

For Immediate Release

MindChamps PreSchool Limited wins trademark infringement case against Chinese 'copycat'.



Counterfeit "MindChamps PreSchool" in Xi'an, Shanxi Province, China

Singapore, 14 July 2023 – It is generally acknowledged that international businesses face considerable challenges protecting their intellectual property and winning trademark infringement cases in China. However, Singapore-based MindChamps PreSchool Limited (MindChamps) has done just that, after achieving a judgement against two defendants for trademark infringement and unfair competition.

MindChamps first became aware of this trademark infringement in January 2021 when a former MindChamps Chinese PreSchool teacher, who had returned to China because of the COVID-19 pandemic, contacted its HR department about applying for a role at "*MindChamps PreSchool*" in Xi'an, the capital city of the Shaanxi Province in central China. Further investigation revealed that this counterfeit school had illegally replicated MindChamps' trademark protected corporate identity including the logo, student uniforms and interior decoration designs.

MindChamps PreSchool Limited

6 Raffles Boulevard #04-100 Marina Square Singapore 039594 • T 6828 2688 • mindchamps.org
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In its judgement on June 28, 2023, the court found that the use of “迈杰思” and “MindChamps” by two defendants in their preschool and WeChat was likely to cause confusion and hence constituted trademark infringement and unfair competition. The court further concluded that the use of “迈杰思” and “MindChamps” by two defendants in their preschool and WeChat was likely to cause confusion and hence constituted trademark infringement. Moreover, the court confirmed that the use of “启智迈杰思” by the first defendant Xian MAIJIESIE Education and Science Co., Ltd (“Xian MAIJIESI”) still constituted trademark infringement because the defendant enlarged the parts “迈杰思” and zoomed out the words “启智”, which was the irregular use of registered trademark and cannot be used as a defence.

The court ordered the two defendants to stop using the MindChamps logo and word mark in English immediately, and the Chinese word mark “迈杰思” within 10 days from 28 June 2023. They were also ordered to pay RMB 120,000 to MindChamps. Furthermore, the two defendants were instructed to publish in the WeChat public account “在涉案幼儿园微信公众号” a clarification on the confusion and unfair competition caused to MindChamps continuously for seven days. The defendants were also ordered to contribute to the court filing fee.

MindChamps Preschool Limited’s lawyer in China noted that the judgement “had significantly exceeded most of judgements issued by this court for trademark infringement and unfair competition cases. Moreover, the two defendants were ordered to issue a statement on their WeChat account to eliminate the harmful effects of consumer confusion.”

Commenting on the judgement, David Chiem, MindChamps PreSchool Limited’s Founder CEO and Executive Chairman said, “20 years ago, I heard that an Apple Store was replicated lock stock and barrel in China. However, to do the same for a preschool, which is about nurturing children’s minds and values, is unbelievable. Winning this case reinforces the strength of our MindChamps brand, which has been built over 25 years with breakthrough research and curriculum development behind it.”

In 2014, MindChamps won another case against a company that was registered as “MindChamps Montessori Incorporated” in the Philippines. As a result, the company renamed itself “NobleMinds Montessori” because,

unlike MindChamps, “Montessori” is not trademark protected and therefore anyone can set up a “Montessori school”.

For more information or media interviews:

Marie Wee LLP

Marie Wee

T: (65) 9061 6082

E: marie@mariewee.com

About MindChamps

MindChamps PreSchool holds the Number One position among premium range preschools in Singapore, with a market share of 38.5 per cent*. Its growing global presence includes premium preschools and enrichment centres in Australia, the Philippines, Myanmar, Malaysia, Indonesia and soon in the US.

Based on a cutting-edge, research-backed curriculum, MindChamps is helmed by a highly experienced management team and an esteemed Global Research, Advisory & Programme Development Team, chaired by world-renowned Neuroscientist Emeritus Professor Allan Snyder (Fellow of the Royal Society). MindChamps is the only educational institute to collaborate with Emeritus Professor Snyder on the empirical research of the 3-Mind education model – the Champion, Learning and Creative Minds – which is uniquely built into the MindChamps curriculum.

MindChamps’ unrelenting commitment to excellence in cultivating young minds has led to the organisation being honoured with some of the most sought-after industry awards in the Singapore education sector, as well as industry-wide recognition in the fields of intellectual property, franchise management and branding.

This includes:

1. Being accorded the *WIPO-IPOS IP Award* in 2015 by the World Intellectual Property Organization (WIPO) and the Intellectual Property Office of Singapore (IPOS) for excellence in the brand’s Trademark Portfolio.
2. Being ranked amongst the top 50 of Singapore’s fastest growing companies in 2019 and 2020 by The Straits Times and German-based global research firm Statista
3. Winning the Influential Brands® Top Brands Award for eight consecutive years (2014-2022, 2020 was a year in which the awards didn’t take place)
4. Being awarded the Superbrands® Mark of Distinction for nine years in a row (2014-2022)
5. Winning the influencer Brands Top Employer Award (2019 and 2020)
6. Winning the 2017 Dun & Bradstreet Business Eminence Awards.

7. Being ranked in the top 1000 of Singapore companies for 5 consecutive years in Singapore 1000 Awards (2011-2015)
8. Being ranked 8th out of 50 top companies in the 2017 Enterprise 50 Awards.
9. Being ranked in Brand Finance's top 100 Brands in Singapore in 2021 as the highest new entrant and the only preschool on the list.

*(*Based on Independent market research as of 15 September 2017)*