

# Customs Surveillance in Japan Based on TM Infringement

August 27, 2021



## **Information We Need: Surveillance Applicant**

- Name & address of the surveillance applicant
- TM Registration Nos.
- Name, address, phone number of TM licensee
- Information of genuine products imported to Japan
- Power of attorney

# Information We Need: Possible Infringers

Countries where same/similar TMs have been registered

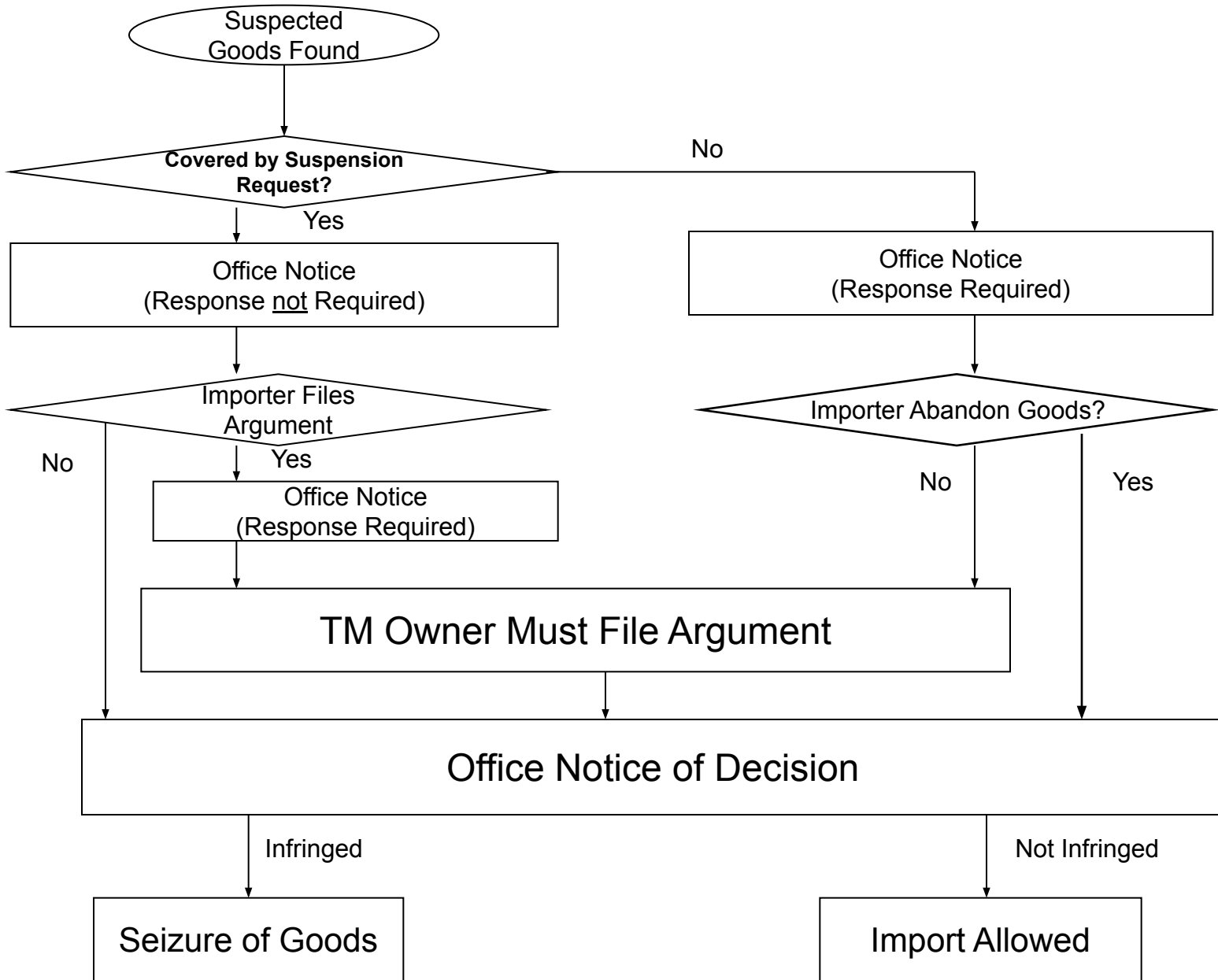
- Foreign TM owner(s)
- Foreign TM licensee(s)

Counterfeit product information

- Pictures of overall counterfeit products
- Enlarged pictures for distinguishing counterfeit products
- Expected importers
- Infringement opinion, if a counterfeit product bears similar, but different TM as registered TM

Litigation information, if any

- Other information relevant to infringement  
(*e.g.*, Transmittal of warning letter)



# Fee Schedule (1/2)

(JPY)

Filing New Surveillance Request	290,000 + 20,000 x Registered TMs + 40,000 x Counterfeit Product Types
Amending Surveillance Request	190,000 + 20,000 x Added TMs + 40,000 x Added Product Types
Renewing Surveillance Request	100,000 (Required after two years, or when a TM registration is renewed)

When filing applications for both import and export surveillances at the same time, our fee for export surveillance is discounted for 50%.

# Fee Schedule (2/2)

## Suspending Counterfeit Product

<b>Suspending Counterfeit Product</b>	
Reporting Counterfeit Product to Client and Docketing the Same	JPY 20,000
Responding to Customs for Suspension and Reporting the Same	JPY 40,000 (This is required only when the importer files any argument or imported product is different from that described in the application)
Filing Infringement Opinion	JPY200,000 (This is required only when the counterfeit product bears a different but similar trademark.)