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Bimonthly Updates on Intellectual Property

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Legislation Updates

1. EUIPO Launches Early TM Screening: An AI-Powered Tool for Smoother Trade Mark Applications

The European Union Intellectual Property Office (EUIPO) has introduced **Early TM Screening**, a new online tool that helps users identify potential registration issues before officially filing a trade mark. By detecting possible grounds for refusal early on, the tool simplifies the application process, reduces errors, and supports users in protecting their financial investment.

Simplified Pre-Filing Assessment

Early TM Screening brings together multiple pre-assessment checks into one easy-to-use platform. Businesses, entrepreneurs, and legal professionals can now evaluate their trade mark proposals efficiently and with greater confidence.

How It Works

Users simply enter their proposed trade mark and the relevant goods or services classes. The tool immediately analyses key issues such as:

- Conflicts with earlier trade marks, company names, or domain names
- Absolute grounds for refusal, including non-distinctiveness, descriptiveness, or moral and public policy concerns

A detailed PDF report can be downloaded after the check. Users may then proceed directly to the EUIPO's e-filing system. Please note: results are for guidance only and do not guarantee registration.

AI-Driven Efficiency

The tool uses artificial intelligence to improve screening accuracy and speed, including:

- Conflict detection powered by TMview
- Assessment of non-distinctive or descriptive terms
- Reference to similar EUIPO decisions on absolute grounds

All AI components are thoroughly tested and applied with human oversight to ensure reliability and transparency.

New Feature in Beta

A new check for non-distinctiveness or descriptiveness has been introduced in beta mode. This addresses one of the most common reasons for refusal and helps avoid claiming rights over common terms.

Part of the EUIPO's SP2030 Vision

Early TM Screening is the first user tool launched under the EUIPO's Strategic Plan 2030. It reflects the Office's commitment to providing modern, customer-focused services and responsibly integrating AI to support high-quality IP rights.

2. Official Update | Colombia's 2026 Industrial Property Fee Adjustment: Key Changes at a Glance!

The Colombian Superintendence of Industry and Commerce (SIC) has officially issued Resolution No. 77243, announcing the new official fee schedule for Industrial Property rights effective for the 2026 fiscal year. The new fees will come into force on **January 1, 2026**, reflecting an average increase of approximately **5.19%** compared to 2025. This adjustment affects various intellectual property matters, including patents, trademarks, and industrial designs, and also clarifies several fee reduction policies.

Key Changes Overview

- **Overall Increase:** Based on projections from the Economic Studies Group, the average adjustment for 2026 Industrial Property fees is **5.19%**. This increase is linked to the variation in the Consumer Price Index for the middle-income stratum published by the Colombian National Administrative Department of Statistics (DANE).
- **New Fee Item:** The resolution explicitly introduces a fee for "Claiming Well-Known Trademark Status within a cancellation action response," aligning its cost with the existing fee for such claims in opposition proceedings.
- **Online Application Discount:** "Online Application" fees are lower than "Physical Application" fees for almost all procedures, encouraging applicants to use the electronic filing system to reduce costs.
- **Fee Reductions for Specific Groups:** The resolution maintains fee reduction policies for specific applicants, including Micro, Small, and Medium-sized Enterprises (MSMEs), certified artisans, young entrepreneurs, ethnic groups, educational institutions, and non-profit organizations, among others.

2026 Key Official Fee Schedule (Currency: Colombian Peso - COP)

I. Patents & Utility Models

Service Description	Online Filing	Physical Filing
<i>Invention Patent Application (includes first 10 claims)</i>	118,000	146,000
<i>Utility Model Application (includes first 10 claims)</i>	104,500	128,500

<i>Additional Claim Fee for Invention Patent (from the 11th claim, each)</i>	59,000	69,500
<i>Additional Claim Fee for Utility Model (from the 11th claim, each)</i>	32,500	35,000
<i>Request for Substantive Examination - Invention Patent</i>	1,831,500	2,194,000
<i>Request for Substantive Examination - Utility Model</i>	1,035,000	1,234,500
<i>Invention Patent Annual Fee (Years 1-4)</i>	388,500	466,500
<i>Invention Patent Annual Fee (Years 5-8)</i>	604,000	724,500
<i>Invention Patent Annual Fee (Years 9-12)</i>	905,000	1,087,000
<i>Utility Model Annual Fee</i>	360,500	438,000

II. Trademarks & Trade Names

Service Description	Online Filing	Physical Filing
<i>Trademark Registration (1st class)</i>	674,000	778,000
<i>Each additional class in the same application</i>	1,794,500	2,186,000
<i>TM Application (1st class) - MSMEs</i>	970,500	1,180,000
<i>TM Application (1st class) - Certified Artisans</i>	92,500	114,000
<i>Filing an Opposition (per class)</i>	616,000	739,000
<i>Claiming Well-Known Trademark Status (in opposition or cancellation response)</i>	1,211,500	1,477,500
<i>Trade Name Deposit</i>	957,000	1,167,000
<i>Trademark Renewal (1st class)</i>	734,500	897,000

III. Industrial Designs & Integrated Circuit Layout Designs

Service Description	Online Filing	Physical Filing
<i>Industrial Design Registration Application</i>	943,500	1,130,500
<i>*Industrial Design App - Certified Artisans/Youth (18-28 yrs)*</i>	236,500	284,000
<i>Integrated Circuit Layout Design Registration Application</i>	943,500	1,130,500

IV. International Applications

Service Description	Online Filing	Physical Filing
<i>PCT International Phase Transmittal (SIC as Receiving Office)</i>	360,000	476,500
<i>Madrid System International Application Transmittal</i>	115,500	136,500

V. Other Services & Procedures

Service Description	Online Filing	Physical Filing
<i>Submission of Priority Document</i>	304,500	370,500
<i>Request for Time Extension</i>	200,500	246,500
<i>Recordal of a License</i>	217,500	265,500
<i>Recordal of Change in Ownership (Assignment)</i>	486,500	590,000

Summary of Key Fee Reduction Policies

1. **Standard Reductions:** Eligible MSMEs, universities, and non-profit research institutions may receive a **25% reduction** on fees for applications such as industrial designs, integrated circuit layouts, and patent examinations. A **50% reduction** applies to certain patent annuity fees.
2. **Training & Advisory Reductions:** A **25% fee reduction** is available for specific applications filed within a set period after participating in SIC's IP training courses or receiving specialized guidance from designated centers.
3. **Entrepreneur Program (PI-e):** Entrepreneurs who complete all stages of the PI-e program can receive a substantial reduction of **up to 85%** on trademark and industrial design registration fees.
4. **National Inventor Prize Winners:** Winners who file relevant patent applications within one year of receiving the award are exempt from application, modification, extension, and first substantive examination fees.

Conclusion

Applicants planning to secure intellectual property rights in Colombia are advised to familiarize themselves with the new fee schedule well in advance. Prioritizing online

applications is recommended for cost savings, and we encourage actively assessing eligibility for the various fee reduction programs to optimize your IP budget.

This information is based on Resolution No. 77243 del 30 de septiembre del 2025 and is provided for reference only. It does not constitute legal advice. Please consult the latest official guidelines from the Colombian Superintendence of Industry and Commerce (SIC) for specific applications.

3. UK Intellectual Property Office Announces Comprehensive Fee Increases for Patents, Trademarks, and Designs Effective April 2026

The UK Intellectual Property Office (IPO) issued an official announcement on 5 November 2025, detailing planned increases to official fees for patents, trademarks, designs, and other related services, effective 1 April 2026. Subject to parliamentary approval, this will represent the most significant fee adjustment in recent years.

Background and Reasons for the Fee Adjustment

The primary reason for this fee adjustment is rising operational costs. IPO fees have remained unchanged for extended periods: patent fees since 2018, design fees since 2016, and the core trademark application fee since 1998.

During this time, the IPO has avoided increasing fees by improving operational efficiency and utilising existing reserves. However, cumulative inflation of 32% since 2016, coupled with future cost pressures that cannot be fully offset through further efficiency gains, has made this average 25% fee adjustment necessary. This move aims to ensure the IPO can continue investing in its service systems and maintain high-quality intellectual property services.

Details of Key Fee Adjustments

The following tables compare current fees with new fees for key services:

Patent Fee Adjustments

Service	Current Fee (£)	New 2026 Fee (£)	Increase
Patent Application			
Online Application Fee	60.00	75.00	25%
Paper Application Fee	90.00	120.00	33%
Search & Examination			
Patent Search Request (Online)	150.00	200.00	33%
Request for Substantive Examination (Online)	100.00	130.00	30%
Excess Claims Fee (per claim over 25)	20.00	27.00	35%
Excess Page Fee (per page over 35)	10.00	13.00	30%

Patent Renewal			
Year 5 Renewal	70.00	90.00	29%
Year 10 Renewal	170.00	230.00	35%
Year 20 Renewal	610.00	810.00	33%
International Patent (PCT)			
International Search Request (Online)	120.00	160.00	33%
International Search Request (Paper)	150.00	200.00	33%
Transmittal Fee for International Application	75.00	100.00	33%
National Processing Fee (International Application)	30.00	40.00	33%
Publication Fee for Translation (International Application)	12.00	16.00	33%
Restoration of Right of Priority (International Application)	150.00	200.00	33%

Trademark Fee Adjustments

Service	Current Fee (£)	New 2026 Fee (£)	Increase
Trademark Application			
Online Application (1 class)	170.00	205.00	21%
Paper Application (1 class)	200.00	250.00	25%
Fee for Additional Class	50.00	60.00	20%
Trademark Renewal			
Online Renewal (1 class)	200.00	245.00	23%
Renewal Fee for Additional Class	50.00	60.00	20%
Dispute Proceedings			
Notice of Opposition (Limited Grounds)	100.00	125.00	25%
Application for Invalidation	200.00	250.00	25%
International Trademark (Madrid System)			
Application to Register an International	40.00	50.00	25%

Trademark			
Renewal of an International Registration	20.00	25.00	25%

Design Fee Adjustments

Service	Current Fee (£)	New 2026 Fee (£)	Increase
Design Application			
Single Design (Online)	50.00	60.00	20%
Multiple Designs - up to 10 (Online)	70.00	85.00	21%
Single Design (Paper)	60.00	75.00	25%
Design Renewal			
1st Renewal	70.00	85.00	21%
4th Renewal	140.00	170.00	21%
Restoration of Registration	120.00	150.00	25%

Supplementary Protection Certificate (SPC) Fee Adjustments

Service	Current Fee (£)	New 2026 Fee (£)	Increase
SPC Application	250.00	330.00	32%
SPC Fee (Year 1)	600.00	800.00	33%
SPC Fee (Year 5)	1,000.00	1,330.00	33%

[Link to Full Fee Schedule on GOV.UK](#)

Key Implications for Users

The IPO has stated that it will publish comprehensive official guidance early next year to assist users in navigating these changes. Users with fee deadlines falling close to the implementation date are advised to monitor official communications closely.

Information regarding payment methods on the official website has already been updated, including terms and conditions for deposit account holders. **All current fees will remain in effect until 1 April 2026.**

Summary

This fee adjustment, with an average increase of 25%, is designed to address inflationary pressures and ensure service quality. Businesses and rights holders are advised to plan ahead and strategically schedule future IP applications and maintenance activities considering these

changes.

4. Revised Swiss Patent Act to Take Effect in 2027 – Implications for Current Applications

Attention enterprises and inventors with an interest in the Swiss intellectual property landscape: important revisions to the Swiss Patent Act have been passed. The Swiss Parliament approved partial amendments in March 2024, and the new law is expected to come into force in 2027. The exact effective date, along with the new Patents Ordinance, will be finalized by the Federal Council in May 2026.

It is important to note that the process from filing a patent application to the start of its substantive examination generally takes two to three years. As a result, applications filed from now onward may well fall under the new legal framework. Understanding these upcoming changes in advance is crucial for strategic patent planning.

Key Amendments Explained

The revision aims to enhance transparency and legal certainty in patent examination. A central change is the introduction of a fee-based prior art search service to be conducted by the Swiss Federal Institute of Intellectual Property (IPI) for each application. The findings will be summarized in a detailed search report, which will be published together with the application documents. This report will serve as an authoritative reference for assessing the protectability of an invention, significantly increasing legal security for both applicants and third parties.

The revised law also introduces greater flexibility in the examination process. While the IPI will generally not examine for novelty and inventive step on its own initiative, applicants will, in the future, have the option to voluntarily request a full examination of all patentability requirements. This allows for the grant of a fully examined patent, aligning the Swiss system with practices in many other countries.

Furthermore, the revision introduces two practical improvements:

1. The number of claims examined without additional fees will be increased from the current 10 to 15.
2. If technical documents are submitted in English, translation into an official Swiss language (German, French, or Italian) will no longer be mandatory. Voluntary translations will remain acceptable.

Implications for Pending Applications and Strategic Recommendations

The application of the new rules to pending filings will be determined by a key milestone: whether the examination fee has been paid before the new law comes into force.

If the examination fee has not been paid by the effective date, the application will be subject to the new law, including the mandatory fee-based prior art search. Any voluntary search requested under the current law will be carried over after the revision takes effect.

Conversely, all applications for which the examination fee has been paid before the effective date and which are not suspended at that time will continue to be processed entirely under the current law until finalization.

Therefore, if you wish to ensure that your current patent application is examined from start to finish under the existing legal framework, we recommend applying for an accelerated substantive examination in a timely manner to avoid potential uncertainties arising from the transition.

5. Updated China Patent Examination Guidelines to Take Effect on January 1, 2026

To further implement the national intellectual property strategies and enhance the quality and efficiency of patent examination, the China National Intellectual Property Administration (CNIPA) has revised the *Patent Examination Guidelines*. The updated guidelines, announced on November 10, 2025, via Decree No. 84, will come into force on January 1, 2026.

Key Revisions

The amendments focus on refining examination standards for emerging technologies and addressing practical issues to better serve innovators.

1. Strengthened Protection for New Fields and Industries

- **Plant Varieties:** Clear definitions and expanded patentable subject matter are introduced to strengthen intellectual property protection in the seed industry and improve coordination with the plant variety protection system.
- **Artificial Intelligence:** New guidelines include ethical considerations, examples for assessing inventiveness, and specific drafting requirements for AI-related patent applications.
- **Bitstream Patents:** Special provisions are added to address patentability for bitstream-based inventions, aligning with the rapid growth of the streaming media industry.

2. Optimized Examination Standards and Procedures

- **Same-Day Applications:** Only inventions that relinquish utility model rights may proceed to grant for invention patents, ensuring alignment with legislative intent.
- **Inventiveness Assessment:** Features that do not contribute to solving technical problems will generally not support inventiveness, improving examination efficiency and application quality.
- **Invalidation Requests:** Requests filed without genuine intent will be dismissed to curb malicious invocation of procedures.

3. Streamlined Practices for Innovation Support

- **On-Demand and Accelerated Examination:** Clear rules are provided to meet the practical needs of innovators.

- **Divisional Applications:** Guidelines specify the handling of priority rights in divisional applications that do not declare priority.
- **Priority Document Submission:** Requirements for submitting proof of priority transfer are clarified to help applicants better understand examination standards.

Background

The revision process began with a draft released for public consultation from April 30 to June 15, 2025. CNIPA conducted extensive research, solicited feedback through written comments, seminars, and field studies, and refined the guidelines based on stakeholder input. The final version was approved by the CNIPA Committee and officially promulgated on November 10, 2025.

These updates underscore China's commitment to fostering innovation by modernizing its intellectual property framework. Companies and applicants are encouraged to review the new guidelines to optimize their patent strategies.

6. China Transitioning to Mandatory XML Format for All Patent E-Filings from January 1, 2026

In a significant move to enhance patent examination efficiency and advance the digital transformation of its intellectual property system, the China National Intellectual Property Administration (CNIPA) has announced the full implementation of e-filing in Extensible Markup Language (XML) format.

According to the official notice released on November 12, 2025, titled "Comprehensive Implementation of Submitting Patent Electronic Documents in Extensible Markup Language (XML) Format," all electronic filings submitted on or after **January 1, 2026**, must comply with the new XML requirement.

Key Highlights of the New Mandate:

1. Mandatory XML Format Effective January 1, 2026

As of the start of 2026, CNIPA will **exclusively accept** patent electronic documents in XML format for all electronically handled matters. This includes patent applications, re-examination requests, invalidation declarations, and related formalities. Submissions in any non-XML electronic format will no longer be accepted after this date.

2. Comprehensive Scope of Application

The mandate applies to a wide range of procedures and documents, ensuring a unified standard across the patent ecosystem. The required XML submissions cover:

- National applications for inventions, utility models, and designs.
- International applications entering the Chinese national phase under the Patent Cooperation Treaty (PCT).
- Documents for re-examination and invalidation requests.
- Other requests, declarations, statements, and amendments submitted during various procedures.

A detailed list of files that must be uploaded in XML format is available in [the annex to CNIPA's notice](#).

3. Technical Standards and Tools

To facilitate a smooth transition, CNIPA has specified that all XML files must adhere to

its published data standards, with one key exception: nucleotide and amino acid sequence listings must follow the WIPO ST.26 standard.

Essential resources, including the data specification standards, XML conversion tools, and user manuals, are available for download in the "Tools Download" section of the CNIPA's patent service system at: <http://cponline.cnipa.gov.cn>.

4. Call for Proactive Preparation

CNIPA urges all applicants and patent agencies to optimize their business processes and strengthen quality control measures. It is the responsibility of the filer to ensure that all submitted XML files are accurate and complete. While remedies may be available for errors arising from XML conversion if sufficient evidence is provided, the emphasis is on prevention through careful preparation and verification.

What This Means for Our Clients

This shift to a standardized, machine-readable XML format is designed to streamline the entire patent process, leading to faster processing and more efficient examination. As your trusted partner in navigating the Chinese IP landscape, our agency is fully equipped and prepared for this transition.

We are already working with the official standards and tools to ensure that all your future filings are fully compliant, accurate, and submitted seamlessly. Please feel free to contact our team for any assistance in adapting to this new requirement or if you have questions about your specific cases.

7. USPTO Introduces New Incentive: Voluntary Search Disclosure Declarations to be a Favorable Factor in IPR/PGR Petitions

The United States Patent and Trademark Office (USPTO) has announced a new initiative aimed at enhancing patent quality and leveraging public expertise. Effective immediately, in inter partes review (IPR) and post-grant review (PGR) proceedings, petitioners are encouraged to submit a Voluntary Search Disclosure Declaration (SDD). The Office will consider a voluntarily submitted SDD as a favorable, non-dispositive factor when deciding whether to institute a proceeding.

Background and Rationale

In AIA post-grant proceedings, petitioners often uncover prior art that was not previously considered by the USPTO examiner. This can be due to specialized search methodologies, access to specific databases, or analytical tools not routinely used during examination.

Recognizing this, the USPTO has established the SDD framework to capture these valuable search strategies. The goal is to integrate these insights into the Office's internal training and processes, leading to a sustained improvement in patent examination quality for all stakeholders.

What is a Search Disclosure Declaration (SDD)?

An SDD is a voluntary statement in which a petitioner explains, in detail, the methodology behind its prior art search. A comprehensive SDD should describe:

- The specific databases, repositories, and publicly available resources consulted.
- The search strategy employed, including search terms, queries, filters, or classification pathways.
- The approximate time spent conducting the search and reviewing the results.
- Any other relevant information regarding the search methodology.

It is critical to note that submission of an SDD is entirely voluntary. A petitioner will not be penalized for choosing not to file one.

Strategic Value of Submitting an SDD

The primary incentive for submitting an SDD is its potential to positively influence the institution decision. The USPTO will consider a voluntary SDD as a **non-exclusive, favorable**

factor supporting the grant of a petition. This is particularly true if the declaration reveals new or underutilized search pathways that could benefit Office practice.

Additionally, an SDD may serve as a useful tool in demonstrating that relevant prior art was overlooked during the original examination.

Filing Requirements and Confidentiality

- **Timing:** For new petitions, an SDD must be submitted as a standalone exhibit at the time of filing. For petitions already filed, a petitioner may submit an SDD within seven business days of the November 17, 2025 memorandum.
- **Confidentiality:** Petitioners may file an SDD under a motion to seal, requesting in camera review. Any proposed protective order must allow the USPTO to use the information for internal training and process improvement. If accepted as confidential, the SDD will not be made public except as required by law. The Office also notes that deposition testimony related to an SDD will generally not be permitted.

Key Takeaways and Strategic Considerations

This new guidance introduces a strategic consideration for any party preparing an IPR or PGR petition. By voluntarily sharing a well-documented search methodology, petitioners have an opportunity to not only strengthen their case for institution but also to contribute to the enhancement of the patent system.

We recommend evaluating the potential benefits of preparing an SDD as part of the initial petition drafting process, especially when a novel or highly effective search strategy was employed.

This guidance is effective immediately and applies to all pending IPR and PGR proceedings where the patent owner's preliminary response deadline has not yet passed.

8. China Issues New Guidance to Curb Misleading Trademark Practices

On November 21, 2025, the China National Intellectual Property Administration (CNIPA) has released updated guidance aimed at strengthening the regulation of trademark usage, with a focus on preventing misleading and deceptive practices in the market. The move seeks to enhance fair competition and consumer trust by clarifying prohibited behaviors and reinforcing enforcement mechanisms.

Key Areas of Concern

CNIPA highlighted several types of trademark misuse that will face increased scrutiny. These include the use of unregistered marks containing deceptive terms such as “exclusive supply,” “premium,” “organic,” or “handmade,” when such claims do not reflect the actual qualities of the goods. Similarly, registered trademarks must not be used in product names, advertisements, or packaging in a way that misleads consumers about quality, origin, or production methods.

The guidance also addresses false claims of registration, non-use of mandatory marks in sectors such as tobacco and e-cigarettes, and improper promotional use of the term “Well-Known Trademark.” In addition, collective and certification trademarks must be used only on goods that meet specified quality standards. Trademark agencies are further warned against engaging in malicious applications or cancellations that harm legitimate rights holders.

Enforcement and Compliance Measures

To support implementation, CNIPA has called for improved coordination between intellectual property and market regulation authorities, along with simplified public reporting channels. Monitoring will be prioritized in high-impact sectors including food, pharmaceuticals, children’s products, and electronics.

Regional IP offices are expected to strengthen local oversight, forward violations to enforcement bodies, and escalate cross-regional cases where necessary. The administration also emphasized education and compliance guidance for enterprises, urging businesses to align trademark usage with legal standards and maintain product quality.

Context and Expected Impact

This guidance forms part of China's broader effort to refine its intellectual property

ecosystem and promote market integrity. By clarifying prohibited activities and standardizing enforcement, CNIPA aims to reduce consumer confusion, support lawful business operations, and foster a more transparent commercial environment.

All provincial IP offices are expected to adopt the guidance in line with local conditions, with further operational details to be issued in the coming months.

9. Australia's Updated Trade Mark Regulations: Key Changes to International Registrations, Hearings, and Oppositions

The *Trade Marks Amendment (International Registrations, Hearings and Oppositions) Regulations 2025* (the IRHO Regulations) have now been formally approved, introducing important updates to the *Trade Marks Regulations 1995*. These changes, developed following a public consultation process, are designed to further align Australia's trade mark system with the Madrid System and streamline examination and opposition procedures.

The amendments will take effect in two stages, with the **first set commencing on 19 November 2025 and the second on 19 December 2025**. Transitional arrangements will apply to ensure a smooth implementation.

Key Changes Effective from 19 November 2025

A significant update is the introduction of a **partial replacement** mechanism. Previously, Australia only permitted a protected international trade mark to fully replace an identical earlier registered trade mark held by the same owner. Under the new rules, it will be possible to replace only some of the goods and/or services covered by the earlier registration. It is important to note that this mechanism applies only in specific circumstances where the same owner holds both marks.

Additionally, the Registrar will be explicitly empowered to **revoke acceptance of an International Registration Designating Australia (IRDA)** before it reaches protected status. If the Registrar issues a notice of intention to revoke acceptance, the IRDA will not automatically proceed to protection. This pause allows the holder time to respond and present their case before a final decision is made.

Key Changes Effective from 19 December 2025

The deadline for filing a **Notice of Intention to Defend** in opposition proceedings will be extended from **one month to two months**. This change applies to oppositions where the relevant matter (such as acceptance of a trade mark or a non-use application) is advertised on or after 19 December 2025. The applicable deadline will be clearly stated in all official correspondence.

Furthermore, the process for **deferring acceptance** when a hearing is requested has been

simplified. Applicants will no longer need to file a separate application for an extension of time when a hearing is requested close to the acceptance deadline. Instead, acceptance will be automatically deferred until the hearing is resolved. This change applies to hearing requests made on or after 19 December 2025.

Other Important Updates

The amendments also introduce a new ground for rejecting an IRDA if its protection would contravene Australian sanctions law. Several technical amendments have been made to improve legislative clarity, and application provisions specify how the changes apply in various circumstances.

Further Information

For more detailed information, please refer to the official practice updates which will be incorporated into the *Trade Marks Manual of Practice and Procedure*. The full IRHO Regulations and explanatory materials are available on the [Federal Register of Legislation](#).

10. Maldives Enacts First Trademark Law, Effective November 2026, Moving Beyond Cautionary Notices

On November 11, 2025, the Republic of Maldives enacted its first comprehensive Trademark Act (Law No. 19/2025), establishing a formal statutory framework for trademark registration and protection for the first time in the country. This landmark legislation will come into force on **November 11, 2026**, replacing the long-standing informal practice of relying on "cautionary notices" to assert trademark rights with a modern registration system aligned with international standards.

Core of the New System: Registration and Institutional Support

The Trademark Act will operate in conjunction with the Maldives Intellectual Property Office Act (Law No. 12/2025). The Maldives Intellectual Property Office (MIPO) is scheduled to be established on **January 1, 2026**, and will be responsible for the registration and administration of intellectual property rights, providing the institutional foundation for the new law.

Overview of Key Provisions

The new law adopts a broad definition of a trademark as "any sign capable of distinguishing the goods or services of one enterprise from those of other enterprises," including names, letters, numerals, figurative elements, symbols, shapes, patterns, and combinations thereof. The system provides for the registration of certification and collective marks and offers protection for well-known marks.

The application process includes substantive examination on both absolute and relative grounds. After publication, there is a **3-month opposition period**. Registrations are granted for an initial term of **10 years**, renewable indefinitely. A **6-month grace period** is allowed for renewal. A trademark becomes vulnerable to cancellation on grounds of non-use if it has not been put to genuine use in the Maldives for a **continuous period of 5 years** following registration.

The law introduces both civil and criminal remedies for trademark infringement and counterfeiting. It also establishes a border enforcement mechanism, allowing right holders to apply to Customs for the suspension of clearance and seizure of suspected infringing goods.

Significant Benefit for Foreign Applicants

A notable change is that **foreign individuals and entities can now apply directly to register trademarks in the Maldives**. This removes the previous necessity to register through a local licensee or rely solely on cautionary notices. Foreign applicants may also appoint local representatives to handle related matters.

Registration Process and Rights Maintenance

Trademark rights are granted to the applicant who first files a valid application with the Registrar of Intellectual Property. The Act establishes two types of priority rights: **foreign priority** (claimable within 6 months of filing an application in a Paris Convention or WTO member country) and **exhibition priority** (claimable within 6 months of first displaying goods/services under the mark at an officially recognized international exhibition).

License agreements must be recorded with the Registrar to be effective against third parties. Clerical or administrative errors in a registration may be corrected by the Registrar, while amendments affecting the scope of rights require a court order.

A trademark registration may be declared invalid (canceled) by the Registrar or the courts if it was registered in breach of absolute grounds or conflicts with an earlier right. Furthermore, any interested party may apply for the **revocation** of a registration after 5 years from the registration date on grounds such as non-use for a continuous 5-year period.

Enforcement and Remedies

A trademark proprietor may initiate civil infringement proceedings within **5 years** of becoming aware (or should have become aware) of the infringement. Available remedies include injunctions, damages, orders for destruction or recall of infringing goods, and disclosure of information regarding infringers.

Criminally, acts such as counterfeiting a mark, applying a counterfeit mark to goods, dealing in counterfeit goods, or importing/exporting such goods for commercial purposes without the proprietor's consent are punishable by fines ranging from **MVR 100,000 to MVR 2,000,000**.

Transitional Arrangements and Recommendations for Existing Right Holders

For holders of rights previously based solely on "cautionary notices," a reported **12-month transition period** (from November 11, 2026, to November 11, 2027) will allow them

to file formal applications in an attempt to preserve earlier rights. However, as the law does not explicitly convert cautionary notices into statutory priority, the practical effect of this transition awaits clarification in forthcoming regulations.

Holders of trademarks already registered with the Ministry of Economic Development and Trade must file a "regularization" application within **12 months** of the new Act's effective date (i.e., by November 11, 2027).

Until the regulatory position is clarified, it is advisable for trademark owners to **maintain their existing cautionary notice publications**. While these may not confer statutory priority, they can serve as valuable evidence of prior use and established goodwill, which may be relevant during examination or in disputes over validity and ownership.

Conclusion

The enactment of the Trademark Act marks a historic step in the modernization of intellectual property protection in the Maldives. It establishes the country's first formal trademark registration system, providing a clear and robust legal framework for both local and international brands. With the law taking effect in November 2026, it is crucial for all right holders to review their portfolios and prepare proactively to ensure a smooth transition under the new regime and avoid any loss of rights.

11. Important Notice from Nepal's Department of Industry: Trademark Applicants Must Complete File Reconstruction Within Stipulated Deadlines

On December 1, 2025, the Department of Industry (DoI) of Nepal issued an official notice regarding the reconstruction of trademark application files. This action follows physical damage to administrative records caused by a social security incident in September 2025. All affected trademark applicants are required to comply with new procedures and deadlines to reconstruct their application files and safeguard their legitimate rights and interests.

Key Deadlines and Specific Requirements:

1. Reconstruction Period for Pending Applications

For all trademark applications with pending status or incomplete documentation, applicants must resubmit a complete set of application materials to the DoI within 90 days from the date of this notice—that is, by **March 1, 2026**. The notice specifically states that any application pending for more than 7 years that is not resubmitted within this 90-day period will be automatically cancelled.

2. Registration Steps for Published Trademarks

For applications where the trademark has been published without opposition, applicants must submit all required documents for the issuance of the registration certificate within 6 months from the date of this notice—that is, by **June 1, 2026**. Failure to submit the necessary documentation within this period will result in the termination of the application process.

Background and Recommendations

This file reconstruction requirement arises from the impact of a previous unexpected social incident on the safekeeping of certain physical archives. Accordingly, the DoI has initiated a special administrative procedure to restore continuity in trademark registration management. We strongly advise all relevant trademark applicants, rights holders, and agents to treat this matter with urgency, immediately verify the status of their applications, and take necessary action in strict accordance with the official deadlines to avoid loss of rights due to procedural reasons.

12. USPTO Explicitly Recommends: File a Separate Declaration in Response to Subject Matter Eligibility Rejections

On December 4, 2025, the United States Patent and Trademark Office (USPTO) issued an official memorandum clarifying a key practice recommendation for all patent applicants and practitioners. The memorandum advises that **when responding to a rejection based on lack of subject matter eligibility (under 35 U.S.C. § 101), a separate *Subject Matter Eligibility Declaration (SMED)* should be filed.** It should not be combined into a single document with declarations addressing other issues, such as obviousness (under 35 U.S.C. § 103).

This memorandum does not introduce a new rule but rather clarifies and emphasizes the current best practice. It underscores that a SMED is an evidentiary declaration submitted under 37 CFR § 1.132. Its core purpose is to provide objective evidence clarifying how the claimed invention constitutes patent-eligible subject matter, for instance, by demonstrating a specific improvement over the prior art.

Why File a Separate Declaration?

The memorandum explains that while rules permit filing a single declaration covering multiple grounds of rejection, combining a SMED with other declarations carries several risks. **First**, it can blur the focus of the evidence, making it difficult for the examiner to isolate the portions specifically relevant to the eligibility issue, thereby potentially diminishing the probative value of the SMED. **Second**, this practice complicates the examination process and deviates from the USPTO's established framework for separate evaluation. The *Manual of Patent Examining Procedure (MPEP)* provides distinct guidance for declarations addressing § 101 (MPEP 2106) and those addressing § 103 (MPEP 2145). Combined submissions increase the examiner's burden of disentangling the evidence and may hinder examination efficiency. **Furthermore**, a combined submission can lead to an unclear prosecution history, which is disadvantageous for any subsequent administrative or judicial proceedings.

Implications for Applicants

For applicants seeking patent protection in the United States, this memorandum offers clear, practical guidance. It highlights that when facing challenging § 101 rejections—particularly in technology areas frequently questioned for eligibility, such as software, business

methods, and artificial intelligence—adopting the officially recommended practice of filing a separate SMED is beneficial. This approach helps build a clear, robust, and focused evidentiary record dedicated to the subject matter eligibility issue. It may enhance communication with the examiner, potentially facilitating the examination process, and lays a stronger factual foundation for any potential appeals.

13. Update on Delivery of Official Trademark Documents in China

The China National Intellectual Property Administration (CNIPA) has implemented a change in the procedure for delivering official documents in certain trademark matters. For cases including responses to trademark cancellation, opposition, and invalidation actions, the relevant official documents will no longer be automatically copied to the appointed trademark agency.

Under the new procedure, these documents will be served directly to the trademark's address on record (the registered address or contact address). This change may impact the timely receipt of documents if the address on file is not current or actively monitored, potentially affecting response deadlines.

In light of this procedural update, the following points may be considered:

1. **Accuracy of Address Information:** Ensuring the accuracy and currency of the "contact address" provided in trademark filings is essential. If an applicant's operational address differs from the official registered address, providing a reliable alternative contact address for receipt of mail is advisable.

2. **Monitoring Official Publications:** Regular monitoring of the official trademark gazette for relevant announcements (such as invalidation or service notices) is recommended to stay informed about proceedings that may affect one's trademarks.

3. **Agency Representation in Response Proceedings:** When a trademark agency is formally appointed to represent an applicant in response proceedings (opposition, cancellation, invalidation), the agency will receive the subsequent adjudication documents from CNIPA, which can then be forwarded to the applicant.

4. **Review and Update of Existing Portfolios:** It is advisable for trademark owners to review their existing portfolios to confirm the contact addresses on file. Address change requests can be submitted to CNIPA where necessary to ensure proper delivery channels.

This adjustment emphasizes the importance of accurate record-keeping and proactive management of trademark portfolios. Relevant parties are encouraged to review their own procedures to adapt to the updated document delivery process.

14. Argentina’s Trademark System Undergoes Major Reform: Narrowed Examination Scope and Comprehensive Process Acceleration

In a move to optimize the business environment and stimulate market vitality, the Argentine National Institute of Industrial Property (INPI) officially issued Resolution No. 583/2025 on December 11, 2025, introducing a systematic reform of the trademark registration system. The core of this reform lies in significantly simplifying examination procedures and clarifying the boundaries of review, aiming to markedly enhance registration efficiency and predictability of outcomes. This will provide entrepreneurs and businesses across the country with higher-quality intellectual property services.

Major Adjustments to Examination Scope: Official Examination Limited to “Absolute Grounds”

The most fundamental change in this reform is the redefinition of the Trademark Office’s examination responsibilities. According to the new regulations, official examination will focus solely on “absolute grounds for refusal,” which pertain to public interest, primarily including:

1. **Signs lacking distinctiveness:** Generic names, descriptive signs, or other marks incapable of distinguishing the source of goods or services.
2. **Content contrary to public order or morality:** Marks involving national symbols, discriminatory elements, or those contrary to social morals.

Meanwhile, “relative grounds,” which involve conflicts of private rights, will be entirely left to market participants to monitor. These mainly include:

- Situations where a mark is similar to a prior registered trademark or application, likely to cause confusion.
- Marks that may mislead the public regarding the quality, origin, or other characteristics of goods or services.
- Unauthorized use of another person’s name, portrait, or other specific rights.

This means the Trademark Office will no longer actively reject applications based on the above relative grounds. The identification of and objections to such risks will now rely entirely on prior rights holders proactively filing oppositions within the statutory period. This change underscores the nature of trademark rights as “private rights,” emphasizes the responsibility of

rights holders to protect their own interests, and aligns with international mainstream trademark practices, such as those in the European Union.

Optimized and Restructured Examination Process: From “Examination After Publication” to “Publication After Examination”

In addition to refining the scope of examination, the new regulations also revolutionize the sequence of the examination process, completely replacing the previous lengthy model of “publication first, followed by substantive examination, and then registration.” The new, more efficient process is as follows:

- a) For eligible applications, the Trademark Office will immediately conduct both formal and substantive examinations (limited to the aforementioned absolute grounds) in parallel after acceptance, all of which will be completed before the application is published.
- b) If the examination is passed, the application will be published in the *Trademark Gazette*.
- c) Starting from the publication date, a statutory 30-day opposition period begins. If no third party files an opposition, the trademark will be directly registered.
- d) If an opposition is filed, subsequent procedures will follow the established administrative opposition resolution rules.

This “pre-grant examination” model moves the most time-consuming substantive examination stage to before publication, allowing uncontested trademarks to be registered swiftly after the opposition period ends, significantly shortening the overall registration cycle.

Phased Implementation to Ensure a Smooth Transition

To ensure the smooth implementation of the reform, the new regulations will be rolled out in two phases: **Effective from the date of the resolution’s issuance (December 11, 2025):** The new examination scope standards take effect immediately, applying to all pending and newly filed trademark applications. **Effective from March 1, 2026:** The new “publication after examination” process officially comes into force. This buffer period provides the Trademark Office with the necessary time to adjust internal systems and workflows.

15. Taiwan Region Announces Key Adjustments to Patent Deferral Rules: Longer Periods, Single Request Limit

The Intellectual Property Office of the Taiwan region of China has recently amended the "Operational Guidelines for Deferral of Substantive Examination for Invention and Design Patent Applications." The revisions further extend the time limits for deferring substantive examination of patents while introducing restrictions on the number of such requests and considerations for public interest. The updated rules will take effect on January 1, 2026.

These amendments primarily address practical needs, providing applicants greater flexibility in utilizing the deferral mechanism to align with patent strategy and product commercialization plans. Following the 2024 expansion that allowed re-examination and divisional applications to qualify for deferral, the latest changes include the following key adjustments:

Invention Patent Applications: Deferral requests are limited to a single instance. The permitted period for requesting deferral and specifying a resumption date has been extended from three years to five years.

Design Patent Applications: Similarly restricted to one deferral request, with the time limit extended from one year to two years.

Furthermore, to prevent misuse of the system and safeguard public interests, the new guidelines clarify that the intellectual property authority may reject a deferral request or terminate an already approved deferral if the application is deemed to potentially have a significant impact on public interests or the rights of third parties.

A transitional clause is included: applications for deferral submitted before January 1, 2026, whose examination period has not yet expired, will automatically benefit from the newly extended time limits.

By granting applicants more preparation time while introducing application caps and a public interest assessment mechanism, these revisions aim to better balance examination flexibility with administrative efficiency, thereby enhancing the overall effectiveness of the patent system.

16. EAPO Official Fee Updates: New Rates Effective from February 1, 2026

The Eurasian Patent Organization (EAPO) has recently approved a series of adjustments to the official fees for invention patents and industrial designs. The amendments were adopted at the Administrative Council meeting held on October 14-15, 2025, and will come into force on **February 1, 2026**. The new fees apply to all applications filed under the Eurasian patent system and to existing granted patents. The revisions pertain to two core documents governing the fees for invention patents and industrial designs, respectively.

Overview of Key Fee Adjustments

The updates cover the entire patent lifecycle, from filing and examination to grant, maintenance, and amendments. Below is a summary of the key fee changes effective from February 1, 2026.

1. Key Official Fees for Invention Patents

Fee Item	New Amount (RUB)	Remarks
Filing Stage		
Single Procedure Fee (Filing Fee)	70,000	includes search, publication, etc.
Fee for Each Claim in Excess of Five	7,000 / claim	7,500 from the 21st claim; 8,000 from the 51st claim
Restoration of Priority Right	30,000	
Request for Early Publication	2,500	
Substantive Examination		
For a Single Invention	70,000	
For a Group of Inventions (per additional independent claim)	40,000 (2nd claim) 25,000 (subsequent claims)	Base fee is 70,000
Conversion of a Eurasian Application into National	15,000	

Applications		
Grant and Publication		
Fee for Grant and Publication of Patent	45,000	
Surcharge for Excess Pages (>35 pages)	500 / page	starting from the 36th page
Amendments and Corrections		
Amendment to Application (before completion of formal examination)	10,000 / request	
Amendment to Application (after completion of formal examination)	20,000 / request	
Correction of Patent Certificate	10,000	
Introduction of a New Independent Claim	40,000 / claim	
Oppositions and Appeals		
Filing an Opposition to an EAPO Decision	50,000	
Filing an Opposition to the Grant of a Patent	70,000	
Appeal (against decision on opposition to grant)	90,000	
Reinstatement of Rights		
Reinstatement of Rights for an Application or Patent	70,000	

2. Key Official Fees for Industrial Designs

Fee Item	New Amount (RUB)	Remarks
Filing Stage		
Single Procedure Fee (for 1 design)	40,000	

For Each Additional Design (2nd to 10th)	+20,000 / design	
For Each Additional Design (from 11th)	+10,000 / design	
Restoration of Priority Right	30,000	
Registration and Grant		
Fee for Registration, Publication & Grant (for 1 design)	40,000	Fee structure same as filing fee
Surcharge for Late Payment of Grant Fee	10,000	
Amendments and Corrections		
Amendment to Application (before technical prep for publication)	5,000 / request	
Amendment to Patent	5,000 / request	Free if correction is due to EAPO's error
Change of Representative	1,500	
Oppositions and Appeals		
Opposition to a Refusal Decision	25,000	
Appeal against Opposition Decision	35,000	Free for National IP Offices
Filing an Invalidation Action	35,000	Free for National IP Offices
Appeal against Invalidation Decision	45,000	
Renewal (Maintenance) Fees		
Renewal Fee (1st term)	15,000 / design	
Renewal Fee (2nd term)	17,000 / design	
Renewal Fee (3rd term)	20,000 / design	
Renewal Fee (4th term)	25,000 / design	
Surcharge for Late Payment of Renewal Fee	+50%	
Transfer of Rights		

Transfer of Application/Patent Right (by contract)	15,000 / 20,000	
Registration of Pledge on Patent Right	20,000	

Other Important Provisions

All official fees are established in Russian Rubles (RUB). However, payments to EAPO may be made in RUB, USD, EUR, or other currencies in which EAPO holds bank accounts. The exchange rate applied is the Central Bank of Russia's rate for the payment currency against the RUB on the payment date.

EAPO offers fee reductions for eligible applicants. Qualified entities (e.g., natural persons from Contracting States, state scientific/educational organizations) may benefit from reductions ranging from 10% to 90% on specified fees, depending on their category.

Regarding payment procedure, proof of payment (e.g., a certified bank payment order copy) must be submitted to EAPO within three months from the payment date indicated on the document. It must clearly identify the corresponding application/patent number and the specific fee paid. Overpaid fees or fees paid for actions not performed by EAPO may be refunded or credited against other fees/services upon request filed within three years from the payment date.

17. Adjustments to Eurasian Patent Maintenance Fees in the Republic of Belarus

Pursuant to Resolution No. 651 of the Council of Ministers of the Republic of Belarus dated November 20, 2025, new rates for the maintenance fees of Eurasian patents in force in Belarus will take effect from January 1, 2026, as outlined below:

Year in Force	Current fee (Belarusian Rubles)	New Fee (Belarusian Rubles)
Years 1–2	—	—
Years 3–4	128.6	137.8
Year 5	183.8	196.9
Year 6	202.1	216.6
Years 7–8	283.5	303.8
Years 9–10	343.9	368.4
Years 11–12	441	472.5
Years 13–14	530.3	568.1
Years 15–16	593.3	635.6
Years 17–18	682.5	731.3
Years 19–20	750.8	804.4
Years 21–25	1013.3	1,085.6

18. Major Revisions to China's Trademark Law: Public Consultation Now Open

Recently, relevant Chinese authorities have released the "Draft Amendments to the Trademark Law of the People's Republic of China" for public consultation. Comprising 9 chapters and 84 articles, the draft proposes comprehensive optimizations and upgrades to the current trademark system from multiple dimensions. This revision adopts a problem-oriented approach, focusing on prominent issues within the trademark field. It aims to refine the systems for trademark registration, management, and protection, while codifying proven practical measures into law. This represents another major overhaul of the Trademark Law since its last amendment in 2019.

Key Proposed Revisions:

1. Refining the Foundations of Registration

The draft provides a more precise definition of a trademark as "a sign used to identify and distinguish the source of goods or services." It also expands the types of registrable signs to include **motion marks**, aligning with the trend of diversified brand expression in the digital era. Furthermore, it supplements the list of non-traditional signs (like three-dimensional marks) that are prohibited from registration with terms such as "color combinations, sounds, and dynamic effects," making the rules more comprehensive.

2. Strengthening Measures Against Bad-Faith Registration

A significant highlight of this revision is its direct targeting of trademark hoarding and bad-faith squatting. A new provision explicitly stipulates that trademark applications filed "**not for the purpose of use and obviously exceeding normal production and business needs**" shall be refused, providing a more direct legal basis to combat such practices. Additionally, it moves to prohibit acts of obtaining registration "by fraud or other illegitimate means" to the application stage itself and establishes fines for malicious applications, guiding trademark registration back to its fundamental purpose of use.

3. Comprehensively Enhancing the Trademark Protection System

The draft strengthens the protection for **unregistered trademarks** and prior rights. It clearly states that applications for identical or similar trademarks will be refused if the applicant, aware

of another party's prior use of an unregistered trademark, files based on specific relationships such as contractual or business connections. Moreover, it refines the expression from "shall not infringe upon prior rights of others" to "shall not harm the existing prior lawful rights and interests of others," offering broader and more rigorous protection. Regarding infringement compensation, the subjective requirement is changed from "malicious infringement" to "intentional infringement," aligning the terminology closer with judicial practice.

4. Increasing Penalties and Regulating the Agency Industry

The draft substantially raises the fine amounts for various trademark violations and introduces more detailed penalty tiers. Notably, it introduces specific regulatory clauses for **trademark agency practitioners**, prohibiting them from accepting assignments independently or practicing at multiple agencies simultaneously. Penalties for non-compliant trademark agencies are also significantly increased, including substantial fines and potential suspension from handling agency business for serious violations, aiming to thoroughly cleanse the industry environment.

5. Optimizing Procedures and Service Efficiency

To improve examination efficiency, the draft shortens the opposition period after the preliminary approval announcement from **three months to two months**. It also mandates the trademark registration department to enhance the construction of **informatized and intelligent** public service systems to improve service convenience. Furthermore, it introduces a new provision allowing applicants to **withdraw** their trademark applications, granting them more procedural flexibility.

6. Unifying the Management System and Enhancing Enforcement Coordination

The draft consolidates various former administrative titles (e.g., "Trademark Office of the State Administration for Industry and Commerce") into a unified term "**State Council Trademark Administration Department**," reflecting further integration of registration and management functions. It also requires the establishment of a coordination mechanism between the registration management department and the enforcement departments to strengthen information sharing and collaborative efforts, fostering more efficient regulatory synergy.

Conclusion

This Draft Amendments to the Trademark Law constitutes a systematic legal upgrade. It

directly addresses current prominent issues such as bad-faith registration, abuse of rights, and irregularities in the agency market. By refining substantive rules, increasing penalties, and optimizing procedures, it strives to create a fairer, more transparent, and predictable legal environment for trademarks. The draft actively incorporates new elements from commercial practice and emphasizes technology-enabled public services, demonstrating the law's evolution to keep pace with the times.

19. New PCT Fee Adjustments: Updated Euro Equivalents Effective 1 January 2026

The World Intellectual Property Organization (WIPO) has revised the euro equivalents of certain fees for international patent applications under the Patent Cooperation Treaty (PCT), which will come into effect on 1 January 2026. These adjustments are relevant for applicants using the European Patent Office (EPO) as a receiving Office or International Preliminary Examining Authority (IPEA).

While WIPO sets international fees in Swiss francs, payments made to the EPO must be submitted in euros. The updated euro amounts have been established by the Director General of WIPO in accordance with the PCT Assembly's Directive.

The revised fee schedule, which amends the table published in OJ EPO 2024 (A103), is as follows:

- **International filing fee:** EUR 1,428 (previously EUR 1,417)
- **Fee per sheet in excess of 30:** EUR 16 (unchanged)
- **Reductions for electronic filing:**
 - Request not in character coded format: EUR 107 (unchanged)
 - Request in character coded format: EUR 215 (previously EUR 213)
 - Filing in character-coded format: EUR 322 (previously EUR 320)
- **Handling fee:** EUR 215 (previously EUR 213)

Applicants should note that the international filing fee applicable is based on the date the application is received, while the handling fee is determined according to the date of payment.

These updates reflect recent fluctuations in the exchange rate between the euro and the Swiss franc. We advise our international clients to consider these changes when planning and budgeting for future PCT filings.

International Cooperation

20. WIPO Introduces New Mediation Pledge to Assist IoT SMEs in SEP Licensing

The WIPO Arbitration and Mediation Center (WIPO Center) has recently launched a new initiative called the "**WIPO IoT SME Mediation Pledge**." This mechanism is designed to encourage holders of Standard Essential Patents (SEPs) and startups or small and medium-sized enterprises (SMEs) manufacturing or selling Internet of Things (IoT) devices to prioritize mediation for resolving disputes when patent licensing negotiations reach an impasse. By avoiding immediate recourse to costly and protracted litigation, the pledge aims to foster a more predictable environment for innovation and collaboration within the global IoT sector.

Under this pledge, signatory SEP holders make a key commitment: before initiating any infringement litigation, rate-setting proceedings, or equivalent legal actions against a qualifying IoT SME concerning the relevant SEPs, they must first formally offer to engage in confidential mediation. Legal actions may only be pursued if the SME rejects the mediation offer or if the mediation itself is unsuccessful. Should the SME accept the offer, the SEP holder pledges to suspend any related legal proceedings for the duration of the mediation.

To ensure fairness and practicality, the pledge outlines several specific conditions:

- **Basis for Mediation:** Mediations will be conducted primarily in accordance with the **WIPO Mediation Rules**, ensuring procedural professionalism and international recognition.
- **Procedural Timelines:** A mediation offer from an SEP holder remains valid for **30 days**. The holder may also propose that the mediation be completed within **6 months** of its acceptance, helping to control the overall dispute resolution timeline.
- **Information Exchange:** Both parties commit to cooperating in good faith with the mediator, within the bounds of confidentiality obligations, to provide information material to reaching a license agreement on **FRAND (Fair, Reasonable, and Non-Discriminatory) terms**.
- **Cost Sharing:** To alleviate the burden on SMEs, the **SEP holder will bear two-**

thirds of the mediator's fees and the administrative costs, with the total amount kept within reasonable and proportionate limits according to recognized commercial practices.

Key Features and Significance

The core strengths of this mechanism lie in its forward-looking "**litigation pause**" design and its **cost-sharing arrangement tilted towards protecting the weaker party**. It does not force a licensing agreement but mandates a good-faith negotiation window, helping to move disputes from the courtroom back to the business negotiation table. For resource-constrained IoT SMEs, this reduces the risk of innovation being stifled by fears of sudden global patent litigation and provides a clearer path to resolving licensing disputes with predictable costs.

SEP holders who sign this pledge will be listed on a public roster on the WIPO website. This serves as both a reputational incentive and a practical reference for IoT SMEs to identify "friendly" licensors. The definition of "SEP holder" within the mechanism is broad, encompassing the signatory and its affiliated entities.

To date, the pledge has garnered public support and signatures from several key SEP holders. Major industry players such as Huawei, Nokia, Ericsson, Qualcomm, and the patent pool administrator Sisvel have joined as inaugural signatories.

Definition and Scope

According to the pledge document, an "**IoT SME**" is specifically defined as an independent enterprise that meets the quantitative criteria (e.g., staff headcount, turnover) outlined in the **EU Recommendation 2003/361** and is engaged in manufacturing and/or selling IoT devices. Entities that are mobile/cellular handset manufacturers or are controlled by such entities are explicitly excluded. This ensures the support mechanism accurately targets genuine innovative small and medium-sized entities.

21. Important Update: Nice Classification 13th Edition (2026) Effective 1 January 2026; Qatar Accedes to Nice Agreement

The World Intellectual Property Organization (WIPO) has issued several key announcements. Firstly, the 2026 version of the 13th edition of the Nice Classification will come into effect on **1 January 2026**. This update introduces significant reclassifications of goods and services, and it is essential for applicants, holders, and IP professionals to review these changes promptly.

Furthermore, according to **WIPO Nice Notification No. 147**, the Government of the State of Qatar deposited its instrument of accession to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks on **10 November 2025**. The Nice Agreement will enter into force with respect to the State of Qatar on **10 February 2026**. This means that the Nice Classification system will become applicable for trademark applications designating Qatar.

Key Reclassifications of Goods and Services

A significant aspect of this update is the reclassification of several common product categories. Below are some of the notable changes:

- **Eyewear products formerly in Class 9** – including spectacles, lenses, frames, sunglasses, and contact lenses – **have been transferred to Class 10**.
- **Firefighting and life-saving equipment** such as fire engines, lifeboats, and life-saving rafts have **moved from Class 9 to Class 12**.
- **Electrically heated clothing and socks** have been **reclassified from Class 11 to Class 25**.
- **Nozzles for watering hoses** are now classified in **Class 17** (previously Class 21).
- **Tongue scrapers** have been moved **from Class 10 to Class 21**.
- **Buttercream (icing)** is now classified under **Class 30** (previously Class 29).

Professional Recommendations

Please note that the International Bureau will not reclassify existing registrations with a date prior to 1 January 2026. Applicants filing new international applications under the Madrid System should ensure their lists of goods and services are aligned with the new edition to avoid

objections and potential delays.

With the accession of Qatar, the Madrid Union continues to expand. Applicants should be aware that the Nice Classification will become applicable for trademarks designating Qatar.

For a comprehensive overview of all changes, we recommend consulting the detailed comparison file available on the WIPO website or using the updated Madrid Goods & Services Manager (MGS).

Others

22. WIPO Report: Global Patent and Design Filings Hit Record Highs in 2024

The World Intellectual Property Organization's latest World Intellectual Property Indicators report reveals sustained growth in global intellectual property filings during 2024, with patents and industrial designs reaching unprecedented levels while trademark applications showed signs of stabilization.

Key Highlights:

- Global patent applications increased by 4.9% to 3.7 million, marking the fifth consecutive year of growth
- Industrial design filings rose by 2.2% to reach 1.6 million designs
- Trademark applications stabilized at 15.2 million classes following two years of decline

Patent Leadership and Technological Trends

China maintained its position as the global leader in patent applications with 1.8 million filings, followed by the United States (501,831), Japan (419,132), the Republic of Korea (295,722), and Germany (133,485). Among the top 20 filing origins, India led growth with a remarkable 19.1% increase, followed by Finland (15.4%) and Türkiye (14.6%).

Computer technology remained the most active field in published patent applications, accounting for 13.2% of the global total. This sector has demonstrated exceptional vitality, achieving double-digit growth over the past decade. Electrical machinery, measurement, digital communication, and medical technology completed the top five technology fields.

Trademark Activity Shows Recovery Signals

Global trademark applications showed encouraging signs of recovery after two years of decline. Chinese applicants remained the most active filers with approximately 7.3 million classes across domestic and international applications. The United States, Russian Federation, India, and Brazil completed the top five filing origins.

Notably, several emerging markets demonstrated strong growth, with Argentina leading

at 19.7%, followed by Brazil (10.4%) and Indonesia (8.4%). The research and technology sector accounted for the largest share of international trademark filings at 19.3%, followed by health and clothing & accessories sectors.

Design Innovation Gains Momentum

The industrial design sector experienced broad-based growth, with seven of the top 20 filing origins achieving double-digit expansion. China dominated design filings with 906,849 designs, while Germany, the United States, Italy, and the Republic of Korea rounded out the top five.

India emerged as the fastest-growing design filing origin with an extraordinary 44.9% increase, followed by Morocco (20.2%) and Indonesia (18.9%). Furniture and household goods, along with textiles and accessories, jointly represented the largest design sectors at 16.7% each of global totals.

Strategic Implications for Global Innovation

The consistent growth in IP filings underscores the critical role of intellectual property in today's competitive global economy. The robust performance across multiple IP rights categories indicates strong confidence in the IP system and reflects the success of government initiatives to foster innovation ecosystems.

For businesses and innovators, these trends highlight the importance of comprehensive IP strategies that encompass patents, designs, and trademarks. The particularly strong growth in computer technology and emerging markets presents significant opportunities for strategic IP portfolio development and international expansion.

As a professional intellectual property service provider, we remain committed to supporting our clients in navigating the evolving global IP landscape. Contact our experts to develop tailored strategies for your international IP protection needs.