

Third Party Observations, Oppositions, Invalidation Trials & Non-use Cancellation Trials of Trademarks in Japan



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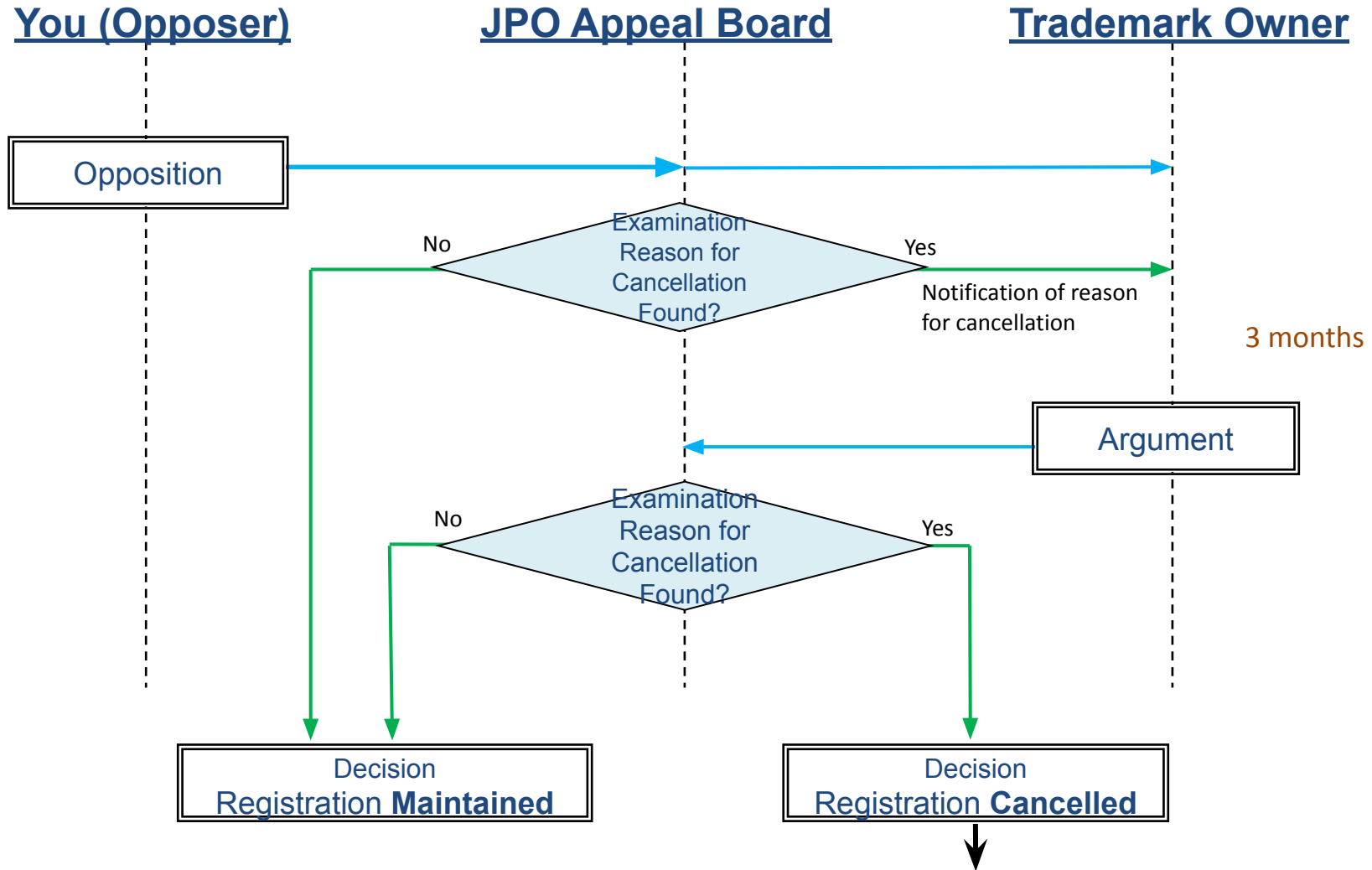
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1. Summary

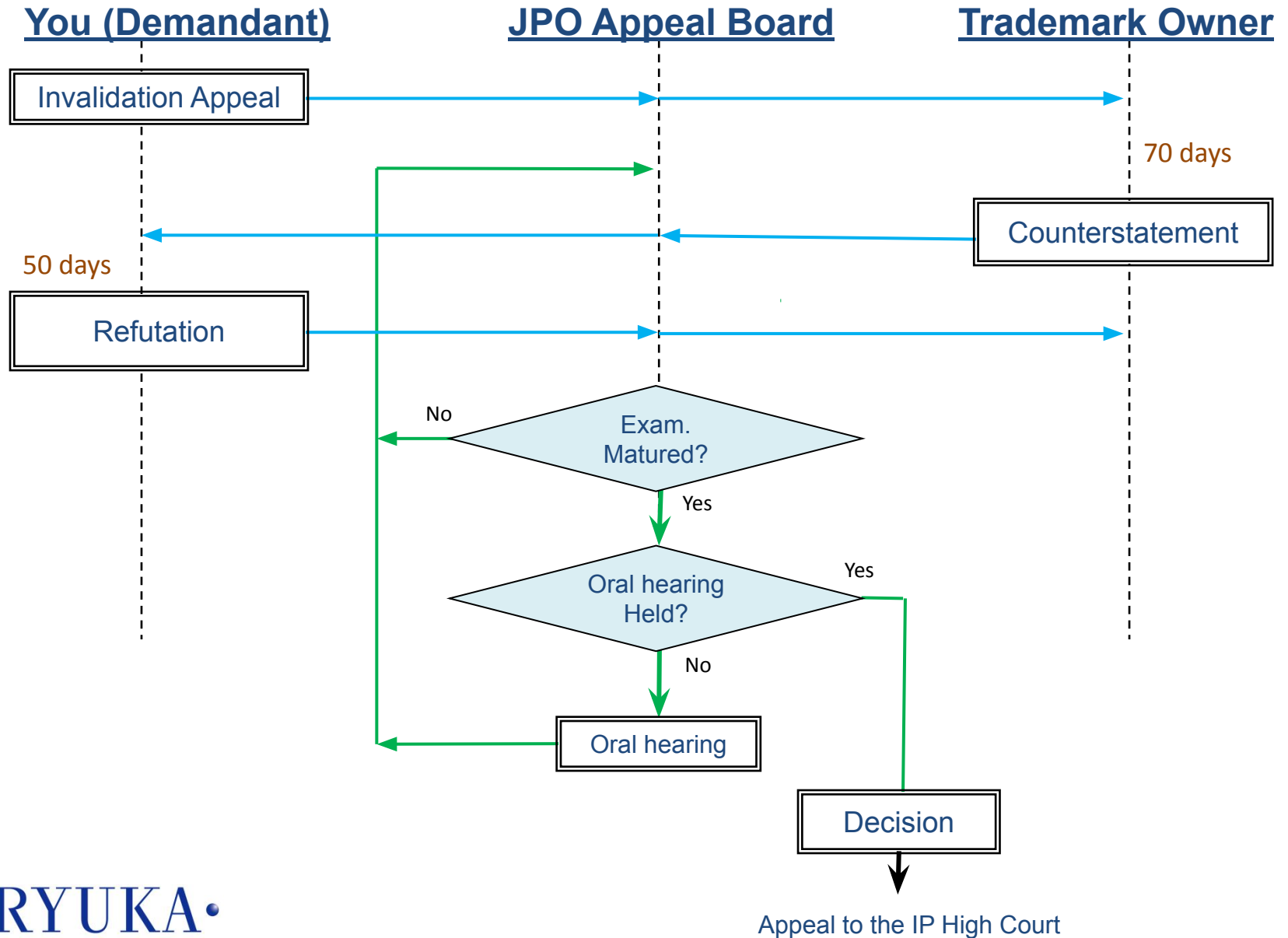
	Third Party observation	Oppositions	Invalidations	Non-Use Cancellation
What	Providing the examiner with observation	Oppose the decision to grant a registration	Request to invalidate the registration	Request to cancel the registration based on non-use
Who can file?	Anyone		Interested parties	Anyone
When	Before registration	Within 2 months from publication	Within 5 years after registration*	After 3 years from registration
Major Grounds	<ul style="list-style-type: none"> - Non-distinctiveness - Similarities - Well known and confusion - Unfair purposes 			Non-use for 3 years
Appeal to IP High Court	No	Only trademark owner	Yes	

* There will be no 5-year limit in case of unfair competitions / unfair purposes

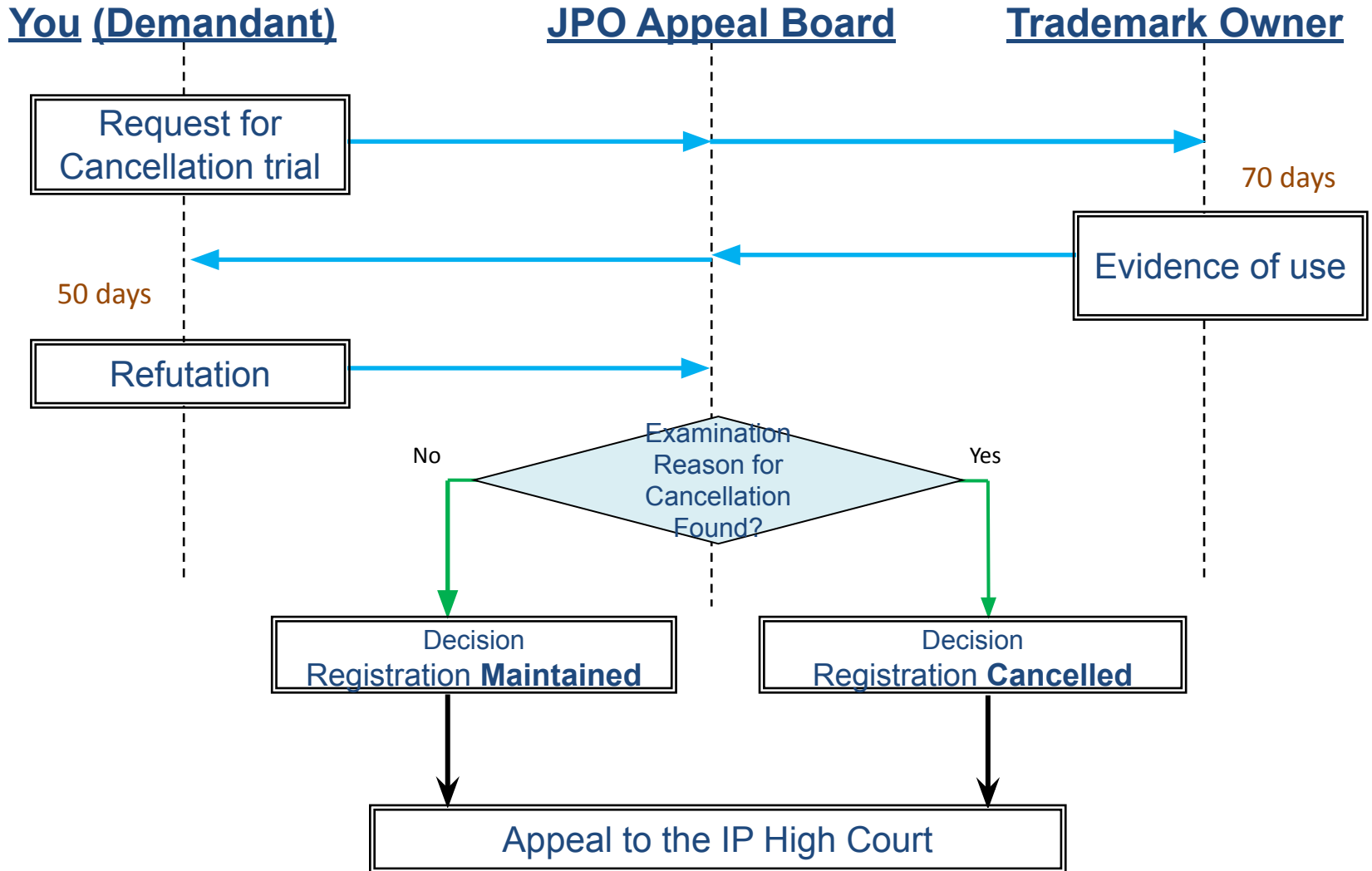
2. Trademark Opposition Procedure



3. Trademark Invalidation Procedure



4. Trademark Non-Use Cancellation Procedure



5. Fee Schedule

		Third Party observation	Oppositions	Invalidations	Non-use Cancellation
Attorney Fees (JPY)	Filing	200,000, typically	190,000 to 290,000, typically	400,000, typically	80,000, fixed
calculated by hourly rate of JPY 25,000	After the filing	NA	150,000 to 290,000, typically for an additional refutation/materials		
Office Fees (JPY)	Filing	0	11,000 3,000 + 8,000 / class	55,000 15,000 + 40,000 / class	

RYUKA Watch Services

Routinely search for:

- Registered trademarks by similarity of the trademarks or specific company names, and report the same for oppositions,
- Corporate names by similarity of the names, and
- Similar trademarks in use in Japanese language