



# **Circular Concerning the Printing and Distribution of Plan on Special Campaign “Escort” for the 2012 IP Enforcement**

G. ZH. F. G. Z. [2012] No. 32

To the Intellectual Property Offices of all provinces, autonomous regions and municipalities directly under the Central Government,

To further implement the work plan on the State Council's special campaign against IPR infringements, fully carry out the spirit of the National Conference of the Heads of Intellectual Property Offices and that of the working conference on law enforcement by the national intellectual property system, and advance the implementation of the Decision on Strengthening Patent Administrative Enforcement (G. ZH. F. G. Z. [2011] No. 74), Circular Concerning the Printing and Distribution of Plan on Special Campaign “Escort” for the 2012 IP Enforcement is hereby issued for you to follow and carry out carefully. Local IP offices must pay great attention to the work, follow the requirements of the plan, strengthen leadership, clarify responsibilities, increase investment, ensure staffing, rapidly deploy the special campaign locally, guarantee the full implementation of the measures, and create together a good environment for speeding up the transformation of the economic development mode, deepening the reform and opening up and pushing forward the building of an innovation-oriented country.

This Circular is hereby given.

March 1, 2012

## **Plan on Special Campaign “Escort” for the 2012 IP Enforcement**

To fully implement the work plan on the State Council's special campaign against IPR infringements, and advance the implementation of the Decision on Strengthening Patent Administrative Enforcement (G. ZH. F. G. Z. [2011] No. 74), SIPO decides to

carry out the Plan on Special Campaign “Escort” for the 2012 IP Enforcement in accordance with the spirit of the National Conference of the Heads of Intellectual Property Offices and that of the working conference on law enforcement by the national intellectual property

system.

### **I. Objective**

To further improve the quantity and quality of law enforcement and case handling, make the mediation of patent disputes more efficient, enhance the enthusiasm and initiative in law enforcement and defense of rights by the national IP system, create a situation of active, standardized and collaborative case handling, enhance the confidence of the innovative entities, IPR owners and consumers, escort the innovators, IPR owners, strategic emerging industries and major projects, and actively create a good environment for innovation, consumption and investment and for deepening the reform and opening up through the special campaign.

### **II. Slogan**

The slogan of special campaign “Escort” for the 2012 IP enforcement is Escorting on the Road of Innovation.

### **III. Priorities**

To choose the right targets, launch special patent law enforcement and rectification in local circulation and production, scientifically guide patent protection in research and development activities, and intensify the crackdown on infringement and counterfeiting activities in fields involving people’s livelihood and major projects and foreign-related fields based on extensive investigations and surveys.

To vigorously crack down upon group infringements, repeated infringements, patent pass-off and patent-related fraudulent acts.

To do a good job in law enforcement and defense of rights during key exhibitions in different links including before-the-exhibition investigation, in-the-

exhibition tour inspection, rapid mediation and tracking of rectification.

### **IV. Requirements**

To timely develop, print and distribute the implementation plans. To combine the implementation plans with local reality, define key tasks and specific measures, and clarify the person in charge of the special campaign, the contact person and the tasks of law enforcement and case handling of the local IP offices.

To fulfill responsibilities and ensure input. The main persons in charge of local IP offices shall assume overall responsibility, and the responsibilities to be held by staffs at different levels shall be clearly defined. Efforts have to be made to strengthen the workforce of the law enforcement departments and offices, increase the input in law enforcement, and ensure responsibility fulfillment, task implementation, allocation of funds and staffing.

To effectively bring the platforms for law enforcement and defense of rights into full play. In the “5 · 26 Law Enforcement Promotion Project”, IP offices have to spearhead the special campaigns, effectively play the leading and exemplary role, make full use of the “12330” defense of rights and assistance reporting and complaining working mechanism to provide powerful support for special law enforcement campaigns, enhance the communication with key liaison bases for patent protection, fully mobilize social resources, and expand the influences of special campaigns.

To fully utilize the cooperation mechanism for law enforcement. Inter-regional collaboration in the IP system in the investigation, evidence collection,



transfer of case clues, *etc.* has to be reinforced. Active efforts have to be made for support from competent departments and improvement of the capability and effect of rapid, concentrated and joint campaigns. Cases involving criminal responsibilities have to be timely transferred to the public security organ.

To vigorously improve the publicity effect. The measures, progresses and typical cases in the special campaign have to be reported timely to create momentum and exert influence. Introduction to “12330” Hot Line has to be strengthened and its popularity has to be further improved so that IPR owners and different social circles can access an open channel of reporting, complaining and supervision.

To effectively establish an information reporting and submission mechanism. A monthly special campaign information reporting system has to be established. Since the organization of its implementation, main measures taken and main data on the special campaign have to be reported and submitted to SIPO before the 25<sup>th</sup> day of each month. Particularly significant cases have to be reported timely. The application for supervising the handling of important and cross-regional cases shall be made timely. In the meantime, reporting of the situation of the special campaign to the local Party committee and government has to be effectively strengthened.

## V. Schedule

( I ) Stage of deployment ( March 2012 ). The intellectual property offices of the provinces ( autonomous regions, municipalities directly under the Central Government ) have to timely develop, print and distribute the local plan for launching the special campaign following this plan and based on the local real-

ity, and then report it to the SIPO before March 15; and make public, in major local media, the local plan for launching the special campaign, as well as the local reporting and complaining hotline before April 1.

( II ) Stage of implementation ( April–November 2012 ). The intellectual property offices of the provinces ( autonomous regions, municipalities directly under the Central Government ) organize the IP offices in their administrative regions to carry out concentrated inspections, rectifications and publicity each month so as to effectively implement the plans at different levels.

Publicity activities with distinct features of each stage shall be launched between April 26 and May 26 and at different milestones in the middle and summarization stages of the special campaign.

( III ) Stage of summarization ( December 2012 ). The intellectual property offices of the provinces ( autonomous regions, municipalities directly under the Central Government ) shall do a good job in summarizing the special campaign and submit the summary to the SIPO before December 10.

Local IP offices must attach great importance to special campaign “Escort”, timely report the local implementation plan to the SIPO, adopt effective measures, and finish all tasks as scheduled and required. SIPO will organize inspection and supervision over, as well as all forms of spot checks of the special campaign, vigorously support the local IP offices that have solid plans, take effective actions and work actively, and criticize the local IP offices that make excuses, wrangle or handle cases passively while requiring them to make rectification within set limits.