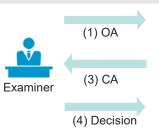
Recent IP Law Revisions in Japan Effective in 2024



Implementation of Consent System in Japan

Examination Procedures Using Consent Agreement (CA)



(2) Agreement between the parties

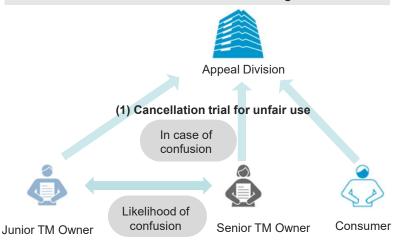


Prior TM owner

Required Documents

- · Consent agreement
- Document(s) proving no current and future likelihood of confusion

Measures to Prevent Confusion after Registration



(2) Request for indication to avoid confusion

Caution

- Registration using CA in another jurisdiction does not guarantee registration in Japan.
- For identical TMs designating identical goods/services, consider "Assignment back."

Relaxed requirements for registration of TMs containing individual names

When Filing a TM Containing an Individual Name

TM: Ken Smith Goods: Rings and necklaces Applicant: Ken Smith



Many un-well-known Mr. Ken Smiths



W/o their consents



After revision

Before

revision

Rejection

Can be registered

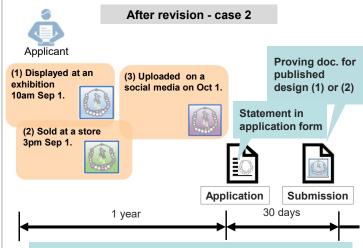
Requirements

- No person with the same name and a certain level of recognizability.
- (i) Reasonable relationship with the name.
 - (ii) No unfair competition purpose.

Relaxed Procedural Requirements for Exception of Lack of Novelty

After revision - case 1 (3) Uploaded on Applicant Social Media (1) Uploaded on Proving doc. Social Media for published design (1) Statement in application form that (2) Crowdfunding the exception is sought **Application** Submission 1 year 30 days

A proving doc. is valid for **identical or similar** designs.



Sufficient to file a proving doc. for one of the earliest day's publications if they are similar.

After revision - case 3

Prior publication (1) Partial release through teaser ads

on Sep 1.



Design application



Statement in application form





Later publication is broader in scope



Proving doc. for published design (1) and (2)





If the first published design is narrower than the second published design, a proving doc. for each design is required. A proving doc. should be submitted for each dissimilar design.

Caution

- No relief will be granted in case of publication 1 year+ prior to the filing date.
- Novelty is judged on the filing date, not on the publication date.