

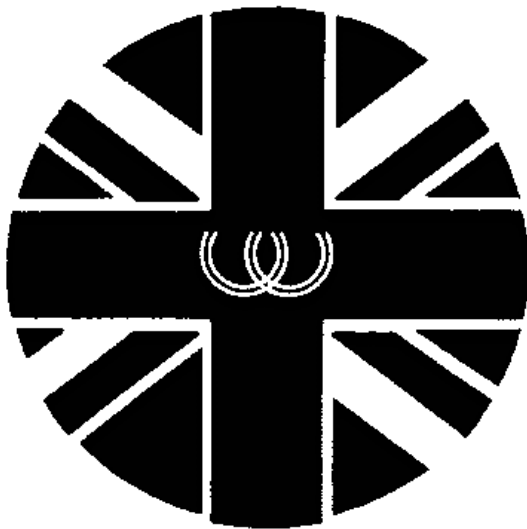
## 42.101.01

### Handling of Foreign National Flags

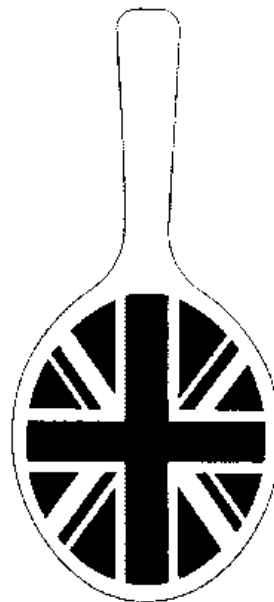
1. When a trademark conspicuously comprises figures that calls to mind a foreign national flag, Article 4(1)(i) of the Trademark Act will be applied.

For example, the trademarks composed as follows conspicuously comprise figures that call to mind the British national flag and thus they will be handled as marks resembling a foreign (British) national flag.

(Example 1)



(Example 2)



2. Among the trademarks solely consisting of colors, if those consisting of combinations of colors are found to be identical or similar to a foreign national flag in terms of the colors constituting the foreign national flag and their ratio and call to mind the foreign national flag as a whole, the provisions of Article 4(1)(i) of the Trademark Act will be applied.

For example, with respect to trademarks consisting of the combination of two colors, the examiner will determine in a comprehensive manner whether or not they are similar to the foreign national flag consisting of two colors as shown below in terms of colors and ratios, etc. and whether or not they call to mind such national flag.

(Example) Example where the mark calls to mind a foreign national flag

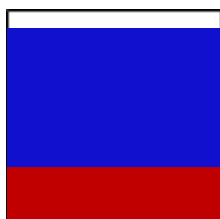


(Color mark)



(National flag of the Principality of Monaco)

(Example) Example of a mark which does not call to mind a foreign national flag



(Color mark)



(National flag of the Russian Federation)

(Note) Click below to see the Examination Guidelines for Trademarks

Examination Guidelines for Trademarks

Article 4(1)(i): (National flag and imperial chrysanthemum crest)