

*** Hyphen 「-」, Slash 「/」 and Center Dot 「·」**

[Distinctiveness]

When a mark is consisted of more than three alphabetical letters combined with hyphen, 「/」 diagonal or 「·」 centered, the Examiners often reject such marks because of lack of distinctiveness since these letters are sometimes used as a part number or a model number. On the other hand, on appeal against decision of rejection, there is a high possibility that the mark will be registered in case these letters are not actually used as a part number or a model number in the actual market place.

[Similarity]

When a mark contains hyphen, 「/」 diagonal or 「·」 centered, the trademark seems separated with these signs into two parts and so if examiners find a related trademark which is identical with or similar to one of two parts of the subject mark, the related trademark is often considered to be confusingly similar with the subject mark as a whole. On the other hand, on appeal against decision of rejection, it is sometimes held that two marks are distinguishable, in case the subject mark is consisted in a harmonized manner even if the mark contained symbols such as hyphen, diagonal and centered.



(1) Hyphen

Distinctiveness(: Distinctive, X : Not distinctive)

Mark	Classes	Distinctiveness	Case No.	Memo
MULTI-IM	1,5,10		2007-1021	
H-UV	3		2007-900266	
FG-8F	24		2006-18069	
SK-SG	24		2006-11143	
MR-G	14		2004-15643	
SK-	41,44		2004-21961	
Ex-QC	9		2004-16061	
EZ-EG	15		2002-16841	
i-PS	9,38		2001-22878	
i-shelf	20		2003-9580	
MFP-BOX	9		2003-9009	
B-BOOTS	25		2003-13301	
AO-DVD	9		2002-17976	
G-PX Town bag	12	X	2007-29936	
DR-G	3	X	2004-24867	
X-HT	28	X	2006-3044	
V-UP	9	X	2006-17708	
HF-W	9	X	2005-4933	
N-7030T	6	X	2005-10118	

Similarity (= : Similar, X : Dissimilar)

Mark	Similarity	Cited mark	Class	Case No.	Memo
W-WIN	X	J-WIN	25	2008-6442	
X-CEL	X	CEL	6	2007-6103	
ASN-J	X	ASN	36	2007-15551	
D-MAX	X	MAX	9	2007-26341	
I-LINE	X	Z-LINE	7	2007-20740	
I-CON	X	T-CON	9	2007-20741	
i-FARE	X	FARE	9	2007-28565	
I-KISS	X	KIS	9	2007-9427	
P-CHANCE	X	CHANCE	35	2007-9176	
U-BRAIN	X	BRAIN	9	2007-28892	
V-BALANCE	X	BALANCE	28	2007-900460	



C-STYLE	X	STYLE	36,37	2006-29025	
T-SCOPE	X	SCOPE	42	2006-14200	
C-LOGGER	X	J-LOGGER	9,16,42	2006-14295	
W-SIM	X	E-SIM	42	2006-22116	
SI-POD	X	POD	9	2006-24035	
G-DASH	X	DASH	9	2005-2533	
J-BILLING	X	BILLING	9	2005-24432	
P-Watcher	X	Watcher	9	2004-22451	
	X		25	2004-89121	「 SP-D 」 does not function as a indication of the source of the goods.
B-win	X	WIN	9	2003-3856	
MAP-CA	X	GP-MAO	9	2002-5471	
T-Info	X	IP-Info	9	2002-13109	
i-CHECK	X	L-check	5	2002-90087	
EZ-START	X	START	7	2002-14343	
C-Office	X	I-OFFICE	9	2002-22128	
m-solution	X	solution	35	2001-2460	
NAVI-STAR	X	NAVI	10	2001-6482	
UNI-Q	X	UNI	9	2000-17795	
CGS-VIEW	X	VIEW	9	2000-196	
CAPS-MRAC	X	キャプス CAPS	9	2000-90530	
C-ISAM	X	ISAM	11	H11-2420	
XL-PEARL	=	PEARL	1	2005-11705	
i-enabler	=	Enabler	9	2005-12911	
AQUA-RX	=	AQUA	5	2004-90563	
h-kokusai	=	Kokusai	9	2002-24144	
D-TEC	=	tec	9	H11-18737	

(2) 「 / 」 Diagonal

Distinctiveness (: Distinctive, X : Not distinctive)

Mark	Class	Distinctive	Case No.	Memo
S/PDF	9		2006-3603	
10/2	14		2006-13191	
10//2	14		2006-13192	
T/Z	28		2002-8624	
Z/VM	9		2002-7433	
La/Us	3		2001-22557	

Similarity (= : Similar, X : Dissimilar)

Mark	Similarity	Cited mark	Class	Case No.	Memo
S/PDF	X	PDF	9	2006-3603	
D/Smart	X	smart	9	2003-7707	
	X		14	2002-90184	
DAP/DAN	X	DNA	9	2001-20717	

(3) 「・」, Centered dot

Distinctiveness(= : Distinctive, X : Not distinctive)

Mark	Class	Distinctiveness	Case No.	Memo
C・CO	6		2006-28286	
A・BF	3		2003-90625	
EM・Z	4		2004-25920	
EM・Z	32		2002-5117	
Card EX・E	16		2000-3901	

Similarity (= : Similar, X : Dissimilar)

Mark	Class	Cited mark	Class	Case No.	Memo
P・FOAM	=	FORM	16	2002-1294	
M・SPEC	X	SPEC	12	2002-12948	
Full・Refre	X	Refre	42	2001-23377	