

**Circular of the SIPO Concerning the Printing and  
Distribution of *Several Opinions on Promoting the  
Development of the Patent Commissioning Sector***

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Intellectual property offices of all provinces, autonomous regions and municipalities directly under the Central Government and Xinjiang Production and Construction Corps, the National Defense Intellectual Property Bureau, all departments of the State Intellectual Property Office, all departments under the SIPO Patent Office, and all entities and social groups directly under the State Intellectual Property Office,

*Several Opinions on Promoting the Development of the Patent Commissioning Sector* is developed in order to thoroughly implement the spirit of the 3rd Plenary Session of the 18th CPC Central Committee, speed up transformation of government functions, further improve the patent commissioning market system, expand the scale of the patent commissioning sector, promote their service capacity, and provide more and greater support and guarantee for the patent commissioning sector. It is now printed and distributed to you. Different regions and departments shall pay great attention to it, strengthen organization, leadership, coordination and cooperation, study before introducing related supportive measures, carefully and thoroughly execute the measures, and concretely implement them to ensure substantial effects.

This Circular is hereby given.

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## Several Opinions on Promoting the Development of the Patent Commissioning Sector

The patent commissioning sector is an important support for the effective running of the patent system. After nearly 30 years of development, the patent commissioning sector continues to expand in size, its service capacity gets improved steadily, and its business fields keep expanding, pushing forward with strong impetus the development of the patent undertaking in China. But on the whole, the patent commissioning sector still faces problems such as inadequate talents, less than satisfying service quality and imbalanced regional development. The following guidelines are proposed in order to thoroughly carry out the spirit of the 3rd Plenary Session of the 18th CPC Central Committee, further implement the national intellectual property strategy, enlarge the team of patent agents, improve the quality of patent commissioning services, give full play to the role of patent commissioning service innovators, and support innovation-driven development.

### **I. Expanding the size of the sector and stimulating market vitality**

i. Attract talented people to enter the industry. Allow second-grade or above postgraduate students with science and engineering background to sign up for the national patent agent qualification examination; do a good job to promote the patent commissioning sector among active university students, organize targeted trainings for the exam; explore the establishment of a long-term mechanism for cultivating talents

in IP practices together with colleges and universities, introduce teachers of IP practices, improve curriculum setting and the ways of teaching, and cultivate internationalized and diversified talents with practical skills.

ii. Assemble talented people through a number of channels. Create an environment that is conducive to the smooth flow of talents, extensively gather qualified talented people in the patent commissioning sector; for people with both the patent agent certificate and legal profession certificate, their experience of practicing as a lawyer shall be recognized as the experience of practicing as a patent agent; for people with the patent agent certificate in enterprises, institutions of higher education and scientific research institutes, their experience of engaging in patent application at their respective workplaces shall be regarded as their experience of practicing as a patent agent.

iii. Promote regional balance of resource allocation. Guide and encourage large and medium-sized patent agencies to set up branches in areas where the demand for patent commissioning services is high and patent agents are lacking; under the premise of meeting related requirements, allow the reduction of the number of full-time patent agents from two to one in such branches; strengthen the management and supervision of branches, and giving full play to the active role of the branches.

iv. Improve the patent commissioning sector

withdrawal mechanism. Simplify the procedures for changing the organizational form of patent agencies or for revoking patent agencies, improve the operability and convenience of the approval procedures; coordinate related departments to build a mechanism for exchanging information and sharing resources, guide and supervise patent agencies to carefully follow the legal procedures and legal responsibilities for changing their organizational form and the procedures for revoking patent agencies.

## **II. Innovating in the service mode and intensifying support**

v. Strengthen the planning for industrial development. Improve the system of industry standards; study before developing the medium—and long—term planning for the development of the patent commissioning sector, further identify the development direction, goals, main tasks and policy measures of the sector; build a system of industry standards supported by patent commissioning service standards, patent commissioning quality evaluation indicators and patent commissioning management standards.

vi. Promote the formation of a standard and diversified market for patent commissioning services. Strengthen supervision of the patent commissioning

sector, actively coordinate and join related departments to rectify and standardize the order of the patent commissioning market; build matchmaking platforms of various kinds, guide and encourage patent agencies and patent agents to update their service concepts and expand their service scope, provide a variety of services for the innovators—in patent rights defense, intellectual property trusteeship, intellectual property analysis and deliberation, patent analysis and early-warning, transfer of patent technology and licensing—while constantly improve the quality of basic services for patent application.

vii. Stimulate the vitality of sector associations. Support sector associations to strengthen the development of their own ability, encourage and support them to play the self-disciplinary role, improve the level of industrial integrity in an overall manner; support these associations to improve and complete the patent agents training system, enlarge the coverage of trainees, and meet practitioners' diversified demands for training.

These Opinions shall be carried out upon promulgation. Should there be any inconsistency of the existing related provisions with these Opinions, these Opinions shall prevail.