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Chinese Court Favors Online Filing

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On 25 June, the Beijing Intellectual Property Court (BIPC) advocated that relevant parties prioritize the filing of electronic litigation materials online relating to appeals against trademark rejections and accelerating civil lawsuits. E-filing does not apply to other types of lawsuits for the time being.

Where the lawsuits need to be filed on site, the BIPC advocates submission in the form of compact disks. Where only paper materials are available, the BIPC will assist the parties in turning the materials into electronic files and keep only the necessary paper originals.

Where the lawsuits need to be filed via mail, except for the necessary paper originals, other litigation materials should be filed in the form of compact disks and the electronic materials should be consistent with the paper materials.

Where additional materials need to be submitted late, the BIPC advocates filing in PDF form and will assist on site if required.

- **Transition period**

The mechanism is undergoing a transitional period from 25 June until 15 July 2023. The BIPC welcomes any feedback and suggestions during this period. After the transition, the relevant parties should strictly follow the BIPC Guidelines for Filing Electronic Litigation Materials in Appeal Against Trademark Rejection (Trial), which the BIPC simultaneously released to specify the technical requirements, rules and effect.

- **Formalities still required**

After a period of experiment, the BIPC has officially put e-filing into practice, though it applies to two types of cases only.

For international parties who need to spend more time and resources on notarization, legalization, and authorized translation, e-filing will be more convenient, but this does not mean the parties can be exempted from the time- and resource-consuming notarization, legalization, or authorized translation.