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On Development of Chinese IP System and How to Protect Enterprises' Technology and Brand by Using the IP System

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Trademark Attorney
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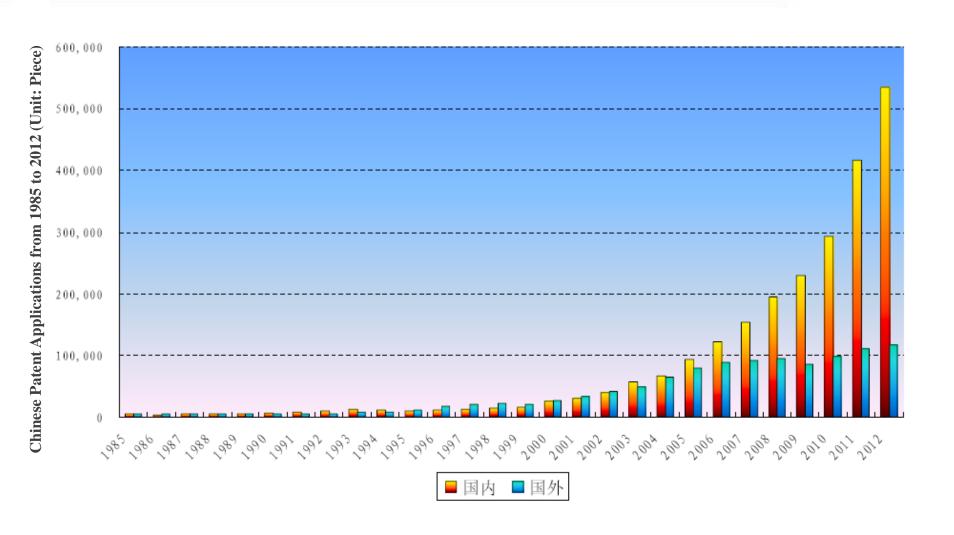


We are in a global village





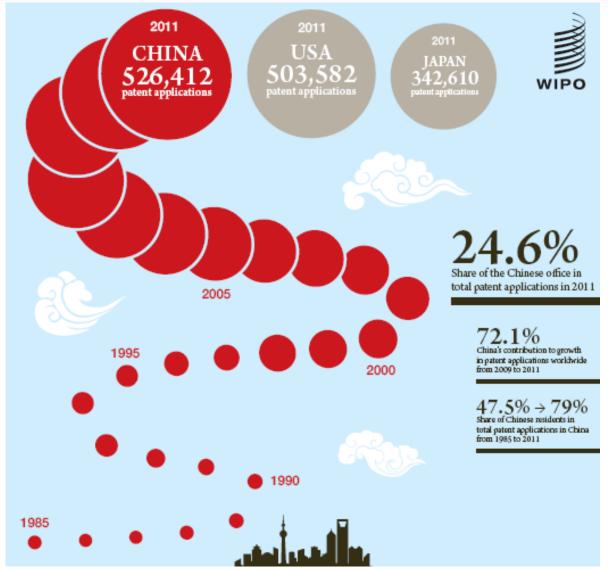
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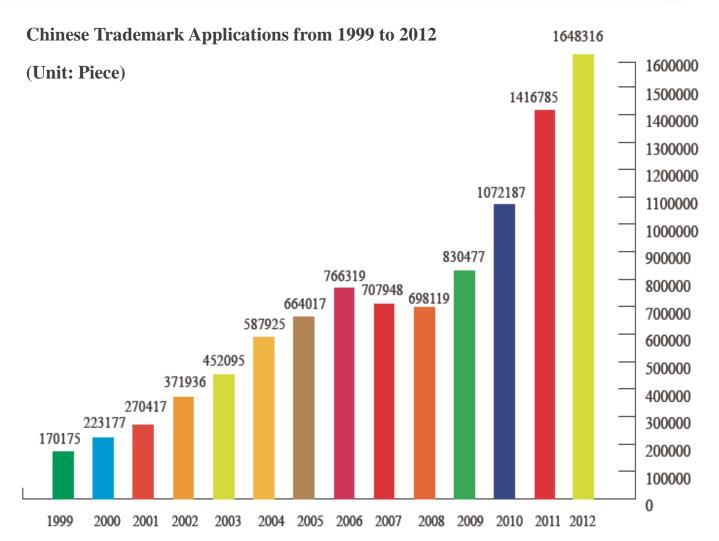






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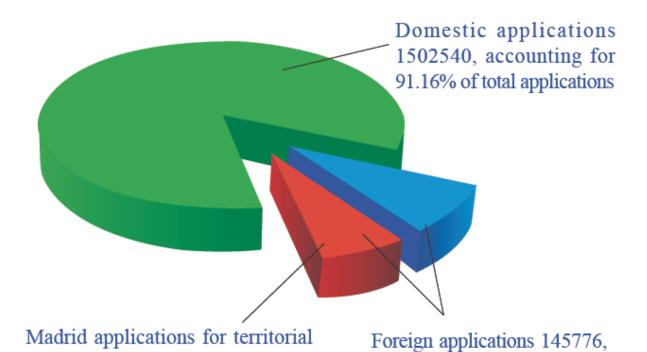


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extension 48586, accounting for

2.95% of total applications





accounting for 8.84% of total

applications



Contents

- 1 Chinese Patent System
- 2 How to Protect Your Technology by the PT System
- 3 Chinese Trademark System
- 4 How to Protect Your Brand by the TM System







Chinese Patent System

Chinese Patent Law

- ◆Effected on April 1, 1985
- Amended for the 1st time in 1992.
- Amended for the 2nd time in 2000
- ◆Amended for the 3rd time on December 27, 2008
- ◆The 4th time amendment is in process......





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Chinese Patent System

Chinese Patent Type

- ◆Inventions mean new technical solutions proposed for a product, a process or the improvement thereof.
- Utility Models mean new technical solutions proposed for the shape and structure of a product, or the combination thereof, which are fit for practical use.
- ◆ **Designs** mean, with respect to a product, new designs of the shape, pattern, or the combination thereof, or the combination of the color with shape and pattern, which are rich in an aesthetic appeal and are fit for industrial application.







Chinese Patent System

Chinese Patent Examination

- Invention Patent requests substantive examination, and protected for 20 years from the filing date.
- ◆Utility Model & Design requests preliminary examination, and protected for 10 years from the filing date.



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How to Protect Your Technology by the PT System

File a Chinese patent application directly

B

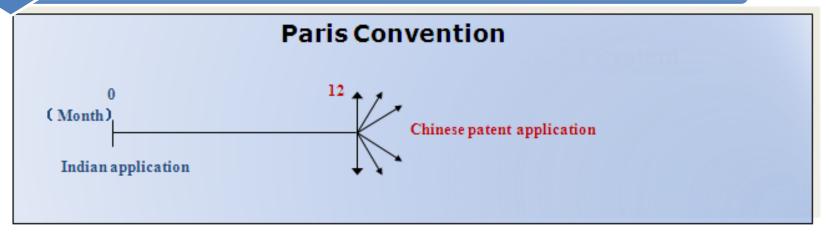
File a Chinese patent by **Paris** Convention

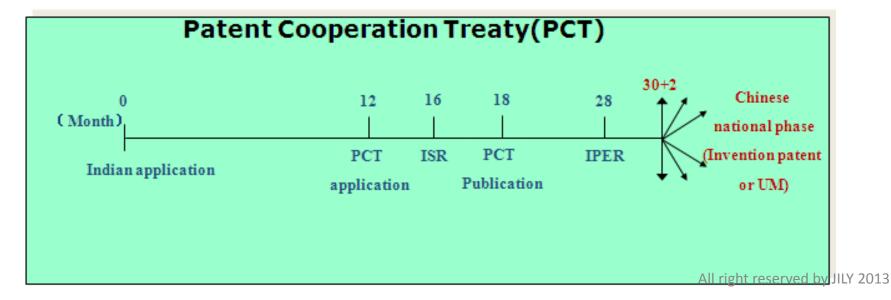
File a Chinese patent(Invent ion & UM) by **Patent** Cooperation Treaty(PCT)



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2 How to Protect Your Technology by the PT System









2

How to Protect Your Technology by the PT System

Reduction and Exemption of Fees about PCT entering into China

◆If the PCT was filed with SIPO as Receiving Office,

The national filing fee and additional fee is **FREE**.

◆If the ISR/IPER is authorized by SIPO,

The substantive examination fee is **FREE**.

◆If the ISR/IPER is authorized by EPO or JPO or Swedish Patent Office,

The substantive examination fee is **20% discount**.







2

How to Protect Your Technology by the PT System











Foreign applicant (Enterprise or Natural person)

Chinese
Patent
Agent
and
Attorney

Chinese Patent Office (SIPO)

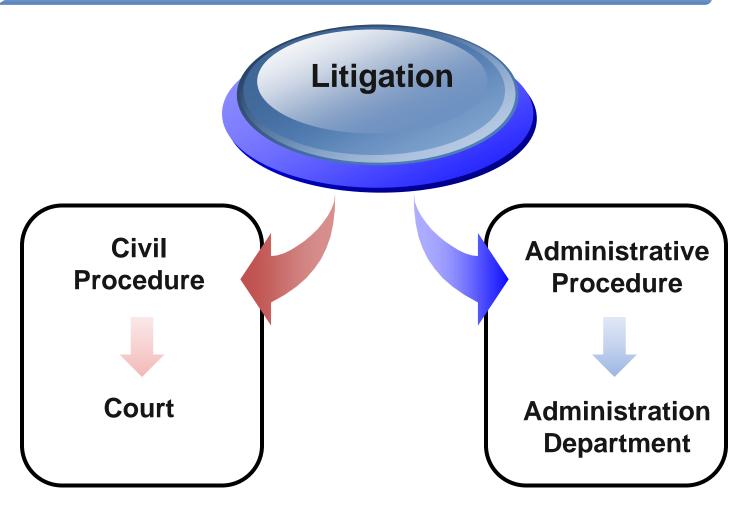


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2

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2

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Chinese Trademark System

Chinese Trademark Law

- ◆Effected on March 1, 1983
- ◆Amended for the 1st time in 1993
- Amended for the 2nd time in 2001
- ◆Amended for the 3rd time on August 30, 2013 (Effected on May 1, 2014)







Chinese Trademark System

Chinese Trademark Type

- **◆Trademarks** (Goods)
- Service marks
- **▶**Collective marks
- Certification marks
- Sound marks (New)







Chinese Trademark System

Chinese Trademark Examination

- File a trademark application
 - CTMO accepts the application
- Formal Examination
 - Substantive Examination
 - Preliminary approved and published
 - Opposition (3 months)
 - Granted and published (10 years)



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4

How to Protect Your Brand by the TM System

A

File a
Chinese
trademark
application
directly

В

File a
Chinese
trademark
by Paris
Convention

C

File a
Chinese
trademark
by Madrid
System







4

How to Protect Your Brand by the TM System











Foreign applicant (Enterprise or Natural person)

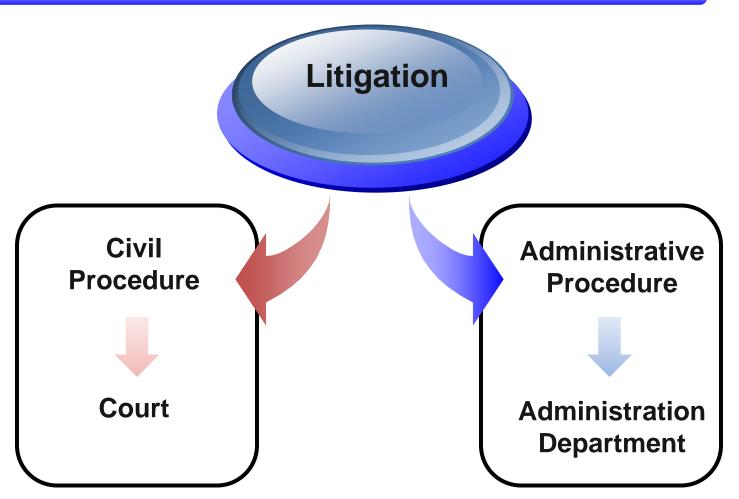
Chinese Trademark Agent and Attorney Chinese Trademark Office (CTMO)



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4

How to Protect Your Brand by the TM System



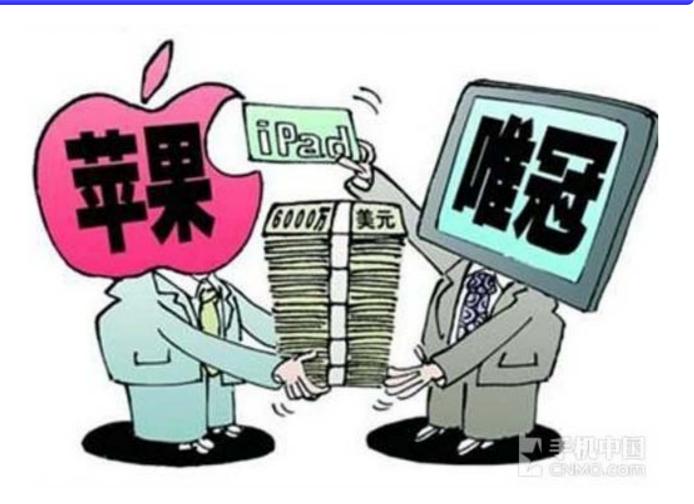


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4

How to Protect Your Brand by the TM System



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