



III. Strategy Implementation, Protection and Administration

1 Strategy Implementation

(1) Organization and Coordination of Works Related to *the National IP Strategy*

The State Council approved the establishment of the Inter-Ministerial Joint Conference on the Implementation of the National Intellectual Property Strategy under the State Council which was made up of 31 ministries and agencies. State Councillor Wang Yong served as convener of the conference. The general office of the conference is established in SIPO. State Councillor Wang Yong chaired the first plenary session of the Inter-Ministerial Joint Conference and deployed works related to the implementation of the *National IP Strategy* and the construction of the IP Powerhouse.

SIPO led the formulation of *the Plan for Division of Key Assignments under the Opinions of the State Council on Accelerating the Construction of an IP Powerhouse*



under the New Circumstances, which was published for implementation by the General Office of the State Council. SIPO formulated and published *the Work Plan on Deepening the Implementation of the National IP Strategy and Accelerating the Construction of an IP Powerhouse* and organized its implementation. SIPO organized relevant ministries and agencies to make specific implementation programs in accordance with *the Plan for Division of Key Assignments* and prepared *the Summary of Implementation Programs for the Key Assignments under the Opinions* which was published for implementation in the name of the General Office of the Inter-Ministerial Joint Conference. SIPO prepared *the Plan of the State Intellectual Property Office on Division of Key Assignments under the Opinions of the State Council on Accelerating the Construction of an IP Powerhouse under the New Circumstances*. With SIPO's facilitation, 24 provinces, autonomous regions and municipalities and the Xinjiang Production and Construction Corps formulated specific implementation programs or policies on the construction of IP Powerhouse.

The ground work for the implementation of *the National IP Strategy* was further strengthened. SIPO pushed forward publicity and implementation of the Opinions and organized a series of key strategic studies on IP Powerhouse construction. The number of National IP Strategy research bases reached 6. SIPO prepared and released *the Report on National IP Development Status 2015*.

It optimized the work mechanism for information on *the National IP Strategy* and further improved *the National IP Strategy* website and Wechat public platform, and organized IP strategic publicity campaigns at important junctures such as the 8th anniversary for the implementation of *the National IP Strategy*, the 1st anniversary for the publication of the Opinions. SIPO also organized training sessions and symposia on the implementation of *the National IP Strategy* and related information.

(2) Organization and Coordination of IP Strategies for Industrial Sectors

SIPO determined to carry out IP evaluation in key economic, scientific and technologic projects in Heilongjiang, Shanghai, Jiangsu, Zhejiang, Shandong, Henan, Chongqing and Shaanxi Provinces and the Xinjiang Uyghur Autonomous Region and the Pudong New Area. It is required that the system and mechanisms for IP evaluation should be established and improved and the construction of corporate IP evaluation mechanisms should be promoted, and that the capacity building in relation to IP evaluation should be firmly push forward. SIPO guided the National Alliance for Intellectual Property Analysis and Evaluation to upgrade its service capacity in relation to analysis and evaluation. It carried out publicity workshops on *the Guidelines for IP Analysis and Evaluation* and trained more than 1200 people. SIPO determined to further apply the conglomerated IP management model in 9 industrial agglomeration areas such as the Xinhua Special Alloy Materials and Products Base, the Nanjing Software Valley, the Yangzhou Economic and Technological Development Zone, the Zaozhuang Hi-tech Industrial Development Zone, the Yantai Hi-tech Industrial Development Zone, the Weifang Hi-tech Industrial Development Zone, the Jinan Hi-tech Industrial Development Zone, the Shenzhen Hi-tech Industrial Park and the Chengdu Qingbaijiang Industrial Development Zone. Based on the work in previous pilot programs and supported by the optimized IP system construction in the agglomeration areas, it is required that IP strategies for specific industries should be implemented; arrangements should be made according to industrial chains to provide services to the internationalization of industries. In the meantime, the conglomerated management model should

be replicated in relevant industrial sectors and the construction of the system for fostering and supporting industrial development should be accelerated to achieve whole-process and rational IP management in the development of industries. SIPO continued with the development of the website worldip.cn and, on the basis of summarizing the work completed in the previous phase, formulated the planning for next steps regarding the development of the website. SIPO continued to enhance the contents and functionality of the platform for internationalization of industries. It guided worldip.cn to organize 10 off-line IP saloons. SIPO organized “grass-root IP campaign to service economic development” in Henan, Xinjiang and Shandong. It worked in collaboration with the Ministry of Human Resources and Social Security to hold the Executive Training Seminar on IP Analysis and Evaluation for Enterprises in Strategically Important Emerging Industries in Shenzhen and provided training for more than 120 senior corporate IP managers.

(3) Organization and Coordination of Regional IP Strategies

SIPO published *the Compilation of Key Tasks in the Implementation of Regional Intellectual Property Strategies and the Breakdown of Assignments for the Implementation of the Action Plan on the National IP Strategy in Local Areas in 2016*. SIPO also issued *the Work Program on IP Work under the 13th Five Year Plan for Facilitating Innovation-Driven Development and Industrial Transformation and Upgrade in the Yangtze River Economic Belt*, published *the Opinions on Deepen the Implementation of the National IP Strategy to Facilitate the Rejuvenation of the Old Industrial Bases in Northeast China* in cooperation with a number of ministries and agencies under the State Council, facilitated the development of IP environment in the Sino-German Shenyang High-End Equipment Manufacturing Park, and enhanced the support to and implementation of key national plans and regional policies. SIPO organized the 2016 Work Conference on Implementation of Nationwide Regional IP Strategies and the Training Workshop on Implementation of Regional IP Strategies in order to improve the capacity of relevant personnel and invited director-general level officials from the NDRC and the Ministry of Industry and Information Technology to deliver lectures.

SIPO pushed forward regional IP planning and the integration of intellectual property into economic and social development. SIPO issued *the Measures for Pilot Programs on Regional IP Planning* and established mechanisms for coordination, expert consulting, reporting and communication, publicity and media coverage, and provided data support. In doing that, SIPO enhanced its management and services to the pilot programs. Local governments in Ningbo, Chongqing, Jiangsu, Guangxi, Weifang and Guangzhou issued working schemes for their respective regional IP planning pilot programs. SIPO worked in collaboration with the local governments in Guangxi, Weifang, Jiangsu and Guangzhou to hold inauguration meetings for their respective regional IP planning pilot programs. SIPO also conducted in-depth studies, which gave rise to the manuscript of *Basic Theory and Policy Mechanisms for Regional IP Planning, the 2016 Report on the Development of IP Regional Planning in China, and the Handbook on Analysis of Resources for Regional IP Planning (first volume, trial version)*.

(4) Promotion of National Patent Development Strategy

SIPO sturdily organized the implementation of *the Promotion Plan for National Patent Development Strategy 2016*. 13 specific tasks and 27 measures were put in place to focus on three main objectives, i.e. “innovation of the patent system”, “construction of a guarantee system for operation of the patent system” and “supporting economic and social development with patents”. Projects were carried out steadily and patent-related works were further integrated into core economic subjects such as industries, regions, science and technology and trade. SIPO organized the implementation of innovative projects for promoting *the National Patent Development Strategy 2016* (“Patent Strategy”), pressing ahead with the implementation of the Strategy in such aspects as provincial/municipal IP Powerhouse construction, reform on integrated IP administration and exploring new models for IP commercialization. SIPO carried out the five-year evaluation on the Patent Strategy and issued *the Report on National Patent Strength 2015*. It completed *the Performance Evaluation Report on the Patent Development Strategy 2015* and recognized and awarded distinguished entities and individuals in the performance evaluation for 2015. SIPO formulated *the*

Implementation Plan for the Patent Quality Campaign and held consultation with key cities on patent quality and further improved the monitoring mechanism for patent application quantity and quality. SIPO put in place the patent navigation evaluation parameters for regional innovation quality and prepared patent navigation analysis reports on quality of innovation-driven development for cities such as Shaoxing and Xiamen.

2 Policy Research

The management of research projects was further regulated and macro coordination over research projects was strengthened. Relevant working mechanisms were improved, and unified research guidelines were released. Reviews on repetitive research projects were also strengthened. Concentrating on subjects such as promoting the implementation of the innovation-driven development strategy and accelerating the construction of an IP Powerhouse, SIPO actively organized research projects which resulted in a batch of high quality outcomes were produced. The outcomes were incorporated into the Catalogue for Documentation Resources to promote their sharing and utilization in nationwide IP offices. SIPO completed the 9th National Outstanding Research Reports/Outcomes on IP (Patents) and awarded 40 outstanding works. In 2016, 30 “soft” research projects were established and 33 were concluded.

SIPO further strengthened works related to government information. Concentrating on areas such as the implementation of significant decisions and deployments on IP issued by the CPC Central Committee and the State Council, acceleration of the construction of an IP Powerhouse, deepened implementation of *the National IP Strategy*, deepened reform in the field of IP and heated IP issues domestically and internationally, SIPO prepared and submitted relevant information in a timely fashion so that the CPC Central Committee and the State Council could have a clear idea of progress made in connection with relevant works. Throughout the year, 48 issues of Briefings of IP Offices, 48 issues of *Information on IP Offices*, 25 issues of *Latest*

Developments in IP Work were published, in which 23 articles were quoted by the General Office of the CPC Central Committee and the General Office of the State Council.

3 Protection and Administration

(1) IP Protection-Related Work

SIPO vigorously push forward IP protection in circulation. It issued *the Notification of the General Affairs Office of the State Intellectual Property Office on Publishing the Measures for Recognizing Marketplaces with Regulated IP Protection*, and organized the assessment and recognition of the first batch of national-level marketplaces with regulated IP protection and recognized 30 marketplaces, including Beijing Easyhome, as the first batch of national-level marketplaces with regulated IP protection. SIPO continued with the application and selection of marketplaces with regulated IP protection and confirmed to foster 28 market places, including the Red Star Macalline (Tianjin), as candidates for the third batch of market places with regulated IP protection and guided the marketplaces to design their own development plans and schemes. The Phase I development of the IP Protection Information Management System for Specialized Markets was completed.

SIPO continued to carry out the social satisfaction survey on IP protection and produced *the Social Satisfaction Survey Report on IP Protection in 2015* and *the Social Satisfaction Survey Report on Patent Protection in 2015* after detailed analysis of data collected from 31 provinces (autonomous regions and municipalities). It improved the survey parameters system, optimized the expressions on the questionnaires and survey approaches, refined survey plans, and completed the social satisfaction survey on IP protection in 2016 and push forward the nationwide survey on key issues regarding the amendment to *the Patent Law*. SIPO enhanced its guidance and administration of implementing entities to introduce investigation and supervision mechanism, and made sure that the

survey is conducted in coordination with the supervision to guarantee quality of the survey.

SIPO continued to press ahead with IP disputes mediation. It completed the completion inspection of the first batch of entities which conducted the related pilot program. It facilitated the establishment of 20 people's mediation organizations for resolving IP dispute with 310 part-time mediators, which successfully resolved nearly 250 dispute cases. It organized the second batch of regions which participated in the pilot program to continuously deepen their works and facilitated the establishment of 12 people's mediation organizations for resolving IP disputes with 140 part-time mediators and successfully organized nearly 360 cases. It also established such rules and regulations as *the Rules on Paid Assessment and Evaluation by Experts*. SIPO further expand the regions participating in the pilot program and selected 8 regions, including Tianjin, Zhejiang, Hubei, Hunan, Gansu, Guangdong provinces, the Xinjiang Production and Construction Corps and Ningbo as the third batch of regions participating in the pilot program.

SIPO completed the compilation of the White Paper on Intellectual Property Protection of China in 2015 (Chinese and English versions) in collaboration with ministries and agencies such as the State Administration for Industry and Commerce, the National Copyright Administration of China, the General Administration of Customs and the Ministry of Public Security.

(2) IP Law Enforcement

In 2016, the total number of cases handled through patent administrative enforcement exceeded 40,000 and reached 48,916, representing a year-on-year increase of 36.5%. Among these cases, the number of patent disputes for the first time exceeded 20,000 and reached 20,859, up by 42.8% year-on-year. 28,057 were patent counterfeiting cases, up by 32.1% year-on-year. 13,123 patent enforcement cases were in the e-commerce sector, representing a year-on-year growth of 71.4%. 2,860 were related to exhibitions, representing a year-on-year growth of 2.4%.

SIPO published *the Opinions on Stricter IP Protection*, and *the Notification of the State Intellectual Property Office on Implementing Expedited and Coordinated Protection of Intellectual Property Rights* to comprehensively enhance regulation on patent protection and establish the expedited and coordinated protection system. It amended *the Operation Guidelines for Patent Administrative Enforcement*, published *the Guidelines for the Identification of Patent Infringements*, *the Measures for Reviewing the Case Files in Administrative Enforcement* and improved policy parameters such as performance assessment in relation to enforcement and assertion of rights. It actively facilitated the amendment to *the Patent Law* and provided recommendations and opinions on the patent administrative enforcement provisions involved in the amendment. It continued to enhance IP enforcement capacity building and improve case reporting system for patent administrative enforcement, so as to effectuate real time collection, analysis and submission of information on patent administrative enforcement cases handled at various levels. SIPO launched the Intellectual Property Rights Aid and Report Complaints System and started the development of the IP credit information platform.

The works related to fast-track rights assertion, aid and complaint was continuously deepened. Fast-track rights assertion was carried out in industrial agglomeration areas, and the setting up of fast-track rights assertion centers was accelerated in that 9 new fast-track IPR assertion centers (17 in total) were set up in Danyang of Zhenjiang City (spectacles), Yangjiang (hardware and cutlery), Xiamen (kitchen and bathroom appliances), Wenzhou (clothing), Zhengzhou (creative industries), Chongqing (automobiles and motorcycles), Shantou (toys), Chengdu (furniture and shoemaking), Chaozhou (kitchenware) and one IP protection center was set up in Changzhou (smart hardware for robots). SIPO made active exploration to establish mechanism for IPR assertion in overseas exhibitions and sent personnel to the Automekanika Frankfurt to support fast-track rights assertion. SIPO also established the China Intellectual Property Rights Aid and Report Complaints Network and 12330 IPR assertion Wechat public platform.



Deputy Commissioner He Hua released the Opinions on Applying Stricter Protection on Patents.

(3) IP Administration and Management

Reform on integrated IP administration. The Central Leading Group for Comprehensively Deepening Reform adopted *the General Scheme for Experimental Reform on Integrated Intellectual Property Administration*. SIPO worked in collaboration with 13 ministries and agencies including the Supreme People's Court, the Supreme People's Procuratorate and the Ministry of Education to issue *the General Scheme for the Pilot Program for Comprehensive Reform on IP utilization and Protection in the Sino-Singapore Guangzhou Knowledge City* and formulated the implementation plan for carrying out the pilot program on comprehensive reform. SIPO worked in concert with the Ministry of Commerce to guide 4 free trade zones to enhance IP utilization and protection and 7 newly established free trade zones to formulate their master plans. It worked together with the National Development and Reform Commission to facilitate the implementation of the master plan in pilot areas for comprehensive innovation reform to fully exploit the important roles of IP utilization and protection and support mass entrepreneurship and innovation.

Works related to the provincial/municipal IP Powerhouse construction and cooperation consultation between SIPO and provincial governments. SIPO approved four provinces, Guangdong, Jiangsu, Shanghai and Sichuan, as leading pilot areas for Powerhouse Construction, and 6 provinces, Fujian, Henan, Hunan, Chongqing, Shanxi and Shandong, as supportive pilot areas for Powerhouse Construction, and 3 provinces, Guangxi, Jiangxi and Gansu, as characteristic pilot areas for Powerhouse Construction, and guided the provinces to devise implementation plans. SIPO established the cooperation consultation mechanism between SIPO and Beijing, Tianjin and Hebei for facilitating the coordinated development of the three regions. It established the new round of cooperation consultation mechanisms with Guangdong, Shanghai, Jiangsu and Jiangxi. SIPO published *the Guiding Opinions on Accelerating the Construction of IP Powerhouse in Cities*, revised and published *the Measures for the Management of National IP Pilot and Model Cities*. SIPO organized the model cities, model counties for IP Powerhouse construction and model counties and industrial parks having sound track record for IP protection to perform assessment, review and implementation of tasks. As of the end of 2016, SIPO had established cooperation consultation mechanisms with the governments of 16 provinces (autonomous regions and municipalities) and 4 central government agencies. It newly approved 11 model cities, 16 model industrial parks and 19 pilot programs.

Corporate IP strength construction. SIPO studies and formulated *the Work Plan for Building Corporate IP Strength* and *the Guiding Opinions for Comprehensive Organizing and Implementing IP Strategies of Small-and-Medium-Sized Enterprises (draft for submission)*. It organized the application, assessment, review and provincial review of IP model/competitive enterprises and recognized 101 enterprises as national IP model enterprises for 2016 and 624 IP competitive enterprises. Up to now, there are 281 national IP model enterprises and 1692 national IP competitive enterprises. These enterprises have had advantage in market competition because of IP, which has motivated a large batch of companies to effectively improve their competitiveness by means of IP.

National standard for IP management by business enterprises, universities and research institutions. SIPO continued to promote the national standard



Signing ceremony for the High-Level IP Cooperation Consultative Meeting between SIPO and Jiangsu and the Inauguration Conference of the Project for building Jiangsu into a model province under the IP Powerhouse Strategy.

for corporate IP management and encouraged enterprises to improve their IP management system. In 2016, approximately 7000 enterprises adopted the standard. The total number of enterprises which adopted the standard reached 18,000, and 600 service institutions participated in relevant services. Throughout the year, 1742 enterprises received accreditation certificate. SIPO newly issued two national standards, *the Standard for IP Management in Research Institutions* and *the Standard for IP Management in Universities* and submitted the *Service Standard for Patent Agencies (draft for submission)*. SIPO enhanced the construction of accreditation system in the IP field, institutional development and capacity building and created a closed circle management system from standard-making to the implementation of standards.

Patent utilization and industrialization. SIPO worked together with the Ministry of Finance to carry out pilot programs on promoting IP commercialization services using market-based approaches. It sturdily push forward the development of nationwide public service platforms for IP commercialization, promoted the construction of characteristic pilot platforms in Zhuhai and Xi'an, planned the establishment of IP commercialization in various regions, and fostered the "1+N" IP commercialization system featured by the leading national platform and supporting local IP commercialization centers. SIPO

continuously guided some 20 IP commercialization institutions which were supported in the manner of capital investment. It guided 10 key cities, including Chongqing, to carry out IP commercialization pilot programs in key industries and worked in collaboration with the Ministry of Industry and Information Technology to implement high value-added IP commercialization works. It promoted the establishment and operation of IP commercialization foundation in 10 provincial regions, including Beijing.

Deepened implementation of pilot programs on patent navigation. SIPO put in place the patent navigation evaluation parameters for regional innovation quality and prepared patent navigation analysis reports on quality of innovation-driven development for cities such as Shaoxing and Xiamen. It issued the Key Tasks of Patent Navigation Pilot Project in 2016, approved a new batch of entities participating in the patent navigation pilot project, enhanced the recordation for industrial IP leagues and put 83 industrial IP leagues on record. It formulated *the Guiding Rules for Implementation of Patent Navigation Projects on Corporate Operation* to guide patent navigation projects in connection with industrial planning and corporate operation. It enhanced training in the area of patent navigation and explored to establish a human resources supporting mechanism for patent navigation.

IP investment and financing. SIPO improved policy measures, enhanced IP market regulation and services, enhanced pledge financing services and supported students who studied abroad and have returned to China to innovate or create their own businesses. SIPO expanded the scope of its work, carried out demand survey, improved the service platform and redesigned guarantee models. The risk sharing and compensation mechanisms for IP pledge financing were improved and the role of compensation funding was exploited to encourage the approval of loans. SIPO accelerated works in relation to patent value analysis, expanded the scope of application for the patent value analysis parameters and optimized the parameter system. It continuously improved the IP insurance types and worked together with the People's Insurance Company of China to create the insurance on overseas infringement liability, insurance on guarantee for IP pledge financing, and in the meantime promoted the

conclusion of the first insurance policy on guarantee for IP pledge financing, which was done in Zhongshan, Guangdong. At that point, relatively complete patent insurance types was established, covering patent enforcement insurance, infringement liability insurance, patent agent professional guarantee insurance, insurance on infringement liability in overseas exhibitions and the aforementioned two insurance types. In 2016, 51 pilot/model projects on patent pledge financing and 21 pilot/model projects on patent insurance were identified. In 2016, 2,605 approved patent pledge financing projects raised a total amount of RMB 43.6 billion.

SIPO completed the assessment of the 18th WIPO-SIPO Award for Chinese Outstanding Patented Invention and Industrial Design and identified 25 gold award, 633 outstanding award. The profit increment created by the 25 gold award patents was RMB 30.4 billion.

SIPO worked together with relevant ministries and agencies under the State Council and local governments to organize 7 exhibitions related to IP. It guided and organized the China International Patent Fair in Dalian and attracted 5,500 projects from 25 countries and regions to participate in the exhibition. SIPO took advantage of major exhibitions such as the China Hi-Tech Fair and the China (Shanghai) International Technology Fair to enhance publicity of IP investment, financing and insurance. It improved IP protection mechanisms in exhibitions and carried out IP legal training for enterprises participating in the exhibitions.