

中华人民共和国商标法实施细则(3) PDF转换可能丢失图片或格式，建议阅读原文

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Modification , Assignment , Renewal and Adjudication of Disputes Involving Registered Trademarks Article 20 When applying for modification of name , applicants shall submit an Application for Modification of the Name of Trademark Registrant and verification of the modification to the Trademark Office , and return the original Certificate of Trademark Registration thereto. Following examination and approval , the Trademark Office shall return the original Certificate of the Trademark Registration to which the approval has been affixed to the applicant , and shall publish said modifications. When applying for modifications of address or other relevant matters related to trademark registration , applicants shall submit an Application for Modification of the Address of the Trademark Registrant or an Application for Modification of Other Matters Related to a Registered Trademark , as well as verification of modifications to the Trademark Office , and shall return the original Certificate of Trademark Registration thereto. Following examination and approval , the Trademark Office shall return the original Certificate of Trademark Registration to which the approval has been affixed To the applicant , and shall publish said modifications. When applying for modifications of names or addresses , registrants shall follow the same modification procedures in respect to all registered trademarks. Article 21 When

applying for the assignment of registered trademarks , assignors and assignees shall jointly submit an Application for the Assignment of Registered Trademark to the Trademark Office , accompanied by the original Certificate of Trademark Registration. The assignee shall complete application formalities required for applying for assignment of a registered trademark. The assignee shall fulfill all qualifications outlined in Article 2 of the Rules. Upon approving the assignment of trademark , the Trademark Office shall return the original Certificate of Trademark Registration to which the approval of the assignment has been affixed to the assignee , and shall publish notification of the assignment. When applying for the assignment of a registered trademark , the registrant shall simultaneously complete the same assignment procedure in respect to all identical trademarks , which are either identical with or similar to said registered trademark with respect to both the same or similar goods. When a registered trademark is assigned in respect to such goods as outlined in Article 7 of the Rules , the assignee shall , in accordance with the provisions of Article 11 of the Rules , furnish the Trademark Office with a certificate issued by the competent department concerned. In cases when an application for the assignment of a registered trademark might in any way mislead the public , create confusion or engender any other type of inappropriate influence , the Trademark Office shall reject approval thereof. Article 22 When applying for renewal of a trademark registration , the registrant shall submit an Application for Renewal of Trademark Registration to the Trademark Office , accompanied by five prototypes of the

trademark , and return the original Certificate of Trademark Registration thereto. Following examination and approval of the renewal , the Trademark Office shall return the original Certificate of Trademark Registration to which the approval of the renewal has been affixed to the applicant , and shall publish notification of the renewal. The Trademark Office shall reject any renewal applications which contravene relevant provisions of the Trademark Law. The period of validity of a renewed trademark registration shall be calculated from the day following the expiration of the previous period of validity of said trademark.

Article 23 Applicant dissatisfied with the decision of the Trademark Office to reject an application for assignment or renewal may , within fifteen days of receipt of the notification of rejection , apply for review by submitting an Application for Review of a Rejected Assignment or an Application for Review of a Rejected Renewal , to the Trademark Review and Adjudication Board. Applications should be accompanied by the original Application for Assignment of Registered Trademark or Application for Renewal of Trademark Registration , and the relevant Notification of Rejection. The Trademark Review and Adjudication Board shall render a final decision and notify the applicant of the same in writing. Board approvals of the assignment or renewal shall be transferred to the Trademark office for corresponding processing.

Article 24 Trademark registrants wishing to dispute the registered trademark of a second party shall , within one year from the date of announcement of the registered trademark of the latter in the Trademark Gazette , submit two copies of the an

Application for Adjudication of a Disputed Trademark to the
Trademark Review and Adjudication Board. 100Test 下载频道开通
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