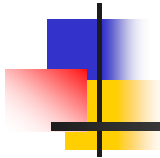


# China's National IP Strategies: Leveraging IP to Promote Innovation and Achieve Developmental Objectives



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## Outlines

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- National IP Strategy Formulation & Implementation---  
China's perspective
- Measures Taken to Leveraging IP to Promote Innovation  
and Achieve Development Objectives
- Latest Achievements in Implementing National IP  
Strategy
- Future Outlook



# I. Importance of IP Strategy--- China's Perspective

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- With the rapid development of economy, the restriction of such factors as energy, water, minerals, land, transportation, environment protection and ecology on the development of economy and society has become more and more prominent.
- The economic development mode which relies only on cheap labor forces no longer adapts to the needs of long-term and sustainable development of P.R. China
- Actively respond to international challenges and adjust to demands of economic and social development



## Understanding of IP Strategy

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- An IP Strategy is a set of measures formulated and implemented by a government to encourage and facilitate effective creation, development and management of intellectual property.
- An IP Strategy may also be defined as a comprehensive national document which outlines how all the policy developments and implementation take place in a coordinated manner within a national framework.

# Our Experiences in Formulating National IP Strategy

- Setting up of National IP Strategy Formulation Leading Group
- Frame work of National IP Strategy  
the Compendium  
twenty thematic studies.

June 5, 2008



**Compendium of China National  
Intellectual Property Strategy Issued**



# Main Contents of China's National IP Strategy

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- Strategic Goals (2)
- Strategic Focuses (5)
- Specific Tasks (7)
- key Measures(9)



## Vision

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- Improving China's capacity to create, utilize, protect and manage intellectual property, making China an innovative country and attaining the goal of building a moderately prosperous society in all respects.



## **II. Measures Taken in China's IP Strategy to Use IP to Promote Innovation and Achieve Development Objectives**

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- **Five strategic focuses**
- **Lay emphasis on Implementing IP Strategy**



## **Strategic Focuses**

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- **Improving the Intellectual Property Regime**
- **Promoting the Creation and Utilization of Intellectual Property**
- **Strengthening the Protection of IPRs**
- **Preventing Abuses of IPRs**
- **Fostering a Culture of IPRs**



## IP Culture

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- Being proud of innovation and honesty and ashamed of plagiarism and counterfeiting or cheating,
- Respect for knowledge, enthusiasm for innovation and creation, being honest and obeying law.

*sec.15, Compendium of China IP Strategy*



## Measures Attached to Enhance Implementation of IP Strategy

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- Inter-Ministerial Joint Conference system to implement IP strategy
- State Council *government report* lay Emphasis in promoting IP work
- 2009 IP action plan in play



## IP Strategy Stressed in “Work of Focus” of State Council

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- perfect IP laws and regulations
- improve IP public service system, raise quality and efficiency of examination and review of IP
- continue to carry out specific actions to protect IP
- make greater effort to publicity and education of IP
- promote foreign exchanges and cooperation in IP, stepping up forecast of IP related information on external trade and domestic markets and the maintenance of IP



## 2009 IPR Protection Action Plan in Play

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- *legislation; (23)*
- *enforcement; (9, 12)*
- *court trial; (7)*
- *coordination mechanisms; (23)*
- *publicity; (24)*
- *training and education; (19)*
- *international cooperation; (19)*
- *promotion of corporate IPR protection; (7)*
- *service for right holders. (25)*



## **III. Latest Developments in Implementing IP Strategy**

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- **Third amendment of the patent law**
- **TM protection**
- **Copyright protection**
- **Judicial work**
- **Local IP strategy**
- **.....**



## **Third Amendment of the Patent Law in force**

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- **GR protection**
- **public health**
- **absolute novelty**
- **design protection**
- **administrative protection reinforced**
- **more severe punishment for infringing activities**
- **measures taken for more effective protection**
- **.....**





## Achievements of CAIC in Implementing IP Strategy

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- CAIC established leading group to implement IP strategy
- application number for TM registration rank first for seven consecutive years
- backlog of trademark registration reduced, work efficiency of registration raised by big margin
- revised draft of the third amendment to the Trademark Law circulated for comment



## Achievements in Copyright Protection

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- NCAC Issued *Opinions of NCAC on Implementing the Compendium of China's IP Strategy*
- "Provisional Radio and Television Measures for Paying Remuneration for Broadcasting Sound Recordings by Radio Stations and Television Stations"
- Amendments to the Copyright Law(draft) Principally Approved by the State Council



## **New Developments in Judicial Work**

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- **“Directive on the Division of Work in the Hearing of Administrative Cases Regarding Licensing and Confirmation of Patents, Trademarks and Other Intellectual Property Rights” by the Supreme People’s Court**
- **“Interpretation of the Supreme People’s Court on Issues Concerning the Application of Law in the Trial of Disputes over Infringement of Patent Right”**



## **IP Strategy at Local Level**

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- **More than 15 provinces and cities in Mainland China have so far formulated and promulgated the Outline of Local Intellectual Property Strategy or the corresponding advice for its implementation.**
- **More and most provinces, autonomous regions and municipalities will issue its local IP strategy in the next two years.**
- **“ Classified Guidance on Local IP Strategy Formulation and Enforcement” drafted by SIPO will be introduced after further revision.**



## IV. Future Outlook

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- **Development is of Primary Importance**
  - Resolutely implementing *Compendium of National IP Strategy*
  - Furthering international cooperation



## Thank You for Your Attention !

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