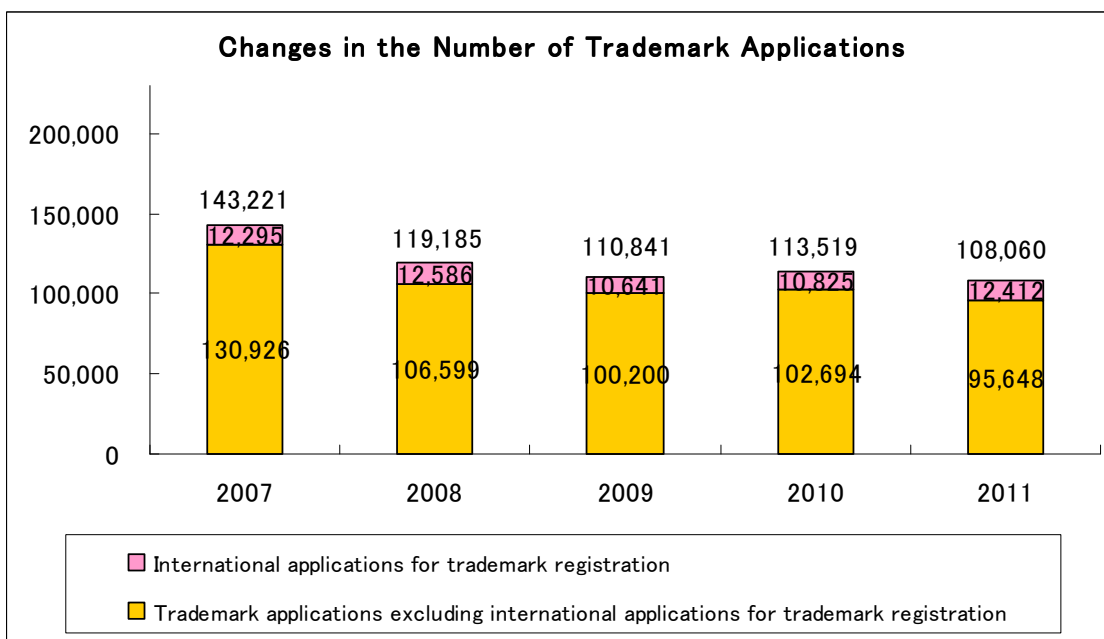


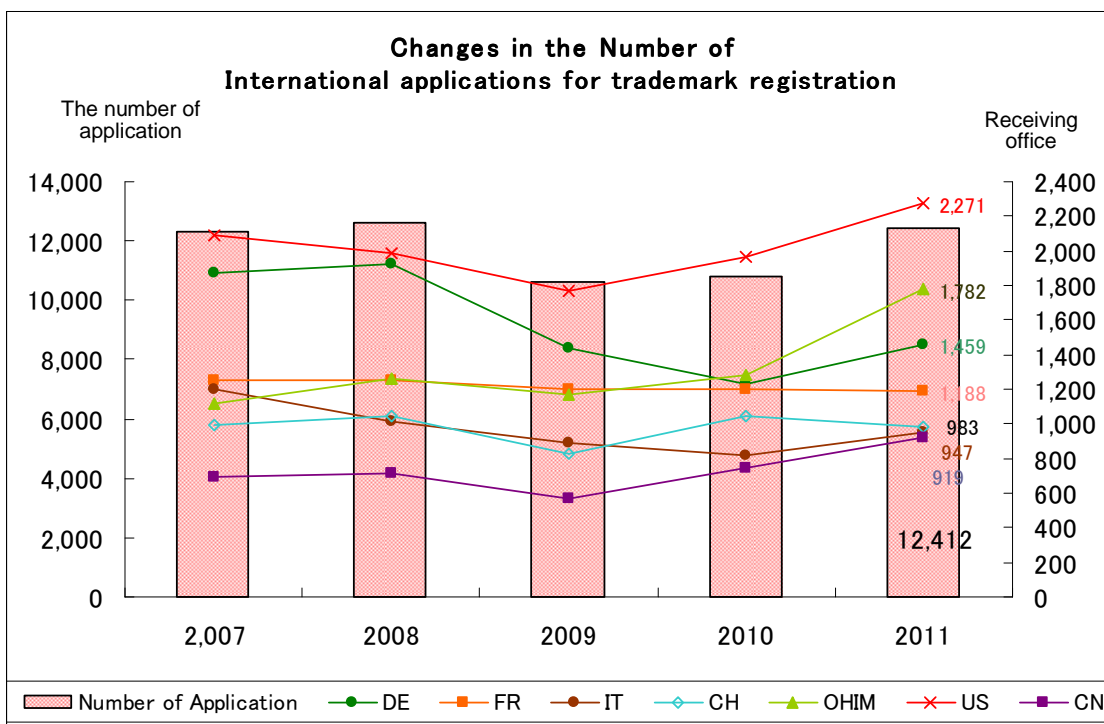
Newsletter / IP Japan

**Current Situation of Trademark Registration In Japan**

**1. Statistics on Trademark applications in Japan**



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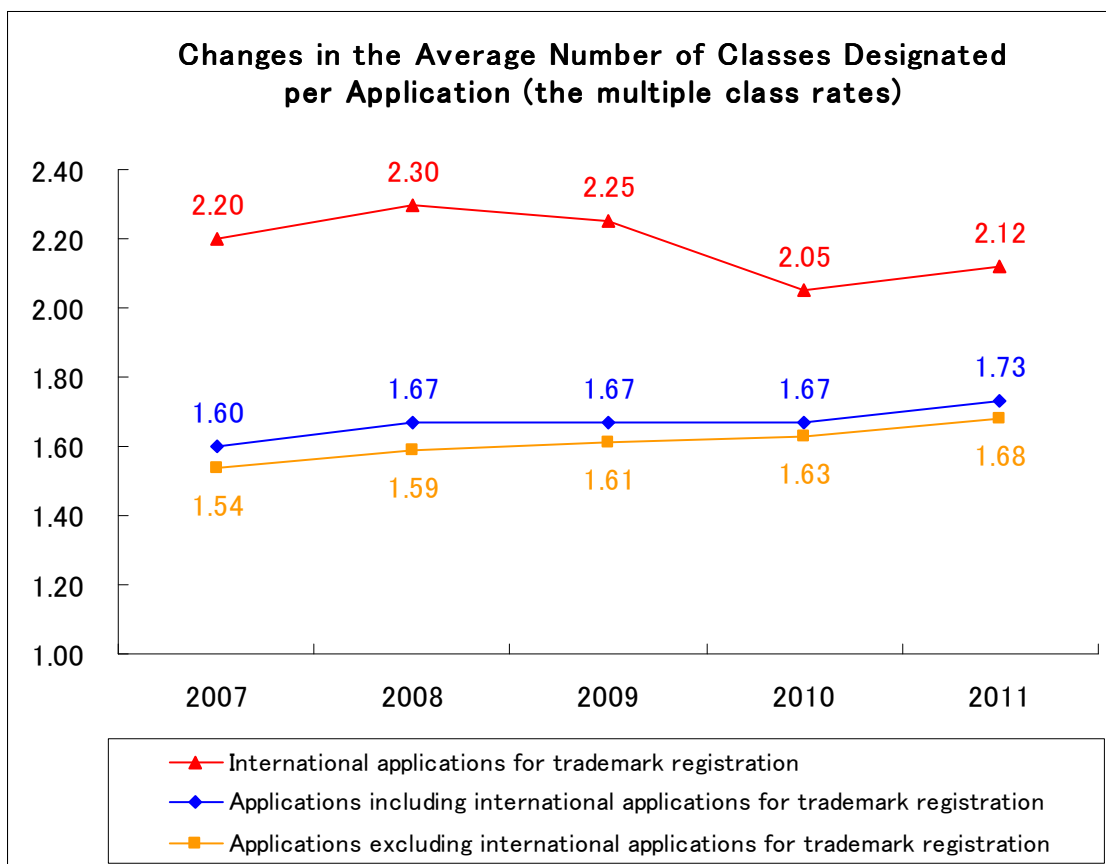


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The number of JP trademark applications in 2011 was 108,060, down of 4.8% from 2010.

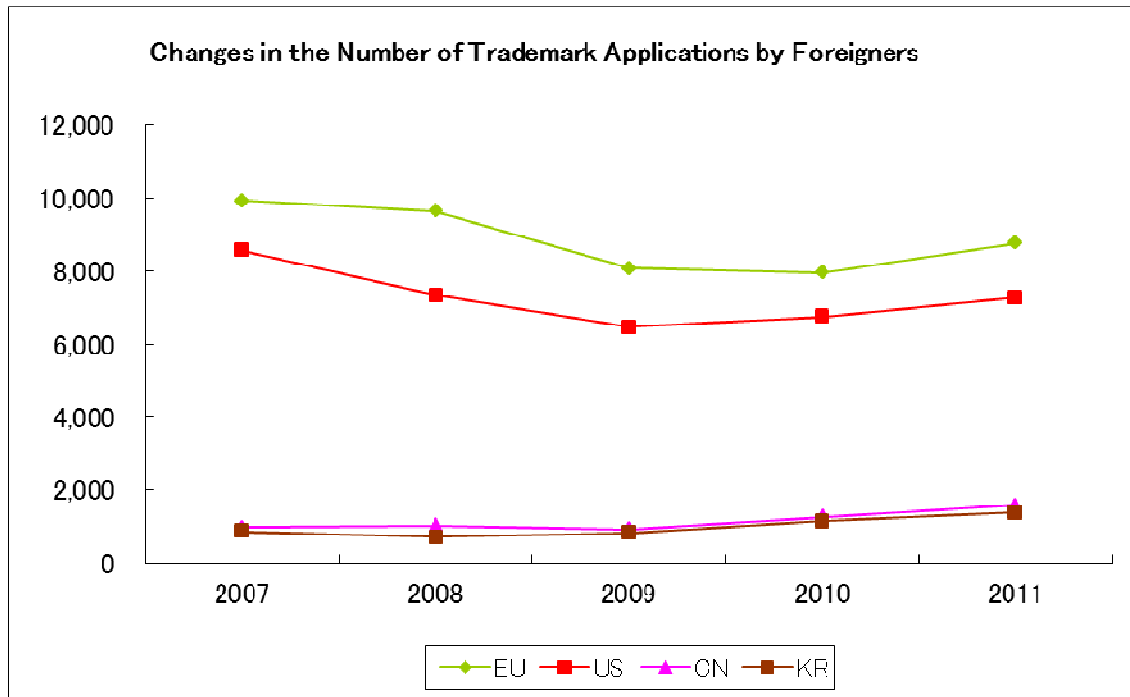
The number of International Applications for Trademark Registration based on Protocol Relating to the Madrid Agreement (hereinafter referred to as “International Application”) increased by 14.7% compared with 2010. Especially the application from OHIM (by 39.1%), China (by 23.4%), and German (by 18.3%) increased.

Trademark applications excluding International Application decreased by 6.9% from 2010. It seems to be the result of the economic recession in recent years and the applications may have been carefully selected.



The average number of designated classes per application was 1.73 in 2011. It has been slightly increasing compared to the number in 2010.

## 2. Statistics on applications filed by foreigners

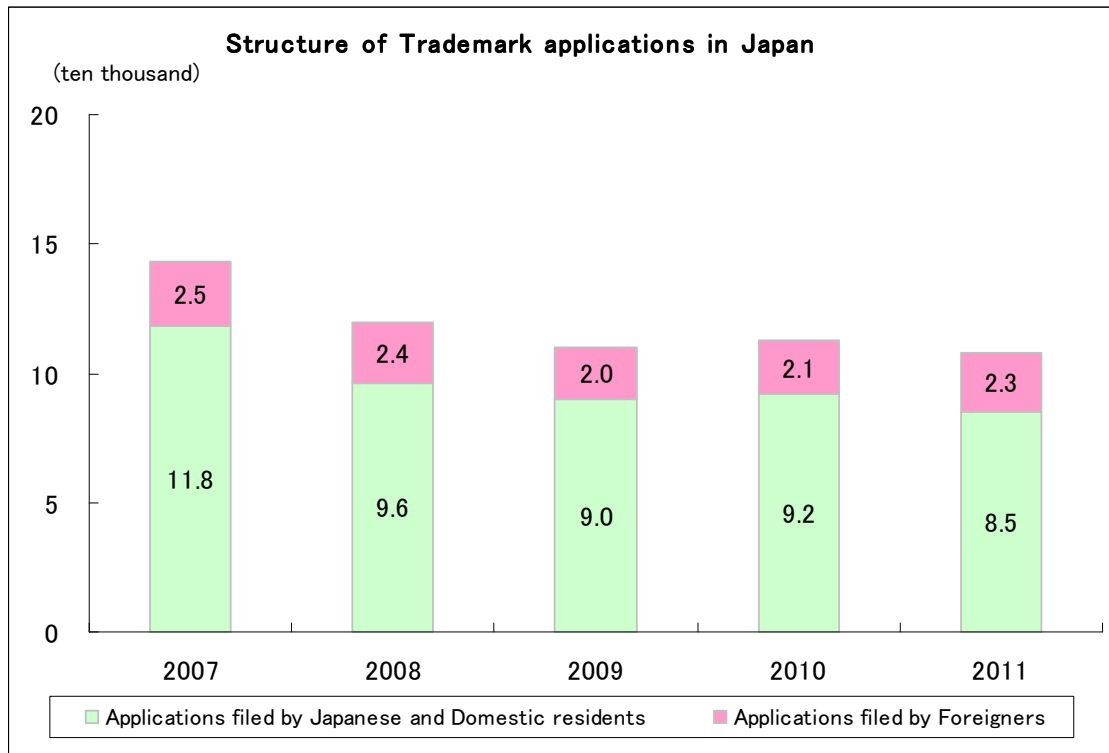


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	2007	2008	2009	2010	2011	Proportion against a total (2011)
<b>US</b>	8,570 (2,093)	7,347 (1,991)	6,461 (1,767)	6,748 (1,992)	7,275 (2,320)	31.1%
<b>EU</b>	9,934 (6,324)	9,649 (7,662)	8,079 (6,337)	7,960 (6,005)	8,775 (6,895)	37.5%
<b>China</b>	966 (688)	1,020 (712)	918 (589)	1,259 (764)	1,584 (938)	6.8%
<b>Korea</b>	862 (162)	703 (135)	822 (135)	1,141 (187)	1,381 (277)	5.9%
<b>Others</b>	4,734 (3,003)	4,792 (2,070)	4,087 (1,802)	4,248 (1,866)	4,372 (1,980)	18.7%
<b>Total</b>	25,066 (12,270)	23,511 (12,570)	20,367 (10,630)	21,356 (10,814)	23,387 (12,410)	100%

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The figures in parentheses show the number of International Application

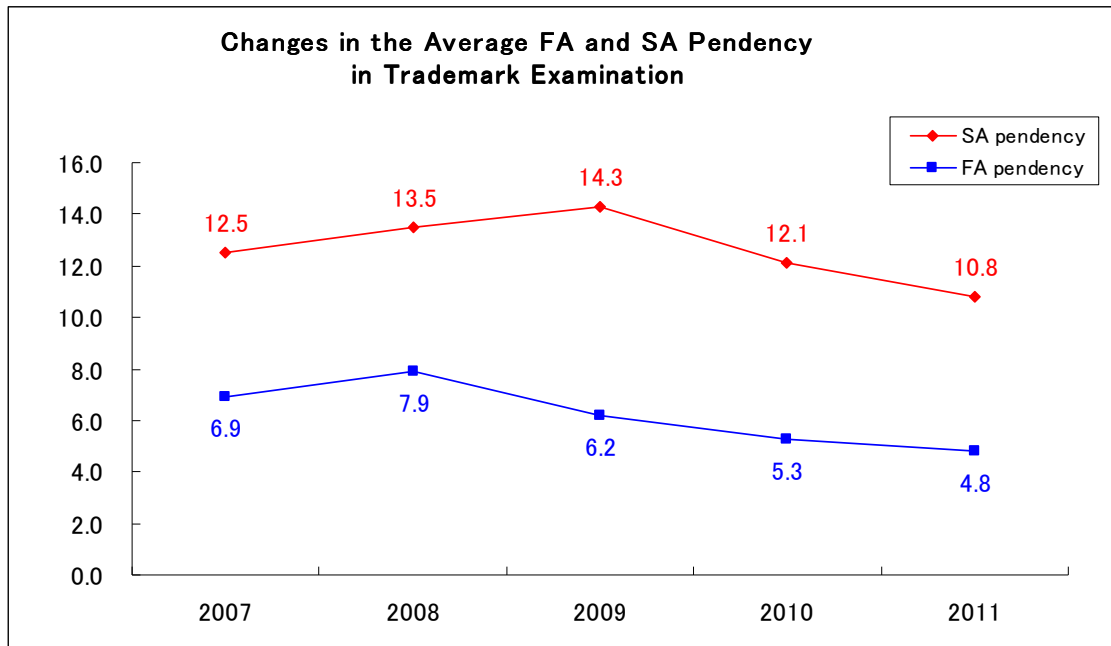


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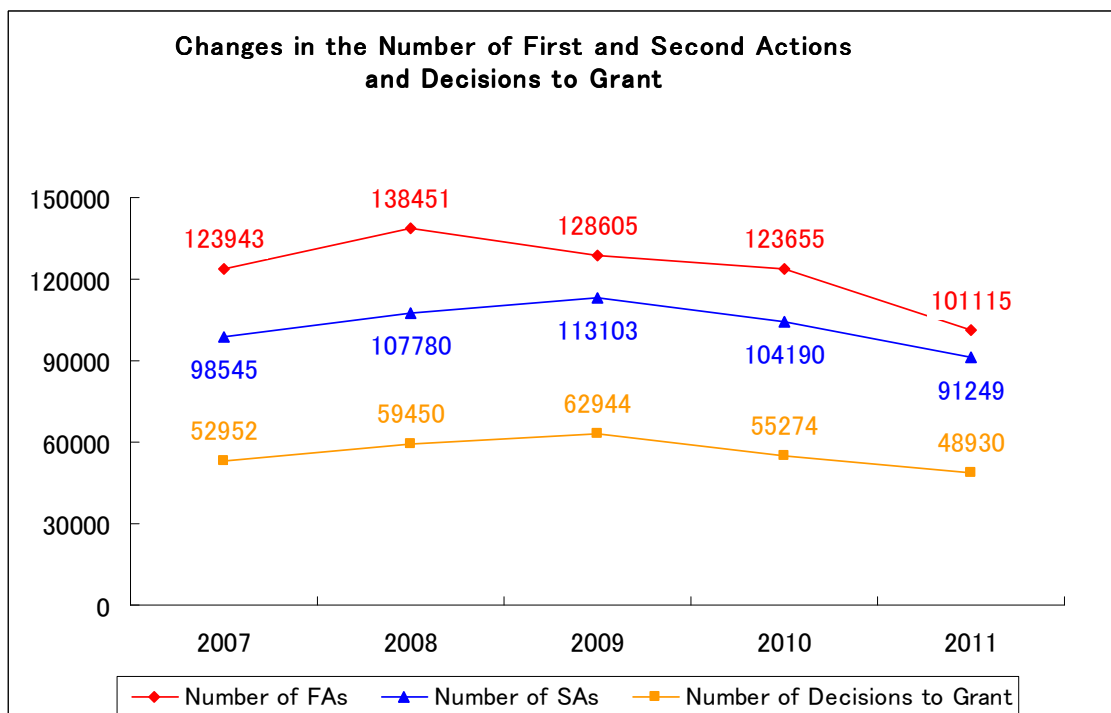
According to the statistics concerning the trademark applications filed by foreigners in 2011, it constitutes 22% of the whole trademark applications. It increased by 19 % from 2009.

The number of trademark applications in 2011 from US, EU, China and Korea was 19,015. It increased by 11 % from the figure in 2010 (17,108). The proportion of the applications from China in the whole applications to Japan has increased by 6.8% compared with 5.9% in 2009.

### 3. Statistics on prosecution in Japan



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The waiting period from the date of application to an issuance of the first action (FA term) was 4.8 months in 2011, due to the promotion for streamlining of trademark examination. SA term, that is the period from the date of application to an issuance of decision after the first examination result, was 10.8 month.

The number of trademark registrations has been shifting around a hundred thousand level.

#### **4. Outcome of oppositions and trials for invalidation**

The number of oppositions against trademark registration				
Year	Number of request filed	Successful request	Unsuccessful request*	Withdrawn/ Abandoned
2006	700	160	654	41
2007	615	118	554	34
2008	513	72	409	32
2009	480	113	408	43
2010	431	73	322	47
2011	465	66	421	34

\* Registration is maintained. Including request which is dismissed without prejudice  
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The number of trial for trademark invalidation				
Year	Number of request filed	Successful request*	Unsuccessful request**	Withdrawn/ Abandoned
2006	183	78	82	24
2007	193	84	61	20
2008	139	71	87	14
2009	140	83	97	21
2010	113	36	68	14
2011	112	38	57	9

\* Registration is canceled. Including success-in-part request

\*\* Registration is maintained. Including request which is dismissed without prejudice

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#### **5. Outcome of cancellation trials for trademark registration**

The number of cancellation trials* against trademark registration				
Year	Number of request filed	Successful request	Unsuccessful request*	Withdrawn/ Abandoned
2006	1,601	1,259	224	107
2007	1,757	1,331	158	161
2008	1,612	1,389	232	142
2009	1,413	1,313	190	109
2010	1,380	1,105	159	123
2011	1,169	1,011	155	106

\* It includes Cancellation trial based on non-use, Cancellation trial based on use causing confusion over sources and Cancellation trial based on filing by an agent or representative without authorization

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CONTACT US:

[ TOKYO OFFICE ]

Kasumigaseki Tokyu Bldg. 16F, 7-1, Kasumigaseki 3-chome,  
Chiyoda-ku, Tokyo 100-0013 JAPAN  
Telephone : +81(0)3-3502-7211 (main)  
Facsimile : +81(0)3-3502-7218/7219

[ KANSAI OFFICE ]

8th Floor, Osaka-ya Kita No.5 Building, 14-35,  
Nishinakajima 7-chome, Yodogawa-ku, Osaka, 532-0011 Japan  
Telephone : +81 (6) 4806 1350  
Facsimile : +81 (6) 4806 1351

Email: [ip-firm@tsukuni.gr.jp](mailto:ip-firm@tsukuni.gr.jp)

Websites: <http://www.tsukuni.gr.jp/en/>

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