

II . LEGAL AFFAIRS

① Patent legislation

In 2007, SIPO worked closely with the State Council Legislative Affairs Office (LAO) on the amendment of the patent law. In the first quarter, SIPO compiled the opinions of the public. In May and August, SIPO discussed with LAO on the drafts. In October, SIPO joined LAO to conduct a field study in Guangdong, which achieved notable results.

Complete research on the new Implementing Regulations of the Patent Law. SIPO started the preparatory work for the Regulations in February and determined 16 relating subjects. In August, SIPO made a mid-term check of the progress of all the subjects. In October, all the subject groups submitted their final reports. In December, experts were invited to comment on the reports.

Local governments continued their patent legislative work. Chongqing issued Patent Promotion and Protection Regulations. As of the end of 2007, 23 provinces, autonomous regions and municipalities had promulgated their regulations on patent protection.

Publish patent administrative enforcement manual; collect national patent legislations, local patent legislations on administrative enforcement, government rules and other legal instruments; Collect addresses of the local offices and their contact information.

② Administration of patent agency

Administer patent agencies by law and uphold legitimate confidence of clients. In 2007, SIPO approved 40 new patent agencies, cleared formalities of changes for 163 and discontinued service of 6. Earlier 2007, SIPO published a circular on the second group of 95 patent agencies passing 2006 annual check and 8 suspended for failing to pass. SIPO also designated 22 foreign-related agencies, making the total to 169.

Under Rule 11 of the Patent Agency Disciplinary Rules (Trial) (SIPO Commissioner's Decree No. 25), new leadership of the SIPO Patent Agency Disciplinary Committee was elected with Deputy Commissioner He Hua as the new chief.

Continue reform of patent bar exam and successfully organized Patent Bar Exam 2007. In 2007, 8,326 registered for the exam; 5,129 attended; 610 passed.



November 3, Deputy Commissioner He Hua inspected the Patent Bar Exam 2007.

③ Administrative reconsideration

In 2007, SIPO received 66 cases for administrative reconsideration, less than the previous year, which might indicate the quality improvement of patent procedure management and preliminary examination increased in the past few years. In 2007, SIPO responded to 21 administrative complaints at court.