

Highlights of March

Chang Tsi & Partners Recognised as 2022 Gold-Band Law Firm by WTR 1000

Chang Tsi & Partners has once again defended its position as Gold-band law firm, and has been listed in both "Enforcement and Litigation" and "Prosecution and Strategy" categories. Simon Tsi, Spring Chang and other five professionals from our elite team are also recognised as leading individuals.



Chang Tsi & Partners Recognised by IP STARS

Chang Tsi & Partners has been recognised by Managing IP's IP STARS 2022 for both Trademark Prosecution and Trademark Contentious matters.

Michael Fu Invited by INTA to Present on China's IP Judiciary

On 10 March 2022, Michael Fu, Partner of Chang Tsi & Partner and Member of INTA's Enforcement Committee, was invited by INTA to talk about China's IP judiciary in the Flash Briefing.

Spring Chang Awarded as Thought Leaders Global Elite

Spring Chang, Founding Partner of Chang Tsi & Partners, has been awarded as Thought Leaders Global Elite by Who's Who Legal, recognising her expertise in the field of intellectual property.

Protecting Tupperware's Trademark in China

In one of the largest raid actions we have conducted for Tupperware, the police successfully arrested the infringer and seized about 60,000 counterfeit products and over 100,000 accessories on the spot.

Trademark Registration in Macau

Trademarks registered with the CNIPA do not automatically receive extension protection in Hong Kong, Macau and Taiwan. This article written by our Macau Team introduces the procedure of trademark registration in Macau.

Holiday Notice

Our offices and IP Administrations in below regions will be closed for Qingming Festival on the following dates: Mainland, China: 3-5 April 2022 Taiwan: 2-5 April 2022 Hong Kong: 5 April 2022 Macao: 5 April 2022 All deadlines falling on the holiday period will be automatically extended. In case of urgent matters, please submit your instructions before the holidays.

Chang Tsi & Partners Recognised as 2022 Gold- Band Law Firm by WTR 1000

World Trademark Review (WTR) has recently released its annual ranking report - "World Trademark Review 1000 - The World's Leading Trademark Professionals". Chang Tsi & Partners has once again defended its position as Gold-band law firm, and has been listed in both "Enforcement and Litigation" and "Prosecution and Strategy" categories. Simon Tsi, Spring Chang and other five professionals from our elite team are also recognized as leading individuals.

WTR 1000 is a unique guide that identifies the top trademark professionals in key jurisdictions around the globe, focused exclusively on trademark practice. Firms and individuals in the gold band are those that attract the most positive comments from sources and undertake the most sophisticated work.

As commented by the WTR, Chang Tsi & Partners is "a perfect match for those seeking swift trademark registration, smooth IP dispute resolution experience and commercially savvy portfolio management counsel".

The fulcrum of the outfit is founding partner Spring Chang and Simon Tsi, who are widely recognised as the top trademark lawyers in

the country. The couple spearheads this market-leading brand protection practice with greatest possible delicacy and precision. Chang takes on the prosecution and anti-counterfeiting matters while Tsi sets his sights on the contentious front. Nancy Qu is a formidable IP litigator and has tackled multiple highly complex and technical IP infringement cases before courts in her years with the outfit. Well versed in meeting both prosecution and contentious demands, partner Michael Fu takes charge of multiple IP enforcement and protection strategy matters for a stellar roster of Fortune 500 players, including HP, Under Armour, Michael Kors, Tiffany and Four Seasons. Working alongside him in the trademark department are Ason Zhang, Runjun Sun and Lilian Qiu. Elevated to the partner level recently, Zhang exhibits a wide range of interests in the IP field. He focuses on the electronics, pharmaceuticals and jewellery sectors and his practice extends to domain names, unfair competition and dispute resolution. Trademark agent Sun knows all the drills of a successful trademark application and is equally proficient at review of refusal, opposition and invalidation. Qiu is the one to call when you need one-stop legal services in China. She has garnered praises from service users and peers for her holistic IP strategy and brand-protection practice.

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MIP is widely considered as the leading specialist guide to IP law firms and practitioners worldwide. The research for IP STARS covers a variety of IP practice areas, making it the most comprehensive and widely respected IP guide in the legal profession. The rankings recognise the world's leading firms for trademark filing, prosecution and contentious work in more than 70 jurisdictions.

Since its establishment in 2002, Chang Tsi & Partners has managed to become a leading law firm in China. The firm has been constantly referred as the "National Outstanding Law Firm", "The Best IP Law Firm in China", "China IP Law Firm", "Tier 1 IP Law Firm of the Year" by Ministry of Justice of China, international legal directories and various business magazines such as Chambers Asia Pacific, The Asia Pacific Legal 500, Asialaw Profiles.

Spring Chang Awarded as Thought Leaders Global Elite

Spring Chang, Founding Partner of Chang Tsi & Partners, has been awarded as Thought Leaders Global Elite by Who's Who Legal, recognising her expertise in the field of intellectual property. Thought Leaders brings together the insight, expertise and wisdom of some of the world's foremost lawyers and

experts, and Global Elite is the highest-level ranking for the most outstanding lawyers.

Published by Law Business Research Limited, a London-based international legal media, Who's Who Legal has gone into greater depth in local markets identifying the leading individuals across a number of practice areas, as well as providing further in-depth editorial analysis of each area and a breakdown of the leading firms overall.

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On 10 March 2022, Michael Fu, Partner of Chang Tsi & Partner and Member of INTA's Enforcement Committee, was invited by INTA to talk about China's IP judiciary in the Flash Briefing.

Over 70 legal brand practitioners around the globe have participated in a most heated discussion of latest judicial developments in China, ranging from hot-button issues of bad-faith trademark filing, cutting-edge solutions of unfair competition regulation and against malicious IP lawsuits, as well as new policy changes of proceedings for the administrative trademark cases.

During the Flash Briefing, Michael Fu introduced courts' measures of fighting against bad-faith applications in China. With typical cases and detailed analysis, the fruitful presentation provided valuable IP strategy to all practitioners.

Protecting Tupperware's Trademark in China

David Lee | *Partner*

Overview

This is a criminal raid action against an infringer who produced and sold counterfeit products in large quantities.

The infringer in this case, Che, manufactured counterfeit Tupperware goods and sold them without obtaining legal authorization from the trademark right holder, Dart Industries, Inc. Che had been hiding in Guangzhou for many years, and after our investigations, we successfully located the warehouse of the infringer Che.

On October 29, 2021, we cooperated with Hengfeng County Public Security Bureau to conduct a criminal raid action against the infringer Che and his warehouse. The police successfully arrested the infringer and seized on the spot about 60,000 pieces of counterfeit products and over 100,000 pieces of various accessories. This criminal raid action is one of the largest raid actions we have successfully conducted for our client Tupperware.

It is worth mentioning that the infringing warehouse is located in Guangzhou City, which is also the location of the client's affiliated company in China. As a result, the criminal raid action was very significant in that we were able to help the client remove obstacles from their doorstep and greatly

increase confidence in the sales force of their company.

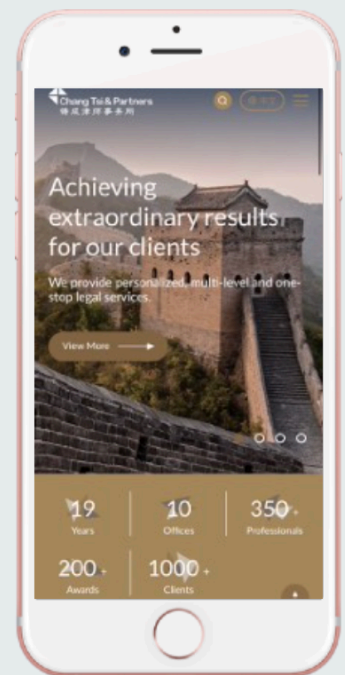
Difficulties

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Chang Tsi & Partners is a leading full-service Chinese law firm with a strong reputation in intellectual property and litigation. Established in 2002, Chang Tsi & Partners always integrates legal solutions and peace of mind in China's competitive and turbulent market.

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www.changtsi.com



Chang Tsi Newsletter

However, the address of the infringer's warehouse and the identity of the infringer were difficult to determine, and the infringer was very vigilant so the difficulty of criminal raid action is high. In addition, the number of seized counterfeit goods was huge, and the transfer of counterfeit goods and preservation of evidence required a lot of manpower and material resources. Lastly, it is difficult to track the source of the molds.

Strategies and Significance

Chang Tsi & Partners carefully reviewed the case, seeking for effective and economic legal solutions. Firstly, through various means of investigation, we successfully located the infringer's warehouse and confirmed the identity of the infringer. Secondly, cooperating with the public security, we have smoothly promoted the progress of the criminal raid action. Third, five large trucks were urgently arranged for transport from Guangzhou to Hengfeng County. Lastly, we traced the mold manufacturer through the mold quotation.

Through this criminal raid action, we successfully helped our client to take down a large warehouse storing counterfeit goods.

The number of counterfeit products involved in this case is one of the highest we dealt with. This criminal raid played a great deterrent effect on the local chain of counterfeit sales and was able to reduce the numbers of counterfeit goods in the market at the root and safeguard the legal rights of our client.

The infringing warehouse involved in this case is located in Guangzhou City, which is also the location of the client's affiliated company in China. As a result, the criminal raid action was very significant in that we were able to help the client remove obstacles from their doorstep and greatly increase confidence in the sales force of their company.

New Year Appreciation Talk at Chang Tsi & Partners

International Women's Day is a day celebrating the social, economic, cultural and political achievements of women. At Chang Tsi & Partners, all female colleagues were invited to join the yoga event on 3 March 2022, where they could enjoy a quality time meditate and soothe their inner minds. As the Choice of Employer recognised by Asia Legal Business, we recognize the value that women bring to the workplace and realize their full potential in their professional development.

Trademark Registration in Macau

Lihan Yang | Attorney at Law

1. A Brief Introduction of our Macao Team

Chang Tsi & Partners has expanded business in Macau since 2010 and has been helping clients file trademark applications and maintain trademark registrations in Macau for more than a decade. Now we have a professional Macau team, led by Lihan Yang, consisting of more than 10 agents and 2 local liaisons so that we can handle trademark prosecution cases directly in Macau by ourselves. Chang Tsi & Partners are always ready to assist you on IP matters in Greater China.

2. Guide of Trademark Registration in Macau

Besides Hong Kong, the famous policy "One country, two systems" has been adopting in the Macao Special Administrative Region of China. A registration in China Mainland will not grant you any protection in Macau. As Macau is an important role in Greater China, this article will guide you to have a knowledge of trademark registration in Macau.

A. Sources of law

The principal source of law and regulation relating to trade marks in Macau is the Industrial Property Code, adopted by Decree-Law Number 97/99/M, effective from 13 December 1999. As a supplement, the following 3 Chief Executive's Notices also applies, where appropriate:

International Classification of Goods and Services for the Purpose of the Registration of Marks (Nice Classification) 9th Edition - Notice of Chief Executive No. 10/2009;

Approving the table of fees due for the acts provided for in the Industrial Property Code - Notice of Chief Executive No. 10/2009;

Regarding the models of certificates that prove Industrial Property rights and forms for applications for granting Industrial Property rights - Notice of Chief Executive No. 10/2009.

B. Competent Administration

Trade mark registration in Macau is separate from mainland China. The Economic and Technological Development Bureau (DSEDT) is a public department of the Macao Special Administrative Region (MSAR) responsible for trademark examining and granting. The related website is:

https://www.dsedt.gov.mo/en_US/web/public/pg_home

At present, Macau is not the member of Madrid system. As such, if you want trade mark protection in Macau, you will need to seek a local IP agent for assistance.

C. Filing procedure and documentation

The requirements and related documents for the filing of a trademark application in Macau are as follows:

- the applicant's full name, nationality, address or place of business;
- a representation of the mark;
- the list of goods and services;
- a certified copy of the home application, if a priority is claimed;
- and an original copy of power of attorney signed by the legal representative and notarized by a notary public.

Less than most countries in the world, the period of publication for opposition in Macau only takes 2 months. If no opposition or objection is raised against the trademark application, you may expect the registration certificate within 6 to 8 months after date of filing. The duration of registration of a Macau trademark is seven years from the application date and is renewable for further seven-year periods. A renewal application shall be filed prior to six months before the mark expires.
