

NUMBERS

176

The 176-item action plan to promote the 2011 National IPR strategy was recently released. The plan was jointly drawn up by the 28 members of the inter-ministry committee to promote the National at IPR strategy.

176项

近日,《2011年国家知识产权战略实施推进计划》正式出台。该计划共提出176项措施,由中国国家知识产权战略实施工作部际联席会议组织28个成员单位共同制定。

1,300

The meeting of experience exchange on national IPR law enforcement was recently held in Changsha, Hunan province. According to the meeting, the IPO system across China has handled 1,300 patent disputes and counterfeiting cases.

1300件

日前,全国知识产权执法维权经验交流会在长沙召开。据介绍,打击侵犯知识产权和制售假冒伪劣商品专项行动开展以来,全国知识产权局系统共办理专利侵权纠纷和假冒专利案件1300件。

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China launches National IPR Publicity Week

中国2011年知识产权宣传周启动

The 2011 National IPR Publicity Week featuring Intellectual Property Promoting the Economic Transformation, sponsored by 25 central government agencies such as the SIPO, is under way from April 20 to 26. During the launching ceremony, the event was kicked off by SIPO Deputy Commissioner Bao Hong, chairman of the organizing committee, SIPO Commissioner Tian Lipu delivered a keynote speech.

In his speech, Tian said that various forums, lectures and activities will be held by the 25 ministries to enhance the whole society's awareness of IPR protection and promote the IPR culture of respecting knowledge, advocating innovation and credibility. The 7-day event will draw the attention from all over the world, and will showcase the Chinese government's firm determination in implementing IPR strategy.

Tian pointed out that this year marks the beginning of the 12th Five Year Plan, the following five-year period is crucial for speeding up strategic restructuring and transformation of the pattern of economic development and is also critical for implementing IPR strategy and accomplishing the objectives raised in the Outline of National IPR Strategy. The authorities will

exert their efforts to raise awareness of the supporting role that IPR plays in the optimization of industrial structure and serving the scientific development. He said that we must consider the overall domestic and international situations on the ground of current social and economic development and accelerate transformation of the pattern of economic development. We must promote the integration of IPR and economic development, comprehensively push forward IPR protection in China, strengthen IPR system establishment. We must make overall plans and take all factors into consideration to advance a balanced development, making contributions to the national overall plan.

At the ceremony, Ms. Bao conveyed Director General of WIPO Francis Gurry's congratulations to the event. (by Liu Shan)

本报讯 4月20日,由中国国家知识产权局等25个部门联合主办的2011年全国知识产权宣传周启动仪式在北京隆重举行。宣传周委员会主任、中国国家知识产权局局长田力普代表组委会在仪式上致辞并宣布宣传周启动,中国国家知识产权局副局长鲍红主持启动仪式。

田力普在致辞中表示,今年宣传周活动的主题为“知识产权助推经济转型”。在7天时间里,各成员单位开展的一系列宣传活动,会受到国内外各界的关注,将不仅有力促进全社会



This is the launching ceremony of the 2011 National IPR Publicity Week. 图为启动仪式现场。

(by Yang Shen)
本报记者 杨申摄

知识产权意识的提高,进一步推进以“尊重知识、崇尚创新、诚信守法”为核心的知识产权文化,还将再次向国际社会展示中国政府实施知识产权战略的坚定决心和不懈努力。

田力普表示,今年是“十二五”的开局之年,未来5年是我国加快推进经济结构战略性调整和发展方式转变的攻坚时期,是深入实施知识产权

战略、完成战略纲要提出的阶段性目标、为全面实现战略目标打下坚实基础的关键时期,也是知识产权服务科学发展、不断扩大知识产权工作社会影响力的战略机遇期。我们要准确把握我国经济社会发展对知识产权工作的新需要,积极统筹国内国际两个大局,坚持把服务加快转变经济发展方式作为出发点和落脚点;坚持把促进

知识产权与经济融合作为主攻方向;坚持把全面推进知识产权保护作为关键环节;坚持把加强知识产权保护建设作为着力点;坚持把统筹协调、共享发展作为根本方法,科学规划,扎实推进,为国家整体规划目标的实现增添新动力。

在启动仪式上,鲍红宣读了世界知识产权组织总干事弗朗西斯·高锐发来的贺词。(刘珊)

China's Intellectual Property Protection in 2010

The year of 2010 was the closing chapter for the 11th Five-year Plan and the key year to fully initiate the implementation of the national intellectual property (IP) strategy of China. Closely focusing on the central task of economic construction, the Chinese government stuck to the independent innovation program with Chinese characteristics and strengthened the implementation of the national IP strategy. Remarkable achievements have been made in 2010.

I. Legislation

In 2010, regular IP legislations were made according to the needs of economic and social development with the outcome of steadily improved IP laws, regulations, rules and relevant regulatory documents.

Patent system has been improved with the completion of the 3rd revision of Patent Law. The amended Implementing Regulations of the Patent Law came into force on February 1, 2011. The amended Patent Law and Implementing Regulations of the Patent Law prescribed stricter conditions to patent granting, improved examination system for patents for design and compulsory license system, added system of preservation of evidence in proceedings, supplemented measures to protect public interests, and strengthened patent protection. In the meantime, 12 regulations like Measures on Patent Administrative Enforcement and Guidelines for Patent Examination were formulated and revised.

Ministry of Agriculture (MOA) published The 8th Protection List of Agricultural Varieties of Plants and organized the revision and formulation of a series of regulations, like Regulations on Settling Infringement Cases Involving New Agricultural Varieties of Plants, Examination Regulations of Reexamination Board of New Varieties of Plants of The Ministry of Agriculture and the Naming Regulations on Agricultural

Varieties of Plants.

In consideration of characteristics of various IPRs and protection needs, Supreme People's Court (SPC) formulated and published regulatory documents to standardize and unify trial of IP cases.

II. Examination and Registration

2010 witnessed the steady advances in IPR examination and registration and new breakthroughs in terms of quality and quantity.

In 2010, State Intellectual Property Office (SIPO) accepted 1,222,286 patent applications in total, exceeding 1 million for the first time and a year-on-year increase of 25.1%. Among them, 1,109,428 were from home, representing 90.8% of the total and a year-on-year increase of 26.4%; 112,858 of which were from abroad, representing 9.2% of the total and a year-on-year increase of 13.9%.

In 2010, SIPO granted 814,825 patents, a year-on-year increase of 40.0%; among which, 740,620 were granted to domestic applications, representing 90.9% of the total and a year-on-year increase of 47.6%; 74,205 were granted to foreign applications, representing 9.1% of the total and a year-on-year decrease of 7.5%. 135,110 invention patents were granted, representing 16.6% and a year-on-year increase of 5.2%. 344,472 utility model patents were granted, representing 42.3% of the total and a year-on-year increase of 69.0%; 335,243 industrial design patents were granted, representing 41.1% of the total and a year-on-year increase of 34.3%.

III. Enforcement

1. Special campaign
IP administrations across China dramatically intensified the patent enforcement with remarkable growth of settlement of patent cases since the implementation of the Special Campaign. From October to December of 2010, 805 patent cases were

settled in total, 44.16% of the yearly amount, among which 458 cases were patent disputes; 347 cases involved counterfeiting patents.

Administrations for Industry and Commerce (AICs) at all levels across China actively implemented the Special Campaign. By January 7, 2011, a total number of 722,350 person times of enforcement officials were dispatched and 1,694,779 business entities as well as 108,213 wholesale and retail markets and fairs were inspected. 1,372 businesses manufacturing or selling counterfeiting commodities were raided.

Ministry of Public Security (MPS) launched the Operation Strike of the Sword in line with the Special Campaign. By the end of 2010, public security departments nationwide uncovered 2,049 cases involving IPR infringements and counterfeits worth 2,307,000,000 yuan.

2. Regular enforcements
In 2010, local IP administrations across the country received a total of 1,095 patent disputes concerning infringement and 18 of other types. 728 cases relating to counterfeiting patents were investigated and dealt with. In those actions, 20,646 person times of enforcement officials were dispatched; 10,642 business premises were inspected.

AICs at all levels across China investigated and dealt with 56,034 cases of trademark violations, among which 7,486 were general violations of trademark, and 48,548 were related to trademark infringement and counterfeiting.

National Copyright Administration of China (NCAC) intensified administrative enforcement by launching special campaign Swordnet to crack down the internet infringement and piracy in 2010. Local copyright enforcement authorities investigated and dealt with 204 cases involving copyright infringement in the first stage of the special campaign.

3. Judicial protection of IPR

In 2010, people's courts nationwide received 42,931 first-instance IPR civil cases and concluded 41,718 ones. People's courts received 6,522 second-instance IPR civil cases and concluded 6,481 ones. In 2010, SPC received 313 IPR civil cases and concluded 317 ones (including those from previous years), among which 198 retrial IPR civil cases were received and 206 ones (including those from previous years) were concluded.

In 2010, the procuratorate agencies nationwide accepted 1,887 arrest approval applications relating to IPR criminal cases with 3,368 suspects involved in. They also approved arrest of 2,613 suspects in 1,566 cases.

IV. Construction of Mechanism and Capability

SAIC studied and established 53 state trademark strategy demonstration cities (regions) and 41 demonstration enterprises and promoted the signing of Wuhu Proclamation by 41 enterprises.

NCAC further regulated the business of collective management of copyright and supported the central copyright related associations and the regions with favorable conditions to tentatively establish copyright mediation mechanism.

V. IPR Special Campaigns for the Shanghai World Expo and the Guangzhou Asian Games

SIPO, jointly MPS, GAC, SAIC, NCAC, SPP, China Council for the Promotion of International Trade (CCPIT), State Council Information Office (SCIO), issued the Circular on Organizing IPR Special Campaigns for the 2010 World Expo, and provide a more effective guidance to and coordination with the local administrations.

SAIC registered 3,107 marks, special marks and trademarks related to the Expo logo in various

classes, investigated and dealt with 1,132 cases for infringement of the exclusive right of the Expo logo, and examined and approved 2,539 registration applications for trademarks of the Asian Games logo.

In the special campaign of cracking down pirated audio and video products, the local copyright law-enforcing departments altogether prohibited 2,933 illegal stalls, confiscated 4,940,000 pirated audio and video products.

VI. Publicity

The IP-related departments in China organized a great amount of publicity activities in 2010 with continuing improvement of IPR protection environment.

SIPO elaborately organized the "2010 National IP Publicity Week", established the Committee of Publicity Week composed of 25 ministries and commissions including the Central Publicity Department, jointly carried out the IP publicity activities with a theme on "Creation, Protection and Development" nationwide through launching startup ceremony and holding press conferences.

SAIC launched extensive publicity activities to enhance the influence. At a press conference held by the State Council Information Office (SCIO) on December 9th, the situations about how SAIC completely solved backlog in trademark examination and appraisal and the campaign in which national SAIC systems actively engaged in combating infringements and counterfeits were released and received favorable feedback home and abroad.

VII. Education and Training

In 2010, IP education and training work was actively promoted with the IP professional training mechanism continuously improved.

SIPO formulated and promulgated the 12th Five-Year Plan for IP Talents. Meetings and seminars on national IP training work were

organized to summarize findings and exchange experiences.

SAIC fully promoted the organization and implementation work of trademark strategy through training. The Second Workshop for Trademark Strategy and Protection of the Logo of Asian Games was held in Guangzhou, through which more than 200 officials from local agencies were trained.

NCAC organized two seminars on copyright-related topics for the media, a workshop on copyright-related work and two training sessions for copyright managers and agents to respectively provide targeted training towards the main media, deputy directors of local copyright bureaus from provincial capitals and central cities, copyright managers and agents nationwide.

VIII. International Cooperation

SIPO gave a full play to its function of comprehensively coordinating foreign-related IP affairs by thoroughly participating in the discussion and negotiation of the development agenda of the World Intellectual Property Organization (WIPO), PCT reform and other topics.

In 2010, SAIC carried out a series of bilateral and multilateral exchanges and cooperation programs in the trademark field, handled 295 foreign-related documents, arranged to receive or participated in the receiving of 42 visiting groups and dispatched 28 groups (35 persons) abroad.

In 2010, NCAC actively participated in the negotiation of important copyright issues and formulating of new copyright treaties of WIPO, enhanced the cooperation with international organizations, and organized the 4th International Copyright Forum.

(The Chinese edition of the China's Intellectual Property Protection in 2010 seen Page 3, April 22) (2010年中国知识产权保护状况白皮书 中文摘编见本报4月22日第3版)