



Intellectual Property Law

CNIPA Announces 2018 Work Statistics

Compiled by Dispute Resolution and IP Department

The China National Intellectual Property Administration (CNIPA) held a press conference on January 10, 2019, to announce the statistics of CNIPA's main work in 2018 and related information, which cover statistics relating to patents, trademarks, layout designs of integrated circuits, geographical indications, etc.

I. 2018 IP Work Statistics

Patents: In 2018, the number of invention patent applications in China was 1.542 million. A total of 432 thousand invention patents were granted, of which 346 thousand invention patents were granted to domestic entities. Of the invention patents granted to domestic entities, the number of service inventions was 323 thousand, accounting for 93.3%; and the number of non-service inventions was 23 thousand, accounting for 6.7%. In 2018, the top three domestic corporations with the highest numbers of invention patent grants in China (not including Hong Kong, Macao and Taiwan) were: Huawei Technologies Co., Ltd. (3,369), Sinopec Co., Ltd (2,849) and Guangdong OPPO Mobile communications Co., Ltd (2,345).

By the end of 2018, the number of invention patents owned by Chinese domestic entities (not including Hong Kong, Macao and Taiwan) totaled 1.602 million, and the number of invention patents per 10,000 persons reached 11.5. The top three provinces (and autonomous regions and municipalities) in China in terms of number of invention patents per 10,000 persons are: Beijing (111.2), Shanghai (47.5) and Jiangsu (26.5). In 2018, a total of 55 thousand PCT international patent applications were received with year-over-year growth of 9.0%, of which 52 thousand patent applications were from China with year-over-year growth of 9.3%. The top three provinces (and autonomous regions and municipalities) with more than 1,000 PCT international patent applications are: Guangdong (25.3 thousand), Beijing (6.5 thousand) and Jiangsu (5.5 thousand).

The number of invention patent applications that were concluded in 2018 was 808 thousand, the number of utility model patent applications that were concluded in 2018 was 1.874 million, and the number of design patent applications that were concluded in 2018 was 667 thousand. The examination period of high-value invention patents was reduced by 10%, and complaints arising from patent examination matters were reduced by 52% in the same period. The number of patent reexamination requests was 38 thousand, and 28 thousand cases were concluded. The number of invalidation requests was 5 thousand, and 4 thousand cases were concluded.

Trademarks: In 2018, the number of trademark registration applications in China was 7.371 million. The number of trademark registrations was 5.007 million, of which 4.797 million trademark registrations were granted to domestic entities. By the end of 2018, the number of valid trademark registrations granted to Chinese domestic entities (not including registrations in China by foreign entities or Madrid registrations) reached 18.049 million, and the number of trademarks per 10,000 market entities reached 1,724. In 2018, the number of applications for international registration of Madrid trademarks was 6,594. By the end of 2018, the number of valid international registrations of Madrid trademarks with Chinese applicants was 31 thousand with year-over-year growth of 23.5%.

In 2018, a total of 8.043 million trademark registration applications were concluded, and the average examination period for trademark registrations was shortened to within six months. A total of 322 thousand applications for trademark review cases were received, and 265 thousand cases were concluded. The examination period for the reexamination of trademark rejections was reduced to within seven months.

Geographical indications: In 2018, 67 geographical indication products were approved for protection, 961 geographical indication trademarks were registered, and 223 enterprises were approved to use special indications of geographical indication products. By the end of 2018, a total of 2,380 geographical indication products had been approved accumulatively, a total of 4,867 registered geographical indication trademarks had been registered accumulatively, and a total of 8,179 enterprises had been approved for using special indications.

Layout designs of integrated circuits: In 2018, CNIPA received 4,431 applications for registration of the layout design of integrated circuits, with year-over-year growth of 37.3%, and 3,815 layout designs of integrated circuits were certificated, with year-over-year growth of 42.9%.

Intellectual property protection and exploitation: In 2018, the total number of patent administrative law enforcement cases in the country was 77 thousand with year-over-year growth of 15.9%, of which 35 thousand patent disputes were handled with year-over-year growth of 22.8%; 43 thousand cases of patent passing off were investigated and dealt with year-over-year growth of 10.9%. 31 thousand trademark violation cases were investigated and dealt with, with case value of RMB 550 million. The first infringement dispute case involving layout designs of integrated circuits was investigated and handled.

In 2018, the total value of imports and exports incurred from intellectual property royalty fees exceeded USD 35 billion. The total amount of patent and trademark pledge financing reached RMB 122.4 billion with year-over-year growth of 12.3%, of which the amount of patent pledge financing reached RMB 88.5 billion with year-over-year growth of 23%, and the number of pledge projects was 5,408 with year-over-year growth of 29%.

II. Main features of the 2018 statistical data:

First, China's level of intellectual property innovation has been steadily increasing. In 2018, the number of invention patent grants and the total number of invention patents of Chinese domestic entities increased steadily, with growth of 5.8% and 17.6% respectively over the same period in the previous year; the number of invention patents per 10,000 persons increased by 1.7 compared with the end of 2017. As for the number of invention patent grants and the number of invention patents, the share of domestic entities has increased steadily, reaching 80.1% and 70.2%, respectively. The number of valid trademark registrations granted to domestic entities increased by 32.8% year-over-year.

Second, the international community's confidence in China's intellectual property protection has continued to increase. In 2018, the number of invention patent applications filed in China by foreign entities reached 148 thousand with growth of 9.1% over the previous year, achieving the fastest growth rate since the 13th Five-Year Plan; the number of trademark applications filed in China by foreign entities was 244 thousand with growth of 16.5% over the previous year, showing a faster growth rate. The continuous increase in the number of intellectual property applications filed in China by foreign entities shows the appreciation and confidence of foreign enterprises in intellectual property protections in China.

Third, the status of innovative entities of domestic enterprises has been further improved. In 2018, the number of Chinese enterprises that have patent applications increased by 60 thousand over the previous year, and its contribution rate to the growth of invention patent applications filed by domestic entities reached 73.2%. The proportion of invention patent applications filed by enterprises out of those filed by domestic entities was 64.3%, with an increase of 1.1 percentage points over the previous year. The rate of valid invention patents granted to domestic enterprises with maintenance duration of more than 5 years reached 74.0%, with increase of 3.1 percentage points over 2017.

Fourth, the awareness of Chinese enterprises to the necessity of overseas intellectual property portfolios has been continuously strengthened. In 2018, there were 58 domestic enterprises which submitted more than 100 PCT international patent applications, with increase of 14 over 2017. The valid number of international registrations of Madrid trademarks by Chinese applicants increased by 23.5% year-over-year, and the number of Madrid trademark applications submitted by Chinese applicants ranked third in the Madrid Union.

Fifth, the quality of invention patents in China has shown a steady and positive trend.

The number of claims and the maintenance duration of granted invention patents are important indicators for measuring the quality of patents. In 2018, the average number of claims of the granted invention patents of domestic entities in China was 8.3, with increase of 0.3 over 2017. By the end of 2018, the average maintenance duration of valid invention patents owned by domestic entities was 6.4 years, with increase of 0.2 years over 2017, indicating that the quality of invention patents owned by domestic entities has been stable and improved.

(Source: <http://www.cnipa.gov.cn/twzb/gjzscqj2018nzygztjsjyggqkxwfbk/index.htm>)

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