



October

1. Celebrating the 38th anniversary of Sanyou

On October 8, 2024, Sanyou headquarters and local branches jointly held a celebration to celebrate Sanyou's 38th birthday.



Sanyou's founder Li Qiang recalled Sanyou's growth from the original 3 staff to 450 employees to date.



President Li Hui pointed out Sanyou shall keep pace with the times, and emphasized the importance of cultivating versatile talents that are updated with newest technological innovations.



Sanyouers' singing and dancing performance demonstrating their passion for intellectual property work.





The 38th anniversary is not only a commemoration of ups and downs Sanyou has been through, but also the beginning of a promising future! San You is willing to use dreams as pens and diligence as ink to paint the future together with you!



2. Sanyou's Debuts at the 2024 Japan Intellectual Property Information Annual Conference

From October 2nd to 4th, 2024, the 2024 Japan Intellectual Property Information Conference (PIFC) was held in Tokyo, Japan. Led by General Manager Dang Xiaolin, the Sanyou team had in-depth exchanges with many well-known enterprises, authoritative institutions in the field of intellectual property, and experts and scholars in the industry, jointly exploring new opportunities for future international cooperation.

The Japan Patent Information Conference (PIFC), as one of the largest and most influential intellectual property industry events in Japan, has attracted nearly 100 exhibitors.

Sanyou has always adhered to the concept of open cooperation for many years, actively participating in numerous international

academic exchange conferences including INTA Annual Conference, Japan Intellectual Property Information Annual Conference, etc. Inviting well-known foreign intellectual property experts to hold special lectures in China, we are committed to deepening international exchanges and cooperation in the field of intellectual property, and have made positive contributions to promoting the prosperity and development of international intellectual property exchanges.



3. Sanyou won the Review of Trademark Refusal involving "ANKER"

Sanyou client: Anker Innovations Technology Co., Ltd

Hearing authority: Trademark Office of the CNIPA, Beijing Intellectual Property Court and Beijing Higher People's Court

Trial result: Preliminary approval of trademark application

Case Facts

Anker Innovations Technology Co., Ltd (hereinafter referred to as Anker Innovations) was established in 2011 and is one of the largest global consumer electronics enterprises in China in terms of revenue scale. It focuses on the design, R&D, and sales of smart accessories and smart hardware. As of the end of 2023, Anker Innovations has been granted 3899 patents, including 251 valid overseas patents and 139 valid overseas trademarks. It holds a leading market share in multiple prominent international E-commerce platforms and enjoys a high reputation globally.

For brand protection, Anker Innovations has applied to register the disputed trademark "ANKER" on goods of Class 31. The CNIPA believes that the disputed trademark "ANKER" can be translated into "安加", which is similar to the trademark "安加" (cited trademark) No. 11009252 registered on similar goods.

In accordance with Article 30 of the Trademark Law, the application for registration of the disputed trademark was thus rejected. Dissatisfied with the reason for rejection, Anker Innovations requested a review on the rejection. CNIPA deemed that the review reason was not tenable, and the application for trademark registration was not approved. Subsequently, Anker Innovations filed a lawsuit with

Beijing Intellectual Property Court within the deadline.

Focus of disputes

The focus of disputes in this case is whether the disputed trademark and the cited trademark constitute similar marks in terms of text composition, calling, and overall visual effects.

After trial, Beijing Intellectual Property Court found that the disputed trademark consists of the letters "ANKER", and the cited trademark consists of the Chinese words "安加". For the Chinese public, "ANKER" is not a common English word and is easily recognized as a combination of letters with no specific meaning. Even though "ANKER" has the meaning of "安加(unit name for measuring alcohol)", according to the evidence in the case, "安加" is not a fixed or common Chinese translation of "ANKER". For the relevant public of the plant and other goods designated for use by the disputed trademark, "ANKER" is usually not associated with "安加". There are significant differences in text composition, calling, and overall visual effects between the two, and they do not constitute similar marks. Even if they are jointly used on the same or similar goods, it is not easy for the relevant public to confuse and misrecognize the source of the goods, so the trademark in dispute does not violate the provisions of Article 30 of the Trademark Law, and the judgment revokes the sued decision of CNIPA.

CNIPA refused to accept the judgment of first instance and appealed to Beijing Higher People's Court. Beijing Higher People's Court of second instance heard and supported the judgment of Beijing Intellectual Property Court, rejected the appeal request of CNIPA, and upheld the judgment of first instance.

Typical significance

There is a certain subjective factor in determining whether a foreign trademark and a Chinese trademark are similar. It should be based on the common understanding of the relevant public, combined with the meaning of the foreign trademark in official publications such as dictionaries and reference books, and the designated goods or services used, to comprehensively consider whether the meaning conveyed by the trademark is similar to the prior trademark as a whole. The conventional trial methods can easily lead to rigid application of provisions on such cases in judicial practice.

In this case, the trademark attorneys of Sanyou provided official publications such as the Oxford Advanced English Chinese Dictionary, online dictionary search results for the disputed trademark "ANKER", online search results for the cited trademark "安加", the general level of foreign language and cognition inclinations of the Chinese public toward foreign trademarks, and the relationship between the disputed trademark and the designated goods. They argued that the coexistence of the disputed trademark and the cited trademark on the designated goods would not cause confusion or misidentification of the source of the goods by the relevant public, and listed similar prior judicial precedents. The trademark "ANKER" was finally registered after Sanyou's efforts.

In April 2024, after on-site evaluation by a third-party certification agency organized by the China Trademark Association and expert review meeting, Anker Innovations' trademark **ANKER** met the group standard of the "Well-known Trademark Brand Evaluation Specification" (T/CNTA 002-2022) and was recognized as an "AAA Well-known Trademark Brand". Anker Innovations was awarded with the "AAA Well-known Trademark Brand" certificate and plaque during the China Brand Day (Shanghai) event in May of the same year.

The trial and victory of this case have certain reference for similar cases where foreign trademarks are decided s similar marks to Chinese trademarks.

- ▣ Sanyou Awarded 5A Patent Agency
- ▣ Sanyou TM has been recognized as a 'Well-known Trademark / Brand in Beijing' in 2023
- ▣ Sanyou won the Trademark Opposition Case against "aotomechanika"
- ▣ Sanyou was again awarded the honorary title of 'China's Outstanding Intellectual Property Service Team'