

JAPAN
Annual Technical Reports on Trademark Information Activities
(1998 Edition)

I. Evolution of registration activities:

- Comparison with the preceding year in application filings and grants (registration);

In 1998, application filings and registrations respectively totaled 112,147 and 130,611.

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

In 1997, trademark registration temporarily increased due to abolition of the publication of examined application system, but in 1998, the number fell sharply below that of the preceding year due to examination and registration of applications under the multi-class application system.

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

- Publication, printing and photocopying technologies;

Nothing particular to report

- Major trademark gazettes and documents published by the Japanese Patent Office (JPO) in 1998;

Trademark gazettes:	134,000
Trial decision gazettes:	2,200
Lists of registration:	81,697
Lists of registration (renewal):	68,000
Final disposition lists:	12,000

- Word-processing and office automation;

Nothing particular to report

- Technologies used for generation of trademark information (e.g., printing, recording, microfilming, phototypesetting, etc.);

JPO-published trademark documents are offset printed. Trademark printing plates are photoengraved. Above four kinds of gazette printing plates except trademark gazettes are made using a direct process.

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

- Classification and reclassification activities;

The JPO had employed the 6th Edition of the Nice International Classification since April 1992 and the 7th Edition since January 1, 1997. Since April 1, 1998, the JPO has implemented a Rewriting System in which trademarks registered according to conventional Japanese classifications are converted into international classifications.

- Classification System used;

The JPO employs a unique Japanese coding system for classification of marks graphic elements.

As for letter-form trademarks, words produced from pronunciation are applied as search keys and used to search letter-form trademarks. In 1998, approx. 10.2 million letter-form trademark applications were received and their pronunciation data was produced for the computer search system.

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

None

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

None

- Bibliographic data and processing for search purposes;

Letter-form trademarks are reproduced using trademark facsimiles represented in regular letters for on-line retrieval as well as for print-out and screen display.

IV. Trademark manual search file establishment and upkeep:

- File Building;

The JPO developed the online graphic trademark examination system and commissioned it to service in April 1998.

- Updating;

Graphic trademarks applied for registration are from time to time stored in the online graphic trademark examination system as computer data.

- Storage, including mass storage media and microforms;

Various kinds of trademark information including application information are stored as digital data on magnetic disk and MT.

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

None

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

- In-house systems (online/offline);

The JPO has been converting paper-based information relating to application and examination into electronic data for the purpose of trademark examination and storing trademark image data. As of the end of 1998, the JPO had stored about 2.1 million image data on marks.

Developed in 1978, the trademark search system is designed to retrieve phonetically identical or similar data with specific keys. Data searches used to be conducted in a batch mode, but since April 1999 can be conducted in a decentralized real-time manner.

Also, the JPO encodes similar groups of goods and services (similar group code) and automatically assigns applicable codes to all application data and uses them as search keys together with phonetic search keys.

Since April 1997, the JPO has been running the trademark examination processing system which supports multiple functions in drafting, application control and inquiry, making effective use of search findings, similar group codes, and image and application data in order to raise operational efficiency in trademark examination.

Concurrently, since April 1998, the JPO has been operating the graphic trademark examination system which supports graphic examination and inquiry, using trademark sample image data including graphic terms, similar group codes and color etc.

Also, in preparation for acceptance of electronic filing of trademark applications beginning in January 2000, the JPO has been involved in the development of the trademark examination support system that closely interfaces with the trademark search system and the graphic examination system, while taking over the functions of the trademark examination processing system and incorporating new functions in electronic drafting, approval, etc.

- External database;

The JPO uses external data such as telephone directories and press articles for search purposes.

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

The JPO is running the following major administrative management systems.

- a) The application processing system processes trademark application data and can inquire online about the legal status of trademark applications.

When an examiner or an administrative officer inputs a trademark application number from the terminal, the system displays processing details about the application concerned and prints out the results.

The application processing system automatically drafts various notifications served and actions taken with respect to refusal decisions in the case of non-response from applicants and registration decisions in case no opposition is filed. For instance, applications that are not supported by the applicant's response within a specified period after sending a notification of reason for refusal are placed on the negative list according to which a refusal decision is automatically drafted.

In this instance, file-wrappers applicable to the listed application numbers are singled out and combined with printed-out documents.

- b) The transmission processing system records data relating to notifications served and actions taken, using OCR.

This system records numeric data on application number, kind of notifications served and actions taken and the examiners' codes as code data. Items entered in Japanese, such as the applicant's and/or attorney's name, contents of notifications and actions taken, etc. are recorded as facsimile image data. This system prints out the patent office's notifications

and actions taken by the applicant or attorney and sorts them in order. Finally, the system places these printouts in outward envelopes, weighs them and generates mail slips. The system also compiles statistics on mail transmission.

- c) The registration processing system processes registration data and generates notifications and register entries.
- d) The trial affairs processing system processes data on trials, collects numerical data on trial ID number, category of notification, examiners' codes, etc. and prints out trial notices.
- e) The file-wrapper control system, which manages trademark application file-wrappers for which final action was taken, provides information on the whereabouts of desired file wrappers, or whether desired file wrappers have been reviewed or scrapped.

- Equipment used (hardware including terminals and network used, and software);

The JPO operates a comprehensive, integrated system incorporating both the trademark processing system and the search system as subsystems.

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, management, automation and safety;

- a) Planning, publication and management of trademark gazettes are performed by the JPO Publication Division. Since July 1997, the Japan Patent Information Organization (JAPIO) has been planning and publishing trademark application lists on CD-ROMs.

- b) The National Center for Industrial Property Information (NCIPI) offers counseling services on how to use gazettes and file applications.

- Collection, management and preservation;

NCIPI binds JPO-published trademark gazettes to assure long-term preservation, sorting them by 42 classes under international classification.

Also, routine checks are made for breakage, spoilage, missing books or pages, etc.

Foreign trademark gazettes are collected through the international exchange program, sorted by date issued or document number and bound into book form

for long-term preservation.

- Public information service (including computer services);

- a) The JPO offers free-of-charge a public inspection service for trademark gazettes, etc. through NCIPi and a national network of 96 local patent libraries including regional bureaus of the Ministry of International Trade and Industry(MITI) established in all prefectures across the country.

NCIPi allows public inspection of foreign gazettes acquired through the international exchange program.

- b) Online access to the new comprehensive document database is available at NCIPi (33 terminals), Kinki Regional Bureau (6 terminals), Chubu Regional Bureau (2 terminals), Hokkaido Regional Bureau (1 terminal), Tohoku Regional Bureau (1 terminal), Chugoku Regional Bureau (1 terminal), Shikoku Regional Bureau (1 terminal) and Kyushu Regional Bureau (1 terminal) of MITI, and Okinawa General Office(1 terminal).

- i) Document number-based inquiry service

- ii) Number indexing and inquiry service which checks other relevant numbers from application number, publication number, registration number or trial ID number

- c) Public inspection of new comprehensive document database

In addition to the public inspection service for unexamined gazettes, patent gazettes, etc., since January 1997, at NCIPi (15 terminals), Kinki Regional Bureau (5 terminals), Chubu Regional Bureau (3 terminal), Kyushu Regional Bureau (2 terminals), Hokkaido Regional Bureau (1 terminal), Tohoku Regional Bureau (1 terminal), Chugoku Regional Bureau (1 terminal) and Shikoku Regional Bureau (1 terminal) of MITI, and Okinawa General Office (1 terminal), the JPO has been offering this on-line inspection of trademark applications service since October 1997, thus allowing bibliographic and phonetic searches.

- d) Document photocopying service has been offered at cost.

e) Mass storage and microfilms used

In 1998, the JPO disclosed the following electronic data to the public on the Internet as part of its comprehensive patent information services:

- Trademark application and registration information (since July 1998)
- Supply of registered and pending applications on trademarks during their valid terms
- Retrieval of well-known, famous trademarks in Japan (since October 1998)
- Supply of domestically well-known, famous trademarks

f) Any person can review application documents and registers at the Application Division on request or obtain certified copies or photocopies thereof on request.

VII. Matters concerning mutual exchange of trademark documentation and information:

- International or regional cooperation in the exchange of trademark gazettes, etc;

The JPO exchanges trademark gazettes with 46 countries (including 2 international organizations).

- Exchange of machine-readable information;
None

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

a) Activities and cooperation with WIPO through trust funds

(1) The JPO sent an expert to each of the Chinese Trademark office and the Department of Intellectual Property of the Ministry of Commerce of Thailand to provide guidance and counseling on trademark examination.

(2) The JPO accepted a total of 40 trainees from China, Indonesia, Malaysia, the Philippines, Thailand, Papua New Guinea, Bangladesh, Cambodia, India, Mongolia, Myanmar, Sri Lanka and Vietnam to provide education and training on administration, of intellectual property enforcement of intellectual property rights, intellectual property information and automation in the field of industrial property with the cooperation of the Japan Institute of Invention and Innovation (JIII).

b) Cooperation with developing countries through other organizations

(1) Education and training of Government officers:

With the cooperation of the Japan International Cooperation Agency (JICA), the JPO offered an industrial property administration training course for competent administrative officers in non-APEC developing countries (Cuba, India, Kyrgyz, Latvia, Peru, Turkey, Uruguay and Vietnam), and industrial property examination training course for examiners from the APEC region etc.(the Philippines, Cuba, Egypt, India, Kenya, Lithuania, Peru, Slovakia, Turkey and Vietnam).

Also, the JPO offered an industrial property training course for administrative officers and examiners from the APEC region (China, Indonesia, South Korea, Malaysia, Mexico, the Philippines and Thailand). Besides, as part of the training course, the JPO gave lectures and practice on how to retrieve patent information.

The JPO accepted 2 to 4 trainees from Thailand, the Philippines, Indonesia and Vietnam as counterparts of experts dispatched to these countries to provide education and training on computer-related technologies and on other specialized fields.

The JPO also held the third APEC/PFP course in Thailand, attended by 16 lecturers from six countries, one international organization and one region, and by 49 trainees from 10 APEC member states and one region.

Furthermore, JPO hosted an industrial property examination training course for Taiwanese patent office examiners with the cooperation of the Interchange Association.

(2) Private-sector training programs:

With the cooperation of the Association for Overseas Technical Scholarship (AOTS) and JIII, the JPO lectured on the topic of industrial property right as a whole including retrieval of IPR data at a series of IPR training courses (9 sessions). The courses were attended by 136 trainees from Chile, China, Indonesia, South Korea, Malaysia, Mexico, the Philippines, Thailand, Papua New Guinea, Cambodia, India, Laos, Mongolia, Turkey, and Vietnam.

c) Publication of intellectual property laws and ordinances on CD-ROMs

In order to assist the intellectual property offices of developing countries that are striving to upgrade their domestic intellectual property laws and ordinances to assure implementation of the TRIPS obligation by 2000, the JPO carried out the "foreign industrial property system updating cooperation program" involving the translation of industrialized and developing nations' intellectual property laws and ordinances into English and storing the English version on CD-ROMs.

In 1998, JPO stored on CD-ROMs a total of 68 laws and ordinances

(including the industrial property laws and enforcement rules), of Australia, Canada, China, Indonesia, Italy, South Korea, Malaysia, New Zealand, the Philippines, Thailand, the United States, EPO, Taiwan and Japan, and distributed the CD-ROM versions free of charge to APEC member states and other developing countries.

The JPO is planning to expand the scope of recipient countries, and laws and ordinances covered.

X. Other relevant matters:

None