

Industrial Design HomePage
意匠専用ホームページ



TradeMark HomePage
商標専用ホームページ



T O P I C

1. Vietnam, Samoa and Israel Join the Hague Agreement

ベトナム、サモア、イスラエル ハーグ協定加盟

2. Background to New Recruitment of Trademark Examination Assistants

商標審査官補の新規募集にある背景



Vietnam, Samoa and Israel Join the Hague Agreement ベトナム、サモア、イスラエル ハーグ協定加盟

On the following dates, Vietnam, Samoa and Israel deposited their instruments of ratification of the Geneva Act (1999) of the Hague Agreement on International Design Registrations with the director of the World Intellectual Property Organization (WIPO), Mr. Francis Gurry.

Vietnam: September 30, 2019

Samoa: October 2, 2019

Israel: October 3, 2019

As a result, Vietnam will become the 61st member of the Geneva Act and the 71st member of the Hague Agreement. Samoa will be the 62nd member of the Geneva Act and the 72nd member of the Hague Agreement and Israel will be the 63rd member of the Geneva Act and the 73rd member of the Hague Agreement.

The 1999 Geneva Act will come into force in each country respectively on the following dates, after which it will become possible to request protection for designs under the Hague Agreement in said countries.

Vietnam: December 30, 2019

Samoa: January 2, 2020

Israel: January 3, 2020

Declarations by each country based on the 1999 Act and joint regulations are as follows.

Vietnam

- Common regulations Rule 9(3)(a): Requirement of specified views
- Article 5(2)(b)(ii): Brief description of the characteristic features of an industrial design
- Article 5(2)(b)(iii): Claims
- Article 11(1)(b): Law of Vietnam does not provide for the deferment of the publication of an industrial design
- Article 13(1): Special Requirements regarding unity of design
- Common regulations rule 12(1)(b)(iii): standard designation fee: level three
- Article 17(3)(c): Maximum duration of protection

Samoa

- Article 11(1)(a): Law of Samoa provides for deferment of the publication of an industrial design for a period which is less than the prescribed period
- Article 17(3)(c): Maximum duration of protection

Israel

- Article 4(1)(b): International applications may not be filed through the Israel Office
- Article 7(2): Individual designation fee
- Article 11(1)(a): Law of Israel provides for deferment of the publication of an industrial design for a period which is less than the prescribed period
- Article 17(3)(c): Maximum duration of protection
- Common regulation 18(1)(b): Prescribed period for notification of refusal: 12 months

2019年9月30日にベトナム政府、10月2日にサモア政府、10月3日にイスラエル政府が、ハーグ協定のジュネーブ改正協定（1999年）の加盟書をWIPO事務局長Francis Gurry氏に寄託した。

これにより、ベトナムは1999年改正協定の61番目の加盟国、及びハーグ同盟の71番目の加盟国となり、サモアは1999年改正協定の62番目の加盟国、及びハーグ同盟の72番目の加盟国となり、イスラエルは1999年改正協

定の63番目の加盟国、及びハーグ同盟の73番目の加盟国となる。

1999年改正協定は、ベトナムにおいて2019年12月30日に、サモアにおいて2020年1月2日に、イスラエルにおいて2020年1月3日に発効し、これ以後これらの国に対して、ハーグ制度を通じて意匠の保護を求めることができる。

各国の1999年改正協定及び共通規則に基づく宣言

ベトナム

共通規則第9規則(3)(a) : 特定の図の要求

第5条(2)(b)(ii) : 意匠の特徴についての説明

第5条(2)(b)(iii) : 請求の範囲

第11条(1)(b) : 公表の延期規定無し

第13条(1) : 意匠の単一性に関する特別の要件

共通規則第12規則(1)(b)(iii) : 標準指定手数料 等級3

第17条(3)(c) : 保護の存続期間

サモア

第11条(1)(a) : 公表の延期は所定の期間より短い

第17条(3)(c) : 保護の存続期間

イスラエル

第4条(1)(b) : イスラエル官庁を通じた国際出願はできない

第7条(2) : 個別指定手数料

第11条(1)(a) : 公表の延期は所定の期間より短い

第17条(3)(c) : 保護の存続期間

共通規則第18規則(1)(b) : 12カ月の拒絶通報

Background to New Recruitment of Trademark Examination Assistants 商標審査官補の新規募集にある背景

In recent years, there has been an increase worldwide in the number of trademark applications filed. Statistics indicate that there has been a sharp upturn in applications since 2016. Japan has also seen an increase in applications, with around 190,000 filed in 2017. The number of applications filed in 2018 was around 1.6 times

the number filed in 2013. (See the chart below. Source: Ministry of Economy, Trade and Industry (METI) website (<https://www.meti.go.jp/press/2019/10/20191003002/20191003002.html>)).

However, with an increase in applications there is naturally also an increase in delays to examinations, and as a result it is easy to suppose that the acquisition of rights too will be delayed. In Japan, the average time from application to rights acquisition was 6.8 months in 2016, but by 2018 this had increased to 9.3 months, an increase of almost three months.

With this in mind, the Japan Patent Office (JPO) has begun recruiting trademark examination assistants from the public, on a fixed-term basis. In the same way as the projects the Japan Patent Information Organization (JAPIO) is entrusted by the JPO, the aim appears to be to increase efficiency of work and speed of examinations by drawing on the skills of the public.

If future statistics show a decrease in the length of time required from application to right acquisition, it may spur a further increase in the number of applications filed.

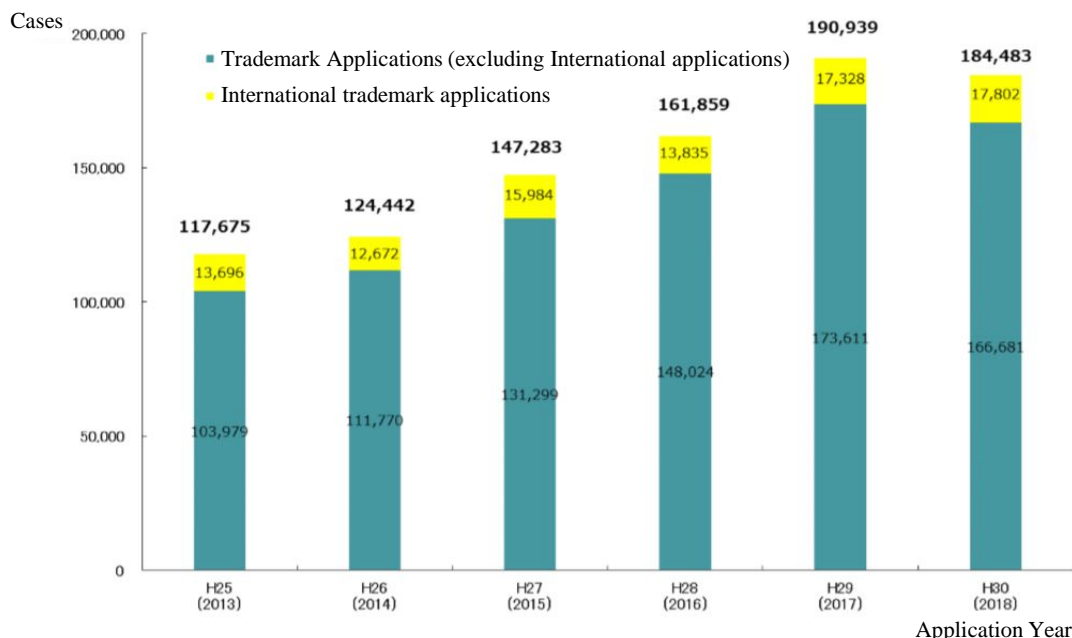


Image: Changes in numbers of trademark applications in Japan (source: METI website)

近年、商標の出願は世界的に増加傾向にある。統計を見る限り、2016年を皮切りに急上昇している。出願数

の増加は日本も同様であり2017年には約19万件の出願があり、2013年から2018年にかけて出願件数は約1.6倍に増加した。

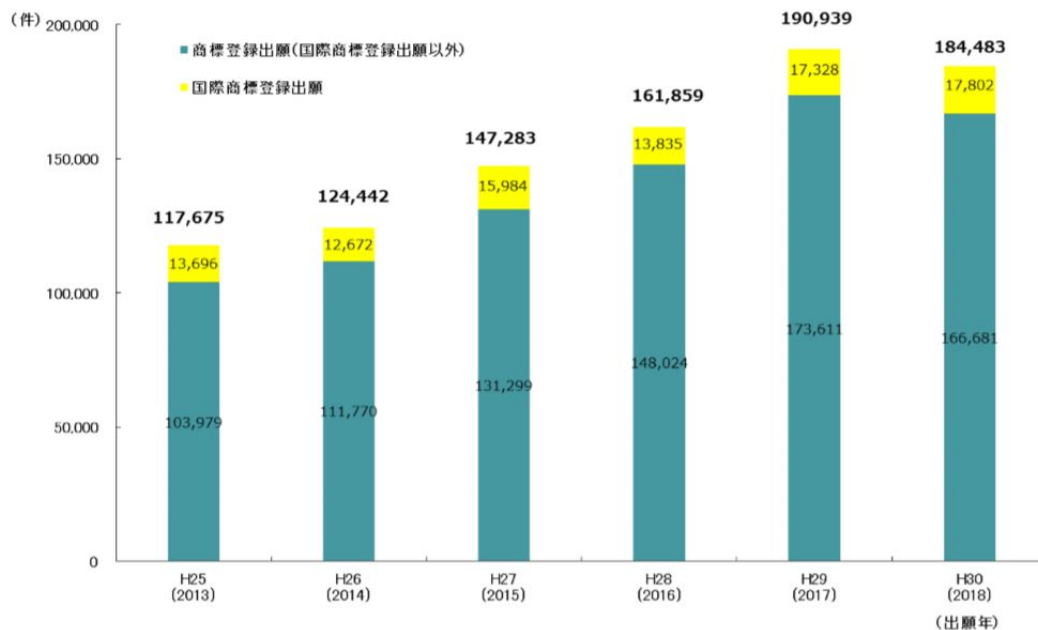
(下図参照／引用元：経済産業省HP→

<https://www.meti.go.jp/press/2019/10/20191003002/20191003002.html>)

しかし、出願件数が増えると自ずと審査の着手が遅れていき、結果として出願からの権利化は遅くなるのは容易に想像できる。日本では、2016年度は平均6.8か月で権利化に至っていたものが、2018年度では平均9.3か月と、約3ヶ月近く延伸している。

これを受けて、特許庁は民間から（任期付きで）商標審査官補の募集を始めた。日本特許情報機構（JAPIO）が特許庁から受託したプロジェクトと同様に、民間を活用することで業務の効率化・審査の迅速化を図っていると思われる。

今後の統計で、出願からの権利化要す期間が短縮される結果が出れば、今後の出願件数の増加に拍車がかかると思われる。



図：日本における商標登録出願件数の推移（引用元：経済産業省HP）



Please contact us if you have any comments or require any information.

Please acknowledge that the purpose of our column is to provide general information on the field of intellectual property, and that the description here does not represent our legal opinion on a specific theme.

Please visit our facebook pages below.

Our Legal Department on Facebook
法務部Facebook

Our legal departments based in Osaka and Tokyo provide information on trademark applications, design applications, combating counterfeit goods etc. via Facebook. Please view our Facebook page for more details.

大阪・東京に拠点を置く法務部のFacebookにて、商標出願・模倣品対策・意匠出願などの知財に関する情報を発信しております。ぜひご覧下さい。

[More information](#) [詳細はこちらへ](#)

HARAKENZO WORLD PATENT & TRADEMARK
特許業務法人HARAKENZO WORLD PATENT & TRADEMARK

Our Hiroshima Office on Facebook
広島事務所Facebook

Our Hiroshima Office's Facebook page provides useful services for Hiroshima prefecture and the rest of the Chugoku and Shikoku regions, with constant IP information updates. Please find us on Facebook.

広島事務所のFacebookにて、広島県を含む、中四国地域の皆様に有用と思われる知財情報を随時発信しております。ぜひご覧下さい。

[More information](#) [詳細はこちらへ](#)

HARAKENZO WORLD PATENT & TRADEMARK HIROSHIMA OFFICE
特許業務法人HARAKENZO WORLD PATENT & TRADEMARK 広島事務所

Below are links to further IP information.

BIO IP Information <hr/> バイオ知財情報	IT IP Information <hr/> IT知財情報	IoT × AI Support Station <hr/> IoT×AI支援室
Food & Medical Business Support Station <hr/> 食品×医療支援室	Major & Emerging Economic Powers <hr/> 諸外国知財情報	TPP I.P. Chapter <hr/> TPP知財情報

TOKYO HEAD OFFICE

ADDRESS:
 WORLD TRADE CENTER BLDG. 21F
 2-4-1, HAMAMATSU-CHO, MINATO-KU,
 TOKYO 105-6121, JAPAN

TELEPHONE:
 +81-3-3433-5810 (Main Number)

FACSIMILE:
 +81-3-3433-5281 (Main Number)

WEBSITE:
<http://www.harakenzo.com>
<http://trademark.ip-kenzo.com>
<http://design.ip-kenzo.com>
<http://www.intellelution.com>

E-MAIL:
iplaw-tky@harakenzo.com



OSAKA HEAD OFFICE

ADDRESS:
 DAIWA MINAMIMORIMACHI BLDG.,
 2-6, 2-CHOME-KITA, TENJINBASHI, KITA-KU,
 OSAKA 530-0041, JAPAN

TELEPHONE:
 +81-6-6351-4384 (Main Number)

FACSIMILE:
 +81-6-6351-5664 (Main Number)

WEBSITE:
<http://www.harakenzo.com>
<http://trademark.ip-kenzo.com>
<http://design.ip-kenzo.com>
<http://www.intellelution.com>

E-MAIL:
iplaw-osk@harakenzo.com



OSAKA 2nd OFFICE

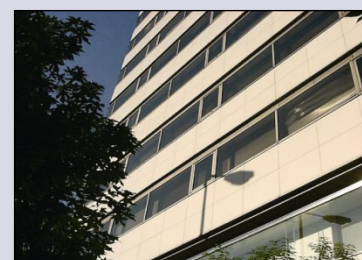
ADDRESS:
 MITSUI SUMITOMO BANK
 MINAMIMORIMACHI BLDG., 1-29,
 2-CHOME, MINAMIMORIMACHI, KITA-KU,
 OSAKA 530-0054, JAPAN

TELEPHONE:
 +81-6-6351-4384 (Main Number)

FACSIMILE:
 +81-6-6351-5664 (Main Number)

WEBSITE:
<http://www.harakenzo.com>
<http://trademark.ip-kenzo.com>
<http://design.ip-kenzo.com>
<http://www.intellelution.com>

E-MAIL:
iplaw-osk@harakenzo.com



HIROSHIMA OFFICE

ADDRESS:
 NOMURA REAL ESTATE
 HIROSHIMA BLDG. 4F
 2-23, TATEMACHI, NAKA-KU, HIROSHIMA
 730-0032, JAPAN

TELEPHONE:
 +81-82-545-3680 (Main Number)

FACSIMILE:
 +81-82-243-4130 (Main Number)

WEBSITE:
<http://www.harakenzo.com>
<http://trademark.ip-kenzo.com>
<http://design.ip-kenzo.com>
<http://www.intellelution.com>

E-MAIL:
iplaw-hsm@harakenzo.com



NAGOYA OFFICE

ADDRESS:
 GLOBAL GATE 9F, 4-60-12 HIRAIKE-CHO,
 NAKAMURA-KU, NAGOYA-SHI, AICHI
 453-6109, JAPAN

TELEPHONE:
 +81-52-589-2581 (Main Number)

FACSIMILE:
 +81-52-589-2582 (Main Number)

WEBSITE:
<http://www.harakenzo.com>
<http://trademark.ip-kenzo.com>
<http://design.ip-kenzo.com>
<http://www.intellelution.com>

E-MAIL:
iplaw-ngy@harakenzo.com

