

Comparative Table of Principal Amendments and New Provisions in the 2026 Trademark Law

Subject	2019 Provision	2026 Provision	Nature of Change
Bad-faith applications and fraudulent or improper means	Article 4; invalidity ground under Article 44	Article 19, retained as an invalidity ground through Article 50	Amended / relocated
Administrative penalties for bad-faith applications	—	Article 54	New
Ex officio cancellation by the competent authority	—	Article 57(3)	New
Misleading use of registered trademarks	—	Article 56	New; state-led and may ultimately result in cancellation
One-year bar on approval	Article 50; applicable to cancellation, invalidity, and non-renewal upon expiration	Article 49; applicable only to deregistration	Amended; scope narrowed
Definition of trademark use, including online use	Article 48	Article 2(2) and (3)	Amended; information-network use added
Trademark registration and validity authority	Trademark Office / Trademark Review and Adjudication Board	Articles 38 and 50; trademark authority under the State Council	Institutional consolidation and terminology adjustment
Trigger for punitive damages	Article 63; bad faith	Article 77; intent	Amended
Recognition of well-known trademarks	Article 14; five statutory factors	Article 63	Reorganized and extended to unfair competition cases
Prohibition on advertising “well-known trademark”	Article 14(5) and Article 53	Article 64	Continued; minor penalty adjustment

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Trademark agency services	Article 19; focused primarily on agencies	Articles 65, 67, and 68; extended to practitioners	Amended
Opposition period	Article 33; three months	Article 36; two months	Amended
Legitimate-use / prior-use defenses	Scattered provisions	Article 73	Amended / consolidated
Registrable signs	Article 8; motion marks not provided for	Articles 14 and 18; motion marks included	Amended
Bad-faith trademark litigation	—	Article 81	New
Foreign-related mechanisms: domestic confirmation of well-known status for overseas use; penalties for overseas agency misconduct	—	Article 69, linked with Articles 63 and 67	New