



## CNIPA's Response to the COVID-19

### Notice on Time Limits for Handling Affairs Regarding Patents and Trademarks under the Impact of the COVID-19 Epidemic (Notice No. 350)

Under the impact of the COVID-19 epidemic, and in order to effectively protect the legitimate rights and interests of interested parties to patents and trademarks, the China National Intellectual Property Administration (CNIPA) has issued Notice No. 350 on January 28th, 2020, clarifying relief measures for parties exceeding the time limits for handling affairs in relation to patents and trademarks as a result of the epidemic. This Notice applies to all interested parties in countries and regions affected by the COVID-19 epidemic. The notice is as follows:

(1) Where a party loses its rights, the party may, within 2 months after the impediment is removed, but no later than 2 years after the expiration of the time limit, request a restoration of rights. Where a request for such a restoration is made, no request fee shall be paid, but a request letter for restoration of rights shall be submitted to explain the grounds of doing so, relevant certifications shall be attached, and the formalities required to be completed before the loss of rights shall be carried out.

(2) Where a party is unable to handle trademark-related affairs normally, such time limit shall, save as otherwise provided under the law, be suspended from the day on which such impediment to the exercise of the rights occurs and shall continue to be calculated on the day when such impediment is removed; Where the party loses its trademark rights as a result of the impediment, a written application for restoration of rights explaining the causes attached with relevant certifications may be filed within 2 months after such impediment is removed.

#### Newsletter from Tee & Howe Intellectual Property Attorneys

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