

Appeal decision

Appeal No. 2012-17723

Tokyo, Japan

Appellant JF GOURMET CARD CO. LTD.

Aichi, Japan

Patent Attorney IIDA, Akio

Tokyo, Japan

Patent Attorney MOTOMIYA, Teruhisa

The case of appeal against the examiner's decision of refusal of Trademark Application No. 2011-73101 has resulted in the following appeal decision:

Conclusion

The appeal of the case was groundless.

Reason

1 The trademark in the Application

The trademark in the Application consists of the standard characters of "全国共通お食事券". The application for its registration was filed on October 13, 2011 with designated goods and designated services of Class No. 16 and No. 36 which have been written in the application. Thereafter, the designated goods and the designated services of the present application were corrected to "Printed matter" of Class No. 16 and "Issuance of meal card available at member stores across Japan" of Class No. 36 based on the written amendment dated on April 23, 2012 in the examination process and the written amendment dated on December 25, 2013 in the appeal process.

2 Gist of reasons for refusal of the examiner's decision

In the examiner's decision, it has been acknowledged and determined that "The trademark in the Application consists of the standard characters of "全国共通お食事券 (English translation the nationwide meal ticket)". The characters of "全国共通 (nationwide) " in the trademark have meaning of "can be used across Japan in common". For example, the word "全国共通(nationwide)" is used as in a case of "nationwide Sushi card", "nationwide amusement park ticket", "nationwide book gift card", "nationwide test", and "nationwide toll free number". The characters of "お食事券 (meal ticket) " are usually used in the restaurant business field as a word which has meaning of "voucher available at the designated restaurants by the value described in the voucher". Then, the actual circumstances can be recognized such that the characters of "全国共通お食事(the nationwide meal ticket)" are used in the sense that the meal ticket can be used at stores, which accept the meal ticket, across Japan in common. Therefore, only the meaning of "meal ticket which can be used in stores, which accept the meal ticket, across Japan in common" can be easily recognized from the entire trademark in the Application, and it is acknowledged that even when this is used for the designated services of the present application "issuance of meal ticket available at member stores across Japan", traders and consumers coming into contact with the trademark in the Application understand and recognize that the trademark in the Application has the above meaning, and the characters simply display the quality of the service in the normal method. Therefore, the trademark in the Application falls under Article 3(1)(iii) of the Trademark Act". Accordingly, the present application was rejected.

3 Examination of evidence by the body

As a result of ex officio examination of evidence by the body regarding whether the trademark in the Application falls under Article 3(1)(iii) of the Trademark Act, the fact described in the Attachment 1 was found. Therefore, Appellant is notified of this on May 7, 2013 based on the provisions of Article 150(5) of the Patent Act which is applied mutatis mutandis pursuant to the provisions of Article 56(1) of the Trademark Act, and an opportunity for stating the opinion within a reasonable period was given to Appellant.

4 Gist of opinion of Appellant relative to the notice of examination of evidence

The fact indicated in "the notice of examination of evidence" cannot be treated in the same way as this case for the following reasons (1) to (4).

(1) Since the "service" in the Trademark Act is a benefit for the other person, the services should be provided by a third party. However, the service in the notice is prepaid vouchers issued by oneself (facts (2) to (6), (10), and (11) indicated in the notice of examination of evidence).

(2) A simple coupon, not a prepaid voucher (fact (7)).

(3) A subject of a prepaid voucher is not limited to the specific goods (facts (8) and (9)).

(4) A card which free rides on and dilutes the gift card of Appellant (fact (1))

5 Judgment by the body

(1) Applicability of Article 3(1)(iii) of the Trademark Act

As described in 1, the trademark in the Application consists of the standard characters of "全国共通お食事券(the nationwide meal ticket)". The meaning of "can be used across Japan in common" can be easily recognized and understood from the characters of "全国共通(nationwide)" in the configuration of the trademark, and the meaning of "voucher which can be used for meals" can be easily recognized and understood from the characters of "お食事券(meal ticket)". Therefore, it is reasonable to understand that the person coming into the trademark in the Application recognizes the meaning of "voucher which can be used for meals across Japan in common" from the entire configuration of the

trademark in the Application. This is supported by the notice of examination of evidence in 3 and the actual circumstances regarding the use of the "common gourmet card" indicated in and the Attachment 2, "(nationwide) gift card", and the like.

In a case where the trademark in the Application is used for "issuance of meal ticket available at member stores across Japan" in the designated goods and the designated services, the consumers coming into contact with the trademark in the Application only recognize it as a mark descriptively representing the quality and the content of the service, and it should be said that the consumers do not recognize the trademark in the Application as a mark for distinguishing relevant services from others.

Therefore, since the trademark in the Application is a trademark including only a mark displaying the quality (content) of the service with the usual method, the trademark in the Application falls under Article 3(1)(iii) of the Trademark Act.

(2) Applicability of Article 3(2) of the Trademark Act

Appellant insists that since the trademark in the Application is a trademark which has achieved to be recognized as the service of the business of Appellant by the consumers as a result of the use, the trademark right of the trademark in the Application can be registered in accordance with the provisions of Article 3(2) of Trademark Act. Appellant submitted the evidences in the original examination and to the body.

In view of the evidences submitted by Appellant, the following facts are acknowledged.

A Use (form) of characters of "全国共通お食事券(hereinafter referred to as the "nationwide meal ticket ")")

(A) Gourmet card

On the gourmet card issued by Appellant (referred to as " meal ticket in this case" below), a mark which is made by designing the characters of " gourmet card" (referred to as "gourmet card mark" below) and characters of "JF gourmet card" written in two lines are arranged at the center. In addition, on the upper side of the above characters, the characters of "JF gourmet card" and the characters of "nationwide meal ticket " (the latter is slightly smaller than the former) written in two lines are arranged, and the characters of "JF gourmet card Co., Ltd. which can be understood as the display of the issuer and "500 yen"

which is displayed as the face-value are arranged (Evidence A No. 4 to A No. 8, A No. 13, A No. 22 to A No. 31, A No. 33, A No. 44, A No. 70, A No. 72-1 to A No. 72-20, A No. 73 to A No. 75, and A No. 80).

(B) Sticker posted in member store

In a sticker posted (stuck) near the entrance of the member store (referred to as "sticker in this case" below), void characters of "nationwide meal ticket " are displayed in a red band-like figure which is arranged across the substantially center part of a red horizontally long oval shape. Furthermore, the "gourmet card mark" is arranged on the upper part in the oval shape, and the red characters of "JF gourmet card" and "member store" written in two lines are arranged in the lower part (Evidence A No. 32).

(C) Member store list

The "member store list" issued by Appellant (including copy of front cover or excerpt) is as follows.

a The lists were made in the first half in 1993 to the first half in 1994 and had the front cover on which "'Nationwide meal ticket' JF gourmet card" (character part of "'nationwide meal ticket'" is smaller than the character part of "JF gourmet card") and the "gourmet card mark" are written. In addition, on the front cover of the list, it is described that "With JF gourmet card, you can enjoy meals which is equivalent to the face value at each member stores in this list" and that "If you have any questions on JF gourmet card, please call us at the number below (Evidence A No. 71-1 to A No. 71-3).

b The lists were made in July in 1995 and January and April in 1996 and had the figures of the gourmet card in this case and the sticker in this case described thereon. In addition, in the lists, a headline of "Nationally common gourmet card, Names of JF gourmet card member stores" or "Names of 'nationwide meal ticket', JF gourmet card member companies and stores", the list of member stores, and the description such that "You can buy JF gourmet card at these stores" and the description such that "Nationally common gourmet card, that is, JF gourmet card is available at the following stores" and the store list are provided (Evidence A No. 33 and A No. 72-1 to A No. 72-3).

c The lists were made in June in 2000, February, June, and November in 2007, March and July in 2008, January and July in 2009, January, June, and November in 2010, and May and November 2011. The figures of the meal ticket in this case and the sticker in this case, the

characters of " nationwide meal ticket " and "JF gourmet card" written in two lines (character part of " nationwide meal ticket " is smaller than character part of "JF gourmet card"), a headline of "JF gourmet card member store information" and the member store list, the headline of "You can buy "JF gourmet card" here", "Please buy JF gourmet card at the following stores", "Information of "JF gourmet card"", or "shops of "JF gourmet card"", and the shop list are described (Evidence A No. 44, A No. 72-4, A No. 72-6 to A No. 72-16).

d The lists were made in June and November in 2012 and March and August in 2013. In the list, the figures of the meal ticket in this case and the sticker in this case, the characters of " nationwide meal ticket d" and "JF gourmet card" written in two lines, the headline of "JF gourmet card member store information" and the member store list are described (Evidence A No. 72-17 to A No. 72-20).

(D) Advertisement in newspapers and TV programs

a Newspapers

(a) In "The Asahi Shimbun (evening edition)" dated on June 27, 1995, under the headline of "Summer gift collection 95", the characters of " nationwide meal ticket " and "JF gourmet card" and the figure of the gourmet card in this case are described as one of the gift cards in the advertisement of various gift cards (Evidence A No. 18).

(b) In "The Nikkei (evening edition)" dated on June 28, 1995, under the headline of "Present a gift that you want/special feature on gift cards", the characters of " nationwide meal ticket " and "JF gourmet card" written in two lines and the figures of the meal ticket in this case and the sticker in this case are described as one of the gift cards in the advertisement of the various gift cards for present (Evidence A No. 20).

(c) In "The Nikkei" dated on June 29, 1995, under the headline of "Special advertisement of gift cards", the characters of "JF gourmet card" and the figure of the meal ticket in this case are described as one of the gift cards in the advertisement of various gift cards (Evidence A No. 21).

(d) In "Yomiuri Shimbun (evening edition)" dated on November 28, 1995, under the headline of "Pleasant present, joy of using it, Gift card for year-end gifts.", the characters of "nationwide meal ticket" and "JF gourmet card" written in two lines and the figures of the meal ticket in this case and the sticker in this case are described as one of the gift cards in

the advertisement of various gift cards for present (Evidence A No. 15).

(e) In "The Asahi Shimbun (evening edition)" dated on November 28, 1995, under the headline of "Winter gift collection '95", the characters of "'nationwide meal ticket' JF gourmet card" and the figure of the meal ticket in this case are described as one of the gift cards in the advertisement of various gift cards (Evidence A No. 16).

(f) In "Mainichi Shimbun (evening edition)" dated on November 30, 1995, under the headline of "'95 winter gift (advertisement)", the characters of "nationwide meal ticket" and "JF gourmet card" written in two lines and the figures of the meal ticket in this case and the sticker in this case are described in the advertisement of various gift cards (Evidence A No. 17).

(g) In "Metro Hatsumode (the practice of visiting a shrine or a temple during the New Year) Guide" dated on January 1, 1996, under the headline of "Happy! Exciting! Present feature", the characters of "nationwide meal ticket/JF gourmet card/present!" and the figure of the meal ticket in this case are described as one of various presents (Evidence A No. 19).

b TV programs

(a) In the program "Big Today" broadcasted from July 25, 1996 to August 29 on Mondays to Fridays, 1996, a video in which the characters of "nationwide meal ticket" and the figure of the meal ticket in this case was televised (Evidence A No. 12).

(b) In the program "Hanamaru Market" broadcasted on November 6, 13, 20, and 27 in 1997, April 7, 14, 21, and 28 in 1998, May 5, 12, 19, and 26 in 1998, June 2, 9, 16, 23, and 30 in 1998, December 2, 9, 16, and 23 in 1998, and November 2, 9, 16, 23, and 30 in 1999, a video of the meal ticket in this case was televised for 10 seconds for each broadcasting together with a telop of "'Nationwide meal ticket' is a present for you!" (Evidence A No. 4 to A No. 8 and A No. 13).

(c) In the program "Wonderful" broadcasted on November 30 in 1998 and December 7, a video of the meal ticket in this case was televised for 10 seconds in each broadcasting together with a telop of "JF gourmet card/'nationwide meal ticket'/20000 yen present" (Evidence A No. 9).

(d) In the program "Tunnels nonamade daradara ikasete!!" broadcasted on December 9, 1998, a video of the meal ticket in this case was televised for five seconds together with a

telop of "'Nationwide meal ticket' 'JF gourmet card' 100,000 yen" (Evidence A No. 10), and in the same program broadcasted on December 23, 1998, a video of the meal ticket in this case was televised for five seconds together with a telop of "Nationwide meal ticket 'JF gourmet card' 100,000 yen is given to Mr. Tashiro in Sadazu (Evidence A No. 11).

(e) In the program "Papapapa PUFFY" broadcasted on September 29, 1999, a video of the meal ticket in this case was televised for five seconds together with a telop of "nationwide meal ticket" (Evidence A No. 14).

(E) Others

a In a guidebook regarding "'Nationwide meal ticket' JF gourmet card/'95 SUMMER thanks campaign" created by Appellant in May 1995 for member companies, the description was made such that "By giving a popular ticker for a trip abroad, interests of consumers are attracted, and JF gourmet card are recognized and acknowledged." as the purpose of the campaign. In addition, the characters of "'Nationwide meal ticket' JF gourmet card" and the figures of the meal ticket in this case and the sticker in this case are expressed in posters and leaflets as advertisement tools at stores (Evidence A No. 74).

b In "advertisement project/ 'gift card questionnaire' report on investigation results" (July in 1998) by "Marketing investigation section in advertisement department, Nikkei Inc.", under the headlines of "4. Gift card brand awareness", "5. First choice", and "6. Second choice", "JF gourmet card" is described as one of various gift cards (Evidence A No. 3).

c As one of the presents of "New year's card campaign" conducted by "JAPAN POST Co., Ltd." from November 1, 2005 to December 24, 2005, it is described that "'Nationwide meal ticket' / 20000 yen/ for 1000 persons" and "Gourmet card is available at about 25000 stores across Japan", and the figure of the meal ticket in this case is described (Evidence A No. 75).

d In the list of exchangeable commodities of "Eco-point system for housing" (excerpt), under the headline of "Food and meal card", "JF gourmet card ('nationwide meal ticket') and "JF gourmet card 10000 yen" were described as one of various gift cards (Evidence A No. 40).

e As a first prize of "Photo distribution exciting campaign" conducted by "NTT DOCOMO, INC." from October 1, 2011 to November 30, 2011, "'Nationwide meal ticket' / JF gourmet card/ (10000 yen)" and "for 30 persons" are described, and the figure of the meal ticket in

this case is described (Evidence A No. 41).

B Period, number, range, and the like of use of characters of "nationwide meal ticket" with respect to meal ticket in this case and the like

(A) The issuance of the gourmet card in this case was started by Appellant on December 1, 1992 (Evidence A No. 1, A No. 35, and A No. 70). After that, it can be said that the meal ticket in this case have been continuously issued (Evidence A No. 3 to A No. 31, A No. 33, A No. 40 to A No. 42, A No. 44, A No. 47, A No. 70, A No. 71-1 to A No. 71-3, A No. 72-1 to A No. 72-4, A No. 72-6 to A No. 72-20, A No. 74, A No. 75, and A No. 80).

(B) The number of the issued meal tickets in this case has exceeded 3341000 from the start of the issuance to the account settlements as of March in 1994 (Evidence A No. 1 and A No. 35), and the number of the issued meal tickets in this case until March in 2012 is assumed to be equal to or more than 150 million (Evidence A No. 69 and A No. 70).

(C) The number of stores where the meal ticket in this case can be used (member store) was 19500 as of March in 1994 (Evidence A No. 70). After that, the number of stores was 25000 as of February in 2007 (Evidence A No. 72-6). The number of stores is assumed to be 35000 across Japan at the end of 2011 at the latest (Evidence A No. 44 and A No. 47).

(D) It seems that the stickers in this case were posted on the entrances of the stores in the summer in 1995 at the latest (Evidence A No. 74). After that, the stickers in this case have been continuously posted (Evidence A No. 33, A No. 42, A No. 44, A No. 72-1 to A No. 72-4, A No. 72-6 to A No. 72-20, and A No. 80).

C Judgment

According to the facts recognized in A and B, it can be recognized that Appellant started to issue meal tickets having the name of "JF gourmet card" which are available in the member stores across Japan in common (meal ticket in this case) on December 1, 1992 and has continued the issuance over 20 years after that. This can be confirmed by, for example, the descriptions such that "The issuance of the nationwide meal ticket "JF gourmet card" (500 yen) was started on December 1, 1992 (Note by the body: accurately, 1993) by JF gourmet card Co., Ltd." "The idea of "nationally common gift card (meal ticket)" for JF member companies was presented first in the period of the CEO, KOSAKA, Tetsuro.", "The JF decided to start the gourmet card business plan in March 1992", and "The number of issued JF gourmet cards exceeded 2486000 in the account settlements as of

March in 1994...the number of issued cards since the start of the business in December 1992 exceeds 3341000" under the headline of "Challenge for JF gourmet card" in the book having the name of "Future of food service industry/ 20 years of food service industry and JF" issued by "Japan Food Service Association" in December 1994 (Evidence A No. 35). Also, in a book seemed as the guidebook for the member stores regarding summer campaign in 1995, the description was made by Appellant such that "By giving a popular ticker for a trip abroad, interests of consumers are attracted, and JF gourmet card are further recognized and acknowledged." as the purpose of the campaign. (Evidence A No. 74). In addition, that is confirmed by the continuous use of the characters of "JF gourmet card" and "nationwide meal ticket" in the meal ticket in this case, the sticker in this case, and the member store list regarding the business of Appellant.

When the meal ticket in this case was taken up in the newspapers issued by a third party, for example, in "Mainichi Shimbun" published on a day after the day when the initial meeting of Appellant held on July 23, 1992 before the issuance of the meal ticket in this case was introduced, under the headline of "Meal ticket available at restaurants across Japan in common", it was described that "to issue common meal tickets which can be used at the restaurants across Japan such as burger shops and family restaurants...JF gourmet card Co., Ltd. (President TOMITA, Shohei) which issues the meal tickets was established. The name of the meal ticket is "JF gourmet card" and the price of the card is 500 yen". Similarly, in "Yomiuri Shimbun", under the headline of "Company for issuing common meal tickets was established/JF", it was described that "... the formal announcement was made such that JF gourmet card Co., Ltd. (President Shohei TOMITA) which issues the meal tickets "JF gourmet card" available at the restaurant and fast food restaurants across Japan in common was established on the same day". Similarly, in "The Nikkei", under the headline of "nationwide meal ticket/JF, at 80 companies and 12000 stores/from November", it was described that "Japan Food Service Association (JF, CEO SHINDO, Kikuji) which is an industrial association of food service companies issues "JF gourmet card" which is a meal ticket available across Japan in common from November...JF gourmet card is a restaurant version of "book card" and "OKOMEKEN (rice card) and can be used at family restaurants and bars instead of money" (Evidence A No. 39). In this way, in the articles regarding the meal ticket in this case, the meal ticket having the name of "JF gourmet card" which can be used in the member stores across Japan in common is introduced. Furthermore, in the article of the introduction of various gift cards and the presents, the characters of "JF gourmet card" and "nationwide meal ticket" are displayed together with

the figures of the meal ticket in this case and the sticker in this case.

In addition, the meal ticket in this case has been used in the TV program produced by a third party. At that time, it is assumed that there are cases where the characters of "Nationwide meal ticket" and "Give you nationwide meal ticket" are displayed as a telop in the video of the meal ticket in this case. The purpose of these cases is generally to introduce the present for viewers in a very short time such as five or ten seconds. However, in consideration of the purpose, it can be said that the display was used to briefly tell the essential content of the product to be the present (the meal ticket is a voucher used for meal across Japan in common) to the viewers.

In addition, even when the evidences submitted by Appellant are put together, the face cannot be found which would be sufficient to recognize that the trademark in the Application "nationwide meal ticket" has been recognized as the trademark indicating the service regarding the business of Appellant by the consumers as a result of the use of the trademark in the Application "全国共通お食事券(the nationwide meal ticket)" in the designated services "issuance of the meal ticket available at the member stores across Japan" of the present application.

Therefore, it cannot be recognized that the trademark in the Application meets the requirement as provided in Article 3(2) of Trademark Act.

(3) Appellant's allegation

A Appellant alleges that since the meaning of "available across Japan in common (can be used)" derived from the characters of "全国共通(nationwide)" in the configuration of the trademark in the Application is very vague, the direct and specific content cannot be perceived from the whole configuration, and accordingly, the trademark in the Application essentially functions as a mark for distinguishing relevant services from others.

However, as recognized and determined in (1), the meaning of "voucher which can be used for meals across Japan in common" can be recognized by the person coming in contact with the trademark in the Application from the whole configuration of the trademark in the Application. Therefore, in a case where the trademark in the Application is used for the designated services of the present application "issuance of the meal tickets available at the member stores across Japan", the consumers coming into contact with the trademark in the Application only recognize that the issued meal ticket has the meaning

described above, that is, that the trademark in the Application descriptively represents the quality and the content of the specific service. It should be said that the trademark in the Application cannot be recognized as a mark for distinguishing relevant services from others.

Therefore, the Appellant's allegation cannot be accepted.

B Appellant alleges that since the gift card (prepaid voucher) issued by Appellant is widely recognized and known by the consumers as the name of "nationwide meal ticket", the name of "nationwide meal ticket" is widely recognized as the trademark regarding the business of Appellant (issuance of prepaid voucher) and functions as a mark identifying Appellant today.

However, even when the Appellant's allegation and the evidences submitted by Appellant are put together, it cannot be recognized that the trademark in the Application cannot be recognized by the consumers as the trademark indicating the service regarding the business of Appellant as a result of the use of the trademark in the Application consisting of the characters of "全国共通お食事券(the nationwide meal ticket)" for the designated services of the present application "issuance of the meal ticket available at the member stores across Japan". This is as described in (2) above. Therefore, the Appellant's allegation regarding this point cannot be accepted.

(4) Conclusion

As described above, the examiner's decision which refused the present application since the trademark in the Application falls under Article 3(1)(iii) of the Trademark Act and does not meet the requirement as provided in Article 3(2) of Trademark Act is reasonable and cannot be cancelled.

Therefore, the appeal decision shall be made as described in the conclusion.

June 23, 2014

Chief administrative judge: NOGUCHI, Miyoko

Administrative judge: TANAKA, Keiki

Administrative judge: TAKAHASHI, Koji

Attachment 1 (facts indicated in the notice of examination of evidence)

(1) Website of Gurunavi, Inc.

-Under the headline of ""Gurunavi gift card" nationwide meal ticket is released" in NEWS RELEASE dated on September 15, 2011, it is described that ""Gurunavi gift card" nationwide meal ticket which can be used at restaurants across Japan is released on September 15, 2011 (Thursday)." and "First gift card available at not only chain stores but also restaurants under private management".

(http://www.gnavi.co.jp/company/release/2011/pdf/110915_01.pdf)

-Page of "Gurunavi gift card"

Under the headline of "Available at 15513 stores across Japan", it is described that "As a mark indicating restaurants where the Gurunavi gift card can be used, a guide sign indicating the member stores is placed in the restaurant (refer to right figure)". In the figure, the characters of "nationwide meal ticket" are described together with the characters of "gift card".

(<http://www.gnavi.co.jp/giftcard/>)

(2) Website of Route Inn Hotels

Under the headline of "Route Inn Hotels common meal ticket is available for sale!", it is described that "-You can use this ticket at restaurants across Japan managed by Route Inn Group except for overseas restaurants. <Hanachaya, Hana Hana Tei, Sea Food Bar Hana no Mai, and Sea Food Diner Hana no Yume>".

(http://www.route-inn.co.jp/topics/detail.php?topics_id=64)

(3) Website of Yakiniku Nurubon Umakamon Bin

In the "introduction of products" of "Yakiniku Nurubon Group common meal ticket", it is described that "the meal ticket can be used at all the group restaurants including "black-haired Japanese cow traditional dish Nurubon", "Yakiniku Nurubon Garden",

"Restaurant Kaze no oka", and "Danran Izakaya Hana".

(<http://www.nurubon-shop.com/fs/royal/gr10/019>)

(4) Website of Ticket shop PLUS

Under the headline of "Monogatari group Common meal ticket", it is described that "the ticket can be used at the stores including "Yakiniku Ichiban Karubi (Karubi is written in Katakana characters)", "Yakiniku Ichiban Karubi (Karubi is written in Hiragana characters)", "Yakiniku King", "Marugen ramen", "Nidaime marugen", "Osaka Umeda Okonomiyaki Honpo", "Gyokai Zanmai GENYA" and "Genji souhonten".

(https://www.ts-plus.co.jp/e-commex/cgi-bin/ex_disp_item_detail/id/6187/)

(5) Website of HIRAMATSU INC.

-Under the headline of "HIRAMATSU common meal ticket and wine set ticket", it is described that "Lunch ticket, dinner ticket, and wine set ticket are available at the restaurants of HIRAMATSU group 22 in common".

(<http://www.hiramatsu.co.jp/ticket/common.html>)

-In the page of "Questions about meal tickets", the answer such that "HIRAMATSU common meal ticket" is (omitted) available at the HIRAMATSU group restaurants across Japan." is described in response to the question such that "Is there a ticket available at a plurality of restaurants?".

(<http://www.hiramatsu.co.jp/ticket/>)

(6) Website of galireo for gift card search

Under the headline of "DYNAC common meal ticket", it is described that "DYNAC common meal ticket is a gift ticket which can be used for meals at the affiliated restaurants across Japan".

(http://www.galireo.com/gift_ticket/dynac.html)

(7) Website of PACIFICO Yokohama

In the page of "PACIFICO Yokohama MEAL TICKET", it is described that

"PACIFICO Yokohama MEAL TICKETS can be used at 130 affiliate restaurants in the Minato Mirai 21 district and adjacent Portside district".

(<http://www.pacifico.co.jp/promoter/support/sp06.html>)

(8) Website of JTB

In the page of "nationwide gift vouchers (NICE GIFT)", it is described that "NICE GIFT can be variously used for shopping and for meals. NICE GIFT is an all-around gift card which can be used at more than half a million stores across Japan".

(<http://www.jtb.co.jp/gift/ecopointjutaku/nicegift.asp>)

(9) Website of Sumitomo Mitsui VISA Card

In the page of "Introduction of Mitsui Sumitomo card VJA GIFT CARD (nationwide gift card)", under the headline of "gift card available across Japan", it is described that "Mitsui Sumitomo card VJA GIFT CARD is a nationwide gift card which can be used at equal to or more than half a million stores (department stores, major supermarkets, shopping centers, specialized stores, restaurants, hotels, and the like) across Japan".

(<https://www.smbc-card.com/mem/giftcard/>)

(10) Website of S.B.Systems Co., Ltd.

Under the headline of "CGC group common gift card" Introduction of member stores where you can use gift card", it is described that "Gift card is available at 3500 CGC group member stores across Japan from Hokkaido to Okinawa".

(<http://www.sbsystems.co.jp/cgcgift/index2.html>)

(11) Website of Seven & i Holdings Co., Ltd.

Under the headline of "Seven & i common gift card", it is described that "Gift card is available at stores of Seven & i Holdings".

(<http://www.7andi.com/company/giftcertificate.html>)

(reference)

"Voucher" means "a ticket which is in currency instead of money in a specific range" (Kojien, 6th edition)

Attachment 2 (actual circumstances regarding the use of the "nationwide ... ticket")

(1) In the website of "Japan Sushi Restaurant Association", under the headline of "nationwide Sushi ticket", it is described that "'nationwide Sushi ticket' is a nationally uniform 'Sushi ticket' which is directly handled by affiliated prefectural associations of 'Japan Sushi Restaurant Association'. We eagerly and continuously work to promote this ticket to be used in all the 'Sushi restaurants' affiliated with our association anywhere in Japan. However, our promotion has not been completed yet, and the ticket cannot be used at some restaurants."

(http://sushi-all-japan.com/index_c1.html)

(2) In the website of "BUNKAHOSO KAIHATSU CENTER Inc.", under the headline of "Nationwide amusement park ticket", it is described that "the ticket is available at affiliated leisure facilities across Japan at any time".

(<http://joqr-bkc.ecsv.jp/front/bin/home.phtml>)

(3) In the website of "Flower Gift Card", under the headline of "nationwide flower gift card", it is described that "Flower Gift Card can be used at eflora member stores in addition to Hibiya Kadan stores. Member stores spread all over Japan!".

(<http://www.flowergiftcard.jp/>)

(4) In the website of "Nationwide OKOMEKEN", under the headline of "What is 'OKOMEKEN'", it is described that "OKOMEKEN can be purchased and exchanged at rice shops, supermarkets, and department stores across Japan (cannot be used at some stores)".

(<http://www.zenbeihan.com/okomeken/about/>)

(5) In the website of "TAMAGO GIFT CARD", under the headline of "more and more popular gift card with simplicity and convenience, 'nationwide TAMAGO GIFT CARD'"

would bring joy", it is described that "*available at retail stores and supermarkets across Japan".

(<http://www.tamagoken.or.jp/>)