



## III: Strategy Implementation and Administration of IPR Protection

In June 2008, the State Council formally issued and implemented the Outline of China's National Intellectual Property Strategy, upgrading intellectual property rights to the level of national strategy for the first time. The Outline is not only a guide to the development of China's intellectual property work, but also an instructive document promoting the development of an innovative country. To coordinate the strategy implementation, in October of the same year, the State Council approved the establishment of the Interdepartmental Joint Meeting on the Implementation of the National Intellectual Property Strategy consisting of 28 departments and organizations.

28 members of the joint meeting formulated the China's Action Plan on Intellectual Property Protection for two consecutive years, jointly held the IP Protection Symposium of Foreign Invested Enterprises, set up 67 IPR Assistance Centers nationwide, and selected 38 institutions to be key liaison bases for national patent protection. The members published the documents to guide and promote strategy implementation in local regions, organized the establishment of demonstration provinces for intellectual property strategy, strengthened the integration between the intellectual property policy and regional policy, and coordinated relevant ministries and commissions to reinforce the work of intellectual property in regional planning at



national level. To date, 26 provinces (autonomous regions and municipalities) and the Xinjiang Production and Construction Corps have established leading agencies for the implementation of the intellectual property strategy, and 24 provinces (autonomous regions and municipalities) have officially issued local intellectual property strategy outlines or opinions on the implementation of intellectual property strategies.

Inter-provincial coordinated patent enforcement mechanisms in the Great Pearl River Delta and the Yangtze River Delta have been established. Focusing on the major events, such as the Beijing Olympic Games, the Shanghai World Expo, the Guangzhou Asian Games and special campaign against intellectual property infringements and production and sales of counterfeited and forged commodities, special enforcement activities were organized and effectively protected the legitimate rights and interests of right holders and consumers. The intellectual property protection mode, featuring "Two Channels, Parallel Operation" between administration and justice, was further improved and achieved tangible results.

SIPO fostered a total of 925 pilot institutions, and carried out a large amount of model creation and demonstration work.

In 2010, efforts were made to do the following work:

## **1. Strategy Implementation**

### **(1) National Intellectual Property Strategy**

In March, SIPO held the Second Plenary Session of the Interdepartmental Joint Meeting On the Implementation of the National Intellectual Property Strategy. Vice Secretary-General Bi Jingquan of the State Council attended and addressed the meeting. The meeting reviewed and adopted in principle the Summary Report on the Work of Strategy Implementation in 2009 and the Promotion Plan for Implementation of the National Intellectual Property Strategy 2010. The Action Plan proposes 18 key work areas and 222 concrete measures focusing on accelerating the transformation of the economic development pattern. It defines the departments responsible and elaborates on the tasks that need to be performed. Two plenary sessions and one special meeting of liaison persons were held at the beginning and the middle of the year to share experiences and deploy the work.

A meeting of the leading group for the implementation of China's National Intellectual Property Strategy in SIPO was held to review the office's work in terms of strategy implementation. SIPO formulated, printed and distributed the 2010 Plan of the State Intellectual Property Office for the Implementation of the Intellectual Property Strategy.

### **(2) Intellectual property strategy for industries**

On July 1, the Interim Provisions on the Intellectual Property Management for Major National Scientific and Technological Projects were printed and distributed in collaboration with the Ministry of Science and Technology, the National Development and Reform Commission and the Ministry of Finance.

### **(3) Regional intellectual property strategy**

In March, a meeting on the work to build a demonstration province for the implementation of the intellectual property strategy in 2010 was held together with the People's Government of Jiangsu Province. The parties signed the State Intellectual Property Office-People's Government of Jiangsu Province Cooperation Plan to Build a Demonstration Province for the Implementation of Intellectual Property Strategy in 2010.

In June, Several Opinions on Strengthening the Work of Local Implementation of the Intellectual Property Strategy was printed and distributed, and the Reference Opinions on the Evaluation of Local Implementation of the Intellectual Property Strategy were drafted. SIPO also drafted Several Opinions of the State Intellectual Property Office on Implementing the Intellectual Property Strategy to Accelerate the Development of the Intellectual Property in the Western Region.

## **2. Policy Research**

SIPO formulated the National Patent Development Strategy 2011-2020, and formally published it on November 11.

## **3. Administration of IPR Protection**

### **(1) Organizing and coordinating intellectual property protection**

The China's Intellectual Property Protection 2009 white paper (in both Chinese and English) and the Highlights of National and Regional Intellectual Property Protection (Chinese and English) were compiled and published.

SIPO printed and distributed China's Action Plan on Intellectual Property Protection 2010, defining the guideline of "perfecting systems, strengthening enforcement, highlighting special campaigns, promoting coordination, reinforcing publicity, regularizing administration" and specifying 164 concrete measures in 10 aspects.

SIPO joined hands with eight ministries and commissions to launch a special campaign for intellectual property protection related to the Shanghai World Expo. SIPO worked together with eight ministries and commissions to carry out the work of enforcement and publicity for intellectual property protection at the Asian Games, and jointly formulated, printed and distributed the Notice on Strengthening Intellectual Property Protection for the Guangzhou 2010 Asian Games.

SIPO joined hands with relevant departments to draft and formulate the Special Campaign against Intellectual Property Infringements and the Production and Sales of Counterfeited and Forged Commodities.

In June, SIPO organized the IP Protection Symposium of Foreign-Invested Enterprises in Guangzhou. In July, the office held the IP Protection Symposium of Domestic Enterprises in Dongguan. In November, SIPO held the 2010 IP Protection Symposium of Foreign Invested Enterprises to allow an open forum for the opinions and suggestions of both domestic and foreign-invested enterprises voiced on China's intellectual property protection.

## **(2) Intellectual property enforcement**

SIPO printed and distributed the Notice on Strengthening the

Reporting, Complaint and Right Protection Work of the IPR Assistance Centers. From April 26 to May 26, SIPO initiated a national synchronized action for intellectual property right protection coded "12330" after the public hotline number. By the end of the year, SIPO approved the establishment of 67 IPR Assistance Centers for rights protection, thus gradually forming a national enforcement, reporting and complaint network for the protection of intellectual property rights.

SIPO formulated, printed and distributed a number of documents, including the 2010 Enforcement Arrangement among Intellectual Property Offices and the 2010 Special Action Plan for Intellectual Property Enforcement and Protection to deploy, instruct and promote the enforcement practice.

SIPO promoted the special campaign against intellectual property infringements and the production and sales of counterfeited and forged commodities. SIPO organized the national meeting of the intellectual property administrations on



Deputy Commissioner Gan Shaoning inspected the complaint network for the protection of intellectual property rights.

enforcement, printed and distributed the Special Action Plan among Intellectual Property Offices for Intellectual Property Enforcement, and established the supervision committee for special enforcement action.

From April 26 to May 26, SIPO organized the national intellectual property administrations to carry out the "Thunderstorm" and "Sky Net" campaigns of concentrated intellectual property enforcement actions.

SIPO carried out the special enforcement and rights protection action for the Shanghai World Expo and the intellectual property enforcement and protection action for the Guangzhou Asian Games.

In 2010, the intellectual property administrations in China received a total of 1,077 patent infringement cases, and accepted 18 cases involving other patent disputes. The administrations investigated 728 cases involving counterfeited patents, dispatching a total of 20,646 person-time in enforcement teams, inspected commercial locations 10,642 times, checked 2,134,668 commodities, and initiated 545 enforcement actions involving interdepartmental collaboration and 972 enforcement actions across regions.

### **(3) Intellectual property management**

#### **Patent utilization and industrialization**

From November 7 to 13, the "2010 Fourth China Patent Week" event was held in more than 150 cities in 31 provinces, autonomous regions and municipalities. A total of 865 events were organized during the patent week, attracting the

participation of some 650,000 people as well as nearly 28,000 businesses and 600 intermediate agencies.

SIPO jointly conducted the rating of the 12<sup>th</sup> conference of China Patent Awards together with WIPO, and selected 15 China Patent Golden Awards, 5 China Industrial Design Golden Awards, 179 China Patent Excellence Awards and 32 China Industrial Design Excellence Awards.

The revised Measures on Patent Pledge Registration went into effect as of October 1, and the Administrative Measure for Recording of Patent Implementation Licensing Contract (exposure draft) published to solicit public opinion. In 2010, SIPO registered 362 patent pledge contracts, involving pledge amounts of nearly RMB 6.6 billion. Throughout the year, SIPO recorded 9,771 patent licensing contracts, representing a robust growth.

By the end of the year, there were 28 patent receiving offices nationwide.