



SONODA & KOBAYASHI
INTELLECTUAL PROPERTY LAW

IP News Bulletin for Japan and China



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- News about Sonoda & Kobayashi -

1. Managing Partner Yoshitaka Sonoda to speak at SIPF Annual Meeting in March

On Tuesday, March 17, founder and managing partner of Sonoda & Kobayashi, Dr. Yoshitaka Sonoda, will speak at the Association of IP Professionals in Swedish Industry (SIPF, Svenska Industrins IP Förening) Annual Conference. The SIPF is a Swedish non-profit association of intellectual property professionals that promotes the interests of Swedish industries in IP law, facilitates information exchange among its members, and serves as a consultative body on IP policy. Dr. Sonoda will be delivering a talk on the topic "Pitfalls for European Applicants in Japanese Patent Prosecution and How to Avoid Them."

More information on the event as well as the association's activities can be found at the SIPF's website [here](#) (Swedish).

On January 2, 2026, the JPO announced the release of its update on common mistakes in trademark applications when listing goods/services and a Q&A regarding goods/services names.

For example, common mistakes include using vague or overly broad expressions such as: “all goods in Class 2” (too unclear; must specify actual goods), or “other services belonging to this class” (same).

The updated document also includes descriptions with ambiguous scope, such as “medical-use special equipment” (too vague; must name actual items (e.g., medical beds)), or “gas equipment repair” (must specify type of gas equipment).

The document also clarifies that certain items fall into different classes based on materials and uses, as well as provide a Q&A providing information on drafting acceptable goods/service names, avoiding rejections due to lack of clarity, and explaining how the JPO evaluates descriptions during examination.

Further information can be found [here](#). (Japanese)

2. MHLW Issues New Directives Regarding Handling of Pharmaceutical Patents in Approval Review of Generics, as well as a New Pilot Program for Expert Consultation

On October 8, 2025, the Ministry of Health, Labour and Welfare (“MHLW”) issued a new directive regarding the handling of generic pharmaceutical drug applications. The directive provides that before review of a generic drug application is to begin, the generic company is to verify that there are no product patents or use patents in connection with the active ingredient, and to submit documents indicating that the generic drug can be promptly manufactured and marketed upon obtaining approval.

On the other hand, the original drug manufacturer is to submit patent linkage documents which it believes should be taken into consideration during the review of the generic drug application. The original drug manufacturer must submit this documentation before the end of the re-examination period (8 yrs for a drug with a new active ingredient), or within 30 days from the publication of patent gazette in the case the new product/use patents are registered after the termination of the re-examination period.

Furthermore, on November 7, 2025, the MHLW issued another directive stating that, to assist the generic drug approval process, a new pilot program will be established seeking opinions from a panel of experts specialized in pharmaceutical patents regarding the potential risk of patent infringement if a generic drug is approved. When the MHLW decides to seek expert opinions, they will notify the original drug company and the generic drug company. The MHLW will assign 3 (or 5 if needed) experts per a case for which their opinion is sought. The original drug company and the generic drug company can then submit materials to the MHLW within 30 days from the date of the notice regarding the generic drug application.

The experts will prepare their opinions within 30 business days from receiving the materials, and their opinion will be sent to the MHLW. After the decision regarding the generic drug approval becomes public, the MHLW will disclose the expert opinions to the original drug company and generic drug company (if desired).

Our firm will be closely monitoring developments on this topic..

Further information can be found [here](#). (Japanese)

3. CNIPA Releases Draft Amendment to Trademark Law for Public Comment

On December 27, 2025, the China National Intellectual Property Administration (CNIPA) published the Draft Amendment to the Trademark Law for public comment. The Draft is expected to be passed as early as the first half of 2026 and may come into effect within the same year.

Key proposed changes include:

Shortened opposition period: The period for filing oppositions against preliminarily approved trademarks will be reduced from three months to two months from the publication date, aligning China’s practice with international norms.

Expanded protection for well-known trademarks: Cross class protection will be extended to well-known trademarks even if they are not registered in China, provided they meet the criteria for well-known status. The cross-class protection of well-known trademarks will no longer be limited to registered marks.

Introduction of “motion marks”: The Draft explicitly adds motion marks to the list of signs eligible for trademark registration.

Clarification on non-use defense: In infringement cases, the three-year non-use defense against damages will be assessed based on whether the trademark had been used before the lawsuit was filed.

Ex officio cancellation authority: CNIPA may proactively cancel registered trademarks that have become generic names for the approved goods or that have not been used for three consecutive years without proper reason.

Regulation of misleading use: Registrants who use their trademarks in a manner that misleads the public may face orders to correct, fines, or even cancellation of the trademark.

Examination suspension: CNIPA may suspend opposition, review, or invalidation proceedings if the decision depends on the outcome of another pending court or administrative case.

The amendments aim to streamline procedures, strengthen protection against bad-faith filings, and encourage proper use of trademarks. Rights holders are advised to review their monitoring systems and usage compliance in light of the proposed changes.

Further information can be found [here](#). (Chinese)

- Latest IP News in Japan -

1. Sony expands ownership of “Peanuts” IP to 80% in 71 billion yen deal

Hollywood Reporter Japan, December 20, 2025

On December 19th, 2025, as reported by the Hollywood Reporter Japan, Sony bought the “PEANUTS” IP for the approximate sum of 71.8 billion yen (around 460 million US dollars).

The transaction involved three different companies: Sony Music Entertainment (Japan), Inc. (SMEJ), Sony Pictures Entertainment Inc. (SPE), and WildBrain Ltd, headquartered respectively in Tokyo, Culver city (California), and Toronto.

SMEJ has been involved in the Peanuts IP since 2018 by holding 39% stake in Peanuts Holdings LLC. Through the agreement Sony group acquired the 41% stake held by the Canadian company WildBrain, while the remaining 20% are still owned by the family of the creator, Charles M. Schulz.

As a result, Peanuts Holdings LLC becomes a consolidated subsidiary of the Sony Group, indirectly owned at 80% by both SMEJ and SPE. The ownership of “PEANUTS” and the management of the related business is still held by Peanuts Worldwide LLC, a subsidiary of Peanuts Holdings LLC. However, from Sony’s own press release statement, SMEJ is now expected to take the lead in managing Peanuts Holdings LLC with SPE’s support.

After 75 years of history in comics strips, movies, and even animated series, Peanuts, and most especially the character Snoopy, remain very popular in Japan.

Further information can be found [here](#) (Japanese) and [here](#) (English).

2. Tokyo District Court develops SEP mediation and settlement procedures to make Japan a hub for patent dispute resolution

Nikkei, January 31, 2026

On January 31, 2026, Nikkei reported that the Tokyo District Court has introduced new mechanisms aimed at resolving international disputes over standard-essential patents (SEPs). Beginning February 1, a specialized mediation system will handle licensing disputes related to technologies used internationally, such as 5G and IoT. The mediation covers worldwide SEP licenses and is designed to reduce time and cost in cross-border conflicts. If mediation fails, records of the parties’ negotiation conduct may later be used as evidence in litigation, where willingness to license under FRAND terms is a central issue. In addition, the court has announced new litigation procedures that prioritize settlement discussions at an early stage and allow the court to propose settlement terms, including royalty rates.

The Tokyo District Court’s move to establish SEP resolution procedures falls in line with global trends, with other national courts positioning themselves as forums for resolving international disputes over SEPs. With recent friction between rulings in the EU and Chinese courts in 2022, this new system established by the Tokyo District Court could serve as a viable alternative by its encouragement of mediation and settlement.

Further information can be found [here](#). (Japanese)

1. China's MSG Giant Meihua Biological Sued by Japan's Ajinomoto for Patent Infringement

China Intellectual Property Lawyers Network, December 10, 2025

On December 10, 2025, the China Intellectual Property Lawyers Network reported that Meihua Biological Technology Group Co., Ltd. ("Meihua Group"), China's largest monosodium glutamate (MSG) producer, and its three wholly owned subsidiaries had been sued by Japan's Ajinomoto Co., Inc. ("Ajinomoto") before the Guangdong High People's Court for allegedly infringing core patents related to amino acid production technology. According to an announcement published on Meihua Group's official website, the company received two civil complaints filed by Ajinomoto, both of which have been accepted by the Guangdong High People's Court. Ajinomoto requested the court to order Meihua Group to immediately cease the infringement, destroy related equipment and inventory products, and to award compensation of RMB 130 million for each patent, totaling RMB 260 million (approximately USD 37 million).

Ajinomoto accused Meihua Group of using two of its Chinese invention patents without authorization in the production, manufacturing, and sale of MSG:

(1) "*L- glutamic acid-producing microorganisms and a method for producing L-glutamic acid*" (Patent Application No.: CN200580045189.5);

(2) "*Method for manufacturing an L-amino acid*" (Patent Application No.: CN201480005332.7).

In response to the lawsuit, Meihua Group issued a statement emphasizing its long-standing partnership with Ajinomoto. The company noted that the two parties have maintained multiple cooperative arrangements in the field of intellectual property, including MSG production technologies, and that several collaborative projects remain ongoing. Meihua Group further stated that its current production and operations are unaffected and that it will actively respond to the litigation by taking all necessary legal measures to firmly safeguard the legitimate rights and interests of the company and its shareholders. This lawsuit reflects intensifying technological competition in the global amino acid industry. The case has now entered judicial proceedings, and the final outcome awaits court adjudication.

Further information can be found [here](#). (Chinese)

2. China's Supreme People's Court Upholds Validity of Core Semaglutide Patent in Final Judgment

Novo Nordisk China Official Website and PharmaPhorum, December 31, 2025

On December 31, 2025, Novo Nordisk announced on its Chinese website that the Supreme People's Court of China had issued a final judgment in the administrative dispute over the invalidation of the core patent for the semaglutide compound (trade name: Wegovy). The Court dismissed the appeals filed by domestic pharmaceutical companies and confirmed the validity of the patent (Patent Application No. CN200680006674.6), which remains in force until March 20, 2026.

The patent battle began in June 2021, when Zhongmei Huadong, a subsidiary of Huadong Medicine, filed a request with the China National Intellectual Property Administration (CNIPA) to declare Novo Nordisk's semaglutide compound patent wholly invalid. In September 2022, CNIPA supported the request and declared the patent invalid, triggering a surge in domestic generic development. However, Novo Nordisk filed an administrative lawsuit later that year.

In October 2024, the Beijing Intellectual Property Court revoked the invalidation decision in the first instance. Subsequently, a coalition of Chinese pharmaceutical companies—including Zhongmei Huadong, Jiuyuan Gene, Livzon Group, Qilu Pharmaceutical, and United Laboratories—appealed to the Supreme People's Court but ultimately failed to overturn the ruling.

This ruling coincides with the impending launch of the oral formulation of semaglutide, which will likely increase the number of patients using the drug globally. Furthermore, this case demonstrates the Chinese government's support for protection regarding pharma patents from foreign companies.

Further information can be found [here](#) (Chinese) and [here](#) (English).

- IP Law Updates in Japan: Insights from Sonoda & Kobayashi -

1. An overview of Chinese trademark opposition procedure

Eric Zhao, Chinese Trademark Attorney, Sonoda & Kobayashi Beijing

What is a Trademark Opposition?

A trademark opposition is a legal procedure that allows the public to challenge a preliminarily approved trademark during its publication period.

Its purpose is to ensure the fairness and transparency of the trademark examination process conducted by the China National Intellectual Property Administration (hereinafter referred to as "CNIPA").

Both trademark holders or other interested parties hold a trademark open for opposition, they may, within three months from the publication date, oppose the application with the CNIPA. Third parties can also oppose the application with the CNIPA within the same three-month period, however, different articles of the trademark law pertain to how each of these parties can approach the opposition procedure. More information will be explained below.

If a holder of prior rights or an interested party holds that the trademark open for opposition is in violation of Article 13.2 or Article 13.3, Article 15, Article 16.1, Article 30, Article 31, or Article 32 hereof, they may, within three months from the publication date, oppose the application with the CNIPA. Any person that believes the aforesaid trademark is in violation of Article 4, Article 10, Article 11, Article 12, and Article 19.4 hereof may oppose the application with the CNIPA within the same three-month period.

After the examination, the CNIPA will issue a decision on the opposition, to approve the application, to reject the application, or to approve the application on some of the designated goods/services.

Who Can File a Trademark Opposition?

Prior rights holders or interested parties may oppose if the trademark violates:

- Article 13.2-13.3:

The applied-for trademark is confusingly similar to an unregistered well-known trademark in identical/similar goods.

The applied-for trademark is confusingly similar to a registered well-known trademark in dissimilar goods.

- Article 15:

The applicant is an agent/representative of the trademark owner

The applicant knowingly copies another's trademark in identical/similar goods.

- Article 16.1:

The trademark contains a geographical indication, but the goods do not originate from the region (misleading the public).

Exception: Trademarks acquired in good faith remain valid.

- Articles 30–31:

The trademark is identical/similar to a prior registered or pending application for identical/similar goods.

- Article 32:

The trademark harms existing prior rights (e.g., copyright, design patents)

The applicant preemptively registers another's used and influential trademark in bad faith.

Any Third Party may oppose if the trademark violates:

- Article 4:

The application is filed maliciously without intent to use.

- Article 10 (Prohibited Marks):

The trademark harms social morality/public interests (e.g., offensive content).

The trademark mimics national flags, intergovernmental organization names, or other protected symbols.

- Articles 11–12:

The trademark lacks distinctiveness (e.g., generic terms, functional shapes).

- Article 19.4:

A trademark agency registers trademarks beyond its own proxy services.

Opposition Procedure

When to file the opposition

An opposition against a preliminarily approved trademark may be filed with the CNIPA within three months from its publication date.

The opposition period begins on the day following the publication date. The deadline is the corresponding date of the third month. If no corresponding date exists, the last day of that month applies. If the deadline falls on a public holiday, it extends to the next business day.

For example, if the publication date is November 29, 2024, the opposition deadline is February 28, 2025.

If the opponent checks the box of "supplementary evidence" when filing the opposition, they can submit additional grounds and evidence within three months from the filing date of the opposition.

For international registrations designating China, oppositions may be filed within three months from the first day of the month following the publication in WIPO's International Trademark Bulletin.

Receipt of opposition and responses to opposition

Upon receipt of an opposition, the CNIPA conducts a formality examination, including verifying document completeness and fee payment. If yes, it issues an official receipt.

The CNIPA will then forward a copy of the opposition to the opposed party (the trademark applicant) and notify them of their right to file responses within a specified period. Although filing responses is not mandatory, it is highly advisable for the opposed party to file responses to the opposition within the specific time limit to protect their trademark application interests.

The deadline to respond to the opposition is 30 days from the receiving date of the opposition notice. The opposed party should provide reasons for approval of the application, counterarguments against the opposition claims, and supporting evidence. If the opposed party fails to submit a response within the prescribed period, the opposition proceedings will continue, but the party will be deemed to have waived its right to present arguments or submit evidence.

Notably, the CNIPA does not forward the responses to the opponent, and the opponent has no opportunity to challenge the responses.

Opposition examination

Following the acceptance of the opposition application and expiration of the response period, the CNIPA will proceed to the substantive examination stage.

During this stage, examiners from the opposition division will evaluate and adjudicate the arguments and evidence submitted by both parties. When necessary, the CNIPA may request supplementary materials or clarifications on specific issues from either party (though such requests are uncommon).

In the context of recent efforts to combat bad-faith registrations, the CNIPA expedites the examination procedures for cases of trademark filed in bad faith. For some significant or complex cases, additional measures such as oral hearings may be held by the CNIPA.

Opposition decision

The CNIPA issues a written ruling after examination, with three possible outcomes:

- Opposition upheld (trademark application rejected)
- Opposition dismissed (trademark application registered)
- Partially upheld (trademark application partially registered)

Subsequent procedures

- *If the opposition is upheld*

The opposition request is granted, and the opposed mark will not be registered (equivalent to rejection of the application). The opposed may file a review application with the CNIPA in due course if dissatisfied with the decision. If still dissatisfied with the review decision, they may further file an administrative lawsuit with the Court.

- *If the opposition is dismissed*

The opposition is rejected, and the opposed mark will proceed to registration. The opponent cannot request a review of this decision. The CNIPA will then publish again for the registration and issue the registration certificate. However, if still convinced the registration is improper, the opponent may wait until the trademark is officially registered and then initiate invalidation proceedings with the CNIPA.

- *If the opposition is partially upheld*

The opposition is granted for some goods/services and rejected for others. In this case: The opposed party may request a review against the non-registration portion. The opponent must wait until the partial registration is published and then file an invalidation action against the registered portion.

Key Points

1. Opposition Deadline

As previously stated, for Chinese applications published for opposition purposes, an opposition can be filed within three months from the publication date. This deadline cannot be extended except for statutory holidays.

In practice, if the opposition deadline is imminent and there is not sufficient time to prepare detailed arguments and evidence, an opposition with simple grounds can be filed to prevent the registration of the target mark, followed by submission of detailed arguments and evidence during the subsequent three-month supplementary period.

Important Note: When filing the opposition, the “supplementary evidence” option must be selected to enable submission of additional evidence within three months from the opposition filing date.

2. Key Evidence Requirements

- evidence of use predating the filing date of the opposed mark
- For cross-class protection, the opponent should either:

prove its prior trademark qualifies as a well-known mark, or

demonstrate that while the designated goods/services of both marks do not fall within the same classes/subclasses, they are closely related and likely to cause confusion among the public regarding the source of the goods/services

3. Available Remedies

If dissatisfied with the opposition decision, the opponent may wait until the registration of the opposed mark, then file an invalidation action with the CNIPA.

If dissatisfied with the opposition decision, the opposed party can directly file a re-examination request against the decision with the CNIPA.

Any party may initiate administrative litigation if dissatisfied with the rulings on either invalidation action or re-examination request.

About

SONODA & KOBAYASHI is a law firm offering dependable legal services for intellectual property. Our multinational team of about 120 experts in technology, law, languages and international communication has served companies worldwide and gained a reputation for thoroughness and reliability.

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