



## **Chofn International IP**

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### **Opposition to “TOVE JANSSON” Named Typical Case of the Year**

Ms. Wei Cheng

During the 15th China International Trademark and Brand Festival, a trademark opposition case represented by Chofn IP for MOOMIN CHARACTERS OY LTD against the mark “TOVE JANSSON” was named one of the “Typical Trademark Cases of 2024” by the China Trademark Association (CTA).

Ms. Tove Jansson, a renowned Finnish writer and illustrator, won the Hans Christian Andersen Award in 1966. Her creation, the “MOOMIN” series, is famous worldwide, including in China, through books and animations, and has expanded into cultural landmarks such as museums and theme parks. The opposed trademark “TOVE JANSSON” is identical with her personal name. As Ms. Jansson is deceased, she can no longer assert her personal name rights. Her legal heirs have transferred the copyrights for the “MOOMIN” series to the Opponent, MOOMIN CHARACTERS OY LTD., and have authorized the company to use and protect the property-related interests associated with the name in mainland China.

On behalf of the Opponent, Chofn filed an opposition, stressing that the Opponent holds the property-related interests in Ms. Tove Jansson’s name. The China National Intellectual Property Administration (CNIPA) recognized Ms. Jansson’s fame in China, and adjudicated that the opposed mark, identical with her name, is likely to mislead consumers regarding the origin and characteristics of the goods, and thereby, has violated Article 10(1)(7) of the China Trademark Law.

In this case, the success primarily counts on the well-documented and logically structured chain of evidence for the transfer of rights, the meticulously organized proof of Ms. Jansson’s fame in China, including highly persuasive retrieval reports from the China National Library and coverage by Chinese authoritative media outlets, along with the carefully selected and cited supportive precedents.

This opposition case strongly affirms the protection of a celebrity’s name right and its associated property interests. It also demonstrates the CNIPA’s firm stance against malicious trademark applications through flexible application of the source misrepresentation clause. Furthermore, the case has reconfirmed a crucial legal principle: the property interests related to a deceased celebrity’s name can be lawfully exercised by

third parties (through inheritance, assignment, or authorization) in trademark cases.