Japan:

APAA 2026, Hong Kong | Trademark Committee

GROUP SUMMARY REPORT

<table>
<tr><td>Developments</td><td>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.</td></tr>
<tr><td>Statistics</td><td>
<table>
<tr><th>Year</th><th>Number of New Applications</th><th>Average timeframe from filing up to registration (months)</th></tr>
<tr><td>2024</td><td>158,792</td><td>Approx. 7.8 (FA=6.8)</td></tr>
<tr><td>2025</td><td>168,114</td><td>Approx. 7.5 (FA=6.6)</td></tr>
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New applications increased by approximately 5.87% in 2025 compared with 2024.
FA = first action. All timeframes are in months.
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<tr><td>Cases</td><td>
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: 
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Cases (continued)	**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. 