

**Memorandum of Understanding
for Strategic Cooperation on Trade Marks
between
The Intellectual Property Office of the United Kingdom
and
The State Administration for Industry and Commerce
of the People's Republic of China**

The Intellectual Property Office (IPO) of the United Kingdom and the State Administration for Industry and Commerce (SAIC) of the People's Republic of China and, hereinafter referred to as 'the Parties',

Recognising the value and importance of intellectual property in promoting a strong national and global economy and encouraging economic investment in innovation;

Acknowledging the necessity of promoting, improving and strengthening Trade Mark national systems;

Desiring to further enhance bilateral cooperation and improve commercial trade of the Parties through exchange of information and shared capacity building activities relating to Trade Mark;

Agree to the following Memorandum of Understanding on Trade Marks:

Article 1 Purpose

This Joint Memorandum of Understanding aims to establish a general framework for bilateral cooperation between the Parties. Throughout this Memorandum the Parties declare their willingness to strengthen the existing partnership through continued international cooperation between both countries on all matters relating to Trade Marks.

Article 2 Areas of Co-operation

To meet these stated objectives, the Parties will consider developing and strengthening the following areas of cooperation:

1. Continued discussion on both routine and topical issues in the field of Trade Marks, and related issues such as Trade Mark examination procedures, oppositions and disputes, geographical indicators and other such issues;
2. Exchange of information and sharing of best practice related to items in paragraph 1 above including joint consideration of Trade Mark laws, regulations, enforcement procedures, rules and procedural documents;
3. Exploration of mutual opportunities for providing training and development in the above areas relating to Trade Marks including related legal system field;

4. Sharing of best practice regarding the administration and automation of all Trade Mark processes and practices including manual examination, IT processing and web-based initiatives to streamline and enhance processes;
5. Joint activities on international Trade Mark issues of importance to both Parties, such as the protection of geographical indicators via the Trade Mark system and other developments in international Trade Mark practices;
6. Collaboration by both Parties to fully inform Trade Mark holders in each country on issues regarding the protection of trade mark including the application of the enforcement procedures;
7. Promotion and encouragement of the use and understanding of the IP system relating to Trade Marks and with particular emphasis on reaching out to small and medium sized enterprises (SMEs) and assisting them in protecting and maximising the use of their Trade Mark assets.

Article 3 Consultation

The Parties agree to:

1. Establish joint work plans that will include the specific activities outlined above. The listed examples are not exhaustive and may be extended to include other activities as and when agreed by both parties;
2. Ensure such plans are reflected in future annual Bilateral Agreements to be agreed by both parties;
3. Formally meet at intervals to review progress under this Memorandum and to update joint work plans. Both Parties shall agree to the timing and location of any such meetings.

Article 4 Financial Resources

With regard to financial arrangements, both Parties agree the following principles: the host organisation will be responsible for local transportation, working lunches and related necessary expenses. The visiting organisation will be responsible for accommodation and subsistence.

Article 5 Modification

This present Memorandum may be modified only by mutual agreement between the Parties and subject to evaluation by their respective legal departments.

Article 6 Legislation and International Agreements

This Memorandum and the exposed intentions of the Parties will be subject to all the effective applicable laws and regulations in their respective countries. This Memorandum does not affect the rights and obligations of the participants acquired

under existent agreements or memoranda in which the participants are themselves involved.

Article 7 Miscellaneous Provisions

This present Memorandum shall enter into force on the date of its signature. Each Party shall communicate to the other, with at least 90 (ninety) days notice, of its decision to end its participation in this Memorandum.

This Memorandum is signed on this 22nd day of January 2009 at Beijing and is made out in two originals, each composed of a Chinese version and an English version, both being formal versions and of equal force.

IAN FLETCHER
Chief Executive of the
The Intellectual Property Office
of the United Kingdom:

FU SHUANGJIAN
Vice Minister of the State Administration
for Industry and Commerce of the
People's Republic of China

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