

Chapter 7: Article 3(1)(v) (Very simple and common marks)

(v) A trademark consisting solely of a very simple and common mark;

1. “Very simple mark”

“A very simple mark” is one whose composition is very simple.

2. “Common mark”

A mark is considered as common when it is commonly used. It is not necessarily required for a mark to be used in a field which handles specific goods or services in order for it to be recognized as a commonly used mark.

(Examples of common marks)

(i) A mark commonly used as a symbol or mark indicating product number, model number, type, form, specifications, etc. of goods or type, grade, etc. of services (hereinafter referred to as “symbols or marks of goods or services”).

(ii) A figure commonly used as an outline

3. Very simple and common mark”

(1) Very simple and common marks include, for example, the following marks;

(a) Numerals

Numerals fall under the provision of this paragraph, in principle.

(b) Roman characters

(i) Trademarks composed of one or two Roman characters;

(ii) Trademarks composed of two Roman characters combined with “-“

(iii) Trademarks to which one or two Roman characters accompanied by “Co.,” “Ltd.,” or “K.K.” are attached

However, this is limited to cases where “Co.,” “Ltd.” or “K.K.” is judged to respectively mean “Company,” “Limited” or “Kabushiki Kaisha.”

(c) Japanese kana characters

(i) Trademarks composed of single Japanese kana character (including modified obsolete katakana characters)

(ii) Trademarks composed of Japanese kana characters recognized to indicate the sound of a single Roman character

(iii) Trademarks composed of Japanese kana characters recognized to indicate the sound of two

Roman characters which are commonly used as symbols or marks of goods or services

(iv) Trademarks with kana characters recognized to indicate the sound a digit or two digits of numerals generate

(Examples) “トウエルブ” (twelve) or “じゅうに” (twelve)

(v) Trademarks recognized to indicate the sound more than two digits of numerals generally generate

(Examples) “ファイブハンドレッドアンドテン” (Five hundred and ten)

(d) Trademarks which include the sound Roman characters or numerals generate

(i) Trademarks which include the sound of a Roman character written in kana characters

(ii) Trademarks which include the sound one-digit or two-digit numerals generate

(e) Trademarks composed of a combination of Roman characters and numerals

(i) Trademarks composed of one or two Roman Characters followed by a numeral

(Examples) A2, AB2

(ii) Trademarks composed of a numeral followed by one or two Roman characters

(Examples) 2A

(iii) Trademarks to which another Roman character is added to the examples mentioned in 1) and trademarks composed of one Roman character to which another numeral is added to the examples mentioned in 2)

(Examples) A2B, 2A5

However, iii) is applicable only to a combination of Roman characters and numerals generally used as symbols or marks of goods or services in a business which handles the designated goods or designated services.

(f) Figures

Figures commonly used as a single straight line, a waved line or an outline (such as  $\triangle$ ,  $\square$ ,  $\circ$ ,  $\diamond$ ,  $\otimes$  and  $\heartsuit$ ), or a shield

(g) Three-dimensional shape


A three-dimensional shape such as globe, cube, rectangular parallelepiped, cylinder, triangular cylinder, etc.

(h) Trademarks with a simple outline encircling characters

Trademarks with a simple outline encircling characters specified from (a) to (e) above fall under “very simple and common marks.”

(2) Marks which do not fall under “very simple and common marks” include, for example, the

following marks

- (a) Trademarks connecting two Roman characters with “&”
- (b) Trademarks with two Roman characters indicated in a monograph like 
- (c) Kana characters recognized to indicate the sound of two Roman characters are judged not to fall under “very simple and common marks” in principle.
- (d) Trademarks with more than two digits of numerals indicated by kana characters representing their sounds but they are not recognized as sounds normally generated  
(Examples) Five ten
- (e) Trademarks indicated in a special mode

#### 4. Sound mark

For single sounds or sounds lasting very short similar to them, this item shall be applicable to the trademark in principle.