

Seventh 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

1. To continue organising roving seminars on “Intellectual Property (IP) and Development of Small and Medium Enterprises (SMEs)” in Guangdong

A seminar on “IP and Development of SMEs” jointly organised by Guangdong and Hong Kong was held in Shantou City in late March 2008 with a view to raising the awareness of IP protection and the IP management abilities of SMEs in both places. During the seminar, representatives of the IP authorities of Guangdong and Hong Kong introduced the IP systems and policies of the Mainland and Hong Kong respectively. IP experts of the two places also delivered speeches on topics such as IP protection for Mainland enterprises to expand to overseas markets and IP as a tool for wealth creation and development of business opportunities in the Mainland. Over 350 participants attended the seminar.

2. Encouraging enterprises in Guangdong and Hong Kong to apply for and register their IPRs in both places through promotion and education

A grant scheme for application for Hong Kong patent was launched by the Guangdong Province in September 2007 to provide subsidies to Guangdong business entities and individuals to apply for patents in areas outside the Mainland, including Hong Kong. A subsidy of RMB 2,000 will be provided for each Hong Kong standard patent granted. The Intellectual Property Department of the Hong Kong Special Administrative Region (IPD) will continue to promote the IP protection in Hong Kong, the registration and protection of trade marks, and the differences between trade mark registration and company registration by organising trade mark talks in collaboration with the Administration for Industry and Commerce in Guangdong cities. The two sides will encourage enterprises and the public to apply for IP registration in both places by different means.

3. To continue promoting the “No Fakes Pledge” Scheme in Guangdong and Hong Kong

The two sides are committed to promote the “No Fakes Pledge” Scheme. To strengthen the marketing effect and support of the Scheme, the two sides jointly produced an announcement of public interest (API) on “No Fakes Pledge” Scheme, posters and related souvenirs in 2008. The API was broadcast in both places from April to June 2008. Souvenirs relating to the API were also distributed at exhibitions and through various promotion channels in Hong Kong and

the Mainland to boost consumer confidence towards retailers, to enhance the goodwill of retailers as well as to educate consumers to purchase genuine goods.

Additionally, the list of participating retailers of the “No Fakes Pledge” Scheme has been uploaded to the “Guangdong/Hong Kong IP Cooperation” column newly set up in the official websites of both sides to enhance the transparency and strengthen the management of the Scheme.

Representatives of the issuing bodies of the “No Fakes Pledge” Scheme in Hong Kong and the eight participating cities of Guangdong Province were invited by the Hong Kong side to join the 10th Anniversary Celebration of the “No Fakes Pledge” Scheme and an exchange activity to be held in Hong Kong on 19 July 2008 to share the experience of supporting, managing and marketing the Scheme.

4. To continue organising exchange and training programme for IP professionals in Guangdong and Hong Kong

In December 2007, a delegation consisting of 19 representatives from IPD, the Innovation and Technology Commission, the Office of the Government Chief Information Officer, various universities in Hong Kong and the Hong Kong Cyberport Management Company Limited observed the works on technology transfer as well as the scientific research of the universities and science and technological institutes in the Guangdong Province. A delegation of 19 representatives from tertiary institutions and research institutes organised by the Guangdong Provincial Intellectual Property Office (GDIPO) visited Hong Kong in January 2008 to explore the space for technology transfer, discuss the challenges faced in patent licensing and to share the success stories of commercialisation of patented technologies. Through the exchange activities between the tertiary institutions and science and technological institutes, the IP professionals of the two places gained a better understanding of various aspects of IP protection. A detailed report for the exchange programme has been posted on the website of IPD.

5. To continue to complete the study on “The relationship between company registration and trade mark registration in Guangdong and Hong Kong and its current situation”

The study aims to examine the relationship between and the situation of company registration and trade mark registration in Guangdong and Hong Kong, and to investigate in how and why such situation emerges. It is expected that the completed report could enable both sides to have a better understanding of company registration and trade mark registration systems of the two places. The two sides may further formulate promotion strategies with reference to the

content of the report.

6. To continue the study on creative industries in Guangdong and Hong Kong with a view to promoting the development of the creative industries in both places

The South China University of Technology has prepared the Guangdong part of the draft report. The study on creative industries in Hong Kong will be commenced.

7. To take forward exchanges between IP-related non-government organisations in Guangdong and Hong Kong

The governments of Guangdong and Hong Kong will continue to provide guidance and take forward exchanges and co-operation between IP-related non-government organisations in both places. The two sides will continue to invite IP-related non-government organisations of both places, such as the Hong Kong Trade and Development Council, the Federation of Hong Kong Industries, the Hong Kong Productivity Council, the Guangdong Patent Agency Association and the Guangdong Intellectual Property Society to participate in various talks and seminars in both places to further strengthen co-operation and exchanges between the parties.

8. To continue strengthening the coordination mechanism for enforcement co-operation in combating Guangdong-Hong Kong cross-boundary IPR infringement activities

Since the establishment of the Guangdong/Hong Kong Expert Group on the Protection of IPRs, the IPR enforcement agencies of both sides have been refining their co-operation mechanism to fight cross-boundary infringement activities. On 20 September 2007, the two sides convened a meeting in Guangzhou to discuss on further stepping-up of IPR intelligence sharing mechanism. The two sides endeavoured to put in place a more effective and direct information exchange and collaboration mechanism blueprinted on the existing IPR cases co-operation mechanism. On the enforcement side, the two Customs administrations conducted 4 rounds of parallel operation at various land control points in the past year (June 2007 to May 2008). During the operations, a total of 26 cases were effected. The two sides also exchanged 72 pieces of information.

9. To continue carrying out exchange programme for teachers with a view to strengthening exchanges on IP education in primary and secondary schools

To exchange on how to enhance the awareness of and respect for IPRs of students through school education, GDIPO organised a group of 6 primary and secondary teachers from IP

education pilot schools in Guangdong to visit Hong Kong in January 2008 to observe the training course for the “IP Tutor Programme” held by IPD. The visit enhanced exchanges and communications on IP education between primary and secondary schools of the two places.

10. To enhance the understanding of the intellectual capital management concept of enterprises

The two sides jointly organised “Intellectual Capital Management” seminars in Hong Kong and Guangzhou in April and May 2008 respectively, enabling 250 representatives from SMEs, IP practitioners and tertiary students to gain a better understanding of the intellectual capital management concept for more effective IP management of enterprises.

11. To take forward exchanges between IP agents in Guangdong and Hong Kong

The two sides held a roundtable discussion for IP agents of Guangdong and Hong Kong in Shenzhen Municipality in June 2008. The discussion aimed at providing a platform for IP practitioners of both places to discuss issues of common concern and to explore collaboration opportunities. Since the roundtable discussion was well-received, the two sides plan to organise another exchange activity for IP agents with a view to raising the standard of IP professional services in both places.

12. To set up and regularly update the “Guangdong/Hong Kong IP Cooperation” column

The two sides will update and enrich the contents of the newly established “Guangdong/Hong Kong IP Cooperation” column in the official website of both sides. Through dissemination of the latest information at the websites, the public can keep abreast of the development of IP co-operation between Guangdong and Hong Kong.

13. To deepen the enterprises’ and the public’s understanding of IP systems of the two places through conventions and exhibitions

The two sides have always endeavoured to encourage enterprises to apply for registration of their IP in both places. GDIPO and IPD have set up a joint booth at the “Hong Kong International Licensing Show” held in early July 2008. The two sides plan to participate jointly in a large-scale exhibition to be held in the Guangdong Province by the end of 2008. Through displaying and distributing materials relating to the IP systems of both places and answering questions about IP registration raised by enterprises and the public forthwith, it is expected that the enterprises’ and the public’s understanding of IP systems of the two places will be deepened.