



# Monthly Updates on Intellectual Property

知识产权国际动态月刊

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# 立法动态 Legislation Updates

## 2025 年 1 月 1 日起执行的 PCT 申请国际阶段费用的人民币标准

根据国家知识产权局与世界知识产权组织签订的《关于〈专利合作条约〉(PCT) 费用汇交的谅解备忘录》，国家知识产权局按世界知识产权组织公布的人民币标准代世界知识产权组织国际局收取 PCT 申请国际阶段费用。

### 一、2025 年 1 月 1 日起执行的人民币标准

根据世界知识产权组织公布的 2025 年 1 月 1 日起执行的 PCT 申请国际阶段费用的人民币标准，国家知识产权局将按以下标准收取 PCT 申请国际阶段费用。

PCT 申请国际阶段费用标准（金额单位：人民币 元）

#### （一）代国际局收取的国际申请费

序号	费用种类	2025 年 1 月 1 日起执行	2024 年 1 月 1 日起执行
1.	国际申请文件不超过 30 页	10990	10620
2.	超出 30 页每页加收	120	120
3.	电子方式提交减缴（PDF 格式）	1650	1600
4.	电子方式提交减缴（XML 格式）	2480	2400

#### （二）代国际局收取的手续费 1650（2024 年执行费用 1600）

如因汇率波动过大等原因需调整标准将另行公布。

### 二、适用范围

向国家知识产权局提交且收到日在 2025 年 1 月 1 日（含当日）之后的 PCT 申请的国际申请费，以及收到日在 2025 年 1 月 1 日（含当日）之后的 PCT 国际初步审查要求的手续费，适用本标准。

除代国际局收取的费用之外，检索费等国家知识产权局收取的费用标准保持不变，具体见国家知识产权局网站发布的《专利收费、集成电路布图设计收费标准》。

## **The RMB Standard for the PCT Fees in the International Phase to Be Implemented from January 1, 2025**

According to the *Memorandum of Understanding on the Fees Transfer under the Patent Cooperation Treaty (PCT)* signed between the China National Intellectual Property Administration (CNIPA) and the World Intellectual Property Organization (WIPO), the CNIPA charges the PCT fees in the international phase for the International Bureau of WIPO in accordance with the RMB standard published by the WIPO.

### **1. The RMB standard to be implemented from January 1, 2025**

According to the RMB standard for PCT fees in the international phase to be implemented from January 1, 2025, as announced by the WIPO, the CNIPA will charge according to the following standards (in RMB).

#### **(a) the filing fees charged by CNIPA for the International Bureau**

Serial number	Type of fee	Implemented from January 1, 2025	Implemented from January 1, 2024
1.	The international application document does not exceed 30 pages	10990	10620
2.	Beyond 30 pages, each page will be charged	120	120
3.	Deductions in the case of electronic submission (PDF Format)	1650	1600
4.	Deductions in the case of electronic submission (XML Format)	2480	2400

#### **(b) service charge of 1650 for the International Bureau (the amount was 1600 in 2024)**

If the standard needs to be adjusted due to excessive exchange rate fluctuations and other reasons, the fee schedule will be renewed.

### **2. Applicable situations**

This standard applies to the filing fee for PCT applications filed with the CNIPA with a date of application receipt on or after January 1, 2025, and the fee for PCT international preliminary examination with a date of requirement receipt on or after January 1, 2025.

Except for the fees collected on behalf of the International Bureau, the search fees and other fees charged by the CNIPA remain unchanged, as detailed in the "Patent Fees and Integrated Circuit Layout Design Fee Standards" published on the website of the CNIPA.

## 越南 2025 年工业产权官费有变化

### 恢复正常费用

根据越南知识产权局于 2024 年 12 月 31 日发布的第 4090/TB-SHTT 号通知，某些工业产权费用减免 50% 的政策将于 **2025 年 1 月 1 日** 结束，为连续六次费用减免（延期）画上了句号。这些减免旨在帮助企业度过 COVID-19 大流行期间面临的困难。

从 2025 年 1 月 1 日起，知识产权费用将恢复为财政部于 2016 年 11 月 14 日发布的第 263/2016/TT-BTC 号通知中规定的标准费率。

### 在线程序继续减费

最新通知还强调了在线程序的费用继续实行减免，有效期从 2024 年 1 月 1 日至 **2025 年 12 月 31 日**。根据 2023 年 10 月 16 日的第 63/2023/TT-BTC 号通知，第 263/2016/TT-BTC 号通知 A 项中列出的在线知识产权程序费用可享受 50% 的费用减免。该政策旨在鼓励使用在线公共服务，具体程序包括：

- 知识产权申请提交
- 专利和商标证书授予
- 知识产权转让备案
- 专利年费支付和商标续展
- 专利和商标的终止和无效
- 知识产权律师证书授予
- 知识产权代理人的公布和注册。

目前，在线知识产权程序仅限于专利、工业品外观设计和商标申请。其他程序仍在开发中，有待将来正式投入使用。

## Update on official industrial property fees in Vietnam for 2025

### Return to Normal Fees

According to Notice No. 4090/TB-SHTT, issued on 31 December 2024, by the Intellectual Property Office of Vietnam, the policy of a 50% reduction in certain Industrial Property (IP) fees will end on **1 January 2025**. This concludes six consecutive periods of fee reductions, which were introduced to assist businesses facing difficulties during the COVID-19 pandemic.

From 1 January 2025, the IP fees will revert to the standard rates stipulated in Circular No. 263/2016/TT-BTC, issued by the Ministry of Finance on 14 November 2016.

### **Continued Fee Reductions for Online Procedures**

The Notice also highlights an ongoing fee reduction for online procedures, effective from 1 January 2024 to **31 December 2025**. Under Circular No. 63/2023/TT-BTC, dated 16 October 2023, a 50% fee reduction applies to fees listed in Item A of said Circular No. 263/2016/TT-BTC for online IP procedures. This policy aims to encourage the use of online public services and includes:

- Filing of IP applications
- Granting of patents and trademark certificates
- Recordals of IP assignments
- Payment of annuities and renewals for patents and trademark certificates
- Terminations and invalidations for patents and trademark certificates
- Granting of IP attorney certificates
- Publication and registration of IP agents.

Currently, online IP procedures are limited to filing patents, industrial design, and trademark applications. Other procedures are still under development and will be available for official use in the future.

## 商标注册趋于严格——香港细化拒绝商标注册的绝对理由

香港商标注册处已对其《商标注册处工作手册》中有关「拒绝的绝对理由」的章节作出重大更新。修订内容包括：

（一）就“条例第 11(4)(a)条—违反广为接受的道德原则的标记”、“条例第 11(4)(b)条—相当可能会欺骗公众的标记”及“条例第 11(5)(a)条—由于任何法律遭禁止在香港使用”详细说明注册处惯常的审查做法；

（二）作各种各样的杂项文本修订。

### 主要变化

#### 1. 第 11(4)(a)条：违反公认的道德原则的标志

本款澄清并强调商标注册涉及道德原则，与政治正确无关。除了可能被视为冒犯性或粗俗的商标外，注册处还补充说明任何全部或部分包含以下任何标志的商标，无论其申请的商品或服务如何，都将被拒绝注册：

- 通常透过传播、煽动或蔑视非法活动而可能造成不利于国家安全、主权、统一、名誉或领土完整；社会治安或秩序；及人身安全的标志；
- 以明确或暗讽的方式，与令人反感、不雅或令人愤慨的意思、行为或活动有联系或关联的标志，例如煽动仇恨或以其他方式传播对某种族、团体、性别、宗教、习俗或信仰带有侮辱/有辱人格/贬损意味的讯息的标志；
- 在未获授权的情况下，与政府（包括中央人民政府）领导、当局或机关的个人姓名/徽章/地标相同或相似的标志；
- 基于某部分公众可能对把广为人知的不幸事件或其他令人震惊/不安的事件商品化此行为感到反感，载有对该等事件的提述或与其有联系或关联的标志。

#### 2. 第 11(4)(b)条：可能欺骗他人的商标

本款中，除“……制 / ……制造 / ……进口 / ”等字眼或字体外，注册处还添加了“……出口”等字眼，用以说明如果以上类似字眼出现在标志的地理说明中，然而该地方并非以相关货品的品质驰名，或者有关货品是由别处进口 / 出口或在别处制造，那么有关标记便有欺骗成分。另一个含有欺骗成分的标记的例子是一个让人意会具备官方认可，但事实上并无官方认可的标记。

#### 3. 第 11(5)(a)条：因违背法律在香港遭禁用

注册处增加了一个商标注册可能遭拒绝的例子，即如果使用某标记会构成《中华人民共和国香

港特别行政区维护国家安全法》及/或《维护国家安全条例》（文件 A305）所指的罪行，那么可根据本条提出反对。

## **Hong Kong Updated on Absolute Grounds for Refusal of Trade Marks**

The Trade Marks Registry of IPD HKSDR has made significant updates to the Chapter on the “Absolute Grounds for refusal” in its Trade Marks Registry Work Manual. It has been revised to elaborate the Registry’s examination practice in the sections on “Section 11(4)(a) – marks contrary to accepted principles of morality”, “Section 11(4)(b) – marks that are likely to deceive”, and “Section 11(5)(a) – use prohibited in Hong Kong by virtue of any law”; besides, various miscellaneous textual amendments are also made.

### **Key Changes in Examination Practices**

#### **1. Section 11(4)(a) – Marks Contrary to Accepted Principles of Morality**

This section has been clarified to emphasize that it addresses principles of morality rather than political correctness. In addition to marks that may be considered offensive or vulgar, the Registry has added that marks containing in whole or in part, any sign that consists of any of the following will be refused registration regardless of their applied for goods or services:

- may be contrary to the interests of national security, sovereignty, unity, reputation or territorial integrity; public security or order; and personal safety, notably through transmitting, inciting or trivializing an illegal activity;
- is, either explicitly or by insinuation, associated or connected with an offensive, indecent or outrageous meaning, conduct or activity, e.g. a sign that incites hatred or otherwise transmits an insulting/degrading/disparaging message towards a particular race, group, gender, religion, institution or belief;
- is, without authorization, identical to or resemble individual names/emblems/landmarks of government leadership, authorities or agencies (including those of the Central People’s Government); or
- contains references to or is associated/connected with any well-known tragedy or otherwise shocking/disturbing event, as likely to be considered amongst a section of the public as offensive through commercialization.

#### **2. Section 11 (4)(b) – Marks Likely to Deceive**

Under this section, in addition to words such as “made/made in/imported from” a geographical place, the Registry has added that if the mark includes words or characters such as “exported from” a geographical

place even if the area is not famous for the quality of the specified goods and the goods are imported/exported from or made elsewhere, the mark would be considered deceptive. The Registry has also added that marks suggesting official approval without any actual endorsement are also classified as deceptive.

3. Section 11(5)(a) – Use Prohibited in Hong Kong by Virtue of Any Law

The Registry has added an example of trade marks which may be objected under this section if the use of the trade mark constitutes an offence under The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region and/or the Safeguarding National Security Ordinance (Instrument A305).

## 韩国修订的专利期限延长制度后，对制药行业有何影响？

### 背景

与其他国家的专利制度不同，韩国之前的《专利法》中，药品专利的专利期限延长不存在从上市许可日期起的时间限制，并且对单次监管批准中允许延长的专利数量没有限制，故而单次药品许可中允许延长多项专利——例如化合物、用途、制剂和剂量方案专利。

韩国制药行业表示担心，韩国的专利期限延长制度会导致外国药品开发商在韩国药品市场的长期垄断，这反过来将推迟更为便宜的仿制药的推出，因此，与包括美国和欧洲在内的其他国家的制度相比，韩国的这种制度为外国专利持有人提供了程度不等的利好。批评者认为，韩国本土仿制药的延迟进入市场限制了公众获得平价药物的途径，并可能使医疗保险资金紧张。

### 修订后的专利法

2024 年 12 月 27 日，为了回应相关担忧，韩国国会通过了《专利法》修订案，其中主要规定如下：

- (i) 专利期限不能超过自上市许可之日起 14 年；
- (ii) 每次批准只有一个专利有资格延长。

《专利法》修订案预计最早于 2025 年 1 月颁布，并将于颁布六个月后生效，即可能于 2025 年 7 月生效。此修订将适用于在生效日期之后提交的专利期限延长申请。

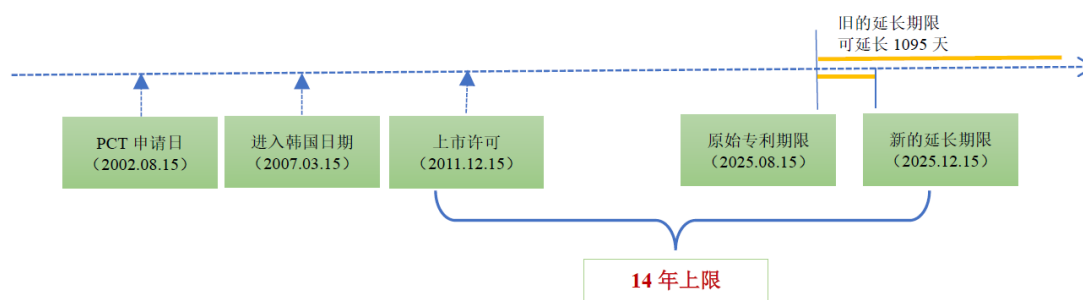
立法者解释：修订旨在解决专利期限没有上限和没有限制符合延期条件的专利数量的问题，防止仿制药的延迟面世，确保公众尽早获得平价药物，同时使韩国的制度与国际标准保持一致，尤其是与美国和欧洲的相关制度同步。

根据《专利法》修订案，5 年的延长上限规定没有变化，但引入了新的附加上限，将总延长期限制为自批准之日起 14 年，与美国规定保持一致。

### 影响

尽管修订后的专利期限延长制度的全局影响仍不确定，但初步分析表明，修订案可能会导致原研药的专利期限缩短。为了更好地阐释这一点，仅以极端情况为例，以说明新上限带来的影响可能非常显著。例如，如果自国际申请日起 6 年内获得上市许可，其在韩国的专利期限延长约 3 年，那么根据修订案中的 14 年上限，其实际延长期限可能只有约 4 个月，而若没有这项修订，可实际延长 3 年（请参阅下图）。

### 案例（极端情况下）



此外，如果垄断药物专利延长期间的收入超过原始期限的收入，可能产生严重后果。

然而，韩国食品药品安全部（MFDS）发布的 2023 年药品有效专利期限状况的数据显示，约 82% 的药品专利的有效专利期限低于 14 年，表明延期通常会在上市许可之日起的 14 年内到期。因此，在多数情况下，新的 14 年上限可能带来的影响有限。

或许，《专利法》修订案带来的最大影响可能是单次批准中允许获得延期资格的专利数量的限制。之前，单次药品批准可申请延长多项专利。例如，上述来自 MFDS 的数据也显示，专利注册数量超过批准数量 1.7 倍，表明单个产品可能注册了多项专利。如今，单次药品批准中只能选择一项专利进行延期。这对原研药公司的战略可能产生显著影响，因为他们现在可能需要专注于仅扩展一项专利（产品专利或其辅助专利）以最大限度地延长其专利期限。相比之下，仿制药公司将更容易预测原研药的一项延长专利何时到期，从而可能简化其进入市场的策略。

此外，《专利法》修订案明确了专利期限延长的起点，明确规定了因延迟注册而延长的期限（专利期限调整，PTA）。这确保了根据监管批准计算专利期限延长的透明度和一致性。

《专利法》修订案还引入了拒绝超过 14 年上限的延长申请以及允许无效申请的规定。如果基于单次监管批准提交了多项专利的延期申请，则不会授予任何专利延期。

## Revised Patent Term Extension System in Korea: Implications for the Pharmaceutical Industry

### Background

Unlike patent systems in other countries, under the previous Korean *Patent Act*, there was no time limit from the marketing approval date for patent term extensions for pharmaceutical patents, and there were no restrictions on the number of patents that could be extended for a single regulatory approval, thereby allowing extensions of multiple patents — such as compound, use, formulation, and dosage regimen patents — based on a single drug approval.

The domestic pharmaceutical industry has expressed concerns that Korea's patent term extension system has led to prolonged monopolies by foreign drug developers in the Korean pharmaceutical market, which, in turn, delayed the introduction of cheaper generic drugs, and as a result, disproportionately favors those patent holders when compared to systems in other countries, including the United States and Europe. Critics argue that the delayed market entry of Korean local generics limits public access to affordable medications and could strain health insurance finances.

### **Amended Patent Act**

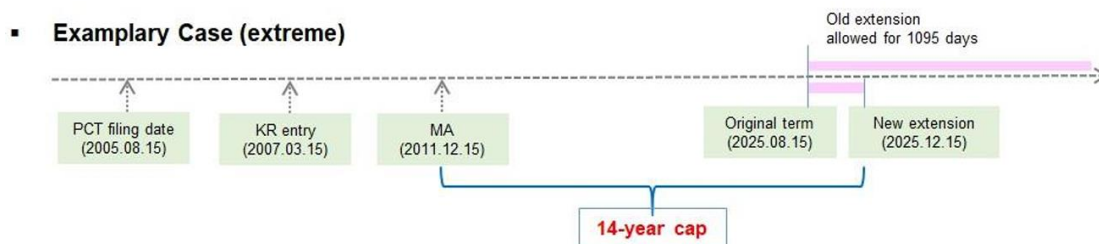
On December 27, 2024, in response to these concerns, the National Assembly of Korea passed a revision to the *Patent Act* with the following key provisions: (i) the patent term cannot exceed 14 years from the date of marketing approval, and (ii) only one patent per approval is eligible for extension. The revised *Patent Act* is expected to be promulgated as early as January 2025 and will come into effect six months after its promulgation, likely in July 2025. This revision will apply to patent term extension applications filed after its effective date.

Lawmakers explained that the purpose of the revision was to address the lack of a cap on patent terms and the absence of limits on the number of patents eligible for extension, aiming to prevent delays in the release of generic drugs, and ensure early public access to medications, as well as to align Korea's system with international standards, particularly those in the United States and Europe.

Under the revised *Patent Act*, there is no change to the provision allowing for a maximum five-year extension, but a new additional cap has been introduced, limiting the total extension to 14 years from the date of approval, in line with US practice.

### **Implications**

While the full impact of the revised patent term extension system is still uncertain, initial analyses suggest that it may lead to shorter patent terms for original drugs. Only for the purpose of explanation, there may be extreme cases where the impact of the new cap could be significant. For instance, when marketing approval is granted within six years from the international filing date, and the patent term is extended for about three years in Korea, the revised 14-year cap could result in only about four months of extension, despite a prior three-year extension (please refer to the following diagram).



Furthermore, for monopoly drugs where the revenue during the extended patent term exceeds the revenue during the original term, the consequences could be considerable.

However, 2023 data on the status of effective patent terms for pharmaceuticals from 1999 to 2021 issued by the Korean Ministry of Food and Drug Safety (MFDS) shows that about 82% of pharmaceutical patents have an effective patent term of under 14 years, suggesting that extensions expire within 14 years from the approval date. As such, the new 14-year cap may have limited impact in many cases.

Perhaps the most significant change introduced by the revised *Patent Act* may be the limitation on the number of patents eligible for extension per product approval. Previously, multiple patents could be extended based on a single drug approval, for example, the above-mentioned data from MFDS also shows that the number of patent registrations exceeds the number of approvals by a factor of 1.7, which indicates that multiple patents may have been registered for a single product. Now, only one patent may be selected for extension. This is likely to have a notable impact on the strategies of original drug companies, as they may now need to focus on extending only one patent (substance patent or a secondary patent) to maximize their patent term. In contrast, generic companies will more easily be able to anticipate when the one extended patent of the original drug expires and this simplification may reduce the complexity of their market entry strategies.

Additionally, the revised *Patent Act* clarifies the starting point for patent term extensions, specifying that the extended period due to delayed registration (Patent Term Adjustment, PTA) will be clearly defined. This ensures greater transparency and consistency in calculating patent term extensions based on regulatory approvals.

The revised *Patent Act* also introduces provisions for rejecting applications for extension that exceed the 14-year cap, as well as allowing for invalidation petitions. If multiple patents are submitted for extension based on a single approval, none will be granted an extension.

## 加拿大将主动随机撤销不使用商标

根据《商标法》第 45 条的授权，加拿大商标异议委员会（TMOB）即将启动一个试点项目，即商标注册官将主动发送一定数量关乎第 45 条针对商标注册的通知（以下简称“第 45 条通知”）。该试点项目将帮助注册官掌握不再使用的注册商标的数据，从而保证注册商标可准确反映商标在其注册关联的产品和服务上使用的情况。对注册官而言，有效利用资源、促进公平竞争和维护商标制度完整性是首要任务。

### 《商标法》第 45 条：注册官可要求注册人提交使用证据

(1) 自商标注册之日起三年后，除非注册官认为有充分理由反对，注册官应在任何支付规定费用的人提出书面请求时——或可主动——向注册商标所有人发出通知，要求其在三个月内提供宣誓书或法定声明，说明在通知日期之前的三年期间内，该商标是否曾在加拿大就注册中指定的所有商品或服务或通知中可能指定的商品或服务中使用过，如果未曾使用过，则说明其最后一次使用的时间以及自那时起未使用的原因。

.....

### 未使用的后果

(3) 根据向注册官提供的证据或未提供证据的情况，如果注册官认为商标就注册中指定的全部或部分商品或服务而言，在通知日期之前的三年期间内未在加拿大使用过，且这种未使用的情况并非出于可原谅的未使用的特殊情况，则该商标的注册可能会被相应注销或修改。

## 试点项目的第一阶段

### 注册商标的选择

从 1 月开始，注册官将对随机选择的注册商标每个月分批发布“第 45 条通知”，要求注册簿上超过三年的注册商标的所有人提交商标使用证据，或在适用的情况下提交基于特殊情况下不使用的理由。注册商标将从以下类别中随机选择：

1. 基于在加拿大境内使用情况的注册；
2. 基于拟在加拿大使用并已提交了使用声明的注册；
3. 基于在国外使用和注册的注册；
4. 具有多个（申请）依据的注册；

5. 注册时间超过 3 年的剩余注册。

### 对标准程序的更改

为确保实施流程更高效更经济，加拿大开发了新工具，并对第 45 条所涉及的标准程序加以修改：

1. [第 45 条程序中所需的宣誓书或法定声明的准备指南](#)，以及[宣誓书样本](#)，以帮助收到第 45 条通知的注册商标所有人。

2. 要求注册人将证据与每种商品和服务关联起来，以促进注册官的处理效率。

3. 在简单的情况下，注册官可以在注册人同意的基础上提出终止第 45 条程序（例如，证据清楚地表明商标仍在使用中）。

4. 注册人可自主选择，是否在注册官和注册人双方都方便的时间安排举行听证会。

### 试点项目数据

随着注册官发起的第 45 条程序的逐步进展，有关试点项目的相关数据，以及第三方提起的第 45 条程序相关的数据都将发布。以此提供一个透明的视图，便于比较试点项目与既定流程的表现。

### 试点项目的第 2 阶段

一旦有足够数量（具有统计意义）的程序完成，商标及专利上诉委员会将开展咨询活动，以收集关于以下方面的反馈：

1. 该试点项目是否应继续；如果继续，
2. 是否应针对特定类型的注册；
3. 是否应对所有注册的商品和服务，还是仅对部分注册的商品和服务，发出第 45 条通知；以及
4. 注册官是否应对选定的注册进行调查，并且仅当调查表明在加拿大未使用该商标时才发出第 45 条通知。

### 有关注册官发起的第 45 条程序的数据

月份	拟定发出的通知数目	因未回应而被撤销的注册百分比	中止相关程序的数目	维持的注册数目
2025 年 1 月	100	-	-	-
2025 年 2 月	50	-	-	-
2025 年 3 月	50	-	-	-

月份	拟定发出的通知数目	因未回应而被撤销的注册百分比	中止相关程序的数目	维持的注册数目
2025 年 4 月及以后	待定	-	-	-

注：从 2025 年初开始，此表将每月更新一次。

## CIPO is Launching Pilot Project on Registrar-Initiated Non-Use Trademark Expungement Proceeding

Pursuant to the authority under section 45 of the *Trademarks Act* (the Act), the Canadian Trademarks Opposition Board (TMOB) is starting a pilot project whereby the Registrar of Trademarks (the Registrar) will proactively send a limited number of section 45 notices against trademark registrations to help provide insight into how many registered trademarks are no longer in use, ensuring that the Register of Trademarks accurately reflects trademarks that are in use, and in association with the goods and services listed in the registration. This is a priority for the Registrar for efficient use of resources, promoting fair competition and maintaining the integrity of the trademark system.

### Section 45 of the *Trademarks Act*: **Registrar may request evidence of use**

(1) After three years beginning on the day on which a trademark is registered, unless the Registrar sees good reason to the contrary, the Registrar shall, at the written request of any person who pays the prescribed fee — or may, on his or her own initiative — give notice to the registered owner of the trademark requiring the registered owner to furnish within three months an affidavit or a statutory declaration showing, with respect to all the goods or services specified in the registration or to those that may be specified in the notice, whether the trademark was in use in Canada at any time during the three-year period immediately preceding the date of the notice and, if not, the date when it was last so in use and the reason for the absence of such use since that date.

...

### **Effect of non-use**

(3) Where, by reason of the evidence furnished to the Registrar or the failure to furnish any evidence, it appears to the Registrar that a trademark, either with respect to all of the goods or services specified in the registration or with respect to any of those goods or services, was not used in Canada at any time during the three year period immediately preceding the date of the notice and that the absence of use has not been due to special circumstances that excuse the absence of use, the registration of the trademark is liable to be expunged or amended accordingly.

### **Selection of registrations**

Beginning in January, the Registrar will issue monthly batches of section 45 notices against randomly selected registrations, requiring the owners of registered trademarks that have been on the Register for over three years, to submit evidence of trademark use or, where applicable, justification for non-use based on special circumstances. Registrations will be selected randomly from the following categories:

1. registrations based on use;
2. registrations based on proposed use for which a declaration of use was filed;
3. registrations based on use and registration abroad;
4. registrations with multiple bases;
5. remaining registrations registered for more than three years.

### **Changes to the standard proceeding**

New tools have been developed and modifications to the standard section 45 proceeding have been implemented to ensure a more efficient and cost-effective process:

1. [\*Guide to preparing an affidavit or statutory declaration in section 45 proceedings\*](#) along with a [\*Sample affidavit for section 45 proceedings\*](#) to assist owners of registered trademarks (registered owners) who receive a section 45 notice.
2. Registered owners will be asked to correlate evidence with each of the goods and services to facilitate efficient processing by the Registrar.
3. In straightforward cases, the Registrar may offer to discontinue the section 45 proceeding on the basis of the owner's consent (e.g. where the evidence clearly indicates that the trademark remains in use).
4. At a registered owner's election, hearings could be scheduled at a mutually convenient time between the Registrar and the registered owner.

### **Data on the pilot project**

As the Registrar-initiated section 45 proceedings progress, relevant data on the pilot project will be published. For the purpose of comparison, data related to section 45 proceedings initiated by third parties will also be published. By presenting both sets of data, the TMOB aims to offer a transparent view of how the pilot project performs in comparison to the established process.

### **Phase 2 of the Pilot Project**

Once a statistically significant number of proceedings have concluded, the TMOB will organize

consultations to gather feedback on:

1. whether this pilot project should continue; and if so,
2. whether there are particular types of registrations which should be targeted;
3. whether section 45 notices should be issued against all or only some of the registered goods and services; and,
4. whether the Registrar should perform an investigation against a selected registration and only issue a section 45 notice if the investigation does not show any use of the trademark in Canada.

**Data on Registrar-initiated section 45 proceedings**

Month	Number of notices to be issued	% of registrations expunged due to failure to respond	Number of proceedings discontinued	Number of registrations maintained
January 2025	100	N/A	N/A	N/A
February 2025	50	N/A	N/A	N/A
March 2025	50	N/A	N/A	N/A
April 2025 and onwards	TBD	N/A	N/A	N/A

Note: Starting in early 2025, this table will be updated on a monthly basis.

## 马德里指定墨西哥的注册人请注意！最新商标实际/有效使用声明的提交要求已公布

近日，墨西哥工业产权局（IMPI）向马德里体系用户公布提交商标实际/有效使用声明的最新要求，适用于指定墨西哥的马德里国际注册。

具体内容如下：

对于保护已延伸至墨西哥的国际注册，其注册人必须提交实际/有效使用该商标的声明。该声明必须以现行的法定形式直接提交给 IMPI，并支付已在墨西哥授予保护的每个商标类别的费用，提交期限如下：

（一）针对商标保护授权日期在 2018 年 8 月 10 日之后的注册商标，其实际/有效使用声明需在授权日期起三个日历年之后的三个月内提交；授权日期可根据国家档案号或国家注册号在以下 IMPI

电子平台中查阅: [acervomarcas.impi.gob.mx](http://acervomarcas.impi.gob.mx).

(二) 在世界知识产权组织国际局的国际注册续展公布于《世界知识产权组织公报》后的三个月内提交声明, 前提是墨西哥授予的商标保护有效期至少为三年。

如果注册人未能根据上述情形(一)做出实际/有效使用商标的声明, 那么商标注册将无需 IMPI 的声明而自动依法失效。

如果注册人未能根据上述情形(二)做出实际/有效使用商标的声明, IMPI 将要求注册人在两个月内弥补这一遗漏。如果持有人仍未能在规定期限内提交合规声明, 那么商标注册将无需 IMPI 的声明而自动依法失效。使用声明提交要求将以电子方式公布在 IMPI 工业产权公报上, 可根据国家档案号或国家注册号在 [siga.impi.gob.mx](http://siga.impi.gob.mx) 查阅。

如果未提交上述使用声明, 导致国际注册失效, IMPI 将根据《商标国际注册马德里协定有关议定书实施细则》第 19 条, 将相应国际注册的无效情况通知到 WIPO 国际局。

马德里体系的用户可联系 IMPI 以获取相关要求的更多信息。

## **Requirement to Submit a Declaration of Actual and Effective Use of the Mark Concerning International Registrations Designating Mexico**

The Mexican Institute of Industrial Property (IMPI) requested the information concerning the requirement to submit a declaration of actual and effective use of a mark that is the subject of an international registration for which Mexico has been designated be made available to users of the Madrid System.

The information reads as follows:

Holders of international registrations for which protection has been extended to Mexico must submit a declaration of actual and effective use of the mark. This declaration must be submitted directly to IMPI in the official form specified in the regulations in force, upon payment of a fee for each class for which protection has been granted in Mexico:

(a) within three months, following three calendar years from the date on which protection to the mark was granted in Mexico, provided that the national registration certificate is issued by IMPI after August 10, 2018; such date, identified as the DATE OF GRANT, can be consulted in the following IMPI electronic platform, based on the national file number or national registration number: [acervomarcas.impi.gob.mx](http://acervomarcas.impi.gob.mx);

(b) within three months from the publication in the WIPO Gazette of the renewal of the international registration effected by the International Bureau of WIPO, provided that the

grant of protection in Mexico has been in effect for at least three years.

Under case (a), above, if the holder fails to declare actual and effective use of the mark, the registration will lapse by operation of law, without requiring a declaration by IMPI.

Under case (b), above, if the holder fails to declare actual and effective use of the mark, IMPI will require the holder to correct this omission within two months. In case the holder fails to meet this requirement within the given time limit, the registration will lapse by operation of law, without requiring a declaration by IMPI. The requirement will be published electronically in the IMPI Industrial Property Gazette, which can be consulted at [siga.impi.gob.mx](http://siga.impi.gob.mx) based on the national file number or national registration number.”

Where the declarations of use specified above have not been submitted, resulting in the lapse of the international registrations, IMPI will notify the International Bureau of WIPO of the invalidation of the effects of the corresponding international registrations, pursuant to Rule 19 of the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks.

Users of the Madrid System may also contact IMPI for further information on this requirement.

# 国际合作 International Cooperation

## 中巴（西）专利审查高速路（PPH）试点项目延长

近日，中国国家知识产权局和巴西工业产权局（INPI）共同决定，自 2025 年 1 月 1 日起继续延长中巴 PPH 试点项目，在两局提交 PPH 请求的有关要求和流程不变，详情请参阅[中巴（西）新 PPH 指南](#)。

根据 INPI 发布的信息，其 PPH 项目模式将于 2025 年 1 月 1 日进入新阶段，每年接收来自其 PPH 所有合作方的 PPH 申请总量将上调至 3200 件，每季度不超过 800 件，国际专利分类(IPC)同一部（Section）下每年接收 PPH 申请总量上调至 1000 件，并取消每个申请人每周只能提交 1 件申请的限制；2025 年第一季度 INPI 将不接收来自 IPC 分类号 H04 的 PPH 申请，并将在每个季度重新评估以确定接收的技术领域。

PPH 是不同国家或地区间的专利快速审查通道，通过专利审查机构之间的工作共享加快专利审查进程。自 2011 年 11 月启动首项 PPH 试点至今，与中国国家知识产权局建立 PPH 合作的国家或地区专利审查机构达到 33 个，覆盖 84 个国家。

## **The CNIPA-INPI (Brazil) Patent Prosecution Highway Pilot Program Extended**

Recently, the China National Intellectual Property Administration (CNIPA) and the National Institute of Industrial Property of Brazil (INPI) jointly decided to extend the PPH pilot program between China and Brazil from January 1, 2025, with the relevant requirements and procedures for submitting PPH requests to both offices remain the same. For detailed information, please refer to the [Guidelines on the New PPH Program between CNIPA and INPI \(Brazil\)](#).

According to the information released by INPI, its PPH program entered a new phase on January 1, 2025, and the total number of PPH applications received from all its PPH partner offices was increased to 3,200 per year, not exceeding 800 per quarter; and the total number of PPH applications received under the same Section of the International Patent Classification (IPC) was raised to 1,000 per year; besides, the restriction that each applicant can only submit one application per week was removed. In the first quarter of 2025, INPI will not receive PPH applications from IPC number H04 and will reassess and identify the technical areas to be received every quarter.

The PPH program is a fast-track patent examination channel between different countries or regions, speeding up the patent examination process through work sharing between patent examination authorities. Since the launch of the first PPH pilot program in November 2011, up to 33 national/regional patent examination institutes have established PPH cooperation with the CNIPA, covering 84 countries.

## 海牙指定摩尔多瓦请注意，费用即将下调

目前，经海牙体系进入摩尔多瓦的外观设计国际申请已宣布新的单独指定费用，即将从 2025 年 3 月 1 日起生效，具体变更如下：

单独指定费		当前金额 (瑞士法郎)	新金额 (瑞士法郎)
国际申请	第一项设计	73	65
	每增加一项设计	7	7
续展	第一项设计	105	93
	每增加一项设计	10	9

## The Individual Designation Fee Under Hague Agreement Concerning Republic of Moldova is Reducing

In accordance with Rule 28(2)(d) of the Regulations Under the Geneva Act (1999) of the Hague Agreement, the Director General of the World Intellectual Property Organization (WIPO) has established the following new amounts, in Swiss francs, of the individual designation fee which must be paid in connection with an international application in which the Republic of Moldova is designated, and in connection with the renewal of an international registration designating the Republic of Moldova:

Individual Designation Fee		Current Amounts (in Swiss francs)	New Amounts (in Swiss francs)
International Application	for the first design	73	65
	for each additional design	7	7
Renewal	for the first design	105	93
	for each additional design	10	9

This change will take effect on March 1, 2025.

January 15, 2025

## 今天开始，“一带一路”专利可申请快速审查

近日，中国国家知识产权局宣布，为落实第三届“一带一路”知识产权高级别会议成果，“一带一路”专利加快审查试点项目将于 2025 年 1 月 20 日启动，为期两年，至 2027 年 1 月 19 日止。试点启动以后，符合条件的参与国申请人可以按照《在“一带一路”专利加快审查试点项目下向中国国家知识产权局（CNIPA）提出加快审查请求的流程》向 CNIPA 提出加快审查请求。

“一带一路”专利加快审查试点项目是中国国家知识产权局在 2024 年 9 月召开的第三届“一带一路”知识产权高级别会议上发布的业务合作项目，将为符合条件的共建“一带一路”国家的申请人在中国的专利申请提供更快速的审查。根据《中国国家知识产权局与土耳其专利商标局关于“一带一路”专利加快审查试点项目合作意向书》，土耳其专利商标局作为首个参与局参与本项目。接下来，中国国家知识产权局将与更多的共建“一带一路”国家的专利审查机构深化在专利审查领域的合作，为高质量共建“一带一路”注入更多知识产权力量。

## BRIPC Pilot Program for Accelerated Patent Examination is Launching Today

Recently, China National Intellectual Property Administration (CNIPA) announced that to implement the outcomes of the Third High-Level Conference on Belt and Road IP Cooperation (BRIPC), a pilot program for accelerated patent examination under the BRIPC will commence on January 20, 2025, and will run for two years, ending on January 19, 2027. Upon the launch of the pilot program, eligible applicants from participating countries can submit requests for accelerated examination to CNIPA in accordance with the "Procedures to File a Request to the CNIPA under the BRIPC Pilot Program for Accelerated Patent Examination."

Under the BRIPC Pilot Program, the total number of applications to be accepted by CNIPA will be limited to 1000 per year, the maximum number of applications from each participating office will be limited to 100 per year. After the expiration of this two-year period, an evaluation will be conducted to determine whether the pilot program should be extended.

The BRIPC Pilot Program aims to provide faster examination of patent applications in China for eligible applicants from countries participating in the Belt and Road Initiative. According to the "Letter of Intent for Cooperation on the BRIPC Pilot Program for Accelerated Patent Examination between the CNIPA and the TÜRKPATENT," the Turkish Patent and Trademark Office (TÜRKPATENT) will be the first to participate in this program. Moving forward, CNIPA will deepen cooperation with patent examination authorities from

more countries involved in the Belt and Road Initiative in the field of patent examination, injecting more intellectual property power into the high-quality development of the Belt and Road Initiative.

## 欧亚专利组织官费有调整，2月1日生效

由于通货膨胀和汇率波动，欧亚专利组织（EAPO）的部分官费已作修订，并将于 2025 年 2 月 1 日生效，其中包括申请费、审查费、文件修改费、上诉申请费、延期费、恢复权利请求费等费用。

依据规定，EAPO 成员国的申请人可享受费用减免：国立大学和教育机构应支付费用总额的 30%；自然人应支付费用总额的 10%。法人实体在支付费用时可享受 10% 的折扣。

最新主要规费如下表所示。如需了解有关新费用的更多信息，请参阅链接：[statute-of-fees-izobreteniya-2025-eng-final.pdf](#)。

费项	金额（卢布）
提交申请	
提交欧亚专利申请的统一基本程序费	60,000
超过 5 项权利要求，每项	6,500
超过 20 项权利要求，每项	7,000
超过 25 项权利要求，每项	7,500
实质审查	
一项发明	60,000
对于一组发明的第二个独立权利要求	35,000
对于一组发明的第二个独立权利要求之后的每个后续独立权利要求	20,000
请求将欧亚专利申请转换为国家专利申请	10,000
专利授予	
欧亚专利授予及其公布	40,000
对于包含超过 35 页（包括权利要求书、说明书、附图和其他要素以及摘要）的专利，第 36 页及其后的每一页需额外支付的公布费	300
逾期缴纳欧亚专利授权费的延迟费	10,000

## Changes in the Amount of Eurasian Fees

Due to inflation and exchange rate volatility, certain fees for Eurasian applications and patents for inventions have been indexed and will take effect as of February 1, 2025, including fees for filing applications, conducting examinations, amending, and modifying documents, filing appeals, extending missed time limits, restoring rights, etc.

Applicants from the EAPO Member States are granted reduced tariffs: state universities and educational organizations shall pay 30% of the total amount of fees; natural persons shall pay 10% of the total amount of fees. Legal entities receive a 10% discount when paying fees.

Main fees are shown in the table below. To find out more about the new fees, please refer to the link: [statute-of-fees-izobreteniya-2025-eng-final.pdf](https://www.eapo.int/ru/izobreteniya/2025-eng-final.pdf).

Items	Amount (Rubles)
<b>Filing a Eurasian Application</b>	
<b>unitary procedural fee for filing a Eurasian application</b>	<b>60,000</b>
<b>fee for each claim in excess of the fifth</b>	<b>6,500</b>
<b>fee for each claim in excess of the twentieth claim</b>	<b>7,000</b>
<b>fee for each claim in excess of the fiftieth claim</b>	<b>7,500</b>
<b>Substantive examination of a Eurasian application</b>	
<b>in relation to one invention</b>	<b>60,000</b>
<b>for second independent claim of a group of inventions</b>	<b>35,000</b>
<b>for each subsequent independent claim following the second independent claim of a group of inventions</b>	<b>20,000</b>
<b>File a request for conversion a Eurasian application into a national patent application</b>	<b>10,000</b>
<b>Grant of a Eurasian Patent</b>	
<b>grant of a Eurasian patent and its publication</b>	<b>40,000</b>
<b>for patent document containing more than 35 sheets, including the claims, description, drawings, and other elements, as well as the abstract, an additional publication fee shall be paid for the 36th and each subsequent sheet</b>	<b>300</b>
<b>for late payment of a fee for the granting a Eurasian patent</b>	<b>10,000</b>

## 沙特阿拉伯即将成为《海牙协定》的第 82 个缔约方

2025 年 1 月 7 日，沙特阿拉伯政府向世界知识产权组织（WIPO）总干事交存了《工业品外观设计国际注册海牙协定（日内瓦文本）》（以下简称《日内瓦文本》）的加入书。

加入书附有根据《工业品外观设计国际注册海牙协定（日内瓦文本）实施细则（1999 年）》（以下简称《实施细则》）做出的以下声明：

1. 依据《日内瓦文本》第 11 条第（1）款（b）项所做的声明，即沙特阿拉伯法律不作推迟公布工业品外观设计的规定；
2. 依据《日内瓦文本》第 13 条第（1）款所做的声明，即根据沙特阿拉伯法律，**一项国际申请只能包含一个独立且独特的工业品外观设计**；
3. 依据《日内瓦文本》第 16 条第（2）款所做的声明，即在沙特知识产权局（SAIP）收到证明所有权变更的文件之前，在国际注册簿中登记国际注册的所有权变更在沙特阿拉伯无效；
4. 根据《日内瓦文本》第 17 条第（3）款（c）项的要求做出的声明，即**沙特阿拉伯法律规定的工业品外观设计保护期最长为 15 年**；
5. 依据《实施细则》第 12 条第（1）款第（c）项第（i）目所做的声明，规定了适用第二级指定费标准；
6. 依据《实施细则》第 18 条第（1）款（b）项所做的声明，通知驳回国际注册效力的 6 个月规定期限更替为 12 个月。

根据《日内瓦文本》第 28 条第（3）款第（b）项，《日内瓦文本》和上述声明**将于 2025 年 4 月 7 日在沙特阿拉伯生效**。沙特阿拉伯加入《日内瓦文本》后，该文本的缔约方数目达到 76 个，《海牙协定》的缔约方总数达到 82 个。

《海牙协定》的缔约方名单可在以下网址查看：<https://en.wipo.com/Resources/116>。

## Saudi Arabia is Becoming the 82nd Contracting Party of Hague Agreement

On January 7, 2025, the Government of Saudi Arabia deposited with the Director General of the World Intellectual Property Organization (WIPO) its instrument of accession to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (“Geneva Act”).

The instrument of accession was accompanied by the following declarations under the Geneva Act and the Regulations Under the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs (“Regulations”):

1. the declaration referred to in Article 11(1)(b) of the Geneva Act, that the law of Saudi Arabia does not

provide for the deferment of the publication of an industrial design;

2. the declaration referred to in Article 13(1) of the Geneva Act, that, in accordance with the law of Saudi Arabia, **an international application may only contain one independent and distinct industrial design;**

3. the declaration referred to in Article 16(2) of the Geneva Act, whereby the recording of a change in ownership of an international registration in the International Register shall not have effect in Saudi Arabia until the Saudi Authority for Intellectual Property (SAIP) has received the documents supporting the change in ownership;

4. the declaration as required under Article 17(3)(c) of the Geneva Act, specifying that **the maximum duration of protection provided for by the law of Saudi Arabia in respect of industrial designs is 15 years;**

5. the declaration referred to in Rule 12(1)(c)(i) of the Regulations, specifying that level two of the standard designation fee applies; and

6. the declaration referred to in Rule 18(1)(b) of the Regulations, whereby the prescribed period of six months for notifying a refusal of the effects of an international registration is replaced by a period of 12 months.

In accordance with Article 28(3)(b) of the Geneva Act, the Geneva Act and **the declarations will enter into force with respect to Saudi Arabia on April 7, 2025.** The accession by Saudi Arabia to the Geneva Act brings the number of Contracting Parties to this Act to 76 and the total number of Contracting Parties to the Hague Agreement to 82.

A list of the Contracting Parties to the Hague Agreement is available at: [https://en.wipo-int.ipr.com/Resources/116](https://en.wipo.int/ipr.com/Resources/116).

## 其他 Others

### 拥有海外知识产权的企业请注意，2025 年 WIPO 全球奖已开启，来看看申报细节

#### ■ 奖项介绍

每年，产权组织（WIPO）全球奖都要表彰利用知识产权创造价值的中小企业、初创企业和高校衍生企业，行业覆盖科技、时尚、媒体、音乐、设计、农业，以及其他任何行业。这些企业：

- 将研究和想法转化为成功的商业企业
- 通过知识产权战略实现业务增长
- 开发有助于实现联合国可持续发展目标的创新成果

无论是用商标保护自己的品牌，还是拥有发明专利或创意作品的版权，相关企业都有在全球舞台上获得认可的机会。该评选**免费**向世界各地、各行各业的公司开放。

在 2025 年的奖励计划中，将设立“特别提名奖”，以认可和奖励 2025 年最优秀的女企业家和青年企业家。该奖项旨在表彰他/她们取得的成功，并激励更多女性和青年走上创业之路。“特别提名奖”的获奖者将由产权组织全球奖评委会从获奖公司的首席执行官/创始人中选出，评委会将依据为评比制定的相同指标进行评选。

#### ■ 获奖好处

- a. 前往日内瓦参加颁奖典礼和特别活动（根据产权组织相关规则获得资助）；
- b. 获颁专为本计划设计的产权组织奖杯；
- c. 获得有针对性的知识产权指导（在个案的基础上考虑获奖者的商业背景和具体需求）。
- d. 通过颁奖仪式、产权组织奖专门网页、产权组织媒体和其他与知识产权有关的外部媒体，对获奖者进行宣传、推广和表彰。

#### ■ 评奖日程



#### ■ 参选资格

中小企业

1. 该企业是一个已注册的商业实体。需要提供注册证明。
2. 雇员不超过 300 人，年度总销售额不超过 1,500 万美元。
3. 至少拥有一项已注册的知识产权。
4. 至少向一个国家出口产品或服务。

#### **初创企业**

1. 该初创企业是一个已注册的商业实体，依法存续不超过三年。需要提供注册证明。
2. 雇员不超过 50 人。
3. 该初创企业拥有与知识产权相关的创新产品或服务。
4. 该初创企业已提交至少一份知识产权注册申请，并且/或者是至少一份已注册知识产权的持有人。
5. 该初创企业隶属于某个商业支助组织，如孵化器、加速器或类似实体。需提供隶属证明。
6. 该初创企业已与至少一家商业客户确定了合作关系，且/或完成了一项商业销售，且/或获得了一位投资者。

#### **■ 申请指引**

1. 每位参选者只能提交一份参选申请。参选者只能在两个符合奖励计划资格的类别（即中小企业或初创企业）中选择一个类别提交参选申请。
2. 所有参选申请必须以联合国六种官方语言（阿拉伯文、俄文、法文、西班牙文、英文或中文）之一或日文通过在线申请表提交，网址为：<https://global-awards.wipo.int/>。
3. 此表将特别要求参选者提供信息，说明其如何利用知识产权在地区或国际层面将其产品/服务商业化，并说明对经济、社会或文化发展的已有/潜在贡献。对于初创企业，要求参选者详细说明其知识产权商业化计划。
4. 对于任何不符合本规则的申请，或产权组织认为以欺诈、滥用方式参选的申请，或可能损害产权组织名誉或声望的申请，产权组织保留全权决定取消其参选资格的权利。
5. 产权组织致力于确保对个人数据进行最高水平的保护。产权组织将根据其隐私政策（见[https://www.wipo.int/tools/en/privacy\\_policy.html](https://www.wipo.int/tools/en/privacy_policy.html)）使用所有参选者的个人信息。

#### **■ 评选标准**

##### **中小企业**

- a. 了解并有能力利用知识产权（或知识产权的组合）来保护、管理知识产权资产以及数据等其他无形资产，并使其商业化，以实现企业和/或公司目标；
- b. 对不超过三个可持续发展目标（SDG）做出过积极贡献。有关 17 项可持续发展目标的更多

信息，请访问[此页面](#)。

### 初创企业

- a. 商业推介，涉及商业可行性、独特价值主张、可扩展性和就业增长愿景等方面。
- b. 展示利用知识产权的潜力和/或目前对知识产权（或此类权利的组合）的利用，来保护、管理知识产权资产以及数据等其他无形资产，并使其商业化，以实现企业和/或公司目标；
- c. 对不超过三个可持续发展目标做出的已有和/或潜在积极贡献。有关 17 项可持续发展目标的更多信息，请访问[此页面](#)。

更多信息，请参见[参选规则](#)。

## Attention! 2025 WIPO Global Awards are Open, Take A Look at Application Details

### ■ About the awards

Every year the WIPO Global Awards celebrate small businesses, startups, and university spinouts – from tech to fashion, media, music, design, agriculture, or any other industry – that leverage intellectual property (IP) to create value:

- Transforming research and ideas into successful commercial ventures
- Achieving business growth through IP-driven strategies
- Developing innovations that contribute to the UN SDGs.

Whether you protect your brand with trademarks, hold patents on inventions or copyright your creative works, this is your chance to be recognized on a global stage. The competition – free of charge – is open to companies from around the world and from all industries.

For the 2025 edition, Special Mentions to recognize and reward the best woman and youth entrepreneur of 2025 are introduced. The aim is to celebrate their successes and inspire more women and youth to pursue entrepreneurial paths.

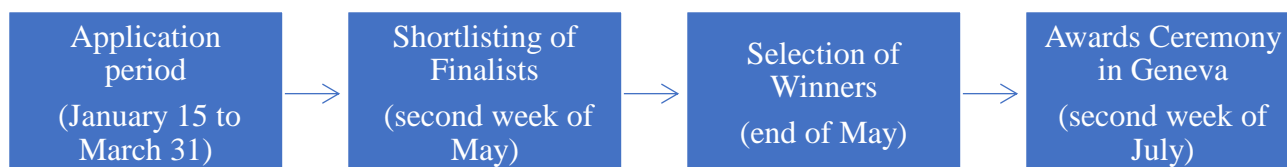
The recipients of these Special Mentions will be selected from among the CEOs/founders of the winning companies by the WIPO Global Awards Selection Committee based on the same indicators established for the contest.

### ■ Benefits for winners

- a. Travel to Geneva to attend the Awards Ceremony and special events (funded in accordance with WIPO's rules);

- b. A WIPO Trophy specifically designed for this Program;
- c. Customized IP mentorship opportunities (considering, on a case-by-case basis, the business background, and specific needs of the winners).
- d. Be offered promotion, visibility and recognition through an Awards ceremony, special WIPO Awards webpage, WIPO media, and other external IP related media.

#### ■ Awards Schedule



#### ■ Eligibility

##### **Small and medium-sized enterprises (SMEs)**

1. It is a registered business entity. Proof of registration is required.
2. It has no more than 300 employees and up to 15 US\$ millions of total annual sales.
3. It is a holder of at least one registered IP right.
4. It is exporting its products or services to at least one country.

##### **Startups**

1. The startup is a registered business entity with a legal existence of no more than three years. Proof of registration is required.
2. It has no more than 50 employees.
3. The startup has an innovative product or service associated with IP rights.
4. The startup has submitted at least one application for the registration of one IP right and/or is the holder of at least one registered IP right.
5. The startup is affiliated with a business support organization, such as an incubator, an accelerator, or a similar entity. Proof of affiliation is required.
6. The startup has affirmed its engagement with at least one commercial customer, and/or has completed a business sale, and/or secured one investor.

#### ■ Submission Process

1. Only one entry per Participant is permitted. Participants may submit their entry in only one of the two categories eligible for the Awards Program (that is, SMEs or startups).
2. All entries to the Awards Program must be submitted in one of the six UN official languages (Arabic,

Chinese, English, French, Russian or Spanish) or in Japanese via the online application form available at: <https://global-awards.wipo.int/>.

3. In this form, participants will be requested, in particular, to provide information about how they are using IP rights to commercialize their product/services at the regional or international level, and to describe its potential/existing contribution to economic, social or cultural development. In the case of startups, participants will be requested to elaborate on their IP commercialization plans.

4. WIPO reserves the right in its sole discretion to disqualify any submission which does not comply with the present Rules or which, in its opinion, has been entered fraudulently, in an abusive manner, or which may be contrary to the reputation or good name of WIPO.

5. WIPO is committed to ensuring the highest level of protection of personal data. All Participants' personal information will be used by WIPO under its Privacy Policy available at:

[https://www.wipo.int/tools/en/privacy\\_policy.html](https://www.wipo.int/tools/en/privacy_policy.html).

#### ■ **Evaluation criteria**

##### **Applicable to SMEs**

a) Understanding and ability to use IP rights (or a combination of such rights) to protect, manage, and commercialize IP assets, as well as other intangible assets such as data, to achieve business and/or corporate objectives.

b) Existing positive contribution to up to three Sustainable Development Goals (SDGs). For more information about the 17 SDGs, visit [this page](#).

##### **Applicable to startups**

a) Business pitch, on areas such as business feasibility, unique value proposition, and scalability and vision for job growth.

b) Demonstrate the potential to use IP rights and/or existing use of IP rights (or a combination of such rights) to protect, manage, and commercialize IP assets, as well as other intangible assets such as data, to achieve business and/or corporate objectives.

c) Existing and/or potential positive contribution to up to three Sustainable Development Goals (SDGs). For more information about the 17 SDGs, visit [this page](#).

**For more information, see [Rules](#).**