

The background of the slide features a photograph of a modern, curved building with a glass facade, set against a blue sky with white clouds. This image is partially covered by a large, light-blue, semi-transparent geometric shape that serves as a backdrop for the title text.

Latest Development of China's IP Work

DONG Cheng
September 2018

Contents

1

Major IP Policies and Measures Introduced

Top design	National IP policies and measurements
Effective IP protection system	

2

Latest Developments of CNIPA

Responsibilities & Statistics	IP quality improvement project
Enhancing IPR Protection	IP utilization
IP cultural construction	IP International Cooperation

Contents

1

Major IP Policies and Measures Introduced

Top design	National IP policies and measurements
Effective IP protection system	

2

Latest Developments of CNIPA

Responsibilities & Statistics	IP quality improvement project
Enhancing IPR Protection	IP utilization
IP cultural construction	IP International Cooperation

Major IP Policies and Measures Introduced: top design



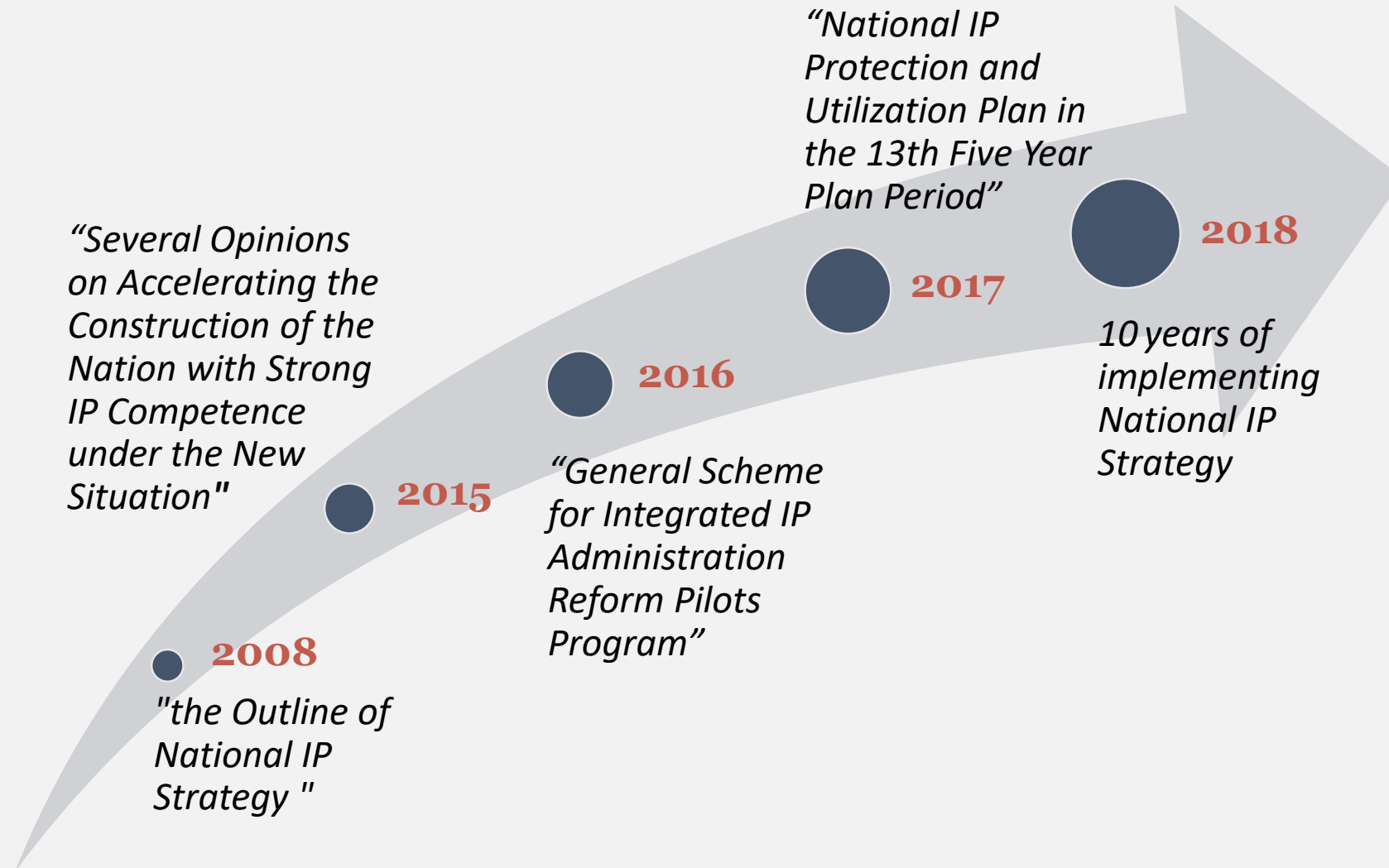
Strengthening IPR protection

- Centerpiece for improving property rights protection,
- Biggest boost to the competitiveness of the Chinese economy
- Re-instituting CNIPA
- Encourage normal technological exchanges and cooperation between Chinese and foreign enterprises

19th CPC National Congress

- Advocate innovation culture, strengthen IP quality improvement project, protection and utilization

Major IP Policies and Measures Introduced: national IP policies and measurements



Major IP Policies and Measures Introduced: effective IP protection system



Inventions, Utility Models, Industrial Designs

★ PATENT LAW

Enacted in 1984

Revised in 1992, 2000, 2008

4th Revision submitted



Trademarks

★ TRADEMARK LAW

Enacted in 1982

Revised in 1993, 2001, 2013



Copyrights

★ COPYRIGHT LAW

Enacted in 1990

Revised in 2001, 2010

3rd Revision in Progress



Geographical Indications

★ Provisions on the Geographical Indications Products

Also available--register collective trademarks or confirmed trademarks to get exclusive rights



Others

Anti-unfair Competition Law

Law of Promoting the Transformation of Scientific Technical Achievements

Seed Law

★ The Protection Regulation of Plant Variety Right

Contents

1

Major IP Policies and Measures Introduced

Top design

National IP policies and measurements

Effective IP protection system

2

Latest Developments of CNIPA

Responsibilities & Statistics

IP quality improvement project

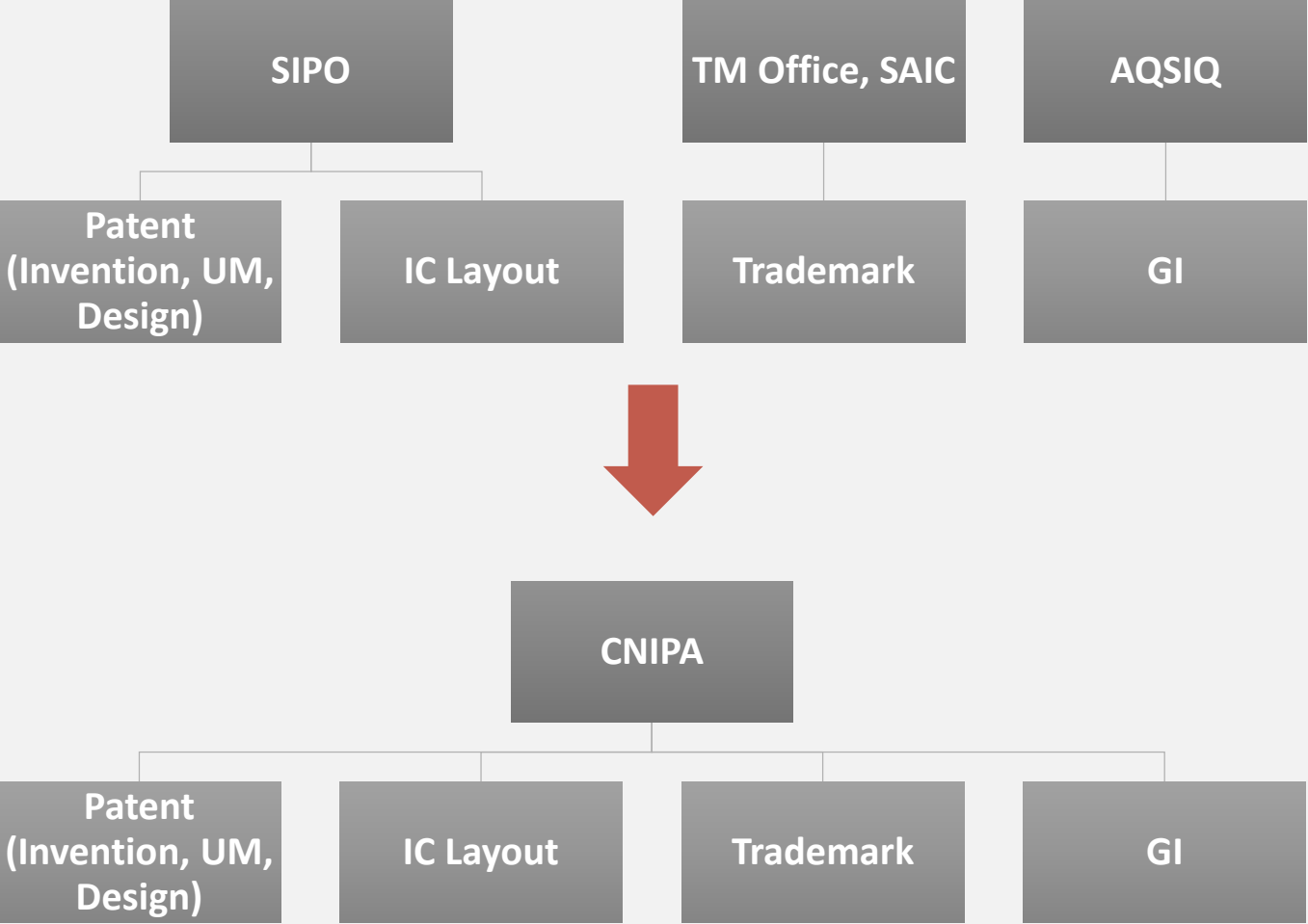
Enhancing IPR Protection

IP utilization

IP cultural construction

IP International Cooperation

Latest Developments of CNIPA: responsibilities & statistics



Main Responsibilities of Re-structured CNIPA

- Take charge of IP protection work
- Take charge of the examination, registration and administrative adjudication of patents, trademarks and GIs
- Guide patents and trademarks enforcement work
- Coordinate foreign-related IP affairs, participating in IPR negotiations with division of labor

Latest Developments of CNIPA: responsibilities & statistics

Most staff

Most
comprehensive
responsibilities

Strongest
service ability

Patent sub-centers

Beijing

Jiangsu

Guangdong

Henan

Hubei

Tianjin

Sichuan

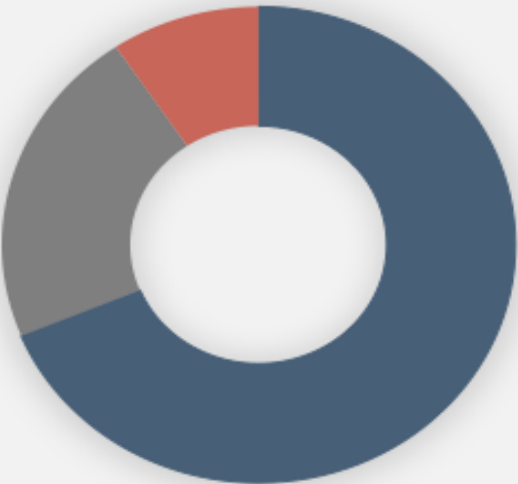
Trademark sub-centers

Guangzhou

Shanghai

Chongqing

CNIPA staff: over 16000



■ Patent examiners
over 11000

■ Other staff

■ Trademark
examiners
over 1500

Latest Developments of CNIPA: responsibilities & statistics



Patent Sub-centers



Latest Developments of CNIPA: responsibilities & statistics

2017



Inventions

- Applications: 1382K
- PCT applications accepted: 51K
- The number of invention patents per 10K people: 9.8



Trademarks

Registration applications: 5748K

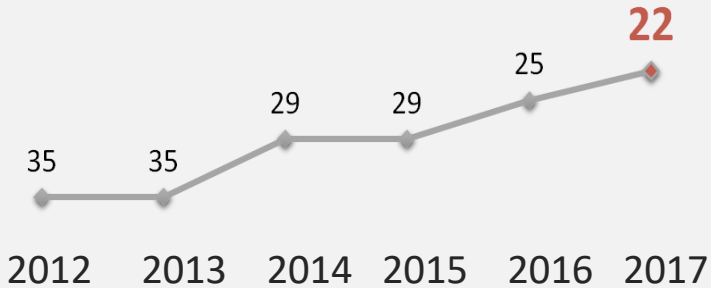


Geographical Indications

GI trademarks registrations: 532



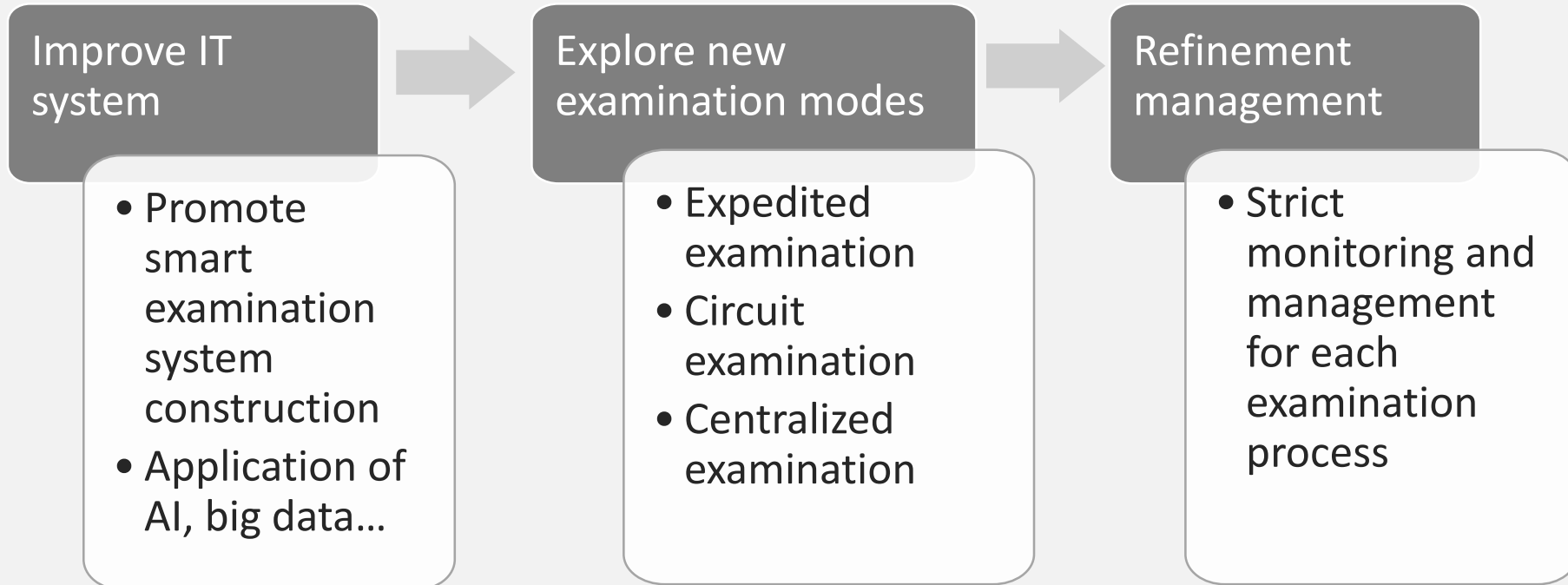
China's ranking in Global Innovation Index (GII)



The 1st top 25 middle-income economy in the world

Latest Developments of CNIPA:

IP quality improvement project- Improving examination efficiency



Latest Developments of CNIPA:

IP quality improvement project- Improving examination quality



Improve exam.
quality
management
mechanism

Double
supervision &
Double
evaluation

Exam. Quality
supervisor

Exam. Quality
satisfaction
survey: 83.9
(2017)

Focus on enhancing
exam. quality of
important areas

Amendment to
Patent Exam.
Guidelines:
business modes,
computer-
implemented
inventions

Priority exam. in
the fields of
internet,
intelligent
manufacturing

Improve service
capability

Introduce IP
systems to users

Joint IP seminars



Latest Developments of CNIPA:

IP quality improvement project- Improving trademark Quality

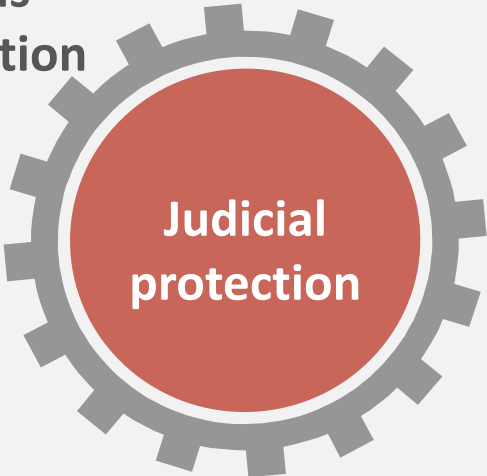


Latest Developments of CNIPA: enhancing IPR protection

Dual-track IPR Protection Mode
Two Optional Channels
Cooperation & Coordination



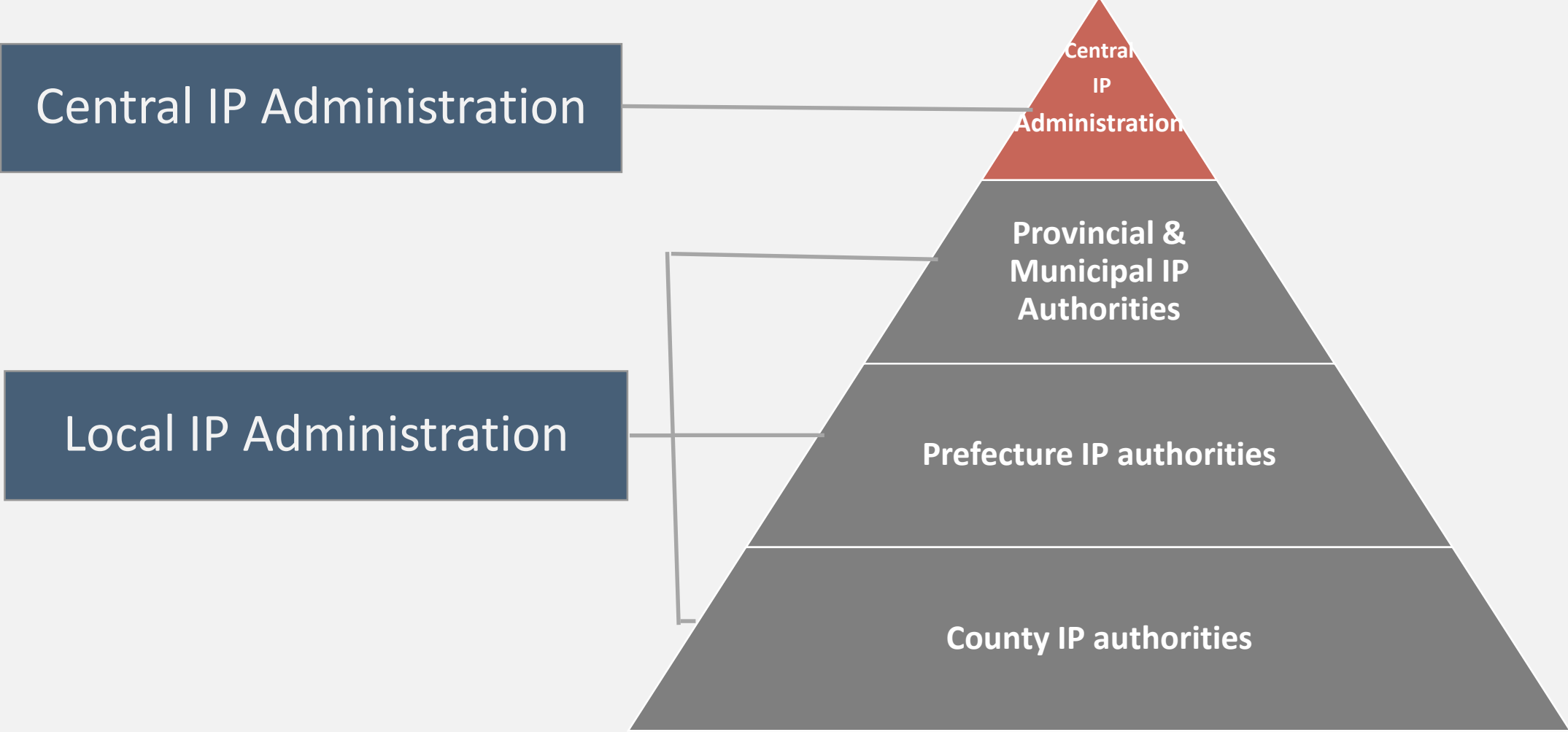
- Convenient procedure
- High efficiency
- Strong initiative



- Rigorous procedure



Latest Developments of CNIPA: enhancing IPR protection



Latest Developments of CNIPA: enhancing IPR protection



Strict Protection

- Formulate and revise relevant laws and regulations
- Adapt compensation amount to IP market value
- Improve the basis for enforcement of patent infringement judgments and counterfeiting



Comprehensive Protection

- Reg and Exam.
- Ad. Enforcement
- Judicial judgment
- Arbitration & Mediation
- Ind. Self-discipline
- Outsider Supervision



Fast Protection

- Expedited Examination
- Fast-track Ruling over Ownership Disputes
- Accessible Remedies for Infringed IP



Equal Protection

- Domestic vs. International
- State-owned vs. Private Sectors
- Big Enterprises vs. SMEs
- Units vs. Individuals

Latest Developments of CNIPA: enhancing IPR protection



Strict Protection

Formulate and revise relevant laws and regulations

- Promote the 4th *Patent Law* amendment: severely punish the act of infringement on purpose, extend duration of a design from 10 years to 15 years

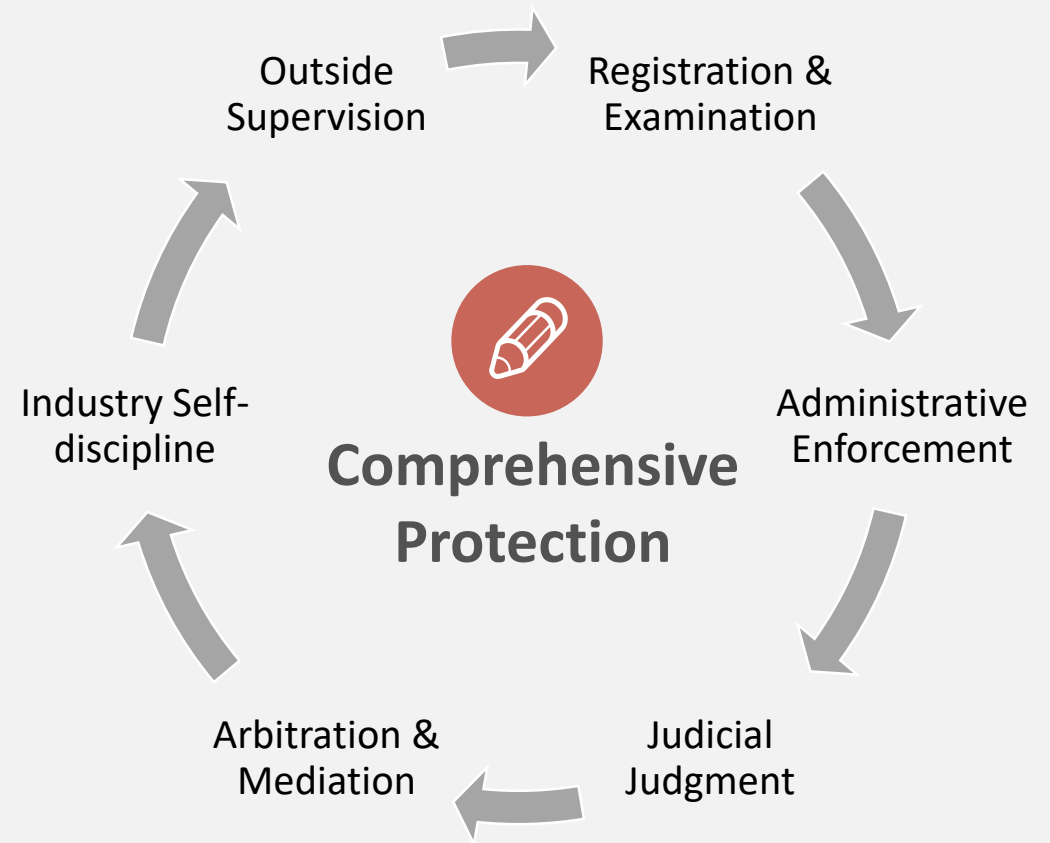
Adapt compensation amount to IP market value

- Market oriented
- Increase cost of violations
- Improve judicial remedies efficiency, timeliness, convenience

Improve the basis for enforcement of patent infringement judgments and counterfeiting

- Actively play the role of judicial appraisal agencies
- Promote IP credit system platform
- Implementing “*Opinions on Strict Protection for Patent Rights*”: 26 Provinces formulated detailed plans
- “Escort “action, “Thunder” action ,...

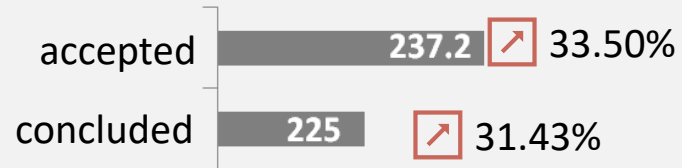
Latest Developments of CNIPA: enhancing IPR protection



Latest Developments of CNIPA: enhancing IPR protection



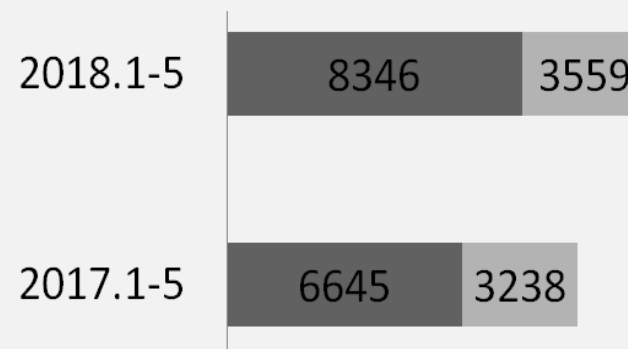
- 2017 IP cases handled by People's Courts (Unit: thousand):



- 3 IP courts: Beijing, Shanghai, Guangdong
- 15 special trial institutions for IP



- 2013-2017
Handled infringement/
counterfeiting cases
- Patent : 192K
 - Trademark: 173K



- 2018.1-5
Admin. Enforcement cases of
patents in total: 11905 ↑ 20.5%
- Patent dispute ↑ 25.6%
 - Counterfeit patent ↑ 9.9%

Latest Developments of CNIPA: enhancing IPR protection



Fast Protection

- Expedited Examination
- Fast-track Ruling over Ownership Disputes
- Accessible Remedies for Infringed IP

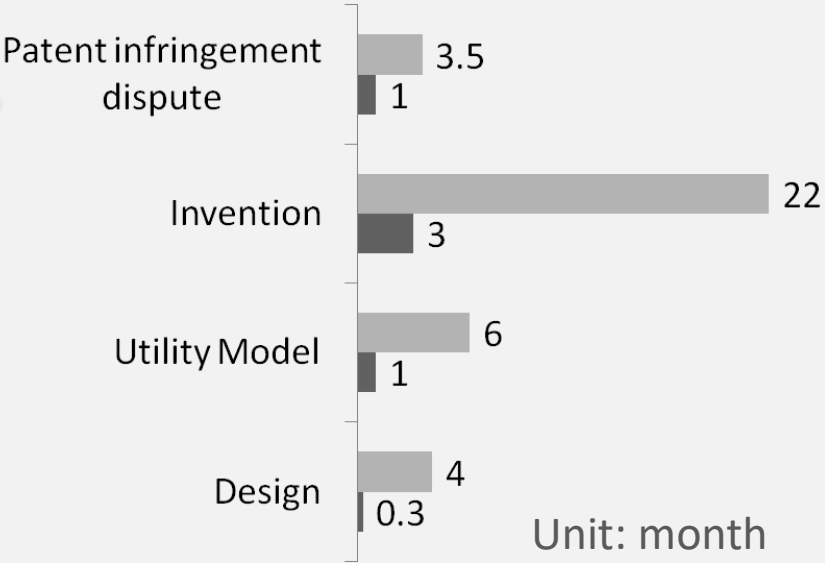


36

IPR protection centers & fast prosecution centers

Fast mediation for patent infringement disputes

Fast Examination Track



Latest Developments of CNIPA: enhancing IPR protection

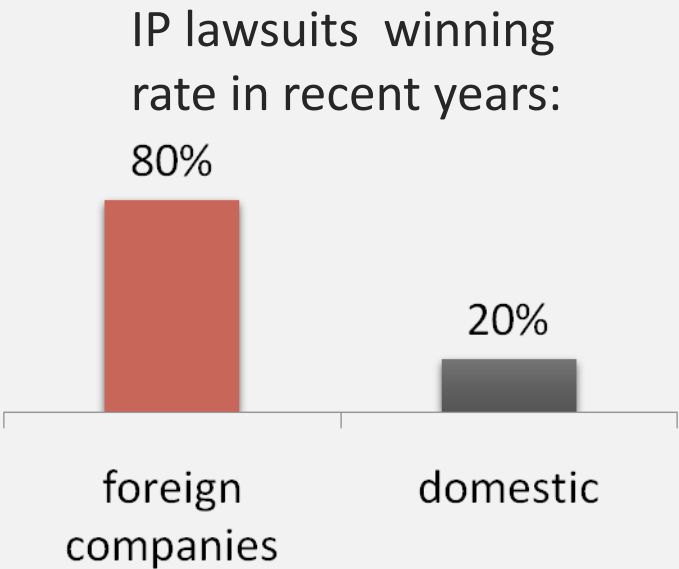


Equal Protection



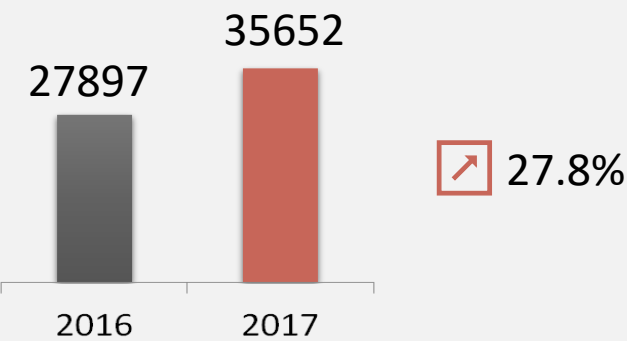
- Domestic
- State-owned
- Big Enterprises
- Units

- International
- Private Sectors
- SMEs
- Individuals

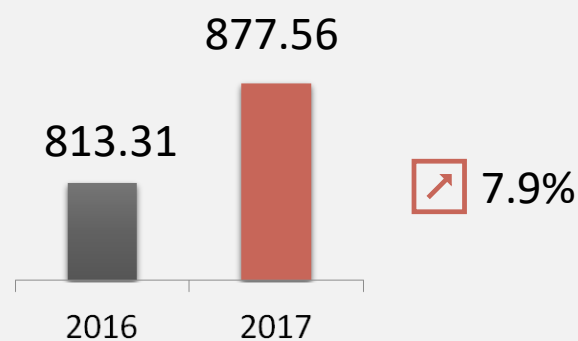


Latest Developments of CNIPA: enhancing IPR protection

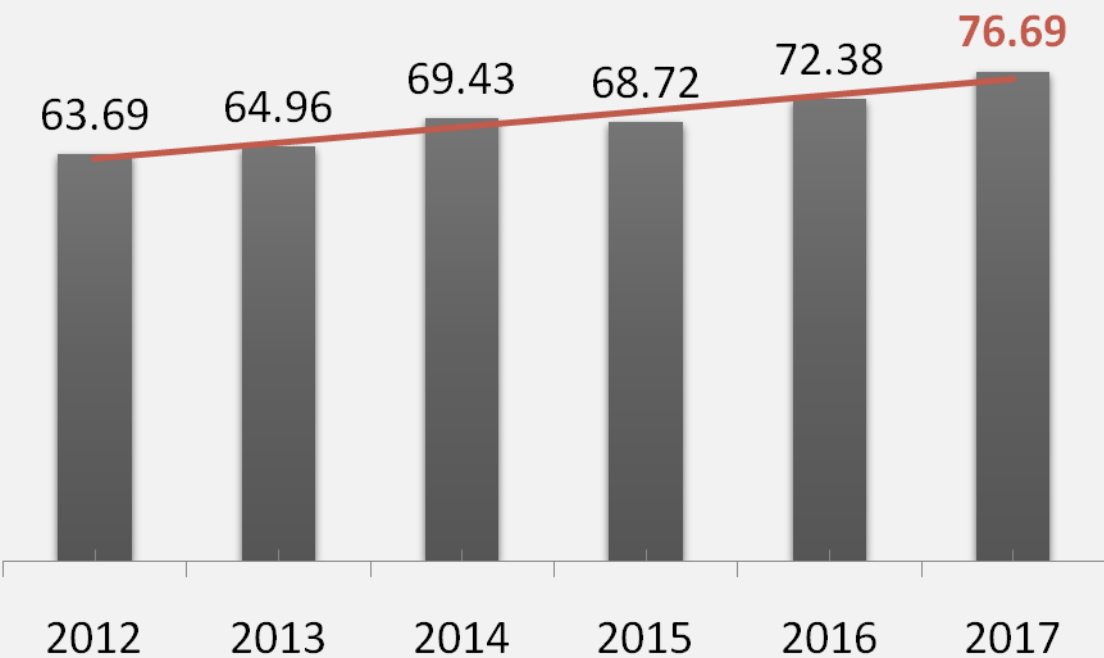
Newly established foreign-invested companies:



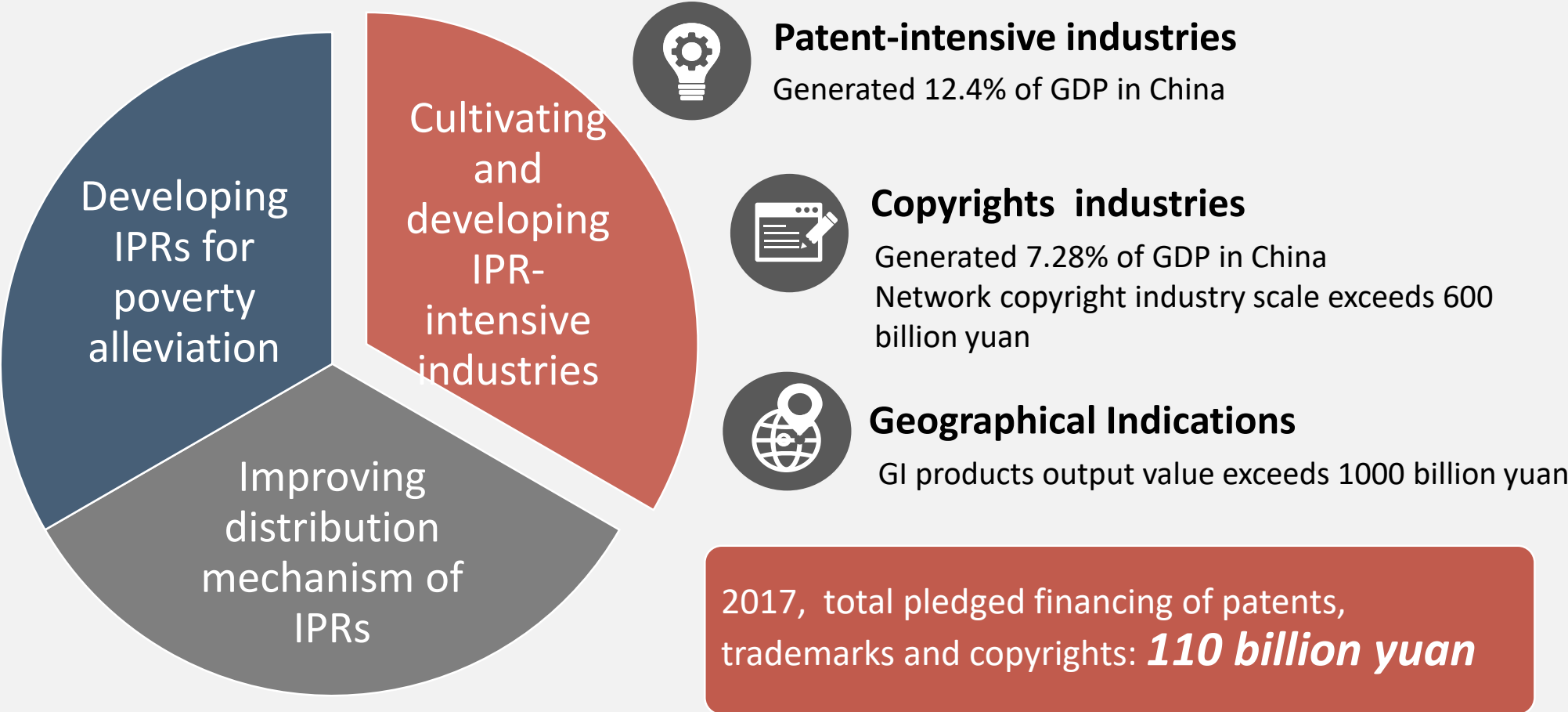
Actual use of foreign capital (billion yuan):



Social satisfaction score of IPR protection



Latest Developments of CNIPA: IP utilization



Latest Developments of CNIPA: IP cultural construction

Construct Comprehensive Propaganda

Increase the propaganda for specific groups such as innovative subjects and young people

Create a 3D media propagation matrix



Latest Developments of CNIPA: IP international cooperation



Belt and Road Initiative
Cooperation relationship with over 40 BRI countries

High-Level Conference on IP for BRI Countries (2016)

Belt and Road Forum for International Cooperation (2017)

High-Level Conference on IP for BRI Countries (2018)

.....



Latest Developments of CNIPA: IP international cooperation





*Thank you for
your attention!*