

**Twelfth 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. Organising a Seminar on IP and Development of Small and Medium Enterprises (SMEs) in Guangdong

A Guangdong/Hong Kong Seminar on IP and Development of SMEs entitled “IP Trading and Capitalisation” , was jointly organised by the two sides in Qingyuan in June 2013. IP administrators, professionals, academics and representatives of SMEs and IP intermediaries of Guangdong and Hong Kong introduced the latest development of IP systems as well as IP trading in the Mainland and Hong Kong and discussed how IP trading can help enterprises on brand building, exploring business opportunities and tapping the world market. Over 200 participants attended the seminar.

2. Organising copyright exchange programmes in Guangdong and Hong Kong

A delegation led by the Intellectual Property Department (IPD) of Hong Kong visited Guangzhou in March 2013 for an exchange activity entitled “Copyright Management and IP Trading”. Both sides shared the information on channels for copyright infringement reporting, copyright infringement enforcement and copyright trading. In April 2013, the Copyright Bureau of Guangdong Province (GDCB) led a delegation to visit Hong Kong. The delegation met and exchanged views with representatives of Hong Kong Reprographic Rights Licensing Society and Hong Kong Comics and Animation Federation Limited. They also visited the Hong Kong Customs and Excise Department (Hong Kong Customs) and the Cyberport to deepen the understanding on copyright management and trading development trends in the two places.

The GDCB, the IPD and the Hong Kong Customs jointly organised an “Exchange Programme on Copyright Knowledge and Copyright Protection for the Guangdong/Hong Kong Secondary Schools’ Students”. In January and March 2013, “Youth Ambassadors” from Hong Kong and students from Zhaoqing visited each other to share their views on IP protection.

3. Strengthening co-operation and exchange on trademarks and brand building

In December 2012, a delegation of local enterprises, IP intermediaries and government officials led by the Guangdong Province Administration for Industry and Commerce (GDAIC) attended the “Business of IP Asia Forum” and paid visits to famous Hong Kong brand enterprises to exchange views on the theme of brand building. It strengthened the co-operation on trademarks/ brand creation and established an exchange platform for IP-related non-government organisations (NGOs) in both places.

4. Continuing to organise exchange programmes and seminars

The Hong Kong Customs organised a “Guangdong Province IP Protection Seminar” with the Federation of Hong Kong Industries (FHKI) in September 2012. The GDCB, Guangdong Sub-Administration of China Customs (Guangdong Customs) and GDAIC were invited to give speeches on IP protection in Guangdong exhibitions, copyright protection in the Mainland for Hong Kong copyright owners and IP protection measures at borders.

5. Enhancing the Guangdong/Hong Kong co-ordination mechanism for IP-related cases

The Customs administrations of Guangdong and Hong Kong formally appointed liaison officers for the Cooperation Plan on IP protection in the two places in August 2012. In response to the increasing trend of the Hong Kong Customs’ seizure of infringing goods exported from some areas of Guangdong by sea transport means in recent years, the Guangdong Customs and the Hong Kong Customs have launched joint operations to combat cross-boundary sea transportation of IP infringing goods in both Hong Kong and Guangdong since December 2012. During the operations, a total of 83 cases involving 910,000 items of suspected infringing goods were seized in Guangdong Province. As to the special operation targeting import and export of infringing electronic goods via postal express launched by the two sides in April 2013, the Guangdong Customs detected 23 cases involving a total of 11,582 items of suspected infringing goods exported to USA and Hong Kong and the Hong Kong Customs also detected 12,217 items of infringing goods valued at over HK \$0.32 million.

Facilitated by the Guangdong Provincial Public Security Department (GDPSD), the Hong Kong Customs formally established a direct liaison channel and a co-ordination mechanism for IP-related cases with the economic crime investigation unit of Shenzhen Municipal Public Security Bureau (SZMPSB) in May 2012. In October 2012 and April 2013, the Intellectual Property Investigation Bureau of the Hong Kong Customs and the economic crime investigation unit of the SZMPSB visited each other and exchanged views on IPR protection operations.

The GDAIC and the Hong Kong Customs put in place the mechanisms of reporting, assistance in investigation and liaison for Guangdong/Hong Kong trademark infringement cases. Between September 2012 and May 2013, the Hong Kong Customs referred 75 clues to the GDAIC, 30 of which were related to the infringement of Guangdong Province enterprises. During the same period, the Hong Kong Customs assisted in providing information on 7 Hong Kong enterprises to the GDAIC for their referral to the relevant authority for investigation and analysis.

The GDCB and the Hong Kong Customs have formally appointed liaison officers and established a mechanism for infringement case reporting and investigation assistance in order to timely exchange the most up-to-date information on the infringement technologies and to enhance the co-ordination mechanism for handling copyright-related cases in the two places.

The Guangdong Intellectual Property Office (GDIPO) assisted the Hong Kong Customs in applying for two duplicate copies of the Patent Register for Patentee issued by the State Intellectual Property Office (SIPO).

6. Organising exchange activities between the Guangdong and Hong Kong Customs

The Hong Kong Customs and the European Chamber of Commerce in Hong Kong organised the “1st Regional European IPR Protection and Enforcement Conference” in September 2012. The Guangdong Customs and GDPD were invited by the Hong Kong Customs to give speeches and discuss with the representatives of law enforcement agencies and brand enterprises from Asia Pacific and Europe how to combat IP crimes effectively.

In January and July 2013, the Guangdong Customs and the Hong Kong Customs visited each other to exchange views on the topics of law enforcement at borders, postal operations and monitoring and so on. In March and July 2013, representatives of the two parties held co-ordination meetings in Shenzhen and Hong Kong respectively to discuss strategies for combating infringement activities via postal express.

7. Co-operating to combat cross-boundary Internet IP infringement

In June 2012, the Ministry of Public Security of the People’s Republic of China, the Hong Kong Customs, GDPD and SZMPSB held an exchange and co-ordination meeting in Shenzhen to exchange views on investigation into a case with a view to taking that case as a typical one for combating IP infringement through joint operations of the Guangdong Customs and the Hong Kong Customs. In April 2013, the Hong Kong Customs organised a talk on investigation skills and evidence collection techniques for Internet IP infringement cases for the economic crime investigation unit of the SZMPSB.

8. Further promoting the “No Fakes Pledge” Scheme

The GDIPO, the IPD, the GDCB and the GDAIC jointly organised an exchange programme for “No Fakes Pledge” Scheme in Dongguan in June 2013. Over 100 participants coming from IP offices, copyright bureaux, administrations of industry and commerce of 21 prefecture-level cities, Shunde District Economic and Trade Promotion Bureau, the issuing bodies of Hong Kong and industry associations in Guangdong attended the activity to share their experience in participating in the “No Fakes Pledge” Scheme launched in the two places in the past decade.

9. Updating the “IP Database for Guangdong, Hong Kong and Macao” and “Guangdong/Hong Kong IP Co-operation Corner”

The IPD and GDIPO continued to lead other members of the Guangdong/Hong Kong Expert Group on the Protection of IPRs to regularly update the “IP Database for Guangdong, Hong Kong and Macao” and “Guangdong/Hong Kong IP Co-operation Corner”, incorporating the latest information on laws and regulations of patent, trademark, copyright and IP border and criminal protection, IP administration and management, the contacts of law enforcement bodies in the three places, etc.

10. Supporting participation in the Guangdong Youth and Children Invention Award by NGOs in Hong Kong

The IPD continued to encourage and provide financial support for the Hong Kong

Invention Association to nominate Hong Kong students to participate in the 11th Guangdong Youth and Children Invention Award. In June 2013, six representatives from Hong Kong presented 8 inventions at the Open Exhibition and Final Assessment held at the Guangdong Science Center, obtaining six Special Awards and one Excellent Group Award.

11. Organising IPD officials to attend new patent examiner training

The GDIPO assisted in arranging IPD officials to attend the 5th New Patent Examiner Training Course by the Patent Examination Cooperation Centre of SIPO Guangdong.

12. Supporting application for Guangdong Provincial Famous Trademarks by HK-invested enterprises in Guangdong

After the Government of Guangdong Province confirmed the transfer of the Guangdong Provincial Famous Trademarks recognition work to social organizations in 2012, GDAIC informed IPD of such arrangement timely; suggested IPD to put on hold the publicity and assisted IPD in establishing communication channel with the new recognition agency - Guangdong Trademark Association. GDAIC would keep track of the development and inform IPD for further disseminating related information to the industries.

13. Assisting Hong Kong residents in sitting for the National Qualification Examination for Patent Agents 2012 at the Guangzhou examination centre

The National Qualification Examination for Patent Agents 2012 was held at 20 examination centres across the country in November 2012. Guangdong and Hong Kong sides actively assisted Hong Kong residents in sitting for the examination and provided information on examination registration, requirement, pre-examination training, etc. In 2012, a total of 46 Hong Kong residents sat for the examination and five of them passed the examination.

14. Actively promoting IP trading in Guangdong and Hong Kong

Guangdong and Hong Kong studied and promoted the concept of IP trading through various measures, including publishing hyperlinks to information on IP trading on the “IP Database for Guangdong, Hong Kong and Macao” and on the websites of some members of the Guangdong/Hong Kong Expert Group on the Protection of IPRs. The two sides organised a Guangdong/Hong Kong Seminar on IP and Development of SMEs entitled “IP Trading and Capitalisation” and copyright industry exchange activity entitled “Copyright Management and IP Trading”. To further promote the development of IP trading in the two places, the IPD promoted the concept of IP trading to local SMEs during the “Business of IP Asia Forum” held in December 2012 and helped them to utilise IP more effectively so as to increase their international competitiveness through IP.