation methods of materials**

The books are labeled and stored with a storage number and classification data, and the bibliographic information is inputted in the library system constructing a database for the books.

**2. Publications related to different business procedures and trademark information sources available to users, for example, books, brochures, Internet publications, etc.**

**a) J-PlatPat**

The INPIT compiles an instruction brochure/manual for how to operate and utilize various search services provided by the J-PlatPat.

URL

[https://www.inpit.go.jp/j-platpat\\_info/reference/index.html](https://www.inpit.go.jp/j-platpat_info/reference/index.html)

**b) e-filing**

Useful information on e-filing including how to fill out application forms and FAQs is provided at the "E-filing software support website".

URL <https://www.pcinfo.jpo.go.jp/site/>

See 3. (4) for information products available to external users.

**3. Cooperation with universities, technology, and innovation support centers, etc.**

Nothing in particular

**4. Education and training: training courses, e-learning modules (URLs), seminars, exhibitions, etc.**

**a) J-PlatPat training seminars**

Training seminars of the J-PlatPat were held online by the INPIT for beginners of industrial property right search from individuals and SMEs. In addition, videos of the seminar were provided through the e-learning system (IP ePlat).

**5. Other activities**

Nothing in particular

## **VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION**

Information on the following topics is desired:

1. International exchange of trademark information in machine-readable form (e.g., Official Gazettes)
2. Participation in international or regional activities and projects related to trademark information
3. Assistance to developing countries
4. Other activities

1. International exchange of trademark information in machine-readable form (e.g., Official Gazettes)

**a) Sending Official Gazette on CD-ROM to overseas**

In 2015, the JPO exchanged official gazettes, etc. with 56 organizations (including international organizations) in 53 nations, out of which it sent information on CD-ROM "Published Registered Trademarks and Reclassification on Registered Trademarks" and information on "Published Unexamined / International Trademark Applications" to 17 places among them.

The JPO discontinued sending official gazettes on CD-ROM overseas in March 2015 and is currently providing the data online.

**2. Participation in international or regional activities and projects related to trademark information**

Based on an international cooperative framework, the JPO and the WIPO started the data exchange of official gazettes including "Published Registered Trademarks" in November 2014, expanded the range of data exchanges in 2016, and are continuing it as far as international provision of the JPO's electronic information is concerned. In addition, the Office also exchanges the data with Russia, Taiwan, the EUIPO, Vietnam, Thailand, and Malaysia.

**3. Assistance to developing countries**

**a) Activities/cooperation through voluntary contributions (Funds-in-Trust Japan Industrial Property GlobalFIT Japan IP Global) from WIPO**

a-1) Workshop on utilization of the WIPO-IPAS, etc.

The JPO supports the holding of a workshop aiming at promoting the spread and use of WIPO-IPAS. In this workshop, staff members of IP Offices in developing countries learn how to use WIPO-IPAS, acquire knowledge about the information that can be referred to in the system and how to utilize it, and lectures are given to deepen awareness of the importance and effectiveness of work-sharing in trademark examination.

a-2) Digitization support

In FY2022, the digitalization project was implemented in Malawi, Sri Lanka, and OAPI (Organisation Africaine de la Propriété Intellectuelle), and the data validation and other projects were implemented in Eswatini, Kenya, Zimbabwe, and OAPI.

b) Training for IT human resource development

In FY2022, the JPO conducted an online training program to develop human resources for efficient construction and utilization of IT infrastructure in IP offices, and 13 IT personnel from IP offices in developing countries completed the program.

**4. Other activities**

Nothing in particular

## **VII. OTHER RELATED MATTERS**

Nothing in particular