

W&B IP Newsletter



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Patents

Administrative Measures for the Prioritized Patent Examination

Will Be Formally Implemented on August 1st

Type of Patent Case	Domestic Enterprise Request May Be Filed for Priority Patent Examination If One of the Following Circumstances Exist:	Time Limit
Patent Application/ Reexamination Cases	1. Where national key industries as energy conservation and environmental protection, new generation of information technology, biology, high-end equipment manufacturing, new energy, new materials, new energy vehicles, intelligent manufacturing, etc. are involved; 2. Where the industries encouraged by all of the provincial governments and the People's Government of a city divided into districts are involved; 3. Where fields such as the Internet, mega-data, cloud computing, etc. are involved and relevant technologies or products are frequently updated; 4. Where a patent applicant or a party petitioning for the reexamination has thoroughly prepared for the implementation of its invention or has implemented its invention, or there is evidence that others are implementing its invention; 5. First-time applications made in China regarding specific subjects that are also made in other countries or regions of the world; and 6. Other patent applications that are significant for the national interest or public welfare of China and are therefore qualified for priority examination. The request for priority examination of patent applications or patent reexamination cases shall be approved by all the applicants or all parties petitioning for reexamination.	Invention patent applications: The relevant authority shall issue the notification of first office action within 45 days and conclude the case within one year. Utility model and design patent applications: Within two months.
		Patent reexamination cases: Within seven months.
Invalidation Declaration Cases	1. In the case of a patent infringement dispute in cases relating to a declaration of invalidation, the party concerned has asked the local intellectual property office for such treatment, filed a lawsuit with the People's Court or asked an arbitration-mediation organization for arbitration and mediation; 2. Where the patent has been declared to be of great significance to the national or public interest. A request for priority examination of invalidation declaration cases shall be approved by all the petitioners relating to the invalidation declaration or all patent holders.	Invalidation declaration cases for invention and utility model patents: should be concluded within five months;
		Invalidation declaration cases for design patents: should be concluded in four months.

(Via SIPO)

2016 Chinese Patent Operation Research Report

Patent assignments have been increasing since 2010, and they have become the principle model for patent operations.

2016	Quantity	Percentage
Patent Assignments	146,053	89.2% of Total Patent Operations
Invention Patent Assignments	82,454	56.5% of Total Patent Assignments
Utility Model Assignments	52,246	*
Design Patent Assignments	11,353	*

Figure 1: 2016 Top 10 Chinese Patent Assignments Referring to the Distribution of IPC

Ranking	IPC	IPC Explanation	Quantity of Assignment
1	G06F	Digital Data Processing	5,243
2	A61K	Medical, Dental or Cosmetic Preparations	4,885
3	A61P	Specific Therapeutic Activities of Compounds or Pharmaceutical Formulations	4,198
4	H04L	Digital Information Transmission, i.e. Telegraph Communications	3,742
5	H01L	Semiconductor Devices; Solid State Electronic Devices That Not Included in Other Categories	3,583
6	A61B	Diagnosis; Surgery; Identification	3,214
7	B01D	Dissociation, General Physical or Chemical Methods or Devices	2,785
8	G01N	Testing or Analyzing Materials by Measuring Chemical or Physical Properties	2,718
9	H04N	Image Communication, i.e. TV	2,504
10	C02F	Water, Waste Water, Sewage, or Sewage Processing	2,362

Figure 2: 2016 Top 20 Assignors of Chinese Patent Assignments (Including Seven Chinese Assignors)

Ranking	Assignor	Quantity for Patent	Business Assignment	Main Assignee
1	Nokia Corporation	2,586	Yes	Nokia Technology Corporation (2584) Yin Wen Te Corporation (2)
2	Toshiba Corporation	2,089	Yes	Toshiba Related Corporations TDK Corporation (15)
3	Toshiba Medical Systems Corporation; Toshiba Corporation	1,478	None	Toshiba Medical Systems Corporation
4	Motorola Mobility Corporation	1,466	Yes	Google Technology Corporation (1462) Google Science & Technology Corporation (4)
5	Guangdong Gao Hang IP Corporation	1,033	Yes	Qingdao Yu Lan Xiang Business Service Corporation (98), Qingdao Branch of the China Academy of Mechanical Science & Technology (32), etc.
6	State Grid Corporation	903	Yes	Mainly assigned within State Grid Corporation; a small part of patents are assigned from State Grid Corporation to individuals, i.e. Guo Wanlin (2), Zhang Li (1), Chen Qingmei (1), etc.
7	Haier Group	846	Yes	Haier Related Corporations Cerros Corporation (British) (10)
8	Panasonic Corporation	785	Yes	Panasonic Related Corporations, Intel Corporation (8), Toshiba Lighting & Technology Corporation (1)
9	Bayer IP Corporation	680	None	Bayer Related Corporations such as Covestro German Corporation
10	Asahi Kasei Chemical Corporation	674	Yes	Asahi Kasei Related Corporations Tokuyama METEL Corporation (1)
11	Qingdao Haier Corporation	637	None	Haier Related Corporations
12	Jing Gong Electronic Co., Ltd	570	None	Jing Gong Related Corporations
13	ZTE Corporation	494	Yes	ZTE Related Corporations, Productivity Promotion Center of Luoyuan County (25), Guangdong Gao Hang IP Corporation (6), etc.
14	Hon Hai Precision Industry Company Ltd.; Hong Fu Jin Precision Industry Company (Shenzhen) Ltd.	480	Yes	Shenzhen Jin Yang Hai Network Intelligent Technology Co., Ltd (220), ScienBiziP (Shenzhen) Technology Consulting Co., Ltd. (153), etc.
15	Toshiba Electronic Devices & Storage Corporation	445	None	Toshiba Related Corporations
16	Hitachi Appliances, Inc.	439	None	Hitachi Related Corporations
17	China National Offshore Oil Corporation (“CNOOC”)	386	None	CNOOC Related Corporations
18	Seiko Epson Corporation	384	Yes	BOE Technology Group Co., Ltd. (269) Yin Te Le Hi-tech Corporation (39), etc.
19	Panasonic (American) IP Corporation	367	Yes	The Sun Patent Depository Corporation (283), The Sun Patent Trust Corporation (104), WI-FI Wang Yi Corporation, etc.
20	Bayer Material Science Co., Ltd.	356	None	Bayer Related Corporations

Figure 3: 2016 Chinese Top10 Enterprises for Business Patent Operations

Number	Chinese Assignor	Enterprise Property	National Economy Industry Classification	Business Patent Operations (Quantity)
1	Guangdong Gao Hang IP Corporation	Privately owned	Business Services	1,033
2	Hon Hai Precision Industry Company Ltd.	Privately owned	Professional Equipment Manufacturing/ Computer, Communications and Other Electronic Equipment Manufacturing	480
3	Shenzhen Jin Yang Hai Network Intelligent Technology Co., Ltd	Privately owned	Software and Information Technology Services	203
4	ScienBiziP Group (Shenzhen)	Privately owned	Business Services	176
5	Huawei Technologies	Privately owned	Computer, Communications and Other Electronic Equipment Manufacturing / Internet and Relating Equipment / Software and Information Technology Services	139
6	ZTE Corporation	State-owned	Computer, Communications and Other Electronic Equipment Manufacturing / Internet and Related Equipment / Software and Information Technology Services	132
7	Can Yuan Optoelectronics Co., LTD.	Privately owned	Computer, Communications and Other Electronic Equipment Manufacturing	89
8	Ye Xin Technology Consulting Co., Ltd.	Privately owned	Computer, Communications and Other Electronic Equipment Manufacturing	88
9	Yunec Electric Aviation Technology (Kunshan) Co., LTD.	Privately owned	Electronic Machine and Equipment Manufacturing	84
10	Chengdu LVDI Technology Corporation	Privately owned	Professional Technology Services	83

Figure 4: 2016 Top10 Chinese Universities for Business Patent Operations

Number	Chinese University	Quantity of Business Assignments
1	Nanjing University of Information Science & Technology	163
2	Shanghai Jiao Tong University	141
3	South China University of Technology	99
4	Jiangnan University	84
5	Zhejiang University	80
6	Tsinghua University	75
7	Xi'an Jiao Tong University	69
8	Beijing University of Technology	65
9	Harbin Institute of Technology	49
10	Nanjing University	34
10	Nanjing University of Posts and Telecommunication	34

Figure 5: 2016 Chinese Top10 Scientific Research Institutions of Business Patent Operations

Number	Chinese Scientific Research Institute	Quantity of Business Assignments
1	General Research Institute for Nonferrous Metals	148
2	Changchun Institute of Applied Chemistry of the Chinese Academy of Sciences	53
3	XCMG Research Institute	50
4	Institute of Microelectronics of the Chinese Academy of Sciences	43
5	Shenzhen Institute of Kuang-Chi	38
6	Jinan Development Zone Institute of Xing Huo Science & Technology	36
7	BIACD (Beijing Institute of Aerospace Control Devices)	30
8	Hunan Institute of Aerospace Electronic Machinery Equipment and Special Materials	30
9	Beijing Institute of Aerospace Propulsion	29
10	Guangzhou General Research Institute for Industrial Technology (Guangzhou Research Institute of Nonferrous Metals)	29

(Via IPRdaily.cn)

Patent Auction Attracts Attention; Total Business Volume Surpasses 30,000,000 RMB

Domestic privately owned companies held their first exclusive bidding conference on intellectual property rights on June 24th, 2017. All patents were successfully auctioned, and the total turnover reached 30,588,000 RMB (including commissions).

Four innovation-oriented enterprises auctioned off several patent packages. The auctioned patents included approximately 100 authorized patents from China and abroad including intelligent television UI systems and BSP systems, Internet data processing systems, Internet security systems, environment protection systems, etc.

Enterprise	Quantity and Patent Field	Business Volume	Average Business Volume Per Family/Per Patent
ZTE	11 Patent Families for Data and Trade Security Technology	380,000 USD	≈35,000 USD
Nanjing Yuan Quan Science & Technology	Patent Package for Nine Sewage Processing Patents	3,200,000 RMB	≈355,000 RMB
MI	Three Patents from Japan	1,150,000 RMB	≈383,000 RMB
LETV	Two Patent Packages for Intelligent Television Technology	38 Patent Families for LE Intelligent Television UI System	12,000,000 RMB ≈320,000 RMB
		Patent Package for Intelligent Television BSP (Contains 23 Patent Families)	7,500,000 RMB ≈320,000 RMB

The first domestic patent auction was held in the Trading Hall of the China Technology Exchange in December 2010, and the Institute of Computing Technology of the Chinese Academy of Sciences estimates that the total trade volume was 3,000,000 RMB.

(Via China Intellectual Property News Website)

Copyright

Copyright Law To Be Amended Due to Rapid Development of the Copyright Industry

The value of the copyright industry accounted for 7.30% of China's 2015 domestic GDP, approaching or surpassing the overall level of certain European and American countries. It has reached 10% in Beijing, Shanghai, Shenzhen, etc. The number of copyright registrations has increased to 2,000,000 in only three years. The copyright industry is developing rapidly-- overall registration volume has broken through the 2,000,000 mark. In 1994, China started the registration of copyright; by 2013, China's copyright registration reached 1,000,000; in 2016, within a very short time of only three years, the quantity of copyright registration had doubled to breach the 2,000,000 barrier.

The legislative planning at the 12th Session of the Standing Committee of the National People's Congress shows that the Copyright Law has been listed in the revision plan. It is possible that a revised draft of the Copyright Law will be proposed before the end of 2018, since the terms of the National People's Representatives are less than one year.

(Via Economic Daily)

Trademark

SAIC's Major Initiative Against the Infringement of Intellectual Property and the Sale of Counterfeit and Substandard Goods

An SAIC official issued a notice entitled 2017 Major Tasks for National Regulatory Authorities for Industry, Commerce and Markets to Oppose the Infringement of Intellectual Property Rights and the Sale of Counterfeit and Substandard Goods. The major tasks include:

- Strengthening the detection of infringement and counterfeiting on the Internet, mainly targeted to acts of infringement, counterfeiting, turnover fabrication, false advertising, etc.;
- Enlarging the scope of protection of trademarks; strictly rejecting the malicious registration of trademarks;
- Strictly punishing illegal competitive behavior involving intellectual property infringement;
- Enhancing international cooperation against infringement and counterfeiting.;
- Researching and building an information collection platform to maintain the overseas trademark rights of Chinese enterprises;
- Creating new regulatory methods; exploring and implementing the Internet Plus regulatory model.

(Via China News Website)