

## 中国知財ニュース IP NEWS in CHINA

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情報元：[中国法総合オンラインサービス〈Westlaw China〉](#)

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### News

#### [1] Pilot IP5 PPH launched on January 6, 2014

[State Intellectual Property Office]

...According to consensus on launch of pilot Patent Prosecution Highway (PPH) in January 2014 reached by the European Patent Office, the Japan Patent Office, the Korean Patent Office, the Chinese State Intellectual Property Office (SIPO) and the U.S. Patent and Trademark Office (IP5) in Geneva, Switzerland in September 2013, the pilot IP5 PPH was launched on January 6, 2014 and will last three years till January 5, 2017. By then, applicants can file PPH applications to SIPO according to the procedures for filing PPH applications to SIPO under the pilot IP5 PPH program; and file PPH applications to the other four offices of IP5 according to requirements and procedures laid down respectively by them.

#### [2] Four ministries jointly held the press conference on Special Campaign of Cracking down Online Infringement and Piracy

[National Copyright Administration]

...On December 30, 2013, the National Copyright Administration, the State Internet Information Office, the Ministry of Industry and Information Technology, and the Ministry of Public Security jointly held

the press conference on Special Campaign of Cracking down Online Infringement and Piracy in Beijing.

The four ministries jointly released the top ten cases of the special campaign of cracking down online infringement and piracy in 2013, including the infringement of copyright by Baidu and Qvod; the infringement of high-definition works by the Siluhd website and other eight cases. Currently, four cases have been rendered administrative penalty according to law; one has been entered the stage of examination and litigation filing; two cases has been filed with the people's courts and three was at the stage of further investigation.

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## **Proposed Legislation**

### **[1] LAO solicits public opinions on Implementing Regulations on the Trademark Law (Revision Draft) (Draft for Review)**

[Legislative Affairs Office of the State Council]

...On January 10, the Legislative Affairs Office of the State Council (LAO) issued a notice to solicit public opinions on the Implementing Regulations on the Trademark Law (Revision Draft) (Draft for Review). The deadline for comment submission is February 10, 2014. The revised contents involve the following aspects: obligations of trademark agencies for forwarding legal documents; submission and service of legal documents of trademarks; circumstances not included in the time limit for trademark examination and trial; calculation of period; form requirements for sound trademark application documents; qualification requirements for trademark registration applicants; conditions for accepting trademark applications; meanings of goods and services bearing similar trademarks; division of trademark applications; communication procedures for trademark examination opinions; trademark objections; trademark transfer procedures; trademark migration; adjustment objects of trademark international registration; trademark international registration with China as the country of origin; application examination and objection procedures for designating territorial extension of China; subsequent applications for internationally registered trademark transfer; trial range of all types of review and adjudication cases; exceptions of "ne bis in idem"; other provisions relating to improvement of review and adjudication procedures; procedures for applying for revocation of a registered trademark; trademark pledge registration; calculation of illegal turnover; convenient conditions; severe punishment; case suspension procedures; conditions for engaging in trademark agency; basic requirements for a trademark agent; illegal acts of trademark agents; operating procedures regarding prohibition from entering trademark agency market; supplementing evidence and time limit; trademark register and trademark registration certificate; trademark gazette.

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