

J. Y. Interpretation No.72 (January 23, 1957) *

ISSUE: How should the Trademark Bureau treat any letter or document when the addressed party resides in an enemy-occupied area?

RELEVANT LAWS:

Article 30, Paragraph 2 of the Enforcement Rules of the Trademark Act (商標法施行細則第三十條第二項).

KEYWORDS:

the Trademark Bureau (商標局), petitioner (呈請人), relevant party (關係人), recipient (領受人). **

HOLDING: If a letter which the Trademark Bureau should send or deliver to a petitioner or a relevant party cannot be sent or delivered because the recipient is in Mainland China, the Trademark Bureau should publish the letter in the Official Government Gazette in accordance with Article 30, Paragraph 2, of the Enforcement Rules of the Trademark Act.

解釋文：商標局應送達於呈請人或關係人之書件，如呈請人或關係人係在淪陷區域，即屬無從送達之件，自得依商標法施行細則第三十條第二項之規定於公報公示之。

* Translated by Li-Chih Lin, Esq., J.D.

** Contents within frame, not part of the original text, are added for reference purpose only.