

## **2. Relevant laws and regulations provisions**

The Paris Convention for the Protection of Industrial Property is an international agreement for the protection of industrial property rights, established in 1883 and entered into force in 1884. The Convention aims to provide inventors, trademark owners, and creators of industrial designs with international intellectual property protection.

**Below are some specific treaties and principles regarding the protection of product intellectual property rights under the Paris Convention:**

The protection of industrial property has as its object patents, utility models, industrial designs, trademarks, service marks, trade names, indications of source or appellations of origin, and the repression of unfair competition.

**Principle of National Treatment:** One of the most important principles of the Convention is the Principle of National Treatment, which stipulates that member countries must extend to nationals of other member countries the same level of protection for their industrial property rights as they grant to their own nationals. This means that if a national of a country enjoys protection for a certain industrial property right in their home country, that national should also enjoy equivalent protection in other member countries.

**Principle of Priority:** The Convention provides for the Principle of Priority, which allows inventors, trademark owners, and creators of industrial designs to submit applications in a certain member country, and submit an application in other member countries with the same application within a certain period (usually 12 months), other member countries shall take the date on which the applicant first filed the application as the date of application, thereby enjoying priority.

**Protection of Patents and Utility Models:** The Convention stipulates the conditions that patents and utility models must meet, including novelty, inventiveness, and industrial applicability.

**Protection of Trademarks:** The Convention stipulates the conditions that trademarks must meet, including uniqueness, distinctiveness, and the ability to identify the source of goods or services.

**Protection of Industrial Designs:** The Convention stipulates the conditions that industrial designs must meet, including novelty and independence.

**Suppression of Unfair Competition:** The Convention also covers the principle of suppressing unfair competition, requiring member countries to protect businesses

from harmful acts of unfair competition.

**Below are some key points related to product plagiarism in the Paris Convention:**

**Principle of Priority:** The Paris Convention establishes the principle of priority, which allows patent or trademark applications filed in any member country to enjoy a certain period of priority. This means that if research results from one member country are also applied for patents or trademarks in other countries, the original applicant can enjoy priority in other member countries, preventing the research results of other countries from being copied by plagiarizers before they apply.

**Principle of Independence:** The Paris Convention guarantees that the protection of intellectual property rights among member countries is independent of each other. This means that the invalidity of a patent or trademark in one country does not automatically render it invalid in other member countries.

**Temporary Protection:** The Paris Convention provides temporary protection for products that are exhibited or sold in member countries, even if those products have not yet obtained patent or trademark registration in that member country.

**Prohibition of Copying:** Member countries of the Paris Convention implement domestic laws to prohibit copying, protecting intellectual property from unauthorized use. If the design, functionality, or other aspects of a product copy the intellectual property of another enterprise, the original owner can pursue legal action against the copier in the member countries of the Paris Convention, relying on domestic laws.