

中國專利代理（香港）有限公司的信頭
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Your Ref. CB1/BC/17/98
Our Ref. CTG990364-076

Date August 30, 1999
Fax No. 28778024

Andy Lau, Esq.

THE BILLS COMMITTEE ON TRADE MARKS BILL
3/F., CITIBANK TOWER, GARDEN ROAD,
GARDEN ROAD,
HONG KONG 中國香港

Refaxed with correction

Re: Bills Committee on Trade Marks Bill
Invitation to provide written submission

Dear Mr. Lau,

Thank you for your letter of 9 August 1999.

With regard to the Trade Marks Bill, I would like to put forward suggestions as follows.

1. With regard to **assignment**, I feel it necessary that when a proprietor assigns one of its identical/similar marks, it should assign all the remaining identical/similar marks for identical/similar goods/services simultaneously. Such a regulation should be established to prevent deception and confusion.

For example, if a mark for “cosmetics” in Class 3 is assigned to another party (i.e., assignee), whereas identical/similar marks for “toothbrush, combs” in Class 21 remains in the name of the same proprietor (or assignor), it is almost unavoidable to give rise to deception and/or confusion.

2. With regard to **change of name and/or address**, I feel it necessary that when a mark proprietor changes its name and/or address for one of its marks, it should do so for all its remaining marks together. In other words, if a party changes its address and/or name, the same should be recorded for all its marks simultaneously, registered or pending. It is unreasonable and unimaginable for a proprietor to be in different names and different addresses. Therefore, it should be stipulated in the Bill that where an application for recording of name change and/or address change, the applicant should file same applications for all its marks, pending or registered.

The above is but my personal point of view for your reference and does not represent any legal effect. If I can be of further service, please feel free to let me know.

Sincerely yours,

Trademark Department
CHINA PATENT AGENT (H.K.) LTD.

Tingxi Huo