CNIPA/U.S. Bar Liaison Council

CNIPA / 美国律师界联络理事会

Dialogue between CNIPA and the U.S. intellectual property legal community

促进中国国家知识产权局与
美国知识产权法律界的对话

Patent and trademark practice

专利与商标实务

Established in 2011

成立于2011年



Council and CNIPA representatives, Beijing, 2023
理事会与国家知识产权局代表，2023年北京

SPEAKER NOTES

Welcome to colleagues joining us from China and the United States. The CNIPA/U.S. Bar Liaison Council has supported professional exchange since its establishment in 2011. It provides a forum for the U.S. intellectual property legal community and China's National Intellectual Property Administration to discuss patent and trademark practice and better understand each other's systems. The photograph shows Council and CNIPA representatives during the 2023 Beijing visit.

Sources, accessed October 27, 2026:

https://cnipa-usbar.org/

https://cnipa-usbar.org/zh-hans/

https://cnipa-usbar.org/history/

Photo: https://cnipa-usbar.org/wp-content/uploads/2025/06/20231212_154007000_ios.jpg?w=1024

Our work and this program

理事会的工作与本次会议



Ongoing exchange 持续交流

Annual symposia alternate between China and the United States
在中美两国轮流举办年度研讨会

U.S. IP and bar associations may join at no cost
美国知识产权协会及律师协会均可免费加入

This program 本次会议

Questions submitted by Chinese industry
围绕中国业界提交的问题开展讨论

Patents, trademarks and Schedule A litigation
专利、商标及美国附表A诉讼

Program materials

会议资料

Chinese site
中文网站

English site
英文网站

SPEAKER NOTES

The Council's work includes annual symposia alternating between China and the United States, professional visits and online exchanges. U.S. intellectual property and bar associations may join without a membership fee. Today's online program continues that dialogue by addressing questions submitted by Chinese industry. Our discussion covers U.S. patent filing and prosecution, PCT practice, design patents, trademark matters and Schedule A litigation. Thank you to CNIPA and to all of our speakers and participants for joining the discussion.

Participants can scan the QR codes to access program materials through the Chinese or English event page. Chinese site: https://cnipa-usbar.org/zh-hans/events/ . English site: https://cnipa-usbar.org/events/ .

Event: October 27, 2026, 8:00–10:00 p.m. U.S. Eastern Daylight Time, corresponding to October 28, 2026, 8:00–10:00 a.m. Beijing time.

Sources, accessed October 27, 2026:

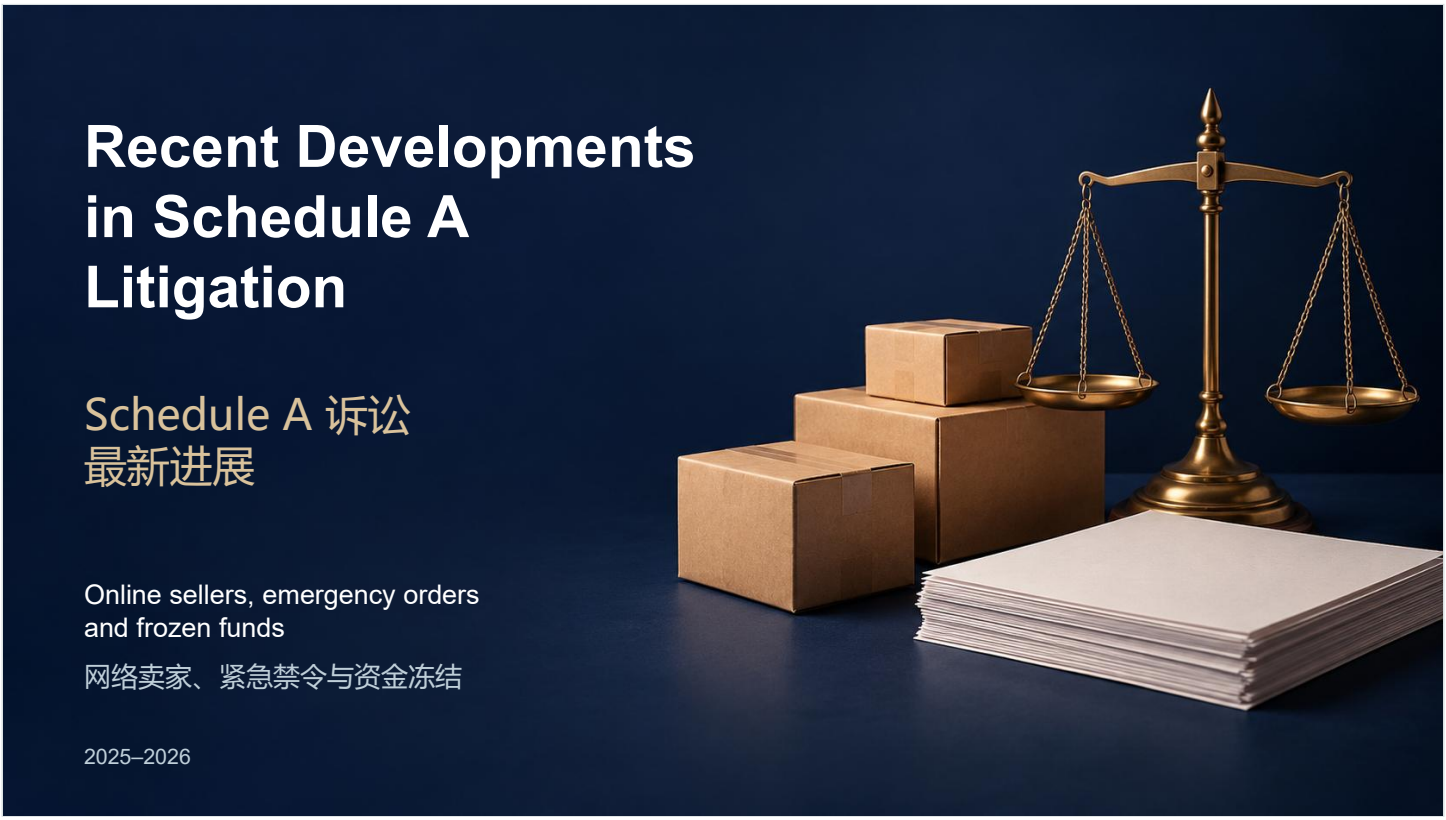
https://cnipa-usbar.org/about-2/

https://cnipa-usbar.org/history/

https://cnipa-usbar.org/events/

https://cnipa-usbar.org/zh-hans/events/

Logo: https://i0.wp.com/cnipa-usbar.org/wp-content/uploads/2026/10/cnipa-usbar-council-logo-50-stars-13-stripes-v2.png?resize=1254%2C1254&ssl=1



SPEAKER NOTES

TIME / 时间: 0:30. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

Imagine opening your online seller account and discovering that the funds are unavailable because of a U.S. lawsuit you have never heard of. That is a useful starting point for understanding Schedule A litigation. Today I will explain how these cases work, then highlight recent developments affecting service, jurisdiction, emergency relief, default judgments, and the eventual transfer of money.

简体中文讲稿

设想一下：您登录网络卖家账户，却发现资金无法使用，原因是一宗您从未听说过的美国诉讼。这个情景有助于理解 Schedule A 诉讼。今天先介绍这类案件的运作方式，再讨论送达、管辖权、紧急救济、缺席判决以及最终资金划转方面的最新进展。

SOURCES / 资料来源

https://cnipa-usbar.org/2026/10/25/schedule-a-litigation-and-the-new-defense-playbook-for-chinese-sellers/

Cover: original conceptual illustration generated with the built-in image generation tool. No actual event or court proceeding is depicted.

Based on the article dated October 25, 2026. The Amazon discussion reports the contents of its motion and does not represent a later judicial disposition.

依据2026年10月25日文章。亚马逊部分介绍动议内容，不表示法院此后已作出裁决。



SPEAKER NOTES

TIME / 时间: 1:00. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

Schedule A litigation is a way of bringing intellectual property claims against many online sellers in a single federal lawsuit. The plaintiff identifies the defendants in an attachment called Schedule A. That attachment gives the practice its name. Claims may concern trademarks and counterfeiting, copyrighted photographs or text, or patents, including design patents. Many defendants operate overseas, including in China. Rights holders face a real problem: identifying dispersed sellers and locating assets can be expensive and difficult. But Schedule A is a litigation practice, not a separate set of legal rules. Ordinary requirements for service, personal jurisdiction, joining defendants, and obtaining injunctions still apply. That is where the recent decisions become significant.

简体中文讲稿

Schedule A 诉讼是将针对多个网络卖家的知识产权请求放在同一宗联邦诉讼中的做法。原告把被告列在名为 Schedule A 的附件中，因此得名。请求可以涉及商标及假冒商品、受著作权保护的图片和文字，或包括外观设计专利在内的专利。许多被告位于海外，包括中国。权利人确实面临执法困难：查明分散经营的卖家身份、寻找资产，往往成本高且难度大。不过，Schedule A 是一种诉讼做法，并未创设一套独立的程序规则。送达、对人管辖权、被告合并以及禁令等通常要求仍然适用。近期判例的重要性正体现于此。

SOURCES / 资料来源

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SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

A common sequence starts with a complaint filed under seal. The plaintiff asks for a temporary restraining order, usually shortened to TRO, and may ask the court to act ex parte. Ex parte means without the opposing party participating. If the court grants relief, a marketplace may restrict accused listings or freeze funds. The seller then faces a decision about appearing, negotiating, and defending the case. Failure to respond can lead to default proceedings. The important commercial point is timing: restrictions may affect the business before the seller presents its defense. Rights holders argue that advance warning can allow an evasive seller to move assets or abandon a storefront. Sellers need a meaningful opportunity to challenge the evidence and the scope of relief. Also remember that a platform may already have imposed its own hold. We must identify the actual source of each restriction.

简体中文讲稿

常见程序从密封提交起诉状开始。原告申请临时限制令，英文简称 TRO，并可能请求法院在被告未参与的情况下处理，也就是 ex parte 程序。法院准许后，电商平台可能限制被指控商品的刊登或冻结资金。卖家随后需要决定如何出庭、谈判及抗辩。不回应可能导致缺席程序。商业上最重要的是时间：卖家尚未提出抗辩，经营就可能受到影响。权利人认为，提前通知可能让规避执法的卖家转移资产或弃用店铺；卖家则需要有实际机会质疑证据及救济范围。还应注意，平台可能此前就已自行限制资金，因此必须查明每项限制的真正来源。

SOURCES / 资料来源

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Email service in China

向中国境内被告进行电子邮件送达

Smart Study (2025) and Kangol (2026)
美国第二巡回与第七巡回上诉法院

These circuits bar email service when the Hague Convention applies

在这两个巡回区，适用《海牙送达公约》时不得以电子邮件送达

Whether the physical address is known or ascertainable matters

实体地址是否已知或可查明，是重要问题

Kangol required further findings on whether the Convention applied
Kangol 案发回审理，以查明公约是否适用

04

SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

Service means formally delivering the lawsuit using legally permitted methods. For defendants in mainland China, the Hague Service Convention can govern that process. In Smart Study, the Second Circuit rejected email service where the Convention applied. The Seventh Circuit reached the same treaty conclusion in Kangol in May 2026. A court order permitting email service does not by itself settle whether that method complies with the treaty. A critical qualification is that the Convention does not apply when the address of the person to be served is unknown. Kangol required the district court to determine whether the plaintiff had made reasonably diligent efforts to ascertain and verify the seller's address. It did not finally declare the judgment void or order the return of collected funds. The practical issue is evidence: what address information existed, when was it available, and what efforts did the plaintiff make? Formal service and notice of an injunction also remain distinct questions.

简体中文讲稿

送达是依照法律许可的方法正式交付诉讼文件。对于中国内地被告，《海牙送达公约》可能适用。Smart Study 案中，第二巡回上诉法院否定了公约适用时的电子邮件送达。第七巡回上诉法院在2026年5月的 Kangol 案中得出相同的条约解释。法院曾允许电子邮件送达，并不当然表示该方法符合公约。关键限制是：受送达人地址不明时，公约不适用。Kangol 案要求地区法院查明原告是否已合理勤勉地寻找并核实卖家地址，并未最终认定判决无效，也未下令返还已经划转的资金。实务重点在于证据：当时存在什么地址信息，何时可获得，原告做过哪些查找工作？正式送达与禁令通知也仍是不同问题。

SOURCES / 资料来源

https://law.justia.com/cases/federal/appellate-courts/ca2/24-313/24-313-2025-12-18.html

https://media.ca7.uscourts.gov/cgi-bin/OpinionsWeb/processWebInputExternal.pl?Path=Y2026%2FD05-29%2FC%3A25-2205%3AJ%3AKirsch%3Aaut%3AT%3AfnOp%3AN%3A3549218%3AS%3A0&Submit=Display

https://cnipa-usbar.org/2026/10/25/schedule-a-litigation-and-the-new-defense-playbook-for-chinese-sellers/

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Checkout screenshots and personal jurisdiction

结账截图与对人管辖权

Personal jurisdiction: the court's authority over a defendant

对人管辖权：法院对特定被告行使审判权的依据

Checkout screenshot

结账页面截图

Liu: no proof of an Illinois purchase

Liu 案：未证明伊利诺伊州交易实际发生

Completed shipment

已完成发货

NBA Properties: accused goods shipped to Illinois

NBA Properties 案：被控商品已发往伊利诺伊州

Other contacts and transaction details can matter

其他联系及交易细节也可能影响判断

05

SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

Personal jurisdiction concerns the court's authority over this defendant in connection with this dispute. In Liu, the district court relied on supposed Illinois sales. But the screenshots showed a checkout page, a Chicago address, and an estimated total. They did not establish that purchases had actually occurred. Without those sales, an accessible online store and available U.S. shipping were insufficient on that record, and the Seventh Circuit directed dismissal as to the appealing defendants. Compare NBA Properties, where the seller actually fulfilled an investigator's order by shipping the accused product to Illinois. The court upheld jurisdiction. The lesson is not that every case requires a completed sale. Other contacts and accepted or canceled orders can matter. The lesson is to distinguish what the evidence actually proves. Preserve records of the product, destination, acceptance, cancellation, and shipment, and connect those facts to the asserted infringement.

简体中文讲稿

对人管辖权关注的是：就这宗争议，法院是否有权审理针对该被告的请求。Liu 案中，地区法院依赖所谓的伊利诺伊州销售，但截图仅显示结账页面、芝加哥地址及预估总额，并未证明交易完成。在没有这些销售的情况下，网上店铺可以访问、提供美国配送等事实不足以支持该案的管辖权，第七巡回上诉法院要求对提出上诉的被告驳回案件。相较之下，在 NBA Properties 案中，卖家实际履行了调查人员的订单，将被控商品发往伊利诺伊州，法院认可管辖权。这不代表所有案件都必须存在已完成销售；其他联系以及已接受或取消的订单也可能重要。关键是区分证据究竟证明什么，并保存商品、目的地、订单接受、取消及发货记录，说明其与被诉侵权的关系。

SOURCES / 资料来源

https://www.govinfo.gov/content/pkg/USCOURTS-ca7-25-02074/pdf/USCOURTS-ca7-25-02074-1.pdf

NBA Properties, Inc. v. HANWJH, 46 F.4th 614 (7th Cir. 2022), discussed in https://cnipa-usbar.org/2026/10/25/schedule-a-litigation-and-the-new-defense-playbook-for-chinese-sellers/

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Emergency orders and asset freezes

紧急命令与资产冻结

Eicher Motors (N.D. Ill. 2025)

伊利诺伊州北区联邦地区法院

Specific facts

具体事实

Why proceed without notice?

为何需要事先不通知被告?

What supports freezing assets?

冻结资产的法律及事实依据是什么?

How much should remain restrained?

应当限制多少资金?

A district-court ruling, not a nationwide prohibition

这是地区法院裁定，并非全国性禁令

06

SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

Eicher Motors illustrates scrutiny of requests for emergency relief. Judge Kness rejected generalized assertions that foreign sellers would evade enforcement if notified. Rule 65 requires specific facts supporting immediate and irreparable injury before the other side can be heard, along with the required explanation for dispensing with notice. The court also questioned the relationship between an equitable accounting theory and ultimately seeking statutory damages. For an asset restraint, separate three questions: what authority permits the freeze, what evidence supports interim relief, and how broad the restraint should be. Genuine equitable relief can support an asset freeze in appropriate circumstances, so it would be wrong to say that all freezes are prohibited. Eicher is a district-court decision, not a nationwide ban. Covered trademark claims also benefit from a rebuttable presumption of irreparable harm upon the required finding, but that does not eliminate the additional requirements for proceeding without notice.

简体中文讲稿

Eicher Motors 案体现了法院对紧急救济请求的审查。Kness 法官未接受“外国卖家获悉诉讼后会规避执法”的概括性陈述。联邦民事诉讼规则第65条要求以具体事实证明，在对方有机会陈述之前会发生即时且无法弥补的损害，并要求说明不予通知的理由。法院也质疑：起初以衡平上的利润核算为由申请冻结，最终却追求法定损害赔偿，两者如何衔接。分析资产限制时，应分别考虑冻结的法律权限、临时救济的证据，以及限制范围。在适当情况下，真正的衡平救济请求仍可能支持资产冻结，因此不能认为所有冻结均被禁止。Eicher 是地区法院判决，并非全国性禁令。符合条件的商标请求在法院作出必要认定后，可享有可反驳的不可弥补损害推定，但这不会消除不经通知程序的额外要求。

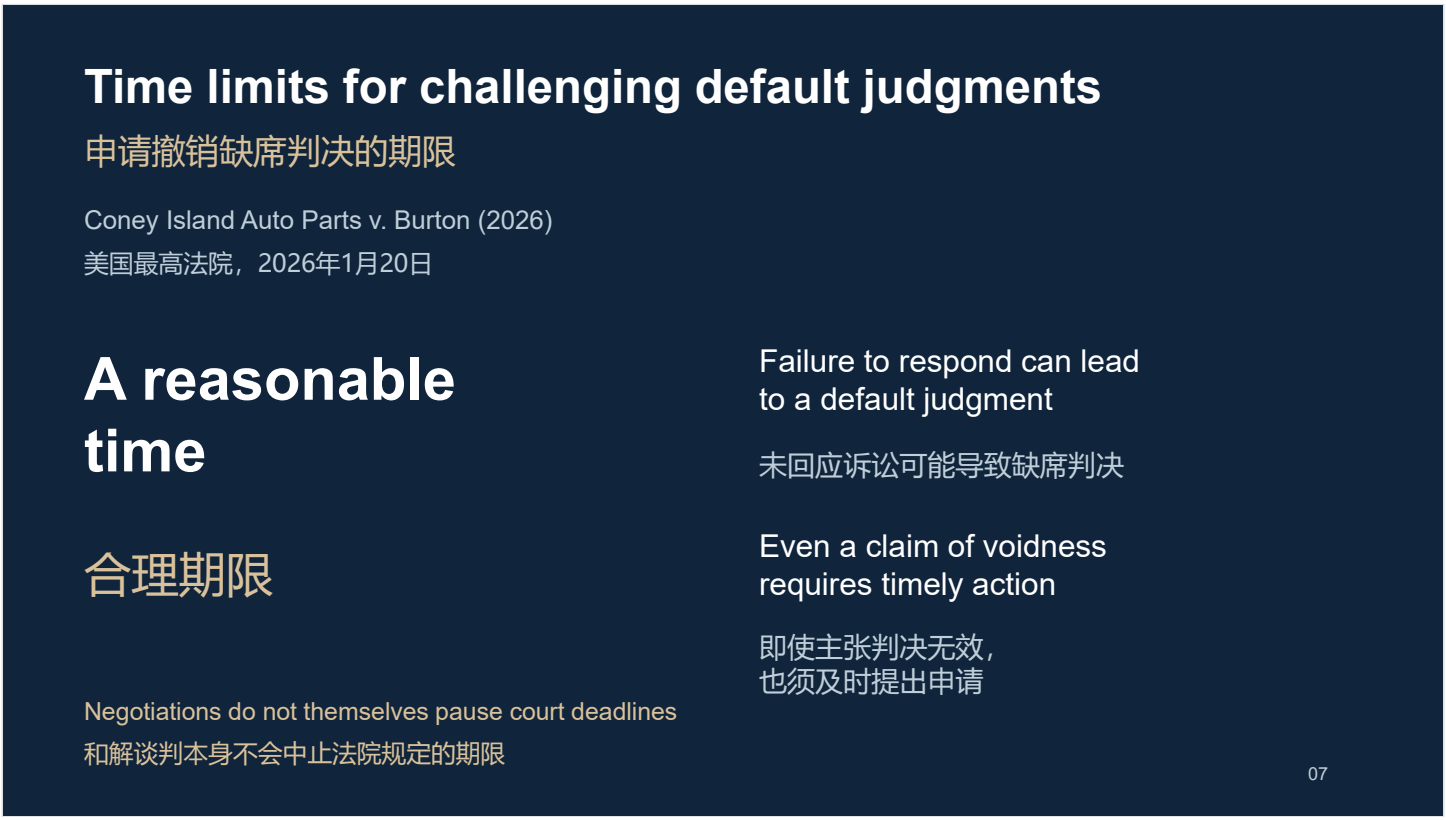
SOURCES / 资料来源

https://law.justia.com/cases/federal/district-courts/illinois/ilndce/1%3A2025cv02937/475165/22/

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SPEAKER NOTES

TIME / 时间: 1:00. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

A seller that does not respond can face a default judgment. Challenging that judgment later is a different task from responding before judgment. In Coney Island Auto Parts, the Supreme Court held that the reasonable-time requirement in Rule 60(c)(1) applies even to a motion under Rule 60(b)(4) alleging that the judgment is void. That matters when a seller believes defective service or a lack of jurisdiction invalidates the judgment. A potentially strong objection does not justify indefinite delay. The reasonable-time inquiry depends on the circumstances, including the enforcement timeline. It is not the fixed one-year outer limit that applies to certain other grounds for relief. And settlement discussions do not themselves suspend court deadlines. Counsel should coordinate any requested extensions with the defense and negotiation strategy.

简体中文讲稿

卖家不回应诉讼，可能面临缺席判决。判决后再申请撤销，与判决前及时应诉，是不同的程序任务。在 Coney Island Auto Parts 案中，美国最高法院认定，规则第60(c)(1)条的合理期限要求，也适用于依据第60(b)(4)条主张判决无效的申请。卖家认为送达有瑕疵或法院缺乏管辖权时，这一点尤其重要。即使异议可能有力，也不能无限期拖延。合理期限须结合具体情况判断，包括执行进程；它不同于某些其他救济理由适用的一年最长期限。和解谈判本身不会中止法院期限，律师应将延期申请、抗辩及谈判统筹安排。

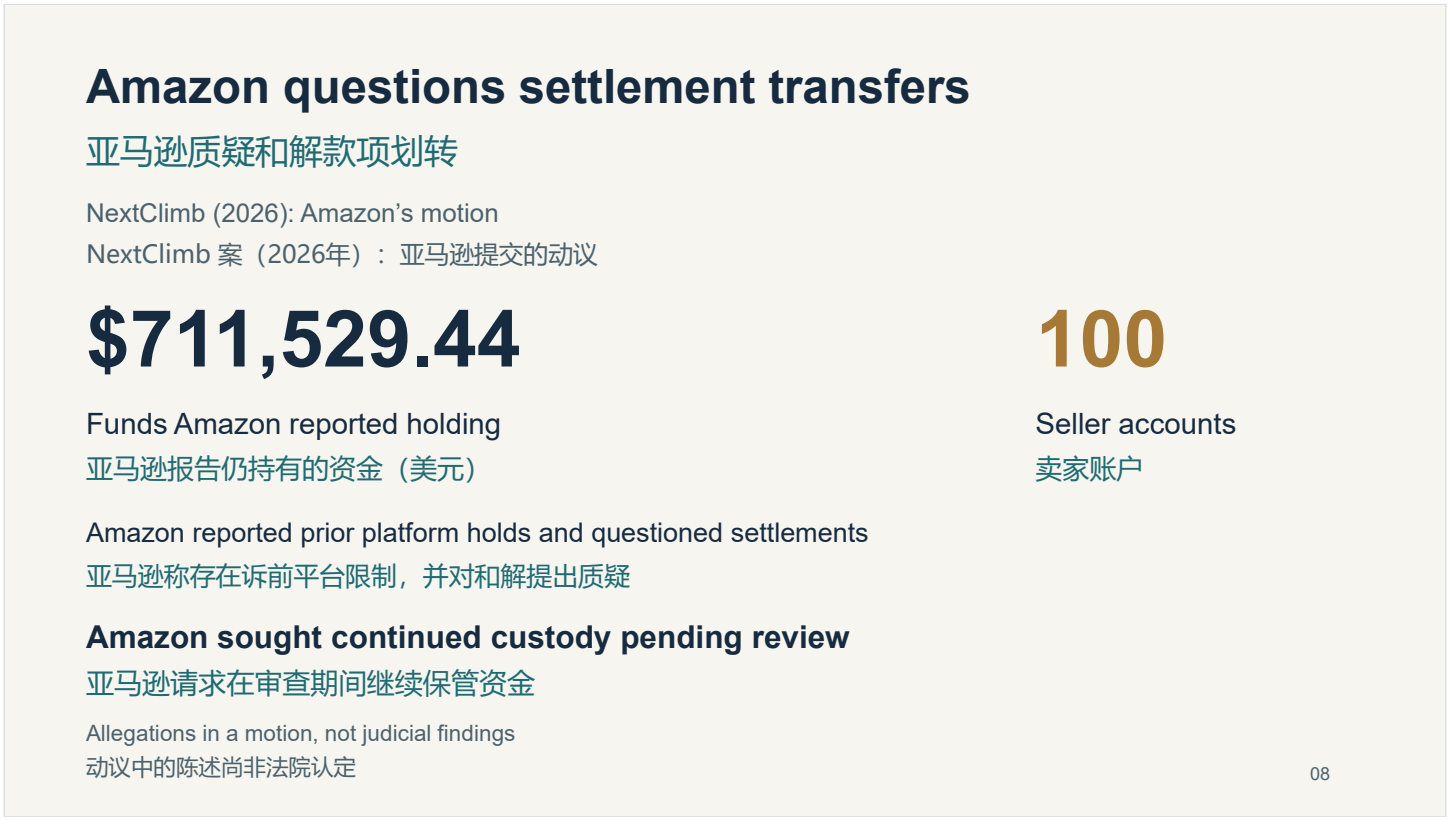
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SPEAKER NOTES

TIME / 时间: 1:30. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

The NextClimb motion adds a different issue: what happens to the money after reported settlements. Amazon said it had debited 711,529 dollars and 44 cents from 100 seller accounts, but still held the entire amount in an Amazon-controlled account. It had not transferred that amount to the plaintiff's counsel. Amazon reported that many accounts appeared to have been restricted before the litigation for independent enforcement reasons. It also raised questions about settlement amounts matching account balances, apparent mismatches between the asserted infringement and account activity, and authority surrounding collective representations and settlements. These are Amazon's representations, not judicial findings of wrongdoing. Matching balances or using common counsel may have legitimate explanations. The key distinction is among a platform's independent hold, a court-ordered litigation freeze, and a later direction to pay funds to someone else. Settling one lawsuit may leave another restriction unresolved. Amazon asked for continued custody and documentation while the court examined the transfers. That request would preserve the funds, not automatically return them to sellers.

简体中文讲稿

NextClimb 动议增加了一个不同问题：据称达成和解后，资金应如何处理？亚马逊表示，它已从100个卖家账户中扣划711,529.44美元，但全部资金仍在亚马逊控制的账户内，尚未转交原告律师。亚马逊称，许多账户似乎在诉讼之前就已因独立的平台执法原因受到限制。它还质疑和解金额与账户余额精确一致、被诉侵权与账户经营活动明显不符，以及集体代理和和解授权等情况。这些是亚马逊的陈述，并非法院对违法行为的认定。金额匹配或共同聘用律师本身也可能有合理解释。关键在于区分平台自行施加的限制、诉讼中的法院冻结令，以及后来向他人划付款项的命令。解决一宗诉讼，未必解除另一项限制。亚马逊请求在法院审查划转时继续保管资金，并要求提供证明材料。这将保全资金，而非自动返还给卖家。

SOURCES / 资料来源

https://storage.courtlistener.com/recap/gov.uscourts.ilnd.500640/gov.uscourts.ilnd.500640.59.1.pdf

Amazon motion: dated August 26, 2026; docketed copy bears October 6, 2026 filing stamp. Pages 3–10 and requested relief at page 11.

Based on the article dated October 25, 2026. The Amazon discussion reports the contents of its motion and does not represent a later judicial disposition.

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Practical implications

实务启示

Rights holders 权利人	Support relief with evidence tied to each seller 以针对每个卖家的证据支持救济请求
Sellers 卖家	Act promptly and preserve the relevant records 及时行动，保存相关记录
Settling parties 和解各方	Verify authority, restrictions and payment recipients 核实授权、现有限制及收款人

Evidence about each seller matters at every stage

每个阶段都需要针对具体卖家的证据

09

SPEAKER NOTES

TIME / 时间: 1:00. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

For rights holders, these developments emphasize evidence tied to the particular seller and to the relief requested. For sellers, the response begins with the operative court orders and deadlines, followed by address records, transaction records, and a chronology of every hold or transfer. Counsel should preserve available objections while assessing the infringement claims themselves. For anyone handling a settlement, verify who authorized it, what restrictions it addresses, who will receive the money, and whether other holds remain. Recent decisions strengthen particular procedural defenses, but the result still depends on governing law, evidence, and the precise order. A procedural victory does not necessarily resolve infringement liability or restore access to funds. Evidence about each seller matters from the initial service attempt through the final disposition of money.

简体中文讲稿

对于权利人，这些进展强调：证据应当对应具体卖家及所请求的救济。对于卖家，第一步是取得有效的法院命令、确认期限，再整理地址记录、交易记录及每次资金限制或划转的时间线。律师应在评估侵权实体问题的同时，保留可用的程序异议。参与和解的人还应核实授权人、协议涵盖的限制、收款人，以及是否仍有其他限制存在。近期判例加强了某些程序抗辩，但结果仍取决于适用法律、证据和具体命令。程序上获胜未必解决侵权责任，也未必恢复资金使用。从最初送达到最终款项处置，每个阶段都需要针对具体卖家的证据。

SOURCES / 资料来源

https://cnipa-usbar.org/2026/10/25/schedule-a-litigation-and-the-new-defense-playbook-for-chinese-sellers/

https://media.ca7.uscourts.gov/cgi-bin/OpinionsWeb/processWebInputExternal.pl?Path=Y2026%2FD05-29%2FC%3A25-2205%3AJ%3AKirsch%3Aaut%3AT%3AfnOp%3AN%3A3549218%3AS%3A0&Submit=Display

https://www.govinfo.gov/content/pkg/USCOURTS-ca7-25-02074/pdf/USCOURTS-ca7-25-02074-1.pdf

https://storage.courtlistener.com/recap/gov.uscourts.ilnd.500640/gov.uscourts.ilnd.500640.59.1.pdf

Based on the article dated October 25, 2026. The Amazon discussion reports the contents of its motion and does not represent a later judicial disposition.

依据2026年10月25日文章。亚马逊部分介绍动议内容，不表示法院此后已作出裁决。



SPEAKER NOTES

TIME / 时间: 0:30. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

We have just discussed the immediate pressure that Schedule A litigation can place on an online business. This second part concerns a different question: who may obtain or keep a trademark registration? I will explain the basic procedures, compare their timelines in the United States and China, and show why the distinction matters when planning a product launch. The central idea is that the deadline to challenge a mark and the time to resolve that challenge are separate clocks.

简体中文讲稿

刚才我们讨论了 Schedule A 诉讼对网络经营可能造成的即时压力。第二部分讨论另一个问题：谁可以取得或保有商标注册？我将介绍基本程序，比较中美两国的时间安排，并说明这些区别为何影响产品上市规划。核心要点是：提出商标挑战的期限，与解决该争议所需的时间，是两个不同的时间概念。

SOURCES / 资料来源

Cover: original conceptual illustration generated with the built-in image generation tool.

https://cnipa-usbar.org/2026/10/26/us-china-trademark-opposition-and-cancellation-timelines/

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SPEAKER NOTES

TIME / 时间: 1:00. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

An opposition asks the authority to prevent a pending trademark application from becoming a registration. A cancellation challenges a registration that already exists. In the United States, the Trademark Trial and Appeal Board, or TTAB, handles these contested registration proceedings within the USPTO. Its judges decide entitlement to federal registration. They do not decide infringement or award damages. The labels require care when comparing countries. China has invalidation procedures, including challenges based on prior rights or defects in registrability, and cancellation procedures, including three years of unjustified nonuse. These do not map perfectly onto the broad U.S. term cancellation. For today, focus on the shared business question: can another party obtain or keep the registration? A successful challenge does not, by itself, order that party to stop selling goods.

简体中文讲稿

异议要求主管机关阻止一项待审申请获准注册。注册撤销程序则针对已经存在的注册。在美国，美国专利商标局内的商标审判与上诉委员会，简称 TTAB，处理这类双方参与的注册争议。其法官裁决取得或保有联邦商标注册的资格，不裁决侵权，也不判令损害赔偿。比较中美制度时应注意用语差异：中国有基于在先权利或注册缺陷的无效宣告程序，也有包括无正当理由连续三年不使用在内的撤销程序。这些制度与美国广义的 cancellation 并非完全对应。今天共同关注的商业问题是：对方能否取得或保有注册？挑战成功本身，并不等于命令对方停止销售商品。

SOURCES / 资料来源

https://www.uspto.gov/trademarks/laws/trademark-trial-and-appeal-board

https://www.cnipa.gov.cn/art/2019/7/30/art_95_28179.html

https://cnipa-usbar.org/2026/10/26/us-china-trademark-opposition-and-cancellation-timelines/

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Three different clocks

三个不同的时间概念

Application review

申请审查

Time to file a challenge

提出挑战的期限

Time to resolve it

解决争议的时间

Opposition filing window 异议提出期限	Period 期限
United States 美国	30 days initially, extensions available 初始30天，可申请延期
China, current law 中国，现行规定	3 months 3个月
China, from January 1, 2027 中国，自2027年1月1日起	2 months under the revised law 修订法规定为2个月

Filing windows after publication / 公告后的异议提出期限

03

SPEAKER NOTES

TIME / 时间: 1:00. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

There are three different clocks. First is examination of the application. Second is the time allowed to file an opposition after publication. Third is the duration of the contested proceeding itself. In the United States, the initial opposition window is thirty days, with extensions available under specified conditions. China currently allows three months. The revised Chinese Trademark Law, enacted in June 2026 and effective on January first, 2027, shortens that window to two months. That is a change in the time to file, not a promise of a decision in two months. We also need to distinguish the first administrative decision from the final outcome after any further review or appeal. Faster routine examination does not remove the stages of a contested dispute.

简体中文讲稿

应区分三个时间概念。第一是申请审查所需的时间，第二是公告后允许提出异议的期限，第三是争议程序本身的持续时间。美国初始异议期为30天，符合规定条件时可以申请延期。中国现行异议期为3个月。2026年6月通过、2027年1月1日起施行的修订《商标法》将该期限缩短至2个月。这是提出异议期限的变化，不是承诺两个月内作出决定。另外，首次行政决定与经过后续复审或诉讼后的最终结果，也必须区分。常规申请审查加快，并不会消除争议案件需要经历的程序阶段。

SOURCES / 资料来源

https://www.uspto.gov/trademarks/laws/trademark-trial-and-appeal-board

https://www.cnipa.gov.cn/art/2019/7/30/art_95_28179.html (Article 33)

https://www.cnipa.gov.cn/art/2026/6/26/art_95_206942.html (Articles 36 and 87)

https://cnipa-usbar.org/2026/10/26/us-china-trademark-opposition-and-cancellation-timelines/

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China: statutory decision periods

中国：法定审理期限

Proceeding 程序	Ordinary period 通常期限	Approved extension 经批准可延长
Opposition 异议	12 months / 个月	6 months / 个月
Invalidation based on prior rights 基于在先权利的无效宣告	12 months / 个月	6 months / 个月
Third-party invalidation, absolute grounds 第三方基于绝对理由请求无效宣告	9 months / 个月	3 months / 个月
Nonuse cancellation 连续三年不使用撤销	9 months / 个月	3 months / 个月

Periods for an administrative stage. Further proceedings can add time.

上述期限针对行政程序的特定阶段。后续程序可能增加总时长。

04

SPEAKER NOTES

TIME / 时间: 1:30. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

China provides express statutory decision periods for several administrative proceedings. Opposition normally has a twelve-month period, with an approved extension of up to six months. Invalidation based on prior rights also has twelve months plus a possible six-month extension. A third party's invalidation request on absolute grounds generally has nine months plus a possible three-month extension. Nonuse cancellation has the same nine-plus-three structure. There are two qualifications. First, the starting point differs. The opposition decision clock begins when the publication period expires. The other listed clocks generally begin when the authority receives the request. Second, these are periods for a particular administrative stage. Certain intervals can be excluded, and review or court proceedings can extend the dispute. If opposition results in registration, the opponent generally pursues invalidation. A refused applicant may seek review. So a nine- or twelve-month period does not guarantee a final, unappealable outcome within that time. The revised law keeps the ordinary opposition decision period at twelve months with a possible six-month extension.

简体中文讲稿

中国对若干行政程序规定了明确的审理期限。异议通常为12个月，经批准可延长最多6个月。基于在先权利的无效宣告也是12个月，并可能延长6个月。第三方基于绝对理由提出无效宣告请求，一般为9个月，并可能延长3个月。连续三年不使用撤销同样采用9个月加可能延长3个月的结构。这里有两个限制。第一，起算点不同：异议的决定期限从公告期满开始计算；表中其他期限通常从收到请求之日起计算。第二，这些期限只针对特定行政阶段。某些时间可以不计入，复审或法院程序还会延长争议。如果异议后仍准予注册，异议人通常需要另行请求无效宣告；被拒绝注册的申请人可以寻求复审。因此，9个月或12个月不等于该期限内一定获得不可再争议的最终结果。修订法仍将普通异议决定期限保留为12个月，并可延长6个月。

SOURCES / 资料来源

https://www.cnipa.gov.cn/art/2019/7/30/art_95_28179.html (Articles 35, 44, 45, 49, 54)

https://www.cnipa.gov.cn/art/2014/4/29/art_525_145963.html (Articles 11, 27, 58–60)

https://www.cnipa.gov.cn/art/2026/6/26/art_95_206942.html (Article 38)

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SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

U.S. opposition and cancellation proceedings resemble civil litigation. They begin with pleadings, then move through discovery, trial evidence, written briefs, and a decision. Discovery is the formal exchange of information. It may involve documents, written questions, admissions, and witness depositions. For proceedings instituted on or after September fourth, 2025, the TTAB initially sets sixty days to answer, increased from the prior customary forty days. Discovery ordinarily lasts one hundred eighty days. These periods serve different purposes and should not be confused with the thirty-day window to file an opposition. After discovery, the parties still have separate periods to put testimony and other evidence into the trial record. Discovery material does not automatically become trial evidence. TTAB trials usually proceed through a submitted record rather than continuous courtroom hearings. These stages help explain why a contested case may continue long after the initial complaint and answer.

简体中文讲稿

美国的异议与注册撤销程序类似民事诉讼：从诉辩开始，之后经历证据开示、审理证据提交、书面论辩和裁决。证据开示是正式的信息交换，可能包括文件、书面问题、事实承认和证人询问。对于2025年9月4日及以后启动的程序，TTAB初始设置60天答辩期，较此前通常的40天有所增加。证据开示期通常为180天。这些期限各有不同作用，不应与提出异议的30天初始窗口混淆。证据开示结束后，双方仍有专门的期限，将证言及其他证据纳入审理记录。开示材料不会自动成为审理证据。TTAB通常依据提交的书面及证言记录进行审理，而不是连续在法庭开庭。这些阶段有助于解释为什么起诉和答辩结束很久后，案件仍可能继续。

SOURCES / 资料来源

https://www.federalregister.gov/documents/2025/09/04/2025-16930/change-in-time-initially-set-to-file-an-answer-in-a-trial-proceeding-before-the-trademark-trial-and

https://www.ecfr.gov/current/title-37/section-2.120

https://www.uspto.gov/trademarks/laws/trademark-trial-and-appeal-board

https://ttabvue.uspto.gov/ttabvue/ttabvue-91308940-OPP-2.pdf

https://cnipa-usbar.org/2026/10/26/us-china-trademark-opposition-and-cancellation-timelines/

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SPEAKER NOTES

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ENGLISH SPEAKER NOTES

This institution order gives a concrete example. The proceeding began on July eighteenth, 2026. Discovery was scheduled to close on April fourteenth, 2027. After the parties' testimony periods, the plaintiff's rebuttal period was scheduled to end on October twenty-sixth, 2027. The final reply brief was due on February eighth, 2028. That is approximately nineteen months from institution just to finish briefing, before the Board decides the merits. Notice how much of the schedule comes after discovery closes: testimony, rebuttal and briefs still need time. This is the original schedule in one case. It is neither a statutory minimum nor a prediction that this case will actually run to those dates. Settlement, default, or another early disposition can end a proceeding sooner. Motions, extensions, settlement suspensions, or related litigation may instead extend it. The practical lesson is to budget for the whole process.

简体中文讲稿

这份立案通知提供了一个具体例子。程序于2026年7月18日启动，证据开示计划在2027年4月14日结束。双方完成各自举证期后，原告的反驳举证期计划于2027年10月26日结束。最后回复书状的截止日期是2028年2月8日。从程序启动到完成书面论辩，约需19个月，此后TTAB仍需作出实体裁决。请注意，证据开示结束后还有相当长的一段时间：证言、反驳举证以及书面论辩均需要时间。这只是一宗案件立案时的原始安排，既不是法定最短期限，也不是预测案件一定持续到这些日期。和解、缺席或其他提前处理可以缩短程序；动议、延期、为和解而中止，或相关诉讼则可能延长程序。实务启示是，应为完整程序作出预算。

SOURCES / 资料来源

https://ttabvue.uspto.gov/ttabvue/ttabvue-91308940-OPP-2.pdf (page 3)

https://cnipa-usbar.org/2026/10/26/us-china-trademark-opposition-and-cancellation-timelines/

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SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

The USPTO's fiscal year 2026 report gives a useful reality check. Average total trial-case pendency was 152.7 weeks, roughly thirty-five months. The median was 135.6 weeks, roughly thirty-one months. The average interval from ready for decision to mailing the decision was fifteen point six weeks. These measures show that waiting for the final decision is only one part of the overall process. They do not establish that the rest of the time is all caused by the parties, since motions and other procedural steps also take time. The figures concern defined reporting groups and exclude certain precedential or unusual cases. They are not the expected duration of every opposition filed today. Early settlements, withdrawals, or defaults can end cases much sooner. Finally, do not directly compare China's statutory nine- or twelve-month administrative periods with this U.S. observed total average. The endpoints and case groups differ.

简体中文讲稿

美国专利商标局2026财年的报告提供了实际数据参考。审理案件平均总耗时为152.7周，约35个月；中位数为135.6周，约31个月。从案件具备裁决条件到发出裁决，平均为15.6周。这说明等待最终裁决只是完整程序的一部分，但不能因此认为其余时间全部由当事人造成，因为动议及其他程序环节也需要时间。这些数据针对特定统计群体，并排除了某些先例性或异常案件。它们并不代表今天提出的每宗异议的预期时长。提前和解、撤回或缺席处理可能让案件更快结束。最后，不应把中国9个月或12个月的法定行政期限，直接与美国实际观察到的平均总时长相比，因为两者的终点和案件群体不同。

SOURCES / 资料来源

https://www.uspto.gov/trademarks/ttab/ttab-incoming-filings-and-performance (FY2026 report, updated October 13, 2026)

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SPEAKER NOTES

TIME / 时间: 1:15. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

Consider a hypothetical Chinese manufacturer preparing a U.S. launch. It is choosing packaging, negotiating with distributors, and deciding how much to invest in the brand. A conflicting registration remains unresolved. The business cannot always postpone every decision until the legal process ends. Delay can create inventory costs, rebranding risk, and uncertainty for commercial partners. The company should identify which evidence matters early, including dated records of use, sales, and the mark that customers actually saw. Translation and coordinating overseas witnesses can add practical work even though the TTAB schedule is the same. This brings us back to the first segment. Challenging a registration and stopping alleged infringement are different objectives. A TTAB decision can affect registration rights, but the TTAB does not issue an injunction stopping marketplace conduct or award infringement damages. The chosen procedure must match the actual business need.

简体中文讲稿

设想一家中国制造商准备在美国上市产品，正在选择包装、与经销商谈判，并决定对品牌投入多少资金，但一个冲突商标的注册问题尚未解决。企业往往无法等到法律程序全部结束后才作出每项决策。延误可能产生库存成本、重新设计品牌的风险，以及商业伙伴的不确定性。企业应尽早明确哪些证据重要，例如有日期的使用记录、销售记录，以及消费者实际看到的商标形式。翻译和协调境外证人也会增加实务工作，尽管TTAB适用的时间安排相同。这就回到第一部分：挑战注册与制止被指控的侵权行为，是不同的目标。TTAB决定可以影响注册权利，但TTAB不会发出禁止市场行为的禁令，也不会判令侵权损害赔偿。所选程序必须与实际商业需要相匹配。

SOURCES / 资料来源

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Practical takeaways

实务启示

01 **Compare the same stages and endpoints**

比较相同的程序阶段和终点

02 **Prepare evidence and business contingencies early**

提前准备证据及商业应对方案

03 **Match the procedure to the business objective**

根据商业目标选择程序

The remedy, the evidence and the realistic timetable belong in one plan.

将救济目标、证据与现实时间安排纳入同一计划。

09

SPEAKER NOTES

TIME / 时间: 1:00. Total English delivery: 10:00.

ENGLISH SPEAKER NOTES

I would leave you with three practical points. First, compare the same stages and endpoints. A filing deadline, the first administrative decision, and a final resolution are different measures. Second, prepare evidence and business contingencies early. The legal calendar should inform launch, packaging, and budget decisions rather than surprise the business later. Third, match the procedure to the objective. Depending on the dispute, that may involve a registration challenge, enforcement, a negotiated settlement, or an appropriate streamlined procedure such as the TTAB's accelerated case resolution options. These choices require case-specific judgment. Across both parts of this presentation, the practical question is the same: what relief does the business need, what evidence supports it, and when can that relief realistically arrive?

简体中文讲稿

最后提出三点实务启示。第一，比较相同的程序阶段和终点。提出请求的期限、首次行政决定以及最终解决，是不同的衡量标准。第二，提前准备证据和商业应对方案。法律时间安排应当尽早影响上市、包装和预算决策，而不是事后让企业措手不及。第三，根据目标选择程序。视争议情况，可能需要注册挑战、侵权执法、协商和解，或适当的简化程序，例如TTAB的加速案件解决选项。这些选择需要结合具体案件判断。贯穿今天两部分内容的实务问题是：企业需要什么救济，有哪些证据支持，以及何时能够实际获得救济？

SOURCES / 资料来源

https://www.uspto.gov/trademarks/ttab/ttab-acr-options

https://www.uspto.gov/trademarks/laws/trademark-trial-and-appeal-board

https://cnipa-usbar.org/2026/10/26/us-china-trademark-opposition-and-cancellation-timelines/

Legal framework and data checked October 27, 2026. The Chinese 2026 revised Trademark Law takes effect January 1, 2027. The BPI timeline is its original institution schedule, not a forecast of actual disposition.

法律及数据核对日期：2026年10月27日。2026年修订的中国《商标法》自2027年1月1日起施行。BPI时间表为立案时的原始安排，不代表实际结案预测。

Reducing U.S. trademark application costs

降低美国商标申请与审查应对成本

An Office Action is the USPTO's written notice of application problems.

审查意见是美国专利商标局就申请问题发出的书面通知。

An ordinary response has no separate USPTO response fee. Attorney work and other fees may remain.

提交普通答复本身无需另缴答复费，但仍可能产生律师费及其他费用。

Accurate information and the right response procedure can reduce avoidable costs.

准确的信息及适当的答复程序，有助于减少可避免的成本。

37 C.F.R. § 2.6(a)(1), (28) (2026)

01

SPEAKER NOTES

RUN OF SHOW / 讲解安排

1: 0:30; 2: 1:00; 3: 1:15; 4: 1:00; 5: 1:30; 6: 1:15; 7: 2:00; 8: 1:30. Total: 10:00.

Deliver in one language; the other language is displayed. Reference notes are for questions, not part of the timed script.

以一种语言讲解，另一种语言供阅读。参考资料供提问时使用，不纳入计时讲稿。

TIME / 时间: 0:30 (0:00–0:30)

ENGLISH SPEAKER NOTES

Our final topic is reducing avoidable U.S. trademark application costs. An Office Action is the USPTO's written notice identifying problems with an application. An ordinary response has no separate response fee, but legal work and other fees may still arise. The aim is to identify the actual defect, use the right procedure, and avoid paying to correct the same problem twice.

简体中文讲稿

最后一个主题是减少可避免的美国商标申请成本。审查意见是美国专利商标局指出申请问题的书面通知。提交普通答复本身没有单独的答复费，但仍可能产生律师费及其他费用。关键是识别真正的缺陷，使用适当程序，避免为同一个问题反复付费。

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: This talk addresses three common issues for Chinese enterprises: domicile addresses, specimens of use, and goods/services identifications. An ordinary Office Action response has no separate USPTO fee merely for filing the response. Specific relief or deficiencies can still require fees. Match the amount of legal work to the actual defect.

简体中文：本次演讲讨论中国企业常见的三类问题：住所地址、商标使用样本，以及商品与服务项目表述。提交普通审查意见答复本身无需单独缴纳答复费，但特定程序或缺陷仍可能产生费用。应根据具体问题确定必要的律师工作。

Authority: 37 C.F.R. § 2.6(a)(1), (28) (2026). U.S. Patent & Trademark Office, Trademark Rules of Practice (July 15, 2026), https://www.uspto.gov/sites/default/files/documents/tmlaw.pdf. Source article: Reducing US Trademark Prosecution Costs for Chinese Applicants (Oct. 27, 2026).

Verified sources / 核对资料（2026年10月27日）

https://www.uspto.gov/trademarks/maintain/responding-office-actions



SPEAKER NOTES

TIME / 时间: 1:00 (0:30–1:30)

ENGLISH SPEAKER NOTES

The starting point is the different role of filing and use. China makes registration central to exclusive trademark rights, and earlier filing usually matters, subject to prior rights and other exceptions. In the United States, qualifying use can create rights even without federal registration. Federal filing and registration add important statutory benefits. That does not mean that the first sale always wins. A valid intent-to-use application can establish application-date priority if it ultimately reaches the Principal Register, subject to superior earlier rights. For a Chinese enterprise, the practical consequence is that a Chinese registration does not automatically create U.S. rights. Clearance should consider relevant U.S. filings and marketplace use. Early planning needs to cover the correct owner, the intended business, and a legally supported filing route.

简体中文讲稿

首先要理解申请与使用在两国的不同作用。中国以注册作为取得商标专用权的核心，通常重视申请在先，但受到在先权利等例外规则限制。美国的合格使用可以产生权利，即使尚未取得联邦注册。联邦申请及注册则提供额外法定利益。这不意味着最先销售者一定优先：有效的意图使用申请最终获得主簿注册后，可在法定条件下取得申请日的优先地位，仍受更优在先权利限制。对中国企业而言，中国注册不会自动产生美国权利。检索应涵盖美国申请及相关市场使用，提前明确正确主体、实际业务和有依据的申请路径。

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: The comparison concerns mainland China and U.S. federal trademark practice as of October 2026. China makes registration central to exclusive trademark rights. In the United States, qualifying use can establish unregistered rights,

ordinarily limited by geographic reach and other priority principles. Federal registration adds statutory presumptions and application-based constructive-use priority, subject to the statutory conditions. This is a difference in legal foundations, not an absolute rule that China ignores use or the United States ignores filing. The 2026 Chinese revision was adopted June 26, 2026 and takes effect January 1, 2027. It continues existing registrations; it should not be described as already governing this October 2026 comparison.

简体中文：本比较以2026年10月的中国大陆与美国制度为基础。中国以注册为取得商标专用权的核心。美国的合格使用可产生未注册商标权，其范围通常受业务地域和其他优先规则限制，联邦注册则提供额外法定利益。不能将差异简化为中国完全不看使用、美国完全不看申请。中国2026年修订法于2027年1月1日施行，既有注册继续有效。

Authorities: Zhonghua Renmin Gongheguo Shangbiao Fa [Trademark Law of the People's Republic of China] arts. 3, 30–31 (amended Apr. 23, 2019) (P.R.C.); 15 U.S.C. § 1057(b)–(c); Trademark Law of the People's Republic of China (2026 Revision) art. 87. https://www.cnipa.gov.cn/art/2019/7/30/art_95_28179.html ; https://uscode.house.gov/us/usc/119-124/t15/s1057/ ; https://www.uspto.gov/trademarks/basics/why-register-your-trademark ; https://www.cnipa.gov.cn/art/2026/6/26/art_95_206942.html

English: Chinese first-to-file priority has exceptions for prior rights, certain prior use with influence, well-known marks, and specified agent or business relationships. A valid foreign-priority claim can also change the relevant priority date. The U.S. example assumes conflicting marks for relevant goods/services, a valid intent-to-use application that ultimately reaches the Principal Register, and no superior earlier rights. Constructive-use priority is contingent on registration. A pending application does not immediately confer all registrant remedies. B's earlier first sale does not necessarily defeat A's earlier application.

简体中文：中国的申请在先原则受在先权利、具有一定影响的在先使用、驰名商标及代理或业务关系等规则限制。外国优先权也可能改变相关日期。美国示例假设商标和商品服务存在相关冲突，A的申请有效且最终取得主簿注册，并无更优在先权利。拟制使用优先地位以注册为条件，待审申请并不立即赋予注册人的全部救济。

Authorities: 2019 Trademark Law arts. 13, 15, 25, 30–32, 59(3); 15 U.S.C. §§ 1051(b), 1057(c). https://www.cnipa.gov.cn/art/2019/7/30/art_95_28179.html ; https://uscode.house.gov/us/usc/119-124/t15/s1057/

Verified sources / 核对资料（2026年10月27日）

Filing routes and use evidence

申请路径与使用证据

Route / 申请路径	Use evidence / 使用证据
China: ordinary application 中国：一般申请	Generally no use evidence at filing 申请时通常无需提交使用证据
U.S. § 1(a): actual use 美国第1(a)条：实际使用	Qualifying use and a specimen at filing 申请时须有合格使用并提交使用样本
U.S. § 1(b): intent-to-use 美国第1(b)条：意图使用	Genuine intent at filing. Use before registration on this basis 申请时须有真实使用意图，以此依据注册前须使用
U.S. § 44(e) / § 66(a) 美国：外国注册或马德里路径	No pre-registration specimen. Genuine intent still required 注册前免交样本，仍须有真实使用意图

CNIPA, Bad-Faith Filing Guidance, Q. 4 (2022) 15 U.S.C. §§ 1051, 1126(e), 1141f(a) 03

SPEAKER NOTES

TIME / 时间: 1:15 (1:30–2:45)

ENGLISH SPEAKER NOTES

This table explains why the filing route affects evidence and cost. An ordinary Chinese application generally does not require use evidence at filing. In the United States, a Section 1(a) application requires qualifying use and a specimen, which is evidence showing the mark in actual commercial use. Section 1(b) permits filing before launch with a genuine intention to use, but registration on that basis requires use evidence later. Qualifying foreign-registration and Madrid routes can reach registration without a pre-registration specimen. Genuine intent and later use-related maintenance obligations still apply. Madrid coordinates international filing; each designated office still examines under its own law. The company should keep objective commercial records supporting its plans. The filing route should fit the facts. Selecting a route merely because it appears to need fewer documents today can create more work later.

简体中文讲稿

这张表说明申请路径为何影响证据与成本。中国的一般申请通常不要求在申请时提交使用证据。美国第1(a)条申请要求已有合格使用，并提交能够反映实际商业使用的样本。第1(b)条允许具有真实使用意图的企业在上市前申请，但以此依据注册前仍须提交使用证明。符合条件的外国注册路径及马德里路径，可以在注册前不交样本，但真实使用意图与后续使用维持义务仍然适用。马德里体系协调国际申请，各指定局仍依本国法律审查。企业应保留支持商业计划的客观记录，并根据事实选择路径，仅因眼前材料较少而选择某一路径，可能增加后续工作。

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: CNIPA explains that Chinese applications generally require neither use evidence nor an explanation of intent. That does not authorize bad-faith no-use filings. In U.S. Section 1(a), qualifying use must exist by filing and a specimen is

required. Section 1(b) allows prelaunch filing with bona fide intent, but registration solely through that route requires an acceptable allegation of use. Section 44(e) depends on a qualifying country-of-origin registration; Section 66(a) is a Madrid extension of protection. Both can register without pre-registration U.S. use evidence, but bona fide intent and later maintenance obligations remain. Section 44(d) priority alone is not a registration basis.

简体中文：中国申请通常无需提交使用证据或说明使用意图，但恶意的非使用目的申请仍受禁止。美国第1(a)条要求申请时已有合格使用并提交样本。第1(b)条允许上市前申请，但仅以该路径注册时须完成使用申报。第44(e)条与第66(a)条分别属于符合条件的原属国注册路径及马德里延伸保护路径，注册前可免交使用证明，仍须具备真实使用意图并履行后续维持义务。

Authorities: CNIPA, Questions and Answers on the Trademark Examination and Adjudication Guidelines—Bad-Faith Applications Not Intended for Use, Q. 4 (Feb. 8, 2022); 15 U.S.C. §§ 1051(a)–(d), 1126(e), 1141f(a), 1141h(a)(3), 1058, 1141k; 37 C.F.R. § 2.34(a) (2026). https://www.cnipa.gov.cn/art/2022/2/8/art_66_173092.html ; https://www.uspto.gov/trademarks/apply/basis ; https://www.uspto.gov/sites/default/files/documents/tmlaw.pdf

English: China recognizes limited defensive filings and proportionate advance filings for realistically anticipated business. The absence of routine filing-stage use evidence does not authorize excessive filings for speculative resale. U.S. Section 1(b), Section 44(e), and Madrid filings require bona fide intent to use; do not automatically transplant the Chinese defensive-filing exception. M.Z. Berger requires objective evidence under the totality of the circumstances, although the burden is not high. Later evidence may corroborate intent that existed at filing; an intention first formed after filing cannot repair its original absence. Keep records tied to the particular mark and goods/services.

简体中文：中国允许一定范围的合理防御性申请及有现实预期的适量提前布局，不等于允许为投机转售而过量申请。美国上市前申请须有真实使用意图，不能直接套用中国的防御性申请例外。客观证据应联系具体商标与商品服务。之后形成的材料可以佐证申请时已有的意图，但申请后才产生的意图不能弥补原始缺陷。

Authorities: 2019 Trademark Law art. 4; CNIPA, Bad-Faith Filing Guidance, Q. 4 (Feb. 8, 2022); 15 U.S.C. §§ 1051(b), 1126(e), 1141f(a); M.Z. Berger & Co. v. Swatch AG, 787 F.3d 1368, 1375–78 (Fed. Cir. 2015); Société des Produits Nestlé S.A. v. Taboada, Opp. No. 91232597, slip op. at 30–31, 34 n.65 (T.T.A.B. Aug. 5, 2020). https://www.cnipa.gov.cn/art/2022/2/8/art_66_173092.html ; https://www.cafc.uscourts.gov/opinions-orders/14-1219.opinion.6-2-2015.1.pdf

ENGLISH — SPEAKER NOTES

Madrid offers a coordinated international filing route, while each designated jurisdiction retains its substantive trademark law. An eligible applicant needs a basic application or registration at its office of origin. WIPO examines formalities; designated offices decide protection. International registration does not automatically confer protection in every designated jurisdiction. See World Intell. Prop. Org., Madrid System: Filing International Trademark Applications, https://www.wipo.int/en/web/madrid-system/how_to/file/index (last visited Oct. 27, 2026); World Intell. Prop. Org., Filing International Trademark Applications: The Process, https://www.wipo.int/en/web/madrid-system/how_to/file/basics (last visited Oct. 27, 2026).

For Chinese enterprises, this can provide a route to request U.S. protection. A U.S. designation is examined as a § 66(a) application. A bona fide intention to use in U.S. commerce is required, although no pre-registration specimen is required. See 15 U.S.C. §§ 1141f(a), 1141h(a)(1), (3); U.S. Patent & Trademark Off., Trademark Manual of Examining Procedure § 904 (current ed.), https://mpep.uspto.gov/RDMS/TMEP/print?href=TMEP-900d1e1.html&version=current.

Later U.S. maintenance requires a § 71 declaration establishing use or excusable nonuse. Local refusals, counsel requirements, and related costs may remain. See 15 U.S.C. § 1141k; U.S. Patent & Trademark Off., Inbound Madrid

Protocol Post Registration (Sept. 15, 2023), https://www.uspto.gov/ip-policy/international-protection/madrid-protocol/inbound-post-registration; U.S. Patent & Trademark Off., Inbound Madrid Protocol Applicants (Sept. 15, 2023), https://www.uspto.gov/ip-policy/international-protection/madrid-protocol/inbound-applicants.

简体中文 — 演讲者备注

马德里体系提供协调的国际申请路径，各指定法域仍适用各自的实体商标法。符合资格的申请人须在原属局拥有基础申请或基础注册。世界知识产权组织进行形式审查，各指定局决定是否给予保护。取得国际注册并不意味着在每个指定法域自动获得保护。参见上列世界知识产权组织《国际商标申请》及《国际商标申请流程》。

中国企业可利用此路径申请美国保护。指定美国的保护延伸请求按第66(a)条申请审查。申请人须具有在美国商业中真实使用商标的意图，但注册前无需提交使用样本。参见15 U.S.C. §§ 1141f(a), 1141h(a)(1), (3)；《美国商标审查程序手册》第904节。

之后维持美国注册须按第71条提交声明，证明使用或可被宽恕的不使用。当地驳回、律师要求及相关费用仍可能存在。参见15 U.S.C. § 1141k及上列美国专利商标局指南。

衔接：申请路径可以简化管理，但仍须提前规划美国审查与注册维持。

Verified sources / 核对资料（2026年10月27日）

https://www.uspto.gov/trademarks/apply/basis

Domicile address corrections

住所地址的更正

Use the actual headquarters address. A Chinese headquarters is acceptable. U.S. counsel is required.	申报实际总部地址，可以位于中国。境外住所申请人须委托美国律师。
Correct the address through a formal response in the designated domicile field.	通过正式答复，在指定住所栏中更正地址。
The designated domicile field is hidden. Mailing fields and attachments may be public.	指定住所栏不向公众显示，邮寄地址栏及附件中的信息可能公开。

37 C.F.R. §§ 2.11, 2.189 (2026) TMEP § 601.01(c), (e) (May 2026)

04

SPEAKER NOTES

TIME / 时间: 1:00 (2:45–3:45)

ENGLISH SPEAKER NOTES

A common correction concerns domicile. For a company, this generally means the headquarters where senior officers actually direct and control the business. A headquarters in China is acceptable. A U.S. mailbox or registered-agent address is not a substitute for the real headquarters. Foreign-domiciled applicants must use qualified U.S. counsel. When the examiner requires a correction, provide it through a formal response in the designated domicile field, with supporting documents if requested. This is not a correction the examiner can enter by examiner's amendment. The designated domicile field is hidden from public view, but an address repeated in a public attachment or mailing field may remain visible. Accurate information at the start can reduce repeated requests and unnecessary corrective work.

简体中文讲稿

住所是常见补正事项。对公司而言，住所通常是高级管理人员实际指挥和控制业务的总部。中国境内的总部可以符合要求，美国邮政信箱或注册代理人地址不能替代真实总部。住所位于美国境外的申请人必须委托合格美国律师。审查员要求补正时，应通过正式答复，在指定住所栏填写，并按要求提供证明文件。不能通过审查员修改程序补入住所。指定住所栏不公开，但在公开附件或邮寄地址栏重复填写的地址可能仍会公开。申请之初提供准确资料，可以减少重复要求及不必要的补正工作。

REFERENCE ONLY / 参考资料（无需逐项讲解）

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: Corporate domicile is the headquarters where senior officers ordinarily direct and control the business. A Chinese headquarters may satisfy the requirement. A U.S. mailing address, registered agent, virtual office or post-office

box is not a substitute for the actual domicile. The designated domicile field is masked from public view, but addresses repeated in attachments or in the mailing field may be public. Supply supporting documentation if requested. An examiner's amendment cannot supply the domicile address, even with consent to public disclosure. TMEP § 819.02(a) distinguishes an inadvertent error, including a PO-box or care-of address, from missing required information.

简体中文：公司的住所通常是高级管理人员实际指挥和控制公司业务的总部所在地。中国境内的总部可符合要求。美国邮寄地址、注册代理人地址、虚拟办公室或邮政信箱不能替代实际住所。指定住所栏的信息不向公众显示，但附件或邮寄地址栏中的同一地址可能公开。应按要求提交证明文件。即使申请人同意公开，也不得通过审查员修改程序补充住所地址。无意填写错误与遗漏必需信息，应分别处理。

Authorities: 37 C.F.R. §§ 2.2(o)–(p), 2.11(a)–(b), 2.189 (2026); U.S. Patent & Trademark Office, Trademark Manual of Examining Procedure [TMEP] §§ 601.01(c)(i), (e), 819.02(a) (May 2026). https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-600d1e21.html&version=current ; https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-800d1e1.html&version=current

ADDITIONAL REFERENCE / 补充资料

English: Domicile means the headquarters where senior executives ordinarily direct and control the company's activities. A registered-agent address, mailbox or virtual office ordinarily is not sufficient. Supply documents in response to the particular request rather than assuming all corporate documents are always necessary. An entity genuinely lacking a fixed physical principal place of business may supply the full name, title, and acceptable domicile address of a person legally authorized to bind the entity. A petition to waive domicile requirements addresses extraordinary circumstances, adds expense, and does not itself answer the Office Action.

简体中文：住所是高级管理人员实际指挥和控制企业活动的总部所在地。注册代理人地址、邮政信箱或虚拟办公室通常不足以满足要求。应针对具体要求提交证明。确无固定实体主要营业场所的企业，可提供有权对企业作出法律约束的人员全名、职务及其合格住所地址。豁免申请针对特殊情形，会增加费用，且不能替代审查意见答复。

Authorities: 37 C.F.R. §§ 2.2(o)–(p), 2.11(b), 2.146(a)(5), (g), 2.148, 2.189 (2026); TMEP § 601.01(c)(i), (iv)(A), (e) (May 2026). https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-600d1e21.html&version=current ; https://www.uspto.gov/sites/default/files/documents/tmlaw.pdf

Verified sources / 核对资料（2026年10月27日）

https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-600d1e21.html&version=current

Specimen defects and actual use

使用样本缺陷与实际使用

Fix missing details where possible. Substitute specimens need formal submission and verification.

可补正信息缺失等问题。替代样本须正式提交，并附所需声明。

For an original § 1(a) filing, the substitute must show use by filing. Later-starting use cannot cure this.

最初按第1(a)条申请时，替代样本须证明申请时已有使用。之后才开始使用不能补救。

An eligible change to § 1(b) requires genuine intent at filing and now. Use proof and fees come later.

符合条件时可改为第1(b)条，但申请时及目前均须有真实使用意图，之后仍须提交使用证明并付费。

37 C.F.R. §§ 2.34–2.35, 2.56, 2.59 (2026) TMEP §§ 806.03, 904.05 (May 2026)

05

SPEAKER NOTES

TIME / 时间: 1:30 (3:45–5:15)

ENGLISH SPEAKER NOTES

With specimens, distinguish a problem with the evidence from a problem with the underlying use. A missing web address or access date may be a correctable detail. A substitute specimen, however, requires a formal submission and the necessary verification. For an original Section 1(a) application, that verification must establish use of the substitute specimen at least as early as the filing date. A seller cannot cure the absence of use on that date simply by starting sales after the examiner raises the issue. If the applicant qualifies, an amendment to an intent-to-use basis may provide a route forward. Genuine intent must have existed at filing and must still exist. That route postpones use evidence rather than eliminating it, and later filing fees remain. The cost-saving step is to identify the evidence and its date before choosing the response. Ask what was actually in use, for which goods or services, and when. Detailed exceptions and other filing routes can remain in the reference notes for questions.

简体中文讲稿

处理使用样本时，应区分证明材料的问题与实际使用本身的问题。缺少网址或访问日期可能是可补正的信息缺陷，但替代样本须正式提交并附必要声明。最初以第1(a)条申请时，声明须证明替代样本至少在申请日已经用于商业。卖家不能仅在收到审查意见后开始销售，就补救申请时没有使用的问题。符合条件时，改为意图使用依据可能让申请继续，但申请时及目前都须存在真实使用意图。这只是推迟提交使用证据，并非免除，之后仍有申请费用。降低成本的关键，是先核查证据及日期，再选择答复方式：究竟什么商标用于哪些商品或服务，从何时开始使用。更细的例外与其他路径留在参考备注，供提问时使用。

REFERENCE ONLY / 参考资料（无需逐项讲解）

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: First identify whether the defect concerns the evidence or the underlying commercial use. A missing URL, access date, verification, or legible copy may be correctable. A substitute specimen and the required declaration need a formal submission, not an examiner's amendment. For an original Section 1(a) application, the substitute specimen must have been in use in commerce at least as early as filing. Later-created use cannot cure missing use at filing. Different dates govern substitutes following an amendment to allege use or a statement of use.

An eligible Section 1(a) to 1(b) amendment requires verified bona fide intent both at the original filing date and now. Additional procedures may apply after publication. A filed statement of use in a Section 1(b) application cannot simply be withdrawn to return to intent-to-use. Later electronic use-filing fees are $150 per class, and statement-of-use extensions cost $125 per class.

Section 44(e) requires a qualifying country-of-origin registration of the same mark, an English translation where necessary, bona fide intent to use in U.S. commerce, and permissible goods/services coverage. Section 44(d) priority alone is insufficient for registration. Foreign-registration and Madrid routes do not eliminate later use-maintenance obligations.

简体中文：先区分问题在于证明材料，还是实际商业使用本身。缺少网址、访问日期、声明或清晰副本等问题，可能通过补正解决。替代使用样本及所需声明必须正式提交，不能通过审查员修改程序录入。最初按第1(a)条提出的申请，须满足申请日或之前的商业使用要求。若符合条件，可改为第1(b)条依据，但须确认申请时及目前均存在真实、善意的使用意图，并考虑后续使用申报费用。第44(e)条还要求符合条件的原属国注册、必要的英文翻译及其他法定条件。注册前免交样本，并不免除后续使用维持义务。

Authorities: 37 C.F.R. §§ 2.6(a)(2)(ii), (3)(ii), (4)(ii), 2.34(a), 2.35(b), 2.56(c), 2.59, 2.88(f), 2.161(a)(6)–(7), 7.37(a)(6)–(7) (2026); TMEP §§ 707, 806.01(c)–(d), 806.03–.04, 904.05 (May 2026).
https://www.uspto.gov/sites/default/files/documents/tmlaw.pdf ;
https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-800d1e1.html&version=current

Verified sources / 核对资料（2026年10月27日）

https://www.ecfr.gov/current/title-37/section-2.59

Goods and services amendments

商品与服务项目的修改

Counsel may agree on wording and authorize an examiner's amendment.

律师可与审查员确认表述，并授权审查员作出修改。

A separate response may be unnecessary if the amendment resolves every outstanding issue.

只有修改解决全部未决问题时，才可能无需另行提交正式答复。

Clarify or narrow coverage, never broaden it. Deleted items generally cannot be restored.

可以澄清或缩小保护范围，不得扩大。已删除项目通常不能恢复。

TMEP §§ 707–707.01, 1402.07 (May 2026) 37 C.F.R. § 2.71(a) (2026)

06

SPEAKER NOTES

TIME / 时间: 1:15 (5:15–6:30)

ENGLISH SPEAKER NOTES

Goods-and-services wording is an area where a short discussion with the examiner can reduce work. Counsel may agree on accurate wording and authorize the examiner to enter an amendment. A separate response may be unnecessary only when that amendment resolves every outstanding issue. A conversation alone does not amend the application. Confirm that the examiner records the agreed change, and check whether any other refusal or requirement remains. Most importantly, the description can be clarified or narrowed but cannot be broadened. Deletions generally cannot be restored. The least expensive wording today is not necessarily useful if it leaves the company's actual business outside the application. For Madrid cases, additional limits apply, including the restriction of examiner's amendments to second and subsequent actions. Counsel should approve the commercial scope before authorizing a change and continue tracking the response deadline.

简体中文讲稿

商品与服务表述是通过简短沟通减少工作量的一个领域。律师可与审查员确认准确表述，并授权其记入修改。只有修改解决全部未决问题时，才可能不需要另行答复。沟通本身不会修改申请，应确认审查员已记入约定修改，并核查是否还有其他驳回理由或要求。最重要的是，表述只能澄清或缩小，不得扩大，删除的项目一般不能恢复。如果最省钱的表述未覆盖实际业务，就未必符合企业利益。马德里案件还有额外限制，例如审查员修改仅限于第二次及后续审查意见阶段。律师应在授权前确认商业范围，并持续跟踪答复期限。

REFERENCE ONLY / 参考资料（无需逐项讲解）

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: Examiner's amendments can reduce the cost of resolving identification objections when counsel and the examiner agree on commercially accurate language. Counsel should check the business coverage before approving a limitation. Informal discussion does not itself amend the application; the examiner records the authorized amendment. There is no unlimited entitlement to an examiner's amendment. A priority action is different and requires a timely response. Madrid examiner's amendments are available on second and subsequent actions only. Madrid classes assigned by the International Bureau also constrain amendments: applicants ordinarily cannot add classes or transfer goods/services between classes.

简体中文：就准确且符合业务需要的项目表述达成一致，可降低答复成本。授权缩限前，应核对商业保护范围。非正式讨论本身不会修改申请，审查员须将授权修改记入。优先审查意见通知与审查员修改不同，仍须及时答复。马德里申请还受国际局指定类别的限制，通常不得增加类别或在类别间转移项目。

Authorities: TMEP §§ 707–708, 709.05, 1402.07, 1403.02 (May 2026); 37 C.F.R. §§ 2.71(a), 2.85(d), (f) (2026). https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-700d1e1.html&version=current ; https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-1400d1e1.html&version=current

Verified sources / 核对资料（2026年10月27日）

https://www.ecfr.gov/current/title-37/section-2.71

Planning for identification surcharges

商品与服务项目附加费的规划

Select accurate entries directly from the USPTO's ID Manual in the application form.

在申请表中直接选择准确的官方商品与服务项目手册条目。

For § 1/44 applications, free-form wording adds $200 in every class in that application.

第1条或第44条申请含自由文本时，该件申请的每个类别均加收200美元。

Free-form surcharge only: three classes, one custom

仅比较自由文本附加费：三类别，一类自定义

One three-class application	一件三类别申请	**$600**
Custom class filed separately at outset	起初将自定义类别单独申请	**$200**

$400 gross saving, before added legal and administrative costs

节省400美元，尚未扣除新增律师费及管理成本

37 C.F.R. §§ 2.6(a)(1)(iii), (v)–(vi), 2.22(c)–(d) (2026) TMEP § 819.03

07

SPEAKER NOTES

TIME / 时间: 2:00 (6:30–8:30)

ENGLISH SPEAKER NOTES

Here is a concrete fee example. For Section 1 and Section 44 applications, selecting appropriate entries directly from the official Identification Manual can avoid the free-form text surcharge. Under the current rules, including free-form wording triggers two hundred dollars for every class in that application. Suppose the business needs three classes, but only one requires a custom description. One combined three-class application incurs six hundred dollars in free-form surcharges. If the custom class is filed separately at the outset, and the other two classes use properly selected manual entries, the free-form surcharge is two hundred dollars. The gross difference is four hundred dollars. The base application fees remain three times three hundred fifty dollars, or one thousand fifty dollars, under either arrangement. The table therefore compares only the free-form surcharge, not all filing costs. Additional legal and administrative work could reduce or eliminate the saving. A later division does not erase a surcharge already triggered. Also, custom wording may be necessary to describe the real business accurately. Do not sacrifice important coverage merely to avoid a fee. Review the wording and application structure before filing, and compare the complete cost rather than one fee in isolation.

简体中文讲稿

这里有一个具体费用示例。对于第1条及第44条申请，在表格中直接选择准确的官方项目手册条目，可以避免自由文本附加费。依现行规则，一旦申请中含有自由文本，该件申请的每个类别均加收200美元。假设企业需要三个类别，其中仅一类需要自定义表述。一件合并的三类别申请会产生600美元自由文本附加费。如果一开始就把自定义类别单独申请，其他两类直接选择合格的官方条目，则该项附加费为200美元，相差400美元。两种安排的基本申请费均为三乘350美元，即1,050美元。因此，表格仅比较自由文本附加费，并非全部申请成本。新增律师工作及管理成本可能减少甚至抵消节省额。事后分案也不能消除已产生的附加费。自定义表述有时是准确覆盖业

务所必需的，不应仅为避费而牺牲重要范围。申请前核查表述及申请结构，并比较完整成本，而非孤立看某一笔费用。

REFERENCE ONLY / 参考资料（无需逐项讲解）

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: These fees apply to Section 1 and 44 applications. Custom wording remains permissible when definite and accurate. Do not sacrifice commercially important scope only to avoid the surcharge. Any free-form entry triggers the $200 fee in every class in the application, including subsequently added classes. The separate excess-character charge is class-specific. Count spaces, punctuation, and ID Manual text in the same class. Classes containing only ID Manual entries do not incur the character charge. A reasonable attempt to complete an ID Manual fill-in entry may later be clarified without automatically incurring the free-form fee. Blank, inappropriate, or unrelated fill-in text can trigger it. A properly triggered fee is not erased by later correction or deletion.

简体中文：上述附加费适用于第1条及第44条申请。只要表述明确准确，自定义项目仍可采用，不应仅为避费而牺牲重要保护范围。自由文本附加费适用于整件申请的各类，包括后续增加的类别。超字符附加费则按相关类别计算，空格、标点及同类中的官方条目文字均计入字符数。合理填写的补充条目即使之后需要澄清，也不一定产生自由文本附加费。已依法产生的费用，不能通过后续修改或删除而消除。

Authorities: 37 C.F.R. §§ 2.6(a)(1)(v)–(vi), 2.22(c)–(d) (2026); TMEP §§ 819.03–.05 (May 2026). https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-800d1e1.html&version=current

EXAMPLE ASSUMPTIONS / 示例前提

English: Three classes, only one needs custom wording. The other two use properly selected ID Manual entries and no other surcharge applies. One three-class application incurs $600 in free-form fees. Filing the custom class separately at the outset incurs $200 in free-form fees. Base fees remain 3 × $350 = $1,050 either way. The $400 saving is before added professional and administrative costs. Later division does not erase an already-triggered surcharge. The excess-character fee is an additional $200 for each additional 1,000 characters or portion above 1,000 in a class containing free-form wording.

中文：假设三个类别中仅一类需要自定义表述，其余两类直接选择合格的官方条目，且无其他附加费。一件三类别申请的自由文本附加费为600美元；起初单独申请自定义类别，该项附加费为200美元。两种安排的基本申请费均为1,050美元。400美元节省额尚未扣除新增律师费和管理成本。之后分案不能消除已产生的附加费。含自由文本的类别超过1,000个字符后，每增加1,000个字符或不足该数的部分，另收200美元。

Authorities: 37 C.F.R. §§ 2.6(a)(1)(iii), (v)–(vi), 2.22(c)–(d) (2026); TMEP §§ 819.01, 819.03–.05 (May 2026). https://www.uspto.gov/sites/default/files/documents/tmlaw.pdf

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https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-800d1e1.html&version=current

https://www.ecfr.gov/current/title-37/section-2.6

Deadlines and complete responses

答复期限与完整答复

Sections 1 and 44: generally 3 months, plus one paid 3-month extension if timely requested.

第1条及第44条申请：通常为3个月，可在期限内付费申请一次3个月延期。

Madrid: generally 6 months, with no corresponding extension. Check the actual Office Action.

马德里申请：通常为6个月，无相应延期选项。以具体审查意见载明的期限为准。

Informal contact does not stop the clock. Address every outstanding issue by the deadline.

非正式沟通不会中止期限。须在期限内处理全部未决问题。

37 C.F.R. §§ 2.6(a)(28)(ii), 2.62(a), 2.63(b)(3) (2026)

08

SPEAKER NOTES

TIME / 时间: 1:30 (8:30–10:00)

ENGLISH SPEAKER NOTES

The final cost control is a complete response on time. Ordinary examination responses for Section 1 and Section 44 applications generally have three months. One additional three-month extension is available if requested and paid for before the original deadline. The electronic response-extension fee is one hundred twenty-five dollars per application. Madrid applications generally have six months without that corresponding extension option. Always follow the deadline in the actual Office Action, because some notices have different periods. Informal discussion with an examiner does not stop the clock, and a response must address every outstanding issue. A request for reconsideration of a final action also does not itself extend an appeal deadline. To close, the business, its Chinese advisers and U.S. counsel should agree on the owner, headquarters, filing basis, commercial coverage and available evidence before filing or responding. Clear instructions and the right procedure can reduce repeated work while protecting the scope the business actually needs.

简体中文讲稿

最后一个成本控制点，是按时完整答复。第1条及第44条申请的普通审查意见通常有3个月答复期，可以在原期限届满前申请并付费延长一次，再延3个月。电子答复延期费为每件申请125美元。马德里申请通常为6个月，没有相应延期选项。应始终以具体审查意见载明的期限为准，因为有些通知期限不同。与审查员非正式讨论不会中止期限，答复须处理全部未决问题。对最终审查意见提出复议，也不会自动延长上诉期限。结束时强调，企业、中国顾问和美国律师应在申请或答复前，就主体、总部、申请依据、商业范围和现有证据达成一致。明确指示并选用正确程序，可以减少重复工作，同时保护企业真正需要的范围。

REFERENCE ONLY / 参考资料（无需逐项讲解）

REFERENCE ONLY / 参考资料（无需逐项讲解）

English: Use a common intake process shared by the business, Chinese advisers, and U.S. counsel. Confirm ownership, actual headquarters, commercial coverage, filing basis, existing use evidence, and required translations/transliterations. Agree in advance on fees for straightforward corrections and for work requiring detailed evidence or substantive analysis. Follow the actual deadline in the Office Action. Ordinary Section 1/44 examination responses generally have three months, with one three-month extension requested and paid for before the initial deadline. The electronic response extension fee is $125 per application, not per class. This is different from a statement-of-use extension, which costs $125 per class. Madrid applications generally have six months without the corresponding extension. A final-action reconsideration request does not itself extend the appeal or petition deadline.

简体中文：企业、中国代理人与美国律师应采用共同的信息核实流程，并事先明确简单补正与复杂证据工作的收费安排。以具体审查意见载明的期限为准。一般第1条及第44条申请的延期须在原期限届满前申请并付费，电子答复延期费为每件申请125美元，不是每类125美元。该程序不同于使用声明延期，后者按每类125美元收费。对最终审查意见提出复议，并不自动延长上诉或请愿期限。

Authorities: 37 C.F.R. §§ 2.6(a)(28)(ii), 2.22(a), 2.32–.34, 2.62(a), 2.63(b)(3) (2026); TMEP §§ 707–709.05 (May 2026). https://www.uspto.gov/sites/default/files/documents/tmlaw.pdf ; https://tmep.uspto.gov/RDMS/TMEP/print?href=TMEP-700d1e1.html&version=current

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https://www.uspto.gov/trademarks/maintain/responding-office-actions

Questions?

欢迎提问

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Scan to connect

扫码添加微信

SPEAKER NOTES

ENGLISH SPEAKER NOTES

Thank you. What questions do you have? You are welcome to contact me at btheiss@addyhart.com, visit www.divergentpatentlaw.com, or scan the WeChat code on this slide.

简体中文讲稿

谢谢大家。欢迎提问。也欢迎通过电子邮箱 btheiss@addyhart.com 与我联系，访问 www.divergentpatentlaw.com，或扫描本页二维码添加微信。