

## **66-00 T**

### **Opposition to Registration of Trademark**

#### **1. Purport of the System**

With the revision of the Trademark Act in 1996, the pre-grant opposition system to registration of trademark was abolished so that prompt grant of right will be facilitated in application for registration of trademark. Then a post-grant opposition system to registration of trademark was introduced to achieve the purposes of public interests of increasing the public's confidence in the registration by giving extensive opportunities to a third party to request for revocation of the registration of trademark for a certain period after the registration of establishment of the trademark right, so that in the event of opposition to registration, the JPO examines whether or not its decision of registration was appropriate, and remedies any defects that may be discovered. In addition, since the main purpose of the opposition to registration system is not to solve specific disputes between parties, the filing of an opposition is not limited to specifically-interested persons, but is allowed extensively to any person.

#### **2. Outline of the system**

In the opposition to registration system, any person may request for revocation of registration of trademark within two months from the date of publication of the gazette containing the trademark (the Trademark Gazette which is published after the registration), on the grounds that registration of the trademark falls under any of the items of the Trademark Act Article 43-2, and an opposition to registration may be filed for each of designated goods or designated services.

(The Trademark Act Article 43-2 to Article 43-15)

(Revised Feb. 2015)

## Flow Chart: Outline of Opposition to Registration of Trademark System after Enactment of Revision of the Trademark Act in 1996 (April 1, 1997)

