

***MAEDA & SUZUKI***  
**PATENT Co., LTD.**

***TRADEMARK ROOM***

MADRID PROTOCOL

When you receive a notification for provisional refusal from Japan Patent Office through WIPO, please be advised as follows;

1. Term to respond

A response to the provisional refusal must be filed within three months from a date of pronouncement forwarded.

2. Extension of term

In normally, a resident abroad is allowed for obtain one month extension for responding to the provisional refusal. For this case, the extension procedure must be made through your Japanese associate with filing an executed power of attorney.

3. Cost for extension

The cost for filing extension for the term is 2,100yen official fee. And sometimes Japanese firm charges their service fee from 5,000yen to 10,000yen for preparing and filing the extension. However, we will not charge our service fee for filing a request for extension, if you authorize us for responding to a Japanese provisional refusal.

4. Reasons of provisional refusal

In generally, reasons of provisional refusal can be categorized into following three reasons;

- 1) Goods/Services in one class is too broad, namely, over eight sub-classes in one class.
- 2) Description of Goods/Services is not sufficient, such as unclear or too vague.
- 3) The mark filed is similar with prior registered mark or applied mark currently pending. It is pretty difficult to analyze as to why the proposed

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mark is similar to the cited mark(s). For this case, it is necessary to analyze not only similarity for the marks, but also similarity for the goods/services. However, JPO IPDL (Intellectual Property Digital Library) does not include English translation for designated goods/services for prior registered trademark.

## 5. Our services

We may provide our best services for foreign associates who have received a provisional refusal from JPO, analysis of the refusal and how to proceed for obtaining registration in Japan, from our over 10years professional experience for foreign clients.

## 6. Cost

We are confident for most reasonable cost for preparing and filing amendments/argument for a provisional refusal. One example, we charge our service fee for filing amendment in English is from JPY30,000 to JPY80,000 which is very reasonable cost for foreign clients (normally, other Japanese firms normally charges JPY80,000 to JPY100,000yen).

## 7. Conclusion

Please feel free to contact us, if you need any professional opinion for responding to the provisional refusal. We may provide our best services with very reasonable cost.

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