China Issues 115 Point Outline for Building a Powerful Intellectual Property Country

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On January 4, 2022, the China National Intellectual Property Administration (CNIPA) published the 2021-2022 Outline for Building a Powerful Intellectual Property Country and the Annual Promotion Plan for the Implementation of the 14th Five-Year Plan (???????????”???”???????????) comprising 115 points in 7 categories. The categories include improving the intellectual property system (i.e., amending the Anti-Monopoly Law); strengthening the protection of intellectual property rights (i.e., formulate interpretations re punitive damages in civil IP cases); improving the operating mechanism of the intellectual property market (i.e., improve quality control for patent and trademark examination); improving the level of public services for intellectual property (i.e., increase open sharing of intellectual property data); creating a good humanistic and social environment for intellectual property rights (i.e., celebrate World Intellectual Property Day); deepen participation in global intellectual property governance (i.e., actively participate in the World Intellectual Property Organization and World Trade Organization); and strengthen organizational guarantees (i.e., formulate various implementation plans for IP).

The Supreme People’s Court will formulate the Interpretation on Several Issues Concerning the Application of Law on Punitive Compensation for Civil Infringement of Intellectual Property Rights and the Provisions on Several Issues Concerning the Application of Law in the Trial of Drug Patent Linkage Disputes as well as the Interpretation on Several Issues Concerning the Application of the Anti-Unfair Competition Law of the People’s Republic of China.

The Outline also confirms China’s intent to join the Hague Agreement Concerning the International Registration of Industrial Designs as the outline specifies accelerating accession to same.

China is also hoping to sign several free trade agreements in addition to the recently signed Regional Comprehensive Economic Partnership Agreement (RCEP). Specifically, China will advance the negotiation of the IP issues in free trade agreements between China, Japan and South Korea, China-Norway, and China-Israel, and actively promote the process of joining the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP).

The full text is available here (Chinese only).
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