How to Search for Basic Chinese Company Information to Protect your IP

1. Introduction

When establishing business operations in China, finding local business partners and customers can be a major task. As well as the challenge of reaching out to a new business community, how can you have confidence in the honesty of your potential partners? How can you check that the company really has the scope and capabilities claimed? If you find out that your intellectual property in China has been infringed (your product or trade mark has been copied) how can you start to research the infringer?

Information on every company registered in China is publicly available and can be accessed via the electronic database of each local Administration of Industry and Commerce (AIC). This search can reveal, amongst other details, if the company is an officially registered company in China, who can legally represent the company and sign contracts on behalf of the company, what the business scope of the company is, and where the company is located.

Why should I do the search?

This search is relevant to any EU SME who is searching for, or is approached by, a potential Chinese business partner, or is dealing with a (possible) infringer of their intellectual property.

Possible examples of situations in which you can do the search in order to find the official registered basic information of a Chinese company include:

- You want to produce in China and you are looking for a Chinese manufacturer;
- You want to have a distribution partner to sell your products on the Chinese market;
- You want to license your technology to a Chinese company;
- You want to engage in R&D with a Chinese company;
- You are considering entering into a joint venture or a merger and acquisition;
- You have discovered the name and location of a company that infringes upon your IP, and you want to know more about that company, for example their address, information about their shareholders, or the amount of their registered capital, in order to decide if you want to take action to enforce your intellectual property rights.
This guide will provide you with information on how to obtain the information from the database, what the information means and how you can use the information.

What can I do with the search information?

The information resulting from the online search does not give you comprehensive information and cannot answer whether or not you should go into business with the company. However, by comparing the results of the search with the information you already have from the Chinese company, you might have certain indications that you can use as a first indication whether or not you want to interact with that company. Before signing any contracts we highly advise you to conduct a full due diligence and seek the advice of professionals. For more resources please see the Useful links section at the end of this guide.

2. Case Study

InTent is a European SME producing camping and outdoor equipment. In order to reduce their production costs the CEO, Ms. Cooper, is looking for an original equipment manufacturer (OEM) in China to produce some elements of their products. Via a match-making event the CEO met a company based in Fujian province claiming to have the capacity to produce all the components InTent is looking for at a great price. Mr. Li stated he is the chief representative of the company and is able to sign the manufacturing contract. As well as a down payment, InTent would need to license its Chinese trade mark and provide certain trade secrets in order for the Chinese partner to produce the high performance fabric used in the products. While Ms. Cooper was initially enthusiastic about the relationship she decided to take a cautious approach and research the company before going further in the negotiation.

As a first basic step to check the Chinese company’s official registered details, Ms Cooper sat down with a Chinese speaking employee to do a preliminary search of the AIC database. To conduct this preliminary search, only the province where the company is located and the name of the company need to be entered into the database.

To her surprise Ms. Cooper learned the company is classified as a consultancy and manufacturing is not within the business scope. Furthermore, the registered capital of the company was quite low, which could indicate that the company is actually quite small, and not the large enterprise which was claimed. It is likely that the consulting company intended to subcontract the manufacturing to another factory. However such a subcontracting situation could put InTent’s trade mark licence and trade secrets at risk.

Lastly, Ms. Cooper noted that Mr. Li was not the legal representative listed in the database and therefore would not be entitled to sign contracts on behalf of the company.

As there were differences between the information provided by Mr. Li and that available on official registered records, Ms. Cooper decided to not pursue the deal further. InTent’s trade mark and trade secrets were too important to risk. Ms. Cooper eventually found a trustworthy partner and the first shipment of goods was well received.

Lesson learned: Conduct a search of the official registered company information on all potential partners. Even though the search can only provide minimal information, it may be sufficient to let you know whether the relationship is worth investing resources into or not.
3. Step by step guide

Step 1

Go to the State Administration of Industry and Commerce (SAIC) website http://gsxt.saic.gov.cn/. The database is only available in Chinese language. If possible, we suggest asking someone who can read and write Chinese to assist.

Step 2

On the right side of the screen all AIC regional databases are listed. From left to right they are:

北京 Beijing, 天津 Tianjin, 河北 Hebei, 山西 Shanxi, 内蒙古 Inner Mongolia
辽宁 Liaoning, 吉林 Jilin, 黑龙江 Heilongjiang
上海 Shanghai, 江苏 Jiangsu, 浙江 Zhejiang, 安徽 Anhui, 福建 Fujian, 江西 Jiangxi, 山东 Shandong
广东 Guangdong, 广西 Guangxi, 海南 Hainan
河南 Henan, 湖北 Hubei, 湖南 Hunan
重庆 Chongqing, 四川 Sichuan, 贵州 Guizhou, 云南 Yunnan, 西藏 Tibet
陕西 Shaanxi, 甘肃 Gansu, 青海 Qinghai, 宁夏 Ningxia, 新疆 Xinjiang

Click on the province/municipality where the company is located. In the following example, the search is of the 广东 (Guangdong) AIC database.

Step 3

Fill in the company name you want the official registered basic information of in Chinese characters. When you have filled in this information, please press 搜索. In the example below, the search is for 华为 (Huawei).
Step 4

Enter the security code in the pop-up window and press 搜 索. To refresh the security code press 换一张. Depending on which AIC you selected, the security code will either be asked in English or in Chinese.

Step 5

Select the correct company you want the official registered basic information of. In the example, the selected company is 华为机器有限公司.

Step 6

The screen will show the basic information of the company as officially registered with the AIC automatically. If you press any other button on the screen, you can go back to the officially registered basic information by clicking 工商公示信息 on the left, and then 登记信息 on the top left. In the example below we can see the official information of 华为机器有限公司.
The official registered basic information generally contains the following information:

| 注册号 | Registration number. This is the official registration number of the company. |
| 名称 | Official company name. This is the registered name of the company according to the official records which may be quite long and different from the company name used on an everyday basis. However, this is the name that must appear on contracts. |
| 类型 | Type of enterprise. This is the form in which the company is incorporated for example a limited liability company or a wholly foreign owned enterprise. |
| 法定代表 | Legal representative. According to Chinese law this is the only person who is entitled to sign legally binding documents for the company and is responsible for any action of the company. In other words, if you want to sign agreements with the Chinese company, make sure the person who signs the contract is the legal representative. |
| 住所 | Registered address. This could be useful if you are investigating a suspected counterfeiter and are considering a raid action (see Useful links for more information). |
| 注册资本 | Registered capital. This is the declared investment in the company. There is a minimum that has to be paid depending on the scope of business according to the local AIC under which the business falls. The registered capital has to be paid within a certain time limit. By looking at the amount it might be possible to estimate whether or not the Chinese company is a small or a big company. |
| 成立日期 | Date of establishment. This is the date the business license was issued. |
| 经营期限自 | Operating period. |
| 经营期限至 | License expiry date. This is the date the business license will expire. The business license can be extended upon approval from the AIC. |
| 经营范围 | Business scope. Under Chinese law a company is only allowed to operate within the scope of its business as registered with the AIC. By checking what the company does and what it is allowed to do under the business license, you can find out if the company operates in accordance with Chinese law. Also, you can check if the company can actually do what it claimed it can do. For example if it has stated it can manufacture for you, but according to the business scope it offers consultancy services, you know it will not manufacture for you itself as it cannot do this according to Chinese law. |
| 登记机关 | Registration bureau. This is the AIC under which the company is registered. The AIC mentioned here is the AIC that has all the official registration records of the company in hardcopy. This is useful if you were to enforce your intellectual property rights through the administrative route (see Useful links for more information). |
| 核准日期 | Check and approval date. |
| 登记状态 | Registration status. This indicates the current registration status of the company. |
| 股东信息 | Shareholder information. |
4. After the search

If the company is in the database: compare information

In order to compare the information that you have found online, you can ask your potential Chinese partner to send you their business license. Every Chinese company has a hard copy of their business license and reviewing the license is a common practice in China. A Chinese company that is serious about doing business with you and has nothing to hide will provide the document. Compare whether the business license is the same as the registered information on the AIC website or if there are differences between them. Also look for differences between the officially registered basic information and information of the company you can see on its Chinese or English website or information that the Chinese company has provided via E-mail. If there are any differences (for example, the name of the person claiming to be the legal representative or the business scope is different from the AIC database), it could be an indicator that something is wrong.

If the company is not in the database: visit the local AIC

Please be aware that the information on the AIC websites might not always be up to date or complete. After conducting the initial search, we highly recommend you contact a lawyer to conduct further due diligence. Chinese lawyers have permission to visit an AIC in person to take copies of the official registration records (including the business license and the articles of association of the company). In certain cases, in order to get access to the AIC documents, the lawyer needs to have approval from the Chinese company whose records are kept. Please bear in mind that, in case a lawyer does not need approval from the Chinese company, the AIC may inform the company that a lawyer came to check their registered documents.

General advice

Please be advised that the online search only gives you a first indication with regard to the officially registered basic information of the Chinese company you conducted the search on. The information resulting from the search might not be up to date and does not in any way give you the full information with regard to whether or not you should go into business with that company. Even if the company information matches, please still act cautiously. We highly advise you to consult Chinese due diligence experts for a complete due diligence in accordance with Chinese law of the Chinese company you want to interact with.

IP Specific

As a next step, you can search for some IP specific information on the company by searching the China Trade Mark Office (CTMO) database to find out if the company has registered any trade marks in the past and flag up any suspicious trade mark registration behaviour (such as registering multiple different trade marks for a very wide range of products or multiple trade marks cancelled). However please be advised that this can only be considered as another tool for your due diligence and may not be exhaustive. For advice on how to use the CTMO database, please see the China IPR SME Helpdesk How to Conduct a Trade Mark Search Guide.
5. Useful links: Helpdesk resources

- [Enforcement of Intellectual Property Rights in China](#)
- [Guide to Using Contracts to Protect Your Intellectual Property Rights in China](#)
- [Guide to Protecting your Trade Secrets in China](#)
- [How to Conduct a Trade Mark Search](#)

Useful links: External resources

- [EU SME Centre Guide on due diligence for joint ventures, mergers and acquisitions in China](#)
The China IPR SME Helpdesk provides free, confidential, business-focused advice relating to China IPR to European Small and Medium Enterprises (SMEs).

Helpdesk Enquiry Service: Submit further questions to the Helpdesk via phone, email (question@china-iprhelpdesk.eu) or in person and receive free and confidential first-line advice within three working days from a China IP expert.

Training: The Helpdesk arranges training on China IPR protection and enforcement across Europe and China, tailored to the needs of SMEs.

Materials: Helpdesk business-focused guides and training materials on China IPR issues are all downloadable from the online portal.

Online Services: Our multi-lingual online portal (www.china-iprhelpdesk.eu) provides easy access to Helpdesk guides, case studies, E-learning modules, event information and webinars.

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Project implemented by:

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