

Part 3: Article 3(1)(i) (Common Name of Goods or Services)

consists solely of a mark indicating, in a common manner, the common name of the goods or services;

1. The “common name” in this paragraph is not that used to refer to the goods or services provided by one particular trader but that which has become recognizable, in the trade, as a common name for the goods or services.

(Examples)

Trademark indicating “時計”(clock/watch) in respect of goods of “時計”(clock/watch)

Trademark indicating “美容”(cosmetic) in respect of services of “美容”(cosmetic)

2. The common names of goods or services include abbreviations, popular terms, etc. used for the goods or services, in principle.

(Examples)

Abbreviations

“アルミ” [ARUMI] (Aluminum)

“パソコン” [PASOKON] (Personal computer)

“損保” [SONPO] (No life insurance)

“空輸” [KUYU] (Air transportation)

Popular terms

“波の花” [NAMINOHANA] (Salt)

“おてもと” [OTEMOTO] (Chopsticks)

“一六銀行” [ICHIROKUGINKO] (Pawn broking)

“呼屋” [YOBIYA] (Planning and management of theatrical entertainment)

3. Marks of which font or total composition is unique shall not be deemed as those “indicating in a common manner.”

In such cases however due consideration will be given to the actual state of transaction of the goods or services.

4. The common names of goods or services indicated in Roman characters or kana characters are judged as “indicating in a common manner.”