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Solar
term

BEGINNING OF SUMMER

When the sun locates exactly at the celestial longitude of 45°, it marks the beginning of summer. In Chinese culture, this solar term always relates to a series of agricultural activities because of the suitable temperature and rain at this time of year, for instance, rice transplanting and tea leaf picking. There used to be a variety of traditional customs to celebrate the occasion, some of which are still popular today, such as eating eggs.

Chapter III



Improving Effectiveness of IP Protection to Create Top-Level Business Environment

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01

Implementation of the *Opinions on Strengthening the Protection of Intellectual Property Rights*

CNIPA issued the *Plan for Developing the National Intellectual Property Protection Demonstration Zones* to select the first batch of cities (regions) to be developed into national IP protection demonstration zones. In collaboration

with the Publicity Department of the CPC Central Committee and 30 other authorities, CNIPA formulated the *Promotion Plan for Implementing the Opinions on Strengthening the Protection of Intellectual Property Rights*.

02

Survey on Social Satisfaction to IP Protection

A nationwide survey on social satisfaction to IP protection for 2022 was conducted in 31 provinces (autonomous regions and municipalities). The survey covered 5 primary indicators, 11 secondary indicators, and 31 tertiary indicators, relating to laws and policies, law enforcement, mechanism building, awareness enhancement, and protection effects.

The results showed that the national social satisfaction rating on IP protection reached a record-high 81.25 (out of 100) in 2022, an increase of 0.64 over 2021, and an increase of 17.56 over the first survey (2012).

03 Mechanism for Handling Foreign- Related IP Disputes

The foreign-related IP risk prevention & control system was optimized, and progress was made in building IP security and risk prevention & control platforms for strategic emerging industries. Further guidance was offered for handling overseas IP disputes.

The supply of overseas IP information was reinforced. On the revised and upgraded version of “worldip.cn”, an overseas IP information service platform, more than 500 pieces of information such as overseas IP official fees

were updated, and a guide for seeking IP protection in Republic of Korea, Mexico, Brazil, Kazakhstan and other countries, as well as the *2021 Annual Report on Intellectual Property Litigation Involving Chinese Entities in the U.S.*, were released. The *Correspondence on the Intellectual Property Protection in China* was drafted in collaboration with the China Council for the Promotion of International Trade (CCPIT), and released to more than 340 chambers of commerce in more than 70 countries around the world.

04 Development of the IP Protection System

4.1 Mechanism of fast-track and coordinated IP protection

A total of 10 protection centers and fast-track IPR enforcement centers were newly approved and established. As of the end of 2022, there were 62 national IP protection centers and 35 fast-track IPR enforcement centers nationwide. The third series of IP protection case simulation activities were held. With the support of the IP protection

centers and the fast-track IPR enforcement centers, CNIPA launched a pilot program on expedited processing of IP disputes to reduce the time for handling disputes. Throughout the year, these centers handled more than 71 thousand IP protection and IPR enforcement cases and accepted 137 thousand patent pre-examination cases.

4.2 Continued efforts to tackle bad faith trademark applications

CNIPA focused its efforts to tackle bad faith trademark applications for trademark registration, and referred 110 clues to cases suspected of involving major adverse

effects and bad faith applications were transferred to local governments, relating to 1,239 pieces of information on applications for trademark registration.

4.3 Improving the IP protection system

The bridging mechanism between lawsuits and mediation was improved, and more than 1.2 thousand IP dispute mediation organizations in China accepted a total of 88 thousand mediation cases; the *Provisions of the China National Intellectual Property Administration on Intellectual Property Credit Management* were promulgated, and a notice disclosing the information of the first batch of 25 law-breaking and dishonest entities was circulated.

In 2022, the online service platform for IPR enforcement aid of China received nearly 3 million visits. There were

more than 2 thousand IPR enforcement aid agencies nationwide, and nearly 10 thousand volunteers engaged in IPR enforcement aid. Throughout the year, a total of 71 thousand applications for IPR enforcement aid were processed, consultation and guide services were provided in 49 thousand cases, and 11 thousand infringement determination opinions were issued.

The *Administrative Measures for the Creation of Standardized Markets for the Protection of Intellectual Property Rights* were released.

05

Strengthened Guidance to Administrative IP Protection

5.1 Further guidance to IP law enforcement

The *Interpretation and Application of the Criteria for Determination of Trademark Infringement*, the *Interpretation and Application of the Criteria for Determination of General Trademark Violations*, and the *Interpretation and Application of the Second Batch of IP Administrative Law Enforcement Guiding Cases* were promulgated. Information on typical

cases of IP administrative protection in 2021 were compiled and released. The second batch of guiding cases (three in total) on IP administrative law enforcement were released to guide the law enforcement and IP protection efforts of local governments.

5.2 Strengthened administrative adjudication of patent infringement disputes

The mechanisms for administrative adjudication of major patent infringement disputes and early resolution of pharmaceutical patent disputes were implemented, and the first batch of cases (two in total) concerning administrative adjudication of major patent infringement disputes and

cases (70 in total) concerning the early resolution of pharmaceutical patent infringement were concluded. In 2022, there were 58 thousand cases concerning patent infringement disputes that were handled nationwide, a year-on-year increase of 16.8%.

5.3 Mechanism of cooperation on inter-departmental and cross-regional IP protection

CNIPA promulgated a policy document to strengthen coordinated IP protection, deepen the cooperation between administrative protection and judicial protection, and improve the connectivity between administrative and criminal penalties in collaboration with the Supreme People's Procuratorate. CNIPA guided 12 provinces and

cities including Shanghai and Jiangsu, 9 provinces and autonomous regions in the Yellow River Basin, the Yangtze River Delta G60 Science & Technology Innovation Valley, and the Nanjing metropolitan area to strengthen cross-regional collaboration in administrative protection.

5.4 Strengthened administrative IP protection

CNIPA released the *2022 National Intellectual Property Administrative Protection Work Plan*, and launched special campaigns for e-commerce, exhibitions, and other key

fields, links, and areas in which IP infringements are likely to occur.

5.5 System of technical support for IP infringement disputes

CNIPA released the *Guiding Opinions on Strengthening the Intellectual Property Identification* and issued the *Opinions on Strengthening the Alignment between Authorities in the Identification of Intellectual Property Rights* jointly with the Supreme People's Court and other five authorities.

A national database of technology investigators in IP administrative protection was developed. The first online training workshop for technical investigators in administrative IP protection was held.

5.6 Training of IP law enforcement officers

The 2022 training workshop on administrative adjudication of patent infringement disputes and IP capacity building was held. Jointly with the Supreme People's Procuratorate, CNIPA held special seminars on difficult and complex

issues in handling IP cases and helped local governments to organize 20 training sessions on administrative IP protection.

06

Accelerating the Development of the System for Uniform Recognition of GIs

6.1 Improving policies, systems, and criteria for the protection of GIs

Efforts were made to promote the development of a unified recognition system for GIs. A book titled "Compilation of Laws and Regulations on Protection of Geographical Indications (Laws and Regulations in China, and

International Conventions and Treaties)" was published. The "14th Five-Year Plan for the Protection and Use of Geographical Indications" was issued.

6.2 Strengthening administrative protection of GIs

Implementation of the *Guiding Opinions on Further Strengthening the Protection of Geographical Indications* in local regions was promoted. CNIPA selected and released typical cases of administrative protection of GIs, Olympic

symbols, and special signs in 2021. The administration also organized training sessions on improving the capacity of protecting GIs, official signs, and special signs.

6.3 Development of pilot and demonstration programs of GI protection

The first batch of pilot programs for reforming the approval of the use of the special sign for GIs were examined and accepted, and the second batch of pilot programs in 20 provinces and cities including Anhui and Shanghai were launched. The preparation of 29 national demonstration zones for the protection of GI products was approved,

and one national demonstration zone for the protection of GI products was approved and started operation. CNIPA strengthened the management of the use of the special sign for GIs and drafted and released the *Report on the Development of Protection of Geographical Indications (2021)*.

07

Protection of Official Signs, Special Signs, and Olympic Symbols

Two official signs for the crewed space missions of China were recorded, and 31 special signs related to the Healthy China Initiative, Asian Games Hangzhou, and China's crewed spaceflight series missions were registered. The special signs for the emblems of the Asian Games, namely,

"Chao Yong", and the China International Aviation & Aerospace Exhibition in Zhuhai were renewed. The protection of 8 symbols of the Beijing 2022 Winter Olympics was announced.

08

Cooperation in GIs and Trademarks

CNIPA promoted the implementation of the *Agreement Between the European Union and China on Cooperation on, and Protection of, Geographical Indications* was promoted, and published the "Directory of GI Products Recognized and Protected by China and the EU under the *Agreement Between the European Union and China on Cooperation on, and Protection of, Geographical Indications* (the First

List of Chinese Products)". The administration announced the acceptance of the applications for the protection of 175 GIs of the EU, including Rhine Rum. Efforts were paid to facilitate the announcement of EU Commission's acceptance of the applications for the protection of 175 Chinese GIs, including Jinhua ham.