

News

February 2016

Development of Japanese IP Law

1. Revision of the Design Examination Guidelines

The Design Examination Guidelines will be revised so that the scope of graphic images which can be registered under the Design Law will be expanded. Under the current guidelines, graphic images that is recorded at the later stage or displayed when software is installed on computers are excluded from the design registration. It will be possible to register these graphic images under the Revision of the Design Examination Guidelines. This guideline shall be applicable to the applications for design registration filed on or after April 1, 2016.

2. The Geneva (1999) Act of the Hague Agreement Concerning the International Registration of Industrial Designs ("Geneva Act")

As of February 12, 2016, 327 applications which designates Japan have been published. Japanese Design application number is assigned to each design of International Registration under the Geneva Act. For example, if the three designs are included in the International Registration, the different application numbers will be assigned to the said three designs. JPO will examine the design applications under the Geneva Act based on the assigned application number.

We are closely watching how the each design application will be each It processes and examines these designs based on the current examination standard.

3. Non-Traditional Trademarks

JPO began receiving applications for non-traditional trademarks on April 1, 2015 and is examining these applications. According to the information published by JPO as of February 17, 2016, the number of applications and registrations is as follows. Although 448 applications were filed for color marks, none of them matured into registration. It seems that JPO has already sent notification of refusal to many color marks based on non-distinctiveness.

	Total	Breakdown				
		Sound	Motion	Position	Hologram	Color
Number of Applications	1139	354	80	243	14	448
Number of Registrations	46	21	19	5	1	0

If you have any questions concerning the above news, please feel free to contact us.