

Important Activities and Works

Guidelines for Patent Examination Issued

The Guidelines for Patent Examination was issued on January 21, 2010, dubbed as the No. 55 Order of SIPO signed by Commissioner Tian Lipu. The Guidelines for Patent Examination will become effective on February 1, 2010 when the Implementing Regulations of the Patent Law of the People's Republic of China enter into force. The present amendment to the Guidelines for Patent Examination is mainly adaptive to amendments to the Patent Law and its Implementing Regulations. Selected standards on patent application and examination are adjusted with an aim to optimizing procedures, increasing efficiency of patent examination and regulating patent examination. The full text of the Guidelines for Patent Examination has been published at the official website of SIPO (www.sipo.gov.cn) .

SIPO's China Patent Electronic Examination System (E – system) and Patent Search Service System (S – system) Officially Launched

SIPO's China Patent Electronic Examination System (E – system) and Patent Search Service System (S – system) were officially launched on February 10, 2010, signifying a leap forward in SIPO's work on full – coverage electronic patent examination. Launch of the E – system enables electronic and network – based processing of the entire process ranging from patent application to expiration. It is a core business system that covers the entire life of patent. The Intra – office part of the Patent Search Service System (S – system) was also launched at the same time. The intra – office part of S – system is intended to integrate a variety of patent and non – patent information resources, provide intelligent search services containing abundant data and complete features and offering inter – platform and multi – database search. S – system consists of 11 sub – systems that include over 4 million patent abstracts of China since 1985 and over 70 million patent documents from 97 IP organizations across the world. S – system provides seamless connection with E – system. The public part of S – system is being developed and will provide complete patent search services for the general public.



English Version of the Guidelines for Patent Examination Published

The English version of the Guidelines for Patent Examination was officially published on April 12, 2010 and available at the official website of SIPO. The English version, translated from the Chinese version of the Guidelines for Patent Examination (published on January 21, 2010), plays a positive role in promoting international exchange and cooperation in patent examination.

White Paper: China's Intellectual Property Protection in 2009 Issued

China's Intellectual Property Protection in 2009 (in English and Chinese), aka the IP white paper, was officially published during the National Intellectual Property Publicity Week in 2010. The white paper is a result from SIPO – led joint effort of the Ministry of Public Security, Ministry of Agriculture, Ministry of Culture, General Administration of Customs, Administration for Industry and Commerce, National Copyright Administration, State Forestry Administration, Legislative Affairs Office, Supreme People's Court and Supreme People's Procuratorate. The white paper is inclusive and elaborate and provides an objective picture of China's significant progress in IPR protection from the perspective of legislation, examination and registration, administrative enforcement, judicial protection, establishment of systems and mechanisms, publicity, training as well as international exchange and cooperation. It is a trusted source and important channel for domestic and international users to get an overview of IP protection in China.

SIPO Briefs Foreign Embassies, Chambers of Commerce, Enterprises

SIPO held a briefing with foreign embassies, chambers of commerce in China and enterprises on April 28, 2010. SIPO Commissioner Tian Lipu and heads of relevant departments answered detailed queries raised by representatives in respect of amendments to the Patent Law of China and relevant laws and regulations, administrative law enforcement concerning patent and patent examination. Representatives expressed high appreciation of the frank, open and professional stance of SIPO. SIPO has held such event ever since 2006 with a view of introducing the latest developments, soliciting comments and suggestions from foreign embassies and chambers of commerce in China and enterprises, and increasing transparency and service standard through enhanced communication in policies and information.

SIPO Organizes Foreign Enterprise Visit for Comments and Suggestions

Commissioner Tian Lipu led a team visit to Bayer, International Business Machines (IBM), Samsung and Epson from April 28 to 29, 2010 respectively. The team composed of heads of relevant departments of the State Intellectual Property Office (SIPO), Ministry of Public Security, Ministry of Commerce, General Administration of Customs and Supreme People's Procuratorate. With comments and suggestions on intellectual property work solicited from these foreign corporations, the visit helps strengthen communication and exchange with foreign corporations on IPR and provides more experience in successful IPR protection. Tian Lipu said China would unswervingly adhere to the opening – up policy to attract foreign investors and create a better IPR protection environment for foreign corporations in China. SIPO, as a public service agency serving innovators and businesses, is very willing to communicate with businesses frequently, listen to comments and suggestions from enterprises, improve work of government agencies, provide better services to enterprises and allow foreign corporations to operate and develop better in China.

New Version of National Intellectual Property Strategy Website Launched

The new version of the national IPR strategy website (www.nipso.cn) was officially launched on June 5, 2010. The new version highlights coordinated implementation of the national intellectual property strategy, provides updates on implementation of the national intellectual property strategy from the perspectives of the Central Government, local governments, industry sectors and IPR protection. The new version consists of ten modules, including important news, media focus, national strategy, ministry update, regional strategy, industry strategy and IPR protection.

SIPO Holds Symposiums on IPR Protection for Domestic and Foreign Enterprises

On June 18 and July 13, 2010, SIPO held the “National Symposium on IPR Protection for Foreign Enterprises” and the “National Symposium on IPR Protection for Domestic Enterprises” respectively in Guangzhou and Dongguan cities of Guangdong province. Relevant ministries briefed the seminar on their latest developments in



IPR protection, described broad plans and work priorities for IPR protection in 2010 and communicated with representatives of the business community on IPR protection. While recognizing China's effort and achievements in creating a business environment in favor of IP protection, representatives of enterprises raised challenges and problems encountered in IPR protection at present, and proposed constructive solutions to these problems.

Cross – Strait Intellectual Property Right Protection Cooperation Agreement Signed

The Cross – Strait Intellectual Property Right Protection Cooperation Agreement was signed on June 29, 2010. Pursuant to the agreement, the two sides agree to strengthen exchange and cooperation in patent, trademark, copyright and new varieties of plants under the principle of equality and reciprocity, solve relevant issues through consultation and increase the capacity of innovation, application, management and protection of IPR across the Straits; the two sides agree to acknowledge effectiveness of the original filing date for the other side's patent, trademark and variety rights pursuant to their respective rules, make relevant arrangements and protect priority rights and interests of people across the Straits; the two sides agree to promote cooperation and consultation in mutual use of patent search and examination results and review and testing of variety rights. The agreement will become effective on September 12.

SIPO Leads Joint Inspection on Shanghai World Expo Intellectual Property Protection

From August 31 to September 2, 2010, SIPO led a joint inspection unit (JIU) to survey IPR protection at Shanghai World Expo. Also on the JIU were Ministry of Public Security, General Administration of Customs, State Administration for Industry and Commerce, National Copyright Administration, State Council Information Office, Supreme People's Procuratorate and China Council for the Promotion of International Trade. In the next stage, IPR protection at Shanghai World Expo would combine routine supervision with specific operation targeting new issues, new circumstances, innovative management and law enforcement measures, in a bid to maintain sound environment for IPR protection at World Expo zones and adjacent areas; emphasis shall be placed on creation of a long – term collaborative mechanism for law enforcement and, in particular, such procedures as information sharing, referral of cases and department coordination shall be included in day – to – day management to build an integrated, interactive network of IPR protection enforcement, shape a long – term working mechanism for law en-

forcement cooperation and provide experience for national IPR protection enforcement activities; media coverage shall be strengthened to translate IPR protection at World Expo into a good opportunity to enhance China's image in IPR protection, elevate the public awareness of IP protection and create a favorable climate of IPR protection through positive publicity.

Draft Amendment to Regulations on Patent Representation (Comment – Soliciting Draft) Invites Comments

The Draft Amendment to Regulations on Patent Representation (Comment – Soliciting Draft) was published at the official website of SIPO and the State Council's centralized site for comments on draft laws and regulations to invite public comments from August 26 to September 25 , 2010. The draft features major changes in structure and content compared with the current regulations. The draft consists of 6 chapters , including one new chapter “Patent Representation Services” and the number of articles rises from 28 to 50.

SIPO Develops Enforcement Campaign Plan Pursuant to Decisions of the State Council's Executive Meeting

The Plan for Intellectual Property Enforcement Campaign is formulated by SIPO on November 5 , 2010 for the purpose of effectively carrying out arrangements of the State Council concerning crackdown on IPR infringements and production and sale of fake commodities. The Plan defines objectives and deploys tasks , mainly including heavy crackdown on repeated , collective and malicious patent infringement and passing – off ; effectively playing the role of “12330” hotline and IPR assistance centers ; effectively intensifying exhibition IPR enforcement and protection ; effectively intensifying IPR foreign enforcement and protection ; effectively strengthen cross – department and inter – regional collaboration in law enforcement ; effectively promoting coordination between administrative enforcement and judicial protection ; and effectively carrying out campaign publicity.



National Symposium on Intellectual Property Protection for Foreign Business Entities 2010 Held in Chongqing

The National Symposium on Intellectual Property Protection for Foreign Business Entities 2010 was held in Chongqing on November 7, 2010. The symposium was jointly held by SIPO, Ministry of Public Security, Ministry of Commerce, General Administration of Customs, State Administration for Industry and Commerce, National Copyright Administration, Supreme People's Procuratorate and Supreme People's Court. Heads of relevant authorities introduced China's IPR protection efforts at the meeting. Representatives from foreign enterprises fully recognized China's efforts and achievements in IPR protection, and also expressed their expectations for further strengthened IPR protection, increased efficiency of administrative and judicial enforcement and hardened criminal sanction.

Share of Patent E – filing Breaks 50% Mark

Patent Electronic Filing received by SIPO in the fourth week of November 2010 accounted for 53.5%, exceeding 50% of all applications received in that month. As of November, 190 000 electronic applications had been received through the new system, taking up 22% of all applications received this year. According to e – filing statistics for October, 529 patent agent firms nationwide used the electronic application system, and 100% of patent applications were electronically processed at 136 firms.