



## VIII. International Cooperation

In 2016, SIPO made active efforts to open new dimensions for international cooperation in the field of IP. It continued to deepen the friendly cooperation with the World Intellectual Property Organization (WIPO) and IP authorities in countries and regions around the globe and expanded new partners. In 2016, SIPO signed 36 new cooperation MOU/agreements, records of discussion, joint statements and work plans in the IP field, adding up to 168 cooperation documents in force as of the end of 2016. The international cooperation in the IP field has achieved fruitful results.

### **1** Coordination on International IP-Related Affairs

In 2016, SIPO sturdily carried out its role of coordinator in international IP-related affairs, pressed ahead with relevant efforts and successfully completed the relevant tasks.

SIPO coordinated relevant ministries and agencies under the State Council to participate in the meetings within the framework of WIPO and the International



Union for the Protection of New Varieties of Plants (UPOV), including the Committee on Development and Intellectual Property (CDIP), the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). In October, Commissioner Shen Changyu led the delegation of the Chinese Government to attend the 56<sup>th</sup> WIPO General Assembly meetings.

## **2 Participation in Mechanisms of Dialogue, Consultation and Negotiation**

SIPO continued its deep involvement in the China-U.S. inter-governmental dialogue mechanisms such as the China-U.S. Strategic and Economic Dialogue, the China-U.S. Innovation Dialogue, the China-U.S. Joint Commission on Commerce and Trade, and its active participation in other meeting, consultation and negotiation mechanisms such as the China-EU Intellectual Property Dialogue, the China-UK and the China France Economic and Financial Dialogues, the China-Italy Inter-governmental Commission, and the China-U.S., China-EU, China-Switzerland, China-Russia and China-Brazil IP working group/unit meetings.

SIPO also actively participated in the negotiations on the IP chapters of the Regional Comprehensive Economic Partnership (RCEP), the China-Japan-Korea Free Trade Agreement, the China-Georgia Free Trade Agreement and the economic and trade agreement between China and the Eurasian Economic Union.

### **3 Communications and Cooperation with Countries along the**

#### **“Belt and Road”**

In July 2016, in collaboration with the State Administration for Industry and Commerce, the National Copyright Office of China, the Ministry of Commerce, the Beijing Municipal Government and the World Intellectual Property Organization, SIPO organized the High-Level Conference on Intellectual Property for Countries along the “Belt and Road”. It is the first high-level conference on IP for “Belt and Road” countries after the “Belt and Road” Initiative was brought forth in 2013 and opened a new chapter for IP cooperation in the region. *The Common Initiatives for Strengthening Cooperation between Countries along the “Belt and Road” in the Field of Intellectual Property* (“Common Initiatives”) was adopted and *the Measures of the Chinese Authorities for Strengthening Cooperation between Countries along the “Belt and Road” in the Field of Intellectual Property* (“Cooperation Measures”) was released on the meeting. *The Common Initiatives* and *the Cooperation Measures* defined the content and form of “Belt and Road” IP cooperation both in the sense of domestic and international arrangements. With these two documents in place, the general frame and the mechanisms for “Belt and Road” IP cooperation started to take shape.

### **4 Cooperation with the World Intellectual Property**

#### **Organization**

In 2016, SIPO further deepened the cooperation with the World Intellectual Property Organization (WIPO). The two sides held 23 high-level meetings to have in-depth exchange on IP issues. The WIPO training workshop for developing countries was hosted in China for the first time and the WIPO distance education platform in Chinese was launched. Exchange of personnel was carried out in a number of areas to support the development of SIPO’s



The group photo of representatives for the High-Level Conference on Intellectual Property for Countries along the "Belt and Road", which was held in Beijing in July 2016.



Commissioner Shen Changyu met with Francis Gurry, Director General of WIPO and his delegation.

internationalized human resources. SIPO continued to donate to the WIPO China Fund-in-Trust and increased the amount of donation, and effectively supported and facilitated development affairs within the framework of WIPO.

## 5 Multilateral Cooperation

### (1) IP5 Cooperation

In 2016, SIPO maintained deep involvement in the IP5 (the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of China (SIPO) and the United State Patent and Trademark Office (USPTO) cooperation and played a positive role in it. In May, the Meeting of IP5 Heads of Office was held in Japan. Deputy Commissioner He Zhimin led a delegation to participate in the IP5 Deputy Heads of Office Meeting, the Meeting of IP5 Heads of Office and IP5 Industry, and the Meeting of the IP5 Heads of Office. At the sideline of the meetings, SIPO held bilateral meetings with the European Patent Office and the Japan Patent Office. On the meeting, SIPO successfully facilitated the continuation of the concept—“providing better services to users and the public”, which had been brought forth in 2015, in the IP5 Joint Statement in Tokyo 2016. On the Meeting of IP5 Heads of Office and IP5 Industry, the procedural rule guidance and the Common PPH Request Form projects led by SIPO, which were helpful for users’ better understanding of the procedural rules and for streamlining the process for filing PPH with the IP5 Offices, were unanimously supported by industrial representatives.



Deputy Commissioner He Zhimin attended the 9<sup>th</sup> IP5 Heads Meeting



The ID5 Annual Meeting was held in Beijing in November 2016.

## (2) ID5 Cooperation

In 2016, SIPO served as the host office for IP5 cooperation and held the ID5 Annual Meeting in Beijing in November. Commissioner Shen Changyu signed *the 2016 ID5 Joint Statement* with representatives of the other 4 ID5 Offices. The meeting sanctioned 12 cooperation projects and carried out in-depth discussion and outlook on topics such as ID5 operational guidelines, direction of future development of ID5 and the model of users' participation in ID5 cooperation. In the meantime, the Dialogue between ID5 Offices and ID5 Industry was also organized, on which the five offices briefed the industry about their latest developments and the ID5 cooperation projects led by each office, and discussed with industrial representatives about issues of their concern. The meeting improved the understanding of the ID5 industry towards the works carried out within the ID5 framework and helped IP5 Offices to hear the voice of industries, promoted the use of IP5 cooperation outcomes to benefit users and the public, and provided a sound platform to allow participating parties to gain deep understanding about China's achievements in the field of industrial design.

## (3) BRICS IP Cooperation

The pragmatic cooperation among the BRICS countries achieved major breakthrough. In June, Deputy Commissioner He Zhimin led a delegation

to participate in the 6<sup>th</sup> Meeting of the BRICS Heads of Intellectual Property Office held in Moscow, Russia, and signed the Record of Discussion of the 6<sup>th</sup> Meeting of the BRICS Heads of Intellectual Property Office. On the meeting, SIPO proposed a basket of recommendations on development and cooperation in connection with the cooperation among BRICS countries in the IP field. The meeting adopted documents within the six cooperation areas based on *the BRICS Intellectual Property Offices Cooperation Roadmap*. In October, Commissioner Shen Changyu and his delegation attended the 7<sup>th</sup> Meeting of the BRICS Heads of Intellectual Property Office in Geneva, Switzerland. For the first time in history, the BRICS countries, represented by the Federal Service for Intellectual Property of Russia, delivered a joint statement on the 56<sup>th</sup> General Assembly of WIPO to support the inclusion of provisions on technical assistance in *the Design Law Treaty*.

In 2016, SIPO sent representatives to participate in the 1<sup>st</sup> BRICS Examiner Seminar, the 1<sup>st</sup> Meeting of the BRICS IP Coordination Group, and the IP Symposium for SMEs in BRICS Countries hosted by the Company and Intellectual Property Registration Office of South Africa. The BRICS IP offices also launched cooperation projects in patent classification and online training courses.

#### (4) China-ASEAN IP Cooperation

In 2016, SIPO continued to strengthen IP cooperation with ASEAN countries. In September, SIPO organized the 2016 China-ASEAN Training Workshop on Patent Examination. In November, Deputy Commissioner He Zhimin attended the 7<sup>th</sup> China-ASEAN Heads of Intellectual Property Offices Meeting in Kuala Lumpur, Malaysia, on which the China-ASEAN Cooperation Program for 2017-2018 was adopted. SIPO sent traditional medicine database expert groups to Cambodia, the Philippines and Myanmar and completed *the Summary and Analysis Report on Cooperation between China and ASEAN in the Field of Traditional Medicine Database*, which further promoted the cooperation between the two sides in the development of traditional medicine database.

## (5) Trilateral Cooperation of SIPO-JPO-KIPO

The trilateral cooperation between SIPO progressed smoothly and pragmatic cooperation activities were carried out in the fields of patent examination, industrial design, automation, work-sharing, reexamination and training institutions. In December, the 16<sup>th</sup> Trilateral Policy Dialogue Meeting and the 4<sup>th</sup> China-Japan-Korea IP Symposium were held in Odawara, Japan. Commissioner Shen Changyu, the Commissioners of JPO and KIPO attended the meetings with their delegations and signed the Record of Discussion. In June, the Industrial Design Expert Meeting and the Industrial Design Forum between SIPO, the JPO and Korea were organized by SIPO.

## (6) IP Cooperation between China, Mongolia and Russia

SIPO steadily push forward the trilateral cooperation between China, Mongolia and Russia in the IP field. In September, Commissioner Shen Changyu led a delegation to participate in the 4<sup>th</sup> Trilateral IP Seminar of SIPO, the General Authority for Intellectual Property and State Registration (GAIPSR) and the Federal Service for Intellectual Property of Russia (Rospatent). Trilateral Heads Meeting was held at the sideline of the seminar and the heads of SIPO, the GAIPSR and Rospatent signed *the Action Plan on Trilateral Cooperation between SIPO, GAIPSR and Rospatent in 2016-2017*, which clearly set forth the arrangements for activities such as the trilateral IP seminar, the heads meeting, training, automation and exchange of experiences.

# **6** Bilateral Cooperation

## (1) Cooperation with European Patent Office (EPO)

In 2016, the traditional friendship between SIPO and the EPO was further strengthened and the strategic partnership deepened. The cooperation activities with the EPO, being divided into 50 projects in 7 areas (data



exchange, automation, classification, capacity building, exchanges on patent examination, exchanges on reexamination, patent information), were carried out successfully. SIPO continued to organize its classifiers and examiners to participate in training workshops on the Cooperative Patent Classification (CPC) system in the EPO, so as to continuously improve the quality of classification under CPC. SIPO also had in-depth exchanges with the EPO on data exchange and the use of EPOQUE system.

In September, Commissioner Shen Changyu led a delegation to attend the 10<sup>th</sup> Heads Meeting of SIPO and the EPO in France and signed *the 2017 Annual Work Plan and the Record of Discussion*.

## (2) Cooperation with the European Union Intellectual Property Office (EUIPO)

In 2016, the cooperation projects with the EUIPO were carried out smoothly. SIPO's design data was added to the Designview system. SIPO also closely followed the name change of Office for Harmonization in the Internal Market (OHIM) into the European Union Intellectual Property Office and the progress with its *Strategic Plan 2020* and further deepened the strategic partnership between the two sides. In October, Commissioner Shen Changyu met with Antonio Campinos, President of the EUIPO in Geneva.

## (3) Cooperation with the European Union

SIPO continued to participate in the China-EU IP Dialogue, the China-EU IP Working Group Meeting and China-EU exchanges on law. SIPO carried out active cooperation in connection with the EU-China IPR Cooperation Project (IP-Key) and successfully organized the Roving Seminars on the Registered Community Design System and the Roving Seminar on European Patent System in Beijing, Chongqing and Zhongshan, Guangdong Province.

## (4) Exchanges and Cooperation with European Countries

In 2016, SIPO further strengthened the friendly cooperation with IP authorities of the European countries and in particular deepened exchanges and

cooperation with countries along the “Belt and Road”. High-level exchanges were carried out with IP authorities of the UK, France, Germany, Switzerland, Denmark, Poland, Hungary, Czech Republic, Serbia, Bulgaria, Moldova, Georgia, Latvia, Lithuania and Russia as well as the Eurasian Patent Office. 14 bilateral cooperation agreements, work plans or record of discussions were signed between SIPO and the EPO, the EUIPO and IP authorities of Switzerland, Italy, Poland, Czech Republic, the UK, France, Georgia, Albania and Bulgaria. SIPO restored cooperation relations with IP authorities of Italy, Bulgaria and Portugal and established cooperation with new partners such as the IP authorities of Latvia and Lithuania.

#### (5) Exchanges and Cooperation with the United States

In 2016, Deputy Commissioner He Zhimin met with Deputy Director Russell Slifer of the USPTO and reached consensus on further deepening cooperation between the two offices in various IP areas. In June, Deputy Commissioner attended the 7<sup>th</sup> China-U.S. Innovation Dialogue and delivered a keynote speech on “promoting the development of innovation with intellectual property” and provided comprehensive information on the efforts made by China in enhancing IP protection and utilization and facilitating innovation and economic development of the country. In November, the two offices jointly held the China-U.S. Partial Design Protection Seminar and strengthened the understanding and exchanges between the two sides in the protection of partial design.

#### (6) Exchanges and Cooperation with Latin American Countries

In October 2016, Deputy Commissioner He Zhimin visited Ecuador, Chile and Argentina. Through the visit, SIPO officially established cooperative ties with the IP authority of Argentina by signing the first MOU on IP cooperation between them, and elevated the level of cooperation with Ecuador by signing the first tripartite cooperation agreement between SIPO, the Ministry of Higher Education, Science, Technology and Innovation of Ecuador and the Ecuadorian Institute of Intellectual Property, and consolidated the outcomes of China-Chile IP cooperation by renewing the cooperation MOU with the IP authority of Chile.

## (7) Exchanges and Cooperation with Oceanian Countries

SIPO continued to carry out mutually beneficial cooperation with Australia, New Zealand and other Oceanian countries and effectively push forward their cooperation by means of in-depth experience exchanges on subjects such as governmental IP publicity work and public services.

## (8) Exchanges and Cooperation with the Gulf Cooperation Council (GCC) Patent Office and GCC Member States

SIPO continued to improve the quality of patent search and examination services provided to the GCC Patent Office, continued to provide training for the GCC Patent office and GCC member states and sent two examination experts to the GCC patent office to the GCC Patent Office to train their examiners. In December, Deputy Commissioner Xiao Xingwei led a delegation to visit Saudi Arabia and held work meetings with the King Abdulaziz City of Science and Technology, the Saudi Patent Office and the GCC Patent Office, and signed *the Cooperation Action Plan 2017-2018* with the Saudi Patent Office.

## (9) Exchanges and Cooperation with Asian and African Countries

In 2016, SIPO further strengthened the exchanges and cooperation with IP authorities of Asian countries. High-Level exchanges were carried out with IP authorities of Brunei, Cambodia, Malaysia, India, Iran, Israel, Japan, Korea, Singapore, Turkey and Mongolia, and working-level exchanges with IP authorities of India, Bangladesh, Sri Lanka and Qatar to explore the establishment of cooperative relations. In March, Deputy Commissioner Gan Shaoning visited Israel and Cambodia. He participated in the 2<sup>nd</sup> Meeting of the China-Israel Joint Committee on Innovation (JCIC) and visited the Israel Patent Office, and held work meetings with the Ministry of Commerce and the Ministry of Industry and Handicraft of Cambodia and signed the annual work plan for the cooperation between the two sides. In December, Deputy Commissioner Xiao Xingwei visited the Intellectual Property Center of Iran.



The Heads of Intellectual Property Office Conference (HIPOC) for Countries in South Asia and Southeast Asia, Mongolia and Iran was held in Beijing.

SIPO continued to deepen the bilateral cooperation with Central Asian countries. In June, Commissioner Shen Changyu visited Uzbekistan and signed the Cooperation Agreement between the Government of the People's Republic of China and the Government of the Republic of Uzbekistan on Cooperation in the Field of Intellectual Property Protection. He also paid a visit to the Agency on Intellectual Property of Uzbekistan. In November, SIPO and the IP authority of Kyrgyzstan signed a cooperation agreement in the field of IP, showing that the cooperation between the two sides entered a new stage. In March, Deputy Commissioner He Zhimin led a delegation to visit Kyrgyzstan and Tajikistan and signed work plans with their IP authorities.

In the meantime, the cooperation between SIPO and the IP authorities of African countries and regional IP organizations was further deepened. In March, Commissioner Shen Changyu met with the Director General of the Moroccan Industrial and Commercial Property Office in Beijing and reach consensus with his counterpart on cooperation in the Cloud Patent Examination System (CPES), Patent Prosecution Highway (PPH) and IP strategy, etc. In December, Deputy Commissioner He Zhimin led a delegation to participate in the Executive Council of the African Regional Intellectual Property Organization

and related activities. During his visit, Dr. He Zhimin held a bilateral meeting with the Director General of ARIPO and signed the action between SIPO and ARIPO for 2017-2018. He also visited the Trademarks, Patents and Designs Registry of Nigeria and the Ethiopian Intellectual Property Office (EIPO), carried out discussions with the Trademarks, Patents and Designs Registry of Nigeria on their work plan 2017-2018 and signed the action plan for cooperation in 2017-2018 with EIPO.

## **7** Training for Developing Countries

Making use of the training funds for developing countries, SIPO continued to enhance friendly cooperation with IP authorities of developing countries and countries along the “Belt and Road”. SIPO organized 7 training workshops for developing countries and invited 118 IP officials from 46 countries and regional organizations including the African Regional Intellectual Property Organization (ARIPO), the African Intellectual Property Organization (OAPI), the ASEAN Secretariat and member states, the Gulf Cooperation Council, Saudi Arabia, DPR Korea, Kyrgyzstan, Kazakhstan, Tajikistan, Uzbekistan, Mongolia, Iran, Turkey, Peru, the Eurasian Patent Office, Armenia, Georgia, Bulgaria, Serbia, Albania, Montenegro, Ukraine, Belarus, Moldova, Bosnia and Herzegovina, Macedonia (FYROM), Egypt, Ethiopia, Morocco, Nigeria, South Africa, Brazil, Chile, Ecuador, Cuba, Costa Rica, Mexico, Peru and Argentina. The training workshops served as platforms for further promoting the exchanges and cooperation with other developing countries in the field of IP.

## **8** Cooperation on Patent Examination

In 2016, SIPO completed the negotiations on the extension of PPH pilot programs with IP authorities of Germany, Korea, Austria, Sweden, Iceland, the UK, Israel and the IP5 PPH program. SIPO launched the PPH pilot program with the Hungarian Intellectual Property Office on 1 March 2016. By the end of 2016, SIPO had signed 20 agreements on PPH pilot programs.

SIPO continued to carry out the examiner dispatch or exchange programs with the IP authorities of Japan, Korea, the UK and Finland and further enhanced the understanding and mutual trust with those IP authorities in terms of patent examination rules and practices.

## **9** Communications with IP Associations and Industries

In 2016, SIPO's senior management met with high-level representatives from foreign governmental agencies, industrial associations and business enterprises, such as Troels Lund Poulsen, Minister for Business and Growth of Denmark, Therese Comodini Cachia, Member of European Parliament's Legal Affairs Council, Douglas N. Deeth, President of the International Federation of Intellectual Property Attorneys (FICPI), Felipe Claro, President of International Association For The Protection Of Intellectual Property (AIPPI), Konstantinos Karachalios, Managing Director of the Institute of Electrical and Electronics Engineers, Erin Ennis, Senior Vice President of the U.S.-China Business Council, Jörg Wuttke, President of the EU Chamber of Commerce in China, Alan Beebe, President of the American Chamber of Commerce in China, Ramzi Haidamus, President of Nokia Technologies at Nokia Corporation, Caren Cochrane, General Counsel of Royal Dutch Shell, Martiz Hermann, Vice President and President of the Strategy and Patent Portfolio Management Department at Ericsson, Kuang Jin'an, Vice President of Applied Materials Inc., Toshiya Takahata, Executive Officer and General Administrative Manager of the Intellectual Property Division of Epson.

In 2016, SIPO hosted visitors from the Licensing Executives Society International, Korean Bar Association, Japan Intellectual Property Association, IP Department of the Japan External Trade Organization China Office, the Biotechnology Innovation Organization, the School of Law at Queen Mary University, University of New Hampshire School of Law, Pernod Ricard Group and Roche Company.