

## II. Legal Affairs

### 1. Legal System Construction

*The Draft Amendment to the Patent Law (for public comments)* is further modified and revised based on the public opinions.

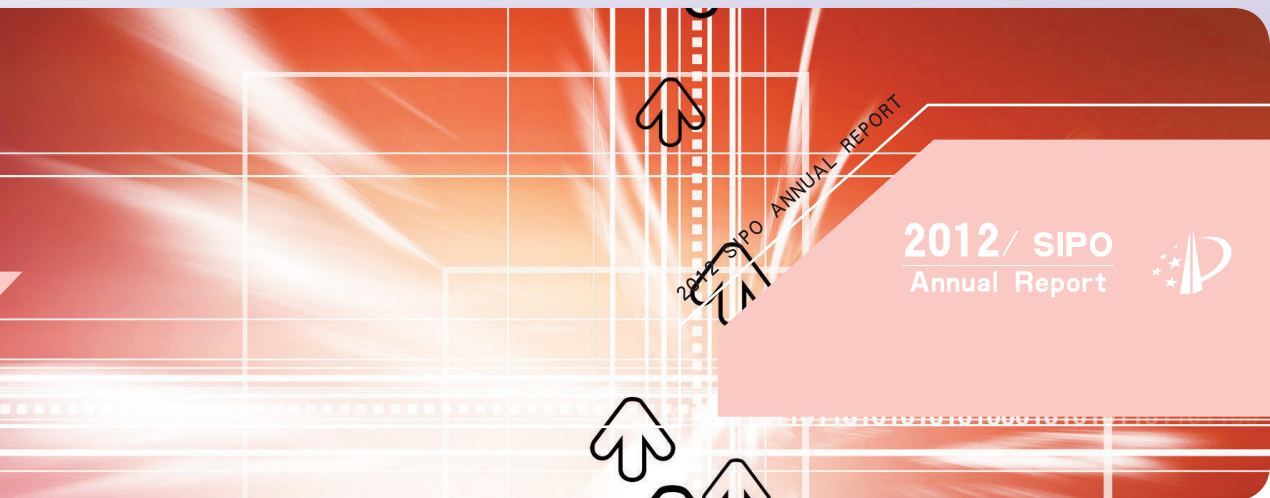
*The Regulation on Service Invention (Draft) (for public comments)* is further modified and revised based on the public opinions.

SIPO, together with the Ministry of Education and the Ministry of Science and Technology issued *Several Opinions on Further Enhancing the Protection of Service Inventors' Lawful Rights and Promoting the Implementation of Intellectual Property Protection*.

SIPO held in-depth discussions with the Legislative Affairs Office of the State Council, and communicated with other government departments to actively promote the revision of the *Regulation on Patent Agency*. The post-enactment evaluation is in progress.

SIPO held the Seminar on Legislation for Patent Promotion and Protection, compiled a collection of regulations and experiences on local patent promotion and protection.

SIPO completed the revision of the *Rules on the Methods*



for *Labeling Patent Marks*, formulated and issued the *Administrative Measures on Prioritized Examination of Patent Applications* which opened up a green channel of patent examination for newly-emerged strategic industries and green technologies, conducted the revision of the *Methods for Mitigation and Extension of the Patent Fee*. SIPO released the *Announcement on Related Issues of Opening up the Digital Access Service to Priority Documents*, the *Announcement on Opening up the Electronic Exchange Service of Priority Documents between SIPO and EPO*, to facilitate the applicants to go through the priority procedures and improve the efficiency of patent examination process.

SIPO conducted the survey and analysis on Patent Cooperation Treaty (PCT)'s development situation in China, timely translated the *Regulations under the PCT* which came into force on January 1, 2013, and organized the translation of the *PCT Applicant's Guide*.

## 2. Patent Agency

SIPO conducted the promotion project on patent agency

industry, instructed 6 provinces and cities including Beijing to promulgate supporting measures, issued pilot initiatives on accelerating the development of the patent agency industry, provided policy support to industry access, annual inspection and other aspects to the pilot regions, formulated the training plan on practical skills for patent agents and offered training for more than 900 agents.

SIPO approved the establishment of patent agencies according to law, and 43 new patent agencies were approved. SIPO received 27 accusations and complaints, among which 22 were investigated and 14 were verified and settled, 3 discipline decisions were made, and 2 patent agencies were revoked. SIPO strengthened the credit construction, disclosed the relevant information of the falsifiers in examination on SIPO's website and gave warning to the persons concerned. The Administration System of Patent Agency was launched on line, and the establishment and alteration of the patent agency can be processed on line, which improved the administration efficiency. SIPO also improved the subsequent procedures for the revocation of patent agency, and duly handled sub-

entrust and other issues of the cases, fully guarantying the consignor's rights and interests.

SIPO refined the explanation to the requirements of the examination registration, and for the first time allowed current graduate students enrolled for the qualification examination for patent agent. In 2012, another record high increase in the numbers of people enrolled and passed in the qualification examination for patent agents, with 16,780 and 2,966 respectively. There were 40, 6 and 1 participants from Taiwan, China, Hong Kong SAR and Macao SAR passed the exam respectively. SIPO conferred 17 Patent Agent Certificates on Taiwan compatriots.

### **3. Administrative Review**

In 2012, SIPO received 82 requests for administrative review, and 15 administrative appeals were responded in the name of SIPO.