

三十年
Partners in
专利
patents for
合作伙伴
30 years

中华人民共和国国家知识产权局
SIPO State Intellectual Property Office of the People's Republic of China

欧洲专利局
EPO European Patent Office

TITLE IV

FINAL PROVISIONS

Article 8
Amendment of the Agreement

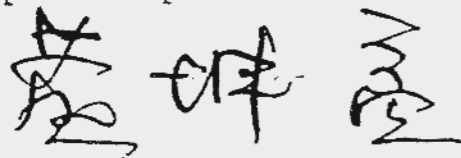
At the request of either party to the present Agreement negotiations shall take place with a view to amending or supplementing it, in particular in order to take account of any reevaluation concerning the performance of any of the undertakings given by either party.

Article 9
Entry into force and termination

- (1) The present Agreement shall enter into force on the date on which it is signed.
- (2) The present Agreement shall be concluded for an indefinite period. It may be terminated by either party giving notice in writing, initially after the expiry of a period of five years as from the date of its entry into force, termination taking effect one year after receipt of the notice of termination.

Done atMunich....., 11 June 1985..... in two originals in Chinese, English, French and German, the four texts being equally authentic.

For the Patent Office of the
People's Republic of China



For the European Patent
Organisation



Partners in patents for 30 years

This work was undertaken at the initiative of the European Patent Office (EPO) and the State Intellectual Property Office of the People's Republic of China (SIPO) to mark the 30th anniversary of the signing of the framework co-operation agreement on 11 June 1985. It consists of alternating contributions from the two offices, all of which have been respectively translated into English and Chinese so as to produce two versions, both distinct and alike. The views and opinions expressed therein are the authors' own, and they alone are responsible for them.



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Benoît Battistelli

The EPO and the SIPO are pioneers in direct co-operation on IP matters.



Benoît Battistelli has been President of the European Patent Office since July 2010. A graduate of the Paris Institute of Political Studies (IEP) and the National School of Administration (ENA), Mr Battistelli began his career as a senior civil servant in the French Ministry of the Economy and Finance. He has been awarded the title of professor honoris causa by Renmin University of China, Beijing, and an honorary doctorate from the Menéndez Pelayo University in Santander.

This is a special year for the EPO and the SIPO. 2015 marks the 30th anniversary of constructive co-operation between our two offices and it is another milestone in the continuing development of a special relationship. This anniversary provides us with the opportunity to reflect on how we have fostered our relations. It is an opportune moment for us to consider how we shaped the evolution of the patent system in China and in Europe and to offer effective patent protection on a global basis.

Bilateral relations between our two offices were formalised in 1985 with the signing of the first co-operation agreement between the EPO and what was then the Patent Office of the People's Republic of China. We decided to embrace a working relationship with each other at a time when intellectual property at the international level was dealt with predominantly through multilateral treaties. The EPO and the SIPO were therefore pioneers in direct co-operation on IP matters.

Both offices had their own rationales for investing in co-operation efforts. In Europe, the EPO was the creation of a system in which working together was seen as a way to produce tangible results. Specifically, the European Patent Convention offered another means for successful regional integration when combined with a single market. With the addition later of a single currency, co-operation was rightly believed to deliver market conditions that would help businesses and innovation to thrive. It was this ethos of co-operation that would prove to be a determining factor in the EPO's external relations.

Meanwhile, the Chinese system was undergoing change at a phenomenal rate. China's Patent Law has been revised three times since it first entered into force in 1985 and a fourth revision is currently ongoing. With each amendment, patent regulations have been brought into line with international standards. Having incorporated the necessary provisions for joining first the Patent Cooperation Treaty (PCT) and then the WTO, Chinese Patent Law has created the legal basis to transform China's manufacturing economy into an economy based on domestic innovation.

At the time of our first steps in co-operation, we were facing similar operational challenges and there was awareness that we could learn much from each other.

These mutual interests and needs would soon prove to be the very elements that would stimulate a continuous exchange between our two offices – and one that has continued to this day. The result has been a natural predisposition to working together.

From the initial exploratory projects that we started to undertake together, relations between the European and the Chinese Patent Offices evolved rapidly. We forged a new dialogue and our two offices developed a constructive working relationship. Initially, this co-operation was only pursued through bilateral relations but was later complemented by EU-funded co-operation projects. The result is that the EPO and the SIPO have learned much from each other over time, yet have also retained our own individual characteristics, with each office leading in different, specific disciplines.

Throughout our co-operation efforts, we have always borne in mind that co-operation is a means by which to bring tangible benefits to the applicants and users, many of whom have provided testimonies in this publication. They speak of the benefits brought to users of the patent system as a result of thirty years of bilateral co-operation.

Supporting the work of examiners with pioneering computer technology has proved to be far-reaching in this respect. Typesetting and translation of rapidly growing Chinese patent documentation had generated broad appreciation of comprehensive patent documentation. But it had also highlighted the need for this material to be accessible in electronic form – at a time when digital data was not widespread. This resulted in a growing interest from patent offices all around the world in gaining access to digital patent data, and led in turn to a willingness to make their own patent publications available in exchange.

The users of the patent system gained from this development in digital technology in two ways. Firstly, broader access by the examiners to universal prior art resulted in an increased quality of granted patents. Secondly, users benefited from the breakthrough made by the EPO when, in 1998, it launched Espacenet, the first patent search tool available free on the internet. The free publication of patent data on the internet has since been taken up by the vast majority of IP offices.

The results we have achieved and the growing challenges of the international IP system provide motivation for further constructive collaboration and for ensuring that bilateral relations between our offices remain a top priority.

In the following years the SIPO and the EPO continued to focus on technology as a key element of their business operations, from prior-art searches to a comprehensive patent information policy. The need for such investment became crucial when, in 2011, the SIPO became the largest receiver of patent applications in the world. Machine translation, initiated by the EPO, was designed to ensure that users the world over would be able to digest this growing catalogue. The system now ensures that patent applications issued in any of 32 languages, including Chinese, Japanese or Korean, can be readily processed in the English language.

Whether we are referring to the electronic exchange of priority documents, the Common Citation Document, Global Dossier or to Cooperative Patent Classification (CPC), the results of recent projects and initiatives with the SIPO are immediately evident: users benefit from direct cost reduction and simpler administrative procedures, as well as from an increase in the efficiency and quality of the search work. By enhancing the information available to our examiners, search work has become more precise. This is essential if the EPO is to continue to deliver on its quality policy of granting high-quality patents with increased legal certainty.

The ongoing bilateral projects between our offices can be viewed as the drivers and precursors that eventually saw the relationship evolve from bilateral co-operation to a strategic EPO-SIPO partnership in 2007. This important move served to enhance working relations in the following years, when the offices regularly held consultations on matters ranging from internal development to international affairs. Since then we have also seen strong results from our co-operation, such as the introduction of English-Chinese machine translation in December 2012 as part of our Patent Translate service.

This constructive working relationship between the EPO and the SIPO has also been complemented by increased co-operation within the framework of IP5, an initiative between the five largest patent offices in the world. In this forum, the Heads of the EPO (Europe), JPO (Japan), KIPO (Korea), SIPO (China) and the USPTO (US) come together on an annual basis to discuss strategic topics of co-operation and harmonisation. The SIPO is a key player in this endeavour

and hosted the 8th meeting of the IP5 Heads in the beautiful city of Suzhou in May 2015. The organisation of this event was, as has now become customary from our Chinese counterpart, exemplary.

It is at these kinds of meetings that we see clearly one of the defining threads of our co-operation: the strong element of co-operation that exists between our staffs. The testimonies in this publication demonstrate that it is one of the most tangible outcomes of EPO-SIPO bilateral relations over the years. Communication between colleagues from our two offices – even if often conducted through interpretation – has, over time, generated great awareness of the similarities and differences between our two systems. Together, we have reduced the cultural gap and increased staff knowledge of the business culture in the partner office. It has been, and continues to be, a key factor in enhancing our strategic partnership and one that ensures increasing co-operation.

The 30th anniversary of EPO-SIPO co-operation is therefore a time when we can appreciate the way we have worked together and can celebrate past achievements. But it is also a time when we can assess how we might progress together in the future.

The emphasis that we placed on measures such as patent harmonisation and the broader adoption of best practice has started a process which will have to continue if users are to benefit in the future.

Modern challenges, such as the expansion of supply chains across borders, underline that need. New communications mean that outsourcing of production has increased and the production chain has grown more complex. Companies have therefore become more dependent upon the intellectual property of other suppliers in the production process. Patents and intellectual property rights have become entwined in a way that extends across national borders; they are now linked on a global scale.

As a result, offices such as the EPO and the SIPO are now tasked with intensifying dialogue with the users and increasing awareness and understanding of the patent system. That dialogue needs to involve applicants and industry as a whole, to share the demands of patent procedures and to convert these demands into feasible co-operation projects between offices,

which can deliver concrete benefits to businesses operating in a global environment. The EPO is committed to doing so and we are lucky to have constructive partners such as the SIPO in the pursuit of this aim.

I am grateful to all those who have contributed to enhancing EPO-SIPO co-operation, to all of you who have dedicated yourselves to activities in this field and to everyone who will do so in the future. The results we have achieved and the growing challenges of the international IP system provide motivation for further constructive collaboration and for ensuring that bilateral relations between our offices remain a top priority. It is my hope – and strong belief – that the EPO and the SIPO will remain faithful to our tradition of achieving common goals and interests in close co-operation with each other.

Benoît Battistelli
President
European Patent Office
October 2015

Shen Changyu

Nurturing the SIPO-EPO collaborative partnership.



SIPO Commissioner Shen Changyu, born in June 1963, is an academician of the Chinese Academy of Sciences, a winner of the National Science Fund for Distinguished Young Scholars and a chief scientist on Programme 973 (the National Basic Research Programme). He received his doctoral degree from Dalian University of Technology in 1990. In the same year he joined Zhengzhou Technology College (the predecessor of the Zhengzhou University of Technology), where he was made a professor and was later honoured to receive the Special Government Allowances of the State Council in 1993. In 1994, he was awarded the title of "State-level Young and Middle-aged Experts with Prominent Contributions", and in 1996 he became a PhD supervisor, one of the first to be selected for the National Talent Programme. He became President of Zhengzhou University in February 2003 and was elected as an academician of the Chinese Academy of Sciences in 2009. He was appointed as President of Dalian University of Technology in August 2012. In December 2013, he was appointed as the Commissioner of the SIPO.

"A Bosom Friend Brings a Distant Land Closer." The SIPO and the EPO have co-operated on intellectual property for 30 years, becoming important strategic partners. Though China and Europe are located at opposite ends of Eurasia, they are still called "far-away neighbours". Due to the concerted efforts of both offices over 30 years, remarkable achievements in intellectual property co-operation have been scored.

In January 1980, when the Chinese Patent Office (CPO), the predecessor of the SIPO, was established, the EPO provided it with training in patent examination and documentation. This was the first time our patent examiners had gained an understanding of the knowledge and experience of the EPO's patent work, and it laid the earliest foundations for our intellectual property work. On 1 April 1985, China's Patent Law came into effect. After only two months, the CPO and the EPO signed a framework agreement on co-operation in Munich, establishing an official bilateral co-operative relationship. On 29 June 2007, the SIPO and the EPO signed a strategic partnership agreement, which transformed their collaboration from one of technical co-operation to high-level strategic co-operation.

Fruitful results have been achieved over the 30-year co-operation, covering many fields such as personnel training, patent examination and management, automation, documentation and information services. Exchange and collaboration between both sides have been comprehensive and on many levels, including management, technology and business. Tangible results have also been achieved through regular in-depth discussions on important international intellectual property matters. In addition to their many achievements over 30 years of co-operation, both sides have established a deep friendship, leaving a good impression on each other.

Currently, global development is entering a new stage, one dependent more on new innovations, and one in which all major economies are paying even closer attention to intellectual property. Since the international financial crisis, the recovery of the global economy has encountered numerous difficulties and setbacks. It has been a common view for China and European countries to promote economic development, scientific and technological progress and cultural prosperity, and to expand employment and the promotion of trade by strengthening the protection and application of intellectual property and constantly stimulating innovation. In recent years, the relationship between China and Europe has continued to deepen, which has provided a more stable platform for co-operation between the SIPO and the EPO, increasing their driving force. In March 2014, Chinese President Xi Jinping paid a successful visit to Europe, which further deepened Sino-European co-operation. An im-

portant consensus was reached with Europe on creating a partnership for "peace, growth, reform and civilisation", propelling the strategic collaboration between China and Europe to new heights. In October 2014 during the China-Europe Forum, the Premier of the State Council of China, Li Keqiang, noted that over the past 40 years the Sino-European relationship had grown from a sapling into a big tree with lush leaves. By promoting the thriving development of the Asian and European regions, China and Europe can make a greater contribution to creating a win-win situation. Programmes such as the "China-EU 2020 Strategic Agenda for Co-operation" and the "Joint Statement: Deepening the China-EU Comprehensive Strategic Partnership for Mutual Benefit" had become new engines and guides for promoting Sino-European co-operation in the field of intellectual property. China and Europe, as the representatives of two great civilisations, should find more common topics related to intellectual property co-operation that tell a Sino-European story to the world, to set an example of reaching consensus and contributing to integrative development.

The SIPO has always placed great importance on intellectual property co-operation with the EPO. Over 30 years, China's intellectual property system has grown from a standing start to greatness, accomplishing remarkable achievements along the way. China has become a strong IP nation and is beginning a new journey to become a powerful IP nation. Rooted in reality and looking towards the future, the co-operation between both sides must deepen gradually and develop sustainably. Given that intellectual property has become an important resource for development and a core element of competition, the SIPO and the EPO will engage in deeper and more extensive co-operation as partners and will jointly promote innovative development. I am convinced that the achievements from this co-operation will make even greater contributions to the development of economies, technologies and cultures in China and Europe, and that the influence and permeating force generated by this co-operation will strengthen the development of global intellectual property and bring more benefits to innovators worldwide.

Both sides have gone through 30 years of ups and downs and 30 years of co-operative win-wins. As long as we continue to work as hard as we always have, our co-operation will have a promising future; as long as we make progress together, it will continue to grow. I sincerely hope that this co-operation will bring about even greater achievements! May our friendship last forever!

Shen Changyu
 Commissioner
 State Intellectual Property Office of P.R. China
 October 2015

In the early morning, the Bund in Shanghai is already busy with locals practising tai chi and wushu, flying kites, dancing or simply strolling along and enjoying the sunrise over Pudong district.



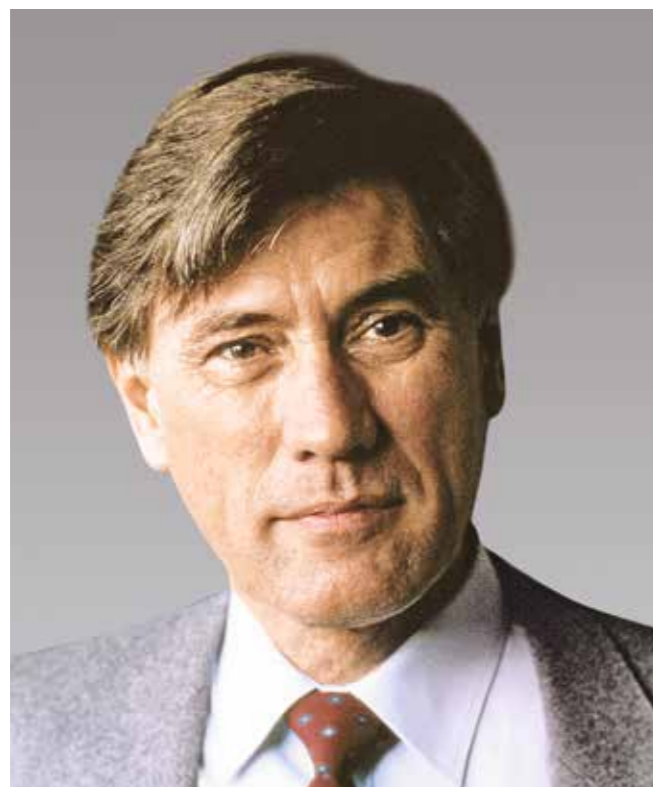
The developing principles of co-operation

合作的原则 不断发展

Their time in office spans thirty years: former EPO presidents and SIPO commissioners look back over the co-operation they helped to shape. They talk about the relationships forged in the late 1970s, when the EPO was newly founded and the Chinese office was still in the conceptual phase. From thinking about the system itself, through to the technicalities and underlying strategy, the story is one of linear progression. But their accounts in this section show that they often addressed these different aspects in parallel, the one constant being their determination to make progress.

Paul Braendli
1985–1995

Following first EPO President van Benthem's preparatory work, his successor Paul Braendli witnessed impressive growth in IP protection in China.



Paul Braendli, born in 1930, took over the reins from Bob van Benthem in 1985, becoming the second President of the European Patent Office, which he headed for ten years. An expert in the field of international intellectual property law, he joined the Swiss Patent Office in Bern in 1960. He was appointed Deputy Director of the Swiss Patent Office in 1970 and Director in 1976. In 1989, the Faculty of Law and Political Science of the University of Zurich awarded him an honorary doctorate.

Recollections – On 25 April 1979, a delegation from the People's Republic of China headed by Wu Heng, the Vice-Minister of the State Commission of Science and Technology, visited the European Patent Office (EPO) in Munich on an exploratory mission, with a view to setting up China's own patent system.

The results of the talks, which largely related to staff training and expert missions and to the supply of documentation by the EPO, were recorded in a memorandum signed by Wu Heng and the EPO's first President, my predecessor Bob van Benthem.

At the Chinese party's invitation, in March 1980 an EPO delegation headed by President van Benthem travelled to Beijing for talks with Wu Heng and to Shanghai for discussions with the Director of the Institute of Scientific and Technical Information. In the same period the first Chinese interns came to Munich for training in search, examination and procedural matters.

In the following years, co-operation between the EPO and the Chinese Patent Office (CPO) intensified at working level and was also harmonised with the World Intellectual Property Organization (WIPO) and several national patent offices, notably Germany's. China's endeavours culminated in the promulgation of a patent law on 12 March 1984, prompting President van Benthem to send a congratulatory note to CPO Commissioner Huang Kunyi: *"This is a very important event not only for your country but worldwide for all those who are engaged in intellectual property matters."*

The Chinese Patent Law entered into force on 1 April 1985, paving the way to more intensive co-operation between the CPO and the EPO.

After President van Benthem's preparatory work, China's entry onto the international intellectual property stage meant the time was now ripe for the EPO to enter into institutionalised co-operation with the CPO.

Having succeeded Bob van Benthem as EPO President, in Munich on 11 June 1985 I signed a co-operation agreement with Huang Kunyi – one of my first acts in office, a sign of the importance I attached to this agreement and its future significance. The initial focus was on the training of technical staff and on documentation, as well as on the establishment of a Joint Committee that would meet periodically to discuss issues of mutual interest.

Not long after opening its doors, the CPO found itself faced with 1400 patent applications, a challenge that it mastered with great success. To gain access to the resultant new documentation, under Article 3 of the co-operation agreement the EPO asked the CPO for English-language abstracts in machine-readable form, for its own use and for the patent offices of its member states.

On 30 and 31 March 1987 the Joint Committee met in Munich, with delegations headed by Huang Kunyi and myself, and in particular discussed problems encountered by European applicants in China during the CPO's start-up phase. As a result a special working programme was set up as part of the ongoing examiner exchange scheme.

A turning point in EPO-CPO co-operation was the Joint Committee meeting in Beijing on 3 and 4 November 1988.

Together with the new CPO Commissioner Gao Lulin I signed an agreement which not only provided for intensified co-operation but gave it a clearly strategic focus.

In parallel with this ongoing co-operation, in March 1993 the EU Commission mandated the European Patent Organisation to run an EU-China co-operation project, initially for two years. At the heart of the project was the training of patent and trade mark specialists in China, and it also involved a series of symposia promoting the patent system, held in Beijing, Paris and London in 1993–1994.

As early as 1994 the CPO was appointed as a PCT authority, thereby simplifying the worldwide patenting process and also making Chinese an official PCT language. Both the EPO and many other patent offices subsequently helped the CPO to acquire the PCT minimum documentation that it needed for its new duty.

Paul Braendli
1985–1995

On 7 October 1994 the Joint Committee again met in Munich. The heads of delegation, Gao Lulin and myself, took the opportunity to explore options for major future issues such as mastering the dramatic rise in patent granting work and building new automated patent databases accessible to both offices. This laid firm foundations for far broader and deeper co-operation in 1995 and beyond.

From 16 to 27 January 1995, Gao Lulin and a Chinese delegation visited the EPO's branch office in The Hague to find out about its state-of-the-art automation technology, and were particularly interested in access to EPOQUE and other inhouse patent information systems.

As heads of the two offices, Gao Lulin and I agreed on a wide-ranging five-year reciprocal exchange programme for documentation and patent information databases, including hardware. The EPO Administrative Council's approval of this programme opened up new prospects for more extensive technical co-operation in the future.

In 1995 the People's Republic of China was clearly on its way to becoming a front-ranking player in an increasingly globalised world.

On the basis of the existing agreements, at a further Joint Committee meeting on 13 and 14 July 1995 in Beijing Commissioner Gao Lulin and I signed a technical co-operation plan for 1996, also encompassing the EU-sponsored "EU-China IP Rights Protection Programme".

Whilst in Beijing I had a meeting with Song Jian, State Councillor and Minister of the State Commission of Science and Technology, who thanked foreign countries which had helped China to build its patent registration, management and protection system in the past decade, while for my part I assured that the EPO would do its utmost to make European patent regulations accessible to Chinese companies and inventors wishing to do business in Europe.

The first decade of EPO-CPO/SIPO co-operation from 1985 to 1995 was marked by a pioneering spirit and by mutual trust and understanding, thanks not least to Huang Kunyi and Gao Lulin and the members of their delegations.

Gao Lulin's foresight regarding the development of intellectual property protection in China was most impressive, and his remarkable global awareness of the issues stimulated fruitful dialogue and problem-

solving, especially as the EPO too – which had not started work until 1977 – was still in its build-up phase when co-operation with China began. So for myself in Beijing in July 1995 it was not only an honour but a personal gesture of friendship to be able to present Gao Lulin with the EPO's medal of honour in recognition of his services to co-operation with the Office.

On 10 July 1995, Zhejiang University in Hangzhou awarded me an honorary professorship, and in the presence of Gao Lulin and a small EPO delegation I gave a guest lecture under the title of "Modern Patent Law: The Crossroads of Science". It covered topics such as EPO-CPO/SIPO co-operation and its aim of promoting a high-quality worldwide patent system, as well as the multidisciplinary approach that was required to bring about the broader intellectual property system needed by any global player in the world economy, and I concluded by saying that the People's Republic of China was clearly on its way to becoming a front-ranking player in an increasingly globalised world.



Commissioner Gao Lulin and President Paul Braendli already had "far-sighted visions" in 1994.

Gao Lulin
1987–1988
1989–1998

“Neither mountains nor seas can divide people with common aspirations”, says former SIPO Commissioner Gao Lulin.



Gao Lulin was born in 1935 in Shanghai. He graduated from the Moscow Geological Prospecting Institute in 1963. In 1974, he joined the State Planning Commission, and in 1978 transferred to the State Economic Commission, where he handled technical management. In 1982, he went on to serve as Director General of the Science and Technology Department. In 1987, he became the Commissioner of the Chinese Patent Office, and in 1998 took his position as the first Commissioner of the State Intellectual Property Office. He has been awarded the Grand Cross by the President of Germany and the International Co-operation Medal by the European Patent Office, and has been selected as a fellow at the Russian International Academy of Engineering.

This year marks the 30th anniversary of co-operation between the SIPO and the EPO. It has been an honour for me to witness and participate in the growth of China's patent system. The Chinese patent system has been gradually established from nothing. Besides our own efforts, international co-operation has also played an important role in the achievements of the past thirty years. Co-operation between the SIPO and the EPO has played a prominent role in the overall development of China's patent cause.

Looking back on that co-operation, what first comes to my mind is a conference that was held on 26 July 1993 between the SIPO and the EPO, at which EPO President Paul Braendli and I signed the co-operation plan. From then on, EPO-SIPO co-operation took the fast track, with full co-operation in fields such as automation. In the early stages of the Chinese Patent Office, China was rather weak in automation. At that time, classified paper documents were prepared on an ad hoc basis and were stored in more than 200 000 cardboard boxes, which could form a line a dozen kilometers long. The documents were manually searched by examiners.

This was the only patent search tool at that time, and it was inefficient and inaccurate. Document classification numbers were automatically provided by a computer comparison table, and were often wrong. We then realised that there were many issues that needed to be resolved urgently, such as: 1. Training of high-level patent examiners who meet Patent Co-operation Treaty (PCT) standards; 2. Establishment of the PCT minimum documentation; 3. Establishment of a state-of-the-art computer-based patent literature search system; 4. Establishment of a state-of-the-art computer-based process management system; 5. Establishment of a national patent literature system and popularisation of patent literature knowledge, etc. After co-operation between the SIPO and the EPO on automation, these issues were to a large extent resolved.

In this process, what impressed me most was the co-operation in the field of patent literature automation. As early as 1995, the Chinese Patent Office started co-operating with the EPO to build an EPOQUE system. Viewed today, this was the correct path. To comprehensively master the system, the Automation Department of the Chinese Patent Office was fully involved and remained committed to collaboration. Examiners, automation specialists and managers interacted, exchanged ideas and learned from each other. Through consistent learning, staff proficiency in the use of EPOQUE improved significantly.

The period from 1997 when the co-operation agreement on automation was signed to 1998 when the SIPO officially introduced the EPOQUE system was a major milestone in the co-operation between the two sides.

Co-operation on automation reached new heights. From manual search by examiners to the use of a world-class advanced search system, the quality of literature in China's patent search database showed huge improvements. Through co-operation on patent automation, China has established an advanced computer-based international patent literature search system, which laid the foundations for the long-term development of China's patent cause. At this point I would like to express my heart-felt congratulations and gratitude to the staff who have been involved in the co-operation between the SIPO and the EPO. Without their unremitting efforts and spirit of excellence, it would have been impossible for us to reach today's standards.

Since the establishment of China's patent system, after 30 years of effort it has become one of the most influential patent systems in the world.

During the co-operation with the EPO, we have not only introduced a state-of-the-art computer-based patent literature search system, but we have also learned from the EPO in many different areas, such as examination practice, legal systems and examination procedures, especially in the amendment of the Patent Examination Guidelines. The great accomplishments of China's patent system are first of all a result of China's reform and opening-up policy, but have also been achieved because of the international co-operation allowed under the reform and opening-up. As President Xi Jinping has said, "those with the same ideals think nothing of a long and arduous journey. Neither mountains nor seas can divide people with common aspirations". The EPO is one of the SIPO's main strategic partners. The relationship between the SIPO and the EPO is growing ever closer. On the 30th anniversary of that relationship, it is my sincere hope that, taking this opportunity, both sides can go on to even greater achievements and open a new chapter in their co-operation.

Ingo Kober
1996–2004

During his presidency at the EPO, Ingo Kober played an integral role in the move towards patent documentation in electronic form, with the introduction of EPOQUE at the Chinese Patent Office and Espacenet for the public.



Ingo Kober was the third President of the European Patent Office (EPO) from January 1996 until June 2004. Kober, born in 1942 in Legnica, Poland, had formerly served as Secretary of State at the German Federal Ministry of Justice (from January 1991 until December 1995). In 2000, he was elected as President of the Administrative Council of the Centre for International Industrial Property Studies (CEIPI), which is part of the University of Strasbourg (formerly Université Robert Schuman), a charge which he held until 2009.

Co-operation between the European and Chinese Patent Offices had just entered its second decade when I started my tenure as President of the EPO. This proved to be not just a symbolic mark, but a real shift in the scope and magnitude of co-operation.

Capacity building among administrative and examining staff, already in progress since the early years of co-operation, benefited from the synergies offered by a broader scope and would extend to as yet unexplored areas of the offices' work. It was a time when co-operation became more extensive by encompassing new areas of automation and documentation exchange, with the creation of new working tools and data sources.

In 1995 the two offices had already started consultation on enhancing co-operation on automation issues and on the possibility of building an in-house EPOQUE search system at the CPO.

Our bilateral co-operation was profoundly significant for the world patent system and all its users.

Then in February 1997, together with Commissioner Gao Lulin, I concluded the "Agreement between the European Patent Office and the Patent Office of the People's Republic of China on Co-operation in the Field of Patent Documentation for Search Purposes and Related Automation Systems". Looking back, it is clear that the agreement's signature moved bilateral co-operation onto the next, higher level, with profound significance for our offices, the world patent system and indeed all of its users and stakeholders.

Our common aim in signing the agreement was to equip our offices with the working tools needed to perform quality search work, giving applicants a high level of confidence in the search results we delivered. The fact that the CPO had chosen to have a search system as close as possible to EPOQUE, in terms of both the search engine and the underlying documentation, was for the EPO a welcome sign of the reputation enjoyed by our system.

It took less than two years to put the search system into operation at the CPO. The EPOQUE system was introduced on schedule in December 1998, at the time when the CPO was renamed the State Intellectual Property Office (SIPO).

Opening up access to several millions pages of electronic data.

Without documentation the best search engine is like the best-performing car with an empty tank, or a flat battery. Our first accomplishment with the new agreement related to access to patent documentation in electronic form. The SIPO launched a project of data acquisition and keyboarding for the bibliographic data of patent documents going back to 1920, including the provision of bibliography, abstract and the main claims data in English for Chinese patent applications and the legal status of granted patents, starting from the front file.

The data acquisition resulted in several million pages of electronic documentation. This extended the coverage of prior art documentation available to patent offices and provided the basis for quality search work.

At the same time, the extended availability of electronic documentation compelled the EPO to explore a completely new avenue in accessing patent data. Patent documents on the internet, now an everyday commodity, were totally uncharted territory back in 1998, when with Espacenet I endeavoured to launch the first free patent search service for the general public.

While the SIPO's adoption of EPOQUE as a replacement for paper documentation gave it a powerful tool for performing international searches in its role of international PCT authority, in terms of bilateral co-operation our two offices were offered a new platform enabling progress to be made on capacity building and best practice development.

The common EPOQUE platform made it possible to refine examining practice and search procedures, introduce specialised classifications, train trainers and join forces in the training of examiners from developing countries at the SIPO's IP training centre.

The new momentum given to co-operation de facto extended the effects of bilateral activities from the practice and procedures of an IPO to joint support for the development of the global patent system. In October 2003 we agreed to move from technical co-operation to a strategic partnership for IP co-operation, committing ourselves to freely sharing each other's development plans and strategies and exchanging views on major international IP issues.

I retain deep feelings for the professionalism, competence and commitment to the global values of the patent system that I shared with Commissioners Gao Lulin, Jiang Ying, and Wang Jingchuan with whom it was an honour to engage in co-operation.

Wang Jingchuan
2001–2005

The SIPO and the EPO have co-operated and advanced side by side for 30 years. They are now forging ahead to build a brighter future.



Wang Jingchuan, born in 1944, serves as a professor, a doctoral supervisor and an outstanding national expert in his field. He was the Deputy Director of the Shenyang Institute of Automation as well as the Dean of the Chinese Academy of Sciences in Shenyang from 1983 to 1997. During that time, he served as a visiting scholar at Tokyo University from 1991 to 1992, and he served successively as the Deputy Secretary General and Secretary General of the Chinese Academy of Sciences from 1997 to 1999. He was the Deputy Commissioner of the SIPO from November 1999 to January 2001, before becoming the SIPO Commissioner from 2001 to 2005. He was consecutively named by Britain's *Managing Intellectual Property Magazine* as one of the "50 Most Influential People in the IP Industry" in 2003 and 2004.

2015 is a significant year, as it marks the 30th year of the SIPO and the EPO coming together to push forward the IP cause. Looking back, senior leaders of both sides have met frequently, launching an increasing number of IP activities and cultivating an ever-deepening beneficial exchange. This could not have been done without a stable foundation of friendship. From the first framework co-operation agreement to the strategic partnership agreement, from purely technical to strategic co-operation, after 30 years the relationship has deepened on all levels. The seed planted by both sides has now grown into a towering tree that continues to grow to this day, nourished by the "sun-like warmth and rain" that is intellectual property.

For 30 years, both sides have continued to work together with sincerity, carrying out frequent and pragmatic exchange and collaboration to reach one major milestone after another.

When I worked as the Commissioner of the SIPO, I was invited to visit the EPO in 2001, 2002 and 2004 for the 11th, 13th and 15th meetings of the Joint Committee, and to sign off the agreed minutes for bilateral technical co-operation for 2001, 2003 and 2005. At these meetings, both sides engaged in serious discussions and careful planning on key issues, such as how to maintain long-term co-operation, on which broad consensus was reached. During my term of office, former EPO Presidents Ingo Kober and Alain Pompidou paid several visits to China. We were able to reach agreement on many things, which helped to expand the scope of our co-operation. In January 2003 particularly, the SIPO and the EPO held the 14th Joint Committee meeting in Shanghai, paving the way for a major achievement. Besides signing the report on technical co-operation for 2004, both sides agreed to establish a strategic partnership in the field of intellectual property, signalling a gradual transformation towards strategic collaboration.

The period from 1995 to 2005 was marked by close co-operation on the training of the SIPO patent examiners, managers, automation specialists and other staff.

In that time, hundreds of core SIPO employees from various business sectors received training from EPO experts. This was an important driving force in the enhancement of the SIPO's professionalism and patent examination capability. Since 2002, both sides have organised international training activities in China and have offered training to IP staff from developing

countries. Such training has been unanimously praised by trainees from many countries. Not only is this beneficial to IP development in participating countries, but it also expands the international influence of the SIPO and the EPO.

As part of the EU-China co-operation project, the two sides have successfully launched multi-level, multi-perspective and multi-aspect collaboration.

In July 2000, an international symposium was held in Beijing, on "Accession to the WTO and IP Protection – Opportunities and Challenges".

This was attended by IP officials, experts and business people both at home and abroad, launching deep discussions around the theme. In 2001, 2003 and 2004, the two sides held international symposia on IP in places like Sichuan, Beijing, Harbin, Shenyang and Tianjin. These symposia help to spread knowledge of IP and are an opportunity to discuss experiences of development and promote the international influence of China in the field of intellectual property.

The SIPO and the EPO have co-operated and advanced side by side for 30 years. Looking back, I think that the EPO has provided an excellent technical innovation and industrial development service in many countries and regions, but has especially provided a great amount of support to China, enabling it to continue to perfect its patent system, greatly enhance its patent examination capabilities, and much more. During this 30th anniversary, I would like to express my heartfelt praise for the distinctive achievements made during this co-operation, as well as my sincere respect for all colleagues who have contributed to our work together. I am convinced that this amicable co-operation will usher in an even brighter future.

Alain Pompidou
2004–2007

While EPO President, Alain Pompidou signed a strategic partnership agreement with China, industrial property became increasingly important in both China and Europe.



Alain Pompidou was the fourth President of the European Patent Office between July 2004 and June 2007. Pompidou was born in 1942 in Paris, the son of Georges Pompidou, former President of France. The former professor of Human Biology in Paris Medical University has served on the consultative and scientific committees of numerous national, European and international organisations, including the World Health Organisation, UNESCO and the European Commission. A former Member of the European Parliament and Honorary President of the French National Academy of Technologies, he is a French scientist and politician.

Successful international co-operation is based on mutual understanding and reciprocal benefits. It is the result of a slowly maturing development process. I am proud to have been involved in the unique process that resulted in a comprehensive strategic co-operation agreement with China. I cannot help but think about the Chinese proverb “with time and patience the mulberry leaf becomes a silk gown”.

When I formally took office as EPO President on 1 July 2004, the EPO’s relationship with China intensified and then changed direction. On 7 October 2004, I held constructive talks with Commissioner Wang Jingchuan about enhancing mutual co-operation and preparing for a new strategic partnership. In February 2005, during a visit to the SIPO, we agreed on enhanced co-operation between the European Patent Academy and the China Intellectual Property Training Centre in the field of training in order to improve mutual understanding among examiners. In June 2005, I launched the improved video conference facilities with the SIPO, holding the first operational long-distance conference with the newly appointed SIPO Commissioner.

This was Tian Lipu, who had been trained at the German Patent Office and then at the EPO and had previously been in charge of automation at the SIPO in Beijing. In December 2005, we celebrated the 20th anniversary of bilateral co-operation between the two offices. We also decided to move the relationship up to the next level, progressing from technical co-operation to a strategic partnership for the next 20 years.

In late 2006 and early 2007 I held personal discussions with the US and Chinese commissioners with a view to extending the existing trilateral partnership to include the SIPO and the Korean Intellectual Property Office (KIPO). This was the consequence of filings growth, which was contributing to an increased workload for examiners, together with a significant acceleration in globalisation. The objective was to maintain the quality of granted patents in that charged environment. The first Heads of Office meeting laying the foundations for what became known as IP5 took place in Hawaii on 11 and 12 April 2007. IP5 is an active forum, independent of the initial trilateral relationship.

Our strategic partnership helped to make systems more transparent while simplifying access to information.

On 29 June 2007, during the last days of my presidency, I signed the Agreement on a Strategic Partnership between the EPO and the SIPO. The EU-China Project on the Protection of Intellectual Property Rights,

previously approved by the EPO’s Administrative Council, complemented the partnership agreement.

The strategic partnership agreement noted the increasing role and importance of industrial property in China and Europe and the strengthening economic relations between China and Europe. It set a common objective of developing the region’s respective patent systems to make them as efficient, transparent, user-friendly and reliable as possible for users in China and Europe. The two parties agreed to adopt common views where possible and to work together to find solutions to master the growing prior art resources. Both parties agreed to jointly develop efficient shared search and examination tools, as well as a shared classification system supporting the IPC (International Patent Classification) and common databases. A further aim was to make our respective patent systems transparent and easy to use for users in both China and in Europe by providing access to necessary information. The five main areas of co-operation were deemed to be human resources; office operations; global issues; transparency of the procedure, and IP awareness.

The strategic partnership signed and sealed helped to make systems more transparent while providing easier access to information.

I used ex-EPO President Braendli’s fountain pen to sign the strategic partnership agreement. This pen had been presented to the Chinese Commissioner previously as a gift after signing the first co-operation agreement between the SIPO and the EPO in 1985. Director Liu Jian had especially brought the pen with him from Beijing. The occasion is imprinted on my memory because it marked the end of my own contribution to EPO-SIPO co-operation.

Tian Lipu
2005–2013

Braving the wind and waves of the long journey by helping each other to sail. The SIPO and the EPO have established a bridge of friendship for win-win co-operation. I hope that this heritage opens up new voyages with a glorious new chapter to come.



Tian Lipu, born in Tianjin, China in 1953, has been involved in patent work since 1979. Since 1994, he has acted as Deputy Director General of the Patent Re-examination Board, Deputy Director General of the Electrical Invention Examination Department and Director General of the Automation Department of the Patent Office of the SIPO. Additionally, he was the Deputy Commissioner of the SIPO from 2001 to 2004 and the Commissioner from 2005 to 2013. He remains the Honorary Dean of the Intellectual Property Institute at Tongji University, as well as having obtained an honorary doctorate from the Technical University of Munich. For eight consecutive years, he was listed in the "Intellectual Property Management Magazine" as one of the "World's 50 Most Influential People in the Intellectual Property Industry".

During these 30 years of co-operation, with the development of the global economy, trade and cultural exchange between China and Europe have become increasingly frequent, and they have become one of each other's most important trade partners. Against such a background, it is significant for the development of China-EU relations that the EPO-SIPO co-operation has provided a convenient and efficient channel through which innovators, patent owners and the public can gain a deeper understanding of each other's IP systems. It has also created a good IP environment for industrial development. EPO-SIPO co-operation can be traced back to the early 1980s. In January 1980, the Chinese Patent Office (CPO), the predecessor of the SIPO, was established. Almost at the same time, a patent delegation from China first paid a visit to the EPO to receive training in patent documentation and examination. As a member of the delegation, I was lucky enough to gain patent knowledge and experience from EPO staff for the first time.

On 1 April 1985, the Patent Law of China officially came into force, and just two months later the CPO and the EPO signed the first framework co-operation agreement in Munich and established an official bilateral partnership.

I feel this kind of synchronicity was more than mere coincidence. The EPO was established and operated from 1977, and as the birthplace of the global patent system Europe had a wealth of experience and tradition in areas such as institutional rules, work ethics, examination and professionalism. From the very beginning of the implementation of China's patent system, we have kept co-operating and advancing hand in hand with such good mentors and friends, which shows that China has planned its IP work from a high starting point and that the patent system has advanced to a world-leading level.

It is worth mentioning that on 29 June 2007, the SIPO and the EPO signed a strategic partnership agreement, shifting their bilateral co-operation from a purely technical co-operation to a strategic one.

Since 1985, both sides have continued to co-operate and to seek perfection. In the past, co-operation mostly meant the SIPO receiving aid from the European side. However, with China's continuing economic growth and social development, and especially the rapid development of IP in China, the SIPO's overall abilities have been increasing exponentially, which made both sides realise that they could not continue with the previous mode of co-operation; their co-operation

needed to move to a higher plane, and new vigour needed to be injected. Therefore, both sides decided to shift their co-operation from a technical to a strategic level. Since the signing of the strategic partnership agreement, bilateral co-operation has been constantly strengthened and deepened, yielding fruitful achievements in many areas.

A successful example of our co-operation was the official launch of the Chinese-English patent documentation machine translation service on 6 December 2012 in Brussels

In the past, limited by language barriers, Chinese patent documentation – which accounts for nearly 20% of the world's patent documentation – was an unused hidden treasure for examiners and patent owners in other regions of the world. The Chinese-English patent documentation machine translation service helped European users overcome the language barrier and enabled them to fully and conveniently access a wealth of Chinese and English patent documentation, thereby promoting China-EU science, technology and cultural exchange, facilitating the development of global innovation and laying the foundations for Chinese patent documentation to be incorporated in the PCT minimum documentation.

On 4 June 2013, the SIPO and the EPO also signed an MoU on strengthening mutual co-operation in patent classification.

The SIPO began to gradually introduce the Cooperative Patent Classification scheme (CPC) to classify Chinese invention patent documentation.

As an existing efficient technical search tool used in patent licensing, the adoption of CPC can enhance search efficiency for Chinese documentation and also enables Chinese patent documentation to better serve global users.

Since 2007, there have been numerous instances of win-win co-operation like this, covering different fields such as staff training, patent examination and management, automation, documentation and information services and product exchange. I would say that co-operation between the SIPO and the EPO has not only benefited both sides, but more importantly it has enabled enterprises, inventors and the public to more directly obtain and understand patent literature search, translation and IP application and protection, which has, to a large extent, made it convenient for patent owners.

Alison Brimelow
2007–2010

In her time as President of the EPO, Alison Brimelow saw patent applications from China start to rise rapidly on the back of strong domestic Chinese industry growth.



Alison Brimelow was the fifth President of the European Patent Office (EPO), a position she held from 1 July 2007 to 30 June 2010. Brimelow, born in 1949 in Havana, is a former Chief Executive and Comptroller General of the UK Patent Office. She was appointed Commander of the Order of the British Empire (CBE) in 2005, "for services to Intellectual Property Law". In 2011, she was awarded the Commander's Cross of the Order of Merit of the Federal Republic of Germany.

By the time I left the EPO in 2010, the use of patent rights by domestic and foreign applicants in China had grown significantly, and filings had reached approximately 5 million. The SIPO was promoted to a position of global player in the international patent arena. The SIPO's new standing was reflected by its recently signed strategic partnership agreement – which remains to this day the only one of this kind formalised by the EPO with a co-operation partner – and by the establishment of the "Five IP Offices" partnership.

By setting up the IP5 co-operation, the EPO and the SIPO, together with the JPO, the KIPO and the USPTO, aimed to together reduce unnecessary duplication of work, expand examining capacity and enhance the quality of examination procedures.

A number of projects were launched, addressing timeliness and quality levels, to promote work sharing between the partners, and so foster the consistency of patent rights worldwide.

The global patent system is both highly sophisticated and globally interconnected. Changes to it tend to be far-reaching and long-lasting. I am therefore glad to see that our offices have reaped the rewards in terms of common documentation and common classification.

Domestic innovation turns Chinese companies into global players

Chinese domestic industry's growth and its shift from heavy industry towards R&D-based development, boosted by the National IP Strategy of 2008 promoting domestic innovation, encouraged Chinese applicants to employ patent rights. Domestic filings started to outnumber foreign filings at the SIPO as of 2003. Chinese companies became increasingly active as global players, competing in international markets through innovation and with their own patent portfolios.

Overcoming language barriers eases access to prior art

As the number of patent applications from China started to accelerate in some technical fields at the EPO, a strong demand for access to prior art documentation and for language services to promptly master Chinese documentation developed.

In co-operation with the SIPO, which agreed to produce English translations, the EPO extended data coverage to the abstracts of Chinese utility models. After listening to users, the EPO and the SIPO decided to add a feasibility study on machine translation of Chinese patent literature to their co-operation plans. They were aware, however, that it would be years

before a suitably high-quality Chinese-to-English machine translation tool would emerge.

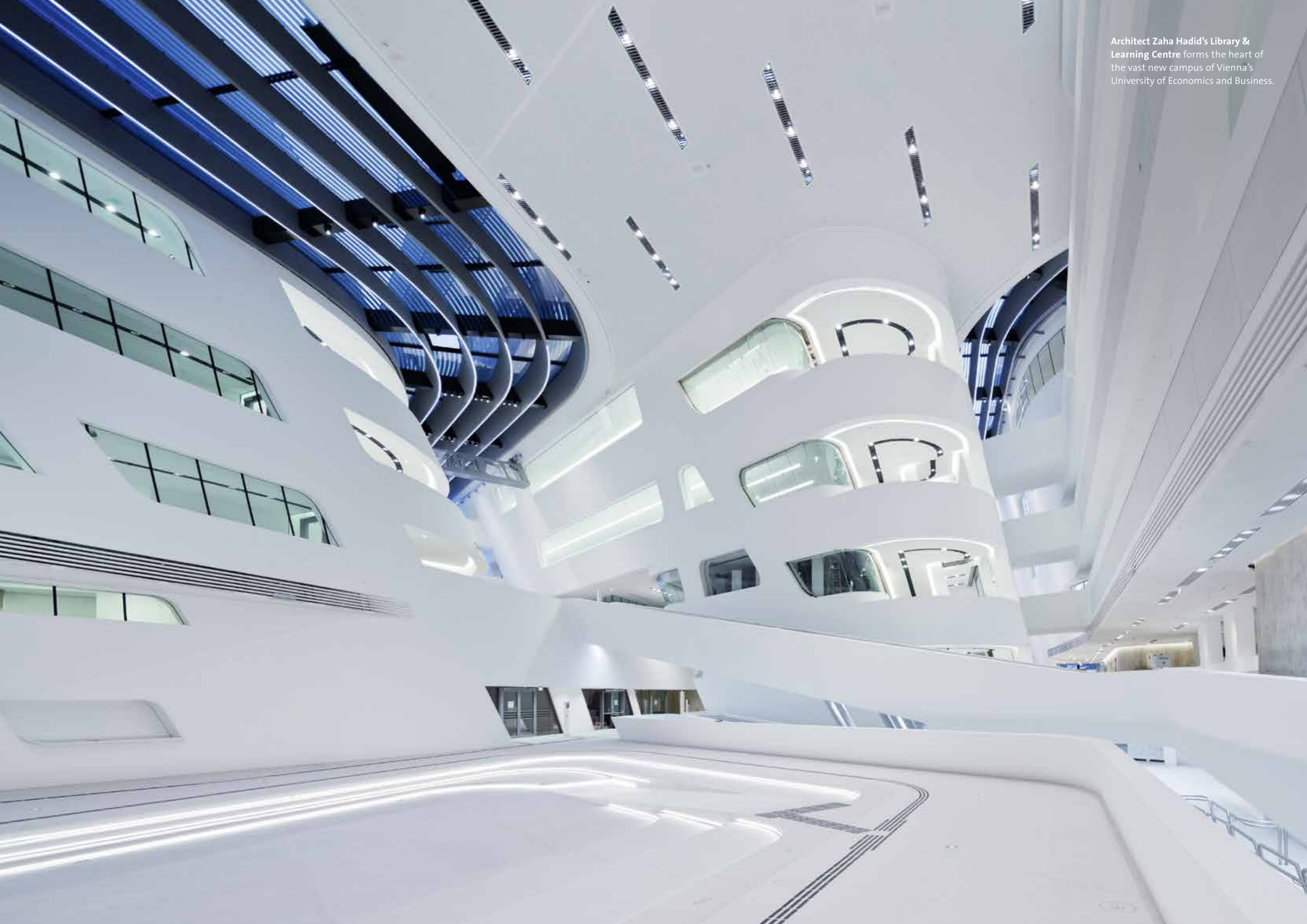
To cater for examiners' more immediate needs, the SIPO shared with the EPO full-text documents in Chinese, and the EPO set up a translation service "on demand", for examiners requiring prompt access to specific documents.

Experts join forces in acquiring and evaluating Asian prior art

By now, almost 50% of filings originated from Asia. This meant that a large core of prior art information was being collated and made available by the EPO, often only in non-EPO languages. On the initiative of EPO examiners, the Asian Patent Expert Group (APEG) was set up, uniting a number of experts on Asian patent systems, most of whom spoke Chinese, Japanese or Korean. The group was tasked with assisting their colleagues in evaluating Asian prior art and advising the EPO management about acquiring documentation in emerging technologies.

The documentation created by the EPO and the SIPO was increasingly shared with the public at large. This was supported by user services providing access to patent information. Notably, a helpdesk service was set up at the EPO's office in Vienna. This assisted the public with searches in Chinese databases and provided access to Chinese patent information products, as well as basic information about Chinese IPR. Meanwhile, regular events such as the "East meets West" gathering in Vienna helped promote understanding of Asian patent documentation.

I feel honoured to have been involved with the SIPO at such a crucial and exciting time in the development of the Chinese patent system.



Architect Zaha Hadid's Library & Learning Centre forms the heart of the vast new campus of Vienna's University of Economics and Business.

External experts and stakeholders

外部专家 和相关方

To have any *raison d'être*, a service must be known and valued. It is therefore vital to listen to observers and users that can help to answer important questions. What characterises the work the EPO and the SIPO have done together? What is its economic impact? What is its place in history? Here, specialists from Europe and China describe from their different perspectives what Sino-European co-operation has achieved in the world of patents.

Intellectual property co-operation: a crucial factor for trade.



Cecilia Malmström
European Commissioner
for Trade

On behalf of the European Commission, I congratulate the European Patent Office (EPO) and the State Intellectual Property Office of China (SIPO) for 30 years of successful co-operation on patent-related issues. This anniversary falls in the same year that we are celebrating both the 40th anniversary of EU-China diplomatic relations and the 10th anniversary of the intellectual property dialogue mechanism between the European Union and China.

These anniversaries illustrate the particular importance that the EU and China attach to close co-operation on IP matters. The EU's commitment to open trading relations is in general based on the expectation that its trading partners will respect IP rights and meet WTO obligations. China's accession to the WTO in December 2001 was a major step, and both China and the wider WTO membership have benefited greatly from China's integration into the global economic order.

The protection and enforcement of IP are crucial for the EU's and China's ability to stimulate innovation, trade and investment, and to compete in the global economy.

IP protection, investment and trade go hand in hand. When companies are confident that their IP is well protected abroad, they invest in the region and are further encouraged to trade in innovation and high-tech sectors, which in return contributes to the competitiveness of all. The protection and enforcement of IP rights further offer important guarantees to users, for example with regard to the origin, quality and content of acquired goods and services.

At the November 2013 EU-China Summit, both sides adopted the EU-China 2020 Strategic Agenda for Co-operation. This clearly specifies the commitment of the EU and China to reinforce their IP dialogue mechanism so as to strengthen co-operation in combating counterfeiting and piracy. Based on China's WTO commitments, the government-to-government IP dialogue mechanism and the EPO-SIPO technical co-operation provide a stable foundation for co-operating with a view to achieving the highest level of protection on IP rights.

On the EU side, the European Commission in 2014 released a revised strategy for the protection and enforcement of IP rights in third countries. This revised strategy examines and responds to the changes and challenges in the wider environment following the earlier strategy of 2004.

China has established its own IP objectives and long-term strategy, with the overall ambition of becoming an "innovation economy" by 2020. In 2013, the Third Plenary Session of the 18th Chinese Communist Party Central Committee supported and reinforced the importance of trade and IP in general, building on China's national IP strategy of 2008.

I welcome the announcement by the Chinese administration that it will recognise the importance of adequate protection of IP rights. This has helped us to continue our co-operation and to make progress in some areas.

Certainly, there are still a number of important outstanding issues and concerns, particularly in the areas of trade secrets, enforcement of IP rights and online piracy and counterfeiting. Moreover, royalty fees for licensing standard-essential patents should be determined by the market, while the exercise of the right of standard-essential patents should comply with the law and regulations. Likewise, companies should have the right to decide on their technology transfer in accordance with the law and regulations.

It is in our common interest to find sustainable solutions in order to create a sound basis for further developing our mutual trade relations and projects.

Both the EU and China are committed to continuing their efforts in analysing and tackling these problems in a co-operative spirit, making best use of the established IP dialogue mechanism and of the technical co-operation programme.

30 years of EPO-SIPO co-operation is not only an achievement in itself. It is also an example of persistence in pursuing common objectives, deepening mutual understanding and having open exchanges of ideas. Technical co-operation between the EPO and the SIPO has thus supported and complemented the political co-operation on IP issues that the EU and China have been engaged in for the last 10 years. This type of parallel and complementary approach has allowed both sides to advance in addressing many IP issues and has laid the foundations for our present and future IP co-operation activities.

The European Commission took up its role in this co-operation back in 1993, when it entrusted the EPO with implementation of the patent component of the pilot "Industrial Property Training Programme" for China. What followed was the launch of two jointly funded partnership programmes between the EU and China, "IPR1" between 1999 and 2004 and "IPR2"

between 2007 and 2011. These programmes brought together a large number of European and Chinese IP practitioners in expert exchanges or training activities, including more than 500 judges. Furthermore, they generated a great amount of mostly still valuable documents, such as guidelines, case studies and information materials.

At present, the European Commission and China are running various co-operation activities dedicated to the goal of harmonising and further improving IP protection and enforcement in their regions. Apart from the EU-China IP dialogue mechanism, co-operation is taking place in the present technical co-operation programme "IP Key" and the recently renewed EU-China Customs Co-operation Framework and Action Plan.

The success of all these co-operation activities depends on the mutual understanding and support of all the stakeholders involved.

In this regard, the European Commission and China rely on good co-operation with the offices and agencies specialising in the field, which are, in the case of patents, the EPO and the SIPO. I would like to take this opportunity to thank both offices for the support provided and to express my confidence that they are committed to fully supporting the EU-China IP dialogue mechanism in the future.

The European Commission sincerely commends the EPO and the SIPO in particular for their mutual efforts and achievements in the area of patent protection. The achievements which this co-operation has brought about have not only led to important improvements for industry and business both in Europe and in China, but have also progressively supported innovation and technology exchange between our two regions.

Finally, this anniversary is a perfect moment for considering setting new and even more ambitious milestones for our future co-operation. It is my hope that the achievements of the past will encourage the two offices to build further on this project, and to strengthen and reinforce the existing co-operation during the years and decades to come, with the common objective of shaping a patent environment which best serves the users of the international patent system.

Talking with Europe about IP legislation.



Jin Wuwei
Deputy Counsel of the
Legislative Affairs Office
of the State Council of
P.R. China

Europe is the birthplace of the modern intellectual property (IP) system and has a long history of the development of intellectual property. For example, the development of a patent system can be traced back to the Patent Law of Venice in 1474, the Statute of Monopolies of the UK in 1623, and the Patent Law of France in 1791. The trademark system can be traced back to the Law Regarding Manufacturing Marks and Trademarks Based on Implementation Principles and Non-Examination Principles promulgated by France in 1857 as well as to the Trademark Protection Law enacted by Germany in 1874. Since the late 1970s, to meet the requirements of Chinese reform and opening-up, China has continued to strengthen its protection of IP, gradually establishing an IP protection system with Chinese characteristics and carrying out extensive talks and collaboration with the international community, including the EU. I have participated in some of these activities due to the work I have done on IP legislation, and have spent many happy moments working with European Patent Office (EPO) colleagues. Our collaboration has been nothing short of memorable.

Getting a better understanding of the patent system in Europe and first experience of actual operational procedures.

It was roughly around springtime of 1998 when I first had contact with the EPO. At that time, I travelled to Munich with some colleagues from the Legal Affairs Department, the International Co-operation Department and the Chemistry Examination Department of the SIPO so as to become familiar with and learn about the European patent examination system at the EPO and the German Patent and Trademark Office (DPMA). The trip gave me a better understanding of the patent system in Europe and my first experience of actual operational procedures.

Later, China and the EU successively launched two phases of China-EU IP protection co-operation programmes, and co-operated extensively on IP legislation, judicature, implementation and practice, etc. Because the project's European implementation unit was carried out by the EPO, I had more chances to work with the EPO.

In 2000, with the support of the first phase of the China-Europe collaboration project for IP protection, I went to the Max Planck Research Institute for Intellectual Property (MPI) in Munich and did a two-month case study on issues surrounding IP legislation after China's accession to the WTO, under the guidance of experts like Professor Adolf Dietz.

In January 2006, I accompanied the All-China Patent Attorneys Association (ACPAA) delegation to Germany, France, the United Kingdom and also to the EPO again, to make amendments to the current "Patent Agency Regulations". These visits were arranged as part of the "Comprehensive Project for Supporting the Implementation of Chinese Patents" contract, a small project for travel funds agreed upon by members of both the SIPO and the EPO.

During the visit, our delegation went to many agencies, including the EPO, the DPMA, the German Federal Patent Court (BPatG), the MPI, the National Institute of Industrial Property in France (INPI), the Intellectual Property Office of the United Kingdom (UK IPO), the Chartered Institute of Patent Attorneys (CIPA) and the Centre for Commercial Law Studies (CCLS) at Queen Mary University in London. We met former EPO President Alain Pompidou and Vice-President Manuel Desantes separately, who introduced us to legislation related to patent agencies, management systems for patent agencies, the legal status of patent attorneys, and the qualifying examination, education and training for patent attorneys, providing us with many applicable references that would help with the revision of the "Patent Agency Regulations".

On 7 and 8 May 2008, with the support of Phase II of the China-Europe IP protection co-operation project, the Legal Affairs Office of the State Council and the SIPO hosted a China-Europe Round-Table Meeting of Experts for the third amendment to the Patent Law of China. The meeting was attended by EPO and OHIM IP professionals such as officials, judges and lawyers. The Chinese side was represented by experts and scholars from institutes of higher education and IP research institutes. The meeting launched debate mainly centering on five topics, namely, protection of patent rights, patent ownership and approval, patent invalidation procedures, enforcement of administrative patent law, and patent rights and public interest. The Chinese and European experts discussed their respective practices with regard to the patent law system, and made suggestions with regard to the amendments made to the Patent Law of China.

I am lucky to have been a participant, and a witness to the past 30 years of co-operation between China and Europe.

It has already been 30 years, and during that time, China and Europe have carried out all kinds of exchange and collaboration in the field of IP protection. Having experienced and witnessed China-EU IP co-operation, I believe that such exchanges and co-oper-

ation have strengthened mutual understanding and the exchanging of experience, which has helped both sides to further perfect the IP system. Looking back, 30 years have already led to so many great results. This 30-year experience of successful exchange and co-operation is reason enough to believe that China-Europe IP co-operation will usher in a bright future.

Playing a leading role in innovation, the ultimate value of intellectual property lies in its application.



Song Liuping
Chief Law Officer,
Huawei Technologies Co., Ltd.

This year marks the 30th anniversary of the official co-operative relationship between China's State Intellectual Property Office (SIPO) and the European Patent Office (EPO). This year also marks the 15th anniversary of Huawei's entry into Europe. At this special time, I would like to review Huawei's growth in Europe from the perspectives of innovation and intellectual property protection in commemoration of such an historic day and as a message for the future.

Huawei's development in Europe has proved that innovation plays a pivotal role in globalisation.

The past 15 years have witnessed the growth of Huawei from a private Chinese enterprise to a globally leading supplier of communications equipment. R&D and innovation are two of the key elements needed to support corporate globalisation. Each year, the company invests at least 10% of its sales revenue in R&D, making innovation part of our DNA. Huawei's business in Europe has its roots in R&D. In 2000, it established an R&D centre in Stockholm.

To gain a firm foothold in the European market, the most powerful weapon is competitiveness such as innovation. We have won respect and trust with innovation and solutions that are important to clients. Currently, we are establishing a co-operative relationship with almost all operators in Europe. Meanwhile, Huawei continues to tap into R&D resources in Europe, establishing R&D centres in countries such as France, Germany, the UK, Netherlands, Belgium, Italy, Spain and Sweden, with employees speaking languages from almost every part of Europe. Huawei has also implemented a long-term localised investment strategy in Europe, currently launching the construction of the European Research Institute, and this will create around 10 000 new jobs in the not too distant future.

These fruitful results from 30 years of co-operation between China and Europe provide important safeguards for protecting innovation.

We have won the European market with innovation. At the same time, we have made contributions to Europe as a corporate citizen, including enhancing local innovation, creating a high number of new jobs, and purchasing large quantities of local devices and products. Of course, we need to further protect our own innovation in the global market, including in Europe. Since most of Huawei's patents were first applied for in China, and Europe is our most important patent portfolio region overseas, Huawei has greatly bene-

fited from the 30-year collaboration between the EPO and the SIPO.

The 30-year EPO-SIPO collaboration has shifted from technological collaboration to a strategic one, achieving results in areas such as the construction of automated systems, the sharing of research databases and the exchange and training of examiners, all of which are noticeable to patent applicants. For many years, Huawei has had the highest number of patent applications granted in China. By the end of 2014, Huawei had had over 230 000 patent applications granted in China, which have benefited from the rapid improvement of search quality, examination quality and speed at the SIPO. It goes without saying that this could not be done without the driving force of the EPO-SIPO collaboration.

Accordingly, and with expansion into the European market, we have begun to step up patent applications in Europe and have actively strengthened co-operation and contact with the EPO since 2005. Huawei's Intellectual Property Department made its first visit to the EPO in 2006 and introduced the company's intellectual property and management philosophy. Since 2007, EPO examiners have visited the patent departments of the company in various locations, such as Shenzhen and Beijing in China and Munich in Germany. Huawei and SIPO colleagues were also invited to the East meets West forum hosted by the EPO as keynote speakers, where they could feel an open spirit of collaboration and understanding between the SIPO and the EPO. Having benefited from consultation and from the establishment of the EPO-SIPO PPH and the efficient and high-quality examination at the EPO, in 2009 we experienced a huge growth in the number of patents. In 2013, Huawei was ranked 13th in terms of the number of patents granted by the EPO, and in 2014 it was ranked 7th. By 31 December 2014, Huawei had a total of 2 216 patents granted by the EPO, going from being a top applicant to a top patentee.

The effective application of intellectual property is a powerful side note to the ultimate aim of EPO-SIPO collaboration.

The ultimate value of intellectual property lies in its application, through which we can protect and drive innovation. We are convinced that this is the ultimate aim of the 30-year co-operation between the EPO and the SIPO and the ultimate value of the work done in intellectual property. In Huawei's value system, work on intellectual property serves to achieve commercial success. Huawei's basic principle is to recognise and respect the intellectual property of others, abide by international rules, and make legal use of

the technologies of others as important supplements to our own innovation through the cross-licensing of patents. Since 2001, we have signed dozens of cross-licensing agreements with major manufacturers and patent owners in the industry, and we continue to pay considerable licensing fees annually and share reasonable costs for innovation and intellectual property in industry. Our innovation and commercial success over the past 20 years is proof that only by practising and maintaining the basic industrial rule of respecting intellectual property can we achieve industrial development in harmony and common prosperity.

Blind copying and abuse of intellectual property are two extremes, both of which will harm the industrial environment. Only by respecting and appropriately using intellectual property can we promote orderly competition and sustainable innovation. Accordingly, Huawei is also actively protecting its own intellectual property. Based on our huge market in Europe and long-term accumulation of patents, we have actively used such legal routes as lawsuits in countries such as Germany and France to fight against malicious infringements and have won cases. We have also actively participated in and utilised European opposition and appeal procedures to try to protect our achievements in innovation and to protect our own interests. We do this in addition to closely watching the European patent and court unification processes, with the aim of being better able to engage in the European processes for obtaining and protecting patents, from application and opposition to litigation.

Huawei's process of globalisation is also a process of intellectual property accumulation and protection, which would not have been possible without the 30-year collaboration between China and Europe. Looking into the future, we are committed to serving clients around the globe and enriching the communication and life of all people, none of which can be done without sustainable innovation, while innovation itself is not possible without fiercely protecting intellectual property. We anticipate and firmly believe that the strategic co-operation on intellectual property between China and Europe will develop even further. The EPO-SIPO collaboration is set to provide long-term development for powerful enterprises. We also wish to add to this trend by making our own contributions to this co-operation.

EPO-SIPO co-operation – at the heart of geostrategic IP issues since the 1970s.



Pascal Griset

Professor of Contemporary History at Paris-Sorbonne University and head of the science and communication institute (ISCC) at CNRS

Intellectual property (IP) plays an unheralded but crucial role on the world stage. A country's choice of patent system not only reflects its ideas about how its economy should function; it also reveals its international standing and level of global integration. IP is a source of soft power, and as such can lead to conflict but also negotiation between countries, whilst at the same time offering opportunities for cultural exchange, interaction and co-operation. So it should come as no surprise that patents were a key element very early on in the rapprochement and – later – genuine partnership forged between China and Europe. In the direct aftermath of the great diplomatic initiatives of the 1970s and 1980s, patents were vital to the international partnerships built during the 1990s, and became even more important as globalisation developed momentum in the new millennium.

Patents and diplomacy: the breakthroughs of the 1970s.

The 1970s was a time of great change in both Europe and China. In Europe, the Treaty of Rome was followed by an enlargement process, with the 1973 accession of the United Kingdom, Ireland and Denmark ushering in a new phase in the “construction of Europe”. At the same time, China was opening up politically to the outside world. Symbolically, this process may have begun when General de Gaulle recognised China in 1964, but politically it became a reality during the “ping-pong diplomacy” which culminated in Richard Nixon's visit to China in 1972.

Within a few years, these developments were also reflected in IP: in 1977, the European Patent Office opened for business, and in 1980 China set up its own patent office and joined WIPO. In the spring of 1979, the first Chinese delegation – led by Mr Wu Heng, Deputy Minister at the State Commission for Science and Technology – visited the EPO, and relations between the two offices then intensified during the 1980s. The Chinese were thinking hard at the time about their future IP legislation; wanting to study the role of industrial property, they found both advice and training forthcoming from the EPO – which for its part saw these exchanges as a genuine acknowledgement of its position in an international patent system in the throes of great change. The Chinese Patent Law that entered into force in 1985 was thus largely based on European principles, including “first to file”, and the first EPO-SIPO co-operation agreement, signed on 11 June 1985, formalised this relationship and at the same time was a major step towards the Chinese office's integration into the international patent system. Rapprochement with the United States remained essential to China's foreign policy, but these choices emphasised that it also wanted

balance in its relationships, with Europe too playing a prominent role.

Deeds, not words – China's decision to adopt the “EPOQUE” technology used by the EPO was a real turning point.

A new phase began in 1986, when China applied to rejoin the GATT, having left in 1950. Determined to move quickly towards a modern patent system, China drew heavily on the EPO's experience. The EPO, as the newest of the world's big patent offices, enabled China to benefit from its own recent experience of taking a fresh look at a whole range of key IP issues. This was especially true for automation: China's decision to adopt the EPOQUE technology used by the EPO was a real turning point. This decision, implemented in 1998, was a long time in the making; the SIPO's original plan had been to use its own resources and create a computerised search system merely “inspired” by the EPO's experiences. But in-depth discussions between the two organisations showed how much China would benefit (in terms of costs and compatibility) from adopting the system already in successful use at the EPO. Obvious as that was, it could still easily have foundered on reservations such as China's wish to remain technically independent, or possible EPO concerns about sharing key business technologies. That the two partners succeeded in overcoming these potential obstacles shows how much mutual trust – both political and operational – they had built up over the preceding 20 years or so. This technological convergence was reinforced by connecting the two offices' systems via the secure PATNET network, and gave further boosts to information exchange and training. In this way, more and more men and women from both offices got to know each other and learned to work together.

A shared vision within the IP5 dynamic – it was a patient process of rapprochement and harmonisation that culminated in China, along with Korea, helping to set up the IP5, which met for the first time in Hawaii in 2007.

The EPO and the SIPO marked the start of the new millennium by signing a new co-operation agreement, renewing and extending their previous work. It was initialised by the new SIPO Commissioner Wang Jingchuan, who in 2001 had chosen the EPO for his first visit abroad. The Middle Kingdom was now the “factory of the world”, and when China actually joined the WTO, on 11 December 2001, the great progress made

in IP had helped bring this long process to fruition. But strong growth in patent filings from Chinese firms, and these companies' increasingly global reach, meant embedding the country even more deeply within the international IP system. Here too, the EPO played its part. As one of the founders of trilateral co-operation, it had been a key player in the world IP system from the outset, especially on automation issues. And for all its bilateral dealings with the United States and Japan, China had also been able to rely on its long-standing and trusted relationship with the EPO in forging increasingly close ties with the trilateral partners. It was thus a patient process of rapprochement and harmonisation that culminated in China, along with Korea, helping to set up the IP5, which met for the first time in Hawaii in 2007.

This enlargement was a clear illustration of the new geostrategic nexus, and of the major role now played in international relations by innovation issues.

Mutual co-operation had enabled the EPO and the SIPO, neither of which had existed forty years before, to play crucial parts in an international IP system which, despite the occasional dispute, was now much more stable and harmonised than half a century ago. The two offices' co-operation had certainly contributed to that, and their “entente cordiale” had helped to offset the US dominance of the early 1970s – as clearly shown by the Americans' adoption of “first to file” in 2011.

Thus two ancient civilisations created, almost simultaneously as the 1980s got under way, the two youngest world patent offices. They might have clashed, but opted instead for cordial co-operation and mutual support in building up their respective roles.

That process highlights the two essential aspects of the IP system. Without political will, the system can have no international dynamic. At the same time – as the process of drafting and implementing the 1973 EPC has already shown – that political will can bear fruit only if the patent grant procedure, and the computer systems and other tools on which it relies, are addressed with the utmost rigour. Both aspects remain central to Sino-European IP co-operation to this day.

Try hard and you'll reap the rewards – Recollections of the 30-year co-operation between China and Europe.



Zheng Shengli

Professor of the Law School of Beijing University, Head of the Intellectual Property School of Beijing University (1993–2009)

This year marks the 30th anniversary of co-operation between the SIPO and the EPO, and I am honoured to have been witness to that co-operation, both as a scholar of Peking University and as a direct participant. Staff training during the early 1980s and deep co-operation within the framework of strategic partnership today are a part of China's deeper reform and opening up. Whether it be at state level or at the level of Chinese institutes of higher education such as Peking University, we have given utmost attention to intellectual property (IP) from the very start. Looking back at the 30-year collaboration between the SIPO and the EPO, co-operation has been vitally important in the promotion of economic and trade relations and social improvement.

Chinese enterprises should lose no time implementing their overseas patent portfolio for patented technology they have developed.

In the 30-year development of work on IP in China, China's rapid social and economic progress has played a crucial and decisive role.

Meanwhile, we are also aware that in the course of reform and opening-up, Chinese enterprises have encountered many problems as they "go global". During 30 years of China-EU collaboration, some economic and trade-related friction is unavoidable. Therefore, it is necessary to warn Chinese enterprises how to use IP to win the international market when "going global". In actual fact, when "going global", Chinese enterprises not only need to have a foothold in technical innovation, but also need to learn how to have a "big data" vision to integrate all kinds of IP information resources. They also need to establish an IP team with the international vision to actively respond to potential IP disputes. More importantly, Chinese enterprises should lose no time implementing their overseas patent portfolio for patented technology they have developed. Only by making yourself strong and preparing for a rainy day can you secure a foothold in international competition. This is an important lesson that reform and opening-up and EPO-SIPO collaboration have taught us.

Admittedly, the development of intellectual property work in China cannot be achieved without help from the EPO and its driving force.

China's reform and opening-up involved on the one hand a reform of its internal system and on the other an opening up of its market to the whole world. It

also requires the training of even more personnel who have an awareness of reform and an open mind. European countries have provided a lot of professional training and legislative and judicial exchange opportunities. It's worth mentioning that European countries such as Germany, as well as the EPO, have provided considerable support for the development of IP work in China in terms of patent information resources, technical innovation and industrial restructuring and upgrading. Needless to say, during the planning and development of the SIPO, many European countries also gave considerable support and attention to such matters.

This actually reminds me of 2005 back at Peking University, when Alain Pompidou, then President of the EPO, was granted an honorary doctorate. In fact, according to relevant provisions of the Ministry of Education of China, each year Peking University should grant the title of honorary doctorate or honorary professor to certain international dignitaries, but not many were actually granted and the requirements were extremely strict. In 2005, the process of granting the honorary doctorate to President Pompidou went very smoothly, a result of the co-operation between the SIPO and the EPO, and also showed that Peking University, and the educational circles of China in general, paid attention to IP. IP is seen as the granting of property rights to intellectual achievements, which is of great significance when it comes to respecting civil rights and safeguarding the legitimate rights and significant interests of citizens.

Another thing to mention is that in around 1985 Professor Wang Xuan of Peking University applied for a European patent. At that time, when the first Patent Law of China had just been promulgated, Professor Wang Xuan led his team to invent the "laser typesetting system for Chinese characters", which laid down the foundation for computerising the printing and publishing process, and was honoured as "the second invention in the art of Chinese printing". Professor Wang Xuan first came up with the idea of applying for a European patent, which was successfully granted after considerable effort. This clearly shows that the educational circles of China have paid considerable attention to European patents and have recognised and welcomed the work of the EPO from the very beginning.

"Try hard and you'll reap the rewards." Looking back, as a participant in the 30-year collaboration between the SIPO and the EPO, I am deeply aware that the gradual development and perfection of China's IP system has been thanks to the gradual accumulation brought about by this collaboration. This is an important achievement from the tireless efforts and sincere

30-year collaboration between the SIPO and the EPO. In the light of this situation, the SIPO and the EPO have to make even more of an effort and be more persistent in the creation of IP and in effectively using IP to enhance efficiency, simplify procedures and stimulate the economic vitality of both sides. Finally, it is my sincere wish that the collaboration between the SIPO and the EPO should reach new heights in pursuit of a brighter future.

Building up a local presence in China helps European companies to bridge the cultural gaps.



Tony Tangena
President of the epi
(the European Patent
Attorney Institute)

Companies today are increasingly working together on a global scale. Chinese and European companies, however, can work together only if they have each protected their own inventions through patents. As a result, intellectual property (IP) is becoming increasingly important for Chinese-European relations.

Netherlands-based Philips has been aware of the importance of protecting its IP in China from the start. Currently boasting 20 000 employees and 12 research and development centres in China, its presence there has grown steadily since 1985 and the country is now its second largest market. In 2000, it became the first multinational to establish its own IP office in Shanghai. The office now has close to 60 staff, making it the largest IP department of any non-Chinese company in China. “We realised we needed protection in China not only for our IP based on inventions developed elsewhere but also for the inventions generated in our Chinese R&D labs,” explains Ruud Peters, formerly Executive Vice-President of Philips and now an advisor to the company. “Thanks to the SIPO, securing patents in China has never been a problem,” he adds. “The SIPO is well equipped. It has good people and good examiners. Our experiences there have always been positive.”

Philips sets up IP academies at universities to help raise patent awareness within the country.

Enforcing patents in China, however, initially proved problematic for Philips. As one of the inventors of the DVD player in 1995, it was responsible for licensing the related patents in China for a consortium of companies which also included Sony, Pioneer and LG Electronics. At that time, there was little understanding in China of how patents and licensing worked. “Chinese companies thought that we were using our patents to squeeze them and prevent them from growing their own DVD business,” explains Peters.

It took Philips time and effort to explain that, in fact, all manufacturers of DVD players needed a licence to use the patents. Motivated by the need to make local industry more familiar with patenting and licensing matters, it decided to set up IP academies at three leading Chinese universities, namely Renmin and Tsinghua in Beijing in 2004, followed by Fudan in Shanghai in 2005, and shared its IP knowledge through courses there. It also funded IP research programmes, scholarship programmes and an exchange programme enabling Chinese academics to travel to Europe or the US. In parallel, it organised IP seminars and conferences in China, with the support of bodies like the Shanghai Municipal Government and the Netherlands Ministry of Economic Affairs. “We wanted to contribute to developing IP knowledge in China, because the better the country’s IP knowledge, the easier it would be for us in the long term to do our own IP business there,” says Peters.

IP awareness in China has increased considerably in recent years. Philips therefore decided last year to adapt the IP academy set-up and in addition establish an IP management institute in Zhejiang University. Philips sponsors the institute, which it believes will play an important role in the future development of IP management in Chinese companies.

Meanwhile, more and more Chinese students are coming to Europe to take courses in IP at European universities like Maastricht or Strasbourg. When these students return after completing their studies, they are ideal candidates for IP positions in China and can help European companies interested in building up their business there.

Local knowledge allows European companies to overcome cultural differences and build up a strong presence in China.

Vanderlande, a world leader in automated material-handling systems, airport-baggage handling services, warehouse automation and parcel and postal sorting solutions, is one of a growing number of companies with a policy of filling key positions in China predomi-

nantly with Chinese people, aware that only they can truly understand what a Chinese customer really wants. “A key ingredient of success in China is developing local business relations, so you need to build up a strong local presence with Chinese employees. If you want to do well in China, you need to work with Chinese people and do business the way they do,” says Martin Maasland, Vanderlande’s Managing Director in China. The Dutch group has been doing business in China for over ten years and has an R&D department in Shanghai.

It is a view echoed by Peters. “It is my belief that, to build up a local portfolio, you need to have local people on the ground to help establish relationships and work out any contractual issues, also because of the language barrier.”

Language and cultural issues aside, a series of other challenges face the growing number of European companies keen to develop their business in rapidly developing China. Fiercer competition is one challenge, the demand for immediate results another.

To deliver quickly on their projects, companies need a local supply chain. Vanderlande’s supply chain, for example, is located almost entirely in China. This means it can work with local partners who produce its designs according to its standards. “We are keen to provide our usual quality levels here too,” says Maasland. “What we produce here in China is exactly the same as what we produce in Europe or the Americas.”

It was when setting up a local supply chain in 2009 that Vanderlande encountered its toughest experience in China to date, when it came across Chinese utility models containing its drawings, one of which had, presumably, fallen into the hands of a potential supplier.

Fortunately, it was able to make use of a SIPO procedure to invalidate the utility models, although the high translation costs made it an expensive exercise. “It is hard having to spend all that money invalidating something with your own drawings,” says Toine Ketelaars, Senior Patent Counsel for Vanderlande.

When facing these challenges, though, European companies can always fall back on the years of experience gathered at home. “Ultimately, you have to take the best things from the West and combine them with the best things from the East,” says Maasland.

Meanwhile, patent firms are also gearing up to help not only European companies in China but also Chinese companies in Europe. One example is AIPEX, a collaborative alliance of national patent firms from various European countries. Working with a number

of preferred Chinese patent firms and local SIPO branches, it organises seminars for young entrepreneurs and researchers in China to explain to them the complexities of the European patent system such as utility models, the new unitary patent, national patent courts and the new Unified Patent Court. “This allows Chinese companies to get the best value from their innovations within Europe,” says Arie Blokland of AIPEX.

In future, we are going to see a further increase in the number of service providers. As Patrice Durand of Valipat, a firm providing administrative services for IP attorneys, explains, “Because we provide access to foreign patent systems via our network of local patent firms, we can offer economies of scale to companies without such an extensive foreign network and so enable them to provide high-quality services at a reasonable price in countries like China.”

This article is based on contributions by Ruud Peters (Royal Philips), Toine Ketelaars and Martin Maasland (Vanderlande), Arie Blokland (AIPEX) and Patrice Durand (Valipat). Readers might be interested to know that since 2007, the Munich Intellectual Property Law Centre (MIPLC) has been running a co-operation programme with the SIPO.

Find more information on: www.miplc.de/co-operations/sipo/

Joining forces for mutual benefit: the first-ever co-operation between a Chinese non-governmental intellectual property organisation and the European Patent Office.



Xu Yuanyuan
Secretary General of the
All-China Patent Attorneys
Association

For the past 30 years, both the SIPO and the EPO have obtained great results from carrying out all-round, multi-level pragmatic collaboration. They have created a favourable, convenient and efficient environment for innovation and intellectual property (IP) for both sides and have effectively boosted China-EU cultural and technical exchange and trade. For many years, Sino-European collaboration in the field of intellectual property has been penetrating every aspect of IP development.

The co-operation project between the All-China Patent Attorneys Association and the EPO has also become an important subject with regard to the collaboration between both sides.

In 2005, the All-China Patent Attorneys Association signed an official agreement with the European Commission for “a comprehensive project supporting patent enforcement in China”. The project was financially supported by the EU’s “China-EU Small Projects Facilitation Fund” and was jointly implemented by the All-China Patent Attorneys Association and the EPO. This is the first such project between a Chinese non-governmental IP organisation and the EPO, laying down the foundations for further co-operation between governmental and non-governmental institutions.

The project was rich in content, offering training mainly to the patent agents, intellectual property lawyers, corporate IP managers and IP judges of China and exploring patent agency issues affecting China and Europe. Since the project was first started, the association has undertaken in-depth collaboration with foreign experts on all aspects such as institutional management, patent licensing and patent infringement litigation, by hosting training courses for senior managers of patent agencies related to patent licensing and patent infringement lawsuits, etc. In total, 426 IP industry insiders have attended courses.

Implementation of the project has been highly praised by both Chinese and European participants, and has reaped excellent social benefits. It has not only broadened the horizon of patent agents, but has also enhanced their management capability and level of expertise. Generally speaking, and under the concentrated efforts and close collaboration on both sides, this comprehensive project supporting patent enforcement in China has achieved good results, which not only enhances understanding of the respective IP systems, but also allows patent agents from China to learn from the advanced experiences of those from abroad. These fruitful results have benefited

from the tireless efforts of the EPO for the project and the unceasing contributions made by experts on both sides.

In recent years, as the collaboration between China and Europe has grown richer and deeper, the number of patent applications in Europe by Chinese enterprises has continued to rise year after year. In 2014, Chinese enterprises filed 26 500 patent applications in Europe, up 18.2% year on year, making China the country with the fourth-highest number of patent applications in Europe. Protecting IP is in the best interests of both sides and is also in line with their common goal. In the future, the scope of co-operation between both sides in the IP field will be even broader and will have a more stable structure.

As a non-governmental organisation, the All-China Patent Attorneys Association still has a lot of work to do in promoting the development of China’s patent industry and providing better-quality services for scientific and technical innovation.

Though the comprehensive project supporting patent enforcement in China has already come to a perfect end, co-operation between China and Europe in IP continues. 2015 marks the 40th anniversary of the establishment of diplomatic relations between China and Europe. The 30-year close co-operation between the SIPO and the EPO will become a new starting line for their further co-operation. I sincerely hope that both sides will continue to co-operate with sincerity and open up a new chapter of mutually beneficial results.

After SIPO's establishment, it took over 14 years to receive its first one million patent applications, but by 2010 it was receiving a million applications a year.



Alex Liu
Chairman of the Beijing
IPR Working Group,
European Union Chamber
of Commerce in China

The 30th anniversary of the start of co-operation between the European Patent Office (EPO) and the State Intellectual Property Office (SIPO) is a major milestone that reminds us how much progress has been made in the development of the Chinese intellectual property (IP) system. It also encourages us to look to the future.

Like many others who are interested and involved in the development of China's patent system, in the European Chamber we are delighted to have witnessed all that the SIPO has achieved since it was created with the EPO's support. It is truly remarkable that, just three decades after receiving its first patent application, the SIPO has now grown into one of the world's major IP offices. The good relations and close co-operation that have been maintained over the years between the EPO and the SIPO are now instrumental in the further development of a global patent system that better protects and encourages innovation.

The first version of the Chinese Patent Law entered into force on 1 April 1985. It was then already in line with international standards, as the SIPO openly drew upon the experiences of other countries, especially Germany, supplemented by European case law. Over the intervening 30 years, the law has been amended three times, gradually closing the gap to European standards of patent protection. In 1992, the first amendment not only expanded protection to include chemical substances, but also extended patent terms from 15 years to 20 for invention patents, and from 8 years to 10 for utility models and design patents. In 2000, driven by accession to the World Trade Organization, the law was further amended to add "offer for sale" to the definition of patent infringement. In 2008, it was amended again to incorporate significant issues such as security checking, compulsory licensing, a novelty standard and disclosure of genetic resources.

By 2010 the SIPO was receiving a million applications a year. Since 2011 it has been the world's busiest patent office.

Work is now in progress on the fourth amendment, and once again European stakeholders are involved, readily offering their expertise and their experience of the European and Chinese IP systems. China's desire to become a more innovative country is no secret, as indicated in the aims of its National IP Strategy of 2008: to become a country with a comparatively high level in terms of the creation, utilisation, protection and administration of IP rights. One way to successfully achieve this would be to further harmonise the European and Chinese patent systems to encourage exchange and investment between Europe and China.

After the SIPO's establishment, it took over 14 years to receive its first one million patent applications; but by 2010 it was receiving a million applications a year, and since 2011 it has been the world's busiest patent office. In 2014 its filing figures reached 2.36 million, and in the same year it joined the patent prosecution highway programme launched that January by the IP5 group (EPO, USPTO, SIPO, JPO and KIPO). On the back of this remarkable growth, the SIPO has become a widely acknowledged and respected player on the international scene.

The European Chamber also very much appreciates and welcomes the current trend towards greater legislative and operational transparency, giving public and private stakeholders in the patent system the opportunity to offer their comments and opinions. We make every effort to give clear and detailed comments and recommendations on amendments to laws and regulations, including the patent law, its implementing rules and patent examination guidelines, and on the formulation of regulations on service inventions. We offer a unique pool of expertise from practitioners of the Chinese IP system who can also draw on European IP theory, practice and experience. Our members are commercial and industrial stakeholders with a key role to play in the future innovation-focused Chinese society. Their opinions and recommendations deserve to be duly noted and considered, and in that respect we are happy to see that more and more of our views have been reflected in the final drafts of the SIPO legislation.

There is no perfect system; China needs to continue developing its own.

Yet in some respects IP protection in China still lags behind Europe, for example in the lack of patent term extension and patent linkage systems to reasonably compensate the pharmaceutical and agrichemical industries, and the quality of patents still needs to be improved. This may be attributable to the shorter history of China's IPR system, and in our view even more to differences between the Chinese and European legal systems and to dissimilarities in social development, history and reality between China and Europe. There is no perfect system; China needs to continue developing its own, and we believe it will benefit from further improving administrative and operational transparency to better reflect the market requirements of modern society and comply with higher internationally accepted norms. In Europe, the EPO has set very high standards for transparency, offering certainty and reliability to private enterprise and thereby encouraging innovation.

The level of confidence that the rapid development of China's patent system has engendered among Euro-

pean enterprises operating in China is highly significant: IP protection is no longer the chief concern for European companies investing there. The European Chamber has been actively involved in the development of China's IPR landscape ever since its establishment in 2001 as the official voice of more than 1800 members, most of whom are market players with a focus on technology and therefore pay particular attention to patent protection in China. Their confidence in the development of China's IPR protection system, particularly in terms of enforcement, is rising, and they are regular users of the IP system in both Europe and China. They regard China as an indispensable primary destination for foreign patent applications, due not only to its strong market position but also to the bright prospects for protection there as a natural result of the development of its IPR system.

The European Chamber believes that current developments in the Chinese IP system are heading in the right direction and will eventually create a better legal and market environment for investment in China, even though there is still work to be done. European companies are looking forward to playing an active part in the future development of the country and the realisation of the Chinese dream.

BUSINESSEUROPE sees the EU and China as depending on each other in the global economy, with Chinese and European companies being parts of fully integrated global supply chains.



Jérôme P. Chauvin
Deputy Director General
BUSINESSEUROPE

Gaining access to the booming Chinese market remains a top priority for European companies, which is why Europe continues to invest heavily in China (EUR 8.2 billion in 2013).¹ European companies are well-positioned for success thanks to their international experience and strong presence on the Chinese market, their cutting-edge technology, and the high quality of their products and services. Against this background, BUSINESSEUROPE believes that both the EU and China should increase their efforts to expand trade ties and tap new opportunities through stronger bilateral co-operation.

The 30-year history of the EPO-SIPO co-operation is truly exemplary.

Since the first Chinese Patent Law was introduced in the early 1980s, European business has witnessed the remarkable evolution of China's patent system, mirroring the development of China's economy. Patent filings are rising steadily, with over 2 300 000 patent applications received in 2014 (for inventions, utility models and designs). Now China is one of the EPO's top five applicants.

For BUSINESSEUROPE, this landscape provides opportunities for European companies. However, investing in China relies for its success on the existence of an effective intellectual property (IP) system, including a well-functioning patent system.

BUSINESSEUROPE salutes China's efforts to provide effective IP enforcement.

An effective IP system needs effective IP enforcement. BUSINESSEUROPE therefore welcomes the recent launch of specialised IP courts in Beijing, Shanghai and Guangzhou as an important step forward for the benefit of both Chinese and EU companies.

BUSINESSEUROPE is also convinced that the EU-China IP dialogue mechanism and technical co-operation programmes have the potential to play a useful role in improving the IP enforcement landscape. We are committed to supporting these processes by providing the necessary technical expertise to produce results that can be delivered to innovation-driven companies.

A proliferation of weakened TRIPS provisions has affected both export-oriented Chinese companies and European companies alike. An erosion of IP standards occasioned by the unwarranted use of compulsory licensing worldwide is in no one's interest. This is why BUSINESSEUROPE is convinced that bilateral co-operation is essential to fighting IP expropriations and non-market restrictions.

When it comes to the functioning of the patent system per se, BUSINESSEUROPE attaches a lot of importance to bilateral and multilateral co-operation. Long-standing bilateral co-operation between the EPO and the SIPO has delivered significant benefits for European companies.

The English-Chinese machine translation tool introduced in December 2012 as part of the EPO's Patent Translate service is a prime example of this, as is the SIPO's implementation of the new Cooperative Patent Classification standard. These are noteworthy developments, considering the growing volume and importance of Chinese patent applications in the global patent system. In 2014, for instance, more than 1.4 million patent applications were filed in China, Japan and Korea.² Access to Asian and in particular Chinese prior art is especially important for the quality of the global patent system and for companies filing worldwide.

Other activities undertaken under the banner of bilateral co-operation include the co-operation programme on capacity-building training and the EPO's involvement in the EU-funded technical assistance programmes. These have produced significant results, including educational programmes to deepen IP knowledge among officials at ministerial and provincial level, training programmes for patent agents, lawyers, judges and staff from intermediary agencies, support packages for university professors to promote the establishment of IP as a core course at their universities, and the provision of expert advice on patent law reforms and the move towards a modern and efficient patent system by aligning IP systems with international standards, both in the laws and in practice.

The creation of IP5 as a milestone in multilateral co-operation.

The IP5 initiative put forward by the EPO, the SIPO, the US Patent and Trademark Office (USPTO), the Japan Patent Office (JPO) and the Korean Intellectual Property Office (KIPO) has played a key role in getting rid of unnecessary duplication of work by the offices, dealing with the growing backlogs of patent applications and promoting efficiency and quality. A study commissioned by the UK Intellectual Property Office has shown that there is a worldwide backlog of over 4 million unprocessed patent applications. It is claimed that more than 200 000 patent applications for the same inventions are filed each year in two or more of the IP5 offices, pushing the backlog up.³ Together,

these five offices handle about 80 % of the world's patent applications and 95 % of all work carried out under the Patent Cooperation Treaty (PCT), granting 956 644 patents in 2013 (+4 % on the previous year). All this data justifies closer and more dynamic co-operation, which BUSINESSEUROPE fully and actively endorses.

Our priority is high patent quality for the global patent system at a reasonable cost and within a reasonable time frame

We have an important role to play in improving the efficiency and cost-effectiveness of the overall patenting process. As the incoming patent application is the starting point of the process within a patent office, it is important that the application is presented in such a way as to facilitate the search and examination procedures. Improvements to the patenting process in all systems will follow not only from individual efforts by offices and applicants, but also from optimised co-operation between all parties.

Harmonising the search and examination environment of each office and standardising the information-sharing process will bring tangible benefits to European companies operating in a global environment. A key milestone here is the Global Dossier, which will also do away with unnecessary formalities and facilitate access to work done by the Asian offices.

Building on our experience of co-operation with US and Japanese industry, BUSINESSEUROPE has co-led a parallel co-operation programme between industries in the IP5 regions. The interaction between the IP5 offices and industry, currently in its third year, is intended to give a more practical and user-oriented focus to this co-operation, as industry steers the IP5 offices towards projects that meet their needs more closely. In this context BUSINESSEUROPE is also improving its bilateral co-operation with the Patent Protection Association of China (PPAC).

BUSINESSEUROPE welcomes the bilateral and multilateral commitment of the EPO and the SIPO to improving quality through documentation, tools, translation options, training and knowledge of Asian documentation. We hope the next 30 years of the EPO-SIPO co-operation will bring even more benefits to both offices and companies, and we remain fully engaged to do our utmost to make this co-operation a continued success.

¹ BUSINESSEUROPE March 2015 report, "EU-China relations 2015 and beyond" available at www.busesseurope.eu

² Source: 2014 key IP5 statistical data (preliminary figures)

³ IP5 Statistics Report 2013

Win-win collaboration – The route to mutual development.



Huang Feng
Director General of the
Sichuan Provincial IP Office

External co-operation and exchange is an important component of IP work. Since the 1985 implementation of the Patent Law of the People's Republic of China, Sichuan Province has placed even greater importance on international co-operation and exchange regarding intellectual property. Europe is one of the key birth-places of the modern intellectual property (IP) system. For the past 30 years, Sichuan Province has frequently co-operated with the EPO, which has helped advance IP in Sichuan.

In recent years, increasingly close co-operation on both sides has led to Sichuan organising and helping to organise several China-Europe IP events, and has been highly praised by the EPO. A good example of one of these events is the successful hosting of the 23rd Session of the Joint Committee meeting on Patents between the SIPO and INPI France in 2010. The session was hosted by the SIPO and co-organised by the Sichuan Intellectual Property Office. It was held in Jiuzhaigou Valley, a place referred to as "Heaven on Earth". The meeting was attended by Benoît Battistelli, who led the delegation and was Director General of INPI and President-Elect of the EPO, as well as by SIPO Commissioner Tian Lipu and the staff of the Department of International Co-operation. I was also invited to the meeting. During the meeting, the delegation led by Mr Battistelli went on a tour of Sichuan and also paid a visit to the SIPO. Mr Battistelli spoke highly of the achievements resulting from Sichuan Province's work on intellectual property, and hoped that INPI would co-operate even more closely with the SIPO in the future in order to boost the development of regional IP in both countries.

The government of Sichuan had placed high importance on the co-organisation of the meeting and Mr Battistelli's visit. On the afternoon of 31 May, the relevant leaders of Sichuan's provincial government met with and hosted a dinner for the delegation led by Mr Battistelli. The importance the provincial government places on IP and the meeting with the provincial leaders left a lasting impression on Mr Battistelli. At the end of 2010, I was invited to the 4th EPO-SIPO Heads' Meeting. During the meeting, I presented President Battistelli with an album of photos recording his participation in the activities of the Joint Committee meeting on Patents between the SIPO and INPI France, an album entitled: "Good Memories from Sichuan". When discussing Sichuan once more, President Battistelli fervently expressed his approval of the flourishing development of IP in Sichuan Province and France.

Following Chinese reform and opening-up, IP, an "imported concept", plays an increasingly important role in the economy, science and technology and

trade of China. Through co-operation with the EPO, we have studied and borrowed from the advanced experiences and practices of Europe with regard to protecting and managing IP, which has in turn promoted social respect for innovation, ideas related to IP and the atmosphere for it.

In recent years, co-operation between Sichuan and European enterprises has deepened.

The enterprises strongly feel that trade and investment between China and Europe cannot work without an effective patent system. Obtaining patent protection in Europe has become an indispensable practice of Chinese enterprises wishing to participate in economic activities in Europe. In recent years, targeting the demand of enterprises for "going out into the world", the SIPO and the EPO have successfully held events such as the "WTO Entry and Intellectual Property Protection-International Seminar on Enterprise Strategies" (November 2001) and "Workshop on the European Patent System" (September 2011) in Chengdu, helping to familiarise the enterprises with the patent system of Europe. The successful hosting of these events has helped enterprises in Sichuan better understand and utilise the European patent system, become familiar with European patent law and enhance their ability to expand into international markets.

What is particularly gratifying is the fact that, with the deepening and expansion of Sino-EU intellectual property co-operation, Sichuan has sent several groups of staff to the EPO for visits and training, thus learning from the advanced experiences and practices of the EPO regarding protection and management of IP. Meanwhile, with the support and help of the SIPO, Sichuan has also invited EPO officials and IP experts to give lectures in Sichuan, which has effectively strengthened the management and staff expertise of enterprises and IP management agencies in Sichuan Province. It has helped to nurture professional groups of enthusiastic and talented individuals in the IP field, individuals who have become quite familiar with European IP legislation.

Currently, we are faced with the advent of a new round of scientific and technological revolution, such that the innovation-driven development strategies and the building of a powerful country well versed in IP have become highlights of the new era of IP development in China. "The winds carry me to blue skies". New achievements and opportunities will give us the chance to continue to strengthen co-operation and exchange with the EPO in the field of IP and further

enhance mutual understanding. I am convinced that there will be a promising future as we continue to co-operate with the EPO.

It was and remains of the essence that the business community is able to rely upon strong IP rights.



Arnaud Michel
President of Licensing
Executive Society
International (LESI),
2014–2015

LESI is an organisation dedicated to men and women with a professional interest and skills in technology transfer and the licensing of intellectual property rights across the globe. As a member of LESI for over twenty-two years I have seen first-hand the benefits of co-operation between the European Patent Office (EPO) and the State Intellectual Property Office of China (SIPO).

So much has been accomplished during the past 30 years in the regions where these offices are based and are active in granting IP rights. The economic environment has significantly evolved, giving birth to new technologies. In that time China has become a key player in the industrial world, and latterly a leader in technological research. Since 2011, the SIPO has been the patent office receiving the largest number of applications worldwide, with more than 800 000 applications in 2013.

In this fast-growing context, it was and remains of the essence that the business community is able to rely upon strong IP rights. No serious economic operator would dare to build a business project on weak and easily challengeable rights. The EPO and the SIPO clearly identified this issue decades ago. It was a great initiative that expanded the good relationship between people from each side and turned it into a broader and more official relationship involving both offices.

When men and women as skilled and smart as those working for the SIPO and the EPO can get to know each other better and benefit from each other's experience and culture, it is of immense value to the business community. This long-term co-operation has enabled the European and Chinese examiners and IP office executives to cross-fertilise the examination procedures based on their experiences. This means high-profile examination procedures, serious prior-art searches and high-level professional exchanges between examiners and applicants. Ultimately, this has made two of the world's major patent systems more easily understandable and usable by businesses and IP professionals, such as those who form the LESI battalions.

IP is by its nature international.

LES was created more than 50 years ago, in 1965, by industry representatives and IP professionals in the USA and Canada. Their goal was to share their experience in IP development and commercialisation.

After just a few years, they realised that IP is by its nature international, and they helped create similar LES Societies, in Europe and then in Asia. LESI was

born in 1974 to facilitate the relationship between the national and regional LES Societies. The LES Chapters around the world now number around 10 000 individuals, from more than 90 countries, organised into 33 Societies.

LES China was created in 1986. We will celebrate its 30th anniversary in April 2016 with a major LES International conference in Beijing. The LES Asian Societies are extremely active; as of early this year there are now nine of them.

The individual members, as with those of the other LES Societies across the world, originate in industry or are IP professionals closely linked to industry. LES is business-orientated and speaks from its industrial experience. This is the reason why LES members and major offices like the EPO and the SIPO are so closely linked.

It is extremely important when licensing IP rights, or commercialising them under any other form of agreement, to be able to base the deal on sound, strong and reliable rights. The licensor would not be in the position to grant the expected deliverables if this was not the case. The licensee would not take the risk of making huge investments to develop a product in the market if it could be easily challenged by non-licensed competitors with little chance of the licensed patents being successfully enforced against them.

IP offices fashion the tools of our trade; our fortunes are inescapably intertwined.

Further downstream, another aspect of business is equally important, which is the appropriate enforcement of IP rights. Although no one wants to find themselves that far down the road, it is important too that a good patent can be enforced efficiently. The better the granted patents, the more effective the enforcement.

Europe has just taken a major step with the adoption of the unitary patent and the Unified Patent Court. No doubt the Chinese patent judicial system will also develop improved ways to give businesses the appropriate legal environment to safely transfer their technology to China.

LESI has always been a privileged partner of the EPO, and is willing to continue sharing its experience and knowledge of industry needs with the EPO and with the SIPO to enhance the respective patent systems. No doubt LES China will also be considered a privileged partner of the SIPO.

The characteristics of industry are fast-moving in China, and LES China will pay particular attention to the aspect of its mission that entails informing the industrial property authorities of the concerns of its industrial members. The future is very promising. We offer thanks to the EPO and to the SIPO for what they have done in the past 30 years for the business community and all the more for what they will do in the coming decades.

It is a great honour and privilege to be invited to celebrate the 30th anniversary of the signing of the Co-operation Agreement between the EPO and the SIPO. LESI sends its deepest congratulations to them both on reaching this milestone.

Technological collaboration between Europe and China: evidence from European patent data – a study.



Theon van Dijk
Lexonomics,
EPO Chief Economist
from 2013 to 2015

After more than two decades of unprecedented economic development, based mainly on large-scale production and export of manufactured goods, China is taking further steps to transform its engine of growth, ultimately steering its economy towards a more service- and innovation-driven economy. On the basis of data on European patent applications (direct and Euro-PCT)¹, the present article assesses the extent to which Chinese companies and institutions are involved in patenting activities in Europe. The main focus is on collaboration between Chinese and foreign companies and institutions in the area of research & development (R&D) over the past decade, and how this collaboration has been taking place. In addition, it takes a close look at the use of Chinese R&D in Europe, identifying the main technology fields in which applicants from EPC countries are making use of China's increasing inventive capacities.

The main finding is that since the turn of the millennium the number of EPO applications with a Chinese contribution, in the role of either applicant or inventor, has seen an enormous increase. Chinese science and technology policies appear to have been successful in encouraging R&D work in China (as measured by European patent applications having at least one co-inventor residing in China), through international R&D collaboration. Besides working on R&D for foreign multinational companies, an increasing number of Chinese companies are now operating independently, in Chinese-only R&D teams. In line with international collaboration more generally, Euro-Sino R&D collaboration has been intensifying since the early 2000s, as measured by the use of Chinese R&D (within or outside international collaborations) in European patent applications.

Patent data as an indicator of technological collaboration

Patent data can be used in various ways to analyse international technological collaboration. European patent applications include information about the country of origin of the applicants and the inventors. The presence of applicants or inventors from different countries is an indicator of international collaboration in the area of marketing the invention ("international co-application") or in the area of research and development ("international co-inventions"). Because, as EPO patent application data shows, Chinese appli-

cants tend to apply for patent protection without international co-applicants, this contribution focuses on international co-inventions. In the following, an EPO patent application is considered as using Chinese R&D if it has at least one Chinese co-inventor.

Growth of Chinese co-applications and co-inventions at the EPO

Figure 1 shows the development of international co-applications and international co-inventions involving Chinese participation. More precisely, the bottom line shows all applications at the EPO since 2000 in which there was at least one Chinese co-applicant. The middle line shows all applications in which there was at least one Chinese co-inventor. The top line shows the number of EPO applications with at least one Chinese co-applicant and/or one Chinese inventor.

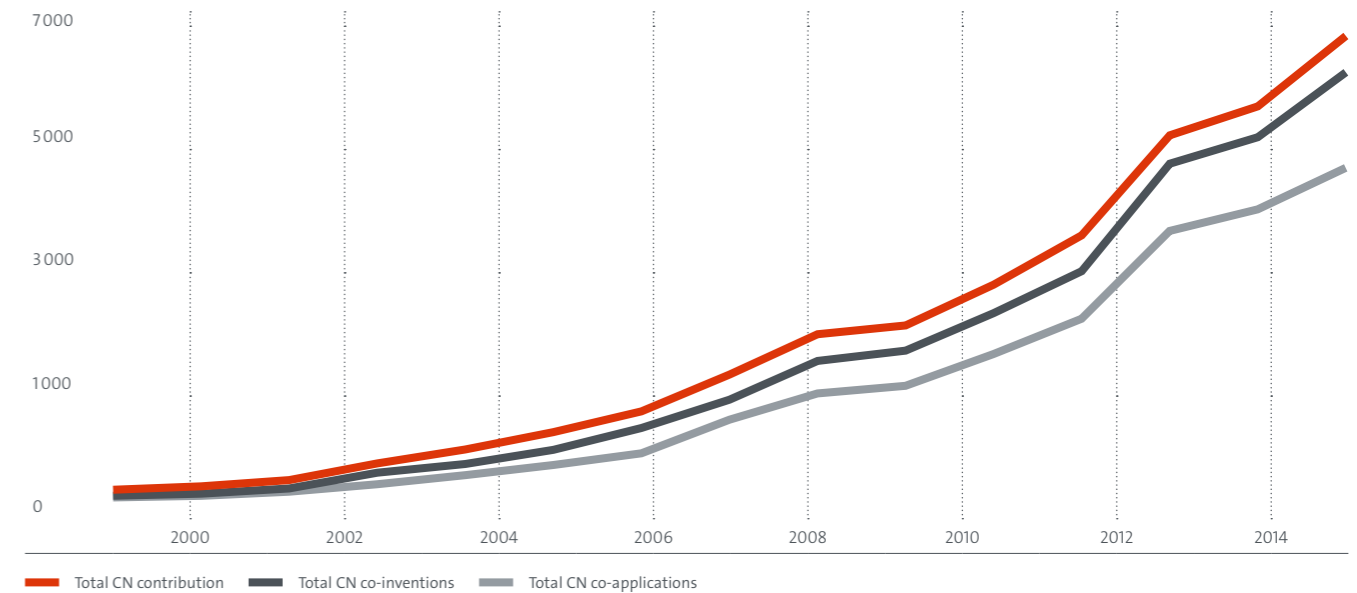
The picture that emerges is that in the last decade there has been considerable growth in EPO applications with a Chinese contribution. In 2004 there were about 850 such applications, representing less than 0.7% of total European applications. In 2014 the num-

ber of such applications grew to more than 6500, or 4.3% of total European applications. Interestingly, Chinese entities appear more often as co-inventors than co-owners on European patent applications. There are thus more patent applications using Chinese R&D than patent applications that are co-owned by Chinese applicants.

International R&D collaboration: who uses Chinese R&D, and how?

In this context, Chinese R&D falls into two main categories: First, it can be patented in Europe by Chinese applicants ("domestic use"), or by non-Chinese applicants ("foreign use"). Second, it can be the outcome of international R&D collaboration, which is indicated by at least one Chinese and one non-Chinese co-inventor on the application ("international R&D collaboration"). However, it can also be the outcome of Chinese-only R&D work, with only Chinese inventors on the application ("Chinese-only R&D teams").

Figure 1
Total Chinese contribution to EPO applications, co-inventions and co-applications



¹ The use of European patent data implies that Euro-Sino collaboration is being looked at from a specifically European perspective. Companies that file patent applications at the EPO are likely to do so because they are interested in selling their products in the European market. International R&D collaboration patterns by Chinese entities might look different if analysed using patent filings in other countries, e.g. at the USPTO (see, for example, Kesan, J.P., A. Marco and R. Miller, "Patenting – With Chinese Characteristics", University of Illinois College of Law Legal Studies Research Paper No. 15–12, July 2014). The specifically European lens through which Euro-Sino collaboration is analysed here should be kept in mind.

Figures 2 and 3 show two important trends in the use of Chinese R&D in European patent applications. The first trend is that Chinese R&D is increasingly used by domestic companies (Figure 2). Increasingly, Chinese rather than non-Chinese EPO applicants are seeking patent protection for the results of Chinese R&D. In 2004 there were about as many Chinese applicants as non-Chinese applicants using Chinese R&D. In 2014, of all EPO applicants using Chinese R&D, 70% were Chinese and only 30% non-Chinese. The second trend is that Chinese R&D is increasingly conducted by Chinese-only R&D teams (Figure 3). A shift from international R&D collaboration to Chinese-only R&D teams can be observed. In 2004 31% of Chinese R&D was performed by international R&D teams. This decreased to 18% in 2014. The shift is mainly due to an increase in applications from Chinese companies and institutions, which predominantly use Chinese-only R&D teams.

Use of Chinese R&D by European applicants

Table 1 shows how frequently Chinese R&D is used by European applicants. Over the last five years (2010–2014), in total there have been 3 378 applications with at least one Chinese co-inventor filed by applicants located in contracting states to the European Patent Convention (EPC). Although these applications with Chinese R&D represent only a small proportion (0.9% of total applications from EPC countries over the same period), their share is rapidly increasing. Overall, the top 3 technology fields in which EPC applicants use Chinese R&D are digital communication, organic fine chemistry and electrical machinery, apparatus, energy. In absolute numbers, German applicants make most use of Chinese R&D, followed by applicants from France and Finland. In relative terms, however, the contribution of Chinese R&D is highest in Finland and Sweden – 4.9% of all Finnish and 2.3% of all Swedish applications at the EPO rely on Chinese R&D (not shown in the table).

Figure 2
Use of Chinese R&D

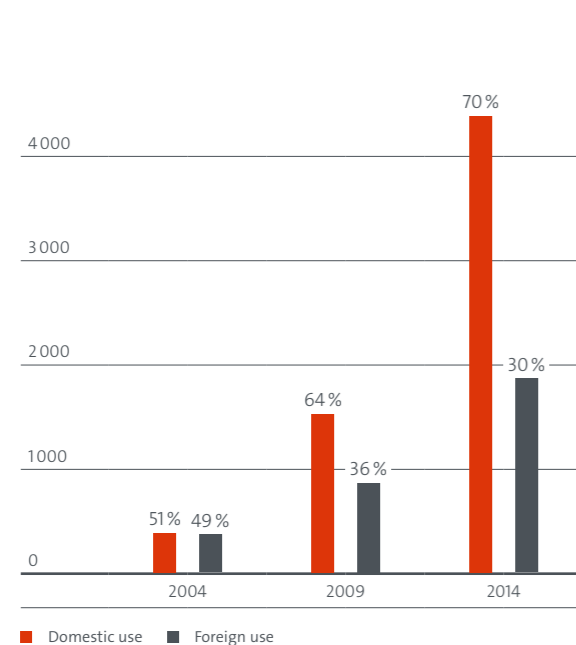


Figure 3
Degree of R&D collaboration

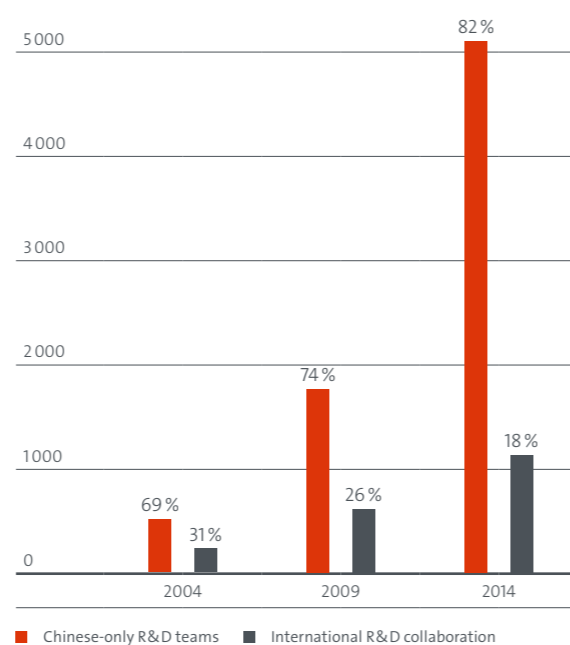


Table 1
Ranking of European countries by number of EPO applications with at least one Chinese co-inventor (2010–2014)

Ranking	Country	Number of applications	Top 3 technology fields ¹		
1	Germany	906	Electrical machinery, apparatus, energy	Other consumer goods	Macromolecular chemistry, polymers
2	France	664	Digital communication	Telecommunication	Audio-visual technology
3	Finland	446	Digital communication	Computer technology	Telecommunication
4	Sweden	417	Digital communication	Telecommunication	Food chemistry
5	Switzerland	344	Organic fine chemistry	Electrical machinery, apparatus, energy	Food chemistry
6	Netherlands	221	Macromolecular chemistry, polymers	Organic fine chemistry	Electrical machinery, apparatus, energy
7	Great Britain	180	Organic fine chemistry	Furniture, games	Basic material chemistry
8	Denmark	79	Digital communication	Thermal processes and apparatus	Food chemistry
EPC countries, total: 3 379			Digital communication	Organic fine chemistry	Electrical machinery, apparatus, energy

¹ Ranking based on applications with at least one Chinese inventor as a percentage of total applications in the technology field from the country concerned

This article is joint work and has greatly benefited from the contributions of Ilja Rudyk, Senior Economist in the EPO Chief Economist unit, and Stephan Worack, University Paris 1 Panthéon-Sorbonne.

Beijing's Grand Moma apartment complex, pictured during construction. Pedestrian "skybridges" connect eight towers enclosing a small park and also housing a cinema, hotel, kindergarten and other public amenities. Designed by the US architect Steven Holl.



Technical and operational aspects

技术和 业务 领域

All decisions require experts to implement them effectively. Often, pioneering minds are needed to transform ideas into results. For over thirty years, teams of engineers, computer specialists and trainers – both European and Chinese – have been working together, with patience and wisdom. They understand the value of mutual trust and respect and have worked with perseverance and good humour. And, crucially, with passion for a job well-done over the long term.

30 years of co-operation on search and documentation – electronic tools are the key to coping with filings growth in patent offices.



Jacques Michel
Former Vice-President DG1
at the EPO

The first ten years of co-operation between the Chinese Patent Office (CPO) and the EPO centred on an intensive programme of training for Chinese examiners, especially in search and documentation. Many Chinese examiners came to The Hague for extended internships, and EPO staff held a series of courses in Beijing.

Meanwhile, in the context of trilateral co-operation, debate focused on patent office automation, and above all on the development of electronic search tools, which were proving to be indispensable for any patent office in the face of exponential growth in patent documentation, and an essential means of identifying reliable prior art at reasonable cost. BACON, the backfile conversion project, which involved converting the entire post-1920 PCT minimum documentation into facsimile format, was a key stage in the automation of search and documentation, as a result of which paperless prior-art searches can nowadays be conducted anywhere in the world.

Back in 1987 the European Patent Organisation's Administrative Council approved the first long-term automation plan, envisaging staged development based on a range of IT resources as they became commercially available (software, mainframes, workstations, storage media – optical/magnetic discs, robots – and networks).

Implementation began in 1989 with the installation of a central server, equipped with a powerful search engine, databases from the EPO and other sources (e.g. Derwent) and intelligent workstations for data querying and the subsequent processing of downloaded data. This server was christened EPOQUE (EPO QUERy), and that name was retained as a collective term for all later modules.

The next step was to utilise the patent images scanned in the BACON project. It was soon clear that, for this to be fully effective, direct access to the actual images had to be combined with converting facsimile text into character-coded machine-readable format.

Thanks to this approach, the EPO was able to offer the first moderately priced online patent search technologies that could be progressively implemented in modular form in-house and also externally, allowing its member states' national offices to benefit from them according to their needs.

For its part the CPO, with its rapidly expanding business and filings and its aim of becoming a PCT international search and examining authority, had a pressing need for state-of-the-art information processing facilities, and the EPO's tools, being easy to implement, closely matched its requirements in technical, economic and practical terms. So at a meeting in Munich in January 1995 EPO President Paul Braendli and CPO Commissioner Gao Lulin agreed that enabling the CPO to use EPOQUE would be an excellent opportunity that should be explored without delay, and a three-day meeting held at short notice in The Hague devised a project for installing the entire



On 27 January 1995 at the EPO in The Hague, CPO Commissioner Gao Lulin and EPO President Paul Braendli sign an agreement on co-operation in the field of office automation.

EPOQUE system in Beijing, in all its aspects – technical, economic and organisational (training included). Gao Lulin and his team were convinced that the project was feasible, and when presented to the EPO's Administrative Council in April 1995 it received unanimous approval. After a concerted effort by all parties (the EPO, the CPO and subcontractors), EPOQUE was effectively transferred in late 1996 and 1997, the year of the formal signing of the project agreement.

The agreement had very positive consequences for the two offices and their co-operation programme. The CPO helped the EPO to expand its EPODOC database by adding Chinese bibliographic data and English translations of patent and utility model abstracts, with the result that EPODOC, accessible via Espacenet, is now the world's most comprehensive database and includes Chinese patent literature in its entirety. In return, thanks to EPOQUE, the CPO was able to take the entire PCT minimum documentation into account in prior-art searches on Chinese applications, which were growing by around 20% per year, and was also quicker to acquire the know-how it needed to set up and utilise Chinese patent databases. The CPO became a PCT international authority on 1 January 1994, and today, under its new name of the State Intellectual Prop-

erty Office (SIPO), it handles 12% of all PCT applications. In 2012, it ranked fourth among international authorities.

Supporting each other through 30 years of challenges, and now starting all over again.



Li Yuguang
Former SIPO Deputy Commissioner for International Co-operation from 2003 to 2013

How time flies! This year marks the 30th anniversary of co-operation between the SIPO and the EPO. This China-EU collaboration can be seen as a model for international IP co-operation. It is not only consistent with the common interests of the two patent systems, but has also promoted economic and trade exchange between China and Europe, and is in line with the fundamental interests of both China and EU member states.

In September 2003, I started to serve as the Deputy Commissioner of the SIPO, in charge of international IP co-operation for as long as a decade. Looking back, we have always been aware that the amicable co-operation with the EPO is one of the SIPO's key relationships. I feel that the EPO, under the leadership of each and every President, has spared no expense in helping and supporting the development of the SIPO. Such help and support have laid a stable foundation for the future growth and development of the SIPO. For example, led by former EPO President Ingo Kober, the SIPO introduced the EPO's advanced EPOQUE automation system, bringing patent search and examination to a whole new level and signalling the rapid advancement of our co-operation.

I was particularly impressed by the vast array of innovative and constructive work undertaken by both sides at the encouragement of former EPO President Alain Pompidou. Like all unshakable relationships that grow stronger with time, co-operation between the SIPO and the EPO has been steadily progressing. Initially, the SIPO received one-way aid from the EPO. The EPO invested a large amount of resources to help train the examiners of the SIPO, which plays a very important role in enhancing the quality of the SIPO examiners. With the growth and development of the SIPO, and the impetus provided by President Pompidou, the relationship has gradually developed into a mutually helpful and beneficial one, which has been an extremely significant change. For example, with the explosion in the number of Chinese patent applications, the EPO is in urgent need of patent data support from the SIPO, to a degree never before seen in the history of the SIPO. The SIPO has offered strong support and co-operation, organising its staff to smoothly complete several projects, which reflects the mutually beneficial co-operation between the two offices.

In addition, the EPO also invited SIPO staff to introduce the Chinese IP system to people in European countries, stimulating European enterprises to make investment in China and to enter the Chinese market. The two offices have also maintained close communication, collaboration and mutual support on occasions and platforms such as the WIPO General Assembly, via IP5 co-operation, PPH projects, etc. which also reflects a relationship of mutual benefit.

Following the rapid increase in patent applications submitted to the EPO by Chinese inventors, the EPO needs to take active measures to adapt to the change. I am pleased to see that the EPO welcomes such challenges and is actively thinking about

issues such as how to handle language barriers and how to cope with the rapid increase in patent applications from Chinese inventors, so as to better serve Chinese clients. This indicates that the European market is increasingly being drawn to China and that Chinese inventions continue to make an impression in the world.

It is worth mentioning the EPO's establishment of the European Inventor Award in 2006. The award has five categories: Industry, SMEs, Research, Lifetime achievement and Non-European countries. The first four categories focus on European inventors, while the fifth focuses on non-European inventors who have obtained European patents. The number of patent applications submitted to the EPO by Chinese inventors is growing rapidly. The EPO welcomes Chinese inventors to apply for the award for non-European countries and invites the SIPO to organise Chinese inventors to participate in nominations for the European Inventor Award, which reflects their close co-operation. In 2014, the State Foreign Experts Bureau of China presented to Mr Pedro Osona, long-time project leader of EPO-SIPO co-operation programme, the China Friendship Award, indicating that the Chinese government highly appreciates the successful co-operation between the SIPO and the EPO and hopes that such a co-operation will continue.

After thirty years of co-operation, we are now standing on a new starting line. China's "One Belt One Road" initiative has launched a mechanism for multilateral co-operation between China and other countries, including European countries. The IP co-operation between the SIPO and the EPO now stands on a new starting line, facing unprecedented opportunities. I am convinced that, aided by the "One Belt One Road" initiative, both sides will hold peaceful development in high regard and will continue to pursue sincere and mutually beneficial co-operation, building on the foundations of a new type of economic partnership between China and Europe as we start a new chapter in the IP story.



Li Yuguang and Pedro Osona (EPO) at a reception marking the National Holiday of China on 30 September 2014, after Mr Osona had been presented with the Friendship Award of the Chinese government.

The Friendship Award is the People's Republic of China's highest recognition for "foreign experts who have made outstanding contributions to the country's economic and social progress". Receiving a medal at an awards ceremony in Beijing on 30 September, Pedro Osona said: "I also regard this honour as a richly deserved tribute to my co-workers and colleagues both at the SIPO and the EPO, who have supported my work to establish and develop friendly and fruitful co-operation. The achievements of our co-operation so far constitute a solid and strong basis for our next projects in the years to come."

The Chinese Patent Office (CPO) and the EPO embarked on a joint adventure in 1995 when they established co-operation for carrying out searches.



Annemie Nuyts
Former Director
Search & Knowledge
Products & Services
at the EPO

The first time that we technical staff heard about CPO-EPO co-operation in the search area was in January 1995, when CPO Commissioner Gao Lulin and his delegation visited the EPO. The purpose of the visit was twofold: to hold discussions about office automation policy and co-operation issues and to run a workshop on office automation techniques with us technicians.

In 1994 EPO Vice-President DG 1 Jacques Michel had been the driving force behind establishing close relations between the CPO and the EPO in the area of patent search. He had discussed extensively improving access to Chinese prior art, managing quality and harmonising the tools for patent search.

CPO management wanted to modernise the patent documentation used by its examiners and improve the examiner tools for search and examination. Its goals were to increase the quality of searches, raise productivity, and fulfill the CPO's obligations as an ISA (International Searching Authority) under the PCT (Patent Cooperation Treaty).

Workshops, demonstrations and discussions during the visit encouraged the CPO to make use of the EPO's experience and search tools. The CPO and the EPO also decided to co-operate in the long term to enhance their common search tools while keeping them compatible.

Overall, the EPO was due to play a major role in the project, by providing expertise, training, software and data. The main component of the agreement between the two offices was a copy of the EPO's EPOQUE mainframe software, the EPOQUE workstation and BNS software. The EPO further agreed to help the CPO negotiate with the relevant IT companies Questel, Bertelsmann and Infotel, offer expert assistance and CPO staff training, and deliver EPOQUE databases and a copy of the EPO facsimile collection.

The co-operation project brought significant benefits for both the EPO and the CPO. For European firms and investors, it guaranteed a CPO search and patent examination procedure based on documentation and methods similar to the EPO's. It also ensured that full account would be taken of European patent data, which would in turn guarantee high-quality industrial property rights in China for foreign exporters or investors, especially proprietors of European patent applications or patents. The same held true for the PCT procedure.

In addition, the agreement placed the EPO and those of its member states with EPOQUE systems in a strong position internationally; with the various components of the EPOQUE system achieving benchmark status, they would gain a leading role in the field of patent documentation technology. Moreover, the CPO supplied the EPO with all Chinese patent documentation data (English translations of abstracts, image database, main claims) and the legal status database.

In May 1998, SIPO automation engineers and managers went to the EPO in The Hague for training. EPO Vice-President Jacques Michel accompanied the Chinese trainees to visit the Questel company.



In order to find the appropriate partners to technically implement the WPIS/PARS project, as the new CPO search system was called, CPO launched a call for tender. EPO colleagues and myself were sent to visit the CPO in Beijing at the opening of the bids.

We were pleased to work together with Zhang Xiyi, the CPO project manager, and Wang Daguang, director of automation, and their experts, who were determined to make this vast project a great success and negotiated hard to get good deals from companies.

In February 1997, the CPO signed a contract with a consortium comprising Siemens Nixdorf Informationssysteme AG, Questel, Empolis-Bertelsmann and Infotel to acquire computer equipment and EPOQUE and BNS search software.

In the course of the year, the CPO set up the infrastructure, including a mainframe centre at its premises in Beijing. At the same time a copy of the mainframe and workstation systems was set up at Questel's premises in Sophia Antipolis, France and later shipped to Beijing. Questel ran a six-month training programme for the Chinese IT staff, in preparation for full installation in Beijing in 1998.

EPO IT experts were busy too. The EPO IT operational unit was responsible for the extraction of terabytes of data from the EPO's databases in order to prepare copies of the relevant data. Disk space was ordered and procedures put in place to copy this vast amount of data and written system documentation.

And then finally in 1998 the first Chinese examiners were able to access the WPIS/PARS system, followed by thousands of users in subsequent years.

Since then, the CPO's and the EPO's systems have successfully developed in parallel. All modifications made to the search systems in the EPO are transferred to the CPO and followed up on a regular basis, assuring full compatibility. Today thousands of users, examiners and administrators in Beijing make use of the system during their daily work, with the continuing support and co-operation of all those involved.

Georges Callais, an EPO pioneer in IT co-operation, has also contributed to this article.

Sidelights from the 5th Heads' Meeting in November 2011 and the in-depth discussion on strengthening IP exchange and co-operation between China and Europe.



Wu Kai
 Director General,
 International Co-operation
 Department at the SIPO

In a flash, co-operation between the SIPO and the EPO has reached its 30th anniversary. I still remember the Fifth Meeting of the Heads of the SIPO and the EPO in November 2011, when a five-person delegation led by Benoît Battistelli visited China at the invitation of the SIPO. During their visit, Tian Lipu, then the Commissioner of the SIPO, accompanied the delegation on a visit to Chongqing and Hubei. They met with enterprise representatives of the two cities, publicised the patent protection system of China and Europe and held the Fifth Meeting of the Heads of the SIPO and the EPO, which had a special commemorative significance. I was honoured to participate in the related activities.

On the morning of 29 November, a roundtable meeting on the European patent system was held in Chongqing. Tian Lipu and Benoît Battistelli met with Chongqing enterprise representatives, introduced the patent protection systems of China and Europe and provided answers to their key concerns. After the meeting, Tian Lipu and Benoît Battistelli were interviewed by the media and signed an MoU between the SIPO and the EPO regarding the implementation of Article 17 "Data Exchange" and Article 23 "Translation Tools" of the strategic partnership agreement. In the afternoon, the Deputy Party Secretary of Chongqing, Zhang Xuan, met with the delegations led by Tian Lipu and Benoît Battistelli. They had an in-depth discussion on strengthening IP exchange and co-operation between China and Europe.

Later, the SIPO and EPO delegations took a ship to Yichang in Hubei Province. During the journey, the SIPO representatives introduced Chinese traditional culture and folk tales to the EPO delegation. They also visited natural and cultural heritage sites and exchanged ideas on IP issues such as cultural inheritance and traditional knowledge protection. On the afternoon of 30 November, the Fifth Meeting of Heads was held. Tian Lipu and Benoît Battistelli reviewed the successful co-operation between both sides during 2011, reached consensus on the co-operation plan for 2012 and signed the minutes of the Fifth Meeting.

On 2 December, representatives of the SIPO and the EPO, accompanied by Yichang City government officials, paid a visit to the Three Gorges Dam project. Whilst marvelling at the vast project, the representatives also learned about the application and effective protection of patented technologies during the building of the dam.

Both delegations benefited greatly from the packed four-day schedule. The Fifth Meeting of Heads of the SIPO and the EPO was held, consensus was reached on further strengthening co-operation in the future and, more importantly, friendship between staff was strengthened, especially between the Heads of the SIPO and the EPO. The memorable meeting and visits left a lasting mark on the development of the strategic partnership between the SIPO and the EPO.



The EPO and SIPO delegations during the 5th EPO-SIPO Heads' Meeting on 30 November 2011.

Both Europe and China mutually benefited from the joint, long-term commitment afforded by their co-operation.



Richard Yung
Former Director
International Co-operation
at the EPO

Before becoming a member of the French Senate in 2004, I had been in charge of international technical affairs at the EPO since 1990, in a pioneering period of co-operation with the Chinese Patent Office.

Back in 1993 the EPO took the lead in EU-funded co-operation activities in China, starting with a two-year pilot project on training for patent professionals.

Then from 1999, under President Kober and Commissioner Wang Jingchuan, the EPO and the SIPO jointly organised IP activities under the EU-China IPR Co-operation Programme.

This second project, which initially ran for three years, was set up to facilitate trade between Europe and China as the countries worked together to develop a modern and effective system for the protection of IP rights. The dynamic approach adopted by the Chinese patent played a major role: the patent law initially adopted in 1984 has been amended twice, first in 1992 and then in 2000.

The dynamic environment fostered the necessary conditions to set up an extensive educational programme to deepen knowledge of IP among officials at ministerial and provincial level, as well as among patent agents, lawyers, judges and staff from intermediary agencies. The programme was also targeted at university professors, with the aim of integrating intellectual property as one of the core courses at Chinese universities. The programme prompted highly profitable exchanges among experts about the know-how needed to modernise patent legislation to help build an efficient and contemporary patent system. By October 2003, when President Kober and Commissioner Wang Jingchuan concluded the EU-China IPR Co-operation Programme, more than 2 000 officials and 120 university professors were already involved.

The patent environment in China remains, after the end of the IPR programme, full of positive energy. In 2008, the Chinese government launched a national IP strategy, which aimed to adapt its IPR system to serve national development and help integrate technological innovation and IPR management into the economic sector. The plan was later turned into reality under the SIPO's co-ordination.

In my experience, both Europe and China mutually benefited from the joint, long-term commitment afforded by their co-operation. Long-term measures can bring about sustainable change, such as support for centres of excellence for the teaching of IP at universities and best practice in the granting and administration of IP rights at IP agencies and authorities. Europe has provided technical assistance in China for a long time, achieving sustainable improvements in the alignment of IP systems with international standards, both in law and progressively in practice. This result would not have been possible without mutual understanding and shared objectives. Moreover, the results would not have been achieved had the Chinese government not systematically matched European investment.

A further move entailed helping the Chinese authorities set up patent granting legislation similar to the EPO's. We felt there were two arguments in favour: the acknowledged quality of the European grant procedure, and the fact that European companies and applicants would be able to follow a procedure with which they were familiar.

This approach entailed intensive training for examiners and other staff. Above all it meant that the IT and documentation tools that IIB and then EPO examiners had been developing for many years had to be made available to Chinese examiners. There was lively debate on this point, some seeing it as tantamount to a loss of competitive edge. Fortunately this debate reached a positive conclusion, and the enthusiasm and professionalism with which Chinese examiners and officials have adopted the legislation and tools like EPOQUE are clear for all to see.

Today one can be proud to see how this co-operation has allowed both sides to progress: the holders of patent rights in Europe and other regions can nowadays be assured of high quality when it comes to Chinese rights.

Moreover, new tools are now being developed together. This model has subsequently been replicated with many other patent offices around the world.



Snapshot in front of the Chinese Patent Office in Beijing during the 4th Joint Committee meeting in July 1993: EPO President Paul Braendli, Principal Director Patent Information Gérard Giroud, Vice-President Legal & International Affairs Renate Remandas, Director International Technical Co-operation Richard Yung, accompanied by Zhao Ting, at that time Deputy Director, Division I, International Co-operation Department at the CPO.

Sincere co-operation, long-lasting friendship.



Liu Jian
Deputy Director General
of International
Co-operation Department
at the SIPO

This year marks the 30th anniversary of co-operation between the SIPO and the EPO. Over those thirty years, the SIPO has grown and developed rapidly, and co-operation between the SIPO and the EPO has expanded and deepened, shifting from technical to strategic co-operation. As a staff member engaged in international co-operation, I have witnessed the continuous development of this co-operation, and worked hard with my colleagues at the SIPO and the EPO to bring about fruitful results. I feel very pleased and proud of this. As we celebrate 30 years of co-operation on this special occasion and looking back on my commitment to our bilateral co-operation over the past two decades, all kinds of memories come back to me.

From 1994 to 2008, I was responsible for co-operation between the SIPO, the EPO and European countries, and thereby witnessed a series of significant and landmark events. For example, in 1997 I participated in the preparatory work on an agreement signed by the SIPO and the EPO on co-operation in the field of patent documentation for search purposes and related automation systems, which was a fundamental document for co-operation in the field of automation. In 2005, I helped prepare the significant commemorative activities marking the 20th anniversary of co-operation, including compilation of the commemorative album for the occasion. In 2007, I took part in negotiations and the drafting and signing of the strategic partnership agreement. During this period, my colleagues and I received a large number of visits by many senior delegates and experts from the EPO. I also visited the EPO many times over the years. I often joked with my European colleagues that Munich was like my second home. Through daily interaction and frequent contact, I have established a deep friendship with many European colleagues, including colleagues from the EPO in charge of China projects, such as Jean-Michel Zilliox, Roberto Vacca, Pedro Osona, Carlo Pandolfi and their assistants. For years, every time I paid a visit to the EPO, be it in Munich or The Hague, I always encountered EPO experts by chance whom I had received in China or European staff with whom I had worked previously. I also encountered friends from the EPO on other occasions, such as at international conferences and events. "The patent world is a big family" best describes the relationship between the SIPO and the EPO. We are not only peers, but also friends. Wherever we meet, we feel a closeness, understanding and mutual support.

Over 30 years, a comprehensive, multi-level, high standard of friendly collaboration has been achieved. What has impressed me most is the co-operation between both sides in the area of staff exchange. Personnel are the foundation of the development of IP. The leadership of both sides has placed high importance on staff exchange and made great efforts to cultivate talent. Each year, many experts and officials from the EPO visit China to share their knowledge, exchange experiences and discuss co-operation. At the same time, even more SIPO staff visit Europe to learn about the advanced experiences and concepts of the EPO. Such exchange covers extensive fields and incorporates a rich array of content, including the exchange of patent examiners, middle- and senior-level executive manage-

ment, examination and approval procedures, and automation and re-examination/appeal. The scale of staff exchange is quite considerable. For example, at the end of the 1990s, when the SIPO introduced the EPOQUE search system, nearly a hundred staff members went to Europe annually to study ECLA classification and search. This special training lasted for a couple of years. The two sides jointly organised intensive training for new examiners in China, whilst the EPO invited lecturers from the SIPO to be assistant trainers of new EPO examiners. Moreover, staff exchange has also expanded to include targeted training for IP staff in developing countries and workshop tours on the patent system in China and Europe. During thirty years of co-operation, nearly a thousand staff members from the SIPO have travelled to Europe for training and visits, and thousands of people from all walks of life in China and Europe have participated in various training workshops and discussions organised by the SIPO and the EPO. Thanks to such

large-scale, in-depth staff exchange, our co-operation has a more stable foundation, and more distinctive achievements have been made.

Looking back, there are so many co-operative activities worth mentioning and commemorating. I feel very honoured to have been involved in this friendly collaboration since the beginning of my career, and am proud of the deep friendships developed with colleagues from the EPO. This sincere friendship is worth cherishing, and it also inspires us to continue to work together towards even greater achievements.



Closing ceremony of the Joint EPO-SIPO International Training Seminar on 15 July 2005
(from left to right: Liu Jian, Director of SIPO International Co-operation Department, Lu Guoliang, Deputy Director General of SIPO International Co-operation Department, He Hua, SIPO Deputy Commissioner, Manuel Desantes, EPO Vice-President, Pedro Osona, EPO-China project leader, Ma Fang, Deputy Director General of the SIPO Training Centre).

From 1992 onwards, annual bilateral co-operation agreements provided the framework for exchanges on classification, documentation, information systems, tools and training.



Jean-Michel Zilliox
Director IP Programme
European Patent Academy
at the EPO

I joined the EPO's International Technical Co-operation directorate in late 1991. I first went to China on a "co-operation development fact-finding mission" in early 1992, marking the beginning for me of a decade of responsibility for co-operation with the Chinese Patent Office (CPO). It was already clear to the EPO back then that investing in such a partnership with the CPO would have crucial long-term benefits for both institutions. Indeed, the pioneering work carried out 20 years ago can still very much be felt in today's more extensive scheme of co-operation among the world's five major patent offices.

In the years from 1992, the EPO's main objective was to strengthen its existing relations with the CPO and gradually establish technical co-operation as the foundation for developing a professional partnership.

My brief was to prepare and co-ordinate implementation of the annual CPO-EPO bilateral co-operation agreements. These agreements defined a programme of activities to be implemented during the year in question, as well as each office's responsibilities and contributions. They naturally focused on core-business items such as classification, documentation exchange, information systems and tools for administering applications but also included a substantial staff training component. This training initially concentrated on examiner work, especially prior-art search and substantive examination, but was later expanded gradually to cover other areas.

Before the bilateral agreements could be submitted to and signed by the Heads of the CPO and the EPO, each side had to conduct extensive consultation of their various stakeholders. The outcome was then discussed at meetings held by Richard Yung and Wu Xiangwen, the two offices' respective directors of co-operation. Their result-oriented meetings usually concluded with a briefing of the CPO Commissioner Gao Lulin, whose strategic forward-thinking management played a key part in the rapid development of relations with the EPO.

In 1993, based on an EPO proposal, the EC agreed to finance a pilot "EU-China IP Training Programme" and entrust management of the two-year project to the EPO. Covering both patents and trademarks, this institutional strengthening programme provided training to complement that on offer through the bilateral co-operation with the EPO. The trademark side of the programme was assigned to the Spanish Patent and Trademark Office and managed by its then Director of Co-operation, Alberto Casado.

In early 1995, Gao Lulin announced his intention to launch a major automation project at the CPO with a view to making the transition from paper-based search to a system of electronic documentation with search functionalities.

The CPO management came to The Hague to meet a delegation of EPO managers, headed by Vice-President Jacques Michel, who had been instrumental in setting up the EPO Query Service, better known as EPOQUE. The CPO concluded



In 1999, in SIPO's computer room, the EPO delegation (Jean-Michel Zilliox, President Ingo Kober, Carlo Pandolfi) exchange views with Tian Lipu, at that time Director General of the SIPO's Automation Department.

that EPOQUE was the state-of-the-art tool its examiners needed to give them searchable access to the comprehensive patent databases required for efficient prior-art search.

Drawing up an agreement on the transfer of the EPOQUE software and the related EPODOC databases, clarifying the associated copyright and ownership issues, assisting with installation of the IT infrastructure at the CPO and organising and co-ordinating the training of IT staff and a large number of CPO examiners was a challenging exercise, but it was undoubtedly then that technical co-operation became a close, professional alliance.

Besides its financial investment in a dedicated IT infrastructure and a fundamental reshaping of its examiners' working environment, the CPO's contribution was to expand the EPODOC database coverage. Another of its major achievements was the setting up of a large-scale data entry centre to identify and keyboard complete sets of bibliographic data taken from weekly deliveries of BACON tapes from the EPO.

In 1998, the EC decided to build on the success of the pilot project and entrust the EPO with the management of a comprehensive three-year project entitled "EU-China IP Rights Co-operation Programme". As project manager, I was responsible for liaising with the EC desk and with the SIPO (the CPO's successor institution from March 1998) on patents, the

State Administration for Industry and Commerce on trade marks and the National Copyright Administration. A management team at the EPO and a Beijing-based unit took on the task of designing and implementing a series of technical projects and training events.

Throughout my years of co-ordinating joint EPO-SIPO activities, I was privileged to work with Liu Jian, my direct counterpart at the SIPO, whose pragmatic, effective and professional style greatly facilitated my task.

Last but not least, the EPO witnessed the SIPO's leading role in setting up the China IP Training Centre in Beijing. A few years later, EPO President Ingo Kober decided to set up the Academy of the European Patent Organisation, an initiative fully endorsed by the Administrative Council.

Personal experiences and knowledge – my bond with the European Patent Office.



Wang Tao
Deputy Director General of the Automation Department at the SIPO

2015 marks the 30th anniversary of co-operation between the SIPO and the EPO. When I think back to 1998 when I joined the SIPO, I feel lucky to have been born at the right time to experience the continuing collaboration, witnessing our relationship and friendship grow ever closer. I also feel very proud to have had the opportunity to work with the SIPO and the EPO in the field of informatisation.

I still remember back in 2000, when I joined as a new examiner and participated in the EPO training courses for new examiners, gaining a basic knowledge of practical patent examination methods. I was merely curious about the EPO's examiners, its office environment and the training system back then, but in 2002, when I visited the EPO for the second time and spoke with its staff, I had to admire their sense of responsibility during examination, the high level of attention they paid to examination quality, and their desire to uphold the reputation of the examining system. I guess that is why the EPO has always been seen globally as providing excellent quality.

During this time, I was lucky enough to be visited several times by EPO examination experts, who came to the SIPO to exchange ideas and discuss search and substantive examination. I also attended the new examiner training classes hosted by the EPO and the SIPO several times, and in these staff exchange programmes I gained knowledge and made new friendships.

Particularly in 2008, when I was transferred to the Automation Department, with responsibility for the EPO-SIPO co-operation in the field of informatisation, co-operation with the EPO became an important part of my daily work. This helped to forge my deep bond with the EPO and to shape me personally.

When I got in touch with the EPO's IT department, I could not help but marvel at the prowess of the EPO's IT systems and services. It was like diving into a deep sea that was just waiting for me to discover and explore its depths. ePHOENIX, EPOQUE, Espacenet, Patent Translate, DOCDB, INPADOC, PATSTAT, BiSSAP – all of these turned out to be famous brands in IP circles, and all of them originated at the EPO. However, I had limited knowledge of XML, search engines, parallel corpora and PATNET at that time, so it was a challenge co-operating with the EPO in the field of informatisation. Luckily, the EPO's IT experts were more than willing to help us, which enabled me to adapt to the new work quickly. I had gone from feeling like a fish out of water to being very familiar with the process, and I have Paul Tubbing, Paul Schwander, Tania Malmierca, Christine Kämmer, Domenico Golzio, Marc Guillaume, Philippe Dumont, Pedro Osona, Carlo Pandolfi and their teams to thank for that. They not only answered my questions patiently, but also offered proposals for establishing and implementing the collaborative project, which helped us solve tough problems one after the other and eased the pressure little by little, and so favourable results started rolling in.

Group photo of all participants at the Joint EPO-SIPO Training Seminar for New Examiners in June 2004.



In recent years, due to the concerted efforts and hard work of EPO and SIPO staff, both organisations have achieved many significant results through their collaboration in the field of informatisation, such as EPOQUE system upgrades, data, priority document and case information exchange, and machine translation. I cannot help but be filled with emotion when I see these rich results, and think of the regular automation expert panel meetings, the signing of dozens of co-operation documents, the hundreds of videoconferences and teleconferences, the thousands of e-mails, and the tens of thousands of documents exchanged. In recent years, staff from both offices have more than proved their worth through their hard work and wisdom. Despite numerous difficulties, it has been worth the effort to bring to life the blueprint developed by both sides. Of course, this process is more about happiness, mutual trust and respect. I am fortunate to have been involved as a representative of tens of thousands of the SIPO employees. I hope our co-operation will deepen as we celebrate the next 10, 20, 50 and 100 years and that our friendship will last forever.

From 1998 to 2002, training initiatives were a major focus and helped the SIPO to achieve new recognition and status.



Roberto Vacca
Director in DG Operations at the EPO

I was privileged enough to work as project manager for the EPO's bilateral programme of co-operation with the SIPO from 1998 to 2002. This allowed me to witness the Chinese office's upward climb in terms of its worldwide standing.

Training was a major focus at this time. We organised up to 10 training seminars per year to train SIPO staff in Munich and The Hague. Examiners, formalities officers and administrative staff attended the events, which were designed to support the SIPO's development. In return, EPO examiners regularly went on missions to China to hold seminars for the SIPO examiners.

Then in 2001 we brought training up to the next level. Rather than simply providing training to SIPO staff, we began to offer training for the SIPO trainers – we started to train the trainers.

At the time there was a massive internal job re-organisation for examiners at the EPO. As part of BEST (Bringing Examination and Search Together), patent examiners started carrying out both search and examination in Munich, Berlin and The Hague.

Naturally, the EPO held a lot of internal training seminars for its examiners to adjust to this changeover. And so we decided to integrate some SIPO trainers into our EPO-internal training seminars. They acted as co-trainers. The exercise was repeated several times and was well received by the EPO.

This was the first time that non-EPO employees had been involved in the internal training of EPO examiners. And to my knowledge, it has not been repeated with any other patent office since.

The move represented a huge step upwards for the SIPO in terms of status. It demonstrated to the world that the SIPO was in transition from a developing office to a new role as an office with sufficient expertise to train people outside its own organisation.

The second highlight during my time as project manager was a large seminar for new examiners held in 2001 in Beijing. At the time, the EPO often organised training seminars for new examiners from national patent offices around the world. Training would be held either in their home office location or in Europe. The Beijing seminar, however, represented something new: for the first time we held a joint training seminar for new examiners where the trainers were partly EPO experts and partly SIPO experts.

Around 100 new examiners from several Asian countries and from South America attended the event, which was held in a top-class facility that had been purpose-built for it, with training rooms, seminar rooms, sports facilities and living accommodation for the examiners.

The Beijing seminar was another important step forward for the SIPO, again allowing it to show the world that it had the necessary proficiency to train examiners from other patent offices.

These two training events were personal highlights for me too. As well as enabling me to see the results of my efforts, they allowed me to enjoy the highly visible progress being achieved each year at the SIPO in terms of IT, work processes and infrastructure.

For example, the SIPO decided to build a second office tower in Beijing, close to the original one, which took a few years to complete. This was designed to house the increasing number of examiners being employed by the SIPO. When I left at the end of 2002 there were between 800 and 900 examiners at the SIPO, and the plan was to double this number within three years. The SIPO was working hard to grow with the rapidly accelerating volume of patent applications in China.

My work was motivating, interesting and highly rewarding, not least in terms of the personal contacts I made, such as with my counterpart at the SIPO, Liu Jian. He and his colleagues took care of me in Beijing, which I visited several times. In addition, they arranged for me to visit Shanghai, to witness the developments taking place in intellectual property (IP) in the city, where they were building a dense network of IP info points for promoting the filing of patent applications. These additional visits helped me to gain a broader picture and see at first-hand what was going on in terms of IP in China.



Seminars were held in Europe to present the new Chinese Patent Law to attorneys and industry. The one pictured took place at the EPO in Munich in October 2001.

It is an honour to be a part of the grand event – co-operation has now become a part of every aspect of our work.



Wang Ying
Director of Division IV,
International Co-operation
Department at the SIPO

In January 2014, I joined Division IV of the International Co-operation Department, with responsibility for collaborative IP work with European partners, including the EPO, one of the SIPO's key strategic partners. I was excited, yet also apprehensive. What was exciting was that I used to work as an examiner, and upon joining the office I began studying ECLA classification and how to use the EPOQJE system. During examination work, I often referred to the EPO's Guidelines for Examination, and after I joined the International Co-operation Department I often saw colleagues at the EPO hard at work and heard interesting stories about co-operation between the SIPO and the EPO. And now I was being given the chance to work directly with people from the EPO. The EPO is a leader in the world of patents and co-operates extensively with the SIPO, a model of bilateral co-operation. Such great achievements and deep friendship would not have been possible without the participation and dedication of so many people. What made me apprehensive was how I would carry on this glorious tradition in my own work.

I soon had my answer. In February 2014, two colleagues and I visited the EPO on a project co-ordination visit. Carlo Pandolfi, Director for international co-operation, Beatriz Blas, head of Chinese projects, and Antje Purucker, assistant project manager, had made thorough preparations and thoughtful arrangements. Over just a few days, we engaged in intensive meetings with representatives from each department of the EPO that worked together with the SIPO, so as to learn about each and every aspect of our co-operation, in addition to making plans for work we were to do in 2014. This visit not only gave me direct insight into the office environment and cultural atmosphere of the EPO, but also broadened my experiences with my colleagues, both in discussions and over coffee. Even though it was still winter, the warm smiles and pride they took in their work left a lasting impression on me.

During this visit, I learned that 2015 would mark the 30th anniversary of our co-operation. We would plan a series of activities to welcome and celebrate this memorable historic moment, including the creation of this commemorative book for the 30th anniversary. From that point on, the two sides kept in frequent contact and continued working closely together, kicking off our work on this project. I was given the chance to systematically go through the history of our co-operation, gathering documents and memories from those involved as I sorted through the memorabilia and old photos. I saw the first agreement signed by the two parties in 1985, the smiles and handshakes at previous Joint Committee and Presidents' meetings and the happy faces of the members of our delegation when they visited the EPO for training. I saw the co-operation between both sides gradually grow deeper and more diversified; this has now become a part of every aspect of our work. I saw our co-operation change from a seed to a small sapling to a towering tree, none of which could have happened without the concerted effort and co-operation of leaders and staff at each level of the SIPO and the EPO. The tree is now

like a bridge that connects China and Europe. Its roots run deep, and the tree itself is bearing fruitful results.

Space is too short to express my feelings. My respect goes to all my colleagues who have contributed to co-operation during the past 30 years and who continue to work hard. I also hope that our team will fulfil our mission of bringing an even brighter future to co-operative work between the SIPO and the EPO.



The EPO and SIPO delegations during the 8th EPO-SIPO Heads' Meeting in Brussels on 13 November 2014.

Working and living in China for over three and a half years was an extraordinary professional and personal opportunity. Experience brings about cultural understanding.

Carlo Pandolfi
 Director International
 Co-operation at the EPO

EPO employees have often worked in China during the long EPO-SIPO partnership, implementing EU-China co-operation projects in intellectual property.

Nam Ngo Thien was the first. Seconded from the National Institute of Industrial Property (INPI) France to the EPO, Nam spent a considerable amount of time in China from 1999 to 2004. With the support of the SIPO as project lead agency, Nam worked on the EU-China IPR 1 project, deepening relationships between the EU and the different Chinese IPR authorities. It was a rapidly changing environment, as Beijing underwent rapid transformation and IPR legislation was modernised in the run-up to China's accession to the World Trade Organization (WTO).

Two other employees followed Nam between 2006 and 2011: Thomas Pattloch as IP expert seconded to the EU delegation in Beijing, and finally myself as leader of the EU-China IPR 2 Project.

Working and living in China for over three and a half years was an extraordinary professional and personal opportunity, for which I am deeply grateful to the EPO, to the EU and to the IP authorities in the Chinese administration.

In 2008, Beijing was a flurry of construction activity as new infrastructure and logistics were set up in preparation for the city's hosting of the Olympic Games. I was new, lost in a big city, with no knowledge of the spoken language, let alone written Mandarin. Thankfully, the Chinese were welcoming from the start. Whether in the public sector, in the service sector, in retail or in the private sphere, I invariably met a readiness to help, a willingness to communicate even without knowledge of any foreign language, and a genuine curiosity about foreigners.

This encouraging start motivated me to maximise contact with the locals, for instance by commuting by bus and taxi, by settling in a compound where Chinese families lived and by buying groceries at the local markets. My first impressions were invariably confirmed in the following years – a strong feeling of hospitality, a personal interest in socialising, communicating and learning from each other really made foreigners feel welcome.

The EU-China Project on the Protection of Intellectual Property Rights (IPR 2) started in 2008, at the same time as the National Intellectual Property Strategy (NIPS) became operational in China. The NIPS, originating in 2004, was designed to better serve national economic development through improved protection of IP rights, support for technological innovation in selected industry sectors and the management of acquired IP rights.

With the IPR 2 project, the EU and the Chinese government joined forces to improve the effectiveness of IPR enforcement in China, by providing technical assistance to the legislative,

Beijing 2009: the IPR 2 team takes a brief time-out for a photo opportunity in front of the project building.



judicial and administrative enforcement agencies and institutions.

So there could be no better time to launch a joint co-operation programme. The initiative benefited from the strong institutional links between Europe and China under the guidance of a Chinese national policy which promoted the use of IP. The broad implementation base of pan-European institutions and member states also significantly contributed to achieving impressive results.

My brief but intense immersion in Chinese society allowed me to gain a beginner's appreciation of Chinese culture. It also reinforced the conviction that a deeper understanding of China would enrich my and indeed our culture.

Over the past three decades the Chinese people have introduced wide-ranging reforms that are changing the population's lifestyle and family structure, the legal framework and the business environment. The Chinese have demonstrated a pragmatic and rational approach to change, adopting some elements of European culture into their own society while endowing them with Chinese characteristics.

The business environment between Europe and China is set to flourish, and relations between Europe and China will be promoted further at the commercial, social and cultural level. A positive aspect of this is that we Europeans will be more exposed to Chinese culture, which should help us get to know and understand China a little better.

The celebration of the 40th anniversary of the European Patent Convention on 17 October 2013 is a memorable event I was very lucky to witness as a member of the SIPO delegation.



Sheng Li
Director of Division II,
International Co-operation
Department at the SIPO

In October 2013, Tian Lipu, Commissioner of the SIPO, participated in the celebration activities marking the 40th anniversary of the signing of the European Patent Convention. I was very lucky to witness the event as a member of the delegation.

The European Patent Convention (EPC) is the founding document of the European Patent Organisation and the European Patent Office. On 5 October 1973, at a conference in Munich attended by twenty-one countries, the EPC was signed by 16 European countries, seven of which (BE, CH, FR, GB, DE, LU and NL) ratified it after the conference, which signified the establishment of the European Patent Organisation. Four years later, in 1977, the European Patent Office was opened in Munich. In 1978 and 1991, branch offices were opened in The Hague and Vienna. Over 40 years or so, the EPO has developed rapidly and become a major player in the promotion of innovative development in Europe, with nearly 40 member states.

The 40-year celebrations took place on 17 October 2013. On that day, we hurried to the venue. When we arrived, we found that the EPO had been newly decorated, with celebratory banners hanging on the outer walls of the building, producing a festive atmosphere. In October, early autumn in Europe, the trees were colourful and beautiful in the sunshine outside the venue. Whilst chatting with EPO staff, we learned that rain had been forecast, and so the organising party had got more than 200 umbrellas ready the night before. Unexpectedly, it turned sunny after some rain in the morning.

When we entered the venue, the reception staff were working in an intense but orderly manner. The guests were smiling excitedly. Familiar faces appeared, all of whom were important people. All the “big names” in European IP circles were present at the venue, including past presidents of the EPO and representatives from each EPC member state. As we walked into the venue, we were greeted and warmly hugged and shook hands with other attendees. It took us more than half an hour to finish a walk of just a few dozen of metres. The appearance of Commissioner Tian was totally natural. He seemed to be an insider in European IP circles. We were the only Chinese delegation there and found ourselves infected by the enthusiastic and friendly atmosphere.

Finally the exciting moment arrived. The opening speech by President Benoît Battistelli was met with enthusiastic applause. The white curtain covering the plaque on Bob-van-Benthem-Platz was slowly lowered and the event reached its climax. Later, the attendees, led by President Benoît Battistelli, walked over to the Deutsches Museum on the other side of the river to attend the opening ceremony in the European Inventors’ Hall of Fame.

The afternoon was even more intense, especially since there was a roundtable seminar on innovation and Europe. The seminar was broadcast live, presented by a well-known journalist who took control and asked questions that appeared

simple but tough, a ruthless character behind a gentle appearance. Commissioner Tian won applause from the audience by calmly answering the questions and clearing up any misunderstanding of IP in China, basing his answers on facts.

The conference continued past six o’clock in the evening. When all items on the agenda had been covered, we returned to the hotel feeling tired. It was already nearly midnight. When I think back to that day, I cannot help but feel excited. I am not only proud of our European partners for their achievements in the field of IP, but also sincerely wish that China’s IP cause will maintain fast growth, to integrate with that of Europe and the world.



The SIPO delegation who attended the inauguration ceremony of Bob-van-Benthem-Platz on 17 October 2013 at EPO headquarters in Munich.

Between 2003 and 2012, the two offices worked on extending bilateral co-operation, training Chinese patent agents and raising IP awareness.



Pedro Osona
Chief of protocol
at the EPO

China's patent policy was initially implemented in three carefully scheduled main stages. Firstly, drafting legislation (modelled on the EPC) and building administrative infrastructure; secondly, becoming a PCT ISA and IPEA in 1994, and thirdly, acceding to the WTO in 2001.

In 2005, to mark the 20th anniversary of EPO-SIPO co-operation, the two offices launched bilateral co-operation programmes featuring activities aimed at IP stakeholders in Europe and China. The programmes took into account the main obstacles encountered by European companies filing patents in China and anticipated the rapid increase of patents filed in Europe by Chinese enterprises.

At the outset, co-operation activities focused on extending bilateral co-operation to China's local IP authorities and ASEAN IP offices. The EPO and the SIPO decided that sharing their IP achievements and know-how with local, regional and international IP authorities would help maintain high international standards for the protection of IP rights. Moreover, both offices regularly exchanged views, seeking to adopt common positions under discussion at international forums concerning the patent grant procedure and related matters.

With this in mind, joint EPO-SIPO missions visited local IP offices in China and contacted regional IP authorities. In addition, staff from local government IP offices made study visits to EPO offices for training on patent grant procedures, patent information services and associated fields.

Joint EPO-SIPO co-operation activities were organised with ASEAN IP offices, and several seminars and symposia were held in Beijing and other major Chinese cities on issues ranging from the protection of traditional knowledge to the workflow for granting patents in IP offices. One key objective was the promotion of activities to improve IP database access and utilisation.

A second co-operation activity involved the training of Chinese patent agents. For this, the EPO provided the SIPO and the All-China Patent Attorneys Association (ACPAA) with EPO information and training materials used for the European qualifying examination, and organised training and information seminars.

These seminars aimed to offer an overview of the European and Chinese patent agency systems, as well as provide an understanding of general patent agency management, the principles behind the new "Patent Representative Regulations" and new judicial interpretations governing patent infringement, litigation and licensing. Selected Chinese patent agents were invited to visit the EPO and the offices of European patent attorneys.

Another notable event took place in 2006, when training for intellectual property judges on new judicial interpretations and the implementation of patent infringement regulations

was held in Guangzhou and attended by around 100 judges, patent agents, lawyers and corporate IP practitioners.

In a further co-operation activity, IP practitioners and research bodies at universities interested in developments under the EPC welcomed experts from Europe willing to share their knowledge and experience. Seminars on the European patent system were organised in Beijing and several other Chinese cities. These linked key EPO issues to the notion of corporate performance and looked at how intellectual capital, IPR, patent management, innovation protection and so forth had a direct impact on corporate performance. In parallel, roving information seminars on the Chinese patent system, implementing regulations and guidelines for examination were held in a number of European capitals, attended by Chinese experts and industry representatives. In addition, workshops were organised to guide European IP experts through the complex world of Chinese patent documentation and non-patent literature, particularly in relation to available document types and online services.

A significant step in the development of China's patent policy came in 2008, when China adopted a national strategy for intellectual property rights to help its IP system better to serve national and regional economic development. This did not simply mean improved protection for intellectual property rights. The strategy also included an educational programme to deepen knowledge of IP among officials at ministerial and provincial level and among staff from intermediary agencies and enterprises. European businesses were willing to introduce advanced technology into China if they could be confident of enforceable IP protection.



Training and development of human resources has become a key area of EPO-SIPO bilateral co-operation.

Recollections of the China-Europe EPOQUE search system training experience as from 1998.



Zhang Li
Director, Talent Training Division, Personnel and Education Department at the SIPO

EPOQUE is a patent examination search system developed on behalf of the EPO. In 1998, the SIPO decided to introduce the system from the EPO. As a young patent examiner who had only joined the SIPO two years before, I was lucky to participate in related learning and training on the search system.

Seventeen years ago, from 21 September to 3 October 1998, a delegation of twenty members, led by Piao Maiwen, then Director General of the Electric Invention Examination Department of the SIPO, went to the EPO (The Hague) for training. During the two weeks, we learned the basics of using the EPOQUE system. After the training was over, I composed a study and summary report on the EPOQUE system and made a systematic summary of its main features and advantages, which provided a lot of useful information for the SIPO'S EPOQUE training.

In November 1998, in order to train our own EPOQUE system trainers, the SIPO invited Florent Lina and Helmut Schmidt, two EPO experts, to Beijing as senior lecturers on the EPOQUE system. As a SIPO EPOQUE teacher, I participated in the training and was responsible for translation. After this period of study, my mastery of the EPOQUE system greatly improved. Most importantly, I gained an understanding of the principles, methods, steps and other important aspects needed to train entrants to use the EPOQUE search system.

From 6 to 16 September 2000, in a co-operative project between the SIPO and the EPO, I went to the EPO on behalf of the SIPO with two other co-workers and lectured on the EPOQUE search courses to its patent examiners. The training was part of the EPO (Munich) DG 2 BEST project. During the training, I was responsible for search system training for examiners in the field of mechanics. Focusing on different EPO examiner situations, we designed relatively flexible courses with Axel Innecken and Roeland Henkes, two EPO experts on the EPOQUE system – “Net Teaching” (or “NT” for short), as distinct from “Linear Teaching” (or “LT” for short). Whilst teaching, we overcame language barriers and actively exchanged ideas with teachers and students at the EPO. Whilst revealing the brilliance of the SIPO examiners, we also absorbed a lot of precious experience. During training, the teacher Roeland Henkes invited me to his home to have dinner with his family. We consequently formed a deep friendship. When Roberto Vacca, EPO project manager for the bilateral programme of co-operation, visited the SIPO in October 2000, he fully affirmed the successful co-operation and the performance of our examiners.

Through studying and working with the EPOQUE system, I have grown from an ordinary patent examiner to a core lecturer on the SIPO'S EPOQUE search system. Benefiting from EPO training on EPOQUE, from 1999 to 2008 I worked as an EPOQUE search system lecturer for the SIPO for ten years, accumulating over 300 training hours, thus contributing to the popularisation of the system. In addition, I also authored the EPOQUE Search Manual. This teaching material is one of the main aids for the SIPO'S examiner training.

With the many years of EPOQUE training experience I have accumulated, I have worked as a talent trainer, taken up the position of Director of the Talent Training Division and taken charge of talent training work for the SIPO. Currently, the SIPO staff numbers over 10 000 people, with around 2 000 leading talents, high-level talents and backbone talents, who have provided strong support for the SIPO'S IP development.

I would like to express my gratitude to the SIPO and the EPO for providing me with a platform for study and improvement and also to the leaders, experts and teachers who have guided and helped me. I am keen to progress and grow together with the IP cause.



In October 2005, the SIPO EPOQUE trainers visited the EPO and exchanged experiences and views with their European counterparts on skills and strategies for EPOQUE training.

Growing with the EPO-SIPO IP project helped me accumulate rich experience and develop a deeper understanding of international co-operation.



Gao Qiang
Director, Division Three of Teaching Affairs, China IP Training Centre at the SIPO

The SIPO and the EPO have now been co-operating for thirty years. It is a great honour for me to have participated in many co-operation projects between the SIPO and the EPO and to have witnessed their success.

In 2000, I worked as a consultant for the China-EU IP project (the EPO was the project implementation unit) and was responsible for organising an international symposium hosted by the SIPO and the EPO on the theme of “IP Protection and China – Challenges and Opportunities in the 21st Century”. The symposium invited a total of 300-plus politicians, entrepreneurs, experts and scholars from China and Europe and covered topics such as IP and global trade; China R&D and IP protection in the new century; IP and electronic business; how the patent system is adapting to the challenges of the new millennium; how to protect traditional culture and knowledge in the 21st century; protection of trademarks and trade secrets; fair competition and IP law enforcement. The symposium was a major event for both Chinese and European IP circles and was the highest-level international conference hosted by the SIPO, and has not only exerted a far-reaching influence on the IP circles of China and Europe, but has also laid strong foundations for the development of China-EU IP projects. It was also the first important international event I helped organise, and meant overcoming all kinds of pressures and challenges.

In 2003, I again worked as the Chinese consultant for the China-EU IP project. That October I participated in the international symposium jointly organised by the SIPO and the EPO, entitled “China-EU IP Protection Co-operation – a Retrospective Review of the Current Status and Future Prospects”. I was also responsible for arranging matters such as mutual visits, exchanges and discussions between both sides as required by the project, which effectively promoted China-EU co-operation and exchange in the field of intellectual property.

As a result of working on these two EU projects I have accumulated rich experience and developed a deeper understanding of international co-operation and higher expectations of my own duties in the China Intellectual Property Training Centre. Since returning to the Training Centre, I have always engaged in international co-operation work and made my contribution to the development of partners such as WIPO, the International IP Research Institutes of Korea and Japan and the John Marshall Law School and Cardozo School of Law in the US, thus contributing to the international training co-operation system.

Another of my key duties at the Training Centre related to major EPO-SIPO co-operation projects. To date, a total of more than 40 officials, experts and scholars of the EPO have visited the Training Centre, including senior officials such as the President and Vice-Presidents. I was responsible for organising eight workshops and seminars hosted by the two offices, which were attended by nearly 600 people. These covered the patent system, patent information services in Europe, traditional

knowledge and patent search databases in Asia and seminars for new SIPO and EPO examiners, etc.

Co-operation between the SIPO and the EPO has now reached its 30th anniversary and is expanding into new fields and aspects, thereby promoting international exchange and co-operation on IP. In this process, many people have devoted their lives to co-operation in IP as I have. Like me, they must remember everything that has happened during project implementation and must also have grown with the co-operation projects. Congratulations on the successful thirty-year co-operation between the SIPO and the EPO. I sincerely hope that co-operation between them will continue to develop and produce ever greater achievements.



Gao Qiang, Pedro Osona (EPO), Zhou Yan (DDG of the Beijing IP Office), Zeng Yanni (Director of the International Co-operation Department) at the Informative Seminar on the European Patent System on 29 August 2011 at the China IP Training Centre.

The Atomium, one of the principal landmarks of the city of Brussels, was built for the 1958 World Fair as a symbol of the atomic age and the peaceful use of nuclear energy.



Closing statements

结语

These final reflections sum up the achievements made in thirty years of co-operation. Between them, they evoke progress in the harmonisation of classification and examiners' working methods, as well as concerted efforts to overcome language barriers. But these are not closing remarks, they are the words that open the door to further co-operation.

Raimund Lutz

Our Chinese counterpart the SIPO has developed into one of the world's leading patent offices.



Raimund Lutz joined the EPO in 2011 as Vice-President in charge of EPO Directorate-General Legal/International Affairs. Mr Lutz can look back on a long career in the field of intellectual property rights. Amongst other roles, he has held leading positions at the German Federal Ministry of Justice and the German Patent and Trademark Office. From 2006, he was President of the German Federal Patent Court and served as head of the German delegation on the Administrative Council of the European Patent Organisation from 2005.

The SIPO has undergone tremendous development in the past thirty years. With initial support from the EPO, it has succeeded in building a patent office from the ground up to become nowadays one of the largest offices worldwide, both in terms of the amount of patent applications processed and the number of patent examiners employed. In this relatively short space of time, our Chinese counterpart has emerged from an early learning phase and developed into one of the world's leading patent offices.

My background is as a lawyer, and looking at China's evolution from a judicial perspective I have been pleased to see how co-operation in the field of patent search and examination has broadened to incorporate the full implementation of an intellectual property (IP) system, including many enforcement aspects. In my time as President of the German Federal Patent Court, which started in 2006, I had contact with legal courts in China, allowing me to see how China approached the modernisation of its legal system with respect to IP protection, leading to the introduction, a few years ago, of specialised courts for hearing patent and trademark infringement cases. Looking towards the future, these specialised courts will play a central role in assuring judicial predictability for the growing number of patents in force.

What the EPO and the SIPO enjoy together is more than just an ordinary partnership: it is a strategic partnership. Recognising this, we endeavour to agree on long-term goals, safe in the knowledge that they will work to our mutual advantage. This partnership has been enhanced by China's participation in the IP5 forum, where the SIPO and the EPO work together as two of the world's five largest IP offices to co-ordinate and harmonise procedures and improve the efficiency of the examination process for patents worldwide.

Through bilateral and multilateral co-operation, the EPO and the SIPO have joined forces to develop a deeper common understanding of how patent protection

can evolve in response to the needs of the global market, beyond our respective jurisdictions and in the international arena. Together with the SIPO, the EPO looks at the different aspects of day-to-day patent office business, from the working tools to the granting procedures, with the aim of achieving benefits for all users of the system.

Thanks to the synergy effect created by bilateral co-operation and IP5 collaboration, the SIPO and the EPO have succeeded in improving the harmonisation of their procedures. The goal of harmonisation has already been partly achieved when it comes to classification. The Chinese office has adopted the same classification system as the EPO, namely the CPC, allowing incoming patents to be classified in the same manner in both Europe and China. Our next objective is to move towards more procedural harmonisation. By aligning our work methods, examiners will benefit from the work produced by other offices, for example when examining subsequent applications or applications in the same technical field. The EPO and the SIPO can also work together in this area by pooling resources to cope with the increased training demands necessitated by this alignment.

An important future goal, of course, is for the two offices to join forces in improving the key tools employed by examiners, for instance by redesigning the search tools used by both offices. The SIPO is already using the EPO search tool EPOQUE and has committed to extending access to more examiners. EPOQUE has many merits and is constantly being improved. In future, we hope to develop a semi-automatic search tool to reduce human involvement in the search process. I imagine that the SIPO, with its high number of applications, would be interested in exploring such a system to carry out automatic or semi-automatic searches and thereby free up capacity for its examiners.

As a further future objective, the EPO and the SIPO hope to launch a scheme for reusing work results to better cope with the sheer number of incoming filings, while continuing to maintain a high standard of quality.

In the coming years, we aim to intensify bilateral co-operation between the two offices and thereby establish a firm foundation for international co-operation as a means of further improving the international patent system.

It is my hope that personal co-operation between the two offices will retain its outstanding character. The openness and friendliness paired with professionalism shown by our Chinese colleagues is remarkable and has provided a sound basis for our partnership.

Ever since 2011, when I assumed office as Vice-President at the EPO, my focus has been on pursuing consultations with the SIPO on matters of international relations. Over this time our offices have conducted bilateral and IP5 activities, of course, and we have also engaged in the EU-China IPR2 project, which was completed at the end of 2011.

The long-standing professional relations, both bilateral and multilateral, I have enjoyed with my Chinese counterparts, first as a judge and President of the German Federal Patent Court and then as Vice-President of the EPO, have been sustained by a genuine mutual engagement to seek the most suitable methodology for promoting the evolution of the patent system. This has resulted in a constructive and positive commitment by both parties to co-operation, and has provided a gratifying experience for me throughout that time.

Most recently, in April 2015, at the end of his first year of tenure, Mr He Zhimin, the new Deputy Commissioner of the SIPO, paid his first visit to the EPO, where we enjoyed a warm, open and confident exchange of views. Such visits deepen mutual understanding and help to provide a secure footing for future strategic relations between our offices. Here's to the next thirty years of collaboration!

Raimund Lutz
Vice-President
European Patent Office
October 2015

He Zhimin

Opening a more glorious new chapter of SIPO-EPO co-operation.



Prof. Dr. He Zhimin was born in Sichuan, China in 1963.

He received a Ph. D. in Chemical Engineering in 1990 from Tianjin University and the University of L'Aquila, Italy (a joint program). Since 1985, he had a diverse professional career, including Deputy Director and Professor of Tianjin University Chemical Engineering Research Center (1993–1996), Vice-President of Tianjin Bohai Chemical Industry Group Company (1998–2000), Vice Chairman of Tianjin Municipal Science and Technology Commission (2000–2008), Deputy Director General of the Technology Department of Beijing Olympic Organising Committee (2005–2006). In August 2008, he served as the Director General of Tianjin Municipal Intellectual Property Office. In February 2014, he was appointed as the SIPO's Deputy Commissioner. Besides, Dr He has also abundant experience in social activities, including Vice Chairman of Tianjin Science and Technology Association (2002–2014), Standing Member of the Central Committee of China Association for Promoting Democracy (from 2002), and Deputy of the National People's Congress of China (from 2003).

The EPO is one of the world's major intellectual property (IP) institutions, and also the most important strategic partner for the SIPO. The 30-year close co-operation between the SIPO and the EPO has borne witness to the establishment, development and growth of China's IP system, opened a glorious chapter of co-operation and exchange between China and Europe, and become a model of win-win co-operation in the IP field. In recent years, with the deepening of the relationship between China and Europe, the EPO and the SIPO have continued strengthening the foundations of their partnership, with their co-operation reaching new heights. Although IP systems differ from country to country due to differences in social and economic development, at their core they are the same.

Co-operation brings with it a win-win situation. Since joining the SIPO in February 2014, I have experienced frequent high-level exchanges and collaborations between the SIPO and the EPO, and have many unforgettable memories. In March 2014, having only been in post for less than a month, I attended a video-conference hosted by the Heads of the SIPO and the EPO, at which I became acquainted with EPO President Benoît Battistelli and Vice-President Raimund Lutz. In the subsequent nine months, I had three more encounters with senior EPO staff at occasions like the series of IP5 meetings. In March 2015, I had a candid discussion with the delegation led by Mr Lutz, who came to Beijing to attend the Deputy Heads Meeting of the IP5 offices. Just one month later, I paid a visit to the EPO in Munich, and was warmly received by Mr Lutz and other EPO colleagues. Though this was my first visit to the EPO, I was deeply impressed by the profound friendship between both sides and was pleased with the atmosphere of friendly co-operation. Later, during a meeting between Heads, Deputy Heads of IP5 and industry representatives in May, the SIPO and the EPO engaged in a warm and friendly exchange, with both sides making a positive contribution to the success of the IP5 meeting. With over a year's experience in my new position, I strongly feel that the frequent

exchange and sincere co-operation between senior levels on both sides have played an important part in deepening and developing the strategic partnership between the two sides.

I am glad to see that the 30-year friendship and co-operation between the SIPO and the EPO has led to a series of outstanding achievements that have significantly benefited both sides. In the field of automation, the EPO has developed the advanced EPOQUE system, and the SIPO is its biggest user. With regard to personnel training, both sides have not only maintained regular co-operation throughout the years, they have also worked jointly to provide other countries with training on patent examination. When it comes to patent information, both sides have worked together to provide patent information to IP users around the world. The SIPO is its active promoter in collaborating on the Cooperative Patent Classification (CPC), initiated by the EPO. With regard to the Patent Prosecution Highway (PPH), the two sides have worked together to promote work-sharing among IP offices from different countries and to provide applicants from across the globe with more stable patent rights and more rapid and convenient services. When it comes to co-operation between the IP5 offices, the two sides have encouraged the five offices to sign the Joint Statement on IP5 Co-operation in Suzhou, under which the five offices will strive to optimise their services to users and the public. I would like to express my gratitude to the EPO for its important contribution in this respect.

It has become an undisputable fact that IP rights can promote economic development and technical innovation. For thirty years, the deepening co-operation between the SIPO and the EPO has provided powerful support and great vigour for economic, scientific, technological and cultural co-operation between China and Europe. In this new era, with the knowledge economy in full swing and global innovation growing vigorously, the central role of IP rights has attracted considerable attention. This new situation gives rise to new opportunities and challenges for co-operation between the SIPO and the EPO. We are faced with the common challenge of how to exploit our potential and provide innovators and patentees with better services. It is therefore now more important than ever for the SIPO and the EPO to strengthen pragmatic co-operation and keep expanding their range of collaboration and promoting their co-operation to new heights.

As Deputy Commissioner of the SIPO for International Co-operation Affairs, I believe that by maintaining the comprehensive strategic partnership between China and Europe and the policies established by the Heads of the SIPO and the EPO and by taking a pragmatic approach to promoting the established strategy,

taking advantage of the series of activities celebrating the 30-year collaboration, the two sides will open up a new platform for bilateral co-operation. Looking ahead, I suggest that the new phase of co-operation should be planned on the following basis:

- Based on the foundation of the strategic partnership between the SIPO and the EPO, both sides will strengthen exchange in the field of IP policies and laws in order to improve the IP systems in China and Europe.
- Both sides will consolidate existing co-operative results, actively explore new avenues of collaboration, promote the sharing of patent examination experience and the use of tools like the Cloud Patent Examination System, establish a platform for real-time communications and mutual learning for the examiners from both offices, and strengthen exchanges in areas such as classification, search and examination.
- Both sides will jointly enhance the level of services offered to users, open up channels for public services, enhance public IP awareness, facilitate the acquisition and utilisation of patent information amongst users and the public, and provide more effective guidance to enterprises with regard to patent utilisation and industrial application.
- Both sides will strengthen communication and exchange in international affairs and will come together to deal with issues such as globalisation, sharp increases in patent applications, the crosslinking and integration of technical fields, and the reform of the international IP system. We will adapt to new situations, study the new conditions, seek new methods and sustain our in-depth co-operation to ensure the continued progress of development.

“Those with the same ideals think nothing of a long and arduous journey.” Though China and Europe are separated by vast oceans, history and reality have tied us firmly together. I am convinced that by building on the strong foundations of the past 30 years, the SIPO and the EPO are set to open a more glorious new chapter for the future. Finally, I would like to express my heart-felt gratitude to the text contributors, photo providers and editors who have made a prominent contribution to the successful publication of this book, and to extend a most sincere greeting to all staff of the SIPO and the EPO.

He Zhimin
Deputy Commissioner
State Intellectual Property Office of P.R. China
October 2015

The Great Wall at Mutianyu, about 70 km north of Beijing. This 2.5 km section is made of granite, and features 23 regularly spaced watchtowers.



Historical chronicle

大事记

This section reviews the landmark events of thirty years of co-operation, from 1985 to 2015. It was a process that began as far back as 1979 when the first bilateral meetings took place in Munich and Beijing, which set the tone for subsequent exchanges. The history of Sino-European IP co-operation has been partly defined by a cycle of annual work plans, followed by painstaking analysis, precise measurement and careful evaluation of the results.

Timeline and milestones

A long history of fruitful relations towards a balanced global patent system.

1979 On 24 and 25 April, in Munich, the seat of the European Patent Organisation, a delegation on patents led by Wu Heng, Deputy Minister at the State Commission for Science and Technology of the People's Republic of China, meets Bob van Benthem, President of the European Patent Office, accompanied by senior officials and Georges Vianès, chairman of the Administrative Council of the EPO. The Chinese mission is specifically interested in gathering information about the European system for granting patents, as well as the organisation and functioning of the European Patent Office, and makes known China's intention to set up a system for the protection of inventions. The EPO declares its readiness to lend its assistance in launching such a system, to the extent desired by the Chinese group. With this prospect in view, the two delegations, on concluding the proceedings, note the advisability of continuing such joint co-operation. They agree to maintain contact and to establish for the future a work programme concerned in particular with staff training, exchanging experts and supplying documentation as well as the possibility of conducting documentary searches at the EPO in The Hague.

1980 In January, the Chinese Patent Office (CPO) is established. Following the agreement signed on 25 April 1979 by Wu Heng and Bob van Benthem, a study group of seven Chinese trainees spend three months at the EPO in The Hague (from 10 January until 10 April) for training in search documentation and substantive examination.

From 5 to 15 March, at the invitation of the Chinese authorities, an EPO delegation led by Mr van Benthem visits China to discuss the setting up of a system for the protection of inventions in China.

1981 As of 1 November 1981, eight Chinese examiners are sent to the EPO (both in Munich and The Hague) for seven and a half months of training in patent examination.

1984 The year is marked by the adoption of the Patent Law of the People's Republic of China at the Fourth Plenary Session of the Standing Committee of the National People's Congress. CPO Commissioner Huang Kunyi sends a letter to EPO President Bob van Benthem thanking the EPO for its help in drawing up the Chinese Patent Law, and expressing his desire to continue co-operation in future.

In November, Ren Jianxin, Vice-President of the Supreme People's Court, leads a Chinese delegation on a visit to the EPO in Munich.

1985 On 1 April, the Patent Law of China officially comes into force – without any doubt, a major event in the world of intellectual property. On 11 June, CPO Commissioner Huang Kunyi and EPO President Paul Braendli sign the first framework co-operation agreement in Munich, and establish an official bilateral partnership. A Joint Committee is set up.

1987 In March, co-operation between the EPO and the CPO further intensifies, and at the second meeting of the Joint Committee, held in Munich, Huang Kunyi and Paul Braendli sign a work programme.

1988 On 3 and 4 November, at the invitation of the CPO, the third annual meeting between the CPO and the EPO is held in Beijing, led by Commissioner Gao Lulin for the Chinese delegation and by President Paul Braendli for the EPO. Of particular interest is the review of the Chinese Patent Law being conducted by the CPO, aimed at extending and strengthening patent protection. The two offices sign the annual Bilateral Technical Co-operation plan involving future activities such as training and experts' missions on topics such as substantive examination, documentation, classification and CD-ROM technology.

1993 At the 4th Joint Committee meeting, held in Beijing in July, the EPO and the CPO agree on a wide-ranging programme of technical projects.

A programme of co-operation between the European and the Chinese offices is launched, partly financed by

the EU and with the EPO as the implementing agency. The international symposium "Promote Economic and Trade Relationship between the People's Republic of China and European Community Member States on the Basis of Enhancement of Intellectual Property System" in Beijing is very well attended: for three days, some 200 Chinese and European patent experts discuss the expansion of trade and economic links between the EU and China on the basis of an improved system of intellectual property protection.

1994 At the 5th Joint Committee meeting, held in Munich, a bilateral plan for technical co-operation is signed, which reinforces contacts and co-operation between the European and Chinese offices.

1995 Technical co-operation continues, with the focus on automation projects, basic and further training for personnel, exchange of documentation, and the supply of patent information products to the Chinese Patent Office. Commissioner Gao Lulin of the CPO leads an automation delegation that visits the EPO in The Hague from 16 to 27 January 1995. The two sides sign the Agreed Minutes for Co-operation in the Field of Office Automation and agree to carry out long-term co-operation on automation projects.

In April, an EPO delegation attends the conference held to celebrate the 10th anniversary of the Chinese Patent Law.

The 6th Joint Committee meeting is held in Beijing in July. The two offices sign the bilateral technical co-operation plan for 1996. Song Jian, State Councillor of the Chinese government, holds a meeting with the EPO delegation. Zhejiang University awards an honorary professorship to EPO President Paul Braendli.

1997 On 25 February, the 7th EPO-CPO Joint Committee meeting is held in Munich. CPO Commissioner Gao Lulin and EPO President Ingo Kober sign the 1997 Agreed Minutes for Bilateral Technical Co-operation and the Agreement on Co-operation in the Field of Patent Documentation for Search Purposes and Related Automation Systems. The latter, which aims at building the in-house search system in the CPO, is a new milestone in the relationship of the two offices. It symbolises the entry of bilateral co-operation into a new and higher level.

On 11 November, the 8th EPO-SIPO Joint Committee meeting takes place in Beijing, and the Agreed Minutes for Bilateral Technical Co-operation in 1998 are signed. According to this agreement and under the framework of the co-operation agreement on automation, the EPO starts providing extensive training to CPO examiners, especially in the fields of patent search, examination and ECLA.

1998 The agreement on installing EPOQUE technology in the CPO is implemented, and EPOQUE is integrated into the search procedure.

In October, the EPO, charged by the EU Commission with implementing one of the components of its new three-year programme of co-operation with China on intellectual property rights, co-operates with Chinese IP authorities including SIPO. The programme aims to facilitate Sino-EU economic and trade relationships by supporting China's efforts to develop a modern and effective system for the protection of intellectual property rights.

The Chinese Patent Office is renamed the State Intellectual Property Office of the People's Republic of China (SIPO).

At the 9th Joint Committee meeting, held in Munich in November, EPO President Ingo Kober and SIPO Commissioner Jiang Ying sign the Agreed Minutes for Technical Co-operation for the year 1999.

1999 Bilateral co-operation between the EPO and the SIPO focuses on supporting the ongoing revision of patent law in China, on training SIPO staff and on automation. The Agreed Minutes for Technical Co-operation for the year 2000 are signed at the 10th Joint Committee meeting, held in Beijing in November.

2000 The EPO-SIPO bilateral co-operation programme concentrates on training for SIPO staff. Needing to recruit about 100 new patent examiners per year, the SIPO works with the EPO to improve and enhance its in-house training programme. The successful transfer of the EPOQUE system to the SIPO leads to a further increase in the Office's productivity. In November, the two offices also install a data transmission link via PATNET.

In addition to their bilateral co-operation, the EPO and the SIPO jointly hold a two-day international symposium on “WTO Accession and Intellectual Protection – Opportunities and Challenges” in Beijing on 25 and 26 July. This is attended by more than 300 experts from China and Europe as well as high-ranking representatives from the Chinese and European IP authorities, including SIPO Commissioner Wang Jingchuan, EPO President Ingo Kober and OHIM President Jean-Claude Combaldieu.

2001 From July there is a direct and secure connection, PATENTlink, for data exchange between the two offices. Installation of EPOQUE technology at SIPO means that the Chinese office can now perform most of its prior-art searches online.

In July, the revised Chinese Patent Law enters into force. The new law is presented to the European public at symposia on “Industrial Property in China” in Munich, Rome and London, and European patent professionals and industry representatives make considerable use of the information supplied.

The 11th and 12th Joint Committee meetings are held respectively in February in Munich and in November in Beijing. The Agreed Minutes for Technical Co-operation in 2001 and the Agreed Minutes for Technical Co-operation in 2002 are signed.

The IPR component of the EU-China programme, originally planned to run until the end of 2001, is extended to the end of 2003.

2002 Basic training for the 300-plus new examiners recruited in 2002 is one of the SIPO’s top priorities. From 1 to 5 July, the EPO and the SIPO jointly organise an international training seminar for new examiners at the SIPO’s training centre in Beijing. Around 70 trainees from nine countries (including China) take part. This is the first time that the two offices have organised such an event and invited trainees from developing countries, so this represents a new feature of their bilateral co-operation. The two offices subsequently also jointly organise international training seminars for new examiners in July 2004 and June 2005.

On 18 September, the 13th Joint Committee meeting is held in The Hague, and the Agreed Minutes for Technical Co-operation in 2003 are signed.

The EU-China Intellectual Property Rights Co-operation Programme covers seminars in various Chinese provinces, meetings between high-ranking European and Chinese experts in China, study visits to Europe and a six-month scholarship in Europe for Chinese judges, prosecutors and IP lawyers. In the second half of 2002, the focus is on patents, utility models and industrial designs. The EPO office in Beijing closes at the end of 2002; thereafter, all activities are organised from Munich.

2003 In November, the 14th Joint Committee meeting is held in Shanghai, and the Agreed Minutes for Technical Co-operation in 2004 are signed. Furthermore, the EPO and the SIPO agree to establish a strategic partnership of co-operation in the field of intellectual property. They also reach agreement on issues such as China’s incorporation into the Espacenet patent information service, co-operation on DNA sequence databases and EPO access to the SIPO’s traditional medicine database. From 23 to 24 October, over 300 IP experts from China and Europe attend a three-day symposium in Beijing on “China-EU IP Protection Co-operation – a Retrospective Review of the Current Status and Future Prospects”, to mark the start of the final phase of the “EU-China IPR Co-operation Programme”.

In December, Li Yuguang, Deputy Commissioner of the SIPO, visits the EPO. Both sides reach agreement on further deepening bilateral co-operation.

2004 In October, the 15th Joint Committee meeting takes place in Berlin. EPO President Alain Pompidou and SIPO Commissioner Wang Jingchuan sign the Agreed Minutes for Technical Co-operation in 2005 and reach agreement on training and the exchange of patent information and of technical information for automation purposes. As a result, Chinese delegates take part for the first time in the EPO’s “East meets West” forum for patent information users. The agreement is also the basis for the creation of a Chinese patent information service at the EPO’s Vienna sub-office.

The two offices jointly organise international symposia on intellectual property in Harbin, Shenyang and Tianjin, under the EU-China IPR Co-operation Programme.

2005 In October, the SIPO EPOQUE trainers visit the EPO and exchange experiences and views with their European counterparts on training in search skills and strategies for EPOQUE.

In December, the EPO and the SIPO hold the 16th Joint Committee meeting in Beijing. SIPO Commissioner Tian Lipu and EPO President Alain Pompidou sign the Agreed Minutes for Technical Co-operation in 2006. Celebrations are held at the People’s Great Hall to mark twenty years of bilateral co-operation, and at the same time it is agreed to upgrade the relationship from technical co-operation to a strategic partnership. On this occasion, the SIPO presents an album jointly compiled by the two offices: Twenty Years of Co-operation between the SIPO and the EPO. This sets out the history and achievements of the first twenty years of co-operation, and expresses appreciation of all those contributing to it.

EPO President Alain Pompidou is awarded an honorary doctorate by Beijing University.

2006 The highlight of the traditionally close co-operation between the EPO and the SIPO is the inclusion of the Chinese Traditional Medicine database in the strategic search tool for EPO examiners. In addition, the quantity and quality of database exchanges are significantly enhanced. Other interesting projects launched or continued during 2006 include automatic translation tools, a China IP information helpdesk and the Mandarin interface to Espacenet. In August, the two offices jointly promote the protection of Asian traditional knowledge by holding a seminar on “Asian Traditional Knowledge: the Development of patent search database of Asia” in Beijing. In December, the 17th Joint Committee meeting is held and the Agreed Minutes for Technical Co-operation in 2007 are signed.

Together with the European Commission, the EPO holds European Inventor of the Year awards for the first time. 400 guests attend the gala ceremony in Brussels, including a SIPO delegation. The ceremony is combined with a two-day conference on the competitiveness of the European patent system and on patent protection in China.

2007 On 29 June, the EPO and the SIPO sign the Agreement on a Strategic Partnership which foresees consultations and annual co-operation activities in five main areas: Human Resources, Offices’ Operations, Global Issues, Transparency of the Procedure and IP Awareness.

In June, the EPO also signs a contract with the European Commission to deliver technical assistance to the EU-China Project on the Protection of Intellectual Property

Rights (IPR2). This four-year project is designed to improve the effectiveness of intellectual property enforcement in China by providing technical assistance to Chinese legislative, judicial, administrative and enforcement agencies and institutions.

China is now the world’s third largest publisher of patent documents after Japan and the USA. Over half of the new patent documents entering the state of the art in 2007 are in Chinese, Japanese or Korean. Consequently, as a service to industry, the EPO expands its East Asian patent information helpdesk, staffed by Chinese-speaking experts in the patent systems and information products involved, and with the SIPO providing assistance. On 29 November, the two offices hold the 1st Heads Meeting after signing the strategic partnership agreement, and sign the Agreed Minutes of the conference and the Memorandum of Understanding implementing Article 23 (“Translation Tools”) of the Agreement on a Strategic Partnership.

EPO President Alain Pompidou is presented with an “Honorary Award for Outstanding Contribution to International Co-operation on Intellectual Property” by the SIPO.

2008 Following the signing of the Agreement on a Strategic Partnership, the main activities between the EPO and the SIPO focus on gaining access to Chinese prior art. International seminars on machine translation and access to traditional knowledge databases are jointly organised in China in November.

On 5 December, the 2nd Heads Meeting is held in Munich. EPO President Alison Brimelow and SIPO Commissioner Tian Lipu sign the Agreed Minutes of the conference and the Bilateral Co-operation Annual Work Programme for 2009.

Workshops on revision of the Chinese Patent Law are organised for European attorneys and industry in five European cities, together with the national patent offices concerned, while seminars are organised in China to raise awareness of the European patent system. Such roving seminars are jointly held again in China and Europe in 2009. The EPO continues to provide the SIPO with technical assistance in the harmonisation of procedures, quality management, planning and automation tools through expert missions and study visits in Europe.

The EU-China Project IPR 2 starts full implementation with approval of the overall and annual work plans and with numerous activities in China and Europe. A conference in Brussels presents the project to industry representatives and collects their views on what is needed to improve IP enforcement in China.

2009 The focus of EPO-SIPO co-operation remains on improving access to Chinese prior-art documentation, harmonised procedures, quality management, planning and patent search tools.

On 3 December, the 3rd Heads Meeting of the two offices is held in Beijing, and the Agreed Minutes of the conference and the Bilateral Co-operation Annual Work Programme for 2010 are signed.

Roving seminars are again jointly held by the two offices, in China and Europe, to raise awareness of IP. In a mid-term evaluation report on the EU-China Project IPR 2, submitted to the European Commission, the Chinese authorities and European industry express their satisfaction with the project's achievements, especially in relation to the draft revision of China's Patent Law and to IP protection awareness work at trade fairs.

2010 The EPO and the SIPO take a further step towards making China's prior-art documentation more easily available for patent searching. Signing an agreement related to lexical and terminological data for building English-Chinese and Chinese-English dictionaries to be used for machine translation in Shanghai, EPO President Benoît Battistelli and SIPO Commissioner Tian Lipu also address the need to further strengthen IP relations in the partnership between Europe and China. The move towards systematic capture of Chinese prior art is strongly welcomed by the representatives of European industry.

On 20 April, a ceremony marking the opening up to the SIPO of US patent data in EPOQUE is held in Beijing. From 5 to 7 December, the 4th Heads Meeting is held in Vienna, and the Agreement on the Exchange of Priority Documents, the Agreed Minutes of the Conference and the Work Programme for 2011 are signed. The Belgian Pavilion at the World Expo 2010 provides the setting for the commemoration of 25 years of co-operation between the EPO and the SIPO.

2011 At the end of November, the 5th Heads Meeting is held in Chongqing, the Bilateral Co-operation Annual Work Programme for 2012, the Agreed Minutes of the Conference as well as a Memorandum of Understanding implementing Article 17 ("Data Exchange") and further implementing Article 23 ("Translation Tools") of the Agreement on a Strategic Partnership are signed. This MoU has a major impact on improving the global patent system and on the worldwide dissemination of technological information and is an unprecedented move to eliminate linguistic barriers in public access to patent information. Both offices agree to work together to ensure that by the following year automatic Chinese-English machine translation tools for patents are available to the public. The service is to be free of charge and easily accessible through the internet. With this agreement, new possibilities are offered to innovators and users of the patent system to gain access to a great deal of technological information otherwise hidden from them due to the language barrier.

The strategic partnership signed in 2007 is reinforced by jointly addressing strategic technical developments, procedural and legal changes and further harmonising tools and procedures.

2012 As of 3 September, the EPO starts implementing automatic electronic exchange of priority documents with the SIPO for first filings at the EPO and the SIPO.

On 6 December, the 6th Heads Meeting is held in Brussels. Breaking new ground in providing access to the most comprehensive technological information, the EPO and the SIPO launch the Chinese-English component of the EPO's free machine translation service Patent Translate. As a result, the collections of the two main languages in patents are brought together as full-text documents on the same website through the EPO's global patent database, Espacenet, and made available to innovators from both regions via a single tool.

2013 On 3 June, an MoU on the Cooperative Patent Classification (CPC) is signed with a view to enhancing co-operation in patent classification. The SIPO decides to adopt the CPC as its internal classification scheme, with the aim of beginning to classify its newly published patent applications under the CPC as from January 2014 in a number of technical fields, to be gradually extended with the ultimate objective of classifying in the CPC in all areas by January 2016.

Also signed on 3 June, an MoU on EPOQUE implementing Articles 15 ("Automation") and 16 ("Prior art resources and documentation") of the Agreement on a Strategic Partnership aims at enhancing co-operation in search tools. It provides for the migration of the old version of EPOQUE installed at the SIPO to the latest upgrade. The new EPOQUE Agreement (on the introduction of the latest version of the EPOQUE search engine and on co-operation in the field of documentation for search purposes) is signed on 26 November during the 7th EPO-SIPO Conference of Heads of Office in Beijing.

On 26 November, EPO President Benoît Battistelli is awarded an honorary professorship from Renmin University for his work in strengthening the relationship between China and Europe in the field of intellectual property. He is also presented with this honour on behalf of the EPO as a whole, in recognition of its valuable contribution to the patent system.

2014 On 18 March, a video conference is held between SIPO Commissioner Shen Changyu and EPO President Benoît Battistelli, during which both sides reach consensus on future co-operation.

On 4 June, the two offices sign the Agreement on Global Dossier, which marks the launch of the Global Dossier service providing access to European and Chinese dossier content for a family of patent applications. This year also marks the addition of one million Chinese documents to the EPO's free machine-translation tool Patent Translate.

On 19 September, SIPO Commissioner Shen Changyu visits the EPO for the first time. The two offices discuss the development of their co-operation programme, and future co-operation activities.

On 14 November, the heads of the EPO and of the SIPO meet in Brussels for the 8th Heads Meeting, and discuss how to further improve and align their patent systems in order to better support innovation. Future joint activities are defined and shared with stakeholders of the patent system at a public information event. Investments made by the two offices in the past decades have had a major impact on users of the patent system, resulting from the long-standing pursuit of simpler and cheaper access to patent documentation, and of transparency in patent procedures.

In December, the successful migration to the new EPOQUE software and the new operating environment at the SIPO is completed. For the first time in many years, the two offices are now using the same EPOQUE engine with a new database structure.

2015 From 18 to 20 March, EPO Vice-President Raimund Lutz meets SIPO Deputy Commissioner He Zhimin during his visit to China for the IP5 Deputy Heads meeting. Both sides reach consensus on training on EPOQUE and various multilateral issues.

On 20 April, He Zhimin visits the EPO in Munich and has a meeting with Raimund Lutz about activities marking the 30th anniversary of co-operation between the two offices, and future plans.

On 22 May, the heads of the world's five largest intellectual property offices (IP5) meet in Suzhou, China and pledge to step up their co-operation in order to further optimise their services to users and the public. Shen Changyu, Commissioner of the SIPO, and Benoît Battistelli, President of the EPO, meet to discuss the further implementation of the CPC at the SIPO and multilateral issues.

In October, the EPO and the SIPO celebrate the 30th anniversary of their bilateral co-operation. To mark this occasion, an international symposium is organised in Lyon (FR), in partnership with the CCIIR (Rhône-Alpes regional chamber of commerce and industry). A second celebration event is to take place in China in November.

The Allianz Arena, the Bayern Munich stadium to the north of the Bavarian capital, was designed by architects Pierre de Meuron and Jacques Herzog and completed in 2006. It is unique in the world for the variable-colour lighting panels that make up its facade.



The European Patent Office (EPO)

The EPO was set up by the European Patent Convention of 1973. It applies a single, uniform procedure to examine patent applications in any of its three official languages (English, French and German), and thus enables inventors, companies and researchers – from Europe and all over the world – to protect their inventions in a European market of over 600 million people.

From seven founder states in 1973, the European Patent Organisation has grown to 38 member states, including all 28 EU countries plus Iceland, Norway, Switzerland, Turkey and most of the Balkan states. In March 2015, Morocco became the first non-European state to recognise European patents. Today the EPO provides patent protection in up to 41 countries on the basis of a single application.

The EPO is Europe's second largest international public-service organisation. It employs 7 000 people (4 250 of whom are highly specialised engineers working in three languages) from over 30 countries at its five sites – including its Munich headquarters – in four European countries.

The EPO receives and processes some 274 000 patent applications per year. The high quality of its products and services (just 64 600 grants in 2014) attracts patent system users from around the globe. The EU has asked the Office to manage the unitary patent – a single patent covering the territory of 25 EU member states, which is expected to enter into force in 2016.

The EPO supplies free technical information, providing access to more than 90 million patent documents related to inventions and technological advances. Its free machine-translation tool Patent Translate provides translation from and into 32 languages, including Chinese.

Further information

Visit our website:
www.epo.org

How to apply for a European patent:
www.epo.org/guide

Filing trends and grant figures in China, background information on the Chinese patent system and guidance on essentials of Chinese patent documentation:
www.epo.org/China

The State Intellectual Property Office of the People's Republic of China (SIPO)

The SIPO, formerly known as the Patent Office of the People's Republic of China (the Chinese Patent Office – CPO), was founded in January 1980. On 1 April 1985, the CPO started to receive patent applications. During the governmental restructuring in 1998, the CPO was renamed SIPO, a government institution directly under the State Council. The SIPO has the following main responsibilities: organising and co-ordinating IPR protection nationwide and improving the construction of the IPR protection system, promoting IP awareness, implementing China's National IP Strategy in collaboration with related departments, overall co-ordination of foreign-related IP affairs, and examining and granting patents for invention, utility models and designs as well as registration of layout designs of integrated circuits.

The SIPO has seven functional departments (including Legal Affairs, International Co-operation, Patent Affairs Administration, Planning and Development, Human Resources), the Patent Office, the Patent Re-examination Board (PRB) and other subordinate institutions. The SIPO has approximately 14 000 staff members, about 10 000 of whom are highly educated substantive examiners.

According to the *Patent Law of the People's Republic of China*, the SIPO is the authority for receiving and examining applications for patents of invention, utility models and designs and granting patent rights in compliance with the law. The Patent Office of the SIPO is mainly responsible for receiving and examining patent applications, granting patents and handling other administrative matters entrusted to it by the SIPO. The PRB of the SIPO is responsible for handling patent re-examination and invalidation requests. In 2001, the Patent Examination Co-operation Centre was established in Beijing. Since 2011, Patent Examination Co-operation Centres have also been founded in other provinces and cities, including Jiangsu, Guangdong, Henan, Hubei, Tianjin and Sichuan. These centres share responsibility for patent examination, with in total about 7 000 substantive examiners.

Further information

Visit our website:
www.sipo.gov.cn/

How to apply for a Chinese patent:
www.cponline.gov.cn/

- A** **ASEAN:** Association of South East Asian Nations. Members are Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam.
- B** **BACON:** BACkfile CONVersion. An EPO project to convert the PCT minimum documentation into facsimile format. Back in 1987, “back files” referred to patent documents dating from the period prior to digitisation.
- BEST:** Bringing Examination and Search Together. An EPO programme launched at the end of the 80s with the aim of rationalising the processing of European patent applications by having both search and substantive examination performed by the same examiner.
- BNS:** Bacon Numerical Services.
- C** **CCD (Common Citation Document):** A patent information tool developed by the trilateral offices (EPO, JPO and USPTO) and now extended to IP5 level. It provides single-point access to citation data for examined patent applications, and consolidates the prior art cited by all participating offices for the family members of a patent application, thus enabling the search results for the same invention produced by multiple offices to be viewed on a single page.
- CPC (Cooperative Patent Classification):** Joint project of the EPO and USPTO to harmonise their classification systems (ECLA and USPC) in a single system with a similar structure to the IPC but more detail. The SIPO has adopted the CPC.
- CPO:** Chinese Patent Office, renamed State Intellectual Property Office of the People’s Republic of China (SIPO) in 1998.
- E** **ECLA:** Patent classification system based on the IPC but adapted by the EPO.
- EPODOC:** EPO documentation database. Contains references to the patent documents in the EPO’s systematically classified search documentation.
- EPOQUE:** EPO QUERy service. A system enabling EPO examiners to interrogate over 160 databases, including the EPO’s own internal databases, those of its member states, worldwide patent data and licensed commercial databases.
- Espacenet:** Online service giving free access to more than 70 million patent documents worldwide, containing information about inventions and technical developments from 1836 to today.
- G** **Global Dossier:** System to simplify the viewing and management of applications filed with the IP5 offices: a virtual environment providing secure, one-stop access to and management of information on all patent applications belonging to one patent family.
- I** **IIB:** International Patent Institute (the abbreviation stands for its French title: Institut International des Brevets). Established under the 1947 Hague Agreement and integrated into the European Patent Organisation on 1 January 1978.
- INPI:** Institut national de la propriété industrielle. The French National Institute of Industrial Property, often also referred to as the French (Patent) Office.
- ISA (International Searching Authority):** The national or regional patent offices that are designated by the PCT Assembly for carrying out PCT international searches.
- IPC (International Patent Classification):** All published patent applications and patents are classified by technical field under this internationally recognised classification system, so that they can be searched efficiently. The IPC is administered by WIPO.
- IP5:** The world’s five largest intellectual property offices (EPO, JPO, KIPO, SIPO and USPTO) have set up this forum to improve the efficiency of the patent examination process worldwide.
- J** **JPO:** Japan Patent Office.
- K** **KIPO:** Korean Intellectual Property Office.
- P** **PATNET:** A set of telecommunications carrier connections ensuring confidentiality and integrity of the information exchanged. It serves the community of national offices and selected other participants and enables EPO IT services to be used securely.
- PCT:** Patent Cooperation Treaty. An international treaty under which a single international patent application can be filed to obtain patent protection in up to 148 countries. It was signed in Washington on 19 June 1970.
- T** **Trilateral co-operation:** Co-operation between the EPO, JPO and USPTO, initiated in 1982 and implemented through successive memorandums of understanding.
- TRIPS:** Agreement on Trade-Related Aspects of Intellectual Property Rights.
- U** **USPTO:** United States Patent and Trademark Office.
- W** **WIPO:** World Intellectual Property Organization, an international organisation set up in 1967. It administers the PCT.
- WPIS/PARS:** WIPO Patent Information Services/ Patent Archive Retrieval System.

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