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# Announcement on the relevant time limit of patents, trademarks, and integrated circuit layout designs affected by the epidemic (No. 350)

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## Announcement of the State Intellectual Property Office

Number thirty five

In order to implement the decision-making and deployment of the Party Central Committee and the State Council to prevent and control the epidemic of new-type coronavirus infection, and effectively safeguard the legitimate rights and interests of parties affected by the epidemic in handling patents, trademarks, and layout design of integrated circuits, according to the Emergency Response Law and Patent Law Relevant provisions of laws, regulations, and other implementing regulations, the Trademark Law and its implementing regulations, the integrated circuit layout design protection regulations and its implementing rules, etc., are hereby announced on the relevant deadlines for handling patent, trademark, and integrated circuit layout design and other matters as follows:

1. If a party delays the time limit stipulated in the Patent Law and its Implementing Rules or the time limit specified by the State Intellectual Property Office due to epidemic-related reasons, resulting in the loss of its rights, the provisions of Article 6, paragraph 1, of the Implementing Rules of the Patent Law shall apply. The parties may request the restoration of their rights within 2 months from the date of removal of the obstacle and at the latest within 2 years from the date of expiry of the period. If you request to restore the right, you do not need to pay the restoration right request fee, but you need to submit a request for restoration of the right, explain the reason, attach the corresponding certification materials, and go through the corresponding formalities before the loss of rights.

2. If a party delays the time limit stipulated by the Trademark Law and its implementing regulations or the time limit specified by the State Intellectual Property Office due to epidemic-related reasons, which prevents him from handling relevant trademark affairs normally, the relevant time limit shall be suspended from the date when the obstacle to the exercise of rights arises, pending the right. The calculation of the day when the exercise barrier is eliminated, unless otherwise provided by law; if the trademark right is lost due to the obstacle to the exercise of the right, a written application may be filed within 2 months from the date when the obstacle

e to the exercise of the right is eliminated, and the corresponding certificate shall be issued. Materials, request for restoration of rights.

3. If the party delays the time limit stipulated in the Regulations on the Protection of Layout Designs of Integrated Circuits and the Implementing Rules due to epidemic-related reasons, or the time limit specified by the State Intellectual Property Office, resulting in the loss of his rights, Article 9 of the Implementation Rules of the Regulations on Protection of Layout Designs of Integrated Circuits shall apply Provisions of the first paragraph. The parties may request the restoration of their rights within 2 months from the date of removal of the obstacle and at the latest within 2 years from the date of expiry of the period. If you request to restore the right, you do not need to pay the restoration right request fee, but you need to submit a request for restoration of the right, explain the reason, attach the corresponding certification materials, and go through the corresponding formalities before the loss of rights.

4. The deadlines for handling patents, trademarks, layout design of integrated circuits and other matters, whose expiration date is during the 2020 Chinese New Year holiday, the expiration date will be extended to the first after the holiday according to the arrangements of the General Office of the State Council for the Chinese New Year holiday. Working day.

Special announcement.

State Intellectual Property Office

January 28, 2020

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