



# III. Strategy Implementation, Protection and Administration

## 1. Strategy Implementation

### (1) Work on National Intellectual Property Strategy

The General Office of the State Council circulated *Action Plan on Further Implementing National IP Strategy (2014-2020)*, which was jointly formulated by 28 members of the Joint Conference System with SIPO taking the lead. Key tasks for the next stage were identified in the action plan. SIPO organized member units of the Joint Conference System to formulate and issue *the Promotion Plan for Implementation of the National IP Strategy 2014*. SIPO, together with relevant departments like the Ministry of Education, Ministry of Science and Technology, Ministry of Industry and Information Technology, the State-owned Assets Supervision and Administration Commission, the Administration for Industry and Commerce, the Copyright Office, and Chinese Academy of Sciences, formulated, printed and issued *the Several Opinions on further Implementing National IP Strategy, Strengthening and Improving IP Management*.



In-depth researches and studies over the building of China with strong IP competence were made. SIPO organized experts from 8 organizations including the Chinese Academy of Social Sciences, Tsinghua University, Zhongnan University of Economics, Tongji University, Institute of Diplomacy, Institute of Industry under National Development and Reform Commission, the Institute of Trade under the Ministry of Commerce, and the IP Development and Research Center, to jointly complete the report: *the Building of Strong IP Competence-Strategic Environment, Target, Pathway and Measures*.

*The Report on National IP Development Status 2013* was released, in which the latest development and achievement of various IP including patent, trademark and copyright were reflected. Coordination work regarding the inspection of patent enforcement was actively carried out. SIPO also engaged in drafting the report on the inspection of the patent law enforcement and the report on deliberation opinions. The

management of the research bases over the implementation of strategy was strengthened, and the administrative mechanism for Information Fast Delivery was optimized. The topic-selection mechanism and whole-process quality control mechanism were established to reflect the development of strategy implementation, major research outcomes and dynamics.

## (2) IP Strategy for Industries

Altogether 6 Excellent Work Evaluation Projects, 6 Mechanism Building Projects and 11 Capacity Building Projects were identified as pilots. The IP analysis and evaluation for major scientific projects were promoted. The second batch of 33 IP analysis and evaluation service organizations was selected. SIPO also instructed the National Alliance of IP Analysis and Evaluation Service Organization on enhancing the capacity of IP analysis and evaluation service. *Guidelines for IP Analysis and Evaluation* was formulated, printed and distributed, and a case collection "Escort on Evaluation" was compiled and published.

The IP information web for the internationalized development of industries was preliminarily completed, which can provide one-stop information service. The compilation of 9 "Going Overseas" series of IP practicing guidelines was completed.

*Guidelines for IP Collective Management for Strategic Emerging Industries (draft)* was compiled. SIPO jointly carried out IP related work with multiple ministries in scientific, industrial and cultural fields. The work regarding IP evaluation, industrial internationalization and collective management was closely linked with the campaign of "Utilizing grass-root IP to serve

economic development", so as to provide tailor-made, one-stop and face-to-face efficient services.

### (3) Regional IP Strategy

*The Collection of Key Points in the Implementation of National IP Strategy in Local Area and Local IP Strategy 2014* was compiled. SIPO, together with the State Administration of Industry and Commerce and the Copyright Office, jointly completed *the National Evaluation Report on the Implementation of Local IP Strategy*. *The National Guiding Manual on the Promoting the Implementation of Local IP Strategy* was compiled and published. SIPO also supported Jiangsu province in carrying out pilot project for building Jiangsu with strong IP competence. The National Conference on the Implementation of local IP Strategy was convened by SIPO.

Regional IP resources analysis projects were carried out in 7 provinces and 2 prefecture-level cities, and as a result, *the Practical Manual on Regional Patent Resources Analysis (trial)* was formulated. *The Preliminary Ideas on further Implementing Regional IP Strategy Project, and Strengthening Regional IP Distribution, and the Working Plan on Pilot Program of Regional Patent Resources Distribution* have taken shape.

SIPO, together with the Ministry of Education, the Ministry of Science and Technology, the Ministry of Culture, the State Administration of Industry and Commerce, and the Copyright Office, jointly printed and distributed *the Several Opinions on further Implementing IP Strategy to Promote the Economic and Social Development of the Central China Economic Zones*. Also, *the Several*

*Opinions on Implementing IP Strategy to Promote the Rejuvenation of the Old Industrial Base in Northeastern China (for soliciting opinions)* were jointly formulated by SIPO, the National Development and Reform Commission, the Ministry of Science and Technology, the Ministry of Industry and Information Technology, the State Administration of Industry and Commerce, and the Copyright Office. SIPO also joined hands with the Ministry of Finance and the Ministry of Science and Technology to print and distribute *the Circulation on Reform Pilots regarding the Utilization, Disposal and Profit Management of Scientific Outcomes at Central Level Public Service Institutes*.

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

Various tasks listed in *the Promotion Plan for National Patent Development Strategy 2014* were earnestly implemented. Three working systems were further optimized, namely, the research system, the execution system, and the supervision system, to form a joint promotion working system featuring the interaction of national and local levels. *The Report on National Patent Strength 2013* was released.

In accordance with the three major tasks of innovation of the patent system, the construction of guarantee system for the operation of patent system, and supporting economic and social development with patents, various work was steadily brought forward. The patent work was further integrated with industries, regions, science and technology, trade and other economic center work.

The launch meeting for implementing *the Several Opinions on further enhancing the Quality of Patent Applications* was organized and convened, during which 11 specific measures were made.

*National Evaluation Report on Provincial Patent Subsidy and Awarding Policies* was compiled. Municipalities and provinces like Beijing, Guangdong, Heilongjiang, Jiangxi and Guizhou have adjusted subsidy and awarding policies. The information platform of patent representation integrity was improved, and an integrity archive for patent application was established. A supervision mechanism on major indicators such as the number and quality of patent applications was set up and improved. The patent information support and promotion work was carried out, and regular training mechanism for updating the knowledge of patent agents was further improved. Throughout the year, 44 face-to-face trainings were organized, to which 4,962 patent agents participated; 15 long-distance education programs were convened and 8,900 person/times involved.

## **2. Policy Research**

The management of the "soft" scientific research project was further regulated, and a "black name list" system was established. As a result, unified release, application and management of the serial numbers for the publicly bidding projects were realized. Researches and studies were further strengthened. Around topics such as promoting the building of IP competitive country, the building of IP system with Chinese characteristics, the IP utilization, and studies on the relationship between IP and innovation-driven strategy, etc, active efforts were made in researches and studies, and as a result, a batch of excellent outcomes with high referential values were made. Some reports like *the Annual Investigation over the Software Pirating Rate, and Studies on the System of Basic IP Legal Framework* won broad attention. For the whole year, 39 "soft" scientific research projects were established, and 31 projects were concluded.

*The Measures on Evaluation and Rewarding of Government Affairs Information Work* was amended, and *the Working Plan on Submitting Government Affairs Information* was formulated. A monthly inner-office information submission system was established. Throughout the year, SIPO compiled and released 61 terms of Information of IP Offices, 16 terms of Briefings of IP Offices, and 25 terms of Dynamics of IP Work, among which 21 article/times were quoted by the General Office of the Party Central Committee or the General Office of the State Council.

### **3. IP Protection and Administration**

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

SIPO printed and distributed *the Notice on Fostering Marketplace with Regulated IP Protection*, collected and compiled *the List of National Key IP Protection Marketplaces*, and formulated *the Guideline on Fostering Marketplaces with Regulated IP Protection*; as a result, 65 marketplaces were identified as the first batch of national level marketplaces with regulated IP protection. SIPO also instructed relevant provinces in formulating the fostering solution and action plans to promote the in-depth development of related work.

Based on the analysis and study of relevant investigation statistics, SIPO has formulated *Annual Investigation Report on Social Satisfaction of IP Protection 2013*, and *Annual Investigation Report on Social Satisfaction of Patent Protection 2013*. A dedicated local satisfaction evaluation indicators system was established. The questionnaires and ways of carrying out investigation were further improved, and the investigation work on social satisfaction of IP protection in 2014 was finished successfully.

Provinces and municipalities including Shanghai, Jiangsu and Jiangxi were selected as pilots for IP mediation work. In these pilot provinces and municipalities, communication with local office of justice was strengthened. Some provinces and municipalities explored to establish People's IP Mediation Committee on the bases of the legal assistance center. A certain number of industrial associations, social groups and enterprises tried to solve IP disputes through non-appeal channels, and a team of 160 mediators was set up. They have successfully solved nearly 150 cases of IP disputes.

*The White Paper Book: China's IP Protection in 2013* was joint drafted by SIPO and relevant departments including the Administration of Industry and Commerce, the Copyright Office, the Administration of Custom, and the Ministry of Public Security, etc.

## **(2) IP Enforcement**

In 2014, the total number of cases handled through patent administrative enforcement broke 20,000 and reached 24,479, registering a year on year increase of 50.9%. Among these cases, 8,220 were about patent disputes, increasing by 62.6% compared with the previous year; 16,259 cases were about patent passing-off, increasing by 45.5%.

*The Working Plan on the Special Campaign of Patent Enforcement and Right Safeguarding in E-commerce* was printed and distributed. SIPO carried out the "convoy" campaign to enhance the capacity of patent administrative enforcement, and promoted the building



of administrative enforcement teams at provincial and municipal levels. The accountability system on the enforcement goals and the indicators system on performance evaluation were further improved. More efforts were made to establish the consultation mechanism on the identification of patent infringement, the fast mediation mechanism for patent disputes, and the cross-regional coordination mechanism on handling cases through patent administrative enforcement. The system of connecting with major target in patent protection was improved. The delivery and submission system of patent administrative enforcement cases was put into operation and constantly improved, and the on-line case handling system of patent disputes was tested and adjusted.

The national working system on IP right safeguarding assistance has initially taken shape. The coverage of 12330 hot-line was further expanded, and the construction of right safeguarding assistance center and fast prosecution center was further strengthened. The complaint collection system was brought into test run.

### (3) IP Management

**Work on IP cooperation consultation, IP pilot and demonstration.** SIPO instituted a new round of cooperation consultation with Tianjin Municipal People's Government, convened annual cooperation consultation meeting with Guangdong People's Government, and established strategic cooperative relationship with the China Council for the Promotion of International Trade. By the end of 2014, SIPO has established cooperation and consultation mechanism with 15 provincial (prefectural, municipal) people's governments

and 5 central level entities. SIPO printed and distributed *the Measures on the Assessment and Management of National IP Pilot and Demonstration Cities, and Annual Work Plan on National IP Demonstration Cities 2014*. 12 new IP demonstration cities and 16 new IP pilot cities were approved by SIPO in 2014. Besides, 14 demonstration counties (districts) and 64 pilot counties (districts) were approved. As a result, the IP network of supporting local economic development was constantly developed and improved. Also in 2014, SIPO approved 6 national IP demonstration parks and 10 pilot parks. Through establishing information and statistics submission system, the follow-up management of these pilot and demonstration parks was further strengthened.



The signing ceremony of Strategic Cooperative Agreement with the China Council for the Promotion of International Trade.

**Work on comprehensive reform pilots was advanced.**

SIPO organized and convened a kick-off meeting for the work on supporting the coordinated development of Beijing, Tianjin and Hebei Province with IP. Investigations over the demand of these three areas and studies on the practical paths were

carried out. SIPO also organized rudimentary studies on this issue, and as a result, analysis report was drafted. The building of an experimental zone on national comprehensive reform of IP utilization and protection was launched in SINO-Singaporean Guangzhou Knowledge City, to explore the paths of deepening reform over IP utilization and protection, break the systematic barriers that restrain innovation-driven development, and to build up helpful experience for building China into a country with strong IP competence.

**Enterprises' IP Work.** SIPO coordinated with the Ministry of Science and Technology, the Ministry of Industry and Information Technology, the Ministry of Commerce, the State-owned Assets Supervision and Administration Commission, and other relevant ministries and departments in promoting the implementation of *the Norms of Enterprises' IP Management*. SIPO instructed the local IP offices to introduce various policies and measures to encourage and support enterprises to implement relevant standards. In 29 provinces, there were more than 3200 newly added enterprises that have implemented standard, involving more than 370 service agencies and trained around 20,000 people. The first domestic IP management certification company was established and registered with the guidance of SIPO, and 166 enterprises got certificated. SIPO organized the implementation of *the Work Plan on the Certification of Pilot Enterprises with IP Management Norms*, instructed pilot enterprises which have implemented standard to get certified, and pushed forward the internationalized development of IP certification. Preparation was made to establish national knowledge management standard committee, to realize connection with ISO/TC 279. SIPO joined hands with Ministry of Education and China Academy of Science in carrying out the work of IP management standard in universities and

research institutes, and pilot work was made in China Academy of Science, Jiangsu, Chongqing, and Shaanxi.

*The Several Opinions on Supporting the Development of Micro Enterprises* was printed and distributed. The custody work of micro enterprises in Tianjin and Zhejiang was carried out on a comprehensive basis, and the first IP custody platform was established. SIPO and Ministry of Industry and Information Technology joint printed and distributed *the Notice on Carrying out the summarization of the IP Strategic Promotion Project of Small and Medium Sized Enterprises*. In cooperation with the Council for the Promotion of International Trade, relevant work was done to support the enterprises "Going Abroad" with IP. The training classes for 8<sup>th</sup> IP managing staff of national IP demonstration enterprises were organized. The Eighth China Patent Week was organized with theme of "Focusing on the demand of enterprises to serve innovation and development".

**Patent Utilization and Industrialization.** The patent navigation pilot project was further implemented. Patent Navigation Planning Programs were initiated in 8 experimental zones. SIPO instructed the experimental zones to complete the patent navigation analysis of industries, study and formulate specific work plans to implement the outcome of patent navigation. *The Guideline on the Construction of Patent Navigation Platform, the Guideline on the Construction of Patent Alliance for key Industries, and the Collection of Instruction Cases on Patent Navigation Project* were formulated to further improve the instruction system of patent navigation business. Efforts were also made to promote the establishment of IP operation public service platform, operation organizations and operation funds.

SIPO, China People's Bank and relevant departments jointly printed and distributed *Opinions on Pushing Forward Systematic Innovation with Great Efforts to Provide Services to Scientific Financing*. SIPO signed *IP Insurance Strategic Cooperation Agreement* with China Property Insurance Company Limited; organized 13 provincial IP offices to carry out IP pledge financing and patent insurance work, and studies on the disposal mechanism of pledged properties; promoted pilot for IP pledge financing and insurance, and enhanced the diversification of the types of patent insurance and operation models; realized the introduction of patent infringement liability insurance, and completed the development and record-filing of the overseas exhibition infringement liability insurance. In 2014, the amount of patent right pledge financing was 48.9 billion Yuan RMB, registering a year-on-year increase of 92.5%, which has benefited 1,955 S&M and micro enterprises, 30.7% more than the previous year. 798 enterprises around China insured patent insurance, and the number of coverage was 134,000,000 Yuan RMB. Among these enterprises, 772 enterprises filed for patent execution insurance, increased by 45.7% compared with the previous year, which has provided 120,000,000 Yuan RMB risk guarantee, a increase of 83.7%.



SIPO also organized pilot work on the analysis and application of patent value, supported and promoted 21 entities including China Academy of Science and the Academy of Agricultural Science to carry out classified patent management and transfer promotion. In 13 areas across the country, efforts were made to promote the dynamic management of patent with different categories and classes in universities. The national standardization work on the analysis indicators system of patent values was initiated. SIPO also trained around 800 professionals on patent value analysis.

The selection of 16<sup>th</sup> China Patent Award was jointly organized by SIPO and WIPO, and 25 gold medals and 472 patents of excellence were selected. According to incomplete statistics, from the date of exploitation of the patents up to the end of 2013, the 25 patents that won gold medals have newly added 153.4 billion Yuan RMB of sales, and newly added profit reached 20.3 billion Yuan.

SIPO also joined hands with relevant departments of the State Council, and local provincial governments in the organization 10 IP related Exhibitions. During these exhibitions, the exhibition and trade hall for patented technology, and dedicated IP services areas were provided.