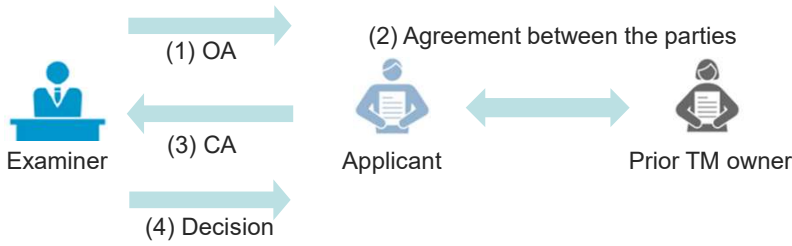


Implementation of Consent System in Japan TM

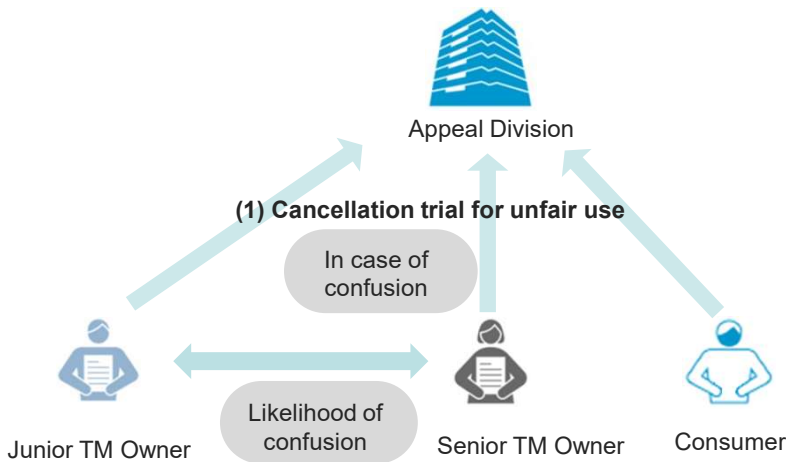
Examination Procedures Using Consent Agreement (CA)



Required Documents

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

Measures to Prevent Confusion after Registration



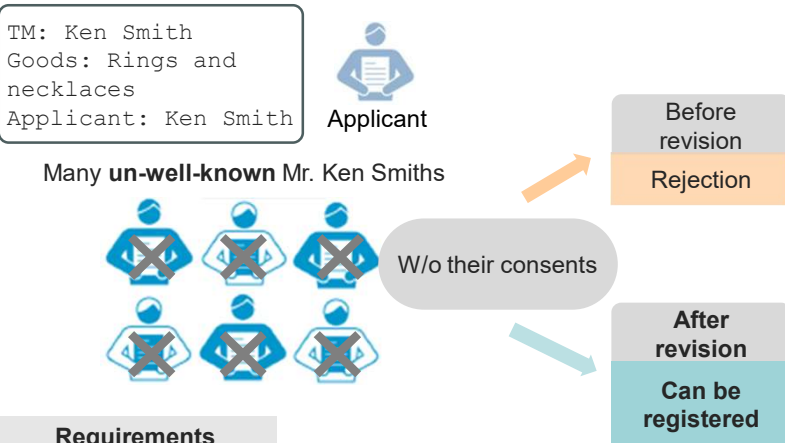
(2) Request for indication to avoid confusion

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 TM

When Filing a TM Containing an Individual Name

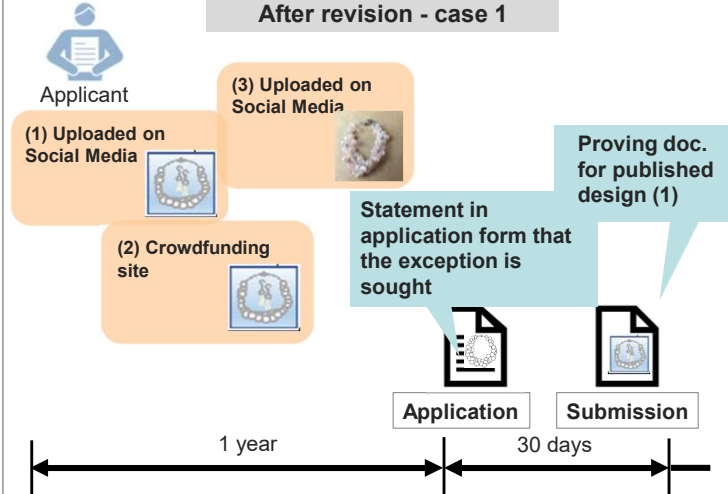


Requirements

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

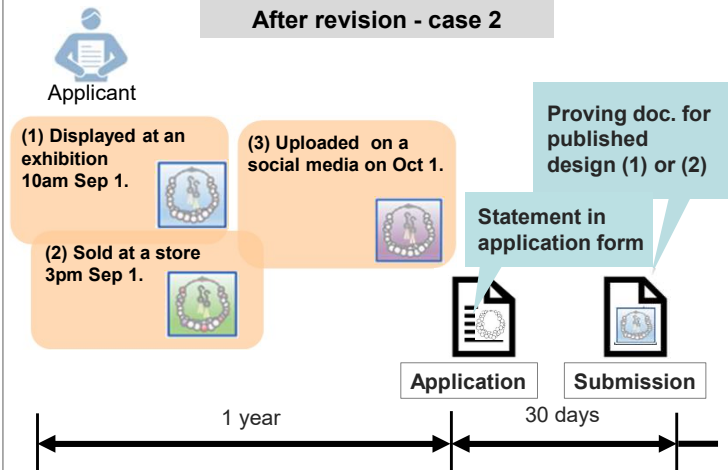
Relaxed Procedural Requirements for Exception of Lack of Novelty Design

After revision - case 1



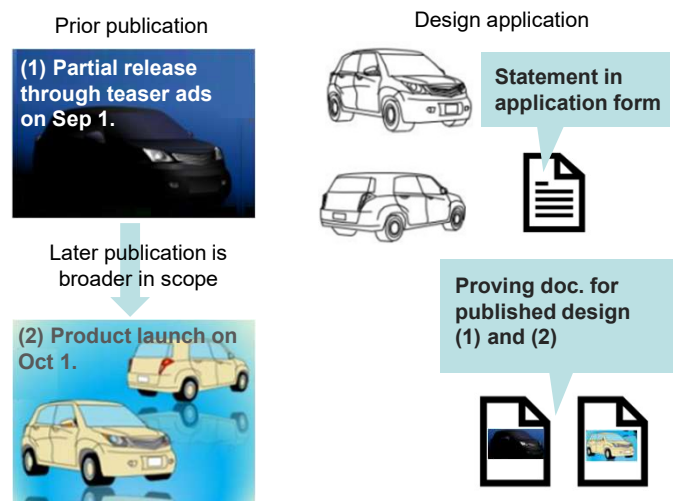
A proving doc. is valid for identical or similar designs.

After revision - case 2



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

After revision - case 3



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.