



Trademark Registration in Japan

From Anime to the Metaverse:
Protecting Non-Traditional Trademarks
and Virtual Goods in Japan

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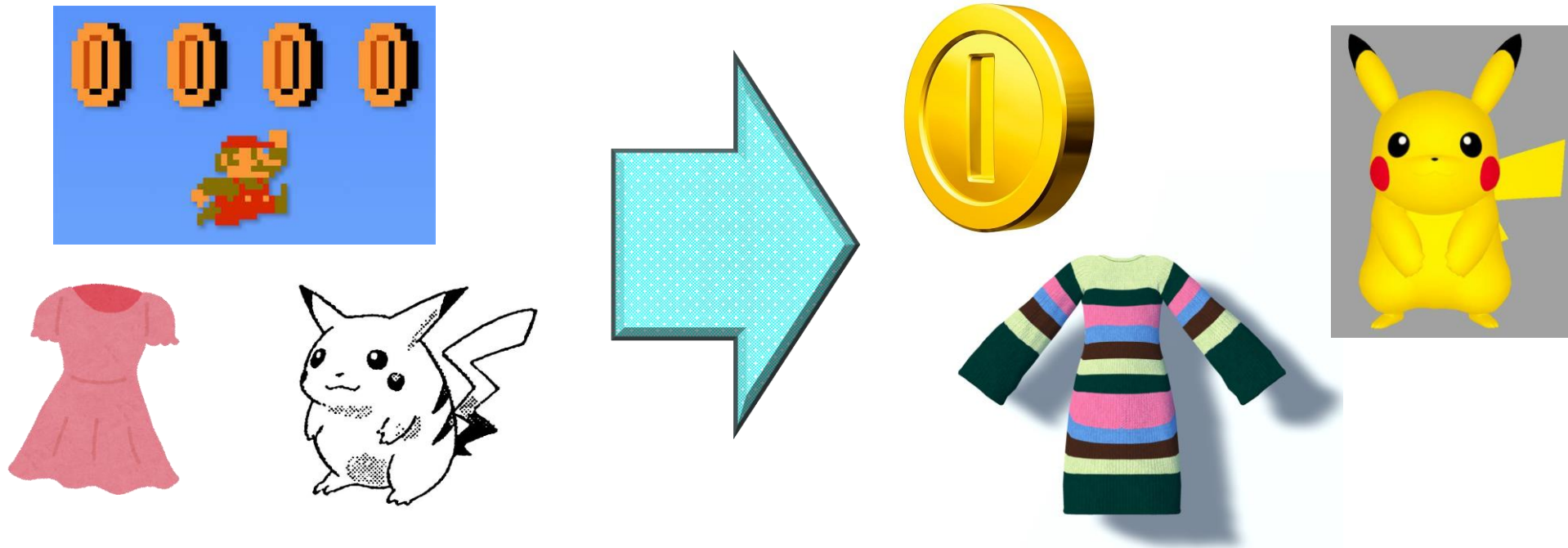
Contents

1. What Is Protected in the Virtual Space?
2. Application Strategy in Japan
3. Similarity Dynamics:
Real vs. Virtual & Virtual vs. Virtual
4. Evolution of the Consent System
5. Navigating AI and Trademark Law
6. Conclusion & Actionable Advice



From Non-Traditional to Virtual: Shifting the Protection Frontier

The frontier of protection is expanding from sound and motion to 3D digital data of virtual goods.



Application Strategy in Japan: Class Strategy Matters

Virtual goods registration is already operational.
Accurate specifications are critical.

JPO Guidelines on Virtual Goods (Revised Jan 2025)

Class 9:
Downloadable
virtual clothing



Class 41:
Providing online images
of clothing for use in
virtual spaces



Actual Registration Examples in Japan: NIKE and ZOZO

Japan already accepts trademark protection for virtual goods under current law.



Right holder: NIKE

NIKE (Reg. No. 6724266)

- Class 9: downloadable computer programs featuring virtual footwear, sports shoes, clothing, etc. for use in online virtual worlds
- Class 35: retail services for downloadable images/videos featuring such virtual goods
- Class 41: provision of non-downloadable images/videos of virtual footwear, sports shoes, clothing, etc. for use in virtual spaces



Right holder: ZOZO

RVNL (Reg. No. 6753277)

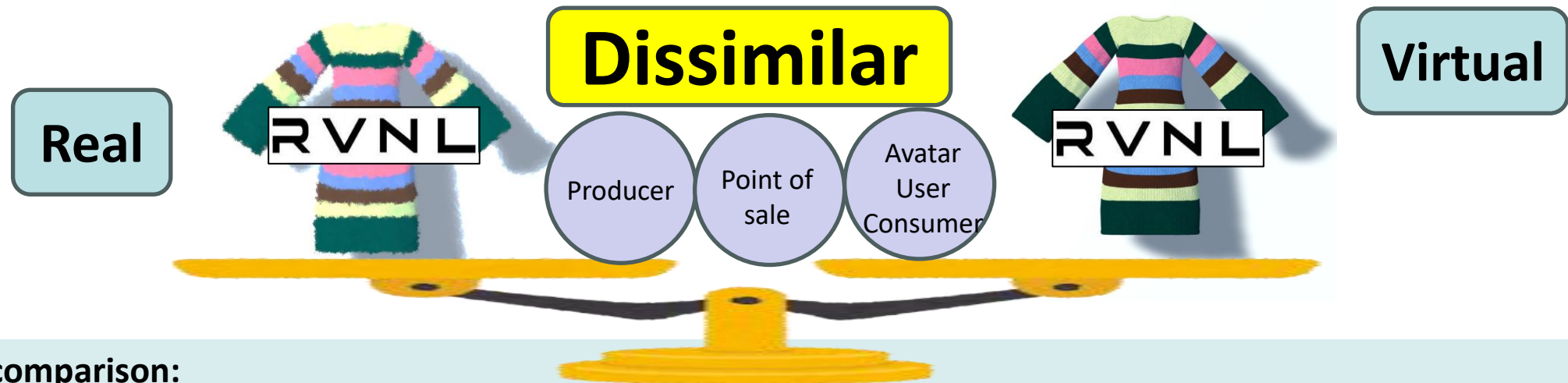
Class 9 / 35 / 41 / 42 covering clothing, hats, footwear, etc. for use in online virtual, AR, and MR environments

Real-World vs. Virtual Goods: The "Generally Dissimilar" Principle

[IMPORTANT]

Examination: Real-world and virtual goods are generally presumed **dissimilar**.

Enforcement: Existing physical registrations alone are generally insufficient to protect virtual goods.



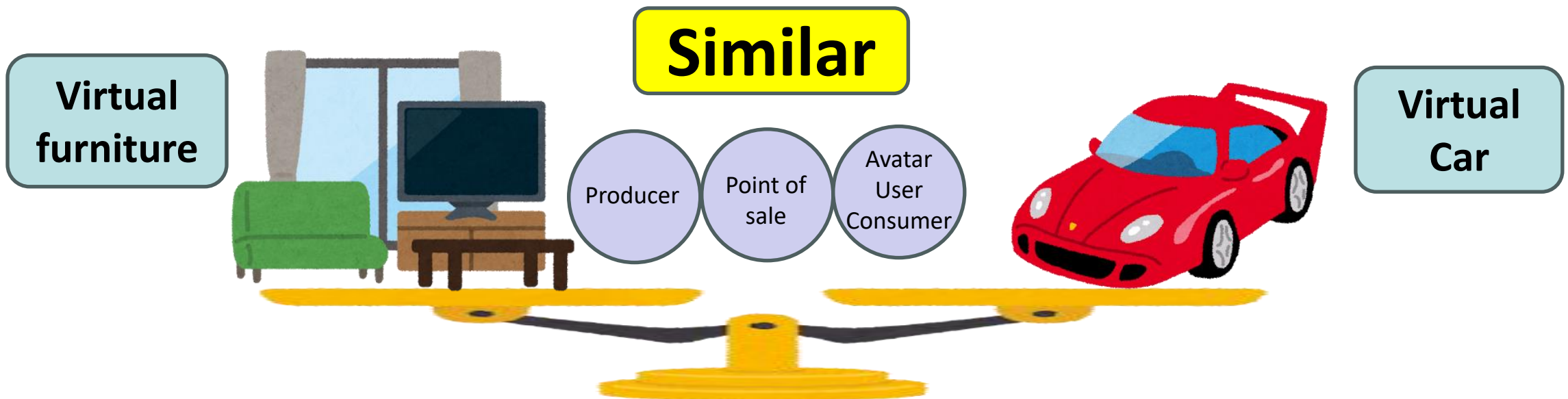
US comparison:

In the U.S., the relationship between real-world and virtual goods is assessed case by case based on evidence of commercial relatedness; even where infringement was found in the **MetaBirkins case**, that does not automatically mean real and virtual goods are always treated as similar.

Virtual vs. Virtual Goods:

" Similar as a General Rule "

Virtual goods are generally presumed **similar** to each other. Clearance is essential before entering the virtual space.



“Even across different categories of virtual goods, similarity is generally presumed.”

Evolution of the Consent System: Latest Registration Record

Over **170** co-existence registrations as of today. The 2026 guidelines make the application process even smoother.

Registration Record

2024: 81 cases
2025: 90 cases
—
Total: more than **170** Cases
registered

2 Clear Safe Harbors

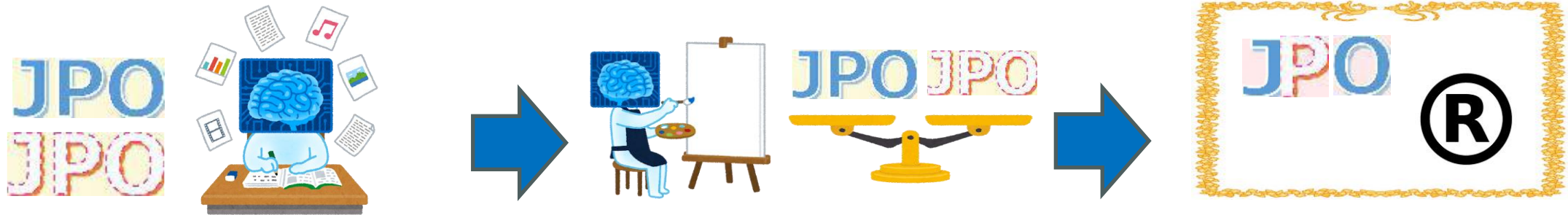
1. Control Relationship
2. Practically Same Source

Transitioned from complex assign-back to direct consents!

Navigating AI and Trademark Law: Learning, Infringement, and Registrability

Unlike copyright, Japan's trademark law allows the registration of AI-generated logos.

Clear rules govern learning, infringement, and registration.



1. Learning Stage

AI training does NOT
infringe trademark.
(Not a "use")

2. Generation Stage

Infringement judged
by conventional rules
(No intent needed)

3. Registrability

AI-generated marks
are registrable in principle,
subject to ordinary requirements !

Partner with JPAA to Secure Your Clients' Digital Future

JPO's rules are clear. Now is the time to expand filings in Japan.
JPAA is your local partner.

Key Takeaways

- 1) Act Now:** Register virtual goods (Class 9/35/41, and 42) before the entry of competitors.
- 2) Consent System:** more than 170 Cases registered co-existence cases.now practical and well-established
- 3) AI-Friendly:** Clear rules on registration provide excellent predictability



Q&A

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Thank you for your kind attention.



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