

Insights: Alerts

China's Revised Trademark Law: Key Changes You Should Know

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China passed its revised Trademark Law on June 26, 2026, with the changes set to take effect on January 1, 2027. For brand owners doing business in or with China, here are the key changes that you should know.

- (1) **Shorter Opposition Window.** The opposition period is cut from 3 months to 2 months — brand owners will need to act faster to challenge problematic applications.
- (2) **Ex Officio Non-Use Cancellation.** The CNIPA will have the authority to initiate non-use cancellations on its own, helping clear zombie marks from the registry.
- (3) **Crackdown on Bad-Faith Filing.** Strengthened penalties now target bad-faith applicants and the agents who assist them. Bad-faith (such as clearly exceeding normal business needs) will be considered in both trademark application examination process as well as invalidation actions.
- (4) **Recognition of Motion Marks.** Motion marks are now registrable in China. Concurrently, the law added two provisions prohibiting the registration of functional motion marks and permitting fair use of signs containing functional motion marks.
- (5) **Stronger Enforcement for Misleading Use of a Trademark.** If a registered mark is used in a misleading way in China, the enforcement authority may impose a fine, and if the violator fails to correct its use, its registered trademark may be revoked.
- (6) **Cross-Class Protection for Unregistered Well-Known Marks.** Unregistered well-known marks now enjoy cross-class protection. Although this provision is set to help Chinese brand owners who are involved in overseas disputes, the provision does not specifically define brand owner by nationality. So, brand owners outside of China who have presence in China may also benefit from this provision.
- (7) **Statutory Termination Right for Trademark Licensors.** The new law introduces an explicit statutory right allowing licensors to terminate a trademark license agreement when a licensee fails to meet its quality assurance obligations.
- (8) **Expanded Scope of Suspension Proceedings.** The new law allows CNIPA to suspend not only refusal appeals but also opposition and invalidation proceedings when the status of a prior mark is

unstable. This means that suspension is available where a prior-rights determination hinges on a separate proceeding.

These revisions signal China's continued effort to modernize its trademark system, combat bad-faith practices, and strengthen protections for legitimate brand owners. If you have a trademark portfolio that touches China, now is the time to review your strategy before these changes take effect.

This post is intended as a general summary of the new law for your interest and knowledge. As always, [Kilpatrick's China Brands Team](#) would advise you on how these changes specifically affect your portfolios and strategies directly.

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