



□. NCP Outbreak: Make sure to comply with the updated China Travel Restriction during Spring Festival

Restricted period: January 28, 2021 – March 15, 2021

Travelers who need Covid-19 testing before traveling:

- (1) Cross-provincial travelers returning to **rural areas**.
- (2) Travelers who have travel history in high or medium risk areas¹.
- (3) Travelers engaged in importation at ports, cold-chain food, transportation, or working in quarantined areas.
- (4) Travelers from Low-risk areas to **enter Beijing**

Requirement on the Covid-19 testing:

- (1) Before traveling: obtaining negative nucleic acid test certificate **within 7 days**
- (2) After arrival: testing again **on the 7th day and 14th day**

As always, Asiallians maintains monitoring the evolving policy for you and update you timely. If you have any specific inquiry, please feel free to contact us at asiallians@asiallians.com.

(<https://mp.weixin.qq.com/s/n4VIlwas2gipZAvbh-YZYg>)

(https://www.thepaper.cn/newsDetail_forward_10909162)

II. Legal News: New Rules on Enterprise Name

On December 28, 2020, China amended Administrative Provisions on the Registration of Enterprise Names (the "Provisions"), which will take effect on March 1, 2021.

We highlight the interesting changes worth your attention:

1. Use of "China" in its company name now possible for certain foreign-invested companies

Previously, the Chinese characters of "China" cannot be added in a company's name unless pre-approval is obtained from the government².

The Provisions now clearly states that for wholly foreign-owned enterprise or foreign controlled enterprise using trade name of foreign investors, the Chinese enterprise name may contain characters "China □□□□".³

2. Name pre-approval process canceled

The applicant may select the qualified enterprise name by itself after an online or physical checking at enterprise registration authority, and then declare the selected name to PRC authority.⁴ The rule shows that the applicant does not have to go through name pre-approval process at Administration for Market Regulation (the "AMR").⁵

3. Dispute Resolution Mechanism

Where an enterprise deems that other enterprise name infringes upon its legitimate rights and interests, it may file a lawsuit with a PRC court or request the AMR to deal with it.⁶

Once the PRC court or the AMR deems that the infringer shall stop using the name, the infringer shall change the name within 30 days; otherwise, the infringer will be published on the online national credit system for abnormal operation.

(http://www.gov.cn/zhengce/content/2021-01/19/content_5581091.htm)

Should you have any inquiry about the above legal news, please contact us at asiallians@asiallians.com. As always, Asiallians remains at your service and our teams are currently mobilized in all our offices in Mainland China, in Hong Kong and in Taipei.

¹ In principle, travelers who have travel history in high-or medium risk areas are not allowed to travel.

For example, In Beijing, for those who really need to enter Beijing, they must obtain the approval by the local relevant epidemic prevention and control authority and obtain the nucleic acid test negative certificate within 72 hours.

People need to check with local government specifically to see if possible for travelling.

² Article 13 of Administrative Provisions on the Registration of Enterprise Names released in 2012:

Any of the following enterprises may apply to use "Zhongguo" or "Zhonghua" (both of which mean China) or "Guoji" (international) in its enterprise name:

1. Nationwide companies;
2. Large import and export enterprises approved by the State Council or its authorized bodies;
3. Large enterprise groups approved by the State Council or its authorized bodies; or
4. Any other enterprise specified by the State Administration for Industry and Commerce.

³ Article 12 of the Provisions

⁴ Article 16 of the Provisions

⁵ The current regime is in-process and ex-process supervision: where AMR discovers unqualified enterprise name when handling the enterprise registration, it shall refuse the enterprise registration and properly notify the applicant. Article 20 of the Provisions

⁶ Article 21 of the Provisions

Feel free to contact asiallians@asiallians.com for more information.

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