

Plan of China for IPR Protection Initiatives in 2008

I. Legislation Plan

A. Amend and formulate the laws and regulations on the protection of trademarks and geographical indications and repression of unfair competition.

1. Accelerate the amendment to the Trademark Law;
2. Accelerate the amendment to the Anti-Unfair Competition Law;
3. Cooperate with the amendment to the Trademark Law by starting the amendment to the Rules for Implementation of the Trademark Law in due time;
4. Promote the legislation process of the Regulations on Administration of Trademark Agency;
5. Formulate the Measures for Administration of Authorized Management of Trademarks;
6. Amend the Regulations on the Recognition and Protection of Well-known Trademarks;
7. Formulate the Regulations on the Protection of Geographic Indications;
8. Promulgate the Detailed Rules for Implementation of the Regulations on the Protection of Geographic Indications, the Regulations on Administration of Marks and Labels of Geographical Indication Products and the Regulations on Administration of the Registration of Foreign Geographic Indication Products.

B. Formulate and amend the laws and regulations on copyright protection

1. Start the investigations for the second amendment to the Copyright Law to offer amendment suggestions;
2. Complete the formulation of the **Measures for Payment of Remuneration for Sound Recordings Played by Radio and TV Stations under Statutory Licenses**;
3. Complete the drafting of the Measures for Protection of the Copyright of Folk Literature and Folk Artworks;
4. Formulate the Measures for Management of the Content of Karaoke Programs;
5. Formulate the Measures for Administration of State-owned Copyright;
6. Amend the Measures for Work Registration and formulate the Measures

- for Documentation of Copyright Contract;
7. Amend the Measures for Implementation of Copyright Administrative Punishment;
 8. Formulate the Measures for Examination, Approval and Supervision of the Collective Administration of Copyright;
 9. Accelerate the formulation of the Measures for Legally Authorized Payment of Remuneration for Textbooks and measures relating to legally authorized payment of remuneration.
- C. Amend the laws and regulations on patent protection
1. Complete the amendment to the Patent Law;
 2. Start the amendment to the Detailed Rules for Implementation of the Patent Law;
 3. Accelerate the amendment to the Regulations on the Protection of Chinese Medicine Varieties;
 4. Cooperate with the implementation of the Measures for Administration of Drug Registration by accelerating the drafting of relevant matching administration measures.
- D. Formulate the amend the regulations on IPR protection in foreign trade and customs
1. Study and formulate the Measures for Protection of the Intellectual Property Related to Import and Export Goods;
 2. Study and formulate the Measures for Protection of the Intellectual Property Related to Foreign Trade License Contract;
 3. Accelerate the amendment to the “Measures for Implementation of the Regulations on Customs Protection of Intellectual Property”.
- E. Study and formulate IPR-related judicial interpretations and standardization documents
1. Draft the Interpretation of the Highest People’s Court about Some Issues Related to the Application of Laws in Hearing the Criminal Cases of Infringing Trade Secrets;
 2. Draft the judicial interpretation about the recognition and protection of well-known trademarks and improve the documentation system for the judicial recognition of well-known trademarks;
 3. Cooperate with the amendment to the Patent Law by starting to draft the judicial interpretation related to the Patent Law;
 4. Draft the Regulations of the Supreme People’s Court on Some Issues

Related to the Hearing of the Administrative Cases Involving Intellectual Property;

5. Study and formulate the Interpretation about Some Issues Related to the Application of Laws in Hearing the Criminal Cases of Infringing Trade Secrets.

II. Law Enforcement Plan

A. Launch special campaigns to address prominent problems

1. Launch a special campaign designed to fight IPR infringement via Internet, rigorously punish network infringement and piracy and purify the network market;
2. Launch a special campaign designed to rectify the tourist market, with focus on punishing the sale of counterfeit and piracy products in star-class hotels and other places;
3. Continue the “Everyday Fight against Piracy” to ferret out illegal CD production lines and storage dens of illegal publications and further strengthen the administration of the publication market and printing and reproduction enterprises;
4. Organize campaigns aimed at ensuring the success of Olympic Games, with focus on clearing up and rectifying AV market, issue catalogues of investigation and seizure intensify the investigation and punishment of counterfeiting and pirating actions;
5. Launch the rectification of AV products, net cafes, online music and online games, organize the cross examination of law enforcement of nationwide cultural market and urge the processing of major cases of the cultural market;
6. Focus on key regions, key links, key commodities and key time periods and carry out the special actions designed to protect the exclusive right of the marks of Olympic Games to create a good IPR protection environment for the Olympic Games;
7. Continue the special campaign of fighting “counterfeiting name brands” and urge, inspect and ascertain the processing of selected major, typical and influential cases;
8. Launch the campaign of “fighting counterfeiting and protecting name brands” to intensify the protection of name brand products and enterprises;
9. Launch the campaign of “no fakes sold in 10000 shops of 100 cities” to create an excellent development for name brand enterprises;
10. Carry out the supervision and selective check of products bearing

geographic indications in major categories to crack down on actions of counterfeiting geographic indications;

11. Launch the special campaign that focuses on rectifying the links of printing, reproduction and transportation, carry out full-scale examination of the markets of books, AV products, computer software products and electronics, focus on tracking piracy products to their production sources, ferret out dens of illegal printing and illegal CD production lines and sternly investigate and deal with enterprises taking part in piracy and illegal recording;
12. Launch the special campaign that focuses on clearing up the publication market and repeatedly sweep the business places of books, newspapers, magazines, AV products and computer software in step with the preparations for and holding of the Olympic Games, focusing on places like urban neighborhoods, tourist attractions, traffic pivots and hotels to weed out hawkers, stalls and unlicensed operators selling illegal publications;
13. Continue the special campaign of cracking down on the unauthorized pre-loading of computer software to consolidate the results achieved in the administration of the pre-loading of computer software;
14. Organize an intensive campaign of fighting piracy during the Olympic Games;
15. Launch the patent law enforcement campaign coded “Thunderstorm”;
16. Launch the patent law enforcement campaign codenamed “Sky Net”.

B. Strengthen daily law enforcement

1. Strengthen the supervision and inspection of the implementation of the Measures for the Protection of Intellectual Property in Exhibitions and Conventions and establish the system of releasing information on the status quo of IPR protection in domestic exhibitions and conventions;
2. Print and issue the “Examination Manual for Protection of Intellectual Property” that can be updated from time to time to provide customs officers with information support in seizing goods suspected of piracy;
3. Intensify administrative law enforcement focusing on the trademarks of food and drugs, agricultural, foreign and well-known trademarks and geographic indications to suppress actions of infringing on and counterfeiting trademarks
4. Realize the fast authentication of infringing products in IPR protection law enforcement under the guideline of “simultaneous strike and prevention”;

5. Straighten out the relationship between copyright administrative law enforcement and comprehensive cultural law enforcement, strengthen the team work with comprehensive cultural law enforcement department and improve the efficiency and quality of copyright law enforcement;
6. Intensify the investigation into actions of pirating teaching materials and teaching aids and severely punish actions of making and selling piracy teaching materials and teaching aids;
7. Intensify copyright law enforcement and work hard to improve copyright protection environment by focusing on economically developed provinces (autonomous regions and municipalities) and central cities as key regions and focusing on software and network as key fields;
8. Intensify the supervision of operating enterprises that use software as basic means of production, establish the system of “blacklist” and promote the use of legitimate software in enterprises;
9. Carry out the examination and evaluation of law enforcement and urge localities to intensify law enforcement;
10. Compile and print the “Information on Intellectual Property Law Enforcement”, exchange the experience in law enforcement and enhance the capability of law enforcement;
11. Hold the law enforcement working conference of the intellectual property offices of the whole country to summarize experience and guide local law enforcement.

III. Trial Work Plan

- A. Improve the system of people’s jurors, select and recommend the experts in related fields as people’s jurors in light of the characteristics of IPR cases and give a play to the professional advantages and unique role of experts in the trial of special cases;
- B. Focus on studying unified hearing procedural rules for retrial cases to address the new conditions that have arisen in retrial cases after the implementation of the new Civil Procedural Law and effectively solve the difficulty in appeal;
- C. Study the prominent problems in urgent need of solution during the hearing of “anti-monopoly” civil cases and, when necessary, issue the special notice about earnestly implementing the Anti-Monopoly Law and doing well the civil trial of anti-monopoly cases to cooperate the implementation of the Anti-Monopoly Law;
- D. Hold the national symposium of IPR court trial to summarize the work of the whole year, solve the prominent problems appearing in practice, analyze the new situation faced with and unify judicial policies;

- E. Hold workshops to address the new conditions and new problems that have arisen in copyright trial in recent years to study and unify the standard for application of related laws and survey issues related to the protection of information network transmission right and other relevant rights;
- F. Hold workshops as necessary after promulgation of state IPR strategy to discuss the new conditions, new problems and difficulties in IPR trial;
- G. Hold the “National Seminar on Law Enforcement for Agricultural Plant Variety Right” jointly with the Ministry of Agriculture to discuss the prominent issues in the administrative law enforcement and judicial protection of new plant variety right.

IV. Mechanism Building Plan

- A. Improve the work mechanism of interdepartmental collaboration and cross-regional interaction.
 - 1. Strengthen the contact and cooperation between the members of the National IPR Protection Working Group and earnestly implement the systems of joint meeting, information communication and case consultation to study and solve the difficulties encountered in IPR protection;
 - 2. Promote the establishment of cross-regional IPR protection cooperation mechanism and intensify the investigation and punishment of cross-regional cases of IPR infringement;
 - 3. Establish the mechanism of collaboration in IPR criminal protection to keep unblocked the channels of referral and processing of criminal cases and intensify criminal protection;
 - 4. Establish the long-term mechanism of IPR criminal protection that covers case communication, survey training, commendation and reward to effectively integrate law enforcement resources and set up an IPR criminal protection system that integrates strike, prevention and control;
 - 5. Continue to strengthen the connection between copyright administrative law enforcement and criminal justice as required by the Interim Regulations on Reinforced Connection and Collaboration in Fighting the Crimes against Copyright;
 - 6. Improve the system of ministerial joint meeting designed to promote the use of legitimate software in enterprises and actively push at the use of legitimate software;
 - 7. Further improve the system of referring cases of suspected trademark crime;
 - 8. Give a play to the role of regional collaboration organizations in

trademark administrative law enforcement to further boost the regional collaboration in trademark administrative law enforcement;

9. Promote the building of the mechanism of regional collaboration in patent administrative law enforcement;
10. Further strengthen the building of the national system and mechanism of patent industrialization program;

B. Improve the mechanism of early warning, right safeguarding and supervision

1. Formulate and promulgate the Outline for Implementation of the Intellectual Property Strategy of Information Industry and improve the IPR early warning mechanism;
2. Build the mechanism of overseas right safeguarding by enterprises and establish the mechanism of IPR management, early warning, emergency treatment and dispute settlement in respect of foreign trade to properly handle the IPR disputes involving foreign interest and enhance the ability of Chinese enterprises to protect their own IPR;
3. Study and formulate the Guidance Opinions on Intellectual Property Protection of Enterprises Participating in Overseas Exhibitions and establish the system of IPR infringing blacklist and the IPR good faith evaluation system of participating enterprises to gradually improve the system of IPR protection for enterprises taking part in overseas exhibitions;
4. Accelerate the construction of the computer supervision platform of cultural market and develop the online office system for the administrative law enforcement of national cultural market to improve the efficiency of cultural market supervision;
5. Establish the mechanism for customs to provide enterprises with feedback on law enforcement to encourage and urge enterprises to work with the customs in law enforcement;
6. Intensify the supervision of trademarks in exhibitions and maintain long-term supervision of the trademark-violating enterprises identified at the exhibitions;
7. Popularize the “System of Authorized Trademark Operation” in the medium and large cities across the country and exercise institutionalized and standardized trademark supervision over large-scale commodity wholesale and retail marketplaces;
8. Strongly promote the electronic supervision network of product quality to realize the fast finding, fast handling, fast notification and fast early warning of counterfeit and inferior products;
9. Accelerate the construction of copyright network supervision platform,

give a full scope to the role of technical means in protecting copyright and fighting infringement and piracy and improve the efficiency of copyright administrative law enforcement;

10. Give a full play to the role of “12390”, the hotline number for reporting piracy, and the Piracy Tip-off Center of State Copyright Bureau, improve the system of rewarding copyright whistleblowing, fully mobilize the enthusiasm of copyright law enforcement department and social public and establish the mechanism of fast reaction of accepting and fast reaction to grievances and reported cases.

C. Strengthen the building of law enforcement supervision mechanism

1. Make full use of high-tech means to push the establishment of the “online hookup and information sharing” mechanism between administrative law enforcement and judicial justice in the whole country so that it can play a greater role in IPR protection;
2. Intensify the supervision and guidance of local procuratorial authorities and spur them to promptly approve arrest, prosecute IPR-violating criminal cases and severely crack down on the crimes against IPR;
3. Guide the procuratorial authorities at all levels to give a full scope to the functions of legal supervision, strengthen the supervision of the cases of suspected crimes referred by administrative law enforcement authorities and correct and prevent the phenomena of no investigation into crimes and replacing punishment with fines that exist in the field of IPR law enforcement;
4. Strengthen the researches on the standard and evidences for the criminal cases of suspected infringement on IPR and push on the standardization of the hookup between administrative law enforcement criminal justice.

D. Explore and improve the mechanism of IPR judicial protection

1. Continue to strengthen the IPR tribunal of the courts at all levels, integrate IPR trial resources and bring the overall efficiency of judicial protection into play;
2. Take into account the reality of work to explore the personnel exchange with specialized IPR organ, e.g. Patent Reexamination Committee;
3. Further improve the administration system and working mechanism for the online publication of IPR judgment texts of the national court sector and establish the system of informants for IPR trial work;
4. Start survey to fully demonstrate the establishment of specialized institution handling IPR criminal cases within the procuratorial authorities.

E. Enhance the capability of IPR Protection, Whistleblowing and Complaint Service Center

1. Print and issue the “Guidance Opinion on Further Strengthening the Work of IPR Protection, Whistleblowing and Complaint Service Center”, strengthen administration, improve mechanism and actively expand the functions of the Center;
2. Activate the “12312 Voice Calling System” and establish an integrated top-down work network;
3. Establish the mechanism of collaboration between the whistleblowing and complaint service centers (“Center”) to give a play to the synergy and overall advantages of the 50 such centers;
4. Continue to extend the network and promote the presence of the Center in “State-class High-tech Industrial Park” , “Software Park”, “State Export Innovation Base”, “State-class Automobile and Components Export Base” and key marketplaces;
5. Promote the Center to establish contact system with key enterprises and provide pertinent services;
6. Continue to promote the presence of the Center in exhibitions to improve its working mechanism;
7. Practice the system of certificate-based job qualifications for the staff of the workstations of the Center in development zones and service outsourcing model zones, hold the business enhancement classes for the staff of the Center and establish the remote education system for the staff;
8. Amend the Administration Measures for Examination and Appraisal of IPR Protection, Whistleblowing and Complaint Service Center to further improve the examination and evaluation system.

V. Publicity Plan

A. Orientation of Publicity

1. Organize timely coverage of the progress and effect achieved by the Chinese government in IPR legislation and law enforcement and intensify foreign publicity by reporting a number of models in IPR protection;
2. Extensively carry out the publicity and education relating to IPR-protecting laws and create a strong atmosphere where the whole society respects and protects IPR;
3. Strengthen positive guidance, promptly report the new ideas, new initiatives and new effect of different places, departments and units in IPR protection and publicize a number of advanced persons and enterprises of IPR protection;

4. Promptly report the typical cases that reflect the efforts made by related departments to fight IPR infringement to deter crimes;
5. Strengthen Internet-based publicity by guiding key press websites of the Central Government to carry out online publicity of IPR protection to communicate information in a timely and accurate way;
6. Organize in due time overseas media and the foreign publicity media of the Central Government to cover important events and the processing of major cases;
7. Guide the foreign publicity media of the Central Government to improve the pertinence and timeliness of their reports in response to the attention paid by the outside world to the status of our IPR protection.

B. Launch Large-scale Publicity Campaign

1. Organize the selection of the 10 major events of IPR protection in China in 2007 and publish the result;
2. Launch the “Licensed Version in China”, a common good serial publicity campaign for IPR protection;
3. Include the publicity and education of IPR laws into the 2008 overall plan for national legal system publicity and education to strengthen the education of IPR laws and regulations for all citizens;
4. Hold the “Remote Satellite Lecture about IPR Protection” and carry out intensive publicity and education about IPR legal system;
5. Organize the activity of law dissemination in government departments, rural areas, communities, schools and enterprises;
6. Organize the “Legal Knowledge Contest of 100 Websites”;
7. Organize the “Online Legal Knowledge Contest of Youths”;
8. Continue to organize the annual selection of major technical inventions of the information industry to whet the innovation awareness and IPR protection concept of enterprises;
9. Carry out the 10th legal system publicity campaign in national AV marketplaces;
10. Carry out the campaign of “4·26 National Destruction Day of Illegal AV Products”;
11. Carry out the IPR protection publicity and education on major sites of traveler inspection, e.g. Beijing Capital Airport, during the Olympic Games;

12. Launch a series of Trademark Law publicity activities by revolving around the “4.26 World Intellectual Property Day”;
13. Launch the popularization, publicity and education campaign for the Anti-Unfair Competition Law;
14. Publicize a number of name brand products and famous enterprises having independent IPR and international influence in combination with the implementation of the name brand strategy;
15. Carry out the publicity and popularization of the legal knowledge about copyright;
16. Continue the campaign “Refuse Piracy, Starting with Me”, a serial activity of theme education in copyright protection in university students, and hold the award presentation ceremony for the solicitation of articles on copyright protection from university students;
17. Hold the selection of “Excellent Copyright Works, Figures and Enterprises”;
18. Carry out the activity of copyright experts going to grassroots units;
19. Organize the selection of 2008 “National Advanced Collection of Copyright Protection” and “National Advanced Persons of Copyright Protection”;
20. Team up with the websites of People and Xinhua to hold online interview about IPR strategies;
21. Team up with the State Intellectual Property Strategy Office, experts, scholars and press media to kick off the large legal system publicity campaign of “IPR in China”;
22. Organize a series of large publicity campaigns, such as “4·26 Open Day of State Intellectual Property Office”;
23. Hold the favorable opportunity of Beijing Olympic Games to carry out a series of theme publicity activities in relation to the IPR of Olympic Games;
24. Hold the “4th Selection of Female Inventors”;
25. Prepare the major publicity activities, e.g. “CCTV Grand Ceremony of Innovations” and “Innovation Activities of Youths”;
26. Use “China Daily ·Intellectual Property Weekly” and “China Intellectual Property News·Bilingual Weekly” for foreign publicity to exhibit the

progress and effect China has achieved in IPR protection;

27. Launch the selection of “National Outstanding Intellectual Property Judges” to commend a number of IPR judges who are proficient in trial business and excellent in working style.

C. Hold Press Conference

1. Hold the press conference for the 2008 national “IPR Protection Publicity Week”;
2. Hold the press conference for “2007 Status of IPR Protection in China”;
3. Hold the “10th Press Conference for State of Patents in the Field of Information Technology” and carry out the information tracking and news release activity that involves the dynamics of patent applications and technical development of the information industry;
4. Hold the press conference on the results and typical cases of the special campaign against online infringing piracy in 2007;
5. Hold the press conference for the establishment of copyright collective administration organization.

D. Hold Forum and Workshop

1. Hold the “2008 Summit Forum on Intellectual Property Protection in China”;
2. Hold the “2008 Forum on Criminal Protection of Intellectual Property in China”;
3. Work with the World Intellectual Property Organization (“WIPO”) to hold the “2008 International Copyright Forum”;
4. Hold the “2008 Forum on Medicine Intellectual Property”;
5. Hold the “Forum on Intellectual Property Law Enforcement in China”;
6. Hold the “China-Germany Seminar on Intellectual Property Law”;
7. Hold the “Seminar on Protection of Drug Test Data”;
8. Take part in the “Seminar on Intellectual Property in Mainland, Hong Kong and Macao”.

E. Make Publicity Materials

1. Make and play “City Wisdom”, a serial cartoon on the popularization and education of IPR protection;
2. Organize the composition of the promotion video of IPR Protection, Whistleblowing and Complaint Service Center and solicitation of a song for its hotline;

3. Work with CCTV to hold the theme evening party and serial interview program on IPR protection;
4. Compile and print the “White Book on Intellectual Property Protection by Chinese Customs in 2007” in Chinese and English;
5. Compile and print “Newsletter on Border Law Enforcement of Intellectual Property” in Chinese and English;
6. Publish the “Collection of Copyright Articles of Zheng Chengsi”;
7. Produce and play the TV program of “Stories of Invention”.

F. Select and Publish Typical Cases

1. Organize the selection of 10 leading criminal cases against IPR in 2008;
2. Select the “10 Best” cases of IPR protection by Chinese customs in 2008;
3. Intensify the publication of cases involving the administrative law enforcement of trademarks to encourage and push local administration of industry and commerce to publish more typical cases of this category;
4. Publish a number of typical cases of IPR protection in the quality inspection sector;
5. Strengthen the publicity and coverage of major copyright cases;
6. Strengthen the publication of law enforcement statistical data and cases in IPR sector;
7. Publish typical IPR cases in tandem with the “IPR Protection Publicity Week”;
8. Promptly publicize the IPR protection efforts of procuratorial authorities and typical cases through the Procuratorial Daily, Justice website and other media.

VI. Training & Education Plan

A. Formulate and implement training plan and compile training materials

1. Organize the implementation of the plan for building a contingent of high-caliber IPR lawyers;
2. Organize the implementation of the “2007—2010 IPR Talent Project”;
3. Formulate and organize the implementation of 2008 national IPR training plan;
4. Organize the compilation and publication of serial training materials on IPR protection;

5. Organize the publication of “Manual for Overseas Safeguarding of Intellectual Property by Chinese Enterprises”.

B. Strengthen the training of law enforcement personnel and judicial staff

1. Actively implement the Sino-German training project of IPR administrative law enforcement and hold 3rd and 4th training classes of law enforcement personnel and judicial staff;
2. Team up with related foreign IPR law enforcement departments to hold training classes for the IPR criminal law enforcement personnel of the public security sector and further enhance their capability of combating multinational and cross-border IPR criminal cases;
3. Carry out training and education activities for the IPR law enforcement personnel of grassroots public security organs in an organized and targeted manner through business training and remote teaching;
4. Hold training classes for the administrative law enforcement personnel of grassroots cultural markets from one region to another to address the new situation, new tasks, hot spots and difficulties of the cultural markets, including AV and network, with focus on law enforcement skills and modern technology of supervision;
5. Carry out the training of frontline law enforcement personnel in ports to improve the law enforcement capability of customs;
6. Deploy the “On-job Practice” of IPR protection in the customs sector to improve the business level of the staff;
7. Establish IPR expert system inside the customs system and strengthen the business guidance of the staff;
8. Hold the training class of directors of copyright bureaus of provinces and central cities;
9. Organize the training of copyright law enforcement personnel at city/county level in all places;
10. Organize IPR law enforcement workshops;
11. Continue to hold IPR workshops of leading cadres of nationwide cities (prefectures) and training classes of directors of IPR bureaus and IPR teachers;
12. Hold business training to address current hot spots and difficult problems in IPR trial, increase the intellectual support for the IPR trial by the courts and grassroots courts in mid-western regions, strengthen the business guidance for IPR courts of first instance and actively explore the solution of difficult judicial problems related to IPR;

13. Carry out supervision, inspection, guidance and training with focus and orientation for the courts in mid-western regions where the quality problems of IPR cases are serious and trial resources are weaker;
 14. Hold training classes of IPR judges of grassroots courts and cooperate with the promulgation and implementation of new laws and judicial interpretations to hold two seminars for IPR trial staff;
 15. Increase the content of IPR in the training of procuratorial authorities in 2008 and organize the staff to take part in the training activities;
- C. Carry out the IPR training in enterprises and public institutions
1. Carry out the training of IPR lawyers to further intensify the training of high-caliber IPR legal service personnel;
 2. Hold 1~3 training classes for backbone business personnel, senior IPR managers and legal talents of nationwide information industry departments/bureaus;
 3. Edit “Collection of Laws for IPR Protection in Famous Overseas Exhibitions” and provide training for foreign trade enterprises, Chinese business offices in foreign countries and local foreign trade departments;
 4. Carry out high-level IPR training for enterprises under the Central Government;
 5. Hold training activities for copyright managers of publication institutions;
 6. Hold 1~2 training classes of IPR protection and practical business for medicine enterprises and institutions and local drug supervisors;
 7. Hold training classes of IPR teachers for nationwide institutions of higher learning; sponsor workshops and teacher training classes of IPR education for nationwide primary and middle schools.

VII. International Exchanges and Cooperation

- A. Strengthen the exchanges and cooperation in the field of copyright
1. Cooperate with WIPO to launch the investigations for the project “Economic Contribution of Chinese Industries Related to Copyright”;
 2. Take an active part in the consultations and negotiations about copyright issues under the framework of APEC;
- B. Strengthen the exchanges and cooperation in the fields of trademark and geographic indications
1. Deepen the exchanges and cooperation with the department in charge of trademark of the United States, Japan and EU in the field of trademark and actively implement phase II of Sino-European IPR cooperative

trademark project;

2. Prepare for Sino-Japanese and Sino-French talks between directors of trademark bureaus and strengthen the cooperation in the field of trademark with the countries and regions that have many economic and trade contacts with China;
3. Actively carry out the exchanges and cooperation in the field of trademark with neighboring countries, e.g. South Korea, Mongolia, Viet Nam and India;
4. Take an active part in the negotiations about geographic indications related to WTO;
5. Sponsor the summit forum on Sino-European protection of geographic indications together with EU Committee.

C. Strengthen the exchanges and cooperation in the field of patent

1. Hold business communication sessions for foreign embassies, representative offices, foreign-invested enterprises and chamber of commerce in China to inform them of the business development of State Intellectual Property Office and seek their input for future work;
2. Strengthen the exchanges and cooperation with European countries in IPR, include exchange of expert visits and participation in training courses and seminars, to promote exchange of IPR business;
3. Study the possibility of training the IPR examiners of Asian and African countries;
4. Team up with WIPO and foreign IPR institutions to hold IPR seminars or training courses;
5. Strengthen the ties of cooperation with Japan and South Korea and take part in the China-Japan-South Korea meeting of IPR offices to be held in South Korea and Japan and bilateral director talks with South Korea and Japan.

D. Strengthen the exchanges and cooperation in the fields of business and customs

1. Continue to strengthen the IPR protection dialogue with countries (regions) such as the United States, Europe, Japan, Russia and Switzerland to jointly promote the continuous improvement of IPR protection;
2. Actively and reliably handle IPR affairs in multilateral trade negotiations in WTO and APEC, take an active part in promotion and adjustment of international rules and continuously enhance the capability of handling IPR affairs involving foreign interest;

3. Steadily promote the implementation of Sino-European IPR cooperation project (phase II);
 4. Participate in formulating the unified standard framework of World Customs Organization (“WCO”) for IPR law enforcement;
 5. Implement the “Action Plan of Intellectual Property Working Group for the Customs of China, Japan and South Korea to carry out the cooperation between the three countries in IPR law enforcement;
 6. Implement “Sino-American Memorandum on Strengthening Cooperation in Intellectual Property Border Law Enforcement” to carry out the cooperation with US Customs in law enforcement.
- E. Strengthen the exchanges and cooperation in the fields of IPR judicial protection
1. Promote the exchanges and cooperation with related US law enforcement agencies under the framework of the IPR working groups of Sino-U.S. Joint Commission on Commerce and Trade (JCCT) and US-China Joint Liaison Group for Law Enforcement (JLG);
 2. Expand the exchanges and cooperation with international organizations and foreign law enforcement agencies to jointly carry out the cooperation in criminal law enforcement, training and exchanges;
 3. Work with EU to sponsor the “Seminar on Patent and Trade Secrets”;
 4. Work with WIPO and the Supreme Federal Court of Germany to hold the “International Seminar on the Judicial Protection of IPR”;
 5. Take an active part in IPR-related foreign tours of observation, exchanges and training and strengthen the cooperation with foreign procuratorial authorities in the course of law enforcement.
- F. Organize foreign investigation and training activities
1. Organize related IPR law enforcement agencies to go to Germany and Northern Europe for investigations into the system of IPR law enforcement;
 2. Send the backbone members of IPR protection sector and the whistleblowing and complaint service center to foreign countries for training in the theories and practices of IPR protection;
 3. Send the backbone members of related enterprises and institutions of information industry to the United States and Europe for IPR-related tours of observation to find out about foreign legal system, law enforcement mechanism and advanced practices and experience in IPR management and protection;

4. Dispatch selected personnel to foreign countries for medium and long-term training in IPR to intensify the training of our own IPR talents.

VIII. Plan for Promotion of IPR Protection in Enterprises

- A. Prepare for the establishment of IPR early warning liaison points in key foreign trade enterprises and promote the establishment of the IPR protection advisor system in the foreign trade industry;
- B. Actively promote the right maintenance by AV distribution associations (chamber of commerce) and AV enterprises;
- C. Continue to carry out the plate awarding to software model enterprises, give a scope to their social guidance effect and carry out the acceptance check and commendation of the “First Batch of Exemplary Units for Promoting Use of Legitimate Software in Large Enterprises”;
- D. Start the study, formulation and implementation of the IPR strategies of the enterprises under the Central Government;
- E. Strengthen the building of mechanism of preventing IPR legal risks in the enterprises under the Central Government;
- F. Guide the enterprises under the Central Government to strengthen the IPR-related legal examination of key links, such as the reorganization, transformation, joint capital and cooperation of enterprises and foreign investment, and intensify IPR protection;
- G. Study how Chinese enterprises are registering and protecting their trademarks in foreign countries, strengthen the overseas protection of their trademarks and cause them to fully understand the role played by trademark registration and protection in implementing the “going out” strategy and unfolding internationalized business operations;
- H. Hold the trademark forum during the 2008 Fair of Western Regions to help the enterprises in mid-western regions better use trademarks to promote their own development and strengthen competitiveness;
- I. Actively lead and promote farm product export enterprises to value the establishment and maintenance of their own trademark right on foreign markets;
- J. Support the development of flagship agricultural enterprises and speed up the fostering of our world famous trademarks of farm products;
- K. Encourage enterprises to develop patent and name brand products having independent IPR, support enterprises in promptly applying for IPR protection for their scientific research results, core technology and name brand products, and improve their ability to master and utilize the IPR system;
- L. Hold BIBF international copyright trade seminar and support the copyright

trade activities during Beijing International Book Expo and national book fair;

- M. Commend advanced collectives and persons of copyright export and promote the in-depth proceeding of copyright trade;
- N. Promote the construction of “Copyright Protection Bases and Demonstration Units”, work hard to foster advanced models, give a play to the guiding role of the model units of copyright protection and whet the awareness of enterprises for independent innovation and IPR protection;
- O. Conduct the experimental project of promoting IPR strategy in enterprises to foster and set up a number of model enterprises with edges in independent IPR;
- P. Organize nationwide IPR pilot model units of enterprises and institutions to carry out the exchange of experience in IPR management;
- Q. Conduct the strategic experiment of IPR in industries.

IX. Plan of Services for Right Holders

A. Perfect IPR Service System

1. Hold the meeting on the mechanism of regular communication and coordination with foreign-invested enterprises to hear the opinions and suggestions of right holders and solve the major problems they reflect;
2. Establish the long-term working mechanism of using the trademarks and geographic indications of farm products to increase farmers’ income and boost the construction of socialist new rural areas;
3. Speed up examination on the basis of ensuring the quality of trademark registration;
4. Promote advanced anti-forgery technology to provide an effective technical prevention method for enterprises in IPR protection;
5. Build state-level protection model zone of products bearing geographic indications and improve the protection system of geographic indications protection;
6. Continue to hold the activity of Chinese Patent Week to promote the marriage between IPR and social capital;
7. Organize the pilot certification by the IPR industrialization promotion service center;
8. Strengthen the building of IPR right maintenance and assistance center;
9. Strengthen the building of the capability of State patent industrialization pilot base.

B. Improve IPR information service system

1. Research on and develop trademark agency information inquiry system, which will be made available to the society in due time to increase the transparency of trademark agency;
2. Further improve the service of trademark registration hall by relying on the service quality evaluation system of the hall;
3. Give a better play to the showcase role of China Trademark Website, improve trademark information release system and substantiate the content of web pages to provide Chinese and foreign public with more abundant, timely and complete trademark information;
4. Make a good job of the maintenance of the trademark automation system to ensure the safe operation of the system and provide reliable technical support for trademark examination and online trademark service;
5. Implement the plan for the national patent technology exhibition and transaction platform to promote the construction of the national IPR market and boost IPR transfer and transformation;
6. Organize the construction of IPR industrialization coaching service system.

C. Strengthen the guidance of right holders

1. Guide and push local public security authorities and enterprises to team up in law enforcement protection , education, training and information communication to provide law enforcement support for the IPR protection of enterprises;
2. Further guide and promote lawyers to broaden the field of IPR legal service and give a satisfactory play to the functional role of the legal service at all links, including the creation, use, management and protection of IPR;
3. Draft, print and issue the “Guidance Opinion on Strengthening the Intellectual Property of the Enterprises under the Central Government” to strengthen the guidance for the IPR management and protection of enterprises;
4. Further strengthen the exchanges and cooperation between the enterprises under the Central Government in IPR management and protection;
5. Improve the trademark telephone consulting response system and compile and print the “100 Answers to FAQs in Trademark Consulting” to provide the social public with better trademark consulting service;
6. Continue to intensify the publicity of trademarks and geographic indications among farmers and agricultural enterprises and encourage

more farmers and agricultural enterprises to register and protect the trademarks and geographic indications of farm products;

7. Help copyright collective administration organization improve itself, support it to carry out activities according to law, safeguard the legitimate rights and interests of copyright holders, work users and the public and ensure the orderly transmission of works of literature, art and science;
8. Strengthen the supervision and guidance of copyright industry association and intermediary organizations and help them establish and improve relevant working mechanism;
9. Strengthen the building of enterprise patent workstations and send patent professionals to enterprises for consulting, researches and services.

X. Subject Research Plan

A. Research on application of IPR laws

1. Make all-round and in-depth analysis of and researches on the theoretical and practical problems existing in our IPR legislation and application of laws to promote the criminal protection of IPR;
2. Organize the researches on the protection of trade secrets to build the legal system for the protection of trade secrets;
3. Research on issues related to the IPR of WTO dispute settlement mechanism;
4. Investigate into the IPR law enforcement involving foreign interest;
5. Make investigations and researches on the subject “Innovation in Civil Action System” in response to the further amendment to the Civil Procedural Law;
6. Continue to do well the investigations and summarization of “Rules for Evidences in IPR Civil Actions” to establish and improve an evidence system that embodies the characteristics of IPR civil actions;
7. Complete the investigations and researches associated with the amendment to the Patent Law and protection of industrial design;
8. Make investigations and researches on the overall situation of IPR criminal cases of private prosecution;
9. Strengthen the theoretical researches on IPR criminal protection theories in a bid to obtain a number of theoretical results and provide a theoretical basis for the revision and improvement of relevant criminal laws;
10. Research on the consistence between Chinese Criminal Law and judicial interpretations and WTO/TRIPS Agreement.

B. Research IPR protection and management system

1. Research on the state of IPR protection in OEM processing;
2. Research on the characteristics and laws of IPR infringement in network environment and the countermeasures available;
3. Carry out the theoretical researches on IPR customs protection;
4. Start the investigations and researches associated with the building of a copyright public service system to explore ways of establishing such a system that meets the conditions of China;
5. Study, formulate and revise the policies for the copyright industry and the plan for its development;
6. Strengthen the theoretical and policy researches on the protection of test data;
7. Strengthen the analysis and study of the typical IPR cases in the field of drugs;
8. Research on the evaluation of the implementation of IPR strategy;
9. Carry out the empirical investigations and researches in respect of the IPR state in major economic initiatives and plans for science and technology;
10. Research on the latest issues related to IPR in science and technology policies;
11. Carry out the empirical and policy researches on building the overseas patent capability of China in an open economy;
12. Carry out the researches on issues related to the compulsory licensing of patents;
13. Carry out investigations and researches on patent application, maintenance and transformation in institutions of higher learning.