



## WORLD INTELLECTUAL PROPERTY ORGANIZATION

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### MADRID AGREEMENT AND PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

#### Collective and Certification Marks: China

1. The Trademark Office of the State Administration for Industry and Commerce of China (hereinafter called “the Office of China”) has drawn the attention of the International Bureau to the following.

2. Pursuant to the law and regulations of trademarks currently in force in China, the holder of a collective mark or of a certification mark is required to submit the following documentation to the Office of China where China has been designated in an international application or in a subsequent designation under the Madrid Agreement or Protocol:

- an attestation of the status of the holder of the mark, such as a copy of the entry in the Register of Industry or Commerce, or a copy of the entry in the Register of Associations; and

- regulations concerning the use of the mark, including, in the case of a collective mark, the name and address of each member of the organization in the name of which the mark is registered.

3. In the case of a certification mark, Chinese trademark law also requires the presentation of a document attesting that the holder of the mark is qualified to examine a given good or service and ensure that it is of the appropriate quality.

4. If a collective or certification mark contains or consists of a geographical indication, the documentation should also contain:

- an indication of the specific quality, reputation or other characteristic of the good identified by the geographical indication, the geographical area covered by the geographical indication and the relationship between the characteristic of the good concerned and the natural and human factors of the area of the geographical indication;

- if the holder of the mark is not established in China, a document attesting that the protection of the geographical indication has been granted in the name of the said holder in the country of origin; and

- a document attesting that the holder of the mark is qualified to examine the good and ensure that it is of appropriate quality.

5. The above mentioned documentation should be submitted *directly to the Office of China*, in Chinese or accompanied by a Chinese translation, by a representative established in China, within three months from the date of notification of the international registration or subsequent designation, as the case may be. In default, or in the event that the documentation does not comply with the requirements of Chinese trademark law, the Office of China notifies a refusal of protection accordingly.
6. The submission of the above mentioned documentation is not subject to the payment of a fee.
7. For further information concerning this matter, users are invited to contact the Office of China.

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