

## Announcements and Circulars

### Order of the SIPO

( No. 68 )

*The Decision of the State Intellectual Property Office on Amending the Guidelines for Patent Examination*, as deliberated and adopted at the executive meeting of the State Intellectual Property Office, is hereby issued and shall come into force on May 1, 2014

Shen Changyu, the Commissioner

March 12, 2014

#### **Decision of the State Intellectual Property Office on Amending the Guidelines for Patent Examination**

It is hereby decided by the State Intellectual Property Office to amend the *Guidelines for Patent Examination* (“Examination Guidelines”) as follows:

##### **I. Revision to Section 4.2, Chapter 3, Part I**

A new paragraph is added after the third paragraph of Section 4.2, Chapter 3, Part I of the Examination Guidelines:

“To file a design patent application including Graphical User Interface (GUI), a view of the whole product shall be submitted; if the GUI comprises dynamic patterns with changing status, the applicant

shall submit the view of the whole product showing at least one status, and the other status can be briefly shown by key frames in design views; all views submitted shall determine the sole changing tendency of the motion of the dynamic patterns.”

The rest of this section is not revised.

##### **II. Revision to Section 4.3, Chapter 3, Part I**

A new item is added after Item (6) of the third paragraph of Section 4.3, Chapter 3, Part I of the Examination Guidelines:

“(7) With regard to a design patent application



including GUI, an explanation of usage of the GUI, the area in the product where the GUI is arranged, the manner of human-machine interaction, and the changing status of the GUI shall be included if needed.”

The rest of this section is not revised.

### **III. Revision to Section 7.2, Chapter 3,**

#### **Part I**

Last sentence of Paragraph 3 of Section 7.2, Chapter 3, Part I of the Examination Guidelines, that is, “the pattern of the product should be fixed and visible, and should not be present from time to time or visible only under certain circumstances” is deleted.

The rest of this section is not revised.

### **IV. Revision to Section 7.4, Chapter 3,**

#### **Part I**

Item (11) in Paragraph 1 of Section 7.4, Chapter 3, Part I is revised as, “(11) game inter-

face and other image displayed on a product display device which are irrelevant to human-machine interaction or the implementation of product functions, such as electronic screen wallpaper, switching-on/switching-off image, graphic and literal layout of web page, etc.”

The rest of this section is not revised.

### **V. Revision to Section 6.1, Chapter 5,**

#### **Part IV**

A new item is added after Item (4) of Paragraph 2, Section 6.1, Chapter 5, Part IV of the Examination Guidelines:

“ (5) As to a product design patent including GUI, if the rest parts of the design patent are common design, the GUI brings more distinctive influence to the integral visual effect of the product.”

The rest of this section is not revised.

This Decision shall come into force on May 1, 2014.

## **Announcement of the SIPO**

( No. 206 )

In order to facilitate the patent applicants to claim priority and improve the efficiency of patent application examination, the State Intellectual Property Office will commence the China-US electronic exchange service for priority documents from October 8, 2014 in accordance with Rule 31 of the *Implementing Regulations of the Patent Law of the People's Republic of China* and an agreement reached between the State Intellectual Property Office and the United States Patent and Trademark Office. The relevant matters are hereby announced as follows:

Where an applicant files a patent application with the State Intellectual Property Office for the first time and