



III Comprehensive Reinforcement of IP Protection



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In 2021, CNIPA took active measures to implement the *Opinions on Strengthening the Protection of Intellectual Property Rights*. Progress was made in optimizing the mechanism for handling foreign-related IP disputes and the system for IP protection, and providing further guidance to administrative protection of IP rights. China's efforts and achievements in IP protection have been widely recognized, and the social satisfaction rating on IP protection has risen to 80.61.

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

CNIPA continued to push forward the implementation of the *Opinions on Strengthening the Protection of Intellectual Property Rights* (hereinafter referred to as "the *Opinions*") and relevant promotion plans. To implement the scheduled tasks under the supervision and inspection plan of the CPC Central Committee, CNIPA conducted inspection and assessment on IP protection in 2021 in conjunction with the Publicity Department of the CPC Central Committee and the State Administration for Market Regulation (SAMR).

In addition, CNIPA drafted the *Promotion Plan for Implementing the Opinions on Strengthening the Protection of Intellectual Property Rights (2022-2023)*.

CNIPA made progress in the development of the national IP protection demonstration zones and formulated the *Plan for Building the National Intellectual Property Protection Demonstration Zones*. It pushed forward evaluation on IP protection and established a system for IP protection evaluation index.

02 Mechanism for handling foreign-related IP disputes

In 2021, the development of the mechanism for handling overseas IP disputes yielded positive results. The *Guiding Opinions on Further Improving the Mechanism for Handling Overseas Intellectual Property Disputes* was issued jointly with the China Council for the Promotion of International Trade (CCPIT). The National Guidance Center for Handling Overseas IP Disputes functioned effectively, and 22 sub-centers established at the provincial, municipal and county levels provided guidance for more than 569 IP dispute cases, and delivered services for more than 2,400 cases.

The supply of overseas IP information kept growing.

The National Overseas Intellectual Property Information Service Platform¹ was upgraded, with more than 300 new articles on overseas IP information, 76 new typical cases, and IP environment profiles of 14 countries/regions updated in 2021.

CNIPA took further steps to effectively raise the awareness and the capacity of enterprises in overseas IP protection. More than 100 special training sessions were organized for a total of 56,000 participants on prevention and control of overseas risks, response to disputes, IP protection by customs, and other related topics.

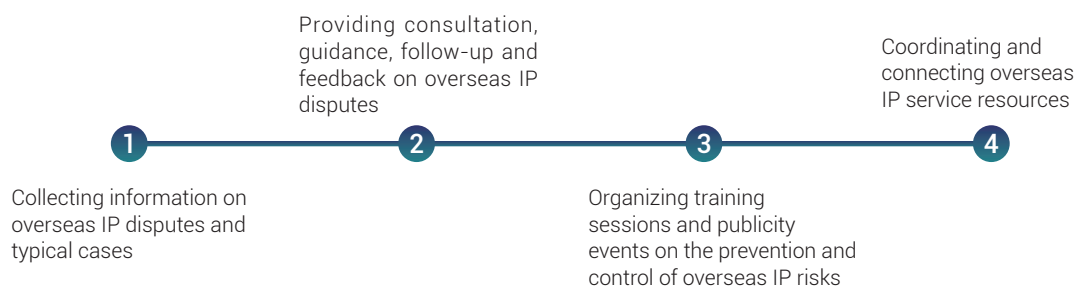


1. <https://www.worldip.cn>.



Annual Conference on Guidance for Handling Overseas IP Disputes 2021

Services Provided by the National Guidance Center for Handling Overseas IP Disputes



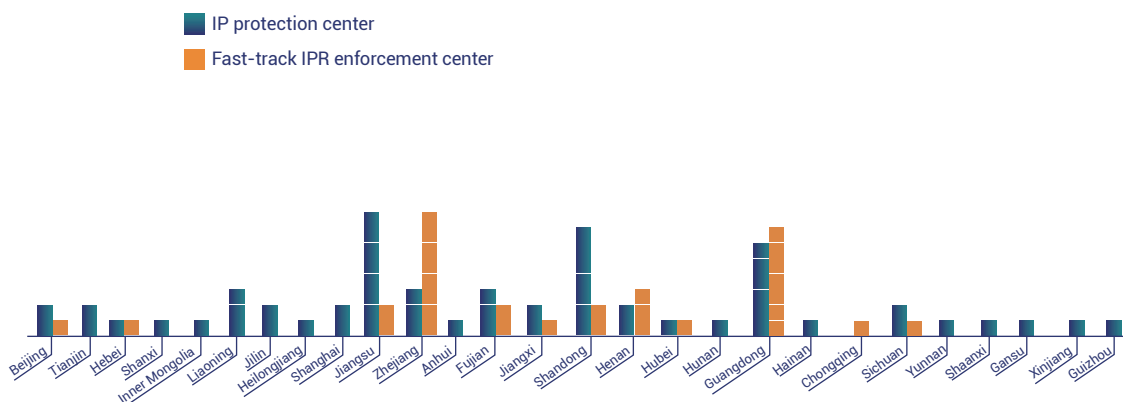
03 Development of IP protection system

3.1 Mechanism of fast-track and coordinated IP protection

In 2021, a total of 25 IP protection centers and fast-track IPR enforcement centers were established. As of the end of 2021, there were 57 IP protection centers and 30 fast-track IPR enforcement centers in

China. Throughout the year, more than 43,000 cases of dispute mediation, IPR enforcement aid and so on were handled, and 94,500 patent applications were pre-examined in these centers in total.

Geographical Distribution of IP Protection Centers and Fast-Track IPR Enforcement Centers



Note: Data was collected as the end of 2021. Each Square represents one center.

3.2 Building IP protection system

CNIPA issued the *Opinions on Enhancing the Mediation of Intellectual Property Disputes*. The bridging mechanism between lawsuits and mediation was improved, and more than 23,000 IP cases of litigation-mediation coalition were accepted online via the mediation platform of the people's courts. CNIPA

also conducted studies to formulate rules on credit management in the IP area. The online service platform for IPR enforcement aid was upgraded, and the number of visits to the platform exceeded 2 million throughout the year.



Conference on National Intellectual Property Protection Work in 2021

04 Strengthened Administrative IP protection

The *Criteria for Determining General Trademark Violations* was issued to unify the criteria for determining violations against the trademark administrative order. Top 10 cases on administrative protection of patents and trademarks in 2020 were selected and released respectively.

Studies were conducted to establish a mechanism for early resolution of pharmaceutical patent disputes and a mechanism for administrative adjudication of patent infringement disputes with significant influence nationwide.

CNIPA issued the *Opinions on Strengthening IP Protection with Closer Coordination and Cooperation* jointly with the Ministry of Public Security to accelerate the establishment of an operational mechanism in which administrative IP protection and criminal justice effectively link with and supplement one another.

The *2021 Work Plan on National Intellectual Property Administrative Protection* was issued. The *Interim Provisions on the Participation of Technical Investigators in Administrative Adjudication of Disputes over Patents and Layout Designs of Integrated Circuits* were issued, and 35 senior examiners in related technological fields were appointed as technical investigators for administrative IP protection.



Mechanism for early resolution of pharmaceutical patent disputes

In October 2020, according to the amended *Patent Law*, a mechanism for early resolution of pharmaceutical patent disputes was established, so as to protect the legitimate rights and interests of pharmaceutical patent holders, encourage R&D and innovation in pharmaceutical field, and reduce the risk of patent infringement for generic drugs.

This mechanism associated drug examination and approval with patent granting, so that patent disputes and infringement risks could be addressed before the marketing of related drugs.

In July 2021, the National Medical Products Administration (NMPA) and CNIPA jointly issued relevant normative legal documents to enhance the early resolution mechanism by establishing the adjudication agencies, defining the channels for accepting related cases, and specifying and standardizing the adjudication procedures, whereby a pharmaceutical patent linkage system took shape in China.



Implementation of the Measures for Administrative Adjudication of Major Patent Infringement Disputes

The *Measures for Administrative Adjudication of Major Patent Infringement Disputes* (hereinafter referred to as the "*Measures*") came into force on June 1, 2021.

The *Measures* are applicable to handling patent infringement disputes that bear major influence nationwide under Article 70 (1) of the *Patent Law*.

According to the *Measures*, "Major patent infringement disputes" include cases involving major public interests, cases with substantial impact upon the development of a sector, major cross-regional cases, etc. Where a patent administrative department in a province/autonomous region/municipality considers a case to be a major patent infringement dispute within its jurisdiction, the department may report the case to CNIPA for administrative adjudication.



Diversified resolution of IP disputes

In October 2021, CNIPA and the Ministry of Justice jointly issued the *Opinions on Enhancing Mediation of Intellectual Property Disputes*.

By 2025, the mediation of IP disputes will generally cover major areas and industries with frequent occurrence of IP disputes, and a comprehensive mediation system will take shape, incorporating mediation by people's mediation committees, administrative mediation, sector-specific and specialized mediation, judicial mediation and other mediation forms.

As of the end of 2021, there were 992 IP dispute mediation organizations nationwide, which accepted 64,820 cases in total throughout the year.

05 Uniform recognition system for GIs

The *Guiding Opinions on Further Strengthening the Protection of Geographical Indications* was jointly issued by CNIPA and the State Administration for Market Regulation (SAMR) to boost high-quality development in the GI field with further enhanced protection and administration.

CNIPA issued the *Administrative Measures for the Construction of National Demonstration Zones for Protection of Geographical Indication Products (For Trial Implementation)* and approved the establishment of 50 demonstration zones for protection of GI

products. It also developed the related technical standards, and optimized the electronic filing platform for the protection of GI products.

CNIPA deepened international cooperation to push forward international protection of GIs. On March 1, 2021, the *Agreement Between the Government of the People's Republic of China and the European Union on Cooperation on and Protection of Geographical Indications* entered into force, and the first batch of 100 Chinese products were protected as GIs across the EU .

06 Protection of official signs and special signs

The official sign for deposit insurance of the People's Bank of China was put on file for protection. 26 special signs were registered and approved for protection,

including the emblem of the 14th National Games of the People's Republic of China.