



NOTIFICATION OF EX OFFICIO REFUSAL

Notified to the International Bureau of
the World Intellectual Property Organization (WIPO)
under Rule 17 (2) and 17 (5)(e) of the Common Regulations

NOTE: This notification of ex officio refusal shall be deemed to include a statement in accordance with Rule 18ter (2) (ii) or (3) of the Common Regulations. Any request for review shall be filed to the CNIPA, through a qualified Chinese agency or attorney, within 15 days from receipt of this notification.

- I. Office which pronounces the refusal:
National Intellectual Property Administration, PRC (CNIPA)
1, Chama Nanjie, Xichengqu, Tel: 8610-63219000
Beijing, 100055
People's Republic of China FAX: 8610-68050285
- II. Date of the refusal pronounced: 2019/10/29
- III. Our reference number: GJZCG1473786BHYW01
- IV. International registration number: 1473786
- V. Date of notification to China: 2019/06/27
- VI. Basic national registration number:
Basic national application number: 302018000015659
- VII. The mark is refused for the following goods and/or services:
9: All the goods;
12: headrest for vehicle seats; armrests for vehicles; vehicle cabs; armrests for vehicle seats; seats for vehicles; vehicle seats; backrests for vehicles; vehicle seat covers; parts and fittings for vehicles;
17: All the goods;
20: All the goods;
37: All the services;
41: Interactive entertainment services; provision of games by means of a computer based system; providing entertainment information; entertainment information; providing facilities for entertainment; entertainment services; providing information on entertainment through computer networks; entertainment services;
42: All the services.
- VIII. Reason(s) of refusal:
Prior national and/or international mark(s). (See Item X)
This mark is similar to the earlier mark(s).
The goods and/or services listed in Column VII are similar to those of the earlier application and/or earlier registration.
- IX. Applicable legal provisions of the refusal:
Article(s): (See the excerpts of the laws and regulations)
Trademark Law Article 30&31
- X. Informations concerning the earlier mark(s):



Mark:

MAG

Date of application:

1996/02/29

Number of application:

1042103

Date of priority:

Date of registration:

2017/06/28

Number of registration:

Non-Madrid 1042103

Name of the holder:

DELIGHTON LIMITED

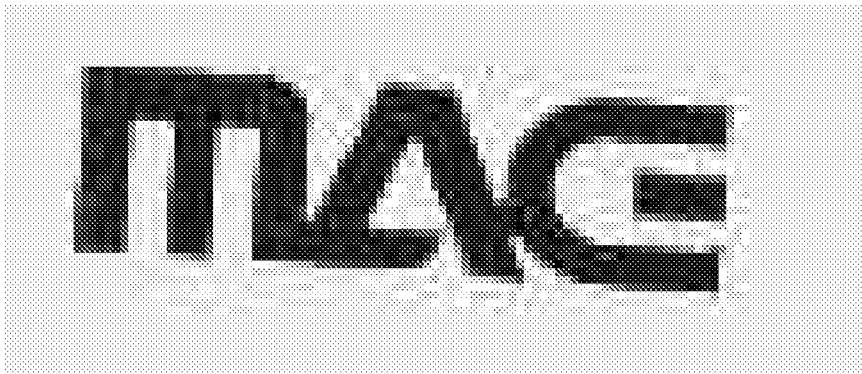
Address of the holder:

P.O.BOX 438,ROAD TOWN,TORTOLA,BRITISH VIRGIN ISLANDS, UK

Goods/services: class 9

彩色显示器；扫描器；列表机；电脑；不断电电源供应器；电脑主机；一体成型多媒体电脑；
▲已删商品▲
数拉相机；

Device:



Mark:

美格 INNOVISION

Date of application:

1996/05/06

Number of application:

1065878

Date of priority:

Date of registration:

2017/07/28

Number of registration:

Non-Madrid 1065878

Name of the holder:

DELIGHTON LIMITED

Address of the holder:

P.O.BOX 438,ROAD TOWN,TORTOLA,BRITISH VIRGIN ISLANDS, UK

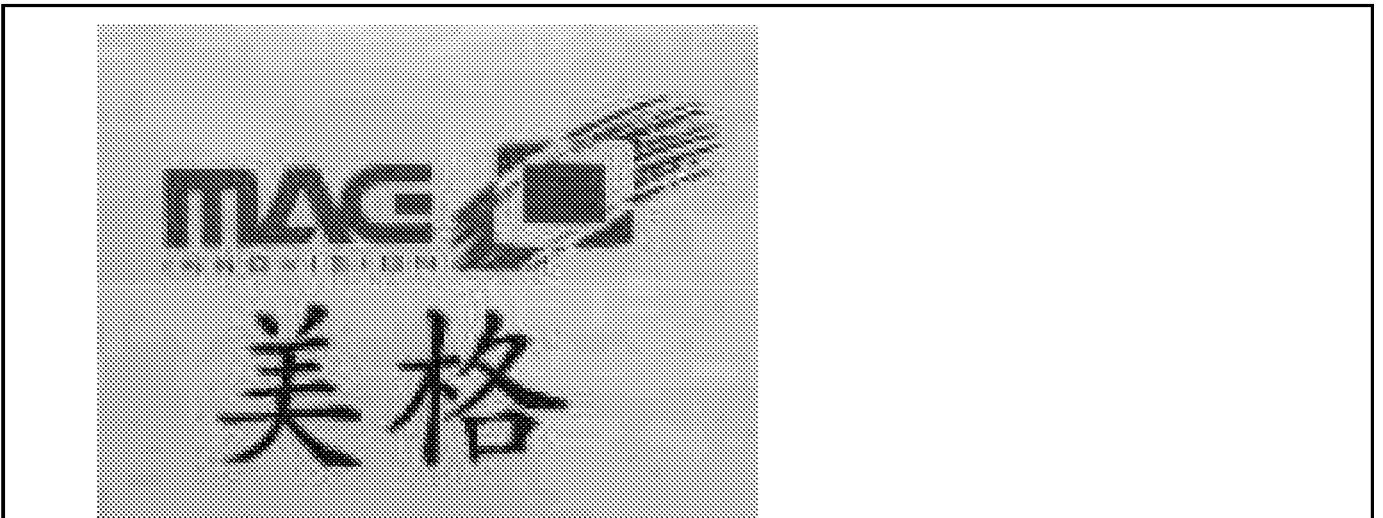
Goods/services: class 9

彩色显示器；扫描器；数位相机；列表机；电脑；电脑主机；一体成型多媒体电脑；

▲已删商品▲

不断电电源供应器；

Device:



Mark:

MAG INNOVISION

Date of application:

1996/11/11

Number of application:

1131347

Date of priority:

Date of registration:

2017/11/28

Number of registration:

Non-Madrid 1131347

Name of the holder:

DELIGHTON LIMITED

Address of the holder:

P.O.BOX 438,ROAD TOWN,TORTOLA,BRITISH VIRGIN ISLANDS, UK

Goods/services: class 9

▲待删商品▲

显示器（电子）；监视器（计算机硬件）；电视机；集成电路板；雷达仪；不间断电源；扬声器；照像机（摄影）；传输机（电讯用）；

Device:



Mark:

MAG

Date of application:

2008/12/19

Number of application:

7122181

Date of priority:

Date of registration:

2011/01/28

Number of registration:

Non-Madrid 7122181

Name of the holder:

MAG INSTRUMENT,INC.

Address of the holder:

2001 SOUTH HELLMAN AVENUE,P.O.BOX 50600,ONTARIO,CALIFORNIA 91761,UNITED STATES OF AMERICA

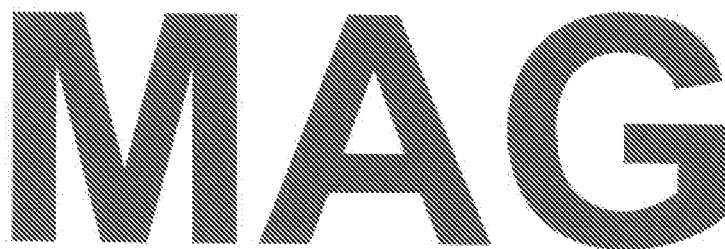
Goods/services: class 9

电池；照明用电池；手电筒电池；电力电池；电力电池充电器；电池盒；电池槽；充电器组；可充电池棒；邮戳检查装置；支票证明机；投币启动的机械装置；电脑计量加油机；商品电子标签；衣裙下摆贴边标示器；标绘器；口述听写机；投票机；摇奖机；半导体；荧光屏；家用遥控器；光学纤维(光导单纤维)；电站自动化装置；避雷针；电镀设备；电弧切割设备；非医用X光器械；防水衣；照蛋器；电动开门器；叫狗哨子；诱杀昆虫电力装置；电热卷发器；卸妆用电力器具；电熨斗；装饰磁铁；电栅栏；便携式遥控阻车器；电暖衣服；变压器(电)；充电器座；与车用雪茄烟点火器合用的手电筒充电适配器；变压器；外接插座用的适配器；

▲已删商品▲

计算机；计时器；传真机；自动计量器；刻度尺；电子布告板；网络通讯设备；个人用立体声装置；照相机(摄影)；测量仪器；光学灯；电线；印刷电路；电阻器；舞台灯光调节器；灭火洒水系统；电子防盗装置；眼镜；动画片；车用雪茄烟点火器；电源线；

Device:

The logo consists of the letters 'MAG' in a bold, sans-serif font. The letters are filled with a dense, stippled or halftone pattern, giving them a textured, three-dimensional appearance. The 'M' and 'A' are connected at the top, and the 'G' is slightly separated from the 'A'.

Mark:

MAG INNOVISION

Date of application:

2009/07/31

Number of application:

7584572

Date of priority:

Date of registration:

2011/02/21

Number of registration:

Non-Madrid 7584572

Name of the holder:

GUANG ZHOU SHI BI HONG DA KE JI FA ZHAN YOU XIAN GONG SI

Address of the holder:

GUANG DONG SHENG GUANG ZHOU SHI CONG HUA QU TAI PING ZHEN HUA YUAN
LU 9 XIANG 4 HAO CHINA

Goods/services: class 9

音频视频收音机；扩音器喇叭；电视机；录像机；摄像机；与外接显示屏或监视器连用的娱乐器具；DVD播放机；电视摄像机；自动广告机；带有图书的电子发声装置；

Device:

The logo for MAG INNOVISION. The word "MAG" is rendered in a large, bold, stylized font with a halftone dot pattern. Below it, the word "INNOVISION" is written in a smaller, spaced-out, sans-serif font, also with a halftone dot pattern.

Mark:

MAG

Date of application:

2009/07/31

Number of application:

7584573

Date of priority:

Date of registration:

2012/01/28

Number of registration:

Non-Madrid 7584573

Name of the holder:

GUANG ZHOU SHI BI HONG DA KE JI FA ZHAN YOU XIAN GONG SI

Address of the holder:

GUANG DONG SHENG GUANG ZHOU SHI CONG HUA QU TAI PING ZHEN HUA YUAN
LU 9 XIANG 4 HAO CHINA

Goods/services: class 9

音频视频收音机；扩音器喇叭；电视机；录像机；摄像机；与外接显示屏或监视器连用的娱乐器具；DVD播放机；自动广告机；电视摄像机；带有图书的电子发声装置；

Device:

The logo consists of the letters 'MAG' in a bold, stylized, sans-serif font. The letters are filled with a dense, dark grey halftone dot pattern, giving them a textured appearance. The 'M' and 'A' are connected at the base, and the 'G' is slightly separated from the 'A'.

Mark:

MAG STER

Date of application:

2010/03/30

Number of application:

8162656

Date of priority:

Date of registration:

2013/05/28

Number of registration:

Non-Madrid 8162656

Name of the holder:

LINCOLN GLOBAL, INC.

Address of the holder:

9160 NORWALK BOULEVARD, SANTA FE SPRINGS, CALIFORNIA 90670, U.S.A.

Goods/services: class 9

电弧焊接设备；等离子切割器；稳压电源；

Device:



Mark:

MAGSAFE

Date of application:

Number of application:

890247

Date of priority:

Date of registration:

2017/09/21

Number of registration:

Madrid 890247

Name of the holder:

Apple Inc.

Address of the holder:

One Apple Park Way Cupertino CA 95014(United States of America)

Goods/services: class 9

▲待删商品▲
计算机电源适配器;

Device:

MAGSAFE

Mark:

MAGNEW

Date of application:

1980/04/16

Number of application:

161614

Date of priority:

Date of registration:

2012/08/30

Number of registration:

Non-Madrid 161614

Name of the holder:

AZBIL CORPORATION

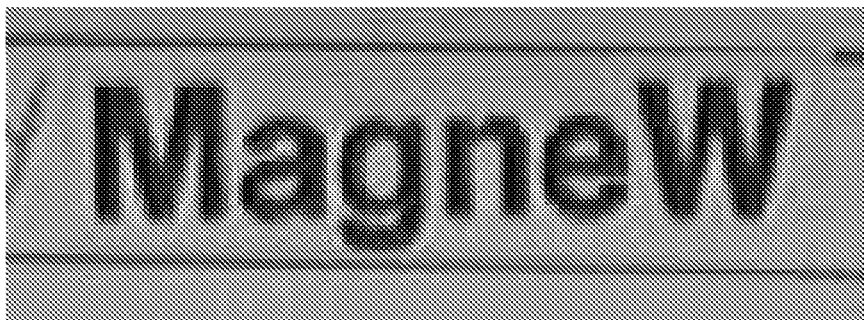
Address of the holder:

19F TOKYO BUILDING 2-7-3 MARUNOUCHI,CHIYODA-KU TOKYO 100-6419,JAPAN

Goods/services: class 9

磁耦合式流量计及有线电；无线电设备；收音机；留声机；照象；电影；光学；热工；检验和测量用器械；仪器；材料；流量计；速度计；测定装置；电子信号传送机；电信传送器；

Device:



Mark:

MAGCOM

Date of application:

2014/03/13

Number of application:

14171214

Date of priority:

Date of registration:

2015/04/28

Number of registration:

Non-Madrid 14171214

Name of the holder:

MAGCOM INTERNATIONAL LIMITED

Address of the holder:

FLAT/RM 320 INTERNATIONAL TRADE CENTRE 11-19 SHA TSUI ROAD TSUEN WAN
NT CHINA

Goods/services: class 9

计算机外围设备；电源材料（电线、电缆）；USB闪存盘；计步器；手提电话；便携式媒体播放器；非医用温度计；遥控装置；电池充电器；照相机（摄影）；

Device:



Mark:

MAGSAFE

Date of application:

2006/06/20

Number of application:

5431261

Date of priority:

2005/12/21

Date of registration:

2019/06/14

Number of registration:

Non-Madrid 5431261

Name of the holder:

APPLE INC.

Address of the holder:

ONE APPLE PARK WAY, CUPERTINO, CALIFORNIA 95014, UNITED STATES OF AMERICA

Goods/services: class 9

计算机；计算机硬件；计算机用电缆；计算机用电源电缆；计算机周边设备；手提式计算机；笔记本电脑；个人数字助理；电子日程表；电子笔记本；声音、影像或数据录制器具；声音、影像或数据传送器具；声音、影像或数据复制器具；磁数据载体；磁线；电脑游戏机；微处理机；计算机记忆板；监视器；显示器；计算机键盘；电缆；调制解调器；与计算机联用的打印机；计算机磁盘驱动器；照相机(摄影)；电话机；流动电话机；电池充电器；

Device:

MAGSAFE

Mark:

MAGS;媯迪霖

Date of application:

2007/03/13

Number of application:

5940769

Date of priority:

Date of registration:

2009/12/28

Number of registration:

Non-Madrid 5940769

Name of the holder:

POH YOKE TIN

Address of the holder:

21 PARBURY AVENUE SINGAPORE

Goods/services: class 9

计步器; 衡器; 电话机; 非医用测试仪; 个人用防事故装置; 眼镜; 电池; 电热卷发器;
▲已删商品▲
电子出版物(可下载); 光盘(音像);

Device:



MAGS

媯迪霖

Mark:

AG

Date of application:

2016/04/20

Number of application:

19699199

Date of priority:

Date of registration:

2017/06/07

Number of registration:

Non-Madrid 19699199

Name of the holder:

RUI TANG (SHANG HAI) ZI CHAN GUAN LI YOU XIAN GONG SI

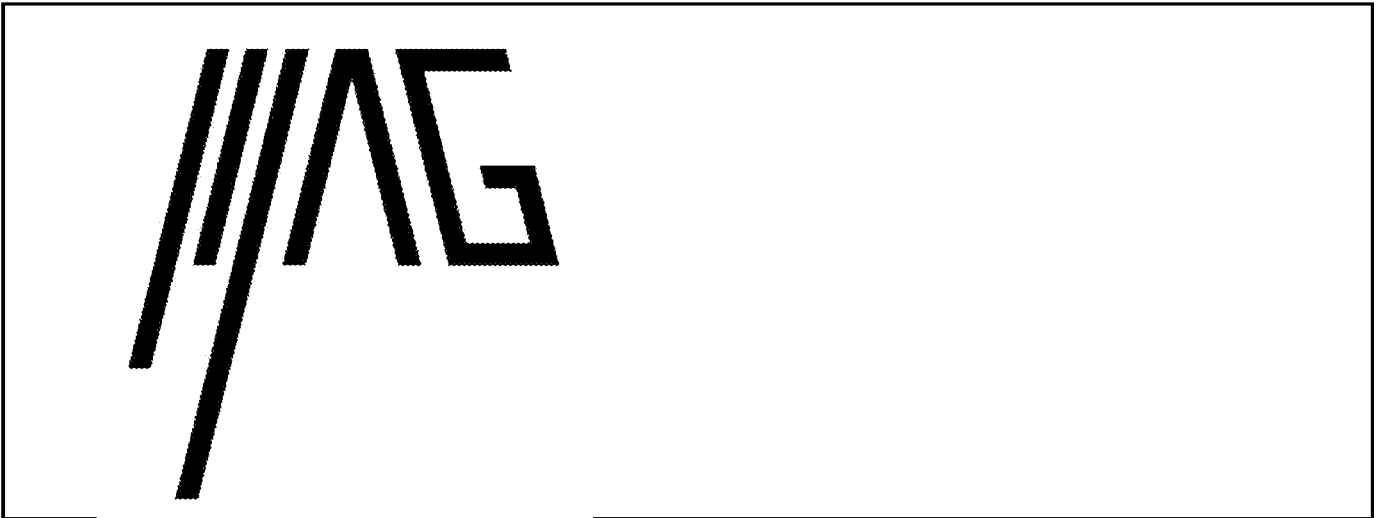
Address of the holder:

SHANG HAI SHI ZHA BEI QU WAN RONG LU 7 0 0 HAO 3 1 CHUANG A 8 9 SHI CHINA

Goods/services: class 9

唱片；光盘（音像）；眼镜；太阳镜；眼镜盒；时间记录装置；磁带；扬声器音箱；电唱机；录音机；

Device:



Mark:

MAG

Date of application:

2003/06/04

Number of application:

3580369

Date of priority:

Date of registration:

2015/01/07

Number of registration:

Non-Madrid 3580369

Name of the holder:

MAG GROUP FZE

Address of the holder:

U.A.EMIRATES DUBAI P.O.BOX 23325 U.A.EMIRATES

Goods/services: class 12

▲待删商品▲

车辆减震弹簧；后视镜；车辆防盗设备；车辆方向盘；车辆倒退报警器；汽车内胎；气胎(轮胎)；
车辆内装饰品；车辆转向信号灯；车辆行李架；

Device:

The image shows a stylized, three-dimensional logo for the word "MAG". The letters are rendered in a bold, blocky font with a halftone dot pattern, giving them a textured, metallic appearance. The letters are slightly offset from each other, creating a sense of depth and perspective. The logo is centered within a rectangular frame.

Mark:

USMAG

Date of application:

2017/07/28

Number of application:

25568302

Date of priority:

Date of registration:

Number of registration:

Non-Madrid 25568302

Name of the holder:

TIAN JIN YI HAO DA QI CHE KE JI YOU XIAN GONG SI

Address of the holder:

TIAN JIN SHI JIN NAN QU JIN NAN JING JI KAI FA QU (XI QU) XIANG GANG JIE 3
HAO 2 HAO LOU 3 0 7 - 2 6 CHINA

Goods/services: class 12

自行车;

▲待删商品▲

汽车底盘; 毂罩; 轮毂箍; 汽车车轮; 汽车车轮毂; 汽车轮胎; 运载工具用轮毂;

Device:



Mark:

MAG

Date of application:

2004/09/15

Number of application:

4269780

Date of priority:

Date of registration:

2017/11/07

Number of registration:

Non-Madrid 4269780

Name of the holder:

YUAN HONG WEI 4 3 0 1 2 3 5 5 0 2 2 6 0 0 1

Address of the holder:

HU NAN SHENG LIU YANG SHI HUAI CHUAN BAN SHI CHU ZHI BEI CHONG LU 7 9 HAO
FU YI HAO CHINA

Goods/services: class 17

巴拉塔树胶；补漏用化学合成物；密封物；丙烯酸树脂(半成品)；消防水龙带；石棉消防幕；绝缘材料；橡胶或塑料制填充材料；

Device:



The image shows a stylized, three-dimensional logo for the word 'MAG'. The letters are rendered in a bold, blocky font with a halftone or dot-matrix texture. The 'M' and 'A' are connected, and the 'G' is separate. The logo is centered within a large rectangular frame.

Mark:

MAGS;嫚迪霖

Date of application:

2007/03/13

Number of application:

5940832

Date of priority:

Date of registration:

2010/02/14

Number of registration:

Non-Madrid 5940832

Name of the holder:

POH YOKE TIN

Address of the holder:

21 PARBURY AVENUE SINGAPORE

Goods/services: class 18

钱包; 手提包; 旅行包(箱); 用于装化妆用品的手提包(空的); 钥匙盒(皮制); 皮垫; 裘皮; 伞; 手杖; 马具;

Device:

MAGS

嫚迪霖

Mark:

磁·生·活 MAGLIFE

Date of application:

2011/08/17

Number of application:

9856434

Date of priority:

Date of registration:

2013/01/21

Number of registration:

Non-Madrid 9856434

Name of the holder:

SHEN ZHEN SHI HENG AN HONG YUAN CI KE JI YOU XIAN GONG SI

Address of the holder:

GUANG DONG SHENG SHEN ZHEN SHI FU TIAN QU FU TIAN BAO SHUI QU HONG
MIAN LU YING DA LI KE JI SHU MA YUAN A DONG 6 0 5 SHI CHINA

Goods/services: class 20

家具；椅子(座椅)；垫子(床垫)；沙发；折叠式躺椅；按摩用床；家具用非金属附件；枕头；垫枕；

Device:



Mark:

MAGMAG

Date of application:

Number of application:

996051

Date of priority:

2008/10/09

Date of registration:

2018/10/24

Number of registration:

Madrid 996051

Name of the holder:

PIGEON CORPORATION

Address of the holder:

4-4,NIHONBASHI HISAMATSU-CHO,CHUO-KU TOKYO 103-8480(JAPAN)

Goods/services: class 20

▲已删商品▲

软垫；日式地板垫子；枕头；床垫；麦秆吸管；摇篮；婴儿学步车；窗帘五金配件；替代金属的塑料扣件、钉子、楔形物、螺母、螺钉、大头钉、螺栓、铆钉；脚轮(非金属)；垫圈(非金属,非橡胶的或者硬质纤维的)；锁具(非电动,也非金属)；浴室凳；小镜子；小镜子袋；

Device:



Mark:

美安居地产;MAG

Date of application:

2008/03/31

Number of application:

6628323

Date of priority:

Date of registration:

2010/10/21

Number of registration:

Non-Madrid 6628323

Name of the holder:

HUI ZHOU SHI MEI AN JU FANG CHAN KAI FA YOU XIAN GONG SI

Address of the holder:

GUANG DONG SHENG HUI ZHOU SHI HUI DONG XIAN TAI YANG GONG YE CHENG
CHINA

Goods/services: class 37

建筑信息; 建筑; 商业摊位及商店的建筑; 商品房建造; 仓库建筑和修理; 工厂建设; 砖石建筑; 港湾建设; 铺路; 道路铺设;

Device:



MAG
美安居地產

Mark:

美昂龙商业管理 MAG MEI. ANG. DRAGON

Date of application:

2016/07/11

Number of application:

20594472

Date of priority:

Date of registration:

2017/10/21

Number of registration:

Non-Madrid 20594472

Name of the holder:

NING BO MEI ANG LONG SHANG YE GUAN LI YOU XIAN GONG SI

Address of the holder:

ZHE JIANG SHENG NING BO SHI HAI SHU QU LING QIAO LU 7 7 7 HAO 2 1 0 2 SHI CHINA

Goods/services: class 37

飞机保养与修理；造船；喷涂服务；轮胎翻新；

▲已删商品▲

汽车保养和修理；汽车清洗；运载工具（车辆）上光服务；运载工具（车辆）保养服务；运载工具（车辆）故障救援修理服务；运载工具（车辆）电池更换；

Device:



The logo features the letters 'MAG' in a large, bold, sans-serif font. A stylized dragon head is integrated into the letter 'A'. Below 'MAG' is the text 'MELANG.DRAGON' in a smaller, all-caps, sans-serif font. At the bottom, the Chinese characters '美昂龙商业管理' are displayed in a bold, black, sans-serif font.

Mark:

MAGDATA

Date of application:

Number of application:

1326599

Date of priority:

2016/03/04

Date of registration:

2016/09/01

Number of registration:

Madrid 1326599

Name of the holder:

FÖRSTER, FELIX

Address of the holder:

Panoramastraße 73 72766 Reutlingen (Germany)

Goods/services: class 37

用于无损检测和材料测试的电子设备的安装、试运行、维护、修理和检修；用于测量电性、磁性及其他物理材料性能的电子设备的安装、试运行、维护、修理和检修；用于检测导电材料材料缺陷和材料不均一性的电子设备的安装、试运行、维护、修理和检修；用于探测铁磁材料成分的电子设备的安装、试运行、维护、修理和检修，用于测量剩余磁场的电子设备的安装、试运行、维护、修理和检修；用于测量地球磁场及用于测量人工生成磁场的电子设备的安装、试运行、维护、修理和检修；无损检测及材料测试电子设备用探针、传感器、检测头及检测线圈的安装、试运行、维护、修理和检修；

Device:

MAGDATA

Mark:

USMAG

Date of application:

2017/07/28

Number of application:

25568302

Date of priority:

Date of registration:

Number of registration:

Non-Madrid 25568302

Name of the holder:

TIAN JIN YI HAO DA QI CHE KE JI YOU XIAN GONG SI

Address of the holder:

TIAN JIN SHI JIN NAN QU JIN NAN JING JI KAI FA QU (XI QU) XIANG GANG JIE 3
HAO 2 HAO LOU 3 0 7 - 2 6 CHINA

Goods/services: class 37

汽车保养和修理；运载工具保养服务；运载工具清洁服务；

Device:



Mark:

6 MAG

Date of application:

2011/05/03

Number of application:

9413175

Date of priority:

Date of registration:

2012/05/21

Number of registration:

Non-Madrid 9413175

Name of the holder:

CHAO YU TOU ZI ZI XUN (SHANG HAI) YOU XIAN GONG SI

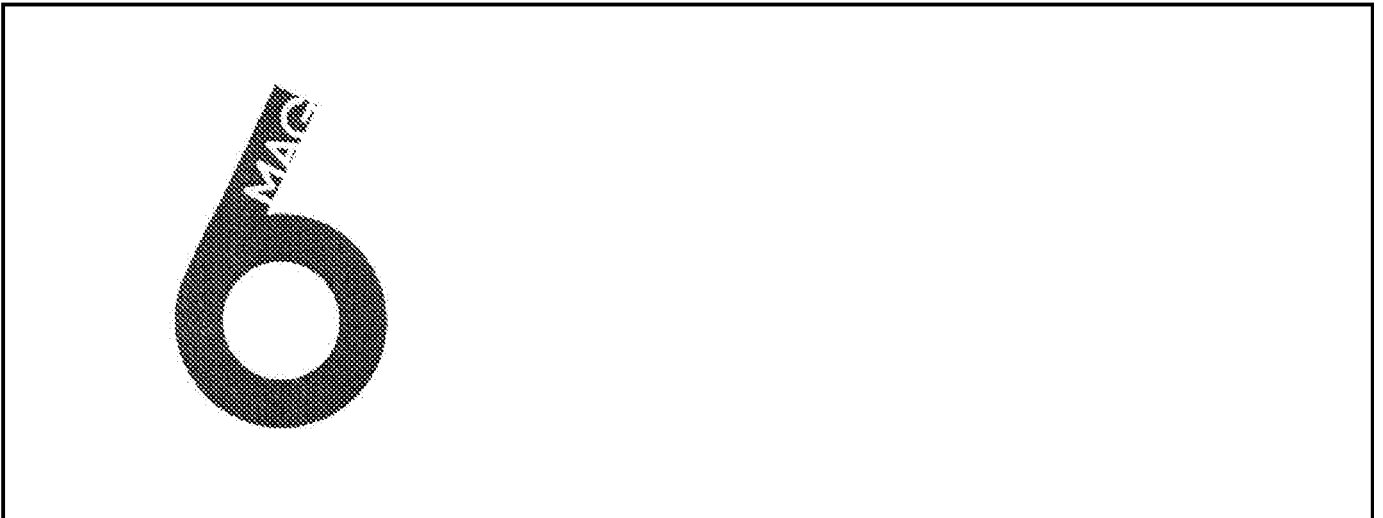
Address of the holder:

SHANG HAI SHI PU DONG XIN QU ZHANG YANG LU 1 5 8 HAO YUE LIANG CHUANG 1 8
1 2 SHI CHINA

Goods/services: class 41

安排和组织会议；文字出版(广告宣传册除外)；图书出版；书籍出版；在线电子书籍和杂志的出版；提供在线电子出版物(非下载的)；除广告以外的版面设计；娱乐；俱乐部服务(娱乐或教育)；(在计算机网络上)提供在线游戏；

Device:



Mark:

MAGS;嫚迪霖

Date of application:

2007/03/13

Number of application:

5940771

Date of priority:

Date of registration:

2010/07/28

Number of registration:

Non-Madrid 5940771

Name of the holder:

POH YOKE TIN

Address of the holder:

21 PARBURY AVENUE SINGAPORE

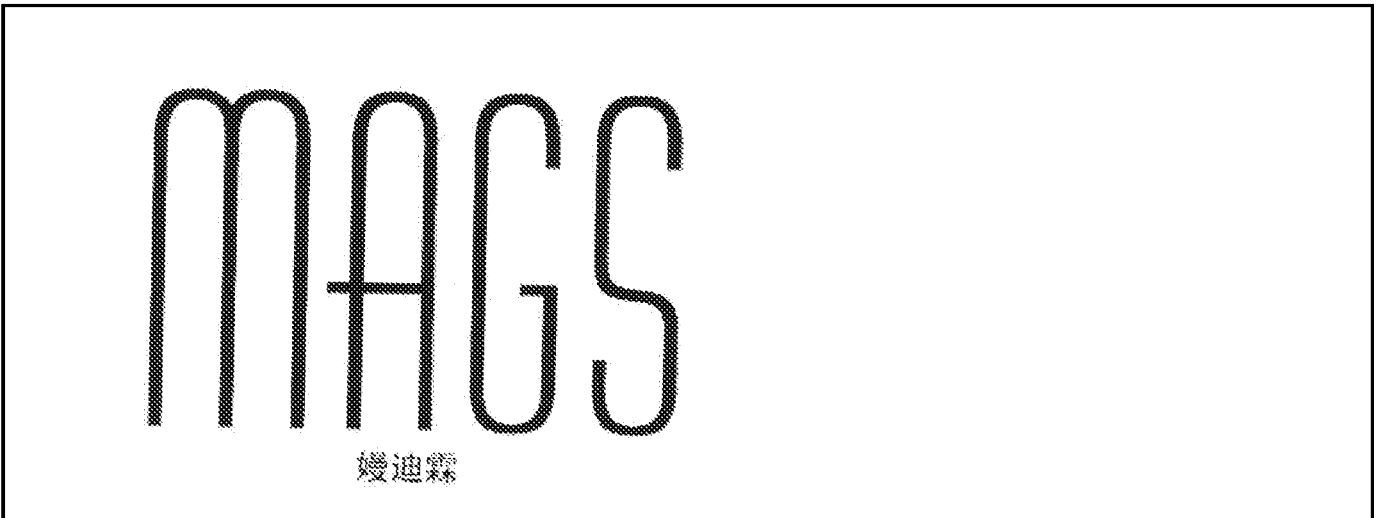
Goods/services: class 41

书籍出版; 俱乐部服务(娱乐或教育); 夜总会; 健身俱乐部; 为艺术家提供模特;

▲已删商品▲

学校(教育); 培训; 教育考核; 安排和组织会议; 电视和无线电节目制作;

Device:



Mark:

2 MAG MAGNETIC MOTION E

Date of application:

Number of application:

1312807

Date of priority:

Date of registration:

2016/06/02

Number of registration:

Madrid 1312807

Name of the holder:

2MAG AG

Address of the holder:

Schraghofstrasse 35 80992 Munchen (Germany)

Goods/services: class 42

科学和技术服务；

Device:



Mark:

MAG DIGITAL

Date of application:

2009/02/17

Number of application:

7203071

Date of priority:

Date of registration:

2011/04/21

Number of registration:

Non-Madrid 7203071

Name of the holder:

MAG DIGITAL LIMITED

Address of the holder:

FLAT/RM 901 9/F PAUL Y.CENTRE 51 HUNG TO ROAD KWUN TONG KL CHINA

Goods/services: class 42

生物学研究；石油开采分析；

▲已删商品▲

技术研究；工业品外观设计；包装设计；造型(工业品外观设计)；室内装饰设计；计算机编程；计算机软件设计；化妆品研究；

Device:

The logo for MAG DIGITAL is displayed within a rectangular border. The word "MAG" is rendered in a large, bold, sans-serif font with a halftone dot pattern. Below it, the word "DIGITAL" is written in a smaller, spaced-out, sans-serif font, also with a halftone dot pattern.

Mark:

6 MAG

Date of application:

2011/05/03

Number of application:

9413174

Date of priority:

Date of registration:

2012/06/21

Number of registration:

Non-Madrid 9413174

Name of the holder:

CHAO YU TOU ZI ZI XUN (SHANG HAI) YOU XIAN GONG SI

Address of the holder:

SHANG HAI SHI PU DONG XIN QU ZHANG YANG LU 1 5 8 HAO YUE LIANG CHUANG 1 8
1 2 SHI CHINA

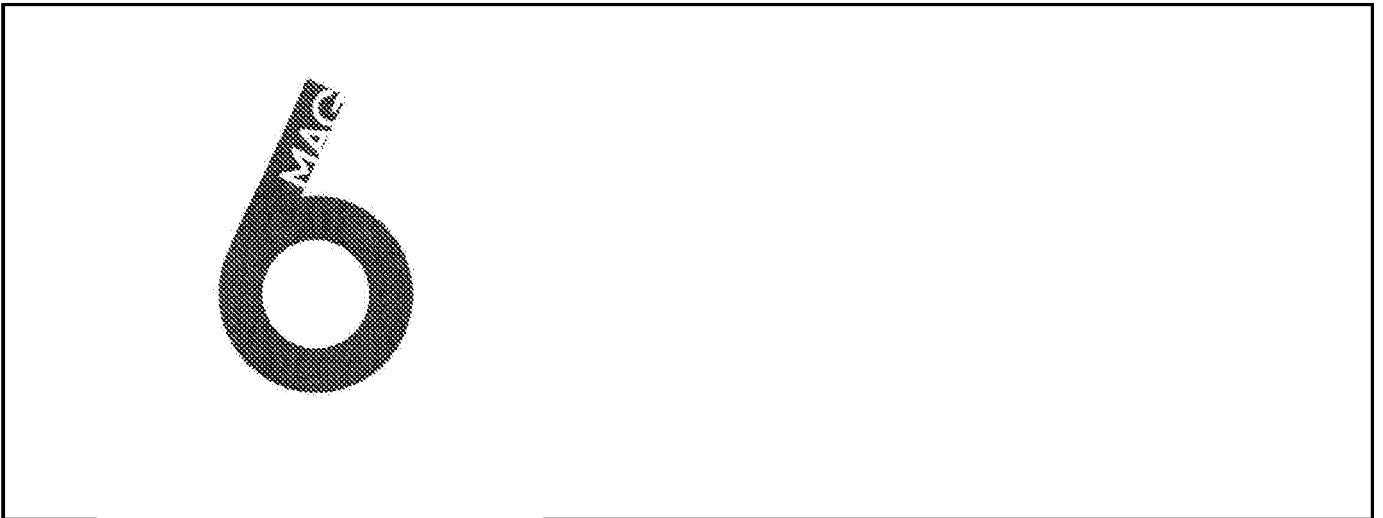
Goods/services: class 42

计算机软件更新; 计算机软件升级; 把有形的数据和文件转换成电子媒体; 计算机程序和数据的
数据转换(非有形转换); 提供互联网搜索引擎; 计算机软件维护; 替他人创建和维护网站; 计算机
硬件咨询; 计算机软件咨询;

▲已删商品▲

研究与开发(替他人);

Device:



Mark:

美昂龙商业管理 MAG MEI. ANG. DRAGON

Date of application:

2016/07/11

Number of application:

20594426

Date of priority:

Date of registration:

2017/11/07

Number of registration:

Non-Madrid 20594426

Name of the holder:

NING BO MEI ANG LONG SHANG YE GUAN LI YOU XIAN GONG SI

Address of the holder:

ZHE JIANG SHENG NING BO SHI HAI SHU QU LING QIAO LU 7 7 7 HAO 2 1 0 2 SHI CHINA

Goods/services: class 42

质量评估；气象信息；材料测试；服装设计；艺术品鉴定；

▲待删商品▲

技术项目研究；城市规划；地质勘测；建筑项目的开发；计算机编程；

Device:



Mark:

IMAG

Date of application:

2014/10/20

Number of application:

15535120A

Date of priority:

Date of registration:

2016/01/14

Number of registration:

Non-Madrid 15535120A

Name of the holder:

SHANG HAI YI MAI GUANG GAO CHUAN BO YOU XIAN GONG SI

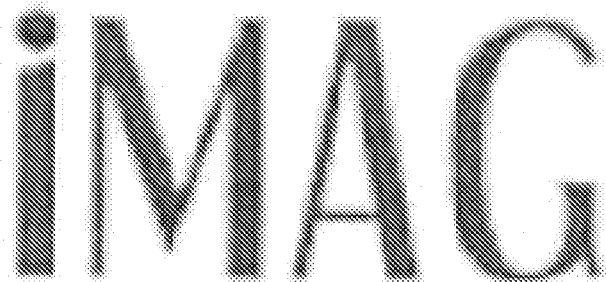
Address of the holder:

SHANG HAI SHI JIA DING QU NAN XIANG ZHEN WEN BEI LU 1 7 5 5 NONG 3 9 HAO 4 0 1
SHI CHINA

Goods/services: class 42

计算机编程；计算机软件设计；计算机软件维护；计算机硬件设计和开发咨询；替他人创建和维护网站；托管计算机站（网站）；计算机软件咨询；网络服务器的出租；信息技术咨询服务；工业品外观设计；

Device:



Mark:

MAGGAM

Date of application:

2017/07/12

Number of application:

25298760

Date of priority:

Date of registration:

2018/09/14

Number of registration:

Non-Madrid 25298760

Name of the holder:

GUANG ZHOU SHI JIA YU FU ZHUANG SHE JI YOU XIAN GONG SI

Address of the holder:

GUANG DONG SHENG GUANG ZHOU SHI HAI ZHU QU XIN GANG XI LU 8 2 HAO ZI
BIAN C - 1 QU F 3 0 1 8 ZHAN TING (JIN XIAN BAN GONG YONG TU) CHINA

Goods/services: class 42

室内装饰设计；工业品外观设计；包装设计；计算机软件设计；服装设计；平面美术设计；造型
(工业品外观设计)；网站设计咨询；室内设计；把有形的数据或文件转换成电子媒体；

Device:

MAGDAM

Mark:

MAGGAM

Date of application:

2017/07/12

Number of application:

25282326

Date of priority:

Date of registration:

2018/09/14

Number of registration:

Non-Madrid 25282326

Name of the holder:

GUANG ZHOU SHI JIA YU FU ZHUANG SHE JI YOU XIAN GONG SI

Address of the holder:

GUANG DONG SHENG GUANG ZHOU SHI HAI ZHU QU XIN GANG XI LU 8 2 HAO ZI
BIAN C - 1 QU F 3 0 1 8 ZHAN TING (JIN XIAN BAN GONG YONG TU) CHINA

Goods/services: class 42

室内装饰设计；工业品外观设计；包装设计；计算机软件设计；服装设计；平面美术设计；造型
(工业品外观设计)；网站设计咨询；室内设计；把有形的数据或文件转换成电子媒体；

Device:

MAGGAM

Relevant Provisions of the Law and the Regulations

(Excerpts)

Trademark Law of China

Article 10 The following signs shall not be used as trademarks:

- (1) those identical with or similar to the State name, national flag, national emblem, national anthem, military flag, military emblem, military anthem, or decorations etc, of the People's Republic of China, and those identical with the names or symbols of the Central State government organizations, or with the names of the particular venues, where the Central State government organizations are located, or with the names or graphs of the symbolic buildings of the Central State government organizations;
- (2) those identical with or similar to the State names, national flags, national emblems or military flags etc, of foreign countries, unless consent has been given by the government of the relevant country;
- (3) those identical with or similar to the names, flags or emblems etc, of international intergovernmental organizations, unless consent has been given by the relevant organization or the public is not likely to be misled by such use;
- (4) those identical with or similar to official signs or hallmarks indicating control and warranty, unless authorization has been given;
- (5) those identical with or similar to names or symbols of the Red Cross or the Red Crescent;
- (6) those having the nature of discrimination against any nationality;
- (7) those having the fraudulence, which will easily mislead the public as to the features such as qualities of the goods, or the places of the origins;
- (8) those detrimental to socialist morality or customs, or having other unhealthy influences.

The geographical names of the administrative divisions at or above the county level or the foreign geographical names well-known to the public shall not be used as trademarks, but such geographical names as have otherwise meanings or as an element of a collective mark or a certification mark shall be

exclusive. Where a trademark using any of the above-mentioned geographical name has been approved and registered, it shall continue to be valid.

Article 11 The following signs shall not be registered as trademarks:

- (1) those which consist exclusively of the generic names, designs, or models of the goods in respects of which the trademark is used;
- (2) those which consist exclusively of direct indications of the quality, primary raw material, functions, intended purpose, weight, quantity or other characteristics of goods;
- (3) other signs which are devoid of any distinctive character.

Where trademarks under the preceding paragraph have acquired distinctiveness through use and become easily distinguishable, they may be registered as trademarks.

Article 12 Where a three-dimensional sign is applied for registration of a trademark, it shall not be registered if it consists exclusively of the shape which results from the nature of the goods themselves, the shape of goods which is necessary to obtain a technical result, or the shape which gives substantial value to the goods.

Article 16 Where a trademark contains or consists of a geographical indication with respect to goods not originating in the place indicated, misleading the public as to the true place of origin, the application for registration shall be refused and the use of the mark shall be prohibited. But for those marks that have obtained registration in good faith shall continue to be valid.

Geographical indications mentioned in the preceding paragraph are indications that identify a particular good as originating in a region, where a given quality, reputation or other characteristics of the goods is essentially attributable to its natural or human factors.

Article 22 An applicant for the registration of a trademark shall, in accordance with the prescribed classification of goods, in the application, indicate the class(es) and the indications of goods in respect of which the trademark is to be used.

An applicant can apply for the registration

of the same trademark on the different classes of goods through one application.

Applications for trademark registration and other related documents shall be submitted in writing or electronic format.

Article 23 Where a registered trademark needs to acquire the exclusive right to be used in respect of goods beyond the approved range of use, a new application for registration shall be filed.

Article 30 Where a trademark the registration of which has been applied for is not in conformity with the relevant provisions of this Law, or it is identical with or similar to the trademark of another party that has, in respect of the same or similar goods, been registered or, after examination, preliminarily approved, the Trademark Office shall refuse the application and shall not publish the said trademark.

Article 31 Where two or more applicants apply for the registration of identical or similar trademarks for the same or similar goods, the preliminarily approval, after examination, and the publication shall be made for the trademark that was first filed. Where applications are filed on the same day, the preliminarily approval, after examination, and the publication shall be made for the trademark that was used earliest, and the applications of the others shall be refused and their trademarks shall not be published.

Article 33 The prior right owner or any interested party who believes that the trademark stands in violation of the provisions of second and third paragraphs of Article 13, Article 15, first paragraph of Article 16, Article 30, 31 and 32 of this law, or any party who believes that the trademark stands in violation of the provisions of Article 10, 11 and 12 of this law may, within three months from the date of the publication, file an opposition against the trademark that has, after examination, been preliminarily approved. If no opposition has been filed at the expiration of the specified period, the registration shall be approved, a certificate of trademark registration shall be issued and the trademark shall be published.

Article 35 Where it is decided that the registration shall be approved by the Trademark

Office, a certificate of trademark registration shall be issued and the trademark shall be published. Where the Opponent is dissatisfied with the decision, he or it may, pursuant to Article 44 and 45 of this law, apply for a declaration that the trademark is invalid to the Trademark Review and Adjudication Board.

Where it is decided that the registration shall not be approved by the Trademark Office and the Opposed party is dissatisfied with the decision, he or it may, within fifteen days from receipt of the notification, apply for a review to the Trademark Review and Adjudication Board. The Trademark Review and Adjudication Board shall make a decision within twelve months from receipt of the application and notify both the Opponent and the Opposed party in writing. The administrative authority for industry and commerce under the State Council may grant a six-month extension under certain circumstances. . Where the Opposed party is dissatisfied with the decision of the Trademark Review and Adjudication Board, he or it may, within thirty days from receipt of the notification, institute legal proceedings with the people's court. The people's court shall notify the Opponent as a third party to the litigation.

Article 42 Where a registered trademark is assigned, the assignor and assignee shall sign an agreement for the assignment and jointly file an application with the Trademark Office. The assignee shall guarantee the quality of the goods in respect of which the registered trademark is used.

When a registered trademark is to be assigned, the trademark registrant shall assign in a lump all of its similar trademarks in respect of the identical goods, or, identical or similar trademarks in respect of the similar goods.

With respect to applications for the assignment of registered trademarks, which may produce confusion or other adverse effects, the Trademark Office shall refuse them, and shall notify the applicants in writing and give the reasons therefor.

The assignment of a registered trademark shall be published after it has been approved. The assignee shall enjoy the exclusive right to use the trademark from the date of publication.

Article 50 Where a registered trademark has been cancelled, invalidated or has not been renewed at the expiration, the Trademark Office shall, during one year from the date of the cancellation, invalidation or expiration, approve no application for the registration of a trademark that is identical with or similar to the said trademark.

Regulations for the Implementation of Trademark Law

Rule 13 Anyone who applies for registration of a trademark shall file an application based on the published Classification of Goods and Services. For each application for registration of a trademark, the applicant shall submit to the Trademark Office one copy of the Application for Trademark Registration and one copy of reproduction of the trademark; if applying for the registration of the combination of colors or a sign with the designated color or colors as a trademark, one copy of colored reproduction of the trademark and one copy of the black and white design shall be submitted; if applying for the registration of trademark without designated color or colors, the black and white design shall be submitted.

The reproductions of a trademark must be clear, easy to be pasted up, printed on smooth and clear durable paper or use photographs as a substitute, and the length and breadth of which shall be not more than ten centimeters and not less than five centimeters each.

If applying for the registration of a three-dimensional sign as a trademark, the applicant shall make a statement in the application, explain how to use the trademark, and submit a reproduction including perspectives of at least three different sides of the mark thereof by which the three-dimensional shape can be determined.

If applying for the registration of the combination of colors as a trademark, the applicant shall make a statement in the application, and explain how to use the trademark.

If applying for the registration of a sound as a trademark, the applicant shall make a

statement in the application, submit the audio reproduction as requested, describe the sound and explain how to use the trademark. The description shall describe the said sound by musical notation or numbered musical notation with explanatory words; if the said sound could not be described by musical notation or numbered musical notation, it shall be describe in words. The trademark description shall be in conformity with the sound sample.

If applying for the registration of a collective mark or a certification mark, the applicant shall make a statement in the application, and submit the documents certifying the qualifications of the subjects and the rules on the administration of the use of the mark.

Where a trademark is, or consists of, foreign words, their Chinese meanings shall be indicated.

Rule 15 The class(es) and indications of goods or services shall be listed in the application as specified in the Classification of Goods and Services; where any goods or services are not included in the Classification of Goods and Services, a description of the goods or services in question shall be attached to the application.

Applications for trademark registration and other related documents submitted in writing shall be typewritten or printed.

The preceding paragraph applies to other trademark affairs.

Rule 19 Where two or more applicants apply respectively on the same day for the registration of identical or similar trademarks in respect of the same or similar goods, both or all of the applicants shall, within 30 days from the date of receipt of the notification of the Trademark Office, submit the evidence of prior use of such trademarks before applying for registration. Where the use started on the same day or none is yet in use, both or all of the applicants may, within 30 days from the date of receipt of the notification of the Trademark Office, conduct consultations on their own and submit a written agreement to the Trademark Office; if they are not willing to conduct consultations or they fail to reach an agreement through consultations, the Trademark Office shall notify both or all of the applicants to determine one of them by drawing

lots and refuse the applications for registration filed by others. Where an applicant has been notified by the Trademark Office but fails to participate in the drawing of lots, the application filed by such an applicant shall be considered abandoned, and the Trademark Office shall notify the applicant in writing who does not participate in the drawing of lots.

Rule 43 Anyone who applies for the territorial extension to China, and requests for the protection of a three-dimensional sign, combination of colors or sound as a trademark, or the protection of collective trademark or certification trademark, within three months from the date of recording the trademark in the International Register, shall submit the materials required by Rule 13 through the trademark agency established in accordance with laws in China. If the applicant fails to submit the relevant materials within the time limit, such application shall be refused.

Rule 45 The opponent who is in conformity with Article 33 of The Trademark Law may file an opposition to the Trademark Office against a request for territorial extension to China within 3 months from the first day of the next month following the publication of the International Registration Gazette by the World Intellectual Property Organization.

The Trademark Office shall notify the International Bureau the opposition in the form of provisional refusal before the expiry of the applicable refusal period.

The Opposed party may make a response within 30 days from receipt of the provisional refusal transmitted by the International Bureau. The response and other related evidence shall be submitted through the trademark agency established in accordance with laws in China.

Rule 47 For the assignment of territorial extensions designating China, the assignee shall have a real and effective industrial or commercial establishment in, or be domiciled in a contracting party, or be a national of a contracting state or a state member of a contracting organization.

Where an assignor fails to assign in a lump all his or its identical or similar marks in respects of the same or similar goods or services,

the Trademark Office shall notify the holder of international registration to rectify the situation within 3 months from the date of the notification; if the situation is not rectified at the expiration of the time limit, or if the assignment of a trademark is likely to produce confusion or bears other adverse effects, the Trademark Office shall decide that the said assignment has no effect in China, and declare it to the International Bureau.

Rule 48 For the limitation of list of goods and services of territorial extensions designating China, if the limitation does not comply with the requirements on the classification of goods or services enforced in China, or enlarges the original list of goods and services, the Trademark Office shall decide that the limitation has no effect in China, and declare it to the International Bureau.

Administrative Reconsideration Law

Article 9 Any citizen, legal person or any other organization, who considers that a specific administrative act has infringed upon his or its lawful rights and interests, may file an application for administrative reconsideration within 60 days from the day when he or it knows the specific administrative act, except that the time limit prescribed in laws exceeds 60 days.

If the time limit prescribed by law is delayed due to force majeure or other special reasons, the time limit shall be accounted continuously from the day when the obstacle is removed.

Administrative Procedure Law

Article 46 If a citizen, a legal person or any other organization brings a suit directly before a people's court, he or it shall do so within six months from the day when he or it knows that a specific administrative act has been undertaken, except as otherwise provided for by law.