

**Sixteenth Meeting of Guangdong/Hong Kong Expert Group on  
the Protection of Intellectual Property Rights (IPRs)**

**Progress of Guangdong/Hong Kong Exchanges and Co-operation on  
Intellectual Property (IP)**

**1. Strengthening the mechanism for Guangdong/Hong Kong IP co-operation items**

Guangdong and Hong Kong continued to improve the working mechanism of the Guangdong/Hong Kong Expert Group on the Protection of IPRs, with a view to deepening co-operation on IP items between the two places. To strengthen co-operation in cross-boundary protection of IP, the Guangdong Sub-Administration of China Customs (Guangdong Customs), the Guangdong Provincial Public Security Department (GDPSD) and the Hong Kong Customs and Excise Department (Hong Kong Customs) took the lead in continuing to combat IP cross boundary infringements through various co-ordination mechanism, including exchange of information, sharing of information resources, joint operations and project co-operation. Members of the Guangdong/Hong Kong Expert Group on the Protection of IPRs made concerted efforts to actively promote IP creation and exploitation as well as the development of IP trading in the two places. They also implemented 24 co-operation items in co-operation areas such as IP trading, exchanges and discussions, guidance service, publicity and education, and high-end IP service industry. Among these items, six were new ones, namely Items (3), (4), (5), (10), (14) and (16), which can open up the realm of co-operation.

**2. Refining the mechanism for exchange of IP information and collaboration in investigation of IP-related cases between Guangdong and Hong Kong**

During the period between July 2016 and June 2017, the IP law enforcement agencies in Guangdong and Hong Kong made proactive efforts to refine the collaboration mechanism for IP law enforcement and IP-related cases.

The Hong Kong Customs and the Guangdong Customs exchanged information on infringement investigation on a monthly basis and provide real time information exchange on major cases. From July 2016 to June 2017, they exchanged a total of 78 pieces of information of various sorts and jointly conducted parallel task-based enforcement operations on IP protection in the focus areas agreed upon by both sides to combat the smuggling of infringing articles in the two places.

The Hong Kong Customs continued to co-operate with the Economic Crime Investigation Bureau of the GDPD in exchanging information on the trend of cross-boundary infringements and exploring ways of co-operation between the two places on IP infringement cases. From July 2016 to June 2017, the two sides exchanged 12 pieces of information through real-time exchange of information and collaboration in investigations. On 1 March 2017, officers of the Intellectual Property Investigation Bureau of the Hong Kong Customs visited Guangzhou to meet with officers of the Economic Crime Investigation Bureau of the GDPD. They conducted exchanges and agreed upon an intent of co-operation in areas including enhancement of information exchange between the two sides, project co-operation and refinement of the mechanism for collaboration in investigation of IP-related cases.

The Hong Kong Customs and the Guangdong Province Administration for Industry and Commerce (GDAIC) also kept themselves abreast of the latest developments in cross-boundary trademark infringements through regular exchange of information. From July 2016 to June 2017, the Hong Kong Customs provided a total of 12 pieces of information to the GDAIC.

**3. Refining the Guangdong/Hong Kong collaboration mechanism for trademark law enforcement**

The Hong Kong Customs and the GDAIC continued to strengthen collaboration between the two places in trademark law enforcement by refining the mechanism for exchange of leads and information, with a view to effectively combating cross-boundary trademark infringements and increasing the level of trademark protection in the two places.

**4. Refining the Guangdong/Hong Kong collaboration mechanism for copyright-related cases**

The Hong Kong Customs and the Administration of Copyright of Guangdong Province (GDAC) continued to work together to combat cross-boundary piracy and infringement activities in the two places by refining the Guangdong/Hong Kong collaboration mechanism for copyright-related cases and enhancing the efficiency of information and data exchange between both sides.

**5. Further enhancing co-operation between the customs authorities of Guangdong and Hong Kong in the exchange of information on cross-boundary infringements**

Under the mechanism of dedicated liaison officers and regular meetings for exchange of IP information and close co-operation established by the Hong Kong Customs and the Guangdong Customs, they continued to refine the enforcement and case co-operation mechanism. The latest developments in infringements were reviewed and analysed, and major risks and the key areas for co-operation in information exchange between the customs authorities of the two places were identified, with a view to launching targeted actions against infringement activities.

## **6. Continuing the conduct of joint enforcement operations**

During the period between July 2016 and June 2017, the Hong Kong Customs and the Guangdong Customs organised and launched a number of joint enforcement operations against cross-boundary infringements in the focus areas and achieved impressive results. Among these operations, four were organised and co-ordinated by the Guangdong Customs, during which joint enforcement operations were conducted by the customs authorities in Guangdong Province and the Hong Kong Customs to specifically combat the smuggling of infringing goods through major boundary crossings in Guangdong into Hong Kong or through Hong Kong to key destinations including the United States, Latin American countries and countries along the Belt and Road, as well as infringing goods relating to the Rio 2016 Olympic Games. During the four operations, the Hong Kong side detected 14 cases involving around 100 000 items of infringing goods valued at about HK\$13,880,000 while the Guangdong side seized around 600 000 items of infringing articles.

The Hong Kong Customs and the Economic Crime Investigation Bureau of the GDPD launched a joint operation namely “Thundercracker Operation” in the two places in April 2017 on a case of suspicious cross boundary infringement of branded phones and computer battery. With series of investigation and exchange of information, the two sides successfully smashed the infringement activities by the syndicate on 2 June 2017.

## **7. Exploring new modes of co-operation between the customs authorities of Guangdong and Hong Kong on law enforcement against infringement and illegal activities conducted through the postal express means**

The customs authorities of Guangdong and Hong Kong continued to enhance co-operation on law enforcement against infringement activities conducted via express mail. Both sides agreed to draw up risk indicators for cross-boundary infringement cases involving express mail, and the cases will be referred to the other side for follow-up investigation. Meanwhile, the two sides continued to explore ways of

co-operation with the Guangdong provincial postal authorities in combating such infringement activities.

## **8. Promoting the development of IP trading in Guangdong and Hong Kong**

Both Guangdong and Hong Kong made proactive efforts to promote the development of IP trading, which included continuing to enrich information on IP trading in the “Intellectual Property Database for Guangdong, Hong Kong and Macao” and on the website for members of the Guangdong/Hong Kong Expert Group on the Protection of IPRs; and encouraging community organisations, industry associations and enterprises of the two places to initiate exchanges and co-operation in IP trading by organising and supporting seminars on IP trading.

In December 2016, the Intellectual Property Department of Hong Kong (HKIPD) continued to support the Business of IP Asia Forum jointly organised by the Government of the Hong Kong Administrative Region, the Hong Kong Trade Development Council (HKTDC) and the Hong Kong Design Centre, which aimed to encourage transformation and upgrade of enterprises and to enhance their competitiveness through IP trading. HKIPD invited member authorities and enterprises of the Guangdong side to register for participation in the forum, with a view to promoting the development of IP trading in Guangdong and Hong Kong. Over 2,400 IP practitioners and experts from 37 countries and area attended the forum this year. There was also a thematic plenary on the Belt and Road to assist enterprises in grasping the opportunities in IP arise from the Belt and Road Initiatives.

## **9. Initiating copyright trading and exchanges between enterprises of the copyright industries in Guangdong and Hong Kong**

In May 2017, a delegation comprising 23 enterprise representatives from the animation, toy industry and folk art sectors in Guangdong, led by the Copyright Bureau of Guangdong Province (GDCB), visited Hong Kong to take part in a copyright industry exchange programme under the theme of “Copyright Management and Copyright Trading”. Activities under the programme included visits to the InnoCentre, The Hong Kong Heritage Museum, Radio Television Hong Kong and Hong Kong Customs, and exchanges with representatives from the copyright industry of Hong Kong. The exchange programme deepened both sides’ understanding of copyright management and trading development trend in the two places.

**10. Participating in the 8<sup>th</sup> China International Animation Copyright Fair to promote copyright exchanges between Guangdong and Hong Kong**

In August 2016, the HKIPD, together with representatives from the copyright industry of Hong Kong, attended the 8<sup>th</sup> China International Animation Copyright Fair organised by the GDCB and visited the Dongguan Songshan Lake Science and Technology Industrial Park and Dongguan Wonderful Ceramics Co. Ltd., with a view to understanding the latest development of the copyright industry in the Guangdong Province, enhancing exchanges between the two places on copyright issues and promoting co-operation between the copyright industries.

**11. Organising the “Guangdong/Hong Kong Seminar on IP and the Development of Small and Medium Enterprises (SMEs)”**

In June 2017, the “Guangdong/Hong Kong Seminar on IP and the Development of SMEs (Dongguan)”, jointly organised by the two sides under the theme of “Intellectual Property and Competitiveness of Enterprises”, was held in Dongguan. IP and legal experts from Guangdong and Hong Kong discussed issues on IP protection, IP audit and due diligence, IP management strategies for enterprise, and overseas IP protection and exploitation at the seminar. It aimed to assist enterprises in enhancing their competitiveness to grasp the opportunities offered by the Belt and Road Initiative and the development of “Guangdong-Hong Kong-Macau Bay Area”. About 240 participants from member authorities of the Guangdong/Hong Kong Expert Group on the Protection of IPRs, supporting organisations as well as enterprises, intermediaries and associations in Dongguan, Guangdong and Hong Kong attended the seminar.

**12. Strengthening Guangdong/Hong Kong co-operation in IP in the area of e-commerce**

On 16 December 2016, the HKIPD, together with representatives from the Hong Kong Customs and the Hong Kong Electronic Commerce Association, went to Guangzhou to visit Vipshop Holdings Limited, and conducted exchanges on strengthening cross-boundary IP protection in e-commerce and combating IP infringement with representatives from e-commerce enterprises in the Mainland to promote the development of e-commerce in the two places.

**13. Organising exchange activities between the law enforcement agencies of Guangdong and Hong Kong**

In October 2016, Hong Kong Customs invited representatives from the National Copyright Administration of the People's Republic of China and GDPSD to attend the "Mainland-Hong Kong IP Enforcement Talk" in Hong Kong and to introduce the IP protection and IP law enforcement of public security authorities in Guangdong Province, in order to strengthen the protection of copyright work and branded products in Mainland and Hong Kong, and to enhance Hong Kong industry's understanding on law enforcement agencies in Mainland.

Between 28 February and 1 March 2017, officers of the Intellectual Property Investigation Bureau of the Hong Kong Customs visited Guangzhou to engage in exchange activities on co-operation in IP protection. They went to the business site of the Customs Administration of Laogang, Huangpu for work-related exchanges, and held a focused meeting with officials from the Regulation Division of the Guangdong Customs on co-operation in IP protection between the customs authorities of Guangdong and Hong Kong. The two sides reviewed the achievements of co-operation in 2016 and made plans for IP protection co-operation in 2017.

**14. Enhancing trademark-related exchange activities between Guangdong and Hong Kong**

In June 2017, the GDAIC and the HKIPD jointly organised trademark-related exchange activities under the theme of "Overseas Registration and Protection of Trademarks". The GDAIC led a delegation of representatives from trademark industry associations and enterprises in Guangdong to Hong Kong for exchanges. The delegation visited the Hong Kong Customs and a Hong Kong law firm as arranged by the Hong Kong Institute of Trade Mark Practitioners. They also met with representatives of a Hong Kong enterprise to exchange on prevention and strategies against and response to malicious trademark registrations in foreign countries as well as the management, protection and trading of trademarks. Such activities has broadened co-operation between the trademark industries in Guangdong and Hong Kong.

**15. Organising exchange programmes on copyright knowledge and copyright protection for secondary school students in Guangdong and Hong Kong**

The GDCB, the Hong Kong Customs and the HKIPD jointly organised the "Exchange Programme on Copyright Knowledge and Copyright Protection for

Guangdong/Hong Kong Secondary School Students”. In April 2017, a Hong Kong delegation of 16 youth representatives led by the Hong Kong Customs joined an exchange programme in Guangdong. They visited the Zhongshan Municipal Copyright Bureau and organisations in the IP sector to gain a better understanding of IP protection in the Mainland. In May 2017, a total of 26 representatives from the GDCB, the Zhongshan Municipal Copyright Bureau and teachers and students of Zhongshan Overseas Chinese Secondary School went to Hong Kong for exchanges. They visited the Hong Kong Customs and learned about the Department’s enforcement actions and its efforts in combating IP infringements. Moreover, representatives of the HKIPD briefed the delegation on the IP protection regime of Hong Kong and invited representatives of the copyright industry to have exchanges with the students. The exchange activities have instilled in the young people of the two places a good value for respecting IPRs.

**16. Supporting the 6<sup>th</sup> China International Copyright Expo Forum on Exchange and Co-operation in Copyright Protection between Guangdong and Hong Kong**

In December 2016, officers of the HKIPD and the Hong Kong Customs went to Guangzhou to attend the 6<sup>th</sup> China International Copyright Expo Forum on Exchange and Co-operation in Copyright Protection among Guangdong, Hong Kong and Macao. Under the theme of “Protecting Copyright, Promoting Innovation”, representatives from the IP authorities, industry and enterprises in Guangdong, Hong Kong and Macao exchanged experience and explored practices in copyright protection, management, exploitation, publicity and promotion in the three places, which helped promote copyright co-operation and development in the three places.

**17. Assisting Hong Kong residents in sitting for the National Qualification Examination for Patent Agents**

The National Qualification Examination for Patent Agents 2016 was held in 27 cities simultaneously across the country in November 2016. The two sides actively assisted Hong Kong residents in sitting for the examination and provided information on examination registration, requirements, pre-examination training, etc. In 2016, a total of 32 Hong Kong candidates registered for the examination in Guangdong and five of them passed it. Since 2004, a total of 56 Hong Kong

residents have passed the examination and 18 of them are practising in the Mainland.

**18. Encouraging enterprises to implement the National Standard of “Enterprise Intellectual Property Management Specification” and participate in the “IP Manager Scheme”**

The HKIPD continued to promote the the National Standard of “Enterprise Intellectual Property Management Specification” and related training information to the IP industry in Hong Kong, and publicised such information on its website and through exhibitions staged in Hong Kong to encourage implementation of the said standard by Hong Kong-invested enterprises in Guangdong. The Guangdong Intellectual Property Office (GDIPO) distributed leaflets at IP seminars held in the province to encourage Guangdong-invested enterprises in Hong Kong to participate in the “IP Manager Scheme” and associated training courses and workshops related to IP management organised by HKIPD.

**19. Continuing to support Hong Kong-invested enterprises in Guangdong in applying for identification of Guangdong Provincial Famous Trademarks**

The HKIPD continued to communicate to the local IP industry and relevant industry associations information about the permission for Hong Kong-invested enterprises in Guangdong to apply for Guangdong Provincial Famous Trademarks, and publicise such information at the SME Centre of the Hong Kong Trade Development Council and in the exhibitions it organised, with a view to encouraging Hong Kong-invested enterprises in Guangdong to apply for Guangdong Provincial Famous Trademarks. The GDAIC provided guidance to the Guangdong Trademark Association on the continued implementation of the co-operation items between Guangdong and Hong Kong, so as to support the Hong Kong-invested enterprises in Guangdong in applying for the identification of Guangdong Provincial Famous Trademarks.

In 2017, Hong Kong-invested enterprises in Guangdong were granted 92 new identifications, which is 14.5% of the 635 new identification granted in total; and 132 renewal identifications, which is 14.9% of the 888 renewal identification granted in total.



**20. Promoting the “No Fakes Pledge” Scheme**

The Guangdong side continued to implement the “No Fakes Pledge” Scheme in 21 prefecture-level cities and Shunde District in Guangdong Province, with a view to strengthening publicity on IP protection and enhancing public awareness of respect for IPRs. On 18 July 2017, representatives of the HKIPD visited Guangzhou and met with representatives from GDIPO and relevant industry associations in the Mainland, sharing their publicity plans for and the latest development of promoting the “No Fakes Pledge” Scheme.

**21. Facilitating the participation of the Hong Kong side in programmes such as training course for patent examiners**

The GDIPO informed the HKIPD of the details of the 17<sup>th</sup> training course for newly appointed patent examiners organised by the Patent Examination Co-operation Centre of the Patent Office of State Intellectual Property Office in Guangdong and assisted in registration for staff of the HKIPD..

**22. Supporting community organisations in Hong Kong to participate in the Guangdong Youth and Children Invention Award**

With the strong support of the GDIPO, the HKIPD encouraged and provided funding for the Hong Kong Federation of Invention and Innovation to nominate Hong Kong students to participate in the 15th Guangdong Youth and Children Invention Award. During the event which took place in June 2017, eight teachers and students from Hong Kong presented 12 inventions at the open exhibition and final assessment held at the Guangdong Science Center, winning a total of nine awards.

**23. Continuing to update the “Intellectual Property Database for Guangdong, Hong Kong and Macao” and the “Guangdong/Hong Kong IP Co-operation Corner”**

The HKIPD and the GDIPO, in collaboration with other members of the Guangdong/Hong Kong Expert Group on the Protection of IPRs, continued to regularly update the “Intellectual Property Database for Guangdong, Hong Kong

and Macao” and the “Guangdong/Hong Kong IP Co-operation Corner”. In 2016-17, over 120 hyperlinks were updated, providing access to information on laws and regulations of patent, trademark, copyright and IP border and criminal protection, IP administration and management, the contacts of law enforcement agencies, etc. in the three places.

**24. Promoting IP trading and co-operation between high-end IP service agencies in Guangdong and Hong Kong**

On 12 July 2017, the HKIPD and the GDIPO organised an exchange programme under the theme of “Fostering the Commercialisation of Patents through High-end IP Services”. Representatives from the technology transfer centres of several universities in Hong Kong and members of the patent industry visited the Guangzhou Institute of Modern Industrial Technology, South China University of Technology and the Nansha Research Institute, Sun Yat-Sen University in the Nansha Pilot Free Trade Zone, and conducted exchanges around the theme to promote co-operation of high-end IP service industry and the development of IP trading in the two places.