

Results of Litigation over the “Kyokushin-kaikan” Trademark Right

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General Incorporated Association, International Karate Organization,
Kyokushin-kaikan, Sekai Sokyokushin
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General Incorporated Association, International Karate Organization, Kyokushin-kaikan, Sekai Sokyokushin (Sokyokushin) engages in daily instruction of Kyokushin Karate in order to correctly pass on Kyokushin Karate, which was founded by Sosai Oyama Masutatsu, to the next generation by using the Marks of Kyokushin, including “Kyokushin-kaikan” and Kyokushinkai logo, etc., in the same manner as during Sosai Oyama Masutatsu’s life.

Now, the trademark rights to “Kyokushin-kaikan” are held by Ms. Kuristina Oyama, the representative of “Souke Group” and Mas Oyama Enterprise Ltd., and Sokyokushin has brought an action against the trademark rights holder, Ms. Kuristina Oyama and Mas Oyama Enterprise Ltd. over the use of the Marks of Kyokushin.

On November 24, 2016, a favorable decision was rendered by the Tokyo District Court that accepted the claim of Sokyokushin. In the decision of the Tokyo District Court dated November 24, 2016, it was determined that the activities of Sokyokushin and training centers belonging to Sokyokushin have contributed to the formation, maintenance and expansion of the awareness and popularity of “Kyokushin-kaikan.” On the other hand, it was determined that Ms. Kuristina Oyama et al. could not be regarded as the successors of Sosai Oyama Masutatsu, to whom the Marks of Kyokushin belong, and as a result, the claim of Ms. Kuristina Oyama was determined to be an abuse of rights.

As you may know, Kyokushin-kaikan, which was founded by Sosai Oyama Masutatsu, has unfortunately gone through repeated break ups since the death of Sosai Oyama

Masutatsu and now many factions exist, claiming to be “Kyokushin-kaikan.” Under the present fractured situation, we believe the fact that one faction and one individual hold the trademark rights is a fundamental problem.

Since development and popularity of Kyokushin-kaikan was realized through the activities of branch heads in each region and training center directors over many years, centering on Sosai Oyama Masutatsu, as determined in previous litigation, acquisition of trademark rights should essentially be determined through consultations among such stakeholders.

Therefore, we inquired about the validity of one faction’s monopoly of the trademark rights to “Kyokushin-kaikan” and as a result using the trademark rights to restrain activities of other factions, and on December 1, 2014, we filed an appeal with the Japan Patent Office demanding the invalidation of the registration of trademark rights to “Kyokushin-kaikan” held by Ms. Kuristina Oyama in order to invalidate Ms. Kuristina Oyama’s acquisition of the trademark rights.

We believe our activities to demand invalidation against Ms. Kuristina Oyama are not for the benefit of a single faction but are activities for the benefit of Kyokushin Karate as a whole.

In this regard, if there are any persons who can cooperate and endorse the appeal for invalidation of the trademark registration now under examination at the Japan Patent Office, please contact us.

[Contact of this Case]

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