

May 11, 2022

## China's New Initiative to Regulate the Use of Chinese Characters

On April 6, 2022, National Press and Publication Administration and the National Radio and Television Administration of China published a notice to “regulate the use of Chinese characters”<sup>1</sup>. This notice aims to “rectify the problems of incorrect and non-standard use of Chinese characters, to eliminate ugly and weird font usage and to assure orthodoxy of the characters”. With this new initiative, global brands with their business in China need to pay more attention to their campaigns, packaging, and ads that involve Chinese fonts. As a result, the detail of this new notice should be further analyzed so as to avoid potential legal risks.

### 1. Target of Rectification

According to the notice, the main target to be rectified is some fonts that are “ugly, weird, with vulgar and exaggerated distortion, or not in conformity with the writing norms, cultural connotations and aesthetic tastes of Chinese characters, and thus causing negative social influence”. However, the Notice does not provide a specific standard in determine whether a font meets the standards above, which means the censorship authorities has the discretion to decide.

### 2. Scope

The scope of inspection and censorship includes:

Books, newspapers, periodicals, audio-visual products, electronic publications, Internet publications, and new media forms.

In these publications, the inspection and censorship will focus on the characters used in: header (name), title, cover (including the front cover, back cover, spine, etc.), the main page, text content (including texts, abstracts, catalogues, copyright records and other auxiliary articles), packaging, decoration, advertising words, etc.

Broadcast, television, Internet audio-visual programs, dramas, documentaries, cartoons, advertisements and promotional materials.

For these items, the inspection and censorship will focus on the characters used in: name, title, producer name, subtitles, credits, etc.

### 3. Specific Measures

The Notice requires the authorities that are responsible for censorship to censor the publications more strictly in terms of character fonts, and to promptly replace the fonts that are “not in conformity with writing norms and aesthetic tastes of Chinese characters, that are poorly made, exaggerate and not good-looking”.

Additionally, the Notice requires the related authorities to guide the font production enterprises to carry out self-examination. And these enterprises should clean up font products that do not conform to national regulations and standards, timely adjust the font products that are “not standard and not beautiful”. The related authorities should also guide the enterprises to create more font products that are “beautiful, in conformity with norms, and that meet market demand at the same time”.

In particular, press and publication administrative departments at all levels should include the use of Chinese characters in the quality inspection index system of publications and the scope of daily review and management, the circular said.

### 4. Analysis

This administrative notice serves as a guideline for censorship authorities to inspect font use in publications as mentioned above. The standard is likely to be considered as too vague and the related authorities are given the discretion to enforce it.

But it has to be stressed out that advertisements fall within the scope of the regulation, which means **that foreign enterprises shall particularly pay attention to the Chinese character designs on advertisements**. Although in general, a font design with creativity and novelty is surely acceptable, the clients should try to avoid using font designs that are too exaggerated or untraditional, or have certain unpleasant implications (such as sexual, racial, or insulting implications). Given the facts that many foreign luxury brands had been boycotted before because some product designs and advertisements are considered insulting, our foreign enterprises should well consider these possibilities.

<sup>1</sup> Notice on The Special Rectification of The Non-standard Use of Chinese Characters in Press, Publication, Radio and Television 《关于开展新闻出版、广播电视领域不规范使用汉字问题专项整治工作的通知》, <https://www.nppa.gov.cn/nppa/contents/719/103772.shtml>

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