



PROTECT™

...Safeguarding your brand in China

DLA PIPER'S PROTECT™ SERVICE

PROTECT™ is DLA Piper's unique, tailor-made service which "stress tests" your brands and gives you peace of mind that they are "fit" for the Chinese market.

THE RISKS OF THE CHINA MARKET FOR BRAND OWNERS

China is a beguiling prospect for Western brand owners. It presents a wealth of potential opportunities and, with a rapidly-growing middle class hungry for foreign brands, China is increasingly seen not simply as a base for manufacturing operations, but as a key market for brand growth. Yet with opportunity comes risk. Although China's less-than-stellar track record on IP protection is well publicized in the West, all too often Western brand owners fail to develop and execute an appropriate strategy for establishing and enforcing their trademark rights in China. This oversight can have potentially severe consequences, up to and including a complete lack of freedom to operate in China.

Experience has taught us that Western brand owners face the following recurring brand problems:

- attacks from trademark pirates
- encroachment from business competitors
- disruption to the supply chain
- challenges with effective enforcement

More often than not, brand owners can mitigate or even eliminate these risks by:

- registering their brand in China
- devising and registering a Chinese equivalent for their brand in China
- registering their brand widely and giving consideration to China's unique sub-class system
- protecting their brand holistically by making other IP and regulatory filings (such as customs records) in addition to just filing for trademark protection

WHAT PROTECT™ CAN OFFER YOU

Our **PROTECT™** service involves our English and Chinese speaking trademark specialists conducting a thorough analysis of your existing Chinese trademarks and the manner in which your existing brands are being used.

We will then produce a comprehensive, user-friendly report which will contain details of the following:

- **class and sub-class deficiencies in your existing trademark portfolio:** this section of the report will detail marks which are registered in China but which do not have sufficiently broad class and sub-class coverage;
- **missing registrations:** this section of the report will detail brands which are being used in China but for which you do not currently have any registered trademarks; and
- **looking forward:** this section of the report will detail brands which are not being used in China but which you may have plans to use in China in the future and for which you do not currently have any registered trademarks.

Our report will then detail a list of trademarks we would recommend filing in order of priority. Using our **PROTECT™** service report, you will be able to quickly and easily choose which recommendations you would like to select, following which our team of specialist trademark lawyers will then prepare trademark applications for your approval. Crucially, our **PROTECT™** service gives you complete visibility of the strength of your trademark portfolio in China and peace of mind that your brand will not unwittingly be vulnerable to attack from brand pirates.

For more information about the possible deficiencies which may exist in your portfolio of trademarks because of the sub-class system in China, please see our **When West Goes East brochure** on our website at www.dlapiper.com/protect or, if you would like to discuss how our **PROTECT™** service can help you, please do not hesitate to contact any of the specialist trademark lawyers listed below or your usual DLA Piper contact.

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