

## 47.101.07

### **Descriptions of the Designated Goods or Services with Respect to the Relationship with “the Name of the Region”**

The designated goods or services of regional collective trademarks should be regionally limited because the constitutions of regional collective trademarks often mislead consumers to an incorrect recognition about the goods or services, such as that “goods have to be produced in a specific area” or “services have to be provided in situ” (Article 4(1)(xvi) of the Trademark Act). Examiners determine the presence of a regional limitation of the designated goods or services of regional collective trademarks based on the name of the region which has a close relationship with the goods or services for which the trademark connected with the application filed for the regional collective trademark has been used.

In principle, the goods or services should be regionally limited with respect to the relationship with the name of the region of the trademark, but it is not necessary to limit the region by using characters identical to those representing the name of the region in the trademark, such as characters representing ancient domain names in Japan. In addition, appropriate regional limitation may vary based on the constitutions of trademarks.

The region of the trademark shall be limited within a range so as not to mislead consumers to an incorrect recognition about the quality of the goods or services, as far as the name of the region of the trademark to be examined is considered to satisfy the requirement of Article 7-2(i) of the Trademark Act (by applying Article 4(1)(xvi) of the Trademark Act).

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

Examination Guidelines for Trademarks:

[Article 4 \(1\)\(xvi\) \(Misleading as to the Quality of the Goods or Services\)](#)

[Article 7-2 \(Regionally based collective trademarks\)](#)