

FAQ - Intellectual Property Rights in China

Who can apply for Trademark Registration?

Any natural person, legal entity or other organization intends to acquire the Exclusive Right to use a registered trademark for the good or the service, shall file an application for the registration of the trademark with the Trademark Office of Administration of Industry and Commerce in China.

Who can apply for patent rights in China?

Those foreigners who have fixed residences or business sites, or foreign enterprises or organizations located in China, enjoy same the privilege of Chinese citizens in the respect of patent right protection, Any foreigner, foreign enterprise or other foreign organization having no fixed residence or business site in China files an application for a patent in China, the application shall be treated under this Patent Law in accordance with any agreement concluded between the country to which the applicant belongs and China, or in accordance with any international treaty to which both countries are member countries, or on the basis of the principle of reciprocity.

How much for the Customs registration fee and how long it will maintain?

The registration fee is 800 RMB per trademark/copyright and the protection period is 10 years from the registration date.

Period of Validity of a Registered Trademark, Patent, and Design

The period of validity of a registered trademark shall be ten years, for inventions is twenty years, for utility models and designs is ten years, counted from the date of approval of the registration

What information do Chinese IP authorities provide for lookups?

Please check the links of relevant authority in "Chinese IPR System" below for **English version**. Please notice the English searching engine is only available for Patents

China's IPR enforcement System

Please see administration offices and court system below.

Protection of IP in China follows a two-track system. The first and most prevalent is the administrative track, whereby an IP rights holder files a complaint at the local administrative office. The second is the judicial track, whereby complaints are filed through the court system.

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We strongly emphasize that the FAQ is providing an overview of China's IPR environment and enforcement system. For more information and find a qualified counsel, please contact your regular MAQS attorney or one of the following specialists in

Copenhagen:

Jeppe Brogaard Clausen (jbc@dk.maqs.com)

Peter Gustav Olson (pgo@dk.maqs.com)

Hanne Weywardt (haw@dk.maqs.com)

Jingjing Su (jjs@dk.maqs.com)

Stockholm/Gothenburg/Malmö:

Christina Berggren (christina.berggren@se.maqs.com)

