

W&B IP Newsletter



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Intellectual Property

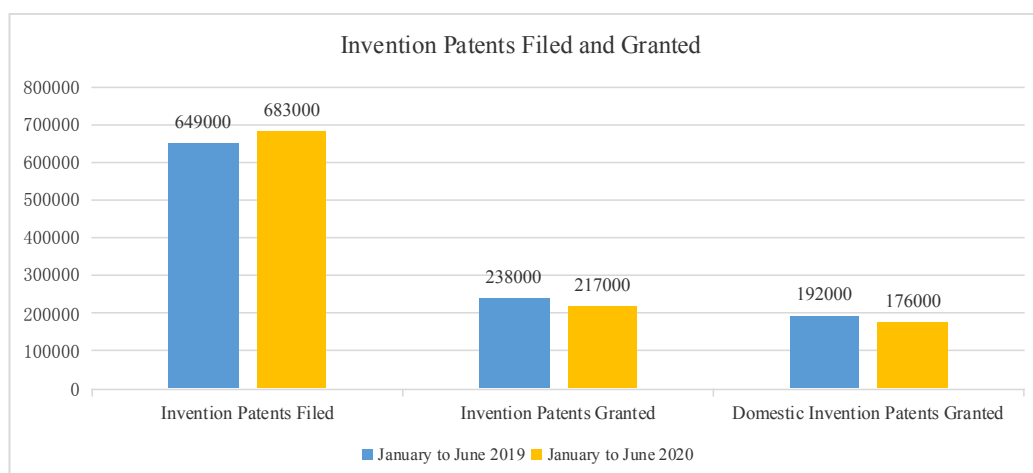
CNIPA Releases Statistical Data of Patents and Trademarks from January to June 2020

On July 9, CNIPA hosted the regular press conference for the third quarter of this year. At the conference CNIPA released statistical data of IP rights from January to June along with its work report.

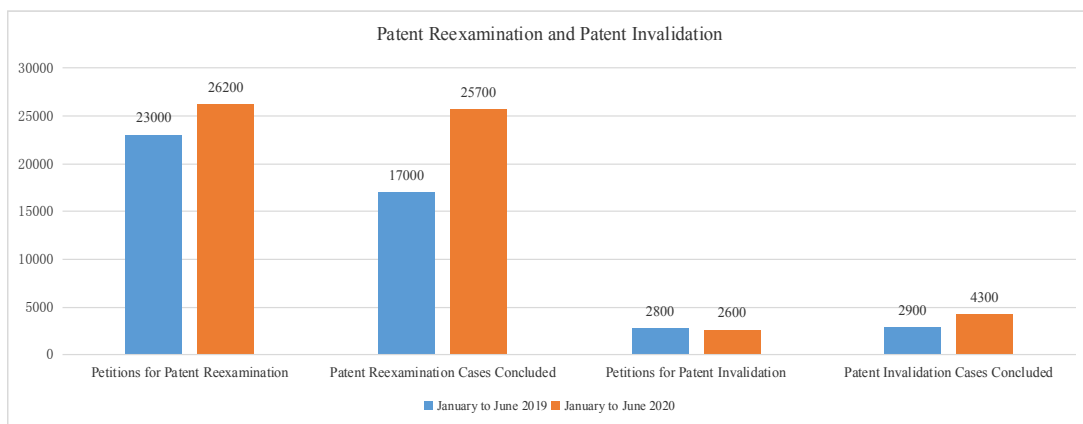
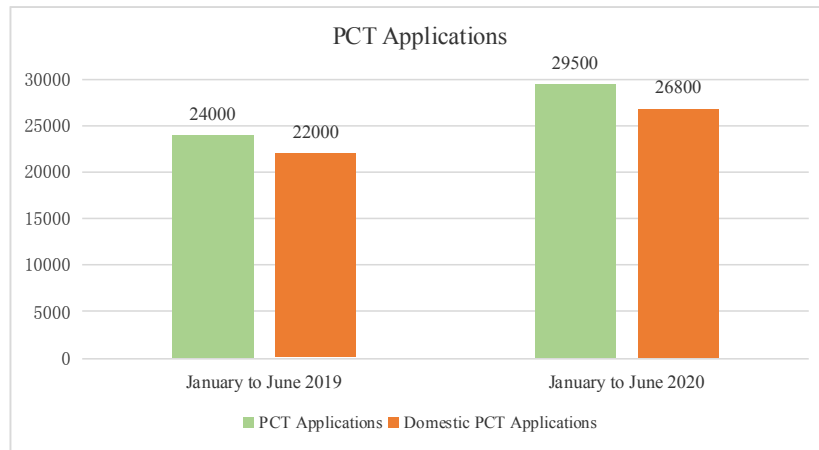
We summarized the data in the following three tables and underlined the following highlights in the said data:

- The number of applications for invention patents reached 683,000, at a growth rate of 5.2% with respect to the same period of 2019;
- The total number of applications for inventions, utility models and design patents reached 2,195,000, at a growth rate of 9.8% with respect to the same period of 2019;
- The number of applications for trademarks reached a record-high of 4,284,000, at a growth rate of 24.6%;
- The examination/review periods for patents and trademarks have all been expedited to some extent.

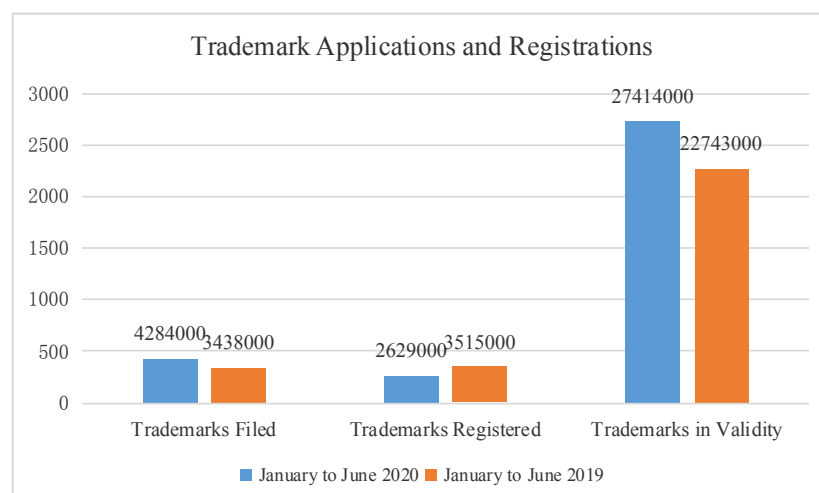
	January to June 2020 (multiplied by 10,000)	January to June 2019 (multiplied by 10,000)	Growth Rate
Invention Patents Filed	68.3	64.9	5.2%
Invention Patents Granted	21.7	23.8	-8.8%
Domestic Invention Patents Granted	17.6	19.2	-8.3%
Inventions, Utility Models and Designs Filed	219.5	200	9.8%
PCT Filed	2.95	2.4	22.6%
Domestic PCT Filed	2.68	2.2	20.7%
Patent Reexamination Petitions Filed	2.62	2.3	13.9%
Patent Reexamination Cases Concluded	2.57	1.7	51.2%
Patent Invalidation Petitions Filed	0.26	0.28	-7.1%
Patent Invalidation Cases Concluded	0.43	0.29	48.3%



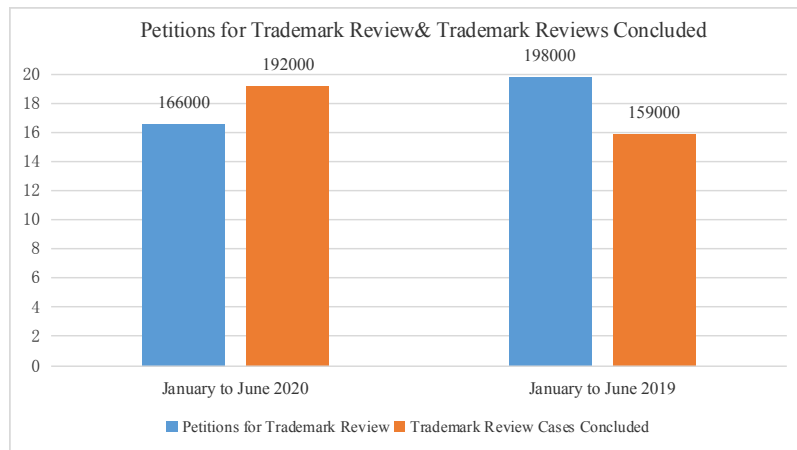
Intellectual Property



	January to June 2020 (multiplied by 10,000)	January to June 2019 (multiplied by 10,000)	Growth Rate
Trademarks Filed	428.4	343.8	24.6%
Trademarks Registered	262.9	351.5	-25.2%
Trademarks in Validity	2741.4	2274.3	20.5%
Madrid International Trademark Applications	0.3875	0.2849	36.0%
Trademark Review Petitions Filed	16.6	19.8	-16.2%
Trademark Review Cases Concluded	19.2	15.9	20.8%



Intellectual Property



Examination / Review Period	January to June 2020 (month)	January to June 2019 (month)
Inventions	20.3	22.7
High-value Patents	15.2	20.5
Utility Models	6.4	6.2
Designs	3.2	4.0
Patent Reexamination	---	11.7
Patent Invalidation	---	5.0
Trademark Registration	<4.5	<5

In addition to international applications/registrations of patents and trademarks, registrations of layout designs of integrated circuits have also kept on a rapid increase, as shown by the data summarized below:

	January to June 2020	January to June 2019	Growth Rate
Applications for Layout Designs of Integrated Circuits	5176	2905	78.2%
Granted Layout Designs of Integrated Circuits	5262	2487	111.6%

(Source: China National Intellectual Property Administration)

Ministry of Commerce: Growth Rate of Royalties for IP Rights from January to May Reaches 38.4%

According to the latest statistical data released by the Ministry of Commerce, in the first five months this year, China's service trade deficit decreased by 285.15 billion RMB with respect to the same period of 2019, dropping at the rate of 44.9%. Among said services, China's import and export of know-intensive services increased rapidly, accounting for over 40% in the total import and export of services.

Also, royalties for IP rights increased at a substantial rate of 38.4% with respect to the same period of 2019. The export growth rates of telecommunication computer and information services and insurance services also kept at above 15%. Areas such as telecommunication computers and information services, and financial services, witnessed high growth rates at 34.4% and 15.0% respectively.

(Source: WeChat account of China National Intellectual Property Administration)

Trademarks

Trademark Office: Average Success Rate for Trademark Oppositions Reaches 50.14% in the First Half of 2020, Higher than 47.65% in the Same Period of 2019

Since the beginning of this year, sub-offices under the Trademark Office have given full play to the trademark opposition procedure in cracking down on malicious registrations. By doing so, the Trademark Office timely dealt with malicious hoarding and preemptive registrations involving public resources, and powerfully safeguarded the legitimate rights and interests of the rights holders. Statistical data in relation to trademark oppositions in the first half of this year is summarized in the table below:

	January to June 2020	January to June 2019	Growth Rate
Average Success Rate for Trademark Oppositions	50.14%	47.56%	5.42%
Number of Concluded Opposition Review Cases	68162	39664	71.85%

(Source: China National Intellectual Property Administration)

CNIPA Promulgates the Standard for Determining Trademark Infringement

Recently CNIPA promulgated the Standard for Determining Trademark Infringement (hereinafter the “Standard”).

The Standard incorporates 38 articles that define and regulate in detail:

(1) use of trademarks; (2) identical goods; (3) similar goods; (4) identical trademarks; (5) similar trademarks; (6) easily caused confusion; (7) exemption for sellers; (8) conflicts of rights; (9) suspension of application and (10) identification by right holders.

(Source: China National Intellectual Property Administration)