

W&B IP Newsletter

July of 2019, Vol. 27

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Trademarks

Watson & Band IP Services Team Attends the 11th China International Trademark Brand Festival

The 11th China International Trademark Brand Festival (hereinafter the “Trademark Brand Festival”) was grandly held in Yinchuan of the Ningxia Hui Autonomous Region on July 6th.

According to the press releases, the Trademark Brand Festival, themed on “Strengthening Protection for Trademarks and Brands and Building up the Path of Innovation and Development”, comprises a series of activities such as the Annual Meeting of China Trademark Association, the China Brand and Trademark Exhibition and the First National College Debate held by China Trademark Association that themed on a number of current hot issues. Adhering to these conventional seminar events, China Trademark Association also paid great attention to a total of 22 innovative forums and seminars, including the Directors’ Forum concerning administrative protection for trademarks, the “Discovery of Landmarks’ Beauty” Forum, the Trademark and Brand Evaluation Forum and the Mayors and Magistrates Forum of Regional Brand Development. The Trademark Brand Festival was thus known for its diversified and widespread topics and attractive event settings.

Watson & Band Senior Founding Partner, Mr. Shenmin Xu, Managing Partner, Ms. Jean Yang, and Partner, Mr. Liming Zhang, as well as other members of the trademark & intellectual property team, traveled to Yinchuan to attend this trademark & brand grand festival, and shared the great occasion with professionals from various fields.

Simultaneously, Watson & Band also attended the 2019 China Trademark Exposition held at the Yinchuan Convention and Exhibition Center. At our booth, our professional team attended to the inquiries of attendees from various fields, showcased our outstanding achievements in the trademark & brand protection field, and provided opinions and advice on the protection of trademarks, brands, and other intellectual property.

(Source: <http://www.cnipr.com/>)

Notice on Adjustment of Charging Standard for Trademark Registrations

According to the Notice of the National Development and Reform Commission and the Ministry of Finance on Reducing the Charging Standard for Certain Administrative Charges (Fa Gai Pricing (2019) No.914), certain trademark registration charges will be reduced as of July 1st, 2019. The detailed charging standard is published as follows:

1. The charge for acceptance of trademark renewal registrations is reduced from 1,000 RMB to 500 RMB;
2. The charge for changes (in trademarks) is reduced from 250 RMB to 150 RMB; changes in trademarks that are filed online and accept electronic issuance of official documents will be free of charge;
3. For other trademark related services that are filed online and accept electronic issuance of official documents, the charge will be reduced to 90% of the corresponding amounts under the current standard, provided that the following charges and items are involved: acceptance of trademark registrations; re-issuance of trademark registration certificates; acceptance of assignment of registered trademarks; acceptance of trademark renewal registrations, acceptance of delayed renewal registrations; acceptance of trademark reviews and adjudications; issuance of trademark certifications; acceptance of collective trademark registrations; acceptance of certification mark registrations; trademark oppositions; trademark revocations; and filing of trademark license contracts.

Details are listed in the table below:

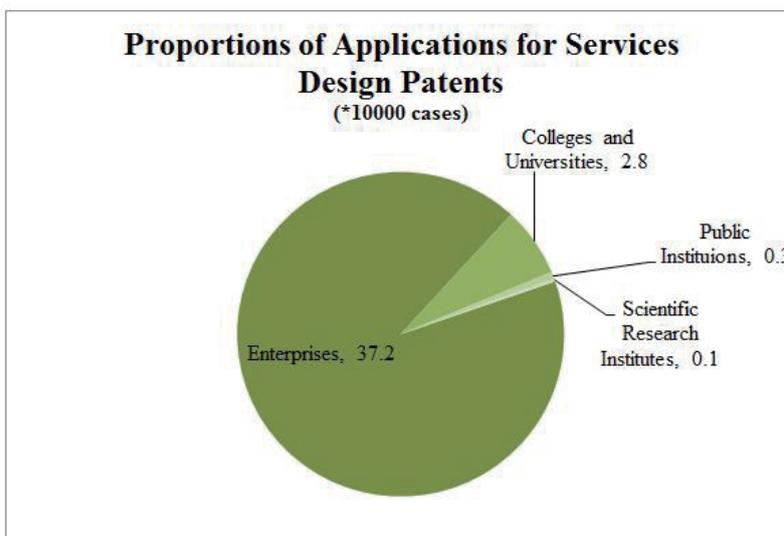
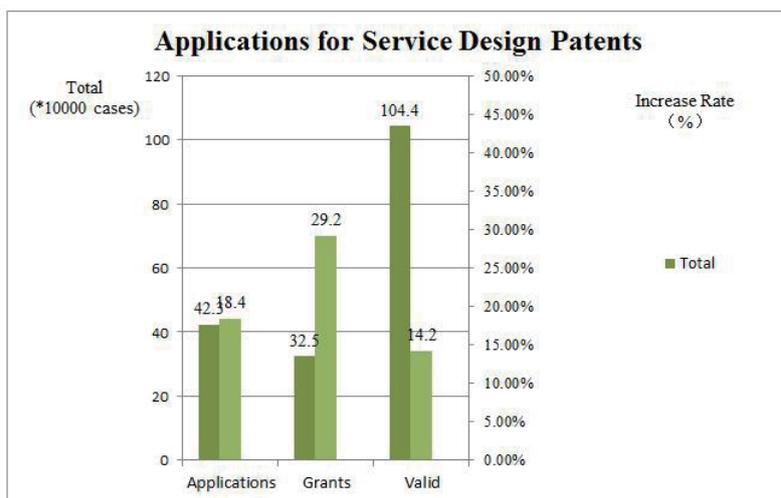
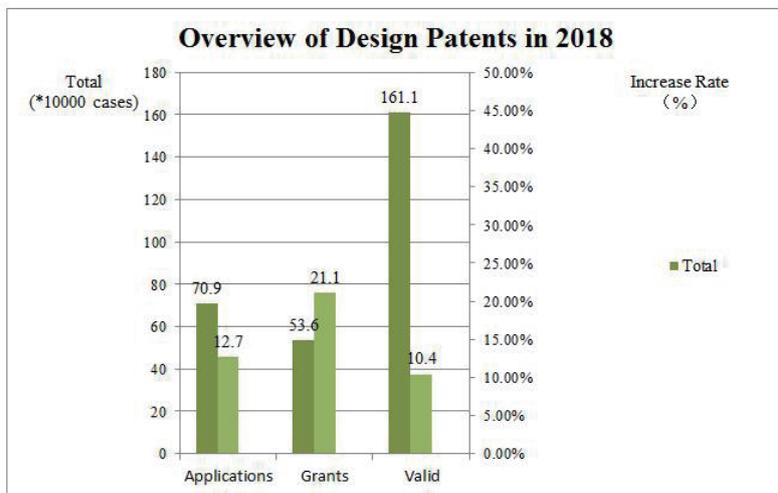
Trademarks

Item Description	Charging Standard for Paperwork Applications (as per classification)	Charging Standard for Online Applications Accepting Electronic Official Documents (as per classification)
Acceptance of trademark registrations	300 RMB (restricted to 10 commodities under the current class; in the event more than 10 commodities are involved, 30 RMB will be charged for each additional commodity)	270 RMB (restricted to 10 commodities under the current class; in the event more than 10 commodities are involved, 27 RMB will be charged for each additional commodity)
Re-issuance of trademark registration certificates	500 RMB	450 RMB
Acceptance of assignment of registered trademarks	500 RMB	450 RMB
Acceptance of trademark renewal registrations	500 RMB	450 RMB
Acceptance of delayed renewal registrations	250 RMB	225 RMB
Acceptance of trademark review and adjudication	750 RMB	675 RMB (to be launched)
Change in trademarks	150 RMB	0 RMB
Issuance of trademark certifications	50 RMB	45 RMB
Acceptance of collective trademark registrations	1500 RMB	1350 RMB
Acceptance of certification mark registrations	1500 RMB	1350 RMB
Trademark opposition	500 RMB	450 RMB (to be launched)
Trademark revocation	500 RMB	450 RMB (to be launched)
Filing of trademark license contracts	150 RMB	135 RMB

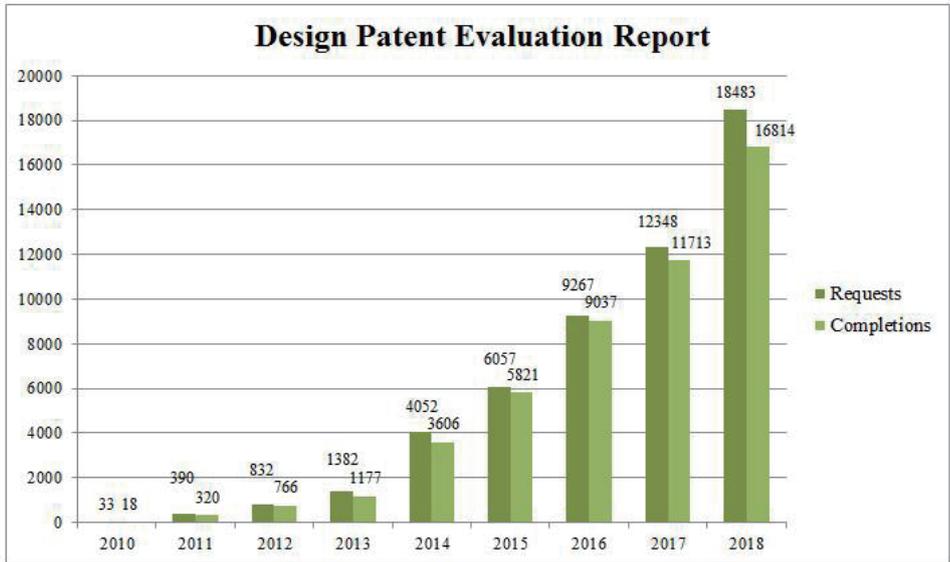
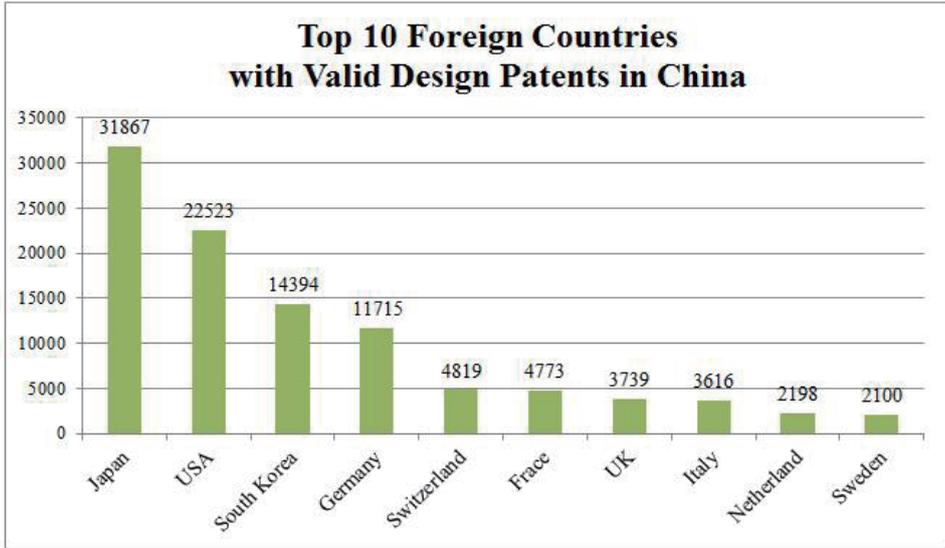
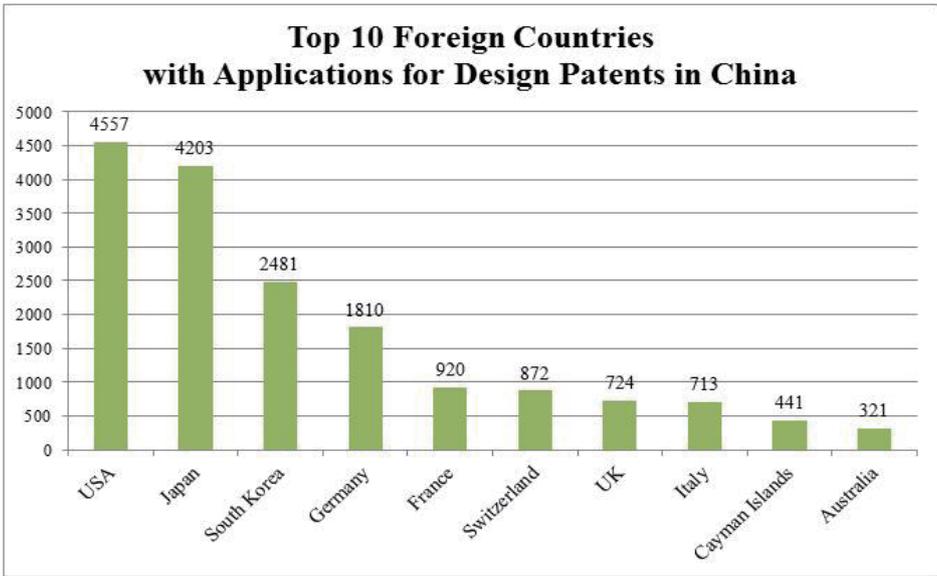
(Source: Trademark Office of National Intellectual Property Administration)

Patents

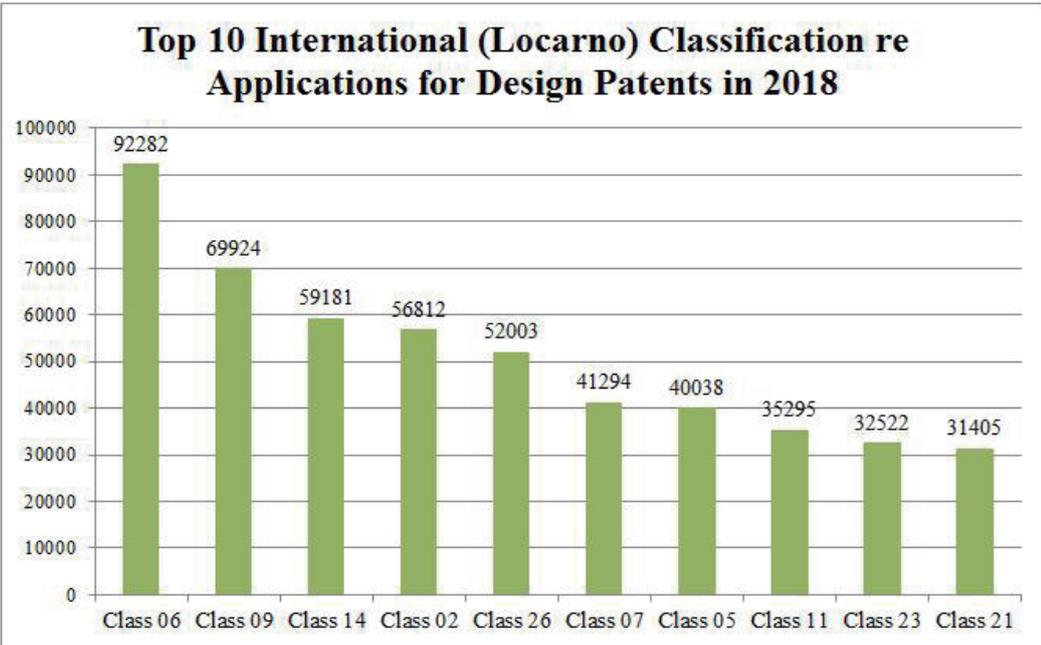
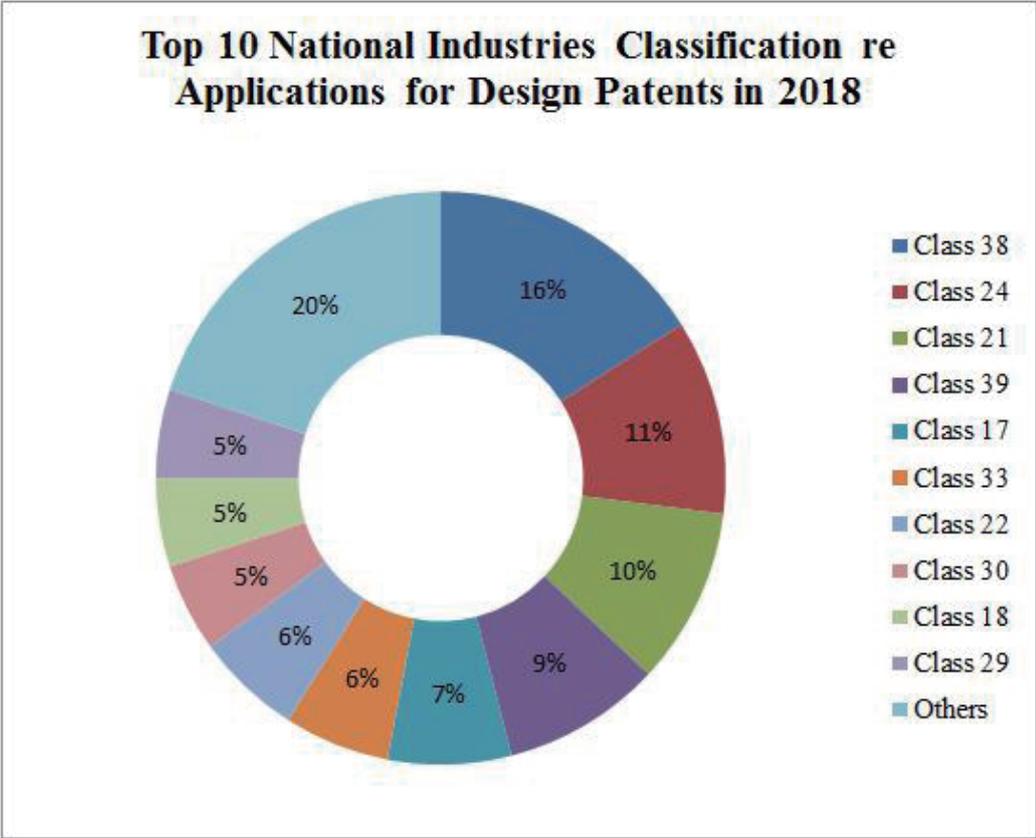
Statistical Data of Design Patents in 2018



Patents



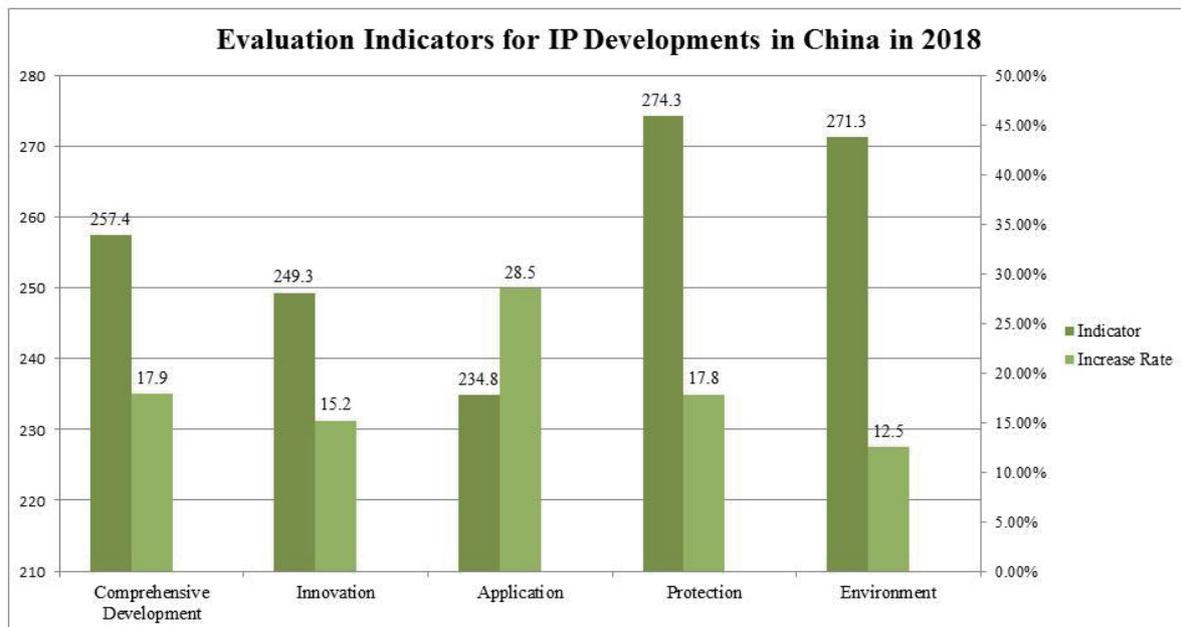
Patents



Intellectual Property

2018 China IPR Development Status Evaluation Report reveals that IP applications in China are accelerating

Recently, the IPR Development and Research Center of National Intellectual Property Administration completed its compilation of the 2018 China IPR Development Status Evaluation Report (hereinafter the “Report”). The Report, based on generic quantitative analysis rules, compiled the domestic evaluation indicators system and the comparative international indicators system for IP development status. According to the indicators data, in 2018 China’s comprehensive development indicator rose up to 257.4 (using 100 for the year 2000), revealing a prominent increase rate of 17.9% with respect to the preceding year. In terms of the other indicators, in 2018 China’s IP innovation indicator, application indicator, protection indicator and environment indicator respectively reached 249.3, 234.8, 274.3 and 271.3, with corresponding increase rates at 15.2%, 28.5%, 17.8% and 12.5%. From the worldwide perspective, according to this year’s calculation method, China’s IP comprehensive development indicator rose in its ranking among the 40 major countries worldwide from the 13th to the 8th, showcasing a considerable increase in its development status.

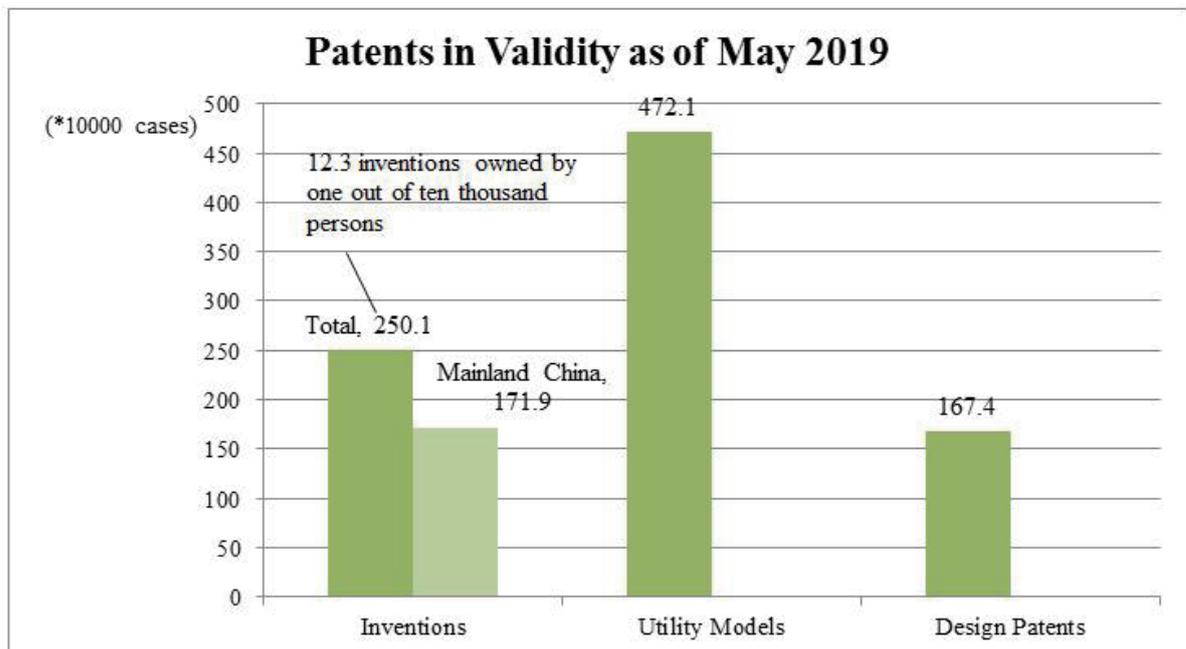
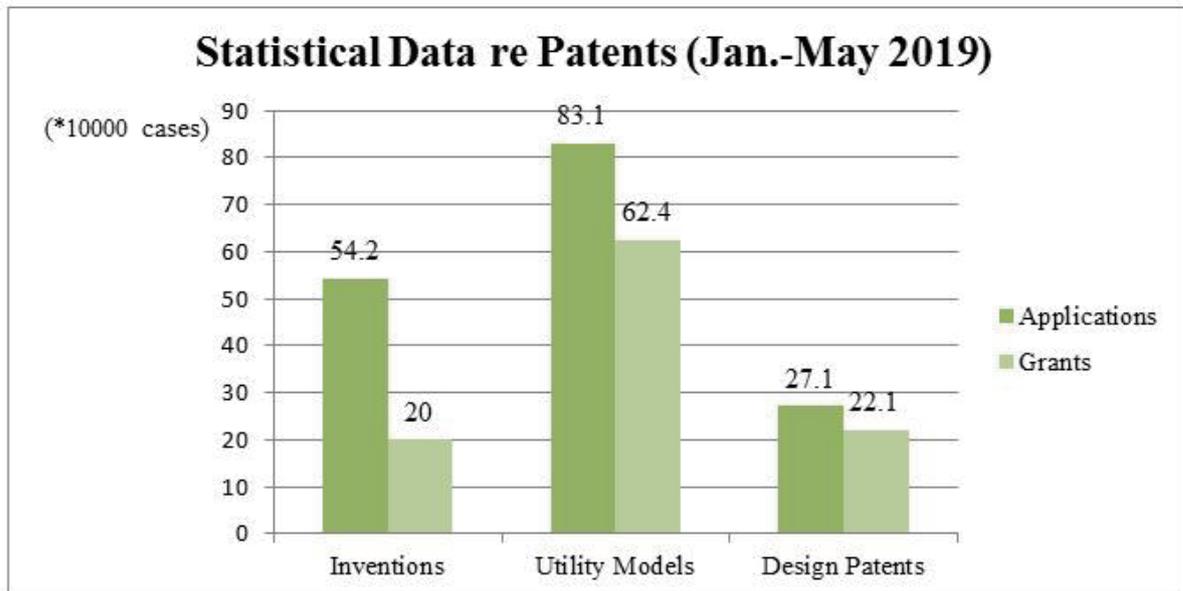


(Source: <http://www.cnipr.com>)

Intellectual Property

Major IP-related Statistical Data (January – May 2019)

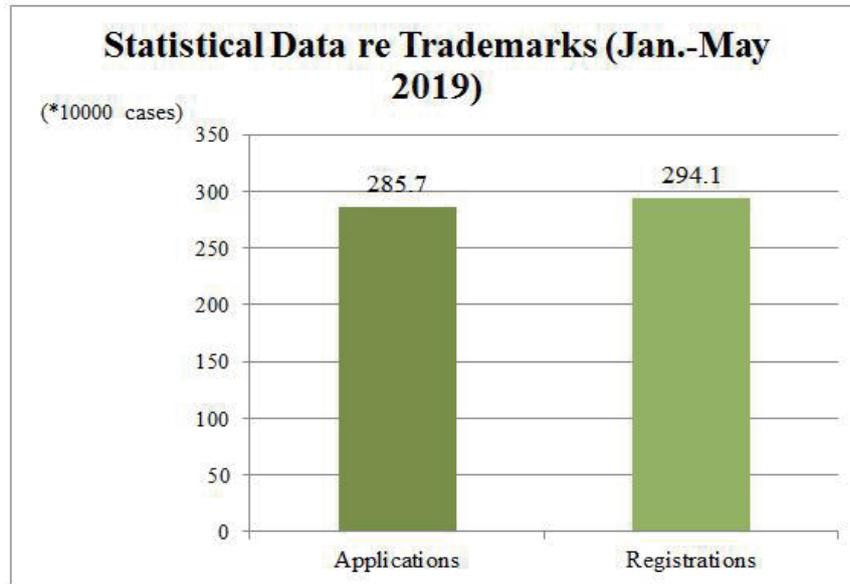
1. Patents



In addition, through January to May 2019, National Intellectual Property Administration accepted a total of 20,000 PCT international patent applications, of which 18,000 were domestic. A total of 18,000 requests for reexamination were accepted and 14,000 of such cases were concluded. A total of 2,000 requests for invalidation were accepted and 2,000 of such cases were concluded.

Intellectual Property

2. Trademarks



As of the end of May 2019, the number of valid registered trademarks reached 22,212,000.

Through January to May 2019, 64,000 applications for trademark opposition were filed in China, and reviews of 31,000 trademark opposition cases were completed.

National Intellectual Property Administration received 2,259 applications filed by Chinese applicants for international trademark registration as per the Madrid Agreement.

National Intellectual Property Administration received 165,000 applications for various types of trademark review and adjudication, and 129,000 of such cases were concluded.

3. Geographical Indications, Layout Designs of Integrated Circuits

Through January to May 2019, National Intellectual Property Administration approved registration of 179 geographical indication marks and approved 116 enterprises to use exclusive marks. As of May 2019, a total of 2,380 products using geographical indications have been approved and an accumulated number of 5,041 geographical indication marks have been registered; in addition, a total of 8,295 enterprises have been approved to use exclusive marks.

Through January to May 2019, a total of 2,368 applications for registration of layout designs of integrated circuits were filed and 2,065 registration certificates were issued.

(Source: National Intellectual Property Administration)

IP Tribunal of the Supreme People's Court will initiate circuit trials

Due to the nationwide jurisdiction over the cases, the IP Tribunal of the Supreme People's Court will establish a special circuit trial system. Specifically, depending on the circumstances of the cases and at appropriate times, the Tribunal will try the cases in the courts where the cases are located, or in the original trial courts. This system, planned to be implemented in the second half of this year, aims to make things convenient for the parties in the litigation proceedings and help promote IP-related legal education.

(Source: <http://www.cnipr.com/>)