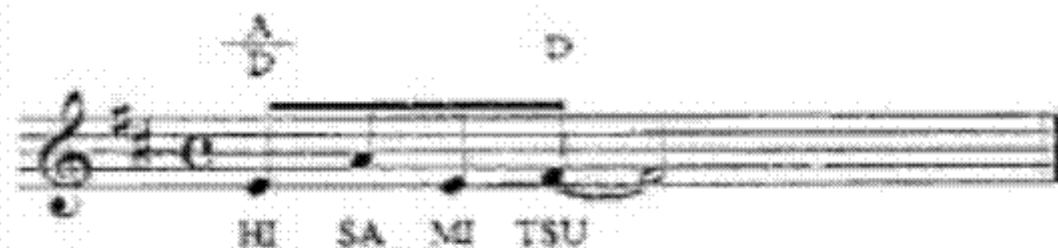


“Non-traditional Trademarks” (Starting from April 2015)

The scope of trademark protection has been expanded to include sounds, color marks, motion marks, hologram marks, and position marks.

Examples:

Sound: The notes used by the Hisamitsu Corporation in their “jingle” may now be trademarked



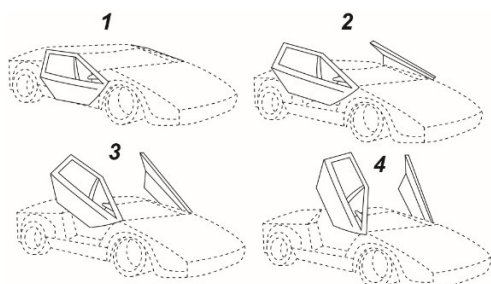
The music, voice or natural sound(s) is recognized by the sound itself. The musical notes or a sonogram of the music, voice or natural sound(s) are submitted along with the trademark application, and while they may not be readily understood visually, the sound they indicate would be readily understood and identified with a particular company or product.

Color marks:



Color marks consist of colors (generally defined by the RGB Color Chart or other color charts used in the market) and a detailed description of the physical positioning and arrangement of the colors in association with each other is required. The secondary meaning (distinctive, well-known product or logo) of the arrangement and design of the color(s) must be described by the applicant.

Motion marks:



A motion mark is a mark in which a two- or three-dimensional spatial change of the figure

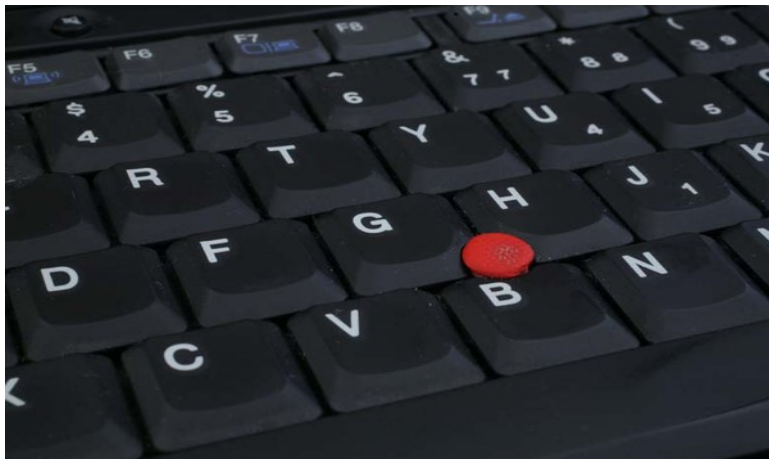
occurs over time, giving the impression of movement or demonstrating how a particular object may move, i.e., in the above example, the motion indicates the direction and manner in which the vehicle's doors may open.

Hologram marks:



A hologram mark has a different image when viewed at different angles. The shape and/or the color change visually.

Position mark:



A position mark consists of figures and the positions of the figure. The figurative element in the mark may not be in itself distinctive, however, when attached to a product or other object, the mark becomes distinct and obvious in a particular position. The black dot in the above example indicates the cursor control of a keyboard, although, alone it would simply be seen as a black dot.

Regional Collective Trademarks

In order to promote regional brands, focusing on their unique characteristics, flavors,

tradition, culture, etc., and distinguishing them from similar products from other geographical regions, trademarks are now permitted based on the geographical name/location from where the product is produced/derived. The regional name is often combined with the product name in some manner.

The application for the registration of trademarks has been revised to include commerce and industry associations, chambers of commerce and industry, and NPOs.

In numerous cases, locally produced products have generations-long history in a specific geographical location, but have not been able to protect their product or prevent unauthorized use of their product's/locality's name by third parties.

A regional collective trademark is warranted if the following are satisfied:

- (i) The applicant or its members are using the trademark in an application.
- (ii) The trademark in an application is well known among consumers.
- (iii) The trademark is well known among consumers as indicating the goods or services pertaining to the business of the applicant or its members (Article 7-2).