



**Circular of the State Intellectual Property Office,  
Ministry of Science and Technology, Ministry of  
Industry and Information Technology, Ministry of  
Commerce, Certification and Accreditation Administration  
of China, Standardization Administration of China,  
State Administration of Science, Technology and  
Industry for National Defense of China and Chinese  
PLA General Armament Department concerning the  
Printing and Distribution of *Guiding Opinions on  
Comprehensive Implementation of National Standard  
on IPR Administration Regulations for Enterprises***

G. Z. F. G. Z. [ 2015 ] No. 44

To intellectual property offices, departments (bureaus, commissions) of science and technology, medium and small-sized enterprise authorities, competent commercial authorities, entry & exit inspection and quarantine bureaus, quality & technology supervision bureaus, authorities of science, technology and industry for national defense and the administrations of national defense intellectual property of all provinces, autonomous regions, municipalities directly under the Central Government, cities separately designated in the State plan and the Xinjiang Production and Construction Corps,

With a view to comprehensively implementing the *Plan on Thorough Implementation of the National IP Strategic Actions (2014–2020)*, comprehensively improving the enterprise IP management capabilities, promoting technological innovation, increasing enterprise core competitiveness, and effectively upholding innovation-driven development strategy, the *Guiding Opinions on Comprehensive Implementation of National Standard on IPR Administration Regulations for Enterprises* is jointly prepared by the State Intellectual Property Office, the Ministry of Science and Technology, the Ministry of Industry and Information, the Ministry of Commerce, the Certifica-

tion and Accreditation Administration of China, the Standardization Administration of China, the State Administration of Science, Technology and Industry for National Defense of China and Chinese PLA General Armament Department and is hereby issued to you for your earnest and thorough implementation in light of actual conditions.

Hereby to notify.

June 30, 2015

## **Guiding Opinions on Comprehensive Implementation of National Standard on IPR Administration Regulations for Enterprises**

For the purpose of comprehensively implementing the *IPR Administration Regulations for Enterprises* (GB/T 29490–2013) (hereinafter referred to as the *Regulations*), directing enterprises to continuously improve IP management system through four links: planning, implementing, checking and improving, regulating the whole process of production and operation, further improving IP management capability, enhancing enterprise core competitiveness, the following opinions are put forward for promoting the *Regulations*.

### **I. Overall Requirements**

(I) Guiding ideas. According to the requirements of the 18th National Congress of the Communist Party of China, the Third and Fourth Plenary Sessions of the 18th CCCPC for strengthening IP application and protection and improving technical innovation incentive mechanisms, with an aim to promote enterprise technical innovation, and taking promoting of the *Regulations* as starting point, and in the principles of government leading, market driving, overall coordination and classified instruction, we shall establish a government-leading system to improve the

service organizations' capabilities, and put more efforts for authentication market building and urge enterprises to implement innovation-driven development.

#### (II) Basic principles.

——Government leading. Give full play to the role of the government in respect of strategic planning, policy preparation, industry management, public service and environment building, effectively integrate and gather social resources, thus urging enterprises to implement the *Regulations* as an important mean to participate into market competition.

——Market driving. Give full play to the decisive role of the market in terms of resource allocation, improve the market-oriented mechanism, develop market-based service mode and bring about enterprise IP advantage by implementing the *Regulations*, thus improving the market competitiveness.

——Overall coordination. Establish working mechanism of competent national and local authorities to promote the *Regulations*; insist on the principle of responsibility division and overall promotion, so as to form a working pattern of horizontal coordination and



vertical linkage.

——Classified instruction. In light of the actualities of unbalanced regional economic development in China, and considering the difference between industry characteristics and enterprise features, the classified instruction shall be highlighted during promotion of the *Regulations*.

(III) Main targets. By the year 2020, establish guiding system which satisfies the innovative development requirements and is used to promote implementation of the *Regulations*; construct consulting service system regulating market order, form third party certification system complying with market-based mechanism, and cultivate a specialized talent team. Guide most of enterprises with innovation advantages to establish intellectual property management system, in this way, the enterprises' capabilities in IP application and protection will be improved greatly and IP will make great contribution to enterprises' competitiveness.

## II. Key Tasks

(IV) Optimize enterprise IP management system. Urge all types of enterprises to implement the *Regulations*, establish such IP management system in line with operation and development; guide enterprises to put more efforts to build IP organizations, systems and talent team, so as to apply the IP management throughout the whole process of production and operating; guide the state-owned enterprises which involve state security, national economic artery and crucial fields to implement the *Regulations*, put more efforts in construction of IP management system, and maintain and improve IP assets management system. Further implement the medium and small-sized enter-

prises IP strategic promotion projects, encourage S&T medium & small-sized enterprises to implement the *Regulations*, and support the small & miniature-sized enterprises to implement the IP delegation management system. Prepare administration practice for intellectual property of weapon R&D and manufacturing entities, and guide the weapon research and production institutes and supporting entities to regulate IP management, thus improving innovation capabilities and level for national defense.

(V) Establish consulting service system. Introduce incentive measures to attract various types of IP consulting service organizations to participate into promotion of the *Regulations*, encourage and support excellent patent agents to provide enterprises with instructions about implementation of the *Regulations*; maintain and improve internal management system and tutoring work process flow, thus improving service quality and efficiency. Establish consulting service organizations coordination institute, make more efforts in credit evaluation upon service organizations and practitioners, guide improvement of industrial self-regulation codes and push forward overall development of the IP consulting service industry.

(VI) Make more efforts in construction of certification systems. According to the *Notice of the Certification and Accreditation Administration of China and the State Intellectual Property Office on Issuing Opinions for Implementation of IP Management System Certification* (G. R. K. [2013] No. 56), speed up certification of enterprise IP management systems, guide and cultivate a batch of certification institutions, push forward building of certification capability and make more efforts in supervision and instruction upon certi-

fication institutions, regulate market order, improve the social credibility of certification of the *Regulations*. Uphold certificate institutions to participate into international exchange and promote international mutual recognition of certification results.

(VII) Give full play to the guiding role of all policies. Guide enterprises to optimize IP management system and mobilize their initiative to implement the *Regulations* around industrial transformation and upgrading and by comprehensive use of financial, tax and financing policies. Urge large-scale backbone enterprises to give priority to the products from certified enterprises thus reducing the IP risks. Improve the management measures for certification of high-tech enterprises, and consider the certification status as an important certification condition for high-tech enterprise, and push forward linking between enterprise IP management system certification and high-tech enterprise policies. Encourage foreign trade enterprises to maintain and improve IP management systems and improve their capability to prevent IP risks and deal with IP-related matters in the international trade and investment activities. Encourage and guide certified enterprises to apply for high-tech industrialization projects, major national S&T special projects, medium & small-sized enterprise special development projects, and awards like national technological invention award, China patent gold award.

(VIII) Put more efforts in building of talent team. Give full play to the role of various IP training organizations, and establish training business system for the *Regulations*. Set up training bases in the regions with powerful IP working capability, cultivate a batch of specialized talents who have good understand-

ing of the contents and tenets of the *Regulations* and prepare relevant training materials. Organize education and training to the staff from the government agencies, service organizations and enterprises with respect to the *Regulations*, and cultivate a talent team which is familiar with standardization and certification management, and IP work. Organize IP internal reviewer training, regulate IP certification reviewer training, examination and evaluation systems as well as registration certificate management.

(IX) Build public service environment. Push forward linking between governmental agencies, service organizations and enterprises, establish periodic communication mechanism and set up communication platform, organize publicity, expert tutoring and opinion solicitation activities with respect to the *Regulations*, and push forward information sharing and exchange of typical experience. Give full play to the function of medium and small-sized enterprise IP cluster region, and establish patent work exchange mechanism. Put more efforts in training, tutoring and service for the medium and small-sized enterprises by means of government purchasing service and relying on medium and small-sized enterprise IP tutoring service organizations.

(X) Continuously improve the promotion system of the *Regulations*. Evaluate the enterprises' effectiveness in implementing the *Regulations* in a scientific manner, promptly modify relevant contents, and further substantiate and standardize the IP management system based on the requirements for implementation by different types of enterprises of the *Regulations*. By focusing on implementation of the *Regulations*, give full play to the platform role of the nation-



al technical committee of knowledge management standardization, push forward preparation of and revision to national standards in association with IP fields, and gradually improve IP field standardization management system. Make more efforts in cooperation and exchange with international standardization organization and famous institutions, and actively participate into preparation of international knowledge management standards. By taking advantages of international specialty conferences or various forums in respect of IP and standardization, strengthen the publicity and continuously improve the influence of the *Regulations*.

### III. Safeguarding Measures

(XI) Strengthen organization and leadership. All departments concerned shall attach great importance to promotion of the *Regulations*, establish coordinated and cooperative working mechanism, strengthen communication and cooperation, clarify working responsibilities, effectively complete work tasks, pay attention to supervision and instruction, so as to jointly promote implementation of the *Regulations* and ensure all tasks are proceeded successfully.

(XII) Resolutely implement the *Regulations*.

Relevant departments shall take implementation of the *Regulations* as the important starting point to improve enterprises' core competitiveness, prepare and implement work progress plan, effectively put more efforts in working and fund investment, and actively urge enterprises to implement the *Regulations*.

(XIII) Highlight key regions. Spare no effort to instruct the IP demonstrative cities and pilot demonstrative districts (counties), guide the enterprises with innovation capabilities under the jurisdiction to implement the *Regulations* by relying on various high-tech technical industrial park, economic development zone, industrial parks and other industrial cluster areas.

(XIV) Pay attention to practice and exploration. Around the demands for and challenge faced by enterprise development, summarize and extract the experience, practice and shortages drawn from implementation of the *Regulations*, continuously research and improve the contents of the *Regulations*, grasp the correct job pathway, and give full play to the important role of promotion of the *Regulations* in supporting innovation development.