



NOTIFICATION OF PROVISIONAL REFUSAL BASED ON AN OPPOSITION

Notified to the International Bureau of World Intellectual Property Organization (WIPO)
under Rule 17 (2) and (3) of the Common Regulations

I. Authority which notified the notification:

Trademark Office
State Administration for Industry and Commerce

1, Chama Nanjie, Xichengqu, Tel: 8610-63219000
Beijing, 100055
People's Republic of China FAX: 8610-63219000

II. Our reference number: 2015际异0000000236GYDB01

Date of notification: 2016/02/16

III. International Registration Number: 1261461

IV. Basic national registration No.:

Basic national application No.:



V. Name and address of the opponent who filed the opposition against the above-mentioned international registration:

APPLE INC.

1 INFINITE LOOP, CUPERTINO, CA 95014, UNITED STATES

VI. Goods and/or services affected by the provisional refusal:

Class 9: All the goods.

Class 14: All the goods.

VII. The opponent mentioned in Item V has filed an opposition on the grounds indicated in Item VIII against:

the international registration under Article 33 of the Trademark Law and Rule 45 of the Implementing Regulations under the Trademark Law. This provisional refusal is therefore issued according to Rule 17 (2) and (3) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement.

Under Rule 27 of the Implementing Regulations under the Trademark Law, the holder of the international registration may file a response to the opposition with the Trademark Office within 30 days from receipt of this notification.

Where the holder of the international registration is not a national of China or an entity

established within the territory of China, the response to the opposition has to be filed through the intermediary of a qualified representative whose address is within the territory of China. The documentation filed by the opponent in support of the opposition may be obtained through the authorised representative. A list in Chinese of agencies can be found at <http://www.ctmo.gov.cn> or <http://sbj.saic.gov.cn>.

Under Article 35 of the Trademark Law, the Trademark Office will make a decision on the opposition on the basis of the facts and grounds submitted by the opponent and the holder.

VIII. Grounds of opposition:

The mark is similar to the following mark(s).

The goods and/or services listed in Item VI are similar to those of the following mark(s).

The commercial term "ONE MORE THING" has been used by the opponent and has certain influence. The opposed mark is registered in an unfair means and is a reproduction or imitation of the mark "ONE MORE THING". And the opposed mark would mislead the public in respect of the origin of goods.

Mark:APPLE

Date of application:1987/03/13

Number of application:307809

Date of priority:

Date of registration:1988/01/30

Number of registration:307809 (non-Madrid)

Name of the holder:APPLE INC.

Address of the holder:1 INFINITE LOOP,CUPERTINO,CALIFORNIA 95014,U.S.A.

Goods/services:

电话设备(包括电话机, 交换机, 组信号设备座板, 列架信号设备, 总信号设备, 信号电机, 配线架, 计数器架, 终接器测试仪, 交换机测试仪, 线路测试仪, 维护测试仪出线测试仪, 占用计数器, 呼损计数器, 测试用受话器, 测试用送话器, 驱动机构, 测试塞绳, 接线台, 专线台, 生产检查台, 组长/控制观察台);载波设备(包括电话终端机, 电话增音机, 音频终端架, 通路架, 群路架, 载供架, 预调架, 引入架, 远供电源架, 电源机架, 增音机远供电源盘, 小型电源转换盘, 晶体管铃流发生器, 可控硅铃流发生器, 会议电话汇接台, 会议电话终端机, 滤波器, 分线盒, 分路机, 线路变频器);微波通讯设备(包括电话波道机, 微波收发讯机, 电话调制解调机, 电视调制调机, 微波收发讯机, 微波联络机, 波导倒换机, 远程控制机, 微波天线, 密封节, 软波导, 杂波滤除器, 波导可调器, 旋转器, 指数变换

器);电报设备(包括自动发报机, 波纹收报机, 凿孔机, 快速复凿机, 电传打字机, 中文译码机, 电报集中器, 电报互换器, 传真机, 数据传输机, 电报测量台, 电报总配线架);动力;电源设备(包括直流交流配电屏, 自动稳压稳流硅整流器, 收发报机用整流器, 直流变换器, 电传机硅整流器, 充电用自动稳流整流器, 信号灯变压器, 脉冲变压器, 控制变压器, 匹配变压器, 滤波电感, 信号熔断器);有线电通用器件(包括载波机用继电器, 电话继电器, 板键, 按键条);晶体管;十极管;三极管;功率管;场效应管;半导体闸流和;硅高压整流堆;电调谐变容管;磷砷化镓数码管;可控硅;单晶硅;硅外延片;半导体;集成电路;信号;导航;遥控;遥测设备;信号发生器;马路交通信号设备;矿井信号设备;远距离控制设备;原子射线仪器和核子仪器;收音机;扩音机;电唱机;录音机;电视设备;留声机;录音材料;电子管;收讯放大管;发射管;超高频管(包括磁控管, 微波气体放电管, 速调管, 返波管, 行波管, 噪声管, 灯塔管, 笔型管);电子束管(包括显像管, 示波管, 指示管, 贮存管, 脉冲形成管, 摄像管, 投影管, 扫描管);光电器件(包括光电管, 光电信增管, 图像管);离子管(包括闸流管, 整流管, 放电管, 引燃管, 十进位计数管);稳定管(包括稳压管, 稳流管, 稳幅管);射线计数管;数字符号管;X光管;电报传真管;真空规管;热控管;熔热管;保安管;等离子显示管;平板数码管;荧光数码管;电容器;纸介电容器;薄膜电容器;铝电解电容器;钽铌电解电容器;云母电容器;瓷介电容器;玻璃微调电容器;玻璃釉电容器;真空电容器;可变电容器;电阻;电位器;炭膜电阻;金属膜电阻;氧化膜电阻;热敏电阻;光敏电阻;压敏电阻;合成电阻;玻璃釉电阻;釉膜电阻;绕线电阻;绕线电位器;炭膜电位器;实芯电位器;电声器件;电声组合件(包括耳机连咽喉送话器组, 实戴送话器, 大耳机话筒组, 航空帽, 舰艇帽, 通信帽, 话盒连皮套);送受话器;喊话器;传声器;话筒;扬声器;耳塞机;拾音器;接插件(包括插头座, 插孔, 开关, 瓷管座, 胶木管座, 继电器插座);保险丝管和座;控制元件;继电器;振动子;斩波器;磁性材料和器件;金属介质磁芯;铁氧体软磁元件;铁氧体硬磁元件;可调电感;固定电感;微波器件;陶瓷滤波器;石英晶体及器件;胶木晶体;金属壳晶体;宽温晶体;恒温晶体;玻壳晶体;高精度晶体;晶体振荡器;晶体滤波器;压电器件;硒堆和硒片;减震器;电键;电源滤波器;舌簧管;湿簧管;干簧管;电讯用紧固件;线圈;电源变压器;输入变压器;隔离变压器;振动变流器;电子放大器;已曝光胶卷;已曝光电影胶片;过滤器;过滤膜;散热器;敷铜箔板;电影摄影机;显影机;洗片机;印片机;染印机;跳光机;看光台;声画编辑器;平面倒片台;胶片剪辑机;套片机;倒片台;胶片打孔机;音响扩大机;并流器;放音机;放映机;电影机械镜头及配件;感光仪;照度计;透射密度计;延时逐格机;接片机;幻灯机;教学投影灯;照相机;镜头;反射机;折光器;放大机;外拍机;反拍机;自动上光机;制版机;显影机;高空摄影机;闪光灯;摄影用复印机;照相仪器;放大膜;感光开关器;镁光接触器;晒箱;晒架;切刀;曝光表;三脚架;皮囊;报时器;石门;暗盒;皮腔;快门;上光板;已曝光胶片;胶片;X光增感屏;工业用X光机器;用具;晶体X光机;荧光X光机;磁力探伤机;无损探伤仪器;超声波探伤机;光学仪器;光学玻璃;镜头;显微镜;光学计量仪器(包括光学比较仪, 测长机, 投影仪, 测定浅纹仪器, 平晶, 自准直仪, 干涉仪, 光学分度头, 光学测角仪);物理光学仪器(包括析钢仪, 棱镜摄谱仪, 光栅摄谱仪, 光谱仪器附属设备, 光电光谱仪, 单色光仪, 分光计, 普氏光度计, 折射计, 偏光仪, 分光镜);天文光学仪器;光学测试仪器;光学观测仪器;眼镜;温度;测热仪器;温度计;高温计;高温毫伏计;热电阻;热电偶;油温表;测温三角锥;

温度控制器;湿度测重仪器;半导体温差冷电堆;压力流量;速度测定仪器;液体压力计;弹簧管;普通压力表;标准表;氨气压力表;氧气调节表;远程压力表;压力计;压力测量仪;压力(真空)校验仪;气压计;风压计;水表;油表;煤气表;转子流量计;定压差流量计;管状流量计;电磁流量计;节流装置;液位信号器;液位指示器;远传水位计;液位计;电动计量加油机;速度表;风速表;通风表;毫伏计;比率计;电子电位计;电子平衡电桥;电子差动仪;自动控制装置;直接式调节器;液动调节器;气动调节器;电动调节器;电子自动调节器;气动单元组合仪表;电动单元组合仪表;控制盘;调节阀;理化试验和成份分析用仪器和量器;玻璃管/瓶/板/棒;烧杯;烧瓶;量杯;量瓶;量筒;漏斗;滴定管;酒精灯;精密玻璃仪器;比重仪;质谱仪;色层分析仪;气体分析器;红外线/紫外线气体分析顺;盐量计;浓度计;酸碱计;极谱仪;自动滴定仪;电导仪;光度计;比色计;荧光计;湿度地;密度计;粘度计;尘埃计;烟雾计;烟叶水分测定器;生理试验多用仪;材料;动力试验机器和仪器拉力试验机;冲击试验机;硬度试验机;硬度计;扭力试验机;弹簧试验机;测力计;杯突试验机;磨损试验机;试样分划器等金属材料试验机;纺织物试验仪器;橡胶和塑料试验仪器;车辆检测器;实验室仪器及装置;天平;白金霸坩;离心机;离心分离用具;应变计;培养箱;试验台;试验箱;真空仪器;卤素检漏灯;物理演示仪器和试验;测量用器具;螺旋测微器;气体交流试验器;附验速率试验器;力学器具;声学器具;光学器具;热光器具;磁学器具;静电学器具;电动学器具;电工仪表及仪;器电流表;电压表;电度表;电力表;功率因数表;周波表;整步表;检流表;兆欧表;万用电表及电阻表;钳型电表;静电电表;电桥;标准电阻线圈;电阻箱;记录电表;捺动式示波器;试电器;试电笔;测电凿;输出表;磁通表;电磁流速表;拼车表;仪表头;周期指示器;周率计数表;最高需量表;检漏计;相序表;实验室及携带有互感器;振荡器;选频表;电平表;成套电气校验装置;数字仪表;遥测电表;电气测量用稳压器;大地;水文;海道和领航测量仪器和用具;经纬仪;水平仪;罗盘仪;平板仪;光速测距仪;地形测量仪;水准仪;激光导向仪;缩效仪;求积仪;六分仪;流速仪;水位仪;水温仪;回声测探仪;压缩仪;步姿表;曲线计;地图测角板;目标方眼板;座标;标尺;标杆;塔尺;平板架;测绳;量水标;雨量器;称雪器;日照仪;辐射仪;高空测候仪;无线电测绘测量仪器;微波测距仪;雷达仪;无线电测高仪;无线电断面测定仪;仪表元件和仪表专用材料;仪表游丝;膜合;膜片;披皱箱;玛瑙轴随;计时机构;通风表和压力表机芯;计数器;轴尖轴座;指针;宝石轴随;水平泡;天平刀口;水银开关;钟表马达;铂合金丝;纯铂金丝;??铜合金丝;铂金丝;铂金片;铂铑热电偶丝;镍铬镍铝热电偶丝;钨钼热电偶丝;镍铬镍铜热电偶丝;眼镜架和盒;唱片;唱针;激光器件;电子警报装置;电子计时控制器(包括数字毫秒计,通用数控仪,火花灯点计时仪);安全仪器(包括电动送风口罩,粉尘采样器,卷气氛机信号显示仪,尘源控制高压电源);安全救生设备(包括玻璃钢救生衣,救生圈);半导体捕鱼器;电视放大镜;电动匀浆机(试验用);潜水装具;

Device:

APPLE

Mark:APPLE

Date of application:2011/06/21

Number of application:9620906

Date of priority:

Date of registration:2014/05/14

Number of registration:9620906 (non-Madrid)

Name of the holder:APPLE INC.

Address of the holder:1 INFINITE LOOP,CUPERTINO,CA 95014,UNITED STATES

Goods/services:

计算机袋;计算机鼠标袋;键盘罩;手机套;自动售货机;自动调节燃料泵;衣裙下摆贴边标示器;标绘器;商品电子标签;口述听写机;投票机;摇奖机;自动计量器;量具;荧光屏;遥控仪器;光导丝(光学纤维);热调节装置;避雷器;电镀设备;灭火设备;电焊设备;工业用放射设备;个人用防事故装置;气笛报警器;太阳镜;电池;电池充电器;幻灯片(照相);电动关门器;汽车用雪茄烟点火器;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;电手套;

Device:

APPLE

Mark:APPLE

Date of application:2012/06/15

Number of application:11078059

Date of priority:

Date of registration:2015/10/28

Number of registration:11078059 (non-Madrid)

Name of the holder:APPLE INC.

Address of the holder:1 INFINITE LOOP,CUPERTINO,CA 95014,UNITED STATES

Goods/services:

未加工或半加工贵重金属;贵重金属合金;首饰盒;珠宝首饰;宝石;测时仪器;手镯(首饰);钥匙圈(小饰物或短链饰物);领带夹;链(首饰);衬衫袖口链扣;表;钟;表带;钟盒;秒表;语言报时钟;电子万年台历;

Device:

APPLE

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 preliminary 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 preliminary 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 39 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 three months from the day when he or it knows that a specific administrative act has been undertaken, except as otherwise provided for by law.