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# ***On Development of Chinese IP System and How to Protect Enterprises' Technology and Brand by Using the IP System***

**Jason X. WANG**

Patent Attorney

Trademark Attorney

Manager of International Dept.

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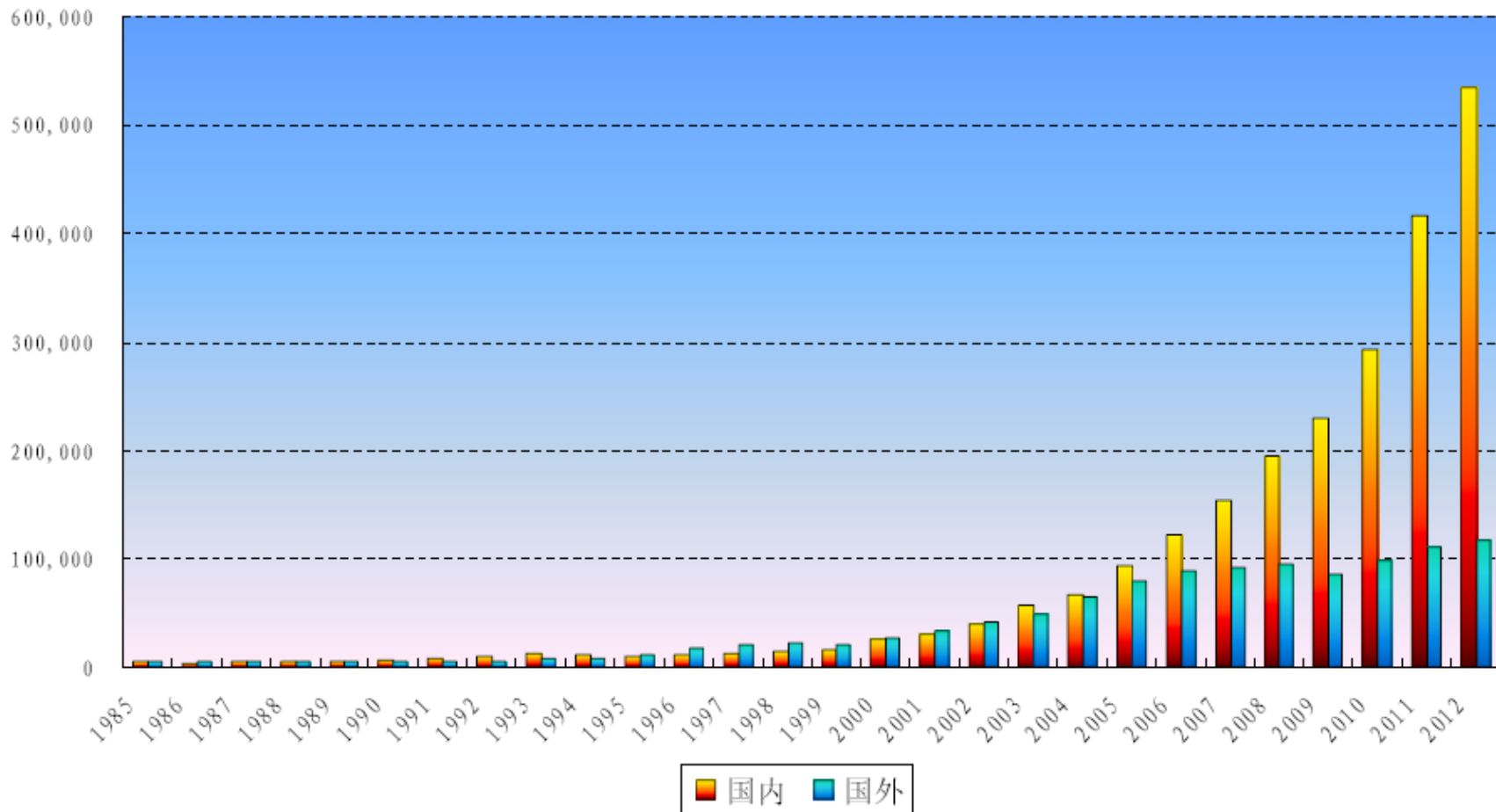


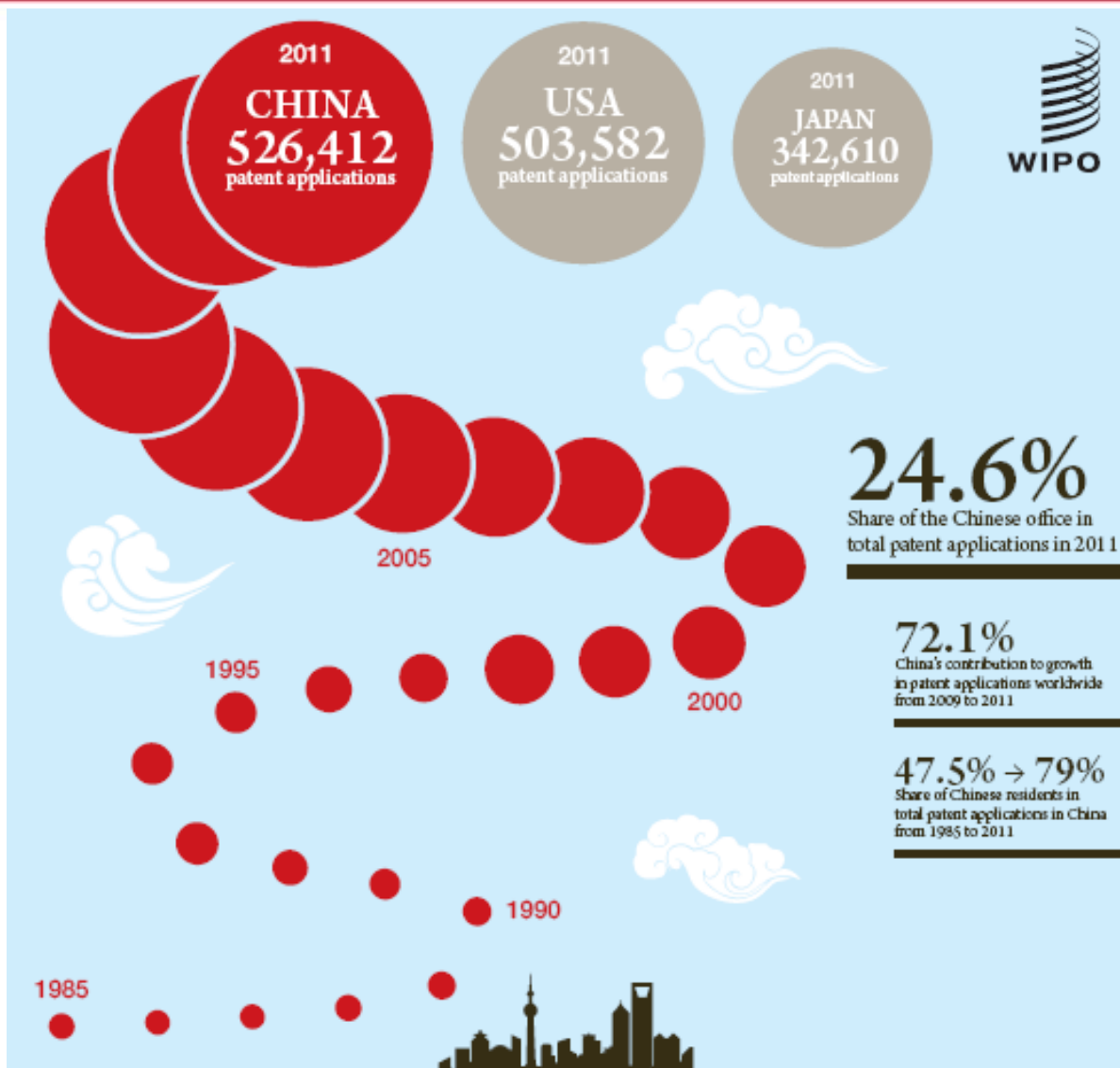
**We are in a global village**





Chinese Patent Applications from 1985 to 2012 (Unit: Piece)

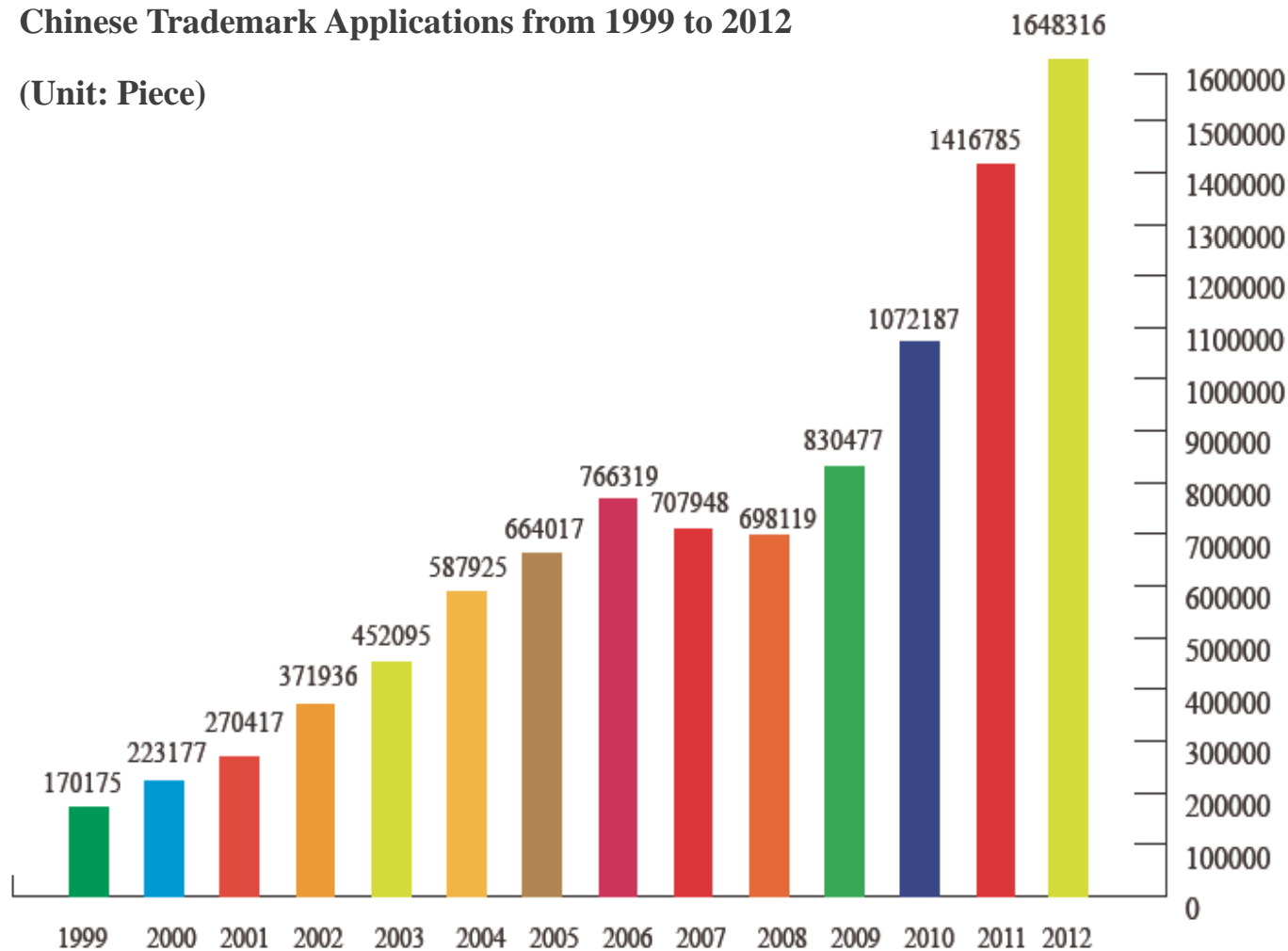


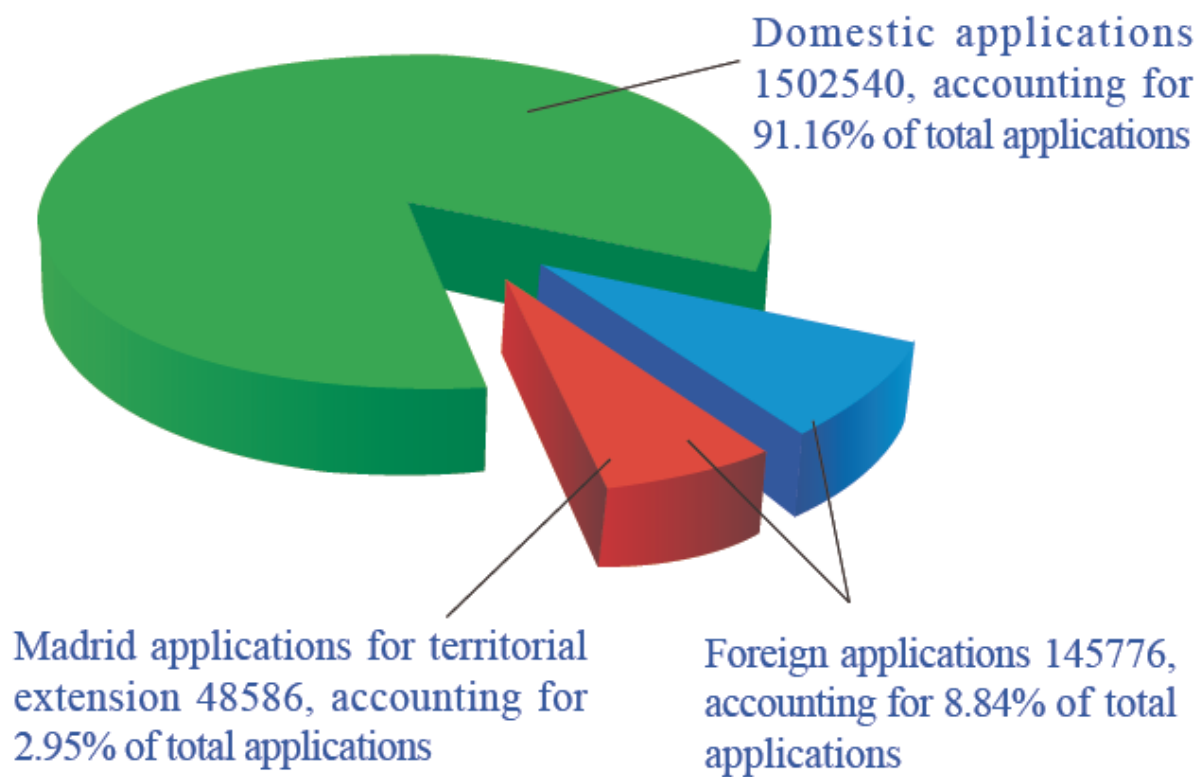




## Chinese Trademark Applications from 1999 to 2012

(Unit: Piece)







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**How to Protect Your Brand by the TM System**



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## Chinese Patent System

### Chinese Patent Law

- ◆ Effected on April 1, 1985
- ◆ Amended for the 1<sup>st</sup> time in 1992
- ◆ Amended for the 2<sup>nd</sup> time in 2000
- ◆ Amended for the 3<sup>rd</sup> time on December 27, 2008
- ◆ The 4<sup>th</sup> time amendment is in process.....





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## Chinese Patent System

### Chinese Patent Type

- ◆ **Inventions** mean new technical solutions proposed for a product, a process or the improvement thereof.
- ◆ **Utility Models** mean new technical solutions proposed for the shape and structure of a product, or the combination thereof, which are fit for practical use.
- ◆ **Designs** mean, with respect to a product, new designs of the shape, pattern, or the combination thereof, or the combination of the color with shape and pattern, which are rich in an aesthetic appeal and are fit for industrial application.



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## Chinese Patent System

### Chinese Patent Examination

- ◆ Invention Patent requests **substantive examination**, and protected for 20 years from the filing date.
- ◆ Utility Model & Design requests **preliminary examination**, and protected for 10 years from the filing date.



## 2 How to Protect Your Technology by the PT System

**A**

**File a  
Chinese  
patent  
application  
directly**

**B**

**File a  
Chinese  
patent by  
Paris  
Convention**

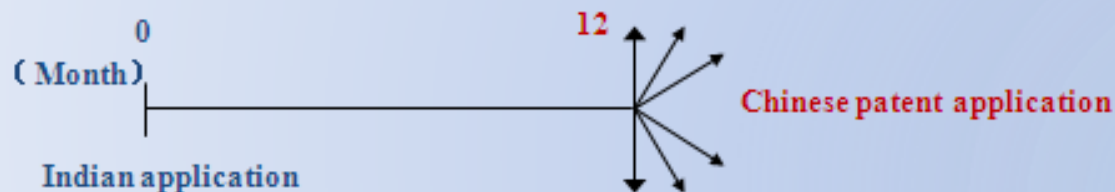
**C**

**File a  
Chinese  
patent (**Invent  
ion & UM**) by  
Patent  
Cooperation  
Treaty (PCT)**

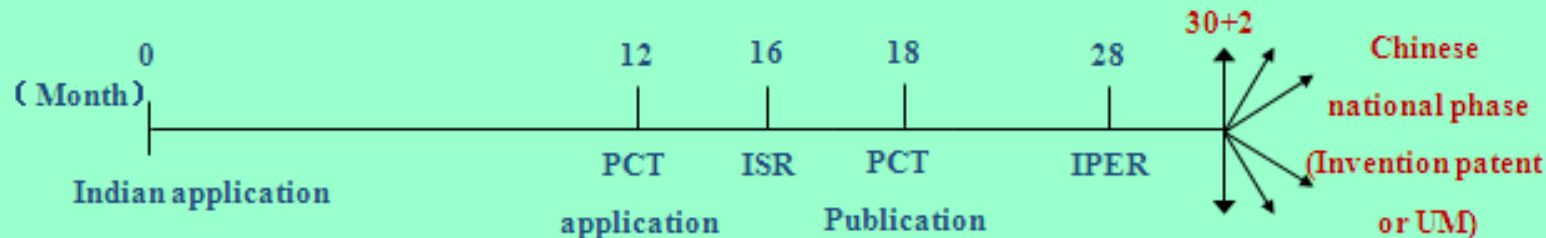


## 2 How to Protect Your Technology by the PT System

### Paris Convention



### Patent Cooperation Treaty(PCT)





## 2 How to Protect Your Technology by the PT System

### Reduction and Exemption of Fees about PCT entering into China

◆ If the PCT was filed with SIPO as Receiving Office,

The national filing fee and additional fee is **FREE**.

◆ If the ISR/IPER is authorized by SIPO,

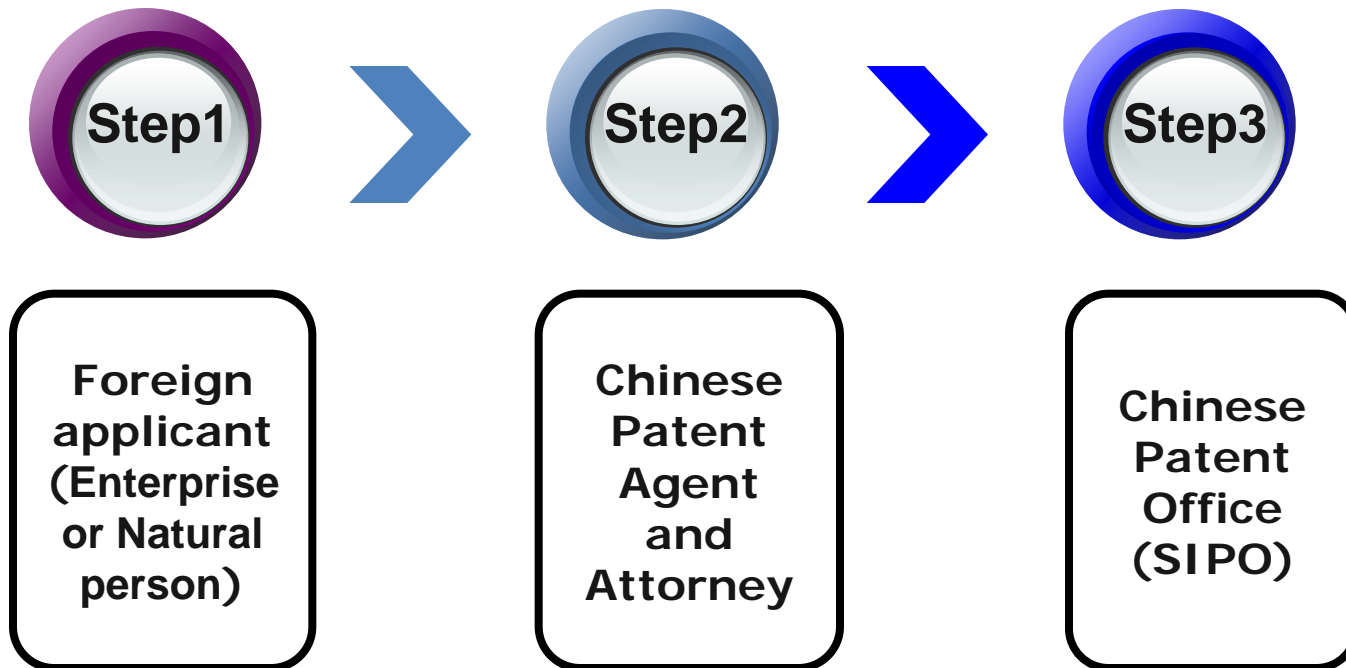
The substantive examination fee is **FREE**.

◆ If the ISR/IPER is authorized by EPO or JPO or Swedish Patent Office,

The substantive examination fee is **20% discount**.

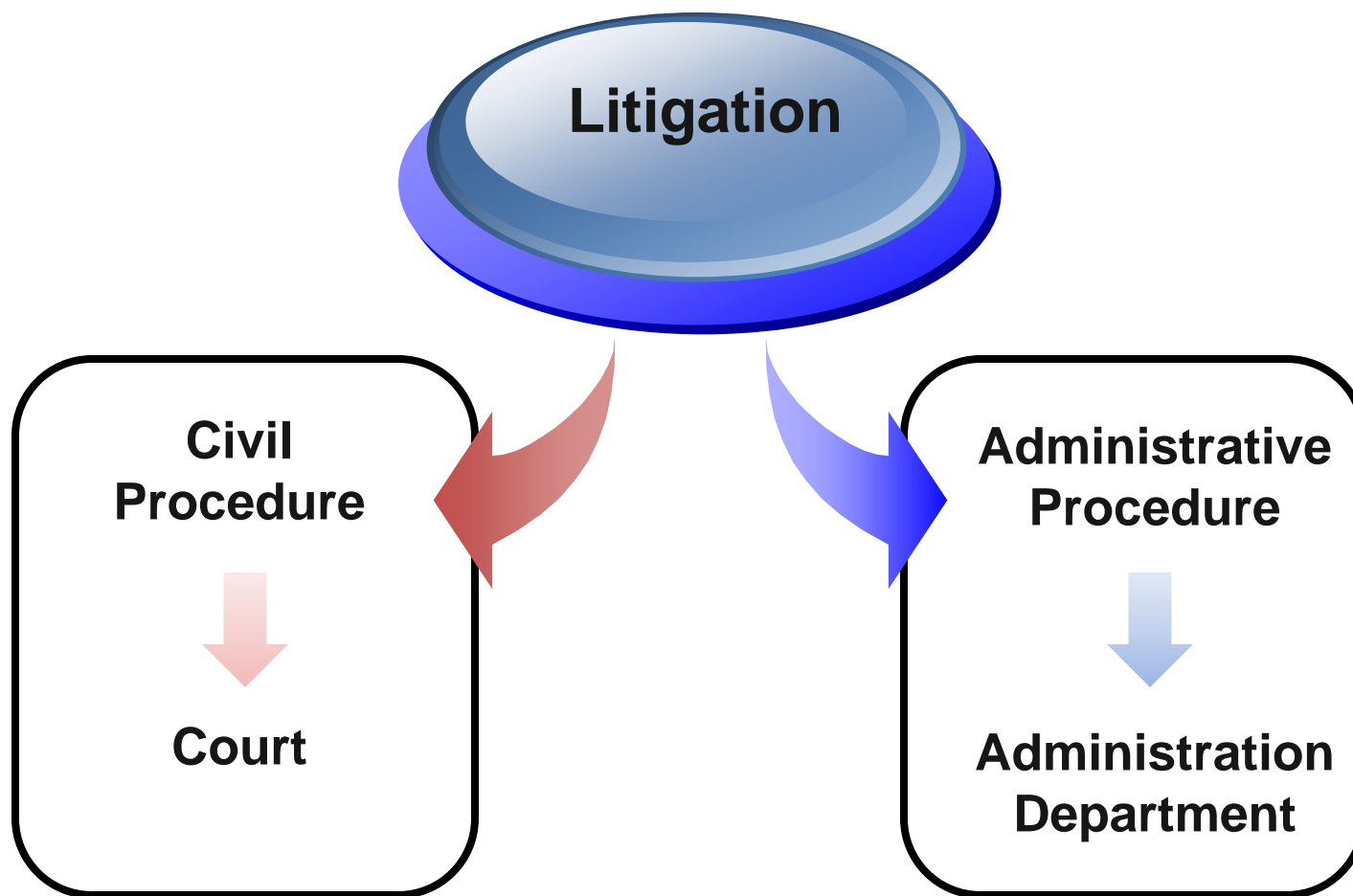


## 2 How to Protect Your Technology by the PT System





## 2 How to Protect Your Technology by the PT System





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## 2 How to Protect Your Technology by the PT System

**CHINT**  
正泰集团  
CHINT GROUP

**Vs**

**Schneider**  
 **Electric**

**RMB1.57亿元(≈USD2300)**





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## Chinese Trademark System

### Chinese Trademark Law

- ◆ Effected on March 1, 1983
- ◆ Amended for the 1<sup>st</sup> time in 1993
- ◆ Amended for the 2<sup>nd</sup> time in 2001
- ◆ Amended for the 3<sup>rd</sup> time on August 30, 2013 ( Effected on May 1, 2014 )



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## Chinese Trademark System

### Chinese Trademark Type

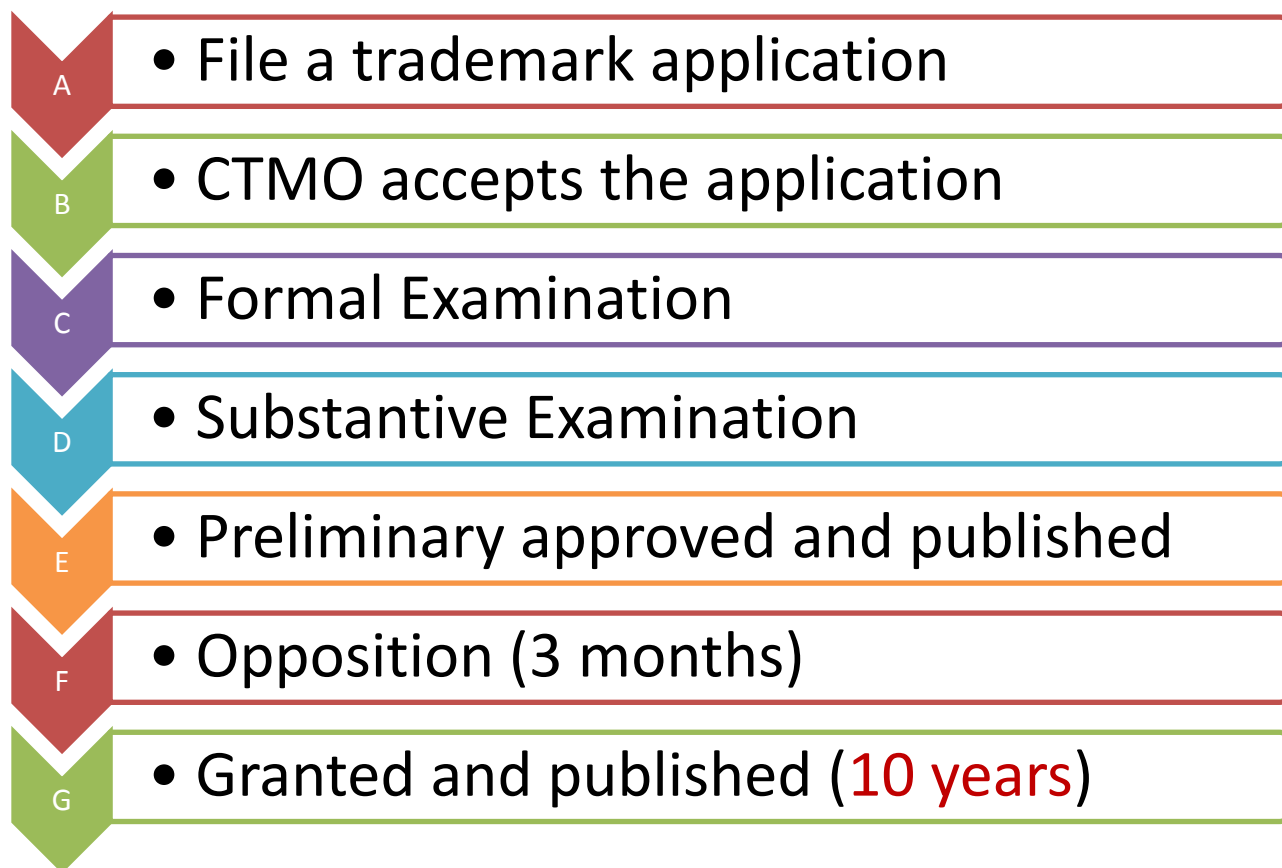
- ◆ Trademarks ( Goods )
- ◆ Service marks
- ◆ Collective marks
- ◆ Certification marks
- ◆ Sound marks ( New )



### 3

## Chinese Trademark System

### Chinese Trademark Examination





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## How to Protect Your Brand by the TM System

**A**

**File a  
Chinese  
trademark  
application  
directly**

**B**

**File a  
Chinese  
trademark  
by Paris  
Convention**

**C**

**File a  
Chinese  
trademark  
by Madrid  
System**



4

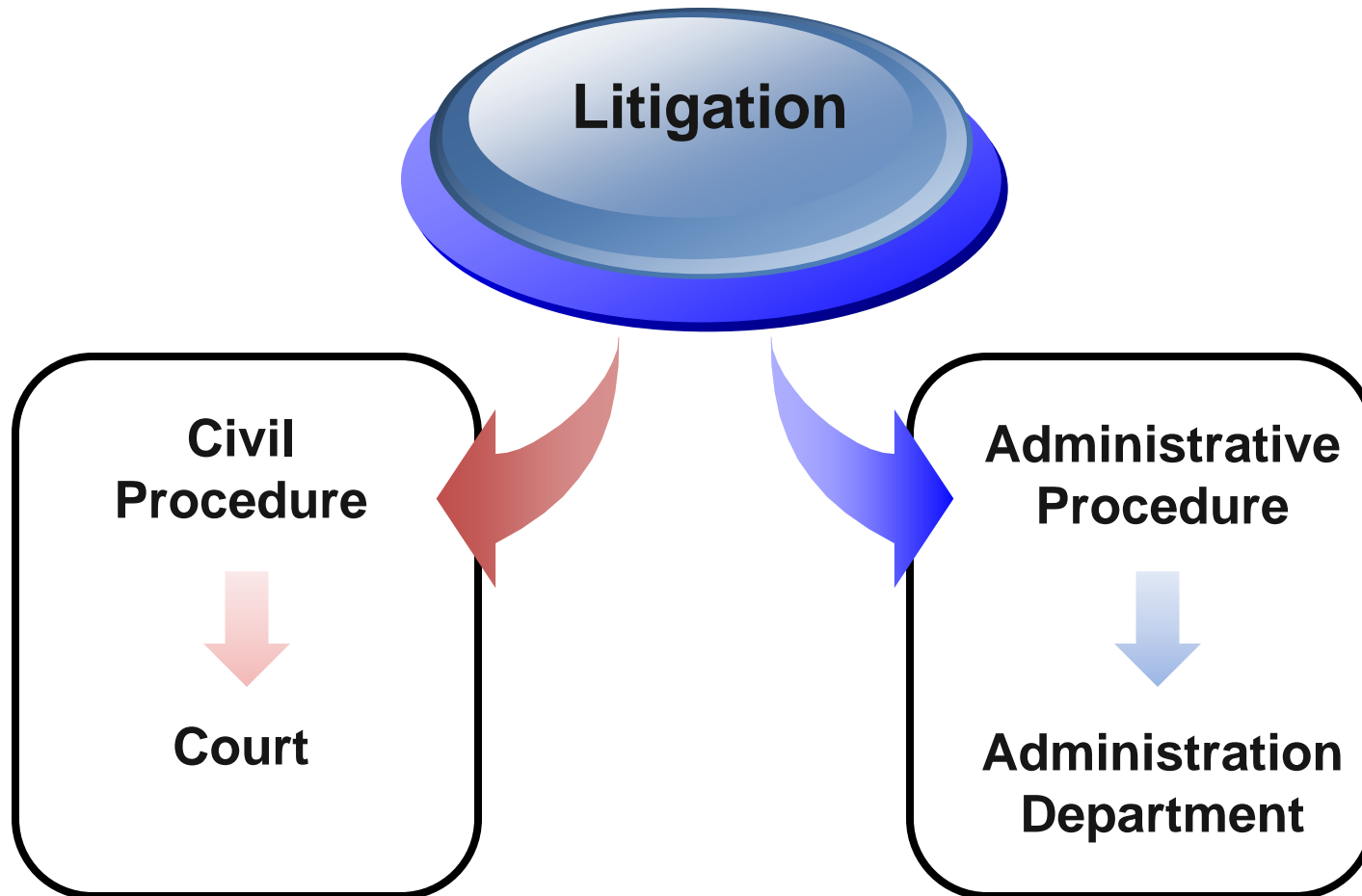
## How to Protect Your Brand by the TM System





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## How to Protect Your Brand by the TM System





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## How to Protect Your Brand by the TM System





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*Thank You...*