

# W&B IP Newsletter



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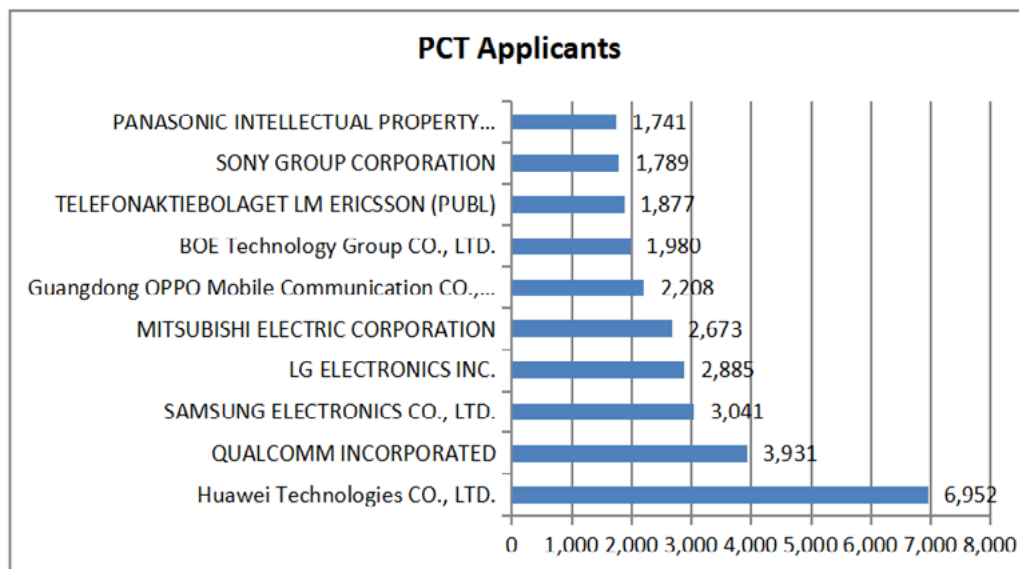
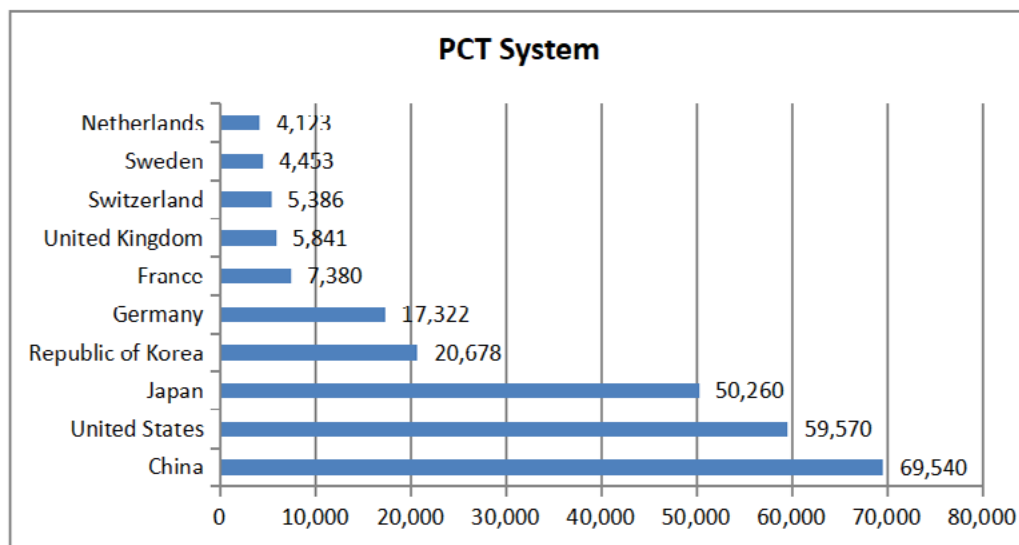
## Intellectual Property

### Innovative Activity Overcomes Pandemic Disruption - WIPO's Global Intellectual Property Filing Services Reach Record Levels

Innovative enterprises and individuals around the world overcame the disruptions of the COVID-19 pandemic in 2021 to drive WIPO's global intellectual property (IP) services for patents, trademarks and designs to record-setting levels.

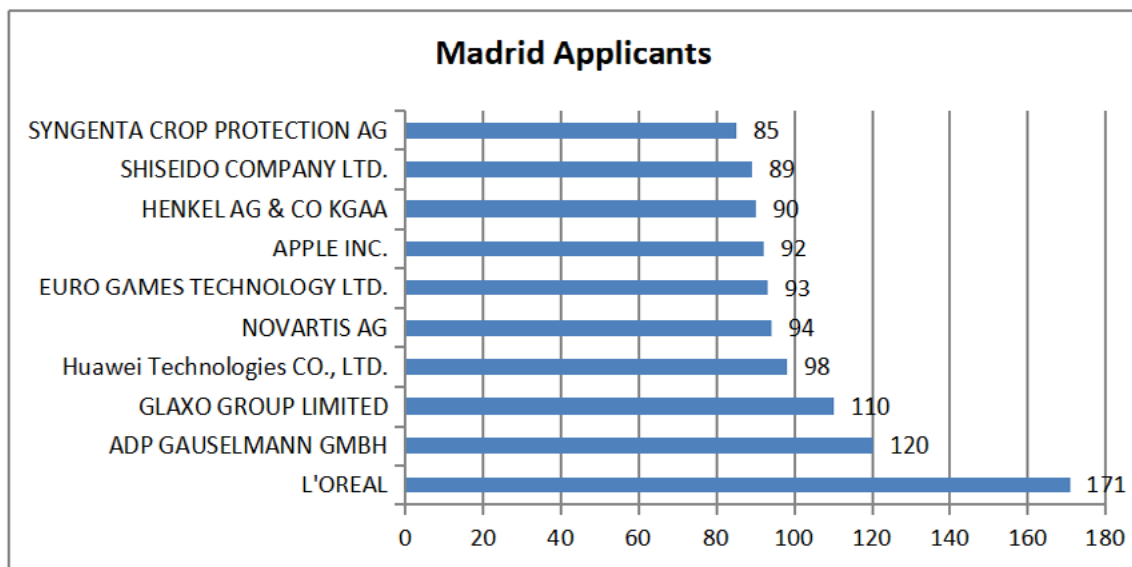
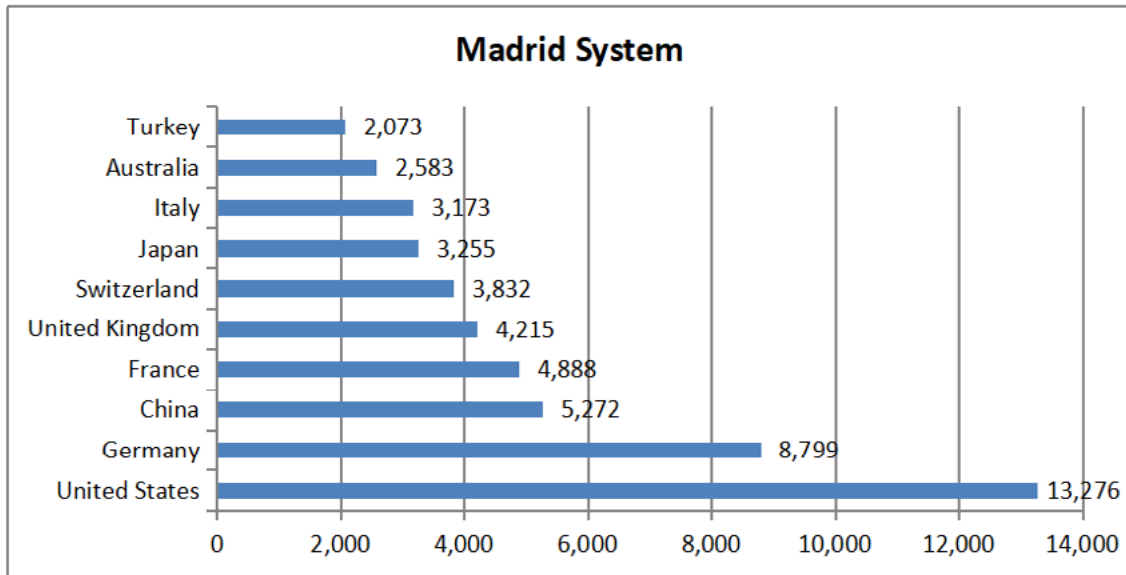
International patent applications filed via WIPO's Patent Cooperation Treaty (PCT), a widely used metric for measuring innovative activity, grew by 0.9% in 2021 to reach 277,500 applications – the highest-ever level. WIPO's global trademark (Madrid System for the International Registration of Marks) and design (Hague System for the International Registration of Industrial Designs) filing systems, used to protect and promote brands and the look and feel of products like mobile phones, each notched double-digit growth to mark new records as did WIPO's anti-cybersquatting and arbitration and mediation activities.

China (69,540 applications, +0.9% year-on-year growth) remained the largest user of the PCT in 2021. China-based telecoms giant Huawei Technologies, with 6,952 published PCT applications, was the top filer in 2021.



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China-based applicants (5,272) filed the third largest number of international trademark applications using WIPO's Madrid System in 2021. Huawei Technologies of China, with 98 Madrid applications, became the fourth top filer of international trademark applications in 2021.



For details please visit:

[https://www.wipo.int/pressroom/en/articles/2022/article\\_0002.html](https://www.wipo.int/pressroom/en/articles/2022/article_0002.html)

(Source: WIPO's official website; China National Copyright Administration)

## Intellectual Property

### Intellectual Property Tribunal of Supreme People's Court Publishes 2021 Annual Report

On February 28, the Intellectual Property Tribunal of Supreme People's Court published the *2021 Annual Report*.

The Annual Report released statistics on the numbers of cases accepted and concluded by the tribunal in 2021, the types of cases, the average trial periods and the ways of conclusion of the cases, as listed below in detail:

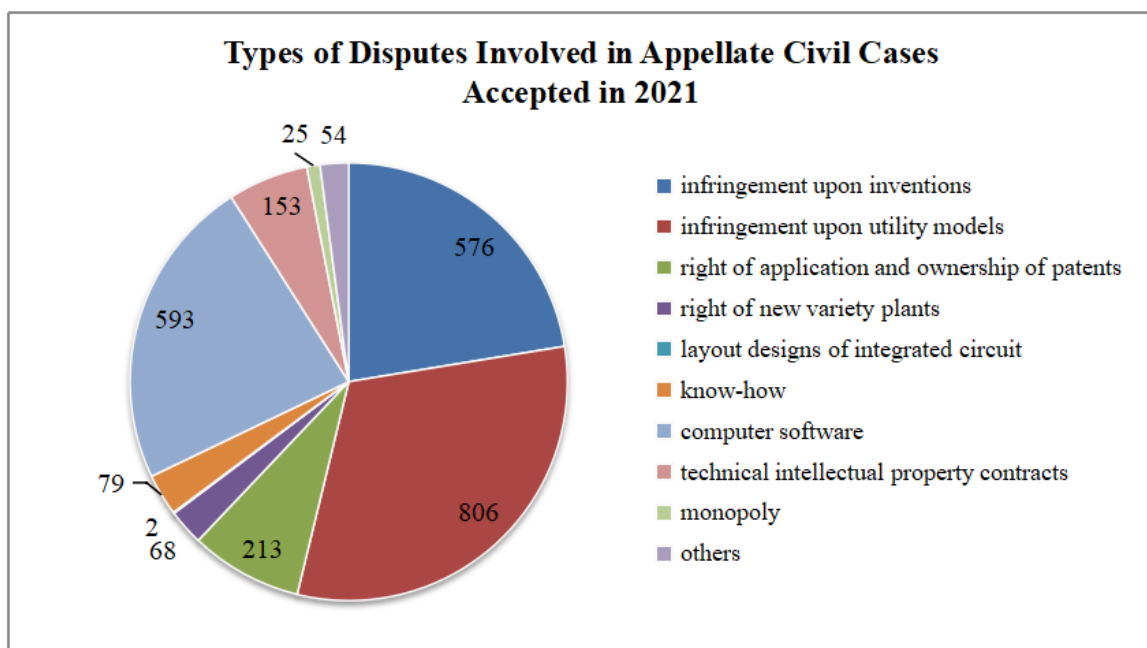
#### 1. Basic Statistics of the Cases

Statistics on Technology-related IP Cases and Monopoly Cases Accepted and Concluded in 2021			
	Year 2020	Year 2021	Growth Rate
Number of cases accepted	3177	4335	36.4%
Number of cases concluded	2787	3460	24.1%

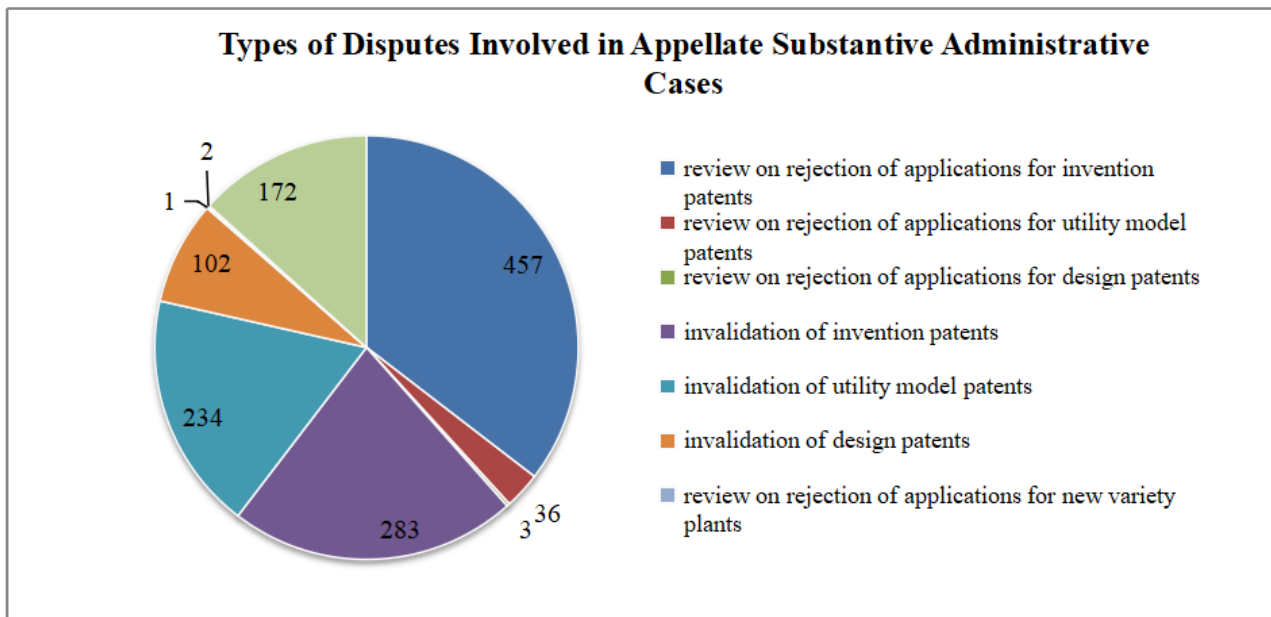
#### 2. Average Trial Period of the Cases

Statistics on Average Trial Period of Cases in 2021	
Type of Case	Average Trial Period (calendar day)
All types of cases	134
Appellate substantive civil cases	129.4
Appellate administrative cases	143.6

#### 3. Statistics on the Types of the Cases



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### 4. Statistics on Ways of Conclusion

Statistics on ways of conclusion of civil and administrative cases concluded in 2021		
Way of Conclusion	Number	Percentage
Trial judgment/ruling upheld	2272	65.7%
Withdrawal	509	14.7%
Mediation	198	5.7%
Remanded for a new trial or changed sentence	468	13.5%
Others	13	0.4
<b>Total</b>	<b>3460</b>	<b>100%</b>

Ways of conclusion of appellate substantive civil cases concluded in 2021		
Way of Conclusion	Number	Percentage
Trial judgment/ruling upheld	1004	49.6%
Withdrawal	440	21.7%
Mediation	198	9.8%
Remanded for a new trial or changed sentence	381	18.8%
Others	1	0.1%
<b>Total</b>	<b>2024</b>	<b>100%</b>

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Ways of conclusion of appellate administrative cases concluded in 2021		
Way of Conclusion	Number	Percentage
Trial judgment/ruling upheld	862	88.8%
Withdrawal	43	4.4%
Remanded for a new trial or changed sentence	64	6.6%
Others	2	0.2%
<b>Total</b>	<b>971</b>	<b>100%</b>

### 5.Cases Involving Foreign Factors, Hong Kong, Macau and/or Taiwan

Cases accepted in 2021 involving foreign factors, Hong Kong, Macau and/or Taiwan		
	Number	Percentage of total number of cases accepted in 2021
Involving foreign factors	382	8.8%
Involving Hong Kong, Macau and/or Taiwan	55	1.3%
<b>Total</b>	<b>437</b>	<b>10.1%</b>

(Source: Supreme People's Court)

### People's Procuratorates Indicted 14,000 Persons for the Crime of Infringing IP Rights in 2021

Recently, President of China's Supreme People's Procuratorate, Mr. Jun Zhang, made the Supreme People's Procuratorate's annual work report at the 5th Session of the 13th National People's Congress. According to the report, in 2021 the People's Procuratorates at all levels were dedicated to serve innovation development and continued to strengthen the punishments upon the crime of infringing IP rights – a total of 14,000 persons were indicted for the said crime, reaching an annual growth rate at 15.4%.

Also according to the report, in the year 2021, following the Supreme People's Procuratorate's initiative in setting up a special procuratorate office for IP rights, 20 provincial People's Procuratorates including those in Beijing, Hainan and Shaanxi Provinces, strengthened their performance of duties in terms of criminal, civil and administrative procuratorial work related to IP rights. A series of guideline cases were released. 121 persons were indicted for the crime of infringing trade secrets, equaling 2.4 times the number in 2020. The Supreme People's Procuratorate worked with the National Copyright Administration and handled 60 major piracy and copyright infringement cases. The Supreme People's Procuratorate also handled 544 cases supervising IP-related civil and administrative proceedings, which number equaled 4.1 times the number of 2020.

(Source: Democracy and Law Times)