

# SCIT.ATR.TM.2003.CN

## Annual Technical Report 2003 on Trademark Information Activities submitted by China (SCIT/ATR/TM/2003/CN)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

### I. Evolution of registration activities

The year 2003 has seen the continuous soaring increase of trademark applications since 2000 and has witnessed the most trademark applications in the history of China Trademark Office (CTMO). In 2003, the CTMO in total accepted 452,095 applications for the registration trademarks, increased by over 80,000 or 21.6% than that of 2002. Among them, 405,620 were domestic applications, accounting for 89.7% of the total, 26.3% more than that of 2002; 46,475 were foreign applications (including 12,563 Madrid applications for territorial extension), making up 10.3% of the total. In the first six months of year 2004, application filings were 268,050, increased by 65,577 or 32.39% compared with the same period of last year. And the total trademark application filings are projected to exceed 500,000 in 2004. In 2003, the CTMO totally approved 242,511 applications for registration, increased 29,978 or 14.1% over that of 2002. The accumulative number of China's registered trademarks had reached 1.973 million by the end of 2003.

### II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes

The CTMO extracts text and image data by the process of scanning, typing and proofreading to generate two kinds of trademark electronic archives. In the succedent procedure of trademark registration, the trademark image and text information will automatically be sent to the desktop of the staff and the trademark notification system from the central database.

The CTMO publishes 4 issues of Official Gazette in paper and electronic formats on a regular date every month. Each issue of the Official Gazette contains a Notices Section in which the Office publishes various materials related to the registration and maintenance of trademarks. Currently, the paper form Official Gazette is only published at home, and the electronic form Official Gazette published on the Website <http://www.ctmo.gov.cn> is opened to the world.

As described above, all trademark applications are computerized through scanning technology, and stored in the trademark database as graphics file. In CTMO, all the staff can easily refer to any electronic trademark files through their working terminals within the office.

The CTMO has realized the automation of procedures of trademark registration. Upon receiving an application, the Trademark Office immediately scans the paper and types the information into the trademark database. The paper document will be archived as the final backup. The following examination steps of the trademark registration are bases on electronic text and image data in the computer system. In addition, the OA system can automatically provide related trademark information to make uniform, standard text models for the examiners when dispatching various trademark decisions.

### III. Matters concerning classifying, reclassifying and indexing of trademark information

The CTMO uses "International Classification of Goods and Services for the Purposes of the Registration of Marks" (Nice classification) for classification of goods and services, and uses "Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks" for indexing the figurative elements of design marks. The CTMO uses "Classification of Similar Goods and Services", which is based on Nice Classification (eighth edition), to make detailed reclassifications on goods and services.

In accordance with the above-mentioned classified regulation, we have established the computer aided classification system to help examiners classify and search the items of goods and services and images that are requested for registration, and to help the applicants fill in the application form with standard names of goods and services, and finally to promote the automation of trademark information management.

Currently, trademark registration and administration automation system in CTMO provides powerful capability in searching access with one or more combined trademark elements.

### IV. Trademark manual search file establishment and upkeep

The CTMO has established a special department to collect and maintain a manual trademark search file, which are stored in the dampproof, mothproof and fireproof storerooms in the order of serial number with the assistance of computers.

### V. Activities in the field of computerized trademark search systems

There operates two independent trademark electronic databases in CTMO intranet, among which one is image-based original scanned files for the search of original application forms and the other is byte-based trademark data for the information search of trademark registration and administration. The CTMO doesn't provide external online search service at present for the lack of well-rounded external database.

The byte-based trademark database mentioned above is also a perfect trademark administration system. Besides meeting searching requirements, it provides fully automated support for, and access to, most all resources required to support trademark operations, as well as the statistic of mark data and the management of daily work.

The CTMO trademark system runs under a good environment equipped with rich software and hardware. The documentation server and trademark data central server run on Sun Ultra Enterprise 6000 series mainframe. The operating system is Solaris and the database is Oracle. The storage medium is the disc array server from Sun Micro-system and the terminal software is developed by CTMO itself based on the Windows system.

### VI. Administration of trademark services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts)

The CTMO has been constantly improving trademark services. At the end of 2003, China Trademark Website <http://www.ctmo.gov.cn> was open to the public, offering the trademark-related laws, regulations, rules and other regulatory orders, publicizing the latest trademark registration and administration information, notifying the trademark application procedure, fees and other requirements, releasing the latest 12 issues of Trademark Gazette, for the better understanding of China's trademark legal regime and registration procedure by the public and applicants. As to the trademark registration and searching service, the CTMO is trying its best to improve the facilities and services of the Trademark Registration Hall. On the other hand, Phase III of the Automation of Trademark Registration and Administration is under positive discussion and has been put on the working agenda, aiming to realize online publication, searching, application and payment.

## **VII. Matters concerning mutual exchange of trademark documentation and information**

As the trademark authorities of many countries have opened their own official websites, it is one of the most important channels for CTMO to exchange information through Internet. The official website of CTMO is <http://www.ctmo.gov.cn> . Meanwhile, the CTMO often communicates with other trademark authorities through visits and seminars for mutual exchange of trademark documentation and information.

## **VIII. Matters concerning education and training including technical assistance to developing countries**

The CTMO offers various programs to publicize its activities to the public for more effective utilization of the information. The means include newspapers, magazines and Internet. In addition, the CTMO hosted 34 visiting foreign delegations, dispatched 35 missions abroad all together in calendar year 2003, which has successfully introduced our trademark processing procedure and technique and given detailed explanation to the questions that concerned visitors.

## **IX. Other relevant matters**

None