

Measures for the Administration of Special Signs of Geographical Indication Products

Full text

Article 1 In order to strengthen the protection of geographical indications, maintain legitimate rights and interests of geographical indication registrants, regulate the use of special signs of local geographical indication products (hereinafter referred to as the “special signs”) and promote the development of geographical indication products, the Measure is formulated pursuant to the Trademark Law of the People’s Republic of China, the Regulations for Implementation of the Trademark Law of the People’s Republic of China, and the like.

Article 2 For the purpose of this Measure, special signs refer to special signs established by the Trademark Office of the State Administration for Industry and Commerce for geographical indication products, so as to indicate that the geographical indication products using the said special signs have been registered with the approval of the Trademark Office of the State Administration for Industry and Commerce.

Article 3 Basic devices of special signs are composed of the Chinese and English names of the Trademark Office of the State Administration for Industry and Commerce, the wordings of Chinese geographical indications, GI based fonts, pictures of wheat and the Temple of Heaven. Green (C:60 M:0 Y:100 K:0; C:100 M:0 Y:100 K:50) and yellow (C:0 M:20 K:100 K:0) are the basic colours forming the special signs.

Article 4 Legal users of registered geographical indications may concurrently use special signs on their geographical indication products and indicate the registration numbers of such geographical indications.

Article 5 Special sign users may use special signs on commodities, commodity packages or containers, or in advertising campaigns, exhibitions and other commercial activities.

Article 6 No charges shall be payable for the use of special signs.

Article 7 Special signs shall be used together with geographical indications, not used by themselves.

Article 8 Geographical indication registrants shall supervise use of special sign users. Special signs shall be used in such patterns of special signs as promulgated by the Trademark Office of the State Administration for Industry and Commerce, and shall not be changed without approval.

Article 9 Where special signs are official signs protected under Article 10 of the Trademark Law of the People’s Republic of China, administrative departments for industry and commerce at all levels shall administer such special signs. Where special signs are used without approval or any user uses signs similar to special signs without approval, administrative departments for industry and commerce at different levels may, in accordance with the Trademark Law of the Peoples Republic of China, the Regulations for Implementation of the Trademark Law of the Peoples Republic of China and other

pertinent provisions, investigate and punish the said uses.

Article 10 The Measure is subject to the interpretation of the State Administration for Industry and Commerce.

Article 11 The Measure will come into force January 30, 2007.