INTA's 136th Annual Meeting is the first to be held outside of North America and Europe and, 21 years after USTA became INTA, it is set to be the most diverse yet.

“This is the most international meeting we’ve had, in terms of speakers and moderators,” says David Stone of Simmons & Simmons, one of the two co-chairs of the Meeting Project Team (see table for the numbers). It is also the largest-ever Annual Meeting outside the U.S. The Exhibit Hall is larger than ever, and attendance is expected to be close to a record, with a notable increase in numbers from Europe and Asia and many first-time attendees.

Stone adds that Hong Kong itself is a big draw: “It is unlike any of the cities INTA has been in recently and is a very vibrant, exciting city.” His co-chair, Xuemin Chen of Zhongzi Law Office, adds: “Hong Kong is a perfect venue for the Annual Meeting. People there are extremely friendly and English is widely spoken. For first-time attendees, just be open, relaxed and enjoy the Meeting!”

The Project Team started working on the programming about three years ago, says Stone: “We had one more year than usual. With it being the first one in Asia, we wanted to have plenty of time.” Rather than a theme, the educational sessions this year include a Focus on Asia, Stone explains: “If Continued on page 2.

INTA attendees socialized over drinks and hors d’oeuvres at the 2014 INTA Gala, the Pearl of the Orient. President Mei-lan Stark welcomed attendees to the first Annual Meeting to take place in Asia, noting that with over 8,500 attendees, this year’s Annual Meeting is the fourth largest ever.
WTO appoints plain pack panelists

World Trade Organization Director-General Roberto Azevêdo this week appointed three panelists to consider the legality of Australia’s law requiring plain packaging for tobacco products.

The panel will be chaired by Alexander Erwin of South Africa. The other two members are François Desesment of Switzerland and Billie Miller of Barbados. They are expected to make written and oral representations to the panel, which must finalize its report within six months.

The panelists will decide whether they think Australia’s tobacco plain packaging laws breach the trade organization’s rules before the end of the year.

Five complaints have been brought by Ukraine, Indonesia, Cuba, Dominican Republic and Honduras against Australia. The six countries were unable to agree on who should examine the dispute. Under a harmonized procedure, the five complaints will be considered by the same three panelists.

Although each complaint targets Australia’s plain packaging rules, they are not exactly the same. Ukraine’s deals with “certain measures concerning trademarks and other plain packaging requirements applicable to tobacco products and packaging” while the rest also invoke WTO’s geographical indications.

The appointments come shortly after Australia complained that the unresolved trade row was having a chilling effect on other countries that are considering introducing similar constraints on the way that tobacco is packaged. Ukraine requested consultations with Australia under WTO procedures more than two years ago.

New Zealand has already said that it plans to follow Australia’s lead, and the UK government said last month it will introduce plain packaging following a review.

If the panel decides that plain packaging does breach WTO trade rules, it will recommend how the measure should be changed. Its report becomes the Dispute Settlement Body’s ruling or recommendation within 60 days unless a consensus rejects it. In a party appeal, the appeal will be heard by three members of the WTO’s permanent seven-member Appellate Body. It has up to 90 days to uphold, modify or reverse the panel’s legal findings and conclusions. The Dispute Settlement Body has to accept or reject the appeals report within 30 days – and rejection is only possible by consensus.

Plain packaging will be discussed tomorrow in the session CM02 Plain Packaging: Who Will It Affect Next? from 10:15 am to 11:30 am.

Advice from INTA veterans

Three experienced attendees gave tips yesterday to the many first-timers at the Annual Meeting Orientation, which was chaired by Trina Marie Brainard of Richard Law Group. Here are some of them:

• Vivien Chan of Vivien Chan & Co. described herself as “made in Hong Kong” and said she was “really honored” that so many people have come to her home town. One piece of advice she learned at her first INTA Annual Meeting, which she has always followed, is: “If you get really overwhelmed and you feel like going shopping, do so.”

• Carrolanne Lindley of Kilburn & Strode reminded everyone to “keep in with the regulators” by scanning your badge within the first 15 minutes of a session, and continuing during the CPD/CLE form after the Meeting. She also emphasized the importance of time management and a good alarm clock, especially for those suffering from jetlag: “You need technology or a human touch to wake you up!”

• John Hackett of AJ Park also offered some hotel-room-based advice: “Always wear pajamas to bed.” In fact, he said, you might even want to attach your name badge to them and put some business cards in the pockets, ready for any unplanned midnight meetings.

• More seriously, he gave recommendations for networking: “Learn about people, practice and culture. You have a short window to create a relationship, so leave something behind. Talk to everyone and never make assumptions about people!”

• All the speakers agreed that INTA soon becomes part of your life. Hackett said his daughter’s birthday is on May 13 and he has missed about 25 of them because of the Annual Meeting. Chan said that she had “gone to INTA” so many times that her son used to think it was a country. “In many ways, it is!” she added.

Continued from page 1.

you want, you can do a full 13 hours of Asia-focused CLE sessions. Whenever there are concurrent sessions, one of them will be on Asia. That was a suggestion from the Programs Committee and has been a helpful guiding light for us.”

Stone says that, apart from the formal programming, he is looking forward to the closing reception at Hong Kong Disneyland Park, part of which will be available exclusively to Annual Meeting attendees: “I’m excited about going on all the rides and spending some time with Mickey and Minnie!”

Stone, who is based in London but travels frequently to Hong Kong, describes it as “an incredibly sophisticated city” and recommends walking around the city, shopping and trying out the “amazing” food. Chen adds his own tips: “The weather in May in Hong Kong could be very humid, so the air-conditioning in some indoor places may be very strong. It is advisable to bring a scarf or jacket with you.”

He recommends taking the Star ferry from Central to Tsim Sha Tsui to enjoy the view of Victoria Harbour and sampling some dim sum in a local restaurant. Two Chinese phrases he recommends are: “Ni Hao” (How are you?) for greeting people, and “Xie Xie” (thank you).

With many first-timers expected, both co-chairs encourage attendees to wear their badges, including first-time ribbon if relevant, and take the opportunity to introduce themselves to new people. “I hope that the Annual Meeting will come to Asia again at some point,” says Chen.
Some Annual Meeting attendees got down to business early by attending the Academic Course on International Law and Practice yesterday. The audience was a mixture of private practice lawyers, in-house counsel and students.

Patty Chan of Vivien Chan & Co highlighted the changes in Chinese trademark law. These include codification of the previous Supreme Court interpretation of the scope of the principal-agent relationship, tighter restrictions on opposition, prohibition of the labeling of words as a “well-known trademark” on products, heavier damages and administrative penalties for infringements, and a new defense to alleged infringers if the owner did not use the mark in the past three years.

R. Scott MacKendrick of Bereskin & Parr highlighted some recent and potential changes in Canada. One is Bill C-8, the Combating Counterfeit Products Act, which is intended to give trademark and copyright owners additional options in dealing with the importation and sale of counterfeit goods. The proposed bill provides for criminal sanctions for counterfeiting a registered mark and provides a method for requesting customs assistance to address trademarked counterfeits. More recently, an Omnibus bill proposed modifications to the Trade-marks Act including deletion of use as a registration requirement, goods and services being Nice classified, and renewals being reduced.

In the India session, Pravin Anand of Anand and Anand informed the audience his country now has 62 marks designated as well known. “The advantage is the registrar acts like a watchdog,” he said, pointing out it is inefficient and time-consuming to tackle infringements on regular trademarks. Anand also noted the challenges of fighting trademark infringement in Indian movies, giving the example of a scene in a recent movie in which a G4S Security Services guard was depicted sleeping on duty. He gave two lessons: go to court before the movie is released because courts are reluctant to grant injunctions against movies that are already out; and take advantage of technology that is now available to blur portions of movies.

The Australia and New Zealand session was particularly entertaining, including samples of VEGEMITE and MARMITE being handed out, a discussion of why most countries need not bother to qualify for the Rugby World Cup because either Australia or New Zealand will win, and, eventually, some talk about the two countries’ trademark laws. Marion Heathcote of Davies Collison Cave gave an update on changes in Australia, including its plain packaging law introduced in 2012. She noted other products are likely to be targeted soon. “It is too easy to separate this out as an issue about tobacco – it is an issue about trademarks,” she said.

Nick Holmes of Davies Collison Cave highlighted new legislation to protect the Maori people’s haka, the ancestral war dance. The Haka Ka Mate Attribution Bill provides right of attribution for commercial use of the haka in publications, movies or “communication to the public”.

The Ngati Toa tribe had tried to register its haka as a trademark but was opposed by a third party claiming it is common to all Kiwis.

“It has just come into law in the last couple of weeks,” Holmes told the IN TA Daily News. “It basically means if you ever use this hakacommercially you must attribute ownership to the Ngati Toa so it is a form of legislation specifically designed to address IP rights. But it is a little bit toothless because it doesn’t give them any mandatory licensing so there is no money involved. It is a good common-sense solution to what is a difficult area of law.”

Today’s sessions, starting at 8:00 am in Room S427, will cover Africa, Independent States of the Former Soviet Union and Eastern Europe, Central America, Treaties, INTA’s Online Databases, UDRP and Internet Issues, ASEAN and Famous Trademarks. There will also be a review and Q&A.
“Asia is the center of the world today,” says OHIM President António Campinos, who is visiting Hong Kong for the first time this week as part of the Office’s delegation to INTA, adding that the region is “massively important” for OHIM.

The Office is seeing soaring filings of Community trade marks (CTMs) and registered Community designs (RCDs) from Asia-based applicants. While total filings grow at about 5% a year, filings from Asia have increased much more sharply (see chart). Campinos explains: “Between 2009 and 2013 the number of applications has doubled. From China alone the number of applications has tripled and it might overcome Japan next year.”

He expects the trend to continue, driven both by economic growth and increased interest in protecting IP rights: “There are two phenomena; one is linked to growth, and the other is that the growth in applications has overtaken growth in GDP.”

“I really think we need to have global databases fast as this universe grows.”

But growth also poses challenges, of course. For one thing, more registered rights means it is increasingly important to provide databases and services that help users find and share information. OHIM is at the center of developing such tools, as part of the European Trade Mark and Design Network.

One of these tools is TMClass, which enables trademark users to search and translate terms between languages. In March this year, China’s State Administration of Industry and Commerce (SAIC) became the 36th office to join the system, meaning that it covers 28 languages including Chinese. Campinos said he expects that more countries will join TMClass, as well as TMView, an online search tool that now provides access to more than 20 million trademarks (and which may soon be extended to the Asian countries), and the Common Harmonized Database, which includes 60,000 terms for products and services. Already one in four applicants use this database when filing. “I really think we need to have global databases fast as this universe grows. We need to look at what exists and have powerful search engines to find what we need,” says Campinos.

Another challenge posed by the growth in applications is maintaining and improving quality. Campinos stresses that “tightening controls and leveling up the quality of work” is a priority for the Office. It measures quality in various ways, including through internal checks, user surveys and by tracking the reversal rate of OHIM’s decisions in court. Last year, the Office’s success rate at the CJEU General Court rose to 86.5% from 77.3%.
Quality is also important to ensure that users have an efficient, effective and cheap service, and this is increasingly being delivered online. Last year, OHIM rolled out a major redesign of its website, but the launch was by Campinios’s own admission “unsuccessful” as many users experienced problems, including being unable to file applications electronically. “I have to apologize,” says Campinios. “It was not the level of quality you should expect from OHIM. We disrupted users’ activities and businesses.” In the weeks after the launch, many users reverted to filing by fax but since the problems have been addressed, e-filings are increasing again, including for designs and CTM renewals. In addition, 30,000 secure accounts have been set up and half of all name and address changes are now done electronically. “By the end of this year, we’ll be able to tell users whether we’ve given them value for money. I think the numbers will be impressive,” says Campinios.

The improvements to the website and the enhanced cooperation with other offices are both parts of OHIM’s broader Strategic Plan, which Campinios set out after he became President in 2010. That Plan is now 78% complete, with a year and a half of his term still to go. Another part of it will be achieved later this year, when OHIM opens a new building at its headquarters in Alicante, Spain.

Looking ahead, the next big challenge for OHIM is likely to come from the revisions being planned to the CTM Regulation, which are now being debated by EU member states. The changes have been delayed, and it is not yet clear when they will come into effect, or what exactly they will include, but Campinios says the Office is already preparing: “We have to move fast to adjust our internal procedures and IT systems. It will have an impact on the budget, for sure.”

One key change proposed is to adjust the fees so that CTM applicants will no longer get three classes for the price of one. At present, it is felt that many applicants take advantage of this rule to seek broader protection than they...
need. Indeed, OHIM’s own statistics show that on average there are 2.9 classes per application. Cam pinos says he welcomes the Commission’s proposal to amend the fees, but adds that it will have “huge budgetary consequences” for the Office.

Despite the proposed changes, though, CTM fees—like those in many other offices—remain greater than the cost of the service provided, particularly for services such as renewals. Cam pinos accepts this, but points out that they also go towards funding activities that benefit trademark owners. At OHIM, that now includes the new EU Observatory on Infringements of IP Rights (a department within OHIM), which conducts research and runs programs to combat counterfeiting, and the 19 tools so far launched under the Cooperation Fund. As well as promoting harmonization, these have led to the development (sometimes for the first time) of new services such as online filing in some offices. As Cam pinos explains: “Fees must not only reflect the cost of the service but also the cost of the activity, and the price of an exclusive right that is granted for a market covering 500 million citizens.”

OHIM hosts the CTM and RCD Users’ Meeting from 2.30 to 4.00 pm today in Convention Hall A.

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**Top CTM and RCD applicants from Asia**

<table>
<thead>
<tr>
<th>Owner name</th>
<th>Country name</th>
<th>CTM</th>
<th>RCD</th>
<th>CTM+RCD</th>
</tr>
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<tbody>
<tr>
<td>1. Samsung Electronics Co., Ltd.</td>
<td>Republic of Korea</td>
<td>756</td>
<td>4222</td>
<td>4978</td>
</tr>
<tr>
<td>2. LG Electronics Inc.</td>
<td>Republic of Korea</td>
<td>1245</td>
<td>2191</td>
<td>3436</td>
</tr>
<tr>
<td>3. Sony Corporation</td>
<td>Japan</td>
<td>837</td>
<td>2349</td>
<td>3186</td>
</tr>
<tr>
<td>4. Samsung Electronics Co., Ltd. (Double. use 25371)</td>
<td>Republic of Korea</td>
<td>1</td>
<td>1765</td>
<td>1766</td>
</tr>
<tr>
<td>5. Toyota Jidousha Kabushiki Kaisha (trading as Toyota Motor Corporation)</td>
<td>Japan</td>
<td>237</td>
<td>1181</td>
<td>1418</td>
</tr>
<tr>
<td>6. Honda Motor Co., Ltd.</td>
<td>Japan</td>
<td>249</td>
<td>1059</td>
<td>1308</td>
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<tr>
<td>7. Panasonic Corporation</td>
<td>Japan</td>
<td>333</td>
<td>817</td>
<td>1150</td>
</tr>
<tr>
<td>8. Konami Digital Entertainment Co., Ltd.</td>
<td>Japan</td>
<td>780</td>
<td>6</td>
<td>786</td>
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<tr>
<td>9. Nintendo Co., Ltd.</td>
<td>Japan</td>
<td>526</td>
<td>240</td>
<td>766</td>
</tr>
<tr>
<td>10. Konami Kabushiki Kaisha (trading as Konami Corporation)</td>
<td>Japan</td>
<td>728</td>
<td>4</td>
<td>732</td>
</tr>
</tbody>
</table>

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T: +61 412 856 839  
E: nmurdoch@bennettphilp.com.au

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**Our seminar on May 12th during INTA**

Organizers: WAN HUI DA  
IPRC  
UNISAB  

Moderator: Dr. HUANG Hui  
Time: 8.30 am to 11.30 am, May 12th, 2014  
Location: Salon III, Grand Hyatt, 1 Harbour Road, Hong Kong, China

- General introduction to the China New Trademark Law  
- What is the impact of the procedural changes to trademark opposition?  
- Impact of prior use: a sword and/or a shield?  
- Likelihood of confusion: is it added to or consequence of similarity?  
- Obtain maximum damages for the plaintiff or lower the risk for the defendant

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**#INTA14**

**John MacKenzie** @jpmackenzie  
Well if I had hesitated at all I would have 4 tailor made suits by now... #inta14 #nathanroad

**Tara Aaron** @tara_aaron  
That awkward first morning of #INTA14 when everyone is searching for their first meeting and nobody has name tags yet http://dkp.com/1jUPs2r

**Raja Selvam**  
What’s the best part of being an IP lawyer & @INTA member? You get to see the world meeting colleagues & friends #INTA14

**Peter Dernbach** @peterdernbach  
INTA’s Annual Meeting in Hong Kong is already the largest AM ever held outside the US and one of the largest ever! See you all soon. #inta14

**Darren Cahr** @phosphor  
The trademark world gets ready for #INTA14 in Hong Kong - my 18th INTA conference (I’m getting old)

**Alex Lata** @lataalex  
Yes! RT “@INTA: 21 reasons every foodie is looking forward to the 2014 Annual Meeting in Hong Kong: http://ow.ly/wFCG #INTA14”

**Chong-Yee Kho** @cykho  
You look like the profile photo of the person I’m supposed to meet, but you’ve got the wrong name #INTA14 #HospitalitySuiteEntranceMadness

**Dirceu Santa Rosa** @TechlawyerBr  
Some of my weirdest stories and life experiences in conferences happened on #INTA events. If only they’d allow me to tell them in #INTA14
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TEL: +92-42-36285588-90, +92-42-36285581-84
FAX: +92-42-36285585, 36285586, 36285587
Email: UnitedTrademark@UnitedTm.com
Websites: www.utmps.com and www.unitedip.com

DUBAI (UAE)
Suites 401-402, Al-Hawai Tower Sheikh Zayed Road Dubai, United Arab Emirates Tel. : +971-4-3437 544 Fax: +971-4-3437 546 Email: Dubai@UnitedTm.com

JORDAN
Suit 7, 2nd Floor Chicago Building, Al Abdali 11190, Amman, Jordan Tel. : +962-6-5630088 Fax: +962-6-5630089 Email: Jordan@UnitedTm.com

LEBANON
6th Floor, Buri Al-Ghazal Bldg., Tabaris, Beirut Lebanon Tel. : +961-1-21 5373 Fax: +961-1-21 5374 Email: Lebanon@UnitedTm.com

MOORCICO
58, Rue Ibn Batouta, PPT, No. 4, 1er Etage, Casablanca Morocco Tel. : 212-522206996 Email: Morocco@UnitedTm.com

OMAN
Suite No. 702, 7th Floor Oman Commercial Centre Ruwi, Muscat, Sultanate of Oman Tel. : 968-24-787555, 704788 Fax: 968-24-794447 Email: Oman@UnitedTm.com

QATAR
Villa # 40, Al Amir Street Al Mirqab Area, Doha Qatar Tel : +974-444 3083, 444 3093 Fax : +974-444 7311 Email: Qatar@UnitedTm.com

SAUDI ARABIA
Behind Matbata Al Shawwaf 30th Street-Diaya, Riyadh 11444 Kingdom of Saudi Arabia Tel. : +966 -11- 4616157, 4655477 Fax: +966 -11- 4616156, 4622134 Email: SaudiArabia@UnitedTm.com

SHARJAH (UAE)
Suite 203, Al Buaharah Building Buaharah Corniche Sharjah, United Arab Emirates Tel. : +971-6-5722742 Fax : +971-6-5722741 Email: UAE@UnitedTm.com

SUDAN
Fati No.1, 3rd Floor, Al Hurriya St. Shak Al Deen Brothers Bldg. Al Hurriya Street, Khartoum, Sudan Tel : +249-183-740634 Fax : +249-183-756031 Email: sudan@UnitedTm.com

TANZANIA
Shaari Moyo Area, Pugu Road Dar-Es-Salaam Tanzania Tel : +255-222862800 Email: Tanzania@UnitedTm.com

6th Floor, Ideal Clinic Building, Hadda Street, Sana’a, Yemen. Tel. : +967 181 9642 Email: yemen@UnitedTm.com
Mei-lan Stark has hit the ground running in her first four months as INTA President, establishing three task forces to ensure the Association’s strategic plan is a success.

*Three ways INTA is preparing for the future*

Three Presidential Task Forces

The first task force is focused on brands and innovation. Stark believes the patent world has done a good job of capturing the public’s imagination around innovation but she pointed out certain types of innovation also have a big impact on trademark practices. “That’s something we need to really dive into and make public,” she said. Examples include the explosion of e-commerce and social media, brands synonymous with innovation such as Apple and Google, and what 3D printing will mean for brand owners.

The second task force is focused on building bridges, which ties in with the communication and the globalization part of the strategic plan. “This task force is charged with looking out into the world and seeing other constituencies with which we have not necessarily created as strong a tie as we could, where we have common alignment on issues, and where we may be able to collaborate to speak with a more powerful voice in advocacy efforts and our educational endeavors,” said Stark. “This would be things like trade or labor unions and other types of consumer groups. There are other groups that have a real stake in what trademark protection accomplishes and it is important that we are reaching out to those folks too and finding way to work together where we can.”

The third task force is focused on re-examining INTA’s committee structure and participation. This corresponds to the member satisfaction part of the strategic plan. INTA has more than 250 committees and subcommittees, with more than 2,000 volunteer members serving on those committees. “That is a huge and amazing wealth of expertise, knowledge and man power,” said Stark. “But it is hard when you have a structure that large to make sure you are making the most efficient and effective use of it. It’s hard to make sure that you have within all those committees the right type of experience to make it a rewarding and enriching member experience. So that task force is...
going to be re-examining that and seeing if there are ways to improve our structure or ways that our processes work to keep improving the system and keep improving the outcomes and the experience for the members.”

Stark reported that the task forces in January provided their specific objectives and how they align with the strategic plan. They have also had monthly calls and will meet in person in Hong Kong. The task forces will also meet at INTA’s Leadership Meeting in Phoenix, Arizona in November and the first quarter Board Meeting in 2015, where they will present their final reports.

Combating anti-IP sentiment

With a number of big issues facing brand owners, there will be much to discuss at this year’s INTA Annual Meeting. Stark believes one of the biggest issues is a growing anti-IP sentiment. “It is hard capturing the public’s imagination about why it is they should care about this and why trademark protection matters are absolutely critical,” said Stark.

She said recent legislative efforts have not helped, especially on the copyright side. “You saw the SOPA and PIPA legislation in the U.S. and then the ripple effect of the anti-IP sentiment to the ACTA legislation worldwide and particularly in Europe. That was legislation that had everybody’s support but then suddenly was just unpalatable,” she said.

Stark has also detected greater skepticism to big business in general in recent years. She believes the concept of brands in many people’s minds tends to represent big business. “You see it in all kinds of different ways,” she said. “You see it in the plain packaging context. You see it in the generic pharmaceutical debate about whether the brand and patent just make things more expensive. It is important people see that brands and trademarks absolutely have a value for those that devise, market and use them. But equally important are the services they provide to consumers.”

Plain packaging is a particularly important issue to watch, said Stark. Australia has already implemented this for tobacco companies. The UK, New Zealand, Ireland, Israel and Brazil are among other countries debating a similar move. “I am not at all qualified to say what product especially from a health and safety standpoint should be on the market or not, but if the product is going to be on the market I truly believe trademarks are one of the most efficient and effective tools of communication ever devised,” she said. “When you see APP F E, A M A Z O N, T E N C E N T, PE S P I or T O Y O T A you instantly have a whole set of information and expectation about what that product or service is going to be. Plain packaging takes away from the valuable information that consumers should be able to use in terms of making their purchasing choices.”

Mei-lan Stark 在任职 INTA 总裁后十分繁忙。这位福克斯娱乐集团的知识产权副总裁在 1 月份接替了 Toe Su Aung 的工作。

在福克斯工作期间，Stark 认为工作中的最大挑战之一就是在保证不降低追随者忠诚度的前提下打击对商标的非法使用。她 2006 年进入该公司，先前的四年担任华特·迪士尼公司的执行律师。

“我们必须很小心地捕捉人们对创新的想象力，但是，他们不会不授权使用我们的知识产权，很多时候是无意的，但有时候是故意而为。有些超出了使用允许范围，有些超出了使用许可范围，所以我们的重点在于：如何说服追随者停止侵害公司的利益，并保持他们的热情？这就有点走钢索的感觉。”

在 INTA，Stark 开始总裁生涯的时间刚好与 2014-2017 年战略计划推出的时间不谋而合，该四年计划旨在保护商标、促进沟通、实现全球扩张和提高员工满意度。她为此设立了三个总裁工作组。

第一个小组专注于品牌和创新。 Stark 认为专利界已经能够很好地捕捉人们对创新的想象力，但是她也指出，有些类型的创新同样对商标事务造成巨大影响。“我们必须小心地捕捉到新发明，并努力普及。比如说，电子商务和社交网络大爆炸，Apple 和 Google 引领的独角兽品牌创新时代，以及 3D 打印对品牌所有者带来的冲击。”

第二个工作组的工作重点是搭建桥梁，实现战略计划中沟通和全球化两个部分的互通。“这个工作组负责查看外面的世界，寻找我们还没建立强大联盟的其他‘选区’，我们与他们有相同的关切，可以相互寻找联合机会，以在宣传工作和教育活动中发出更强劲的声音。” Stark 说。“比如贸易协会或工会以及其他类型的消费者团体，还有其他在商标保护事务中发挥关键作用的团体，所以我们还需要和他们接触，找到可以相互合作的地方。”

第三个工作组的工作重点是重新检查 INTA 的委员会结构和参与情况。与之对应的是战略计划中会员满意度的
Meet INTA’s President | 会见 INTA 的总裁

Mei-lan Stark is Senior Vice-President, Intellectual Property for Fox Entertainment. In this role she heads the IP legal group, which is responsible for all trademark, copyright, domain name and patent work for the Fox Entertainment Group worldwide. This includes film banners such as 20th Century Fox, Fox Searchlight, Fox Animation and Fox 2000, television businesses such as FOX, FX, FUEL, SPEED, FOX SPORTS, FOX NEWS, SHINE LIMITED, as well as several other entities such as AskMen and IGN.

She joined Fox in 2006 after spending four years at the Walt Disney Company as Executive Counsel, where she was responsible for IP matters for several Disney divisions including Feature Animation, Buena Vista Pictures Marketing and Distribution, and Disney Consumer Products. She began her career as an IP attorney with Kilpatrick Stockton following her graduation from Yale Law School in 1994.

Stark has served on a number of INTA Committees since 1997 and first served on the Board of Directors in 2007. In 2011, she was the Treasurer and Chair of the Finance Committee of the Board. She also chaired the 2008 INTA Advanced Trademark Symposium and served on the INTA Task Force on Anti-IP Sentiment during Anne Gundelfinger’s presidency in 2005. Last year, she served as Vice-President and Chair of the Planning Committee.

Mei-lan Stark 是福克斯娱乐集团的知识产权副总裁。她负责领导知识产权法务组，对福克斯娱乐集团全球范围内的所有商标、版权、域名和专利工作负责。这包括 20th Century Fox、Fox Searchlight、Fox Animation 跟 Fox 2000 等电影横标。

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Visit INTA’s Booth, #733
Few Annual Member attendees visiting Hong Kong would doubt that we are living in a century in which Asia is in the spotlight. But what does that mean for brands and brand owners? Western trademark owners are excited by the prospect of adding millions of brand-hungry shoppers to their consumer base as the region’s economies grow, of course, as well as by the opportunity to outsource production to low-cost economies. The rapid integration of Asian economies into the global marketplace, however, presents many Asian brand owners with a completely different set of opportunities and challenges. While many Western brands built their international reputation over decades, the pressures of globalization means trademark owners from emerging economies cannot afford to take the same gradualist approach to brand building if they want to capture global market share.

There are certainly plenty of examples of companies that made the successful transition from domestic players to global powerhouses: Japan’s state-of-the-art consumer technology and its reliable cars transformed perceptions of the country in the 1970s and 1980s. Its products were efficient, stylish, covetable. Korean electronics companies are now firmly in the global mainstream. But Asian companies in the fast-moving consumer goods sector could find the going tougher. Not only do they need to establish new brands in Western markets, they also need to ensure that consumers think their products have universal appeal.

Expansion plans
Asian companies have a number of options for expanding internationally. The first is to maintain their trademarks and pitch their products at new markets. During today’s session, Endo will outline some of the challenges that the Japanese business faced when it took brands that were developed for a domestic market and designed to meet the needs of local consumers, and prepared them for an international market. He will explain how Kao Corporation entered the global market; Aung will focus on Asian economies and consider the impact of free trade deals on the protection offered to trademarks; while Tan will examine enforcement issues in Asia, explaining how trademark owners can protect their rights most effectively.
to the world what you stand for. The name is what is registered but it is not as important as what it invokes,” she says.

This is particularly important for brand owners from countries such as China that want to internationalize their products. “There’s a good chance that no one will have heard of the name of the brand before, so what is vital is the way that companies present it.” The way that the mark is presented can also reassure foreign consumers who are more used to thinking about China as a source of low-end, mass produced products and of counterfeits. Clothing brand BO SIDENG, for example, whose founder began selling down jackets in China in the 1970s, opened its sleekly designed flagship BO SIDENG London store in 2012 in a prime bit of London retail real estate, offering clothes which its website promises are “Classic. Inventive. Understated. Excellent.”

Another option for outward-looking Asian businesses is to buy trademarks overseas, giving them access to established brands sought by consumers back at home, or as a channel for marketing their own products to foreign shoppers. It is an approach that many Chinese and Indian companies in particular have favored in the past decade (see chart). Lenovo’s acquisition of IBM’s THINKPAD brand in 2005, for example, allowed the Chinese company to reposition a rather tired trademark successfully for Asian markets. In 2008, India’s Tata Motors bought the Jaguar and Land Rover businesses from Ford. Last year, China Haidian acquired Swiss luxury watchmaker Corum, two years after it bought another Swiss watchmaker, Eterno, to tap Chinese demand for high-end timepieces. And just last month, China’s Sanpower secured the country’s largest foreign retail investment when it bought an 89% stake in department store business House of Fraser.

In a time of unprecedented economic change, it is not surprising that overseas brands with a long history, suggesting values such as quality and permanence, can be particularly attractive to Asian consumers.

As in the world of trademarks, it is not surprising that overseas brands are particularly attractive to Asian consumers.

Asian markets dominate trademark rankings | 亚洲市场称霸商标排行榜

A report published by Thomson Reuters CompuMark last month suggests that China, Brazil, India, Mexico and Taiwan replaced the UK, Germany, Russia and Canada in the top 10 consumer markets in 2013. Researchers analyzed global trademark volumes, finding that China leads the world with over 860,000 new trademarks published in 2013. It is followed by the U.S., Brazil, South Korea, Turkey and Japan.

Published trademarks across all classes: selected Asian trademark jurisdictions 2013 | 已公布的各类别商标：2013 年亚洲精选市场

Source: Based on data from Thomson CompuMark SAEGIS on SERION (data through 12/19/13) | 来源：根据来自 Thomson CompuMark SAEGIS on SERION 的数据（截止 2013 年 12 月 19 日的数据）
到香港参加年度会议的会员中很少有人会对我们将生活在一个亚洲大放异彩的时代感到怀疑。这对品牌和品牌所有者来说意味着什么？对西方商标所有者而言，这个地区的经济发展能够为其带来上百万对品牌产品求之若渴的消费者，并且有机会将生产外包给成本低廉的国家。然而，亚洲对全球市场的快速融入也为许多亚洲品牌所有者带来全新的机遇和挑战。就在许多西方品牌通过几十年的发展让其品牌实现全球化的同时，全球化的压力意味着，对于来自新兴经济体的商标所有者来说，如果想要快速取得全球份额，就无法再遵循同样的循序渐进的品牌建设方法。

从本地公司成功变身成为全球巨头的例子屡见不鲜。日本一流的消费者技术及其可靠的汽车生产在上个世纪 70 年代和 80 年代改变了世界对这个国家的认知。它的产品高效、时尚、令人垂涎。韩国的电子公司现也跻身世界主流行列且地位十分稳固。但是亚洲公司在快消品领域发现前路愈加艰辛。他们不仅需要在西方市场上建立品牌，还需要让消费者相信他们的产品具有全球吸引力。

今天由 Rouse 公司 Karen Fong 主持的一场小组讨论会（“商标在未来亚洲发展中扮演什么角色”）上，与会成员们将讨论这些挑战。来自 BATMark Limited 公司的 Toe Su Aung, 花王集团公司的 Akira Endo 以及 Rouse & Co. International 公司的 Rachel Li-Mei Tan 等演讲人将重点阐述亚洲消费者如何融入全球经济。Endo 将讲解花王集团公司如何进入全球市场；Aung 将焦点放在东盟国家并讨论自由贸易对商标保护造成的冲击；而 Tan 将探讨亚洲执法问题，并解释商标所有者如何最有效地保护其权利。

在今天的会议中，Endo 讲述了日本公司在采用为本地市场定制且用于满足本地消费者需求的品牌并将其投放于国际市场时面临的一些挑战。他解释花王集团在对美容产品系列在全球化过程中遇到的问题。这类产品包括化妆化妆品和洗发水等，其中很多是针对亚洲人肌肤和发质设计的。他说该公司最成功的产品之一是碧柔去黑头鼻贴，因为对付肌肤粉刺是全球青少年面临的一个共同问题。花王集团首次于日本推出碧柔毛孔护理套组，之后在全世界 45 个国家广泛推出该原始配方。该产品在美国尤为成功，碧柔去黑头鼻贴也帮助碧柔品牌实现了全球化。

Rouse 的 Karen Fong 说到，对于亚洲品牌所有者而言，对品牌建设投入时间和资金尤其重要。"商标是一种向全球世界传达身份的方式。品牌注册名称不及其蕴含意义重要，"她说。这对于来自中国等国家、希望对其产品进行全球化的品牌所有者而言尤其重要。"人们从未听说对这个品牌同样重要的是，所以公司如何展示这个品牌至关重要。" 商标的展示方法也能够消除那些习惯把中国看作低端量产产品和仿冒品原产国的外国消费者的疑虑。例如，上世纪 70 年代开始在中国销售羽绒服的服装品牌波司登于 2012 年在伦敦的一栋大型购物中心内开立了其设计高雅的伦敦波司登旗舰店，其官网上称之为"经典至尊，善于创造，低调内敛，美妙绝伦"的服饰产品。

对于向外扩张的亚洲企业而言，另外一种选择是购买海外商标，让国内的消费者可以购买海外成熟的品牌，或者将其作为向海外消费者推广其自有产品的一种途径。这是过去十年许多中国和印度公司尤为喜欢采用的一种方式（请见图表）。比如，联想在 2005 年收购了 IBM 的 THINKPAD 品牌，让中国公司能够成功在亚洲市场上重新定位一个相对微弱的商标。2008 年，印度的塔塔汽车集团从福特汽车收购了捷豹和路虎品牌业务。去年，印度海瑞森集团在收购瑞士手表品牌绮年华（Eterna）两年之后又成功收购另一瑞士手表品牌昆仑（Corum），以满足中国对高档手表的需求。2012 年 10 月，中国三胞集团收购了瑞士手表品牌绮年华（Eterna），两年之后又成功收购另一瑞士手表品牌昆仑（Corum），将中国对高档手表的需求。
A new INTA Project Team has been created to help ensure the perspective of in-house practitioners is made available across INTA’s work. The Cross Pollination Project Team, launched this year, is part of the In-House Practitioners Committee and is holding its first face-to-face meeting in Hong Kong this week.

Jomarie Fredericks of Rotary International, Chair of the Committee, says: “A number of Committees want or need in-house input on various issues, so this Project Team will ensure there is a resource already available when that is the case.”

Dolores A. Moro of Kimberly-Clark, one of two leaders of the 10-person team, says the Team is taking “baby steps.” She sees this week as “an opportunity to introduce ourselves and start participating in particular projects with various teams” and says the Project Team will also provide a vehicle for in-house practitioners to develop their roles within Committees and in INTA more generally, thereby enhancing the corporate member experience.

Her co-leader, Diana Ho of PING, adds: “We feel that we’re meeting a need that we noticed was there. Once Committee members get used to us being there, there may be other uses for this Project team too.” She says that the Team can play a unique role in helping Committees understand the challenges and issues facing in-house counsel, as they deal with “real-world” issues every day that require both legal and business advice, ranging from brand protection to enforcement, the internet and globalization. Committee Vice Chair Chris Turk, of The H. D. Lee Company, agrees: “Sometimes as legal practitioners in general we lose sight of what’s important. This Team allows us to provide a check and balance to practice in reality rather than a hypothetical perspective.”

INTA at present has 986 corporate members, about one-third of them outside of the United States. About 20% of the more than 3,000 Committee volunteers work in-house, so there is plenty of scope for cross-pollination. After all, as Moro says, INTA is a brand-owner association: “In-house practitioners definitely can bring a real-time perspective and help people understand the issues that are facing us.”

It’s early days for the Team, but already they have some clear aims. One is to add more expertise from outside the US, to reflect the global membership of INTA. Another is to seek out information from other Committees about how in-house practitioners can help them. “Our role will be defined where other people think we can bring value,” says Fredericks.
Building strength through diversity

Candy Tan Avance, Group Legal Counsel for Sweetyet Development Limited, talks about the challenges of managing a diverse brand portfolio worldwide, dealing with parallel goods and how to prepare for Hong Kong taxi drivers.

How long have you been with Sweetyet Development Limited? What does your company do?
I have been with the SDL Group since 2011, so about three years now. I previously worked for a large law firm in the Philippines, before I moved to Hong Kong in 2011.

The SDL Group of Companies specializes in trading, licensing and distribution of consumer products. It has operations worldwide, with its headquarters in Hong Kong and affiliate offices in Singapore, Malaysia, Thailand, Indonesia, China, Australia, India, the United Arab Emirates, Cyprus and the Netherlands.

Sweetyet Development has also started to develop its own products branded under trademarks that it has purchased from a large multinational consumer goods company in the past eight years or so. One of them is MAZOLA, a brand of edible oil and other food products in Asia-Pacific and other regions. Another one is DENIM, our line of personal care products. DENIM is a worldwide brand, except for Europe and India. We also have ASEPSO, a soap brand that can be found worldwide.

How big is your team?
For trademark prosecution and registration, there are two of us on the team—me and a registration assistant, both based in Hong Kong. For brand protection and border protection matters, there are three people, including me, a person based in our Netherlands office and a person based in South Africa.

What are your responsibilities?
I manage the IP portfolio of the company worldwide, as well as everything to do with IP matters, such as infringement, border protection and brand protection. I am also responsible for the review and negotiation of contracts, for the product registration of our distributed products worldwide, as well as most other general legal matters.

Are there any countries where there have been particular problems?
We have had some issues in China, where our trademark ASEPSO was registered by a local company without our consent. Eventually we were able to obtain our ASEPSO mark through negotiations.

We are also currently having issues with registering our products in India and China, as the documentation required for product registration changes all the time!

What are the biggest trademark-related challenges that you face? How do you deal with them?
One notable challenge to mention may be the fight against gray market goods, sometimes referred to as parallel goods. This is an important issue for us since our company is in the business of distribution of goods. We just remain vigilant in our border protection measures.

When I say parallel goods, I don’t refer to parallel imports or gray market goods per se, but actually goods that may be considered infringing. I refer to goods that carry the same trademark, but the trademark is owned by different owners in different countries.

For example, we own the trademark for MAZOLA in the Asia-Pacific region, but some MAZOLA products owned by a different company for sale in a different market would find its way to our markets. These goods are not parallel imports or gray market goods because the trademark owner in the country of origin is a different company from the trademark owner in the country in which the product is imported to or sold. These are the type of goods that our company is challenged with. When faced with these goods, we take action against the importers or sellers of these products in our markets, as well as coordinate with the trademark owners of the brands where the product came from to try to stop spillover of their products into our markets.

We deal with online counterfeit sales as well. We would normally request the takedown of the pages selling the counterfeit products, and try to ascertain the origin of the counterfeit products so that we can take action against them.

You mentioned the need for vigilant border protection measures. What does this entail?
Well, this entails customs recordals in countries where we find our products to be most vulnerable to counterfeiting. We also join groups that are dedicated to brand protection matters in a particular country, such as the Quality Brands Protection Committee in China. The members of the group coordinate and share information and resources whenever possible. We also keep abreast with what is going on in the market, and keep a constant flow of information between customers and distributors, as these are good sources of information on counterfeit matters.

What qualities do you look for in outside counsel?
The most important qualities are competence, promptness in reply and value for money.

What activities do you recommend for INTA delegates visiting Hong Kong for the first time?
They should try the food! Hong Kong has a variety of food choices for the food adventurer, from the street food to fine dining cuisines. I also recommend that they download an app on their mobiles for translating the names of the major destinations and streets of Hong Kong into traditional Chinese characters, since there are many taxi drivers in Hong Kong who do not speak English well.
What are you most looking forward to doing in Hong Kong?

Nettaya Warncke, Donnern Somgijat & Boonma Law Office, Bangkok, Thailand - I am looking forward to meeting and catching up with colleagues and clients. But after that, I'm in a shopper's paradise. The weather makes no difference in Hong Kong; you can do so much even when it's raining outside.

Ranjan Narula, RNA IP Attorneys, Gurgoan, India - I'm most looking forward to having a chance to meet with old and new contacts. Of course, I'm also here for the good food, good parties, and the interesting people. After IN TA is done, I will also be contributing to the Hong Kong economy by taking in some shopping.

Ravi Ravindran, Ravindran & Associates, Singapore - The main thing for me is that this is the first time that the Annual Meeting is taking place in Asia. I'm interested to see what this means for everyone involved – the brands, the clients and the service providers. Asia is an increasingly important market, and this is a tip of the hat to that fact.

Karen Anne Hayne, Addisons, Sydney, Australia - I'm looking forward to indulging in the great food and scenery when the weather gets a little better. I'm also excited about the receptions and the chance to meet with colleagues. For me, Hong Kong is really about the sights, sounds and food.

Bruno Nunes, BN Lawyers, Macau - This is my first time at the Annual Meeting so I'm not sure what to expect. I'm from Macau so I'm close to Hong Kong, but for first-time visitors, I would recommend seeing the big Buddha on Lantau Island.

Niklas Mattsson, Awapatent, Malmö, Sweden - The last time I came I had a good hike on the Dragon's Back Trail on the eastern side of the Island; I also jogged the Peak last night. There's a lot of good shopping and sightseeing. This is my fifth time in Hong Kong and I really think it's the best mix of East and West.

Fred Onuobia, G Elias & Co, Lagos, Nigeria - I'm looking forward to the table topics and seminars. In particular, I'm interested in learning more about traditional marks.

Owen Gee, InCompass IP, Hong Kong - The main thing for me is catching up with the people that you work with throughout the year. For visitors, I recommend taking a chance to walk around the city and exploring many of the neat little neighborhoods, like the area around Star Street.

Antonella Scotton, Zanoli & Giavarini, Milan, Italy - The networking is an important part of it, meeting clients as well as assets that I've only worked with by email and phone. I also want to generate some new business opportunities.
Making the infringers pay

After years of revisions, China’s new Trademark Law has finally arrived. Celia Y. Li and Brandy Baker of Kangxin Partners explain how increased damages under the new law can help brand owners protect their marks.

What are some of the important changes that the Trademark Law bring to litigation proceedings?

Celia Y. Li:

Comparing with the previous Trademark Law, the new Trademark Law of PRC makes significant effort to provide trademark right holders with more comprehensive legal protection and enhance legal sanctions against bad-faith infringers, by modifying and/or adding provisions referring to recognition of infringement subject and activities, calculation method of compensation, burden of proof, etc. For details, please refer to our further discussion below.

1) Article 48 – Concept of ‘Use of Trademark’: specifying that “use of trademark” means using a trademark on goods, on the packages or containers of goods, in the trade documents of goods, or for advertisements, exhibitions, and other commercial activities for the purpose of identifying the origin of goods.

2) Article 57(2) – Modification of infringement elements over certain particular infringing activities: in the infringing activities that “Using a trademark similar to a registered trademark on identical goods or using a trademark identical with or similar to a registered trademark on similar goods”, adding “cause confusion among relevant customers” as a new element.

3) Article 57(6) – Specifying that anyone who intentionally “provides facilitation for infringement upon others” trademark right or aids others in committing such infringement” can be pursued as a joint defendant.

4) Article 58 – Specifying that the Anti-Unfair Competition Law of PRC will be applied in the event that any entity uses a registered trademark or an unregistered well-known trademark of others as a trade name in its business name to mislead the public, which constitutes unfair competition.

5) Article 63(1) – In Determination of Compensation, adding New Standard and explicating Statutory Order a) Apart from ‘actual loss’ and ‘benefit acquired from infringement’ which has been specified in the previous law, adding ‘reasonable royalties’ as a new standard.

b) Specifying the calculation order as i. ‘actual loss’, ii. ‘benefit acquired by infringer’ or iii. ‘reasonable royalties’.

6) Article 63(3) – Increasing the ceiling of statutory compensation. Where it is difficult to determine the actual losses suffered by the right holder from the infringement, the profits acquired by the infringer from the infringement, or the royalties of the registered trademark, the court may award damages of not more than CNY 3 million according to the circumstances of the infringement.

7) Article 63(1) – Adding punitive damages provision. If the infringement is committed in bad faith with serious circumstances, the amount of damages shall be the amount, but not more than three times the amount, determined by the methods under Article 63(1).

8) Article 63(2) – Rearrangement of burden of proof. Where the right holder has made its best efforts to adduce evidence but the account books and materials related to infringement are mainly in the possession of the infringer, in order to determine the amount of damages, the court may order the infringer to provide such account books and materials; and if the infringer refuses to provide the same or provides any false ones, the court may determine the amount of damages by reference to the claims of and the evidence provided by the right holder.

9) Article 64 – Adding ‘non-use for last three years’ defense. If the trademark right holder is neither able to prove its actual use of the registered trademark in the last three years nor able to prove that it has suffered other losses from the infringement, the alleged infringer shall not be liable for damages.

Many rights holders complain about the relatively low damage awards in China. What has the new Trademark Law done to address this?

Brandy Baker: Keep in mind that in addition to increased damages, fines in administrative enforcement cases have also been increased. This is to ensure that infringers face severe penalties.

Celia Y. Li: The maximum statutory compensation is RMB 500,000 ($80,300) under the old law. For the purposes of improving the protection of trademark rights and further cracking down on trademark infringement, the maximum statutory compensation is increased to RMB 3 million under Article 63(3) of the new Trademark Law.

In addition, the old law did not provide for punitive damages, courts did not have a legal basis to suitably punish certain bad faith infringers. In response to this, Article 63 of the new Trademark Law imposes punitive damages against willful infringement and stipulates that the amount of punitive damage could be triple the amount of the potential registered trademark-licensing fee, right holders’ actual loss or infringer’s gains.

Brandy Baker: Keep in mind that in addition to increased damages, fines in administrative enforcement cases have also been increased. Where revenue exceeds RMB 50,000, fines may be up to five times the profits made. If revenue is less, the fine may be as much as RMB 250,000. Fines have also been increased for repeat offenders.

How can rights holders take advantage of these increased damages?

Li: In order to obtain more compensation in an infringement lawsuit, the rights holder should pay attention to collecting the day-to-day profits records, which can be valuable proof of actual loss due to the infringement. Proof of the infringer’s profit obtained through infringing activities is also important, which could be revealed through a well-organized investigation, even it can be extremely difficult sometimes.

In addition, because to the new Trademark Law adds non-use for three consecutive years as a defense against compensation claims, it is crucial to collect and retain proof of use of your mark in the Chinese market.

Furthermore, in trademark proceedings, the warning letter will be very important in the determination of bad faith, which could provide the rights holder significant help in claiming punitive damages pursuant to Article 63.

Does the trademark law make it easier to get evidence to support damages claims? If so, what are they and how can rights holders use these provisions?

Li: No law can make it easier to get supporting evidence in any proceedings in China. Instead, Article 63(3) of the
new Trademark Law rearranges the burden of proof when determining compensation, which lessens the burden on the plaintiff and transfer them partially to the defendant's side if certain specified requirements are satisfied.

The Chinese civil law system does not have a discovery process. Therefore, it can be difficult for claimants to obtain proof of the extent or scope of the defendant’s sales, when determining compensation, which lessens the burden of proof. When determining compensation, which lessens the burden of proof, the court will be able to play a larger role in requiring production of evidence by the defendant in order to determine damages. Where a defendant refuses to comply, the courts can even the playing field by giving more weight to the plaintiff's claim as evidence in the related judicial proceedings. Furthermore, decisions against repeat offenders may act as a nuclear weapon in proving the infringer’s bad faith, which may lead to punitive damages judgment.

In these situations, pre-litigation investigations will be much more important in proving both the defendant's profit and the plaintiff's efforts at obtaining such evidence.

Baker: Getting evidence can be incredibly difficult given that the burden of proof is largely placed on the plaintiff. However, with the new amendments, the court will be able to play a larger role in requiring production of evidence by the defendant in order to determine damages. Where a defendant refuses to comply, the courts can even the playing field by giving more weight to the plaintiff’s claimed damages. Further, the courts will continue to assist in pre-litigation evidence preservation, which also helps relieve the extreme difficulties plaintiffs often face in evidence production.

An infringer who has been punished by the relevant AIC twice within 5 years will receive heavier punishment.

Celia Y. Li

Are there any provisions in the new Trademark Law that deal with repeat offenders? How can rights holders take advantage of these provisions?

Li: Under the old trademark law, the Administration of Industry and Commerce (AIC) could only impose fines of no more than three times the illegal operation amount. In cases where the amount cannot be determined, the fine could not be over RMB100,000 ($16,000).

The new Trademark Law grants the AIC a right to issue a more severe punishment against infringers. Article 60 stipulates that the AIC has the right to impose fines of no more than five times the illegal operation amount where the amount is over RMB20,000. In cases where the amount is less than RMB50,000 or cannot be determined, the fine is capped at RMB250,000.

More significantly, an infringer who has been punished by the relevant AIC within 3 years will receive heavier punishment. Even though the right holder cannot obtain any compensation from an AIC action, the favorable administrative decision issued by AIC will be considered as very solid evidence in the related judicial proceedings. Furthermore, decisions against repeat offenders may act as a nuclear weapon in proving the infringer’s bad faith, which may lead to a punitive damages judgement.

Bandra B. Churchwell

Brandy E. Baker

U.S. Attorney at Law
Member of the Illinois Bar
Member of New York Bar

Specialities
IP Transactions and Due Diligence, IP Strategy Consultancy, IP Dispute Resolution Consultation, IP Enforcement, United States Intellectual Property Law, United States Corporate and Commercial Law

Ms. Baker obtained her Bachelor degree from Arizona State University and Juris Doctorate from The John Marshall Law School in Chicago. Ms. Baker’s experience in intellectual property began in Singapore where she studied international intellectual property law at the National University of Singapore and was an intern within the intellectual property department at a large Singaporean law firm. Prior to joining Kangxin, Ms. Baker advised foreign and domestic clients on corporate, commercial, and intellectual property related matters in Vietnam and China.

At Kangxin, Ms. Baker assists the firm's international clients on a wide-range of intellectual property issues. Much of Ms. Baker’s work is focused on establishing ideal intellectual property and business strategies for both large and small entities who enter the Chinese market as well as providing advice in ongoing enforcement matters.

Languages
English, Chinese, Spanish

Sponsored discussion: Trademark damages

Celia Y. Li (李亚莉)

Partner
Attorney-at-Law
Trademark Attorney

Ms. Li obtained her Bachelor of Arts degree in business management from Hebei Economic and Trade University in 1996. She then received her Master of Law degree from Renmin University of China in 2003. In 2011, Ms. Li graduated from Ohio State University, Moritz College of Law, in the United States, where she obtained a Master of Law degree with a concentration on IP law. Ms. Li has been admitted as an attorney-at-law in China since 2000.

Before joining Kangxin Partners, P.C. in 2004, Ms. Li worked at the Hebei Provincial High Court for six years where she developed extensive knowledge on the Chinese legal system and IP law and regulation. With her abundant practical experience in IP litigation and familiarity with IP related judicial proceedings, she is able to ensure a high success rate in the cases she is involved in. In addition to her experience in China, from 2011 to 2012, Ms. Li worked as foreign counsel within the IP department of Porter Wright, LLP in Columbus, Ohio, US.

Ms. Li specializes in litigation relating to patent and trademark infringement, and can assist clients in developing IP strategies in China, IP investigation, IP administration, unfair competition, arbitration, customs’ protection, as well as anti-infringement services.

Ms. Li is the exclusive winner of the Client Choice Awards 2014 in the IP – Trademarks category for China, which is selected by International Law Office (ILO).
## Today’s Schedule | Sunday, May 11, 2014

All events take place at the Hong Kong Convention and Exhibition Centre (HKCEC) unless otherwise indicated.

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 am - 8:00 am</td>
<td>Academic Course Networking Breakfast</td>
<td>S427</td>
</tr>
<tr>
<td>8:00 am - 5:00 pm</td>
<td>Academic Course on International Trademark Law-Day 2</td>
<td>S428</td>
</tr>
<tr>
<td>8:00 am - 10:00 am</td>
<td>Famous &amp; Well-Known Marks - Europe &amp; Central Asia Subcommittee</td>
<td>S221</td>
</tr>
<tr>
<td>8:00 am - 10:00 am</td>
<td>Famous &amp; Well-Known Marks - Latin America &amp; Caribbean Subcommittee</td>
<td>N206-N207-N208</td>
</tr>
<tr>
<td>8:00 am - 7:00 am</td>
<td>Internet Committee – Domain Disputes, Ownership &amp; Whois Subcommittee</td>
<td>S426</td>
</tr>
<tr>
<td>8:00 am - 7:00 am</td>
<td>Registration Information booth</td>
<td>Mezzanine</td>
</tr>
<tr>
<td>8:00 am - 7:00 pm</td>
<td>Hospitality Tour Desk</td>
<td>Hall 3FG</td>
</tr>
<tr>
<td>9:00 am - 10:00 am</td>
<td>Anticounterfeiting Committee Cross-Subcommittee Anticounterfeiting Policy Task Force Meeting</td>
<td>N111-N112</td>
</tr>
<tr>
<td>9:30 am - 11:30 am</td>
<td>Breakfast Table Topics</td>
<td>N201</td>
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<tr>
<td>10:15 am - 12:15 pm</td>
<td>Committee Meetings</td>
<td>N111-N112</td>
</tr>
<tr>
<td>11:00 am - 1:00 pm</td>
<td>Committee Meetings</td>
<td>N101-N102</td>
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<tr>
<td>11:00 am - 1:00 pm</td>
<td>In-House Practitioners Luncheon and Workshop (Luncheon and Keynote Portion)</td>
<td>N101A</td>
</tr>
<tr>
<td>12:00 pm - 1:30 pm</td>
<td>Academic Course Networking Luncheon</td>
<td>S427</td>
</tr>
<tr>
<td>12:00 pm - 2:00 pm</td>
<td>Luncheon Table Topics</td>
<td>N201</td>
</tr>
<tr>
<td>12:00 pm - 5:00 pm</td>
<td>Exhibition Hall</td>
<td>Hall 3FG</td>
</tr>
<tr>
<td>12:30 pm - 1:15 pm</td>
<td>Committee Meetings</td>
<td>N211-N212</td>
</tr>
<tr>
<td>1:30 pm - 2:15 pm</td>
<td>Emerging Issues - FULL COMMITTEE</td>
<td>N101A</td>
</tr>
<tr>
<td>1:30 pm - 2:30 pm</td>
<td>Anticounterfeiting Committee - Full Committee</td>
<td>S221</td>
</tr>
<tr>
<td>1:30 pm - 3:30 pm</td>
<td>Japan Patent Office (JPO) User’s Meeting: Recent Activities and Examination Practices for Trademarks in Japan Open to All</td>
<td>N101B</td>
</tr>
<tr>
<td>1:30 pm - 4:45 pm</td>
<td>In-House Practitioners Luncheon and Workshop (Workshop Portion) (By invitation only; advance registration required)</td>
<td>N101B</td>
</tr>
<tr>
<td>2:00 pm - 3:00 pm</td>
<td>Speed Networking</td>
<td>Hall 3FG</td>
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<tr>
<td>2:00 pm - 3:15 pm</td>
<td>What Role Will Trademarks Play in the Future of Asia? - Intermediate Level</td>
<td>Convention Hall BC</td>
</tr>
<tr>
<td>2:15 pm - 3:30 pm</td>
<td>Committee Meetings</td>
<td>N211-N212</td>
</tr>
<tr>
<td>2:30 pm - 4:30 pm</td>
<td>CTM and RCD Users’ Meeting Organized by the Office for the Harmonization in the Internal Market (DHI)</td>
<td>Convention Hall A</td>
</tr>
<tr>
<td>2:45 pm - 4:45 pm</td>
<td>Committee Meetings</td>
<td>N211-N212</td>
</tr>
<tr>
<td>3:00 pm - 5:00 pm</td>
<td>Afternoon Tea Table Topics</td>
<td>N201</td>
</tr>
<tr>
<td>3:30 pm - 4:45 pm</td>
<td>ROCK ‘N’ RULE the Podium: How NOT to Give a Lousy Presentation Beginner to Intermediate Level</td>
<td>Theatre 1</td>
</tr>
<tr>
<td>5:00 pm - 7:00 pm</td>
<td>Welcome Reception</td>
<td>Grand Hall</td>
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</tbody>
</table>

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For nearly forty years, the BSKB name has meant expertise in U.S. intellectual property law. We empower our clients with the IP services they need, and the high-tech forward thinking they deserve.

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