

**41.100.01****Handling of the Main Paragraph of Article 3(1) of the Trademark Act in a Case in which the Ownership of the Applicant has been Changed**

Irrespective of the business of the applicant before the change of the ownership (assignor), the examiner will determine whether the business of the applicant after the change of the ownership (assignee) meets the requirements stipulated in the main paragraph of Article 3(1) of the Trademark Act.

[Explanation]

The business of the applicant as stipulated in the main paragraph of Article 3(1) of the Trademark Act is an attribute that is determined by the sales activities of the applicant, and is an inseparable attribute of the applicant.

Therefore, when the ownership of the applicant is changed, since his/her business as stipulated by the main paragraph of Article 3(1) of the Trademark Act will also change, it will be handled as prescribed above.

When an applicant who receives a notification of reasons for refusal because the application does not fulfill the requirements stipulated in the main paragraph of Article 3(1) of the Trademark Act transfers the rights that have been conferred to him/her as a result of filing an application for trademark registration to a person who meets the requirements, the reason for refusal explained above will be dissolved when the ownership of the applicant is changed.