

## 89.02

### **Offering Information Concerning a Mark Indicating a State, a Local Public Entity, or an Organization, etc. Working in the Public Interest**

The JPO shall accept the offering of related information in the following procedures in order to conduct speedy and adequate examinations concerned with Article 4(1)(vi) of the Trademark Act.

Article 4(1) Notwithstanding the preceding Article, no trademark shall be registered if the trademark:

(vi) trademark which is identical with, or similar to, a famous mark indicating the State, a local government, an agency thereof, a non-profit organization undertaking a business for public interest, or a non-profit enterprise undertaking a business for public interest;

#### 1. Method for offering information

The offerer of information on a trademark that indicates a State or local public entity or an agency thereof or a non-profit organization working in the public interest and falls under Article 4(1)(vi) of the Trademark Act shall simultaneously submit documents that make the following matters clear along with a document making a request for protection of a trademark (see example in Annex).

- 1) Mark which falls under Article 4(1)(vi) of the Trademark Act;
- 2) Explanation of the mark to be used has fallen under Article 4(1)(vi) of the Trademark Act;
- 3) The fact that the mark to be used has been famous;
- 4) When the mark indicates an organization working in the public interest, purpose of establishment, structure, personnel, etc. of the organization; and
- 5) When the mark indicates an enterprise working in the public interest, purpose of establishment, structure, personnel, etc. of the organization.

#### 2. Handling of the submitted documents

- (1) The Trademark Examination Standards Office shall receive the respective offer of information.
- (2) When there is doubt on the offered information such as the usage status of the offered mark, the Trademark Examination Standards Office shall be able to request the offerer to provide explanation or to submit other documents.
- (3) The Trademark Examination Standards Office shall make the mark known to examiners and appeal examiners in order to reflect it in the examination and appeal examination of the application pending examination and appeal procedure, as well as manage the related documents.

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

[Article 4\(1\)\(vi\) \(Famous Mark Indicating a State or a Local Public Entity\)](#)