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Amendments To China’s Trade Mark Laws

31 July 2019 *1 min read*

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In April 2019 it was announced that certain Amendments to China's Trade Mark law will come into effect on 1 November 2019 including:

- Increasing the content against bad-faith registration for the purpose of regulating the acts of bad-faith applications and hoarding registrations otherwise known as "trade mark squatters".
- Reinforcing the penalties for trade mark infringement.

During the course of 2018 seven million trade mark applications were filed in China with over eighteen million trade marks on the Chinese register belonging to Chinese nationals. The vast number of trade marks filed are indicative of many which are filed and retained in bad faith preventing the rightful proprietors from doing so.

The amendments will introduce measures for the Chinese Trade Mark office to refuse trade mark applications filed in bad faith which are not intended for use and will no doubt be welcomed by brand owners worldwide. Trade mark proprietors may also include "bad faith registration / not for use" as a basis in trade mark oppositions and invalidations.

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