

**Department of International Cooperation  
State Administration for Industry and Commerce (SAIC)**

July 3, 2014

To the World Intellectual Property Organization (WIPO)

We refer to your circular (C. 8361) requesting our Administration to comment on Jamaica's draft proposal submitted to the thirty-first session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT). Accordingly, our comments are as follows:

China's legal system on trademarks accords a high level of protection to country names. The Trademark Law specifically provides that signs "identical with or similar to the state names, national flags, national emblems or military flags of foreign countries" shall not be used as trademarks, "except with the permission of the government of the country involved".

We note that, in the draft Joint Recommendation, the scope of protection for country names is expanded to include "the short name, the historical name, or pronunciation, denomination, international code, standard abbreviation and adjectives", which are to be given the same level of protection as country names. China is strongly concerned about this. We believe that the core questions in respect of the protection of country names are: (1) why country names should be protected, that is, what objectives are envisaged in protecting country names; and (2) the scope and level of protection. China is willing to participate in further discussions and studies in the forum of the SCT.

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