

February 3, 2015

## New Trademark Act Effective as of April 1st, 2015

Registrable marks will be expanded to include new types of marks, such as (1) **sound** marks, (2) **color per se** marks, (3) **moving** marks, (4) **hologram** marks and (5) **position** marks, which can already be protected in many countries.

New trademark examination guidelines are expected to be published soon by the government committee. Chiaki Kato, a partner of RYUKA IP Law firm, is a member of the government committee and actively working for publishing the new guideline.

### What Shall We Do?

Since the Japanese Trademark Law strictly adopts "the first-to-file principle", many corporations are now preparing applications for the new types of marks. We suggest filing your marks on April 1, 2015. If you are interested, please contact us as soon as possible.

### Examples of the New Types Mark Registrations in Other Countries

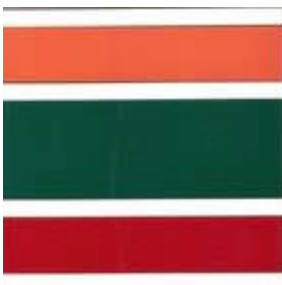
#### 1. Sound mark



Class 9: Cellular phones

Owner: Sony Ericsson Mobile Communications AB

#### 2. Color per se mark



Class 35: Retail services at convenience stores

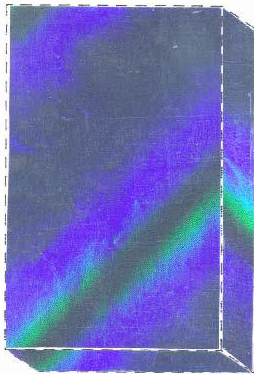
Owner: 7-Eleven, Inc.

### 3. Moving mark



Class 3: Bleaching preparations and other substances for laundry use)  
Owner: The Procter & Gamble Company

### 4. Hologram mark



Class 34: Tobacco  
Owner: Eve Holdings Inc.

### 5. Position mark (also be protected as “color per se mark”)



Class 25: Women's high fashion designer footwear  
Owner: Christian Louboutin