

Announcements and Circulars

Announcement of the State Intellectual Property Office

(No. 221)

In accordance with the *Decision of the State Council on Cancelling the Second Batch of 152 Items Subject to Administrative Examination and Approval by Local Governments as Specified by the Central Government* (G. F. [2016] No. 9), the “preliminary examination of the application for the establishment of patent agencies” which is formerly in the charge of the intellectual property departments at the provincial level shall be cancelled as of February 3, 2016. An application for the establishment of a patent agency or a law firm’s application for the provision of patent agency services may be directly filed with the SIPO, and the SIPO shall examine the application and make a decision thereon.

Meanwhile, the SIPO will further simplify the approval procedure for the establishment of patent agency institutions, optimize services, and implement the system of notification commitment. The SIPO makes public the *Letter of Notification Commitment on the Matters of Approval of the Establishment of Patent Agency Institutions* on its website to notify the approval conditions for patent agency institutions and materials to be submitted. The applicant shall make a written commitment that meets the approval conditions and promises the truthfulness and effectiveness of the materials submitted, based on which the SIPO will make the approval decision. Certifying documents like “Partners/Shareholders Personnel Files Storage Certificate” “Partners/Shareholders Retirement Certificate” “Proof of Office Sites” “Proof of Work Facilities” and all paper application materials will no longer be requested in the process of approval of changes in establishment and registration matters of patent agency institutions.

In case of an application for the establishment of a patent agency or a law firm’s application for the provision of patent agency services, the applicant may submit the application following the requirements below and through the patent agency management system (<http://dlgl.sipo.gov.cn>) :

I. Fill out the application form for the establishment of a patent agency institution, or the application form for law firms to provide patent agency services online;



II. Upload the electronic version of the partnership agreement or company articles of association that is signed by the partners or the shareholders;

III. Upload the electronic version of the signed or sealed *Letter of Notification Commitment on the Matters of Approval of the Establishment of Patent Agency Institutions*, and confirm understanding and compliance with the establishment conditions prescribed in relevant laws and regulations, and truthfulness and effectiveness of the application materials submitted.

Besides, where a law firm applies for providing the patent agency services, it shall also upload the electronic versions of the letter of consent on its provision of the patent agency services that are issued by the judicial administrative organ having jurisdiction over such law firm, practicing certificate of the law firm, and the patent agent's lawyer's license.

An announcement is hereby made.

State Intellectual Property Office

February 25, 2016