



Newsletter

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August 2020 Content:

1. How to Register Trademarks in China
2. Market Information

1. How to Register Trademarks in China

Trademarks play a vital role in underpinning your products value. There are two ways of obtaining Chinese trademark rights. One is to get registered through the Madrid System, another one is to submit the trademark application directly to China national trademark office.

1.1 Two Options for Trademark Registration in China

	China National Trademark Office	The Madrid System
Territories	China only.	Applicable to 122 countries, including China.
Administration Authorities	Chinese Trademark Bureau (CTB)	Territorial Trademark Office - Local trademark registration is required first; WIPO - submit the global registration.
Fee	2500-3500 RMB (involve official fee and agency fee).	Basic fee: 653 CHF; 903 CHF for a mark in color. Additional fee - depending on where you want to protect your mark, and how many classes of goods and services will be covered by your registration.
Duration	10-18 months	12-18 months
Pros	1. Specifically meet Chinese trademark examination regulations. 2. Simple procedures.	1. Convenient - all-in-one application and management. 2. Cost-effective.
Cons	1. Only applicable to China. 2. Challenging to non-Chinese speakers.	1. Central strike principle - if the local registered trademark is rejected within 5 years, the entire Madrid application will be invalid. 2. Difficult to follow-up - WIPO will only notify the applicant the requests from each member country but to modify and renew in the specific country is not available.

1.2 Tips to Apply Trademarks in China

If your products have the special business plan for Chinese market, it's best for you to apply trademarks separately in China as soon as possible. Below are some advices:

A. Find your agency in China and start applying at the right time. If a registered trademark has not been used for 3 consecutive years without a justified reason, there is a risk that it could be rejected by the Trademark Office.

B. Design your brand. It can be text, graphics, letters, numbers, three-dimensional signs, color combinations and sounds, etc., as well as a combination of the above elements. Two details need to be emphasized:

- a) Do not infringe an existing registration;
- b) Consider defensive filing: filing a handful of other transliterations / translations that are close enough to your brand to cause discomfort if someone else used them.

C. Register the trademark for multiple categories if necessary (i.e. class 16, 31 etc). Take note of China's unique sub-classification system for goods and services. There are 45 classes and a number of subclasses. Registration in one subclass will usually not prevent someone else registering in a different subclass.

The following is the example of Pink Lady® in China.

Type of Trademark	Registered	Class
Text	粉红佳人® / 红粉佳人® Pink Lady / Lady Pink	31
Graphic		31
Letters	FEN HONG JIA REN®	31
Combined		16 / 31

2. Market Information

Ma Yun once said: "In the next ten or twenty years, there will be no e-commerce, only new retailing." In 2020, consumers affected by the coronavirus, are getting used to buying fresh and daily necessities on their mobile phones, which has resulted in explosive growth of new retailing. Here are 2 recent highlights, **please click the link to learn more.**



[2.1 Sam's Club China One-Hour Delivery Service Now Available Nationwide](#)



[2.2 JD.com Launches Fruit Retail Franchise Program](#)

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