

# III. Strategy Implementation, IP Protection and Administration

## 1. Strategy Implementation

### (1) National Intellectual Property Strategy

According to the task distribution of *the Outline of National IP Strategy*, SIPO formulated and implemented the *Promotion Plan for Implementation of the National Intellectual Property Strategy 2013*, identified 84 specific measures from 8 aspects including the promotion of innovative capacity.

Based on the contents and mission distribution of the first five-year target of *the Outline of National IP Strategy*, a comprehensive review over the past five years implementation of the National IP Strategy was made.

SIPO organized National Videophone Conference on the Implementation of National IP Strategy, to which State Councilor Wang Yong presented and delivered important speech. During the conference, the implementation work over the last five years was reviewed, experiences were shared and steps to be taken for the next step were deployed.



SIPO studied and compiled the draft of *Action Plan on Further Implementing National IP Strategy (2014-2020)*. The overall requirements and main targets were identified; mission distributions and specific measures were also clarified.

The 8<sup>th</sup> and 9<sup>th</sup> Liaison Meetings of the Inter-ministerial Joint Conference on the Implementation of National IP Strategy were convened.



Deputy Commissioner He Hua chaired the 9<sup>th</sup> Session of Contact Points of the Inter-ministerial Joint Conference on the Implementation of National IP Strategy.

*Several Opinions on Further Implementing National IP Strategy, Strengthening and Improving IP Management (for public comments)* was completed.



IP Strategies Lecture Hall.

## (2) IP Strategy for Industries

The areas covered by review pilot were expanded, and 8 provinces and 6 vice-provincial level cities and industrial parks were identified as pilot areas. 6 provinces were selected to carry out pilot fostering work, and 43 major economic and scientific projects were identified.

SIPO jointly carried out studies on the analysis and review service standard with the National Institute of Standardization, among which two standards have been established, namely the “service models and procedures” and the “service norms”. 26 organizations were selected and trained to be demonstration organizations.

*The Notice on Relevant Work of Carrying out IP Cluster Management Pilot to Develop Concentrated Areas of Strategic Emerging Industries with IP Advantages* was printed and distributed. 10 industrial clusters and 2 provincial IP offices were identified as pilots, to carry out studies on IP indicator of strategic emerging industry.

The communication and coordination with government departments such as National Development and Reform Commission, the Ministry of Science and Technology, and the Ministry of Commerce were further strengthened. SIPO was also involved in the formulation of major policy documents, including 20 Implementing Plans for major Projects of Strategic Emerging Industries and Key Missions for the Reform of National Scientific System and the Building of Innovation System.

### **(3)Regional IP Strategy**

SIPO released *the Collection of Key Points in the*

*Implementation of National IP Strategies in Local Area 2013 and Key Points of the Implementation of Local IP Strategies*. Jointly printed and distributed with State Administration for Industry and Commerce, and the National Copyright Administration *the Notice on Organizing Phase-end Review on Implementation of National IP Strategies in Local Areas*, to guide and promote the implementation of local IP strategies.

In cooperation with Ministry of Education, Ministry of Science and Technology, Ministry of Agriculture, Ministry of Culture, State Administration for Industry and Commerce, and National Copyright Administration, *the Several Opinions on Further Implementing IP Strategy to Promote the Economic and Social Development of the Central China Economic Zones* was formulated for 5 provinces and 30 cities inside the region.

SIPO organized with Jiangsu Provincial People's Government the Working Meeting on the Building of IP Strategy Implementation Demonstration Province, and jointly printed and distributed *the Cooperation Plan on the Building of IP Strategy Implementation Demonstration Province 2013*.

SIPO strengthened its categorized guidance over the implementation of local IP strategies, continued in the attempt to build IP strategy implementation guidance zones in Beijing Zhongguancun and Wuhan Donghu National Independent

Innovation Demonstration Zones. Pilot work on the categorized guidance over implementation of local IP strategies were carried out in four provinces.

In a joint effort with National Development and Reform Commission, Ministry of Science and Technology, Ministry of Industry and Information Technology, State Administration for Industry and Commerce, and National Copyright Administration, IP policy studies on revitalization the old industrial base in north-east China was made, to promote the combination of IP policy with other regional policies.

Analysis of regional IP resources was carried out, and reports for the analysis of four regions were completed.

#### **(4) Promotion of National Patent Development Strategy**

SIPO organized the implementation of *the Promotion Plan for National Patent Development Strategy 2013*. The internal departments and various local offices formulated 635 specific measures based on their realities. The improvement of policy system, working system, and the promotion of supporting capacity were identified as three fundamental and key elements for the promotion of the patent strategy in each province. A working mechanism for the promotion of the implementation of the patent strategy gradually took its form.

*The Promotion Plan for National Patent Development Strategy 2014* was released. SIPO confirmed the implementation of three major tasks including “patent system innovation”, “construction of patent operation guarantee system” and “supporting economic and social development with patent” and also identified 13 special tasks and 30 measures.

*The Several Opinions on Further Promoting the Quality of Patent Applications* were promulgated, to guide the local offices in adjusting policies, improving supervising mechanism, and strengthening capacity building, so as to solve the current quality issues of patent applications.

## **2. IP Protection and Administration**

### **(1) IP Protection Related Work**

The analysis of survey statistics for 31 cities in 2012 was completed, to which a report was formed and released. SIPO carried out surveys for 2013 to better understand the situation of national IP protection, and to provide evidence for the assessment of performance in local IP protection.

SIPO printed and distributed *the Notice on Carrying out IP Protection in Specialized Markets*, in which a decision has been

made to implement pilot work in markets of border trading ports and key areas to strengthen categorized guidance and project management. A list of key tasks has been made, and was supervised to implement. A series of Project Review Indicators were set up. A list of key IP specialized markets was made, in which more than 650 markets were identified. SIPO also compiled *the Work Manuals on IP Protection in Specialized Market*.

SIPO issued *IP Protection in China 2012*. In accordance to the unified deployment of the Inter-ministerial Meeting on Authorized Software, SIPO took the lead in the supervision of the situation of applying authorized software in 4 provincial and 2 central governmental agencies. As a result, 6 feedback opinions and 2 reports were made.

SIPO completed *the Report on Further Strengthening IP Protection Work*.

## (2) IP Enforcement

The “Convoy” special campaign on IP enforcement was carried out to combat patent infringements and passing-off activities in areas involving livelihood and major projects. Throughout the year, 16,227 patents cases of various types were handled, increased by 79.8% compared with the previous year. Among



these cases, 5,056 were patent disputes (including 4,684 patent infringement disputes), increased by 101.4% compared with the previous year.

SIPO printed and distributed *Project Plan on Promoting the Capacity of Patent Administrative Enforcement*, organized rotating trainings on the promotion of enforcement skills to promote the capability of enforcement staffs. A series of mechanisms were preliminarily set up, including the Patent Infringement Disputes Fast Meditating Mechanism, Enforcement Coordination Mechanism and the Consultation Mechanism for Identifying Infringement. The establishment of Work Mechanism on Patent Enforcement in E-Business was accelerated, and efforts were also made to build a social credit system on IP protection. The information work on enforcement was strengthened, and a three-level (the national, provincial and municipal level) case handling information reporting system was developed and put into utilization. The complaint system on enforcement was also developed.

SIPO also carried out complaint collection work on enforcement assistance. The existing 78 IP Enforcement Assistance Centers opened the “12330” public hotline, which has already covered all the provinces (municipalities and autonomous regions). The Enforcement Assistance Centers provided assistance to

the right owners and the public through various channels including telephone call, internet interface and face to face visits. Service work stations on enforcement assistance were set up to receive IP complaints.

SIPO printed and distributed *the Measures on the Performance Assessment of 2013 Patent Administrative Enforcement and Complaints Handling of IP Enforcement Assistance*.

### (3) IP Management

**IP Cooperation Consultation, IP Pilot and Demonstration, and Counties with Strong IP Capacities Project were carried out.** SIPO established a new round of cooperation consultation mechanism with Guangdong Provincial People's Government, newly established cooperation consultation mechanism with Henan Provincial People's Government, and established all-round cooperative relations with China Science and Technology Association. By the end of 2013, discussions about establishing cooperation and consultation mechanism with 7 provincial (including autonomous regions and municipalities) People's Governments and the China Science and Technology Association were in the process.

18 demonstration cities and 40 pilot cities were identified. The first batch of 22 demonstration counties (districts) and 99 pilot counties (districts) of the National Project of Counties with Strong IP Capacity were identified.

**Progress was made regarding enterprises' IP work.** SIPO printed and distributed *Notice on Initializing the Promotion of Enterprises' IP Management Standard*, and fully applied the national standard provided in *Norms of IP Management in Enterprises*, to help establish 4 major systems, namely policy guidance, consultation services, certification work and supporting system. 14 provincial and municipal IP offices joined their efforts with local Bureau of Science and Technology, State Asset Administration Committee, and provincial Economy and Information Technology Committee to promote applying ISO standard, and 9 provinces or municipalities have established the ISO Standard Application Office. Around 1,800 enterprises across the country have been applying for the ISO standard, for which more than 200 IP consultation and service agencies were involved. SIPO and the Commission of National Certification and Accreditation (CNCA) jointly printed and distributed *Implementing Opinions on Certification of IP Management System*, to promote a market oriented certification service model. Approved by National Standard Commission, SIPO has been preparing to establish National Knowledge Management Standardization Technical Committee, to strengthen the strategic planning and standardization management of the knowledge resources.



Deputy Commissioner Xiao Xingwei visited Shandong Shengrui Transmission Corporation Ltd.

SIPO printed and distributed *the Notice on Fostering Enterprises with IP Advantages and IP Demonstration Enterprises at National Levels* to fully bring forward the fostering work of enterprises with IP advantages. The first batch of 127 National IP Demonstration Enterprises and 771 National Enterprises with IP Advantages were identified.

SIPO and the Ministry of Industry and Information Technology jointly implemented the IP Strategic Promotion Project for Small and Medium Sized Enterprises, and carried out pilot IP trust in 26 provinces.

**Patent Utilization and industrialization.** SIPO initiated the patent navigation pilot project, identified 8 national experimental

zones for developing patent navigation industries, 5 national patent coordinated utilization pilot units, and 35 national patent operation pilot enterprises. A training seminar on patent navigation pilot project was held, and *the Work Manuals on Patent Navigation Pilot Project* was printed and distributed.

SIPO, together with National Banking Regulatory Commission and other departments, jointly promulgated *the Guiding Opinions on Commercial Banks IP Pledge and Financing Business*, carried service pilots on IP pledge financing and investment in 19 regions, and established patent transfer and transformation service platforms at 4 pilot and demonstration parks. Patent Insurance Pilots were carried out in 25 regions. The total amount of financing through patent pledge reached 25.4 billion RMB within the year, a year on year increase of 80%. 530 enterprises participated in patent insurance, involving 1,855 patents, and the insured volume was 64.38 million RMB.

The work of analyzing the value of patents was promoted in 14 regions across the country to provide dynamic management of patents regarding different levels and classes. SIPO organized the construction of patent value analysis service platform to promote the work of patent pledge and financing.

SIPO and WIPO jointly organized the selection activity of the 15<sup>th</sup> WIPO-SIPO Award for Chinese Outstanding Patented

Invention & Industrial Design. 25 golden awards were delivered and 389 excellence patents selected. According to incomplete statistics, from the date of patent exploitation up to the end of 2012, the newly added sales volume of these 25 patents with golden awards was 109.5 billion RMB, with newly added profit 37.1 billion RMB.

SIPO organized 12 IP related exhibition fairs in cooperation with relevant departments of the State Council and Provincial Governments. During the fairs, patent technology exhibition and trade hall and special area for IP service were set up, to help promote the transfer and transformation of patented technology.

The 7<sup>th</sup> China Patent Week activities were organized, with the theme of "patent guiding industrial development, and serving innovation in enterprises".