



Latest Developments of Intellectual Property in China

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Outline

Background of Establishing China's IP System

History of China's IP System

Main Characteristics of China's IP System

Administration of China's IP System

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Background of Establishing China's IP System

- The modern IP system in China, as a product of China's reform and opening up policy, has been developing since 1978.

Establishing IP organizations

Promulgating a series of IP related laws

Acceding to a series of international IP Treaties and Conventions

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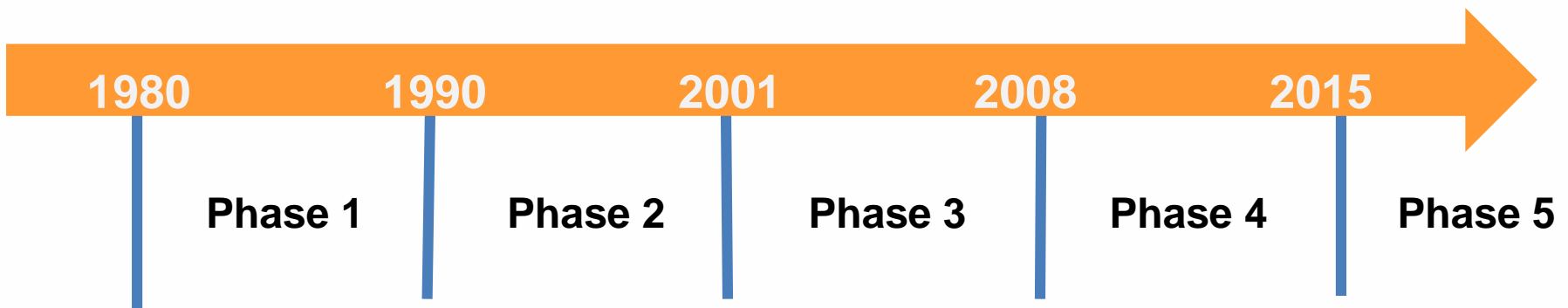
Main Characteristics of China's IP System

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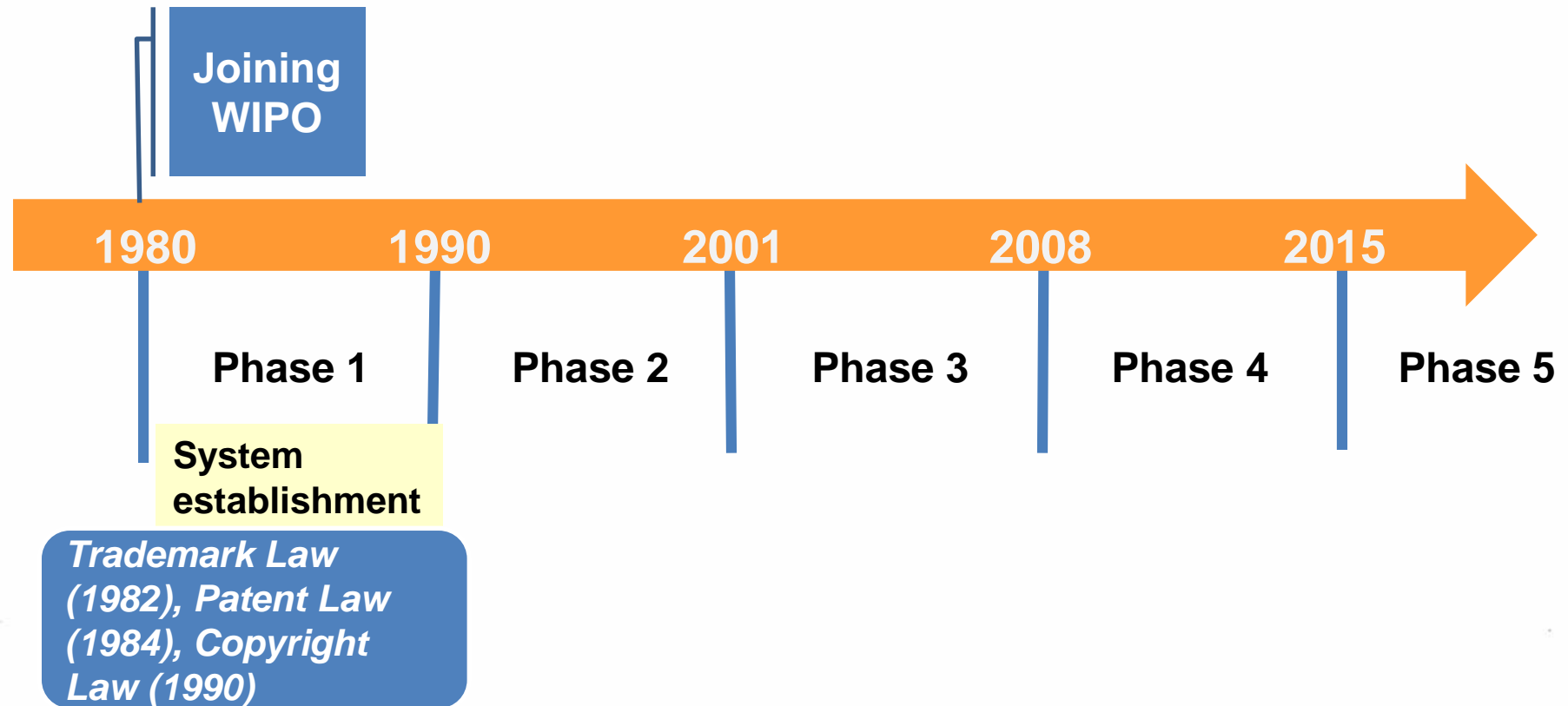
History of China's IP System

- Development Phases



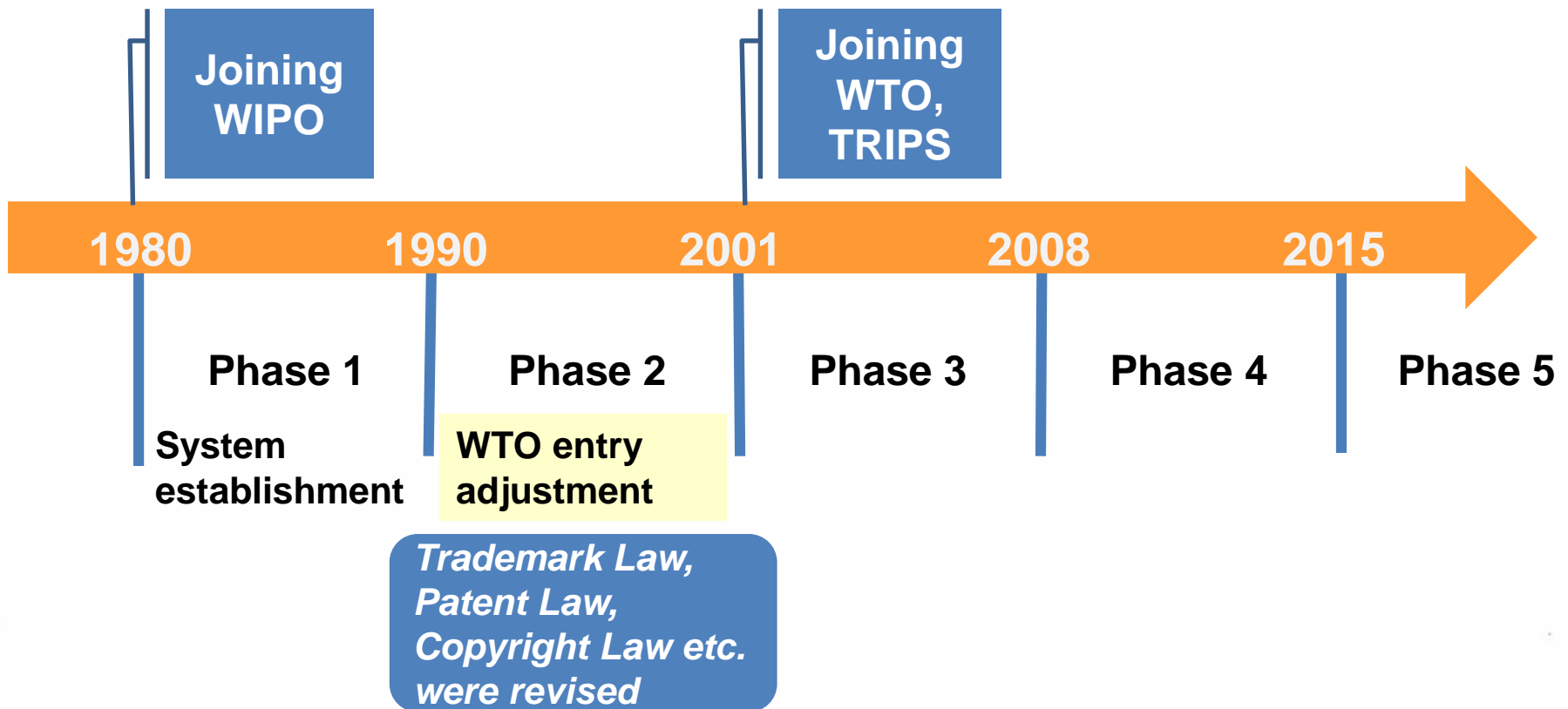
History of China's IP System

- Development Phases



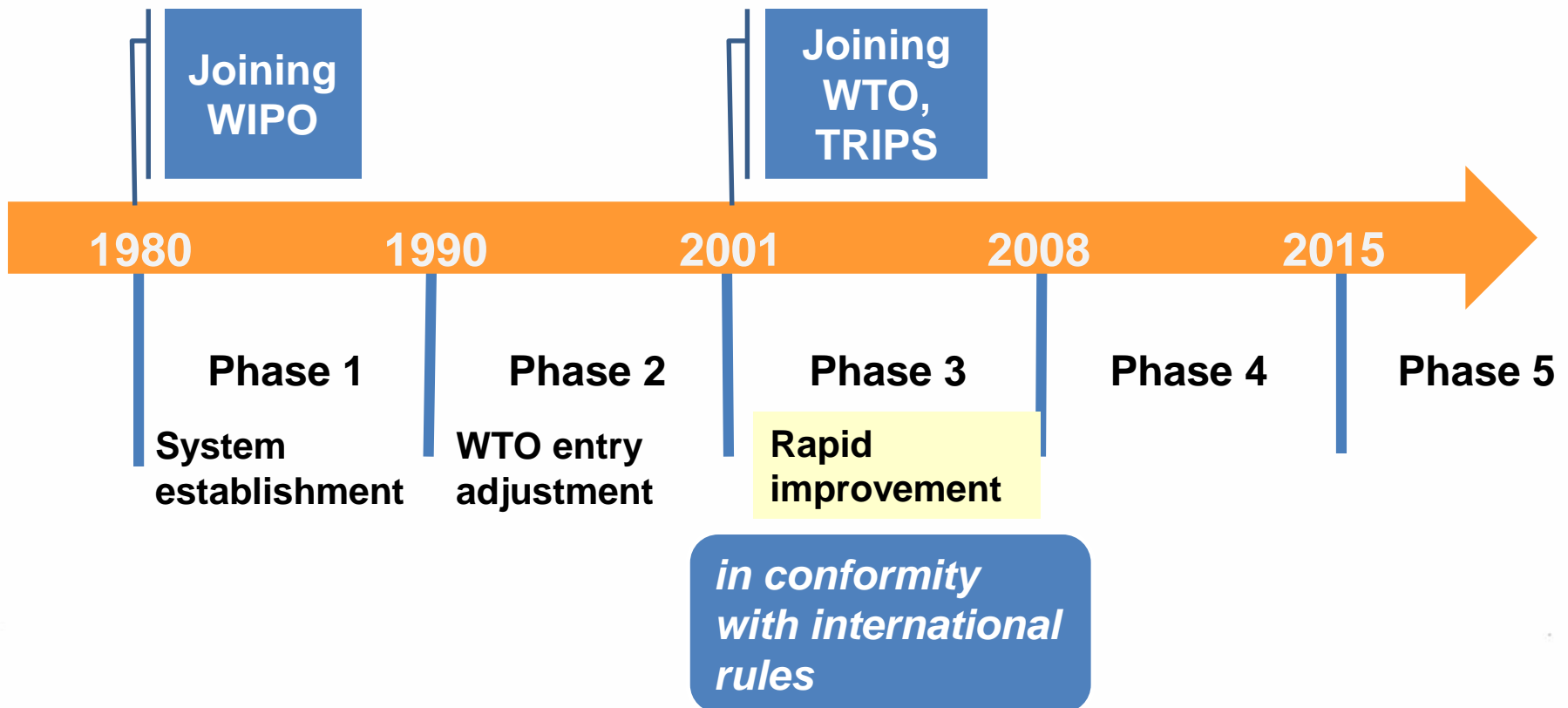
History of China's IP System

- Development Phases



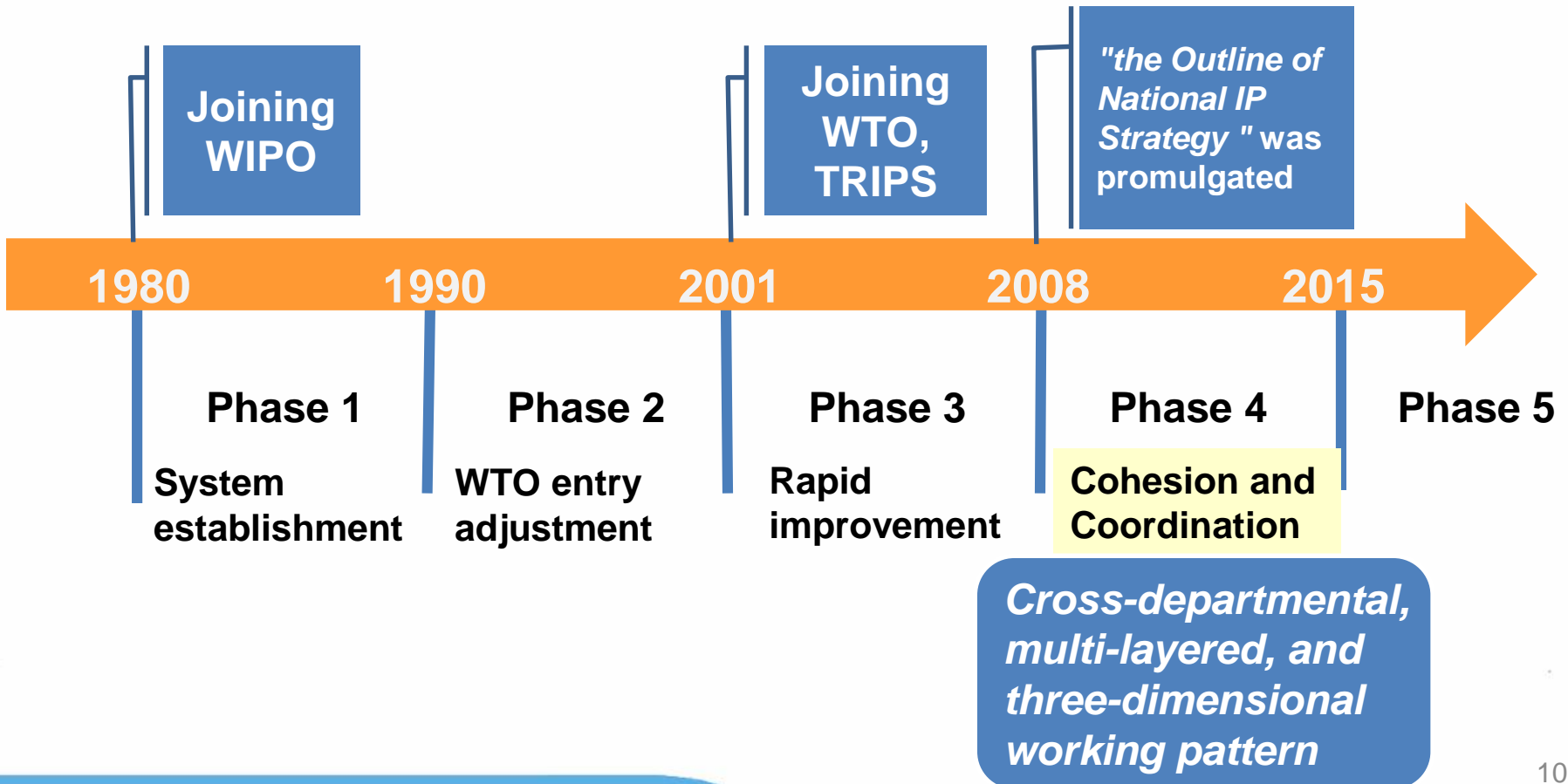
History of China's IP System

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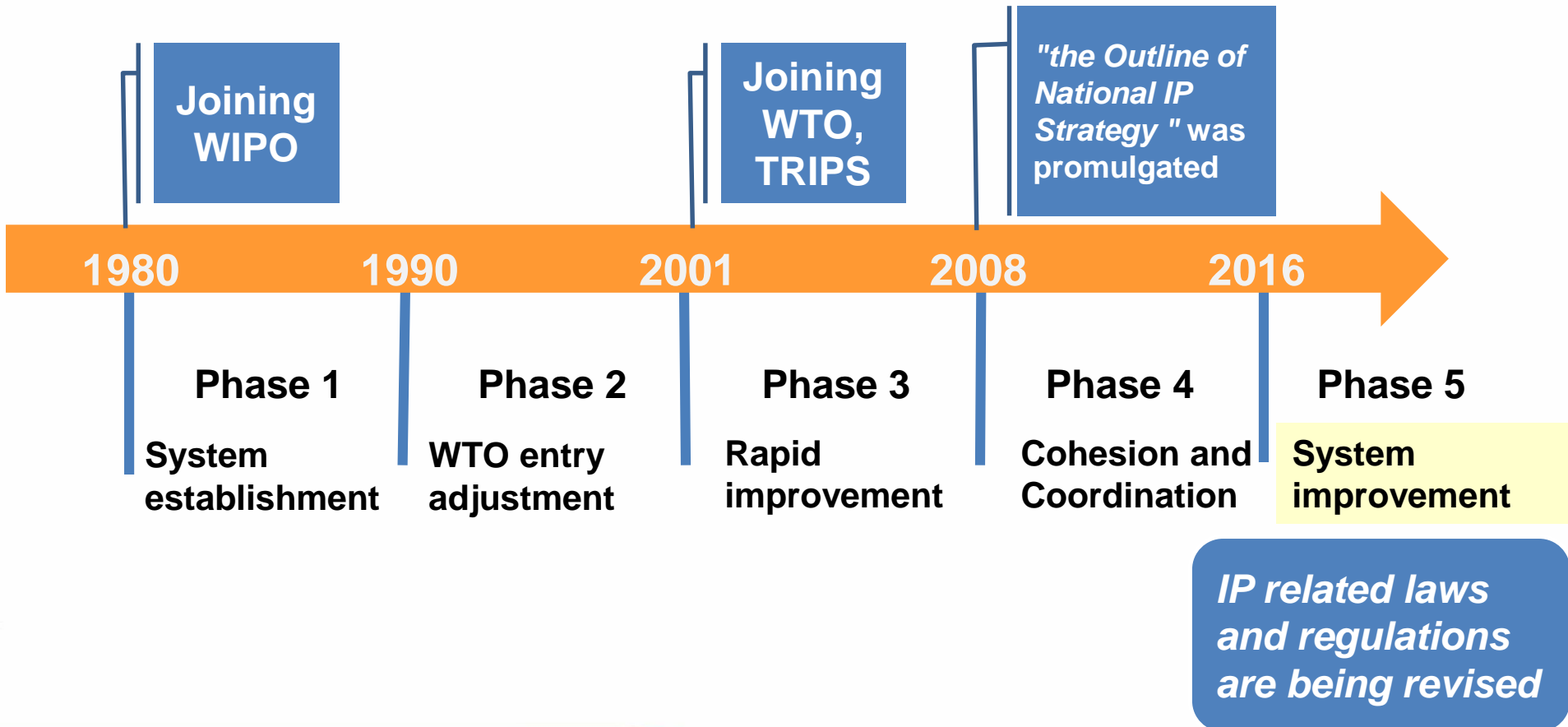
History of China's IP System

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Main Characteristics of China's IP System (1)

Originated from Europe and the *Civil Law System*

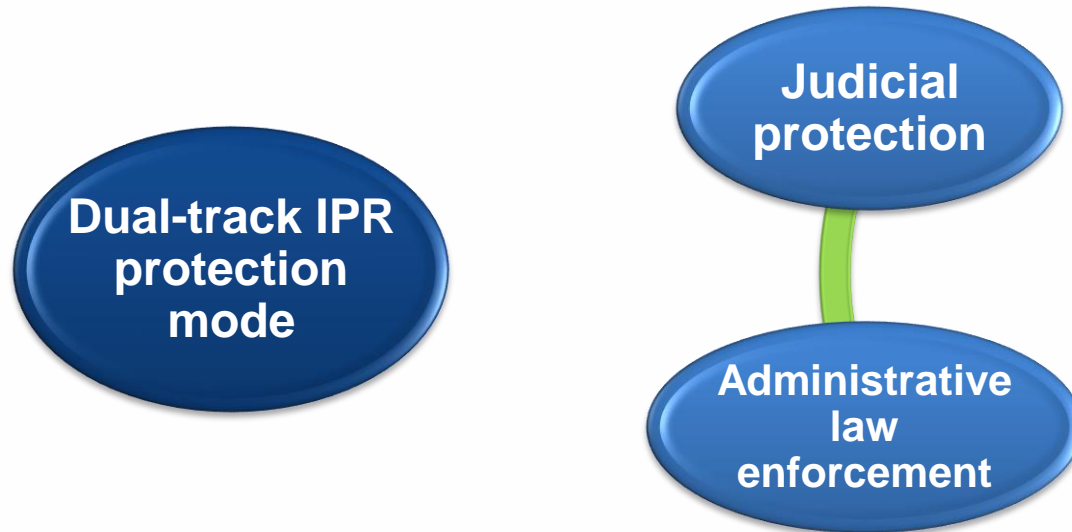
Extensively absorbing the essence of IP systems in various countries

Considering and combining the practical situation and conditions of China

Being in conformity with international rules

Main Characteristics of China's IP System (2)

Constructing diversified IPR protection patterns



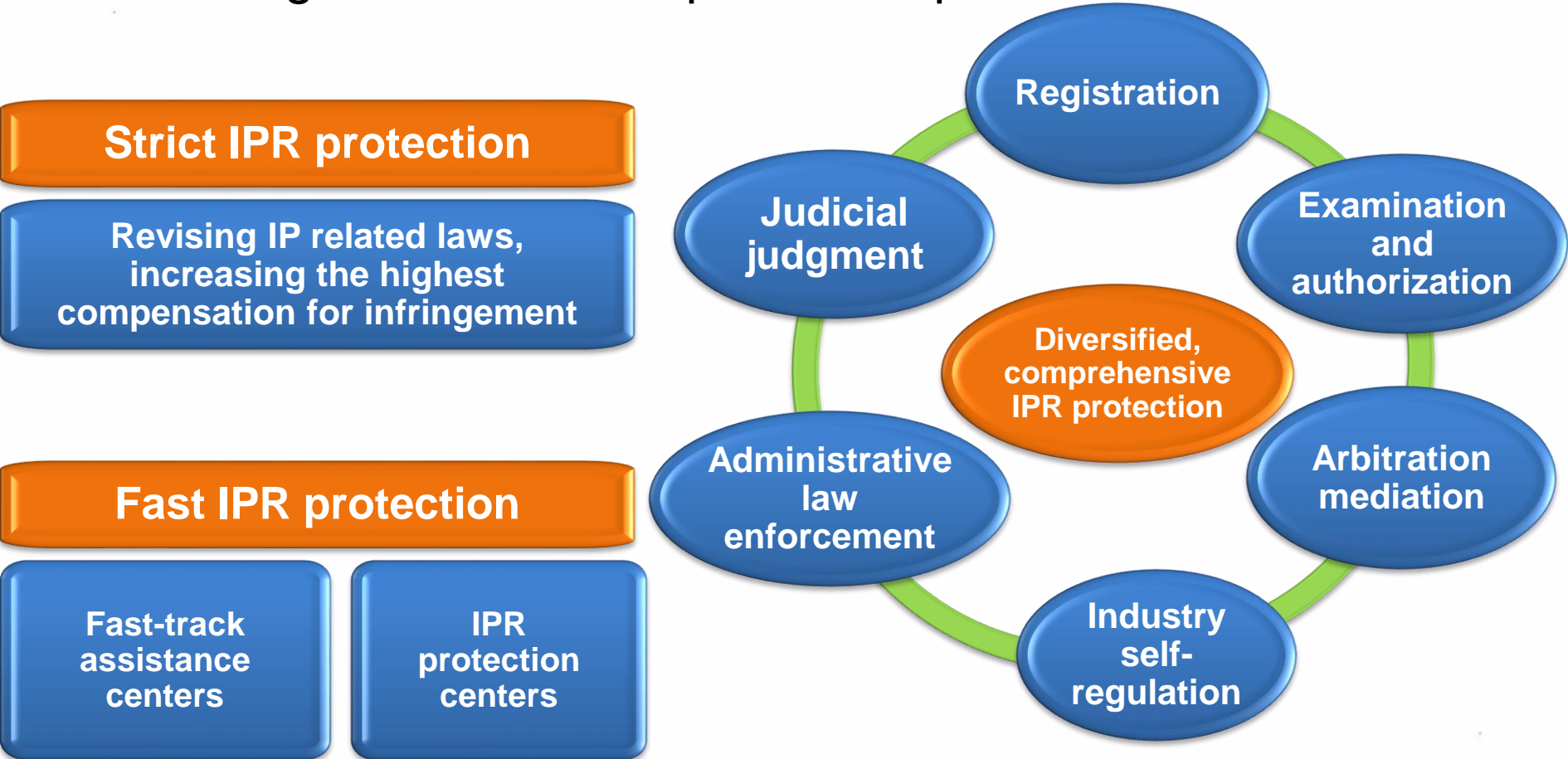
Main Characteristics of China's IP System (2)

Constructing diversified IPR protection patterns

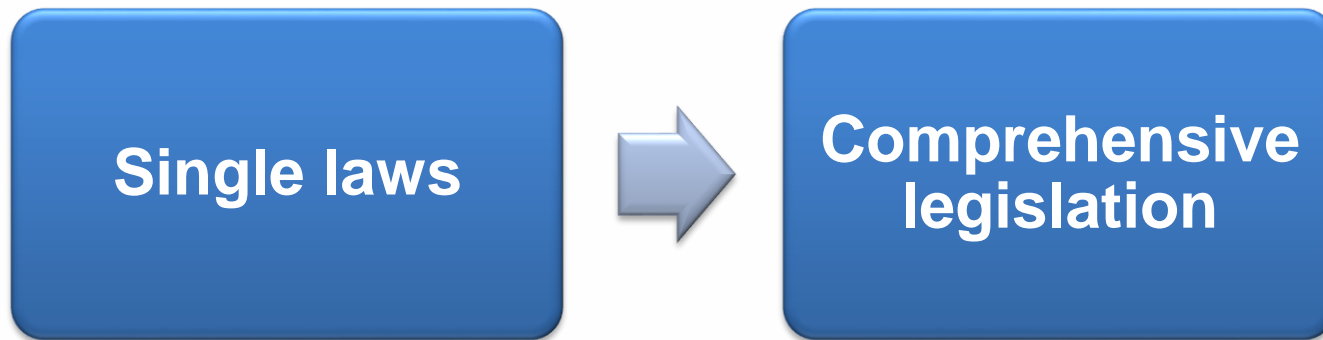


Main Characteristics of China's IP System (2)

Constructing diversified IPR protection patterns



Main Characteristics of China's IP System (3)



In March 2017, the *General Principles of Civil Law* was promulgated, in which the objects of IP were made a general provision, which provides the basis for the establishment of *IP law* in the *Civil Law*.

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Working mechanism of IP in China

Central level

Local level

SIPO

NCAC

SAIC

MOA
SFA

GAC
MOST
MOC
etc.

Provincial, municipal,
and county IP
authorities

Patents,
IC layout
designs

Copyright

Trademark

New
varieties
of plants

Other
related
IP work

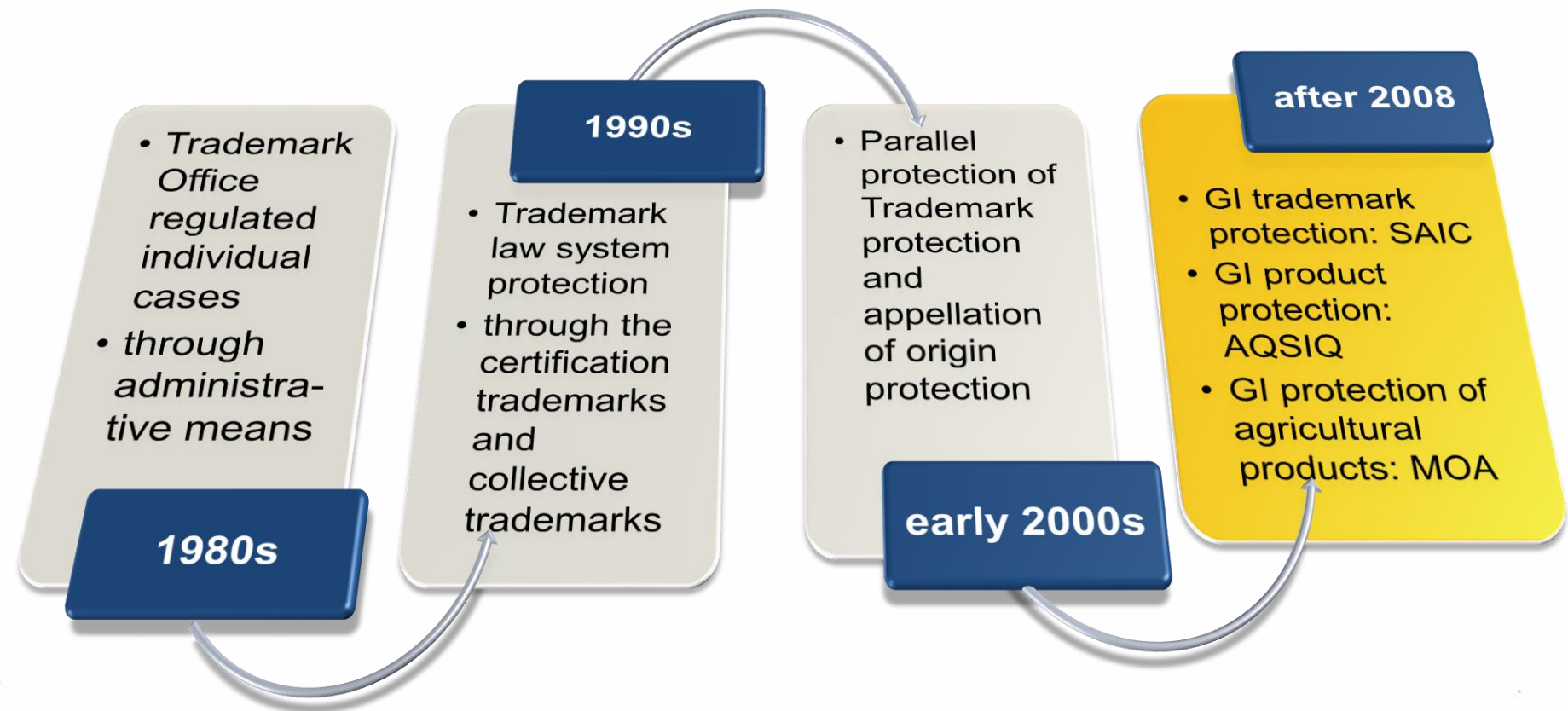
Local IP
policies

Administrative
law
enforcement

Public
service

Administration of China's IP System

Geographical Indications (GIs) protection in China:



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Implementing the national strategy with strong IP competence



"Construction of the Nation with Strong IP Competence" was officially written into the *Outline of the National Strategy of Innovation-Driven Development*, *Report on the Work of the Government*, and the outline of the national 13th Five-Year Plan, becoming one of the central deployed nine power construction strategy tasks

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The *13th Five-Year IP Plan* was brought into the national key special planning for the first time, as one of the 22 pieces of national key special planning.

The indicator of “invention patent ownership per 10,000 people” continued to be written into the outline of the national *13th Five-Year Plan*, as one of 25 main indicators of economic and social development.

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Promoting integrated IP administration reform

- *Integrated IP Administration Reform Pilots Program* has become one of the important reform tasks deployed by the central government.

To match the requirements of *the National Strategy of Innovation-Driven Development*

To be in line with the direction of accelerating the transformation of government functions

Goal: to construct an integrated IP administration system

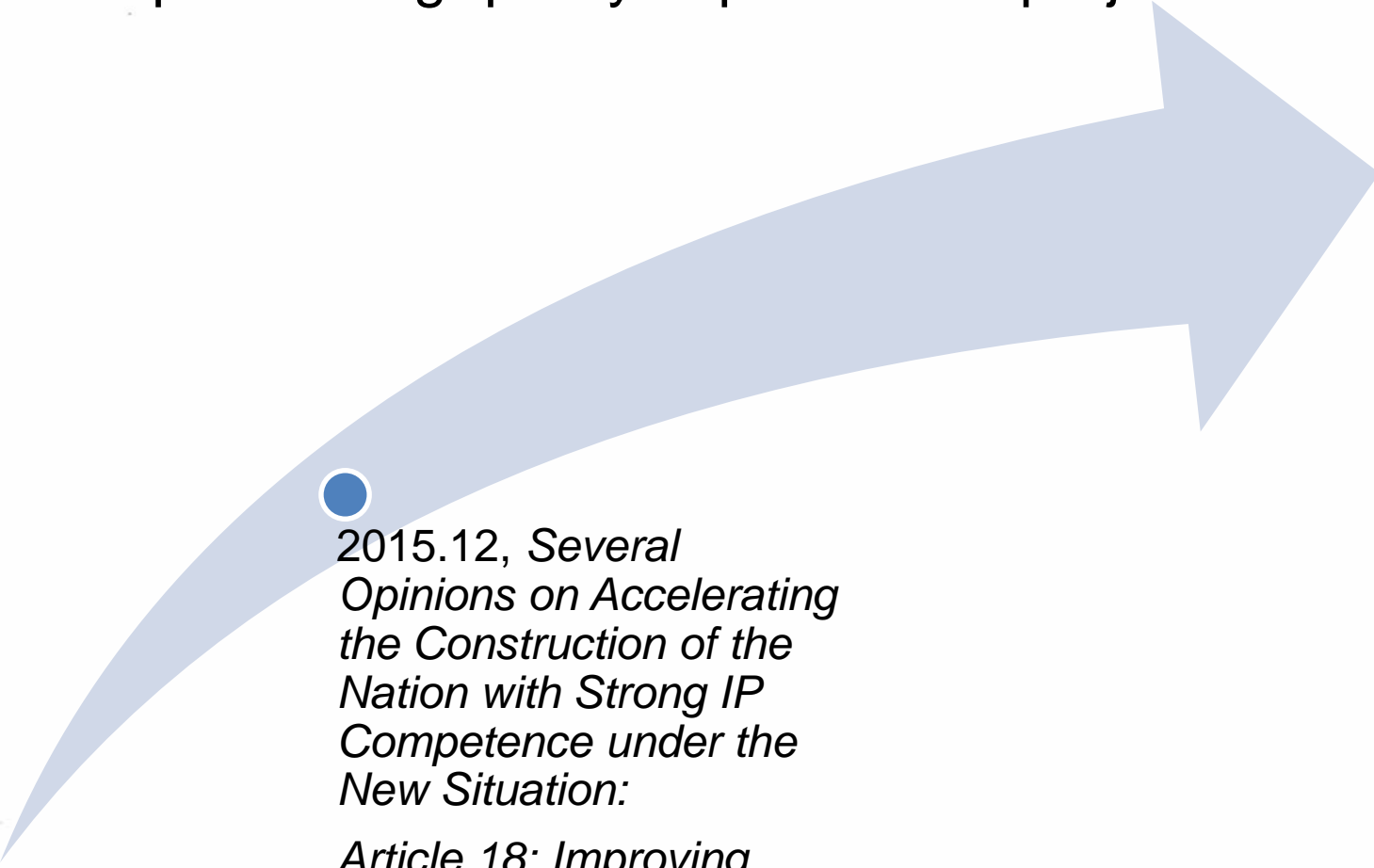
To integrate with the international rules

To improve management efficiency, support innovation-driven, and promote healthy and stable economic development

Shanghai Pudong and other pilots have made progress

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Implementing quality improvement project

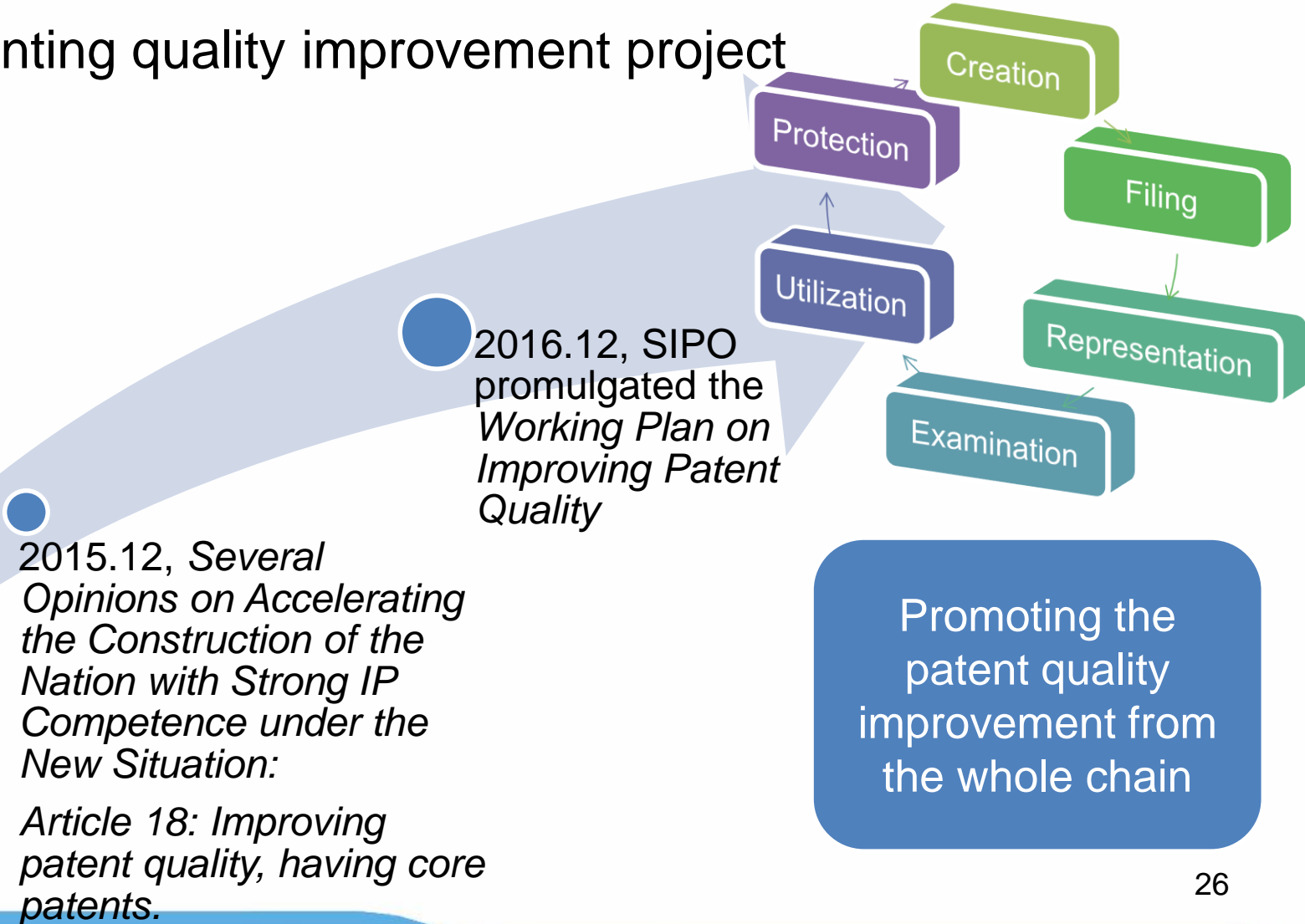


2015.12, *Several Opinions on Accelerating the Construction of the Nation with Strong IP Competence under the New Situation:*

Article 18: Improving patent quality, having core patents.

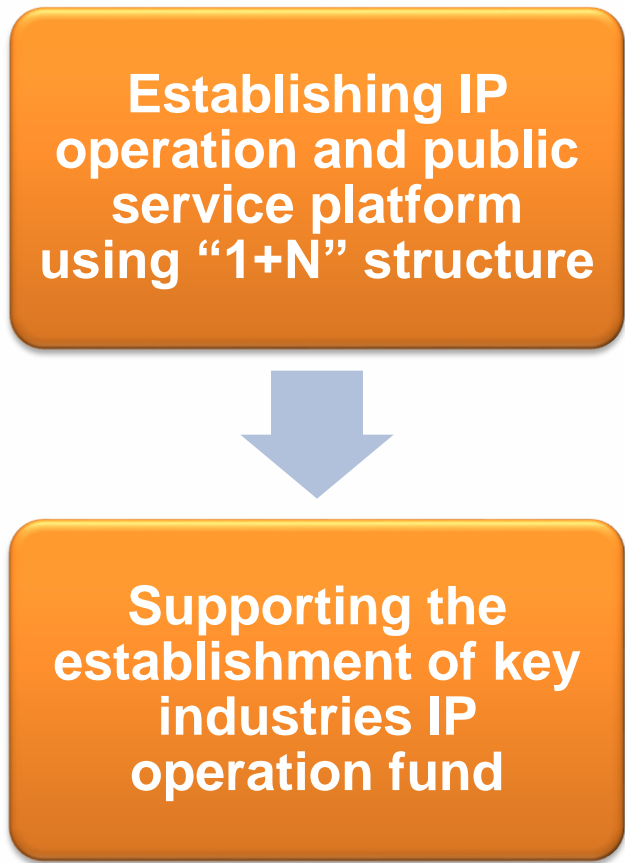
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Implementing quality improvement project



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Promoting IP utilization



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Overview of SIPO

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Main duties of SIPO

Organization

- National IPR protection work
- drafting the five-year-plan of IP development strategy

Coordination

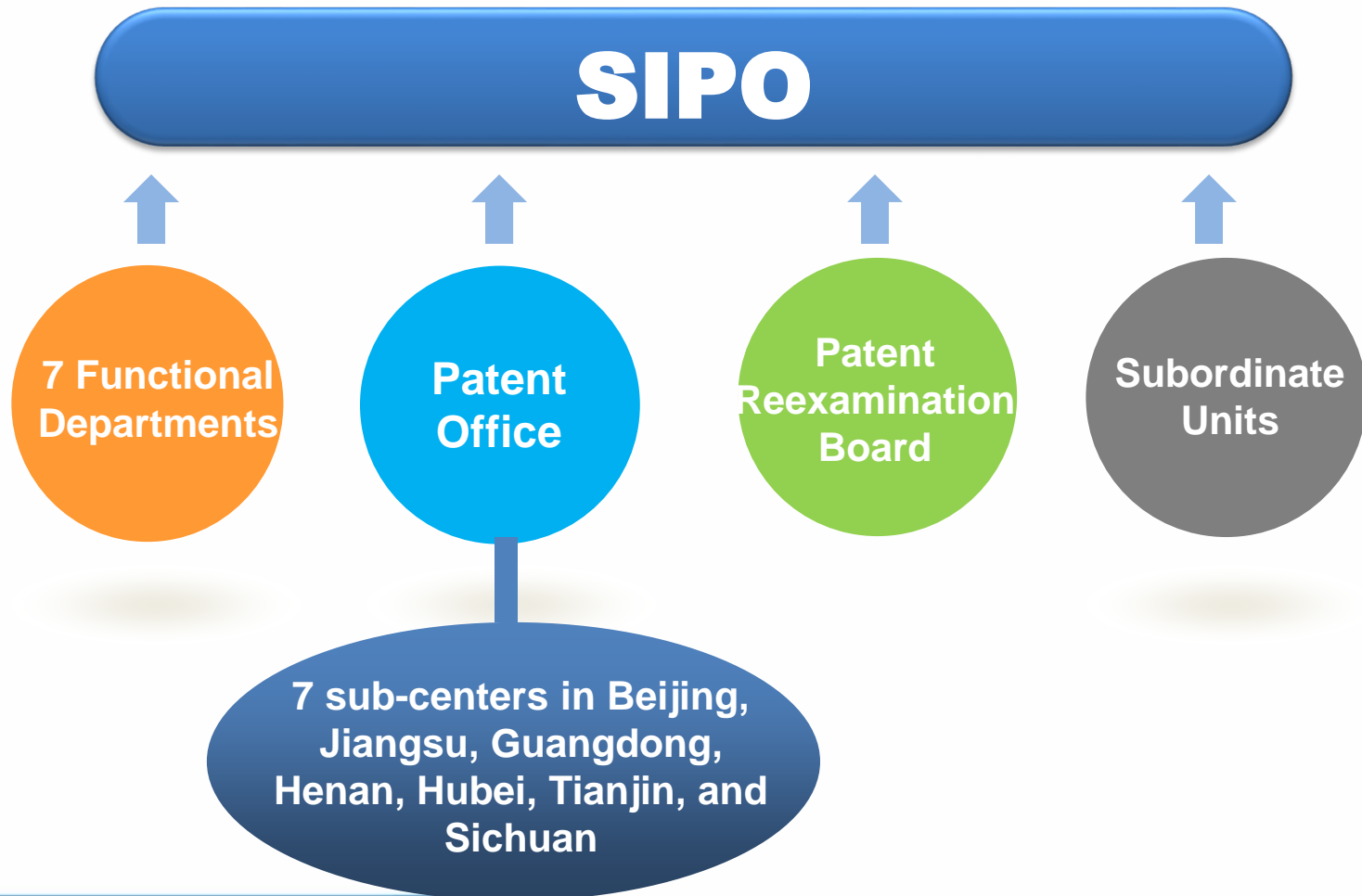
- Foreign-related IP affairs, especially WIPO-related affairs

Administration

- Standardizing the basic order of patent administration, drawing up related laws and policies
- Patent popularization and training work
- patents
- layout design of integrated circuit

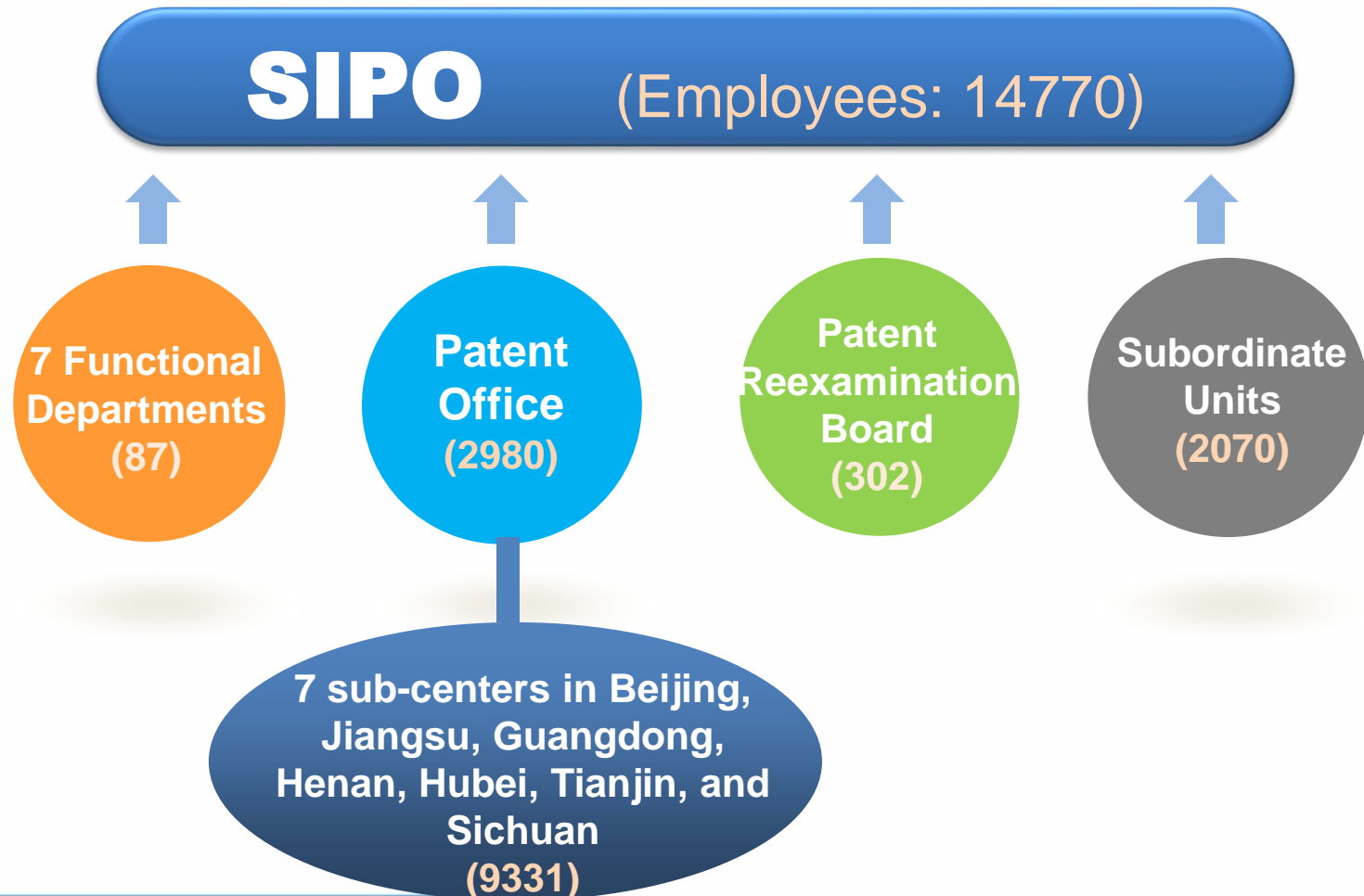
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Organizational Structure and Personnel of SIPO



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Statistics

	Total	Home	Abroad	PCT	Invention	Utility Model	Design
2015	2798500	2639446	159054	30548	1101864	1127577	569059
2016	3464824	3305225	159599	44992	1338503	1475977	650344
Growth Rate	23.8%	25.2%	0.3%	47.3%	21.5%	30.9%	14.3%

- The number of domestic invention patents exceeded 1 million.
- “Invention patent ownership per 10,000 people” reached to 8.0.
- Invention patent examination period is stable, about 22 months.

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International cooperation

WIPO

- Deepening friendly cooperation with WIPO
- MoU on voluntary donation was signed marking the establishment of WIPO China Trust Fund

Multilateral

- IP5
- ID5
- BRICS countries
- China-ASEAN
- China, Japan and Korea
- China, Mongolia and Russia

Bilateral

- Deepening friendly cooperation with IP institutions from various countries and districts
- EPO, EUIPO
- Continuously expanding new partnership

Thank you for your attention!

