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Trademark and GI : identity, similarity and imitation – China's GI trademark examination practice

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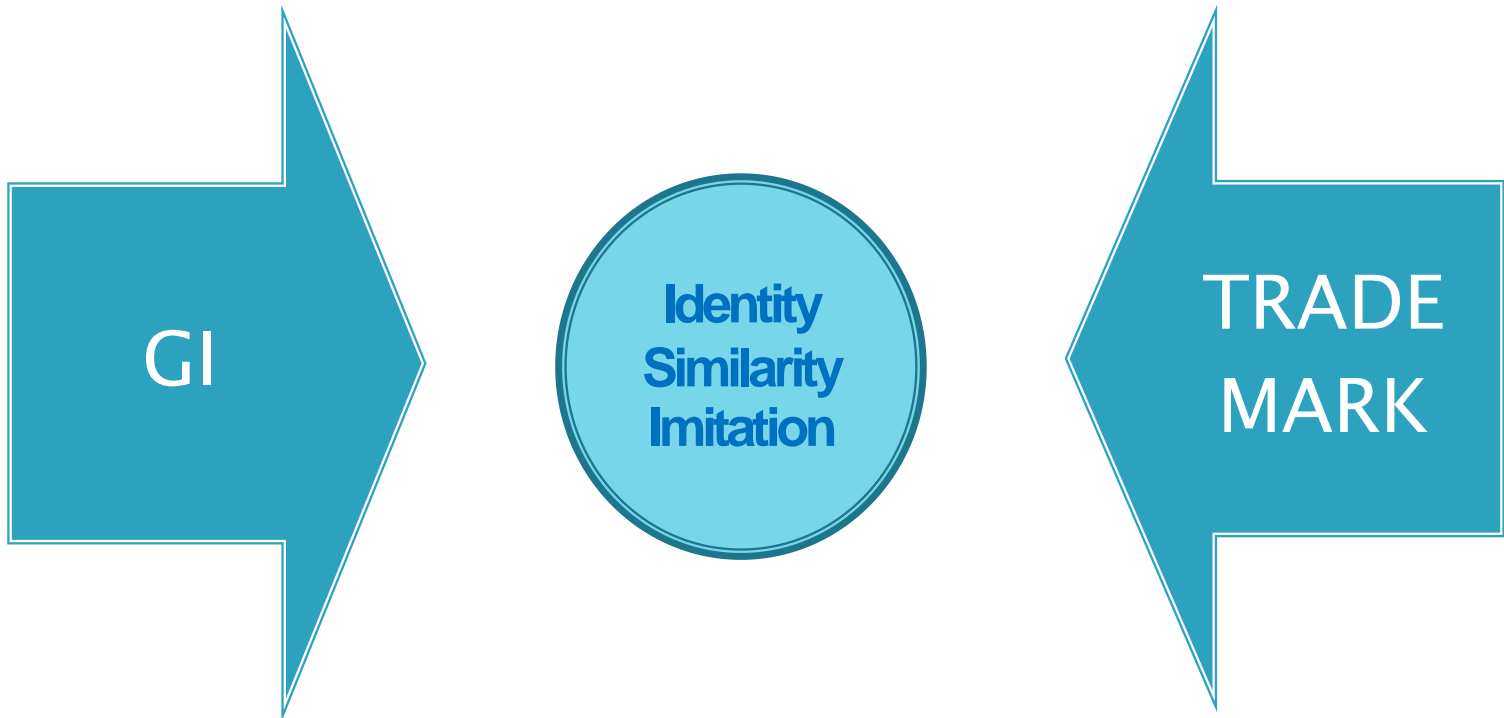
Examination Division V of Trademark Office, CNIPA

Geneva, November 6, 2019



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CONTEXT





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Protecting GIs within the trademark system in China

- ▶ Trademark law
- ▶ Regulations for the implementation of the Trademark law
- ▶ Measures for the registration and administration of collective trademarks and certification trademarks



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The trademark system can effectively avoid the possible conflicts between trademarks and GIs.

Medoc
梅多克

Registration Number: 15615996
Owner: CONSEIL
INTERPROFESSIONNEL DU VIN DE
BORDEAUX
Goods: Wines
Trademark Type: Collective
Trademark

灵山荔枝

Registration Number: 32170416
Owner: 灵山县龙武香荔桂味荔枝协会
Goods: Fresh lychee
Trademark Type: Certification
Trademark



Registration Number: 16483723
Owner: 惠州法拉宾贸易有限公司
Goods: Wines, Spirits, Liqueurs , etc
Trademark Type: Trademark



Registration Number: 1125532
Owner: 无锡灵山文化旅游集团有限公司
Goods: Fresh fruit, etc
Trademark Type: Trademark



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Opposition, cancellation and the judicial review system of administrative decisions provides a legal channel for GI registrants to safeguard their rights.

慕里斯

Registration Number: 9447054
Owner: 四川壹玖壹玖酒类供应链管理股份有限公司
Goods: Wines, etc
Trademark Type: Trademark

慕里斯

Registration Number: 22958575
Owner: CONSEIL
INTERPROFESSIONNEL DU VIN DE
BORDEAUX
Goods: Wines
Trademark Type: Collective
Trademark



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The trademark system can provide administrative and judicial protection for GI infringement.





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The trademark system provides comprehensive and effective protection for registered and unregistered GIs.

干邑世界
Cognac World



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GI trademarks can be protected quickly, conveniently in other countries through the Madrid system of international trademark registration.

镇江香醋

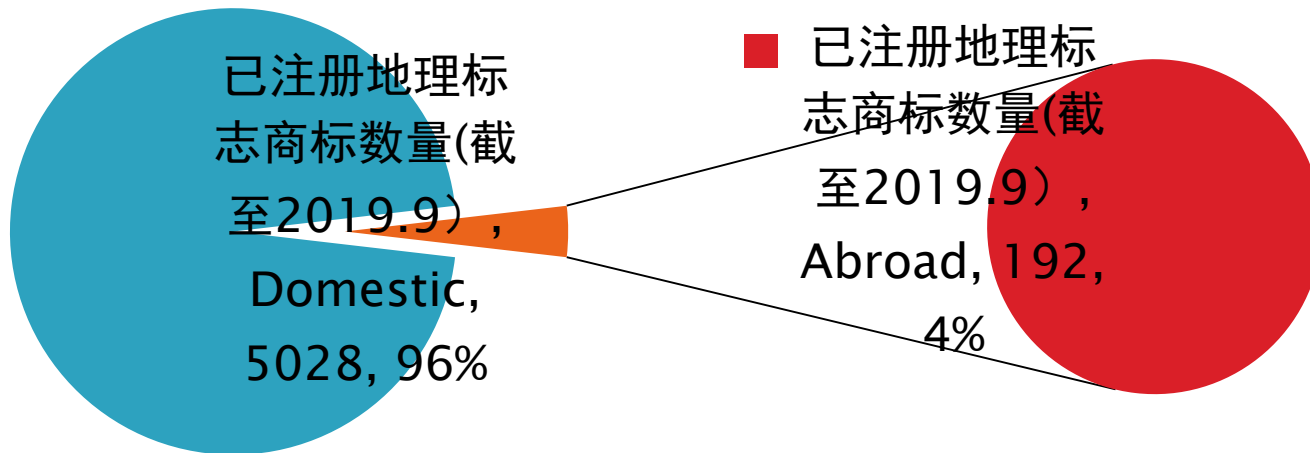


鄞县豆瓣



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Number of registered GI trademarks (By the end of Sept.2019)





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The BALANCE OF RIGHTS: GI and Trademark





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EXAMPLE:

南龙

NANLONG

Registration Number: 6581851

Owner: 温州市南龙生态农业科技开发有限公司

Goods: Fresh fruit, etc

Trademark Type: 普通商标

龙南脐橙

Registration Number: 28415893

Owner: 龙南县水果蔬菜协会

Goods: Fresh orange

Trademark Type: Certification

Trademark



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EXAMPLE:



Registration Number: 18274474
Owner: 泰安市泰山林业科学研究院
Goods: Huang jing (Chinese herbal medicine)
Trademark Type: Certification Trademark



Owner: 山东国禾农业科技开发有限公司
Goods: 5, 29, 30, 31, 33, etc
Trademark Type: Trademark



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EXAMPLE:

东方樱桃

Goods: Fresh cherry



Goods: Fresh apple

Thank you for listening!



Margaux



CHACHA



PARMA HAM

