



# Understanding Examination and Refusal Procedures in the IP Office of China

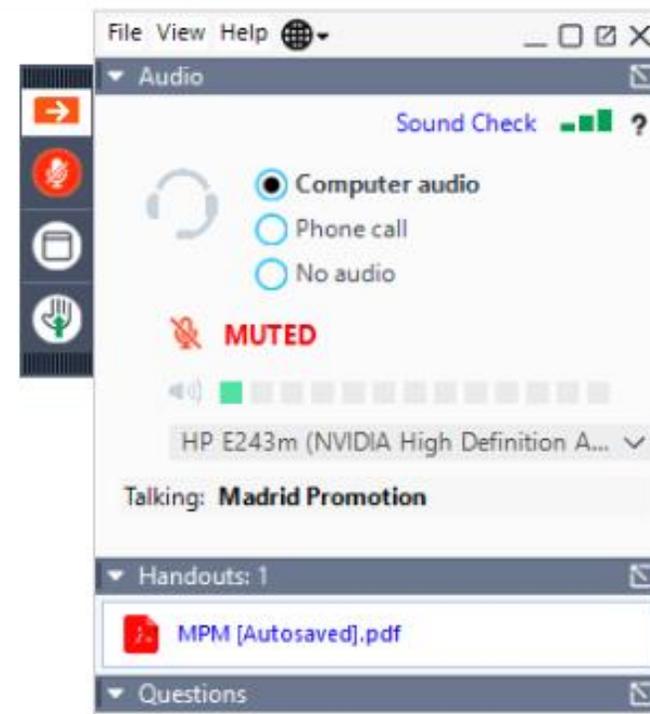
Madrid System Webinar

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**Geneva**  
**June 30**  
**2020**

# How to use GoToWebinar



# Structure of the Webinar

- Presentation: Understanding Examination and Refusal Procedures in the IP Office of China
- Interactive questions during the webinar
- Questions and answers session at the end
- Presentation slides available for download
- Recording will be uploaded on the [Madrid Webinar page](#)
- Short survey to provide feedback

# Understanding Examination and Refusal Procedures in China

- China overview
- Substantive examination
- Grounds for refusal
- How to overcome refusals
- Unacceptable indications of goods & services
- What you need to know after registration

# China Overview

- Accession to Madrid system
- Declarations made by China under the Madrid System
- Statistics

# Question 1

- When did China accede to the Madrid Agreement?
  - 1989
  - 1990
  - 1991

# China Overview: Accession to Madrid system

- Treaty: Madrid Agreement

Entry into force: October 4, 1989

- Treaty: Madrid Protocol

Entry into force: December 1, 1995

Note:

- Not applicable to Hong Kong - [Reference: Information Notice 02/1997](#)

- Not applicable to Macao - [Reference: Information Notice 15/2000](#)

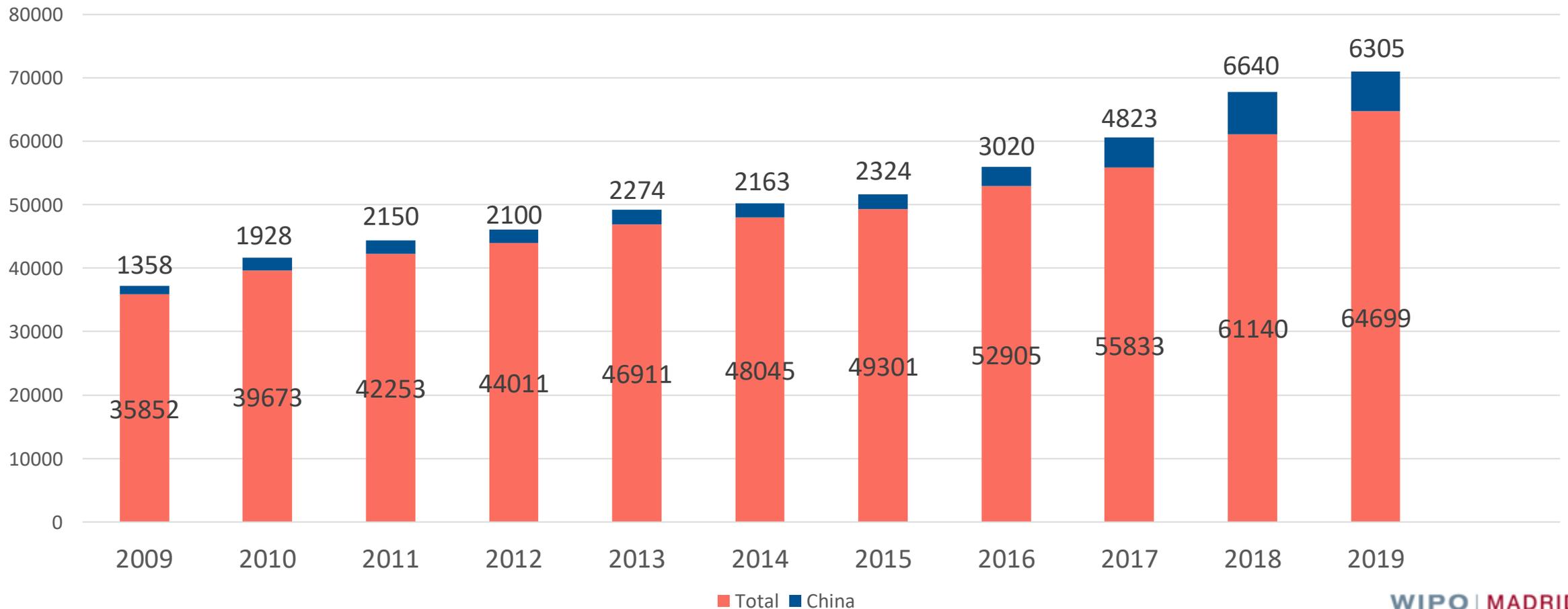
# Declarations made by China under the Madrid System

- Article 5(2)(b) of the Protocol (extension to 18 months of the refusal period)
- Article 5(2)(c) of the Protocol (possible notification of refusals based on an opposition after the 18-month time limit)
- Article 8(7)(a) of the Protocol (individual fees)

# Declarations made by China under the Madrid System

- Rule 20bis(6)(b) of the Regulations (the recording of licenses in International Register has no effect)
- Rule 27bis(6) of the Regulations (the Office will not present requests for division of an international registration)
- Rule 27ter(2)(b) of the Regulations (the Office will not present requests for merger of international registrations resulting from division)

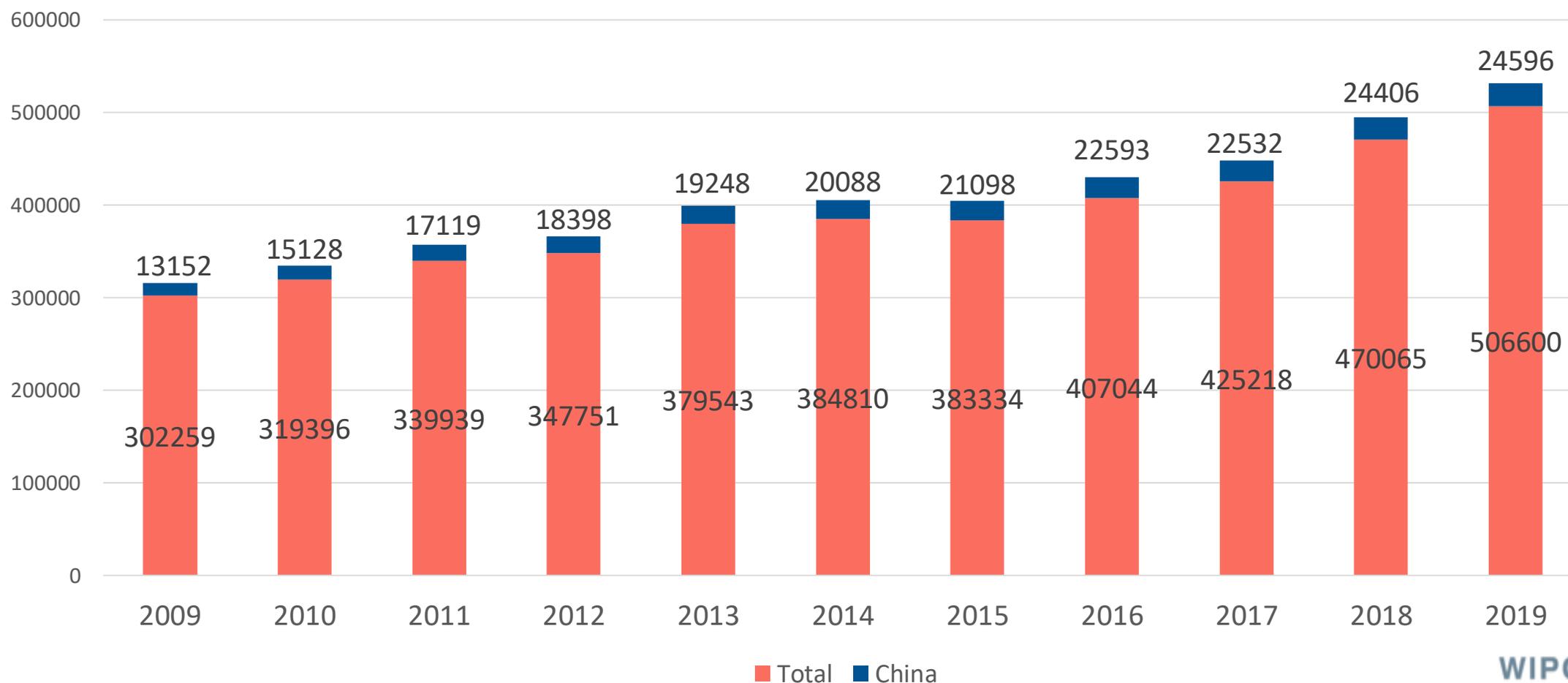
# International applications from China vs the total in the Madrid System since 2009



Source: WIPO IP Statistics Data Center

WIPO FOR OFFICIAL USE ONLY

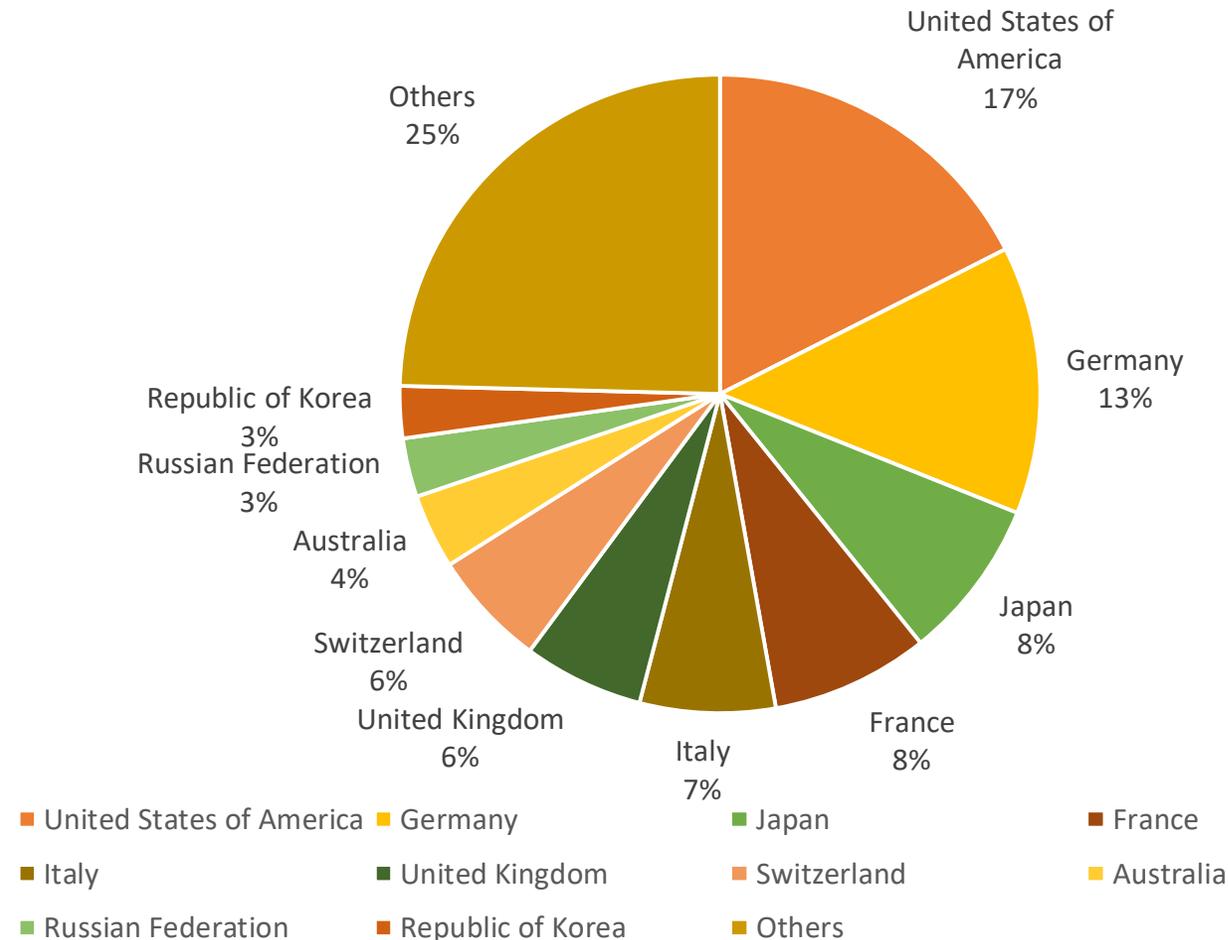
# Designations of China vs the total in the Madrid System since 2009



Source: WIPO IP Statistics Data Center

WIPO FOR OFFICIAL USE ONLY

# Designations of China in international applications & subsequent designations by Country of Holder (2019)



Source: WIPO IP Statistics Data Center

WIPO FOR OFFICIAL USE ONLY

# Substantive Examination in China

- Period of refusal
- Opposition period
- Flow of examination process
- Legislation and practices
- Types of trademarks protected in China
- Classification of Goods & Services in China

## Question 2

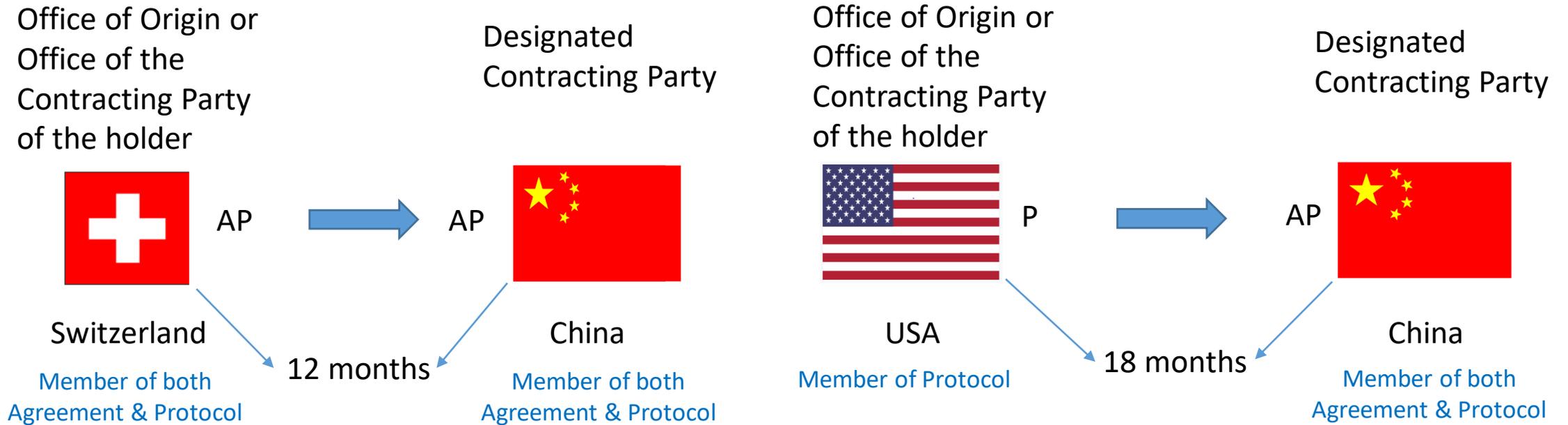
- If China is designated in an international application from Switzerland, how long will the refusal period be?
  - 12 months
  - 18 months

## Question 3

- If China is designated in an international application from the United States of America, how long will the refusal period be?
  - 12 months
  - 18 months

# Period of refusal

Both Switzerland and US have made a declaration under **Article 5(2)(b)** of the Madrid Protocol: 18 months



**Article 9sexies** of the Madrid Protocol

Madrid Protocol

# Opposition period

- No publication of the International Registration in China
- Within 3 months
- From the 1st day of the next month following the publication of the Gazette of International Registration by WIPO

**Registrations**



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**NOTIFICATION** ENN/2020/4

Reproduction of the mark where the mark is represented in standard characters

Registration number **1 51:**

Registration date **January 6, 2020**

Date next payment due **January 6, 2030**

Name and address of holder merica, LLC  
Ste. 208, Huntersville NC  
28078 (United States of America)

Legal nature of the holder (legal entity) and place of organization **LTD LIABILITY COMPANY, North Carolina, United States**

Name and address of the representative **Jacob S. Wharton Womble Bond Dickinson (US) LLP, One West Fourth Street, Winston-Salem NC 27101 (United States of America)**

List of goods and services NCL(11-2020) **36 Extended warranty services for commercial vehicles.**

Basic application **United States of America, 16.07.2019, 88516998**

Data relating to priority under the Paris Convention **United States of America, 16.07.2019, 88516998**

Designations under the Madrid Protocol **Canada, European Union, United Kingdom**

Declaration of intention to use the mark **United Kingdom**

Date of notification 06.02.2020

Language of the international application **English**

[Browse by chapter](#) [Search by Registration Number or Mark or Holder](#) [Frequently Asked Questions \(FAQs\)](#)

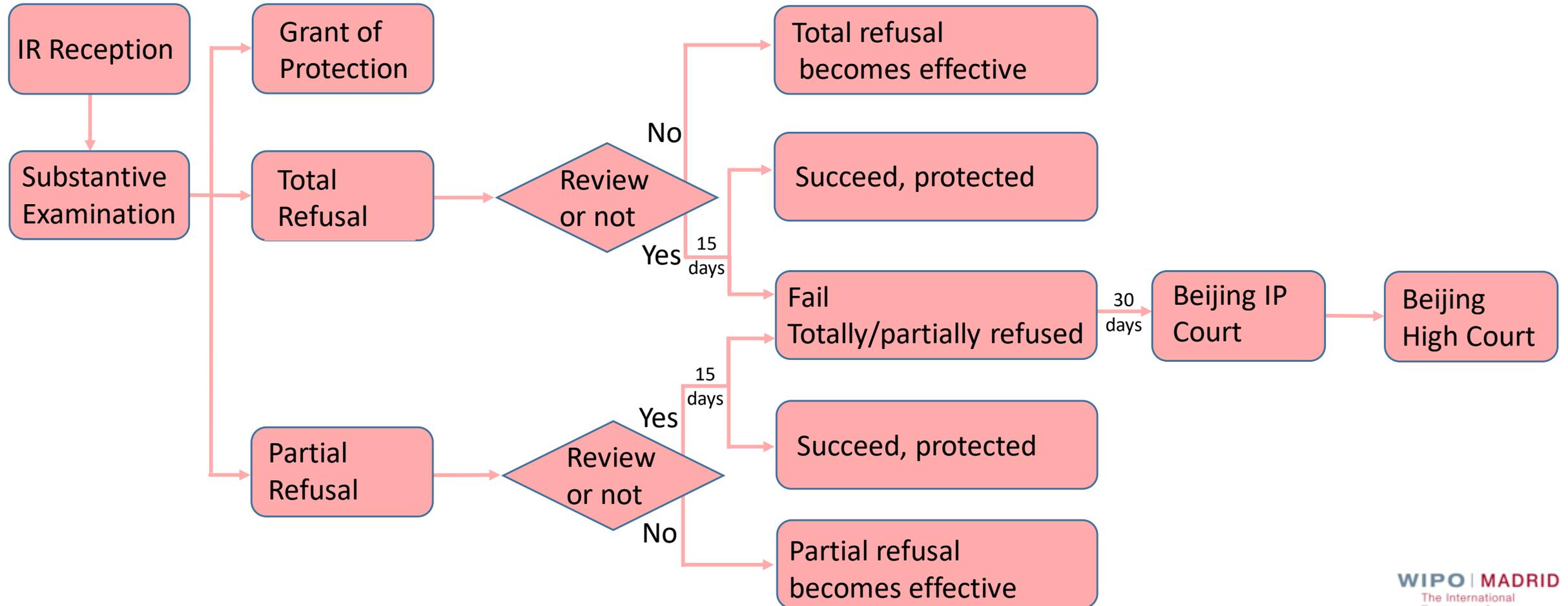
Publication date Year  No. 04 - 06/02/2020

Search IRN  Holder  Mark

Date of notification = Publication date: February 6, 2020

Opposition period: March 1, 2020 – May 31, 2020

# Flow of Madrid Procedure in China



# Legislation and Practices

- Trademark Law of China
- Implementing Regulations under the Trademark Law of China
- Trademark Examination and Review Standards

# Types of trademarks protected in China

- Three dimensional marks
  - Sound marks
  - Color combination marks
- } non-traditional trademarks
- Collective / Certification marks (Geographical Indications)

Note:

Related documents should be submitted within 3 months from the notification date of the international registration.

# Classification of Goods & Services in China

- Nice classification
- Chinese classification of goods and services
- Subclass system
  - Similar groups of goods and services  
E.g.: Class 1: 0101-0117, Class 2: 0201-0207  
Class 3: 0301-0310 .....
  - Normally independent from each other
  - Sometimes cross-searched

# Grounds for Refusal

## ■ Absolute grounds

### ■ Use Prohibition

Article 10: signs shall **not be used** as trademarks

### ■ Distinctiveness

Article 11 : signs shall **not be registered** as trademarks, but if acquired distinctiveness through use and become distinguishable, may be registered as trademarks

## ■ Relative grounds

### ■ Articles 30 & 31

# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(1) those identical with or similar to the State name, national flag, national emblem, national anthem, military flag, military emblem, military anthem, or medals etc, of the People's Republic of China, and those identical with the names or symbols of the central government departments, or with the names of the particular venues where the central government departments are located, or with the names or shapes of the landmark buildings of the central government departments;

e.g.:



CHINAR



# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(2) those identical with or similar to the state names, national flags, national emblems or military flags etc, of foreign countries, unless consent has been given by the government of the relevant country;

e.g.:



# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(3) those identical with or similar to the names, flags or emblems etc, of international intergovernmental organizations, unless consent has been given by the relevant organization or the public is not likely to be misled;

e.g.:



# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(4) those identical with or similar to official signs or hallmarks indicating control and warranty, unless authorization has been given;

e.g.:



# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(5) those identical with or similar to names or symbols of the Red Cross or the Red Crescent;

e.g.:



# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(6) those having the nature of ethnic discrimination;

e.g.:



印第安人  
INDIAN

Class 11: toilets

# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(7) those having the nature of fraud, which is likely to mislead the public as to the features such as qualities of the goods, or the place of the origin;

e.g.:



Applicant: M.SERGE LOUIS ALVAREZ

Address: 18 RUE ROBIN, BP 148 F-26905 VALENCE CEDEX 9 (FRANCE)

# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

(8) those detrimental to socialist morality or customs, or having other unhealthy influences.

e.g.:



# Absolute Grounds

## ■ Use Prohibition:

Article 10: the following signs **shall not be used** as trademarks:

The geographical names of the administrative divisions at or above the county level or the foreign geographical names well-known to the public shall not be used as trademarks, unless the geographical names have other meanings or serve as component elements of collective marks or certification marks; registered trademarks consisting of or containing geographical names shall continue to be valid.

e.g.:

*Olympia*

Class 25: clothing



LONDON FOG



Class 25: bags, umbrellas

PARMA HAM



Class 29: Parma ham

# Absolute Grounds

## ■ Distinctiveness

Article 11. The following signs **shall not be registered** as trademarks:

(1) signs which consist exclusively of the generic names, designs, or model numbers of the goods in respect of which the trademark is used;

e.g.:



Class 7: milling machines



Class 31: apples



Class 25: clothing

# Absolute Grounds

## ■ Distinctiveness

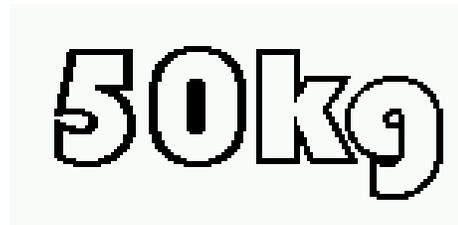
Article 11. The following signs **shall not be registered** as trademarks:

(2) signs which consist exclusively of direct terms of the quality, primary raw material, functions, intended purpose, weight, quantity or other characteristics of goods;

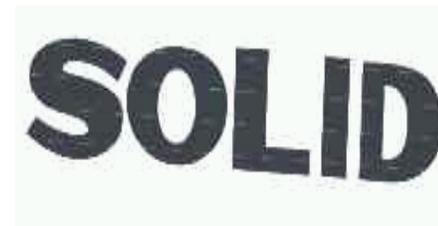
e.g.:



Class 9: voltage surge protectors



Class 29: rice



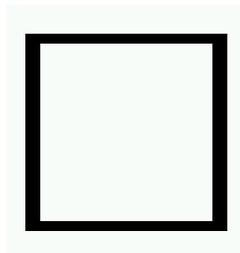
Class 1: silicates

# Absolute Grounds

## ■ Distinctiveness

Article 11. The following signs **shall not be registered** as trademarks:  
(3): other signs which are devoid of any distinctive character.

e.g.:



Too simple



Too complicated

J T

One or two  
letters in  
common forms

5203

Arabic numerals in  
ordinary forms

# Absolute grounds

## ■ Distinctiveness

However, signs in the preceding paragraphs having acquired distinctiveness **through use and become distinguishable**, may be registered as trademarks.

e.g.:

The image shows the text "American Standard" in a serif font, centered within a light gray rectangular box. The text is slightly faded, suggesting it is a watermark or a reference to a trademark.

Class 11: sanitary apparatus  
and installations

# Relative Grounds

- Articles 30 & 31: identical with or similar to the trademark of others in respect of the same or similar goods / services

Determination of same or similar goods & services:

Nice Classification (NCL)

Chinese Classification of Goods and Services

# Relative Grounds

## Similar Trademarks

CATANA vs KATANA

Marc O'Polo vs MACAO POLO

CROWN vs 皇冠

Onetwothree vs 123

SK-TWO vs SK-II

HAWKWOLF vs WOLFHAWK

# How to overcome Refusals

- Ex Officio Refusal: Rule 17(2) & Rule 17(5) (e) of the Regulations
- Refusal Based on Opposition: Rule 17(2) & Rule 17(3) of the Common Regulations

# Ex Officio Refusal: Rule 17(2) & Rule 17(5) (e) of the Regulations

## ■ Notification of Ex Officio Refusal

- Office making the notification
- IRN
- All the grounds, together with a reference to the corresponding essential provisions of the law
- Scope: full / partial
- Time limit and competent Authority for review
- Date & Signature

# Ex Officio Refusal: Rule 17(2) & Rule 17(5) (e) of the Regulations

## NOTIFICATION OF EX OFFICIO REFUSAL

Notified to the International Bureau of  
the World Intellectual Property Organization (WIPO)  
under Rule 17 (2) and 17 (5)(e) of the Common Regulations

NOTE: This notification of ex officio refusal shall be deemed to include a statement in accordance with Rule 18ter (2) (ii) or (3) of the Common Regulations. Any request for review shall be filed to the **CNIPA** through a qualified Chinese agency or attorney, within **15 days** from receipt of this notification.

- I. Office which pronounces the refusal:  
**National Intellectual Property Administration, PRC (CNIPA)**  
1, Chama Nanjie, Xichengqu, Tel: 8610-63219000  
Beijing, 100055 People's Republic of China FAX: 8610-68050285
- II. Date of the refusal pronounced: 2020/04/01
- III. Our reference number: GJZCG: 1234567 3HYW01
- IV. International registration number: **1234567**
- V. Date of notification to China: 2019/10/24
- VI. Basic national registration number:  
Basic national application number: 7654321



# Ex Officio Refusal: Rule 17(2) & Rule 17(5) (e) of the Regulations

- VII. **The mark is refused for the following goods and/or services:**  
42:Scientific and technological services and research and design relating thereto.
- VIII. **Reason(s) of refusal:**  
Prior national and/or international mark(s). (See Item X)  
This mark is similar to the earlier mark(s).  
The goods and/or services listed in Column VII are similar to those of the earlier application and/or earlier registration.
- IX. **Applicable legal provisions of the refusal:**  
Article(s): (See the excerpts of the laws and regulations)  
Trademark Law Article 30
- X. Informations concerning **the earlier mark(s):**

# Ex Officio Refusal: Rule 17(2) & Rule 17(5) (e) of the Regulations

Mark:	PLEX THE MANUFACTURING CLOUD
Date of application:	2014/11/13
Number of application:	
Date of priority:	
Date of registration:	2014/11/13
Number of registration:	Madrid 1243562
Name of the holder:	SYSTEMS, INC.
Address of the holder:	900 Tower Drive Troy MI 48098 (United States of America)
Goods/services:	class 42 软件即服务 (SAAS) 的服务, 即为制造商提供企业资源规划(ERP) 解决方案;
Device:	

# Ex Officio Refusal: Rule 17(2) & Rule 17(5) (e) of the Regulations

## Relevant Provisions of the Law and the Regulations (Excerpts)

### Trademark Law of China

**Article 10** The following signs shall not be used as trademarks:

- (1) those identical with or similar to the State name, national flag, national emblem, national anthem, military flag, military emblem, military anthem, or decorations etc, of the People's Republic of China, and those identical with the names or symbols of the Central State government organizations, or with the names of the particular venues, where the Central State government organizations are located, or with the names or graphs of the symbolic buildings of the Central State government organizations;
- (2) those identical with or similar to the State names, national flags, national emblems or military flags etc, of foreign countries, unless consent has been given by the government of the relevant country;
- (3) those identical with or similar to the names, flags or emblems etc, of international intergovernmental organizations, unless consent has been given by the relevant organization or the public is not likely to be misled by such use;
- (4) those identical with or similar to official signs or hallmarks indicating control and warranty, unless authorization has been given;
- (5) those identical with or similar to names or symbols of the Red Cross or the Red Crescent;
- (6) those having the nature of discrimination against any nationality;
- (7) those having the fraudulence, which will easily mislead the public as to the features such as qualities of the goods, or the places of the origins;
- (8) those detrimental to socialist morality or customs, or having other unhealthy influences.

The geographical names of the administrative divisions at or above the county level or the foreign geographical names well-known to the public shall not be used as trademarks, but such geographical names as have otherwise meanings or as an element of a collective mark or a certification mark shall be

exclusive. Where a trademark using any of the above-mentioned geographical name has been approved and registered, it shall continue to be valid.

**Article 11** The following signs shall not be registered as trademarks:

- (1) those which consist exclusively of the generic names, designs, or models of the goods in respects of which the trademark is used;
- (2) those which consist exclusively of direct indications of the quality, primary raw material, functions, intended purpose, weight, quantity or other characteristics of goods;
- (3) other signs which are devoid of any distinctive character.

Where trademarks under the preceding paragraph have acquired distinctiveness through use and become easily distinguishable, they may be registered as trademarks.

**Article 12** Where a three-dimensional sign is applied for registration of a trademark, it shall not be registered if it consists exclusively of the shape which results from the nature of the goods themselves, the shape of goods which is necessary to obtain a technical result, or the shape which gives substantial value to the goods.

**Article 16** Where a trademark contains or consists of a geographical indication with respect to goods not originating in the place indicated, misleading the public as to the true place of origin, the application for registration shall be refused and the use of the mark shall be prohibited. But for those marks that have obtained registration in good faith shall continue to be valid.

Geographical indications mentioned in the preceding paragraph are indications that identify a particular good as originating in a region, where a given quality, reputation or other characteristics of the goods is essentially attributable to its natural or human factors.

**Article 22** An applicant for the registration of a trademark shall, in accordance with the prescribed classification of goods, in the application, indicate the class(es) and the indications of goods in respect of which the trademark is to be used.

An applicant can apply for the registration

# Refusal based on Opposition: Rule 17(2) & Rule 17(3) of the Regulations

## NOTIFICATION OF PROVISIONAL REFUSAL BASED ON AN OPPOSITION

Notified to the International Bureau of World Intellectual Property Organization (WIPO)  
under Rule 17 (2) and (3) of the Common Regulations

I. Authority which notified the notification:

National Intellectual Property Administration, PRC (CNIPA)

1, Chama Nanjie, Xichengqu, Tel: 8610-63219000  
Beijing, 100055  
People's Republic of China FAX: 8610-63219000

II. Our reference number: 2019际异0000000385GYDB01

Date of notification: 2020/04/23

III. International Registration Number: 1234567

IV. Basic national registration No.:

Basic national application No.:



V. Name and address of the opponent who filed the opposition against the above-mentioned international registration:

JINKO SOLAR CO., LTD

No.1, Jinko Avenue, Economic Development Zone, Shangrao City, Jiangxi Province,  
China

VI. Goods and/or services affected by the provisional refusal:

Class 9: All the goods.

Class 35: All the services.

Class 42: All the services.

VII. The opponent mentioned in Item V has filed an opposition on the grounds indicated in Item VIII against:

the international registration under Article 33 of the Trademark Law and Rule 45 of the Implementing Regulations under the Trademark Law. This provisional refusal is therefore issued according to Rule 17 (2) and (3) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement.

Under Rule 27 of the Implementing Regulations under the Trademark Law, the holder of the international registration may file a response to the opposition with the National

# Refusal Based on Opposition: Rule 17(2) & Rule 17(3) of the Regulations

Intellectual Property Administration, PRC within 30 days from receipt of this notification

Where the holder of the international registration is not a national of China or an entity established within the territory of China, the response to the opposition has to be filed through the intermediary of a qualified representative whose address is within the territory of China. The documentation filed by the opponent in support of the opposition may be obtained through the authorised representative. A list in Chinese of agencies can be found at <http://www.ctmo.gov.cn> or <http://sbj.saic.gov.cn>.

Under Article 35 of the Trademark Law, the National Intellectual Property Administration, PRC will make a decision on the opposition on the basis of the facts and grounds submitted by the opponent and the holder.

## VIII. Grounds of opposition:

The mark is similar to the following mark(s).

The goods and/or services listed in Item VI are similar to those of the following mark(s).

The opposed mark is registered in an unfair means and is a reproduction or imitation of the following marks which have been in use and well-known to the public. The opposed mark would mislead the public in respect of the origin of goods and services as if it is registered and used on goods and services similar to those of the following marks. And the interests of the registrant of the following marks are likely to be damaged by such registration and use.

Mark: JINKO SOLAR BUILDING YOUR TRUST IN SOLAR

Date of application: 2011/11/02

Number of application: 10140153

Date of priority:

Date of registration: 2013/09/28

Number of registration: 10140153 (non-Madrid)

Name of the holder: JINKO SOLAR CO., LTD

Address of the holder: No. 1, Jinko Avenue, Economic Development Zone, Shangrao City, Jiangxi Province, China

Goods/services:

技术研究;地质调查;化学服务;生物学研究;气象信息;材料测试;造型(工业品外观设计);建筑学;服装设计;计算机系统设计;艺术品鉴定;书画刻印艺术设计;

Device:



# How to overcome Refusals

- Filing a review to the ex officio refusal / Submitting response to the refusal based on opposition
- 15 days / 30 days from receipt of the notification of refusals from WIPO: cover letter of notification or envelop with postmark
- 3 months for more evidences: must indicates clearly in the review or in the response filed within 15 or 30 days
- Through a qualified Chinese representative
- Competent authority: CNIPA
- CNIPA—> Beijing Intellectual Property Court —> Beijing High Court

# How to overcome Refusals (including but not limited to the following options)

- Filing written opinions
- Transferring the trademark(s) to the same ownership
- Removing the earlier obstacles through opposition, invalidation, cancellation, etc.
- Submitting the Trademark Concurrent Use Agreements
- Submitting the evidence of distinctiveness acquired through use
- Changing or correcting the name/address of the holder (insufficient)

# How to avoid refusal

- Considering the absolute grounds
- Considering the relative grounds
- Search prior similar / identical marks in the trademark database at [CNIPA website](#)
- Avoid claiming for the unacceptable G&S in China

# Search prior similar marks at CNIPA Website

The screenshot displays the official website of the Trademark Office of the National Intellectual Property Administration (CNIPA). The header features the CNIPA logo and the text "国家知识产权局商标局 中国商标网" (State Intellectual Property Administration Trademark Office China Trademark Network) along with the English translation "TRADEMARK OFFICE OF NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION, PRC".

The navigation menu includes the following items: 首页 (Home), 司局介绍 (Introduction), 工作动态 (Work Dynamic), 政策法规 (Policy and Regulation), 通知公告 (Notice and Announcement), 商标监管执法 (Trademark Supervision and Enforcement), 商标数据 (Trademark Data), 商标公告 (Trademark Announcement), 商标评审 (Trademark Review), 商标申请 (Trademark Application), 地理标志 (Geographical Indication), 国际交流 (International Exchange), 商标查询 (Trademark Search), 专题报道 (Special Report), 商标代理 (Trademark Agency), 商标品牌战略 (Trademark Brand Strategy), and 国际注册 (International Registration). The "商标查询" (Trademark Search) option is highlighted with a red box.

The main content area shows a news article titled "工作动态" (Work Dynamic) with the following items:

- 商标局组织观看十三届全国人大三次会议开幕会 (2020/05/26)
- 商标局支持复工复产按下“加速键” (2020/05/26)
- 关于网申系统商标注册申请增加非标准项目申报功能的通知 (2020/05/20)
- 2019年我国商标审查效率、质量稳步提升——坚持稳中求进 实现提... (2020/05/20)
- 济南商标审查协作中心积极开展商标志愿服务 (2020/05/20)

Below the news article is a grid of service icons:

- 商标网上申请 (Online Application)
- 商标网上查询 (Online Search)
- 商标注册审查决定书 (Registration Decision)
- 商标异议决定书 (Opposition Decision)
- 商标评审文书 (Review Documents)
- 商标数据开放 (Data Open)
- 马德里申请指南 (Madrid Guide)
- 商标申请指南 (Application Guide)
- 商标申请书式 (Application Form)
- 商标注册流程图 (Registration Flowchart)
- 商标注册证明公示 (Registration Proof)
- 商标公告 (Announcement)

# Search prior similar marks at [CNIPA Website](http://www.cnipa.gov.cn)



The screenshot shows the official website of the Trademark Office of the National Intellectual Property Administration (CNIPA). The header features the CNIPA logo and the text "国家知识产权局商标局 中国商标网" (State Intellectual Property Administration Trademark Office China Trademark Network) along with the English translation "TRADEMARK OFFICE OF NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION, PRC". A navigation menu includes links for Home, Agency Introduction, Work Dynamic, Policy and Regulation, Notice, Trademark Supervision and Enforcement, Trademark Data, Trademark Announcement, Trademark Review, Trademark Application, Geographical Indication, International Exchange, Trademark Search, Special Report, Trademark Agency, Trademark Brand Strategy, and International Registration. The main content area is titled "商标查询" (Trademark Search) and contains a "使用说明" (Usage Instructions) section. The instructions state that the service is for public information and is not real-time. A red box highlights a "我接受" (I accept) button at the bottom of the instructions. The footer of the page includes the WIPO | MADRID logo and the text "The International Trademark System".

国家知识产权局商标局 中国商标网  
TRADEMARK OFFICE OF NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION, PRC

首页 | 司局介绍 | 工作动态 | 政策法规 | 通知公告 | 商标监管执法 | 商标数据 | 商标公告 | 商标评审  
商标申请 | 地理标志 | 国际交流 | 商标查询 | 专题报道 | 商标代理 | 商标品牌战略 | 国际注册

您的位置: 首页 > 商标查询

## 商标查询

### 使用说明

本栏目为社会公众提供商标注册申请信息查询, 本系统的数据信息并非实时更新, 有一定滞后性, 仅供参考, 不具有法律效力。

WIPO | MADRID  
The International Trademark System

# Search prior similar marks at CNIPA Website

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Home SISTM SGTMI STMAS STMG Error report Goods/Services

 <b>SISTM</b> Search for identical or similar TMs(SISTM): The system provides searching for similar or identical trademarks on the basis of figures and characters. It is used for identical and similarity checking.	 <b>SGTMI</b> Search for general TM information(SGTMI): Trademark information can be searched based on trademark number, trademark content, and name of applicant, etc.	<b>Disclaimer</b> This column is for trademark registration information inquiry. The system's data is not for real-time update, and there is a time lag. The information provided is only for reference without legal effect.
 <b>STMAS</b> Search of TM application status(STMAS): The status of a trademark can be searched based on application number or registration number.	 <b>STMG</b> Search of TM Gazette	<b>Bulletin</b>
 <b>Error report</b> Error report(ER): users can report inaccurate information to CTMO for correction.	 <b>Goods/Services</b> goods and services inquiry	

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**Automatic Search** Selective Search ⓘ

\* **International Classification**  🔍

**Similar group**  🔍

\* **Search mode**  Chinese character  Chinese pinyin  English  Numeral  Acronym  Graph ⓘ

\* **Trademark content**

Sort  Print  Screening 

Search to 224 trademarks

Reference only, do not have any legal effect.

<input type="checkbox"/>	Serial number	Application No./registration No.	Date of application	Trademark content	Name of applicant
<input type="checkbox"/>	1	27333744	2017年11月07日	白天鹅 WHITE SWAN	中科软评科技(北京)有限公司
<input type="checkbox"/>	2	6564554	2008年02月26日	WHITE SWAN;W	广东东国科贸有限公司
<input type="checkbox"/>	3	268486	1985年12月02日	白天鹅	广州白天鹅电子厂
<input type="checkbox"/>	4	3981449	2004年03月29日	白天鹅宾馆;WHITE SWAN HOTEL	白天鹅宾馆有限公司
<input type="checkbox"/>	5	3025578	2001年11月27日	WHITE STAR	强生视力康公司
<input type="checkbox"/>	6	G1416059	2018年08月02日	THE WHITE SCREEN	NEUVE A CO., LTD.
<input type="checkbox"/>	7	32586485	2018年07月31日	大白鲨 THE GREAT WHITE SHARK	舒氏集团有限公司
<input type="checkbox"/>	8	6296390	2007年09月26日	WHITE SHEEP	山西阳泉铝业股份有限公司
<input type="checkbox"/>	9	34817832	2018年11月21日	WHITE SAMURAI	北京中嘉信隆科技发展有限公司
<input type="checkbox"/>	10	8215287	2010年04月16日	大白鲨 GREAT WHITE SHARK	深圳市科普迪科技有限公司
<input type="checkbox"/>	11	12973667	2013年07月25日	WHITE SERIES	史丹利百得公司
<input type="checkbox"/>	12	20623798	2016年07月12日	白鲨 WHITE SHARK	天津市港华特种线材厂
<input type="checkbox"/>	13	11892009	2012年12月14日	WHITE SHARK	包成松
<input type="checkbox"/>	14	G1106154	2012年02月25日	WHITE STUFF	WHITE STUFF LIMITED
<input type="checkbox"/>	15	G1007194	2009年08月19日	ECOWHITE SILVER	DEPOSITION SCIENCES,INC.
<input type="checkbox"/>	16	32737145	2018年08月07日	白蛇珠仙 THE LENGED OF WHITE SNAKE	深圳市鲸旗天下网络科技有限公司
<input type="checkbox"/>	17	14090461	2014年02月28日	白糖 WHITE SUGAR	舒高移动通讯有限公司
<input type="checkbox"/>	18	16416059	2015年02月26日	蓝白格	季丽丽
<input type="checkbox"/>	19	9002307	2010年12月29日	WHITE ACOUSTICS	英国唯特音响有限公司
<input type="checkbox"/>	20	G12022745	2014年05月15日	WHITE DWARF	GAMES WORKSHOP LIMITED
<input type="checkbox"/>	21	9361791	2011年04月19日	大白兔 WHITE RABBIT	上海冠生园食品有限公司
<input type="checkbox"/>	22	13492383	2013年11月06日	WHITE WOLF	上海声华贸易有限公司
<input type="checkbox"/>	23	10730903	2012年04月06日	WHITE GALLERY	白色画廊有限公司
<input type="checkbox"/>	24	12764005	2013年06月17日	WHITE HORSE	中山市威日斯电器有限公司
<input type="checkbox"/>	25	1465949	1999年06月03日	WHITE PARTRIDGE	广州雷鸟电子科技有限公司
<input type="checkbox"/>	26	G1248012	2015年05月28日	WHITE HEAT WH	ANDY WOLF FASHION GMBH

trademark details

Trademark procedure

白天鹅 WHITE SWAN

## Goods/services

测绘仪器, 电解装置, 唱片, 避雷器, 计算机程序 (可下载软件); 可下载的计算机应用软件; 电线, 眼镜, 计算机软件 (已录制); 灭火器; [show details](#)

## Similar group

Similar group	Goods/services
0910	测绘仪器
0915	电解装置
0908	唱片
0914	避雷器

## Application

No./registration No. 27333744

Date of application

Name of applicant(Chinese) 中科软评科技 (北京) 有限公司

Name of applicant(English)

Applicant address(Chinese) 北京市丰台区造甲街110号5幢1015室

Applicant address(English)

Public announcement number of first trial 1609

Public announcement number of registration 1621

Community marks No

Public announcement Date of first trial 2018/07/27

Public announcement Date of registration 2018/10/28

Type of trademark 一般

Exclusive right duration 2018/10/28 to 2028/10/27

Form of trademarks

Date of International Registration

Date of late formulation

Date of priority

Agents name/receiving 北京微标知识产权代理有限公司

# Unacceptable indications of G&S in China

- No limit to the number of the goods and services in international applications
- All the class headings are acceptable except “pharmaceuticals” in class 5.
- Services related to retail, wholesale and mail order are not acceptable except those for pharmaceutical, veterinary and sanitary preparations and medical supplies.
- Goods and services related to cannabis, opium and gambling.
- Services related to astrology, horoscope casting, cartomancy and spiritual consultancy

# Unacceptable indications of G&S in China

## ■ Pharmaceuticals (X)

-> Please specify, e.g., pharmaceutical preparations for human use

## ■ Smart watches, smart glasses, smart rings (X)

-> Smart watches (data process), smart glasses (data process),  
smart rings (data process)

## ■ Technological consultancy (X)

-> Please specify

For more unacceptable indications, please visit MGS at

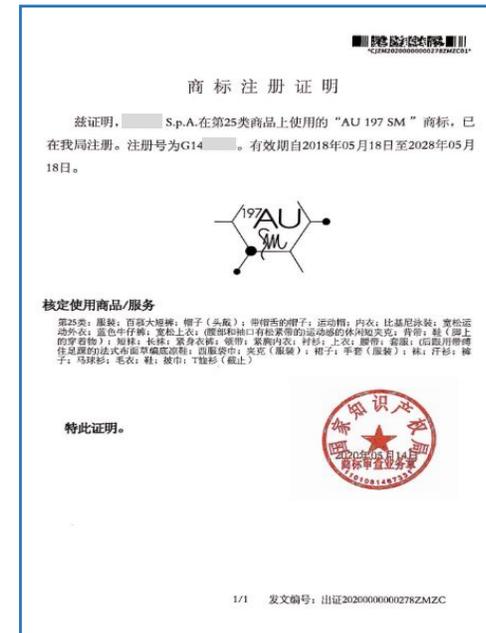
<https://webaccess.wipo.int/mgs/index.jsp?lang=en>

To know how to use MGS, please visit WIPO's website at

[https://www.wipo.int/meetings/en/details.jsp?meeting\\_id=52167](https://www.wipo.int/meetings/en/details.jsp?meeting_id=52167)

# What you need to know after registration

- Attestation of Trademark Registration through the Madrid System is issued by CNIPA upon request.
- Attestation has the same legal effect with the Trademark Registration Certificate of Chinese national trademarks.



# What you need to know after registration

- Preserve the evidence of use in case of the cancellation of trademarks not used for three consecutive years
- The same change in ownership is requested with regard to all of the holder's trademarks that are identical with or similar to each other in respect of the same or similar goods and/or services.
- Change the correspondence information timely to ensure safe receipt of all the notifications from WIPO or CNIPA

# For more information, please visit [Madrid Member Profiles](#)

## Madrid Member Profiles

### Results

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#### Summary

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## China

Last update on : Jun 1, 2020

### General information and contact details

#### Contact information

Name of Office: China National Intellectual Property Administration (CNIPA)  
Address: 6 Xituchenglu, Jimen Bridge Haidian district, P.O. Box 8020, 100088 Beijing, china  
Phone number: +86 10 63219000, +86 10 62 08 321  
[Website](#)  
Email: [cnipa@cnipa.gov.cn](mailto:cnipa@cnipa.gov.cn)  
Contact for questions related to international registrations: Mr. Xue WEN  
Email: [wenxue@cnipa.gov.cn](mailto:wenxue@cnipa.gov.cn)  
Phone number: + 86 10 63219576

#### Membership in Madrid Union, date of entry into force

Treaty: Madrid Agreement  
Entry into force: 4 October 1989  
Treaty: Madrid Protocol  
Entry into force: 1 December 1995

#### NOTE

Not applicable to Hong Kong - [Reference: Information Notice 02/1997](#)  
Not applicable to Macao - [Reference: Information Notice 15/2000](#)  
WIPO has not received any information concerning Taiwan.  
Kindly contact CNIPA for any further information.

#### Declarations and notifications made by Contracting Party

Declarations and Notifications:

- Extension of refusal period to 18 months (Article 5(2)(b) of the Protocol)

# Resources

- CNIPA Website

<http://sbj.cnipa.gov.cn/>

- Trademark Law of China

[http://www.sipo.gov.cn/zcfg/zcfgflfg/flfgsb/fl\\_sb/1140931.htm](http://www.sipo.gov.cn/zcfg/zcfgflfg/flfgsb/fl_sb/1140931.htm)

- Implementing Regulations under the Trademark Law of China

[http://www.sipo.gov.cn/zcfg/zcfgflfg/flfgsb/xzfg\\_sb/1063526.htm](http://www.sipo.gov.cn/zcfg/zcfgflfg/flfgsb/xzfg_sb/1063526.htm)

- Trademark Examination and Review Standards

[http://sbj.cnipa.gov.cn/sbsq/sqzn/202003/t20200316\\_313068.html](http://sbj.cnipa.gov.cn/sbsq/sqzn/202003/t20200316_313068.html)

- Madrid Member Profiles

<https://www.wipo.int/madrid/memberprofiles/#/>

- Madrid Goods & Services Manager

<https://webaccess.wipo.int/mgs/index.jsp?lang=en>



## Q&A Session about the Webinar

Yali Wu  
Principal Examiner, Team 3  
Madrid Operations Division

Xiaodan Dai  
Examiner, Team 3  
Madrid Operations Division

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