Effective Strategies for the Promotion of Intellectual Property Rights and, in Particular, the Madrid System

Dai Xiaodan

Trademark Office, SAIC, China
General Introduction

- History of accession to Madrid System
- Statistics of National applications of China
- Statistics in Madrid System of China
General Introduction

History of Accession to Madrid System

1970’s, Reform and opening up to the world

1989, China acceded to Madrid Agreement

1995, China acceded to Madrid Protocol
General Introduction

Statistics of National applications

2012: 1,648,316
2013: 1,881,546
2014: 2,285,358
2015: 2,876,048
2016: 3,691,365
Statistics in Madrid System
Designations of China

2012: 20120
2013: 20275
2014: 20309
2015: 24849
2016: 21238
General Introduction

Statistics in Madrid System

Applications from China

2012: 2100
2013: 2273
2014: 2140
2015: 2321
2016: 3014
General Introduction

Statistics of 2017

National applications: 3,795,620

Designations of China: 19436

Applications from China: 2283
Promotion of IP & Madrid System

- Legislation
- Administrative Efforts
- Technical Support
- Publicities and Cooperation
Promotion of IP & Madrid System

Legislation

• Trademark Law and its revisions
• Regulations for the Implementation of the Trademark Law
• Rules for the Implementation of the Madrid System for the International Registration of Marks
• Others
Promotion of IP & Madrid System

Trademark Law and its revisions

- Adoption of Trademark Law in 1982
- Revision in 1993 (service marks)
- Revision in 2001 (three-dimensional marks)
- Revision in 2013 (sound marks, multi-class application)
Promotion of IP & Madrid System

Regulations for the Implementation of the Trademark Law

- Promulgation in 2002
- Revision in 2014
Promotion of IP & Madrid System

Rules for the Implementation of the Madrid System for the International Registration of Marks:

• Promulgation in 1996
• New promulgation in 2003
• Abolished (detailed rules absorbed by the newly revised Regulations for the Implementation of the Trademark Law)
Promotion of IP & Madrid System

Administrative Efforts

- Broadening application channels
- Optimizing process and simplifying applications
- Protection for IP
- Trademark agency
- Special efforts for Madrid System
Promotion of IP & Madrid System

Broadening application channels

• Local reception windows: 76 around the country
• Trademark Examination Cooperation Centers: Beijing, Guangzhou, Shanghai, Chongqing
• E-application service
Promotion of IP & Madrid System

Optimizing process and simplifying applications

- Multi-class application
- Reduce application materials
- Independent Examination
Promotion of IP & Madrid System

Protection for IP

• Protection home
• Protection abroad
Promotion of IP & Madrid System

Trademark agency

Numbers of new registered trademark agencies

2012: 1672
2013: 1831
2014: 2024
2015: 2504
2016: 2712
Promotion of IP & Madrid System

Special efforts for Madrid System

- Reception window in Shanghai
- Simplifying application materials
- Eliminate the fee for transmitting Madrid applications
- Revise the Chinese application forms
- CTMO collects (RMB) and forwards (CHF) fees to IB
- Independent examination
Promotion of IP & Madrid System

Technical Support

- Upgrade of automation system for Trademark
- E-application and online services
- Special efforts for Madrid System
Promotion of IP & Madrid System

Special efforts for Madrid System

• Upgrade of Madrid examination system
• Progress of E-communication between CTMO and IB
• Developing E-application system
Promotion of IP & Madrid System

Publicity and Cooperation

- Publicity activities and trainings
- Cooperation with WIPO
- Cooperation with other countries
Thank You!

E-mail: daixiaodan@saic.gov.cn
CTMO Website: http://sbj.saic.gov.cn