

# 版權及商標 調查科

Intellectual  
Property  
Investigation  
Bureau



備案辦公室  
Recordation Office

## 備案的目的

### 刑事檢控的 先決條件

調查盜版或冒牌活動的刑事罪行的先決條件，是版權/商標擁有人須證實被指侵犯版權的作品的版權經已存有，或有關商標已在香港特區註冊\*

### 委任合資格的 驗證人員

由版權/商標擁有人以書面委任合資格的驗證人員，以驗證懷疑侵權物品之真偽、負責提供證據及於法庭上作供，以確保有充分證據支持刑事檢控工作。

\*與香港海關展開備案程序前，商標擁有人需先向知識產權署完成有關商標的註冊程序。

## 備案所需資料



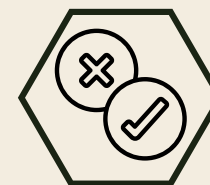
商標註冊證明書/  
版權作品資料



由版權/商標擁有人  
發出的委任書



驗證人員的資料



正貨及贗品的樣本

## 常見問題

如果版權/商標擁有人沒有在香港設立辦事處，他們能展開備案程序嗎？

一般而言，我們會與被委任的驗證人員進行面對面的評核以完成整個備案程序。然而，對於在香港沒有辦事處的版權/商標擁有人，我們亦接受以視像會議形式完成有關評核。

進行備案程序的費用是多少？

進行備案程序不須支付任何費用。

成為驗證人員須具備什麼條件？

基本而言，驗證人員須<sup>(1)</sup>獲得版權/商標擁有人的授權；以及<sup>(2)</sup>能夠客觀區分貨物真偽。



## 聯絡我們 Contact Us

### 舉報盜版及冒牌活動

Report Piracy and Counterfeiting Activities



(+852) 2545 6182



crimereport@customs.gov.hk



網上舉報罪案表格  
Online Crime Report Form

## 有關備案程序的查詢 Enquiry about Recordation Procedure



(+852) 3759 3060

(+852) 3759 3062

## Purposes of Recordation

Pre-requisite for  
Criminal Prosecution

The pre-requisite for investigating criminal offences relating to piracy or counterfeiting activities, is that the copyright/ trade mark owner has to prove the subsistence of copyright of the work allegedly infringed or that the trade mark has been registered in HKSAR\*.

Appointment of  
Qualified Examiner

Copyright / trade mark owners have to appoint a qualified examiner in writing to verify the authenticity of the suspected infringing articles, furnish evidence and testify in court to ensure that there is sufficient evidence to support criminal prosecutions.

\*Trade mark owners must complete the trade mark registration with the Intellectual Property Department before commencing the recordation procedure.

## Information Required for Recordation



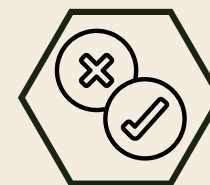
Certificate of Registration  
of Trade Mark/  
Copyright Information



Authorization Letter Issued  
by the Copyright/  
Trade Mark Owner



Background Information  
of Examiner



Samples of Genuine &  
Counterfeit Goods

## FAQ

If copyright / trade mark owners do not have an office in Hong Kong, are they eligible for the recordation procedure?

Generally speaking, we will conduct face-to-face assessment with the appointed examiner to complete the entire recordation procedure. However, for copyright / trade mark owners who do not have an office in Hong Kong, assessment conducted via video call is also acceptable.

What is the fee for the recordation procedure?

The recordation procedure is free of charge.

What are the qualifications required to become an examiner?

In general, the examiner must (i) obtain authorization from the copyright / trade mark owner; & (ii) be able to objectively distinguish between genuine and counterfeit goods.