



NOTIFICATION DE REFUS D' OFFICE

Notifiée au Bureau International de l' Organisation Mondiale de la Propriété Intellectuelle (OMPI)
Conformément à la Règle 17 (2) et la Règle 17 (5)(e) du Règlement d' Exécution commun

NOTE: Ladite notification du refus d' office est considérée comme une déclaration conformément à la Règle 18ter (2) (ii) ou (3) du Règlement d' exécution commun. Une requête en réexamen peut être présentée à la CNIPA, par une agence ou un avocat qualifié Chinois, dans un délai de 15 jours à compter de la réception de ladite notification.

I. Administration qui prononce le refus :

L'Administration Nationale de la Propriété Intellectuelle, RPC
(CNIPA)

1, Chama Nanjie, Xichengqu,
CN-100055 BEIJING
République Populaire de Chine

Tel: 8610-63219000

FAX: 8610-68050285



II. Date à laquelle le refus est prononcé 2019/10/31

III. Notre numéro de Référence : GJZCG1461564BHF02

IV. Enregistrement international No. : 1461564

V. Date de notification en Chine 2019/07/18

VI. Enregistrement national de base No. :

Dépôt national de base No. : 4501845

VII. Refus pour les produits et/ou services suivants :

35: Gestion de fichiers informatiques et bases de données; conseils en organisation et direction des affaires; consultation pour la direction des affaires; expertise en affaires; aide à la direction pour organisations industrielles; gestion commerciale informatisée pour le compte de tiers; gestion des relations avec le client; services administratifs en matière d' évaluation d' entreprises; services d' administration commerciale pour le traitement de ventes réalisées sur un réseau informatique mondial; services de développement de stratégies commerciales; services de sous-traitance [assistance commerciale]; services de tâches bureautiques (travaux de bureau); collecte et systématisation d' informations dans des bases de données informatiques; compilation d' informations dans des bases de données informatiques; rapports et analyses statistiques; compilation informatisée d' informations commerciales; services de gestion informatisée de fichiers; services de saisie et de traitement de données; conseils, renseignements ou informations en affaires commerciales; services de conseils d' affaires aux entreprises en matière d' utilisation d' ordinateurs; services de conseils en gestion commerciale dans le secteur des technologies de l' information; obtention de statistiques commerciales pour le compte de tiers; analyse du comportement des consommateurs; promotion pour le compte des tiers de produits et de services relevant du domaine des énergies renouvelables et des télécommunications; recueil de données dans un fichier central; conseils en communication [relations publiques]; démonstration de produits; diffusion d' annonces publicitaires; diffusion de matériel publicitaire [tracts, prospectus, imprimés, échantillons]; enquêtes de marché; gestion d' entreprises et services de conseillers en affaires commerciales; gestion de stocks informatisée; informations commerciales par le biais de sites web; mise à jour et maintenance de données dans des bases de données informatiques; organisation et réalisation de présentations de produits; planification de stratégies de marketing; réalisation d' études de faisabilité commerciale; services de compilation d' informations statistiques; services de développement de stratégies commerciales; services de gestion de projets commerciaux dans le cadre de projets de construction; services de programmation de rendez-vous [travaux de bureau]; services de sous-traitance [assistance commerciale]; services de traitement administratif de commandes; traitement électronique de données; services de vente en gros de matériel informatique; services de compilation d' informations statistiques; administration commerciale de licences de produits ou services de tiers.;

37:installation de câbles pour accéder à Internet; pose de câbles de télécommunication; services de câblage de bâtiments à des fins de transmission par télécommunication; pose, enfouissement, entretien et réparation de câbles;

38:Tous les services;

39:Emballage et entreposage de marchandises; entreposage de supports de données ou de documents stockés électroniquement; collecte, transport et livraison de produits; stockage physique de fichiers et documents stockés électroniquement; stockage physique de bases de données stockées électroniquement, images et autres données électroniques; stockage de matériel informatique; services de livraison pour le compte de tiers.;

40:soudure; polissage (abrasion); assemblage sur commande de composants électroniques pour des dispositifs de communication; confection sur mesure de produits en matière plastiques pour le compte de tiers.;

41:Tous les services;

42:Tous les services;

VIII. Motifs de Refus :

marques antérieures nationales et/ou internationales.(voir Item X)

Le signe déposé est similaire à la/aux marque(s) antérieure(s) .

Les produits et/ou services cités à la rubrique VII sont similaires aux produits et/ou services énumérés dans le dépôt ou l'enregistrement antérieur.

La Chine n'accepte pas les services concernant la vente en gros.

IX. Articles de la Loi chinoise applicable en la matière :

Article(s) : (Voir les extraits des lois et des règlements)

La Loi sur Les Marques Article 22&30&31

X. Informations concernant la/les marque(s) antérieure(s):

Nom de la marque :

众新永鸿·大数据 SOLUTIONS 619

Date de dépôt :

2014/04/08

Numéro de dépôt :

14333030

Date de priorité :

Date d' enregistrement :

2015/05/21

Numéro d' enregistrement :

Non-Madrid 14333030

Nom du titulaire :

BEI JING ZHONG XIN YONG HONG SHU JU JI SHU YOU XIAN GONG SI

Adresse du titulaire :

BEI JING SHI HAI DIAN QU JIAO DA DONG LU 6 6 HAO YUAN 2 HAO LOU 7 CENG 8 0 3
CHINA

Produits/services : classe 35

广告；点击付费广告；计算机网络上的在线广告；广告代理；为零售目的在通讯媒体上展示商品；商业专业咨询；替他人推销；在计算机数据库中升级和维护数据；将信息编入计算机数据库；广告空间出租；

Dessin :



Nom de la marque :

益人健康;SOLU+ION

Date de dépôt :

2008/05/04

Numéro de dépôt :

6700495

Date de priorité :

Date d' enregistrement :

2011/02/21

Numéro d' enregistrement :

Non-Madrid 6700495

Nom du titulaire :

BEI JING YI REN SHANG MAO YOU XIAN ZE REN GONG SI

Adresse du titulaire :

BEI JING SHI CHAO YANG QU WANG JING LI ZE ZHONG YUAN ER QU 2 0 3 HAO 1 5 0 6
SHI CHINA

Produits/services : classe 35

货物展出; 样品散发; 广告宣传本的出版; 广告; 电视广告; 商业橱窗布置; 特许经营的商业管理;

▲已删商品▲

进出口代理; 替他人推销; 替他人采购(替其他企业购买商品或服务);

Dessin :



益人健康 SOLUTION

Nom de la marque :

SOLUTION PLUS

Date de dépôt :

2018/01/17

Numéro de dépôt :

28744831

Date de priorité :

Date d' enregistrement :

Numéro d' enregistrement :

Non-Madrid 28744831

Nom du titulaire :

SHEN ZHEN SHUN FENG TAI SEN KONG GU (JI TUAN) YOU XIAN GONG SI

Adresse du titulaire :

GUANG DONG SHENG SHEN ZHEN SHI QIAN HAI SHEN GANG HE ZUO QU QIAN WAN YI LU 1 HAO A DONG 2 0 1 SHI (RU ZHU SHEN ZHEN SHI QIAN HAI SHANG WU MI SHU YOU XIAN GONG SI) ; JING YING DI ZHI : SHEN ZHEN SHI FU TIAN QU XIN ZHOU SHI YI JIE 1 3 8 HAO WAN JI SHANG WU DA SHA 1 9 A CHINA

Produits/services : classe 35

为零售目的在通讯媒体上展示商品；广告；通过网站提供商业信息；替他人预订电讯服务；对购买定单进行行政处理；开发票；通过电子手段展示商品和服务以便于电视购物和居家购物；自动售货机出租；销售展示架出租；

▲待删商品▲

替他人推销；为商品和服务的买卖双方提供在线市场；商业企业迁移；为他人安排和组织市场促销；会计；寻找赞助；药用、兽医用、卫生用制剂和医疗用品的零售服务；

Dessin :

SOLUTION PLUS

Nom de la marque :

我爱方案网 52 SOLUTION.COM

Date de dépôt :

2012/06/29

Numéro de dépôt :

11141193

Date de priorité :

Date d' enregistrement :

2014/08/28

Numéro d' enregistrement :

Non-Madrid 11141193

Nom du titulaire :

SHEN ZHEN SHI ZHONG DIAN WANG LUO JI SHU YOU XIAN GONG SI

Adresse du titulaire :

GUANG DONG SHENG SHEN ZHEN SHI NAN SHAN QU GAO XIN NAN SI DAO 0 0 6 HAO
KE JI NAN SHI LU SHEN ZHEN JI SHU CHUANG XIN DA LOU B ZUO 2 CENG B 2 0 2 SHI
CHINA

Produits/services : classe 35

人员招收；将信息编入计算机数据库；在计算机档案中进行数据检索(替他人)；

▲已删商品▲

货物展出；广告；计算机网络上的在线广告；商业管理和组织咨询；市场研究；商业信息；组织
技术展览；

Dessin :



52Solution
我爱方案网.com

Nom de la marque :

SOLUTIONS

Date de dépôt :

2000/10/27

Numéro de dépôt :

1723863

Date de priorité :

Date d' enregistrement :

2012/02/28

Numéro d' enregistrement :

Non-Madrid 1723863

Nom du titulaire :

INGERSOLL-RAND COMPANY

Adresse du titulaire :

800-E BEATY STREET, DAVIDSON NORTH CAROLINA, 28036, U.S.A.

Produits/services : classe 37

建筑设备出租；空气压缩设备出租；

Dessin :



SOLUTIONS

Nom de la marque :

智华信 SOLUTION 51

Date de dépôt :

2012/09/29

Numéro de dépôt :

11567193

Date de priorité :

Date d' enregistrement :

2014/03/07

Numéro d' enregistrement :

Non-Madrid 11567193

Nom du titulaire :

BEI JING ZHI HUA XIN KE JI GU FEN YOU XIAN GONG SI

Adresse du titulaire :

BEI JING SHI CHAO YANG QU DONG SAN HUAN BEI LU XIN 2 HAO 2 CHUANG 9 0 5 、 9
0 6 DAN YUAN CHINA

Produits/services : classe 38

信息传送；电报业务；电报通讯；电传业务；计算机终端通讯；计算机辅助信息和图像传送；电
讯路由节点服务；提供全球计算机网络用户接入服务；数字文件传送；电报传送；

Dessin :



5/solution
智华信

Nom de la marque :

我爱方案网 52 SOLUTION.COM

Date de dépôt :

2012/06/29

Numéro de dépôt :

11140900

Date de priorité :

Date d' enregistrement :

2014/07/07

Numéro d' enregistrement :

Non-Madrid 11140900

Nom du titulaire :

SHEN ZHEN SHI ZHONG DIAN WANG LUO JI SHU YOU XIAN GONG SI

Adresse du titulaire :

GUANG DONG SHENG SHEN ZHEN SHI NAN SHAN QU GAO XIN NAN SI DAO 0 0 6 HAO
KE JI NAN SHI LU SHEN ZHEN JI SHU CHUANG XIN DA LOU B ZUO 2 CENG B 2 0 2 SHI
CHINA

Produits/services : classe 38

计算机终端通讯；计算机辅助信息和图像传送；电子邮件；电信信息；电子公告牌服务(通讯服务)；远程会议服务；提供全球计算机网络用户接入服务；为电话购物提供电讯渠道；提供互联网聊天室；语音邮件服务；

Dessin :



52Solution
我爱方案网.com

Nom de la marque :

SOLUTION PLUS

Date de dépôt :

2018/01/17

Numéro de dépôt :

28742972

Date de priorité :

Date d' enregistrement :

2018/12/21

Numéro d' enregistrement :

Non-Madrid 28742972

Nom du titulaire :

SHEN ZHEN SHUN FENG TAI SEN KONG GU (JI TUAN) YOU XIAN GONG SI

Adresse du titulaire :

GUANG DONG SHENG SHEN ZHEN SHI QIAN HAI SHEN GANG HE ZUO QU QIAN WAN
YI LU 1 HAO A DONG 2 0 1 SHI (RU ZHU SHEN ZHEN SHI QIAN HAI SHANG WU MI
SHU YOU XIAN GONG SI) ; JING YING DI ZHI : SHEN ZHEN SHI FU TIAN QU XIN
ZHOU SHI YI JIE 1 3 8 HAO WAN JI SHANG WU DA SHA 1 9 A CHINA

Produits/services : classe 39

快递服务（信件或商品）；邮购货物的递送；运送贵重物品；运输；礼品包装；导航；拖运；停车场服务；鲜花递送；旅行预订；个人物品的临时保管；船运货物；电子数据或文件载体的物理储藏；信件快递；收集可回收物品（运输）；旅行陪伴；

Dessin :

SOLUTION PLUS

Nom de la marque :

诗络迅 SOLUTION

Date de dépôt :

2017/02/24

Numéro de dépôt :

22927308

Date de priorité :

Date d' enregistrement :

2018/03/14

Numéro d' enregistrement :

Non-Madrid 22927308

Nom du titulaire :

SU ZHOU SHI LUO XUN DIAN LI WU ZI YOU XIAN GONG SI

Adresse du titulaire :

JIANG SU SHENG SU ZHOU SHI WU ZHONG QU MU DU ZHEN JIN FENG NAN LU 1 9 8
HAO 5 CHUANG JIN FENG SHANG MAO ZHONG XIN 9 0 3 SHI CHINA

Produits/services : classe 40

净化有害材料；空气净化；水处理；废物和可回收材料的分类（变形）；废物处理（变形）；废物再生；材料处理信息；废物和垃圾的回收利用；燃料加工；空气清新；

Dessin :



Nom de la marque :

8;SOLUTIONS;八大锦囊

Date de dépôt :

2004/11/10

Numéro de dépôt :

4355202

Date de priorité :

Date d' enregistrement :

2018/05/28

Numéro d' enregistrement :

Non-Madrid 4355202

Nom du titulaire :

SHANG HAI BEI LUO SHANG WU ZI XUN YOU XIAN GONG SI

Adresse du titulaire :

SHANG HAI SHI YAN ZHANG LU 1 4 9 HAO KE JI LOU 5 1 3 - 5 SHI CHINA

Produits/services : classe 41

教学；教育；函授课程；培训；组织文化或教育展览；安排和组织培训班；安排和组织会议；课本出版(非广告材料)；书籍出版；提供在线电子出版物(非下载的)；

Dessin :

8 Solutions 八大锦囊

Nom de la marque :

我爱方案网 52 SOLUTION.COM

Date de dépôt :

2012/06/29

Numéro de dépôt :

11140781

Date de priorité :

Date d' enregistrement :

2015/08/21

Numéro d' enregistrement :

Non-Madrid 11140781

Nom du titulaire :

SHEN ZHEN SHI ZHONG DIAN WANG LUO JI SHU YOU XIAN GONG SI

Adresse du titulaire :

GUANG DONG SHENG SHEN ZHEN SHI NAN SHAN QU GAO XIN NAN SI DAO 0 0 6 HAO
KE JI NAN SHI LU SHEN ZHEN JI SHU CHUANG XIN DA LOU B ZUO 2 CENG B 2 0 2 SHI
CHINA

Produits/services : classe 41

培训；安排和组织会议；安排和组织培训班；文字出版(广告宣传材料除外)；在线电子书籍和杂志的出版；新闻记者服务；翻译；原文稿撰写(广告稿除外)；俱乐部服务(娱乐或教育)；广播和电视节目制作；

Dessin :



52Solution
我爱方案网.com

Nom de la marque :

SOLUTION PLUS

Date de dépôt :

2018/01/17

Numéro de dépôt :

28760539

Date de priorité :

Date d' enregistrement :

2018/12/21

Numéro d' enregistrement :

Non-Madrid 28760539

Nom du titulaire :

SHEN ZHEN SHUN FENG TAI SEN KONG GU (JI TUAN) YOU XIAN GONG SI

Adresse du titulaire :

GUANG DONG SHENG SHEN ZHEN SHI QIAN HAI SHEN GANG HE ZUO QU QIAN WAN
YI LU 1 HAO A DONG 2 0 1 SHI (RU ZHU SHEN ZHEN SHI QIAN HAI SHANG WU MI
SHU YOU XIAN GONG SI) ; JING YING DI ZHI : SHEN ZHEN SHI FU TIAN QU XIN
ZHOU SHI YI JIE 1 3 8 HAO WAN JI SHANG WU DA SHA 1 9 A CHINA

Produits/services : classe 42

替他人研究和开发新产品；软件即服务（SaaS）；计算机软件维护；气象信息；计算机系统远程监控；替他人称量货物；包装设计；信息技术咨询服务；云计算；计算机系统分析；质量检测；材料测试；服装设计；建筑制图；平面美术设计；

Dessin :

SOLUTION PLUS

International Bureau
World Intellectual Property Organization
34, chemin des Colombettes,
1211 Geneva 20,

Date: 2019/10/31

International Registration Number: 1461564

Dear Sir or Madam:

Please find the attached document in relating to the protection status of the aforementioned international registration, which shall replace the previous one issued by our office with our reference number: GJZCG1461564BHFW01

This letter shall be deemed as the reply to your irregularity notification concerning the aforementioned international registration(Your Reference number:)

Best regards.

National Intellectual Property Administration, PRC



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.