

4-4. Amendment (Limitation) of Goods and Services

(1) Time Limit for Amendment (Limitation) filed with the JPO

If an applicant wishes to file with the JPO an amendment (including a limitation of goods and services) of the Japanese part of its international application in response to a provisional refusal issued by the JPO, such amendment must be filed by a Japanese patent attorney and only within a certain period under Article 68-28 of the Japanese Trademark Law. Under the present Japanese trademark practice, the certain period given is three months after the issue date of the JPO's provisional refusal.

(2) Amendment (Limitation) filed with the International Bureau

The applicant of an international registration may file any limitation at any time, in respect of all or some of the Contracting Parties, or of goods and services listed in the international registration under Article 9bis (iii) of the Protocol.

If an applicant fails to file an amendment (limitation) with the JPO within the period set forth in the above (1), it may file such amendment with the International Bureau of the WIPO. If such amendment overcoming the provisional refusal is to be filed with the International Bureau of the WIPO when the application for the Japanese part is still pending before the JPO, the application for the Japanese part of the international registration will be allowed by the JPO.