

中华人民共和国商标法实施细则(1) PDF转换可能丢失图片或格式，建议阅读原文

https://www.100test.com/kao_ti2020/499/2021_2022__E4_B8_AD_E5_8D_8E_E4_BA_BA_E6_c92_499662.htm Chapter I General Provisions Article 1 The following Rules were formulated in accordance with the provisions of Article 42 of the Trademark Law of the Peoples Republic of China (hereinafter referred to as the Trademark Law) 。 Article 2 Applicants for trademark registration must be enterprises , institutions , social organizations , self-employed industrialists or businessmen , individual partnerships established in accordance with the law , foreigners or foreign enterprises listed in Article 9 of the Trademark Law. Provisions in the Rules concerning trademarks for goods shall also apply to service trademarks. Article 3 When applying for initial registration , assignments , renewals , name or address changes , replacement of the certificate of trademark registration or other related matters , the applicant may either entrust the process to a trademark agency approved by the State Administration for Industry and Commerce , or shall otherwise personally handle the matter. When foreigners or foreign enterprises apply for trademark registration in China , or when dealing with related When foreigners or foreign enterprises apply for trademark registration in China , or when dealing with related trademark matters , all applications or other related items shall be completed by an agency designated by the State Administration for Industry and Commerce. Applications filed for international registration shall be submitted in

accordance with the “ Madrid Agreement Concerning the International Registration of Marks ” 。 Article 4 Fees shall be paid in accordance with relevant stipulations for applications , assignment , renewal , alterations , replacement of certificates and examination of trademark registration , and related matters. Article 5 The Trademark Office of the State Administration for Industry and Commerce (hereinafter referred to as the Trademark Office) shall establish and maintain a Trademark Register which records registered trademarks and relevant registration matters. The Trademark Office shall edit and issue the Trademark Gazette , which announces trademark registrations and related matters. Article 6 In accordance with Article 3 of the Trademark Law , all collective and certification marks approved and registered with the Trademark Office shall be protected by law. Procedures for the registration and administration of collective and certification marks shall be separately outlined by the State Administration for Industry and Commerce , in conjunction with related departments of the State Council. Article 7 All pharmaceuticals for human consumption and tobacco products listed by the State and published by the State Administration for Industry and Commerce shall obtain a registered trademark. Other goods required to obtain a registered trademark in accordance with stipulations of the State shall be published by the State Administration for Industry and Commerce. Article 8 The State Administration for Industry and Commerce shall establish up a Trademark Review and Adjudication Board responsible for final decisions and adjudications on matters submitted for reexamination

in accordance with provisions of the Trademark Law and the Rules.

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