

Are counterfeiting and trademark infringement a low-risk business in China?

Brand owners often contend that counterfeiting and trademark infringement are a high-profit and low-risk business, and that trademark protection falls short in China. However, positive changes have been taking place.

What are the laws governing anti-counterfeiting in China?

Presently the laws and regulations governing anti-counterfeiting in China are as follows: The Trademark Law (2001) and the Implementing Regulations of the Trademark Law (2002); the Anti-unfair Competition Law (1993); the Copyright Law (2001) and the Implementing Regulations of the Copyright Law (2002); and the Criminal Law (2009).

Why is online counterfeiting a problem in China?

Online counterfeiting is now one of the most significant challenges facing rights holders in China. Chinese counterfeiters are internet savvy and quick to exploit technical advantages to imitate and copy popular products, and then promote and sell their counterfeit goods online to the global market.

How much monetary liability does China have against counterfeiters?

China sets monetary thresholds for pursuing criminal liabilities against counterfeiters. For instance, the Criminal Law provides that the threshold for criminal liability is Rmb50,000 (\$7,903) for producing counterfeit goods and Rmb150,000 (\$23,715) for reselling counterfeit goods.

Should trademarks be included in anti-counterfeiting campaigns?

They should also ask the authorities to include their brands in ex officio regional or nationwide anti-counterfeiting campaigns, which are frequently organised. Aimin Huo is a trademark attorney at CCPIT Patent and Trademark Law Office.

How to enforce a trademark in China?

How to enforce by application? If the rights holder has not recorded its trademark with Customs, it can file an application with Customs for the detention of suspected counterfeit goods which are found to be entering or leaving China, but there must be sufficient evidence to demonstrate infringement to Customs.

Rights holders should check to see how the locals are using their trademarks in Chinese and seek registration of such Chinese trademarks as quickly as possible, thereby avoiding the risk of losing the Chinese trademarks ...

Moncler has established a specialist internal Intellectual Property and Brand Protection Department to implement and update global management strategies in respect of the Company's brand ...

Various laws in China provide for administrative, civil and criminal remedies in counterfeiting and piracy cases. These include the Civil Code, the Tort Law and the Criminal Law, as well as provisions in IP-specific ...

Anti-counterfeiting online. Although China has progressively strengthened its online enforcement activity, it has not kept pace with the meteoric growth of web-based counterfeiting. As such, online trafficking of ...

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Agreement,??"ACTA")?2008????????????????????,????????????????????	????????	???	ACTA??????
?????? (World Trade Organization,??"WTO")????	????????????? ...		

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Anti-counterfeiting is a practical and comprehensive guide providing answers and insight into how businesses can protect their brands from counterfeiting and the grey market. Legal experts outline the relevant law and enforcement measures in key jurisdictions around the world while industry experts provide advice about cross-border management and engaging with relevant ...

The tactile mark, shaped with 11 diagonal lines for excellent finger sensitivity, is differently positioned to facilitate easy identification of denominations. ... Anti-counterfeiting measures that can be confirmed with watermarks. Watermark ...

Counterfeiting in China: Combating Effectively and Sustainably Product and brand piracy continues to grow - quantitatively and qualitatively. The number of cases is on the rise and the theft of intellectual property by Chinese companies is becoming increasingly intelligent. Chinese counterfeiters and imitators now have a

A: The most effective preventive measure is to apply for sufficient intellectual property rights in China and the central sales markets. Moreover, it is important that the owners of IP rights are ...

Enforcement of unregistered marks is difficult in China, unless the unregistered mark is proved to be either well known in China according to the Trademark Law or a famous product name based on anti-unfair competition ...

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