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**Our Client's Invention Patent Won the 15th Chinese Patent Award**

At the end of September, the 15th Chinese Patent Award has been announced in Beijing, patent No. ZL200810003371.X, drafted and represented by AFD in the name of ZTE, won the Outstanding Prize. Recognized by the World Intellectual Property Organization (WIPO), "China Patent Award" is the only award in China issued by the government to patented invention-creations.

[http://www.sipo.gov.cn/ztl/ndcs/zgzlj/15thzlj/tz/201309/t20130918\\_819132.html](http://www.sipo.gov.cn/ztl/ndcs/zgzlj/15thzlj/tz/201309/t20130918_819132.html)

**AFD China Recognized as Top PCT Filing Firm in the World**

AFD China Intellectual Property has been once again recognized as one of the top firm for Patent Cooperation Treaty (PCT) filings in the world.

According to the latest PCT survey in the October issue of the Managing Intellectual Property Magazine, AFD China ranks the seventh in worldwide and the third in China.

<http://www.managingip.com/Article/3260189/The-PCT-survey-2013.html>

**Chinese Trademark Filing Fee Reduced**

A new Chinese trademark filing fee was implemented since October 1, with a RMB200.00 discount. Thus, the new fee for filing a trademark application in China is RMB800.00 at present.

<http://sbj.saic.gov.cn/sbsq/sfbz/>

**IP5 Offices Agree on Joint PPH Pilot Programme**

The world's five largest Intellectual Property Offices (IP5) - the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO) and the United States Patent and Trademark Office (USPTO) - agreed to launch a comprehensive IP5 Patent Prosecution Highway (PPH) pilot programme as of January 2014.

The programme will utilize both PCT and national work products and will improve the accelerated treatment of patent applications.

<http://www.chinaipmagazine.com/en/news-show.asp?id=6218>

### **New Trademark Law Will Take Force on Next May 1st**

The 4th meeting of the 12th National People's Congress Standing Committee passed the amendment to the trademark law, which will come into force on May 1st, 2014.

The revised Trademark Law added that sound could be registered as a trademark and a trademark application could be submitted by way of data message, and raised the compensation ceiling for trademark infringement to 3 million yuan. All these mean a more convenient registration and a fairer market.

[http://english.sipo.gov.cn/news/iprspecial/201310/t20131009\\_821122.html](http://english.sipo.gov.cn/news/iprspecial/201310/t20131009_821122.html)

### **Design Patent Protection May Become Available for GUI's**

After several years of discussion, China may decide to provide design patent protection for graphical user interfaces. Proposed revisions to the patent examination guidelines of SIPO have been placed on the State Council website for public comments, which are due November 22.

SIPO and the State Council Legislative Affairs Office have simultaneously released this draft, which includes an explanation of the reasons for the changes and a redlined copy of the proposed changes to the examination guidelines.

<http://www.chinalaw.gov.cn/article/cazjgg/201310/20131000392653.shtml>

### **Guidelines for Determining Patent Infringement Released by Beijing High Court**

Beijing High Court recently formulated and issued the *Guidelines for Determining Patent Infringement*. The Guidelines It provides specific provisions in regard to the determination of equivalent features and functional features, and further introduces indirect infringement into the scope of joint infringement. The Guidelines exert a positive impact on improving patent protection, motivating innovation and unifying justice standard. Although it is a local regulation, it is also an important reference nationwide on patent infringement determination.

<http://bjgy.chinacourt.org/article/detail/2013/10/id/1104390.shtml>

### **Joint Forces to Examine IPR Infringement**

Beijing People's Procuratorate will join with internet companies to study the current situation surrounding online intellectual property rights infringement.

Beijing No 1 People's Procuratorate signed an agreement with the Internet Society of China recently, aiming to do more research with big Web companies such as Sina, Tencent and Taobao on online IPR.

The Internet has become a major site of IPR violations in China, especially online copyright infringements.

<http://www.chinaipmagazine.com/en/news-show.asp?id=6251>

### **China's Software Copyright Registrations Soar in 2012**

A report on China's software copyright registrations by the Copyright Protection Center of China (CPCC) revealed that China received nearly 140,000 new software copyright registrations in 2012, a year-on-year increase of 27.33 percent.

According to the report, last year's registrations for cloud computing software totaled 1,946, a year-on-year increase of 119 percent, while cell phone gaming application registrations reached 1,739, up by 74 percent year on year. China began to register software copyrights in 1992 in a bid to protect the rights of software owners.

<http://www.chinaipmagazine.com/en/news-show.asp?id=6231>

### **Rising Fortune 500 and Patent Rankings**

The number of Chinese companies on the latest Fortune 500 list has risen to 95, keeping China in second place after the United States and maintaining its 10th consecutive year of rising rankings.

Amid challenging economic times, the growing number of Chinese companies on the list can be attributed to persistent pursuit of technology innovation and intellectual property as the country accelerates the pace of transforming its development model.

[http://english.sipo.gov.cn/news/iprspecial/201310/t20131016\\_822172.html](http://english.sipo.gov.cn/news/iprspecial/201310/t20131016_822172.html)

### **ZTE and Huawei Win Section 337 Investigation**

Five years after the implementation of the national IP strategy, Chinese enterprises' IP capability has been rapidly and significantly enhanced.

Recently, Chinese telecom equipment suppliers ZTE Corp. and Huawei Technologies Co. Ltd. have scored a victory in the Section 337 investigation, in which the US International Trade Commission (USITC) ruled that ZTE and Huawei did not infringe the patent rights of the three American companies.

It marked ZTE and Huawei's second victory in four months. Three American companies asked the USITC to start the Section 337 investigation on Huawei and ZTE's wireless devices for patent infringement on July 24, 2012. Then the USITC initiated the Section 337 investigation into ZTE and Huawei on the ground of patent infringement on August 24, 2012.

This victory is symbolic that Chinese companies are now eyeing on overseas markets and patenting abroad through strengthening their capabilities in independent innovation in order to improve their core competitiveness in the international market. Chinese enterprises are speeding up to enhance their intellectual property capability, according to analysts.

[http://english.sipo.gov.cn/news/iprspecial/201310/t20131014\\_821620.html](http://english.sipo.gov.cn/news/iprspecial/201310/t20131014_821620.html)