



A project funded by the European Union



[www.china-iprhelpdesk.eu](http://www.china-iprhelpdesk.eu)

# HELPDESK UPDATE

## Issue 3 - Focus on Copyright

### About Copyright in China

Understanding how Copyright works in China

### Registering your Rights

How to register your copyright in China

### Helpdesk News

Helpdesk online portal relaunched

## About Copyright in China

### What is a copyright?

A copyright protects intangible 'works' from being reproduced without the express permission of the copyright holder. A work can comprise any original intellectual creation in the fields of literature, art or science that can be reproduced in a tangible form. Works that can be copyrighted include, but are not limited to:

- ◆ Written works
- ◆ Oral works
- ◆ Musical works
- ◆ Photographic and cinematographic works
- ◆ Artistic and architectural works
- ◆ Graphic works
- ◆ Computer software

Other works that are often overlooked as being protected by copyright include incidental materials such as product brochures and websites. It is important to note that it is the reproduction of a work in tangible form that is protected by copyright. Ideas themselves are not protected.

### What protection does copyright provide?

Copyright protects the right to publish, the right to be attributed as author, the right to revise the work and the right to protect the integrity of the work as well as the right to reproduce, perform, broadcast or distribute the work.

This protection lasts for 50 years in China where the copyright holder is a legal entity. If the holder is a person, protection of the right to reproduce, perform, broadcast or distribute the work lasts for 50 years after the death of the copyright owner.

### How do I copyright my work?

Any works published in China by a Chinese or foreign entity is automatically protected by Chinese Copyright law. Any work published outside of China is also protected if it is published in, or the author is a national of a country which is a signatory to an international copyright convention with China, such as the Berne Convention or Universal Copyright Convention. It is important to note that, in addition, China allows copyright holders to register their copyright with the Copyright Protection Center of China.

### Why register my copyright in China?

As authors are protected by law in China once they publish a work, there is no compulsory need to register the right in order to obtain protection. There is a benefit to choosing to register, which is that it serves as proof of ownership of a copyright in case of infringement. Helpdesk experts state that in their experience it is worth registering copyright, as in the event of infringement or litigation, time and money can be saved if registration, and therefore ownership, can be proven.



If you have an IPR issue, or any questions about IPR in China, please contact: [enquiries@china-iprhelpdesk.eu](mailto:enquiries@china-iprhelpdesk.eu)

## Registering Your Rights

### How do I register my copyright?

Registration is done with the State Copyright Bureau, which handles registration for overseas authors or copyright owners. Registration is a relatively simple process. The following documents are required:

- ◆ Application forms
- ◆ Identity certificate of the applicant
- ◆ Description of the work
- ◆ A pledge letter of right
- ◆ A sample of the work and any documents showing the copyright (if agreements have been made)

### Costs and Time

The State Copyright Bureau will complete the examination and issue the registration certificate within one month of receiving the application. Registration fees range from RMB 100 to RMB 1,000 for each registration. The amount of the fees depend on the nature of the work (song, written work, architectural work) and whether it is requested by an individual or a legal entity. For instance, registration fees for a song will be approximately RMB 100 while it would be up to RMB 200 for a company. Furthermore, it depends also on the length of the work; registration of a whole book is more expensive than just a poem.

For further information on registering your copyright, visit the Helpdesk Solutions Centre at:  
[www.china-iprhelpdesk.eu](http://www.china-iprhelpdesk.eu)

## Helpdesk News

### Helpdesk website re-design

In January 2009, the Helpdesk re-designed its online portal to provide easier access to the Helpdesk online resources and business tools. The new site includes the Solution Centre, where the "dos and don'ts" of commonly encountered IPR issues are outlined; the Case Study Catalogue, where the IPR experience of other European SMEs in China is explained; and the 'ask a question' feature for any aspect of China IPR where a reply with will be supplied within 7 working days from Helpdesk experts.

### Helpdesk team management

On 6 March 2009, Helpdesk Manager Camilla Underhill Ojansivu will begin 6 months of maternity leave. Taking on her responsibilities for the duration of her leave will be Alex Bell and Dr. Ioana Kraft, who will be responsible for managing Helpdesk enquiries and activities. We extend our best wishes to Camilla with the new addition to her family and welcome Alex and Ioana to the Helpdesk management team. Please address any China IPR enquiries to:

#### Alex Bell

Helpdesk Manager  
enquiries@china-iprhelpdesk.eu  
+86 (10) 6462 0892

## Upcoming Events

Following its great success last year, the IPEuropAware and China IPR SME Helpdesk Enforcement Roadshow will start its tour of Europe in March 2009. The roadshow will provide practical advice on enforcing your IPR in China. The training will be held in English with translation provided. The roadshow will visit the following cities:

- ◆ **Athens**      **23 March 2009**
- ◆ **Madrid**      **25 March 2009**
- ◆ **Helsinki**      **30 March 2009**
- ◆ **Tallinn**      **31 March 2009**

For information on all Helpdesk features and events, visit [www.china-iprhelpdesk.eu](http://www.china-iprhelpdesk.eu)