

## 2017-8(212)-1

### Cancellation

|               |                      |    |                  |           |
|---------------|----------------------|----|------------------|-----------|
| 2016-30050C ㄱ | 5 RocheDiz Daiichi   | 69 | ハーモニー<br>HARMONY | No        |
| 2016-30017C ㄱ | 35 Daihats VegasV    | 73 | ベガス (VEGAS)      | Cancelled |
| 2016-300604 ㄱ | 709 TanakaAl Akim KK | 81 | SmartBonder      | No        |

### Invalidation

|               |                    |    |                         |             |
|---------------|--------------------|----|-------------------------|-------------|
| 2014-890093 ㄱ | 25 KokusaiK OyamaK | 95 | 極真会館<br>KYOKUSHINKAIKAN | Invalidated |
|---------------|--------------------|----|-------------------------|-------------|

### Appeal

|             |             |     |                    |           |
|-------------|-------------|-----|--------------------|-----------|
| 2017-2096 ㄱ | 35 Albion K | 129 | TERRARIUM<br>テラリウム | ≠ Trarium |
|-------------|-------------|-----|--------------------|-----------|

### Cancellation

|               |                   |     |  |                     |
|---------------|-------------------|-----|--|---------------------|
| 2015-300946 ㄱ | 12 ToyoRubi TOKYO | 143 | トヨモト<br>TOYOMOTO                                       | N T <u>TOYOMOTO</u> |
| 2016-16117 ㄱ  | 354244 MRT kk     | 179 | 医師ドットコム<br>(Doctor.com)                                | Y                   |
| 2016-10218 ㄱ  | 9 YEC Solu        | 209 | SeaGull-LC   | = SEAGULL           |
| 2016-14643 ㄱ  | 36 AQUA St        | 227 | アクア少額短期保険<br>AQUA Small Amount<br>ShortPeriodInsurance | = アクア<br>(AQUA)     |
| 2017-8460 ㄱ   | 3 GlobalSty       | 249 | LUFT   | ≠ RAFT/ラフト          |
| 2017-1166 ㄱ   | 21 BunGann        | 251 | HYBRIDPUFF<br>ハイブリッドパフ                                 | Y                   |
| 2017-6234 ㄱ   | 12 OharaIro       | 253 | FUZIN  | ≠ WHOZIN/フウジン       |

## 2017-8(212)-2

### Invalidation

|               |                       |     |            |    |
|---------------|-----------------------|-----|------------|----|
| 2016-89005C ㄱ | 70937 Nakamura HasukB | 329 | auto/mower | No |
|---------------|-----------------------|-----|------------|----|

### Appeal

|               |               |     |                              |                                 |
|---------------|---------------|-----|------------------------------|---------------------------------|
| 2015-650035 ㄱ | 14 incasel I  | 359 | HONEYGOLD                    | No                              |
| 2016-650051 ㄱ | 53542 IGENBI( | 373 | iBalance Advanced<br>+Design | ≠ アイ・バランス、アイバランス<br>(I Balance) |

### Opposition

|               |                        |     |        |        |
|---------------|------------------------|-----|--------|--------|
| 2016-900296 ㄱ | 1237 VolksWag Gogoro I | 407 | PIT-UP | ≠ UP ! |
|---------------|------------------------|-----|--------|--------|

## Fumihiko HIROSE

50 Use as「DuPont Harmony 75DF」 in single line Katakana and is admitted as a use of the identical mark under the view of common sense.

50 The mark is using in the form of「VEGASVEGAS」 which is not admitted as the use of registered mark in view of common sense.

50 Use Katakana「スマートボンダー」and admitted as a use of the identical mark under the view of common sense.

⑦ The registrant is inheritor of MasOYAMA but is not considered to inherit the main body of Kokushinkaikan position(activity).

⑪ The difference in the initial sound [te]vs[to] makes the pronunciations as a whole distinguishable.

50 Designs are recognized as common in personification but way of modification differs and is not admitted as the use of registered mark in view  
⑥⑦ Doctor.com in Katakana doesn't directly remind us「Website providing information relating to Doctor」.

⑪「LC」 is evaluate as product number or code which has no distinctiveness.

⑪ The word「SmallAmount ShortPeriod Insurance」 is daily used in the market. is daily used in the market.

⑪ The pronunciation of LUFUT is[luft]which is different from [raft]in initial sound and is considered distinguishable.

③ The word remind us hybrid sponge toiletry but is not directly describe the exact nature of goods.

⑪ The pronunciations of two marks are the same, but the meaning and appearance are dissimilar and is not considered confusingly similar.

## Hidefumi SUEOKA

3③ The word「mower」is not used to represent lawn trimmer in the market. The letters are stylized.

3③「HONEYGOLD」 is daily used to represent gold color like honey.

4⑪ The mark in question is recognized as inseparable one word and only pronunciation [aibaransadvansd]as a whole will arise.

4⑪⑮ The mark applied for is recognized as inseparable coined word.

|               |                              |  |    |  |   |
|---------------|------------------------------|--|----|--|---|
| 2016—90038C 絛 | 14 RecordW MusicSe 417       | OTEMACHI RECORD<br>(with Design)                 | ≠  | RECORD   | 4⑪ The mark applied for is considered inseparable as a whole.   |
| 2016—900387 絛 | 33 Roadstar Conster; 421     | WILD GRACE                                       | ≠  | WILD GEESE                                     | 4⑪⑮ Both marks give rise the pronunciation as a whole. No likelihood of confusion.  |
| 2016—900395 絛 | 3543 Matel Inc Palnibar; 425 | Salon BARBIES<br>(with Design)                   | ≠  | BARBIE   | 4⑮⑲ Both marks give rise the pronunciation as a whole. No likelihood of confusion. No unfair intention found.                               |
| 2017—900029 絛 | 14 Longines' Flagship 455    | Flagship   | vs | Flagship                                       | 4⑮ The submitted evidence is not sufficient to show that the cited mark had acquired fame at the time of filing date.                       |
| 2017—90004C 絛 | 30 RoyceCo Nishimot 459      | アドベントクリスマスカレンダー<br>/Advent Christmas<br>Calendar | ≠  | ADVENTCALENDER<br>/アドベントカレンダー、<br>ADVENT/アドベント | 4⑪⑮ Both marks give rise the pronunciation as a whole. The cited mark was not well known.   |
| 2016—900392 絛 | 9 PitDesigr SPOT K 483       | SmartPark  | vs | smartpark                                      | 4⑩⑮ The cited mark is not well-known in the market and there is no likelihood of confusion.   |
| 2017—90002C 絛 | 9 深セン市 真田 ー 493              | VR SHINECON                                      | vs | VR SHINECON                                    | 4⑩⑮⑲ The marks are identical but it is not recognized that the cited mark has acquired the fame in Japan and outside Japan.                 |
| 2016—900307 取 | 18 Descente ユームナ 515         | UMBROID  | vs | umbro、UMBRO                                    | 4⑮ 「ID」added in the end has poor distinctiveness under internet service. UMBRO has acquired the fame among fashion related market including |
| 2016—900352 取 | 30 EsakiGlic FujiTrad 525    | シューコロ<br>(Choux Colon)                           | =  | コロ/COLLON、<br>COLLON、コロ                        | 4⑪ 「chaux」represents configuration of gateau. Distinctive portion of the mark is 「COLON」.   |
| 2016—90022C 絛 | 10 EdwardLi TeunMei 537      | PERIBORN   | ≠  | PERIMOUNT、PERI<br>etc                          | 4⑩⑪⑮⑲ 「PERIMOUNT」as a whole is famous but 「PERI」is not considered as an abbreviation of the famous mark. No likelihood of arising           |
| 2016—900379 絛 | 3 SeraUB ーUSTYLE 557         | SISLOY   | ≠  | sisley、シスレー                                    | 4⑮ The cited mark is not well-known in the field of Cosmetics. The pronunciation as a whole is different and no likelihood of confusion.    |
| 2017—900009 絛 | 35 VorksWa; Yamabu; 563      | V&W  | ≠  | VW(design)、VW                                  | 4⑪⑮§8 I No sound arise from the mark「VW」. V&W is not pronounced as 「VW」 and is considered dissimilar in pronunciation.                      |
| 2014—900335 取 | 3 DrClabo  QueenIn 597       | Dr.Coo<br>AQUA COLLAGEN GEL                      | =  | Dr.Ci:Labo/AQUA-<br>COLLAGEN-Gel(D)            | 4⑪ 「AQUA COLLAGEN GEL」is recognized as distinguishable pet mark and the form 「Dr * * *」is the same and thus considered confusingly similar. |
| 2016—685024 絛 | 33 GrupoBel CODORI 605       | DULCE ANNA/ (Desin)<br>ANNA                      | ≠  | SAINTA ANA                                     | 4⑪⑮ The cited mark is pronounced [santa ana] as a whole. The citation is not considered well-known and no confusion will arise.             |

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