



European Communities Trade Mark Association

12 September 2014

ECTA's input to IP Key

ECTA believes that IP Key has a pretty comprehensive plan for 2014 (<http://www.ipkey.org/en/news/item/63-yap2014-endorsement>).

ECTA has the following suggestions to IP Key:

1. **DRAFT PLAN:** ECTA suggests to review the draft plan 2015 and to give suggestions at that stage.
2. **WEBSITE:** The IP Key website should be clearer. It is not easy to search and access the legislation database they say they have (<http://www.ipkey.org/en/resources/legislation>). This legislation would be extremely useful, if it would be properly implemented and updated.
3. **NEWSLETTER:** It seems there are only requests for help free of charge. Therefore, this is not a newsletter but a "questua".
4. **ACCOUNTABILITY:** ECTA would suggest that "IP Key" makes a balance on the result (not just activities done), but **RESULTS**, such as how the voices have influenced the Chinese policy makers and the improvement of the Chinese system. ECTA believes these results exist and we are curious to know.

ECTA has the following concerns:

1. Infringement on line.
2. Length of opposition procedure (noting that when in 95% of the cases, the Chinese Office refuses oppositions and they have to be appealed).
3. Sub-class system.
4. Number of blatant pirating trademarks filed in other classes or sub-classes (see previous concern).
5. Domain names filed by infringers (cybersquatting).
6. System of evidence (with notarization which means costs and length).
7. Short deadlines that the Chinese Office sets for objections against international trade marks (2 weeks).