

## **Madrid Protocol Concerning the International Registration of Marks**

### **Collective and Certification Marks: China**

1. The China National Intellectual Property Administration (CNIPA) has drawn the attention of the International Bureau of the World Intellectual Property Organization (WIPO) to specific requirements applicable to collective and certification marks that are the subject of international registrations designating China.
2. Pursuant to the law and regulations of trademarks currently in force in China, the holder of a collective mark or of a certification mark is required to submit the following documentation to CNIPA when China has been designated in an international application or in a subsequent designation under the Madrid Protocol:
  - an attestation of the status of the holder of the mark, such as a copy of the entry in the Register of Industry or Commerce, or a copy of the entry in the Register of Associations; and
  - regulations concerning the use of the mark, including, in the case of a collective mark, the name and address of each member of the organization in the name of which the mark is registered.
3. In the case of a certification mark, Chinese trademark law additionally requires the presentation of a document attesting that the holder of the mark is qualified to inspect specific goods or services and ensure that they are of the appropriate quality.
4. In the case of a geographical indication being applied for registration as a collective or certification mark, the documentation should additionally contain:
  - an indication of the specific quality, reputation or other characteristics of the goods identified by the geographical indication, the geographical area covered by the geographical indication as well as the relationship between the characteristics of the goods concerned and the natural and human factors of the area of the geographical indication;
  - if the holder of the mark is a foreigner or foreign enterprise, a document attesting that the protection of the geographical indication has been granted in the name of the said holder in the country of origin; and
  - a document attesting that the holder of the mark is qualified to inspect the goods and ensure that these goods are of the appropriate quality.

5. The above-mentioned documentation should be submitted directly to CNIPA, in Chinese or accompanied by a Chinese translation, by a representative established in China, within three months from the date of notification of the international registration or subsequent designation, as the case may be. In default, or in the event that the documentation does not comply with the requirements of Chinese trademark law, CNIPA notifies a refusal of protection accordingly.
6. The submission of the above-mentioned documentation is not subject to the payment of a fee.
7. The present Information Notice supersedes Information Notice No. [7/2005](#).
8. Users are invited to contact CNIPA for further information on this matter.

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