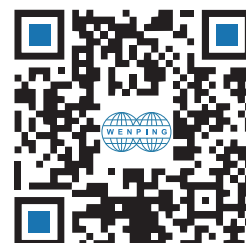




WENPING PATENT & TRADE MARK AGENT LTD.
文彬專利商標代理有限公司



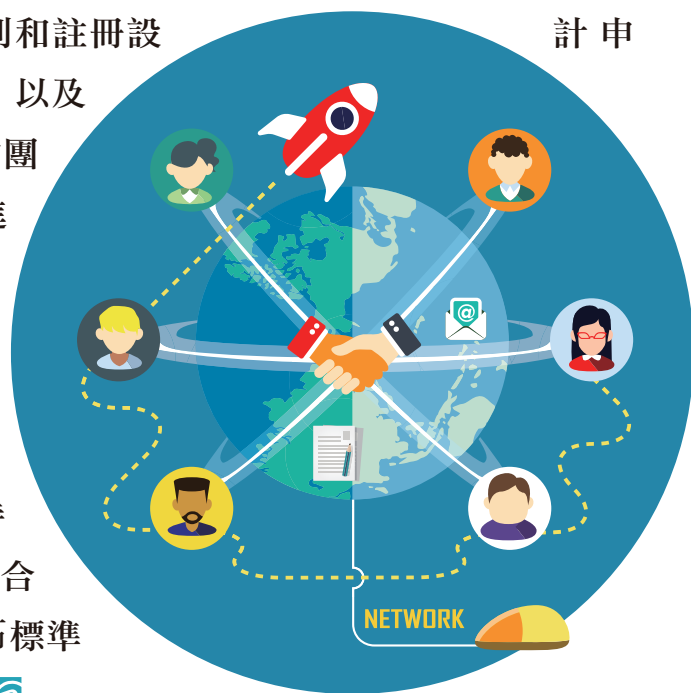
2024 www.wenping.com.hk



關於我們

文彬國際專利商標事務所在亞洲區成立75年，作為知識產權領域最優秀事務所之一，我們擁有廣泛並且多元化的客戶群。通過我們在亞洲區內七個城市所長期建立的全球知識產權合作夥伴網絡及憑藉著我們多樣化的專業背景和對知識產權法律和實踐的深入了解，為您提供商標、專利和版權方面無與倫比的一站式解決方案。

香港文彬專利商標代理有限公司“香港文彬”擁有遍佈亞洲的事務所網絡，分別位於北京、深圳、台北、東京、大阪和新加坡。廣泛而穩固的地區網絡增強了我們滿足跨國公司客戶以及其他中小型公司或個人客戶特定需求的能力，並能提供本地化和度身定制服務。作為亞洲領先的知識產權代理機構之一，香港文彬提供專業和多元化的服務包括商標、專利和註冊設計申請、提供版權和商業秘密方面的建議，以及處理反對、無效和侵權訴訟。我們優秀的團隊擁有豐富的經驗，並不斷努力與時並進地掌握最新科技趨勢和各個行業的專業知識，以滿足客戶在本地或國際市場上的不同需求。此外，為了維持高標準和高效率的溝通以滿足客戶的各種需求，我們利用先進的資訊科技，並專注於保持嚴格而高效的實踐，以維護我們在與全球合作夥伴和主管部門溝通和交換資訊時的高標準的保密性、準確性、及時性和成本效益。



成立日期

1949年5月1日
1951年10月1日
1953年11月13日
1957年1月5日
1970年10月1日
1991年3月27日
2010年11月10日

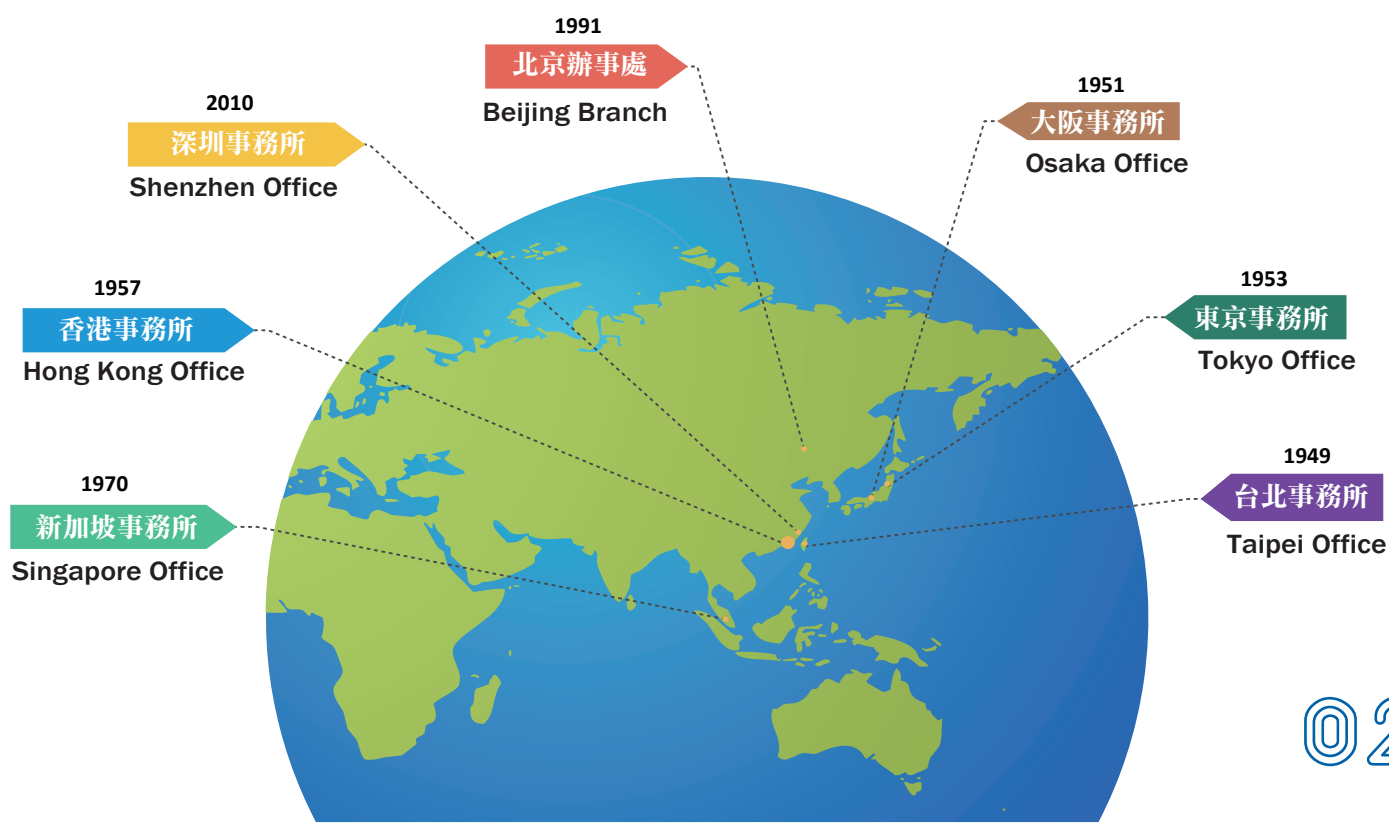
事務所地點

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新加坡
北京
深圳

WHO WE ARE

Wenping Group has been established for 75 years within Asia and is being one of the finest agencies in the area of intellectual property with a wide and diverse range of clientele. Through our regional presence in 7 Asian cities along with longestablished global network of intellectual property associates, with our diversified professional background and profound knowledge in intellectual property laws and practices; we can offer you unparalleled one-stop solutions in trademarks, patents and copyrights.

Wenping Patent & Trade Mark Agent Ltd. "Wenping Hong Kong" operates in Hong Kong with our broad Asian network of individual affiliate offices located in Beijing, Shenzhen, Taipei, Tokyo, Osaka & Singapore respectively. Our broad and solid geographic network enhances our capability in providing localized and tailor-made services to cater the specific needs of our multinational corporate clients as well as other smaller corporate or individual clients. As one of the leading intellectual property agencies in Asia, Wenping Hong Kong offers specialized and extensive range of services that include filing and/or prosecuting trademark, patent and registered design applications, providing advices on copyrights and trade secrets, furtherance to handle oppositions, invalidations and infringement proceedings. Our esteemed team is highly experienced and constantly striving to stay well-informed of the latest technology trends as well as various industries' know-hows to cater our clients' different needs locally or internationally. With our pursuance and endeavour to maintain high standard of communications through state-of-the-art information technologies aiming to meet our clients' diverse needs, we are also constantly focusing on maintaining a stringent yet efficient practice to uphold our high standards of confidentiality, accuracy, timeliness and cost efficiency in communicating and exchanging information with our worldwide affiliates and authorities. 





我們的使命

- ・我們的目標是努力成為首屈一指的知識產權代理機構。
- ・我們為客戶提供無與倫比的服務，並在全球各國實踐知識產權法律的國際認可標準。
- ・我們聘請最優秀兼且擁有深厚商業洞察力的專業人士，努力不懈地為客戶提供最好的知識產權解決方案並為獲得客戶滿意而奮鬥。
- ・我們在與客戶、全球夥伴以及政府部門的每一個業務上往來都堅守誠信。

OUR MISSION STATEMENT

- We aim and strive to be the unrivalled Intellectual Property Agency.
- We provide unparalleled services and carry on our practice under international standards of intellectual property law.
- We recruit the best professionals with strong business insights who strive to provide the best intellectual property solutions to clients and customer satisfaction.
- We adhere to impeccable integrity on our every business aspect with clients, worldwide affiliates and government authorities.



我們的服務範圍

作為在中國和亞洲領先的知識產權代理機構之一，香港文彬精於從事以下領域：

1. 商標 - 品牌名稱、產品名稱及標識。
2. 專利 - 發明及產品，包括機器、工具及醫藥。
3. 版權 - 文學作品、藝術作品、攝影、電影、電視、音樂、軟件、網頁內容及錄音。
4. 註冊設計 - 產品的外觀，包括形狀、包裝、圖案、色彩及裝飾。也適用於建築設計。

商標註冊

- 商標檢索/管理/監控/續期
- 註冊申請（商品商標、服務商標、系列商標、國防商標、認證商標）
- 商標許可、轉讓及轉移

專利註冊

- 專利檢索/管理/監控/續期
- 註冊申請（發明、實用新型、外觀設計）
- 撰寫專利申請文件（電機、電子、電腦、化學、藥學、冶金等）
- 翻譯專利申請文件
- 產品圖表或照片
- 專利許可、轉讓及轉移

版權註冊

- 註冊申請（軟件、藝術作品）
- 版權許可、轉讓及轉移

工業設計註冊

- 註冊設計檢索/管理/監控/續期
- 註冊申請
- 設計圖表或照片
- 註冊設計的許可、轉讓及轉移

其他服務

- 知識產權爭議、侵權、調研、修正、異議、撤銷、廢除
- 起草與知識產權相關的協議
- 公司註冊
- 域名註冊、實施及爭議解決
- 其他知識產權相關服務



SCOPE OF SERVICES

As one of the leading intellectual property agencies in China and Asia, Wenping Hong Kong is specialized in the following disciplines:

1. Trademark—Brand names, trade names, product names and logos.
2. Patent—Invention and products that include machineries, tools and pharmaceuticals.
3. Copyright—Literary works, art, photography, motion picture, music, software, website content and audio recordings.
4. Registered Design—Product appearance that includes shape, packaging, pattern, colour and decoration. This also applies to architectural design.

Trademark registration:

- Trademark Search / Management / Monitoring / Renewal
- Application for registration (Trademark for Goods, Services and Series, Defensive Trademark, Certification Trademark)
- Trademark licensing, assignment and transmission

Patent Registration:

- Patent Search / Management / Monitoring / Renewal
- Application for registration (Invention, Utility Model, Design)
- Drafting Patent Specification (Electro-mechanic, Electronics, Computer, Chemical, Pharmaceutical, Metallurgy etc.)
- Patent Specification Translation
- Preparation of Patent drawings or photographs
- Patent licensing, assignment and transmission

Copyright Registration:

- Application for registration (Software, art)
- Copyright licensing, assignment and transmission

Industrial Design Registration:

- Registered Design Search / Management / Monitoring / Renewal
- Application for registration
- Preparation of Design drawings or photographs
- Registered Design licensing, assignment and transmission

Other Services:

- Intellectual Property Dispute, Infringement, Investigation, Rectification, Opposition, Revocation, Cancellation
- Drafting Agreements (in aspects that are relevant to intellectual property)
- Company Registration
- Domain Name Registration, Prosecution and Dispute Resolution
- Other Intellectual Property-Related Services



什麼是商標？

商標是將一家商戶的商品和/或服務與其他商戶的商品和/或服務區別開的標誌。商標通常是文字（包括人名）、標識、設計、字母、漢字、數字、圖形元素、色彩、聲音、氣味、商品的形狀或包裝、或其任何組合；並且可以藉書寫或繪圖方式表示的標記才能註冊成為商標。

實踐中，商標申請最常見的被駁回理由有：

- i. 消費者有可能將您的商標與已經註冊或申請的商標、或者未註冊的馳名商標相混淆；
- ii. 您的商標僅描述一件產品或服務、或其特徵；
- iii. 您的商標包括具誤導性或不應由單個企業壟斷的地理名詞；
- iv. 您的商標違反公共秩序或道德；或者
- v. 您的商標未經允許包括或含有與國家或政府間國際組織受保護的官方標誌、徽章、旗幟或其它徽記相同或近似的成分。

當一個國家的商標法設有異議程序，任何利害關係人認為該商標的註冊可能影響他們的權利，則可在申請經審查及公告後提出反對該商標的註冊。商標局將基於雙方提供的證據做出決定，該決定通常是可被上訴的。

根據各國的法律，註冊商標的初始年限不低於7年（一般為10年）。但是，與其他工業產權不同的是，註冊商標的年限在繳納續期費用後可無限期延續。®





TRADEMARK

What is a trademark?


A trademark is a sign that distinguishes the goods of one trader from those of others, or the service from one services provider from the services of other service providers.

A trademark registration protects a “mark” that is used to identify the origin of a product or service. The “mark” may be in form of a word or combination of words, a logo, colours, a three-dimensional object or shape, a sound or even a smell.

In practice, applications are most frequently rejected on the grounds that:

- i. there is a likelihood that consumers will confuse your mark with a mark already on the register or applied for or an unregistered well-known mark;
- ii. your mark only describes a product or service or a feature of the product or service;
- iii. your mark consists of a geographical term which is misleading or should not be monopolized by a single entity;
- iv. your mark violates public order or morality; or
- v. your mark consists of or contains without authorization an element which is identical with or an imitation of a protected official sign, armorial bearing, flag or other emblem, or hallmark of a state or intergovernmental organization.

Where the trademark law of a country offers the mechanism of opposition proceedings after an application has been examined and published, any interested person may have an opportunity to object to the registration of the mark if he considers that his rights likely to be affected by its registration. Considering the merits of the case, the Office will make a decision based on the evidence provided by the two parties and this decision will usually be subject to an appeal.

Depending on national laws, the initial period of registration is not less than 7 years (generally 10 years). However, unlike other industrial property rights, a trademark registration can be renewed upon payment of renewal fee indefinitely. 

什麼是專利？

專利是對發明授予的一種專有權利，發明是指提供新的做事方式或對某一問題提出新的技術解決方案的產品或方法。

申請專利、實用新型和工業品外觀設計的要求

新穎性 - 一項發明必須是新的、未向公眾或任何個人揭露、且未在任何書籍或文章中公開。如果發明人/申請人與相關當事人在展示發明之前簽署了保密協議，則不構成公開。如果發明曾在展覽中展出，則必須是國家政府認可的國際展覽，才能享有寬限期而不被認為已公開。

創造性 - 一項發明必須具有某種程度的創造性，創造性是指使用新方法來解決問題。在新的領域中使用已有的技術從而產生新的結果也可被認為具有創造性。

工業實用性 - 一項發明必須能夠由機器實施。如果一項發明必須由人手進行操作，申請人必須證明要求保護的結果不會受到任何環境的影響。

授予的保護是有期限的，一般是20年。

在一些國家，發明也可通過實用新型來保護，實用新型也稱為“小專利”。註冊實用新型對創造性的要求通常較低。



PATENT


What is a patent?

A patent is an exclusive right granted for an invention which may be a product or a process that provides a new way of doing something, or offers a new technical solution to a problem.

Requirements for filing Patent, Utility Model and Industrial Designs

- Novelty –** an invention must be new and not be disclosed to the public, or published in any books or article. A confidentiality agreement between the inventor/applicant and concerned parties while showing the invention will generally not be regarded as disclosure.
- Inventiveness –** an invention must contain a certain extent of inventivity or non obviousness. For instance, using a new method to address a problem or using an existing technology in a new category which produces unexpected results may be considered inventive.
- Industrial Use –** an invention must be susceptible of industrial application. For example, the invention may be mass produced by machines. In case the invention must be handmade, the applicant must prove that the result as claimed will not affect by any circumstances.

A patent provides protection for the invention to the owner of the patent. The protection is granted for a limited period of typically 20 years.

In some countries, inventions may also be protected by utility models, which are also known as "petty patents". Furthermore, the requirements for registration of utility models are usually less stringent than conventional patents. 

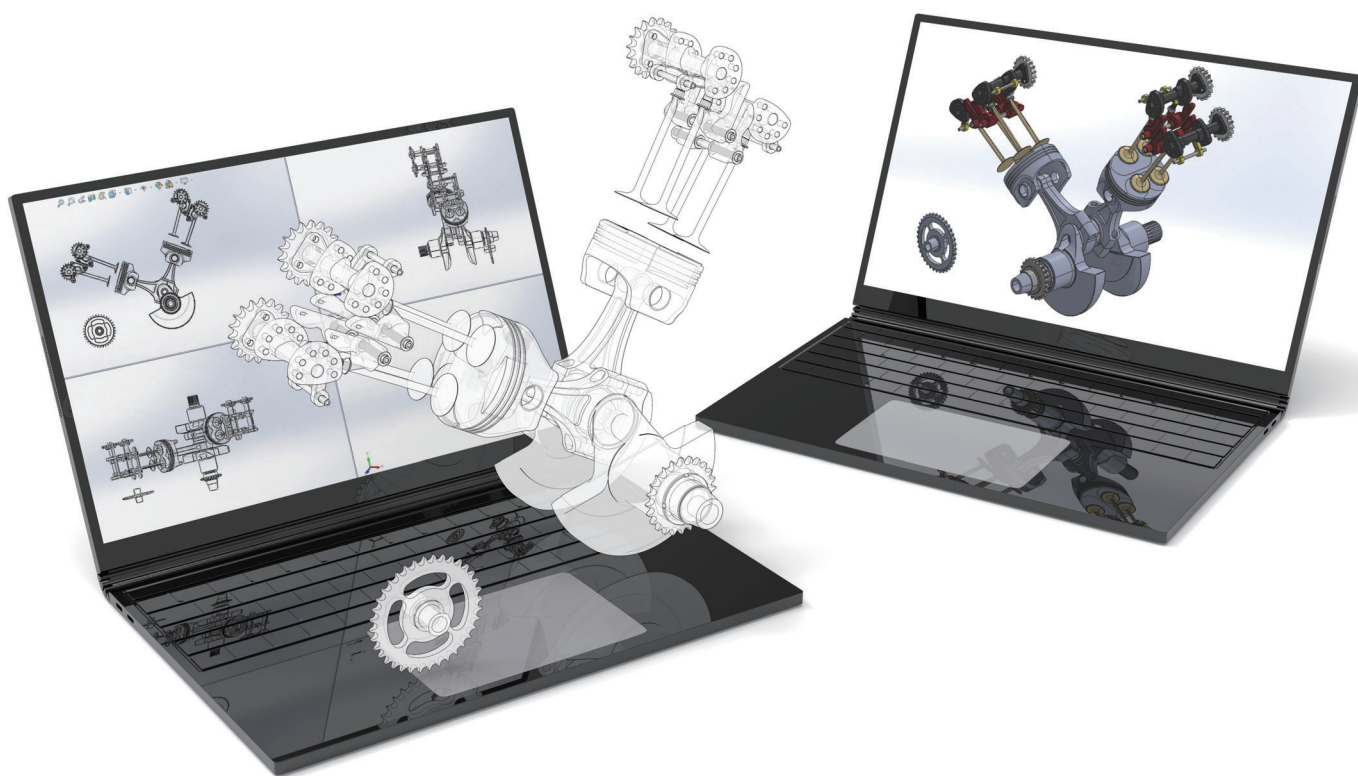
什麼是工業品外觀設計？

工業品外觀設計是指物品的裝飾性或美學特徵。外觀設計可以是三維特徵，如物品的形狀或表面，也可以是二維特徵，如圖案、線條或色彩。

工業品外觀設計廣泛應用於工業和手工藝產品：從技術和醫療儀器到手錶、珠寶等奢侈品；從家庭用具和電器到交通工具和建築結構；從紡織品到休閒品等等。

根據大多數國家的法律，工業品外觀設計必須在視覺上能吸引人，才能受到保護。這意味著，工業品外觀設計主要具有美學上的性質，其所應用的物品的任何技術性特徵不受保護。

在大多數國家，專利局在註冊之前不對申請進行實質審查。註冊程序通常需要六個月到十二個月。 






INDUSTRIAL ESIGN

What is an industrial design?

An industrial design is the ornamental or aesthetic aspect of an article. An industrial design may consist of the creation of a shape, configuration or composition of pattern or color, or combination of pattern and color in three-dimensional form containing aesthetic value.

Industrial designs are applied to a wide variety of products and handicrafts. For instance, industrial design may be registered for articles such as technical instruments, watches, jewelries or other luxury items, housewares and electrical appliances, vehicles, architectural structures, textile designs or leisure goods.

To be protected under most national design laws, an industrial design must be appealing to the eye. This means that an industrial design is primarily of an aesthetic nature and does not protect any functional features of the article to which it is applied.

In most countries, patent offices do not examine design applications as to substance prior to registration. It usually takes about six months to twelve months for a design application to be become registered. 

什麼是版權？

版權是用來表述創作者對其文學和藝術作品所享有權利的法律用語。版權保護的作品類型包括：小說、詩歌、戲劇、工具書、報紙文章等文學作品；電腦程式、資料庫；電影、音樂作品；繪畫、素描、攝影和雕塑等藝術作品；建築作品；廣告、地圖和技術製圖。

受版權保護的作品的原創者及其繼承人擁有某些基本權利。他們擁有使用或授權他人按協議條款使用作品的專有權利。作品的創造者可以制止或授權：

- 各種形式的複製，例如印刷品或錄音製品；
- 公開表演，如戲劇或音樂作品；
- 錄製，如錄製為CD、磁帶或錄影帶；
- 廣播，不論是無線、有線還是衛星；
- 翻譯成其他語言或改編，例如將小說改編成劇本。

OPYRIGHT

WHAT IS COPYRIGHT?

Copyright is a legal term describing the exclusive rights given to the creator of an original work to its use and distribution for a prescribed period of time.

The kinds of works covered by copyright include but not limited to: literary works such as novels, poems, plays, reference works, newspapers and computer programs; databases; films, musical compositions, and choreography; artistic works such as paintings, drawings, photographs and sculpture; architecture; and advertisements, maps and technical drawings.

The original creators of works are protected by copyright. Certain basic rights of copyright extend to the heirs of the original creators. For instance, the decedents of the original creator hold the exclusive rights to use or authorize others to use the work. The creator of an original work may authorize or prohibit:

- its reproduction in various forms, such as printed publication or sound recording;
- its public performance, as in a play or musical work;
- recordings of it, for example, in the form of compact discs, cassettes or videotapes;
- its broadcasting, by radio, cable or satellite;
- its translation into other languages, or its adaptation, such as a novel into a screenplay.



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