

Guidance of the SIPO Concerning the Expedited Construction of Cities with IP Advantages

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The intellectual property offices of provinces, autonomous regions, municipalities directly under Central Government and Xinjiang Production and Construction Corps; departments of the SIPO, departments of Patent Office of the SIPO, all units and social groups directly under the SIPO:

Urban development in China has entered a new phase, and IP is becoming a new engine for innovation-driven urban development. To boost the overall utilization and clustered development of IP in urban economic development, industrial planning, integrated control and public services, and promote the formation of advanced urban development concepts and governance models is an inevitable requirement to support IP powerhouse construction, accelerate the supply-side structural reform, and comprehensively enhance urban core competitiveness. The following guidance is hereby given in order to thoroughly implement *Several Opinions of the State Council on Accelerating the Building of an Intellectual Property Power in the New Situation* (G. F. [2015] No. 71), further deepen the urban IP pilot and demonstration work, and build first-class internationally influential cities with IP advantages in China.

I. Overall requirements

i. Guiding ideology

Comprehensively implementing the guidelines of the 18th National Congress of the CPC and those of the third through Sixth Plenary Sessions of the 18th CPC Central Committee, thoroughly putting into practice the principles of General Secretary Xi Jinping's major addresses, focusing on the overall plan for balanced economic, political, cultural, social, and ecological progress and on the coordinated advancement of the Four-Pronged Comprehensive Strategy, solidly setting up the concept of innovative, coordinated, green, open, and shared development, conscientiously carrying out the innovation-driven development strategy and the national IP strategy, constructing a batch of cities with IP advantages, full innovative vitality, good quality, significant benefits, and great capability of sustainable development by taking in-depth integration of IP with urban innovation-driven development as the main thread, strengthening IP protection and utilization as the theme, IP reform and innovation as the driving force, and the construction of counties (districts), offices and enterprises with IP advantages as the grasp, so as to lay a solid



foundation for building China into a world-level IP powerhouse with Chinese characteristics.

ii. Basic principles

Condensing the driving forces for reform. Making the IP management institutional reform the breakthrough point, promoting the reforms in key fields like IP protection and utilization, improving the level of IP governance in urban areas; sticking to the leading role of planning, giving full play to the decisive role of the market in resource allocation and better displaying the role of the government, and enhancing urban sustainability.

Deepening the lead of innovation. Implementing comprehensive and strict IP protection, stimulating the innovation vitality of cities, creating a good environment for innovative development of cities; paying attention to the quality of IP development, promoting the overall benefits of IP utilization, opening up new channels for realizing the value of innovations, making innovation the main driving force for the development of cities, and releasing new development momentum of cities.

Agglomerating development advantages. In light of the resource endowment and geographical advantage of cities, promoting openness and sharing of innovation resources, leading innovation resources to gather in leading and characteristic industries in cities; promoting industrial transformation and upgrading with IP and innovation, fostering modern cities with industrial characteristics and advantages, and enhancing the development competitiveness of cities.

Sticking to overall planning and deployment. Scientifically planning the space layout for the construction of cities with IP advantages and creating re-

gional IP development poles with a leading and demonstrative effect in combination with the implementation of the “Belt and Road” Initiative, coordinated development of the Beijing-Tianjin-Hebei region, and the construction of the Yangtze River Economic Belt, taking city clusters under national key planning as the mainstay and groups of national IP model cities as the foundation.

iii. Development goals

The construction of cities with IP advantages is advanced following the requirement of “being benchmarked against the international standards, leading in China, and supporting the areas” and by way of “engineering construction, systematic promotion, project-type management, and responsibility fulfillment”. By 2020, about 20 cities that feature IP-led innovation-driven development will have been built in the Yangtze River Delta, the Pearl River Delta, the Bohai-rim and other national key development areas.

—A system for integrated IP management in cities will be built that features comprehensive contents, a complete chain, smooth links, complete responsibilities and diversified services. The development trend of the international IP management institution will be followed, the demand for innovative development of cities will be adapted to, the IP policies will be effectively integrated with the industrial, technological, and financial policies, and the IP governance capability of cities will reach the top level in China.

—A grand IP protection system will be formed that covers the whole IP chain such as IP creation and granting, IP use and rights safeguarding, and integrates IP right granting and confirmation, judicial

trial, criminal law enforcement, administrative enforcement, arbitration, mediation, industrial self-discipline, and social supervision. The IP law enforcement level and capability in cities are widely recognized in the world; the rights and interests of innovators are fully protected; the innovation vitality is fully unleashed, and the IP protection environment in cities is first-class in China.

—An open, innovative, integrated, green, low-carbon, and sustainable IP development system will be established. Several leading enterprises and industrial clusters advanced in IP with international competitiveness will be formed, a market-led eco-chain of IP innovation will be created in cities, and new formats of business and new business models will be fostered constantly. The contribution of IP to urban economic development reaches domestic top level.

—A coordinated IP development mechanism will be built that leads IP development in different regions, and features balanced development, interaction, coordination, and sharing of resources. The role of the IP system in promoting economic development, cultural prosperity and social construction will fully demonstrate itself, and the driving ability of regional development will become even more prominent. Pioneering places of utilizing advanced international experience in IP will be built. Domestic and international resources of coordinated innovation of IP will be highly concentrated and foreign IP cooperation and exchanges will reach domestic top level.

By 2030, a construction and development pattern of cities with IP advantages will be formed in China's main city clusters, featuring distinct characteristics, smooth institution, agglomeration, integra-

tion, greater vitality, and greater openness.

II. Key tasks and major projects

i. Implementing the IP management capability enhancement project, and adapting to the demand for innovation

1. Advancing the IP management system reform. Actively launching the reform of integrated management of IP, and strengthening the construction of IP management agencies and work teams at municipal and county (district) levels. Establishing a centralized and highly-efficient integrated IP management system in cities, opening up the key links of operation of such systems as IP creation, utilization, protection, and service, and serving multiple entities like enterprises, public institutions, industrial organizations, service agencies, and the general public. Continuing to launch the IP pilot and demonstration work in counties, and actively fostering national model counties with IP advantages. Studying and establishing innovation-driven development indicators that combine scientific innovation, IP, and industrial development, and incorporating it into national economic and social development planning. Highlighting the IP performance assessment orientation in comprehensive performance assessment of Party and government leadership and leading cadres. Setting IP awards programs according to relevant provisions, and increasing the weight of IP evaluation in various incentive systems.

2. Establishing a decision-making mechanism where patents navigate innovative urban development. Launching the work of quality evaluation of patent-navigated innovative urban development, optimizing regional IP layout, and enhancing the level of innova-



tive regional development. Making patent data the main source of information, comprehensively using the means of patent information analysis, market value analysis as well as economic data analysis and mining so as to correctly grasp the leading and supportive role of IP in innovative urban development, rationalizing the relations between IP resources and innovation resources, industrial resources and economic resources, promoting the integration of the innovation chain, industrial chain, capital chain, and policy chain through patent navigation, gradually establishing an innovative decision-making mechanism where patent navigation supports administrative decision-making, and improving cities' macro management capability of innovation and the efficiency of resource allocation.

3. Building a service system where IP promotes innovation and entrepreneurship. Building towns with IP characteristics, providing capital support for IP maker programs, and creating patent entrepreneurship incubators. Developing special support policies facing IP makers, and intensifying the agglomeration of IP maker talents. Establishing a sound IP tutoring system for start-ups to provide IP entrepreneurship tutoring services for makers. Strengthening practical trainings such as patent layout and patent mining, and publicizing the utilization of patent information analysis results. Advancing point-to-point docking of IP public services in innovation and entrepreneurship demonstration bases and key scientific parks. Publicizing the IP service coupon model facing innovation and entrepreneurship entities, and intensifying fiscal supports for them.

4. Improving the IP public service and policy

system. Enhancing cities' IP public service capability and level, increasing IP information service outlets in higher education institutions and scientific research institutes, and realizing full coverage of patent information service outlets in districts and counties. Developing and releasing a catalogue of IP public service matters and guidelines, and building "one-stop" integrated IP service platforms that combine online and offline services. Utilizing technologies such as cloud computing, big data and the mobile Internet to improve various online IP management services and the accessibility of IP information. Formulating reasonable IP policies that feature stimulation of creation, promotion of utilization, strict protection and standardized services, and advancing the integration of IP policies into industrial, technological, economic, trade, financial, and fiscal policies. Building urban IP think-tanks, supporting the setting of IP consultants for mayors, and inviting well-known domestic and foreign experts in the IP field to give suggestions on IP-led innovative urban development.

ii. Implementing the grand IP protection project, and creating an environment for innovation and entrepreneurship

1. Improving the IP law enforcement and rights safeguarding system. Establishing a city, county (district) leaders' IP protection accountability system. Building a uniform and efficient city, county (district) IP administrative enforcement system. Launching integrated IP administrative enforcement, and actively creating a favorable situation for IP law enforcement. Intensifying the IP protection mechanism in key fields like e-commerce and people's livelihood and key links like exhibitions, importation and export-

tation. Perfecting the cross-regional, cross-department coordinated IP law enforcement and joint law enforcement mechanism. Expanding the areas and industries covered by rapid IP rights safeguarding, and strengthening overseas IP safeguarding assistance. Leading industrial associations and intermediary organizations and other third-party agencies to participate in resolving overseas IP disputes, and establishing a joint response mechanism for dealing with IP disputes involving foreign factors.

2. Expanding multiple channels for settling IP disputes. Giving full play to the role of social organizations like industrial IP leagues and industrial associations, encouraging and leading innovative entities to resolve IP disputes through mediation or arbitration at low costs according to the characteristics of different types of IP disputes. Establishing an IP disputes technical appraisal and expert advisor system to provide professional support for IP safeguarding. Launching the pilot work of matching patent nullification and right confirmation and infringement arbitration. Initiating the docking of IP dispute lawsuits and mediation, and establishing a judicial confirmation system for IP dispute mediation agreements. Exploring a system for non-litigation settlement of IP disputes where arbitration and mediation get linked organically and are mutually coordinated.

3. Establishing a social supervision network system for IP protection. Actively launching the construction of a social creditability system in the IP system, incorporating into the social creditability system relevant information on administrative punishment cases and acts such as refusing to cooperate in investigation and evidence collection and refusing to execute

administrative decisions. Utilizing the advanced concept, technology and resources of big data to construct an online platform for IP supervision that features comprehensive response, all-round openness and whole-process management, and realizing the integration of network patrols, online reporting, and complaints and case handling. Advancing the establishment of a joint punishment mechanism against entities losing IP credibility, and keeping a memo on joint punishments of entities losing IP credibility.

4. Enhancing the IP protection capability of innovation entities. Actively exploring to launch IP deliberation pilots in major scientific activities. Comprehensively enhancing the national standards on IP management in higher education institutions and scientific research institutes, and improving the patent mining and distribution capability of innovation entities. Advancing the establishment of IP remote meeting reception stations and circuit courts for patent reexamination to provide convenient services for micro, small and medium-sized enterprises. Relying on the national patent examination resources to establish an IP special commissioner system, and giving instructions on IP management in the whole implementation process of major scientific research programs in cities. Strengthening the fostering of markets with standards IP protection, and enhancing the IP protection and management capability of market sponsors.

iii. Implementing IP utilization and promotion projects, and promoting industrial transformation and upgrading

1. Improving the urban IP investment and financing service system. Giving play to the coupling effect of finance and banking, leading financial institutions



to display their professional and channel advantages, and establishing a systematic, standard and professional IP financial service mechanism. Establishing a sound risk sharing mechanism like the urban IP pledge risk compensation funds, pushing forward IP pledge financing and loan continuance service, and intensifying the support to IP pledge financing for start-ups and clients who borrow loans for the first time. Launching pilots of financial innovation with IP, making full use of the capital market, and encouraging enterprises to carry out direct financing with IP. Accelerating the fostering and regulation of patent insurance markets, optimizing the operational models of insurance, supporting insurance agencies to carry out patent insurance businesses, and perfecting the patent insurance service system.

2. Improving the work system for innovative development of urban patent navigation industry. Driving urban upgrading in light of urban industrial characteristics, studying and initiating the work to foster IP-intensive industries. Establishing a work mechanism for developing the patent navigation industry in different types of industrial parks. Carrying out the construction of experimental zones for the development of national patent navigation industries, implementing patent navigation pilot projects, promoting and implementing industrial planning-type and enterprise operation-type patent navigation programs, and carrying out a batch of patent reserve and operation programs to support innovative development of industries. Encouraging enterprises to form industrial IP alliances and push forward collaborative IP utilization by market-oriented entities.

3. Constructing an eco-system for urban IP oper-

ation. Building urban IP operation and trading centers, comprehensively connecting them to the national IP operation and service system and to world's first-class IP innovation entities, service agencies and industrial capital. Cultivating several IP operational institutions with prominent industrial features and advanced operational models, and launching IP operation focusing on patent pools and patent portfolios. Encouraging higher education institutions and scientific research institutes to establish IP operational agencies that are run independently, and promoting organic match of industrial innovation and market demands. Pushing forward the allocation of special funds for IP operation, encouraging and driving social capital to jointly set up funds for industrial IP operation, and promoting IP industrialization.

iv. Implementing the IP quality improvement project, and increasing the development momentum

1. Building a quality improvement system for urban IP creation. Initiating the work to promote the formation of core patents, further increasing the amount of high-quality IP held. Intensifying the quality orientation of evaluation, subsidization and incentive of urban invention patents, utility model patents and design patents, exploring the establishment of an expert inquiry mechanism for policy optimization, and shifting the funding priorities to the cultivation of high-value patents. Reforming and perfecting the IP examination policy, and increasing patent quality and performance indicators in technical research and development-type scientific and technological plans. Strengthening the guidance, supervision and rewards and punishment of IP service agencies. Carrying out

practical trainings for improving the patent application quality in various forms, and enhancing innovation entities' patent creativity.

2. Improving the system for fostering powerful IP-intensive enterprises in cities. Implementing the national standards on IP management norms, leading enterprises to establish a standardized IP management system, and promoting third-party examination and certification. Encouraging national IP demonstration enterprises and enterprises with IP advantages to build high-value IP cultivation centers, utilizing the patent navigation concept, focusing on key industrial fields and links, supporting IP order-type research and development and open innovation, creating a batch of patents with a high level of technical innovation, a stable right status and great market competitiveness, and constructing high-value patent pools and patent portfolios. Encouraging enterprises to make patent distribution in key technologies, core fields and emerging industries, and get the say in domestic and foreign markets with IP advantages. Enabling enterprises to intensify IP operation, advancing transnational IP merger and acquisition in an all-round manner, actively seeking market initiative, capital guidance and technical commanding point, accelerating open development, and pushing forward high-end market chains.

3. Building an advanced development system for urban industrial clusters. Following the inter-regional and inter-city industrial chain layout and the rules of allocation of innovation resources to speed up the construction of areas clustered by IP service industries. Strengthening the creation of strategically leading industries with IP characteristics, and focusing on the

strategic emerging industries to deploy the IP service chain. Promoting the openness and sharing of innovation resources, building an industrial IP coordinate innovation mechanism among cities, and fostering special advantages of urban industries. Strengthening the management of industrial IP clusters, and cultivating a batch of growth poles of advanced manufacturing industries. Strengthening the integration of patents and standards, forming a batch of technical standards that have independent IP, demonstrate key industrial advantages, reflect the international advanced level and lead domestic industrial development. Publicizing green and low-carbon patented technologies, and advancing sustainable development of industries.

v. Implementing the environment construction project for IP development, and expanding openness and cooperation

1. Completing the urban IP talents support system. Focusing on the promotion of "intelligence agglomeration" in the IP service industry, and building a team of IP talents where high-level IP talents, high-level management talents and high-quality practical talents are the mainstay. Making overall planning for advancing comprehensive development of various types of teams of talents at all levels such as IP administrative management and law enforcement talents, and IP talents in enterprises, the service industry, higher education institutions and research institutes. Strengthening IP training for leading cadres, entrepreneurs and different types of innovation talents, intensifying the cultivation of talents that are badly needed in key fields like IP management and operation. Building an IP appraisal mechanism in the introduction and use of talents, effectively utilizing IP



information to discover talents, and actively exploring the IP talents introduction and cultivation model that combines production, education and research. Strengthening the construction of platforms for the cultivation of practical IP talents, and encouraging enterprises, service agencies, and higher education institutions to create patent navigation training bases together.

2. Constructing an urban IP culture environment system. Innovating on the urban IP cultural carriers, exploring to establish landmark IP streets or culture corridors in cities, holding IP lectures for public welfare on a regular basis. Opening IP columns on TV and in mainstream newspapers to publicize typical cases and advanced IP figures. Launching social publicity and education of IP with rich contents through national IP awareness week, China patent week and other publicity activities, and improving IP cognition in urban citizens. Actively launching IP education pilot and demonstration work in primary and middle schools, guiding schools of different types to closely combine IP with students' ideology and morality education and the building of campus culture, and enhancing students' IP and innovation awareness.

3. Improving the foreign cooperation level of IP in cities. Strengthening the cooperation and communication with relevant foreign cities and institutions, establishing stable, friendly, equal and mutually-beneficial cooperative relations with them, creating international IP exchange and cooperation platforms in cities through mutual visits, exchanges, conferences and seminars, actively publicizing the progress and achievements of urban IP protection, and building an environment for businesses and investment invitation, foreign trade, openness and innovation that is first-

class in the world. Holding IP trainings facing the world by combining "bringing in" with "going out" to provide enterprises with overseas IP distribution and risk pre-warning services.

III. Organization and implementation

i. Strengthening organization leadership and work support

The municipal people's governments, as the liability subjects in the construction of cities with IP advantages, shall complete the leading mechanism for the construction of cities with IP advantages, clarify the division of responsibilities, be more dedicated to the work, develop specific implementation plans, and take various reform measures. The intellectual property offices of all provinces shall carefully plan the construction of cities with IP advantages in their provinces, guide relevant cities to develop the construction plans, make overall planning for various types of resources in the provinces, prioritize the work of constructing cities with IP advantages, and supervise the progress of the construction of cities with IP advantages. The provinces with IP advantages, to build pilot provinces, need to make the construction of cities with IP advantages the strategic support and work priority, and provide effective and vigorous supports in project arrangements and preference policies. The SIPO will build a coordination and overall planning mechanism for the construction of cities with IP advantages to strengthen interaction among the intellectual property offices, the provinces and the cities to comprehensively, systematically and profoundly guide the construction of cities with IP advantages. Priority will be given to initiating policies, major projects and pilot and demonstration projects in aspects

such as IP management system and institutional innovation, development of patent navigation industries, market-oriented IP operation, innovation of IP financial services, strict IP protection, and development of the IP service industry. Special work funds will be allocated to support top-level design studies, expert consultation, promotion, publicity and performance assessment that support the construction of cities with IP advantages.

ii. Doing well in application organization and plan drafting

Following the work idea of “responsive layout, rolling-type promotion, accumulative development” to initiate the application, evaluation, guidance, and approval of the construction of cities with IP advantages facing national IP model cities. Cities meeting the application conditions apply for the title on a voluntary basis. The SIPO organizes centralized evaluation and, following the principle of approving an IP model city whenever it meets the requirements on cities with IP advantages, approves a batch of cities with prominent basic conditions, outstanding work performance, and specific feasible plans to take the lead in building cities with IP advantages. Relevant cities shall follow the requirements set here to focus on the five major projects to draft the construction plans for cities with IP advantages, and implement and advance corresponding work according to the requirement of systematic advancement. The SIPO will organize experts to deliberate on and evaluate the construction plans for cities with IP advantages that are submitted by relevant cities, and provide specific

guidance. Relevant cities must follow the requirement to develop their construction plans for cities with IP advantages, and then request the people’s governments of relevant cities to print and issue such construction plans for implementation.

iii. Intensifying supervision, examination and experience exchange

The SIPO establishes an indicator system forevaluating the construction of cities with IP advantages, conducts examination and evaluation of the progress in the construction of cities with IP advantages each year, and makes the examination and evaluation results an important reference for the examination and evaluation of the construction of provinces with IP advantages. An incentive, capacity expansion and withdrawal mechanism will be established to launch a round of third-party assessment triennially, publicize those provinces with advanced levels and prominent performance, and gradually expand the scope of construction of cities with IP advantages; for cities where the work is not much advanced or the work performance is not significant, they will be urged to make rectification, even be disqualified. Efforts shall be made to intensify follow-up studies and publicity of the construction of cities with IP advantages, promote mutual communication among the cities, and actively explore effective models of constructing cities with IP advantages in order to provide demonstrations and references for other cities nationwide.

State Intellectual Property Office

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