



SONODA & KOBAYASHI
INTELLECTUAL PROPERTY LAW



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- News about Sonoda & Kobayashi -

1. Sonoda & Kobayashi to Attend Techno-Frontier Expo at Tokyo Big Sight in July

Members of Sonoda and Kobayashi plan to attend [the Techno-Frontier Expo at Tokyo Big Sight on July 15-17, 2026](#). Techno-Frontier is an annual trade exhibition in Tokyo showcasing the new and upcoming technologies in electronics, mechatronics, and industrial systems. Organized by the Japan Management Association, it features specialized exhibitions covering areas like motor technology, motion control, and power systems. We look forward to sharing our expertise in Japanese IP covering electronic and mechanical engineering with attendees. For those planning on attending, we look forward to the chance to meet with you.

More information on the event can be found [here](#) (English).

- JPO and CNIPA News -

1. JPO Releases Results of Annual Survey on Trademark Filing Trends

In April of 2026, the Japan Patent Office (JPO) released a report with results of an annual survey on trademark filing trends in Japan and worldwide.

These results are used for policy planning of the JPO and may be useful resource for companies when developing their trademark strategies.

For Japan, the report shows that the number of trademark applications reached a peak in 2017 with over 190,000 applications. However the number has been decreasing slowly in the recent years.

As for the share of trademark applications filed into Japan, those from China make up the largest group, with over 15,000 in 2024. Those from the US follow with over 7,600, and after that those from South Korea are next with over 4,500.

Aside from this information, the report discusses global trademark filing and registration trends, filing trends per industry, trends in oppositions to trademarks, and much more.

Specific information on this topic can be found [here](#) (Japanese).

2. Result of the JPO's Survey on Trends in Patent Application Technologies Revealed

In April of 2026, the Japan Patent Office (JPO) revealed the results of its annual survey on patenting trends in a select few technology areas.

This year, the report looked at Japan's strength and the position of global players in the fields of:

- 1) Fusion power generation
- 2) Low-carbon fuel engines
- 3) Lactic-acid bacteria food
- 4) Cyber detection technologies.

The results show that Japanese companies are relatively strong in Fusion Power generation, following companies from the USA and Europe that hold a somewhat larger share of patents in that area.

When it comes to low-carbon fuel engines, Japanese companies like Mitsubishi Heavy Industries and Toyota Group rank among the top 10 applicants.

Regarding lactic-acid bacteria food, Japanese companies Meiji and Morinaga Milk Industry rank among the top 10 applicants.

For the cyber detection technologies, NEC and NTT are in the top 10.

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

3. CNIPA Releases "China's Intellectual Property Protection Status in 2025" White Paper

On May 7, 2026, the China National Intellectual Property Administration (CNIPA) published the annual white paper "China's Intellectual Property Protection Status in 2025," summarizing the country's IP protection progress. For the first time, China entered the top 10 of WIPO's Global Innovation Index.

Legislative updates of particular interest to rights holders.

- The revised Anti-Unfair Competition Law took effect on October 15, 2025, with strengthened provisions on trade secret protection.
- The State Council's Provisions on Handling Foreign-Related IP Disputes came into force on May 1, 2025, establishing a dedicated mechanism for cross-border IP disputes.
- The Trademark Law revision draft passed its first reading by the National People's Congress in December 2025, proposing a shortened opposition period (two months), expanded well-known trademark protection, and the introduction of motion marks.
- The revised Plant Variety Protection Regulations became effective on June 1, 2025.

In judicial protection, Chinese courts received over 473,000 first-instance IP civil cases and concluded 460,000. In a landmark plant variety case involving corn hybrid "NP01154," the Supreme People's Court awarded RMB 53.35 million (approx. USD 7.4 million) in damages, applying a 1x punitive multiplier for intentional, long-term infringement. This is reportedly the highest damages award in a Chinese plant variety case to date.

At the level of criminal punishment, in 2025 saw Chinese courts receive 9,018 first-instance IP criminal cases and conclude 9,248. Prosecutors approved arrests in 3,781 cases (5,709 individuals) and initiated prosecutions in 9,135 cases (19,102 individuals). Public security authorities filed 26,000 criminal cases. Key targets included trademark counterfeiting, copyright piracy, and trade secret theft.

At the level of administrative enforcement, Market regulators handled 37,000 IP violation cases. Customs seized 86.42 million units of infringing goods. Notably, a patent dispute over HEVC standard essential patents (Access Advance pool) was resolved through mediation, with the respondent agreeing to a licensing arrangement.

From the perspective of examination and registration trends, by the end of 2025, China had 6.318 million valid invention patents (+11.1% year-on-year) and 53.03 million valid registered trademarks (+6.5%). Invention patent grants decreased by 7%, reflecting CNIPA's continued efforts to curb low-quality filings, while utility model grants fell by 27.3%. PCT international applications filed by Chinese applicants reached 72,900 (+5.1%).

In international cooperation, China hosted the 18th IP5 Heads of Office Meeting in Tianjin, extending the PPH pilot program with the US, Europe, Japan, and Korea through January 2029. Cooperation agreements were signed or renewed with IP offices of Azerbaijan, Malaysia, Kazakhstan, Singapore, and others. China and WIPO jointly published a case compilation of Chinese IP judgments (2019–2023). Overseas IP dispute response guidance platforms helped enterprises recover RMB 2.75 billion in losses.

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

- Latest IP News in Japan -

1. Zoom Video Communications Ordered to Pay 166 million JPY to Japanese Company in Trademark Suit

Asahi Shimbun, April 24, 2026

On April 24, 2026, a trademark dispute between Zoom Corporation and Zoom Video Communications was decided by the Tokyo District Court. The Japanese company alleged that the logo used for the Zoom online meeting service infringed its trademark rights and sought both damages and an injunction prohibiting further use of the logo.

Zoom Corporation, founded in 1983, registered a stylized "ZOOM" trademark in Japan in 2006 for its electronic and audio equipment business. Zoom Video Communications, established in the U.S. in 2011, uses a logo incorporating the "Zoom" name for its software and online video conference services.

The Tokyo District Court found that the two logos were sufficiently similar in appearance, pronunciation, and meaning to constitute trademark infringement. However, the court also determined that widespread public recognition of the Zoom meeting platform after 2020 reduced the likelihood of consumer confusion. The court awarded approximately 166 million JPY, or about 1.04 million USD, in damages corresponding to past licensing fees, while declining to order the company to stop using the logo.

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

2. Asahi Kasei Files Infringement Suits Against Two Chinese Companies over Duranol Patent

Various, April 24, 2026

On April 24, Asahi Kasei Corporation announced that it had filed patent infringement lawsuits in the Shanghai Intellectual Property Court against Shanghai Songxuan New Materials Co., Ltd. and Huizhou Changlong Chemical Co., Ltd. in March. The lawsuits concern Chinese patent rights related to the water-based grade of Asahi Kasei's polycarbonate diol product, "Duranol".

According to the company, the two defendants manufacture and sell products that allegedly infringe the patent. Asahi Kasei is seeking injunctions as well as monetary damages. The company also noted that it previously filed a similar patent infringement lawsuit in 2022 against other Chinese companies before the Guangzhou Intellectual Property Court and obtained a favorable judgment. In addition to the patents at issue, Asahi Kasei maintains a broader portfolio of polycarbonate diol-related intellectual property rights.

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

3. Japanese Tea Association Pursues GI Status to Protect Tea, Matcha from Overseas Infringers

Various, May 11, 2026

On May 11, the Japanese Tea Association held a press conference to discuss the future of Japanese tea production among growing international popularity. Among those in attendance was Mr. Shin Sato, Vice-Minister for Production Promotion of the Ministry of Agriculture, Forestry and Fisheries.

The purpose of the conference was to detail the challenges faced by the Japanese tea market, especially the increase in counterfeit products and fraudulent trademarks stemming from the growth in overseas sales, particularly matcha. To address this, the Association also shared their vision on the potential registration of Japanese teas as a national geographical indication (GI), for which they applied to the Ministry in late October 2025.

GIs identify products originating in specific regions and which benefit from a particular quality or reputation due to that origin. While some regional GIs already exist for tea, only

"nihonshu" (Japanese sake) is currently registered as a national GI in Japan.

While the registration has yet to be confirmed, it is part of a broader trend of strengthening intellectual property protection for tea in Japan. A month earlier, on April 14th, Shizuoka Prefecture presented its new regional tea brand: "Japanese Tea Shizuoka". The use of a "ranji," easily recognizable artistic labels used for tea exports since the Meiji period, with Mount Fuji as a logo was chosen with the intent of enhancing competitiveness.

Related trademarks for both the brand and logo are expected, and products will start using them from autumn of this year. Public opinion letters regarding the application can be submitted to the Ministry until June 11.

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

- Latest IP News in China -

1. NMPA Issues Implementation Measures for Drug Trial Data Protection, Introducing up to 6-Year Data Exclusivity for Innovative Drugs

China's National Medical Products Administration, May 15, 2026

On May 15, 2026, China's National Medical Products Administration (NMPA) issued the Implementation Measures for Drug Trial Data Protection (the "Measures"), which took effect immediately upon publication. The Measures establish a formal data exclusivity system for pharmaceutical test data, implementing and detailing obligations under the Drug Administration Law and its Implementing Regulations while drawing on international practices.

The Measures apply to both chemical drugs and biologics, and grant protection periods of up to six years from the date of domestic marketing approval for the undisclosed test and other data submitted by applicants that are independently obtained. During the data protection period, the NMPA will not approve other applicants' drug marketing or supplemental applications that rely on the protected data without the holder's consent, unless the data were independently obtained.

The protection periods are structured in a tiered manner based on the degree of innovation:

- **6 Years:** granted to innovative drugs and original drugs (including those already marketed overseas but not yet in China). The scope of protection covers all test data submitted in the marketing application demonstrating safety, efficacy, and quality control.
- **4 Years:** granted to improved new drugs (including those marketed overseas but not yet in China) that demonstrate clear clinical advantages. The protection scope is narrower, covering only the clinical trial data supporting such advantages, excluding bioavailability, bioequivalence, and vaccine immunogenicity data.
- **3 Years:** granted to the first generic or biologic product approved for a previously unavailable original drug. Protection is limited to the essential clinical trial data

supporting approval.

The NMPA's Center for Drug Evaluation (CDE) is responsible for the implementation. Applicants may submit a data protection request simultaneously with their drug marketing application. Transitional provisions apply to pending applications as of May 15, 2026. This new regime provides pharmaceutical innovators with an additional layer of IP protection beyond patents to help safeguard clinical trial investments.

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

2. Supreme People's Court Upholds Malicious Litigation Finding Against Company That Sued Unitree Robotics Ahead of Its IPO

Supreme People's Court Intellectual Property Court, May 2026

In a closely watched ruling (Case No. (2026) Zui Gao Fa Zhi Min Zhong No. 96), the Supreme People's Court upheld a finding of malicious patent litigation against Hangzhou Luweimei Daily Chemical Co., Ltd. ("Luweimei"), a small trader that had filed multiple patent infringement lawsuits against Hangzhou Yushu Technology Co., Ltd. (Unitree Robotics), a well-known quadruped and humanoid robot manufacturer, at a critical moment as Unitree was preparing for its initial public offering (IPO).

Luweimei acquired a patent from a third party on June 25, 2025, and filed its first lawsuit against Unitree just five days later, on July 1, 2025. A second lawsuit targeting a different product model followed on September 12, 2025, soon after Unitree's IPO preparation became widely reported. The claimed damages fluctuated dramatically. In this case, Luweimei demanded RMB 70 million (approx. USD 9.7 million) in the first instance, then before the Supreme Court it first claimed RMB 80 million on an interim basis, and the next day reduced the claim to only RMB 500.

The Supreme Court found that the accused products lacked multiple technical features recited in the patent and thus did not infringe. More significantly, the Court held that Luweimei's conduct constituted malicious litigation, applying a four-factor test: (1) the asserted claims clearly lacked factual or legal basis; (2) the claimant knew this and acted with subjective fault; (3) the lawsuit caused harm; and (4) there was causation between the suit and the harm. The Court also noted the cumulative effect of repeatedly suing over multiple product models using the same patent, concluding that Luweimei "acted with obvious subjective fault," causing a "significant imbalance of interests" between the parties. The Court criticized the behavior as "deliberately calculated and capricious" and a breach of the principle of good faith. It further indicated that damages for malicious litigation can include costs of challenging the patent's validity (including CNIPA invalidation fees), property preservation losses, and lost commercial opportunities from IPO disruption. On March 12, 2026, the asserted patent was declared wholly invalid by CNIPA for lack of inventive step.

This ruling provides strong judicial safeguards against abusive patent litigation, particularly when timed to disrupt a target's IPO or financing. Foreign companies operating in technology-intensive fields in China should take note of these evolving protections as part of China's efforts to maintain a fair, innovation-friendly marketplace.

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

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

1. Toray v Sawai and Fuso Pharmaceutical: A Landmark Ruling on Patent Term Extension and Damages in Japan

The patent dispute between Toray Industries and Sawai Pharmaceutical concerning the drug Remitch has emerged as a landmark case in Japanese IP. The litigation focused on

the scope of patent term extension (PTE) protection attached to Remitch (nalfurafine hydrochloride), a treatment developed by Toray for pruritus. Toray alleged that generic formulations manufactured and sold by Sawai Pharmaceutical and Fuso Pharmaceutical Industries unlawfully infringed its extended patent rights after the expiration of the original patent term.

Background

The patent in question (JP 3,531,170) covered an antipruritic agent containing nalfurafine as the active ingredient. Although both Toray's product and the defendants' generics relied on the same pharmacologically active substance, the generics used the hydrochloride salt form rather than the free base form specified in the claim. This distinction became central to the dispute and raised questions regarding both claim interpretation and the scope of PTE protection.

The Japan Patent Office (JPO) initially invalidated Toray's PTE registration, finding that the approved product did not correspond to the claimed invention. However, the IP High Court reversed this decision, holding that the active ingredient should be assessed substantively rather than formally. Because the free base was responsible for the therapeutic effect, the Court concluded that the patent encompassed both the free base and salt form.

In May 2025, the IP High Court ruled in Toray's favor and awarded approximately 21.76 billion JPY in damages, the largest patent infringement award ever granted in Japan.

Core Legal Findings and Implications

The IP High Court adopted a substantive approach to patent claim interpretation, holding that an "active ingredient" should be understood as the substance responsible for therapeutic effect. The Court found that the salt form of nalfurafine did not change the pharmacological activity of the free base compound, but only improved minor aspects like solubility and stability. As a result, a patent claim directed to the free base was held to cover its salt forms

The Court also clarified the scope of PTE under Article 68bis of the Japanese Patent Act. Although PTE is linked to an approved pharmaceutical product, its protection extends to products that are "substantially identical." To determine whether a product is "substantially identical", the Court emphasized the active ingredient, dosage, method of administration, and therapeutic effect. Sawai's and Fuso's products were found to fall within the scope of the extended patent as they shared the same therapeutic characteristics as Toray's product, while differences in excipients were considered irrelevant as they are generally pharmacologically inactive.

In addition, the Court confirmed that unregistered exclusive licensees can claim damages for infringement based on their protected commercial interests, although only registered exclusive licensees may seek an injunction. Based on Article 102 of the Patent Act, the Court awarded damages based on lost profits and a 9% reasonable royalty, with Sawai being ordered to pay 14.29 billion JPY and Fuso 7.47 billion JPY.

Key Takeaways

Our firm believes the Remitch decision highlights the importance of strategic pharmaceutical patent management in Japan. The case demonstrates that PTE is

strategically vital and can provide broader protection than previously assumed, including coverage of salt forms and closely related equivalents. It also shows that Japanese courts are becoming more willing to award substantial damages in high-value patent disputes, reiterating Japan's status as an important jurisdiction for pharmaceutical companies. We believe that, for patent holders, the ruling stresses the value of strategic claim drafting, regulatory strategy, licensing structures, and enforcement planning from the initial stages of patent prosecution through litigation.

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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