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Amended Chinese Trademark Law & its Implementing Regulations Take Effect as of 1 May 2014

The revised Trademark Law and its Implementing Regulations took effect as of May 1.

In brief, the amended Chinese Trademark Law streamline trademark registration procedures and improve trademark protection, namely shortens the examination period of trademark application to 9 months, allows sounds which can be easily distinguished and recognizable to be registered and protected as trademarks, and expands the list of activities that constitute trademark infringement and increases punishments.

http://www.chinaipr.gov.cn/newsarticle/news/governmment/201404/1811385_1.html

Copyright Administrative Enforcement Authority to Disclose the Information of Administrative Punishment Cases

The Implementing Regulations for Copyright Administrative Enforcement Authority to disclose the information of administrative punishment cases regarding manufacture and sell fake and inferior commodity and infringing

upon intellectual property (on trail) was issued by the State Administration of Press, Publication, Radio, Film and Television of China on May 19, and it will come into effect as of June 1.

From then on, the Administrative Enforcement Authority can consult relative regulations when disclosing the information of administrative punishment cases regarding manufacture and sell fake and inferior commodity and infringing upon intellectual property.

<http://www.ncac.gov.cn/chinacopyright/contents/483/201737.html>

China Ratifies WIPO Audiovisual Treaty

China's top legislature ratified the Beijing Treaty on audiovisual performances, a document overseen by the World Intellectual Property Organization (WIPO).

The Beijing Treaty was approved in June 2012 at a WIPO Diplomatic Conference in Beijing being used to strengthen the rights of film actors and other performers, and is the first international treaty on intellectual property rights protection which is named after a Chinese city.

The treaty stipulates that contracting parties shall provide enforcement procedures to ensure effective action against infringement of rights covered by the treaty as well as remedies to deter further infringements.

A total of 72 WIPO members have signed the Beijing Treaty so far, and it will enter force after ratification or accessions of 30 eligible parties.

http://www.chinaipr.gov.cn/newsarticle/news/chinaword/201404/1810765_1.html

China Launches 2014 National IPR Publicity Week

In late April, the 2014 national IPR publicity week, jointly held by the State Intellectual Property Office of China (SIPO), Ministry of Commerce and other 22 departments was launched.

During the Publicity Week, the authorities released a series of white papers and reports concerning the development of intellectual property in China. Among the reports, Intellectual Property Protection by Chinese Courts in 2013 issued by the Supreme People's Court of China is definitely the highlight. According to this report, there is a rapid increase of the number of first instance civil intellectual property cases accepted and disposed by local courts by 1.33% and 5.29% to 88,583 and 88,286 cases respectively being compared to 2012.

Other significant reports include the top ten major IP cases by Chinese courts in 2013, the

top ten innovative IP cases by the Chinese courts in 2013, and the top 50 typical IP cases by the Chinese courts in 2013.

In a word, this Publicity Week provides a comprehensive retrospect to what we have experienced in the IP field last year and simultaneously shows great expectation for better development regarding Chinese IPR.

http://english.sipo.gov.cn/news/official/201404/t20140423_937735.html

Annual Development Report on China's Trademark Strategy 2013

The State Administration for Industry & Commerce of China (SAIC) issued the Annual Development Report on China's Trademark Strategy in 2013 on May 4.

Within the Report, the SAIC summarizes the new achievements of trademark examination and review in 2013, new achievements of implementing trademark strategy with a shift to effective use and protection of trademark by law, progress in implementation of the crackdown on infringement and counterfeiting, new achievements on trademark legislative construction, steady progress of trademark information construction, and new level of trademark public service.

<http://www.saic.gov.cn/zwgk/zyfb/qt/sbj/201405/P020140506325444600883.pdf>

A Rise in Public Levels of Satisfaction with Chinese IP Protection

According to a survey of Chinese IP protection conducted by Patent Protection

Association of China, China Trademark Association, Copyright Society of China and Beijing Mainland Information Company, the public satisfaction index of Chinese IP protection was 64.96 in 2013, up 1.27 over 63.69 of 2012.

Such an improvement is an affirmation that China's IP protection is enhancing.

The improvement of the level of satisfaction also reflects a growing demand for stepping up IP protection, which will be a continuously growing goal for us.

http://english.sipo.gov.cn/news/iprspecial/201405/t20140516_950293.html

China Eyes Quality Patents Amid Application Surge

It is said that China is moving to improve quality and structure of its patents amid the country's drive to foster innovation-driven development.

In recent years, China has witnessed a continuous increase in the number of patent applications. While we are not satisfied with what we have achieved and are thinking above improve the quality of the Chinese patents in the following days.

To improve quality of patents, the SIPO is taking measures to tighten the authorization of low quality patents, increase proportion of invention patents, and favor patents of high technical value and with more promising market prospects.

http://www.chinaipr.gov.cn/newsarticle/news/chinaword/201404/1807161_1.html

China Sees Larger Proportion of Invention Patent Applications

China saw major progress in invention patent applications and grants as the country aims to create an innovation-powered economy.

The SIPO accepted 156,000 invention patent applications in the first quarter of 2014, up 10.6 percent year-on-year.

According to a joint survey conducted by the SIPO and the National Bureau of Statistics, every 10,000 people owned an average of 4.2 invention patents at the end of March, 0.2 more than at the end of 2013.

The survey also showed that patented inventions play an important role in enhancing profitability in major industrial enterprises.

http://www.chinaipr.gov.cn/newsarticle/news/government/201404/1810996_1.html

China Customs Confiscate 20,464 Batches of Fake Goods

China's customs said on April 28 that they confiscated 20,464 batches of goods last year, including about 76 million articles suspected of breaking intellectual property rights (IPR) laws.

It is said that among the articles, 98 percent involved violation of right to the exclusive use of a trademark; almost all of the items, 99.4 percent of them, including tobacco, hardware, cosmetics, garments and shoes, and

automobile components, were confiscated by the administration as they are being exported; confiscated sports equipment, digital storage devices, mechanical and electronic products and communications equipments were high compared to the previous year; and 673,000 pills were confiscated by the administration in 2013, up 570 percent from 2012.

http://www.chinaipr.gov.cn/newsarticle/news/governme nt/201404/1811386_1.html

China Prosecutes 8,232 People for IPR Infringement

Recently, the Supreme People's Procuratorate (SPP) revealed that prosecuting organs across China arrested 5,081 people and prosecuted 8,232 for intellectual property rights (IPR) infringement last year.

It is said that most of these cases involved making and selling fake registered trademarks and copyright violation.

It is noted that IPR-related cases usually involve high technology and violators are good at covering up their traces, making evidence hard to collect -- especially in Internet-related deals. Moreover, in counterfeit cases, some copycats closely resemble the original, posing great challenges for authentication.

These all give rise to the attentions that law enforcement organs need to map out unified methods to collect and confirm evidence of IPR violations.

http://english.sipo.gov.cn/news/iprspecial/201404/t20140423_937731.html

Actions Are Taken to Enhance High-tech IP Protection

As is known, China has the world's largest smart terminal producers, while the industry has to pay about five to 10 percent of output value to foreign companies in royalties.

In order to overcome the above soft spot, Chinese high-tech companies are on the counterattack regarding intellectual property rights (IPR) by establishing the country's first fund, Ruichuan IPR Funds, dedicated to IPR trading and technology industrialization.

Meanwhile, China's first communication patent company was officially established in recent time, which fills the blank of patent operation organizations in China's mobile communication field.

It is believed that Chinese high-tech IP protection will be greatly enhanced through the above efforts.

http://english.sipo.gov.cn/news/iprspecial/201405/t20140505_944777.html:http://english.sipo.gov.cn/news/iprspecial/201404/t20140423_937738.html