

Monthly Newsletter

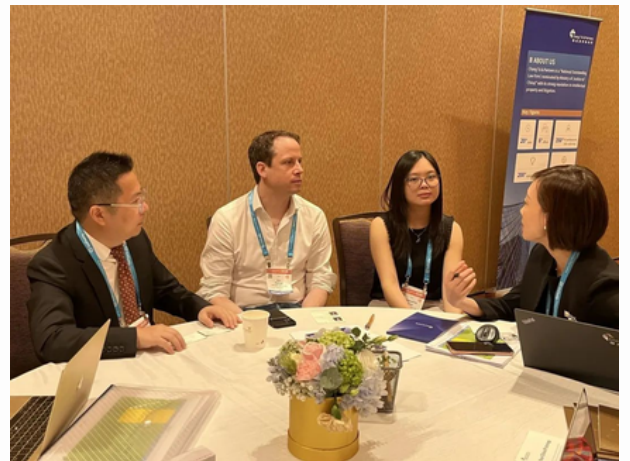
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Chang Tsi Delegation led by Spring Chang and Simon Tsi Participated in INTA 2023 Annual Meeting

INTA (International Trademark Association) is a global association of brand owners, professionals, and academics who are dedicated to promoting the value of trademarks and related intellectual property. The INTA Annual Meeting is one of the largest events in the intellectual property industry, attracting thousands of participants from around the world, including trademark attorneys, brand owners, and government officials.



The INTA 2023 Annual Meeting was held in Singapore, and attracted 7000+ attendees from around the world. The event features a range of educational sessions, networking opportunities, and exhibitions by leaders in the intellectual property industry. It also provides attendees with the opportunity to learn about new trends and best practices related to trademark protection, enforcement, and brand management.



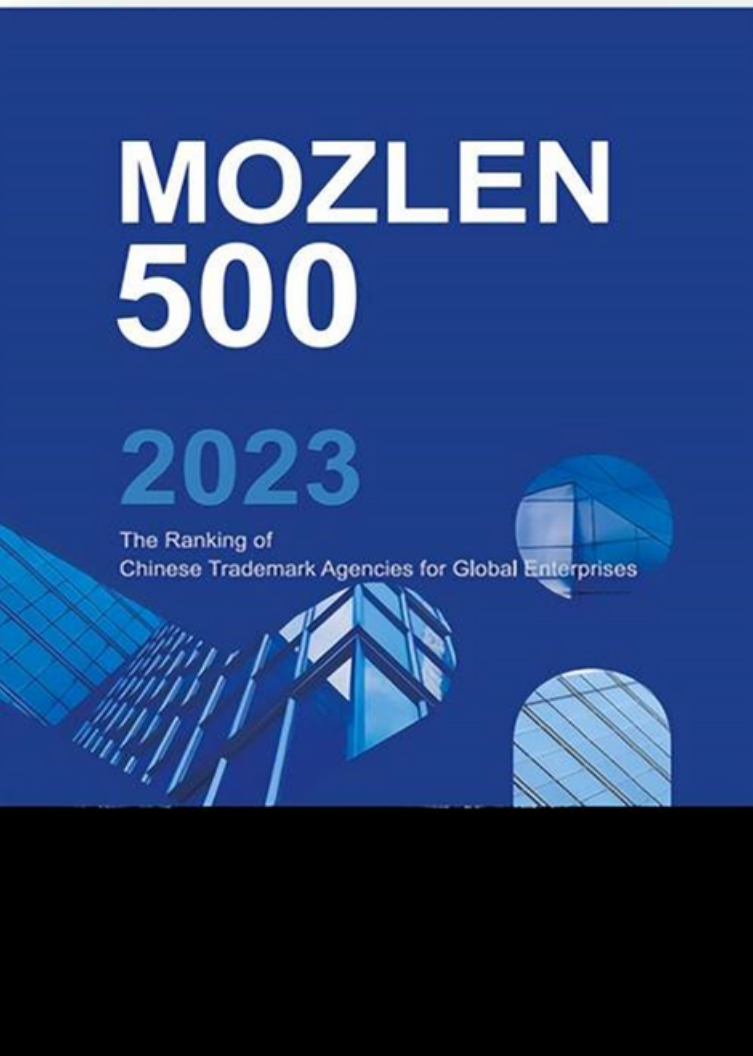
Chang Tsi & Partners sent a team of 13 senior experts in trademark and intellectual property, led by Partners Simon Tsi and Spring Chang, to attend this year's INTA Annual Meeting in Singapore.

Together with our important clients, the team actively participated in the annual event to strengthen the close relationship with global practitioners and discuss the industry's cutting-edge trends and latest developments.

INTA Annual Meeting is an important platform for stakeholders in the intellectual property industry to connect, learn from each other, and discuss strategies for protecting and promoting their brands in a rapidly evolving global landscape. At this event, Chang Tsi & Partners expects to communicate with professionals and our clients from all over the world, discussing potential cooperation and development opportunities.

Chang Tsi & Partners Ranked Top on the MOZLEN 500

MOZLEN 500 is a list of professional foreign trademark agencies in China compiled by the leading trademark AI search and management platform MOZLEN (www.mozlen.com) based on dimensions such as trademark big data and comprehensive influence. MOZLEN 500 was released globally on May 17, 2023 at the 145th International Trademark Association (INTA) Annual Meeting in Singapore, showcasing excellent Chinese foreign trademark agencies to global enterprises.



MOZLEN 500 mainly consists of three parts:

- Comprehensive ranking of 500 foreign trademark agencies in China;
- The business ranking and recommendation of entrusted agencies in key countries or regions in China, as well as the distribution statistics of major trademark applicants and application categories in key countries;
- The introduction of foreign trademark agencies and agents.

Among the nearly 20000 trademark agencies registered by the China National Intellectual Property Administration of China, Chang Tsi & Partners ranked first in the "Comprehensive Ranking of 500 Foreign related Trademark Agencies in China" by virtue of its outstanding international customer trademark agency experience, comprehensive business strength and international influence.

In addition, Chang Tsi was rated AAA+++ (the highest level), and was highly recommended for its outstanding performance in business rankings in many key countries.

MOZLEN 500

MOZLEN 500 – TOP 10 AAA+++ Chinese Trademark Agencies

Company Name	Application	Applicant	Review of refusal	Opposition application	Invalidation application	Grade
Chang Tsi & Partners	5687	389	739	281	83	AAA+++
CTIPR Patent and Trademark Law Office	5391	401	120	294	482	AAA+++
International Intellectual Property	4778	288	149	318	72	AAA+++
King & Wood Mallesons	3442	385	813	947	217	AAA+++
Proton Intellectual Law	4070	187	363	1134	251	AAA+++
MOZ Intellectual Property Agency	3827	853	342	1426	477	AAA+++
Guoan (Shanghai) Consulting Co., Ltd.	3623	423	858	1781	388	AAA+++
Yuhua Intellectual Property Agency Company Limited	2945	232	212	1338	421	AAA+++
Intellectual Property Agency of F. & L. Co.	2543	482	511	342	117	AAA+++
Wangshu Intellectual Property Agency	2228	414	381	714	118	AAA+++

Congratulations!!!



Data Security Risks Associated with ChatGPT in China

Ron Tsi

Recently, ChatGPT has garnered global attention due to its highly intelligent and human-like communication capabilities. The CEO of a Chinese internet giant stated in an interview that ChatGPT is at the same level as college students, which raises concerns about the capabilities of artificial intelligence. With the rapid evolution of artificial intelligence, the industry has focused on issues such as network information security and intellectual property rights as it enters the "ChatGPT era".

In the development of the internet and communication industry, information sharing and data security are closely intertwined. In particular, network information security has become a critical issue, as the global industry undergoes digital transformation. This is especially relevant for emerging industries such as artificial intelligence. While security issues are inevitable for cutting-edge technologies such as artificial intelligence, their wide-ranging applications have far-reaching implications.

OpenAI's privacy policy indicates that ChatGPT will collect user account information, conversation-related content, and various private information such as cookies, logs, and device information on interactive webpages. Such information may be shared with suppliers, service providers, and affiliated companies. During the data sharing process, unauthorized attackers may gain access to model-related private data, including training/prediction data (which may contain user information), model architecture, parameters, hyper-parameters, and so on.

in addition to ChatGPT's own risk of privacy leaks, there have also been recent activities that use ChatGPT's popularity to steal user privacy. For example, the unofficial open source ChatGPT desktop application project on Github was found to be implanted with a high-risk Trojan horse. Once the user runs the installed executable file, it will leak sensitive information such as their account credentials and browser cookies. It is important to note that the collection, storage, and use of data by ChatGPT may be subject to different regulations and laws in different countries. In China, the export of data generated during domestic operations is subject to certain requirements and restrictions, including those related to personal information and important data gathered and produced during operations within China by operators of critical information infrastructure.

Therefore, Chinese citizens or entities using ChatGPT should be aware of these regulations and take appropriate measures to protect their privacy, sensitive information and important data, such as carefully considering what information they share with ChatGPT and ensuring that any data exported or shared with overseas entities is in compliance with applicable laws and regulations.

It is also important for ChatGPT developers and service providers to take appropriate measures to protect the privacy and security of user data, such as implementing strong encryption and access controls, conducting regular security audits and assessments, and complying with applicable laws, regulations and industry standards



Compliance Considerations for Cross-Border ChatGPT Data

When introducing ChatGPT services and utilizing ChatGPT, enterprises must take proactive measures to ensure data cross-border compliance due to the potential security risks involved. In order to expand this business field, compliance with cross-border data regulations is a prerequisite for enterprises to adhere to.

China has already established three fundamental laws as guidance for cross-border data: "Cybersecurity Law", "Data Security Law" and "Personal Information Protection Law". Additionally, "Measures for the Security Assessment of Outbound Data Transfers", "Measures for the Standard Contract for Outbound Cross-border Transfer of Personal Information" and other regulations constitute a legal normative system for specific guidance.

Based on the content of these legal regulations, personal information can currently be transferred outbound through three methods: passing a security assessment organized by the national cyberspace authority, obtaining a certification of personal information protection by a professional institution, and concluding standard contracts with the overseas recipient. The compliance requirements for these three data export methods are notably different.



Ron Tsi
Attorney at Law

Ron Tsi has graduated from Fordham University with a L.L.M. degree in Intellectual Property Law. Throughout profound experiences in assisting global IPR clients, he has in-depth IP expertise not only in China, but also US, Europe, and other major areas. Ron primarily has been focusing on client relationship management by coordinating outbound cases since 2015. Also, Ron has been assisting global start-up clients to design their China-Entry IPR strategy in a cost-efficient way.

The client is a leader in the beauty industry, boasting a loyal customer base and a reputation for high-quality, innovative products. They filed a trademark application in Class 3 for one of their best-selling products, which has a romantic and classic name. As creative as our client's mark is, an existing mark had been registered by a local biotech company four years prior. Unsurprisingly, this existing mark was cited by the examiner to raise objections on relative grounds against our client's new application. Since the text elements are identical and the designated goods are highly similar, it would be difficult to persuade the examiner by arguing dissimilarities or lack of actual confusion in the real market. It would also be risky to approach the counterparty for consent of co-existence.

Drawing on our extensive experience in similar situations, we recommended that our client take proactive action to cancel the registration of the cited mark. This advice, like all our tailored recommendations, was based on a thorough desk investigation and comprehensive weighing of pros and cons. In cases like this, non-use cancellation against the cited mark can be a silver bullet with the potential to clear the obstacle once and for all, while also increasing the bargaining power for our client if the counterparty is inclined toward an amicable settlement.

In this case, we searched for the cited mark using common search engines and local e-commerce platforms. We also delved into the information on the counterparty's official website over the past three years using the Wayback Machine. All results indicated that there was no actual use of the cited mark in Taiwan. We then arranged for local investigators to conduct an on-site investigation of the counterparty, which further confirmed our judgement. Armed with this solid evidence, the client won the favorable decision in less than two months from the filing of non-use cancellation, successfully clearing the obstacle for their new application.

Great news! The Taiwan Team at Chang Tsi has secured another favorable decision in a non-use cancellation case, paving the way for our client's successful registration of a new trademark.