

**\* Visual Similarity of Word Marks**

**[Visual similarity]**

Visual similarity is one of the criteria in judging similarity of trademarks. It is often used among device marks and designed trademarks of letters or characters, but it is also important in judging similarity among trademarks consisted of only letters of characters. We have listed some interesting cases as follows.

Similarity (= : Similar, X : Dissimilar)

Trademark	Similarity	Cited Trademark	Class	Case No.	Memo
CyberShoot	=	Cyber-shot	9	2003-90624	Judged as similar visually since the differences between these two marks were minor as shown below. existence of hyphen "S" (capital letter) or "s" (small letter) the number of "o"
CEREBROL	=	CEREBCOL	5	2002-90909	The difference of the two marks is only whether the sixth letter out of eight is "R" or "C".
GUMCURE	=	GUMCARE	3	2002-90575	The difference of the two marks is only whether the fifth letter out of seven is "U" or "A".
RICHARD	=	RICARD	Old28	H02(1990)-21555	Judged as similar visually since the existence of "H" is the only difference.
RONDRA	=	RONDA	Old23	S55(1980)-18832	Usually, trademarks used in respect of a wristwatch are indicated on tiny space of the dial. Accordingly, the difference of "R" before A is easy to be missed and these two marks were judged as similar visually.
	=		9	2007-900191	
IPEA	=	IPIA	3	2008-18455	
S! Movie	X	S! (device)	9	2007-16677	「S! Movie」 is consisted of equally-spaced letters of the same size and of the same font, so it should be recognized as 「S! Movie」 as a whole, not 「S!」 independently.
CROSSXBEAM	X	CROSSBEAM	9	2004-23303	The existence of "X" in the middle distinguishes between these two marks.
COMFORTREL	X	COMFOREL	22	2002-90859	Judged as dissimilar in appearance because of the existence of two letters, "TR".