



Trademark Protection for Chinese Enterprises in the Philippines under New Media Marketing

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Abstract: With the rapid development of new media marketing, Chinese enterprises expanding their business in the Philippines face both opportunities and challenges in trademark protection. This paper delves into the intricate landscape of trademark protection for Chinese enterprises operating in the Philippines within the dynamic realm of new media marketing. As new media continues to reshape the marketing paradigm, Chinese companies expanding into the Philippine market encounter a unique set of opportunities and formidable challenges regarding trademark safeguarding. Through a comprehensive analysis of the current state of new media marketing in the Philippines, identification of prevalent issues and complexities in trademark protection, and the formulation of strategic recommendations, this study aims to equip Chinese enterprises with the tools necessary to navigate these challenges effectively, the article concludes by presenting a range of practical countermeasures. These strategies encompass strengthening legal frameworks, enhancing monitoring and enforcement mechanisms, fostering public awareness, and leveraging technological advancements to bolster their trademark protection efforts. By adopting these comprehensive approaches, Chinese enterprises can fortify their position in the Philippine market, ensuring their brands remain resilient against the myriad threats posed by the new media marketing era.

Keywords: Chinese enterprises; Philippines; new media marketing; trademark protection

Introduction

In recent years, new media marketing has emerged as a powerful tool for businesses to promote their products and services. Chinese enterprises have increasingly recognized the potential of the Philippine market and have actively engaged in various forms of new media marketing activities. However, along with the expansion of business, trademark protection has become a crucial issue that directly affects the legitimate rights and interests of these enterprises. This section provides an overview of the significance and background of studying trademark protection for Chinese enterprises in the Philippines under new media marketing.

Trademark protection in the Philippines is governed by the Intellectual Property Code of the Philippines (Republic Act No. 8293). This legislation defines a trademark as any visible sign that distinguishes goods or services in the marketplace. The benefits of trademark protection include safeguarding a business's brand identity and establishing eligibility for protection under the law. To obtain trademark registration in the Philippines, one can file directly with the Intellectual Property Office of the Philippines (IPOP/PHL). The trademark system in the Philippines prohibits the registration of immoral, deceptive, or scandalous matter, as well as the use of national symbols like the flag or coat of arms. Enforcing trademark rights in the Philippines involves monitoring for counterfeit goods and taking legal action against infringers. The IPOP/PHL serves as the primary authority for trademark registration and enforcement in the country. Additionally, the Philippines offers advice on intellectual property protection, including information on patent and trademark registration. The country also participates in international initiatives like the Patent Prosecution Highway Pilot Program with the United States Patent and Trademark Office. Overall, trademark protection in the Philippines is essential for businesses looking to establish and maintain their brand identity in the marketplace. By understanding the laws and regulations surrounding trademarks in the country, businesses can ensure their intellectual property rights are protected [2].

In the rapidly evolving landscape of new media marketing, as Chinese enterprises increasingly embark on their journey to expand into the promising Philippine market, the significance of trademark protection has risen to prominence, becoming a crucial component of their comprehensive internationalization strategies. Recognizing the pivotal role it plays in safeguarding brand identity and market presence, this article delves into an in-depth analysis of the unique characteristics of new media marketing. By examining these traits, it provides a foundational understanding of the environment in which Chinese enterprises are navigating their overseas expansion.

Subsequently, the article shifts focus to the intricate dynamics of trademark protection in the Philippine market, specifically addressing the current status faced by Chinese enterprises. It highlights the complexities involved in navigating the local legal framework, the evolving consumer behavior influenced by new media, and the intense competition within the market. Furthermore, the article delves into the myriad challenges these enterprises confront, ranging from infringement and counterfeiting to the difficulties in enforcing intellectual property rights.

2. Methodology



This research study examines the challenges and strategic approaches for trademark protection of Chinese enterprises in the Philippines under the context of new media marketing.

2.1 Research Design

The purpose of this research was to investigate the challenges and opportunities for trademark protection of Chinese enterprises in the Philippines, particularly within the context of new media marketing. The study employed a multi-method approach to provide a comprehensive understanding of the issue. The research design was developed to align with the specific objectives of the study and the unique characteristics of the Philippine market.

2.2 Research Steps

This research began with an extensive literature review to establish a solid foundation of knowledge on trademark protection and new media marketing. This involved analyzing existing research, legal frameworks, and practical cases related to trademark protection in the Philippines and the impact of new media on marketing strategies.

After the literature review, the research design was carefully formulated to ensure it met the study's objectives and was relevant to the Philippine market. The study utilized qualitative data collection methods and comparative analysis. Additionally, case studies of Chinese enterprises operating in the Philippines were analyzed to provide practical insights into the challenges and strategies for trademark protection.

The data analysis employed a thematic approach, where transcripts from interviews were systematically coded and categorized to identify common themes and patterns related to trademark protection challenges and strategies. The researchers cross-checked themes to ensure the reliability and validity of the findings. This process involved identifying key issues, such as trademark infringement, enforcement difficulties, and the impact of new media on marketing and brand protection.

2.3 Study Limitations and Ethical Considerations

The study followed ethical protocols by obtaining informed consent from all participants, ensuring anonymity and confidentiality, and allowing participants the freedom to withdraw from the research at any time. Ethical considerations also included the responsible representation of participants' views and experiences in the final analysis and reporting.

The study's limitations include the potential for subjective interpretation of qualitative data and the reliance on a limited number of case studies and interviews. Future research could benefit from a larger sample size and the inclusion of additional data sources, such as surveys and longitudinal studies, to provide a more comprehensive understanding of the challenges and strategies for trademark protection in the Philippines.

3. The Current Landscape of New Media Marketing in the Philippines

New media marketing in the Philippines is currently undergoing rapid development and transformation. With the proliferation of internet technology and the rise of new media platforms, corporate marketing strategies are experiencing significant changes. New media platforms have enhanced the ability of users to interact with each other and with content creators. This has fostered a more participatory culture where users are not just passive consumers but also active contributors to the media ecosystem. The ability to share and create content has empowered individuals and communities, leading to a more diverse and vibrant media landscape.^[3]

3.1 The Ascendancy of New Media Platforms

The Philippines has witnessed an explosive growth in the adoption of new media platforms, fueled by a young, tech-savvy population and widespread access to mobile devices and the internet. Social media giants such as Facebook, Instagram, and TikTok have amassed a substantial user base in the country. For instance, Facebook alone has over millions of active users in the Philippines, making it a prime platform for brand promotion and customer engagement. The rise of new media platforms can be attributed to advancements in digital and mobile technologies, including the proliferation of smartphones and the widespread adoption of the internet. This technological evolution has enabled the creation of platforms that offer personalized experiences and facilitate real-time interactions between users and content providers.

New media platforms have also introduced innovative monetization strategies that differ from traditional media models. These include product sales, advertising revenue, and subscription-based services, which have allowed these platforms to generate significant economic value. E-commerce platforms have also experienced remarkable growth, with platforms like Lazada and Shopee becoming household names. These platforms not only provide a convenient shopping experience for consumers but also offer Chinese enterprises a direct channel to reach a vast customer base across the archipelago. Digital advertising has also gained significant traction, with businesses increasingly allocating a larger portion of their marketing budgets to online advertising campaigns.

The Philippines has also been driven by the increasing availability of internet access and the proliferation of smartphones. The country's young population, which is highly engaged with digital content, has fueled the demand for new media platforms. The ascendancy of new media platforms in the Philippines is a testament to the country's rapid digital transformation and the evolving media consumption habits of its population. With continued growth and diversification, these platforms are poised to play an even more significant role in shaping the country's media landscape in the years to come.

3.2 Marketing Tactics Employed by Chinese Enterprises

Chinese enterprises have been quick to capitalize on the opportunities presented by new media in the Philippines. They have adopted a diverse range of marketing strategies to enhance brand visibility and drive sales. One common approach is the creation of engaging and culturally relevant content. By tailoring their messaging to resonate with the local Filipino culture, Chinese brands are able to connect more effectively with consumers.

Collaboration with local influencers has also become a popular marketing tactic. Filipino influencers, with their large and loyal followings, play a crucial role in promoting Chinese products and brands. These influencers create authentic and relatable content, showcasing the benefits and features of Chinese goods, thereby influencing purchasing decisions among their followers.

Moreover, Chinese enterprises are leveraging the power of social media contests, giveaways, and interactive campaigns to increase brand engagement and attract new customers. For example, some companies run hashtag - based campaigns on Instagram, encouraging users to share their experiences with the brand, which not only boosts brand awareness but also generates user - generated content.

Chinese enterprises employ a multifaceted approach to marketing that leverages both traditional and modern strategies to remain competitive in the global market. Brand building and positioning are crucial, with enterprises emphasizing their core values and unique selling points to differentiate themselves from competitors. They often use storytelling and emotional connections to forge a deep bond with consumers, fostering brand loyalty.^[4]

In the digital realm, Chinese enterprises have embraced social media platforms such as WeChat, Weibo, Douyin (TikTok), and Xiaohongshu (Little Red Book) for targeted advertising and customer engagement. These platforms enable them to reach a vast audience and create personalized marketing campaigns that resonate with consumers. Additionally, they utilize search engine optimization (SEO) and search engine marketing (SEM) to increase their online visibility and attract potential customers. E-commerce platforms like Taobao, JD.com, and Pinduoduo also play a pivotal role in their marketing strategy, providing a direct channel to reach consumers and drive sales growth.^[5]

Content marketing is another key tactic employed by Chinese enterprises. They create high-quality content such as blog posts, videos, infographics, and podcasts to educate and engage with potential customers. Collaborations with influencers and key opinion leaders (KOLs) further amplify their brand messages and reach new audiences.^[6] Meanwhile, experiential marketing strategies, such as organizing events, pop-up shops, and product launches, create immersive brand experiences that resonate with consumers.

Data analytics is also a critical component of their marketing efforts, enabling enterprises to understand customer preferences and behaviors. This data-driven approach allows them to implement personalized marketing tactics, such as loyalty programs and targeted email campaigns, to retain existing customers and encourage repeat purchases. Overall, Chinese enterprises are leveraging a combination of traditional and digital marketing tactics to stay ahead in an increasingly competitive market.

4. Challenges in Trademark Protection for Chinese Enterprises in the Philippines under New Media Marketing

The phenomenon of Chinese trademarks being preemptively registered overseas is very common. For example, "Ashima" was preemptively registered in the Philippines.^[7] Chinese enterprises face multiple challenges in trademark protection in the Philippines, primarily stemming from the country's intellectual property rights (IPR) system, legal environment, and the complexities involved in cross-border operations. The IPR system in the Philippines is still under development, and its legal framework may not be as sophisticated as that of some developed countries. This necessitates Chinese enterprises to thoroughly understand the local IPR policies and regulations before entering the Philippine market, in order to avoid potential legal risks.

The rapid development of new media platforms presents both opportunities and challenges. While these platforms offer extensive reach and engagement potential, they also create new avenues for trademark infringement and brand dilution. The dynamic nature of new media requires continuous monitoring and adaptation of marketing strategies to safeguard brand integrity.^[8] In the era of globalization, Chinese enterprises are increasingly expanding their business in the Philippines. New media marketing has become an important means for these enterprises to promote products and build brands. However, trademark protection in this context faces numerous challenges.

The rapid evolution of digital platforms and social media has transformed the marketing landscape, presenting both opportunities and threats. One major challenge is the ease with which trademarks can be replicated or misused on these platforms due to the sheer volume of content being shared daily. Counterfeit products and fake accounts posing as legitimate brands are rampant, making it difficult for consumers to distinguish between genuine and fake products. This not only dilutes brand value but also damages the reputation of Chinese enterprises. Furthermore, the legal system in the Philippines may not be fully equipped to address these digital-specific issues swiftly, leading to prolonged disputes and potential financial losses. To combat these challenges, Chinese enterprises must adapt their trademark protection strategies to the digital age. This includes actively monitoring social media and e-commerce platforms for infringement, promptly taking legal action against violators, and engaging with consumers through official channels to educate them about how to identify genuine products. Additionally, collaborating with local law firms and IPR experts who are well-versed in digital law can provide valuable insights and support in navigating the complex legal landscape in the Philippines. By staying vigilant and proactive, Chinese enterprises can mitigate the risks associated with trademark infringement in the new media marketing environment in the Philippines.

4.1 Trademark Infringement on Online Platforms

The proliferation of new media has inadvertently created a breeding ground for trademark infringement in the Philippines. The ease of content creation and dissemination on online platforms has made it relatively simple for unscrupulous individuals and competing businesses to misappropriate trademarks.

On e - commerce platforms, counterfeit products bearing Chinese trademarks are often sold, deceiving consumers and diluting the brand value. These counterfeits not only result in lost sales for Chinese enterprises but also damage their reputation. On social media, fake brand accounts may be created, mimicking the official branding and misleading users.

These fake accounts may engage in unethical practices such as spamming, phishing, or spreading false information about the brand.

In the Philippines, the issue of trademark infringement on online platforms has become increasingly prominent. According to the existing legal framework and judicial practice, trademark infringement typically involves the unauthorized use of a mark that is identical or similar to a registered trademark, potentially leading to consumer confusion and damaging the reputation of the original brand.^[9] Trademark infringement on online platforms in the Philippines has emerged as a significant challenge for both local and foreign businesses, including Chinese enterprises. The forms of trademark infringement on online platforms are diverse, including the sale of counterfeit goods, domain name infringement, and brand impersonation through e-commerce platforms. These actions not only infringe upon the legitimate rights and interests of trademark owners but may also mislead consumers and undermine market order.^[10]

With the proliferation of e-commerce and digital platforms, the ease of access to these markets has also facilitated the unauthorized use and sale of trademarks. This has led to an increase in instances where counterfeit products bearing identical or similar trademarks to genuine ones are sold online, often at prices that undercut legitimate sellers. The problem is exacerbated by the anonymity and cross-border nature of online transactions, making it difficult for trademark owners to monitor and enforce their rights.

4.2 Monitoring and Enforcement Hurdles

Effectively monitoring trademark infringement on new media platforms is an arduous task for Chinese enterprises. The sheer volume of content generated on a daily basis across multiple platforms makes it nearly impossible to manually track every instance of potential trademark misuse. Automated monitoring tools, while helpful, often face limitations in accurately identifying complex forms of infringement, such as the use of similar - sounding or visually similar trademarks. Enforcement of trademark rights in the Philippines also presents significant challenges. The legal process can be time - consuming, costly, and complex. There may be differences in legal interpretations and procedures between China and the Philippines, which can further complicate matters for Chinese enterprises. Additionally, the lack of seamless cooperation between different regulatory bodies and law enforcement agencies in the Philippines can slow down the process of taking action against infringers.

Moreover, the cross-border nature of online trademark infringement adds another layer of complexity for Chinese enterprises. Infringers may operate from locations outside the Philippines, making it difficult to track them down and seek legal remedies. This can lead to a situation where infringers continue to operate with impunity, further harming the interests of trademark owners and consumers.

4.3 Insufficient Knowledge of Local Trademark Laws

Many Chinese enterprises operating in the Philippines may lack a comprehensive understanding of the local trademark laws and regulations. Trademark registration requirements, renewal procedures, and the scope of protection vary from country to country. In the Philippines, for example, there are specific rules regarding the distinctiveness of trademarks, the priority of registration, and the handling of trademark disputes.

Failure to comply with these local laws can lead to serious consequences, such as the rejection of trademark applications, loss of trademark rights, or legal liability. Moreover, without a proper understanding of the local legal framework, Chinese enterprises may find it difficult to effectively enforce their trademark rights when faced with infringement.

The translation of trademarks into local languages poses additional challenges. Misinterpretations or inappropriate translations can lead to confusion among consumers and potentially dilute the brand identity. This issue is exacerbated in a diverse market like the Philippines, where multiple languages are spoken.

Trademark protection for Chinese enterprises in the Philippines under new media marketing is fraught with challenges. From complex registration procedures to various forms of infringement in the new media environment, along with enforcement difficulties and cultural and language barriers, Chinese enterprises need to be vigilant. To overcome these challenges, they should invest in in - depth research of Philippine trademark laws, strengthen monitoring of new media platforms, establish good communication channels with local law enforcement agencies, and take cultural and language factors into account during the trademark planning and protection process. Only in this way can Chinese enterprises better protect their trademarks and achieve sustainable development in the Philippine market.

5. Strategic Approaches to Trademark Protection

The legislation governing trademarks in the Philippines is Republic Act No. 8293, or the Intellectual Property Code of the Philippines. Trademarks play a crucial role in protecting a business' brand identity in the marketplace, providing eligibility for registration based on the grounds prescribed in the Intellectual Property Code of the Philippines. The Intellectual Property Office of the Philippines serves as the primary authority for trademark registration in the country, offering a free trademark search tool to determine availability and facilitate the registration process. In recent years, the Philippines IP Office has expanded its international reach, becoming an International Searching Authority and International Preliminary Examining Authority. This development reflects the growing importance of intellectual property rights on a global scale and the need for effective trademark protection mechanisms. Additionally, the Trademark Regulations of 2023 outline the procedures for trademark registration in accordance with the IP Code, emphasizing the importance of compliance with regulatory requirements. Trademark owners in the Philippines must be aware of the Declaration of Actual Use requirements to maintain the validity of their trademarks. Failure to comply with these requirements may result in the loss of trademark protection, highlighting the significance of ongoing monitoring and maintenance of intellectual property assets. Overall, the evolving landscape of trademark law in the Philippines

underscores the need for proactive strategies to safeguard brand assets and navigate the complexities of the global marketplace.

5.1 Robust Trademark Registration and Management

Trademark registration is a crucial step in protecting intellectual property. Through formal registration, trademark owners can obtain legal protection, preventing others from using their trademark without authorization. This not only helps trademark owners safeguard their own rights and interests but also enhances consumer trust in the brand.

Chinese enterprises should prioritize trademark registration in the Philippines at the earliest stage of their market entry. This involves conducting thorough trademark searches to ensure that the proposed trademark is not already in use or confusingly similar to existing trademarks. Once registered, enterprises should establish a comprehensive trademark management system.

This system should include regular monitoring of the trademark's use, both by the enterprise itself and third parties. It should also involve maintaining accurate records of trademark usage, renewals, and any changes to the trademark. By actively managing their trademarks, Chinese enterprises can demonstrate their commitment to protecting their brand identity and strengthen their legal position in case of disputes.

The Philippines offers various policies and resources to support the registration and management of trademarks for small enterprises and family businesses. Firstly, under the Micro, Small, and Medium-sized Enterprises Development Act (BMEB Act), the government establishes dedicated credit windows to meet the financing needs of these enterprises and encourages financial institutions to provide funds to eligible private financial institutions.^[11]

Furthermore, the National Commission on Intellectual Property Rights (NCIPR) of the Philippines collaborates with different agencies to implement projects aimed at reducing counterfeit goods in the market and protecting the intellectual property rights of consumers and enterprises through educational programs, public awareness campaigns, and other measures.^[12] While the Philippine government provides necessary support and resources through the BMEB Act and other related laws, small enterprises still face certain obstacles in practical operations.

5.2 Advanced Monitoring and Early Warning Systems

To address the challenge of monitoring trademark infringement on new media, Chinese enterprises should invest in advanced monitoring technologies. These technologies can use artificial intelligence and machine learning algorithms to scan large volumes of online content in real - time, identifying potential trademark violations.

In addition to technological solutions, enterprises should establish an early warning system. This system can involve setting up alerts for specific keywords related to their trademarks, as well as monitoring industry trends and competitor activities. By detecting infringement at an early stage, enterprises can take prompt action, such as sending cease - and - desist letters or initiating legal proceedings, to minimize the damage to their brand.

To mitigate these risks, Chinese enterprises need to adopt robust brand management strategies that include proactive trademark registration, legal protection measures, and effective use of new media tools for brand promotion and monitoring.^[13] This approach will help ensure that their brands are well-protected while leveraging the opportunities presented by new media marketing.

5.3 Enhancing Legal Literacy and Collaboration

Enhancing knowledge of Philippine trademark laws is crucial for Chinese enterprises to ensure legal compliance, protect their intellectual property, make strategic investments, and successfully expand their market presence in the Philippines. The legal framework governing trademarks in the Philippines may differ significantly from China's, leading to complexities in enforcement and protection. Chinese companies may struggle with navigating these differences, particularly if they lack local legal expertise. Chinese enterprises need to enhance their understanding of the Philippine trademark laws. This can be achieved through training programs, hiring local legal experts, or partnering with law firms specializing in intellectual property rights in the Philippines. By having a clear understanding of the legal requirements, enterprises can avoid common pitfalls and ensure that their trademark protection strategies are in line with local laws.

Furthermore, collaboration is key. China's current trademark protection framework has apparent deficiencies and necessitates the revision of existing laws and procedural improvements to accommodate digital commerce.^[14] This implies that Chinese enterprises should closely monitor relevant legal developments in the Philippines and promptly adjust their trademark strategies to comply with local legal requirements. Chinese enterprises should actively engage with local industry associations, business chambers, and government agencies. These partnerships can facilitate knowledge sharing, provide access to resources, and help in coordinating efforts to combat trademark infringement. By working together, the business community and the government can create a more favorable environment for trademark protection in the Philippines.

The Philippines has specific legal penalties for deliberate infringement of trademark rights. According to the Intellectual Property Code, the infringed party can claim compensation for administrative fines ranging from a minimum of PHP 500 to a maximum of PHP 150,000. Additionally, compensation for actual losses, including but not limited to direct economic losses arising from the infringement, can also be sought. The Philippines adopts a mixed model for criminal legislation related to intellectual property, where any deliberate infringement of intellectual property constitutes a crime in principle. Specific criminal penalties primarily include short-term imprisonment, combined with fines and multiple fines. The Intellectual Property Office (IPO) has the authority to issue cease and desist orders, confiscate infringed products, and authorize the seizure of all property related to the infringement (including real estate and personal property). For violations, an additional fine of PHP 1,000 per day is imposed.^[15] In certain circumstances, relevant authorities can take

enforcement measures at the border against goods suspected of infringing intellectual property rights, including the destruction of counterfeit or pirated goods, and charging fees for requests or storage.^[16]

5.4 Leveraging International Treaties and Agreements

China and the Philippines are signatories to several international treaties and agreements related to intellectual property protection, such as the Paris Convention for the Protection of Industrial Property and the Trade - Related Aspects of Intellectual Property Rights (TRIPS) Agreement. Chinese enterprises can leverage these international frameworks to seek enhanced protection for their trademarks in the Philippines. One of the key aspects of the TRIPS Agreement is that it sets minimum standards for intellectual property protection, which member countries can choose to exceed but cannot fall below. This agreement has been instrumental in harmonizing intellectual property laws across different countries, including the Philippines. The Philippines has had to adapt its national laws to meet these international standards, particularly in areas such as patents, trademarks, copyrights, and geographical indications. The TRIPS Agreement has also introduced flexibilities that allow countries like the Philippines to balance intellectual property protection with public health concerns, especially in the context of access to medicines. However, these flexibilities have sometimes been contentious, as they may conflict with the need to protect.^[17]

TRIPS Agreement has played a crucial role in shaping the intellectual property landscape in the Philippines by setting a framework that aligns with global standards while also allowing for necessary adjustments to address local needs and challenges.^[18] These treaties provide certain minimum standards of protection, as well as mechanisms for resolving cross-border intellectual property disputes. By understanding and utilizing these international instruments, Chinese enterprises can strengthen their position in trademark protection and ensure that their rights are respected in the Philippine market. This agreement has ensured that intellectual property protection in the Philippines meets a certain threshold, fostering a conducive environment for innovation and creativity. By adhering to the TRIPS Agreement, the Philippines has harmonized its patent, trademark, copyright, and geographical indication laws with international norms, enhancing legal certainty and predictability for foreign investors, including Chinese enterprises.

Conclusion :

This dissertation has proposed several strategic approaches to address these challenges. First, robust trademark registration and management are essential. Chinese enterprises must prioritize early registration, thorough searches, and continuous monitoring of their trademarks. By establishing comprehensive management systems and leveraging advanced monitoring technologies, companies can detect and mitigate infringement risks promptly. Second, enhancing legal literacy and collaboration with local authorities and industry associations is crucial. Understanding the nuances of Philippine trademark laws and engaging with local stakeholders can significantly bolster enforcement efforts and legal compliance. Third, leveraging international treaties and agreements, such as the TRIPS Agreement, provides additional layers of protection and dispute resolution mechanisms. These international frameworks offer standardized protections and harmonized legal practices, ensuring that Chinese enterprises' rights are respected across borders.

The long-term benefits of effective trademark protection are substantial. For Chinese enterprises, safeguarding their intellectual property ensures brand integrity, consumer trust, and market competitiveness. In the Philippines, a market characterized by increasing digital engagement and consumer sophistication, strong trademark protection is essential for sustainable business growth.

As new media continues to evolve, the challenges of trademark protection will persist. Chinese enterprises must remain vigilant, adapting their strategies to emerging technologies and legal developments. The Philippines, too, must continue to strengthen its intellectual property framework, balancing the need for protection with the imperatives of digital innovation and public access. Through collaboration, technological innovation, and a commitment to international standards, both Chinese enterprises and the Philippines can navigate the complexities of the digital age, ensuring a vibrant and sustainable market for all.

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References

- [1] Gaétan de Rassenfosse; "A Policy Perspective on The Accession of Peru to The Madrid Protocol", SOCIAL SCIENCE RESEARCH NETWORK, 2016.
- [2] Kae Sekine; "The Potential and Contradictions of Geographical Indication and Patrimonization for The Sustainability of Indigenous Communities: A Case of Cordillera Heirloom Rice in The Philippines", SUSTAINABILITY, 2021.
- [3] Naqvi, M., Li, S., Jiang, Y., & Naqvi, M. H. A. (2020). The rise of social networking sites: An empirical investigation applying demographic differences and the technology acceptance model. *Asia Pacific Journal of Marketing and Logistics*. 32(1).
- [4]Boxi Liu. "Research on the innovative way of modern marketing strategy." *Finance & Economics*(2024).. Boxi Liu.
- [5]Xiaoli Chen. "Countermeasures and Suggestions on the Innovation and Development of Enterprises Marketing Mode in China under the Background of E-Commerce." *Technology and Investment*(2023).

- [6] Ravneet Kaur, Rajesh Singh et al. "Marketing Strategies 4.0: Recent Trends and Technologies in Marketing." *Sustainability*(2022).. Ravneet Kaur, Rajesh S.
- [7] Yu Zheliang, Miao Feng. *Applying International Law to Oppose Overseas Trademark Preemption* [J]. *China Business Administration Research*, 1997.
- [8] Zizhuo Liu. "Analyzing the Marketing Strategies of Enterprises in the New Media Environment." *Journal of Economics, Trade and Marketing Management*(2023).
- [9] Yulia Yulia, Herinawati Herinawati et al. "Legal Protection of Small and Medium Industry Products Through Trademark from an Islamic Law Perspective." *Proceedings of Malikussaleh International Conference on Law, Legal Studies and Social Science (MICoLLS)*(2023).
- [10] Verlia Kristiani, Elfrida Ratnawati Gultom. "INFRINGEMENT OF FAMOUS BRAND RIGHTS IN E-COMMERCE ON TOKOPEDIA." *JURNAL ILMIAH ADVOKASI*(2023).
- [11] V. S. Manipol. "Factorial Evaluation on the Effectiveness of Microenterprise Law in the Town of Katipunan, Zamboanga del Norte, Philippines." *Cognizance Journal of Multidisciplinary Studies*(2023).. VERGEL S. MANIPOL.
- [12] Ma. Liezel Bumanglag. "Young Filipinos' Attitudes Towards Counterfeit Products: A Descriptive Study on Attitudes and Perceptions: A Study by the IP Academy of the Intellectual Property Office of the Philippines." *Asia-Pacific Journal of IP Management and Innovation*(2022).
- [13] He Peiyu and Li Yuanxin. *Countermeasures for Preventing and Controlling Brand Risks of Chinese Enterprises in Sino-Philippine International Trade* [J]. *China Trademark*, 2019.
- [14] Zeran Li. "A Study on the Forms of Trademark Infringement and Prevention in China's Cross-border E-commerce Industry." *Highlights in Business, Economics and Management*(2024).
- [15] Jennifer Kim Vitale. "Video Game Piracy in the Philippines: A Narrowly Tailored Analysis of the Video Game Industry & Subculture." *Pace International Law Review*(2010).
- [16] L. Alonso García. "Implementación de Acuerdos Comerciales Preferenciales en América Latina: La Experiencia Peruana en su TLC con Estados Unidos." (2010).
- [17] Liu Zhuodi. *Criminal Law Protection of Intellectual Property under the TRIPS Agreement* [J]. *Legal System and Society*, 2008.
- [18] Z. M. D. Cabilo. "Philippine Intellectual Property Rights under the World Trade Organization, 1995-2005: Implementing the Flexibilities under a TRIPS- Plus Commitment." *Kasarinlan: Philippine Journal of Third World Studies*(2011).