



10 July 2020

(20-4744)

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**Council for Trade-Related Aspects of  
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

HONG KONG, CHINA: TRADE MARKS (AMENDMENT) ORDINANCE 2020 (ORD. NO. 3 OF 2020)

<b>Notifying Member</b>	<b>HONG KONG, CHINA</b>
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**Details of the notified legal text**

<b>Title</b>	Trade Marks (Amendment) Ordinance 2020 (Ord. No. 3 of 2020)
<b>Subject matter</b>	Industrial property (general); Trademarks
<b>Nature of notification</b>	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
<b>Link to legal text*</b>	<a href="https://ip-documents.info/2020/IP/HKG/20_4103_00_e.pdf">https://ip-documents.info/2020/IP/HKG/20_4103_00_e.pdf</a>
<b>Notification status</b>	<input type="checkbox"/> First notification <input checked="" type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
<b>Previous notification(s) referred to</b>	<a href="#">IP/N/1/HKG/T/7</a> , <a href="#">IP/N/1/HKG/31</a> ; <a href="#">IP/N/1/HKG/T/6</a> , <a href="#">IP/N/1/HKG/27</a> ; <a href="#">IP/N/1/HKG/T/4/Add.5</a> ; <a href="#">IP/N/1/HKG/T/4/Add.4</a> ; <a href="#">IP/N/1/HKG/T/4/Add.3</a> ; <a href="#">IP/N/1/HKG/T/5/Add.1</a> ; <a href="#">IP/N/1/HKG/T/4/Add.2</a> ; <a href="#">IP/N/1/HKG/D/2/Add.4</a> ; <a href="#">IP/N/1/HKG/P/3/Add.5</a> , <a href="#">IP/N/1/HKG/T/4/Add.1</a> ; <a href="#">IP/N/1/HKG/T/1/Add.1</a> ; <a href="#">IP/N/1/HKG/T/5</a> ; <a href="#">IP/N/1/HKG/T/4</a> ; <a href="#">IP/N/1/HKG/T/2</a>

**Brief description of the notified legal text**

1. The Trade Marks (Amendment) Ordinance 2020 amends the Trade Marks Ordinance (Cap. 559) in order to: -
  - (a) empower the Registrar of Trade Marks of the Government of Hong Kong, China to make essential procedural rules for implementing the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks in Hong Kong, China;
  - (b) confer powers on the Customs and Excise Department of the Government of Hong Kong, China to enforce the criminal provisions under the Trade Marks Ordinance; and
  - (c) make miscellaneous technical amendments to the Trade Marks Ordinance to enhance the trade mark application and registration system of Hong Kong, China.
2. The Trade Marks (Amendment) Ordinance 2020 also makes consequential amendments to: -
  - (a) the Trade Marks Rules (Cap. 559A) for the purpose of the amendments as per point 1(c) above; and
  - (b) the Trade Descriptions Ordinance (Cap. 362) concerning the definition of "trade mark" therein.

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<b>Language(s) of notified legal text</b>	English
<b>Entry into force</b>	19 June 2020; except section 5 and Part 4 of the notified legal text which shall come into operation on a day to be appointed by the Secretary for Commerce and Economic Development of the Government of Hong Kong, China
<b>Other date</b>	

**Notification details**

<b>Submission date of notification</b>	3 July 2020
<b>Other information</b>	
<b>Agency or authority responsible</b>	Intellectual Property Department Government of Hong Kong, China  Tel: (852) 2961 6901 Fax: (862) 2838 6082 Email: <a href="mailto:enquiry@ipd.gov.hk">enquiry@ipd.gov.hk</a>

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\* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.