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Schiff brand prevails after Supreme Court concludes 13-year trademark squatting saga

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Hu Meili, 03 June 2026, first published by [IAM](#)

Precis: Having spanned 45 opposition, invalidation and non-use cancellation cases and 10 administrative litigation proceedings, the Schiff trademark saga underscores a loophole in China's Trademark Law. The law should include a provision that allows the courts to order the bad-faith party to pay damages to the other party.

On 19 March 2026, the Supreme People's Court issued a landmark judgment in a squatting case involving Reckitt Benckiser and individual Jianglin Huo.

Trademark squatting and massive hoarding remains a major IP challenge in China. In practice, most brand owners do not adopt full-class registration due to cost control, and not every brand owner can invoke well-known trademark status to support cross-class protection. As a result, squatters can easily register identical or similar marks in non-similar classes with no genuine intention to use. Such registrations often survive initial oppositions and invalidations due to the focus on similarity of goods rather than bad-faith hoarding in the trademark examination process.

The Schiff trademark saga sets a landmark precedent, spanning 13 years, involving 45 interrelated cases of trademark opposition, invalidation and non-use cancellation, plus 10 administrative litigation proceedings, ending with the brand owner's victory after years of repeated setbacks.

Background

Reckitt Benckiser, owner of the renowned dietary supplement brand Schiff with a history of nearly 70 years, first launched its SCHIFF trademark in the Chinese market in 1999 and rapidly established a strong reputation in China.

In 2011, an individual named Jianglin Huo and his affiliated companies launched a malicious trademark squatting campaign against the Schiff brand, applying for 82 marks copying 'Schiff' and its Chinese translation '希夫' across 17 vastly divergent classes covering cosmetics, healthcare products, medical devices, food and retail services, among others.

Years of relentless enforcement

Reckitt's first trademark opposition was initiated on 13 March 2013 against the squatter's earliest conflicting mark in Class 35. Between 2013 and 2020, Reckitt filed a dozen oppositions against Huo's Schiff-related marks. Without exception, the China National Intellectual Property Administration (CNIPA) dismissed the oppositions, holding that the goods and services differed in function and purpose, did not constitute similar items and would not cause consumer confusion. The CNIPA further ruled that evidence of malicious copying and adverse market impact was insufficient.

Facing deadlock in opposition proceedings, Reckitt adjusted its strategy and targeted the squatter's lack of actual use.

Reckitt filed non-use cancellation applications against several of the squatting marks. Huo chose not to respond and the CNIPA consequently ruled to cancel the registrations in accordance with article 49 of the Trademark Law.

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The non-use cancellation success became the turning point of the entire campaign.

Reckitt then conducted a comprehensive review of all the pending cases and launched a first round of invalidation applications, alleging violations of article 4 (bad-faith registration without genuine intent to use), article 13 (well-known trademark), article 30 (similar mark on similar goods) and article 44(1) (registration obtained by other improper means) of the Trademark Law.

The first two invalidation applications were initiated on 25 December 2020 against the SCHIFF mark in Class 35. A third invalidation application ensued on 20 October 2021 against the SCHIFF mark in Class 31. On 14 October 2021 and 30 September 2022 respectively, the CNIPA ruled against Reckitt, concluding that the evidence was insufficient to support any of its claims in both the Class 35 and Class 31 invalidations.

Reckitt appealed to the Beijing IP Court for a reexamination of the Class 35 invalidation cases and the Class 31 invalidation case. Huo did not respond to any of the arguments, nor did he appear in court.

On 24 July 2023, the Beijing IP court dismissed Reckitt's claims in the Class 35 invalidation cases, considering that bad faith was not sufficiently proven. Reckitt appealed to the Beijing High Court, which upheld the first-instance judgment on 2 April 2024.

Meanwhile, Huo repeatedly re-applied for identical or similar marks after previous ones were cancelled.

However, the Class 31 invalidation case had a different result. On 29 September 2024, the Beijing IP Court explicitly recognised the squatter's bad faith.

Therefore, on 23 July 2024, Reckitt filed a petition for retrial with the Supreme People's Court, seeking to overturn the unfavourable rulings in the Class 35 invalidation cases. The court issued its landmark judgment on 19 March 2026, finding that the squatter had:

- filed 82 trademark applications across 17 unrelated classes;
- copied well-known prior brands and scenic names;
- repeatedly re-applied for cancelled marks; and
- publicly offered trademarks for sale, which clearly constituted bad-faith trademark registration without genuine intention to use under article 4 of the Trademark Law.

The court determined that the intention to free-ride and make profits was obvious. Such conduct disrupted the trademark registration order, improperly occupied public resources and harmed public interest, falling within the scope of "other improper means" under article 44(1) of the Trademark Law.

Key takeaways

When the CNIPA or the courts hold that goods and services are not similar and reject likelihood of confusion, invoke absolute grounds. Article 4 (bad-faith registration without genuine intention to use) and article 44(1) (registration acquired by other improper means) provide a stronger legal basis to combat massive trademark hoarding.

Non-use cancellation is a powerful weapon against trademark squatters. Most trademark squatters have no real commercial use. Filing non-use cancellation can directly eliminate squatting marks and obtain critical evidence for subsequent invalidation and litigation.

Persistence and exhaustion of all legal remedies are essential. Trademark-squatting cases often face repeated setbacks in early administrative and court procedures. This case demonstrates that international brand owners shall commit to long-term enforcement and exhaust all available legal remedies to secure support from China's highest judicial authority.

Finally, this prolonged case is another illustration of a loophole remaining in the Trademark Law that the legislator might be well inspired to re-examine: the time and resources invested in all these years of administrative proceedings and litigation before the CNIPA and the courts are considerable and cannot be reimbursed in the end by the bad-faith applicant. Therefore, what is missing in Chinese trademark law is a provision that allows the courts to order the losing party that acted in bad faith to pay damages to the other party.