



June

## 1. Analysis of and practical suggestions for the Key Points of 3-year Cancellation Review

---

To further standardize the trademark cancellation procedure and improve filing efficiency, the Trademark Office of the CNIPA has revised the Application for Cancellation of Registered Trademarks of 3-year Nonuse. The most significant revision lies in clarifying the applicant's burden of proof and the requirement for evidence quantification, which has led to a significant shift in the long-standing "reversal of burden of proof" rule.

### 1. Revision Background

The intention of cancellation of registered trademarks of 3-year nonuse (referred to as "3-year Cancellation") is to prevent trademark hoarding and urge trademark registrants to use trademarks. However, in practice, due to the rule of "reversal of burden of proof", applicants often initiate the cancellation procedure without sufficient evidence, leading to a proliferation of malicious applications and forcing registrants to bear heavy burden of proofing, which may even affect their normal operation and brand building. At the same time, it also consumed a large amount of administrative resources and disrupted the fair and orderly trademark market environment.

### 2. Major revisions

The new revisions of the 3-year cancellation regulations focus on clarifying the applicant's burden of proof in the 3-year cancellation procedure and introducing quantitative and standardized evidence requirements, mainly including the following aspects.

#### 1. Forwarding the burden of proof

The original provision stipulates that the burden of proof should be borne by the trademark registrant. After revision, the applicant shall provide sufficient evidence to prove that the applied trademark has not been used for three consecutive years without justifiable reasons, significantly increasing the applicant's burden of proof.

#### 2. Quantification of Evidence Requirements

The applicant needs to provide supporting materials from the following three aspects.

1) basic information of the trademark registrant: such as the business scope, operational status, and registered trademark situation of the applied trademark registrant;

2) market research on the applied trademark: including but not limited to online search evidence (at least 5 consecutive pages of search results for each search condition must be provided on comprehensive online platforms, e-commerce platforms, and industry websites),

professional reports such as industry research reports or third-party analysis reports, and on-site investigation evidence;

3) integrity commitment mechanism which clearly stipulates that applicants need to confirm the content of the integrity commitment clause before submitting the cancellation application. Submission is considered acceptance to avoid false statements and abuse of procedures; and

4) tougher review. The Trademark Office will strictly review the applicant, increasing the cost and difficulty of the application, in order to reduce dishonest behavior such as evidence falsification.

### 3. Practical strategies and suggestions

In the context of the implementation of the new regulations on the 3-year cancellation, applicants for such cancellation should focus on the following strategies:

1) investigate and screen target trademarks in advance to avoid invalid applications;

2) establish a systematic evidence list template to ensure that materials are complete and meet standards;

3) utilize professional tools and platforms to improve the efficiency of evidence collection; and

4) it is recommended to entrust a professional agency to ensure procedural compliance and application quality.

This revision marks a significant improve of China's 3-year cancellation system, changing the original "reversal of burden of proof" rule, making the procedure fairer and more transparent, and enhancing the credibility of the trademark system. In the future, trademark applications and users need to pay real-time attention to relevant laws and regulations, keep up with policy trends, rely on professional teams, in order to safeguard their own rights and promote the healthy and orderly development of the entire trademark industry ecosystem.

## 2. Sanyou's Senior Trademark Attorneys Awarded the Title of "Gold-Medal Practitioner of Trademark Service"

---



Under the guidance of the China Trademark Association, the 5th batch of "Gold-Medal Practitioner of Trademark Service" selected by the China Trademark magazine has been officially released. Senior trademark attorneys Wang Xinyan, Li Yueting, Cai Fangfang, and Qiu Hongyuan from Sanyou have been selected with their profound professional experience and excellent service capabilities.



This honorary title is rewarded after strict screening and comprehensive assessment, from multiple aspects such as business ability, customer satisfaction, service quality, professional innovation, and industry influence, aiming to recognize professionals who have outstanding performance in the field of trademark agency for.

The winning of the honorary title of "Gold-Medal Practitioner of Trademark Service" by Sanyou attorneys been awarded is not only a high recognition of their personal abilities, but also a strong proof of Sanyou's commitment to the service philosophy of "professionalism, integrity, and innovation". In the future, Sanyou will continue improving the performance of attorneys, will stay committed to providing clients with trademark services of higher quality and more efficiency, thereby help nurturing the stable growth of clients' brands.

### 3. Sanyou Expanded International Exchange and Cooperation at the 147th INTA Annual Meeting

---

The 147th International Trademark Association (INTA) Annual Meeting was held at the San Diego Convention Center in California, USA, bringing together over 10000 intellectual property industry elites from 139 countries and regions worldwide.

The INTA China Trademark Association Forum released The Top 40 for Foreign-Related Trademark Agency during the same period. The release of this list has established a systematic evaluation model from more than ten aspects, including the number of foreign-related trademark applications, foreign-related agency trademark opposition cases, and foreign-related agency trademark review cases. Finally, the 40 most outstanding foreign-related trademark agencies were selected, aiming to provide decision-making references for foreign enterprises seeking trademark service agencies in the Chinese market. Sanyou has once again been listed on the list.





As a senior member of INTA, Sanyou has been attending this international event for many years, showcasing the unique charm of Chinese culture through its booth layout.



At the reception held at the same time, Sanyou expert team had in-depth exchanges with friends from all over the world.



Sincere gratitude to all clients and partners for their long-term trust and support!





- General Manager of Sanyou, DANG Xiaolin, was invited to give a keynote speech at the 'Trademark Five Party Talks' (TM5)
- Another 6 Sanyouers included as senior and first level talents in the trademark talent pool of the China Trademark Association
- Congratulations to Sanyou for multiple client patent projects being shortlisted for the 25th China Patent Award