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Electronic Evidence: a New Basis for Judging Patent Infringement

Recently, the Guangdong Higher People's Court, for the first time, regarded "Taobao (Chinese equivalent of eBay) Transaction Snapshot" as the main evidence for judging constituting the practical patent infringement, which was considered as an important trial innovation in judicial practice.

Although the adoption of electronic evidence has become more common in the settlement of disputes, in actual practice, isolated electronic evidence cannot be admissible under usual conditions, there at the same time must be other related evidence together for constituting a complete and real chain of evidence that can prove the authenticity and reliability of the electronic evidence, then, such kind of electronic evidence can be likely to be admissible in court.

In the process of case trial, the court must, according to the law, make strict quality confirmation, comprehensive, objective review and verification for a variety of evidence submitted by the parties.

Details of the case can be read at:
http://english.sipo.gov.cn/news/iprspecial/201508/t20150819_1162511.html

China's Application for Invention Patents up 20.9% in H1

According to the latest statistics of the State Intellectual Property Office of China (SIPO), in the first half of 2015, China received 1.124 million patent applications, up 20.5%. Wherein, invention, utility models and designs accounts for 37.7%, 41.9% and 20.4% respectively. Among the applications, 85.1% was filed by domestic applicants.

In the meantime, China granted 161,000 inventions, 376,000 utility models and 212,000 designs. Among the granted invention patents, 117,000 were granted to domestic applicants, up 52.7%, accounting for 72.7% of the total.

http://english.sipo.gov.cn/news/official/201507/t20150730_1152382.html

Patent Dispute Outruns Counterfeit Patent Cases in Numbers

Recently, SIPO released new data regarding patent protection, wherein it is worth mentioning that, compared with last year, and the structure of the patent administrative law enforcement cases changed greatly. By the end of 2014, the proportion of patent disputes and counterfeiting patent cases was about 0.51: 1, while in the first half of this year, this

figure increased to 1.14: 1, which means the amount of patent disputes exceeds that of counterfeit patent cases for the first time.

The total number of national patent administrative law enforcement cases in the first half of 2015 reached to 10,190, with an increase of 107.7%. Among them, 5,437 were patent disputes (including 5,332 patent infringement cases), with an increase of 167.6%; 4,753 patent counterfeit cases were investigated, with an increase of 65.4%.

Data also shows that patent administrative case investigations generally strengthened, and the patent law enforcement cases grew in 21 of 32 provinces. The amount of patent law enforcement cases keep a substantially positive correlation with the amount of patent applications and granted patents.

http://english.sipo.gov.cn/news/official/201508/t20150812_1159015.html

IP Mediation Center Set Up in Capital's Innovation Hub

An intellectual property mediation center was established this month in Zhongguancun, a national innovation hub. The center is the latest effort by the local government of Haidian district to use social resources to resolve IP disputes and improve the IP environment. The center grew from a team of 300 volunteers, who are IP industry insiders, lawyers and scholars from more than 40 companies and organizations.

<http://www.chinaipr.gov.cn/article/regionalnews/201508/1880114.html>

SIPO Promotes IP Knowledge among the General Public

Organized by SIPO, the annual event of IP promotion campaign kicked off in Guangzhou to promote to people to enhance their abilities to utilize, share, disseminate and manage intellectual property.

Report of the event showed that Chinese companies are paying more attention to international patents, with a rising awareness of their IP edge in global competition. The country received 26,000 international patent applications via the Patent Cooperation Treaty from domestic companies last year, a 14.2-percent increase year-on-year.

<http://www.chinaipr.gov.cn/article/centralgovernment/201508/1879967.html>

SIPO's Recent Cooperation Events

The China-ASEAN annual meeting approved the Work Plan for 2015-2016 IP Cooperation, which says cooperation in personnel training, traditional medicine data base building, establishment of examination work sharing system, IP valuation and communication with IP users will be strengthened.

http://english.sipo.gov.cn/news/official/201508/t20150817_1161219.html

American Chamber of Commerce in China visited SIPO and submitted the 2015 American Business in China White Paper and 2015 China Business Climate Survey Report in August.

http://english.sipo.gov.cn/news/official/201508/t20150817_1161217.html