

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



The Third Annual Berkeley-Tsinghua Transnational IP Litigation Conference

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U.S. Patent and Trademark Office

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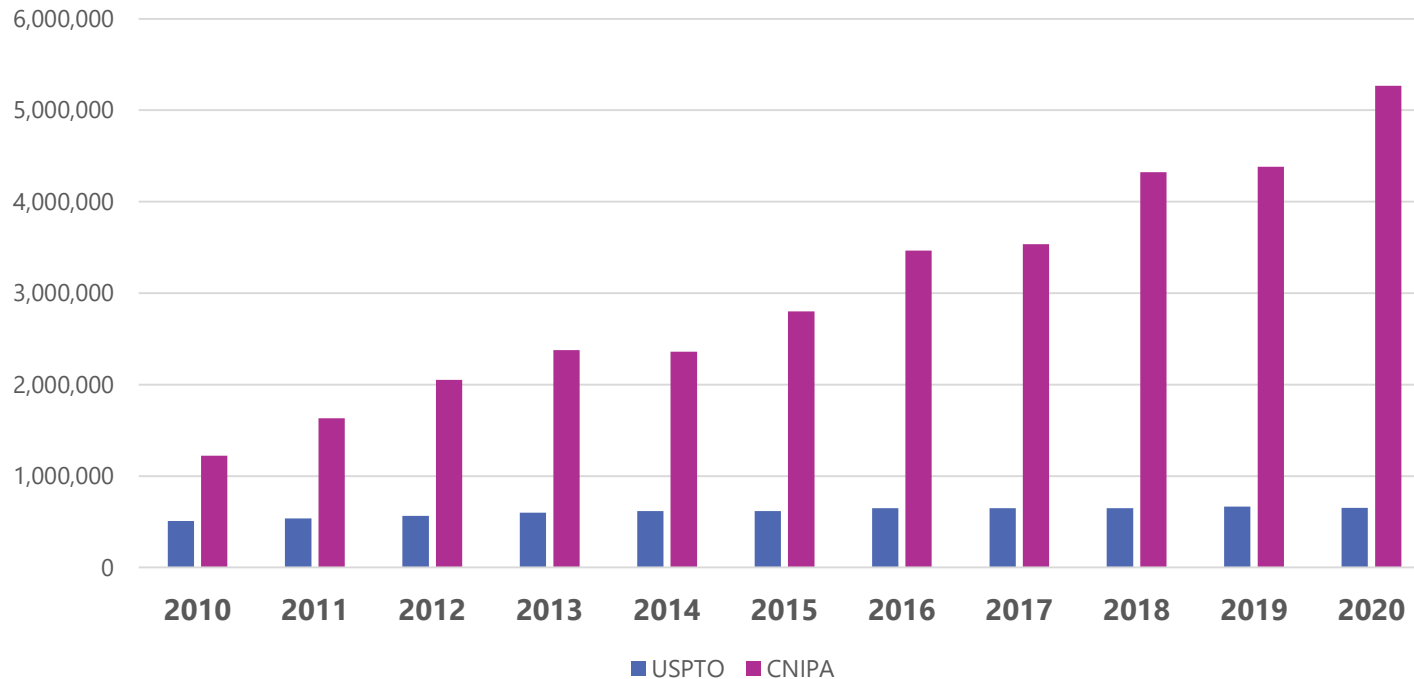


USPTO's China team

- Washington D.C., Beijing, Shanghai, Guangzhou
- Made up of 11 U.S. lawyers and five Chinese lawyers
 - Elaine Wu – Principal Counsel and Director for China IP (Patents/Pharmaceutical/Technology)
 - Michael Mangelson – Principal Counsel and Director for China IP (Trademarks/Trade secrets/Enforcement)
 - Larry Lian–China Resource Center/Patents/Pharmaceutical
 - Michael Diehl–Trade Secrets/Standards
 - Susan Anthony and Jennifer Chicoski–Trademarks
 - Neil Graham–Copyright
 - David Foley–Enforcement
 - Kelly Sheng–Outreach
- IP attachés in China
 - Duncan Willson, Beijing
 - Conrad Wong, Guangzhou

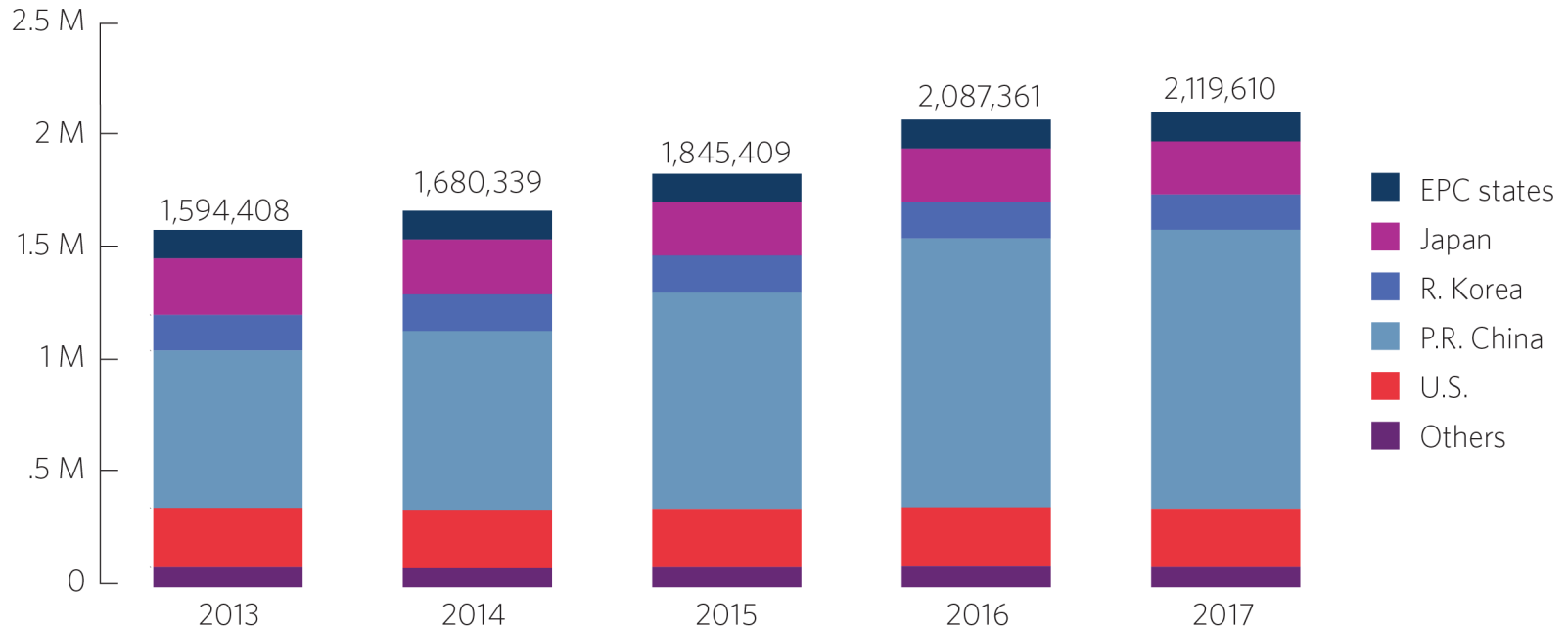


CNIPA receives eight times as many patent applications as the USPTO



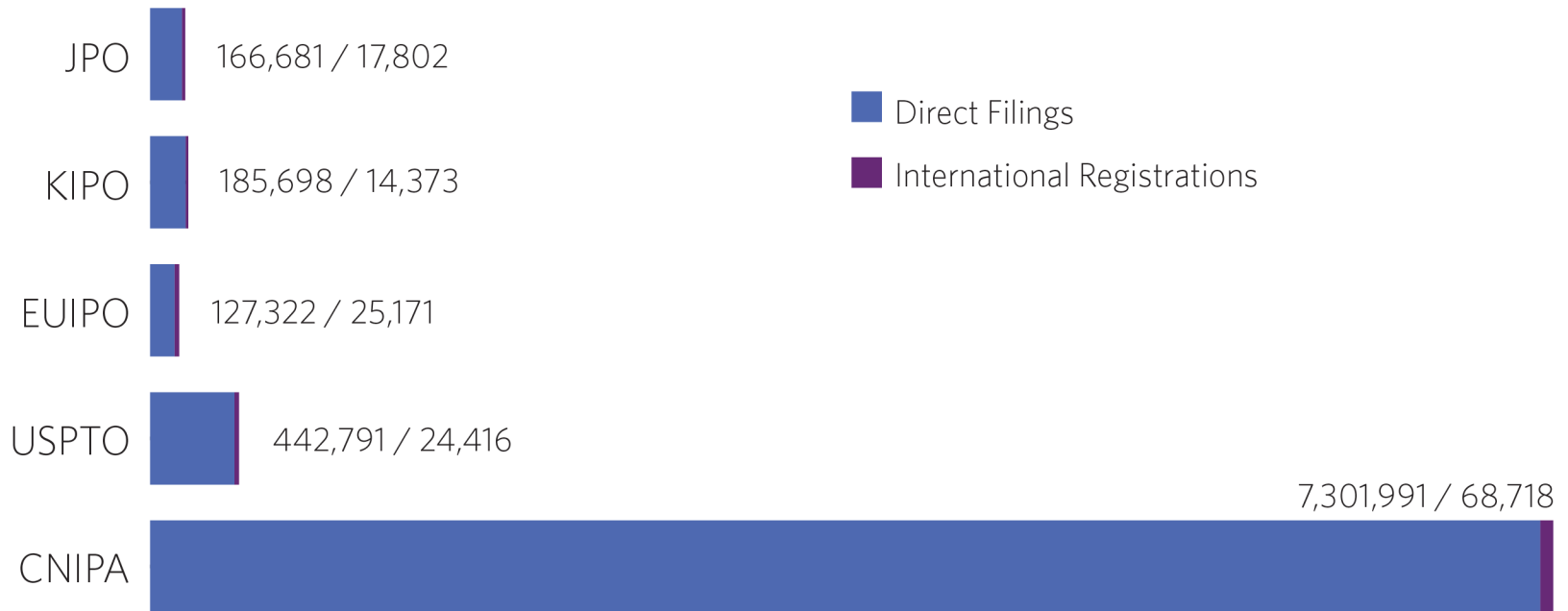
Source: USPTO Annual Performance and Accountability Report 2020 and CNIPA Interim Report for January to November 2020 (filing for full year 2020 extrapolated from January to November data).

Utility patent applications filed in IP5 and other IP offices, 2013–2017



Source: Reproduced from Figure 3.4, IP5 Statistics Report 2018, www.fiveipoffices.org/statistics/statisticsreports/2018edition.

Trademark filings in TM5 offices



Source: Reproduced from figure on page 1 of "TM5 Common Statistical Indicators 2018"(the latest available as of this writing), http://tmfive.org/wp-content/uploads/2020/06/CSIGraphstm5_2018.pdf.

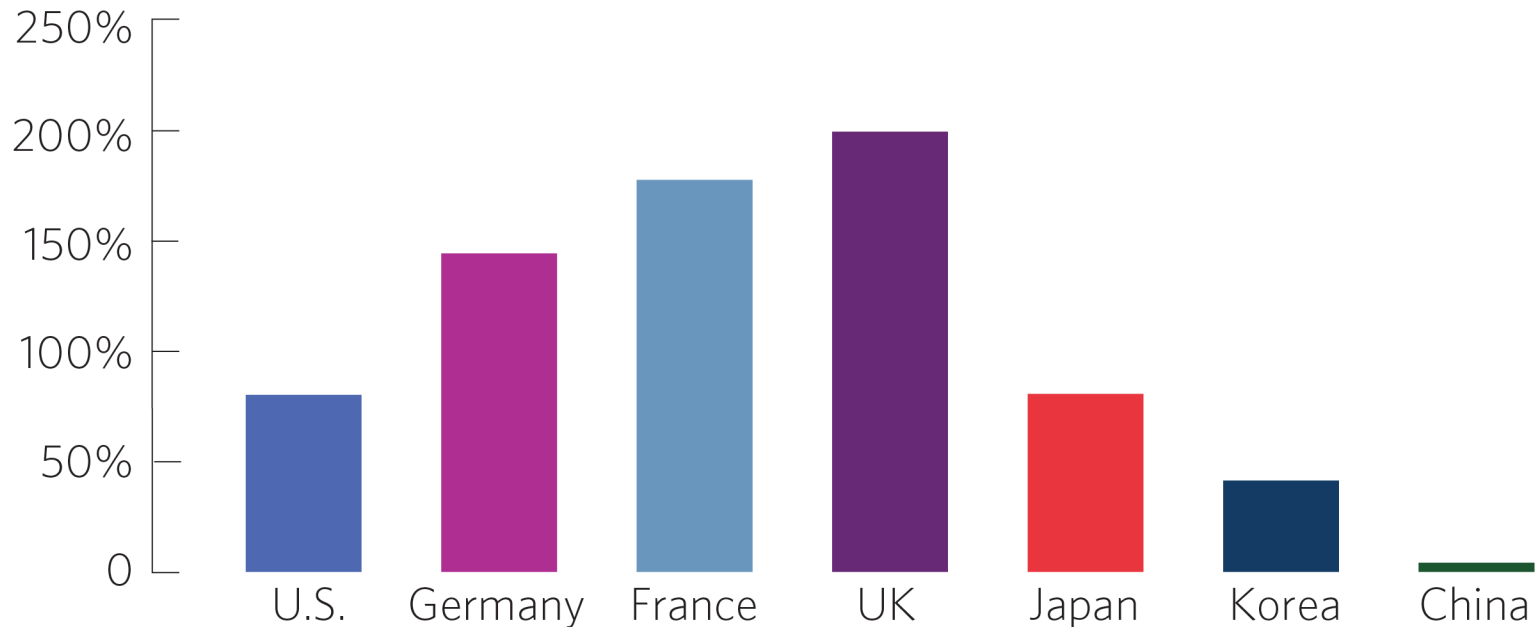
Non-market factors driving IP filings in China

- IP Subsidies:
 - China has over 240 subnational patent subsidy measures and over 70 trademark subsidy measures.
 - A substantial share of patent and trademark applications filed in China may be motivated more by a desire to qualify for subsidies than to exploit a new technology or to distinguish goods and services in the marketplace.

Non-market factors driving IP filings

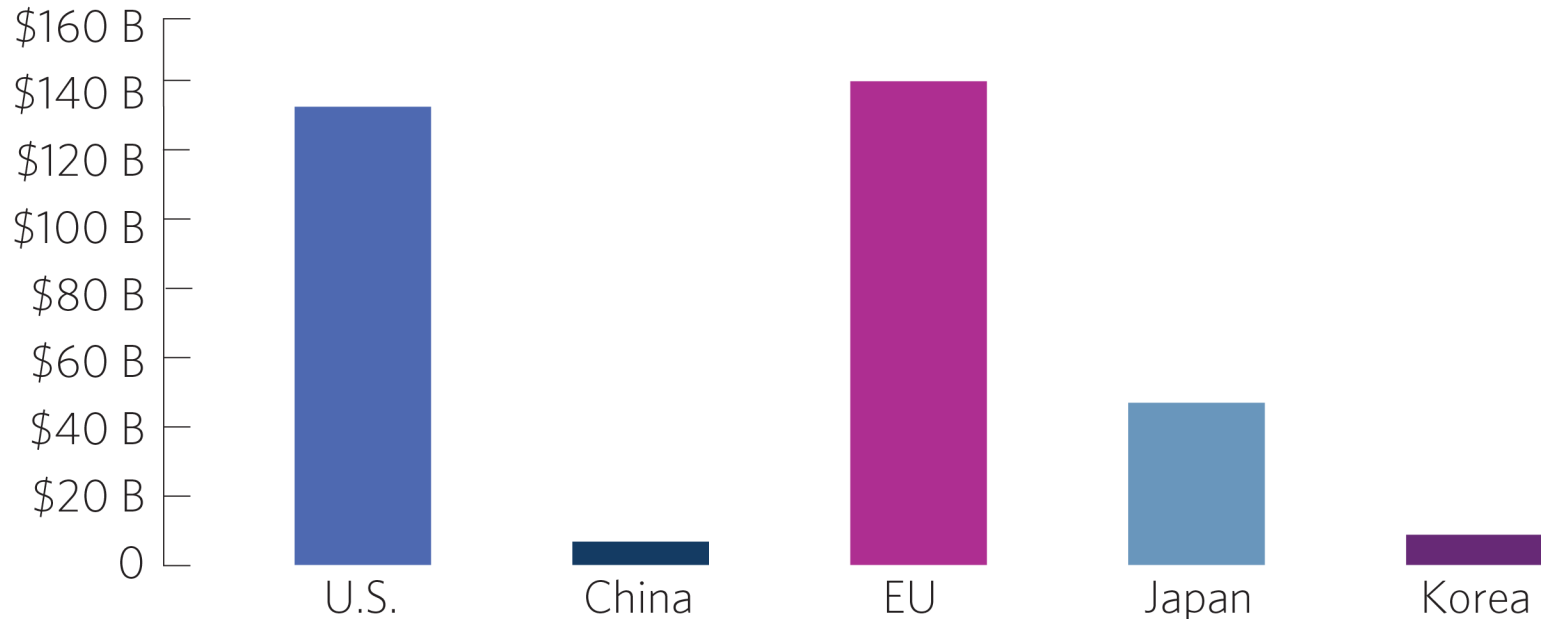
- Government mandated numerical targets: patenting targets for state-owned enterprises
 - e.g., in March 2020 China directed its 128 centrally owned enterprises to double their holdings of U.S. and other foreign patents by 2025 and to increase by their trademark filings under the Madrid system by 50 percent.

Ratio of foreign patent filings to domestic patent filings in IP5 offices in 2018



Source: Calculated based on data from WIPO IP Statistics Data Center, www3.wipo.int/ipstats/index.htm?tab=patent.

IP licensing receipts by IP5 countries and regions in 2019



Source: Calculated based on data from the World Bank's World Development Indicators database, <https://databank.worldbank.org/source/world-development-indicators#>.

China – IPR Toolkit



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STOPfakes.gov

www.uspto.gov/ip toolkit



Thank you!

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