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**CNIPA Seeks Public Comments on Revised Draft for Measures on Patent Prioritized Examination**

The China National Intellectual Property Administration (CNIPA) released the Revised Draft for Measures on Patent Prioritized Examination for public consultation on February 26, 2026. The proposed amendments focus on key industry sectors and aim to address the legitimate needs of innovators seeking accelerated patent examination, grant, and validation procedures. Based on thorough research, the updates represent a systematic refinement of the current prioritized examination framework. The changes are designed to further strengthen the prioritized examination system, better serve national strategies and economic development goals, and promote high-quality development of intellectual property in China.

The deadline for submitting comments is March 30, 2026.

For more details, please see our article *Newly Revised Draft for Measures on Patent Prioritized Examination* in the “Supplementary Issue” Section below, which briefly introduces the current regulations and the key amendments in the draft for readers' reference.

**CNIPA Releases Guidelines for Invention Patent Applications Involving Standards**

The CNIPA released the Guidelines for Invention Patent Applications Involving Standards on March 14, 2026. The guidelines aim to help domestic and foreign applicants prepare standardized application documents, improve patent quality, and promote the effective integration of patents with technical standards. They are available for reference by innovators and stakeholders.

**China’s Courts Conclude 2.5m IP Cases in Five Years**

Chinese courts concluded more than 2.5 million first-instance intellectual property cases between 2021 and 2025, representing a 64.44-percent increase compared to the previous five-year period, China's top court said on Saturday.

Disputes involving high-tech and cutting-edge technology sectors have continued to rise, encompassing a wide range of innovative entities such as large technology companies, small and medium-sized enterprises, research institutes and foreign firms, according to the Supreme People's Court (SPC).

With the rapid development of fields including new energy, artificial intelligence, biopharmaceuticals, core internet technologies and the digital economy, the court revealed that related IP disputes have also increased, leading to growing complexity in the judicial arena regarding issues like rights determination and technical fact-finding.

Last year, courts across China applied punitive damages in 505 IP cases, with awarded compensation totaling 1.8 billion yuan (\$262.5 million), it said, adding that it effectively curbed and combated serious IP infringements.

In addition, the court has optimized the case handling process by centralizing the adjudication of technical intellectual property and antitrust appeal cases, making efforts to safeguard technological innovation and enhance the credibility and influence of the judiciary.

According to the court, as of the end of 2025, a total of 1,327 technical investigators had been included in an expert database for IP case handling, contributing to the resolution of technology-related issues in complex disputes.

<https://chinaipr.mofcom.gov.cn/article/centralgovernment/202603/1995355.html>

### **China and Austria Extend PPH Pilot Program**

According to a joint decision by the CNIPA and the Austrian Patent Office (ÖPA), the China–Austria Patent Prosecution Highway (PPH) pilot program will be extended for another five years, from March 1, 2026, to February 28, 2031. The requirements and procedures for submitting PPH requests to both offices will remain unchanged.

PPH is a fast track linking patent examination duties of different countries or regions, allowing patent examination authorities to speed up patent examination by work sharing. Since the initiation of the first PPH pilot program in November 2011, the CNIPA has built PPH ties with 35 patent examination authorities covering 86 countries worldwide.

[https://english.cnipa.gov.cn/art/2026/3/2/art\\_1340\\_204814.html](https://english.cnipa.gov.cn/art/2026/3/2/art_1340_204814.html)

### **China Sees Steady Rise in Copyright Registrations**

China experienced a steady increase in copyright registrations last year, with several provinces recording year-on-year growth rates of 50 percent or more for various works, the country's copyright regulators announced on Tuesday.

In 2025, the total number of copyright registrations across the nation surpassed 10 million, marking a year-on-year increase of 0.44 percent, according to the latest data released by the National Copyright Administration (NCAC).

Compared to 2024, Liaoning province saw its copyright registration growth rate for works exceed 100 percent, while regions such as Tianjin, Shanxi, Henan, and Hainan achieved growth rates of over 50 percent, the data revealed.

Artistic works made up more than 60 percent of the total registered works, followed by photography, literature, and film and television programs, said the administration.

Additionally, the data indicates that in 2025, over 3 million computer software copyrights were registered nationwide, reflecting a year-on-year increase of 12.58 percent. These registrations

were predominantly concentrated in the eastern region, which accounted for 57 percent of the total, it added.

<https://chinaipr.mofcom.gov.cn/article/centralgovernment/202603/1995498.html>

### **China's Procuratorial Authorities Intensify Crackdown on Economic and Financial Crimes in 2025**

China's procuratorial authorities intensified efforts to combat economic and financial crimes in 2025, prosecuting 137,000 people and promoting the development of a law-based and credit-driven economy, according to the work report of the Supreme People's Procuratorate (SPP).

Ying Yong, prosecutor general of the SPP, delivered the report at the fourth session of the 14th National People's Congress (NPC), China's top legislature. The report will be deliberated during the ongoing fourth session of the 14th NPC.

Working with the Ministry of Public Security (MPS) and the General Administration of Customs (GACC), prosecutors cracked down on smuggling crimes, including the illegal export of strategic minerals, bringing charges against 9,874 people.

Authorities also targeted illegal intermediaries in the financial sector in coordination with the National Financial Regulatory Administration (NFRA), participating in special operations against illegal fundraising and other financial offenses. A total of 25,000 people were prosecuted for financial crimes.

In cooperation with the State Taxation Administration (STA), prosecutors also launched a campaign targeting tax violations in the refined oil retail sector, helping recover 1.28 billion yuan (\$185 million) in unpaid taxes through public interest litigation.

Authorities increased enforcement against monopoly and unfair competition, prosecuting 9,797 people for crimes including damaging business reputation and forced transactions, while handling 157 public interest litigation cases to help build a unified national market.

Procurators also joined a nationwide campaign to standardize law enforcement involving enterprises. They handled cases involving 19,900 people, supervised investigators to withdraw 2,471 cases, decided not to prosecute 3,539 individuals, and oversaw the release or return of 2.63 billion yuan worth of improperly seized or frozen assets.

Protection of intellectual property rights was further strengthened. Prosecutors worked with the SPC to issue judicial interpretations on criminal IPR cases and coordinated with the NCAC to supervise 109 major infringement and piracy cases. In total, 19,000 people were prosecuted for crimes including trademark infringement, copyright violations and trade secret theft.

Authorities also cracked down on data security crimes in areas such as artificial intelligence and e-commerce, prosecuting 4,739 people. Prosecutors handled 3,658 civil, administrative and public interest litigation cases related to intellectual property, and strengthened oversight against malicious litigation.

Prosecutors also stepped up work on foreign-related cases, prosecuting 55,000 people and handling 254 international criminal judicial assistance cases.

<https://chinaipr.mofcom.gov.cn/article/centralgovernment/202603/1995413.html>

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## SUPPLEMENTARY ISSUE

### **Newly Revised Draft for Measures on Patent Prioritized Examination**

In order to promote the construction of an intellectual property powerhouse, serve innovation-driven development, improve the patent examination process, and give priority to the examination of some patent applications, reexamination and invalidation cases, the CNIPA issued prioritized examination policy for invention patent applications ("Measures on Prioritized Examination Management for Invention Patent Applications") in 2012; in 2017, the prioritized examination policy extended to utility model and design patent applications ("Measures on Patent Prioritized Examination Management"), which is still in force; recently, the CNIPA issued "Revised Draft for Measures on Patent Prioritized Examination Management (Exposure Draft)" ("Draft") to improve the system and better serve the needs of national strategies and economic and social development. This article briefly introduces the current provisions of patent prioritized examination and the main amendment points of the newly published Draft for the reader's reference.

#### 1. Timing for Requesting Prioritized Examination

The Draft amends the timing for requesting prioritized examination for invention patent applications, to keep consistent with the practice. For other types of applications, reexamination and invalidation cases, there are no changes in the Draft.

The invention patent application for which prioritized examination is requested shall be in the substantive examination procedure. In practice, this examination status is further restricted to the period between the entry into substantive examination procedure and the issuance of the First Office Action ("first treatment"). The recently published Draft adjusted the current provisions to keep consistent with practice, i.e., invention patent applications for which prioritized examination is requested shall be in the substantive examination procedure and no first treatment has been made.

For utility model and design patent applications, prioritized examination shall be requested after the official filing fee is paid and the official receipt is issued. For reexamination cases of the invention, utility model and design patent applications, prioritized examination shall be requested after the official fee for requesting reexamination is paid and the official receipt of the reexamination request is issued. For invalidation cases of invention, utility models and design patents, prioritized examination shall be requested after the official fee for requesting invalidation is paid and the official docket number is assigned. For these, there are no changes in the Draft.

#### 2. Requirements on Technical Field or Prerequisites

##### 2.1 Patent Applications and Reexamination Cases:

The Draft emphasizes that the patent applications and reexamination cases for which prioritized examination is requested shall have important innovation values and clear transformation and utilization prospect. For foreign patent applications filed based on a Chinese application as mentioned in the following situation (5), the Draft adds the requirement of requesting substantive examination. Other adjustments are to keep consistent with practice or textual adjustments, such as merging situations (1) and (3) below and upgrading to key core technologies of key fields and

key industries supported by the nation to keep consistent with practice. In practice, the CNIPA organizes and provides a reference document of national key development industries, which cover the above situations (1) and (3). For details, please see the following.

According to the current provisions, for the patent application or the patent reexamination case for which prioritized examination is requested, its technical field or other conditions shall meet one of the following situations:

[Draft amendment: The patent applications and reexamination cases for which prioritized examination is requested should have important innovation values and clear transformation and utilization prospects, and meet one of the following situations:]

(1) involving nationally prioritized industries, such as energy conservation and environment protection, new generation information technology, biology, high-end equipment manufacturing, new energy, new materials, new energy vehicles, intelligent manufacturing, etc.; [Draft amendment: this item is merged with item (3) to read: involving emerging industries and future industries primarily supported by the nation, or involving breakthrough of key core technologies in important areas.]

(2) involving industries encouraged by the provincial government or municipal government in cities with districts;

(3) involving the field of internet, big data, and cloud computing, etc. and its technique or product has a fast update speed; [Draft amendment: this item is merged with item 1]

(4) the patent applicant or the reexamination petitioner has got ready for exploiting or has already exploited the invention-creation for which the patent application is seeking protection in China, or there is evidence proving that others are exploiting the invention-creation in China; [Draft amendment: (3) The patent applicant or the reexamination petitioner has carried out industrialized implementation or has got ready for industrialized implementation, or has evidence proving that others are implementing their invention-creation]

(5) for the same subject matter, the Chinese patent application was first filed and then patent applications were filed in other countries or regions; [Draft amendment: (4) for the same subject matter, the Chinese patent application was first filed and then substantive examination was requested in other countries or regions];

(6) having great significance to the national interest or public interest that needs Prioritized Examination. [Draft amendment: the serial no. is adjusted to (5)]

## 2.2. Invalidation Cases

The Draft excludes invalidation cases involving patent infringement disputes where the parties requested arbitration mediation.

According to the current provisions, the invalidation case for which prioritized examination is requested shall meet either of the following situations:

(1) For infringement disputes over the patent involved in the invalidation case, the party has filed a request with the local intellectual property authority for handling, filed a lawsuit with the people's court or filed a request with the arbitration and mediation organization for arbitration and mediation; [Draft amendment: or filed a request with the arbitration and mediation organization for arbitration and mediation]

(2) The patent involved in the invalidation case is of great significance to the national or public interest.

### 3. Documents for Prioritized Examination

For the documents required for prioritized examination, the Draft does not make any substantive change. The following documents are required:

- 1) Applicant's Declaration on Prioritized Examination (Stamped with official Seal, and with Signature Date);
- 2) Prior art; and
- 3) Certifying materials proving the situations mentioned in the above item 2 "Requirements on Technical Field or Prerequisites", e.g., excerpts of key industry documents given by the CNIPA, documents issued by provincial government, documents proving the implementation, etc.

### 4. Examination and Number of Cases Approved for Prioritized Examination

In practice, the authorities will recommend invention patent applications of key technical fields and with high drafting quality based on the principles of "best-in-class". And, there is a cap on the number of cases approved for prioritized examination.

According to the current provisions: the number of patent applications, reexamination cases, invalidation cases approved for prioritized examination shall be determined by the CNIPA according to the examination capacity in different technical fields, the number of patents granted in the previous year, the number of cases to be examined in this year and other situations.

The Draft makes adjustments: the CNIPA allocates and adjusts the number of cases approved for prioritized examination in each region based on factors such as the management of prioritized examination work, recommendation of prioritized examination requests and subsequent examinations, and the protection and utilization of intellectual property rights in each region, and determines the total amount of cases approved for prioritized examination in a coordinated manner based on actual needs and examination capacity.

### 5. Timeline of Prioritized Examination

The Draft makes no change to the timeline of prioritized examination but adds exceptions for difficult technical or legal issues, and meanwhile shortens the time limit for the applicant to respond to an office action for invention patent applications. Details are as follows:

Where the CNIPA approves prioritized examination, the examination shall be finished within the following time limit from the date of approval: [Draft added: Except where it is determined that difficult technical or legal issues are involved]:

- (1) For an invention patent application, the first office action shall be issued within forty five days and the case shall be closed within one year;
- (2) Utility model and design patent applications shall be closed within two months;

(3) Reexamination case shall be closed within seven months;

(4) Invalidation cases against invention and utility model patents shall be closed within five months, and invalidation cases against design patents shall be closed within four months.

For a patent application under prioritized examination, the applicant shall make responses or corrections as soon as possible. The time limit for the applicant to respond to an office action (“OA”) for an invention patent is two months from the issue date of the OA [Draft amendment: one month from the issue date of OA], and the time limit for the applicant to respond to a notification for a utility model or design patent application is fifteen days from the issue date the notification.

#### 6. Termination of Prioritized Examination

The Draft makes a few amendments regarding the termination of prioritized examination and emphasizes compliance with the principle of honesty and good faith.

According to the current provisions, where the patent application under prioritized examination falls under one of the following circumstances, the CNIPA may terminate the prioritized examination and handle it under normal procedures, and notify the applicant in a timely manner:

(1) After the approval of prioritized examination, the applicant made amendment to the application documents;

(2) The applicant's response was made after the expiration of prescribed time limit [Draft adds: or the applicant requests an extension of the responding time limit];

(3) The applicant submits false materials [Draft adds: or conducts other acts violating the principle of honesty and good faith];

(4) The patent application is found abnormal during the examination process [Draft deletes this clause].

According to the current provisions, where the reexamination or invalidation case under prioritized examination falls under one of the following circumstances, the Patent Reexamination Board may terminate the prioritized examination, handle it under normal procedures, and notify the applicant in a timely manner:

(1) the reexamination petitioner makes a response by an extended time limit;

(2) after the approval of prioritized examination, the invalidation petitioner adds supplementary evidence and grounds; [Draft amendment: this item is merged with the following item (3) to read: After the request for prioritized examination is approved by the CNIPA, the invalidation petitioner adds supplementary evidence and grounds, or the patentee amends the claims in a manner other than deletion.]

(3) after the approval of prioritized examination, the patentee amends the claims in a manner other than deletion [Draft amendment: this item is merged with the above item (2)];

(4) the reexamination or invalidation procedure is suspended;[Draft amendment: the serial number is adjusted to (3)]

(5) the examination of the case depends on the examination conclusions of other cases;[Draft amendment: the serial number is adjusted to (4)]

(6) Difficult cases approved by the Director of the Patent Reexamination Board [Draft amendment: this item is deleted; and a new item is added: (5) the parties submit false materials, or conducts other acts violating the principle of honesty and good-faith].

#### 7. Cases not Qualified for Prioritized Examination

As for cases not qualified for prioritized examination, there are two kinds in the current provisions, i.e. invention patent applications filed under dual-filing strategy and cases whose examination has been expedited through PPH, pre-examination or other expedition proceedings.

The draft adds two more kinds: any divisional application whose parent application has been given expedited examination; and any Chinese application first filed in China for which substantive examination on the same subject matter was then requested in other countries or regions and for which relevant materials indicate that there is no prospect for grant.

The Draft was published in late February 2026 seeking opinion from all sectors of society. The public opinion can be submitted to the CNIPA by 30 March 2026.

#### **Enforcement Measures for Trademark Owners**

In commercial activities, a trademark is an important intellectual property that embodies a company's brand image and market value. Yet, trademark infringement remains a persistent challenge, posing serious threats to the legitimate rights and commercial interests of trademark owners. So, what measures can trademark owners take to defend their rights when trademark infringement occurs?

Before initiating any enforcement action, the first step is to secure evidence of the infringement. This is a critical foundational step for rights holders to effectively safeguard their interests, providing solid support for subsequent enforcement actions such as sending cease and desist letters, filing complaints, or initiating infringement lawsuits. This serves as an essential prerequisite for ensuring the exercise of the owner's rights.

##### **I. Evidence Collection**

Depending on the specifics of the infringement, evidence may be secured through the following methods:

1. Preliminary Online Search and Investigation: This is a necessary step to understand the facts of the case and formulate a strategy for subsequent actions.
2. Evidence Preservation via Blockchain Forensics (such as webpage evidence collection and screen recording) or Traditional Notarization: This step is necessary for formal legal actions such as infringement litigation, and is strongly recommended for supporting complaints and cease-and-desist letters.
3. Purchasing Samples: This is necessary for enforcement action that requires an infringement analysis report or relies on test purchases to confirm product authenticity.

4. On-site Investigation: For large-scale infringement or suspected manufacturing sites with limited online presence, on-site investigations are recommended to uncover clues about warehouses or factories.

## II. Enforcement Measures

Once evidence of infringement is secured, trademark owners may pursue the following enforcement actions through private or public recourse depending on the circumstances:

### 1. Sending a Cease and Desist Letter

This method is suitable for cases involving minor infringement where the other party is cooperative, offering low cost and high efficiency. Both parties can negotiate on issues like compensation and cessation of infringing activities. However, to ensure enforceability of any agreement, it is important that all communications should be documented in writing, clearly outlining the rights and obligations of both parties.

### 2. Filing Complaints with E-commerce Platforms

For infringement occurring through online stores, this is often the most suitable route. Currently, major e-commerce platforms have established IP protection mechanisms. Trademark owners need to submit relevant evidence—such as trademark registration certificates and links to the infringing products—to the platform for review. Once verified, platform operators typically take measures such as removing the infringing listings and penalizing the sellers, allowing for a quick halt to online infringement.

### 3. Customs Recordal and Protection

Trademark owners are encouraged to record their trademarks with Customs as early as possible after trademark registration. If the infringement is discovered before recordal has been completed, it is strongly recommended to file for recordal immediately. Once a trademark is recorded with Customs, the authorities will conduct regular inspections of imported and exported goods to detect potential infringement.

### 4. Filing Complaints with Administration for Market Regulation for Administrative Action

Trademark owners can file complaints about trademark infringement with the local Administration for Market Regulation by calling the 12315 hotline or reporting through the national 12315 platform. This route applies broadly, including to unfair competition cases where trademarks are improperly used in business names.

Materials required for filing an administrative complaint include proof of trademark ownership (e.g., registration certificate, etc.) and evidence of infringement (e.g., photos of infringing products, purchase receipts). Once infringement is established, authorities may take administrative penalties such as ordering immediate cessation, confiscating and destroying infringing goods and tools for manufacturing infringing goods or forging registered trademark labels, and imposing fines.

### 5. Reporting to Public Security Authorities (i.e. Police Department) for Criminal Investigation

In cases involving significant financial impact, serious violations, or uncooperative infringers, administrative measures may not suffice. In such situations, owners may consider reporting the case to the local public security authorities, submitting detailed factual evidence and other

supporting materials to request formal case filing and investigation. After public security authorities become involved, they may take compulsory measures such as inspections and raids to uncover broader criminal facts. After criminal proceedings, owners may further file civil lawsuits to claim monetary damages.

#### 6. Filing Civil Lawsuits in People's Courts

Civil litigation remains a fundamental tool for trademark enforcement. Lawsuits may be filed in the court where the infringement occurred or where the defendant has its domicile. When filing a lawsuit, sufficient evidence must be prepared, including proof of trademark validity (registration certificate, etc.), documentation of infringing acts (e.g., physical samples of infringing products, notarized evidence of purchasing infringing products), and evidence of financial losses (e.g., company sales data, profit loss details). The court will conduct a trial based on the evidence presented by both parties and applicable laws. If the court rules in favor of the trademark owner, the infringing party will be held liable for civil remedies, including but not limited to injunctive relief and monetary damages.

#### 7. Seeking Assistance from Local Intellectual Property Protection Centers

As part of China's national IP strategy, many provinces have established IP Protection Centers offering "one-stop" services. In some regions, trademark owners can resolve infringement disputes in a relatively short time through these centers, which offer fast-track examination, fast-track rights confirmation, and fast-track enforcement services. These centers provide a fast and cost-effective alternative for resolving disputes. Trademark owners are recommended to proactively familiarize themselves with procedures and scope of acceptance of their local IP fast-track enforcement channels, submit applications, and leverage these advantages that enable swift action against infringement.

#### Conclusion

In summary, trademark owners facing infringement have a wide range of enforcement tools at their disposal. The most effective approach depends on the specific circumstances—such as the nature of the infringement, the scale of damage, and the owner's strategic goals. Options include direct negotiation, filing administrative complaints, initiating civil litigation, utilizing fast-track enforcement through IP centers, and filing complaints with e-commerce platform actions. By proactively protecting their trademark rights, owners can preserve their brand's distinctiveness, maintain market competitiveness, and ensure long-term business success in an increasingly challenging commercial environment.