

China Trademark Office Announces Measures to Further Improve Services

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China has been No. 1 in the world for thirteen consecutive years in terms of number of trademark applications and registrations. According to statistics, until September 2015 the cumulative number of trademark registration applications in China had amounted to 17,641,700, and the total number of trademark registrations had been 11,762,900. To better protect exclusive trademark rights, the third amendment to the Trademark Law became effective as of May 1, 2014. Since then, China Trademark Office (CTMO) had been also taking some policy measures to further improve services for trademark applicants.

On March 24, 2016, the CTMO announced seven measures online.

1. Based on problems encountered in the practice of acceptance of trademark applications and new situation due to implementation of new Chinese Trademark Law and the Implementing Regulations, the China Trademark Office (CTMO) recently concluded answers to frequently asked questions in the procedure of trademark application for registration. The FAQs were published online on China Trademark Website on March 21, 2016.
2. In order to reduce trademark applicants' burden and shorten the processing time, the CTMO does not require notarization of evidential materials for application for registration of a trademark which is portrait or name of a celebrity's; for a trademark transfer or cancellation; and for correction of a foreign applicant's name or address.
3. For better guidance to an applicant's amendment, in the notification of requirement for amendment some explanatory or instructional content will be added according to the specific circumstances, so that the applicant can make rectification more pertinently or more accurately.
4. In some opposition cases, it is allowed to share one set of evidence if the evidence used for those cases is totally identical (not partially identical). Generally, the complete set of evidence is submitted with the opposition filed firstly according to the date of filing. As for other oppositions which can be supported by the same set of evidence, the applicant may not provide the same but must indicate the case of the first opposition with which the evidence is submitted, namely, the provisional number of the mark opposed firstly or the receipt number of the filing of the first opposition.
5. If both parties are identical, the opposed marks are identical, the same set of evidence is shared, or both parties file oppositions against each other, those cases can be put together for examination. Any party can propose other reasons for examination together, and the CTMO may approve to examine them together if the CTMO deems the reasons acceptable.

6. Concerning some post-registration matters such as change of an applicant's or registrant's name or address, trademark assignment, or trademark renewal which an applicant, on the basis of urgent or serious grounds, believes that it is necessary for the CTMO to speed up examination, the applicant can submit a written request for acceleration. If the CTMO thinks the request eligible, it will speed up the examination so that the waiting time for the certificates can be shortened.

7. China Trademark Office is optimizing its website by regulating setup of some columns, updating the contents more quickly, improving stability of its website, and improving function of search for trademark status, and adding information concerning receipt and return of documents.

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