



18. Strengthening the construction of the platforms for intellectual property reporting, complaint filing and legal assistance

We shall vigorously strengthen the construction of the “12330” platform for intellectual property reporting, complaint filing and legal assistance, accelerate the construction of national networks for intellectual property reporting, complaint filing and legal assistance, and establish and improve a electronic archival

repository for cases of intellectual property reporting, complaint filing and legal assistance.

The State Intellectual Property Office shall, in light of the operation status of each IPR Enforcement Assistance Center, build several key centers nationwide.

State Intellectual Property Office

June 27, 2011

Circular on the Issuance of the 12th Five-year Plan for Patent-related Work

G. ZH. F. G. Z. [2011] No. 115

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

In order to implement the *Outline of the National Intellectual Property Strategy* and the *Outline of the 12th Five-Year Plan for the National Economic and Social Development of the People's Republic of China*, SIPO prepared the *12th Five-year Plan for Patent-related Work* (hereinafter referred to as the “Plan”). The Plan is hereby issued and you are requested to effectively implement the Plan according to local and specific conditions and ensure accomplishment of the objectives set forth in the Plan.

This Circular is hereby given.

October 9, 2011

12th Five-year Plan for Patent-related Work

I. Preface

As the knowledge-based economy and economic globalization are going deeper, patents increasingly become a strategic resource for the development of a nation. Strengthening patent protection for core technologies has become an important move for more and more countries to fortify their innovation achievements and industry strengths. In the face of more intense international competition, China must give full play to the fundamental role of its patent system in improving the national core competitiveness and actively create new strengths in participating in international economic cooperation and competition.

During the 11th Five-year Plan period, significant achievements were made on the front of patent-related work. The *National Patent Development Strategy (2011 ~ 2020)* was promulgated, a new milestone in China's patent development. The *Patent Law* and its implementing regulations were revised for the third time and the *Interim Measures for the Administration of Special Funds for Subsidizing Foreign Patent Applications* and other regulatory documents were issued, basically shaping the patent-related laws and policy system. With the number of patent applications rising significantly, China took the second place worldwide regarding the annual number of domestic invention patent applications and the fourth place with regard to the number of applications through Patent Cooperation Treaty (PCT applications). The number of concluded patent examinations nearly doubled relative to the 10th

Five-year Plan period, the public satisfaction with the quality of patent examinations increased continuously and the capability of patent examination improved markedly. The system, capacity and mechanism of patent law enforcement were enhanced, crackdowns on intellectual property infringements were carried out in an orderly manner, the national IP enforcement assistance and reporting/complaint network preliminarily took its shape and patent protection improved measurably. Patent industrialization and other projects were further pushed forward, and over one thousand patent pilot organizations were set up cumulatively, 12 enterprises rank among the world's top 500 by PCT applications and the patent capability of enterprises and public institutions expanded obviously. The *Plan for Development of the National Public Service System for Patent Information* was formulated, the China Patent Electronic Examination System and other key information technology projects were completed successively and the information dissemination and service capacity were boosted continuously. The patent talent team grew stronger and the competency structure of talent was further optimized. Patent-related international exchanges and cooperation broke new ground, creating a sound external environment for China's technology innovation and economic development.

It should also be noted that, however, economic and social development poses many challenges to patent-related work; the patent system is not fully adap-



ted to science developments, patent policies are not well aligned to economic and technological policies of the country, and the patent management system and mechanism are not sound; quality of patents is not high and the number of core patents owned is small; the intellectual property mechanism featuring industry–university–research–application cooperation is unsound and market entities are weak in patent operation; law enforcement and protection have yet to be further strengthened; patent information dissemination and utilization lag behind economic and technological development; the general public has inadequate understanding about the patent system and lacks awareness of patent protection.

The period ahead is pivotal to strategic restructuring of China's economy, driving economic growth in more reliance on innovation and pushing forward patent strategy implementation. We should further enhance the sense of mission, urgency and responsibility, pursue scientific planning, well–focused breakthroughs and innovative development, give full play to the incentive and protective role of the patent system for innovation, and pave a sound way for fully achieving the strategic objectives of patent development.

II. Guiding Principles and Main Objectives

During the 12th Five–year Plan period, on the patent front, we should further implement the *Outline of the National Intellectual Property Strategy* and fully carry out tasks and measures set forth in the *National Patent Development Strategy (2011 ~ 2020)*, strengthen alignment with the 12th Five–year Plan for national economic and social development and clearly define guiding principles and objectives for patent–related work.

(I) Guiding Principles

To have patent–related work well done during the 12th Five–year Plan period, we should hold high the great banner of socialism with Chinese characteristics, adhere to Deng Xiaoping's Theories and the important thought of "Three Represents" as guidance, thoroughly implement the scientific outlook on development, move towards the ultimate goal of improving China's core competitiveness, focus work on utilizing the patent system and resources, step up efforts to execute the patent strategy, endeavor to create legal, market and cultural environments inductive to patent protection, significantly boost the capability of creating, utilizing, protecting and managing patents, take the initiative to serve innovative entities, give full play to the patent system's important supporting role in accelerating transformation of the economic development mode and promote steady and rapid growth of economy over the long term. Below are basic principles:

—Maintain the principal direction of promoting integration of patent and economy. Give full play to the supporting role of patent in industry restructuring and development mode transformation and endeavor to achieve full integration with economic development. Have a good grip on future trends in technology advancement and industry development and even deploy or take possession of a batch of future–proof patented technologies in key technology fields. Raise the patent–oriented level of industrial, regional, technological and trade policies and encourage indigenous innovation.

—Maintain patent utilization and protection as important areas of breakthrough. Actively promote dissemination and utilization of patented technologies

and information resources and accelerate establishment of the patent transfer and trading system as well as the patent investment and financing mechanism. Step up patent protection efforts, further improve the patent enforcement capability, give full play to the patent system's role in protecting innovation and strike a proper balance between patent protection and public interests.

—Maintain patent-related work capability improvement as the foundation for development. Boost patent system improvement to foster a fair and effective environment for development. Strengthen the government's patent-related public service function, increase the market's patent-related service capacity, enhance the service capability of enterprises and public institutions in patent creation, utilization, protection and management and improve enterprises' ability to participate in international competition capitalizing on the patent system and resources.

—Maintain the government-driven and market-adjusted approach as a fundamental one. Follow the universal laws of socialist market economy and give play to the fundamental role of market mechanisms in patent creation and utilization as well as resource allocation. Strengthen planning-based guidance and policy supports and give full play to the government's central role in system innovation, macro-controls, market environment improvement and public service provision.

(II) Main Objectives

The objectives of patent-related work are that by 2015:

The patent system and cultural environment will be increasingly optimized. Patent laws and regulations will be improved, patent policies will play an

obviously stronger guiding role in China's economic and technological development and the patent management systems and mechanisms basically accommodate economic and social development. The system of IP education, publicity and theoretical research with Chinese characteristics will be preliminarily established, the public awareness of patent protection will be increased broadly and the social environment for patent respect and protection will be markedly improved.

The capability of patent creation and utilization will be significantly boosted. China will rank among the world's top two countries by annual number of domestic invention patent grants, the number of invention patents owned among every 10,000 people will rise to 3.3 and foreign patent applications will double. Over 8% of industrial enterprises above the designated scale will have filed patent applications. A significant progress will be made in deploying future-proof core patents in the field of key technologies. A group of internationally competitive IP-leading enterprises skilled at using the patent system will be fostered.

The patent prosecution capability will be further enhanced. We should strengthen the system of examination policies and standards and the system of business operation management on a social needs-oriented basis, continuously optimize the electronic examination process, increase the IT-assisted level, further improve efficiency and quality of examination, steadily increase the public satisfaction with examination quality and push up the comprehensive capability of patent examination to the high level of the world's major IP offices.



Patent protection will be improved markedly. The system, mechanism, organization and team for patent enforcement, protection and enforcement assistance will be further strengthened, administrative patent enforcement will be effectively combined with judicial measures, capability and efficiency of enforcement will be obviously increased and enforcement assistance capability will be enhanced comprehensively. The patent market environment will be optimized measurably. Enterprises' capability for pursuing domestic and overseas patent protection will be improved markedly.

Patent service sectors will achieve rapid and healthy development. We will create a patent information service system that facilitates mutual support and coordinated development of public services and commercial services. The standards of patent agency services will be raised and specialized, standardized and large-scale development of the patent agency sector will be promoted. We need to accelerate the work on patent trading, trust, asset appraisal and pledge loans and actively develop technological supporting services including commercialization of patent and technology research findings. Private-sector investment in patent service organizations will be encouraged.

The patent talent team will expand continuously. We will foster a patent talent team that is sufficiently staffed, structurally optimal, reasonably deployed and highly competent. The patent administration and enforcement teams will expand steadily. The patent examination team will double in size. The quantity and quality of corporate patent personnel will improve significantly. Patent service sectors will see a major increase in professionals and a broader range of fields.

The number of practicing patent agents will reach 10, 000.

III. Major Tasks

(I) Improve the system of patent policies and laws

Aggressively promote establishment of the system of patent policies. Facilitate introduction of patent policies that meet a variety of industry needs, deploy a number of future-proof patented core technologies in the key technology fields of major industries and strategic emerging industries and promote optimal industry restructuring. Carry out regional IP promotion project and introduce policies on patent supports and patent transfer incentives. Optimize the patent subsidy policy and obviously improve patent quality. Strengthen patent policy guidance in overseas M&As of enterprises. Strike a balance between patent policies and major public policies on, for example, public health and climate change.

Strengthen the coordination between patent policies and macro-economic policies. Improve the mechanism for IP allocation and interest sharing regarding government-funded innovation outputs and promote creation of patents in tangible investments. Strengthen the link between fiscal policies and patent policies, implement patent pledge and other pro-innovation financial policies, facilitate patent transfer and licensing and encourage production and exportation of patented products with high added value. Promote creation of the patent review mechanism for government funded or supported major projects involving patents. Improve the patent management system for technology projects and raise their level of innovation. Actively promote inclusion of patent indicators into the

performance assessment systems of economy, technology and trade.

Improve the system of patent laws with Chinese characteristics. Track, study and utilize the development trends and good practices of international patent legislation for China's development. Accelerate revision of the Regulations on Patent Commissioning and the Regulation on National Defense Patents. Revise and improve the department rules accompanying the patent law and its implementing regulations. Explore reform and improvement of the design patent system and conduct feasibility study on independent design patent legislation. Improve the patent verification process and shorten the period of patent verification and dispute handling. Pay close attention to new problems arising from patent transfer, licensing and pledge and make corrections from time to time.

Strengthen development of patent-related laws and regulations. Promote formulation of the *Regulations on Service-related Technological Achievements*. Assist relevant departments in studying and developing standards and procedures for identification of patent abuses constituting patent monopoly. Actively promote introduction of administrative provisions on patent-related national standards. Improve patent-related provisions and collaboration mechanism in laws and regulations on IP protection regarding foreign trade and custom. Strengthen coordination and link between genetic resource laws and regulations and patent laws and regulations.

(II) Optimize the patent examination system and improve the comprehensive examination capacity

Establish examination standards and modify the

dynamic coordination mechanism. Dynamically modify the patent examination guidelines and relevant examination standards in line with economic and social needs as well as practical examination requirements. Establish a long-term working mechanism for modifying and improving examination standards. Strengthen tracking of the international trends in examination standards and research on social needs, conduct in-depth survey on the development of strategic emerging industries and key industries and create a working mechanism for coordination with administrative authorities (e. g. economy, technology and trade authorities), industry associations and enterprises. Strengthen communication between the patent examination department and the court.

Vigorously enhance the patent prosecution capability. Continuously optimize the electronic prosecution process in a bid to strengthen monitoring of examination activities and management of examination tasks. Improve the system of patent examination quality management, shorten the examination pendency, increase efficiency of patent examination, boost stability of patent rights and prevent abnormal patent applications. Upgrade representative offices to receiving centers towards the goal of standardizing management and enhancing the examination and service capability. Establish a nationwide patent examination system led by the patent office and the patent re-examination board, based on examination cooperation center and supplemented by patent application receiving and service organizations. Promote examination-related innovations in respect of diversifying examination channels, changing examination modes, relieving examination burden and rendering social services.



(III) Fortify the information dissemination system and promote utilization of patent resources

Establish a multi-tiered and multi-dimensional patent information-related public service system. Create a nationwide system of macro-management and business guidance for patent information dissemination and utilization; establish a patent information management and operation mechanism and publish basic patent information in a complete, accurate and timely manner. Provide guidance for local patent information organizations, book intelligence organizations and intermediary service organizations in the field of patent information services, encourage innovative entities to strengthen utilization of patent information and cause patent information to serve technological innovation and economic and social development; expand the channels of information transmission to create a multi-dimensional network of patent information dissemination.

Enhance the ability of enterprises and public institutions to utilize the patent system and resources. Steer enterprises towards developing a patent strategy conducive to business development based on market analysis and patent information analysis. Improve the work standards for corporate patent management and perfect the system of corporate patent assets management. Boost the ability of enterprises and public institutions to utilize the patent system and resources through establishment of pilot or model enterprises and public institutions, the SME IP strategy promotion project and the IP-leading enterprise fostering project. Promote intermediary patent services for SMEs through patent trust and other means.

Improve the working mechanism for patent analy-

sis. Conduct research on patented technology trends in strategic emerging industries, strengthen patent analysis and early warning in strategic emerging industries and key industries and improve utilization of research findings. Standardize and strengthen patent analysis and early warning nationwide. Further improve and promote the work standards and guidelines for patent information and early warning. Carry out the patent analysis scale-up and promotion project. Establish a multi-tiered patent talent training mechanism for the private sector. Encourage patent agencies to expand service scope and actively provide patent analysis and early warning services.

(IV) Establish the patent service system and promote patent trading

Optimize the development environment of the patent agency sector. Improve the national patent agent qualification examination system. Research and establish the patent agent practice insurance system. Establish and improve the patent agent assistance system, mobilize policy resources conducive to coordinated development of the patent agency sector across regions, establish a communication mechanism and create a cooperation mechanism between patent agencies in eastern and western China to pursue common development. Improve the supervisory mechanism integrating administrative regulation and self-discipline. Bring the patent agency sector to a good order of market competition. Enhance self-discipline and integrity of the patent agency sector.

Promote innovative development of patent service sectors. Actively facilitate formulation of the financial and tax policies conducive to development of patent service sectors. Encourage private-sector participa-

tion in commercialized patent information services. Aggressively facilitate development of patent service sectors including search of patent information, analysis, early warning, data processing, database creation, patent consulting, trading, trust, asset appraisal and pledge loan. Support pilot transformation of selected public patent information service organizations from public institutions to business entities and support or foster a batch of specialized service enterprises. Strengthen supervision over patent service sectors.

Establish a patent creation and operation system featuring industry–university–research–application cooperation. Explore the setup of a government–led and multi–participant special fund for centralized patent management, facilitate the formation of multi–tiered patent transfer modes including patent exhibition and trading centers, university–based patented technology transfer centers, patent venture capital companies and patent operation companies, adhere to industry–university–research–application cooperation and guide capital, people, technologies and patents towards enterprises. Promote patent utilization in universities and research institutes. Support creation of intellectual property alliances centered on patent cooperation in key industries and fields. Establish patent pools.

(V) Strengthen the law enforcement assistance system and improve patent protection

Improve the coordination mechanism for patent protection. Establish and improve the cross–regional collaboration and inter–departmental enforcement mechanism for patent cases, the coordination and supervision mechanism for major cases and the joint IP protection mechanism for major events. Strengthen the

effective alignment between administrative enforcement and judicial measures and unify enforcement standards. Study and establish the system of IP protection evaluation and improve the responsibility system for IP protection. Explore effective alignment between patent invalidation examination procedures and administrative patent enforcement procedures. Facilitate setup and improvement of IP enforcement assistance agencies.

Give full play to strengths of administrative patent enforcement. Aggressively launch special enforcement campaigns to protect and promote patent creation and utilization leveraging on the promptness and procedural simplicity of administrative enforcement. Create a three–tiered (provincial, municipal and county–level) system of administrative enforcement and services. Strengthen supervision and guidance over administrative enforcement cases. Establish a sound system for issuing advisory opinions on patent infringements. Facilitate setup of the pre–litigation mediation process for patent disputes.

Strengthen development of the IP enforcement assistance and compliant network. Improve the working mechanism for IP enforcement assistance and complaints. Explore the creation of a region–specific mechanism for expedited IP protection. Facilitate setup of the early warning and emergency response mechanism and the overseas IP protection and dispute resolution mechanism. Step up supports for enterprises at their key stages of pursuing or expanding overseas presence. Encourage competitive enterprises to take an active part in international cooperation and sharpen their competitive edge through patent international application, M&A and overseas IP protection.



(VI) Strengthen the administration system and promote innovation in systems and mechanisms.

Further improve management systems and mechanisms. Provide guidance for local IP offices on improving policies and fully performing duties. Facilitate setup of county-level IP offices in economically developed or otherwise eligible areas. Establish a sound steering and coordinating mechanism for IP-related work, expand patent management functions and establish a close tie between patent-related work and local economic and social development. Improve regional systems and mechanisms for IP-related work in line with the national strategy for regional economic development in a bid to drive coordinated development of regional economy. Encourage regional efforts to explore and establish a mode of unified IP administration.

Strengthen the functionality of administrative agencies. Effectively perform the coordinative function in organizing IP protection and IP strategy implementation; intensify the role of IP in serving social and economic development and increase IP administrative agencies' participation in major government decision making; strengthen coordination of foreign-related IP affairs, play a constructive role in international IP affairs and facilitate the formulation of fair, reasonable, mutually beneficial and win-win international IP rules and systems.

(VII) Develop the training and education system and strengthen talent development

Create an environment in favor of talent development. Improve the mechanisms and policy measures for talent development, promotion, assessment and in-

centives. Establish an investment mechanism for patent talent development that is led by the government and involves relevant agencies and the larger community. Actively introduce patent talent, increase financial inputs, establish IP training bases and strengthen basic training. Establish a sound investment mechanism for IP-related further education. Create a work mode for talent development that involves employers (e. g. government agencies, universities, research institutes, enterprises and public institutions) and encourages self-improvement of individuals.

Carry out in-depth IP training. Optimally integrate and fully utilize education and training resources at home and abroad to form a broad-based, multi-tiered network of education and training; actively expand training channels, aggressively carry out community-based IP training and support industry associations to provide industry-specific and profession-specific IP training services and vigorously foster highly skilled and practice-oriented talent. Strengthen IP training for officials and enhance their IP awareness. Speed up development of IP training materials and strengthen trainer development.

Intensify training of top talent in patent. Facilitate optimization and upgrading of the patent talent structure by expanding the size of patent talent team, with focus being placed on fostering high-level versatile talent. Actively implement the "100 + 1,000 + 10,000" IP talent project and vigorously foster talent in patent examination, patent administration and enforcement and in-house patent management talent of enterprises and public institutions, as well as top talent in intermediary services including patent agency, patent information search and analysis, integrated de-

sign of patented products, analysis of patented technology market and analysis of patent value investment portfolios.

(VIII) Develop the culture propaganda system to build IP culture

Strengthen the building of IP culture. Organize forums, salons, lectures, exhibitions and other theme events focused on hot IP issues. Foster such event brands as “National IP Awareness Week”, “China Patent Week”, “China Patent Award” and “Open Day”. Provide public IP education and include it into the national education system. Publish a batch of quality books and products and introduce a batch of films and TV programs regarding typical IP cases. Purify the IP environment, increase the public IP awareness and form the IP cultural philosophy of respecting knowledge, advocating innovation, integrity and law abidance by educational and publicity means.

Increase the effectiveness of IP publicity efforts. Further utilize traditional media including press, radio and TV and fully leverage on emerging media including the Internet and mobile phones to create a trusted and efficient IP dissemination platform, and carry out a broad variety of IP publicity events. Further expand publicity channels and actively launch overseas publicity, showing the world a good image of China in terms of its IP-related practices.

IV. Major Projects

(I) Intellectual Property Pilot Project

Improve the mechanism for province–ministry IP cooperation and consultation. Further carry out the IP pilot and model projects, reform the work management measures, establish the mechanism for assessment of pilot and model cities, parks and enterprises and de-

velop guidelines for cities, parks and enterprises. Promote the IP management standards for enterprises and public institutions. Implement the patent strategy promotion project and the IP–based pro–agriculture project. Launch the scheme for IP protection and value development regarding traditional and other forms of knowledge. Regularly release annual reports on regional IP development and prepare the county–level IP guidelines.

Box 1: Intellectual Property Pilot Project

Establish the working mechanism for IP cooperation and consultation with 10 provincial governments, foster and recognize 10 national IP model cities, 20 national IP model parks, 200 national IP model enterprises, 100 IP–leading counties (or districts) and 10 national leading counties in traditional knowledge protection and value development. Set up 10 IP development research bases nationwide.

(II) Project of Fostering Enterprises with an IP Advantage

Develop and improve the standards for recognizing enterprises with an IP advantage. Select a number of key enterprises in pillar industries, large–and medium–sized industrial enterprises, hi–tech enterprises of high growth potential as well as competitive small–and medium–sized enterprises in phases and in batches, and develop fostering plans specific to each stage of IP–related work by establishing the key enterprise liaison mechanism, setting up enterprise IP workstations, etc. Provide favorable fiscal and tax policies and financial supports for enterprises with an IP advantage.



(III) Project of Patent Enforcement Capacity

Building

Actively carry out special enforcement campaigns. Step up work on IP enforcement assistance and compliant services and improve the network of enforcement and protection. Make the guidelines for administrative patent enforcement and unified forms of enforcement documents. Expand enforcement staff and strengthen enforcement staff training.

Box 2: Project of Patent Enforcement Capacity Building

Patent enforcement campaigns: Crack down on IP infringements and counterfeits, in particular malicious, group and repeated infringements and counterfeits; crack down on patent frauds.

Establish 100 national IP enforcement assistance centers and strengthen staff training at these centers; further build the circuit examination halls of the Patent Re-examination Board; support 100 local IP offices to carry out the “5 · 26” patent enforcement promotion project, and give priority to building the patent enforcement mechanisms, conditions and teams of local IP offices and improving their patent enforcement capacity; select and include 200 judicial agencies, research institutes and legal service organizations into the national key liaison mechanism for patent protection.

(IV) Project of Patent Marketization Promotion

Facilitate development and implementation of patent strategies for key industries or sectors. Strengthen patent asset appraisal, improve the appraisal system

and enhance quality of appraisal. Create the market system for IP collateral circulation and promote conversion from patent rights to equity and options in patent industrialization. Improve working mechanisms and operating modes of the national patent exhibition and trading centers and patent industrialization bases. Introduce policies supporting industry associations and industry bases to form IP alliances. Study and formulate rules on patent pooling.

Box 3: Project of Patent Marketization Promotion

Foster 50 national patented technology exhibition and trading centers, and build three to five regional patented technology exhibition and trading centers with complete functions and sound management. Foster 10 national model entities for IP investment and financing, 20 patent industrialization bases in strategic emerging industries and 30 industry-wide patent pools. Continue the joint effort to build the China Technology Exchange and establish the China Intellectual Property (Patent) Trading Center Co. , Ltd. .

(V) Project of Comprehensive Patent Examination Capacity Enhancement

Increase the informatization level of patent examination and aggressively promote fine-tuning of examination operations. Reasonably deploy the patent examination capacity, establish three patent examination cooperation centers outside Beijing, set up about 35 patent application receiving and service branches nationwide and around 30 circuit examination halls.

Box 4: Action Plan on Accelerating Patent Examination

Indicator	By 2015
Substantive examination pendency for invention patent applications	22 months
Examination pendency for utility model patent applications	3 months
Examination pendency for industrial design patent applications	3 months
Examination pendency for re-examination requests	12 months
Examination Pendency for patent invalidation requests	6 months

(VI) Project of Patent Information Service Promotion

Establish a sound national system of guidance on patent information dissemination and utilization. Strengthen the efforts to boost the information utilization and service capacity of patent information organizations, book intelligence organizations and intermediary service organizations. Vigorously propel the building of the national patent information-related public service platform and the platform for utilization and commercialization of patent information and technologies concerning China's key industries. Carry out application and processing of basic patent data for China's key industries.

Box 5: Project of Patent Information Service Promotion

Set up the national patent information-related public service system, establish and improve one national patent data center, five regional patent information service centers and 47 local patent information service centers.

Establish a national patent information-related public service platform via the Internet that integrates a variety of patent information services and communications, provides complete and easily accessible functions, and improve China's IP remote education platform.

Establish a platform for utilization and commercialization of patent information and technologies concerning China's key industries and, in addition to patent information services for key industries, expand classified navigation and other services for strategic emerging industries; establish IP commercialization platforms and other sub-platforms that include such features as patented technology utilization and commercialization services, development of such services, as well as classification and processing of patented technology information resources.

(VII) Project of Patent Service Sector Development

Support a batch of service enterprises in the field of value-added services including patent database service, patent consulting service, IP pledge loan and other investment or financing services. Support and steer private capital towards patent service sectors. Encourage and support strengthened communication and cooperation between leading overseas patent service organizations and domestic patent service organizations. Facilitate the engagement of patent service organizations in high-end consulting services including patent strategy, analysis and early warning, intangible asset M&A and foreign-related dispute resolution, and promote cross-sector operation.

**Box 6: Action Plan on Patent Service Sector****Development**

By the end of the 12th Five-year Plan period, the annual volume of patent transactions will amount to about RMB100 billion, the income from principal activities in patent service sectors will achieve a two-fold increase at the minimum, the number of excellent patent agencies will exceed 100, the number of practicing patent agents will reach 10,000 and the number of internationally competitive patent agents will be about 1,000.

(VIII) Project of Intellectual Property Talent**Development**

Strengthen scientific planning. Pursue the overall development of IP administration and enforcement talent, patent examination talent, in-house patent talent of enterprises and public institutions, talent in IP service sectors and top IP talent. Vigorously carry out the "100 + 1, 000 + 100, 000" IP talent project, the IP training base construction project and the IP talent informatization project. Launch the top talent scheme and other talent fostering and development schemes, expand the talent team, facilitate optimal talent restructuring, improve talent environment, promote reasonable talent deployment, and shape a coordinated and effective working mechanism for IP talent development that combines centralization and decentralization.

Box 7: Project of Intellectual Property Talent**Development**

Assemble a national IP expert bank composed of about 300 experts from across the country, establish provincial talent tanks and attach importance to strengthening classified talent development and management.

Each year, foster 100 young and middle-aged top talent and academic leaders, foster about 2,000 people with high professional and academic attainments in their specialized fields and foster about 30,000 professionals engaged in IP-related work of enterprises and public institutions or in IP service sectors.

The quantity and quality of IP talent of enterprises will improve significantly. 200,000 IP professionals from enterprises and public institutions will be trained each year on a planned and multi-leveled basis.

V. Supporting Measures**(I) Strengthen organization and leadership**

SIPO is responsible for coordination and macro-guidance on plan implementation. Fully utilize such coordination mechanisms as the ministerial joint meeting on implementation of the national intellectual property strategy, and province-ministry and inter-ministerial consultation. Motivate ministries, sub-national agencies and non-government organizations to collaboratively organize plan implementation.

(II) Provide good coordination

Establish a monitoring and evaluation mechanism for plan implementation. Regularly evaluate plan implementation and supervise execution of major projects. Set up a dynamic adjustment mechanism to make necessary adjustments to the Plan to reflect the latest developments.

(III) Strengthen policy supports

Local authorities should develop and implement feasible and practical supporting policies having regard to the objectives, tasks and major projects defined in the Plan. Relevant departments and organiza-

tions should break down the objectives and tasks in accordance with the arrangements and requirements set forth in the Plan, clarify duties and develop the breakdown plan for objectives and tasks and formulate measures for implementing major projects based on the annual work priorities and major work plans.

(IV) Increase the input of human and financial resources

Follow the natural law of talent development, effectively foster human resources and provide strong

talent support for comprehensive, coordinated and sustainable development of patent-related work; strengthen the mechanism for ensuring increased financial input in patent-related work so that the financial input in patent-related work grows obviously faster than current revenues of public finances; facilitate earmarked funding for patent undertakings in the field of technology, education, culture, industry and trade, and ensure smooth operations under the Plan.

State Intellectual Property Office, National Development and Reform Commission, Ministry of Science and Technology, Ministry of Industry and Information Technology, Ministry of Agriculture, Ministry of Commerce, State Administration for Industry and Commerce, General Administration of Quality Supervision, Inspection and Quarantine, National Copyright Administration and State Forestry Administration Circular on the Issuance of the 12th Five-year Plan for National Intellectual Property Development

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Intellectual property offices, development and reform commissions, science and technology departments (commissions or bureaus), departments in charge of industry and information technology, agriculture departments, departments in charge of commerce, administrations for industry and commerce, and administrations of quality and technology supervision of all provinces, autonomous regions, municipalities directly under the Central



Government, cities under separate state planning and Xinjiang Production and Construction Corps, Market Supervision Administration of Shenzhen Municipality, and all entry-exit inspection and quarantine bureaus directly under the General Administration of Quality Supervision, Inspection and Quarantine, copyright offices directly under the National Copyright Administration and forestry bureaus directly under the State Forestry Administration, in order to implement the Outline of the 12th Five-year Plan for the National Economic and Social Development, vigorously implement the national intellectual property strategy and effectively support the building of innovative country, the State Intellectual Property Office, National Development and Reform Commission, Ministry of Science and Technology, Ministry of Industry and Information Technology, Ministry of Agriculture, Ministry of Commerce, State Administration for Industry and Commerce, General Administration of Quality Supervision, Inspection and Quarantine, National Copyright Administration and the State Forestry Administration jointly formulated the 12th Five-year Plan for National Intellectual Property Development (the "Plan"), which is hereby issued. Please promptly develop specific implementing plans in accordance with the objectives, tasks and policy measures defined in the Plan, earnestly organize the implementation thereof, and make sure to achieve tangible results.

This Circular is hereby given.

September 22, 2011

12th Five-year Plan for National Intellectual Property Development

In order to provide guidance for the entire society to strengthen intellectual property (IP) related work and actively respond to international competition in the IP field, this Plan is formulated in accordance with the overall requirements of the Outline of the 12th Five-year Plan for the National Economic and Social Development and the Outline of the National Intellectual Property Strategy.

I. Development Environment

China has made remarkable achievements in IP development during the 11th Five-year Plan period.

The IP strategy became a fundamental national strategy for China's economic and social development after the Outline of the National Intellectual Property

Strategy was issued by the State Council in 2008. The patent law and its implementing regulations, the copyright law and the regulations on customs protection of intellectual property rights (IPRs) were revised; the measures for IPR protection during exhibitions, the interim provisions for intensified cooperation in the combat against the violations of laws and crimes in trademark infringements, the interim provisions on IPR management for major national technological projects and other regulatory documents were issued successively; judicial interpretations concerning the hearing of cyber-copyright cases, judicial protection of well-known trademarks and the criteria for the determination of patent infringement were introduced suc-

cessively. The IP system is becoming increasingly complete. The annual number of applications for utility model patents, industrial design patents and trademark registration has been taking the first place in the world for years, that for invention patents and new plant variety right takes the second place, and the copyright-related sectors make a contribution of more than 6% to the economic growth. Enterprises' leading role in the IP field has been gradually established. The patent applications of 12 enterprises are ranked among the world's top 500 PCT applicants, and 17 brands are ranked among the world's top 500 brands. IPR protection campaigns are carried out on an ongoing basis, judicial interpretations on IP are continuously intensified, the pilot programs on centralized hearing of civil, administrative and criminal IP cases by the IP tribunals are gradually expanded, the national network for assistance in IPR protection has been preliminarily established, the mechanism of collaborative law enforcement is continuously deepened, and significant progress has been made in IPR protection. The ministerial joint meeting and cooperation and consultation mechanism for IP strategy implementation have been established, and the IP coordination and administration have been improved significantly. Dialogues, communication and cooperation are conducted extensively with many countries, international organizations and foreign-funded enterprises. China's international influence has gradually increased in the IP field. The number of IP professionals has been expanding continuously. The "IPR Protection Awareness Week", "China Patent Week", "China Trademark Festival" and "Green Bookmark Action" are carried out. The construction of IP culture moves

forward steadily. The cultural atmosphere of respecting IP is taking shape across the entire society.

The 12th Five-year Plan period is an important stage during which great development, changes and adjustments take place in the world. Global competition for resources and markets is increasingly intensified, climate change issues become more prominent, trade protectionism is resurging, and the competition in comprehensive national power is increasingly reflected in competition in innovation capacity. As developed countries further strengthen IPR protection and exert every effort to convert innovation strengths to market competitiveness, China faces more international challenges and heavier pressure from the outside. In addition, China still exhibits unbalanced, uncoordinated and unsustainable aspects of economic development, faces strong constraints in resources and environment, and finds it hard to continue the extensive mode of economic growth. China is in urgent need of IP and other inputs to put it onto the track of innovation-driven and self-sustaining economic development. IP-related work faces many challenges in the new situation, mainly including the following: the IP system is not adapted to the requirements of the times for scientific development; the IP mechanism featuring industry-university-research-application cooperation is poor in collaboration, and the capability in IP operation is weak; IPR protection systems and mechanisms are unsound and law enforcement still appears to be insufficient; the IP service system and the talent development capacity fall far short of economic and social development needs, and the general public has a weak IPR sense. In the face of new development situation and requirements, we must scientific-



ly judge and accurately identify development trends, seize opportunities, make breakthroughs in priority areas and pursue innovative development, accelerate the shift from a big to IP nation to a strong one, and provide strong supports for building an innovative nation and a well-off society in an all-round way.

II. Guiding Thoughts, Principles and Main Objectives

(I) Guiding Thoughts and Principles

Hold high the great banner of socialism with Chinese characteristics, under the guidance of Deng Xiaoping's Theories and the important thought of "Three Represents", thoroughly implement the scientific outlook on development, move towards the goal of improving enterprises' market competitiveness and China's core competitiveness, vigorously implement the national IP strategy, continuously improve the legal system for IP, actively create a sound atmosphere for IP development, strengthen IP creation, utilization, protection and management, give full play to the important role of the IP system in accelerating the transformation of the economic development mode, and promote steady and rapid economy growth over the long term. Below are basic principles:

—Maintain the principal direction of promoting the integration of IP and economy. Introduce innovative systems and mechanisms and reinforce the guiding role of IP in industrial, regional, technological, trade and competition policies. Adhere to industry-university-research-application cooperation, vigorously promote IP utilization, gradually form industrial competitive advantages, turn IP into a key driver of economic growth, and endeavor to fully integrate IP into economic development.

—Maintain serving the transformation of economic development mode as the starting point and ultimate goal. Create IPRs, actively foster proprietary brands, and enhance the indigenous development capacity in strategic emerging industries and other key areas of technology in line with the national strategy and economic and social development needs. Give play to the important role of IP in developing modern agriculture, reforming and upgrading the manufacturing industry, and accelerating the development of the service sector, enhance the core competitiveness of industries, and cause economic growth to rely more on scientific and technological progress, a higher-quality labor force and innovative management.

—Maintain fully promoting IPR protection as an important foundation. Focus efforts on the fight against severe IPR infringements and counterfeits in some fields and geographical areas, contain large-scale IPR infringements and keep up the pressure against IPR infringements. Explore and improve protection modes, establish a long-term mechanism for IPR protection, enhance the level of IPR protection and market order maintenance, and properly respond to IP-related international trade conflicts and disputes.

—Maintain strengthening IP capability development as a key area of work. Strengthen the establishment of the legal and policy system for IP and actively create a development environment conducive to encouraging innovation and promoting technological cooperation and trade. Explore and establish more effective modes of administration, form IP management and service synergies, boost the ability of enterprises and industries in the integration and utilization of global innovation resources for indigenous innovation, increase

the efficiency in the use of IP system and resources, and achieve the organic unity of IP and technological innovation, cultural ideas and brand building.

——Maintain balanced and shared development as a fundamental approach. Properly deal with major relations in building the IP system with Chinese characteristics based on China's basic national conditions with an international mindset. Identify the meeting point of IP and regional development, coordinate interests among IP creators, disseminators, users and the general public, and balance the speed, quality and return of IP development. Facilitate balanced development of the international IP system.

(II) Main Objectives

The objectives of China's IP development are that by 2015:

The IP system and cultural environment will be optimized significantly. Improve the IP system, strengthen the connection between IP policies and economic, cultural and social policies, and optimize the systems and mechanisms for IP administration and judicial protection. Promote innovation and utilization based on protection, strengthen efforts in IP enforcement, further increase the efficiency, authority and credibility of law enforcement, effectively contain piracies, counterfeits and other infringements, and regulate IPR abuses. The IPR awareness of the society at large, in particular enterprises, will be enhanced.

The level of IP creation and utilization will be significantly boosted. Take possession of a batch of IPRs in key technologies that emerge as major drivers of economic growth in the critical technological areas of strategic emerging industries and traditional industries. The number of invention patents owned by every

10,000 people will rise to 3.3, registered business trademarks will continue to increase, a batch of internationally well-known brands will be fostered, copyright-related industries will contribute to about 8% of economic growth, registered new plant varieties and integrated circuit layout designs increase significantly, and geographic indications increase steadily. Foster a number of globally influential R&D institutions and a batch of leading enterprises with independent IPRs, internationally well-known brands and strong international competitiveness.

The IP service capacity will be enhanced obviously. The IP examination and registration capacity will reach the international level. Formulate policy measures promoting the development of IP service sectors, foster and regulate the IP service market, explore innovative modes of development, support a batch of IP service enterprises, and actively develop technological support services including commercialization of IPRs and research findings. IP service organizations will offer a full range of services and strive to double their income from principal businesses. Public and social IP services will basically accommodate China's economic development and public needs.

The IP talent team will grow steadily. Foster and bring up an IP talent team that is sufficiently staffed, structurally optimal, reasonably deployed and highly competent. The IP administration and enforcement teams expand steadily, notable competitive advantages will be formed in IP examination and registration, significant improvement will be made in both the quantity and quality of IP talents in enterprises, and the number of IP service professionals will witness an increase of about 10,000.



III. Priority Tasks

(I) Improve the IP legal system

Accelerate revision of the *Trademark Law*, *Anti-Unfair Competition Law* and the *Regulations on Patent Commissioning*; promptly revise the *Copyright Law* and its accompanying administrative rules and the *Regulations on National Defense Patents*; amend the *Regulations on the Protection of New Plant Varieties*. Formulate the *Regulations on the Protection of Copyright in Folklore Works* and the *Regulations on Service-related Technological Achievements*. Further improve the legal system for Internet IPRs and strengthen the legal system related to the study of the protection of genetic resources and traditional knowledge. Release judicial interpretations or regulatory documents of the nature of judicial interpretation regarding the criteria for the hearing of cyber-copyright cases and cases of ownership affirmation in patent licensing.

(II) Improve the IP policy system

Strengthen alignment between industrial, regional, technological, trade and competition policies and IP policies. Leverage on financial, fiscal, technological and trade policies to promote IP creation and utilization. Develop IP policies adapted to the development of the key fields of strategic emerging industries and traditional industries. Provide guidance for innovative entities to seize the strategic high ground of IP. Strengthen the development of technological innovation IPR management capacity and policy system. Improve the IP management system for national science and technology (S&T) plans and national major S&T programs and the working mechanism for industry IPRs. Prevent IPR abuse and maintain fair competition in the market order and the legitimate rights and interests of

the general public. Improve regional IP promotion policies, strengthen classified guidance and serve innovative development of regional economies. Research and develop accompanying rules and relieves for regulations on foreign trade-related IPR protection. Establish a sound monitoring system for IP statistics.

Improve the IP review mechanism for major economic activities. Strengthen IP analysis and early warning for strategic emerging industries, improve and promote analysis and early warning standards and operation guidelines, and steer analysis and early warning services towards commercialization. Carry out the pilot program on IP analysis, early warning and review in selected areas and industries with strong needs and facilitate the establishment of the IP review mechanism for major economic activities to prevent and mitigate IP risks.

(III) Strengthen the mechanism for IP protection and management

Intensify efforts in IP protection. Strengthen overall planning and coordination in IP protection and continuously facilitate the generation of synergies in IP protection. Give full play to the leading role of judicial protection in IPR protection and intensify sanctions and order enforcement against civil infringements to increase the cost of infringement; impose severe punishment upon IP crimes and give full play to the punitive and deterrent role of criminal judicial protections against criminal offenses. Strengthen efforts to build the administrative enforcement system, effectively utilize administrative enforcement resources and severely combat various IPR infringements. Strengthen IPR protection regarding Internet, import and export.

Facilitate innovation in management systems and

mechanisms. Give further play to the coordinating role of the ministerial joint meeting on national intellectual property strategy, improve the working mechanism for inter-ministerial and province-ministry IP consultation, and create strategic model provinces. Integrate IP administration resources, boost coordinated IP management in government-funded projects and push forward the establishment of the IP investment and financing mechanism. Improve the sub-national IP work systems and mechanisms in line with the national strategy for regional economic development in a bid to drive coordinated development of regional economies. Implement the IP-based pro-agriculture program. Facilitate traditional knowledge, genetic resource and folklore protection and value development.

(IV) Promote IP creation and utilization

Boost the capacity of enterprises and public institutions to utilize the IP system. Actively encourage enterprises to implement the IP strategy, and strengthen IP policy guidance and information services for SMEs. Further improve the IP management standards for enterprises and public institutions. Facilitate the development of policies on IP asset appraisal and accounting. Encourage enterprises to participate in market competition with the use of IPRs, provide support for eligible enterprises to implement the “go global” strategy, take part in formulating international standards and vigorously foster enterprises with an IP advantage.

Establish an IP creation and operation system featuring industry-university-research-application cooperation. Improve and implement favorable tax policies encouraging IP transfer and licensing, implement financial policies, including IP ledge, to encourage innovation and attract capital, talent, technology and IP

towards enterprises. Explore the setup of IP operation funds that are led by government and involve multiple sides. Promote IP utilization in universities and research institutes. Support the establishment of industry-university-research-application alliances in key industries and key technological fields. Promote IP creation and industrialization through technology innovation, IP cooperation and standards formulation.

(V) Promote innovative development of IP service sectors

Improve the IP financing and trading system. Press forward with IP asset appraisal and facilitate the creation of the IP investment and financing system that mainly involves financial institutions and venture capital. Provide guidance for credit guarantee institutions to provide guarantee services for IP trades and explore the creation of a risk sharing mechanism for pledge-based financing. Provide support for IP-savvy enterprises to issue corporate bonds or go public. Regulate IP review, tracking and information disclosure in the securities market. Create the platform for IP exhibition, trading, incubation and commercialization.

Vigorously foster IP service sectors. Facilitate the formulation of preferential financial and tax policies conducive to the development of IP service sectors, encourage non-government efforts in IP commercialization services, promote the development of IP agency, advisory, appraisal, trust, training, information search, data processing and financial services and provide a high level of IP services to the entire society. Give full play to industry associations. Regulate the management of the qualifications of practitioners in IP service sectors. Strengthen self-discipline and integrity in IP service sectors.



(VI) Deepen and expand international communication and cooperation

Deepen international communication and cooperation in the IP field. Intensify coordination of foreign-related IP issues. Improve the mechanism for the exchange and communication of foreign-related IP information. Strengthen cooperation with IP-related international organizations. Maintain and develop bilateral, multilateral communication with major countries and regions. Strengthen the study of international IP rules and regulations. Actively participate in developing trade-related WTO rules in the IP field. Improve IP management measures for international S&T cooperation. Create a mechanism for the examination and approval of the transfer of government-funded IP to foreign parties. Introduce innovative modes of cooperation, expand areas of cooperation, play a constructive role in international IP affairs and facilitate the development of international IP rules and regulations featuring fairness, reasonableness, mutual benefit and win-win.

Encourage enterprises to pursue international development via IP operation. Establish and improve the early warning and emergency response mechanism and the overseas IP protection and dispute resolution mechanism. Step up supports for enterprises in their key stages of pursuing or expanding overseas presence. Provide guidance for and encourage competitive enterprises to participate in international cooperation, create international competitive advantages through international IP application, registration, M&A and overseas IPR protection, promote overseas use of proprietary technical standards, boost the capability of integrated use of global innovation resources, drive

Chinese industries to move up the global value chain and expand market channels.

(VII) Foster IP culture

Introduce innovative modes of publicity, establish a trusted and efficient platform for IP dissemination and introduce a batch of influential IP culture events. Provide extensive IP education for popularization and include IP education into the national education system. Promote the ethical doctrine of being proud of innovation and integrity while being ashamed of counterfeiting and infringement. Actively carry out foreign publicity, allow the international community to have an objective, fair and full understanding of China's achievements in IPR protection and maintain a good image of China in the world.

IV. Specific Areas of Work

(I) Patents

Implement the patent strategy. Strengthen patent deployment in key industries, make future-proof deployment in key technological fields and take possession of a batch of patented core technologies in support of the development of China's hi-tech industries and strategic emerging industries. Carry out the China Patent Award selection in a deep-going manner. Improve the patent right verification process and shorten the period of patent verification and dispute handling. Revise the administrative measures for compulsory licensing. Create the patent agency assistance and support mechanism. Step up the efforts to build patent examination departments, optimize patent examination modes, improve patent examination standards and improve the quality of examination. Strengthen communication and the utilization of patent information.

(II) Trademarks

Implement the patent strategy. Strengthen trademark enforcement to maintain a fair market environment. Innovate in and improve the management systems and mechanisms for trademark registration. Increase the level of E-governance and IT application. Improve the efficiency and quality of trademark examination. Provide classified guidance and supports for market participants in implementing the trademark strategy, improve enterprises' capability of trademark registration, utilization, protection and management, foster a batch of internationally well-known brands and enhance core competitiveness of enterprises and promote development mode transformation through brand fostering. Give full play to the role of trademarks in agricultural industrialization, increase the added value of agricultural products and boost market competitiveness.

(III) Copyright

Implement the copyright strategy. Improve the copyright-related public service and community participation system, encourage the creation and utilization of excellent works and promote the development of copyright-related industries. Strengthen copyright enforcement and regulation, focus on battle against large-scale production, sale and dissemination of pirated works and actively promote the use of genuine software among government agencies and enterprises. Effectively respond to challenges posed to copyright protection by the Internet and other new technologies and boost the ability to create, utilize, protect and manage copyrights. Strengthen the copyright-related international response system and effectively safeguard national interests.

(IV) New plant varieties

Implement the agricultural IP strategy. Develop and implement the strategy for protecting new forest plant varieties. Enhance the innovation capacity in cultivating new plant varieties, expand the scope of new plant varieties under protection, encourage innovative breeding, ensure sustainable development of agriculture and forestry and safeguard food and ecological security. Establish a sound technical support system for the protection of new plant varieties, accelerate the development of the guidelines for testing new plant varieties, intensify examination and test management of plant variety right applications, improve the testing agencies and methods for new plant varieties and improve examination and testing capacity. Accelerate the promotion and commercialization of licensed plant varieties to increase farmers' income. Strengthen administrative enforcement for protected new plant varieties to protect the rights of breeders. Grasp the international trends in the protection of new plant varieties, pay due attention to public interests and farmers' interests and reasonably regulate the interest relationship among the resource providers, breeders, producers and operators.

(V) Integrated circuit (IC) layout design

Employ the IC layout design system to enhance China's technological capability in IC layout design. Improve the registration and cancellation processes for IC layout designs. Provide good IC layout designs for the "Ultra-large-scale IC Fabrication Equipment and Complete Process" and other national major S&T programs.

(VI) Geographic indications

Improve the system of geographic indications,



accelerate the approval and registration of geographic indications, regulate the use of special marks of geographic indication products and impose punishments upon counterfeit geographic indications and special marks of geographic indications. Strengthen the protection of geographic indications, intensify market supervision over geographic indications and other products, protect their market reputation and turn natural and cultural resources with local characteristics into real productivity. Strengthen international protection of Chinese geographic indications using WTO and other bilateral, multilateral mechanisms. Strengthen supervisory inspection of imported and exported geographic indication products. Facilitate the creation and supervision of standard, warranty and testing systems for geographic indication products.

(VII) Genetic resources, traditional knowledge and folklore

Facilitate the creation and improvement of the informed consent, benefit sharing and information disclosure systems regarding genetic resources. Study and create mechanisms for the registration and legal protection of traditional knowledge, specify the scope of traditional Chinese medicine (including minority medicines) and folklore under protection, and create the license and royalty system for folklore use.

(VIII) National defense intellectual property

Implement the national defense IP strategy. Strengthen national defense IP management. Improve the system for the confidentiality and release of national defense IP. Steadily promote shift of national defense IP to civil fields. Encourage the application of civil IP in national defense fields. Release key technology guidelines. Improve the mechanism for nation-

al defense IP allocation and benefit sharing. Establish the national defense IP dispute resolution mechanism. Apply special review of national defense IP to military technology cooperation and military product trading. Accelerate national defense patent approval and improve the quality of examination.

V. Major Projects

(I) IPR Enforcement and Protection Capacity Building Project

Establish and improve the IPR protection coordination mechanism, facilitate effective alignment between administrative enforcement and criminal and judicial protection and deepen inter-region, inter-agency collaboration in law enforcement. Improve the “online alignment and information sharing” mechanism and accelerate the development of the inter-ministerial supervisory data sharing mechanism. Strengthen enterprise supervision and market supervision. Strengthen the development of the integrity system. Step up development of the IPR protection assistance platform, improve the IP complaint acceptance mechanism and create the system of reward for infringement reporting and compliant filing. Intensify IPR enforcement supervision and IP-related legal services.

Box 1: IPR enforcement and Protection Capacity Building Project

Intensify administrative IPR enforcement. Improve the three-tiered (provincial, municipal and county-level) system of administrative enforcement and services for patents, trademarks, copyrights, agriculture and forestry, create the enforcement and protection network, expand the base of law enforcement staff and improve the quality of law enforcement

staff. Provide support for 100 local IP offices to implement the “5.26” program. Select and include 200 judicial agencies, research institutes and legal service organizations into the national key liaison mechanism for patent protection.

Intensify judicial IPR protection. Continue to carry out the pilot program on centralized hearing of civil, administrative and criminal IP cases by IP tribunals, improve the jurisdiction system for civil IP cases and increase the efficiency of hearing and enforcement. Further improve IP hearing bodies, expand the IP trial team, implement the “3 + 5” Program and strengthen the foundation of grass-root IP trial work.

Intensify efforts in the supervision of IP enforcement. Develop the annual action plan for IP protection, publish the IP protection whitepaper and develop the system of IP protection assessment indicators. Improve the system of performance assessment, inspection and supervision. Improve inter-agency collaboration, communication and transfer mechanism for major cases. Establish the IP protection integrity records and priority monitoring list.

Strengthen IP protection in international trade and investment. Release information on overseas IP early warning and guidance via the overseas IP protection center, carry out capacity building and research on overseas IP protection of enterprises, launch overseas publicity of IP protection, create the overseas IP protection expert tank, the key enterprise liaison mechanism and the major IP disputes resolution mechanism and create an overseas IP protection platform that involves government, enterprises, industry associations, chambers of commerce and intermediaries.

(II) Intellectual Property Operation Promotion Project

Carry out pilot and model IP programs in a deep-going manner, implement the patent industrialization promotion program, build internationally well-known brands, pursue prosperity of copyright-related sectors, build industrialization bases and facilitate IP commercialization. Implement the IP asset appraisal promotion program and carry out the pilot program on IP pledge financing. Further carry out work on Chinese Time-honored Brands protection and promotion.

Box 2: Intellectual Property Operation Promotion Project

Item	Description
Promotion of national patent industrialization	Push forward with the patent industrialization project in line with the national drive to construct industry clusters and bases. Foster 50 national patented technology exhibition and trading centers, 20 patent industrialization bases in strategic emerging industries and 30 industry-wide patent pools and related operating entities.
Creation of international well-known brands	Push forward with building model cities and model enterprises in implementing national trademark strategy. Endeavor to have 100 model cities and 100 model enterprises. Create a batch of well-known brands with international influence, explore the setup of key industry cluster brand bases and strengthen IPR protection of homegrown brands.



<p>Prosperous development of copyright-related sectors</p>	<p>Support the creation and market operation of a batch of excellent works. Create 3 ~5 copyright trading platforms integrating appraisal, pledge, investment and financing. Successfully hold the Beijing International Book Fair, the National Book Trade Fair and other major copyright fairs. Foster 5 ~10 model cities in copyright and 3 ~5 national copyright trading bases, 5 ~10 copyright-related sector development bases, 3 ~5 research and education bases and 100 model organizations in copyright protection.</p>
<p>Commercialization of new plant varieties</p>	<p>Select and include a batch of fine new plant varieties into the pilot program on technology promotion at various levels and support the establishment of 20 model production bases with new plant variety rights. Accelerate the development of testing and preservation agencies for the protection of new plant varieties, improve 2 testing sub-centers, create 5 specialized testing stations and strengthen capacity building of field monitoring bases and preservation agencies.</p>

(III) Project of Fostering Enterprises with an IP Advantage

Develop and improve the standards for the recognition of enterprises with an IP advantage. Select a number of key enterprises in pillar industries, large- and medium-sized industrial enterprises, hi-tech enterprises of high growth potential as well as competitive small- and medium-sized enterprises in phases and in batches, and develop fostering plans specific to each stage of IP work by establishing the key enterprise liaison mechanism, setting up enterprise IP workstations, dispatching IP commissioners etc. Under the same conditions, governments and relevant agencies at all levels should provide preferential fiscal policies and financial supports for Enterprises with an IP advantage.

(IV) IP Examination and Registration Capacity Enhancement Project

Strengthen capacity building on IP examination and registration, enhance the level of informatization in examination, optimize procedures, increase efficiency and reduce administrative costs. Improve E-filing system for patent and trademark applications and improve examination standards. Continuously improve the system of new plant variety testing and markedly improve testing capability.

Box 3: Action Plan on Expediting IP Examination and Registration

Indicator	2015
Substantive examination pendency for invention patent applications	22 months
Examination pendency for utility model patent applications	3 months
Examination pendency for industrial design patent applications	3 months
Examination pendency for patent re-examination requests	12 months
Examination pendency for patent invalidation request	6 months
Examination pendency for trademarks	10 months
Hearing pendency for trademark disputes	20 months
Hearing pendency for trademark for trademark review	18 months
Substantive examination pendency for right over new agricultural plant varieties	30 months
Substantive examination pendency for right over new forestry plant varieties	24 months

(V) IP Information-related Public Service Project

Establish and improve the multi-type, multi-level IP information base and IP-related public service platform to publish basic IP information in a timely manner. Vigorously move forward with major projects under the IP information-related public service project, innovate in the operating mechanism and service

modes of the IP-related public service platform, encourage the provision of IP information-related public services and improve the capability of rendering professional IP services for technology innovation. Strengthen the monitoring of IP information and public opinions. Periodically publish IP information.

Box 4: IP Information-related Public Service Project

Item	Description
National IP basic information resources and service system	Integrate basic IP information resources, collect data on domestic, foreign and international IP organizations, create and improve basic databases on products under patent, trademark, copyright, agricultural/forestry new plant variety and geographic indication protections, explore the setup of inter-agency collaboration mechanism in data and information, provide comprehensive information on IP application, law status and basic knowledge, and enhance the level of informatization in intangible cultural heritage protection.
IP utilization and transfer platform	Build the patent information service platform for strategic emerging industries, improve the patent information service platform for major industries, build the national patent information-related public service system and establish the copyright information-related public service platform.



	Strengthen the development of the agricultural information service platform and explore the setup of a variety right transfer platform for hybrid corns and rice. Build the forestry IP-related public information platform.
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(VI) IP Service Sectors Fostering Project

Support a batch of service enterprises in such value-added fields as IP software services, professional IP database services, IP advisory services, IP pledge loans and other investment and financing services. Support and steer private capital towards IP service sectors. Encourage and support strengthened communication and cooperation between leading overseas IP service organizations and domestic IP service organizations. Promote IP service organizations to provide high-end advisory services including IP strategy, analysis and early warning, intangible asset M&A and foreign-related IP disputes. Support pilot restructuring of public IP services organizations towards business entities where conditions permit. Foster 5-10 IP-themed brand exhibitions.

(VII) IP-based Pro-agriculture Project

Establish the IP work system and service network for leading enterprises in agriculture and forestry industrialization and explore the setup of innovative modes of IP-based pro-agriculture work. Support the development of a batch of cutting-edge patented products and technologies with strong competitive advantages. Foster a batch of famous trademarks. Build a batch of large-scale agricultural and forestry product brands with strong competitiveness and high value

added leveraging such IPRs as patents, trademarks, new pant varieties and geographic indications. Develop a batch of agriculture-and forestry-related enterprises and specialized farmers cooperatives with indigenous IPRs and strong market competitiveness.

(VIII) IP Talent Development Project

Implement the “100 + 1,000 + 10,000” IP talent project, establish a batch of IP talent development (training) bases and create national and provincial IP talent tanks and specialized talent information network platforms. Introduce innovative training modes and build the distributed IP remote education platform. Vigorously foster top IP talent in IP administration and enforcement, examination and registration, intermediary services and corporate IP management. Support institutions of higher education in independently establishing IP secondary disciplines and actively fostering highly competent teaching staffs. Facilitate the setup of professional competencies assessment system suitable for various IP talents. Improve systems, mechanisms and policy environment for talent work. Vigorously attract overseas top IP talents.

Box 5: Intellectual Property Talent Development Project

Item	Description
100 + 1,000 + 100,000 IP talent plan	Foster about 200 people excellent in IP fields, about 2,000 people with high professional and academic attainments in IP fields and foster about 30,000 professionals engaged in IP-related work of enterprises and public institutions or in IP service sectors.

Top talent leadership plan	Attract, foster and cultivate a batch of top IP talents that have studied IP law and strategy, with IP management and practice skills and familiar with international IP rules and affairs.
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(IX) Intellectual Property Culture Development Project

Continue to hold such events as “IPR Protection Awareness Week”, “China Patent Week”, “China Trademark Festival” and “Green Bookmark Action”. Carry out forums, salons, lectures, exhibitions and other theme events focused on hot IP issues. Publish a batch of quality books and product and broadcast a batch of films and TV programs regarding typical IP cases. Strengthen IP law publicity. Purify the IP environment, increase the public sense of IP and set up the IP cultural philosophy of respecting knowledge, advocating innovation, integrity and law abidance by educational and publicity means.

(X) Traditional Knowledge, Genetic Resources and Folklore Protection and Value Development Promotion Project

Survey the current situation of traditional knowledge, genetic resources and folklore, research the set-up of preservation and development funds and create databases. Establish model preservation centers and model areas for benefits sharing in geographic areas rich in traditional knowledge, genetic resources or folklore. Establish the catalog of traditional Chinese medicine (including minority medicines) preservation. Support the development of IP service organizations for traditional Chinese medicine (including minority medi-

cines). Vigorously carry out the scheme for IP protection and value development regarding traditional and other forms of knowledge. Facilitate the establishment and improvement of the traditional knowledge, genetic resources and folklore preservation system.

VI. Supporting Measures

(I) Strengthen organization and coordination

Give full play to the ministerial joint meeting on national IP strategy. Strengthen coordination, monitoring and assessment of Plan implementation. Local IP offices and related agencies should develop feasible, practical supporting policies with regard to the objectives, tasks and major programs defined in the Plan and based on the promotion plan for the implementation of the national intellectual property strategy, aggressively promote Plan implementation and ensure that all tasks set forth in the Plan will be accomplished to schedule.

(II) Increase the input of human and financial resources

Effectively strengthen IP team development, continuously improve the professional competency and service capability of personnel and provide a strong talent assurance for comprehensive, coordinated and sustainable development of IP-related work. Increase the financial input into IP-related work and strengthen the mechanism for ensuring increased investment. Introduce innovative input mechanisms, facilitate earmarked funding for patent development in the field of technology, education, culture, industry and attract private capital to IP investment by various means, including government appropriations, funds, interest discounts and guarantees.