

Wanhuida Partner speaks at 2024 HFCIP in Beijing

Time: Apr 23
2024

On 23rd April 2024, the “2024 High-level Forum on China IP Protection” (HFCIP), which is jointly organized by China Intellectual Property News (CIPN) and World Intellectual Property Organisation Office in China (WOC), is convened in Beijing.

Themed “*Revolution and Sustainability: IPR advances new quality productive forces*”, the forum features heavyweight speakers, thought-provoking programs and in-depth discussions.

The forum kicks off with the keynote speech of Shen Changyu, Commissioner of the China National Intellectual Property Administration (CNIPA), Tao Kaiyuan, Vice President, Supreme People’s Court, Shi Weizhong, Full-time Member (Vice-Ministerial Level), Procuratorial Committee, Supreme People’s Procuratorate, Mu Peng, Vice Mayor of Beijing Municipality, as well as Wang Binying, Deputy Director General, World Intellectual Property Organisation. The opening ceremony was hosted by Hu Wenhui, CNIPA Vice Commissioner.

The forum consists of four panels: “*Creation & Transformation: Building Innovative Ecosystem*”, “*Protection & Utilisation: Fueling New Drive for Development*”, “*Brand & Development: Promoting Competitive Soft Power*” and “*GI & Sustainability: Activating Regional New Drive*”.

Dr. Huang Hui, Partner and Management Committee member of Wanhuida Intellectual Property, shares insights on “*Building Constructive Interaction between Trademark Registration and Use*” in Panel 2.



Dr. Huang Hui

Dr. Huang explicitly advocates to borrow the EU practice and introduce the intervening right in the China Trademark Law by requiring that where the holder of a trademark that has been registered for more than three years files an opposition or an invalidation action against a subsequent trademark, the applicant or owner of such subsequent trademark may request that evidence of use of the cited trademark be produced. This should markedly stem trademark hoarding, free up trademark resource and lower the cost of trademark surveillance.

On top of that, he proposes that intentional repetitive registrations should be treated as bad faith registration and that the threshold of protection for well-known marks should be lowered to discourage the registration of defensive marks. In other words, the more well-known marks can play a role in combating dilution and free riding, the less need there is for the defensive mark system, and the better the balance between registration and use of marks can be maintained, thereby smoothing out the relationship between the two and achieving the ideal state of "those who are registered are used, and those who are used are registered."

The forum attracts delegates from ministries, IP administration departments, innovative corporations both at home and abroad, as well as law firms and academia.

The firm's Partners Li Jie and Shi Liyan, Attorneys-at-law Liao Ting and Liu Hengzhi also attend the forum.



Attendees