

Circular of the State Intellectual Property Office on Cultivating IP Competitive Enterprises and Model Enterprises

G. ZH. F. G. Z. [2013] No. 36

Intellectual property offices of all provinces, autonomous regions and municipalities directly under the Central Government, cities under separate state planning and Xinjiang Production and Construction Corps,

In order to thoroughly carry out the innovation-driven development strategy and IP strategy, vigorously push forward the thorough implementation of the *National Patent Cause Development Strategy (2011–2020)*, and speed up the development of a group of competent enterprises with independent IP rights, well-known brands and strong international competitiveness, SIPO summarizes the experience in building pilot and model enterprises in IP terms, and decides to start the work to cultivate state-level IP competitive and model enterprises. This Circular is hereby given in respect of relevant matters:

I. Goals

Each year, cultivate a certain number of state-level enterprises with IP advantages, which have a relatively perfect IP management system, see a dramatic increase in IP number and quality, significantly improved IP protection capacity and significantly promoted market competitiveness (hereinafter referred to as “competitive enterprises”), and a group of bench-

marking state-level model IP enterprises, which have a complete IP management system, outstanding IP quality and efficiency, high capacity of IP utilization, and industrial influences (hereinafter referred to as “model enterprises”).

II. Basic Principles

i. Always combine government guidance with enterprise entities: give full play to the leading role of the government in planning, guidance, policy support, project services and environment building, and take the enterprises as the mainstay to promote the cluster of all types of IP elements in competent enterprises, and to stimulate the inherent vitality and development momentum of the enterprises.

ii. Always combine industrial characteristics with the reality of the enterprises: take into consideration the differences among different industries in terms of IP categories, number and utilizations, and carry out characteristic cultivation of the enterprises in combination with industry type, strategy and development stages.

iii. Always combine outstanding advantages with a consolidated foundation: closely center on the direction of the enterprises' IP advantages to develop



measures, pay attention to improving the enterprises' IP foundation capacity during the cultivation, and accelerate the establishment of the IP competitive advantage.

iv. Always combine graded cultivation with regulated examination. According to the goals and priority tasks, SIPO is mainly responsible for cultivating model enterprises; and the intellectual property offices of provinces, autonomous regions, municipalities directly under the Central Government, cities under separate state planning, and Xinjiang Production and Construction Corps (hereinafter referred to as " provinces ") are mainly responsible for cultivating competitive enterprises. The examination standards shall be unified for comprehensive evaluations of IP creation, utilization, protection and management.

III. Work Mechanism

i. SIPO will print and distribute related guidelines for and acceptance standards on cultivating enterprises with advantages and model enterprises within the year, will present, on a regular basis, the titles of "National IP Competitive Enterprises" and "National IP Model Enterprises" in document form to the enterprises that meet the acceptance standards, and will re-examine such enterprises every two years. SIPO continues exploring and launching specific innovation pilots, will strengthen the connection of the work system for cultivating the enterprises with advantages and that for cultivating model enterprises, and will not approve other national IP pilots and models in enterprises and the public institutions.

ii. Provinces shall, based on local industrial fields to be developed in priority and local work foundation, select, on a regular basis, competent enter-

prises as national competitive enterprises, and report them to SIPO for record filing; develop the cultivation plan and launch the cultivation work according to the cultivation guidelines, with the cultivation period being no shorter than one year. After the cultivation period expires, provinces shall check and accept the enterprises cultivated following the acceptance standards, and report them to SIPO for final acceptance. SIPO will identify them as enterprises with advantages in document form.

iii. According to the overall planning of SIPO for cultivating national model enterprises, provinces shall select candidates for model enterprises from among the competitive enterprises. SIPO develops the cultivation plan in accordance with the cultivation guidelines and with the cooperation of provinces, and the cultivation period shall not be shorter than two years. When the cultivation period expires, SIPO will organize check and acceptance. For those enterprises passing the acceptance standards, SIPO will identify them as model enterprises in document form.

iv. The original "National IP Pilot Units in Enterprises and Public Institutions" (1st-4th batches) shall be adjusted into "National IP Competitive Enterprises"; "National IP Model Enterprises and Public Institutions" shall be adjusted into "National IP Model Enterprises". Under the premise of enterprise voluntariness, provinces shall follow the above adjustment principle to complete related work, and report the identified competitive enterprises and model enterprises to SIPO for approval before April 30, 2013. SIPO will confirm them in document form. In order to meet the basic requirements set for the re-examination of the enterprises completing the above adjust-

ment within two years, the provinces shall organize the above enterprises to complete the implementation of *Enterprise Intellectual Property Management Standards* (GB/T 29490—2013) within two years, and the number of the enterprises completing the implementation of such standards in the first year shall be no less than 60% of the total.

v. National and provincial preferential policies and support measures for the original national IP pilot enterprises and public institutions and model units shall apply to national competitive enterprises and na-

tional model enterprises.

SIPO will work with related departments and commissions to jointly study and develop related policy promotion measures, track and summarize local implementation of the tasks. Provinces may develop specific operational methods according to the requirements of this Circular and corresponding policies based on local reality.

This Circular is hereby given.

April 17, 2013

Circular of the General Affairs Office of SIPO on Promoting IP Administrative Standard among Enterprises

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Intellectual property offices of all provinces, autonomous regions and municipalities directly under the Central Government, cities under separate state planning, and Xinjiang Production and Construction Corps,

National standard of *Enterprise Intellectual Property Management Standards* (GB/T29490—2013) were released on March 1, 2013. The Standards are a process approach-based enterprise IP management model, and can effectively lead the enterprises to plan, implement, check, and improve the IP management system. According to the work arrangements in the *Promotional Plan for the National Patent Development Strategy in 2013*, SIPO hereby decides to launch

the work of promoting Enterprise Intellectual Property Management Standards (hereinafter referred to as “implementation of the standards”) to lead and support the enterprises to promote and apply national standards and to improve China’s enterprise IP management capacity in a comprehensive way. This Circular is hereby given in respect of relevant matters:

I. Guiding Ideas

Thoroughly carry out the spirit of the 18th CPC National Congress, solidly push forward the innovation-driven development strategy and the national intellectual property strategy, make the implementation of the standards a fundamental task in the building of