

China's Policy Considerations When Assessing Accession to the Madrid Protocol and the Main Policy and Legal Challenges Facing the Madrid Protocol

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China's Policy Considerations When Assessing Accession to the Madrid Protocol

- Background
- Necessity for accession to the Madrid System
- Preparation for accession to the Madrid System

Background

- China's economic reform
- World economic globalization
- Promulgation of laws and regulations
- Accession to the Paris Convention

Necessity for Accession to the Madrid System

- Intellectual property protection abroad
- The features of the Madrid system

Preparation for Accession to the Madrid System

- Establishment of international registration division
- Publicity and training

Main Policy and Legal Challenges Facing the Madrid Protocol

- Amendments of domestic legislation
- Making full use of the flexibilities of the Madrid system
- Solutions for the conflicts between the Madrid system and the domestic system

Amendments of domestic legislation

- 1993 (service marks)
- 2001(three-dimensional marks)
- 2013(sound marks, multi-class application)

Making full use of the flexibilities of the Madrid system

- Rule 17(5)(e)(ex officio provisional refusal not open to review before the Office)
- Rule 20bis(6)(b)(recording of licenses provided for in the domestic law, but the recording of licenses in the International Register has no effect)
- Working languages

Solutions for the conflicts between the Madrid system and the domestic system

- Service marks
- Classification of goods and services
- Multiple classes in an application
- Refusal system

Thank you !