



# III. IP Strategy Implementation and Administration of IPR Protection

## 1. IP Strategy Implementation

### (1) National IP Strategy

*2009 Action Plan for Implementing National IP Strategy* (hereinafter referred to as "Action Plan" ), collectively drawn up by 28 members of the Inter-ministerial Meeting of Implementing National IP Strategy, was issued on March 19th, 2009. The Action Plan contained 240 concrete measures with each being assigned to a specific department.

Two plenary sessions for liaison officials of Inter-ministerial Meeting of Implementing National IP Strategy were held in earlier and middle of the year to arrange future tasks.

SIPO established its own leading group for implementing the Outline of National IP Strategy and organized the first in-house plenary session of the group. *SIPO's Tasking Plan for Implementing the National IP Strategy* and *SIPO's Action Plan for Implementing the National IP Strategy 2009* were formulated, printed and distributed.

The website of National IP Strategy has been reshaped by enriching the database, updating the information and providing prompt maintenance. In

addition, the *White Paper on China IPR Protection 2008* was circulated and the *Compilation on National and Local IPR Protection 2008* was compiled.

## (2) Regional IP Strategy

Formulation and implementation of Local IP Strategy were developed with 15 provinces/autonomous regions/municipalities by drawing up and publishing their outlines or implementing plans of local IP strategies by the end of 2009. SIPO and Jiangsu Provincial Government had sealed a *Cooperative Agreement on Building a Model Province in Implementing IP Strategy*, with the aim to shape a model for others to implement their own strategies. Furthermore, *Comments on Enhancing Local IP Strategy Implementation (Consultative draft)* was completed.

## (3) Coordination for IPR Protection

SIPO had committed itself to organize the 28 members of the Inter-ministerial Meeting of Implementing National IP Strategy to collectively formulate the *Action Plan for China IP Protection 2009*, covering 9 aspects and 170 concrete measures with each being assigned to a specific department.

SIPO invited 10 central government departments including Ministry of Public Security, General Administration of Customs, State Administration for Industry and Commerce, Supreme People's Court, Supreme People's Procuratorate and 13 recommended local authorities to attend IP enforcement seminars on enforcement experiences exchange.

As an organizer of IP protection for Shanghai EXPO, SIPO made efforts to formulate *Action Plan for IP Protection at EXPO (Consultative draft)*, blueprinting the comprehensive approach of IP protection during the event.

SIPO joined Ministry of Public Security, General Administration of Customs, Supreme People's Procuratorate, State Administration for Industry and Commerce, National Copyright Administration of China and Ministry of Commerce to hold *2009 IP Protection Symposium of Foreign Investment Institutions* in Chongqing, briefing the latest IP protection information in China and soliciting the comments and suggestions on IP protection in China from foreign businesses.

## **2. Administration of IPR Protection**

### **(2) IPR Enforcement**

SIPO circulated the *Notification on Recent Arrangement of IPR Enforcement for All-level IP Administrations* and the *2009 Action Plans on IPR Enforcement Campaigns Thunderstorm and Skynet*, aiming to provide guidance to key enforcement activities.

The IP rights assistance hotline "12330" was in operation during the period of "April 26-world IP day". By the year end, SIPO had approved 61 IP Rights Assistance Centres.

# 知识产权执法经验交流会

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二〇〇九年八月 北京



On August 14, SIPO invited 10 central government departments and 13 recommended local authorities to attend IP enforcement seminars on enforcement experiences exchange.



On November 19, 2009 IP Protection Symposium of Foreign Investment Institutions was held in Chongqing.

SIPO helped to improve the mechanism of trans-departmental IPR enforcement through cooperation with police, courts and some other administrative authorities. Against the background of an unveiling national IPR enforcement cooperation mechanism, the areas such as Pan Pearl River Delta, Yangtze River Delta, Bohai Rim, central, western and northeastern China had their regional cooperation further strengthened.

SIPO launched the “Project 5.26” and the construction of National Priority Liaison Bases for Patent Protection. In this year, 41 local IP administrations were selected to participate in the project and 26 units were titled “national priority liaison base for patent protection”.

More efforts had been made to enhance the training for enforcement officials. SIPO organized training courses for patent administrative enforcement officials nationwide. The procedures for authorization and regulation of IPR enforcement certificates and badges had been further improved. Diverse enforcement seminars were held by regions based on demand from local IP authorities.

A nationwide enforcement meeting for local IP administrations and the 3th China IP Enforcement Forum were also organized.

In 2009, local IP administrations accepted 937 patent infringement dispute cases and 26 other patent dispute cases, investigated 30 counterfeiting cases and 548 passing off cases at the expense of 13240 person-time of law enforcers, 6,013 times of inspection to business areas with 1,322,521 products being censored, 533 times of trans-departmental cooperative enforcement and 204 times trans-regional cooperative enforcement.

## (2) IP Administration

**Utilization and Commercialization of Patent.** In 2009, two national patent commercialization pilot bases were approved by SIPO, making the total number of such bases to 16 including an industrial design and creative industry base. Furthermore, 4 national patented technology exhibition and trade centers were approved by SIPO, making the total number to 42.

SIPO and WIPO co-hosted the 11th Chinese Patent Award selection, with 15 patents winning the gold medals. The two organizations had decided to turn this biannual event into an annual one from the year of 2010.

Under the *Interim Procedures on Supportive Funding for Patenting Abroad*, SIPO had helped the Ministry of Finance in accrediting the fund requests. In 2009, 52.85 million yuan were allocated to SMEs, public institutes and research institutes to support their 1,146 PCT filings.

**Patent Pledging Contract Registration and Patent Licensing Contract Recordation.** In compliance with the revised Patent Law and its Implementing Regulation, *Measures for Patent Pledging Registration* and *Measures for Patent Licensing Contract Recordation* were subjected to revision. In 2009, 166 patent pledging contracts, which related to some 3.49383 billion yuan or USD 580 million, were registered. 12,400 Patent Licensing Contracts were recorded and 18,215 patents were licensed.

**Construction of Patent Receiving Offices.** SIPO approved Suzhou sub-branch under Nanjing Patent Receiving Office, and had brought the total number to 27 by the end of 2009.



On September 10, Deputy Commissioner He Hua attended the Patent Receiving Offices Symposium.