

## 17.01

### **Regarding Notification in a Case in which a Divisional Application is Rejected**

When a divisional application has been submitted pursuant to the provision of Article 10(1) or Article 68(1) of the Trademark Act, the divisional application and the original application will be checked to verify the identicalness of the trademark, the designated goods or services that can be divided, and whether the necessary corrections to the original applications have been made simultaneously to the divisional applications pursuant to Article 22(2) of the Enforcement Ordinance of the Trademark Act (as applied mutatis mutandis to Article 30 of the Enforcement Ordinance of the Patent Act). If there is a discrepancy or inadequacy, the applicant will be notified that the application date cannot be retroactively adjusted and the reason for that decision.

This notice need not be sent alone, but can be included in the statements of other notices such as the notification of reasons for refusal (including the decision of registration).

[Note] This handling does not apply to international trademark applications.

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

Examination Guidelines for Trademarks:

[Article 10 \(Division of application for trademark registration\)](#)