

English Translation¹ of Explanation of the Draft Amendment to the Trademark Law of the People's Republic of China (Draft for Comments)

I. Necessity of the Amendment to the Trademark Law of the People's Republic of China (hereinafter referred to as “Trademark Law”)

The CPC Central Committee and the State Council attach great importance to the work of intellectual property rights (IPR). According to the Report to the 20th National Congress of the Communist Party of China, “We will strengthen legal protection of intellectual property rights, in order to establish a foundational system for all-around innovation.” At the 25th Collective Study of the Political Bureau of the 19th Central Committee, General Secretary Xi Jinping pointed out, “We should improve the level of legalization of intellectual property protection. In strictly enforcing the relevant provisions of the Civil Code of the People’s Republic of China (“Civil Code”), we will move faster to improve the relevant laws and

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regulations, and coordinate the amendment to the Trademark Law and other work so as to enhance the consistency between laws.” According to the requirements of the Outline for Building a Strong Intellectual Property Country (2021-2035), “We will build an IPR system for socialist modernization, establish a legal system with a complete range of categories, a close structure and internal and external coordination. According to the real conditions, we will revise the Trademark Law in a timely manner.” The National Plan for Protection and Application of Intellectual Property Rights During the 14th Five-Year Plan Period requires that “China improve the laws and regulations of intellectual property rights, and coordinate the revision and improvement of the Trademark Law and other relevant laws as well as regulations.”

In November 2016, the CPC Central Committee and the State Council issued the Opinions on Improving the Property Rights Protection System and Lawfully Protecting Property Rights, which proposed that “China must move faster to improve the property rights protection system, and the legal system for real rights, contracts and intellectual property rights.” The Civil Code, which began to come into effect in 2021, establishes the major legal principles of IPR protection. Trademarks are one of the IPR protection objects, and civil subjects may, according to law, enjoy proprietary rights. As a special law to protect trademark rights, the Trademark Law should be amended for improvement on the basis of such principles and spirit as are determined in the Civil Code.

Since it began to come into effect on March 1, 1983, the Trademark Law, which is an important separate law on IPR and also one of the major laws to regulate the business activity order of market entities, has played a great role in protecting the interests of consumers, producers and dealers and maintaining the market order. China’s current Trademark Law was

amended respectively in 1993, 2001, 2013 and 2019. As the socialist market economy further develops, market entities have raised their IPR awareness, leading to more emphasis on brand building and triggering huge trademark demand together with a series of problems. Specifically, registered yet unused trademarks are common; “trademark hoarding”, and “stock trademarks” stop market entities with normal operation demand from registering their trademarks; malicious pre-emptive trademark registration still occurs alongside frequent appearance of pre-emptive registration of public resources, trending topics, particular terms of breaking events, and names of celebrities in particular, and “leaning on famous brands”, “piggyback” and “clout-chasing”; it is difficult to protect trademark rights; idle running of relevant procedures and cyclic registration and so on push up the right protection costs of parties; wrongful exercise and misuse of rights happen from time to time; making money through litigation and even malicious litigation become increasingly serious. Despite an amendment to individual provisions of the Trademark Law in 2019, thus showing an active effect in cracking down on the registration of hoarding trademarks and strengthening the protection of trademarks, the Trademark Law still fails to comprehensively solve existing problems about trademarks because the amendment covers a very limited scope.

The occurrence of the aforementioned phenomena indicates that the Trademark Law has not adapted to the needs of changing practice. This is embodied in the following aspects. **First**, the trademark system design features “emphasis on registration, de-emphasis on use”, namely, this system lays less emphasis on the use purposes of trademarks before registration, while it pays less attention to the use obligation of trademarks after registration. **Second**, the Trademark Law neither effectively combats the malicious registration of trademarks in terms of scope and intensity, nor

provides effective whole process controls and crackdown measures. **Third**, the authorization and right affirmation procedures of trademarks are complicated without coordination between them, and the code to curb the misuse of procedures and protect the procedure interests of parties remains to be improved. **Fourth**, the provisions on strengthening the protection of trademark rights has yet to be enriched, the regulation of trademark infringements in Internet are insufficient, and the rules on the protection of well-known trademarks are not very sound. **Fifth**, the legal system for trademarks lags behind the era requirements of “high-quality development”, no enough rule of law is available to support the promotion of trademark use and the perfection of public services, so laws and regulations must be improved to better put into effect the decisions of the State Council on the reform to streamline administration and delegate power, improve regulation, and upgrade services.

Trademarks are linked closely to activities of market economy, so the amendment to the Trademark Law receives great attention from all sectors of society. In the last five years, NPC deputies and CPPCC National Committee members put forward over 40 proposals for and suggestions on the revision of the Trademark Law.

Therefore, in order to apply the decision of the important instructions by General Secretary Xi Jinping, achieve the objective of building a strong IPR country, further improve the property rights protection system, solve acute issues in the current trademark field, and respond timely to social concerns, we find it necessary to further amend the Trademark Law. Rooted in the domestic real needs, we should, with foreign legislation and practice as well as experience for reference, improve the legal system for trademarks around realistic issues to ensure that trademarks are registered according to law, used in an orderly way, and strictly protected. Thus, these efforts will

be able to help better the business environment, and promote the high-quality development of the socialist market economy.

II. Basic Approach to Amending the Trademark Law

The amendment to the Trademark Law will follow the guidance of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, and on the basis of Xi Jinping's thinking on the rule of law, thoroughly implement the guiding principles from the 20th CPC National Congress. The amendment will work conscientiously to implement the decisions and arrangements of the CPC Central Committee and the State Council on IPR, and under the right political direction, build the high-level legal system for trademarks with Chinese characteristics that complies with international trends, adapts to future development, and benefits hundreds of millions of market entities. Thus, the amendment is committed to building a strong IPR country and achieving the high-quality development of economy and society. **First**, with a view to the future, the amendment will uphold the innovation on the basis of what has worked in the past, accurately grasp the law of economic and social development, and make the legislation more forward-looking. **Second**, it will pursue the problem-oriented approach, effectively solve the issues concerning systems, connectivity and operations exposed in practice on the basis of local conditions, and respond actively to social concerns. **Third**, based on China's realities, it will think from the perspective of the world, closely track the development trend of international legal systems for trademarks, strengthen the institutional foundation, and build a legal system for trademarks that is more mutually beneficial, inclusive and balanced. Fourth, it will adhere to the principle of sound, democratic, and law-based legislation, intensify the demonstration, research and evaluation for legislation to enhance the enforceability of laws concerned. **Fifth**, the amendment must pursue

progress while prioritizing stability. That is, we will, when making steady progress in the preparations for an amendment to the Trademark, proactively promote the corresponding legislation.

The current amendment to the Trademark Law is based on the concepts of putting people above everything else, safeguarding social fairness and justice and the market order of fair competition and serving the high-quality development of economy and society. Such amendment lays more emphasis on the balance among right protection, public interests, social effects and prior rights, defines the scope of right exercise, and intends to solve a shortage of protection of public interests. It continues to reinforce the obligation to use trademarks, and remedies the trademark registration defects on the basis of the current registration system; works to optimize the authorization and right affirmation procedures of trademarks, and promotes the high efficiency of and coordination among examination and trial, use and management, administrative law enforcement, and judicial trial of trademarks. Following the needs of technological progress and economic, social development, the amendment comprehensively boosts the digital transformation of the trademark industry, promotes the use of trademark brands, and raises public services.

III. Drafting Process

In 2018, the preparations for the amendment to the Trademark Law officially began. In 2019, to effectively regulate the malicious application and registration of trademark hoarding and strengthen the protection of the right to exclusively use a trademark, China amended individual clauses of the Trademark Law. At the same time, China National Intellectual Property Administration continuously promoted the research and

demonstration on the all-round amendment to the Trademark Law. To this end, it conducted the research on 14 projects, organized the survey on local intellectual property administrations, enterprises and trademark agencies over 20 times, and held random discussions and expert seminars to hear the opinions and suggestions from relevant ministries and commissions, judicial authorities, experts and scholars. In 2022, China National Intellectual Property Administration established a special work group. Working hard to promote the revision of the Trademark Law and the regulation for the implementation thereof, the work group deeply demonstrated the key issues concerning the amendment to the Trademark Law, conducted the field research and solicited relevant opinions, and based on the opinions of all parties, prepared the Draft Amendment to Trademark Law of the People's Republic of China (Draft for Comments) (hereinafter referred to as "Draft for Comments").

IV. Main Contents of the Amendment

Further rationalizing the system, the Draft for Comments expands the Trademark Law to include 10 chapters, represented by 101 articles. Among them, 23 articles are added, 6 ones are formed by splitting the current clauses, 45 ones are substantively revised, and 27 ones remain unchanged. The main contents of the current amendment to the Trademark Law are as follows:

(1) Complying with the requirements of the era, and serving the high-quality development of economy and society

Following the needs of technological progress and economic and social development, the Draft for Comments provides market entities with great convenience. **First**, with the updated concepts and sound tenet of the legislation and stressed protection of property rights, the Draft for Comments takes promoting the high-quality development of the socialist

market economy as the institutional goal (Article 1), and emphasizes the leadership by the CPC over trademark work (Article 2). **Second**, adapting to the changed functions of government bodies upon institutional reforms, it defines the responsibilities of trademark competent departments and local intellectual property administrations, and enhances coordinated governance capacity in the field of trademarks (Article 3). **Third**, it clarifies the trademark concept, and makes public the elements constituting trademarks (Article 4). **Fourth**, it optimizes the structure of the Trademark Law system, simplifies the general provisions, and adds “Conditions of Trademark Registration” and “Promoting the Trademark Use, Service and Trademark Brand Building” (Chapter 2 and Chapter 9). **Fifth**, it implements trademark brand strategy and reinforces the building of the public service system (Article 91); gives full play to the role of the trademark system in legally supporting the building of trademark brands, and encourages the subject of each party to carry actively out measures so as to push forward the building of trademark brands, thus boosting regional and industrial economy (Articles 92, 93 and 94); better electronizes and facilitates business processing, guides and advances the effective utilization of trademark information, and makes the file management of trademark registration more standardized (Articles 95, 96 and 97).

(2) Safeguarding social fairness and justice, and creating the market order of fair competition

First, the Draft for Comments further regulates the malicious trademark registration, and stresses that trademarks applied for registration shall not contravene public order and good custom (Article 14); sets out specific circumstances where trademarks are maliciously applied for registration (Article 22); incorporates trademarks “violating core socialist values”, “harming excellent Chinese traditional culture” and involving

“domestic place names known by the public” in the scope of prohibited use and registration (Article 15); specifies that where any trademark involves only the common name, graphic, model, and technical term of a specific commodity, the trademark shall neither be registered, nor obtain the significant features through use (Article 16); sets up the mandatory transfer system for malicious pre-emptive trademark registration (Articles 45, 46 and 47); expressly provides that if a maliciously registered trademark is declared invalid, the party concerned shall assume the legal liability for any infringement after the registration and before the declaration for invalidation (Article 48); imposes a more fine on malicious trademark registration (Article 67); provides that if a party causes losses to others due to any malicious application for trademark registration, the party shall provide civil compensation, and that if a malicious application for trademark registration harms national interests, social and public interests or produces a great adverse impact, the procuratorial authority shall lodge a lawsuit (Article 83). **Second**, it strengthens the integrity building of trademarks, defines an application for trademark registration through fraud or other wrongful means as a malicious registration application of a trademark, and deems this as a reason for rejection and dispute (Article 22, Item 2); punishes dishonest acts such as fabricating or concealing important facts or intentionally providing false materials (Article 32); and intensifies credit supervision and credit punishment (Article 87). **Third**, it regulates the exercise of rights to prevent the misuse of rights, and adds the principle provision under which no trademark rights shall be misused to damage national interests, social and public interests or legitimate rights and interests of others (Article 9); specifies that if the wrongful exercise of the right to exclusively use a trademark seriously damages public interests and results in a great adverse impact, the registered trademark concerned may be canceled (Article 49); defines the exercise scope of the right to

exclusively use a trademark, improves the provision on the descriptive use of trademarks, and adds the circumstances for the justified use of trademarks, such as the use in good faith of names, titles and addresses, and the indicative use of trademarks (Article 62); and introduces the system for counterclaims against malicious lawsuits (Article 84). **Fourth**, it intensifies the social attributes of trademark examination and trial to protect public interests, and provides that if any trademark is found to have any great adverse impact in the acceptance, the relevant department may refuse to accept and handle the trademark case (Article 27); and states that if any trademark is found to have violated the prohibited use provisions upon the preliminary examination, the preliminary examination announcement may, according to the corresponding function and power, be canceled (Article 37). **Fifth**, it strengthens the supervision and management of the trademark agency industry, defines the access requirements for trademark agencies to improve the trademark agency services (Article 68); intensifies the responsibilities and obligations of trademark agencies and their employees to standardize the acts of trademark agencies (Article 69); improves the responsibilities and obligations of trademark agency industry organizations to give better play to the role of the industry self-discipline (Article 70); further clarifies the violations of trademark agents, and adds some restrictive requirements for the principals and the direct persons liable of trademark agencies committing such violations, and the new positions of those shareholders liable for managing such violations (Article 86).

(3) Improving the authorization and right affirmation procedures of trademarks, and solidifying the results of the reform to streamline administration and delegate power, improve regulation, and upgrade services

First, the Draft for Comments raises the quality and efficiency of trademark examination, and the efficiency of dispute resolution, and shortens the period in which a dispute application is filed (Article 36); when optimizing the dispute examination mode, cancels the process for disapproval of registration review, and lowers the costs of right acquisition and protection of parties (Article 39). **Second**, it promotes the coordination between procedures, avoids the idle running of procedures and the waste of administrative resources, and provides that if an applicant does not pay relevant fees in applying for trademark registration, the registration and application of that trademark shall be deemed not to have been submitted (Article 27); uniformly specifies the suspension circumstances of relevant procedures, and adds the provision according to which the trial of administrative cases concerning authorization and right affirmation of trademarks at people's courts does not apply to the principle of situation change (Article 42); includes the provisions on the prohibition of repeated registration (Articles 14 and 21); improves the same day application procedure, and allows a further investigation of the priority of use only when the application time sequence is unidentifiable (Article 25); and defines the applicable circumstances and time limit of the one-year isolation period after a trademark is canceled, withdrawn or not renewed (Article 50). **Third**, it adds some provisions on the withdrawal of applications (Article 41) and the cancellation of trademarks (Article 58).

(4) Intensifying the obligation to use trademarks, and guiding trademark registration in returning to the institutional origin

First, the Draft for Comments improves the concept of trademark use, highlights the basic position of trademark use, and adds the provision on how to use service trademarks, and on the trademark use in an Internet environment (Article 59). **Second**, it adds the requirements for trademark

use or commitment to use trademarks at the application stage (Article 5); establishes the system under which the trademark registrant shall actively state the use of the trademark once five years upon trademark registration, and where the trademark registrant fails to do so or to state the justified reason, the registrant shall be deemed to have waived the right to exclusively use his or her registered trademark, and where the statement by the trademark registrant is found false in the random inspection, his or her registered trademark may be canceled (Article 61). **Third**, it improves the trademark cancellation system, and when maintaining the cancellation system applicable to the trademarks not used for three years running, adds the following three trademark cancellation circumstances to better protect public interests. The three circumstances include: "The use of the registered trademark leads the public to mistake the quality, origin or other features of a commodity or service", "The use of the registered trademark or the exercise of the right to exclusively use a registered trademark seriously damages public interests, and causes a great adverse impact", and "The improper management or use of a collective mark or a certification mark harms consumers or causes a negative social impact". According to the Draft for Comments, under the aforementioned last two circumstances of damaging public interests, the relevant department may, according to its function and power, cancel the registered trademark concerned (Article 49).

(5) Strengthening the protection of the right to exclusively use a trademark, and combating trademark infringements

First, the Draft for Comments strengthens the protection of the right to exclusively use a trademark, and combats the acts that infringe upon the right to exclusively use a registered trademark through e-commerce activities (Article 72); perfects the diverse resolution mechanism for trademark disputes, and adds the provision on arbitration, administrative

determination and confirm of lawsuits concerning no infringements (Article 74); reinforces the connection between punishments, and defines the two-way transfer mechanism in investigating and dealing with administrative and criminal cases concerning trademark infringements (Article 75); improves the law enforcement measures to investigate and deal with trademark violations (Article 76); offers the better methods of calculating the compensation amount of trademark infringements, clearly includes reasonable expenditure of right holders in the compensation amount, and modifies the applicable conditions for punitive compensation from “maliciously” to “intentionally” to ensure consistency with the provisions of the Civil Code (Article 77); introduces the public interest litigation of trademark infringements so as to combat trademark infringements that damage national interests or social or public interests (Article 78). **Second**, it reinforces the protection of well-known trademarks against “leaning on famous brands”, “piggyback” and other acts that impede fair competition, and changes “identification of well-known trademarks” to “confirmation of well-known trademark condition” so as to further downplay the quality of administrative identification, and sets forth the scope and intensity of protection appropriate for the significance and popularity of well-known trademarks (Article 10); strengthens the protection of unregistered well-known trademarks, and offers anti-dilution protection to well-known trademarks known by the public (Article 18).

(6) Strengthening the supervision and management of trademarks, and regulating trademark violations

First, the Draft for Comments defines trademark violations and legal consequences thereof, and adds the provision on the fine imposed on the independent change of the registered trademark and on the treatment of trademark infringements (Article 64). **Second**, it strengthens the protection

of geographic indications, and provides that where an unregistered trademark added or used contains a geographic indication of the goods but the goods do not originate from the region indicated thereon, thus misleading the public, an administrative punishment shall be carried out, and at the same time the sales of illegal goods and acts that assist trademark violations shall be investigated (Article 65). **Third**, in accordance with the practice of law enforcement and the principle of proportionate punishment to crimes, it modifies the fine amount on the illegal use of the words of well-known trademarks to less than RMB 100,000 from the fixed RMB 100,000 (Article 66). **Fourth**, it strengthens the supervision and management of registrants of collective marks and certification marks, and specifies the restrictive requirements for the transfer of collective marks and certification marks (Article 57); sets expressly forth the legal liability that registrants of collective marks and certification marks shall assume because of their failure to fulfill the management obligation or correctly exercise the corresponding right (Article 63).

(7) Other amendments

First, the Draft for Comments strengthens the supervision and inspection of such civil servants and relevant personnel as are engaged in the registration, management, review and trial of trademarks (Articles 88, 89 and 90). **Second**, it adds the provision on the official sign recordation (Article 99). **Third**, on the basis of the Civil Code, it revises the expression of civil subjects from “natural persons, legal persons, or other organizations” to “natural persons, legal persons, or unincorporated organizations”.

V. Main Institutional Designs and Considerations

(1) Launching specific measures to regulate malicious trademark registration

Malicious trademark registration is the greatest concern in the field of trademarks. The Trademark Law amended in 2019 cracked down on the malicious hoarding and registration of trademarks. The current amendment will mainly increase efforts to combat malicious pre-emptive registration of public resources, prior rights, and other acts that damage core socialist values, and balance the rights of applicants, rights and interests of others and public interests. Through strong institutional measures (such as raising the fine amount, setting up the mandatory transfer system, defining the civil compensation liability, and building the public interest lawsuit system for intellectual property) and strict code of conduct requirements for registration and application of trademarks, the new Trademark Law will guide market entities in “registering trademarks on the basis of ethics” to effectively safeguard the legitimate rights and interests of right holders, raise the efficiency of trademark dispute resolution, and curb the pre-emptive trademark registration by making trademark squatters pay a higher price. In the Regulation for the Implementation of the Trademark Law of the People’s Republic of China, we will further define the “serious cases” concerning the malicious registration and application of trademarks and the “specific circumstances” of “transfer easily leads to confusion” in the mandatory transfer system for trademarks in the Draft Amendment. We will also implement these amendments in the supporting amendments of the regulations and normative documents of relevant departments, and specify the operating rules.

(2) Establishing the basic principles for prohibition of repeated registration

As the signs to identify and distinguish the origins of goods or services, trademarks play an important role in safeguarding the transactions of goods and the order of market activities. If an applicant repeatedly applies

for registering the same sign in the same goods or service, this act will not intensify the role of a trademark in identifying the source of goods or service, but may lead to confusion among consumers. In recent years, there have been a growing number of trademarks which have been applied repeatedly for registration. In order to prevent their trademarks from being canceled due to the disuse of the trademarks for three consecutive years, some trademark registrants have even adopted the strategy under which they apply repeatedly for registering the trademarks every three years. Other trademark registrants have applied for registering their trademarks frequently and repeatedly so as to prevent their trademarks from being disputed or declared invalid. Repeated trademark registration not only exists as a means of evading legal liability and making it more difficult for right holders to safeguard rights, but also consumes limited trademark examination resources, and disrupts the registration and management order of trademarks. By reference to the principle of the One Thing One Right and the provision on the repeated authorization of the Trademark Law, the current amendment to the Trademark Law stresses the value orientation of One Trademark One Right in the trademark registration, establishes the principle of prohibition of repeated application, and regulates such wrongful acts as malicious repeated application and registration of original trademarks in the original goods or services, and immediate reapplication and re-registration upon the invalidation of a trademark. But we should make clear that the amended Trademark Law does not incorporate the upgrade and optimization of corporate trademark brands and the registration application of trademarks for other justified purposes in the regulation scope when strengthening the research and demonstration on relevant examination standards and operating rules.

(3) Optimizing the institutional arrangement of the trademark examination and trial procedure

After the administration makes an administrative decision, the party concerned shall, on the basis of the administrative procedure, be generally offered one remedial chance. This provides the administration with a self-correction mechanism, which ensures both fairness and rationality and administrative efficiency. Prior to the institutional reforms, trademark dispute cases were examined by the Trademark Office, and those that were disapproved registration review upon occurrence of a trademark dispute would be tried by the original Trademark Appeal Board. After the institutional reforms, however, all decisions on the substantive examination, disputes and disapproval of registration review of trademarks are made in the name of China National Intellectual Property Office. As a result, one dispute may be subject to three administrative procedures in the same administration. This phenomenon not only conflicts with the practice of two reviews in the administration, adds to the complexity of procedures, but also causes the parties concerned to doubt the real effect of reconsideration procedures and the consistency among examination standards. For the purpose of reducing the costs of right acquisition and protection and raising the efficiency of dispute resolution, the current amendment to the Trademark Law intends to cancel the procedure of disapproval of registration review upon occurrence of a trademark dispute. Working to optimize the dispute examination mode, it makes some explorations, such as adding the simple examination procedure, separating complicated dispute cases from simple ones, demonstrating the introduction of the cross-examination link and oral hearing, comprehensively raises the quality and efficiency of trademark dispute examination, thus ensuring that the dispute of each party is effectively

resolved through the administrative procedure and that the dispute procedure plays a better role.

(4) Continuously intensifying the institutional design of trademark use obligation

Up to November 2022, there had been 42.337 million effective trademarks registered in China, in which many registered yet unused ones occupied excessive resources, and made it more difficult for innovators and entrepreneurs to register their trademarks. In order to allow trademark registration to return to the institutional origin of “registration for use”, timely clean up unused trademarks, release idle trademark resources, and enable those market entities with demand for building self-owned brands and registering their trademarks to be granted trademark protection, the amended Trademark Law intends to establish a system under which an applicant’s commitment to use a trademark in the trademark application collaborates with the active submission of trademark use statement in the trademark existence, and to add the selective examination system for trademark use statement and the provision on the cancellation of a registered trademark upon being found false in the selective examination. From the start of the registration application to the end of the trademark registration, this Law will always focus on whether a trademark is really used for operating activities, and create the order of trademark registration and use according to which an applicant shall apply for registering a trademark according to his or her requirements, hold an appropriate number of trademarks, emphasize trademark use, and idle trademarks shall be cleaned up. In the execution, this Law will also try not to increase the burden resulting from too many trademark registrants, but will allow the relevant system to work better by using simple and usable means such as the letter of commitment and the table of trademark use statement.

(5) Main considerations for practice access requirements of trademark agencies

In 2003, the State Council issued a document to cancel two items subject to government approval, namely, qualifications of trademark agencies and trademark agents. This document also canceled the access threshold of the trademark agency industry, so that one can conduct the trademark agency business as long as he or she registers at the administration for industry and commerce. With rapid development of economy and society and continued growth of applications for trademark registration, the trademark agency market has quickly expanded. In this situation, the problems such as unregulated industry development and a shortage of supervision basis have become increasingly apparent, resulting in many dishonest acts that disrupt the market order. Some trademark agencies long commit illegal and dishonest acts such as malicious pre-emptive trademark registration, trademark hoarding and wrongful right protection, which damage the interests of clients and the order of the trademark agency market. In applying for registering trademarks overseas on behalf of clients, some agencies have intentionally forged evidence, and provided false materials. These acts have produced bad international influences and serious consequences, and have adversely affected the overseas protection and national image of Chinese trademarks and brands. The current amendment to the Trademark Law plans to specify the access requirements for trademark agencies, and to further regulate the acts of trademark agencies.