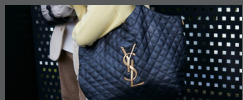


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Dear readers,

It's May and already hot here in Asia, but we're ready to refresh you with some new topics.

The first case, that we called The Battle of Monograms, comes from Japan, where the Japan Patent Office declared the lack of similarity and risk of confusion between the well-known monogram "YSL" and the newly applied "USL".

The following 2 cases regard IP rights protection in China: the first one is a decision in a case of counterfeiting of the most famous liquor in China, Moutai: the 3 persons involved received a sentence of prison and fines. The second case also deals with a case of counterfeiting of Burberry, not new to this kind of problems. The sentence imposed in this case is five years in prison plus a fine of 2 million RMB.

We continue with an article explaining the Application for Accelerated Examination of Subsequent Business such as trademark change, transfer, renewal, etc.: in fact, CNIPA recently released this document clarifying the conditions and requirements to be eligible for the Accelerated Examination.

The following news regards the release by the China Intellectual Property Administration of the statistical data about the numbers of trademark applications, opposition applications and review cases for the years from 2019 to 2023. The analysis also considers the top IP agencies for some countries, where HFG stands out as one of the best! Read the article to know more.

The Chinese Intellectual Property Administration released the top ten typical cases of patent industrialization in the form of video, providing reference for more innovative entities and business entities to carry out patent transformation and application.

In the last news, we highlight the great performance of HFG which is listed in the Top40 List of Service Capabilities of Foreign-related Trademark Agencies, released by INTA Chinese Trademark Association Forum held during the INTA Annual Meeting in Atlanta, USA.

Enjoy the reading, like and share!



## IP ASIA

### YSL vs USL: A bitter defeat in a Battle of Monograms



A bitter defeat in Japan for Yves Saint Laurent, the renowned French luxury fashion house.

Not long time ago, the Japan Patent Office (JPO) rejected the opposition filed by Yves Saint Laurent against TM no. 6666672 for the trademark “USL” in class 25. To sum up the decision, the Japan Patent Office declared the lack of similarity and risk of confusion between the well-known monogram “YSL” and the newly applied “USL” [Opposition case no. 2023-900076, decided on January 18, 2024]

Let’s step back.

On August 2022, the company Marusho Hotta Co. Ltd filed an application for a trademark composed by three letters, “USL” surrounded by a circle, which was supposed to be a short version for “UNUSELESS”, a brand engaged in the sale of clothing such as knitted wear, caps and pants which was in the process of launching in the market products bearing the short-version USL.

Few months later, on February 2023, the JPO approved the trademark application and therefore confirmed the publication of the trademark “USL” for opposition, as per standard trademark procedure.

Once aware of the trademark just published, YSL immediately filed opposition to the registration of the third-party monogram, claiming the violation of the of Article 4(1)(xi) and (xv) of the Japan Trademark Law.

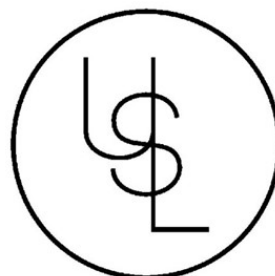
**Article 4:** *Notwithstanding the preceding article, no trademark shall be registered if the trademark:*

*(xi) is identical with, or similar to, another person's registered trademark which has been filed prior to the filing date of an application for registration of the said trademark, if such a trademark is used in connection with the designated goods or designated services relating to the said registered trademark (referring to goods or services designated in accordance with Article 6 (1) (including cases where it is applied mutatis mutandis pursuant to Article 68 (1)); the same shall apply hereinafter), or goods or services similar thereto;*

*(xv) is likely to cause confusion in connection with the goods or services pertaining to a business Part III Chapter 1: Overall Article 4(1) 59 of another person (except those listed in items (x) to (xiv) inclusive).*

The main argument used by the French company was the similarity between the letters of the more notorious “YSL” and the similar pronunciation of the applied version “USL”. According to the opposition documents, the risk of misleading was evident for the consumers, which would have been confused about the source of the goods sold under the acronym “USL”.

[TM Reg no. 6666672]



[YSL monogram]



Surprisingly for the French company, the Japanese Office did not support the opposition claimed, ruling that the ordinary consumer would not perceive the combination of three letters, “Y”, “S” and “L” at the sight of the monogram of the opposed mark, but “U”, “S” and “L”.

Based on the above reported assumption, the JPO affirmed that the two trademarks are visually different by means of obvious difference in the initial letter, font design and overall configuration. In particular, the different sound between the letter ‘u’ and the letter ‘y’ implicates a significant contrast of the overall impression.

In addition to this, considering that the two trademarks involved in the dispute did not have any meaning at all, it was not possible to compare them in a conceptual way.

*Continue reading*

In the light of what above, the JPO sustained the application of the Japanese company, confirming the lack of similarity and therefore the lack of confusion between the six letters involved in the case.

In conclusion, said the decision, the opposed mark is not subject to Article 4(1)(xi) and (xv) and therefore the opposition is rejected.

This case once again (as in the [ELLE vs ELLLe case](#)) demonstrates the importance of considering overall appearance (and sound), as it shows that two marks that share two or three letters can still be defined as different at the level of overall perception.

**Silvia Capraro**



## IP CHINA

### Counterfeiters of Moutai Liquor sentenced to prison



The Originally, defendants Da Liu and Xiao Liu ran a business together and opened a Liquor and Tobacco Supermarket (Store A). However, in December 2021, they came up with the idea of exploiting a 'profit opportunity' and started to counterfeit and sell fake Moutai liquor.

Moutai (Chinese: 茅台) is China's most famous liquor. Considered among the best in the world along with French Cognac and Scotch Whisky, it's the result of a recipe with a millennia-old history, said to date back even 2,000 years since the first documented evidence is from 135 BC.

The ingredients to produce this liquor come exclusively from the Chishui River Valley, near Guizhou in southern China, where the city of Moutai is located, giving its name to the distillate. The cereals used are sorghum and wheat, which undergo various stages of fermentation and distillation (up to nine), before being expertly blended together.

The spring water from the city of Moutai plays a fundamental role, with its unique organoleptic characteristics contributing to the distinctive taste of the distillate, as well as the particular microclimate of the valley, ideal for fermenting raw materials. Furthermore, the special chemical composition of the soil, from which the aging jars are made in which the liquor rests after the initial processing (jars made of terracotta), is indispensable for the uniqueness of the taste of this "baijiu".

It requires two full years of processing before being stored for aging, and rests for another year before the "Master Blender" begins to blend it with older liquors. In total, every drop of Moutai requires 5 years between processing and aging, and it can only be produced in the city from which it takes its name. Its production is therefore very limited, and the prestige it enjoys is based on unique characteristics that have become the pride of the Moutai brand worldwide.

Starting in December 2021, Da Liu and Xiao Liu instructed others to use methods such as 'piercing holes' to pour cheap flavoured white liquor into bottles of Moutai liquor. These bottles were then sent to Store A, where Liu MouMou was responsible for selling them. Due to the considerable difference between the cost of the counterfeit liquor and the selling price, the three individuals made substantial profits.

Not content with selling fake liquor in just one store, Da Liu, after producing counterfeit Moutai liquor in the same manner, began selling it in his own store (Store B).

By January 2022, the police seized more than 200 bottles of white liquor from the two stores, with a total value of over 500,000 yuan. After examination, all these liquors were found to be counterfeit products with registered trademarks.

After being arrested, the defendants Da Liu, Xiao Liu and Liu MouMou confessed to the above facts and admitted their guilt, each paying a fine in advance.

### Court Judgment

After trial, the Hongkou District People's Court held that Da Liu and Xiao Liu, by using the same trademark on the same goods without the permission of the registered trademark owner, committed a particularly serious crime of counterfeiting registered trademarks. Therefore, they were found guilty of the crime of counterfeiting registered trademarks.

Liu MouMou, on the other hand, knowingly sold counterfeit goods with registered trademarks, and his actions were particularly serious. Therefore, he was found guilty of selling counterfeit goods with registered trademarks.

### Judge's Comments

The court determined that the counterfeiting and sale of fake Moutai liquor in this case constituted a chain crime. According to the specific provisions of relevant laws and judicial interpretations, those who commit the crime of counterfeiting registered trademarks and then sell counterfeit goods with the same trademark should be convicted and punished for the crime of counterfeiting registered trademarks.

*Continue reading*

Since both Da Liu and Xiao Liu were involved in counterfeiting and selling fake goods, they were convicted and punished for these crimes.

Defendant Liu MouMou sold goods that he knew were counterfeit registered trademarks, and there were other particularly serious circumstances, and his conduct constituted the crime of selling goods with counterfeit registered trademarks.

This case is a joint crime: Da Liu and Xiao Liu instructed others to counterfeit and sell fake Moutai liquor, played a major role in the case, and were the principal offenders; Liu MouMou assisted in the sale and therefore was an accomplice.

The harm of counterfeiting and selling not only seriously infringes on the rights and interests of registered trademark owners, but also endangers the rights and interests of consumers. Counterfeit registered trademarks will directly mislead consumers to choose products with counterfeit registered trademarks, which will harm the interests of consumers.

In particular, counterfeiting medicine, maternal and infant products and food, such as liquor in this case, may also cause irreparable damage to the health of consumers.



However, the court took into account that the defendants admitted their guilt and accepted the punishment by paying a fine in advance: therefore, on April 8, 2024, the Hongkou District People's Court sentenced Da Liu to three years and six months imprisonment and a fine, Xiao Liu to two years imprisonment and a fine, and Liu MouMou to one year imprisonment and a fine.

Source: [真瓶装假茅台酒？真“刑”！](#)

Silvia Marchi



## IP CHINA

**Burberry counterfeiter sentenced to 5 years prison plus 2 million RMB fine**



Recently, a case of counterfeiting of a registered trademark handled by the Shanghai Jing'an District Procuratorate was awarded as one of the Top 10 Cases of Intellectual Property Protection in the year of 2023-2024 by the Working Committee on Quality Brand Protection of the China Association of Foreign Investments (CAFI).

On February 23, 2024, the Shanghai No. 3 Intermediate People's Court upheld an earlier judgment sentencing Gong to 5 years in prison and a 2 million RMB fine (around US\$ 280,000).

In November 2022, Mr. Cao, a consumer, bought a Burberry windbreaker on the online store called "XX Overseas Purchase" at a price of 2,870 RMB, and the store claimed that the clothing was purchased genuinely from an overseas country.

After receiving the goods, Mr. Cao found out that the windbreaker was rough and suspected that it was a fake, so he sent the windbreaker to Burberry for identification. The company confirmed that the "Burberry black label" windbreaker was counterfeit, and immediately reported the case to the public security organ.

After investigation, it was found that Mr. Gong XX counterfeited the windbreaker, shirt and other clothing of the Burberry brand, and sold them as genuine from overseas purchasing.

On May 5, 2023, investigators arrested Gong XX at his residence, seized more than 50 pieces of counterfeit Burberry clothing on the spot, as well as a large number of tags, zippers, buttons, collar labels and other accessories with the word Burberry and equestrian knight graphics.

After checking, the above-mentioned seized items are identified as counterfeited goods that infringe the exclusive right to use the registered trademark Burberry.

On July 4, 2023, the case was sent to the Jing'an District Procuratorate for review and prosecution.

According to Gong XX confession, "XX overseas purchase" was jointly set up with his friends, and later, due to disagreements, the two parties separated, and the store also stopped operating.

However, Gong XX still had the customer resources from the previous purchasing agents, so he thought of counterfeiting well-known brand clothing and selling it to

others for profit. The buttons and tags with the Burberry logo were purchased through the wholesale market. Later, he found Song XX, and asked him to make windbreakers and shirts of the same brand according to the style pictures and materials provided by him.

**The cost of a garment ranged from 420 to 480 RMB but was sold for about 2,800 RMB.**

The defender submitted a defense opinion, claiming that the counterfeit trademark of the criminal suspect was "Burberry Black Lable" (sic!), which was not the same as the word trademark Burberry registered by the right holder's company, and did not belong to the same trademark. At the same time, the word trademark "Burberry Black Label" has never been actually used in the domestic market, and it has ceased to be used overseas for far more than three years.

Two difficult problems are placed in front of the procuratorate:

1. Can the counterfeit trademark of the criminal suspect Gong XX and the trademark registered by the right holder be recognized as the same trademark?
2. If a registered trademark has not been actually used for more than three years (a reason to be exempt from liability for trademark infringement), does this affect the determination of the crime of counterfeiting registered trademarks?

*Continue reading*

The procuratorate obtained by the right holder company full evidence related to trademark registration, and established that "Burberry", "Burberry Black Label" and the equestrian knight pattern were all registered trademarks of the company, and the company enjoyed the exclusive right to use the trademark.

Although the word mark "Burberry Black Label" has ceased to be used in an overseas country, the equestrian knight pattern trademark, which was also licensed at that time, is still used in domestic apparel products.

Through on-the-spot verification of all the types, quantities and characteristics of the trademarks attached to the infringing goods, the procuratorate found that in addition to the word logo of "Burberry Black Lable", the pattern with equestrian knights was also used on the neckline, chest and tag on the counterfeit clothing of Gong XX.

After a comprehensive and detailed comparison with the clothing on the brand counter, it was confirmed that the "Burberry Black Lable" knight trademark used by Gong is basically the same as the "knight" pattern trademark of the right holder.

"Black Label" is the refinement of the model and series of the registered trademark Burberry by the right holder, and is not the core element of the trademark, and whether or not this word is added does not affect the distinctive features of the knight image, the word Burberry and the combination of the two trademarks in the registered trademark of the right holder.

In response to the defendant's argument that the trademark was not actually in use, a complete study and ruling as to whether the registered trademark was actually used during the period of validity may become a defense to an exemption from civil damages, but this does not affect the infringement ruling.

If the offender uses a trademark identical to the registered trademark on the same type of goods or services without the authorization of the trademark owner, and the circumstances are serious or particularly serious, the offence of infringement of a registered trademark is committed.



The final review determined that whether the criminal suspect Gong XX counterfeited the "Burberry Black Lable" word trademark or used the "Black Label Knight" trademark in combination, there was no basic visual difference between the graphic elements, arrangement, and combination with the trademark logo registered by the right holder Burberry, which was enough to mislead the public.

Considering that Gong's sales amount reached more than 4 million RMB and the pending sales amount reached more than 100,000 RMB, the situation was quite serious.

On August 16, 2023, the Jing'an District Procuratorate prosecuted the defendant Gong XX for the crime of counterfeiting registered trademarks. After trial, the Jing'an District Court accepted the above charges and made a first-instance judgment on November 16, 2023, sentencing Gong to five years in prison and a fine of 2 million RMB.

Gong XX was dissatisfied with the verdict and appealed.

On February 23, 2024, the Shanghai No. 3 Intermediate People's Court rejected the appeal and upheld the original judgment.

Official release of the case [here](#) (in Chinese).

**Silvia Marchi**

## NEWS

### CNIPA explains the Accelerated Examination Application for Subsequent Business



On March 31, 2024, CNIPA released the Accelerated Examination Application for Subsequent Business such as Trademark Change, Transfer, Renewal, etc.

In order to further meet the needs of market entities for production and operation, and to serve the high-quality development of the economy and society, the following matters regarding the application for accelerated examination of subsequent business such as trademark change, transfer, renewal, etc. are hereby explained:

#### Scope of Subsequent Business

The scope of subsequent business includes trademark changes, renewals, transfers, licensing recordation, cancellations, corrections, re-issuance of registration certificates, and other trademark subsequent business.

#### Conditions for Accelerated Examination Application

The following circumstances of market entities are eligible for applying for accelerated examination:

- 1 Enterprise applying for listing;
- 2 Trademark pledge financing;
- 3 Customs trademark rights recordation;
- 4 Handling of trademark infringement cases;
- 5 Examination of trademark rights cases in administrative procedures;
- 6 Requirements in litigation cases in judicial procedures;
- 7 Requirements for handling administrative licenses, administrative recordations, etc.;
- 8 Requirements for major business activities, such as product entry into supermarkets or e-commerce platforms, bidding and tendering;
- 9 Other reasonable circumstances requiring accelerated examination.

#### Requirements for Accelerated Examination Application Documents

##### ✓ Application for accelerated examination.

The application for accelerated examination ([Attachment 1](#) - in Chinese) should specify the reasons for requesting accelerated examination, include the contact person and contact number, and provide evidence materials related to the reasons for accelerated examination.

The applicant shall undertake that the reasons for accelerated examination and the relevant evidence materials submitted are true and accurate, and no fees shall be paid to any unit or individual in any form when handling the application for accelerated examination.

##### ✓ Copy of the applicant's identity document.

✓ If handled by a commissioned agency, a **power of attorney** ([Attachment 2](#) - in Chinese) shall be submitted. The commissioned agency shall undertake not to charge the applicant any unreasonable fees for the accelerated examination application.

#### Channels for Accepting Accelerated Examination Applications

- Submit to the Trademark Office of the National Intellectual Property Administration. It can be submitted by mail or directly at the Trademark Office reception hall. The address of the Trademark Office is No. 1, Chama South Street, Xicheng District, Beijing, with postal code 100055, and the consultation telephone number is 010-63218500.
- Directly submit to the subsequent business examination cooperation unit located outside Beijing.

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## Precautions

✓ For applications meeting the conditions for accelerated examination, the Trademark Office will conduct accelerated examination and make examination decisions in accordance with the law; for applications not meeting the conditions for accelerated examination, the applicant will be notified by telephone, and the application documents will not be returned.

✓ The Trademark Office does not charge any fees for accelerated examination applications for subsequent business.

Original announcement [here](#) (in Chinese)

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## NEWS

### Data Analysis and Trend of Trademark Market



According to the statistical data of the China Intellectual Property Administration, the numbers of trademark applications, opposition applications and review cases for the years from 2019 to 2023 are as follows.

In 2023, the total number of trademark applications was 7.18 million, showing a decrease of about 178 thousand compared to 2022. There were 115,000 trademark opposition applications, a decrease of about 30,700, and 410,000 trademark reviews, down about 12,000.

#### Top Agencies

We like to underline that in the analysis of the Top 10 IP Agencies of 12 selected Countries (the United States, Japan, South Korea, Germany, France, the United Kingdom, Italy, the Netherlands, Spain, Sweden, Denmark, Singapore), HFG stands out as first in Italy, second in Spain, ninth in Sweden. This great achievement is the demonstration of HFG's high level of professionalism.

#### Data analysis

Particular year	Total number of reviews	Denial of review	Failure to register for review	Deregistration review	Invalid declaration
2019	360,996	302,096	2,314	13,413	43,170
2020	367,029	298,171	3,222	12,615	53,019
2021	472,728	382,728	4,513	16,994	68,435
2022	422,703	331,591	3,744	16,005	71,308
2023	410,900	312,523	6,110	21,393	70,788

The overall number of reviews has decreased slightly, with a decline of about 12,000. But the downturn is narrower than the 2022 data.

The rejections of reexamination still account for the largest share of trademark review and adjudication activities, with 76% in 2023.

The number of reexamination cases of non-registration has increased significantly, and trademark opponents (trademark applicants) have also taken more vigorous "counter-feedback" against trademark opposition decisions than before, and further requested rights relief through follow-up procedures.

The number of reexamination cases for the cancellation of registration has increased significantly, and the number of cases for the cancellation of indirect certification trademarks has also increased, which shows that the official standard for similar recognition in the examination of trademark registration applications has become stricter.

In order to eliminate the obstacles caused by the cited trademark, the trademark registration applicants have to submit a large number of applications for cancellation, which makes the number of cancellation cases increasing significantly.

In accordance with the usual practice of trademark rejection and reexamination, the general strategy for citing trademarks is to argue that they are not similar, cancel the trademark, oppose the trademark, invalidate the trademark, or negotiate transfer.

However, under the current strict standards of trademark similarity recognition, the probability of success of simple argument is low. Due to the crackdown on malicious hoarding of trademarks, applications for the transfer of trademark transactions have been strictly examined, and commercial activities such as negotiating the transfer of trademarks have also been greatly curbed.

As a result, applications for cancellation of cited trademarks have been filed to remove obstacles. In particular, recently, the Trademark Office has strictly judged the evidence of trademark use, and the probability of success in initiating a trademark cancellation application has greatly increased.

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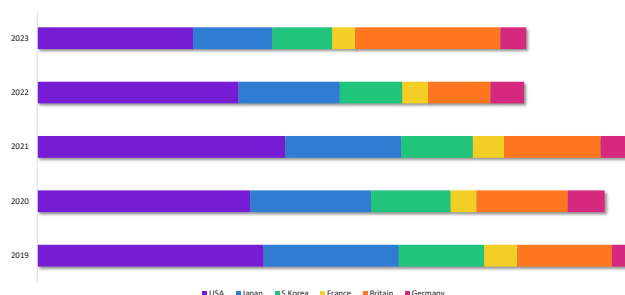
In the Working System for the Examination and Trial of Trademark Review and Adjudication Cases issued last year, the Trademark Office has also issued the following measures: In combination with the actual review work, the "Norms for the Suspension of Review Cases" has been added, which is more humane in handling the suspension of review of rejected review cases, and the right holder is more inclined to use the revocation application as corroborating evidence in the review process, so as to strive to obtain rights in the review process.

## Data analysis of Major Countries

The "foreign and domestic" trademark business is a very representative type of business segment in the intellectual property agency industry, which is characterized by strong professional ability, high language requirement, high unit price, strong commercial requirement and strong brand dependence of suppliers.

The data presented below take into consideration six countries, namely, the United States, Japan, South Korea, Germany, France, and the United Kingdom.

All of the above six countries showed a downward trend, with the exception of the number of applications from the United Kingdom.



	2023	2022	2021	2020	2019
USA	31,849	41,130	50,692	43,566	46,263
Japan	16,188	20,688	23,686	24,688	27,599
S.Korea	12,206	12,773	14,627	16,197	17,449
France	4,713	5,276	6,377	5,320	6,760
Britain	29,676	12,762	19,729	18,639	19,342
Germany	5,265	6,866	7,665	7,517	8,603

Among the above six countries, the proportion of US applicants entering China is as high as 41.34%. American companies have demonstrated their huge economic strength and the identity of the United States as China's main trading partner. Accordingly, the United States should also be the largest source of business for foreign intellectual property services.

## Global view

Based on WIPO World Intellectual Property Indicators 2023, since 2022 global trademark applications have declined by 15.7%.

For example, the UK trademark applications fell by 21.5%, the United States by 14.7%, Germany by 14.2%, Australia by 13.4%, Canada by 12.7%.

The number of trademark applications in the world's major economies has declined in the past, while the number of trademark applications in emerging economies such as Türkiye, Indonesia, Russia, Brazil, Vietnam, and India has increased to varying degrees.

In 2022, 83.5% of trademark applicants chose to file their trademark applications in their home country rather than internationally.

When designing an overseas trademark layout, applicants typically consider a number of factors, including the attractiveness of foreign markets to sell their goods and services, geographical proximity to those markets, and historical ties between the trademark holder's home country and the destination country.

In 2022, almost a quarter (24.4%) of international trademark registration applications received in China came from the US applicants, followed by Japan (11.7%) and the UK (8.5%). Together, applicants from these three countries accounted for 44.6% of all non-resident trademark registrations in China that year.

On the other side, the majority of foreign applicants filed in America were from China, accounting for 43% of all foreign applications.

The number of trademark applications worldwide declined during 2001 and 2002 and the financial crisis of 2008-2009, but today it's still 2.5 times higher than in 2001. So, in the long term the prevision is that trademark applications will continue to grow.

Source: [2023 年度商标数据综合分析\\_主要国家进入中国申请量及代理机构排名——数据分析“外内”商标市场, 评析代理机构发展方向 | 行业 | 领先的全球知识产权产业科技媒体 IPRDAILY.CN.COM](#)

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## NEWS

### CNIPA releases the Top 10 Typical Cases of Patent Industrialization



On April 20, the first day of the 2024 National Intellectual Property Publicity Week, the Chinese Intellectual Property Office released the top ten typical cases of patent industrialization in the form of video.

The top ten typical cases of patent industrialization released this time include *"China Railway Construction Heavy Industry Co., Ltd. breaks through core technologies and creates a key weapon for the country"*, *"Peking University realizes the industrialization of cutting-edge technologies with patent licensing, and provides a new paradigm for brain science research"* and other patent projects that have achieved outstanding results in patent industrialization since 2023, which have the characteristics of high market value and good social benefits.

These projects are high-end, intelligent and green-oriented, covering emerging industries and future industries such as high-end equipment manufacturing, biomedicine, quantum information, etc., involving a variety of transformation methods such as price investment, industry-university-research collaboration, industrial chain collaboration, etc., and the transformation process includes a number of pragmatic measures such as improving the incentive mechanism for income distribution and doing a good job in patent value evaluation, constituting an excellent model for patent industrialization to support the development of new quality productivity.

It is reported that since the General Office of the State Council issued and implemented the "Special Action Plan for the Transformation and Application of Patents (2023-2025)" in 2023, the Intellectual Property Office, together with relevant departments, has established an inter-ministerial collaborative promotion mechanism, and all localities have formulated corresponding supporting policies to accelerate the transformation of innovation achievements into real productivity.

The release of the top ten typical cases of patent industrialization will play a demonstration effect and provide reference for more innovative entities and business entities to carry out patent transformation and application.

Original announcement [here](#) (in Chinese).

**HFG Law & Intellectual Property**

## NEWS

### HFG listed in Top40 Foreign-Related TMK Agencies in China



On May 20, 2024, at the 146th INTA Chinese Trademark Association Forum held during the INTA Annual Meeting in Atlanta, USA, the Top40 List of Service Capabilities of Foreign-related Trademark Agencies was released.

**Among the Top40 agencies, HFG obtained the 23rd place!**

This ranking follows the "2024 Data Report on Trademark Protection of Foreign Enterprises in China", and is jointly published by China Trademark Association and IPHOUSE under the guidance of China Trademark Association.

The release of this list aims to provide decision-making reference for foreign enterprises seeking trademark service agencies in the Chinese market, and to help them carry out their IP-related work in China smoothly.

In fact, in the process of globalization, the Chinese market, as one of the largest consumer markets in the world, has attracted more and more foreign enterprises. Therefore, the foreign-related trademark agency industry, as an important intellectual property service field, is experiencing rapid development and change.

The Report analyzes foreign enterprises' trademark applications and disputes on the Chinese market, and the impact of foreign enterprises on the Chinese market. It mainly focuses on foreign enterprises' trademark applications and trademark disputes in China, and investigates the degree of importance foreign enterprises attach to the Chinese market and the layout of their trademarks in China.

However, with the development of foreign enterprises in the Chinese market, the number of trademark dispute cases has increased. 81,000 trademark opposition and review cases were filed by foreign enterprises in 2023, and the number of dispute cases has been more than 80,000 in each of the past four years. This phenomenon highlights the importance and urgency of foreign enterprises' IPR protection in China.

The release of the Top40 list uses official data to establish a systematic evaluation model using more than ten indicators, such as the number of foreign-related trademark applications, foreign-related trademark opposition cases, foreign-related trademark evaluation cases, etc., to evaluate the trademark agencies that have been filed with the Trademark Office of the State Intellectual Property Office CNIPA, and ultimately screened out 40 foreign-related trademark agencies with the most outstanding performance.

The analysis presented at INTA can be downloaded [here](#) (in English) and [here](#) (in Chinese).

**HFG Law & Intellectual Property**

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Data reveal that since 2000, the number of trademark applications filed by foreign companies in China has shown a steady upward trend, peaking in 2021 with a number of 258,000 applications. Although it declined after 2021, the annual number of applications remained above 200,000. By the end of 2023, the number of valid foreign trademarks registered in China reached over 2 million.

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