



中华人民共和国国家知识产权局
State Intellectual Property Office
of the People's Republic of China

**Two years after entering into force of the amended
Patent Law and its Implementing regulations**

**Recent Development of Patent Protection in
China**

**State Intellectual Property
Office of P.R.China**

Nov. 2011



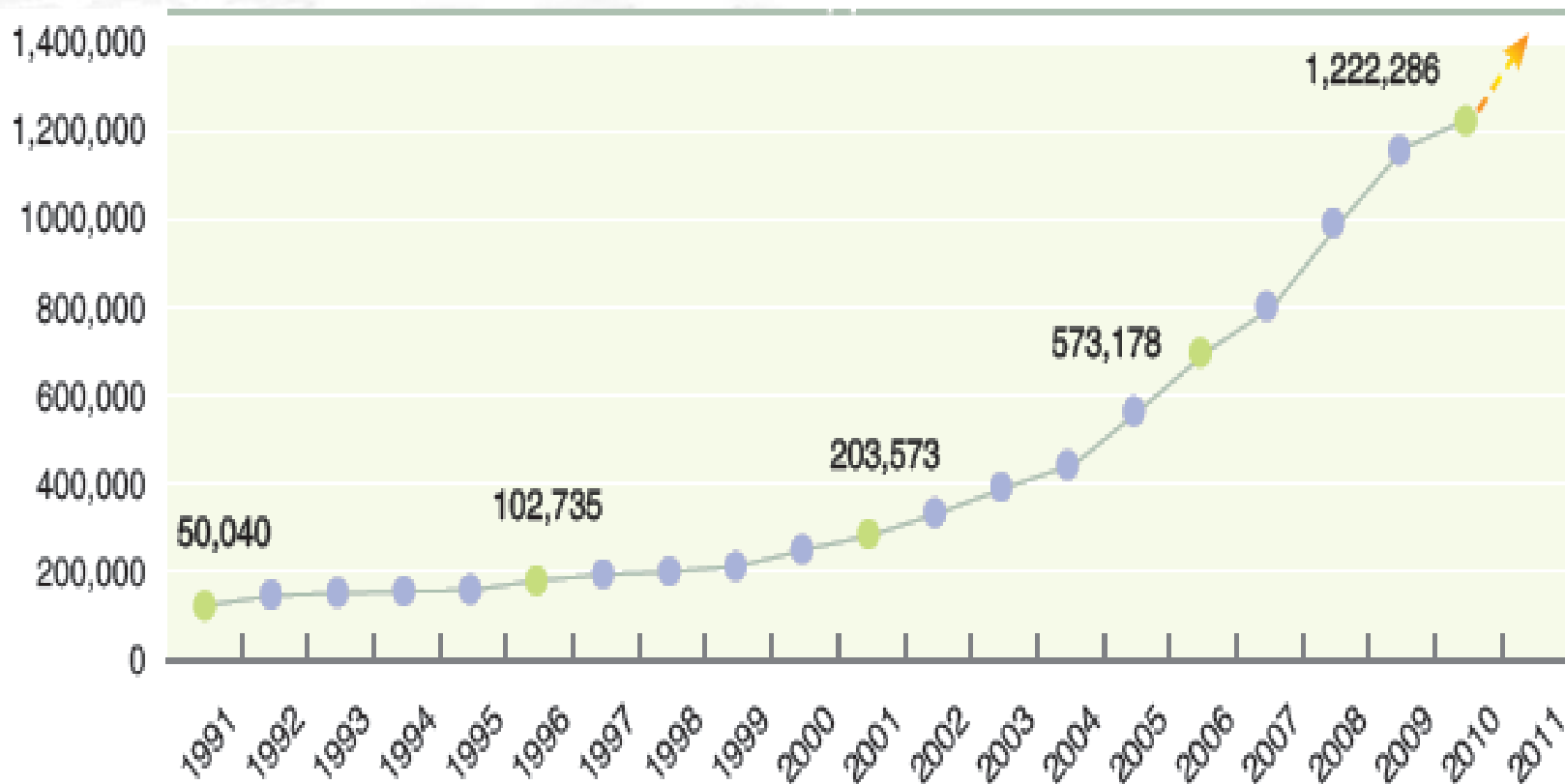
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Ever since the enactment and implementation of the Patent Law from 1985, it has played a significant role in encouraging the inventions and creations, protecting the achievements made thereby, promoting the scientific and technological innovation, and boosting the overall economic and social development of China.

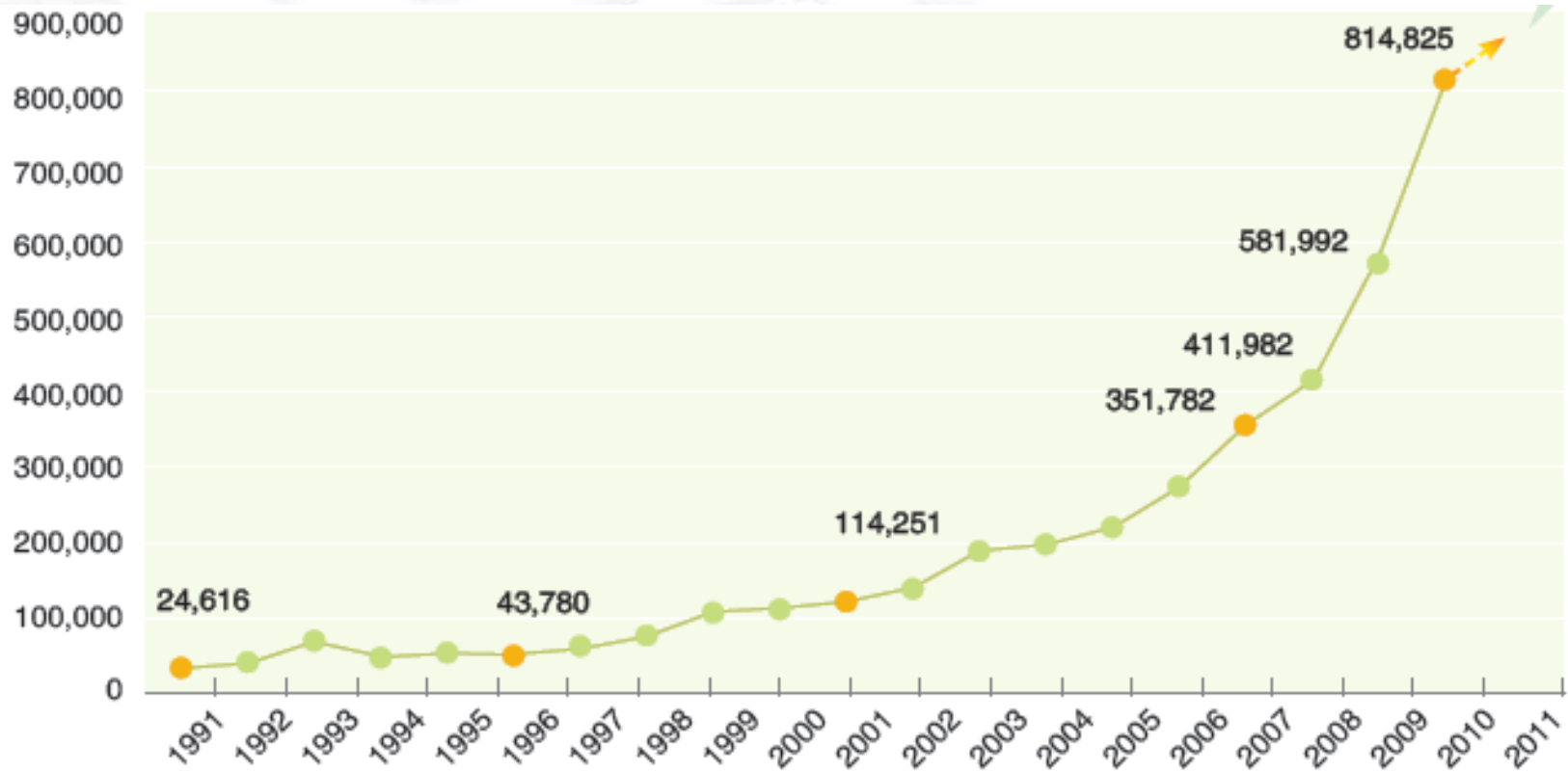


1991-2010 Total Application Volume of 3 Kinds of Patents



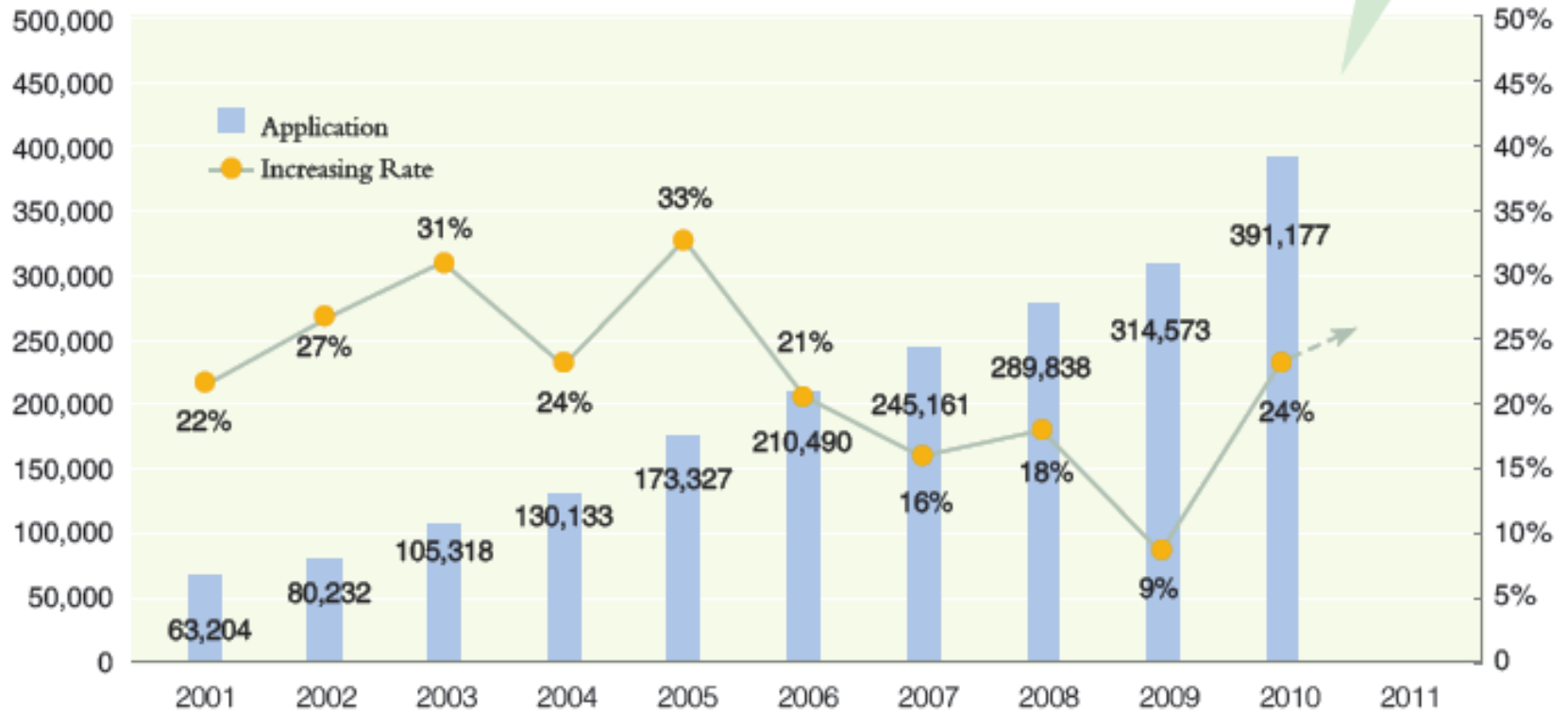


1991-2010 Total Volume of 3 Kinds Of Patents Granted



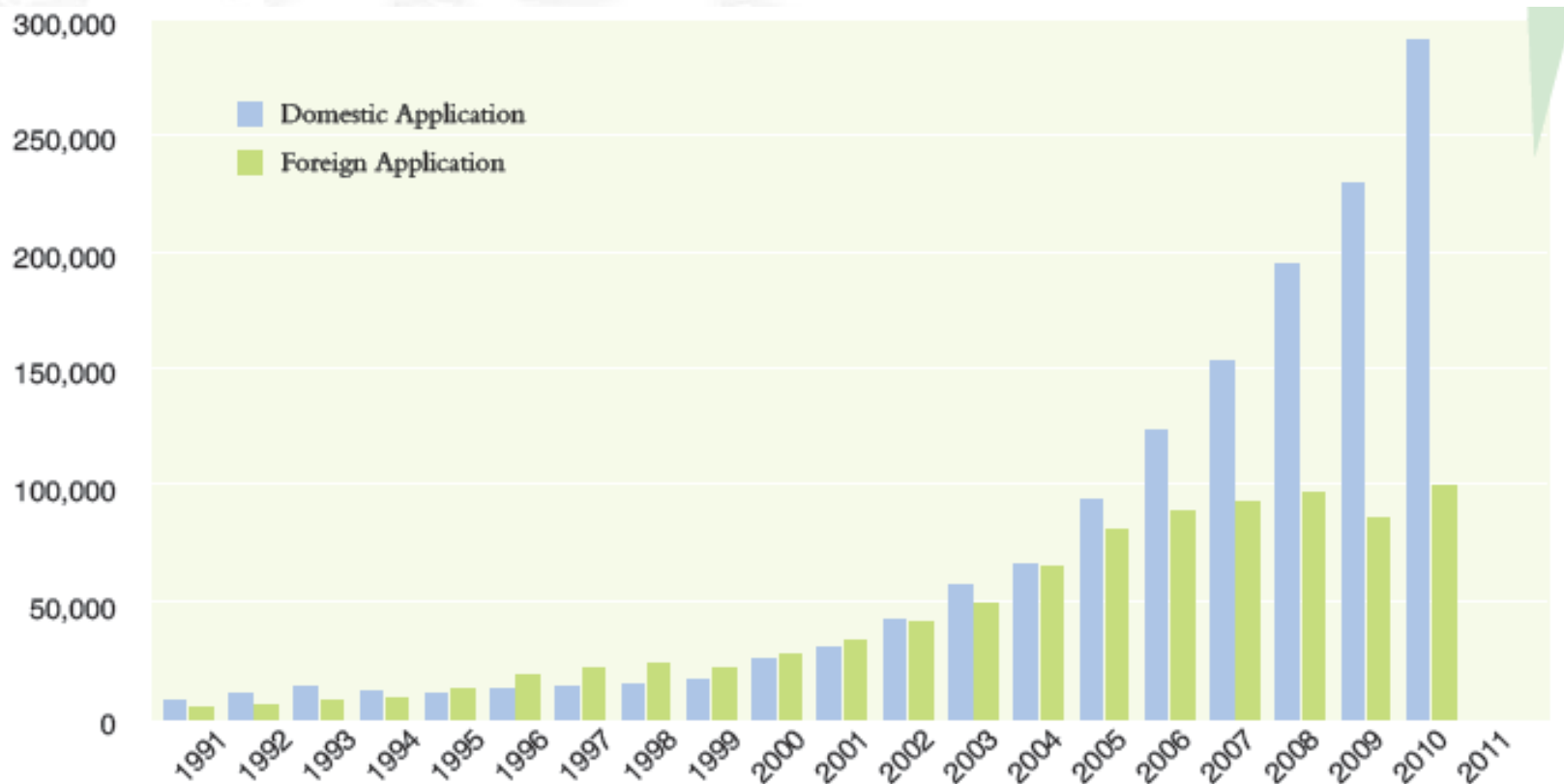


The Increase of Invention Patent Applications during 2001-2010



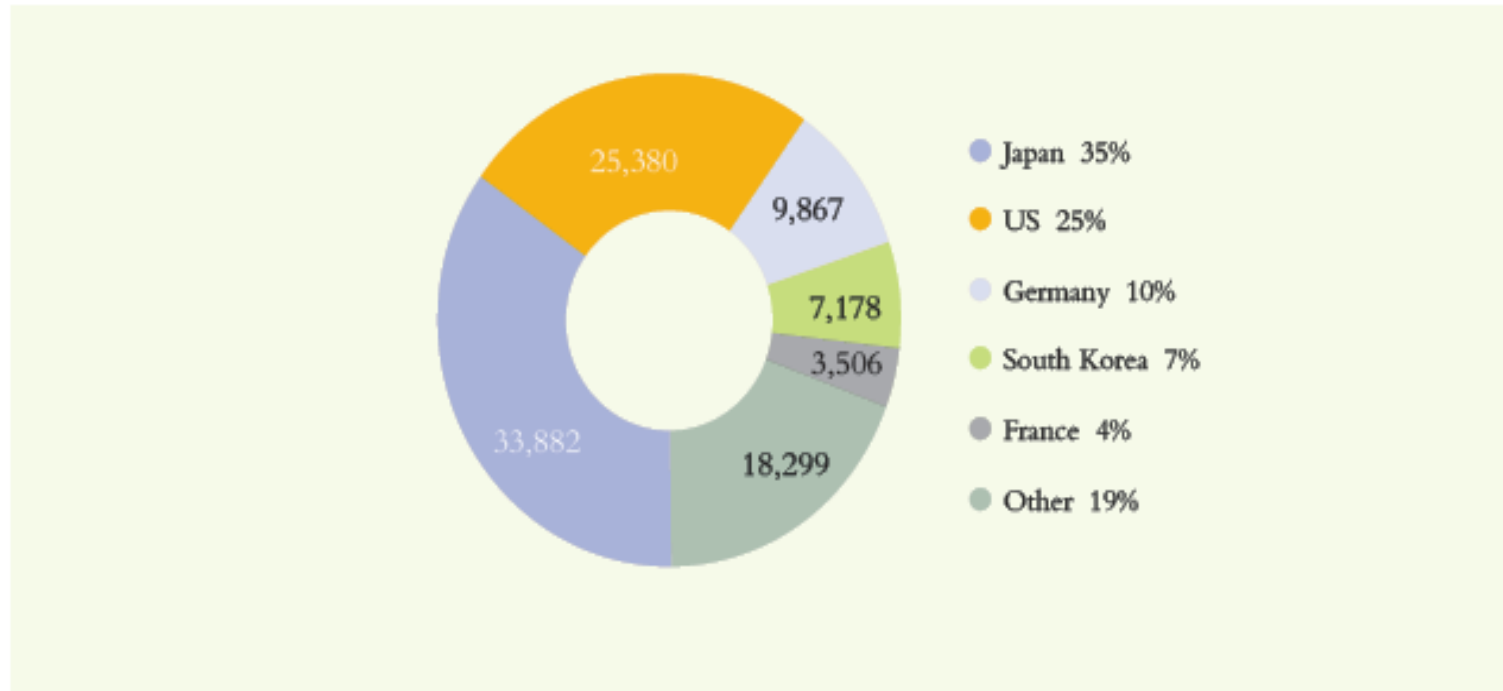


1991-2010 Domestic vs. Foreign Invention Patent Applications





2010 Foreign Invention Patent Application Distribution



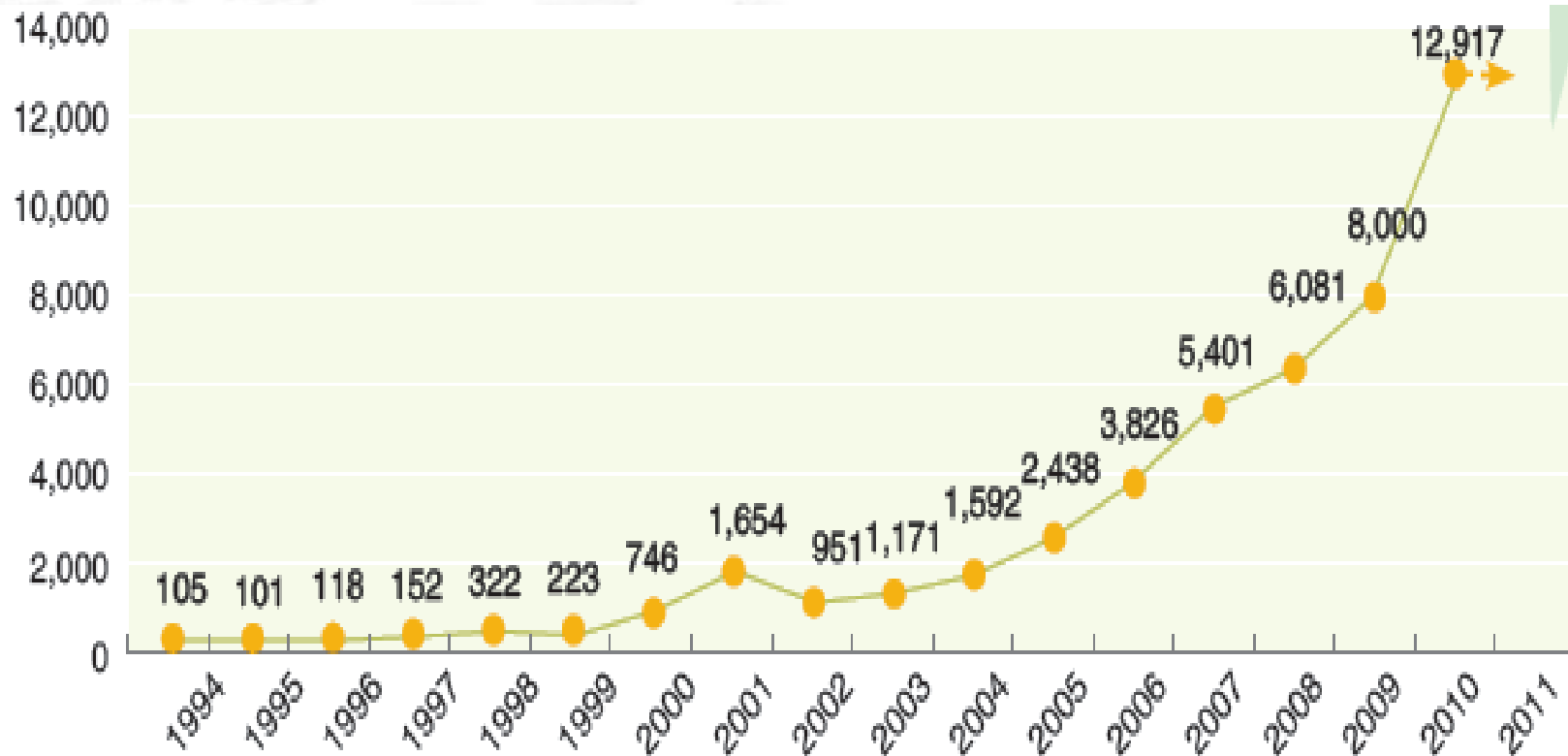


2001-2010 Invention Patent Applications through PCT Route





1994-2010 PCT Applications Received





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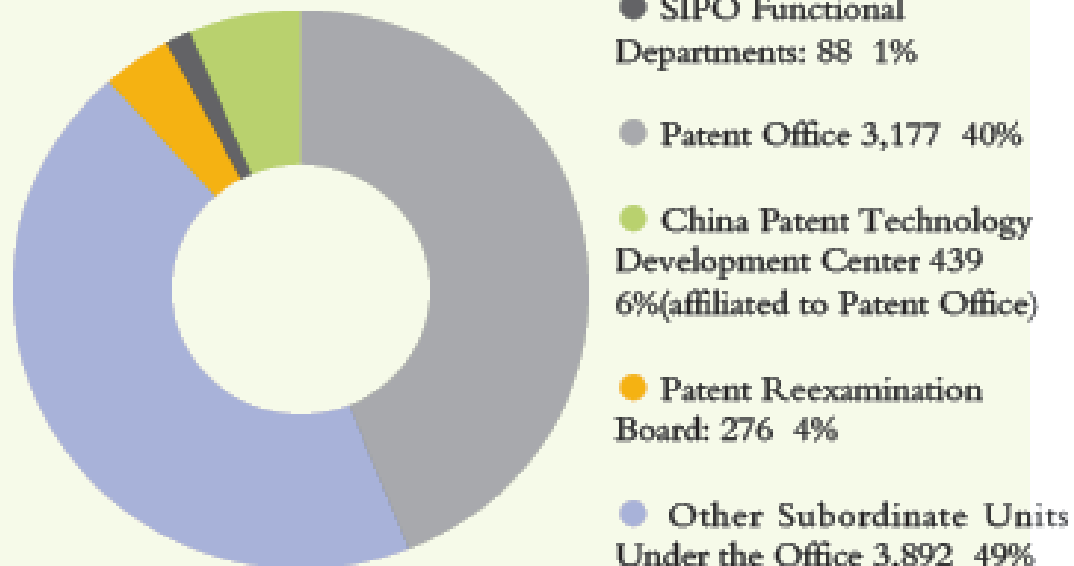
SIPO—State Intellectual Property Office

- Formulating and revising the Patent Law and related rules and regulations;
- Receiving, examining, granting and re-examining invention, utility model and design patent applications;
- Receiving and examining layout designs of integrated circuits;
- Macro-administration on patent at national level;
- Comprehensive coordination of foreign-related IPR issues;
- Guiding administrative enforcement on patent in local areas.



SIPO Staff Distribution(2011)

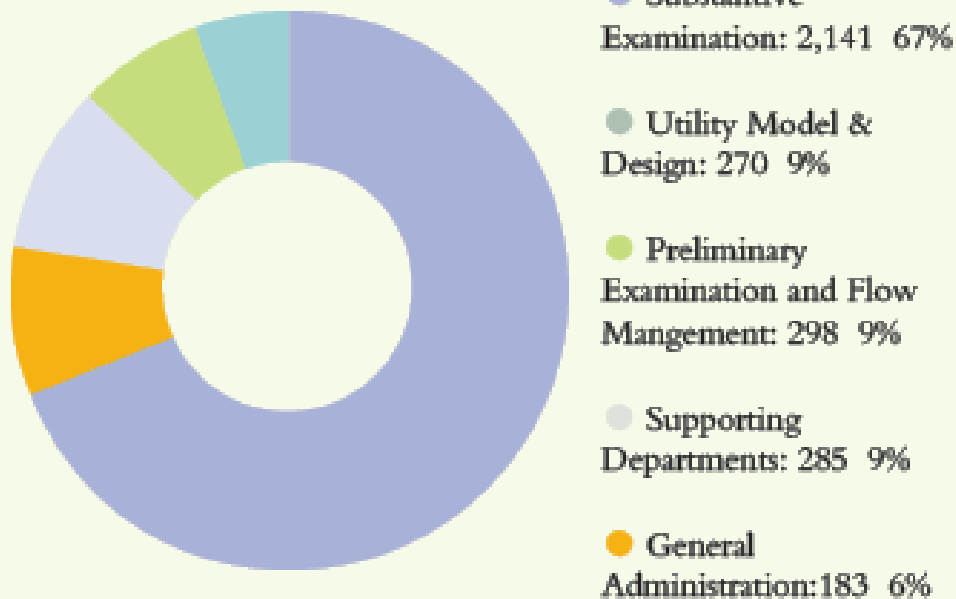
SIPO Staff Distribution (Total: 7,842)





Patent Office Staff Distribution (2011)

Patent Office Staff Distribution (Total: 3,177)



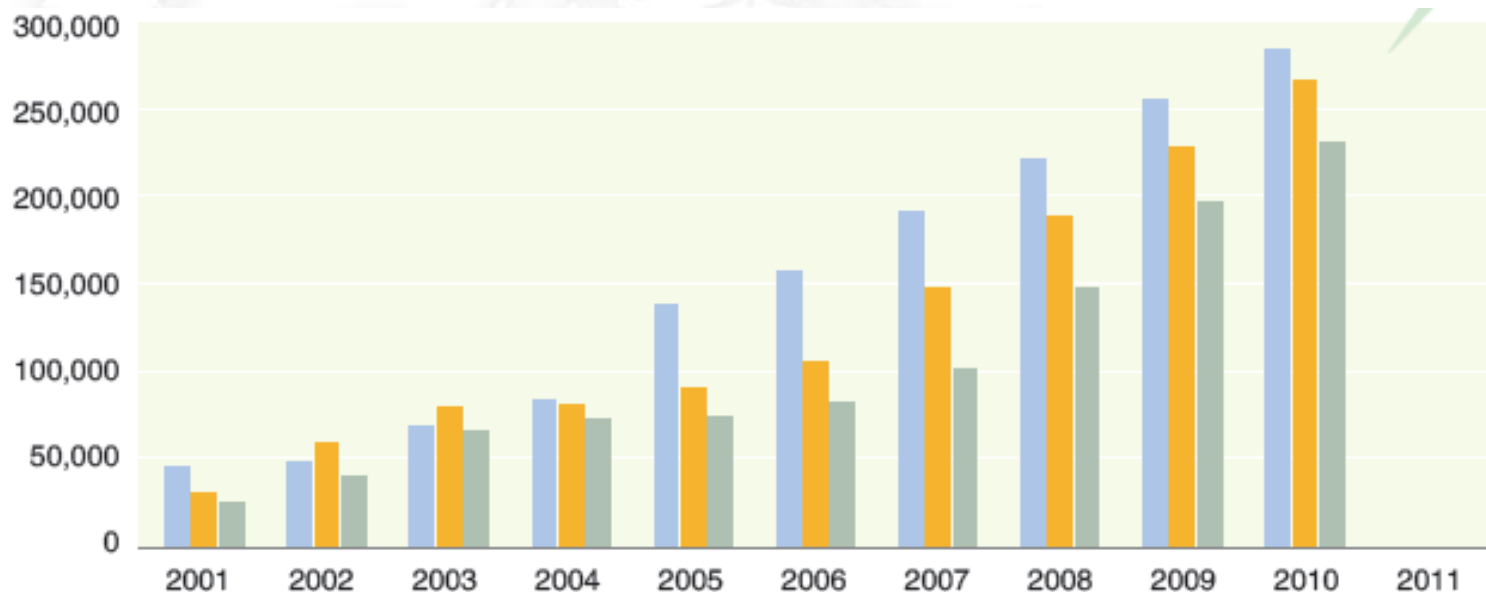


Recent Development of SIPO

- Large-scale recruitment of new examiners
- Establishing a scientific training system
- Establishing an examination quality evaluation and management system
- Enhancing examination affairs administration
 - Formulating the examination practice instructions
 - Directive committee on examination affairs



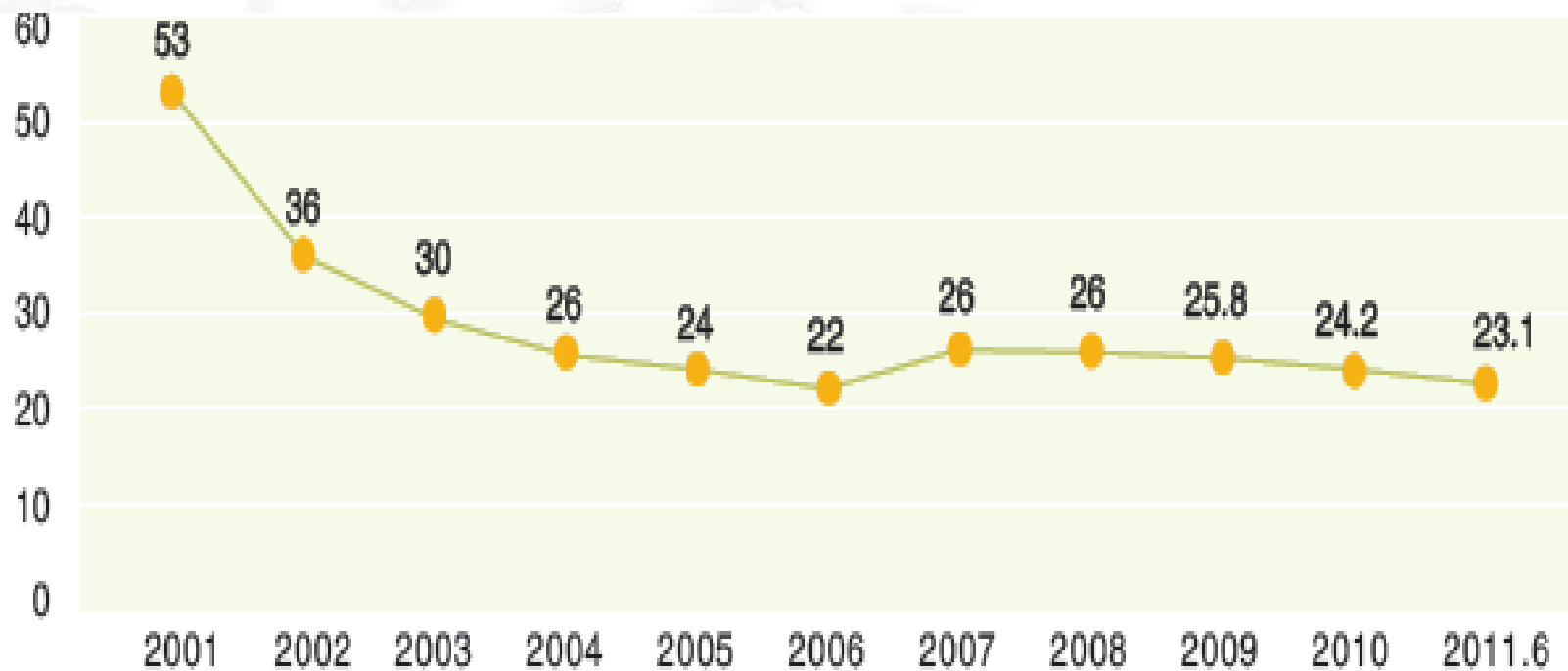
2001-2010 Invention Patents Entering into substantive Examination, First Office Actions and Concluded Cases



Entering Into Substantive Examination	44,634	47,365	67,634	81,979	136,737	155,788	189,906	220,273	250,593	284,967	
First Office Action	29,764	57,671	78,553	80,010	89,256	105,241	146,079	187,535	228,617	262,526	
Concluded Case	23,526	38,758	64,627	71,862	73,328	81,174	100,275	146,786	194,850	237,304	

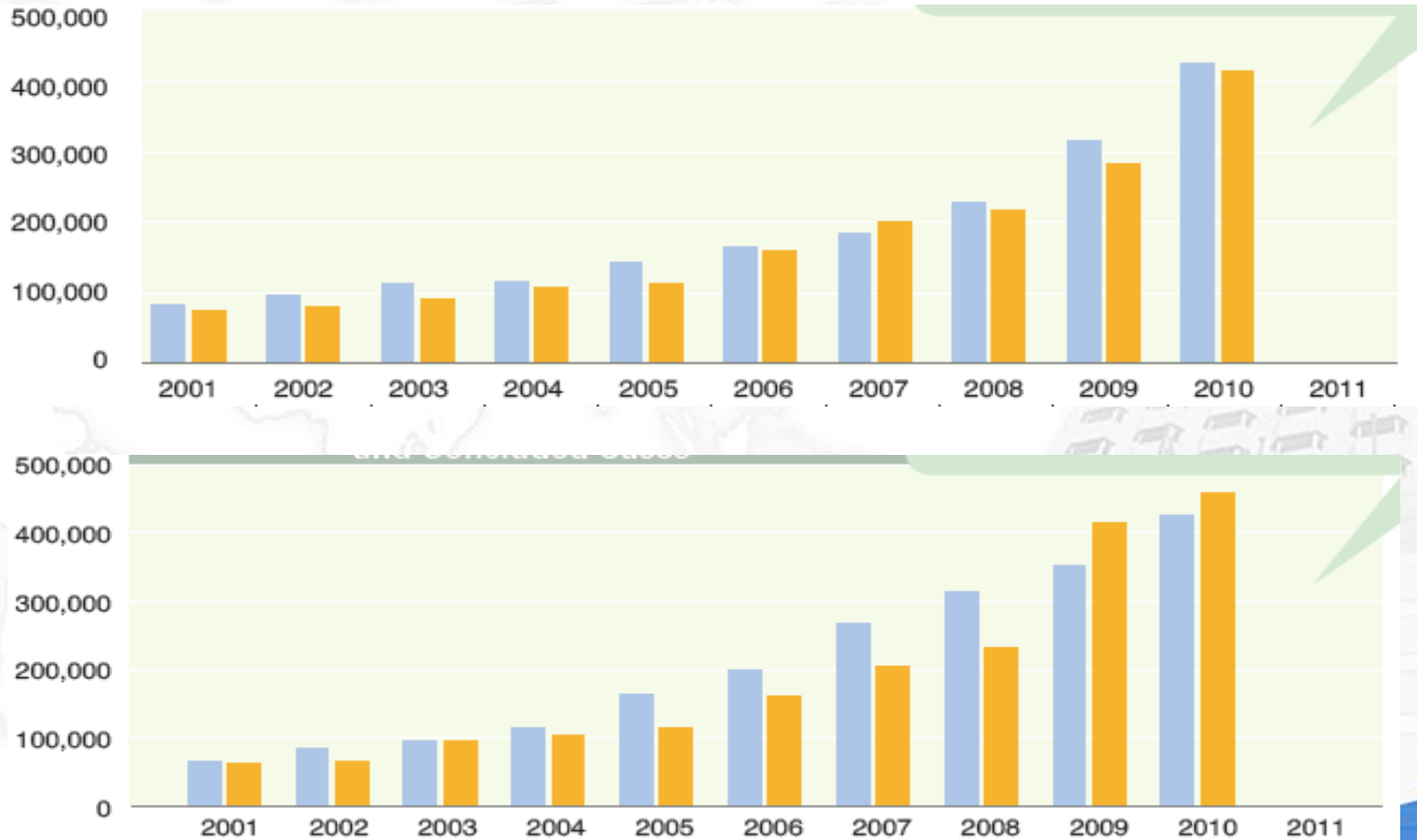


2001-2010 Invention Patent Examination Period





2001-2010 Utility Model and Design Applications and Concluded Cases





Judicial Enforcement

Patent jurisdiction

- Court of first instance: 76 Intermediate People's Courts around China;
- Court of second Instance: High People's Courts
- The Supreme People's Court



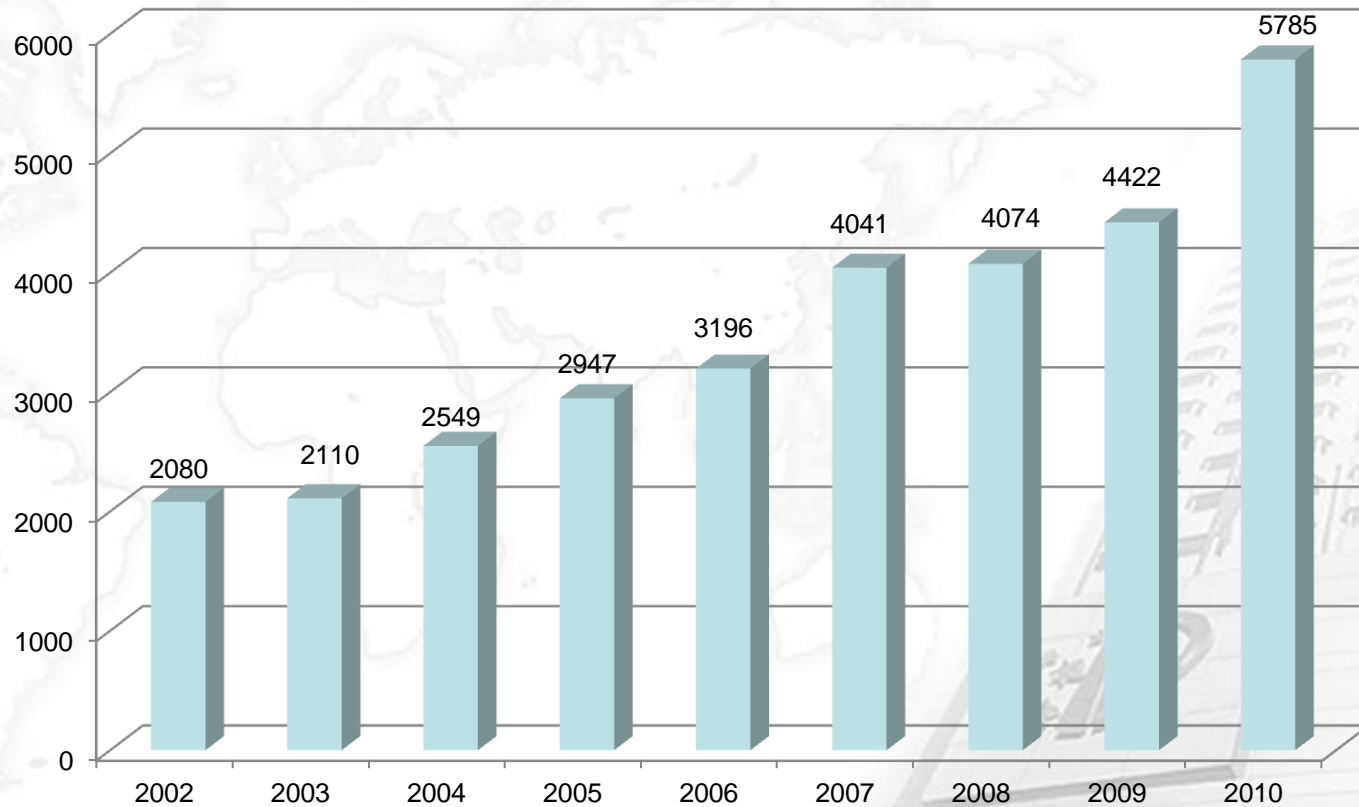
Judicial Enforcement

Remedies for patent infringement

- Injunction
- Compensation for damage
 - the losses suffered by the patentee
 - the profits which the infringer has earned
 - the appropriate multiple of the royalty fee
 - the reasonable expense to stop the infringing act
 - the statutory damages



2002-2010 First-Instance Patent Civil Cases Received



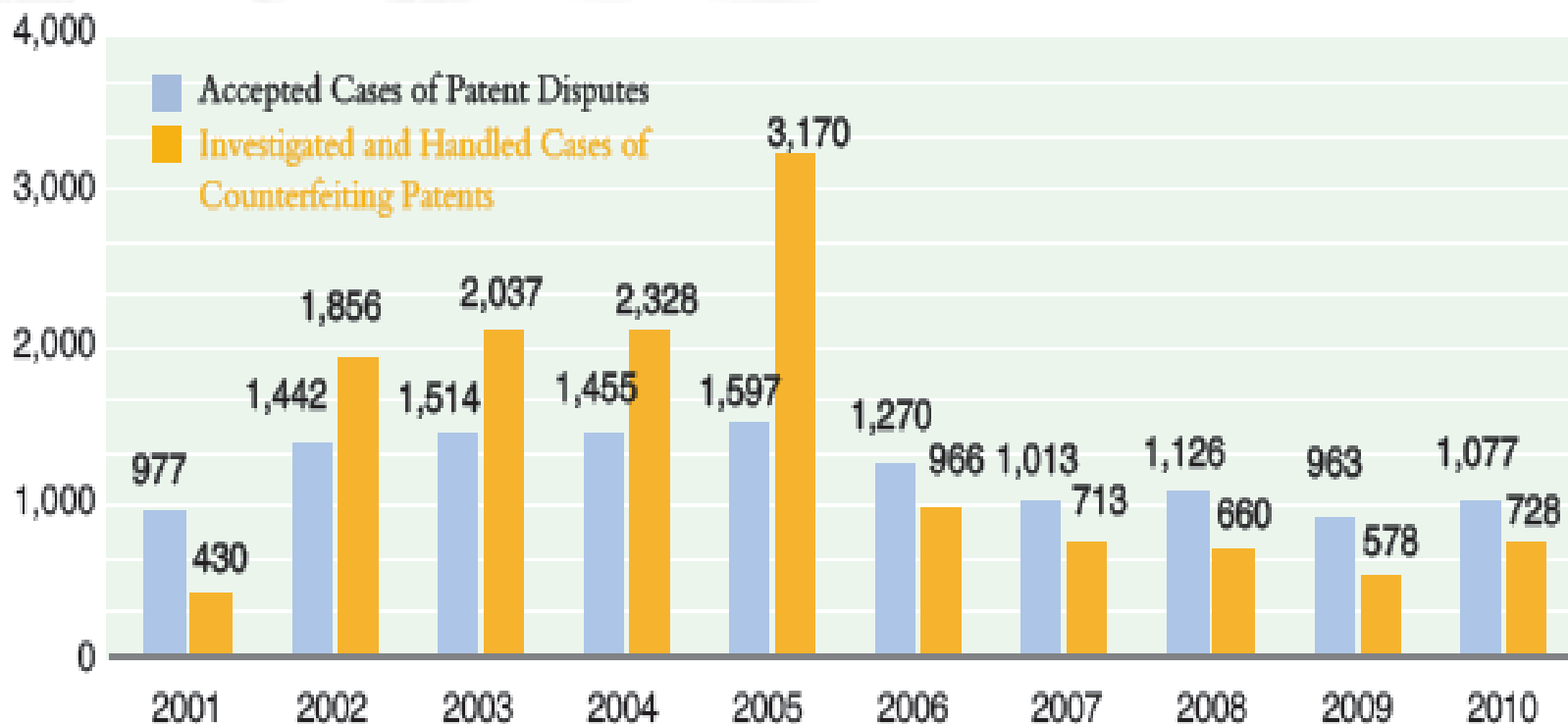


Patent Administrative Enforcement

- The local IP offices
 - Handling patent infringement disputes
 - Mediating the compensation for the damage caused by patent infringement
 - Handling patent passing off



2001-2010 Patent Administrative Enforcement





Patent Administrative Enforcement

- Combination of routine management and supervision with special crackdown campaigns
 - “Thunderstorm” IP enforcement campaign
 - Combating IP violations in particular malicious, group and repeated infringement, faking identity and faking other’s IP
 - “skynet” IP enforcement campaign
 - Striking frauds relating to patent



IP Protection

- “12330” hotline for IPR complaints
- 71 National IP Enforcement Aid and Complaint Centers nationwide



IP Publicity

- **Fostering a Culture of IPRs**
 - SIPO official portal (daily hits 10 million)
 - China Intellectual Property News
 - Wealth of Knowledge (TV program)
 - China Inventions and Patents Magazine
 - From “the World IP Day” to “IP Week”
 - Open Day of SIPO
 - Media Joint Action—Protect IP, we are in action
 - CCTV Innovation Gala
 - Chinese Patent Information Dissemination Platform
 - IP training courses on different themes



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谢谢!