APAA 2026, in Hong Kong
Trademark Committee
Group Report - Japan

A. Developments

The revised trademark examination guidelines of the Japan Patent Office have applied to trademark examinations since April 1, 2026, with two main updates. First, for applications eligible for the consent system, parent and subsidiary cases previously handled under Article 4(1)(xi) are now addressed under Article 4(4), alongside companies under common control. Second, the guidelines now expressly address group companies without such control relationships: no likelihood of confusion may be found where their goods or services originate from substantially the same source. Group membership alone is insufficient, and the prior trademark owner's consent is required in both categories.

Illustrative examples of corporate relationships

The following examples illustrate the corporate relationships relevant to the revised Article 4(4) guidelines.

1. Companies in the same group without a direct parent and subsidiary relationship

Sumitomo Mitsui Card Company, Limited holds Registration No. 7046804 for the "三井住友カード" logo (Mitsui Sumitomo Card). The cited trademark, "三井住友" (Mitsui Sumitomo) in standard characters, is registered under No. 4527557 in the name of Sumitomo Mitsui Banking Corporation. The companies belong to the same corporate group but are not in a direct parent and subsidiary relationship. Their coexistence illustrates the relevance of group relationships under Article 4(4), where the goods or services originate from substantially the same source and the cited trademark owner has given its consent.

Applied trademark	Cited trademark
三井住友 カード	三井住友 (in standard characters)

2. A cited trademark owner under the applicant's control

In Registration No. 7075316, the applicant, Kawasaki Heavy Industries, Ltd., relied on its control of Kawasaki Motors, Ltd., the owner of all cited trademarks and a consolidated subsidiary of the applicant. Kawasaki Heavy Industries held 80% of the subsidiary's shares, representing a majority of its voting rights, and therefore controlled the cited trademark owner. This case illustrates the Article 4(4) category in which the cited trademark owner is under the applicant's control. The same treatment also applies

in the reverse situation, where the applicant is under the cited trademark owner's control. The cited trademark owner's consent remains necessary under the consent system.

Applied trademark



Cited trademarks (14 citations)



B. Statistics

1. The number of new applications

Year	No. of new applications	Increase/Decrease
2024	158,792	-
2025	168,114	about 5.87% increase

Comments and /or additional statistics:

2. Average timeframe from filing up to registration

Year	Average timeframe from filing up to registration (months)
2024	Approx. 7.8 (FA=6.8)
2025	Approx. 7.5 (FA=6.6)

Comments and /or additional statistics:

C. CASES

1. "Zoom" Case

Tokyo District Court, April 24, 2026
Case No. 2021 (Wa) 24215
Action for an Injunction against Trademark Infringement and Other Relief

On April 24, 2026, the Tokyo District Court held NEC Networks & System Integration liable for advertising under similar ZOOM marks and assisting Zoom Communications' infringement. Downloadable software fell within the registered goods, "computer programs," and cloud software services were similar to those goods. However, Zoom's widespread recognition eliminated likely confusion from July 2020, defeating an injunction. The court awarded approximately JPY 16.1 million, based on royalties on the reseller's contract sales, excluding equipment and installation sales revenue. Based on the plaintiff's evidence, the court found that the average royalty rate for Class 9 goods was 2.7% of sales. It noted that a rate negotiated following infringement could exceed this average, which includes rates agreed in ordinary licensing arrangements, but did not disclose the rate actually applied. In the related trademark infringement case against Zoom Communications, the court awarded approximately JPY 166.2 million in royalty-equivalent compensation.

Plaintiff's Trademark

Defendant's trademark

2. DHC "DEEP CLEANSING OIL" Trademark Case

IP High Court, February 25, 2026
Case No. 2025 (Gyo-Ke) 10092
Action for Revocation of a JPO Appeal Decision

On February 25, 2026, the IP High Court dismissed DHC's challenge to the refusal of its "DEEP CLEANSING OIL" logo application. The wording described the qualities of cleansing oil, and the rectangular frame and contrasting background added no distinctiveness under Article 3(1)(iii). Although the mark had enjoyed substantial recognition around 2010–2011, acquired distinctiveness under Article 3(2) was not established at the time of the JPO decision. The court considered widespread descriptive use by competitors, declining sales and market share, and the accompanying DHC branding.

