



# **Intellectual Property Development in Shanghai in the Year 2022**

Property Joint Committee organized a series of activities for IP Publicity Week under the theme of “Containing the Epidemic With One Heart and Overcoming Difficulties of the Times to Start a New Journey of Building a Country Strong on IPR”, released *the 2021 White Paper on Intellectual Property Development in Shanghai and Ten Typical Cases of IP Protection in Shanghai in 2021*, evaluated and released for the first time *Top Ten Typical Cases for Shanghai’s IP Reform and Innovation Work*. Shanghai Copyright Administration released *Top Ten Typical Copyright Protection Cases in 2021*. Shanghai Municipal Commission of Commerce regularly releases international rules, laws and regulations related to intellectual property to enterprises through “Shanghai Fair Trade” WeChat official account and other media. Shanghai Landscaping & City Appearance Administrative Bureau educated the public about *Regulations of the People’s Republic of China on the Protection of New Varieties of Plants* and other laws and regulations. Shanghai Urban Management and Law Enforcement Bureau works with community workshops to carry out IP publicity activities. Shanghai High People’s Court and Shanghai People’s Procuratorate released *White Paper on the Intellectual Property Trials by Courts of Shanghai in 2021 and Shanghai White Paper on Prosecution of Intellectual Property Crimes (2021)*, as well as *Top Ten Cases of IP Judicial Protection in Shanghai Courts in 2021*.

Caohejing Development Zone is approved to be a first-batch National IP Service Base for Global Markets.

## VI. Greatly Strengthen IP Talent and Cultural Construction

**Deepen International Cooperation in the IP Field.** As the 19<sup>th</sup> Shanghai International Intellectual Property Forum (the Forum) was convened according to high standards in Shanghai, efforts were made to deepen a new round of consultation concerning the memorandum of understanding on cooperation between Shanghai municipal government and WIPO. Science and Technology Commission of Shanghai Municipality signed intergovernmental agreements on science and technology cooperation with more than 20 countries and regions, and built 34 international joint laboratories for the “Belt and Road” Initiative. Shanghai High People’s Court and WIPO Arbitration and Mediation Shanghai Service jointly promote diversified settlement of IP disputes. This referral service by Shanghai’s courts is highly recommended by WIPO Arbitration and Mediation Center. Shanghai Municipal Bureau of Justice, CCPIT Shanghai and Shanghai Arbitration Association hosted the 4th Shanghai International Arbitration Summit.

**Strengthen IP Talent Cultivation.** With the support of Shanghai IP Administration and Shanghai Municipal Commission of Education, the Governing Board of Shanghai International College of Intellectual Property of Tongji University was established. Shanghai IP Administration, in conjunction with Shanghai Municipal Human Resources and Social Security Bureau, conducted evaluation for the title of “Senior Intellectual Property Professional”, and 12 professionals received this senior professional title. Shanghai Municipal Commission of Commerce developed an online course on IP transfer in international trade, and trained thousands of people in this program. Shanghai Municipal Health Commission, Science and Technology Commission of Shanghai Municipality and other departments jointly organized the first “Chunsheng Cup” Medical Innovation Talent Competition. Shanghai Municipal Market Supervision Administration set up a talent pool for trade secret protection enforcement, and 56 capable law enforcement officers were listed in the pool as first-batch talents. Tongji University was granted the first authorized doctoral degree in intellectual property interdisciplinary program in China.

**Promote IP Cultural Building.** The General Office of Shanghai Intellectual

## V. Constantly Improve IP Public Service

**Deepen Reform on “Administrative Streamlining, Power Delegation, Innovative Supervision and Public Service Enhancement” in IP.** Shanghai IP Administration issued the first edition of IP public service catalogue featuring 42 services in five categories, and issued a service guide for efficient examination of trademark applications. The case prepared by Shanghai IP Administration entitled “Building a New IP Operation Ecosystem in Shanghai to Help Upgrade IP Operation Capability of Innovation Entities” was featured in *National Business Environment Innovation and Development Major Model Cases* in 2022. Shanghai Copyright Administration rebuilt the internal approval process and shortened the lead time for copyright licensing contract registration of book publishing and reproduction of overseas audiovisual products from 15 to 2 working days, and expanded copyright registration service from a single FTZ window to copyright workstations across Shanghai. By the end of 2022, Shanghai Commission of Economy and Informatization has released more than 1,400 IP-related policies on “Shanghai Enterprise Service Cloud”.

**Perfect IP Public Service System.** Shanghai IP Administration issued *Opinions of Shanghai Municipality on Strengthening IP Public Services*, and carried out targeted IP service campaigns for SMEs with technical and innovation advantage. Three new national IP information service centers of universities were created in Shanghai. Three institutions became National IP Information Public Service Stations, and nine municipal IP information public service stations obtained their official recognition. Shanghai performed extremely well in the first National Patent Search and Analysis Competition for IP public service institutions, grabbing three first prizes.

**Promote Orderly Development of IP Service Industry.** Shanghai IP Administration deepened the “Blue Sky” campaign for regulating the IP agency industry, and signed agreements with 16 district-level IP administrations to delegate its supervisory right of patent agencies to district-level IP administration. This is aimed to crack down on malicious trademark registration and irregular patent applications. Shanghai IP Administration and Shanghai Municipal Market Supervision Administration jointly carried out a special campaign to regulate the trademark agency industry. Pudong New Area and Caohejing Development Zone launched a pilot scheme for foreign patent agencies to set up permanent representative offices.

519 deals of financing with patents and trademarks as the pledge were registered in Shanghai, reaching a total value of 12.15 billion RMB, up by 59.2% year on year. The amount of patent and trademark insurance coverage reached 801 deals and 290 million RMB, up by 94.5% year on year. Shanghai's experience in financing with IP-as-a-pledge was selected as a best-practice case for National Service Industry Expanded Opening-up Comprehensive Demonstration Pilot Projects compiled by the Ministry of Commerce. "Financing with Patent-proceed-as-a-pledge by Bank of Shanghai" and "New Models of Insurance for IP-as-a-pledge for Financing" are listed as first 20 Typical Cases for IP-backed Financing and Insurance jointly released by CNIPA, China Banking and Insurance Regulatory Commission and National Development and Reform Commission.

**Strengthen Capacity Building of Innovation Entities.** Shanghai IP Innovation Awards have been upgraded to a municipal-level commendation. Nine organizations and 44 projects won the 4<sup>th</sup> Shanghai IP Innovation Awards. 54 patents from Shanghai received the 23<sup>rd</sup> China Patent Awards, including four Gold Prizes and six Silver Prizes. In 2022, 85 enterprises were named State-recognized Demonstration Enterprises with IP Advantage. Three more parks were classified among pilot and demonstration parks for implementing the national "Building a Country Strong on IPR" strategy. One more unit and one more park (base) was classified among national copyright demonstration units. Another 130 units were listed as municipal patent work pilot and demonstration units. Four more parks were listed as pilot and demonstration parks for implementing the "Building a City Strong on IPR" strategy. Ten more units and parks were listed as municipal copyright demonstration units and parks. Shanghai IP Administration issued local *Standards for Construction and Service Offering of Trademarks and Brand-building Guiding Stations* and introduced evaluation models for trademarks and brands. The Municipal Administration of Science, Technology and Industry for National Defense organized the 2022 Yangtze River Delta High-tech Fair and the 2<sup>nd</sup> Shanghai Emerging Technology Coordinated Innovation Challenge. Pudong New Area and Minhang District were named National Demonstration Urban Areas for Building a Strong IP City of Shanghai and Xuhui, Songjiang and Jiading district were listed as pilot urban areas. Shanghai SHYLON Optoelectronic Technology Co., Ltd. won WIPO's inaugural Global Awards.

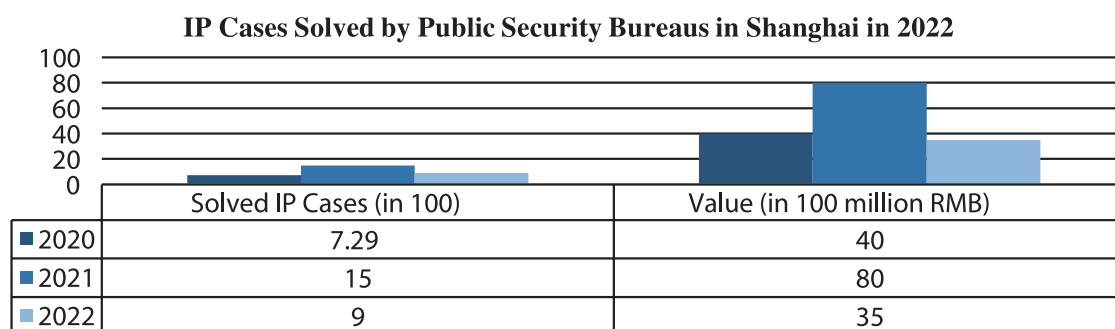
establishment, 50 of which had been concluded, and 18 of which had been successfully mediated.

#### IV. Comprehensively Promote Efficient Operation of IP

**Integrate IP With Industrial Development.** Shanghai IP Administration continues to implement the special program for patent commercialization and high-value IP cultivation, identified eight IP operation centers for key industries in the city and ten high-value patent cultivation centers, established six municipal industry-university-research institute IP operation consortia, and carried out 15 municipal projects for enhanced cultivation of high-value patents. Shanghai IP Administration also carried out 41 patent navigation and evaluation projects, successfully nominated two organizations as first-batch National Patent Navigation Project Support Service Institutions, and six units as first-batch National Patent Navigation Service Bases. Shanghai IP Administration and Shanghai Commission of Economy and Informatization signed *the Strategic Cooperation Agreement on Strengthening IP Work Promote Industrial Innovation and Development*. Shanghai Copyright Administration, in conjunction with Shanghai Municipal Bureau of Statistics and Shanghai Customs, constructed a statistical system and annual report publishing mechanism for Shanghai's copyright industry. Shanghai Municipal Commission of Education actively promotes universities to enhance basic and applied research capabilities and participate in deployment planning of national major science and technology strategies. Science and Technology Commission of Shanghai Municipality, Shanghai Municipal Health Commission and six other departments issued *Operating Rules for Promoting Transformation of Scientific and Technological Achievements in Shanghai's Medical and Health Institutions (a trial version)*. Municipal State-owned Assets Supervision and Administration Commission increases the weight of green and low-carbon technologies and digitization in its strategic planning.

**Promote IP Value Realization.** Shanghai IP Administration and Shanghai Municipal Finance Bureau issued *Measures for Administration of Special IP Funds to Promote IP Development*. Eight departments including Shanghai Banking and Insurance Regulatory Bureau, Shanghai Local Financial Supervision and Administration, and Shanghai IP Administration jointly issued *the Work Plan for Shanghai's Banking and Insurance Industry to Provide Quality IP-Pledged Financing Services*. In 2022,

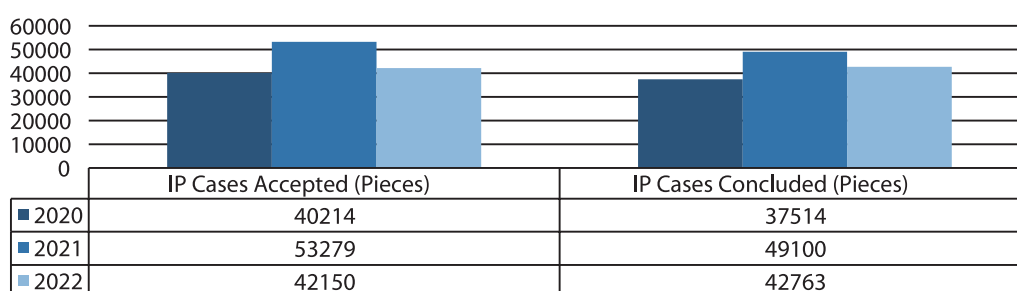
and Rural Affairs Commission carried out seed production base inspection and law enforcement actions. Shanghai Landscaping & City Appearance Administrative Bureau launched a special operation to combat the infringement of new varieties of forest tree seedlings. The law enforcement team of Shanghai Municipal Administration of Culture and Tourism carried out a copyright protection campaign to protect the youth. Shanghai Customs cracked down on infringing behaviors in import and export, especially through “ant trade” or small parcels or express mails shipping infringing goods.



**Strengthen Comprehensive IP Governance.** “Shanghai Chongming District” and “Songjiang Rice” growing areas have been approved to be built as National Geographical Indication Product Protection Demonstration Areas. Shanghai IP Administration issued *the Plan of Shanghai Municipality for Constructing IP Protection Demonstration Areas*, and ran a pilot reform on the approval process for the usage of geographical indication signs. Shanghai IP Administration, in collaboration with Shanghai Municipal Bureau of Justice, issued *Implementation Opinions of Shanghai Municipality on Strengthening Mediation of IP Disputes* and, in collaboration with CCPIT Shanghai, issued *Implementation Opinions on Strengthening the Construction of an Overseas IP Dispute Response Mechanism*. Shanghai Municipal Commission of Commerce further improves the service mechanism for overseas IP assistance in international trade. Shanghai Municipal Market Supervision Administration deepens anti-monopoly law enforcement in the IP field, and special monitoring of Internet transactions and IP-related governance program on e-commerce platforms, and established 66 municipal and more than 160 district-level demonstration zones and stations for trade secret protection. People’s mediation organizations for IP disputes across the city handled 9,106 disputes. WIPO Arbitration and Mediation Shanghai Service had handled a total of 66 cases of foreign-related IP disputes since its

cases, within which 96.3% of the first-instance judgments are final without appeal. Shanghai’s procuratorial organs examined arrest applications from 174 cases of suspected IP crimes involving 331 individuals, which resulted in approved arrest of 178 people from 104 cases. Shanghai’s procuratorial organs also reviewed indictability of 616 cases involving 1,382 people, and filed 504 cases of public prosecution involving 994 people. Shanghai High People’s Court issued *Opinions on Strengthening Judicial Work in the New Era to Provide Strong Judicial Services and Protection for Construction of Shanghai as an IP Powerhouse*. Shanghai’s procuratorial organs deepen the review work of IP cases through implementing the “triple-review-in-one-case” mechanism, i.e., review of administrative enforcement, criminal and civil liabilities, and exercise oversight over punishments for IP malicious litigations according to law.

**IP Cases Accepted by Courts of Shanghai in 2022**



**Strengthen IP Administrative Protection.** In 2022, Shanghai’s IP administrative enforcement bodies at all levels established and investigated 1,050 trademark infringement cases, concluded 980 cases and imposed 11.47 million RMB of fines and confiscations. Shanghai IP Administration established and handled 2,040 patent infringement disputes and concluded 2,050 disputes. Shanghai Public Security Bureau cracked 900 criminal cases of IP infringement and seized more than 2,500 criminal suspects, involving a total value of 3.5 billion RMB. Shanghai IP Administration and Shanghai Municipal Market Supervision Administration carried out an IP protection campaign for the Winter Olympics and the Winter Paralympics. Shanghai Copyright Administration, in collaboration with Shanghai Public Security Bureau, Shanghai Communications Administration, Office of Cyberspace Affairs Commission of Shanghai Municipal Party Committee, and more departments, carried out the “Sword Net 2022 Action” (to intensely crack down on infringement and piracy of short videos, sports events, online education and other fields). Shanghai Agriculture



Nanjing, Hangzhou and more cities to deepen enforcement cooperation to curb the flow of infringing goods shifting between ports. Songjiang and eight other districts (cities) released the first list of key trademark protection in the Yangtze River Delta G60 Science and Technology Innovation Corridor.

**Support Economic Development in Key Regions.** Shanghai IP Administration and other departments built and launched Shanghai (Pudong) Intellectual Property Service to serve enterprises to be listed on the Science and Technology Innovation Board (STAR Market). Shanghai Copyright Administration supports the construction of Pudong National Copyright Innovation and Development Base and takes the lead in promoting convenient work registration service in Pudong (as long as the work is created in Pudong). Under the guidance of Shanghai High People’s Court, Pudong Court issued a white paper and typical cases, providing judicial services and IP protection for “interconnected development” of Pudong and Lingang new areas. Shanghai People’s Procuratorate and Hongqiao International Central Business District Management Committee signed a memorandum of strategic cooperation to promote construction of a regional IP protection mechanism.

**Strengthen IP Protection in CIIE.** The General Office of Shanghai Intellectual Property Joint Committee spearheaded the Hundred-Day IP Enforcement Campaign (the Campaign) during the 5<sup>th</sup> CIIE. During the Campaign, Shanghai Public Security Bureau cracked 336 IP criminal cases and arrested 1,017 suspects involving 2.24 billion RMB in value. Shanghai IP Administration, Shanghai Copyright Administration and China International Import Expo Bureau and other organizations jointly established a “Service Center for IP Protection and Commercial Dispute Settlement”. Shanghai Municipal Commission of Commerce pushed the inclusion of “IP protection” clauses into *the Regulations of Shanghai Municipality on Serving and Running the China International Import Expo*. Shanghai Municipal Bureau of Justice launched “Foreign-related Legal Services for CIIE” WeChat applet. The court, procuratorate and market supervision administration in Qingpu district set up the Comprehensive IP Protection Center for CIIE.

### III. Continuously Strengthen Comprehensive IP Protection

**Strengthen IP Judicial Protection.** In 2022, the court system in Shanghai accepted total filings of 42,150 IP cases of various types and concluded 42,763 IP

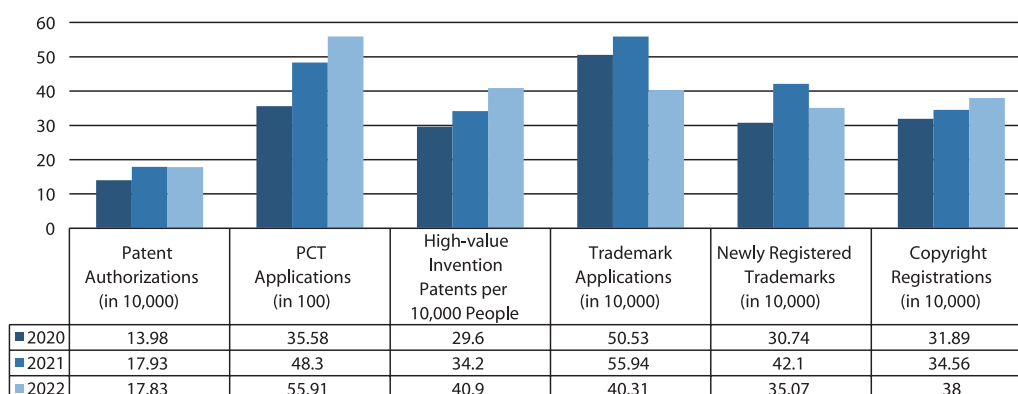
integrated “one-stop” IP protection service. Shanghai pioneered patent open-licensing pilot scheme in China and introduced China’s first insurance policy for patent open-licensing deals. Shanghai High People’s Court enabled all district-level courts in Shanghai to accept IP cases across Shanghai through adjusting jurisdiction of Shanghai grassroots courts. Zhangjiang Prosecutor’s Office of Pudong New Area became the first grassroots prosecution office to centralize its criminal, civil, administrative and public-interest-driven litigation functions concerning IP into one body, hence forming a “four-in-one” IP procuratorate. Baoshan District established the first district-level professional IP dispute mediation platform. Shanghai Arbitration Commission and Shanghai International Economic and Trade Arbitration Commission established Data Arbitration Center.

**Empower Economic Recovery.** Shanghai IP Administration issued *Several IP-related Measures to Contain the Epidemic and Support Enterprise Development* and *Notice on Speeding up and Increasing Efficiency of IP Policy Implementation to Support Stable and Healthy Economic Development*. Shanghai Municipal Market Supervision Administration cracked down on infringement and counterfeiting of epidemic prevention products and commodities for people’s livelihood during the epidemic prevention and control period. Huangpu, Jing’an, Changning, Hongkou, Jinshan and more districts held policy interpretation seminars for enterprises on using IP assets for financing during difficult times. All districts strengthened epidemic-related IP enforcement and inspection.

## II. Serve Macro Socio-economic Development

**Support Implementation of Yangtze River Delta Integrated Development Strategy.** Shanghai IP Administration took the lead in organizing the “2022 Forum on Higher-Quality Integrated IP Development in the Yangtze River Delta Region” and promoted the signing of *the Framework Agreement on Higher Quality Integrated IP Development in the Yangtze River Delta Region — Version 2.0* and *the Cooperation Agreement on Processed-data IP Protection in the Yangtze River Delta Region*. Science and Technology Commission of Shanghai Municipality supports the operation of Yangtze River Delta National Technology Innovation Center with the aim of building an industrial technology innovation system with deeply integrated industry, academia and research institute collaboration. Shanghai Customs works with customs in

IP Creation in Shanghai in 2022



### I. Deepen Efforts to Build Shanghai Into an IP Powerhouse

**Press Ahead With Implementation of the Outline and the Plan.** For two consecutive years, Shanghai has received positive appraisal from the State Council for its IP work, and has been awarded the excellent grade in the national IP protection assessment for three consecutive years. The Standing Committee of the CPC Shanghai Committee heard a special report on IP work. For the first time, IP protection has been included in the supervision, inspection and assessment plan of municipal organs. The General Office of Shanghai Intellectual Property Joint Committee issued *the Outline for Building a Strong IP City of Shanghai (2021-2035) and the 14<sup>th</sup> Five-year Plan on Deepening the Outline's Implementation (2022-2023)*. Three cases from Shanghai were classified among the first-batch *Typical Cases of Building a Country Strong on IPR* by Office of the Interministerial Joint Meeting on Implementation of the Intellectual Property Strategy of the State Council. Shanghai Intellectual Property Joint Committee at the municipal and district levels convened their respective annual work meetings. Fengxian district issued its strategic development plan for building a district strong on IPR. Putuo, Yangpu and more districts set up their plans for deepening the implementation of *the Outline and the Plan*.

**Deepen Reform and Innovation in the IP Field.** Shanghai was listed among the first-batch processed-data IP pilot regions by China National Intellectual Property Administration (CNIPA). The city accordingly formed a draft pilot scheme for processed-data IP registration, earnestly included it into the legislative plan of Pudong New Area People's Congress, and is building a processed-data IP registration examination platform. Shanghai Intellectual Property Protection Center passed the acceptance test of CNIPA and went into trial operation, and accomplished reform for

## Intellectual Property Development in Shanghai in the Year 2022

In 2022, under the resolute leadership of Shanghai municipal party committee and government, Shanghai IP Administration, guided by Xi Jinping's Thought on Socialism with Chinese Characteristics for a New Era, earnestly studied and implemented the spirit of the 20<sup>th</sup> National Congress of the Communist Party of China and the 12<sup>th</sup> Municipal Party Congress, fully implemented General Secretary Xi Jinping's important instructions and statements on intellectual property work, *the Outline for Building a Country Strong on IPR (2021-2035)*, *the 14<sup>th</sup> Five-Year National Plan for IP Protection and Application*, *the Outline for Building a Strong IP City of Shanghai (2021-2035) (the Outline)*, and *the 14<sup>th</sup> Five-Year Plan on Intellectual Property Protection and Utilization in Shanghai (the Plan)*. Shanghai has made significant progress in quality of IP creation, intensity of IP protection and scope of IP utilization, and deepened high-level reform and opening up towards building *a Strong IP City*. All these efforts effectively support Shanghai to become "Five Centers" and a socialist modern metropolis with global impact.

In 2022, patents granted in Shanghai reached 178,300, including 36,800 invention patents, up by 11.98% year on year. PCT patent filings reached 5,591, up by 15.76% year on year. By the end of 2022, valid invention patents in Shanghai stood at 202,000, up by 17.43% year on year. There were 40.9 high-value invention patents per 10,000 people, up by 6.7 patents compared with last year. Trademark applications in Shanghai reached 403,100. Newly registered trademarks reached 350,700. By the end of 2022, effective valid trademark registrations in Shanghai reached 2,427,500, up by 14.66% year on year. Copyrights registered in Shanghai exceeded 380,000, with a year-on-year increase of 10%. By the end of 2022, there have been 18 geographical indication trademarks, 8 geographical indication products in Shanghai. In addition, Shanghai obtained 31 new varieties of agricultural plants and 9 new varieties of forestry plants. Shanghai (together with Suzhou as one cluster) rose to the sixth place in the Top 100 Science and Technology Clusters for 2022 in WIPO's *Global Innovation Index 2022* from last year's eighth place.



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**The General Office of Shanghai Intellectual Property Joint Committee**

**April, 2023**