Legal Update:

China Brand Protection - Important Institutional Restructuring

The China Trademark Office (CTMO), the Trademark Review and Adjudication Board (TRAB), and the Trademark Examination Cooperation Center (TECC) **no longer exist** as separate entities and have all been merged into the newly established Trademark Office of the China National Intellectual Property Administration (CNIPA).

China National Intellectual Property Administration (CNIPA)

Trademark Office of the China National Intellectual Property Administration

(China Trademark Office, Trademark Review and Adjudication Board, Trademark Review and Coordination Center)

After the institutional restructuring, all trademark prosecution work will be carried out in the name of the CNIPA. The names of the former entities (CTMO, TRAB, TECC) will no longer be used. The official seals of the former entities will no longer be used and will be replaced by the seal of the CNIPA as of April 1, 2019.

CNIPA's English website may be accessed at http://english.cnipa.gov.cn/. Previously, the CNIPA only handled patent matters but now handles trademark matters as well. The effects of the reorganization remain to be seen but the reorganization is intended to be an integral part of China's effort to enhance intellectual property protection through "comprehensive management". This streamlining effort may well have a positive effect in that regard, and our own trademark agency in Beijing will be closely monitoring the changes and the consequences. Further reports on changes and effects will be forthcoming in due course.

原国家工商行政管理总局商标局、商标评审委员会、商标审查协作中心整合为国家知识产权局商标局。

国家知识产权局

国家知识产权局商标局

(原国家工商行政管理总局商标局、商标评审委员会、商标审查协作中心)

机构调整后,所有商标审查工作都以国家知识产权局商标局的名义开展。原国家工商行政管理总局商标局、商标评审委员会、商标审查协作中心的名字停止使用。自 2019 年 4 月 1 日起,国家知识产权局商标局的新业务章将开始使用。

国家知识产权局的官方网站为 http://www.cnipa.gov.cn/。此前,国家知识产权局仅处理专利事宜,但通过重新组建开始处理商标审查事宜。国家知识产权局机构调整对商标审查方面的影响有待观察,但希望通过集中管理,知识产权拥有者能在中国能得到更有利的保护。

