

中国知財ニュース IP NEWS in CHINA

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Government Policies

[1] Li Keqiang presides over State Council executive meeting on November 5

[Central People's Government]

...Premier Li Keqiang presided over the State Council executive meeting on November 5, which decided to reduce ex ante examination and approval, adopt online examination and approval for investment projects, release investment potential and development vigor. The meeting also deployed work on strengthening IPR protection and utilization, assisting innovation and business start-up, and upgrading "made in China".

The meeting decided that (1) five principles should be adopted to facilitate enterprise investment to the greatest extent possible: matters that should be deemed autonomy of enterprises in operation will no longer serve as the ex ante requirements; ex ante examination and approval will not be conducted for those that are not explicitly prescribed by laws and regulations; ex ante requirements that are explicitly prescribed by laws and regulations should be cancelled through law amendments, except for those that truly need be retained; no ex ante examination and approval should be conducted for matters that can be settled by the organs through soliciting opinions of other departments; intermediary services should not be prescribed or intermediary institutions be designated compulsorily unless needed under special circumstances which have legal basis; a catalog should be prepared for the ex ante examination items and intermediary services that truly need be retained and should be made public; (2) enterprises should decide on their own whether or not they need intermediary services. Where administrative organs entrust intermediary services, the intermediary institutions should be selected through competition, and the expenses should be paid by the administrative organs; (3) ex ante examination and approval and

project verification and approval can be handled together so as to accelerate the handling speed; (4) interim and ex post regulation should be strengthened. Online examination and approval regulatory platform for investment projects featuring information sharing and covering the whole nation should be established so as to realize online handling, examination and approval and regulation and raise examination and approval efficiency.

The meeting believed that efforts should be made to: (1) strengthen IPR protection, and encourage innovation and creation; we should strengthen IPR law enforcement in key fields, and vigorously combat various forms of infringements, and include malicious infringement into the social credit system. We should also promote the use of genuine copies of software, and give equal treatment and protection to the IPR of foreign enterprises and individuals, and reinforce China's IPR rights protection assistance in overseas areas; (2) promote the creation and utilization of patent, copyright, trademark, new plant varieties, etc., to provide basic IPR information free of charge or at low cost to the public, especially innovators; (3) establish national scientific major project and scientific plan IPR target assessment system to promote the transfer and transformation of innovative results; and (4) give more financial and fiscal support. We should use fiscal funds to guide and promote transformation of scientific achievements into property right and industrialization of IPR. Financial institutions should be supported to innovate IPR financing services. Local governments should be encouraged to establish micro and small enterprise credit risk compensation funds to give prioritized support for IPR pledged loans.

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News

[1] **Shanghai Pudong New Area established the intellectual property office**

[Central People's Government]

...On November 16, China's first independent intellectual property office was established in Shanghai Pudong New Area which combined the functions of patent, trademark, and copyright administration and comprehensive law enforcement and will put into operation on January 1, 2015. The new office will, on the one hand, combine and integrate the patent and trademark functions of the New Area, and on the other hand, receive some patent and copyright administration and law enforcement affairs delegated by relevant departments of Shanghai government. In addition, the reform will realize the combination of complaint and disposal, which changed the previous situation that the complaints on patent, trademark and copyright were disposed by different departments.[Top](#)

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