

Roadmap

for Intellectual Property Protection in China

Customs Enforcement in China

Suggested for use by IP right holders,
particularly new entrants to the Chinese marketplace

Prepared Summer 2008

It is strongly emphasised that the information provided in this publication by no means constitutes legal advice and should not substitute for counsel. The information is based on the opinion of independent experts and does not claim to be either complete or definitive; but is intended merely as a guide. The relevant Chinese laws and other available legal and technical sources should be properly consulted when seeking protection for IP rights in China.

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Overview

BORDER PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS

Chinese government agencies have been working actively since 2000 to bring intellectual property legislation up to international standard. Patent, copyright and trademark laws and accompanying implementing regulations all underwent a radical overhaul in 2001 and 2002. In the field of Customs enforcement, new legislation directed at the protection of IPRs came into effect in March 2004. However, IPR protection is a relatively new concept in China, and coordination amongst institutions is still in its infancy; in the midst of the IPR learning process, government agencies and right holders alike will undergo growing pains and frustrations as they try to protect IP rights in a large and fast developing country.

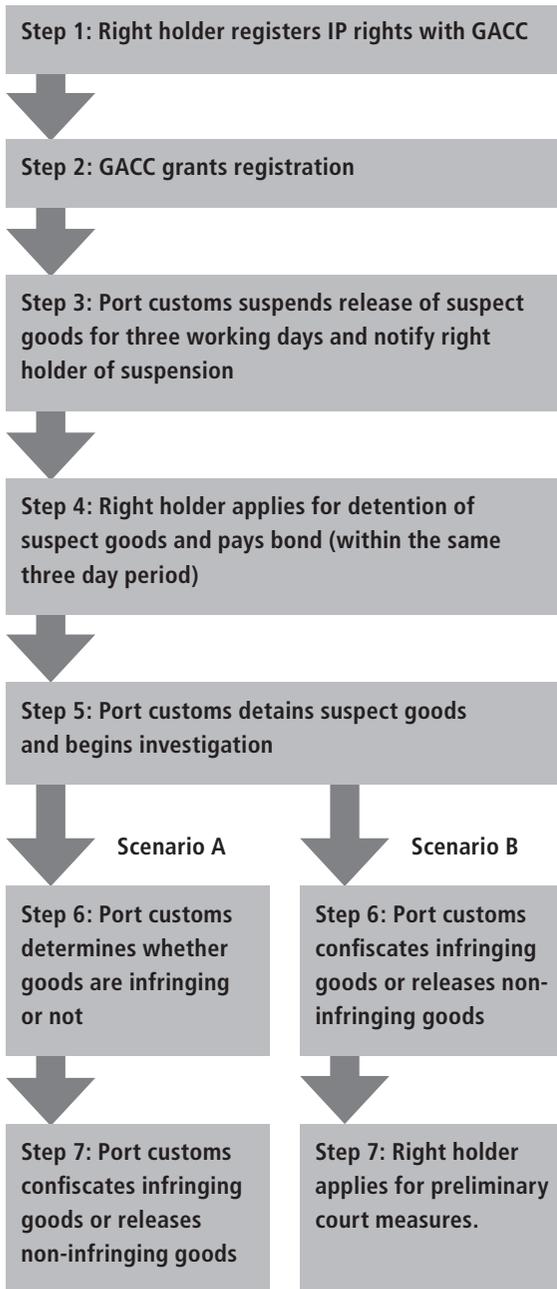
Perhaps this task is most difficult for the General Administration of Customs of China (GACC), as counterfeit products have many ports and borders through which they can flow, and techniques for disguising illegal shipments have become virtually a science.

In short, whether physically present in China or not, companies might experience infringement of their products in China and in their traditional markets by counterfeiters at some point. While there is no easy formula which guarantees 100% protection, companies should at least take all legal and practical measures available in China to reduce risks and possible losses. GACC is one stop on the path to more secure protection for your IPR in China and should be used to the full.

FLOWCHART OF BORDER MEASURES IN CHINA

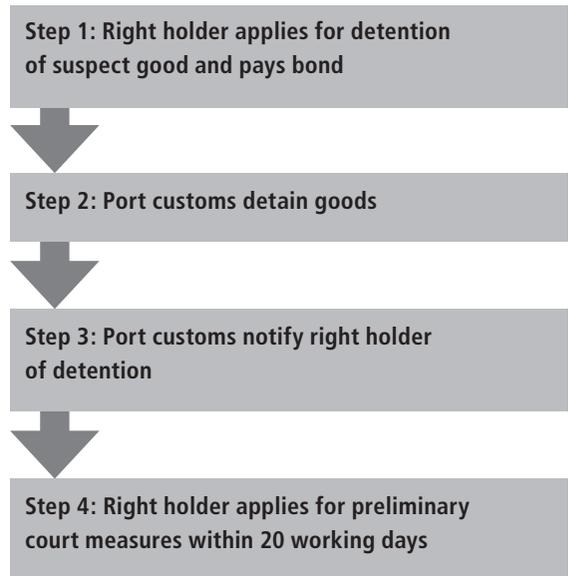
I) IP registration measures:

Right holder registers with GACC in China



OR II) Direct application procedures:

Right holder may go directly to port customs; IP registration not required



Note:

It is worth noting that Chinese customs do not act on their own initiative (as for the ex-officio procedure in the EU) if neither a recordal (registration) nor a specific request to make a seizure has been filed by the right owner.

I) IP registration measures and GACC ex-officio action

Registration is valid for 10 years and may be renewed for a further 10 years. If an outside party objects to the registration, GACC can cancel it at any time; an objecting party must provide proof that the registration is unlawful. Parties which object to a GACC decision can bring a suit through the administrative tribunal of the courts.

STEP 1: REGISTRATION OF IP RIGHTS WITH CUSTOMS

Registration of IP rights with customs is optional in China. Right holders may register their IP rights with GACC. If rights are registered with GACC the port customs can temporarily suspend the release of the goods for a period of three working days and notify the right holder of such detention. If the rights are **not** registered with GACC, the port customs will **not** take such actions.

Alternatively, if a right holder has found an infringing consignment and through close surveillance has tracked it to a particular port, it can directly apply to port customs directly to detain the suspect goods without a prior IP registration. The procedures for direct application for detention are set out in the Direct Application Procedures highlighted below.

Registration of IP rights with GACC

The holders of trademarks, copyrights (neighbouring rights included), patents and Olympic symbols which are under legal protection by the laws and administrative regulations of China are entitled to register their rights with GACC for the purpose of seeking border protection for their rights by port customs in China.

An application for registration can be submitted online or mailed to the following:

General Administration of Customs of China, Legal Affairs Department, Intellectual Property Division, 6 Jianguomen Nei Avenue, Beijing, 100730, The People's Republic of China
Application online can be found at <http://202.127.48.151/applyrecord> (in Chinese only) on the GACC website.

The application should be in writing and accompanied by:

- A copy of the related business licence or personal identification certificate of the registered rights owner;
- A copy of the Chinese registration certificate for trademarks, patents or copyrights (other evidence may be accepted for copyright registration);
- Any available information regarding related licences;
- Photographs of the intellectual property rights-holder's relevant goods and their packaging;
- Any evidence related to a particular infringement (if available);
- A power of attorney, which is required when the applicant is based outside mainland China (which process must be facilitated through use of a local agent);
- A registration fee of RMB 800.

Note:

Port customs may release the suspected shipment if no petition from the right holder is delivered or the requisite bond payment (or in the limited cases where a bank guarantee is accepted as substitute for a bond) has not been deposited within three working days of their being notified of a temporary suspension of release. Customs must continue to detain the goods if the petition and bond payment (or guarantee) have been received.

In Practice...

Infringing goods seized by local port customs are almost all exports and mainly discovered by Customs' own random spot check inspections rather than by discoveries made by the IP rights owner and tracked to the port. When local port customs suspect a consignment of goods to be potentially infringing on an IP right (that has been registered with Customs), they have the authority to take proactive action (ex-officio) to temporarily suspend the release of the suspect goods.

Alternatively, if Customs have been informed by a right owner about a particular container of having a portion of infringing goods, and if this container can readily be identified (i.e. with reference to a container number and location within the port), it can take action to seize the goods under request of the specific IP right holder.

The procedures and requirements differ depending on the type of action to be taken. Because it is hard for a right holder to identify a particular container or to know when a suspect shipment is about to enter or leave China, right holders usually rely on Customs to protect their IP rights at the border. Since, the right holder must have first registered its IP rights with GACC for them to take ex-officio action on behalf of the right holder, it is advisable to register IP rights with GACC.

STEP 2: GACC GRANTS REGISTRATION OF IP RIGHTS PROTECTION

GACC decides either to grant or to refuse registration of IP rights within 30 working days of receipt of an application. A preliminary application is first made on line, followed by a formal written application which will include a number of documents (see above). Reasons must be given in support of a decision to refuse.

Registration can take up to a period of two months. It is valid for 10 years and may be renewed for a further 10 years provided the relevant IP rights are effective during the respective periods, e.g. the recordal for a trademark lapses as the trademark registration lapses.

STEP 3: GACC TEMPORARILY SUSPENDS RELEASE OF SUSPECT SHIPMENT(S)

STEP 4: RIGHT HOLDER APPLIES FOR DETENTION OF SHIPMENT AND PAYS THE SECURITY BOND

Once a right holder has successfully registered with GACC, basic information about its registered right becomes part of a database accessible by port customs to assist them in identifying suspect goods. The database contains basic information on the registered IP right, such as the name of the right holder, the type of right (e.g. trademark and related class of goods) and images of the trademark or product. The local customs may take ex-officio actions if it suspects that a shipment contains infringing goods, and temporarily suspend the release (import) or shipment (export) of goods.

If a right holder has registered its rights with GACC, the port customs will notify the right holder (or its designated agent) of the suspected infringement. Within the three working days allowed by GACC, the right holder must prepare an application for further detention and, with the exception of certain situations (see below – Bank Guarantee Letters) facilitate a

bond payment (usually in local currency) of up to 100% of the claimed value of the shipment. If the right holder fails to submit an application and bond payment (within the three working days allowed by GACC) Customs will release the goods to the consignor (the trading company seeking to export) and the shipment will proceed, regardless of whether the goods are infringing or not.

Bond Payment

The most burdensome aspect of customs enforcement from the point of view of the rights holder is the requirement to submit a security bond payment to the relevant port customs where the goods have been temporarily seized. This is to guarantee the other party against potential losses in the event that seizure by Customs proves groundless.

GACC has laid down the following rules for bond payments:

Declared value of seized goods	Required bond payment
Less than RMB 20K (approx. EURO 2,000)	100% of the declared value of consignment
RMB 20K - 200K (approx. EURO 2,000 - 20,000)	50% of the declared value of consignment
Over RMB 200K (approx. EURO 20,000)	RMB 100,000 (approx. EURO 10,000) of the declared value of consignment

As with verification of seizure arrangements, it is very important that the right holder has a procedure in place for its designated agents or local business unit to handle payments of bonds as soon as positive verification has been made. These arrangements should not be left until a seizure has taken place, as it will usually mean the goods will be released as the three day period has expired.

Bank Guarantee Letters

Under new regulations, certain right holders who have a large number of rights and/or a high volume of goods exported from China may submit a bank guarantee letter in lieu of having to pay cash bond payment following each seizure notice. In general, only trademark owners who have made multiple applications to Customs for detention of shipments suspected of violating its trademark rights – registered with GACC already – within a certain period of time (usually over the previous 12 months) may file an application with GACC to enable it to use a general guarantee issued by an authorised (Chinese) bank in place of bond payments to detain any goods suspected of infringement. **The applicant is in any event still liable for the storage and disposal costs.**

Applications for the right to use Bank Guarantee should be made in writing to GACC and accompanied by:

- a letter of guarantee from an authorised bank, acting as a guarantor by agreement with the rights holder, and undertaking the applicant's related liability;
- a checklist of the storage and disposal fees incurred and paid to Customs in the previous 12 months after the right holder had formally requested the relevant port Customs authority to detain goods suspected of infringement.

The liability for the guarantee must be equivalent to the total amount incurred for storage, preservation and disposal of goods suspected of infringement and which were detained in the previous year, but should not be less than RMB 200,000 (approx. EURO 20,000). The letter of guarantee must be valid from the issue date to the 30th of June of the following year. However, the general guarantee facility may only be used in lieu of an otherwise required bond payment to detain any goods suspected of infringement for the period from the date GACC approves the use of the general guaranty to the 31st of December of the same year. This means that the validity period of a guarantee letter will always be six months longer than that of the period that the general guarantee may be used as a substitute for the payment of a bond. In practice, right holders submit their guarantee applications to GACC generally just before the period of use of the general guarantee is due to expire.

In Practice...

Effective use of the customs system requires the right holder to have a system already in place to respond to detention notices issued by Customs within three working days. According to GACC statistics, there is a high proportion of right holders that – although they have invested resources into the recording of their rights with customs – fail entirely to respond to seizure notices which are faxed (in Chinese) to that right holder (or their designated agent) or respond after the requisite 3 days limit has expired. GACC is currently considering to striking off the registrations of those right holders who consistently fail to give timely response to notices of temporary seizure from Customs, whether to release or seize the goods.

Therefore, it is recommended that, where Customs notifies registered right holders of suspect shipments – be it for a relatively small-monetary value, right holders adopt a zero tolerance attitude and respond to every such notification with a request for seizure and bond payment where it is clear they can verify the goods are infringing. In the event that they cannot verify the status of the goods, right holders should formally request Customs to release the goods within the requisite three working days stating the reason for the release. Customs may eventually become discouraged from reporting suspect shipments in the knowledge that a particular right holder consistently fails to respond within the requisite three day period, which could result in the effective withdrawal of future cooperation with Customs – unless active steps are taken to rectify the situation.

The ability of a right holder to respond to these formal notices of temporary seizure depends on having a streamlined and effective verification and bond payment system. Within the three working days limited time period to verify the nature of the goods, it may not be possible for a right holder to obtain an actual sample of suspected infringing goods, so verification may often rely on information such as digital photographs and/or the name of the exporter being provided by Customs via e-mail or through the visit by your agent to the particular Customs port authority who temporarily seized the goods. For this reason, it is important that the designated contact person that is provided by the right holder to GACC is available and able to verify the nature of the goods and to facilitate the quick approval and payment of the bond to the designated Customs bank account in RMB. Overseas right holders who do not have

staff on the ground in China have the option to use specialist service providers or agents (usually a local law firm or an IP specialist agency in China), to act as the main liaison with Customs and have access to funds in local currency that can be paid within the requisite three day verification period.

Summary

- IP owner(s) must have a special budget and be prepared to invest and develop a strategy to coordinate their brand protection efforts.
- IP owner(s) will need to be more organized in adopting internal and external procedures for dealing with notifications of temporary seizure from Customs.
- Implement procedures for seizure verification and bond payment in advance.
- Commit to responding to every Customs notice of temporary seizure or risk having their Customs recordal cancelled for non use.
- An initial investment from the outset in this process can provide cost savings in the long run by interdicting infringing or counterfeit goods before they are exported from China.

STEP 5: CUSTOMS INVESTIGATES

Within 30 working days after a temporary seizure has been confirmed by the rights owner and the requisite bond has been paid, Customs has the authority to initiate and conclude an investigation into the attempted export of non authorised goods. Customs may require/seek assistance from the right holders and from relevant IPR authorities (such as the Administration of Industry and Commerce) during its investigation.

Opposition to Temporary Seizure by the Consignor

In the unlikely event of a formal written opposition being furnished by the consignor to Customs disputing the grounds for the seizure (the bond payment and request for formal detention of the goods already having been submitted and accepted by Customs), the case may be deemed beyond Customs' technical competence to make a formal decision on the infringement.

In such a case, the relevant Customs authority will normally immediately inform the right holder (or their agent) of the opposition to the seizure by the consignor of the shipment. If an amicable settlement cannot be reached between the parties, the right holder may apply for preliminary court measures in the event the relevant Customs authority refuses to make a formal determination of the matter.

In Practice...

Since the introduction of the measure on IP Customs Protection Regulations by GACC in 2004, trading companies with a license to import and export as well as customs clearance agents have been able to act as a protective buffer between the disclosure of the identity of the source producers of counterfeit/infringing goods and right holders. Currently details of the source manufacturer are still not required for the purposes of recording relevant details of the shipment on the Customs manifest.

New Regulations – Profiling of Exporters

To counter this practice GACC promulgated new innovative regulations in January 2008 to deal with this problem. Under the new regulations, GACC will profile trading companies and customs agents into five different categories, **AA**, **A**, **B**, **C** and **D**, based on their track record of associations with IP infringement. For example clearance measures of those exporting companies in categories "**AA**" and "**A**" will be the most convenient (as far as checks and documentary evidence required to proceed with the shipment are concerned); category "**B**" will be considered standard, and categories "**C**" and "**D**" will have the strictest requirements.

In practice, it is likely that this will result in Customs conducting less on the spot random physical checks of containers bearing shipments from trading companies and customs agents in categories "**AA**" and "**A**", while checking almost every container bearing a shipment from those export/import companies or agents in categories "**C**" and "**D**". In theory, this is the first time the onus will be placed on the trading companies and customs agents to bear some responsibility for facilitating the trade in infringing goods, in addition to having to pay a small administrative fine and having certain goods within a particular shipment being seized.

This new accountability system will have material consequences on agents who act on the behalf of infringers, and should result in trading companies and agents to have a vested interest in ensuring that the goods they declare for their clients do not infringe on the IPR of others. However, the actual effect of the implementation of the new regulations (which became effective in April 2008) is yet to be seen.

STEP 6 AND STEP 7 (SCENARIO A)

Goods are determined to be “infringing” or “not infringing” by Customs

If a shipment is found to contain goods suspected of infringing the registered (with GACC) IP rights of another by the relevant port customs, it will notify both the right holder and the consignor of the shipment of its intention to temporarily seize the consignment pending confirmation of their status by the rights owner. Notwithstanding the right of the IPR owner to communicate with Customs regarding the seizure, the consignor of the shipment has an equivocal right to dispute the decision to temporarily seize the goods on the grounds that it is a legitimate shipment. In such case, if it fails to negotiate directly with the rights owner for the release of the shipment, it has the right to appeal the decision of the customs authorities to the administrative tribunal division of the Intermediate People’s Courts for a determination.

Storage & Destruction of Infringing Goods

However, if no such opposition is made (which is frequently the case) the infringing goods in the shipment will usually be confiscated and placed in storage (usually a third party warehouse contracted by Customs) until the formal decision has been furnished to both parties by Customs, and the period for appeal of such decision (on the part of the consignor) has expired.

Once a case conclusion decision has been issued by Customs and a fine levied on the consignor, the goods are generally released to Customs and are disposed of according to their regulations in one of four ways in the following order of priority:

- The shipment (clothes, shoes, etc.) will be donated to charity (generally the Chinese Red Cross) with the infringing marks not necessarily being removed
- The IP right holder will be given the option to purchase the seized consignment. If agreed, Customs will transfer the goods to the right holder at the rights-holder’s expense to dispose of them as they choose.

- If the seized goods are deemed unfit for donation due to their quality or nature of the product, and the right holder does not exercise their option to purchase the goods, Customs can auction the goods after their infringing features have been removed, and keep the proceeds thereof to defer their own costs;
- If the infringing features cannot be removed from the seized goods, Customs may entrust a third party to destroy or otherwise recycle the goods (at the rights-holder’s expense)

If the shipment is found by the port customs to contain non-infringing goods (i.e. where the rights owner has issued a letter of release or not responded to a notice of temporary seizure, the goods will be released.

In Practice...

If a shipment has been determined by the right holder to be infringing, Customs will proceed on that basis and impose a penalty on the consignor, which involves the serving of a notice outlining a monetary fine and the notification of the formal confiscation of the goods. The final investigation will in most cases not uncover the identity of the source manufacturer or consignee (buyer/recipient of the consignment), since shipments are consigned with only the identity of the consignor being revealed on the customs manifest.

For larger seizures, rights-owners are encouraged to invest resources in follow-up with the consignor to leverage its position to gain information on the source manufacturer and consignee. Threatening civil proceedings against the consignor may be necessary (and in the medium term be more cost effective) if the consignor refuses to cooperate voluntarily.

Criminal Investigations

In the event that a customs seizure involves a suspected criminal element, Customs may transfer the case to the Public Security Bureau (PSB) for criminal prosecution where the declared value of the goods is deemed to meet the minimum threshold for criminal liability and enough evidence is obtained by the rights owner (or their designated agent) to show that the exporter “knowingly” facilitated the export of counterfeit or infringing goods. In practice, very few such cases have been referred to the PSB in such a manner.

Following the promulgation of the *Interim Regulation on Strengthening IPR Enforcement Cooperation between Customs and Public Security Authorities (Interim Regulation)* in 2006, a new collaboration between PSB and Customs was formed to facilitate an easier transmittal of IP rights infringement cases to PSB. The Interim Regulation sets out how the regional public security authorities and Customs are to collaborate to combat IPR infringement. Customs are now required to immediately notify their regional public security authorities when they suspect that large quantities of counterfeit goods are being imported or exported. The Interim Regulation also establishes a system for holding joint meetings between PSB and Customs when large cases arise, all with the intent of facilitating the efficient exchange of information between the two authorities. However, in practice, the level of collaboration and exchange of information between Customs and the police may vary considerably depending on the location, and to date little information has been provided by the authorities on whether any such cases have been transferred successfully to PSB, resulting in a criminal sentence being given.

STEP 6 AND STEP 7 (SCENARIO B)

Port customs are unable to determine whether goods are “infringing” or “non-infringing”

Where a port customs cannot determine whether the suspect shipment contains “infringing” goods because they are technically unable to do so (i.e. typically in cases where a copyright or patent right is at issue), it will inform the right holder. The right holder has 50 days from the date the suspected goods were detained to apply for a preliminary injunction from the relevant court (usually granted within 48 hours on application) for further detention of the goods. If the right holder ascertains that the case will be difficult for the port customs to decide, it may apply for a preliminary injunction before the port customs have reached an initial conclusion. If the application for preliminary injunction is approved, the shipment will be transferred by the port customs to the courts. On the other hand if the application for preliminary injunction is denied, the detained goods will be released and the bond returned only after the IP holder pays off the related storage expenses and provides to Customs the original receipt of such payment.

II) Direct application procedure (no prior registration with GACC)

Under the procedures outlined in the customs regulations that came into effect in March 2004, right holders could apply for detention of a suspect shipment directly to the port customs authorities where the suspect goods are being either imported or exported. Direct application to the port customs does not require prior IP registration with GACC.

Upon receiving the complaint to ensure that the complaining party is indeed the rights-holder, Customs will require evidence of a requisite bond payment. Once the relevant Customs authority is satisfied that sufficient documentation has been provided by the rights owner (or their designated agent), they can proceed with the seizure.

The port customs will, after having first been provided with specific information by the rights owner(s) leading to the exact location in the port of the container, identify and examine the shipment. It can then choose to detain the goods for a period of up to 20 days. Customs will then both formally notify the right holder and the consignor of the temporary seizure. After being notified by Customs of the detention of the suspected goods, the rights-owner must apply to the People's Court for a preliminary injunction or property preservation measures because if Customs does not receive any notification from the People's Court for assistance in execution of a court order within 20 working days from the date of the detention, Customs will release the goods. On the other hand, if the application for the preliminary injunction is approved, the customs authorities will transfer the goods into the custody of the court which will then make a final determination. If such an application is denied, they will release the seized goods to the consignor.

In Practice...

In practice, it is rare for right holders to apply directly for detention of suspect shipments since it would require investing in costly investigative programmes – which includes close surveillance and tracking of container vehicles in order to gain sufficient information to uncover a specific container, or the timing of potential shipments of infringing goods in enough time – to notify Customs and prepare for potential civil litigation to stop the goods being exported. If a right holder does learn of a forthcoming suspect shipment that has a relatively

high value to the consignee, it might only then consider notifying Customs with a view to initiating a detention application using the procedures as described above. However, after applying for detention of the shipment, the rights holders must file for a court order within 20 days from the date of detention.

This has, unfortunately, made Customs a less straightforward enforcement resource, and means that certain cases will require engaging local lawyers, hence considerably more costs. There is a very short time limit for filing an action with the People's Court. Twenty days is insufficient for overseas right holders to gather all the documents they would need to prepare for a court order and litigation since China imposes strict notarisation and legalisation requirements (in the case of the latter on evidence adduced outside of China) to be presented to the court. In practice, right holder would prepare the documents required for litigation in advance of notifying customs (if time permits), or more common, such cases are often settled by negotiation with the consignor directly under threat of litigation against them if they refuse to comply, thereby avoiding the need for court proceedings (although initiating court proceedings may motivate the goods' owner to negotiate).

Where the infringement concerns a patent or a copyright, application for detention may be the only way to stop the shipment of infringing goods. In practice, Customs officers can rarely make an initial determination from an inspection as to whether a particular product is infringing, since such a determination is likely to be beyond their technical expertise. Regardless of whether the patent or copyright holder has recorded its rights with customs, no notice would ever be given to the right holder as officials would not be able to become suspicious of a product in order to form their initial determination. Therefore, holders of patents and copyrights need to be more innovative, invest more resources and be more proactive and vigilant than trademark right holders.

Customs Training

This situation may be improving however. After registering their rights with GACC, Patent and copyright holders might consider pooling their resources with likeminded brand owners and train local customs on how to determine whether a particular product is likely to be genuine or counterfeit. In cases where large brand owners have joined industry coalitions dedicated to fighting piracy (i.e. Quality Brands Protection Committee – QBPC), feedback has been positive in terms of creating brand awareness as a result of this type of Customs training, which events are usually organised bi-annually. Such training activities are comprehensive and it is recommended that right owners would engage a third-party such as a consultancy that has developed a relationship with customs, in order to make all the necessary arrangements between the right holder and customs.

China contact information

STATE INTELLECTUAL PROPERTY OFFICE (SIPO)

www.sipo.gov.cn (Chinese & English)

STATE ADMINISTRATION FOR INDUSTRY AND COMMERCE (SAIC)

www.saic.gov.cn (Chinese & English)

China Trademark Office (CTMO)

www.ctmo.gov.cn or <http://sbj.saic.gov.cn/> (Chinese & English)

NATIONAL COPYRIGHT ADMINISTRATION OF CHINA (NCAC)

www.ncac.gov.cn (Chinese only)

GENERAL ADMINISTRATION OF CUSTOMS OF CHINA (GACC)

www.customs.gov.cn (Chinese & English)

Shanghai Customs

www.shcus.gov.cn (Chinese & English)

Guangzhou Customs

<http://guangzhou.customs.gov.cn> (Chinese & English)

Tianjin Customs

<http://tianjin.customs.gov.cn> (Chinese only)

GENERAL ADMINISTRATION OF QUALITY SUPERVISION INSPECTION AND QUARANTINE (AQSIQ)

www.aqsiq.gov.cn (Chinese & English)

MINISTRY OF PUBLIC SECURITY (MPS)

www.mps.gov.cn (Chinese only)

SUPREME PEOPLE'S COURT (SPC)

www.court.gov.cn (Chinese)

China IP Judicial Protection, IPR tribunal

www.chinaiprlaw.cn (Chinese & English)

SUPREME PEOPLE'S PROCURATORATE (SPP)

www.spp.gov.cn (Chinese only)

MINISTRY OF COMMERCE (MOFCOM)

<http://www.mofcom.gov.cn> (Chinese & English)

IP Protection in China

www.ipr.gov.cn (Chinese & English)

Service Centres for IPR Protection, Reporting and Complaints

<http://jts.ipr.gov.cn/tousu/eHome.html> (English)

Acknowledgements

Raymond Moroney

Rouse & Co. International, Beijing Office

Unit 1403, NCI Tower

No.12A Jianguomenwai Avenue

Beijing 100022, PRC

+86 (0) 10 6569 3030 ext 452

+86 (0) 10 6569 3040 (fax)

rmoroney@iprights.com

Mai Lin

Rouse & Co. International, Shanghai Office

Suite 2701, Park Place

1601 Nanjing Road (West)

Shanghai 200040, PRC.

+86 (0)21 3251 9966

+86 (0)21 3251 8818 (fax)

mli@iprights.com

This Roadmap for Intellectual Property Protection is part of a series of guides prepared under the EU-China Project on the Protection of Intellectual Property Rights (IPR2). The series aims to provide European and Chinese companies with up-to-date information on how to protect their intellectual capital in Europe and in China. For other guides, visit www.ipr2.org or contact IPR2 (info@ipr2.org).

IPR2 is a partnership project between the EU and the PRC on the protection of intellectual property rights in China. This is done by providing technical support to, and building the capacity of the Chinese legislative, judicial and administrative authorities in administering and enforcing intellectual property rights; improving access to information for users and officials; as well as reinforcing support to right holders. IPR2 targets the reliability, efficiency and accessibility of the IP protection system, aiming at establishing a sustainable environment for effective IPR enforcement in China.



IPR2 co-operates closely with the European Union's China IPR SME Helpdesk. The China IPR SME Helpdesk is a European Union initiative, which supports European small and medium-sized enterprises (SMEs) with free information, training and first-line advice about protecting and enforcing their intellectual property rights in China. The Helpdesk offers practical information, training and workshops in Europe and China in order to assist European SMEs to make the right business decisions with regard to their China IPR matters.

If you are a European SME or SME representative body, for further information contact the European Union's China IPR SME Helpdesk:
c/o European Union Chamber of Commerce in China
Office C319, Beijing Lufthansa Center, 50 Liangmaqiao Road
Beijing 100016
T: +86 10 6462 0892
F: +86 10 6462 3206
E: enquiries@china-IPRhelpdesk.eu
www.china-IPRhelpdesk.eu



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This publication has been produced with the assistance of the European Union.