

Funded by:


European Commission
Enterprise and Industry

HELPDESK UPDATE

Issue 9 - Helpdesk Phase II Launch Issue

Helpdesk News	Helpdesk Services	Case Study
Helpdesk News and project re-launch	China IPR SME Helpdesk Services: How You Can Use the Helpdesk	The Helpdesk in Action: Case Study - A Well-Known Trademark

HELPDESK LAUNCHES SECOND PHASE

The China IPR SME Helpdesk is pleased to announce the extension of the project for an additional three years. Building on the achievements of a pilot project carried out in 2008-10, the current project will run until December 2013. The Helpdesk will continue to provide jargon-free first-line advice and services to European SMEs working in or with China through training workshops across Europe and China, online resources and a dedicated enquiry service. The new phase will also introduce many new interactive features such as webinars and podcasts.

Key achievements of the pilot phase:

- Over 3,200 SME participants in 102 events in EU and China
- 451 enquiries from SMEs and SME intermediary organisations
- Over 50,000 users visited the online portal
- 50,000+ sets of printed materials distributed
- 57 articles placed in 30 publications
- 5 E-Learning modules launched
- 14 guides written by IP experts

HELPDESK NEWS



Stakeholder Meetings held in Brussels and Beijing:

China IPR SME Helpdesk stakeholder meetings were held successfully in Brussels and Beijing on 16 and 23 March 2011. The meetings introduced the Helpdesk's objectives and Annual Work Plan for 2011 and solicited feedback from SME intermediaries. 40 attendees were present at the meeting in Brussels, while the Beijing meeting was attended by 31 participants.

Re-launch of Helpdesk website

The Helpdesk website was re-launched in March 2011 with a new look and new features such as the news section, events section, access to downloadable event photos and materials, and much more. (Click [here](#) to visit the new China IPR SME Helpdesk website).

New E-Learning Module on Trade Secrets:

The fifth Helpdesk E-learning module, with a focus on Trade Secrets, is now available. Written by Helpdesk experts, the 20-minute online training assists SMEs in learning how to manage employees and third parties in China to guard their trade secrets (Click [here](#) to go to new Trade Secrets E-learning module). Also check out our other E-learning modules to learn more about Trademarks, Trade Fairs, Patents and Copyrights (Click [here](#) to visit our E-learning section).

If you have an IPR issue, or any questions about IPR in China, please contact:

enquiries@china-iprhelpdesk.eu



New Helpdesk Guide: IPR Protection in China for the Creative Industries

China's rapidly expanding consumer market creates both opportunities and challenges for European businesses in creative industries. Ideas and designs are the lifeblood of creative businesses and infringement can be particularly costly and damaging. However, creative ideas and designs that are not adequately protected often fall victim to infringement by potential clients or competitors. If you are in a creative industry such as architectural design, graphic design, web design, photography, writing etc, click here to download the full guide and learn how to protect Intellectual Property.

Upcoming Events Round-Up:

- Enforcing your Intellectual Property Rights (Chinese language): Beijing, 13 April 2011
 - Essential IP knowledge to Protect your Technology in China: Beijing, 15 April 2011
 - SME Business Fair: Shanghai, 29 April 2011
 - An introduction to IPR in China: Latvia, 6-8 May 2011
 - Industrial Design Seminar: Spain, 13 May 2011
 - Webinar Series 1: Introduction to IPR in China, May 2011
- (Click [here](#) to go to website 'Events' page for more events).

HOW CAN I USE THE HELPDESK?

Helpdesk Enquiry Service – Confidential Advice

Submit IPR enquiries directly to the Helpdesk via phone, email, our website or in person, getting access to a panel of experts to receive free and confidential first-line advice (Click [here](#) to go to website 'Ask a Question' page).

Training

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

- ▶ General IPR issues, including IP registration and establishing an IP protection strategy.
- ▶ Practical business challenges such as choosing a Chinese business partner, attending a trade fair, licensing.
- ▶ Helpdesk IPR Clinics offering SMEs free 20 minute one-on-one consultations with an IP expert are available at many training events. (Click [here](#) to go to website 'Events').



Materials

Industry and business-focused guides and training materials address China IPR issues by:

- ▶ IP topic, including patents, trademarks, copyrights, licensing, dealing with counterfeiting.
- ▶ Business focus, including IP as a business asset, technology transfer, finding the right lawyer.
- ▶ Industry, including textiles, medical devices, ceramics. (Click [here](#) to go to website 'Publications' page).

Online Services

The multi-lingual online portal provides easy access for all EU SMEs to Helpdesk information and services, including Helpdesk guides, E-learning modules, event information, and live webinars (Click [here](#) to go to China IPR SME Helpdesk website).



THE HELPDESK IN ACTION:

Case study: A Well-known Trademark

Background

A Portuguese fashion and furniture designer registered his logo and trademark in Europe and decided to register in China as well in order to tap into the Chinese market. After applying for the trademark, the official search conducted by the Trademark Office found that a Chinese company had previously filed the trademark in 2006 which was subsequently approved in 2009. The Portuguese fashion designer wanted to know what he could do to save his trademark and logo.

Helpdesk Advice

As the trademark was approved in 2009, it was not possible to apply for opposition as this must be done within three months of Publication in the Trademark Gazette. Therefore, the Portuguese designer was advised to:

- ▶ File a cancellation. This can be done within five years of the registration of the trademark.
- ▶ File IP defensively in other similar product and service classes such as designs, copyrights and domain names in both Latin and Chinese characters.
- ▶ Try buying back the trademark instead of lengthy court action.

Outcome

The Portuguese designer chose to buy back the trademark registration from the Chinese company who were willing to sell it. The designer decided that this was easier and faster than taking action in court.

IP Lessons

- ▶ It is recommended that you look at your intellectual property in a strategic way and consider all the different forms of IP protection available to you, such as trademarks, patents, design patents, domain names etc. depending on the business activities and products.
- ▶ When the application is filed for an opposition or cancellation procedure, the decision can take several years.
- ▶ Try negotiating with the other party to buy back/transfer the IP before going through costly and lengthy court proceedings.



[Subscribe to this newsletter](#)

The Helpdesk Update is the quarterly newsletter distributed by the China IPR SME Helpdesk. As well as containing news about upcoming Helpdesk activities, each edition focuses on a specific IPR issue, giving subscribers key facts, recommended action steps, and case studies. To view all past newsletters, visit the China IPR SME Helpdesk website 'Newsletter' section [here](#).

For more information, please contact us:

China IPR SME Helpdesk
Room 900, Beijing Sunflower Tower, No. 37 Maizidian Street
Chaoyang District, Beijing 100125, PR China
Telephone: +86 (10) 8527 6922
Email: enquiries@china-iprhelpdesk.eu
Online: www.china-iprhelpdesk.eu

Disclaimer:

The contents of this publication do not necessarily reflect the position or opinion of the European Commission. The services of the China IPR SME Helpdesk are not of a legal or advisory nature and no responsibility is accepted for the results of any actions made on the basis of its services. Before taking specific actions in relation to IPR protection or enforcement all customers are advised to seek independent advice.

Project implemented by:

