



Intellectual Property Rights Working Group

Key Recommendations

1. Trademarks

1.1 Redefine the Concept of Well-known Trademark

- Reconsider the purpose of recognising well-known trademarks, discontinue the periodic publication of the trademarks recognised as well-known by the Trademark Office, under the State Administration for the Industry and Commerce and establish a level playing field between Chinese and foreign-owned trademarks.

1.2 Prevent Serial Trademark Squatting

- Consider inserting in the revised Implementing Rules of the *Trademark Law* a provision describing the filing of a large number of trademarks, as a circumstance that may indicate the occurrence of bad faith.

1.3 Reconsider Procedures to Manage Conflict Between Two Registered Trademarks

- Allow a trademark holder to launch civil litigation against the use of an allegedly-infringing, subsequently-registered trademark even if the trademark of the plaintiff is not a well-known trademark.
- Reconsider the modification in the opposition procedure proposed in the draft *Trademark Law*, and maintain the entire set of administrative and judicial reviews for each party following the decision of the China Trademark Office (CTMO) on an opposition.

2. Patents

2.1 Revise the Draft Service Invention Remuneration Regulations to Prevent Hampering Innovation

- *Amend the Regulation on Service Invention* of 12th November 2012 to state clearly that (i) employers and employee-inventors shall be free, at their own discretion, to enter into an individual agreement regarding the remuneration of the inventions or to apply a lawfully-established company remuneration policy for the inventions, at any time, and without being subject to a potential invalidation as not fulfilling the regulatory restrictions and obligations, and (ii) the restrictions and obligations provided in the Regulation shall only apply in the absence of individual agreement or in the absence of the company remuneration policy or exceptional cases of company misconduct.

3. Issue a Regulation Providing a Delisting System for E-commerce

- Consider issuing a regulation providing for the same automatic delisting system as in the Regulation on *the Protection of the Right to of Communication Through Information Network* (July 1st, 2006).

4. Issue a Regulation about Trademark Usage in Original Equipment Manufacturing

- Consider issuing a regulation clarifying the issue of Original Equipment Manufacturing (OEM), stipulating that except when the purchaser of the exported goods owns the relevant trademark in the country of destination, the use of trademark on exported goods without the consent of the owner of the trademark in China is an act of infringement.

🚩 : The red flags denote key recommendations perceived to be clearly market access related





Introduction to the Working Group

The Intellectual Property Rights (IPR) Working Group represents a range of European interests in the intellectual property regulatory framework and IPR enforcement in China. Around half of the Working Group's 200 plus members are from outside the professional services industry, for example, high-end consumer product industries, whereas the remaining members are from legal and consulting firms. Over the last 10 years, the IPR Working Group has witnessed China's efforts to curb the dramatic increase of IPR violations that affect its economic order, its innovative capacity and the rights of its consumers. The IPR Working Group, which serves as a bridge between Chinese governmental agencies and judicial officials and European businesses, continually offers its assistance and support via suggestions and recommendations aimed at improving the efficiency and effectiveness of China's IPR protection efforts.

Recent developments

Trademarks

Third Amendment to the Trademark Law

The final draft of the third revision of the *Trademark Law* (draft) was released in January 2013 for public comments by the National People's Congress (NPC). Some of the proposed modifications have already received a warm welcome, such as:

- The introduction of new types of signs of which trademarks may consist;
- The possibility to file multiclass trademark applications;
- The principle of 'good faith';
- Some useful examples of bad faith applications;
- An increase in the level of penalties and strengthening of the judicial discretion in assessing the amount of financial compensation.

Other proposed amendments, however, raised concerns, in particular the modification of the opposition procedure, which stipulates that when the Chinese Trademark Office (CTMO) rejects an opposition the opposed trademark is immediately registered and the only recourse, for the opponent, is to file an application for cancellation before the Trademark Review and Adjudication Board (TRAB). The current law provides that the decision of the CTMO is subject to appeal, and cannot be effective until it is final. In practice, this modification leads to a potential issue of non-

compliance with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

The impact of this modification needs to be analysed in view of two factors: (i) the impossibility for the opponent to initiate a civil litigation against the newly registered trademark until it is cancelled (which may take many years during which the trademark is free to develop its business), and (ii) the position of the Supreme People's Court (SPC), which stated that once a similar trademark has achieved a position in the market it should not be cancelled and both trademarks should peacefully coexist.

The consequence is that in practice, the opponent only has one chance to obtain the protection provided by the law, which is contrary to TRIPS principles.

In its comments to the draft, the IPR Working Group made some concrete proposals such as the possibility to split a trademark application when it is partially refused, or propose to re-draft Article 13.2 (well-known trademarks) so as to reflect the concept of dilution defined by the SPC.

Copyright

Third Amendment to the Copyright Law

Since the 2012 IPR Working Group Position Paper, the process for the Third Amendments to the *Copyright Law* has continued. The first draft Amendments were made available by the National Copyright Administration of China (NCAC) for public comment in April 2012. The second draft Amendments were made available by the NCAC for public comment in July 2012. At the end of 2012, the NCAC produced a revised draft that was submitted to the State Council Legislative Affairs Office (SCLAO). The SCLAO then made the third draft Amendments available for comment to a limited group, including the European Chamber, in February 2013. The European Chamber is grateful for each of these opportunities and had provided detailed comments at each stage.

The IPR Working Group welcomes the openness and transparency with which the amendment process has been undertaken to date. Elements of the openness to be highlighted are the explanatory notes from the NCAC and then the SCLAO that have accompanied the draft and the two-day joint NCAC-European Union Delegation Copyright Seminar held in Shanghai





in November 2012. The Seminar brought together representatives of the NCAC, the SCLAO, leading Chinese academics and leading European experts for an open and stimulating discussion around some of the key issues being considered in the draft Amendments.

Overall, the IPR Working Group welcomes the developments that have been made through the three drafts, and the fact that key industry concerns appear to have been heard and reflected in subsequent drafts. A significant number of developments are welcomed, including:

- The express recognition of works of applied art;
- The developments related to the digital environment generally, including the refinement of the network dissemination and broadcast rights as interactive and non-interactive rights respectively, and the development of the Internet Service Provider (ISP) responsibility and liability regime;
- The sound recording public performance right;
- The narrowing of the personal study and research limitation;
- The plaintiff's choice of bases on which a claim for compensation may be made;
- The shifting of the burden to the defendant in certain circumstances when evidencing compensation claims; and
- The removal of the requirement that an infringement "damage the public interest" or "impair the order of the socialist market economy" before the administrative authorities may take enforcement action.

The Working Group does not, however, see all the developments as supporting a balanced copyright regime protecting right holders and enabling users alike. In particular, concerns remain in relation to:

- The lack of development of the presumptions as to authorship and ownership;
- The failure to narrow the teaching and scientific research limitation;
- The inclusion of a catch-all 'other circumstances' limitation;
- The statutory licensing provisions which, despite being subject to important conditions, do not allow rights owners to opt out;
- The orphan works provisions which are potentially overbroad without clearly defining the fundamental principles of the regime;
- The failure fundamentally to improve the protection

for Technological Protection Measures (TPMs);

- The exceptional treatment of software, in particular as regards 'innocent infringement'; and
- The potentially overbroad application of the collective management organisation provisions, without clearly defining the fundamental principles of the regime.

Judicial provisions and clarifications on internet-related cases:

SPC's Provisions on Online Infringement Cases

On 17th December, 2012 the SPC released the *Provisions on Relevant Issues Related to the Trial of Civil Cases Involving Disputes over Infringement of the Right of Dissemination through Information Networks* which came into force on 1st January, 2013. These Provisions add welcome further guidance on the applicable knowledge standard for involved ISPs to be liable when infringement is occurring online, setting it as, essentially, that the ISP knew or ought to have known of the infringement.

Beijing High People's Court Clarification on e-commerce infringement cases

On 28th December, 2012 the Beijing High People's Court issued a "*Clarification on Several Issues Concerning the Trial of Electronic Commerce-related Intellectual Property Infringement Disputes*" (the Clarification) which provides some guidance for the People's Courts about how to assess the circumstances where an ISP knows, or ought to know that infringing acts are being committed, and when the ISP may be held jointly liable with the online seller. Some practical circumstances are defined. Regrettably, though, the Clarification remains relatively vague as to the measures that the ISP must take to respond to a right holder's notification. Furthermore, some provisions of the draft have been deleted, such as the circumstance where the absence of counterclaim from the seller equals to an admission of infringement, or the mandatory disclosure of the whereabouts of the online seller to the right holder.

Patents

Clarification of Availability of Prior Art Defence under Third Amendment to the Patent Law

The Third Amendment to the Patent Law encompassed a number of laudable changes, which have arguably helped to raise the standard of patenting in China. One of the key changes was the adoption of an international novelty standard, requiring that in the determination of novelty, 'prior art defence' in the form of prior use be considered wherever it occurred. Until then, only prior use within





China constituted prior art, and the law did not provide for a 'prior art defence'. This change was welcomed by the international patent community.

However, some recent judicial decisions appear to materially limit the international novelty standard – notably in determining under which circumstances the 'prior art defence' to patent infringement is available. The decisions appear to suggest that for patents filed before the Third Amendment took effect on 1st October, 2009, but, where infringement occurred after that date, the prior art defence on the basis of prior use outside China is not available. This interpretation effectively renders that defence nugatory for any patent filed prior to 1st October, 2009, meaning that the defence will not apply to some patents until potentially 1st October, 2029, substantially weakening its utility. A clarification of the availability of the 'prior art defence' on the basis of prior use outside China before 1st October, 2009, would be commended for infringements occurring after that date.

Fourth Amendment to the Patent Law

Many of the discussed changes that are part of the Fourth Revision to the *Patent Law* are highly welcome as they address the issues faced by companies in engaging in enforcement actions (e.g. insufficient evidence preservation). Most of the revisions will encourage patentees to exercise their rights more actively, which shows a step forward in the protection of IPR in China.

However, there are a number of areas that could be improved in the revisions, particularly surrounding administrative enforcement. Extended rights in enforcement should be limited to experienced courts rather than the administrative authorities. The IPR Working Group is concerned that the administrative IP authorities are not fully prepared at present to take the planned role. Further, a validly-granted patent shall enjoy a presumption of validity that can only be finally and effectively revoked by a court. The important review function of the courts is diminished if the patent office's decision already becomes 'effective'. In case the courts reverse an 'effective' revocation decision of the State Intellectual Property Office (SIPO), it would then create market disturbance if an infringer had meanwhile started activities in the meanwhile trusting the 'effectiveness' of SIPO's decision.

Draft Guideline for Examination of the SIPO

It is positively noted that the new draft Guidelines for Examination addresses issues of low-quality for a large number of utility models and design patents. It is a topic that has been raised by the IPR Working Group in 2012 and previous years alongside recommendations to unify the examination procedure of the novelty for utility models and invention patents, and implement the procedure of publication before the decision of granting a utility model. The suggested changes would make frivolous use of potentially invalid patents less likely and is therefore appreciated.

Guidelines for Hearing Disputes over Rewards and Remunerations for the Inventors or Designers of Service Inventions.

In June 2013, Shanghai High People's Court has given some detailed guidelines on handling inventor rewards and remuneration disputes. The explanations give valuable clarifications on the practice of service inventions originating from China and their adoption on a national level would resolve many concerns of European businesses in the area of inventor remuneration.

Key Recommendations

Of all the key recommendations made by the IPR Working Group over the years, some are repeated more often than others. The systemic problem of requirements for notarisation and legalisation of powers of attorney and evidence from outside of China continues to be a burden on rights holders and needs to be reformed in order to improve the efficiency of the IPR adjudication process in China. The enforcement at trade fairs against repeat patent infringers and the *Technology Import Export Regulation* (the TIER) are also persistent difficulties, which are not discussed in detail again.

1. Trademarks

1.1 Reconsider Procedures for Recognition of the Well-known Trademarks

Concern

Foreign trademarks encounter huge difficulties when they apply to be officially recognised as well-known by the State Administration for Industry and Commerce (SAIC). The percentage of recognition between Chinese and foreign trademarks recognised as well-known



(approximately 99/1) does not reflect the reality of the market and it is unfair to foreign trademark holders.

Assessment

Because of their reputation, successful trademarks are primary targets for infringers, hence their need for 'special' protection. The 'well-known trademark' concept, which is a legal concept, aims at providing an exception to the general rule, and allows a well-known trademark to obtain protection against infringers even if it is not registered or where the use of the infringing mark, although not likely to cause actual confusion, is likely to dilute the message of the well-known trademark.

Unfortunately, in China, the purpose of this legal concept has been misinterpreted. Instead of being a defence tool, it has become a title that trademark owners thrive to obtain in order to boost the promotion of their products. This tendency is confirmed by the periodic publication of the list of well-known trademarks recognized by the SAIC which reveals that several hundreds of domestically-owned trademarks are so recognized each year while only 1 per cent belongs to foreigners. It is as if, in the view of the SAIC, the recognition process was used as a means to support and promote domestic brands.

The Working Group believes that there is a fundamental misinterpretation of the law: the more a brand is known, the more it needs protection. It should not be more difficult for foreign companies to be recognised as a well known-trademark by the SAIC. There should be no competition between Chinese and foreign-owned trademarks, and each case should be examined on its merits only.

The IPR Working Group estimates that the concept of well-known trademark needs to be redefined and reassessed.

Recommendation

- Reconsider the purpose of recognising well-known trademarks, discontinue the periodic publication of the trademarks recognised as well-known by the Trademark Office, under the State Administration for the Industry and Commerce and establish a level playing field between Chinese and foreign-owned trademarks.

1.2 Prevent Serial Trademark Squatting

Concern

The *Trademark Law* is sometimes misused as a tool to make money. Cases are reported about individuals filing large numbers of trademark oppositions or a large number of pre-emptive trademark applications, for the mere purpose of extorting money from the trademark applicant or legitimate trademark user, in exchange for withdrawal of the opposition or transfer of the application.

Assessment

The IPR Working Group understands that, in its latest state, the draft of the revised *Trademark Law* intends to deal with situations of bad faith:

- Opposition procedures will be open only for the owner of a prior right (which addresses the issue of 'bad faith oppositions').
- Article 9 introduces a general principle of 'good faith'.
- Article 15 offers specific illustrating cases of bad faith applications, which should facilitate the defence against trademark pirates.

However, nothing is expressly provided in the *Trademark Law* to deal with the multi-filings of trademarks, by individuals or companies who travel abroad, visit trade fairs, check the brands and names that are in use, verify if such names are already filed in China, and if not, take the initiative of pre-emptively filing .

The act of filing a large number of trademarks is not illegal as such, even if the applicant does not justify that it has the means of production relating to the goods covered by the application. However, it is a circumstance that may indicate the occurrence of bad faith.

Recommendation

- Consider inserting in the revised *Implementing Rules of the Trademark Law* a provision describing the filing of a large number of trademarks, as a circumstance that may indicate the occurrence of bad faith.

1.3 Reconsider Procedures to Manage Conflict between Two Registered Trademarks

Concern

According to the principle established in the SPC's





Provisions on Issues Concerned in the Trial of Cases of Civil Disputes over the Conflict Between Registered Trademark or Enterprise Name with Prior Right (18 February 2008), when a trademark is registered, it is not possible for the owner of a pre-existing registered trademark to start a civil infringement litigation against the use of such registered trademark. The court shall not accept the case until the targeted trademark has been cancelled. However, the owner of a copyright, of a design patent, of an enterprise name right or of a well-known trademark are not affected by this restriction.

Assessment

The explanation behind this rule seems to be that, according to the SPC, the registrant is granted two rights: the “right to use” the registered sign and the “right to prevent others from using” the same sign. According to the SPC, the “right to use” means a prior trademark owner needs to cancel the “right to use” of the allegedly infringing trademark before being allowed to start a civil litigation process. This opinion of the SPC is incompatible with the fact that owners of other prior rights, such as copyright, design, trade name and the owner of a well-known trademark, are allowed to initiate directly a civil action against an infringing registered trademark, without having to obtain the cancellation first. This contradiction reveals the flaw in the SPC’s conception: the registration of a trademark does not grant a right to use but only grants the “right to prevent others” from using the sign. Therefore, if a registered trademark infringes a prior right, regardless of whether it is an ordinary trademark, a well-known trademark or another type of right, it should always be subject to civil litigation.

This misconception becomes of particular concern in view of the proposed modification of the *Trademark Law*, in article 35, which provides for the immediate registration of the opposed trademark in case an opposition is rejected. This modification has raised concerns because:

- No enforcement is possible until cancellation is obtained;
- The cancellation procedure may last many years;
- The opposed trademark has time to develop freely;
- The SPC’s recommendation¹ is to rule in favour of the second trademark once it is successfully

established in the market.

Recommendation

- Allow a trademark holder to launch civil litigation against the use of an allegedly-infringing, subsequently-registered trademark even if the trademark of the plaintiff is not a well-known trademark.
- Reconsider the modification in the opposition procedure proposed in the draft *Trademark Law*, and maintain the entire set of administrative and judicial reviews for each party following the decision of the Trademark Office on an opposition.

2. Patents

2.1 Revise the Draft Service Invention Remuneration Regulations to Prevent Hampering of Innovation

Concern

The current draft *Regulation on Service Inventions* (draft regulation) introduces new obligations on employers that require them to set up contractual arrangements to reward employees for innovation, but severely restricts the scope within which it can be done.

Assessment

The draft *Regulation on Service Inventions* was published on 12th November, 2012. The draft regulation intends to create better clarity on the obligations and rights of employers and employees with regard to the legal requirement of employers to carry out rewards and remunerations for service inventions by employees. However, in doing so, the draft regulation introduces many new obligations and risks for the employers which might create an unfavourable environment for Research and Development (R&D) investments in China.

As mentioned in the previous IPR Working Group’s Position Papers the Article 16 of the *Patent Law* requires the employer to pay to the employee (i.e., the inventor) a service invention reward and a reasonable remuneration. The draft has been viewed as having both positive and less positive elements. both positive and less positive elements.

On a positive note: Articles 77 and 78 of the *Implementing Regulations* to the Patent Law allows companies to establish their own internal policies in line with the specific industry needs for rewarding

¹ The Supreme People’s Court Opinions on How to Deal Intellectual Property Disputes to Further Serve the Socialist Core and Self-Development and Balanced Economic Growth, issued on 16 December 2011.



and motivating its employees and how to enter into individual agreements with them. These Articles were in general found to be very supportive for research-based companies.

On a less positive note: Article 19 of the draft regulation allows the possibility for the invalidation of such company reward policies and individual agreements (by court ruling, for example) if there is non-compliance with the other articles in the draft regulation.

The IPR Working Group is concerned about the possible broader consequences if company policies and agreements are indeed invalidated and the potential increased exposure they could face. For example, if a company that has already entered into an individual agreement and paid a remuneration benefit to an inventor based on reasonable industry standards/practices, and that agreement has been found to be non-compliant with other articles in the draft, the employee could then ask for additional compensation beyond what was agreed in the now invalidated agreement.

If an opportunity to challenge a well-established company practice is given, it sends out a message that investment in R&D in China is highly risky due to legal uncertainty of inventors' claims. The IPR Working Group believes that such a risk would seriously hamper local innovation based on foreign R&D investments.

Therefore, it is recommended that a company remuneration policy or individual agreement should only be potentially declared invalid in an exceptional case and if it can be shown that such policy or individual agreement was established with an intent to significantly eliminate inventor rights.

Besides the invalidation issue, the IPR Working Group indicates that the draft regulation also creates more areas of concern:

Firstly, it introduces the requirement to remunerate the creator of confidential know-how not covered by any IPR of its employer and used by the employer (Article 25). While such provision intends to safeguard inventors' rights in case a company decides to keep its innovation as a trade secret and not file for patent rights, it requires a clarification that only patentable innovations need to be remunerated and a process to determine patentability in cases of disputes. In absence

of such clarification, companies can be the repeated target of remuneration claims of its current and former employees in China. Secondly, it is noted that the draft regulation introduces a great number of obligations (e.g., the obligation to offer abandoned patent rights to the inventor, the obligation to discuss a first right-of-refusal with inventors in case of transfer of the IP to third parties, etc.) which create high administrative burdens.

According to the IPR Working Group member companies' experience, such obligations would very rarely be utilized and can therefore not contribute to enhanced commercialisation of innovations. Similar provisions in other jurisdictions (e.g., in Germany) are continuously waived by inventors and never gained any relevance.

Recommendation

- Amend the *Regulation on Service Invention* of 12th November, 2012 to clearly state that (i) employers and employee-inventors shall be free, at their own discretion, to enter into an individual agreement regarding the remuneration of inventions or to apply a lawfully-established company remuneration policy for the inventions, at any time, and without being subject to a potential invalidation for not fulfilling regulatory restrictions or obligations, and (ii) the restrictions and obligations provided in the Regulation shall only apply in the absence of individual agreement or in the absence of the company remuneration policy or exceptional cases of company misconduct.

3. Issue a Regulation Providing a Delisting System for E-commerce

Concern

Fighting against the sale of counterfeit products on the internet is extremely difficult due to the passive attitude of most internet service providers (ISPs).

Assessment

The IPR Working Group welcomed the decision in the famous "E-land" case (2010) in which the Shanghai High Court laid down strong principles defining the liability of the ISP. This case, however, remains isolated. The recent attempt of the Beijing High Court to clarify the matter contains interesting precisions, but fails to address the essential issues.





For sellers of counterfeit products, trading on the Internet is safe mostly because of the difficulty to locate the infringer. Internet service providers that provide cyberspace to the infringers may legally refuse to disclose their whereabouts. Furthermore, ISPs argue that they have no possibility to know whether a product offered for sale on their network is authentic or fake. They set up their own conditions for accepting a takedown notice sent by right holders concerning offers for sale made by online sellers. In practice, such conditions may lead to a quasi-impossibility for a right holder to effectively monitor the sale of fakes on such Internet platforms.

Given the overwhelming number of offers, it is necessary to radically modify the manner in which the counterfeit products sold on the internet are handled. The method stipulated by the State Council's Regulation on the Protection of the right of Communication Through *Information Network* (July 1st 2006) is a good example: immediate and automatic take down, followed – in case the online seller disagrees – by a direct confrontation between the right holder and the online seller (whose whereabouts should, then, be disclosed).

Additional rules stipulated by the SPC in 2010 and 2012, by the *Tort Law* (2009, article 36), by the SAIC *Rules on E-Commerce* (July 2010) and by the Beijing *High Court Clarification* (2012) deal with circumstances where the liability of ISP could be found and sanctioned. The Working Group is convinced, however, that in most cases where fake products are sold on the Internet, notwithstanding the importance and validity of these rules regarding the liability of the ISP, the most efficient method would be to follow the rules established in 2006 by the State Council for the protection of copyright on the Internet.

Recommendation

- Consider issuing a regulation providing for the same automatic delisting system as in the Regulation on the Protection of the Right of Communication Through Information Network (July 1st, 2006).

4. Issue a Regulation about Trademark Usage in Original Equipment Manufacturing

Concern

An increasing number of People's Courts decisions

state that where infringing goods are manufactured in an Original Equipment Manufacturing (OEM) context and are exported, they shall not be considered as trademark infringements since they are not offered for sale in China.

Assessment

Since the financial crisis of 2008, the People's Court have developed a theory according to which when goods are manufactured in China and are exported, even if the trademark affixed on the goods infringes upon the trademark right of a third party, the fact that the goods are not offered for sale in China leads to a decision of non-infringement. This reasoning undermines the efforts of the General Administration of Customs in controlling the flow of infringing goods exported outside of China.

Furthermore, the reasoning seems to be in contradiction with Article 51 of TRIPS, which provides the possibility for Members States to control the flow of infringing goods when they are exported. This means that the General Administration of Customs has the power to stop goods at the border from being exported if the act of manufacturing such goods in China constitutes by itself an act of infringement. Whether the goods are to be sold in China or are to be exported is irrelevant to the existence of the infringement. Therefore, if People's Courts decide that exporting is sufficient to erase the very existence of an infringement, Customs will have no power to control the outbound flow of goods.

However, there may be circumstances where a foreign party finds itself unable to register its trademark in China because of a prior registration, but wishes however to have its own goods manufactured in China and exported to the country where it owns its own trademark registration. An exception could be made in such case.

Recommendation

- Consider issuing a regulation clarifying the issue of OEM, stipulating that, except when the purchaser of the exported goods owns the relevant trademark in the country of destination, the use of trademark on exported goods without the consent of the owner of the trademark in China is an act of infringement.





European Chamber
中国欧盟商会

Abbreviations

CTMO	China Trademark Office	SC	State Council
IP	Intellectual Property	SCLAO	State Council Legislative Affairs Office
IPR	Intellectual Property Right(s)	SIPO	State Intellectual Property Office
ISP	Internet Service Provider	SPC	Supreme People's Court
NCAC	National Copyright Administration of China	TPMs	Technological Protection Measures Board
OEM	Original Equipment Manufacturing	TRAB	Trademark Review and Adjudication Board
R&D	Research and Development	TRIPS	Agreement on Trade-Related Aspects of Intellectual Property Rights
SAIC	State Administration of Industry and Commerce		

