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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

**STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

**ANNUAL TECHNICAL REPORT**

**2001**

**ON TRADEMARK INFORMATION ACTIVITIES**

submitted by

**JAPAN**

An annual series of reports on the trademark information activities  
of members of the Standing Committee on Information Technologies

**ANNUAL TECHNICAL REPORT ON TRADEMARK INFORMATION ACTIVITIES**

submitted by

**JAPAN**I. Evolution of registration activities:Changes experienced in terms of application filings and registrations with respect to the previous year; \_\_\_\_\_

The number of applications in 2001 was 123,755. The number of registrations was 91,186.

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

In 2001, about 25,000 less applications were filed than the previous year.

The number of application classes has decreased by about 38,000, and taking a look at the trend of each class, there is an obvious decrease in IT or e-commerce related fields such as “telecommunication,” “advertisement” and “telecommunication equipment,” which were increased significantly in 2000.

There were 5,709 applications designating Japan under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, which has increased by about 3,100 from the previous year.

II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes:Publishing, printing, copying techniques:

Nothing particular

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

The Trademark Gazettes published in 2001 are as follows.

Trademark Gazette	89,041 issues
Trademark classification re consolidated registrations	20,143 issues
Unexamined Trademark Applications	122,627 issues
International unexamined Trademark Applications	5,560 issues
International trademarks	2,207 issues
Publication of Decision on Appeal /Trial (Trademark)	9,130 issues
Registration lists	100 issues

Registration lists (Updated)	48,000 issues
Final decision lists	0 issues

Mass storage media and microforms used;  
Word processing and office automation;

Nothing particular

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

Since January 2000, the JPO has been accepting trademark applications, filed via on-line (electric application). the JPO electronically edits the collected data, acquired from electric applications or electric conversion of paper-based applications , and creates 2 kinds of Trademark Gazettes on CD-ROM.

The Trademark Gazette on CD-ROM contains mixed-mode type data, composed of text data and image data, thus text search using the text data part is available.

1. Publication of International Trademark Applications on CD-ROM

The JPO has been publishing Unexamined/International Trademark Gazette on CD-ROM since February 2000.

A single Unexamined/International Trademark Gazette on CD-ROM contains a total of about 2,800 issues of Publication of Unexamined Trademark Application, Publication of International Trademark Application and Publication of Registered International Trademark. In 2001, 50 CD-ROMs of Unexamined/International Trademark Gazette on CD-ROM in total were published.

Publication of Unexamined Trademark Application, on CD-ROM allows a search by using 8 items, including application number, classification of goods or services, designated goods or services, as search keys. Publication of International Trademark Application on CD-ROM allows a search by using 7 items, including international registration number, Vienna classification, priority number, as search keys. Publication of Registered International Trademark on CD-ROM allows a search by using 10 items, including international registration number, classification of goods or services, classification of goods or services(Translation) and similar group code, as search keys.

2. Trademark Gazette on CD-ROM

The JPO has been publishing Publication of Registered Trademark and Publication of Reclassification on Registered Trademark on CD-ROM since January 2000.

By the Trademark Law revision in 1996, a scheme to reclassify designated goods was introduced. This scheme requires that the trademarks registered before March 31, 1992 to be re-classified and re-registered in accordance with the goods and services classification submitted in the application for reclassify.

The JPO has been publishing Publication of Reclassification on Registered Trademark Gazette , containing the trademarks that were re-classified and re-registered.

A single Publication of Registered Trademark and Publication of Reclassification on Registered Trademark on CD-ROM contains a total of about 2,200 issues of Publication of Registered Trademark and Publication of Reclassification on Registered Trademark . In 2001, 50 CD-ROMs of Publication of Registered Trademark and Publication of Reclassification on Registered Trademark in total were published.

Publication of Registered Trademark on CD-ROM allows a search by using 15 items, including registration number, classification goods or services , designated goods or services, and number of appeal/trial , as search keys. Publication of Reclassification on Registered Trademark on CD-ROM allows a search by using 12 items, including classification of goods or services before reclassification , designated goods or services before reclassification , classification of goods or services after reclassification, and designated goods or services after reclassification , as search keys.

The JPO has been providing, free of charge, viewer software to use Trademark Gazette on CD-ROM.

### 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 state 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);

The JPO adopted Nice Classification Edition 6 in April 1992 and revised it in accordance with Nice Classification Edition 7 on January 1, 1997, Edition 8 on January 1, 2002. On April 1, 1998, a “reclassification scheme” was enacted. Under this scheme, the classification of the trademarks registered under old Japanese classification must be reclassified in accordance with Nice Classification.

The JPO uses the Japanese original coding system to classify the figurative elements of marks.

In order to use Vienna Classification, from April 1999 to March 2000, the JPO surveyed the relation between the Japanese original coding system and Vienna Classification and created Vienna Classification Table, which was subdivided according to the Japanese situation.

It has been planned to assign the subdivided Vienna Classification to all registered trademarks and pending trademarks. This plan started in April 2001 and it is going to finish in March 2004. The JPO will start the retrieval system using the subdivided Vienna Classification (Edition 5).

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;

The classification symbols listed on applications filed by applicants are examined electronically by the names of goods and/or services classified according to the classes of Nice Classification recorded in the JPO computer system.

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

Nothing particular

Bibliographic data and processing for search purposes.

With regard to character trademarks, free words based on the sounds of the trademark are assigned to the character trademark as search keys to enable us to search character trademarks. In 2001, sounds data for about 111,000 applications for character trademarks was created for the search system.

In addition, the JPO creates the data of “trademarks for display” that is expressed in general characters for print out and for display on screens, and also automatically creates the data of “trademarks for search” that is used when searching for trademarks using the strings of characters.

Similar group codes are assigned as search key of goods/ services for the purpose of searching the similarity of goods/ services. These codes are used when searching for character trademarks based on their sounds or the strings of characters, and also used when searching for figurative marks.

IV. Trademark manual search file establishment and upkeep:

File Building:

Nothing particular

Updating:

Nothing particular

Storage, including mass storage media;

Nothing particular

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

Nothing particular

## V. Activities in the field of computerized trademark search systems:

### In-house systems (online/offline):

The JPO has been pushing hard with the computerization of trademark documents for trademark examination and examination-related documents. At the end of fiscal year 2001, trademark-related data for about 2,940,000 documents was collected.

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

The trademark search system is a system for prior trademark search by using codes as search keys. The codes show the pronunciation of goods, the goods similarity, (and the service similarity since the service mark scheme was implemented). When the system was started in 1978, the search was conducted in batch processing. Since April 1999, the search in real-time distributed processing has been available.

Further in January 2000, a search function for character string contained in trademark was enabled. The JPO built a database in March 2001 for protection of well-known and/or famous trademarks and to enable searching of the database by using character string.

#### b) Figurative trademark examination system

Since April 1998, a figurative trademark examination system has been in operation. This system enables figurative trademark search and screening by comparing the trademark applied and the sample image data of the registered trademarks and of the prior applications. Available search keys are a figurative term that classifies figurative element and a code that shows similarity of goods and/or services.

### External databases:

Telephone directory database and newspaper article databases are used in the examination.

### Administrative management systems (e.g., register, legal status, statistics, administrative support, etc.):

For automation of the trademark examination administrative procedure, a “trademark examination drafting system” has been in operation since April 1997. This system enables the effective use of electric data, such as bibliographic database for applications, bibliographic database for trademark applications, trademark sample image data and the pronunciation of goods search result. This system supports various procedures in the trademark examination, such as drafting, management and referencing, and allows many examination procedures to be performed on the examination workstation, thus makes trademark examination more efficient.

In January 2000, the trademark paperless system was started and the administrative and examination procedures were completely moved to the system based on electric data. Therefore, a total system, covering from design application filing, formality check and substantive examination, dispatching, registration, publishing a gazette, requesting for inspection of files, to requesting for certification, was completed. The effect of this system is far reaching, such as more efficient examination procedure and environment improvement

including application management. With the implementation of the real-time trademark search function, a trademark examination scheme that actively takes advantage of data in electric form was built. Further, with the downsizing of the search system, we were able to save the cost.

The trademark electric application filing began in January 2000, at the same time as the trademark paperless system began its operation. The ratio of the trademark applications filed on-line reached a high percentage, 84% (annual average in 2001).

On the other hand, Japan became a member state of Madrid Agreement and the Protocol. In order to perform the member state duty, such as informing the international bureau and managing international register information, of an Office of Origin or Designated Office in sure and efficient manner, the JPO designed the Madrid protocol system and put it in operation on 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.

Also, the JPO has a domestic registration register management and viewing system. In order to manage the international trademark registration application by using the register and to provide information about it, the JPO has been expanding the domestic system step-by-step to improve the administrative efficiency, based on usage and user's needs.

Please note that the JPO's system is an integrated system and that the trademark system is part of the integrated 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 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;

Collection management, preservation;

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).

The JPO has been providing a patent electric library service since March 1999. This service is accessible through the Internet and allows searching information of about 47 million industrial property rights by using document number and/or classification as search keys.

Main services relating to trademark information that the JPO provides are as follows:

a) Trademark Gazette database search

Trademark Gazettes published in and after 1885 can be searched by using document number.

b) Trademark/trademark application information search

The Trademark application or registration can be retrieved by Trademark (for retrieval), Class, Similar group code, and others.

c) Well-known/famous Japanese trademark search

Registered trademarks, registered as defensive mark or certified as well-known and/or famous trademark by appeal/trial decision, can be searched.

d) Goods and/or services list

Classification, designated goods and/or designated services, similar group code and others can be referred.

In addition, as related information, progress information on application, registration and appeal/trial decision, a collection of decisions on suits against appeal/trial decision, law handbook information and others are also available.

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 is engaged in mutual exchange of gazette and other documents with 88 countries (including international organizations), and of which, the JPO sends its Trademark Gazettes to 23 countries.

Exchange of machine-readable information.

In CD-ROM format, the JPO has sent “Trademark Gazette and Trademark Classification Reconsolidated Registration Gazette” since January 2000 and “Unexamined Trademark Application Gazette and International Unexamined Trademark Application Gazette” since February 2000.



VIII. Matters concerning education and training including technical assistance to developing countries:

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

Training courses for national and foreign participants;

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

a). Activities and assistance through WIPO Funds-in-Trust/Japan

1)The JPO sent one expert official for each, to the State Administration for Industry and Commerce of the People's Republic of China Trademark Office. the Department of Intellectual Property of Science, Technology and Environment Agency of Lao People's Democratic Republic, the Intellectual property Office of Mongolia, the Intellectual Property Office of Philippines, the Ministry of Domestic Trade and Consumer Affairs Intellectual Property Division of Malaysia, and the Department of Intellectual Property of Thailand, to provide training and advice in such areas as the examination and sent one expert to the State Administration for Industry and Commerce of the People's Republic of China Trademark Office, to provide training and advice as the automation.

2)The JPO, in cooperation with the Japan Institute of Invention and Innovation(JIII), invited 58 trainees from the People's Republic of China, the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Kingdom of Thailand, Papua New Guinea, the Socialist republic of Viet Nam, the People's Republic of Bangladesh, the Kingdom of Cambodia, the Republic of the Fiji Islands, the Islamic Republic of Iran, the Lao people's Democratic Republic, Mongolia, the Union of Myanmar, the Kingdom of Nepal, the the Islamic Republic of Pakistan and the Democratic Socialist Republic of Sri Lanka (17 contries) for training on Industrial Property Administration, the Enforcement of the Intellectual Property Rights, the Examination Practices of Industrial Property Rights, as well as the Use of Information Technology in Industrial Property Administration.

b). Assistance to developing countries using other institutions

1)Sending experts

Under the Japan International Cooperation Agency (JICA) scheme, the JPO sent an expert official to the Department of Justice and Human Right Republic of Indonesia Directorate General of Intellectual Property Rights to provide training and advice in such areas as trademark systems and trademark examinations.

2)Training for government officials

In cooperation with JICA, the JPO provided a group training course on industrial property for government officials from developing APEC economies involved in industrial property right administration and examination.

16 officials from the People's Republic of China, the Republic of Indonesia, the Republic of the Philippines, the Kingdom of Thailand, the Republic of Peru, and the Socialist republic of

Viet Nam, attended the training course. Patent information lectures and practical training regarding searches were provided.

The JPO sent expert officials to the Republic of the Philippines, the Republic of Indonesia, and the Socialist republic of Viet Nam, and invited 1 to 2 counterpart(s) from each of these countries for specialized training, such as lectures and practical training on computer-related technology.

The industrial property right enforcement seminars were held in the Republic of Korea and the Republic of Singapore.

27 participants from 3 countries, such as the Republic of Korea, the People's Republic of China and the Socialist Republic of Viet Nam, attended the seminar.

36 participants from 5 Asian countries, including the host country, the Republic of Singapore attended the Singapore seminar.

### 3) Training for the private sector

In cooperation with the Association for Overseas Technical Scholarship (AOTS) and the Japan Institute of Invention and Innovation, the JPO held a total of 8 industrial property right training courses. Lectures were given on industrial property rights in general, including industrial property right information searches. 126 participants from People's Republic of China, the Republic of Indonesia, the Republic of Peru, Malaysia, the United Mexican States, the Republic of the Philippines, the Kingdom of Thailand, the Socialist Republic of Viet Nam, the Kingdom of Cambodia, the Lao People's Democratic Republic, Mongolia, the Union of Myanmar attended the seminar.

#### c). Production projects of CD-ROMs containing laws and regulations related to intellectual property rights

In order to assist intellectual property Offices in developing countries, that have been developing domestic intellectual property right regulations, the JPO has been engaged in a project to assist in gathering information related to overseas industrial property rights systems. Under this program, laws and regulations related to the industrial property rights of major developed and developing countries are translated into English, if necessary, and recorded on CD-ROM, to which a search function is added.

In fiscal year 2001, industrial property right laws (including laws and enforcement rules) from a total of 45 countries and 5 treaties of Benelux, the Eurasian Patent Office, EPO, EC, TRIPS were recorded on CD-ROM and provided without charge to developing countries, mainly in the APEC region. Information from the Argentine Republic, Australia, the Republic of Austria, the Republic of Belarus, the Kingdom of Belgium, the Federative Republic of Brazil, the Republic of Bulgaria, Canada, the Republic of Chile, People's Republic of China, Taiwan, the Czech Republic, the Kingdom of Denmark, the Republic of Estonia, the Republic of Finland, the French Republic, the Federal Republic of Germany, the Hellenic Republic, Hong Kong, the Republic of Hungary, the Republic of Indonesia, the Republic of Italy, Japan, the Grand Duchy of Luxembourg, Malaysia, the United Mexican States, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, the Republic

of the Philippines, the Portuguese Republic, the Republic of Korea, Romania, the Republic of Singapore, the Slovak Republic, Spain, the Democratic Socialist Republic of Sri Lanka, the Republic of Sudan, the Kingdom of Sweden, the Swiss Confederation, the Kingdom of Thailand, the Republic of Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the Socialist Republic of Viet Nam are provided.

The JPO intends to increase the number of countries and laws covered under this program.

IX. Other relevant matters.

Nothing particular

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