

# Foreign Words as Trade Marks

Jurisdiction:  
Chinese speaking territories

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LEE AND LI

ATTORNEYS-AT-LAW

**How trademarks with  
only foreign words  
look like to Chinese  
speaking consumers?**

新加坡航空

脸书

苹果

谷歌

大金

聯發科

大嘴猴

國泰航空



# How foreign word marks are examined for trademark registration in China

Not Symbol or Design

But Word Mark

# Two-Step Translation

What it means originally

Find suitable Chinese equivalent

# Examples

BLANC DE CHINE

中国白瓷  
(White from China)

DOWN UNDER

澳大利亚  
(Australia)

ダイキンテレビ

大金电视机  
(DAIKIN Television)

FOREVER

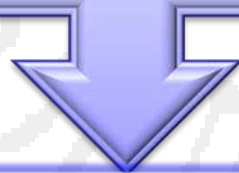
永远地  
(always) Adv.

ETERNAL

永远的  
(endless) Adj.

# Special Rules and Practices in China

No Country's name is allowed



1. CHINA PAPER
2. BLANC DE CHINE
3. DOWN UNDER




Negative social influence is  
prohibited



1. PEOPE LIBERATION (implying People's Liberation Army)
2. GET RIPPED (get drugged)
3. NUDE COSMETICS

# Stricter distinctiveness requirements



1. word consisting of two or less Roman letters (MI, SE)
  2. slogan type words (BECAUSE YOU NEED TO KNOW LESS)
- will be denied for lacking distinctiveness as badge of origin

# Why we need local scripts for foreign word marks in Greater China Region?

Marketing

Protection

# Marketing Purpose

## Dialects among Chinese Society

400  
(Not intelligible)

—

4,000  
(Partial intelligible)

# Protection Purpose

One Unified Chinese

Communicable with over 1.3 billion population

# **What would happen if no Chinese marks were created for foreign word marks?**

Only 0.73% population know

99.27% population lost

# Lost and Found

Those who are lost (more accustomed to written Chinese) will eventually find some Chinese marks to refer to the popular foreign brands.

# Examples

爱疯  
(Ai-Feng)

iPhone

永恒印记  
(Yung-Heng-Yin-Ji)

FOREVERMARK

蜂巢  
(Feng-Chau)

HONEYCOMB



# Examples

北臉  
(Bei-Lian)

The North Face

三叶草  
(Sai-Ye-Tsau)



神仙水  
(Shen-Shian-Shuei)

SK-II

# Can a foreign language mark protect its Chinese equivalent mark?

Translation  
(meaning)

YES?

Transliteration  
(sound)

NO?

"Doctrine of Sole Equivalency"

# Translation (conceptually equivalent)

Yes	Apple	V.	苹果 (Ping-Guo)
	BANANA REPUBLIC	V.	香蕉共和国 (Shiang-Jieu-Gung-He-Guo)
	Black Pearl	V.	黑珍珠 (Hei-Jen-Ju)
	FOREVERMARK	V.	永恒印记 (Yung-Heng-Yin-Ji)
No	PINK LADY	V.	红粉佳人 (Hung-Fen-Jia-Ren)

# Transliteration (Sound alike)

No	SUBWAY	V.	赛百味 ( Sai-Bai-Wei )
	The North Face	V.	乐斯菲斯 (Le-Sz-Fei-Sz)
	PIERRO	V.	皮耶诺 (Pi-Ye-Nuo )
	SanDisk	V.	闪迪 (Shan-Di)
	Valentins	V.	瓦伦丁 (Wa-Luen-Ding)
Yes	DAIKIN 大金	V.	ダイキンテレビ
	Tiger Woods	V.	老虎伍兹 (Tiger Wu-TZ)

# How to create a Chinese mark for a foreign language mark?

Sound and/or Meaning

# Chinese marks based on meaning

APPLE

苹果  
(Ping-Guo)

FACEBOOK

脸书  
(Lian-Shu)

BANANA  
REPUBLIC

香蕉共和国  
(Shiang-Jieu-Gung-  
He-Guo)

# Chinese marks based on Sound

Adidas

阿迪达司  
(A-Di-Da-Sz)

GIORDANO

佐丹奴  
(Tzuo-Dan-Nu)

Chanel

香奈儿  
(Shiang-Nai-Er)

SUBARU

斯巴鲁  
(Sz-Ba-Lu)

# Chinese marks based on Sound (and meaning)

VIAGRA

威而钢  
( Wei-Er-Gang,  
Powerful as steel)

Coca-Cola

可口可乐  
( Ke-Kou-Ke-Le,  
Delicious and Happy)

McDonald's

麦当劳  
(Mai-Dang-Lau,  
Wheet shall labor)



# Translation v. Transliteration



# What If

Starbucks

Chinese	Sound	Meaning
星	Shing	Star
巴	Ba	(Soundalike)
克	Ke	

Chinese	Sound
史	Shr
塔	Ta
巴	Ba
克	Ke

# What If

FACEBOOK

Chinese	Sound	Meaning
脸	Lian	Face
书	Shu	Book

Chinese	Sound
菲	Fei
斯	Sz
布	Bu
克	Ke

# What If

APPLE

Chinese	Sound	Meaning
苹	Ping	APPLE
果	Guo	

Chinese	Sound
亚	Ya
伯	Bo

# Too Long To Follow

Alpha-V Tocomin

爱珐益康素一命  
(Ai-Fa-Yi-Kang-Su-Yi-Ming)

AMANNGIRRBACH

亚曼吉尔巴赫  
(Ya-Man-Ji-Er-Ba-He)

Spigadoro

斯必佳多乐  
(Sz-Bi-Jia-Duo-Le)

# Two different versions of Chinese characters

**Traditional** - Taiwan  
Hong Kong

**Simplified** - China  
Singapore

# Samples of Chinese Marks in different versions

Foreign Word Mark	Simplified	Traditional	Sound
APPLE	苹果	蘋果	Ping-Guo
FACEBOOK	脸书	臉書	Lian-Shu
McDonald's	麦当劳	麥當勞	Mai-Dang-Lau
GIORDANO	佐丹奴	佐丹奴	Tzuo-Dan-Nu
VIAGRA	威而钢	威而鋼	Wei-Er-Gang

# Which Version to be used and protected?

No need to protect two different  
versions

Choose the version that is to be used



# Thank you

Shie-Shie (Mandarin)

M-Gai (Cantonese)

Shia-Shia (Shanghainese)

Duo-Shia (Hokkien)