Chinese IP laws are unsophisticated
- China acceded to the World Trade Organisation in 2001 and overhauled its IP laws to bring them into line with WTO requirements.

The IP rights in China are of poor quality
- Knowledge of intellectual property protection has grown since China's accession to the World Trade Organization in 2001, enabling it to develop and strengthen its intellectual property rights.

IP Laws and poor enforcement favour domestic interests
- There is no bias in the laws or the judicial system. China Customs has had friendly exchanges with the customs services of 129 countries and regions, has signed 138 bilateral cooperation instruments, and has been involved in regional customs cooperation.

Foreign parties cannot access the enforcement system
- The cost of IP litigation is already low by international standards but by enforcing your IP rights through administrative action, you save even more costs.

What can you do if your intellectual property has been infringed?
- If you have been a victim of intellectual property theft, you can take the following four types of action:
  1. ADMINISTRATIVE ACTIONS
  2. CIVIL LITIGATION
  3. CRIMINAL SANCTIONS
  4. CUSTOMS

What are Intellectual Property rights?
- Intellectual Property Rights are legally enforceable rights over the use of inventions or other creative works. They confer a right to exclude others from their use. This includes patents and utility models, industrial designs, trade marks, geographical indications and copyrights.

The country where the most amount of detained suspected IPR infringing goods comes from still remains China
- The country where the most amount of detained suspected IPR infringing goods comes from still remains China.

What size of Market is China?
- Mainland China is the EU's second largest trading partner, after the USA.
- The EU is China's largest trading partner.

Intelectual Property Landscape in China
- Copyrights, Design Rights, Trade Marks, Patents and Trade Secrets in China.

REGISTER YOUR INTELLECTUAL PROPERTY RIGHTS.
- Unless you have registered your rights you have very few options to defend your rights in China.

Be vigilant.
- Be vigilant. Patrol trade fairs and surf the various b2b and b2c websites (such as Alibaba and Taobao) on the lookout for infringing articles.

Enforce your rights.
- When you identify infringements, enforce your rights. If you build a reputation for being litigious then companies will be less likely to infringe your rights in future.

Speak to an expert.
- • IP laws are territorial, meaning that IP is enforceable in China only upon valid domestic registration.
  • China applies a ‘first-to-file’ system for IP registrations meaning that the party that first registers a creation will hold those rights, rather than the party that first uses it.
  • Chinese enforcement bodies generally require extensive evidence of creation, use and ownership of your IP, such as certificates, receipts, photos, designs, and contracts, to deal with cases most effectively.

Still confused by intellectual property rights in China, or want to know more about our services?
- Please don’t hesitate to contact us at: question@china-iprhelpdesk.eu

What would you like to know more about our services?
- Administrative actions
- Civil litigation
- Criminal sanctions
- Customs

Top tips on how to prevent intellectual property theft.
- What can you do if your intellectual property has been infringed?
- Register your intellectual property rights.
- Unless you have registered your rights you have very few options to defend your rights in China.
- Be vigilant. Patrol trade fairs and surf the various b2b and b2c websites (such as Alibaba and Taobao) on the lookout for infringing articles.
- When you identify infringements, enforce your rights. If you build a reputation for being litigious then companies will be less likely to infringe your rights in future.

IP Watch Eyes
- If you are looking to expand your business to China, we wish you the best of luck.
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  • China applies a ‘first-to-file’ system for IP registrations meaning that the party that first registers a creation will hold those rights, rather than the party that first uses it.
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