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TIPO issues guidelines for examination of marks contrary to public order or morality

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According to Article 30, Paragraph 1, Item 7 of the Trademark Act, a trademark which is contrary to public policy or to accepted principles of morality will not be granted registration. In order to clarify the definition and the scope of the terms "contrary to public policy or accepted principles of morality", the Taiwan Intellectual Property Office has issued the "Examination Guidelines for Trademarks Contrary to Public Order or Good Morals" as a reference for reviewing such trademarks. The guidelines took effect on May 11 2015.

The guidelines stipulate that the following types of trademarks will be deemed to be contrary to public order or good morals:

1. trademarks that are likely to spread offence, violence, terrorism or rebellion, or to disturb the social order;
2. trademarks that offend national dignity;
3. trademarks that offend religious dignity;
4. trademarks that offend specific social ethnic groups or a group's dignity;
5. trademarks that offend the dignity of specific people;
6. trademarks that undermine people or advocates superstition, thus affecting physical and mental wellness;
7. trademarks that contain languages or devices involving sex offences, or obscene or indecent content;
8. trademarks that contain the portrait or name of a famous historical person or famous deceased contemporary person;
9. trademarks that contain the name of a fictional character in a famous historical novel; and
10. trademarks that violate social and public interests, or are against ethics and morality.