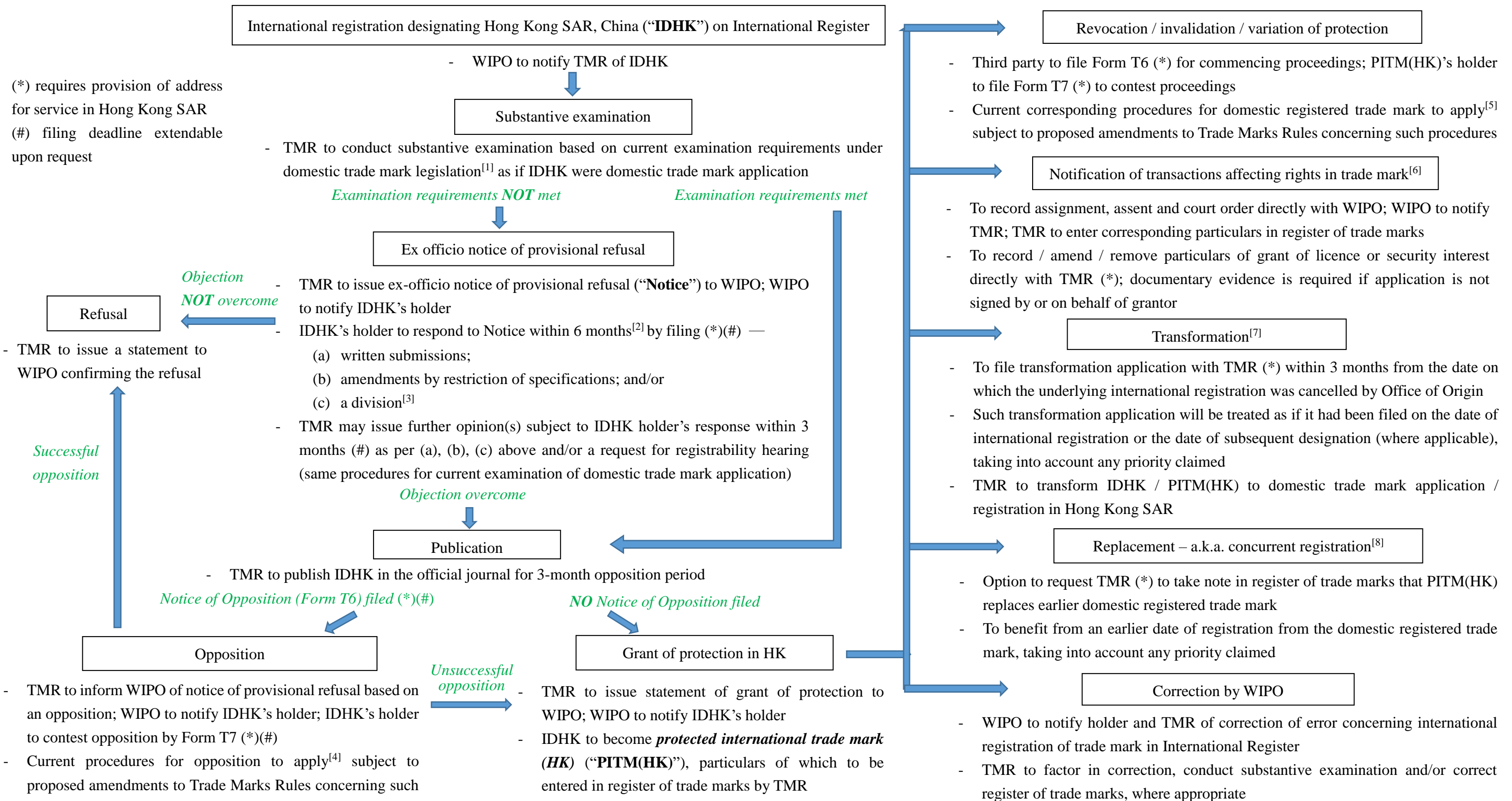


International Registration designating Hong Kong SAR, China (Trade Marks Registry “TMR” as Designated Office)



[1] The current examination requirements essentially include absolute and relative grounds for refusal under sections 11 and 12 of the Trade Marks Ordinance respectively.

[2] In case that the Notice contains objection based on earlier pending trade mark(s), the time period as specified in the Notice for IDHK’s holder to respond to the Notice will be automatically extended until the earlier pending trade mark becomes registered. When the earlier pending trade mark becomes registered, TMR is to notify IDHK’s holder of a new time period for the latter’s response to the Notice. In this connection, the corresponding procedures for domestic trade mark application concerning citation of earlier pending trade mark(s) will be aligned with the procedures for the examination of IDHK. There will be no change in the time period given to the applicant to respond to the objection (i.e. 6 months after first opinion and 3 months after further opinion).

[3] A request to divide IDHK is to be filed with TMR (*), and TMR to present such request to WIPO. Accordingly, a divisional international registration designating Hong Kong SAR of China will be created in International Register. Subsequent merger is available for divisional international registration (*).

[4] Except that the filer of Form T6 is not required to send a copy of Form T6 to IDHK’s holder outside HK.

[5] The filer of Form T6 may have to send a copy of Form T6 to PITM(HK)’s holder outside HK if an address for service of the latter has not been previously filed.

[6] Notification of transactions affecting rights in trade mark applies to IDHK and also PITM(HK).

[7] Transformation applies to IDHK and also PITM(HK).

[8] A PITM(HK) is automatically deemed to replace an earlier domestic registration of the same mark, without prejudice to any rights acquired by virtue of the latter (*Article 4bis(1)* of Madrid Protocol). Whilst replacement is deemed automatically, it is advisable for holder to request TMR to take note of such fact in the register of trade marks in order to inform third parties. Despite use of the term “replacement”, the earlier domestic registered trade mark and the PITM(HK) that is replacing it (totally or partially) should be able to co-exist. It is the holder’s decision whether to renew the earlier domestic registered trade mark or let it lapse.