



China IP SME Helpdesk

ABOUT US

The Helpdesk in a nutshell

- Free initial advice to SMEs
- Geographic coverage: 4 jurisdictions of China
 - Mainland
 - Hong Kong
 - Macao
 - Taiwan



 100,000+ SMEs assisted to date

HELPLINE

free, fast & confidential

3 working
days

question@china-iprhelpdesk.eu

+86 - 10 - 6462 0892

CHINA
IP SME HELPDESK

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Helpdesk Services

Training Workshops &
Webinars



One-on-one
sessions



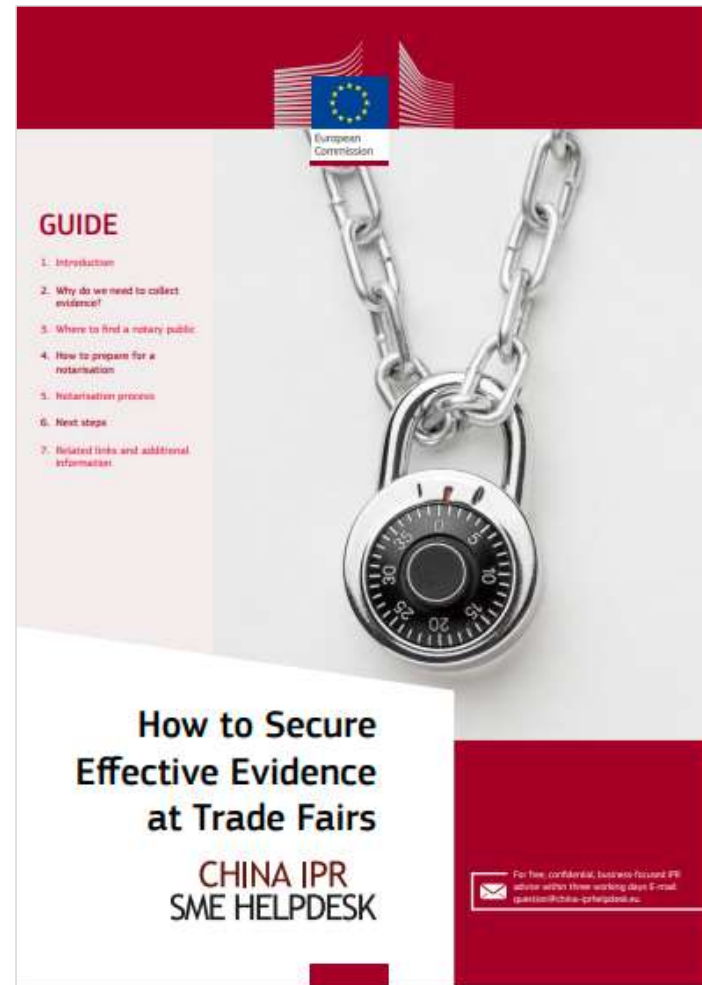
Self-learning materials



Website IP tools
& Blog



FREE OF CHARGE!



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INTELLECTUAL PROPERTY ADVICE FOR YOUR BUSINESS



Six EU-funded helpdesks offer free resources to your small or medium-sized business to help you manage your intellectual property.

<https://ec.europa.eu/ip-helpdesk>

Speaker's Bio



Lisa Lu

IP Business Advisor

@ *China IP SME Helpdesk*

question@china-iprhelphdesk.eu

Lisa Lu is the IP Business Advisor at China IP SME Helpdesk in Beijing, where she advises European SMEs on intellectual property rights matters. She holds a double master's degree in law from the China University of Political Science and Law and University of Hamburg. Before joining the China IP SME Helpdesk at the European Chamber, Lisa worked as a trademark attorney for the Ferrante Intellectual Property and Chang Tsi & Partners. She mainly focused on the fields of trademark prosecution, trademark enforcement, copyright protection and unfair competition. During her time working in both law firms, she dealt with a variety of clients including but not limited to automotive performance, media, entertainment, new energy, apparel, architecture design, data management, e-commerce, household products, HVAC, and fire & security. Her clients included a range of globally leading companies and small and medium-sized enterprises (SMEs). Lisa is fluent in Chinese and English.



IP Protection during Trade Fairs in China

Lisa LU, 14 May, 2025



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at trade fairs
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01 | Importance of IP in China

- Exclusive right to exploit your IP in China
- IP attracts partners and investors
- IP helps monetising products and ideas
- Taking action against infringements
- Preventing bad faith IP registrations by others



01 | IP principles in China



02 | Common issues faced by EU SMEs at trade fairs



- Bad faith trademark registration after attending a trade fair in China
- IP infringements spotted during a trade fair
- Loss of novelty for patenting new technologies
- Loss of trade secrets when negotiating with potential clients




Best solution: register and secure IP rights in China
before attending a trade fair

03 | Strategy Before Attending Trade Fairs

3.1 IP audit

- IP types:
 - ✓ **trademark** (logo, brand)
 - ✓ **patent** (innovation, industrial design)
 - ✓ **copyright** (logo, packaging, banner, brochure, software)
 - ✓ **trade secrets** (unpublic business information)
 - ✓ **GIs, domain names**
- Register your IP in China: trademark, patent, copyright
- Be aware of what you display to avoid loss of novelty
- Prepare NDAs to protect your trade secrets.



The screenshot shows the European Commission IP Helpdesk website. The header includes the European Commission logo and a search bar. The main navigation menu has options for Home, Services, Regional helpdesks, IP management and resources, and About. The current page is titled "IP diagnostic tool" and contains the following text:

The IP Diagnostic tool will help you analyse your level of preparedness and knowledge in IP and identify the relevant aspects on which you may need further information.

This test consists of a questionnaire divided into three categories:

- **IP Protection** – to identify which are the most relevant IP rights to you
- **IP Internationalisation and Commercialisation** – to assess your knowledge on how IP rights can be exploited for your business
- **IP Practice** – to test your general awareness in IP

Once you have completed the questionnaire you will get a personalised report helping you identify the areas in which you should be careful in drafting or adapting your IP strategy when internationalising to a new region.

- [China IP Diagnostic tool](#)

03 | Strategy Before Attending Trade Fairs

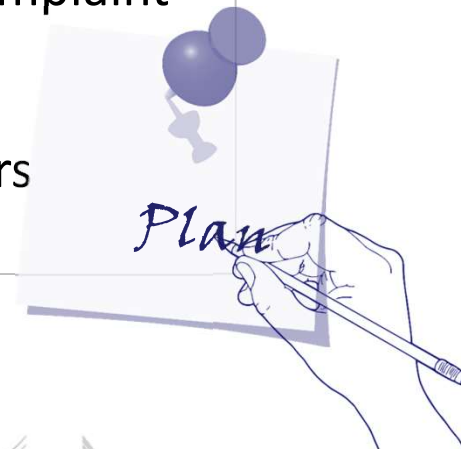
3.2 Documents preparation

- Certificate of IP right ownership
- Business license
- Power of Attorney

Check with the trade fairs about the notarisation and legalisation

3.3 Knowing about the trade fair

- Carefully read the exhibitor contract
- Know where the IP complaint centre is
- Research the exhibitors



03 | Strategy Before Attending Trade Fairs – Due diligence on business partners

? How to study a Chinese business partner?

- National Enterprise Credit Information Publicity System (NECIPS)
- Contact public institutions
- Embassies
- Chambers of Commerce

<http://www.gsxt.gov.cn/index.html>



? What can I learn from NECIPS?

- Legal representative
- Capital
- Business type / scope
- Date of establishment
- Shareholders
- Abnormal operation enterprise?
- Disputes
- Annual reports

Short video about how to search for basic information about a Chinese company



04 | During trade fairs

- Know your rights and options

4.1 Onsite visit

- Identify the suspicious companies
- Carefully share information with potential partners

4.2 Show IP ownership

- IP registered in China
- marking your products with patent numbers, trademark (®) as well as copyright (©) symbols

4.3 Evidence collection onsite

- Infringement evidence: photos, brochures, business card, etc.
! Notarisation purchase
! Website notarisation

4.4 IP complaint centre

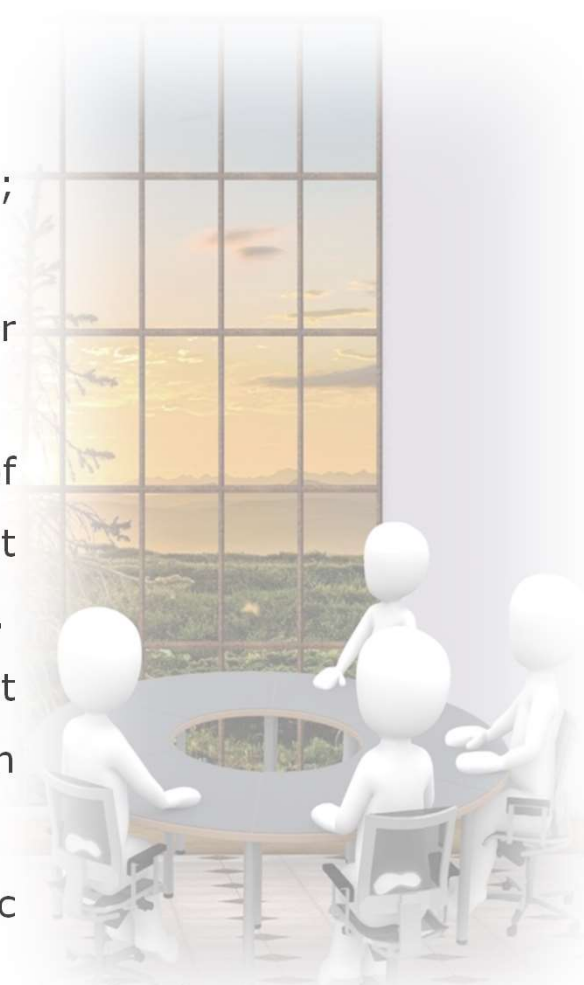
- Visit the IP office
- Complaint with the trade fair when
 - you do **not** need to conduct further investigation into the infringer, or
 - the infringer is a past infringer
- It is not always the best option
- Consult with an IP expert

04

During trade fairs

- Handling meetings with business partners

- **Before** the discussion or transfer: **NDA** (prepare in advance); background searches
- **Sharing information**: view at your business premises at later stage, or share only rough sketches/ a general idea.
- Negotiations have reached a certain stage: Memorandum of Understanding (**MOU**) outlining the structure of the deal, what information to share, the non-disclosure obligations of both parties.
- **Final agreement** should identify who owns what information, what information was exchanged, the non-disclosure obligations of both parties.
- Continue to **monitor**, pay unannounced visits, conduct periodic audits.



04

During trade fairs - How to file a complaint at a trade fair in China



3.2 展品演示 Exhibit demonstration

参展商须确保其展品均是自身生产、合法代理或经销的产品,其展品、展位设计、宣传品不侵犯他人知识产权;若出现知识产权纠纷的,根据国家知识产权局《展会知识产权保护指引》等文件要求处理。

Exhibitors are required to ensure that they are the producer, legal agent or distributor of their exhibits, and their exhibits, booth design, and promotional materials should not infringe upon the intellectual property rights of others. Any disputes over intellectual property are solved according to *the Exhibition Intellectual Property Protection Guidelines*.

3.6 知识产权保护 Protection of intellectual property rights

展会将设立“知识产权保护工作站与商事纠纷处理服务中心”,提供知识产权相关的法律服务和其他与展会相关的法律服务。

The Intellectual Property Protection and Commercial Dispute Resolution Service Center is set up to provide legal services related to intellectual property rights and the exhibition.

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知识产权保护注意事项

Matters for attention regarding the protection of intellectual property rights
参展商应在展前和展中加强对其展品、展位设计、包装、广告宣传材料及其他任何展示部分的自查自纠,防止侵犯他人知识产权。若因知识产权侵权而遭到相关部门处理或相关权利人主张权利的,应按中华人民共和国法律法规自行承担损失和赔偿责任。

Exhibitors should carry out self-examination and self-correction regarding their exhibits, booth design, packaging, promotional materials and any others for display before and during the exhibition to prevent infringement of the intellectual property rights of a third party. Should the exhibitor be punished by the relevant authorities or relevant right holders claim rights regarding the infringement of intellectual property rights, the exhibitor shall be liable for losses and compensation as per the laws and regulations of the People's Republic of China.

展会期间,未经允许不得对他人展品拍照、录像或以其他方式记录、复制展品的关键技术特征。展台设计、展板、图纸的著作权等同时受到相关法律保护。

It is not allowed to take photos, record videos or record or copy in other ways the key technical features of the exhibits of others without permission during the exhibition. The copyright on booth design, display boards, drawings, etc. is also protected by relevant laws.

未经展会主办单位书面同意,任何参展商、服务商、供应商等不得使用展会主办单位或展会的标识、展会名称(含中英文)、宣传口号、吉祥物形象等。

Without the written consent of the expo organizer, no exhibitor, service provider, supplier, etc. shall use the expo organizer's or exhibition's logo, exhibition name (including Chinese and English), publicity slogan, and image of mascot.

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04

During trade fairs

- How to file a complaint at a trade fair in China

Submit the complaint application with evidence

- In some cases there could be both a Chinese and an English version

Discuss your case with the IP officer

Examine the case

- Ensure the validity of your IP rights
- Whether the documentation provided is complete

IP complaint centre to inform the alleged infringer onsite

Defend period

- The alleged infringer to present their defence within limited period
- Time is valuable

Remedies of the IP rights

- If the infringement is confirmed, the organiser and IP officer will remove or cover the infringing product

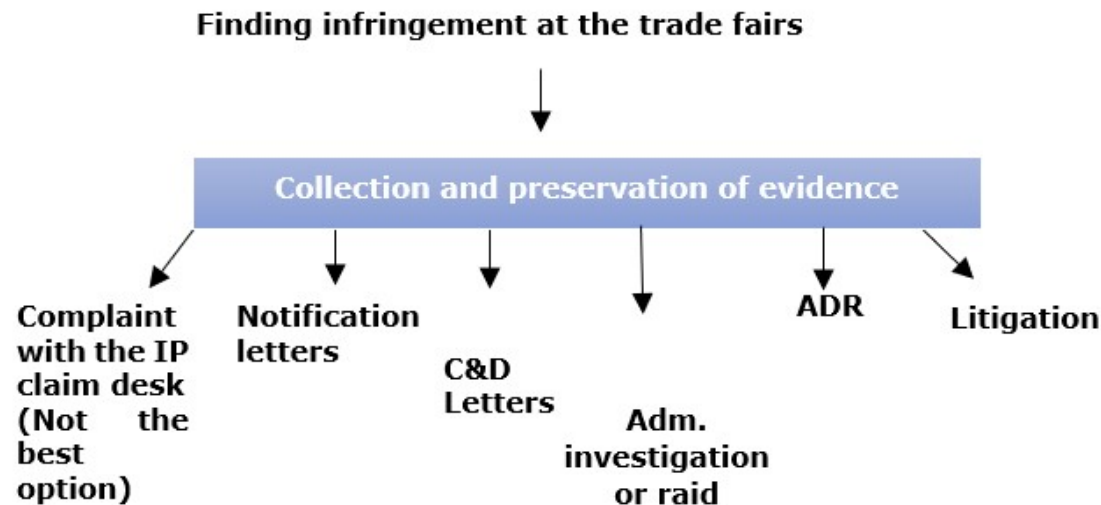
05

After trade fairs

keep investigating or monitoring infringements

5.1

Roadmap of enforcement actions



5.2

Evidence collection

- Ownership
- Use evidence of the owner
- Infringement evidence
- Monitor the infringement

5.3

Evidence preservation

- Notarisation
- Blockchain: Internet courts



Case Study 1

- Trademark application and trade fair participation

The Background

An Italian start-up designs swimsuits made from eco-friendly materials. They decided to attend one of the largest trade fairs in China to explore business opportunities and learn about the market. During the fair, the SME met with the Helpdesk and asked about trademark registration in China.



Action taken

- Since the SME only needed trademark protection in China they should consider registering the trademark in China via **the national route**.
- To create **a Chinese brand name** for their products.
- To have full control over **the ownership of the IP**, the SME should not let the distributor or other partners to register under partners' name.
- To conduct **a clearance search** beforehand.

Outcome

9 months later, the SME was informed that all their trademarks, including the Latin trademarks and trademarks in Chinese were registered in China.

Lesson learnt

- Ideally, you should have trademark rights in place before coming to China. If you are already at a trade fair showcasing your products, register your trademark as soon as possible.
- You should conduct prior trademark searches before filing your trademark application.
- It is a good strategy to register your trademark in Chinese because it can help more consumers in China to remember your brand name.
- Your trademark should be registered under your name. Don't allow your Chinese partner to register it under their name.
- Trademark registration in China is not always easy, it is thus advised to seek the assistance of IP experts.



Case Study 2

- Attending trade fairs with unregistered invention

The Background

Spanish SME, a producer of agriculture and farming equipment including tractors, planning to attend a trade fair in Beijing.



Innovation New model of a tractor (with millions in developing), new design, new function (lower fuel consumption), engine without invention patent in China.



Challenge: Loss of novelty for engine vs loss of business opportunity.



Chinese law: absolute novelty requirement for patent; 6 months of trade fair priority for patent.



Action taken

- Engine – trade secrets, not public.
 - Exhibited without the engine.
 - Internal legal training for the staff promoting the tractor and discussing the advantages of the new engine without leaking the details of the technology to maintain patentability.
 - Notarisation of exposure of the tractor
- Other IP: IP audit including technologies, designs, brands, etc.
- Logo and trade name: trademark registration
- Product catalogue: copyright registration
- Design of the tractor: design patent



Outcome

- Showcase the tractor without the loss of novelty of the engine.
- Later obtaining an invention patent for the engine



Lesson learnt

- It is not recommended to participate in a trade fair without prior protection of intellectual property rights.
- Using IP registration and trade secrets to protect technologies.
- The mere exposition of the advantages that a new technology will have does not mean the loss of the “novelty” in the matter of patents, as long as the technical solution details are not revealed.
- Early prepare and allow time for designing a comprehensive IP strategy.



Case Study 3

- Infringement at the trade fair

The Background

French SME, a manufacturer and designer of bathroom equipment. Attending Canton fair in Guangzhou.



IPR: Trademark registration of French and Mandarin Chinese names in China.



Challenge: Unauthorised trademark use and pirated products exhibited by a Chinese company at the trade fair.



SME reaction: Collecting business cards and taking photos



Action taken

- Onsite notarisation with notary public.
- Civil litigation against the infringement later



Outcome

- The infringement case is favourable to the SME



Lesson learned

- You must have registered your IP in China either domestically or via an international route to enforce your rights.
- Make sure that the evidence of IPR infringement you obtain is notarised by a Chinese notary public, otherwise the evidence could be invalid in your infringement case

07 | Take-away messages



- ✓ IP is your assets, obtain IP protection before attending trade fairs to avoid loss of rights.
- ✓ Conduct an IP audit, design an IP strategy. For trademark and patent, no registration means no protection.
- ✓ Pay attention to the unregistered IPR and trade secrets during trade fairs.



- ✓ Research your competitors who will attend the trade fair, and potential partners.
- ✓ Know where the IP complaint centre is and how to file a complaint.
- ✓ Collection and preservation of evidence of infringement are essential in China.
- ✓ Have an IP expert in place. Consider taking enforcement actions after the trade fair.



- ✓ Contact the China IP SME Helpdesk **question@china-iprhelpdesk.eu**

1-on-1 consultations



Meet Lisa Lu – your IP Business Advisor

Book the time slot via the QR code



via Helpdesk website

<https://intellectual-property-helpdesk.ec.europa.eu/>

->China->"Book a meeting Now"

or



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Questions?

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