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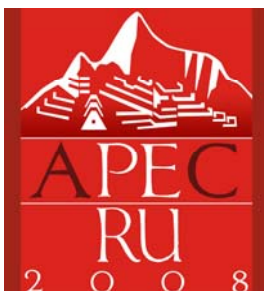
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## **China's Outline of the National Intellectual Property Strategy**

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# China's Outline of the National Intellectual Property Strategy

*Chen Fuli*

Department of Treaty & Law  
Ministry of Commerce, P.R.China

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中华人民共和国商务部  
MINISTRY OF COMMERCE OF THE P.R. OF CHINA

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China's Outline of the National Intellectual Property Strategy

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中华人民共和国商务部  
MINISTRY OF COMMERCE OF THE P.R. OF CHINA

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## I. Some Background of the Outline

- drafting began in July 2005 with the leadership of the State Council
- composed of 20 topics and 1 guideline, covering the system building, law enforcement, talents training and public awareness regarding the IPR protection

## I. Some Background of the Outline

- On June 10, 2008, China unveiled the Outline
- the Outline includes 5 departments  
preface, guiding principles and strategic goals,  
strategic focuses, specific tasks, strategic measures
- a milestone in the institution of China's IPR regime

## II. Guiding Principles and Strategic Goals

### 1. Main Guiding Principles

- concentrate efforts to improve the intellectual property (IP) system
- abide by the policy of encouraging creation, effective application, legal protection and scientific administration
- actively work to create a favorable legal environment, market environment and cultural environment for the development of IP

## II. Guiding Principles and Strategic Goals

### 1. Main Guiding Principles

- greatly improve China's capacity to create, utilize, protect and administer IP
- provide strong support for the effort to make China an innovative country and develop a moderately prosperous society in all respects

## II. Guiding Principles and Strategic Goals

### 2. Strategy Goals

- By 2020

- become a country with a comparatively high level in terms of the creation, utilization, protection and administration of IPRs.

- Goals for the next 5 years

- level of the self-relied IP will be higher by a large margin and the quantity of IP will be greater



## II. Guiding Principles and Strategic Goals

### 2. Strategy Goals

- Goals for the next 5 years

- benefits of utilizing IPRs will be increased significantly and the proportion of products rich in IPRs should grow significantly
- protection of IPRs will be significantly improved
- awareness of the IPRs in society, especially among market entities, will be greatly enhanced and a favorable IP culture should be basically formed



### III. Strategic Focuses

#### 1. Improving the IP Regime

- further improve laws and regulations concerning IPRs
- strengthen IP law enforcement and administration systems
- strengthen the guiding role of IP in economic, cultural and public policies



### III. Strategic Focuses

#### 2. Promoting the Creation and Utilization of IP

- guide and support market entities to create and utilize IP through the use of policies related to finance, investment, government procurement, industrial development, energy and environmental protection
- encourage enterprises to be the principal entity in the creation and utilization of IP



### III. Strategic Focuses

#### 3. Strengthening the Protection of IPRs

- revise laws and regulations to punish infringements on IPRs and strengthen judicial punishment
- help right holders to improve consciousness and capacity to protect their own interests
- lower the cost of right enforcement, increase the cost of infringements, curb infringements effectively

### III. Strategic Focuses

#### 4. Preventing Abuses of IPRs

- reasonably define the scope of IP
- prevent abuses of IP
- maintain fair market competition, safeguard the public lawful rights and interests

### III. Strategic Focuses

#### 5. *Fostering a Culture of IPRs*

- carry out the ordinary IPR education extensively
- increase IPR content in the national promotion of the public moral culture and the national ordinary education in law
- establish IPR culture throughout China, characterized by respect for knowledge, enthusiasm for innovation and creation, being honest and obeying law

### IV. Specific Tasks

#### 1. *Patent*

- development of new and high technology, service invention, patent examination, etc.

#### 2. *Trademark*

- strengthen capacity to enforce law, enhance the administration of trademarks, etc.

#### 3. *Copyright*

- promote commercialization, deal with piracy, address challenges by new technologies, etc.



## IV. Specific Tasks

### 4. Trade secret

### 5. New Varieties of Plants

### 6. IP in Specific Areas

- GI, genetic resources, traditional knowledge, folklores, layout-designs, etc.

### 7. IPRs Related to National Defense



## V. Strategic Measures

### 1. Increasing the Capacity to Create IP

- establish a market-oriented system for the creation of self-relied IP with enterprises as the backbone of the system and manufacturers, universities and research institutes as close cooperation partners, etc.

### 2. Encouraging the Commercialization and Utilization of IPRs



## V. Strategic Measures

### 3. Expediting the Development of the Legal System for IP

- improve the quality of legislation , speed up the legislation process, more transparent, improve revisions and legislative interpretations of IP , etc.

### 4. Improving IP Law Enforcement

- improve the trial system, judicial interpretation, the competence of IP law-enforcement personnel , border enforcement, etc.

## V. Strategic Measures

### 5. Strengthening the Administration of IP

- formulate and implement regional and industrial strategies on IP
- more human resources and professional training
- improve the systems for examination and registration
- develop a national public service platform for basic information on IP
- set up an IP early-warning and emergency-response system

## V. Strategic Measures

*6. Developing Intermediary Services for IPRs*

*7. Developing IP Human Resources*

*8. Promoting the Cultivation of an IP Culture*

*9. Expanding International Exchanges and Cooperation in IP*

Full text of the Outline available:

- <http://www.gov.cn>
- <http://www.ipr.gov.cn>

# THANKS

chenfuli@mofcom.gov.cn