

China's Intellectual Property Protection in 2011

**State Intellectual Property Office of the People's
Republic of China**

(This publication is released in both Chinese and English, and in case of inconsistency, the Chinese version shall prevail in the event of discrepancy between the two said versions.)

Table of Contents

I. Legislation	1
II. Examination and Registration	4
III. Enforcement	8
IV. Construction of Mechanism and Capability	20
V. Publicity	29
VI. Education and Training	37
VII. International Cooperation	41

China's Intellectual Property Protection in 2011

2011 was the opening chapter for the 12th Five-year Plan and the key year to fully implement the five-year tasks set in the *Outline of the National Intellectual Strategy*. Focusing on the transferring of economic development mode, Chinese government followed out the *Outline of the National Intellectual Strategy* in line with scientific development to aggressively step up IPR protection. Remarkable achievements were made in legislation, examination and registration, enforcement, construction of mechanism and capabilities, publicity, education and training, international exchange.

I. Legislation

In 2011, a series of laws, regulations and rules were made according to the needs of economic and social development with the outcome of a further improved IP law system.

The State Intellectual Property Office (SIPO) finished the *Revision Draft of Reg-*

ulations on Patent Commissioning (draft revised for approval) and submitted it to the Legislative Affairs Office of the State Council and played an active role in examination and discussion process. SIPO finished the drafting of the *Regulations on Service Invention* (draft revised for discussion) and the amendment of the *Measures on Registration of License Contract on Patent Implementation*. In addition, SIPO accelerated the drafting and revision of a host of departmental regulations, and the *Regulations on Priority Examination of Patent Application*, *Measures on Patent Markings and Labeling*, *Measures on Compulsory Licensing of Patent Implementation*, and *Administrative Reconsideration Procedures by State Intellectual Property Office*.

The State Administration for Industry and Commerce (SAIC) played active role in promoting the revision of *Trademark Law* in collaboration with the Legislative Affairs Office of the State Council. After thorough study and argumentation on such issues like trademark opposition with reference to public opinions, SAIC formulated the *Trademark Law (the Revised Draft for Second Round of Public Comment)* and further solicited opinions from the public in October, 2011.

The National Copyright Administration of China (NCAC) initiated the third revision of Copyright Law, issued the *Notice on Further Regulating Relevant Affairs Related to Works Registration Procedure*, worked out *Guiding Opinions on Copyright Enforcement* and *Regulations on Legal Payment for Textbook*, embarked on

the study and drafting of the *Ordinance on Software Application in Governments*, and participated in the revision of implementing opinions on provisions related to copyright in the criminal law.

The Ministry of Agriculture (MOA) conducted survey and studies on the revision of *Regulations on the Protection of New Varieties of Plants* and completed the draft for revision; formulated the *Naming Regulations on Agricultural Varieties of Plants*; promoted the study on relevant laws and international pacts on IP protection of biological genetic resources and organized the drafting of *Regulations on Registration and Management of Agricultural Genetic Resources Rights* (draft).

The Supreme People's Court (SPC) issued the *Opinions on Issues in Utilizing IP Trial to Promote the Great Development and Prosperity of Socialist Culture and Facilitate the Free and Coordinated development of Economy*; intensified the investigation into and study on core issues in IP Trial by drafting three regulatory documents for discussion—*Supreme People's Court's Interpretation Concerning Several Issues in the Application of Law During Adjudication of Civil Disputes of Infringing On-line Information Dissemination*, *Opinions on Several Issues Concerning the Trial of Administrative Cases Involving Patent Licensing and Confirmation*, and the *Opinions on Several Issues Concerning the Trial of Disputes Involving Patent Infringement*.

II. Examination and Registration

The year 2011 witnessed the remarkable advances in IP examination and registration and new breakthroughs in terms of quality and effectiveness in China.

In 2011, patent application in China maintained a rapid growth with 1,633,000 patent applications in total, which achieved a sound opening for the IP development in the 12th Five-year Plan. Among them, 526,000 were patents for invention, a year-on-year increase of 34.5% ; 585,000 were patents for utility model, a year-on-year increase of 42.7% ; 521,000 were patents for industrial design, a year-on-year increase of 23.8% .

By the end of 2011, there were 2,740,000 valid patents in total granted and maintained by SIPO. Among them, 697,000 were patents for invention, accounting for 25.4% of the total; 1,121,000 of which were patents for utility model, representing 40.9% of the total; 922,000 of which were patents for industrial design, representing 33.7% of the total. Among the valid patents maintained by SIPO, 2,303,000 were owned by domestic right holders, amount to 84.1% of the total; 437,000 were from abroad, amount to 15.9% of the total. With regard to the valid patents for invention, 351,000 pieces or 50.4% were owned by domestic right holders, exceeding for the first time the total number by foreign owners in

China.

In 2011, China further promoted patent examination and approval. The examination and conclusion of patent by SIPO maintained a steady increase. There were 271, 202 patents for invention, 443, 676 patents for utility model, and 502, 828 patents for industrial design substantively examined, with a year-on-year increases of 14.3% , 14.6% , and 14.2% respectively. In the meantime, the pendency for patent examination was reduced steadily to 22.9 months for invention patents, 4.7 months for utility model patents, and 2.6 months for industrial design patents respectively.

In 2011, SIPO received a total number of 17, 473 international applications under PCT, a year-on-year increase of 35.3% . 66, 320 international applications entered into China's national phase, a year-on-year increase of 6.0% , including 65, 996 invention patent applications and 324 utility model patent applications.

In 2011, SIPO accepted 12, 946 requests for reexamination, a year-on-year increase of 4.7% . As many as 2, 749 requests for invalidation were accepted, a year-on-year increase of 14% . In 2011, SIPO accepted 1, 464 applications for registration of layout design of integrated circuits, and 1, 329 registrations were published and certificates issued.

There were 1, 416, 785 trademark applications in China in 2011, a year-on-year increase of 32.14% . That volume was twice of that in 2008, which made China

rank No. 1 in the world for ten consecutive years. SAIC successfully completed the examination of trademark registration in 2011 after thoroughly eliminating the sluggishness in trademark examination in 2010. A total number of 1, 205, 529 trademark registrations were examined with shortened examination duration of 10 months. 56, 829 applications for opposition were settled, a year-on-year increase of 75. 14% . By the end of 2011, there were 9, 712, 000 trademark applications, 6, 651, 000 registered trademarks and 5, 510, 000 valid registered trademarks in total in China, all ranking first in the world. In terms of geographical indication, SAIC registered and preexamined 341 applications for geographical indication in 2011, which made the total number of registration and preexamination reached 1, 381. In 2011, SAIC authenticated 3, 187 well-known trademarks for higher-level protection as well.

Chinese nationals filed 2, 053 applications of Madrid international registrations for trademarks, a year-on-year increase of 12. 8% . The registration volume exceeded 2, 000 pieces in total since China joined the Madrid in 1989 with an accumulative number of 13, 297 pieces which made China No. 7 in the world and No. 1 among developing countries. Foreign applicants filed 18, 724 applications of Madrid international registration for trademarks, a year-on-year increase of 16% . The accumulative number totaled 167, 025 which made China No. 7 for seven consecutive years.

In 2011, SAIC accepted 74,000 new applications for trademark review in total, a year-on-year increase of 2.7%. By the end of 2011, a total number of 35,043 cases involving trademark review were examined. Among them, 26,840 cases were rejected for retrial; 8,203 complex cases involved disputes. The examination was concluded within 18 months.

In 2011, NCAC regulated the works registration by studying and promulgating the *Notice on Further Regulating Relevant Affairs Related to Works Registration Procedure*, which regulated the nationwide registration of works in terms of acceptance, examination, registration, certificating, information collection, and stimulation policy. These measures significantly advanced the public service functions and development of copyright industry. The total registration volume of copyrighted software reached 109,300, a year-on-year increase of 33.4%.

In 2011, MOA and the State Forestry Administration (SFA) steadily promoted the protection of new varieties of plants. MOA accepted a total number of 1,045 applications for new varieties of plants, exceeding 1,000 pieces again; preexamined 1,179 applications for new varieties of plant rights and granted 180 ones. 213 new geographical indications for agricultural produce in total were published in 2011, adding the total number to 748. The MOA accepted 8,807 applications for new variety rights since it took charge of relevant application, granted 3,713 new varieties of plants, and tested 6,487 new varieties of plants. SFA accepted 139 ap-

plications for new forestry variety rights in 2011, a year-on-year increase of 56.2% . Also, 52 such applications were substantively examined and 15 batches of granted rights were published.

In 2011, the General Administration of Customs (GAC) examined and approved 3,532 applications for recordation of customs IPR protection by IP right holders, adding the total number to 24,000.

III. Enforcement

A. Special operation

The Chinese government launched a 9-month-long nationwide Special Operation against IPR Infringement and Counterfeits(Hereinafter referred to as the Special Operation) from October, 2010 to June, 2011.

The Chinese government gave high priority to the Special Operation. Premier Wen Jiabao attended and addressed the nationwide digital video conference for IPR protection and enforcement to deploy relevant tasks. He also wrote foreword for the online exhibition for achievements by the Special Operation. Vice Premier Wang Qishan, head of the national leading group for the Special Operation, chaired several plenums to discuss and deploy the key steps. Due to the elaborate arrangements and aggressive efforts by various regions and IP-related departments,

a large number of high-profile cases involving IPR infringements and manufacturing and sale of counterfeited goods were cracked. A huge number of criminals were punished. In the meantime, a wide range of publicity activities were also carried out. During the Special Operation, administrative enforcement authorities at all levels registered 156,000 cases involving 3,430,000,000 yuan and raided 9,135 businesses manufacturing or selling counterfeit commodities. The Special Operation effectively deterred the rampant IPR infringements and manufacturing and sale of counterfeit and shoddy goods.

The Special Operation responded to the IPR concern in China by the international community and enhanced the government's reputation. It also met the demand for China to develop an innovation-oriented country and enhanced international competitiveness. Basically, the Special Operation fulfilled the expectations.

During the Special Operation, as many as 167,000 person times of enforcement officials were dispatched, over 2,286,000 pieces of goods were checked, 2,572 patent cases were investigated into and settled in total, over 80,000 pieces of infringing goods were confiscated; 665 cross-department and 1,092 cross-region enforcement actions were launched. A sound market environment was effectively guaranteed.

During the Special Operation, administrations for industry and commerce (AICs) at all levels across China dispatched a total number of 3,978,000 person

times of enforcement officials, inspected 9, 226, 000 businesses and 802, 000 various markets like wholesale and retail markets and fairs. 4, 966 businesses manufacturing or selling counterfeit commodities were raided. 1, 745 business licenses were revoked. 90, 700 infringement or counterfeiting cases were investigated and settled, including 13, 800 cases involving infringements of well-known trademarks, 13, 200 case involving exclusive rights of international trademarks, 648 cases involving exclusive rights of geographical indication trademarks, and 757 cases were transferred to judicial organs.

The General Administration of Press and Publication (GAPP), NCAC, and the National Anti-piracy and Pornography Office (NAPO) gave high priority to key tasks like source administration, market regulation, crackdown on illegal websites, investigation and settlement of key cases. During the Special Operation, local administrations registered, investigated, and settled 3, 381 cases, transferred 179 cases to judicial organs for criminal investigation. 692, 560 person times of enforcement officials were dispatched to inspect 334, 920 publishing and duplicating businesses, wholesale markets for books, software, audio-video products, and logistics businesses. Also, 663 illegal business premises were raided and 6, 194 illegal stands were banned with seizure and confiscation of 13, 360, 000 pieces of pirated products.

To address the pressing issues relating to IPR protection in cultural market, Min-

istry of Culture (MOC) deployed and launched special IP protection operation targeting cultural market with focus on key sectors like infringing online game, web music and cartoons, electric games, key areas circling Bohai Sea, Changjiang River Delta, Pearl River Delta, performance, entertainment, and web culture, high-profile typical cases. During the operation, cultural administrations and cultural market enforcement authorities nationwide dispatched over 8, 220, 000 person times of enforcement officials, registered, investigated and settled 5, 532 IP cases involving 28, 571, 600 yuan. In addition, MOC closed down 314 illegal music websites, raided 951 workshops producing infringing and pirated products, confiscated over 9, 530, 000 pieces of articles.

SFA drafted implementation program of special operation against infringements of new varieties of forest plants in line with the national Special Operation. SFA called a digital video conference to ensure the success of the special operation. SFA supervised the safeguarding and enforcement of new varieties rights of Beauty Elm and Red Poplar by forestry administrations in Hebei province and Henan province, which effectively deterred the rampant infringement of new varieties of forest plants.

During the Special Operation, China Customs inspected 12, 205 batches of infringing cargo and detained over 76, 150, 000 pieces of infringing articles in imports and exports, which effectively combated the infringements.

Public security authorities nationwide launched the Operation “Strike of the Sword” against IPR infringements and manufacturing and sale of fake and shoddy products. During the Operation, public security authorities nationwide uncovered 43,550 cases involving IPR infringements and production of shoddy goods worth 24,150,000,000 yuan or over 500,000,000,000 yuan in the value of genuine goods. Also, public security authorities seized and arrested 54,658 and 19,131 suspects respectively, and wiped out 7,731 wholesale gangs engaged in selling infringing and counterfeiting goods. The statistics were 10 times that in counterpart periods of previous years.

During the Special Operation, the procuratorate organs nationwide accepted 4,006 arrest approval applications relating to IPR infringement and counterfeits with 7,307 suspects involved in, prosecuted 2,986 cases involving 5,740 suspects. Among them, arrest approval applications of 2,374 cases involving 4,103 suspects were approved for IPR infringement, year-on-year increases of 108.4% and 121.3% respectively. 1,712 cases involving 3,093 suspects were prosecuted for infringing IPR, year-on-year increases of 36.3% and 42.8% respectively. Procuratorate organs nationwide advised 1,197 suspects in 1,627 cases relating to IPR infringement and manufacturing and sale of counterfeited and shoddy goods transferred from administrative authorities for examination and prosecution. Also, procuratorate organs supervised the registration of 86 cases involving 111 suspects

relating to IPR infringement by the public security authorities and designated 6 batches of 205 key cases for special supervision. Among such cases, arrest applications for 88 cases involving 218 suspects relating to IPR infringement were approved and 65 cases involving 173 suspects were prosecuted.

B. Regular enforcement

In 2011, IP-related departments strengthened regular enforcement with remarkable strength and effectiveness.

SIPO published a host of documents, like the *Decision on Strengthening Patent Administrative Enforcement*, formulated *Guidelines on Patent Administrative Enforcement*, and the *Registration Form for Patent Administrative Enforcement* to effectively advance and regulate the nationwide patent enforcement. In 2011, nationwide IP offices settled 3, 017 patent cases, a year-on-year increase of 65. 5% ; settled 1, 110 cases involving patent infringements on exhibitions. 175, 432 person times of enforcement officials were dispatched to inspect business premises 12, 346 times and 2, 507, 859 pieces of goods. Furthermore, in 2011, nationwide IP offices transferred 7 cases to public security authorities, accepted 14 cases transferred from other departments, launched 623 cross-department and 875 cross-region enforcement actions.

In 2011, AICs at all levels across China investigated and dealt with 79, 021 cases of trademark violations, a year-on-year increase of 41. 02% . Among them,

10,185 were general violations of trademark, and 68,836 were related to trademark infringement and counterfeiting. Among the cases involving trademark violation, 17,022 foreign-related trademark cases were investigated and handled. 11,802,249 illegal trademark labels were seized and removed. 415 suspects in 421 cases were transferred to judicial authorities for suspected trademark criminal violations.

In collaboration with the Ministry of Public Security (MPS) and the Ministry of Industry and Information Technology (MIIT), NCAC launched the 6th and 7th Swordnet Operation for cracking down on the online infringement and piracy. During the operation, local relevant authorities registered, investigated and settled 1,148 cases involving IPR infringement and piracy, among which 466 cases were subject to administrative punishment and 36 cases were transferred to judicial organs for criminal punishment. In addition, NCAC intensified proactive supervision on online copyright of 18 most popular video websites, like SINA and YOUKU to effectively regulate the copyright operation among these websites. Also, NCAC made stage achievements in promoting the application of legal software, from central government to local governments, from governmental agencies to public institutions and state-owned enterprises. The inspection and regulation of application of legal software among 135 agencies under Central Committee of the Communist Party of China and the State Council were completed before the end of May,

2011. Relevant work was also being carried out in local governments progressively. Application of legal software in enterprises was also spread broadly. The headquarters of all state-owned key enterprises and most of second-and third-class affiliated enterprises as well as large-scale banks and insurance corporations had already applied legal software. Key industries such as coal mining, tourist hotels, Internet Cafés, and survey and design institutions also made breakthrough in application of legal software.

MOC issued quarterly key enforcement tasks and notice on general enforcements to guide local cultural administrations and general enforcement agencies for cultural market to launch regular enforcement and severely punish infringements and piracy in cultural business. To address the pressing issues in cultural markets like online music and games, MOC published 9 batches of blacklists involving illegal online cultural products and illegal cultural websites to further intensify the enforcement for online cultural market and protect online cultural IPR. According to statistics, cultural administrations nationwide and cultural market enforcement agencies for cultural market dispatched over 12, 251, 000 person times of enforcement officials in 2011, up 50. 4% compared with that in 2010. These administrations and agencies inspected over 7, 419, 000 businesses on cultural market, ordered the regulation of over 208, 000 businesses, accepted over 48, 500 pieces of complaints and reports, registered and investigated over 63, 700 cases, transferred over 3, 504

cases, concluded 57,000 cases, warned over 102,000 business times, imposed over 191,000,000 yuan in fine, confiscated illegal incomes valued at more than 4,109,000 yuan, closed down over 17,500 businesses for regulation, revoked 376 licenses.

In 2011, MOA intensified IPR protection in agriculture via strengthened source regulation. MOA conducted the supervision on seed production license after the release to focus on the inspection of granting license without right holders' consent. Accordingly, over 470 such licenses were revoked and withdrawn. In addition, agricultural administrations launched comprehensive inspection on markets. 38,000 batches of seed samples were collected, over 450 businesses involved in infringement and counterfeiting were spotted, among which over 300 businesses were informed and warned for their misconducts. 19 business licenses were revoked. MOA, in the meantime, severely punished the cases involving variety right infringements. According to incomplete statistics, MOA investigated and settled 123 such cases in total in 2011, involving 2,000,000 kilograms of infringing or fake seeds valued at more than 30,000,000 yuan, and disclosed over 20 businesses which produced and sold infringing and fake seeds. To combat the rampant production and sale of infringing and fake seeds, MOA delivered comprehensive identification service for genuine variety rights and strengthened the whole-process supervision on seed industry in line with the principles of "synchro inspection and

crackdown and localized administration” to protect new variety of plant rights and maintain a fair and orderly environment for seed industry.

In 2011, China Customs gave full play to supervision and administration on imports and exports, inspected and settled IP infringements activities actively. According to incomplete statistics, China Customs detained over 18,000 batches of cargoes suspicious of infringement, involving 103,000,000 pieces of goods in the whole year.

C. Judicial IPR Protection

The year 2011 witnessed the intensification of judicial IPR protection and the role of judicial protection for IPRS had been further strengthened.

People’s courts nationwide tried IP-related cases lawfully, fairly, and effectively and public confidence in the judicial protection of IPR were further enhanced. The central role of civil trial in judicial protection of IPR was further extended. In 2011, people’s courts nationwide received 59,882 first-instance IPR civil cases and concluded 58,201 ones, year-on-year increases of 39.48% and 39.51% respectively. Among them, there were 7,819 patent cases, a year-on-year increase of 35.16% ; 12,991 trademark cases, a year-on-year increase of 53.56% ; 35,185 copyright cases, a year-on-year increase of 42.34% ; 557 technology contract cases, a year-on-year decrease of 16.87% ; 1,137 unfair competition cases (including 18 first-instance monopoly civil cases), a year-on-year increase of 0.53% ;

2, 193 other types of IPR cases, a year-on-year increase of 11.55% . The courts concluded 1, 321 first-instance IPR civil cases involving foreign parties, a year-on-year decrease of 3.51% ; 635 first-instance IPR civil cases involving parties from Hong Kong, Macao and Taiwan, a year-on-year increase of 128.42% . People's courts nationwide received and concluded 7, 642 and 7, 659 second-instance IPR civil cases (including those from previous years), year-on-year increases of 17.17% and 18.18% respectively; received and concluded 294 and 224 retrial cases, year-on-year increase of 164.86% and 105.50% respectively. Mediation of IPR lawsuits was further systemized and regulated. The average withdrawing rate of first-instance IPR civil cases through mediation reached 71.32% , a year-on-year increase of 4.56% .

IPR administrative trial further exerted its supervision and support on administrative enforcement. People's courts nationwide received and concluded 2, 433 and 2, 470 first-instance IPR administrative cases (including those from previous years). Among them, 986 concluded cases involved foreign parties, and 251 cases involved parties from Hong Kong, Macao and Taiwan. In 2011, people's courts nationwide received and concluded 1, 333 and 1, 266 second-instance IPR administrative cases, received and concluded 3 retrial and 1 IPR retrial administrative cases respectively.

IPR criminal protection was further strengthened and IPR criminal trial effective

punished and deterred IPR crimes. People's courts nationwide concluded 5,504 first-instance IPR criminal cases, a year-on-year increase of 39.62% ; concluded 166 second-instance IPR criminal cases. Among the cases concluded, 7,950 criminals were sentenced and 7,892 were treated with criminal punishment.

Procuratorate organs nationwide seriously fulfilled the functions of judicial supervision like approval of arrest and prosecution and focused on the fight against IPR criminal violations.

In terms of examination and approval of arrest, the procuratorate organs nationwide accepted 4,370 arrest approval applications relating to IPR criminal cases with 7,806 suspects involved in, year-on-year increases of 131.6% and 131.8% respectively. After examination, 5,952 suspects in 3,532 cases were approved for arrest, year-on-year increases of 127.8% and 125.5% respectively. Among them, 1,101 cases or 31.2% involved trademark counterfeiting, a year-on-year increase of 3.5% ; 363 cases or 10.3% involved copyright infringement, a year-on-year increase of 7.3% ; and 5 cases or 0.14% involved patent infringement, breaking up nought.

In terms of examination and prosecution of IP infringement crime cases, procuratorate organs nationwide accepted 11,147 suspects in 5,690 IPR cases transferred from public security authorities, year-on-year increases of 170.4% and 157.8% respectively. After examination, 6,870 suspects in 3,786 IPR cases were prosecu-

ted, year-on-year increases of 124.1% and 123.1% respectively. Among them, 1,166 cases or 30.8% involved trademark counterfeiting, a year-on-year decrease of 3.8%; 610 cases or 16.1% involved copyright infringement, a year-on-year increase of 12.1%; 5 cases or 0.1% involved patent counterfeiting, a year-on-year increase of 0.04%.

For supervision on registration of criminal cases, procuratorate organs nationwide accepted unregistered 41 pieces of clues relating to IPR infringement which should be registered by public security authorities, a year-on-year increase of 86.4%. After examination, 32 registrations by public security authorities were supervised. Among them, 14 cases or 43.8% involved trademark counterfeiting, a year-on-year decrease of 24.1%; 3 cases or 9.4% involved copyright infringement, breaking up nought.

IV. Construction of Mechanism and Capability

In 2011, IP-related departments in China stepped up capability construction by exploring fresh service and innovating working approach. The long-term mechanism for IPR protection in China was further improved.

To transform the economic development model, adjust economic structure, realize scientific development, strengthen the development of an innovation-oriented

country, and enhance the competitiveness in the world, Chinese government decided to establish a long-term mechanism for fight against IPR infringements and counterfeits. In November 2011, the State Council issued the *Opinions on Furthering the Crackdown on IPR Infringements and Counterfeits by the State Council* (Hereinafter referred to shortly as the *Opinions*) after the conclusion of the Special Operation. As the guiding document for fight against IPR infringements and counterfeits, the *Opinions* specified 12 measures in 4 aspects for various regions and IP-related departments to advance tasks and fulfill obligations. Meanwhile, a national leading group composed of 29 member units for fighting against IPR infringements and counterfeits headed by Vice Premier Wang Qishan was established, with office in the Ministry of Commerce for daily operation. Under the assignment of the national leading group, the member units closely collaborated to implement the requirements by the *Opinions* for intensified fight against IPR infringements and counterfeits.

Giving full play to organizing and coordinating functions, SIPO, jointly with 28 member agencies under the trans-ministerial joint meeting mechanism for implementing the national intellectual property strategy, issued *China's Action Plan on Intellectual Property Protection* for three consecutive years. To strengthen the communication with IPR owners, SIPO held IP Protection Symposium of Foreign Investment Institutions for four consecutive years and IP Protection Symposium of

Domestic and Hong Kong-funded, Macau-funded, and Taiwan-funded Enterprises. To constantly consolidate trans-provincial patent enforcement mechanisms in Zhujiang River Delta, Changjiang River Delta, and those neighbouring Bohai Sea as well as 16 provinces (municipalities) in middle China, 12 provinces (municipalities) in western China, three provinces in the north-eastern China, and Guangdong-Chongqing, SIPO and MPS jointly published *Notice on Developing Cooperation Mechanism to Strengthen IPR Protection*. In addition, the SIPO formulated and published the *12th Five-year Plan on National Intellectual Property Development* to introduce the development program for IPR enforcement capability in collaboration with 9 central departments including the National Development and Reform Commission (NDRC), and the Ministry of Science and Technology (MST), strengthen IPR protection and administration mechanism, and constantly promote the development of integrated IPR protection system.

By the end of 2011, SIPO along with 12 provincial governments established cooperation and consultation system on IP affairs. A total number of 55 local IP offices were included in the “5 · 26” patent administrative law enforcement promotion project and 38 judicial agencies, research institutes, and legal service agencies were listed as the key national liaison objects for patent protection. A nationwide network for IP protection, assistance, reporting and complaining is being developed with the establishment of 75 IPR protection and assistance centers. The influ-

ence of IPR assistance service telephone hotline “12330” was gradually spreading.

To enhance the quality and effectiveness of trademark examination and review, SAIC constantly innovated working mechanisms involving new trademark examination and case trial and improved trademark examination, disagreement, and review procedures; issued the *Evaluation Measures on Demonstration Enterprise for National Trademark Strategy Implementation* and the *Evaluation Measures on Demonstration City (Region) for National Trademark Strategy Implementation* to further promote the implementation demonstration of national trademark strategy.

NCAC strengthened the construction of mechanisms and capabilities. During the Special Operation, NCAC intensified the linkage mechanism between administrative, criminal, and judicial protection of IPR to effectively launch criminal punishment on infringement and piracy. To ensure the timely and effective flow, reporting and dissemination of information, NCAC established close information exchange channel with provinces. To enhance the enforcement capabilities, NCAC held 4 training sessions on copyright enforcement in Ningxia, Henan, Tianjin, and Beijing to educate copyright enforcement officials from provincial, municipal, and county governments as well as officials from public security authorities, and procuratorate organs of 31 provinces (autonomous regions, municipalities). On application of legal software, NCAC drafted the *Ordinance on Application of Legal Software in Government* to promote the long-term mechanism.

Online cultural business featured in intensive technologies, rapid flow of information, wide influence, and defiance of location. Accordingly, MOC issued *Notice on Establishing Enforcement Cooperation Mechanism for Online Cultural Market by Ministry of Culture* to integrate enforcement resources, strengthen market supervision, and to innovate on enforcement mechanism for online cultural market. To supervise online cultural market regularly, integrate enforcement, take charge of regular supervision, enforcement cooperation, and deal with emergencies, MOC selected many local online cultural market enforcement officials to establish Enforcement Cooperation Group. To enhance online enforcement exchange and cooperation of different regions and officials, MOC designated 24 key cases in two batches for supervision and 13 enforcement agencies with Beijing Cultural Law Enforcement Agency and Shanghai Cultural Law Enforcement Agency as the heading agencies as well as online cultural market enforcement cooperation groups and backbone enforcement officials to focus on the settlement of these cases.

To enhance the construction of mechanism and capabilities, MOA improved the technological systems like enforcement and authentication. It organized the research on standards of DNA map identification by fingerprint of 8 major main crops, like wheat and soybean. It guided some variety testing institutions and agricultural research institutions to apply for the qualification authentication of judicial and quality identification. MOA included new provincial geographical indication a-

gencies of agricultural produces in Qingdao and Hainan for marine fishing industry, adding the total number to 55. It also commissioned 3 new quality authentication and testing agencies for geographical indication of agricultural products, adding the total number of such agencies to 93; established construction program like technology supporting system for new varieties of agricultural produces. To develop social force in fighting against infringement and counterfeit, MOA set up Seed Industry Intellectual Property Alliance and published *Declaration on Self-regulation and Rights Protection by Seed Industry Intellectual Property Alliance*; conducted research on technological specifications for geographical indication of agricultural products, quality supervision, supervision tracing, international cooperation and mutual recognition, development status quo and mechanism.

To strengthen basic work in intellectual property in forestry, SFA operated the China Forestry IP Website, published *Annual Report on Forestry Intellectual Report 2010*, studied and formulated *12th Five-year Development Plan of Forestry Intellectual Property (Draft for Comment)*, improved basic database of forestry intellectual property, launched the development of information platform of forestry intellectual property and pre-warning mechanism.

In closer collaboration with public security authorities, administrations of commerce and industry, quality supervision agencies, commerce departments, and IP offices in enforcement cooperation, China Customs stepped up fight against IPR

violations in particular strengthened teamwork with public security authorities. China Customs transferred timely information to public security authorities when spotting clues of key cases. Customs districts in Shanghai, Guangzhou, Ningbo, Shantou strengthened communication with local IP-related departments by establishing cooperation mechanism with public security organs, administrations of commerce and industry, and people's courts to fight against IPR infringements collectively. Customs districts in Hangzhou, Xiamen, Nanjing, Beijing, and Chongqing collaborated in information sharing, case reporting, and case clues transfer with local public security authorities, people's courts and administrations of commerce and industry.

Along with application of innovative techniques in IPR protection, MPS made remarkable achievements in strengthening the development of long-term mechanism; took proactive measures and mainly targeted key cases and thorough crackdown via scientific techniques and information technology; unfolded a new model of cracking cases in focused fight. To enhance the organization, MPS strengthened the functions of ministerial and provincial authorities and applied grassroots commanding, which significantly promoted the effectiveness. To enhance the enforcement capacity and regulation, MPS issued the 16 *Techniques in Fight against Infringement Crimes* to local authorities; held or assisted the training classes, and conducted special study to enhance enforcement capabilities and regulation level.

In collaboration with SPC and SPP, MPS formulated the *Opinions on Several Issues Concerning the Applicable Law in the Handling of Intellectual Property Criminal Cases* to resolve the thorny issues in IPR enforcement, like case jurisdiction and identification of character. To address the identification of trademark and authentication of crime of manufacturing fake medicine, MPS consulted with SAIC and the State Food and Drug Administration (SFDA) for professional opinions on legal issues. In collaboration with the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ), SAIC, SFDA, MPS established new cooperation mechanism featuring in timely exchange of crime clues and mutual supply of professional opinions, which facilitated the working framework linking administrative and criminal enforcement characterized by “information sharing and mutual supplement of advantages”.

SPC insisted on the reform and innovation in IPR trials and promoted the development of more rational IPR trial system and working mechanism. The pilot work of unifying the trial of IP civil, administrative and criminal cases under the IP tribunals was further carried out. The jurisdiction over IPR cases in grassroots and intermediary courts were further optimized. By the end of 2011, there were 5 high people’s courts, 50 intermediary people’s courts, and 52 grassroots people’s courts carrying out relevant pilot works. In 2011, the trial resource layout among people’s courts nationwide was further optimized. SPC designated the number of

grassroots courts in charge of general IP case, encouraged intermediate and basic-level people's courts to conduct cross-regional centralized jurisdiction, commissioned a number of grassroots people's court in charge of some patent cases to enhance a balanced and rational jurisdiction system IPR cases. By the end of December, 2011, the number of intermediate courts with jurisdiction over the authorization and ownership determination on patent, new varieties of plants, layout designs of integrated circuits, well-known trademarks, and general IPR cases had reached 82, 45, 46, 43, and 119 respectively as well as 3 experimental grassroots people's courts in charge of disputes involving utility model and industrial design. Innovate and develop dispute settlement mechanism linking litigation and non-litigation. IP tribunal under the SPC signed the *Memorandum on Mediation Mechanism for IPR Disputes* with the Internet Society of China to tap into the mediation function by industry society for more dispute settlement channels for parties.

SPP actively promoted the mechanism construction in line with the Special Operation. SPP issued the implementing measures to promote the “linkage system between administrative and criminal enforcement” after the General Office of Central Committee of Communist Party of China and the General Office of the State Council transmitted the *Opinions on Strengthening the Linkage between Administrative and Criminal Enforcement* drafted by the Legislative Affairs of the State Council. The “network linking and information sharing” mechanism driven by procuratorate

organs was rapidly developed and played important role in the Special Operation.

V. Publicity

To further optimize IPR protection environment, IP-related departments in China constructed multi-dimension publicity network to elaborately organize various publicity activities in line with own key tasks and time nodes in 2011.

The office under the national leading group of the Special Operation set up a two-way liaison mechanism with media and enforcement authorities. In collaboration with the Publicity Department of the CPC Central Committee and the State Council Information Office, the office opened special column and pages, published feature articles, held regular press conference, media communication meetings to cover the progress and achievements of the Special Operation, which significantly deterred criminals and propelled work. During the Special Operation, mainstream media published over 23,000 pieces of news items. To publicize the achievements by the Special Operation and enhance the IP awareness of the general public, the office of the national leading group organized member departments to launch the online exhibition of the Special Operation after its conclusion. As the innovative publicity activity, the exhibition presented a convenient platform which demonstrated all-around and objective achievements by the Special Operation via

Internet and facilitated the public participation. In the meantime, the online exhibition enhanced the IP awareness of the general public by means of online interview and discussion and comments by web users as well as interpretation of the Speciation Operation, reply for questions from visitors, and education programs for identifying counterfeits and prevention from frauds. The online exhibition also played a bigger role in delivering warning and education for infringements and counterfeits warning as well as establishing an effective platform for strengthened IP protection.

Centering on key development programs in economic and social development and focusing on disseminating the implementation of National IP Strategy, SIPO elaborately organized the “2011 National IP Publicity Week” themed in “IP drives economic transformation” in collaboration with 25 ministries and commissions including the Central Publicity Department. During the Week, related departments launched startup ceremony, held up press conferences, organized high-level forum, published *China’s Intellectual Property Protection in 2010*, held training class, lecture, and consultation, conducted public survey, shot free TV commercial. The concentrated publicity achieved sound publicity result and feedback.

In collaboration with SAIC and NCAC, SIPO organized the National Selection of Influential Events and Figures in IPR Protection to spread the influence of IPR protection. To organize and celebrate the 3rd anniversary of the implementation of

the National IP Strategy, the 5th China Patent Week, the 13th China Patent Awards Ceremony and other important events, SIPO organized special publicity activities. SIPO held 6 press conferences as well as thousands of report conferences and training classes and disseminated nearly 100,000 pieces of publicity brochures. According to incomplete statistics, free TV commercial for 12330, a hotline established for IPR reporting, complaints and assistance, was broadcast over 60,000 times. Official website of SIPO selected, compiled, and published over 19,000 pieces of news, among which 85% was republished by mainstream media from home and abroad.

SAIC elaborately organized publicity activities during the “2011 National IP Publicity Week”, during which SAIC published the *Annual Development Report on China’s Trademark Strategy 2010* (in Chinese and English version), participated in the startup ceremony of the “2011 National IP Publicity Week” and the press conference on the publication of *China’s Intellectual Property Protection in 2010*; conducted the selection of candidate for China Trademark Awards with WIPO to award the excellent agencies and figures for trademark registration, utilization, protection, and administration; held press conference on achievements by AICs nationwide in the Special Operation; commissioned special columns on newspaper, held article-soliciting activity to create favorable public opinion climate and sound social environment; held contest on trademark, cultural festival on geographical

indication, and production of special TV program to make wide-spread propaganda and enhance the public consciousness of geographical indication.

Centering on the “2011 National IP Publicity Week” and the 20th anniversary of the implementation of *Copyright Law*, GAPP, NCAC, NAPO, and CCTV kicked off the “Green Bookmark Campaign 2011—Say No To Piracy, Starts From Me” and other publicity activities. In collaboration with Legal Channel of CCTV, NCAC filmed 5 special programs for copyright protection named as Frontline to explain hot copyright issues and spread knowledge in copyright protection; successfully held the 3rd Award Ceremony on National College Students Writing Contest on Copyright and Ceremony on Donating Copyright Bodyguard. Copyright administrations in Yunnan and Jiangxi held a series of publicity activities like knowledge contest on copyright and signing ceremony on copyright protection in campus to create sound environment of public opinion for respect for knowledge, working, creation, and copyright. NCAC also rewarded 137 local administrations and 122 officials in cracking and settling infringement and piracy cases in 2011 and published top 10 copyright infringement cases like Qishi Music in Anhui province to enhance the enforcement enthusiasm of local administrations.

MOC strengthened the publicity on legal system and improved “12318” system—a reporting and supervision system. It issued the *Notice on Launching Publicity on Legal System of Cultural Market by the General Office of Ministry of Culture* to

conduct relevant publicity activities nationwide in February, 2011. On 18 March, local cultural administrations and cultural market enforcement agencies launched the publicity programs for legal system of cultural market with focus on the “12318” system by virtue of newspaper, broadcasting, TV, and Internet.

MOA invited CCTV-1, CCTV-7, *People’s Daily*, *Farmer’s Daily*, and Xinhua News Agency to report the national field meeting on fighting against infringing variety rights of plants and fake seeds and publicized the IPR protection in agriculture. MOA published *Open Letter to Owners of Variety Rights* and *Open Letter to Seed Producers and Dealers* on *Farmer’s Daily*, *Science and Technology Daily* to spread knowledge of variety rights. To mark the 50th anniversary of International Union for the Protection of New Varieties of Plants, MOA compiled and published the *Protection of New Varieties of Plants in China*. It actively participated in the 2011 China Agricultural Trade Fair and China Green Food Exhibition organized the issuance and dissemination of geographical indication of agricultural products in Beijing, Gansu, and Liaoning to spread the fame and influence of geographical indication of agricultural produces. MOA participated in the 18th China Yangling Agricultural Hi-Tech Fair and held a series of activities like special demonstration on protection of new variety of plants, information conference on new variety of plants, signing ceremony on transfer of variety rights, and consultation by examiners from the Office for the Protection of New Varieties of Plants under Ministry of

Agriculture. Nearly 10,000 replies and consultation were delivered and over 30,000 pieces of information sheets on protection of new variety of plants were provided.

In line with the “2011 National IP Publicity Week”, SFA strengthened the publicities. It held high-level forum on forest IP themed in “IP and modern forestry” and achievement demonstration themed in “strengthen IP to sustain modern forestry development”, which was published on a special column in *China Green Times*. On the Conference on Protection of New Varieties of Plants in Zhejiang Province jointly held by the Office for the Protection of New Varieties of Plants of Zhejiang province, SFA introduced achievements in and procedures for protection of new varieties of forest plants. It sent experts to deliver special lectures on protection of new varieties of plants, IP information platform and pre-warning system on the training workshop on protection and management of forestry IP by Jiangxi Forestry Administration, which significantly enhanced awareness of IPR protection. SFA published and sent the brochure of forestry IPR protection to forestry administration and pilot unit of forestry IP.

In 2011, China Customs strengthened IPR publicity via multiple channels, such as Internet, newspaper and periodicals, and TV programs, which publicized the achievements and resolve in fight against IPR infringements as well as developed an influential publicity climate.

To enhance publicity effectiveness, GAC held online press conference to demonstrate the role by China Customs during the Special Operation. On the Summit Forum on International Development Strategy of China's Outstanding Indigenous Brands, GAC presented the measures and achievements in the protection of indigenous IP by China Customs. Also, GAC participated in the online interview and discussion on IPR protection by China Customs at [www. people. com. cn](http://www.people.com.cn). In addition, GAC exchanged IPR protection by China Customs and the achievements when receiving the Commissioner of German Customs Authority, the United States ambassador to China, Deputy Assistant Secretary of the United States Department of Commerce, representatives from Her Majesty's Revenue and Customs and UK IP Office, new Korean ambassador to China, and counselor in charge of customs affairs from French embassy to China. The fruits in IPR protection by China Customs won the understanding and high praise and the only "Best Government Agency in Anti-Counterfeiting Award" by Global Anti-Counterfeiting Organization.

MPS launched various publicity and education programs. Firstly, special featured activities on publicity were vigorously carried out. MPS launched deep and wide-spread publicity via special TV program, special interview, special column on newspaper, news items from Xinhua News Agency, and special column on Tencent. Secondly, infringement and shoddy goods were collected and destroyed. On the "Economic Investigation Publicity Day" of May 15 and November 6, MPS or-

ganized two massive destructions in nearly 200 cities nationwide, with devastation of over 31,200,000 pieces of fake or shoddy goods. CCTV conducted live broadcasting and various media delivered constant reporting on the destruction, which gained wide-spread social feedback. Thirdly, exhibition of achievements of the Special Operation was held. MPS actively participated in the online achievements demonstration of the Special Operation. The achievements by the Operation Strike of the Sword were visited by 25% of total online visitors. Fourthly, the progress and key cases of the Operation Strike of the Sword were published in time. MPS held 4 press conferences and published 10 typical cases in the Operation Strike of the Sword and the crackdown of case involving production and sale of fake medicines on 20, July. Home and international communities paid great attention to these achievements.

SPC made elaborate arrangements for the National IP Publicity Week to strengthen publicity on IPR judicial protection. SPC organized the publicity tour to Jiangsu participated by the central media to fully display the achievements of IPR judicial protection by local courts. To promote the openness in justice, SPC published the white paper *Intellectual Property Protection by Chinese Courts in 2010* (in both Chinese and English), held national workshop on judicial openness, launching training program for liaison officials engaged in publishing judgments and decisions online, operated the upgraded the [www. IPR. chinacourt. gov. cn](http://www.IPR.chinacourt.gov.cn),

published the *Annual Report on IP Cases by the Supreme People's Court (2010)*, released the introduction of 10 most influential cases and 50 typical cases in judicial IPR protection in China in 2010. To correspond to the call for openness in IPR judicial protection, local high people's courts in Tianjin, Chongqing, and Shandong published annual white papers or blue papers on IPR judicial protection or top 10 typical cases. High people's court in Guangxi established the guiding system for typical cases.

VI. Education and Training

In 2011, IP education and training work was further promoted with remarkable achievements in talents development.

SIPO took the lead to implement the “execute IPR protection policy”—one of the ten key policies in the *National Program for Medium- and Long-term Talent Development Program*, formulated a host of policies and measures, like *Opinions on Further Strengthening the Legal Rights of Owner of Service Invention and Promoting IP Utilization and Implementation* (draft revised for discussion). SIPO promulgated the task division, annual working schedule, and interpretations of the 12th *Five-Year Plan for IP Talents*. It formulated implementation programs for the project like *Implementation Plan for High-level Training Candidates of Hundred*

and Thousands of IP Talents Project 2011-2015 and *Opinions on Strengthening IP Talents Work*, and *Key Tasks of IP Talents Work 2011* to strengthen the macro guidance on IP talents work. According to the *Implementation Plan for National IP Talent Pool and Talent Information Web Platform (trial implementation)*, SIPO selected the first batch of 203 IP experts for expert database. In addition, SIPO approved 3 new national IP training centers.

In 2011, IP offices nationwide organized over 3,000 training sessions with over 500,000 participants. Among, SIPO commissioned over 100 training sessions with over 10,000 participants, including 25 international training sessions, training program for teachers engaged in international class, workshops, and lectures with a total number of 1,900 person times, a year-on-year increase of 60%.

SAIC held successively training sessions for demonstration enterprises of national trademark strategy implementation in Harbin and for demonstration city (region) for national trademark strategy implementation in Dalian to support and service the development of the enterprises and city (region); held publicity activities concerning Xijiang trademark strategy Urumqi, Yili Kazakh Autonomous Prefecture, and Ba Yin Guo Le of Mongolia Autonomous Prefecture with over 1,400 participants; actively launched training on Madrid international registration for trademarks to deliver service for Chinese enterprises doing business overseas.

NCAC delivered multi-layered training program on copyright. To guide the

proper publicity orientation, NCAC held workshops for reporters and journalists to exchange views on some hot copyright issues. To regulate the operation by copyright managers and agents, NCAC organized publicity and study program for key copyright managers and agents to prepare necessary basic data for the inclusion of them into the national profession classification and the development of corresponding management system. NCAC organized the Beijing 2011 BIBF International Copyright Trade Seminar under the theme of “copyright trade in digital era” to deliver policy guidance, analysis, and interpretation on copyright practice relating to copyright trade for copyright managers and publishing houses.

MOA intensified training on IPR protection in agriculture. It held national training sessions for experience exchange and examiners of geographical indication of agricultural produces as well as training session on general capacity development relating to geographical indication of agricultural products. In collaboration with Ningxia, Dalian, Shandong, Heilongjiang, Tianjin, Xinjiang, and Yunnan, MOA held training sessions for examiners of geographical indication of agricultural products. There were 742 newly registered examiners and a total number of 3,571 examiners who received relevant training. MOA held 4 national training sessions on new varieties of agricultural produces in Gansu, Tibet, Shaanxi, and Sichuan for over 800 trainees from seed administrations, research institutions, and seed businesses.

SFA constantly promoted the IPR protection in forestry. It organized training session for forestry IPR protection and management , involving IP legal system, status quo of forestry IPR protection and management, the *12th Five-year Plan of Forestry IPR*, new varieties of plants, patent application, examination and approval procedures, the development of information platform of forestry IPR and pre-warning system. SFA also organized two training sessions on testing technology for new varieties of forestry plants for over 120 relevant professionals.

China Customs strengthened training to enhance the enforcement capability of frontline officials. In 2011, China Customs held over 100 IP-related training sessions with over 5,000 person times. The training programs enhanced the IP consciousness of frontline officials and enforcement capability of inspecting and settling infringing goods.

SPC constantly strengthened the local IPR trials and training of IPR judges, innovated guidance on local people's courts. In collaboration with high people's courts, SPC held various training sessions and exchange local judges in charge of IP cases to higher courts or counterpart courts to enhance their trial capability. It set up research centers of IPR judicial protection in Peking University, Renmin University, East China University of Political Science and Law, Southwest University of Political Science and Law, and Shenzhen University to strengthen the local IPR trial and groundwork. Based on the research and study center of IPR judicial protection in

Suzhou, SPC also established another 4 new centers in Qingdao, Shenzhen, Changsha, and Chengdu. People's courts in Chaoyang district of Beijing, Pudong district of Shanghai, Huqiu district of Suzhou in Jiangsu, Yiwu of Zhejiang, Jiangan district of Wuhan of Hubei were designated as the demonstration courts for IPR trial.

VII. International Cooperation

In 2011, China's international cooperation in IP field was further deepened and expanded, thus increasing China's international status and influence in this field.

SIPO continued to give a full play to its function of comprehensively coordinating foreign-related IP affairs by actively organizing related departments to engage in international IP affairs, thoroughly participating in the discussion by the World Intellectual Property Organization (WIPO). SIPO also deepened the cooperation with various IP agencies and organizations with higher-level exchange and expanded multilateral cooperation with more participants and more concrete content. SIPO also participated in the important international conference like the 49th Assembly of Member State of WIPO and the 18th International PCT Meeting; held WIPO Regional Symposium on National Intellectual Property Strategies and received the official visit to China by Direct General Francis Gurry of WIPO, and realized the inclusion of Chinese patent literature into minimum documentation under *Patent Cooperation Treaty*

(PCT); jointly held the 7th China-Mongolia Joint Conference on Intellectual Property Strategy, UK-China IP Conference, and China-Africa IP Conference; held bilateral or multi-lateral talks with commissioner-level representatives from Japan, Germany, France, UK, Korea, and EU, etc; signed understanding memorandum with Poland, Cambodia, Egypt, Spain, Kyrgyzstan, and Gulf Cooperation Council.

SAIC carried out a series of bilateral and multilateral exchange and cooperation programs in the trademark field by dispatching representatives to multilateral meetings of the WIPO, WTO and APEC; strengthened the exchange and cooperation with trademark administrations and organizations in U. S. , EU, UK, Japan, North Korea, and Mongolia. In the meantime, SAIC actively sent representatives to various IP training programs by international organizations like WTO.

NCAC constantly strengthened the cooperation and settlement under multi-lateral system. It succeed in applying for hosting Diplomatic Conference on the Protection of Audiovisual Performances under WIPO; actively participated in relevant work concerning folk arts, development agenda, standing copyright meeting; conducted research on copyright protection of porcelain made in Dehua to promote the development of porcelain industry in deep collaboration with WIPO; held Seminar on Copyright Management and Enforcement in Digital Era; actively conduct IP dialogues in China-US Joint Commission on Commerce and Trade, China - U. S.

Strategic and Economic Dialogue, and Sino-EU IP dialogue to implement the relevant work in strategic memorandum on copyright cooperation with U. S. , UK, and Japan; actively participated in negotiations on free trade zone with Switzerland and Costa Rica as well as the work by IP working groups under Sino-Brazil Economic and Trade Committee and Sino-Russia Economic and Trade Committee; strengthened the copyright cooperation with ASEAN countries; seriously settle the copyright affairs under WTO and APEC to safeguard China's interests.

MOA sent representatives to the meetings and activities by the UPOV and the East Asia Forum of Protection of New Varieties of Plants; organized Sino-Netherlands training program on testing technology for the protection of new varieties of plants; organized the 4th China-Korea working group meeting and signed memorandum on further cooperation; unfolded joint training program on protection of new varieties of plants by China and U. S. ; participated in Sino-EU and Sino-Switzerland exchange projects and IP working group meeting under bilateral and multilateral framework for geographical indication; participated in the 3 rounds of negotiation on cooperation in geographical indication between China and EU; participated in the 6th China-EU dialogue on agriculture and countryside as well as free trade treaty between China and Switzerland; conducted communication and exchange on bilateral geographical indication system mode of agricultural produces, developments, and deeper cooperation with the Ministry for Food, Agriculture,

Forestry and Fisheries of Korea; actively promoted the cooperation in geographical indication under the Phase II of EU-China Trade Project and held EU-China Seminar on Registration and Protection of Agro-product Geographical Indications in collaboration with Delegation of European Union to China to conduct thorough study on registration and protection of agro-product geographical indications and strengthening relevant exchange and cooperation in this area.

SFA carefully carried out the *International Convention for the Protection of New Varieties of Plants* (UPOV), actively dispatched participants to council and technological meetings under UPOV. It sent representative to the Seminar of East Asia Protection of New Varieties of Plants held by Korea and meeting on protection of new varieties of plants by International Association of Horticultural Producers to publicize the new achievements in the protection of new varieties of plants in China. SFA organized relevant experts to study the treaty implementation like the influence of UPOV in 91 on China; seriously preformed the Sino-Holland cooperation on protection of new varieties of plants. Holland and forestry and agricultural administrations in China summarized the overall project implementation by jointly holding a project conclusion meeting; sent delegation to the 4th session of the East Asia Forum on Protection of New Varieties of Plants in Indonesia; sent representatives to the implementation meeting of *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Uti-*

lization to the *Convention on Biological Diversity* and the 13th meeting by the Commission on Genetic Resources and Biodiversity under the Food and Agriculture Organization of the United Nations; participated in the 9th Sino-EU IP working group meeting, the 5th China-Switzerland IP working group meeting, and the 17th round negotiation on free trade between China and Australia organized by the Ministry of Commerce.

GAC continued to expand international cooperation and demonstrate the achievements by the Special Operation for less international pressure. It constantly carried out the cooperation with U. S. , EU, Japan, Korea, and Russia by signing cooperation memorandums, launching enforcement and intelligence exchanges, and enforcement training to demonstrate the achievements by China Customs during the Special Operation, maintain China's reputation, and lessen international pressure. To strengthen cooperation in IPR protection between customs of China and the United States, GAC and the U. S. Customs signed the *Confirmation Letter for Revising the Memorandum on Cooperation on Strengthening Cooperation in Border Enforcement of Intellectual Property Rights between the General Administration of Customs of the People's Republic of China and Customs and Border Protection of Department of Homeland Security of the United States of America* during the third round of Sino-US Strategic Economic Dialogue in Washington in May 2011.