

CWS.ATR.TM.2011.JP

Annual Technical Report 2011 on Trademark Information Activities submitted by Japan (CWS/ATR/TM/2011/JP)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

I. Evolution of registration activities

Changes experienced in terms of application filings and registrations with respect to the previous year

In 2011, the number of applications was 108,060 (down 4.8% from the previous year) and the number of registrations was 89,279 (down 8.7% from the previous year).

Trends or areas experiencing rapid changes with respect to the previous year

The number of trademark applications in 2011 decreased by 4.8% to 108,060 compared with the previous year. The number of international trademark applications in 2011 increased substantially by 14.7% to 12,412 compared with the previous year.

URLs of web pages of the Office's website that provide statistics related to trademarks

<http://www.jpo.go.jp/index/toukei.html>

Please refer to IX.2 (English) for the English version of the Japan Patent Office Annual Report.

II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes

Publishing, printing, copying techniques

The Japan Patent Office (hereinafter referred to as the "JPO") published the following trademark documents in 2011.

- Published Registered Trademarks: 81,672 issues
- Published Reclassification on Registered Trademarks: 4,728 issues
- Published Unexamined Trademark Applications: 95,091 issues
- Published International Trademark Applications: 12,141 issues
- Published Registered International Trademarks: 8,685 issues
- Decision on Appeal/Trial in Trademark: 2,948 issues

Main types of announcements of the Office in the field of trademark information

Nothing in particular.

Mass storage media and microforms used

Since January 2000, the JPO has been accepting on-line trademark applications (electronic applications). The JPO electronically edits the collected data acquired from electronic applications or electronic conversion of paper-based applications and compiles them and publishes the Trademark Gazettes.

The Trademark Gazette contains mixed-mode type data, composed of text data and image data, thus text search using only text data is available.

a) Published Unexamined / International Trademark Applications

Published Unexamined / International Trademark Applications in the form of CD-ROMs were issued by the JPO between February 2000 and December 2009. Starting from January 2010, they have been issued on a weekly basis on the "Official Publication via the Internet" website, thereby making it possible to download the publication free of charge at any time, 24 hours a day and 365 days a year. In addition, in order to meet the needs of the long-term storage of the original gazettes data published via the Internet, the JPO prepares and makes available, one week after the publication of the original gazettes, CD-ROMs titled "Information on Publication of Unexamined / International Trademark Applications" which contains exact reproductions of the original Published Unexamined / International Trademark Applications that have been published through the Official Publication via the Internet.

A single-volume of Unexamined / International Trademark Gazette contains a total of about 2,400 issues and they were issued 51 times in 2011.

Published Unexamined Trademark Applications enables a search using 8 items as search keys, including application number, goods and/or service classification and designated goods and/or services. Published International Trademark Applications enables a search using 7 items as search keys, including international registration number, Vienna classification, and priority number. Published Registered International Trademarks enables a search using 14 items as search keys, including international registration number, classification of goods and/or services, translation of classification of goods and/or services and classification of similar-group.

b) Published Registered Trademarks and Reclassification on Registered Trademarks:

Following the Trademark Law revision in 1996, a scheme was introduced to reclassify and re-register designated goods of trademarks registered before March 31, 1992 in accordance with the goods and services classification in force at the time of the submission of a reclassification registration application. Since then the JPO has been publishing Published Reclassification on Registered Trademarks, containing the trademarks that were thus re-classified and re-registered.

Published Registered Trademarks and Reclassification on Registered Trademarks in the form of CD-ROMs were issued by the JPO between January 2000 and December 2009. Starting from January 2010, they have been issued on a weekly basis on the "Official Publication via the Internet" website, thereby making it possible to download the publication free of charge at any time, 24 hours a day and 365 days a year. In addition, in order to meet the needs of the long-term storage of the original gazettes data published via the Internet, the JPO prepares and makes available, one week after the publication of the original gazettes, CD-ROMs titled "Information on Publication of Registered Trademarks and Reclassification on Registered Trademarks" which contains exact reproductions of the original Published Registered Trademarks and Reclassification on Registered Trademarks which have been published through the Official Publication via the Internet.

A single-volume Published Registered Trademarks and Reclassification on Registered Trademarks contains a total of about 1,800 issues and they were issued 50 times in 2011.

Published Registered Trademarks enables a search using 16 items as search keys, including registration number, goods and/or services classification, designated goods and/or services, and appeal/trial number. Published Reclassification on Registered Trademarks enables a search using 13 items as search keys, including goods classification before reclassification, designated goods before reclassification, goods classification after reclassification, and designated goods after reclassification.

The JPO has been providing viewer software free of charge for viewing the Trademark Gazette. The software is also operable on Windows English version so that it can be used in overseas Patent Offices.

Word processing and office automation

Refer to the third section of paragraph II.

Techniques used for the generation of trademark information (printing, recording, photocomposing, etc.)

Nothing in particular

URLs of web pages of the Office's website that provide access to online trademark gazettes and to other sources of trademark information, including download of bulk trademark data

The following URL provides the public access to webpage that include information on Trademark:
<http://www.publication.jpo.go.jp/utility/do/usr/topmenu?lang=e> (Official Publication via the internet)
http://www.ipdl.inpit.go.jp/homepg_e.ipdl (Industrial Property Digital Library (hereinafter referred to as the "IPDL")).
<http://www.ipdl.inpit.go.jp/Syouthyou/syouthyou.htm> the IPDL in Japanese

III. Matters concerning classifying, reclassifying and indexing of trademark information

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 (please indicate whether goods and services for the registration of marks and whether the figurative elements of marks are classified by your Office and, if so, which classification(s) is (are) used)

a) Nice International Classification

The JPO adopted the 6th edition of the Nice Classification in April 1992, the 7th edition of the Nice Classification on January 1, 1997, the 8th edition on January 1, 2002, the 9th edition on January 1, 2007 and the 10th edition on January 1, 2012. Since April 1, 1998, a "reclassification" scheme has been implemented in order to reclassify the trademarks registered under the old Japanese classification and to reregister them in accordance with the Nice Classification.

b) Vienna classification

The JPO had adopted its own figure classification as a classification of figurative element of mark. To use the Vienna classification accepted as an international classification, the JPO investigated the comparison relationship between own figure classification and Vienna classification from April 1999 to March 2000.

As a result, the segmentalized Vienna classification was created, which is a segmentalized figure classification of the Vienna classification (5th edition) according to the situation of Japan.

Then, the segmentalized Vienna classification codes which were corresponding to registered trademarks and pending trademarks were accumulated as search keys in the database from April 2001 to March 2004. Figure examination using the segmentalized Vienna classification has been implemented since April 2004.

Use of electronic classification systems to check the classification symbols furnished by an applicant and which are contained in the lists of goods and/or services

Class and indications of goods/services described in filing documents submitted by an applicant are checked by electronically verifying with indications of goods/services classified according to classes of the Nice classification recorded in the JPO's computing system.

Obligation for applicants to use pre-defined terms of the classification applied

Nothing in particular

Bibliographic data and processing

Classification of goods/services may be retrieved by the database of goods/services adopted by the JPO in the past. The same database is used for checking the classification of goods/services described in filing documents.

Codes of figure classification are accumulated in the data of all registered trademarks and pending trademarks which have figurative elements and are used as search keys for examination of figure trademarks.

IV. Trademark manual search file establishment and upkeep

File Building

Nothing in particular

Updating

Nothing in particular

Storage, including mass storage media

Nothing in particular

Documentation from other offices maintained and/or considered part of the available search file

Nothing in particular

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

The JPO has been electronically storing trademark applications and examination-related documents for trademark examination. At the end of April 2012, trademark-related data for about 4,568,000 documents had been accumulated.

(a) Trademark search system

Trademark search system comprises of phonetic search, character string search, and well-known / famous trademarks search. The phonetic search performs a similar trademark search by the use of sound (calling) generated from trademark and similarity group codes (which represent similarity between the goods and/or services that are estimated to be identical or have a similarity between each other), as search keys.

The character string search using character strings composing a trademark began in 2000. With this system, a "trademark for indication (text)" which represents the mode of trademark is produced from the application trademark (image) composed of characters, from which a "trademark for search (text)" is automatically produced to be stored in the database for search to enable string search based on it.

In order to protect well-known/famous trademark, 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

For the figurative trademark examination system, unique Japanese figure terms and similarity group codes were used as search keys, however since March 2004 a figure examination system using the subdivided Vienna Classification (version 5) has been used instead.

(c) Search System for Appeal/Trial and Court Decision (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.

External databases

The examiners of the JPO use the following external databases for searches. Any database listed below can be used online from a PC in the JPO.

a) Classified Telephone Directory

A database that enables users to search for companies and private business owners by name, address, telephone number, and business type, etc.

b) G-Search

A searchable internet website for enabling search for full text articles on general newspapers, industrial journals and specialty magazines.

c) SEGIS

A searchable internet website that enables users to search for information on foreign applications and foreign registrations.

Administrative management systems (e.g., register, legal status, statistics and administrative support)

A paperless trademark electronic application and trademark system was introduced in January 2000. Administrative work and examination processing systems based on electronic data was constructed, and all work including filing, formality and substantive examination, sending, 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 search system, cost efficiency has been also improved. Of all the trademark applications filed in 2011, 81.7% 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.

For international registration application (an application filed at member states) and for international trademark registration application (an application requesting the protection that specifies Japan as one of the member states or as an added member state after filing the original application), the Madrid protocol system performs information management, such as various notifications, ad interim documents and decisions, as well as time and progress management. Moreover, the registration of application for international trademark registration application is controlled using the electronic register, thus the registration can be referred to online. 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.

Please note that the JPO's system is a comprehensive system and that the trademark examination system is a part of this comprehensive system. Thus for the overall system, please refer to the "Annual Technical Report on Patent Information Activities".

Equipment used (hardware, including the types of terminal and network used, and software), carriers used

Please refer to the "Annual Technical Report on Patent Information Activities".

VI. Administration of trademark information products and services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts)

Planning, administration, automation, security

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 18:00

Collection management, preservation

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.

Information services available to the public (including computerized services and search files contained in libraries remote from your Office and trademark information posted by your Office on the World Wide Web)

a) Providing industrial property (IP) rights information via the Internet

The JPO has been providing the IPDL service since March 1999. This service is accessible through the Internet and covers 84 million items of IP information by using document number and/or classification as search keys. In October 2004, this service was transferred to and has been operated since by the National Center for Industrial Property Information and Training (hereinafter referred to as the "INPIT").

The main services relating to trademark information provided by the INPIT are as follows:

(1) Simplified search for beginners (trademark)

This search method is for beginners who are not familiar with IP information. Pending or registered trademarks can be searched by a keyword search or by the document number. In addition, the retrieval service by simple string of term (reading) in text trademarks has started since March 2010.

(2) Trademark Gazette database search

Entering document numbers enables access to trademark gazettes published in 1885 and thereafter. The downloading and printing of each document from the publications was made possible in May 2011.

(3) Search by trademark document number

Entering respective numbers enables access to all types of trademark gazettes published in 1964 and thereafter. The downloading and printing of each document from the publications was made possible in May 2011.

(4) Trademark application/registration information retrieval

It is possible to search bibliographic items/status information/trademarks, etc. in line with pending trademarks and registered trademarks by retrieval based on text trademark or document number, date and applicant's name. The English version of this service is also provided. The retrieval service by simple string of term (reading) in text trademarks has started since October 2009. The English version of the system was changed in May 2011 to enable the display of trademark images in standard Japanese characters.

(5) Term retrieval

It is possible to retrieve bibliographic items/status information, etc. in line with trademarks including pending characters and registered characters by term (reading) of trademark. OR search of terms has been made possible by increasing the number of entry fields of terms to two since October 2009.

(6) Figure trademark search

It is possible to retrieve bibliographic items/status information, etc. in line with pending figure trademarks and registered figure trademarks by the segmentalized Vienna classification. The English version of this service is also provided. OR search of the Vienna figure classification has been made possible by increasing the number of entry fields of the Vienna figure classification to three since March 2010.

(7) List of Vienna Classification of Figure

Starting from March 2004, the Subsection Table of the Vienna Classification of Figurative Elements of Marks (the 2nd edition prepared in accordance with the fifth edition of the Vienna Classification) can be referred to. The English version of this service is available.

(8) List of Goods and services

Goods and services, classification, designated goods and/or services, similar group codes, etc. based on the 9th and 10th edition of the Nice Classification can be searched and referenced. The English version is also provided.

(9) International Classification of Goods and Services

International Classification of Goods and Services on the Nice Agreement (8th edition, 9th edition and 10th edition) together with similar-group codes can be referred to.

(10) Japanese well-known/famous trademark retrieval

It is possible to retrieval trademarks registered as a defensive mark and registered trademarks accredited as a well-known/famous trademark in a decisions on opposition, an appeal/trial decisions or court decisions. The English version is also provided.

(11) Unregistrable trademark search

Unregistrable trademarks can be searched by using the item (reading).

In addition, the published appeal and trial decisions from 1940 onwards, and as related information, the legal status information (for applications filed from 1990 onwards) on applications, registrations and appeal and trial decisions can be referenced.

b) Providing JPO data

In March 1999, the JPO began providing bibliographical and status information of the JPO to external users by organizing and converting it into a standardized format with better usability. Furthermore, the service was transferred to the INPIT in October 2004, and the service is currently being provided to the external users once every two weeks.

c) Reference to trademark gazettes, etc.

INPIT has 56 access devices, including the retrieval system designed for patent examiner terminals, which is available in the Public gazettes reading room on the second floor of the JPO office building. This allows free public access to the IPDL 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.

URLs of web pages of the Office's website for electronic filing of trademark applications

The INPIT has developed software for electronic application, enabling administrative procedures such as the filing of applications for patents, utility models, trademarks and industrial designs, appealing for trials and payment of the annual fees, to be conducted online. The software can be downloaded for free at: <http://www.inpit.go.jp/pcinfo/index.html>

URLs of web pages of the Office's website that provide information on business procedures such as: filing, publication, examination and registration procedures related to trademarks; opposition and appeal procedures related to trademarks; etc.

http://www.jpo.go.jp/tetuzuki_e/t_gaiyo_e/tr_right.htm

URLs of web pages of the Office's website that provide a description of information products and services offered by the Office (e.g., trademark search service(s) and trademark databases), as well as information on how to access and utilize them

Same as II. 6. above.

VII. Matters concerning mutual exchange of trademark documentation and information

International or regional cooperation in the exchange of trademark information, e.g., in the form of official gazettes

The JPO mutually exchanges official gazettes, etc. with 60 organizations (including international organizations) in 51 nations, out of which it sends CD-ROM "Published Registered Trademarks and Reclassification on Registered Trademarks" and "Published Unexamined / International Trademark Applications" to 17 places among them.

Exchange of machine-readable information

CD-ROMs of "Published Registered Trademark and Reclassification on Registered Trademark" have been sent since January 2000, and those of "Published Unexamined / International Trademark Applications" since February 2000.

VIII. Matters concerning education and training, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)

Promotional activities (seminars, exhibitions, visits, advertising, etc.)

a) IPDL training seminars

Training seminars of trademark search using Industrial Property Digital Library (IPDL) were held for beginners of industrial property right search from individuals and SMEs (10 times in 7 major cities nationwide in FY2011). The first session of the seminar was held on weekdays in Tokyo and Osaka, and on weekends in other cities. IPDL has been managed at the National Center for Industrial Property Information and Training (INPIT) since October 2004 (Trainings have been held since FY2006).

Training courses for national and foreign participants

See previous/next items

Assistance to developing countries (sending consultants and experts, receiving trainees from developing countries, etc.)

a) Activities/cooperation utilizing voluntary contributions (Japan Funds-in-Trust) for WIPO

(1) ICT Workshops for ARIPO Member States

In October 2011, as part of the programs financed by the Japan Funds-in-Trust for Africa, a Training Workshop on the IPAS and WIPOScan for the IT staff from 14 ARIPO Member states was held in Harare, Zimbabwe. JPO officials participated in the workshop and introduced Japan's experiences of developing ICT infrastructures within IP Offices, developing IT-based access to IP information and making effective use of IP information through electronic delivery. They then prompted the improvement of business efficiencies among IP Offices through the introduction of Information Technologies and also encouraged the promotion of IP technology-based business services.

(2) Training for government officials

Training related to informatization was provided for two weeks in Japan under the cooperation with WIPO.

<http://www.training-jpo.go.jp/en/>

(3) Project for Digitization of IP documentation

The JPO has launched the Project for Digitization of IP Documentation financed by Japan Funds-in-Trust to support digitization of patent documents for countries in the Asia-Pacific region. The digitization project for the Philippines was completed in May 2009, and the project for Indonesia saw its completion in October 2011.

b) Cooperation using other organizations for developing countries

Modernization of Intellectual Property Right Administration

The JPO carried out the following projects in Vietnam and Indonesia through JICA project-scheme technical cooperation.

"The modernization project of Vietnamese industrial property right operations" was implemented from April 2000 to June 2004 for the National Office of Intellectual Property of Vietnam to develop human resource through the construction of business processing system related to industrial property rights. "The utilization project of information on Vietnamese intellectual property right" was implemented from January 2005 to March 2009 to construct the search system and the information provision system in order to realize the modernization of industrial property right operations and to develop human resource through those systems. In June 2008, one JPO official was dispatched for each project for providing instruction/advice on the JP information system update plan. In addition, the seminar was held in Vietnam to broadly appeal the utilization of each system as an achievement of the projects in March 2009.

The JPO supported the construction of Industrial Property Digital Library (IPDL) for promoting informatization of intellectual property administration in the Directorate General of Intellectual Property Rights (DGIPR) under the JICA development investigation scheme from June 2005 to March 2007. The Phase II of the "Project on Industrial Property right Administration in the Republic of Indonesia" was implemented from June 2007 to June 2010. Under the project, the JPO sent two experts to the DGIPR in October 2009 to study DGIPR's progress in the introduction of IT and the feasibility of application e-filing/e-inspection, and to give technical instructions and advice.

*For further information, visit the following JPO's website.

http://www.jpo.go.jp/torikumi_e/kokusai_e/ipcoop_asia-pacific_e11.htm

IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:

provide information on legislation related to trademarks

<http://www.japaneselawtranslation.go.jp/law/detail/?ft=1&re=01&dn=1&co=01&ky=%E5%95%86%E6%A8%99&page=7>

contain the Annual Report of the Office

(Japanese) http://www.jpo.go.jp/cgi/link.cgi?url=/shiryoutoushin/nenji/nenpou2011_index.htm

(English) http://www.jpo.go.jp/shiryoutoushin_e/kenkyukai_e/annual_report2011.htm

if necessary, provide further information related to the topics referred to in the current ATR

Nothing in particular

provide open source codes related to trademark information systems

Nothing in particular

contain trademark-related news regarding the Office

<http://www.jpo.go.jp/index.htm>

X. Other relevant matters

Nothing in particular